



OFFICE OF THE STATE CORONER

FINDINGS OF INQUEST

CITATION: **Inquest into the disappearance of Michael James ISLES**

TITLE OF COURT: Coroner's Court

JURISDICTION: Brisbane

FILE NO(s): COR 2009/2350

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FINDINGS OF: Mr Michael Barnes, State Coroner

CATCHWORDS: CORONERS: missing person, suicide, work place management

REPRESENTATION:

Counsel Assisting:	Mr Peter Johns
Isles Family:	Steven Isles
Commissioner of the QPS:	Mr Wayne Kelly
Dr William Barry:	Ms Jennifer Rosengren (instructed by AVANT)

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Pursuant to s28 (1) of the *Coroners Act 2003* ('the Act') an inquest was held into the disappearance of Michael James Isles. These are my findings. They will be distributed in accordance with requirements of the Act and posted on the web site of the Office of the State Coroner.

Introduction

In August 2008, Senior Sergeant Isles was stood down from his position as officer in charge of Ayr police station over allegations of serious misconduct. After a drawn out process he was cleared of any wrongdoing. The experience affected his mental health and left him bitter at his treatment by senior officers of the Queensland Police Service (QPS). Notwithstanding this, there were positive signs that he had left the worst behind when he returned to work in September 2009. On his third day back at work Senior Sergeant Isles failed to attend a scheduled training day and it became clear by late that afternoon that he was missing. A missing shotgun and an undated note addressed to his family confirmed the seriousness of the situation and an extensive search was instigated. Although his vehicle was located in bushland five days after he disappeared, Senior Sergeant Isles has never been found.

These findings:

- confirm that the missing person is deceased, confirm his identity and the time, place, likely medical cause of his death and how he died;
- consider whether any third party contributed to his disappearance and death;
- consider the adequacy of the search for the missing man and of the investigation into his disappearance; and
- consider whether any changes to QPS procedures or policies could reduce the likelihood of deaths occurring in similar circumstances or otherwise contribute to public health and safety or the administration of justice.

The Coroner's jurisdiction

Before turning to the evidence, I will say something about the nature of the coronial jurisdiction.

The basis of the jurisdiction

The police officer who compiled the investigation report into the disappearance of Mr Isles suspected Michael Isles was dead and that, if this was the case, it was likely to have been a "*violent or otherwise unnatural*" death within the terms of s8(3)(b) of the Act. As a result of considering the police report, I also came to suspect that Mr Isles was dead and that his death was reportable. Accordingly, pursuant to s11(6) I have jurisdiction to investigate the suspected death. Section 28 authorises the holding of an inquest into the disappearance.

The scope of the Coroner's inquiry and findings

A coroner has jurisdiction to inquire into the cause and the circumstances of a suspected death.

The Act, in s45 (1) and (2), provides that when investigating a suspected death the coroner must, if possible find:-

- whether the death happened, and if so;
- the identity of the deceased;
- how, when and where the death occurred; and
- what caused the death.

After considering all of the evidence presented at the inquest, findings must be given in relation to each of those matters to the extent that they are able to be proven.

An inquest is not a trial between opposing parties but an inquiry into the death. In a leading English case it was described in this way:-

*It is an inquisitorial process, a process of investigation quite unlike a criminal trial where the prosecutor accuses and the accused defends... The function of an inquest is to seek out and record as many of the facts concerning the death as the public interest requires.*¹

The focus is on discovering what happened, not on ascribing guilt, attributing blame or apportioning liability. The purpose is to inform the family and the public of how the death occurred with a view to reducing the likelihood of similar deaths. As a result, in so far as it is relevant to this matter, the Act authorises a coroner to “comment on anything connected with a death investigated at an inquest that relates to –

(a) public health or safety ; or

(b) ways to prevent deaths from happening in similar circumstances in the future.²

The Act prohibits findings or comments including any statement that a person is guilty of an offence or civilly liable for something.³

The admissibility of evidence and the standard of proof

Proceedings in a coroner's court are not as constrained as courts exercising criminal or civil jurisdiction because s37 of the Act provides that “*The Coroners Court is not bound by the rules of evidence, but may inform itself in any way it considers appropriate.*”

¹ *R v South London Coroner; ex parte Thompson* (1982) 126 S.J. 625

² s46(1)

³ s45(5) and s46(3)

This flexibility has been explained as a consequence of an inquest being a fact-finding exercise rather than a means of apportioning guilt: an inquiry rather than a trial.⁴

A coroner should apply the civil standard of proof, namely the balance of probabilities, but the approach referred to as the *Briginshaw* sliding scale is applicable.⁵ This means that the more significant the issue to be determined, the more serious an allegation or the more inherently unlikely an occurrence, the clearer and more persuasive the evidence needed for the trier of fact to be sufficiently satisfied that it has been proven to the civil standard.⁶

It is also clear that a coroner is obliged to comply with the rules of natural justice and to act judicially.⁷ This means that no findings adverse to the interest of any party may be made without that party first being given a right to be heard in opposition to that finding. As *Annetts v McCann*⁸ makes clear, that includes being given an opportunity to make submissions against findings that might be damaging to the reputation of any individual or organisation.

Presumption against suicide

One possible explanation of how Senior Sergeant Isles died is that he took his own life. There has been some controversy around the standard of proof applicable to such a finding that I have reflected upon. In doing this I have been greatly assisted by a summary of the relevant Australian and international authorities compiled by Dr Ian Freckleton SC.⁹

The development of the English law relating to suicide has been influenced by its long characterisation as a crime in that country.¹⁰ This led to a requirement that even a coroner's finding of suicide be proven beyond reasonable doubt. It has been held in England that "*Suicide is never to be presumed; there should be a presumption against suicide*"¹¹.

