

Behind the Juanita Nielsen mystery is another, forgotten cold case

ABC Radio National



These two women's deaths are connected with the same street. But only one is widely remembered.

*ABC News: Michael Dulaney
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Warning: Aboriginal and Torres Strait Islander readers are advised that the following story contains the name and image of a person who has died.

It has been nearly 50 years, but Kaye Bellear can still recall the white mark on the dead woman's face as she lay in the burnt house.

The house is long gone, as are many of the people who saw the fire, but the street in the heart of Sydney's Kings Cross still brings back terrible memories.

Back in the spring of 1973, Kaye was a nurse helping to feed and care for homeless people squatting in abandoned houses around Sydney.

"And on this particular late afternoon, three people ... asked me if I'd drop them off in Victoria Street on my way home [from Redfern]," she says.

When they arrived in Kings Cross, Kaye saw a tall young woman standing outside the terrace house at number 103 Victoria Street.



Kaye Bellear was one of the last people to see Esther George alive.

Kaye had never seen her before, and didn't know her name, but she noticed a distinct white mark on her forehead before the young woman disappeared inside the house.

The next morning, Kaye heard on ABC News that a fire had burned through a house on Victoria Street. With the smoke and rubble cleared, a body had been found inside.

"And I just thought, 'Oh my God, that's the house'," Kaye says.

"So I got in the car, and went up to Victoria Street. The police were there and they took me upstairs ... to see if I could identify the woman.

"I saw this woman lying on her back, she had the white mark [on her forehead]."

The coroner found that the 23-year-old Aboriginal woman, Esther George, died on September 6, 1973 of "burns sustained then and there when the fire broke out within those premises from a cause unknown".

Esther was from the Doomadgee Mission in Queensland and had arrived in Sydney a year prior, living a few suburbs away in Newtown. She was just crashing at 103 Victoria Street that night the house went up.

The fire was suspicious — gas and electricity had long been disconnected, and questions remain about whether it was deliberately lit.

There were a number of unexplained fires on Victoria Street in the early 1970s, when the street was consumed by a battle over affordable and heritage inner-city housing, which culminated in the disappearance of journalist Juanita Nielsen in 1975.



Kaye Bellear was a nurse working with Sydney's homeless in the early 1970s

Kaye believes Esther was an innocent bystander caught in a spate of arson attacks allegedly connected to a proposed high-rise property development, and the police investigation into her death was hampered by discrimination.

If so, Esther's death is a forgotten tragedy on the periphery of the Nielsen case, Sydney's most notorious true-crime mystery.

Whatever the cause, the story of how Esther died, and what happened afterwards, is a tale of two justice systems, and what sort of bodies get to be counted as a victim.

A street on fire

The house that burned with Esther inside was on Victoria Street, which had become ground zero in a battle over the development of Kings Cross.

On one side were the residents – chefs, wharfies, the elderly and others who wanted to retain their affordable housing on the edge of the Sydney CBD.

On the other were property developers looking to bulldoze the street's terrace houses to build profitable high-rise apartment towers in their place.



In the early 1970s, Victoria Street in Kings Cross was part of a dispute between residents and property developers

Scenes became ugly when the developer, Frank Theeman, hired thugs – including two former NSW Police detectives, Fred Krahe and Keith Kelly – to intimidate the residents and their supporters.

Over time, the tenants were evicted by Theeman, who had bought up the houses and was losing millions in interest as the dispute dragged on.

Eventually, a dedicated group of squatters moved into the empty houses to protest Theeman's development and obstruct the bulldozers – most of them young university students, former residents and people from the labour movement.

But the boarded-up houses also offered shelter for those living on the street.

"Huge numbers of Aboriginal people, particularly in those days, were homeless and living in empty houses," Kaye recalls.

"The Aboriginal squatters in that house [on Victoria Street] were squatting out of necessity, they weren't squatting to prove a political point."



Squatters moved in to protest Frank Theeman's plans for Victoria Street and offered fierce resistance to being evicted

Developers weren't having any luck clearing out the last of the squatters, and came up against fierce resistance.

And that's when Victoria Street started to burn.

One of the squatters, Wendy Bacon, believed fires in the vacant houses were a tactic to scare the protesters off in the months after they moved in.

"So if a person happened to be in one of those buildings, well, it's not surprising if someone died in a fire," she says.

