

Inquest into the death of Mulrunji

Mulrunji died on 19 November 2004 on Palm Island. At the time of his death, Mulrunji was in custody and was found to have died from internal injuries resulting from some force to the abdomen.

The Deputy Chief Magistrate delivered his findings of inquest on 14 May 2010.

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. Further information relating the implementation of recommendations can be obtained from the responsible agencies named in the response.

Recommendation 1

That the future investigation of deaths in police custody, which exhibit indicia of unnatural causes or which have occurred in the context of police actions or operations be undertaken solely or primarily by the CMC [Crime and Misconduct Commission], as the specialist misconduct and anti-corruption body for the State of Queensland. To enable this to occur, I recommend that the CMC be resourced and empowered (by legislative fiat) to undertake the role.

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

Responsible agency: Crime and Corruption Commission (lead) supported by the Queensland Police Service.

The Queensland Government responded:

Following the recommendation from the Deputy Chief Magistrate on 14 May 2010, discussions took place between stakeholders in relation to the most effective way to ensure that deaths which occur in police custody or as the result of a police operation are subject to a thorough and independent investigation.

It was agreed that the most effective way to achieve this, given the Crime and Corruption Commission (CCC) can only exercise its legislative powers once there is a suspicion of corrupt conduct or police misconduct, is for the CCC to have an oversight role in relation to the initial police investigation by the Queensland Police Service (QPS) Ethical Standards Command (ESC). The CCC oversight will focus on an assessment of the sufficiency and probity of the initial investigative response, and the making of preliminary determinations with respect to the likelihood of the death involving suspected corrupt conduct or criminal conduct. The CCC will attend the scene of a police related death incident unless:

- It is considered improbable that the death involved corrupt conduct or police misconduct
- or
- There is no benefit in scene attendance, e.g. a person is injured during a policing incident but dies several days later (scene investigation arising from the incident has already been completed by the time the MOU is enacted).

In all cases, the ESC investigation is overviewed by the CCC in accordance with the terms of the MOU. This will provide the CCC with the ability to make an early determination with respect to the likelihood of whether the death involved any corruption.

On 20 April 2015, the MOU between the State Coroner, the CCC and the QPS outlining the cooperative arrangements for the reporting and investigation of police related deaths commenced.