In Australia the High Court has endorsed that presumption in contexts other than coronial.¹² Lesser courts, in more contemporary cases, have sought to clarify the extent of that presumption. The Full Court of the South Australian Supreme Court¹³ described the presumption as "*no more than a presumption of fact, based upon common sense and common experience*". The New South Wales Court of Appeal¹⁴ has stated "*the language of presumption (and*

⁴ *R v South London Coroner; ex parte Thompson* per Lord Lane CJ, (1982) 126 S.J. 625

⁵ *Anderson v Blashki* [1993] 2 VR 89 at 96 per Gobbo J

⁶ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 361 per Sir Owen Dixon J

⁷ *Harmsworth v State Coroner* [1989] VR 989 at 994 and see a useful discussion of the issue in Freckleton I., "Inquest Law" in *The inquest handbook*, Selby H., Federation Press, 1998 at 13

⁸ (1990) 65 ALJR 167 at 168

⁹ Freckleton, I *Complementary Health Issues* (2011) 18 JLM 467

¹⁰ It was only decriminalised in 1966

¹¹ *R v Huntback; Ex parte Lockley* [1944] KB 606 at 610

¹² *Mutual Life Insurance Co of New York v Moss* (1906) 4 CLR 311; *Spiratos v Australasian United Steam Navigation Co Ltd* (1955) 93 LCR 317

¹³ *South Australian Health Commission v McArdle* [1998] SASC 6685 (Doyle CJ)

¹⁴ *American Home Assurance Co v King* [2001] NSWCA 201 at [12]

counter presumption) has largely been supplanted by the language of the proper inference to draw on the whole of the evidence”.

In the Canadian case of *Greening v Commercial Union Assurance Co* (1987) NJ (QL) No 428 the court considered the proper approach to applying the standard of proof when there was a submission of suicide rather than accident:

“Indeed, no proof need be adduced by the proponent of accidental death other than occurrence of the death itself since death by accident is taken as an axiomatic truth but liable to rebuttal. It follows that clear and cogent rebuttal evidence is required to tip the balance of probabilities sufficiently to justify a finding of suicide.”¹⁵

Later, in another Canadian case, it was stated:

“The evidence which will tip the balance of probabilities sufficiently to justify a finding of suicide can be described as ‘clear and unequivocal’, ‘clear and cogent’, or of ‘substantial civil weight’.”¹⁶

Dr Freckleton concludes:

What can be said from this brief review of the law on the subject is that a finding of suicide can only properly be made if a coroner (in Australia) concludes on the basis of evidence both that the deceased intended to engage in the act that caused their death and intended to die as a result. If they were seriously psychiatrically unwell at the time - in the old-fashioned terminology, that the balance of their mind was disturbed - they should be regarded as incapable of forming the necessary intent and therefore a finding of suicide should not be made. The contemporary operation and effect in the coronial context of the presumption against a finding of suicide is somewhat unclear but serves to emphasise that a finding of suicide can only be arrived at where there is clear evidence; in its absence, a finding of accident or an open verdict is the proper outcome.

As set out earlier, the *Briginshaw* approach suggests the more significant the issue to be determined, the more serious an allegation or the more inherently unlikely an occurrence, the clearer and more persuasive the evidence needs to be for the trier of fact to be sufficiently satisfied that it has been proven to the civil standard.¹⁷

I have applied these concepts in these findings by considering the question of whether Senior Sergeant Isles committed suicide, a most significant issue and also that suicide by an apparently rational, strong willed man with the support of a loving family is an unlikely occurrence. If the evidence is equally consistent with accident or misadventure, it would be wrong to find suicide.

¹⁵ *Greening v Commercial Union Assurance Co* (1987) NJ (QL) No 428 per Marshall J

¹⁶ *H v ICBC* 2004 BCSC 593 per Nurnyeat J

¹⁷ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 361 per Sir Owen Dixon J

However, that doesn't mean the usual sifting and evaluation of all of the known facts, the making of deductions based on an assessment of the range of usual human behaviour, and an appraisal of the cumulative weight of the evidence to reach a conclusion is abandoned in favour of some different approach in possible suicide cases.

The investigation

The coronial investigation was conducted by Detective Inspector Brian Swan who at the time of the disappearance of Senior Sergeant Isles was based at the Internal Investigations Branch of the QPS Ethical Standards Command (ESC). He submitted a detailed report summarising the large amount of material he had collected in the course of his investigation. This report was tendered at the inquest and Inspector Swan gave oral evidence.

Inspector Swan oversaw the collation of statements and physical exhibits relating to:

- The professional and personal antecedents of Senior Sergeant Isles;
- His performance in the role of officer in charge of Ayr police station;
- The circumstances leading to the issuing of a search warrant to be executed by the CMC on Ayr police station and the Isles residence;
- The events relating to the execution of those warrants;
- The events leading to Senior Sergeant Isles commencing sick leave in August 2008;
- The interaction between members of the QPS and Senior Sergeant Isles during his period of sick leave;
- Medical treatment Senior Sergeant Isles received while on sick leave;
- The interaction between Senior Sergeant Isles, his solicitors and the QPS once he had been served with a notice of medical unfitness;
- The circumstances leading to his request for age retirement; withdrawal of that request and his subsequent return to work;
- The manner in which the content of the return to work plan was decided;
- Events during the two days Senior Sergeant Isles returned to work;
- The detailed movements of Senior Sergeant Isles on the morning of 23 September 2009;
- Eyewitness accounts of his movements after he had left Ayr;
- Events leading to the realisation that Senior Sergeant Isles was missing;
- The steps taken to search for him;
- The circumstances in which his vehicle was found five days after his disappearance;
- The mechanical and scientific inspection of the vehicle;
- Alleged sightings of Senior Sergeant Isles subsequent to his disappearance;
- All forensic and scientific testing of exhibits; and
- Enquiries with government departments, financial institutions and other agencies relating to possible interaction with Senior Sergeant Isles.