Accidental or deliberate?

What we know about the night of the fire at 103 Victoria Street comes from witness statements given to the NSW Coroner.

According to those statements, Esther left Central headed for Kings Cross with Joseph Mick, an Aboriginal man who had been sleeping in the abandoned house for the past three weeks.

On the way they were joined by a white man in his early twenties who was unknown to them. They drank together for a while, and Joseph suggested they all go back to the house. He offered Esther and the man the bed, while he took the couch.

At about 530am, Esther and Joseph awoke with the staircase ablaze and smoke filling the upstairs room where they were sleeping. The white man was nowhere to be

seen. Witnesses on the street saw flames shooting out the front windows and the building burning fiercely.

Through the thick black smoke, Joseph felt his way along the walls to find the window. To survive, they would have to jump out. He heard Esther screaming somewhere in the room but could not see her. As he sat on the ledge trying to attract help from people on the street, he called for her to come to the window, but she fell silent.

Wandering dazed on the street, with burns to his face and hands, Joseph pointed to the first floor window and told one of the witnesses, Eric Wright, that he had jumped out.

"My sister is still in there, she is dead by now," he said to Wright.



Half a dozen fire trucks arrived at Victoria Street that morning

Half a dozen fire trucks arrived with crews to put out the blaze, and a handful of TV reporters interviewed bystanders.

Joseph was barely coherent and affected by shock, but before he was taken away by ambulance he managed to tell Wright about the "white fella" they met at Central station who he thought "must have lit the fire and left us in there."

When police and fire crews arrived in the upstairs room, they found Esther in her clothes where she had been sleeping, her head laying gently over the end of the bed. She died from asphyxiation and burns as a result of the fire.

The police and Joseph Mick

After she identified Esther's body at the house, Kaye overheard that someone had been taken to the nearby St Vincent's Hospital.

There, she says she found two detectives with Joseph Mick, who Kaye knew previously from working in the area. She saw he was suffering from smoke inhalation.

Kaye says the police told her Joseph had read out loud a statement admitting to lighting the fire, and that he was prepared to sign the document.

"And I said, 'When did he read it?' And the police said, 'Oh, just before you came'... and I said, 'Read it out loud to you?' [And the detectives replied] 'Yes,'" Kaye says.

"And I said, 'Well, that's really interesting, because Jo is totally illiterate ... he can neither read nor write'."

Kaye believes the detectives were trying to get an arrest for the fire by pinning the blame on Esther's confused and disoriented friend. A newspaper at the time reported police had suggested to Joseph that the white man staying in the house the night of the fire did not exist.

Kaye brought a solicitor from the Aboriginal Legal Service to the hospital. Joseph Mick signed a new statement – read out loud to him by the lawyer – that did mention the white man who fled the scene. He left the hospital several days later without being charged.

Kaye had seen first-hand how police approached Aboriginal people in Sydney at the time.

"It wasn't unusual that police would be very quick to charge Aboriginal people with whatever they thought they could get away with," Kaye says. "And to charge [Joseph Mick] with the fire would have cleared the books for them."

Curfews, petty charges and crackdowns

Aboriginal people had long protested that they were over-policed and subject to excessive punishment in the 1960s and 70s.

Police frequently used petty charges to impose an unofficial curfew on Aboriginal people.



Aboriginal-rights activists protested the injustices they faced in the 1960s and 70s

A 1973 report from the NSW Local Courts concluded that Aboriginal people were convicted for petty crimes at a rate ten times greater than the general population. The majority of these offences (63 per cent) were for "unseemly words" and vagrancy – double the proportion for non-Aboriginal people.

In the same week that Esther died, an Aboriginal man appeared in court after officers walked into his Redfern house at 3am without a warrant and arrested him in his bed for the crime of swearing, then dragged him from the house without permitting him to put on clothes or shoes.

"I found, as most people do, [the curfew] a little hard to believe when I first heard it, but when I observed it operating with my own eyes, I was left with little doubt," recounted The Hon Hal Wootten in 1974, a lawyer who helped found the Aboriginal Legal Service.

"The simple position was that any Aboriginal who was on the streets of Redfern at a quarter past 10 was simply put into the paddy wagon and taken to the station and charged with drunkenness, and that was something that was just literally applied to every Aboriginal walking along the street."



