

Inquest into the death of Jay Anthony Brogden

Jay Anthony Brogden was last seen on 21 April 2007 at Reefo's Resort on Shute Harbour Road in Cannonvale. He left that address on foot and was not seen again. The coroner found Mr Brogden is deceased and, despite not being able to determine Mr Brogden's cause of death, concluded it is of a suspicious nature.

The coroner examined the circumstances surrounding Mr Brogden's disappearance, the response of the Queensland Police Service to his disappearance and the procedures in respect of provision of reports to coroners by the Queensland Police Service regarding missing persons.

Coroner Jane Bentley delivered her findings of inquest on 27 February 2015.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported. The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

The Queensland Police Service amend chapters eight and 12 of the *Operational procedures manual* to provide that a missing person must be reported to the State Coroner by way of QP 0608 report as soon as the investigating officer suspects that the missing person is deceased but, in any case, within twelve months of the date of the person's disappearance.

Response and action: the recommendation is agreed in part and is implemented.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

It was agreed by the coroner, the Queensland Police Service's (QPS) Coronial Support Unit and Missing Persons Unit, a QP 0608 Report to State Coroner, missing person – suspected reportable death report will not be required to be furnished where a person has been missing for 12 months unless the person is reasonably suspected of being deceased.

The QPS drafted amendments to chapter eight 'Coronial matters' and chapter 12 'Missing persons' of the *Operational procedures manual* (OPM) to provide that a missing person must be reported to the State Coroner by way of a QP 0608 report as soon as the investigating officer suspects that the missing person is deceased. The amendments underwent a consultation process with key internal stakeholders.

The amendments, when approved by the Deputy Commissioner, Strategy, Policy and Performance, are expected to be published in the August 2015 issue of the OPM.

On 12 January 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Queensland Police Service (QPS) amended Chapter 8 'Coronial matters' and Chapter 12 'Missing persons' of the *Operational procedures manual (OPM)* to provide that a missing person must be reported to the State Coroner by way of a QP 0608 Report to State Coroner, missing person – suspected reportable death report as soon as the investigating officer suspects that the missing person is deceased. The amendments were approved by the Deputy Commissioner, Strategy, Policy and Performance and published in the Service Manual Update – Amendment Issue No.48 of the OPM, 28 August 2015.

Recommendation 2

The Queensland Police Service conduct an annual audit of compliance with the chapters of the *Operational procedures manual (OPM)* relating to the reporting of missing persons to the coroner for three years from the date of amendment to the OPM with results to be provided to the State Coroner.

Response and action: the recommendation is agreed in part and implementation is complete.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

A full audit was conducted of the Queensland Police Service (QPS) computer system, Q Prime, for all missing persons not located. A review of all missing persons' files was then undertaken to identify those that have not been referred to the coroner and appropriate action is now being undertaken.

A meeting was held on 24 March 2015 with the State Coroner regarding this recommendation. It was agreed that instead of providing annual audit results to the coroner for three years, a meeting would be held between the QPS Coronial Support Unit and the Missing Persons Unit each March and October to review outstanding cases. The State Coroner agreed to this process.

Recommendation 3

The Queensland Police Service conduct an audit of all files held by the Missing Persons Unit to ensure that all disappearances occurring twelve months ago or more have been reported to the State Coroner.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

A full audit was conducted of the Queensland Police Service (QPS) computer system, Q Prime, for all missing persons not located. All disappearances occurring 12 months ago or more have been identified and officers have been tasked to complete progress reports to be forwarded to the QPS Coronial Support Unit for the advice of the State Coroner in cases where a report has not previously been furnished. Priority based ongoing review was initiated whereby the officers in charge of the

QPS Missing Persons Unit and the Coronial Support Unit will case manage long term missing person reports by way of six monthly reviews (March and October).

Recommendation 4

The Officer in Charge of the Missing Persons Unit and/or the Coronial Support Unit refer the disappearance of Mr Brogden to Homicide, State Crime Command, as a death determined as being suspicious, as required by section 12.3.1(v) *Operational procedures manual*.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

Following discussions with the State Coroner, the disappearance of Mr Brogden has been referred by the Detective Superintendent Homicide to the Cold Case Homicide Unit.