At an early stage it was clear that the Isles family and, in particular Steven Isles, had a distrust of and antipathy towards the QPS and those who represented it. My only interest in that issue is to the extent that it is necessary to examine whether it ultimately affected the adequacy of the investigation. It was submitted by Steven Isles that in circumstances where the QPS were a party to the proceedings and the family were making submissions critical of the QPS, that a link between the investigating officer and the QPS created an unjust imbalance both in substance and perception. I sympathise in principle with the idea that legal representation for families in situations such as that in which the Isles family found themselves should be externally funded. This is not a matter over which I have control and one might think, unfortunately, is an unrealistic expectation in the present environment.

I am less convinced that the availability of an independent investigator would solve the concerns raised. Mere distrust between the family of the deceased and the QPS is insufficient to warrant this. Where there is some element of the conduct of the QPS or of an individual police officer that must be examined as part of the investigation then it is more desirable. It is the case, though, that officers from the ESC take on this role in the majority of coronial investigations in which the conduct of police is in question. This is the case notwithstanding the right of the CMC to take carriage of such investigations. I am not convinced that in this particular case the outcome was tainted in any way by the fact that the investigator was a police officer.

It was also submitted that Inspector Swan approached his investigation by fitting evidence to a desired conclusion; namely that the cause of death was suicide. In this regard Steven Isles pointed to a decision not to take a statement from a person who had indicated he would give evidence disputing versions of other witnesses. I am always wary of the propensity for investigators, and humans generally, to, usually subconsciously, approach an investigation with a specific conclusion in mind. I don't believe that occurred here. Even if it did, I am satisfied that with the further investigations conducted as part of the inquest process, all relevant material has been collated.

It was submitted in the report of Inspector Swan that the investigators were hampered to a degree by a refusal of the Isles family to hand over the original suicide note found in their house on the evening of 23 September 2009. It was shown to police at an early stage and a copy taken by investigators. I accept that the note and the book in which it was contained are items of great sentimental value to the family. It is usually the case in coronial investigations that the original of a note of this type would be seized by police. In this case the Northern Coroner made a decision not to press for seizure in circumstances where the family allowed him direct access to the note and the book in which it is contained. I also had access to the original note during the course of the inquest. I am sure that in this case the adequacy of the investigation has not been diminished by this course of events and don't consider any further comment need be made on this issue.

In preparation for the inquest counsel assisting liaised with the Isles family for many hours and took steps to ensure that most of the further investigations sought were undertaken. During the inquest submissions were made on behalf of the family that further witnesses should be called and further statements taken. After the initial sitting of the inquest in July this year I handed down a written decision granting in part the application for further witnesses made on behalf of the family. I decided that two further witnesses should be called and a number of extra statements taken. This led to a further day of oral evidence on 10 September 2012.

I am satisfied that the investigation undertaken by Detective Inspector Swan and counsel assisting, Mr Johns, was thorough and professionally undertaken. I commend both on their efforts.

The inquest

Mr Johns was appointed as counsel assisting. Mr Isles' son, Steven, appeared on behalf of the family of the missing man. Leave to appear was also granted to the QPS Commissioner and one of the doctors who treated Senior Sergeant Isles while he was on sick leave. A pre-inquest conference was held on 12 May 2011. The hearing commenced on 9 July 2012 and proceeded for four days. Further evidence was heard on 10 September after investigations had been conducted into evidence given during the first week. Oral submissions were provided on 11 September. During the inquest 17 witnesses gave evidence and 250 exhibits were tendered.

The evidence

I turn now to the evidence. I can not, of course, even summarise all of the information contained in the exhibits and transcript but I consider it appropriate to record in these reasons the evidence I believe is necessary to understand the findings I have made.

Social and work history

Michael James Isles was born on 26 June 1951 at Roma. He commenced training at the Oxley Police Academy on 7 May 1974 at the age of 22 and was sworn in as a Constable on 9 August 1974. After two years at Woolloongabba the rest of his service with the QPS was spent in rural and regional Queensland. At the time of his disappearance he had been a police officer for more than 34 years attaining the rank of Senior Sergeant. He was awarded the National Medal with clasp and the Queensland Police Service medal with 3rd clasp.

Michael Isles was married to Fiona; they had three children, Lisa, Steven and Nicole. At the time of his disappearance Senior Sergeant Isles was living at the police residence, adjacent to the Ayr police station. He and Fiona had been living there since his transfer to the position of officer in charge of Ayr station in July 1999.

Statements were taken from a large number of Senior Sergeant Isles' colleagues and friends. These speak of a liked and respected man regarded

as a compassionate and community focused police officer. He was considered by junior staff to be a good boss. Although an actively practising Catholic, there were periods in the months prior to his disappearance that he stopped attending church. He was an avid golfer and an active member of the local Lions Club.

There can be little doubt that the trauma for the family occasioned by the loss of their husband and father is exacerbated by the failure to locate him or at least explain, with a greater degree of certainty, his final movements. His disappearance and likely death has had a devastating effect on his wife Fiona and his three children. It is clear that he is sadly missed by them, his extended family, colleagues and friends. I extend my sincere condolences to Fiona, Lisa, Steven and Nicole.

Bowen Station

It is necessary to examine one historical episode brought to prominence in the report of Detective Inspector Swan. On 9 August 1995, then Sergeant Isles was promoted to Senior Sergeant and transferred to the position of officer in charge of the Bowen police station. This position had been upgraded and it is uncontroversial that when the incumbent officer in charge was passed over for the newly created more senior position a cabal of his supporters, both junior police and other members of the community, did not accept the decision and set about making life difficult for the new person in town.