An Aboriginal rights demonstration in 1972 was marked by a heavy police presence

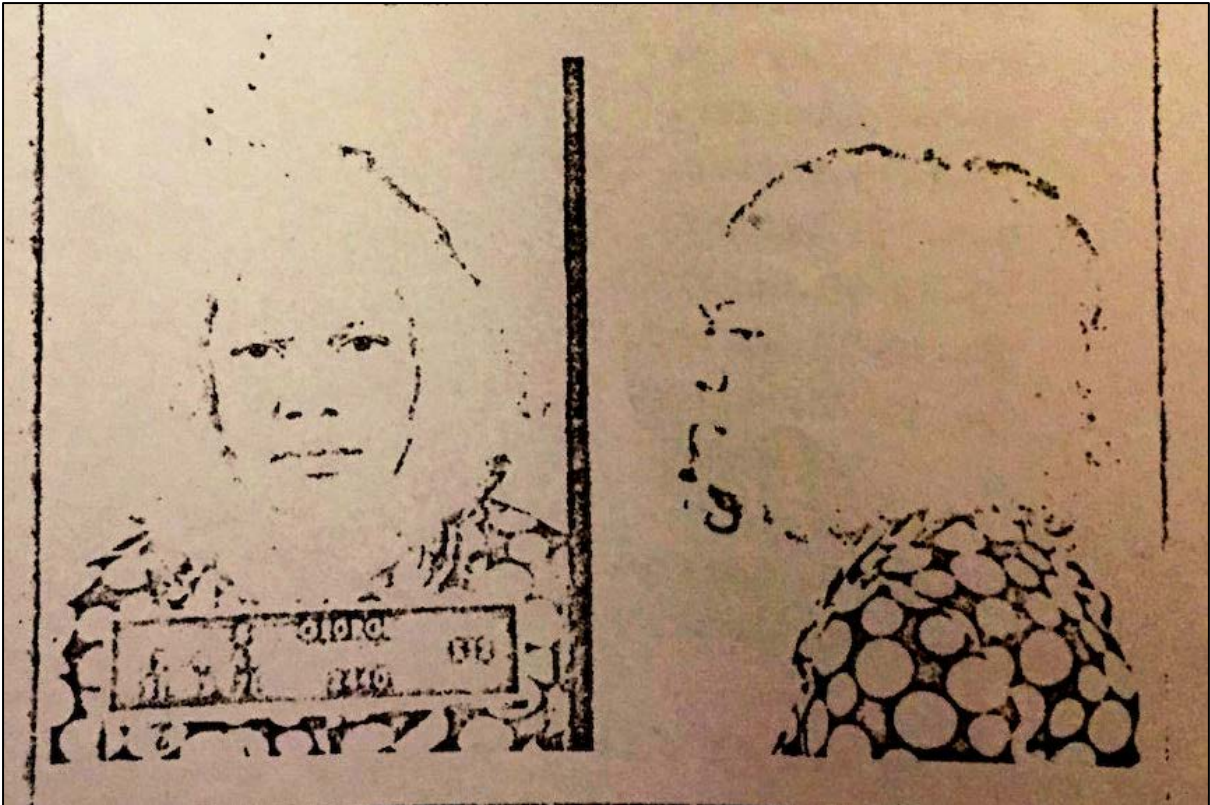
Just a few nights before the Victoria Street fire, Kaye was among 13 people arrested in one of these Redfern crackdowns. It was the fifth time that year she had been arrested. Some of the hotels refused to serve Aboriginal people: a photo from the time shows Kaye drinking a beer inside the Clifton Hotel while her Aboriginal husband, Bob Bellear, drinks milk outside the doorway.

"[The police] would come to the Empress Hotel ... and they would cause problems by trying to chat up some of the women and cause problems with the men. And then everything would erupt," Kaye says.

"People would go outside and there would be paddy wagons parked blocking off all the streets around, so that as people came out of the hotel they just got funnelled into the paddy wagons."

Esther's police record shows that she was picked up for summary offences like swearing at least once a month for the year she lived in Sydney, and often multiple times each month, including being charged for "language" the night before her death.

These records, and a mugshot, were among the few personal details tendered to the coroner for an inquest into her death seven months after the fire.