Senior Sergeant Isles moved to Bowen with then 15-year-old Steven, leaving his wife and daughters behind in the location of his previous posting, Cloncurry. This was done in order for one of his daughters to finish her senior year at school with the intention that the family would move to Bowen at the end of the school year.

It is asserted in Detective Inspector Swan's report that a short time after he arrived in Bowen, Senior Sergeant Isles "*disappeared*". A former work colleague from this period provided a statement averring that he had picked Steven up from school and taken him to his own residence when it became apparent that Steven was home alone. Steven Isles gave evidence at the inquest stating that this simply did not happen. He says his father explained to him that he was taking leave and going to spend some time with his mother (Steven's grandmother) in the Ipswich area. They agreed Steven would manage on his own for what was expected to be a brief period until Fiona Isles travelled to Bowen. There is no dispute that the reason for Senior Sergeant Isles leaving town was to temporarily escape the toxic atmosphere being created by some in the town towards him. There is no evidence that Senior Sergeant Isles suffered what in common parlance might be referred to as a "breakdown" although it is clear that his mental health did, understandably, suffer.

In the best indication that the facts of the incident at Bowen have become distorted and exaggerated over time, some former colleagues told the investigating officer that, after he disappeared, Senior Sergeant Isles was next located in a mental health facility in the Toowoomba area. There is no reliable

evidence to support this. It seems that on 1 November 1995, he saw a general practitioner, Dr Peta Margarie at her surgery in Booval (near where he was then staying). Records from that one-off consultation were tendered at the inquest. They indicate Senior Sergeant Isles told the Dr Margarie that he had previously consulted with a mental health team in Mt Isa and at the time was taking the prescribed antidepressant drug Prozac. Dr Margarie considered Senior Sergeant Isles to suffer from poor self-esteem and some agoraphobia. There is no indication that he was referred for any more intensive therapy.

It is agreed by all relevant witnesses from that time that Senior Sergeant Isles returned to work as scheduled at the end of his sick leave that had been appropriately approved.

The running sheet created by officers investigating Senior Sergeant Isles' disappearance contains a summary of the version provided by ex Superintendent Howell, the District Officer in 1995 for the police district containing Bowen. He was asked for his recollections of these events. The running sheet notes that Mr Howell "*categorically denied any knowledge of Senior Sgt Isles going missing on any previous occasion and stated that he was a good officer/person with no issues known to him*". The running sheet records a decision, approved by Inspector Swan, not to take a formal statement from Mr Howell. As something that has become a source of great angst for the Isles family, the next entry in the running sheet is: "*His version at this stage appears to not be consistent with known facts*". I understand this has led the Isles family to the conclusion that Inspector Swan was intent on collecting evidence supportive of a contention that Senior Sergeant Isles had a history of mental breakdown in order to support his ultimate conclusion relating to suicide. I don't consider this to be the case. Although it would have been better that a statement was prepared, there is nothing sinister in it not being done or in the apparent reason.

The running sheet entry goes on to note that Mr Howell stated he arrived as District Officer in November 1995 and that to the best of his knowledge Senior Sergeant Isles was not there then. Other records show that this is incorrect and that Senior Sergeant Isles had in fact taken up his position in Bowen and then taken sick leave by at least 1 November 1995 (the date of his consultation with Dr Margarie). On this basis, it was reasonable to conclude that Mr Howell may have had no knowledge of any disappearance because he was not in fact there at the time. If, as seems likely, Mr Howell was also mistaken as to his own movements and was already the District Officer at the time of the sick leave, then it highlights why it would have been preferable for a statement to have been taken. But that does not point to anything improper. It was reasonable for investigators to focus on the recollections of colleagues who were able to remember that they were present at the relevant time.

I am satisfied that Senior Sergeant Isles did not "*disappear*" from duty while officer in charge at Bowen and he was not admitted to a "*mental facility*". His reaction to the undeniably stressful situation at the time was not obviously disproportionate. On this basis I have not placed any weight on the evidence

relating to Senior Sergeant Isles' service in Bowen when considering his vulnerability or propensity to commit suicide 14 years later in Ayr.

It is however relevant that he had needed mental health care when in Mt Isa and was prescribed anti-depressants when in Bowen. It seems Senior Sergeant Isles did have mental health vulnerabilities.

Events leading to CMC Investigation

Assistant Commissioner Paul Wilson told the inquest that over several months, but particularly during June and July 2008 he was made aware of community unrest in and around Ayr over a perceived lack of police enforcement action against members of a local family. The inquest heard evidence indicating that this lack of enforcement action was at least in part due to the less punitive approach Senior Sergeant Isles took to community policing. Dissatisfaction with the policing response led to a public march by concerned community members in Ayr. This coincided with meetings between Assistant Commissioner Wilson, the local mayor and the local Member of Parliament. A series of community meetings followed in which Senior Sergeant Isles was heavily involved.

It seems that Senior Sergeant Isles formed the view as early as June 2008 that Assistant Commissioner Wilson may be "after his head" due to the extra scrutiny his station was then attracting. He told his son Steven that during a meeting with Assistant Commissioner Wilson he had put this concern directly to the senior officer. This was confirmed by an audio recording of the conversation which was produced by Steven Isles on the last day of the inquest. Assistant Commissioner Wilson strongly denied any such intent when it was put to him by Senior Sergeant Isles and when he was giving evidence at the inquest. Although on its own a minor matter in the series of events examined at the inquest, it seems this planted the seed for the bitterness and thoughts of conspiracy in the mind of Senior Sergeant Isles that would follow in the year leading to his disappearance

Assistant Commissioner Wilson also told the inquest that during 2008 he was also receiving confidential information from various community members regarding the actions of a suspected local drug dealer and his associates. He became aware that some members of the community perceived a lack of action in relation to the dealers criminal activity. Assistant Commissioner Wilson also received allegations relating to inappropriate relations between police and the drug dealer.

As a result of these allegations he briefed the Crime and Misconduct Commission (CMC) and the QPS Ethical Standard Command. The information received by Assistant Commissioner Wilson was insufficient to act upon on its own, so he asked that covert recordings made by the drug squad in its operation targeting the drug dealer be monitored for suggestions of any police collusion or involvement in illegal activity.

One of the community members involved in the push for more proactive policing in Ayr was well known to Senior Sergeant Isles and other officers as a

prominent member of the community who would regularly approach police to seek their engagement on various issues. In July 2008 that community member was recorded on covert surveillance devices speaking to the drug dealer who was also involved in sugar cane farming. He employed workers who needed a specific class of drivers' licence to operate vehicles used on the farm. Implicit in the recorded conversation was that the community member could ensure the drug dealer's employees received the necessary licences by payment of several thousand dollars on each occasion to a police officer at Ayr station. Two specific employees were discussed and enquiries later showed the licences of those two employees to have been issued after driver testing conducted by Senior Sergeant Isles.

This information was also provided to the CMC which undertook a detailed investigation of them.

It is important at this early stage to note that no evidence of impropriety in relation to these licences or any other licences was ever uncovered despite the extensive investigation that followed. No prosecution of the community member has ever taken place, either. The best analysis of subsequent events is that Senior Sergeant Isles was an unlucky victim of the delusional bragging of the community member. However, this was not known to be the case at the time and her claims provided the impetus for search warrants to be issued and then executed on Ayr police station and the home of Mr Isles. These events are important in explaining the mindset of Mr Isles at the time of his disappearance.

CMC execute search warrants at Ayr

CMC officers arrived at Ayr station late on the morning of 2 August 2008 with warrants to search the station and the residence of Senior Sergeant Isles as part of their investigation of the above outlined allegations. The District Officer, Inspector Ian Haughton, had been made aware of their intentions. He and acting Superintendent Cheryl Scanlon, travelled to Ayr in order to help facilitate the search. The two senior police officers considered that the most appropriate way of doing this was to have the officer in charge of the station attend in order to direct the CMC investigators to relevant documentation. That was the case notwithstanding that, in this situation, Senior Sergeant Isles, as officer in charge was also the subject of the allegations giving rise to the search warrants.

After checking around town for Senior Sergeant Isles, Inspector Haughton received information that he was participating in a Burdekin Lions Club working bee at a shed several kilometres away near the town of Brandon. The events that were to follow remained a source of anger for Senior Sergeant Isles during the following year and were one of a number of matters referred to by him in his complaint to the Parliamentary Crime and Misconduct Committee (PCMC).

The inquest heard two accounts of the interaction between Inspector Haughton and Senior Sergeant Isles when the former arrived at the site of the working bee. An eyewitness account relayed by Steven Isles substantially

corroborates the account of Inspector Haughton that he had attended the shed in plain clothes shortly after 11:00am, did not identify himself as a police officer and, after greeting Senior Sergeant Isles, said words to the effect of “*I need you to come outside Mick*” or “*I need you to come with me Mick*”. On all accounts Senior Sergeant Isles voluntarily went with Inspector Haughton in what amounted to a recall to duty.

Inspector Haughton made notes later that day of the conversation he had with Senior Sergeant Isles on the way back to Ayr. He told Senior Sergeant Isles that there were CMC officers from Brisbane at the station wanting to execute a search warrant but did not offer any more information. Inspector Haughton says that Senior Sergeant Isles then said “*I wonder if it's got anything to do with those hearings in Townsville*”. After a discussion about getting legal advice he then said “*I wonder if this has got anything to do with Potty, they made some claims about cops on the take*”. Inspector Haughton established with him that “Potty” was Belinda Johnson. Although it seems Senior Sergeant Isles never related this part of the conversation to his son Steven (telling him that the two travelled in silence for most of the trip) it is consistent with the fact CMC coercive hearings associated with these events had begun in Townsville on 29 July 2008.

Nearing Ayr station Senior Sergeant Isles asked if they could stop at his house so that he could change out of his dirty clothes. Inspector Haughton said that it would be best if they went straight to the station, which they did.

Quite unreasonably, Senior Sergeant Isles became and remained intensely upset that Inspector Haughton did not reveal to him more information about the nature of the CMC investigation or allow him to go home and change when neither action would have been appropriate. As will be seen, it was a theme he returned to frequently when complaining about his treatment. His unwillingness or inability to recognise that the senior officer was simply doing his job is some indication that Senior Sergeant Isles had an irrational reaction to being the subject of the allegations, notwithstanding that he knew they were unfounded.

Aftermath of the search

On Monday 4 August 2008 Senior Sergeant Isles attended work for his next scheduled shift. He was greeted by Acting Superintendant Scanlan and Inspector Brian Connors and told that, on the direction of Assistant Commissioner Paul Wilson, Inspector Connors had been temporarily transferred to Ayr and ordered to take command of the Ayr Police Division. Assistant Commissioner Wilson told the inquest that the decision on Senior Sergeant Isles' status was made by the Deputy Commissioner in consultation with the CMC.

Other officers at the station were told Senior Sergeant Isles would remain the officer in charge and would be working from the station. However, there would be occasions when he needed to be absent perhaps for several days at a time. I received conflicting evidence as to whether Senior Sergeant Isles was

“stood down”. It is not necessary for me to resolve these conflicts, suffice it to say his official designation of “officer in charge” was now largely meaningless.