Esther George's police record and mugshot were some of the few personal details tendered to the NSW coronial inquest.

The coroner's findings

By the time of the inquest in April, 1974, Joseph Mick had left town for work and could not be located, nor could the white man nor many of the other witnesses to the scene. There was nothing found near the wooden stairs on the ground floor of 103 Victoria Street that might have started the fire accidentally.

Based on the lack of available evidence, the NSW coroner returned an open finding:

"The fire started either accidentally or was deliberately set, it is impossible to say on the evidence collected ... the premises are subject to a dispute between squatters and owners, there is no evidence the fire was subject to that dispute."

But Kaye remains convinced the fire was connected to the development of Victoria Street.

"They wouldn't have burned down a house where the young white lefties were squatting," she says.

"But it was easier, in my view, to burn down a house where there were Aboriginal squatters."

Esther's legacy

Whatever the cause of the fire, a life had been lost on Victoria Street — but no-one seemed to care.

Juanita Nielsen, who also lived on the street, looked for reports of the fire in the Sydney media, and was disgusted by the way no one seemed to see Esther's death as worth taking seriously.

Some reports referred to Esther not by name, but as a "derelict" – if she was even mentioned at all.



Esther George's death was a turning point for Juanita Nielsen in her campaign against a proposed development for Victoria Street

"There seems to be a whole new way of looking at life and death here in Victoria Street," wrote Nielsen in her newspaper, *Now*, in September 1973.

"If you burn to death in [the suburbs of] Pymble, Redfern or Panania, you're an 'accident victim'. If you burn to death in Victoria Street, you're a 'derelict'."

This injustice inflamed Juanita Nielsen and moved her to become more active in her own crusade against the developers. Two years later, she too would die in suspicious circumstances.

Last month, NSW Police offered a million-dollar reward for information on Juanita's suspected murder, which remains unsolved.

The coronial inquest, handed down in 1983, found the police investigation was inhibited by an atmosphere of corruption, real or imagined.

Juanita's disappearance exposed the police corruption in Australia's most populated city that endured up until the Wood Royal Commission of 1994-95.



The disappearance of Juanita Nielsen remains one of Australia's most notorious true-crime mysteries

"I think what happened to [Juanita] disillusioned so many citizens that it set in train a series of events – and it was a very slow process – that eventually led to a royal commission which cleaned up a lot of the New South Wales police force," says journalist Neil Mercer, who reported on corruption in NSW in the 1970s.

Juanita's unsolved murder remains one of Australia's most compelling true-crime mysteries. It has been the subject of movies, television series, countless books and articles.

In most reports, Esther's name appears as a footnote, if at all.

"I'm not surprised that Esther's death has meant very little to the Australian public," says Kaye.

"She was a homeless Aboriginal woman and they just don't care."

Back to Victoria Street

In the decades following the fire, Kaye and Bob Bellear were part of a generation of Aboriginal-rights activists who worked tirelessly to address the injustices they had witnessed.



Kaye's husband, Bob Bellear, was Australia's first Indigenous judge, serving on the NSW District Court until his death in 2005

After a confrontation with police at the Clifton Hotel in Redfern, Bob decided to study law, and became Australia's first Indigenous judge, while Kaye was instrumental in setting up the Aboriginal Housing Company, which aims to provide affordable housing.

Returning to Victoria Street for the first time in nearly 50 years for the ABC podcast Unravel: Juanita, Kaye says Esther's overlooked death is a reminder that Aboriginal people had to struggle to be recognised by white Australia.

The ABC contacted the Doomadgee Mission, where Esther was born, and made enquiries in Laura, Queensland, where Esther was said to have family. No one had any information on Ms George. A man who lived with Esther in Newtown for a time, William Ristau, told the NSW Coroner in 1974 he believed she had a brother living at Lorraine Station near Mt Isa, Queensland, but he could not be located either.



The house on Victoria Street destroyed by fire is long gone, and Kaye Bellear has returned for the first time since 1973

"As far as I know, Esther's body was just taken to the morgue," says Kaye.

"I don't know if her body was taken back to where she came from or whether she was buried in a pauper's grave at Rookwood Cemetery.

"And I feel sad now because I just think of seeing that young woman lying up there, dead. It's so bloody unfair, isn't it?"

NSW Police declined to comment for this story.