I am satisfied that Inspector Connors, having been instructed to take up his new position at short notice dealt appropriately and compassionately with Senior Sergeant Isles. He advised Senior Sergeant Isles that he was there so that Isles could take all the time that he needed to seek relevant union and legal advice and deal with his response to what had occurred on the weekend. It is likely there is little he could have done that would have led to Senior Sergeant Isles accepting the arrangements.

On the afternoon of 4 August CMC officers attended Senior Sergeant Isles’ residence and served on him a notice requiring his attendance at an investigative hearing on 6 August. On 5 August he attended work although appears to have left early in the afternoon.

On the morning of 6 August he did not attend work and Inspector Connors was advised that he would be taking sick leave. Senior Sergeant Isles also attended the CMC investigative hearing with a legal representative. The hearing was provided with a medical certificate and advised that the officer was unable to give evidence. He was excused. At that stage it was expected arrangements would be made to obtain a statement or conduct an interview with him when his health allowed. Ultimately no statement was taken and no interview took place prior to the CMC concluding their investigation.

After being advised that Senior Sergeant Isles was on sick leave, Inspector Connors made arrangements to secure his QPS firearm and moved the station rifles into the drop safe. Later on 6 August 2008, he attended the Isles residence, having telephoned first to ensure he came at an appropriate time. During this visit Inspector Connors obtained the station key and a medical certificate and spoke briefly to Senior Sergeant Isles, offering him what support he could.

The inquest heard evidence of a heated discussion between Steven Isles and Inspector Connors both at the house and later on a ramp near the station. The only relevance in examining this conversation was in relation to disputed evidence as to whether Inspector Connors was advised by Senior Sergeant Isles and/or Steven Isles that he was not to make contact with Senior Sergeant Isles. I consider that any statement made during this early stage of events is irrelevant to the later consideration I will give to the adequacy of the efforts made by QPS staff to make contact with Senior Sergeant Isles.

Sick Leave

Initial stages

On 11 August 2008 Assistant Commissioner Wilson travelled to Ayr and while in town visited Senior Sergeant Isles to check on his welfare. He said at the inquest that he sought to re-assure the officer that he understood the stress caused by such allegations as he himself had been through the process which was bound to take some time to conclude.

The QPS Human Services Officer (HSO) assigned to Senior Sergeant Isles says that she visited the Isles residence on 14 and 16 August and on 10 and 26 September 2008. She got no answer at the door on these occasions despite indications someone was at home on at least one occasion. On 21 August 2008 QPS Chaplain Lindsay Howie attended the Isles residence for a lengthy visit with both Senior Sergeant Isles and his wife Fiona. This was to be the first of many discussions between Reverend Howie and Senior Sergeant Isles.

Reverend Howie told the inquest Senior Sergeant Isles was extremely angry at the way he had been treated by the QPS both on the day the search warrants were executed and subsequently. He told Reverend Howie on several occasions that he "*wanted nothing to do with the bastards*". It was clear to Reverend Howie that while Senior Sergeant Isles was happy to speak to him he did not want any contact with other senior police. As part of his role Reverend Howie attended monthly QPS Northern Region absence review committee meetings. He told the inquest that during these meetings he would give feedback to human resources personnel and the senior officers in attendance that Senior Sergeant Isles did not want any contact from the QPS other than through himself. He says that Superintendent Noel Powers in particular sought information regarding Senior Sergeant Isles' well-being and encouraged Reverend Howie to continue with his pastoral care.

Reverend Howie said he attempted to make Senior Sergeant Isles see that the authorities were doing what was necessary to respond to the allegations that had been made but in his view, Mr Isles became increasingly paranoid, for example he apparently thought the police station and/or his house was "bugged".

Medical treatment

Senior Sergeant Isles was initially under the care of Dr Ricardo Martinez, a general practitioner in Ayr. He referred Mr Isles to a local psychotherapist, Mr McLeod who treated Mr Isles on a number of occasions. During one consultation, Senior Sergeant Isles is reported to have said; "*If I was ever to commit suicide I would do it in a way that no one would find me.*"

Apparently dissatisfied that he was only being issued short-term sick leave certificates and embarrassed by having to attend regularly for psychological treatment in the local community where he was known so well, Senior Sergeant Isles began seeing a psychotherapist in Townsville. That psychotherapist was Fraser De Groot who worked in the same practice as, and closely with, a general practitioner, Dr Liam Barry. Senior Sergeant Isles saw both of those practitioners for the first time on 15 September 2008. Arrangements were made for the care of his mental health to be shared between the two practitioners whom he then saw on a regular basis over the next 12 months.

Dr Barry told the inquest that he prescribed Senior Sergeant Isles antidepressant medication but that over the following months it became

apparent that his patient was not compliant in taking it. He describes Senior Sergeant Isles as a stoic character who was open about his reluctance to take medication for his psychological condition; a position that Dr Barry had experienced commonly among male patients of similar age.

Mr De Groot and Dr Barry considered Senior Sergeant Isles to be suffering from an adjustment disorder with mixed anxiety and depressed mood. Initially, Dr Barry considered the condition to be mild to moderate in severity. The stress caused by his being the subject of an investigation were compounded when Senior Sergeant Isles was required to undergo treatment for a tumour in his breast. This required him to attend Townsville hospital for radiation treatment through the course of early to mid 2009. This treatment was ultimately successful with Senior Sergeant Isles being cleared of cancer.

Notice of unfitness for work

Steven Isles told the inquest that by early 2009 his father was expressing disappointment at the lack of contact from QPS officers. Steven Isles made a complaint about this to his local Member of Parliament and this appears to have resulted a short time later, on 16 March 2009, in telephone contact from Inspector Neal Wilson, the staff officer for the then Assistant Commissioner Clem O'Regan.

The conversation was taped by Senior Sergeant Isles and a transcript prepared and tendered at the inquest. The content of the transcript was not disputed. In it Inspector Wilson acknowledges that he should have been in contact earlier. He also refers to an earlier discussion with the 'boss' and Chief Superintendent Keating in which it was agreed they "*should be making contact with*" Senior Sergeant Isles. Inspector Wilson considered that this conversation went well and decided to follow it up with a handwritten letter which he delivered to the house of Senior Sergeant Isles on 1 April 2009. This letter made reference to the earlier telephone conversation and expressed a desire to meet. It also stated:

Both Assistant Commissioner O'Regan and Chief Superintendent Keating have expressed the desire to catch up with you on a social/welfare basis and I understand that is a matter for you to consider. It is separate from my contact with you.

Two days later, on 3 April 2009 Senior Sergeant Isles was issued with a "Notice of unfitness for duty on medical grounds" pursuant to section 8.3 of the *Police Service Administration Act 1990*. It was signed by Assistant Commissioner O'Regan and cited as one of its grounds a reasonable suspicion that "*There has been no attempt to be rehabilitated on a return to work plan to perform normal duties*".

Lawyers acting for Senior Sergeant Isles engaged with the QPS in relation to this notice and it was ultimately never acted upon prior to agreement being reached later in the year on Senior Sergeant Isles' return to work. It is however, easy to appreciate that the serving of the notice, which could be the first step in a forced redundancy, could be construed by the recipient as

inconsistent with the expressions of concern for the officers welfare made so soon before the notice was served.

In May 2009 Senior Sergeant Isles received notification from the CMC that he had been cleared of any wrongdoing in relation to the investigation into his alleged activities.

Following the execution by the CMC of the search warrant at Ayr Police Station, the QPS Ethical Standards Command had conducted its own audit of the station. That led to a number of adverse findings in relation to administrative aspects of how the station was being operated under the charge of Senior Sergeant Isles. It also led to a disciplinary investigation though, by September 2009, all potential breaches except one were found to have no substance. That alleged breach involved failure to ensure a weapon in the station was properly secured. That matter remained outstanding at time of Senior Sergeant Isles' disappearance.

Thoughts of returning to work

In July 2009 Senior Sergeant Isles was coming to the end of his accumulated sick leave. Although he would have been able to access the "sick leave bank", administered by the union, he was apparently reluctant to do so. It seems the need to make a decision on his future affected Senior Sergeant Isles' mental health.

On 14 August 2009 he and his wife were holidaying on the Gold Coast. Mrs Isles became sufficiently concerned for her husband's emotional state that she telephoned Dr Barry telling him that Senior Sergeant Isles was very agitated and unable to sleep. Dr Barry considered this to be an episode of decompensation and was under the impression that Senior Sergeant Isles had suffered from a panic attack from the description he was given. He faxed a prescription for Avanza to a chemist on the Gold Coast and stressed the need for Senior Sergeant Isles to take medication diligently given the apparent increased seriousness of his symptoms.

On 17 August 2009 Senior Sergeant Isles contacted Chrys Belford, the QPS Northern Region HR manager and outlined his intention to retire. This required authorisation from the Assistant Commissioner which was granted. Ms Belford contacted Senior Sergeant Isles on 24 August 2009 to confirm the arrangements for his retirement. The following day Steven Isles contacted Ms Belford telling her that his father wanted to withdraw his application. This was later supported with a letter from Mr De Groot stating that his patient was "*incapable and not psychologically fit to make good sound judgement nor instructions (sic)*" at the time. He went on to say "*This further endorses my opinion that he is not ready for..... a return to active work as a police officer.*"

The withdrawal of Senior Sergeant Isles' application for retirement was accepted by Assistant Commissioner O'Regan.

On 29 August 2009, Senior Sergeant Isles saw Dr Barry who renewed his prescription for Avanza. Dr Barry told the inquest that he would only have

done this if he was satisfied that Senior Sergeant Isles was taking his medication and it was having its desired effect. Senior Sergeant Isles also saw Mr De Groot on that day. Mr De Groot formed the opinion that he was taking the Avanza as directed and “*was the best I have ever seen him*”. Notwithstanding, on 8 September 2009, a further certificate for sick leave was provided by Dr Barry with an expiry of 8 October 2009.

On 10 September 2009, Assistant Commissioner O’Regan met with Senior Sergeant Isles to discuss his future. It was agreed he would return to work as officer in charge of Ayr station. It is apparent from a lengthy memo written by Inspector Haughton summarising the then recent medical documentation received by the QPS that he had misgivings about such a return. His memo set out the training requirements that would be necessary to familiarise Mr Isles with the significant changes that had been implemented at Ayr station in his absence.

Return to work plan

On 16 September a return to work plan was prepared and signed by Senior Sergeant Isles and Dr Barry. It was signed the following day by Inspector Haughton and a human resources officer on behalf of the QPS. The plan provided for Senior Sergeant Isles to commence a two week graduated return to work on 21 September. The plan was flexible to the extent that it specified working hours of between 4 and 7.6 hours per day, five days per week. The plan also set out a number of training requirements. Separately, arrangements were made with training staff in Townsville to ensure Senior Sergeant Isles was in a position to comply with these requirements.

The plan also stated: “*To commence full duties as officer in charge of Ayr Station as of the 05.10.09*”. Dr Barry told the inquest that he had no recollection of signing this document although accepted he had. In his mind he had an expectation of further consultation prior to any formal decision that Senior Sergeant Isles would return to full-time work. To an extent, this is what would normally happen. In addition to having a medical practitioner sign the return to work plan it was QPS policy then, as it is now, that a separate clearance be signed by a medical practitioner prior to an officer’s return to work from long term sick leave. In the normal course this should have been done before the start of the graduated return to work on 21 September 2009.

When Senior Sergeant Isles had not obtained such a certificate this requirement was waived by human resources staff on the understanding that the certificate would be presented a short time after his return to work. It appears Senior Sergeant Isles attempted to organise such a certificate because he left a telephone message for Dr Barry on Saturday 19 September 2009 in relation to a “certificate”. Dr Barry was busy at the time and was unsure what the message was about. He advised Mr Isles to come in to see him, although this never occurred.

I accept that Dr Barry honestly held the belief, notwithstanding the content of the return to work plan, that he would be further consulted before a decision was made by Senior Sergeant Isles to return to work full time. I also accept

the graduated return to work plan was well thought out and appropriate to the circumstances. Inspector Haughton, in particular, had given significant thought to managing Senior Sergeant Isles' return to work, ensuring he was to receive one on one computer training and that he was not "*set up to fail*", as Inspector Haughton put it, when discussing the arrangements with more senior officers.

I accept that Dr Barry and Mr De Groot conscientiously provided care to Mr Isles throughout the period he consulted them. I also accept the assessment of Dr Barry that Senior Sergeant Isles was fit to return to duty via a graduated return to work plan was in accordance with the evidence known to him.

Return to work

The Isles family believed their husband and father was looking forward to returning to work since his meeting with Assistant Commissioner O'Regan. In the days leading up to his return he attended the police station to greet some of the officers and familiarise himself with the new surroundings.¹⁸ He had a haircut and ensured, as he always had, that his uniform and shoes were in pristine condition.

The two officers with immediate line control of Senior Sergeant Isles, Inspector Haughton and Superintendent Noel Powers, travelled to Ayr to meet with him on the morning of 23 September 2009. The meeting was intended as a greeting and then briefing in relation to the changes that had occurred at the station, the training that had been organised for the following days, and the results of the ESC audit of the station. In relation to the last matter the outstanding disciplinary charge against Senior Sergeant Isles was discussed with the result being an agreement to deal with it over the following weeks. It is likely that, if proven, this would result in "managerial guidance" and no more. The officers said they told Senior Sergeant Isles this.

Inspector Haughton and Superintendent Powers both gave evidence at the inquest. Despite the outstanding acrimony between Senior Sergeant Isles and Inspector Haughton over the events of 2 August 2008, they said the meeting was held in an amicable way, although Superintendent Powers considered Senior Sergeant Isles was clearly uncomfortable with the meeting and "*did not want to be there*". That is hardly surprising given the subject matter which included a review of the ESC critique of his period as officer in charge of the station. I readily accept that such a meeting was necessary in circumstances where the intention was for Senior Sergeant Isles to take up an important and demanding role only two weeks later. Although Senior Sergeant Isles mentioned the meeting to his family that evening, there is no evidence that he found it upsetting or excessively confronting.

During the investigation into Senior Sergeant Isles' disappearance concerns were raised by his family about the appropriateness of him having been seated in an exposed section of the station where he was in plain view of other staff when he returned to work. I have viewed that part of the station.

¹⁸ A new police station at Ayr had been opened while Senior Sergeant Isles was on sick leave

There is no doubt it is in an exposed position. I also accept, though, that the acting officer in charge of the station at the time offered his office to Senior Sergeant Isles on his first day back. Sensibly and graciously, because for the next two weeks he would often be regularly out of the office for training, Senior Sergeant Isles declined the offer. In circumstances where the QPS had received medical clearance for Senior Sergeant Isles to be running the station only two weeks later I do not consider that his positioning on these two days should be criticised.

After his first two days at work, during which he worked approximately 4 hours on each day, there were no signs that Senior Sergeant Isles was not coping with the situation. His colleagues and family did not notice anything that caused them to be concerned for his welfare. He had told his family that on those first two days he had little to do. In part this was because a new computer management system had been installed by the QPS during his period of absence and prior to his training (scheduled for Thursday and Friday that week) he would have had limited access to the system.

On the afternoon of Tuesday, 22 September 2009 Inspector Haughton telephoned Senior Sergeant Isles to ensure that he was ready to attend operational skills training in Townsville the following day. In particular, he wanted to check that Senior Sergeant Isles would be all right if the day extended beyond four hours as was likely. Inspector Haughton told the inquest Senior Sergeant Isles said he was happy with the arrangements for the following day and had no problem with the extra hours or the travel to and from Townsville.

That evening Senior Sergeant Isles dined with his family and a family friend in a local restaurant. They all reported him to be in good spirits and did not notice anything about his demeanour that concerned them.

Events of 23 September 2009

At the time, Senior Sergeant Isles' family noticed nothing unusual about his actions or demeanour while getting ready for work on the morning of Wednesday, 23 September. He went to the police station where the logging system records him entering at 7:12am. A minute later he entered the equipment room where he obtained his equipment from the locked gun safe. He did not remove his service issue Glock pistol. CCTV footage shows Senior Sergeant Isles getting into an unmarked police Toyota Aurion alone. He is observed to drive away from the station at 7:22am.

Senior Sergeant Isles drove the short distance to his house. A nearby resident, Beverley Kelly, recalls seeing him drive up to his residence in a silver sedan which was then parked outside. A short time later she saw Senior Sergeant Isles place "*something*" in the boot of the car. She was unable to say what it was.

After returning to his house Senior Sergeant Isles had a brief conversation with his wife about lunch money (she gave him \$20 to add to the \$5 he had on him) and with his son Steven (going to the trouble of swapping his chipped

sunglasses for Steven's which were in better condition). Carrying a notepad, he returned to the car and set off, apparently, for Townsville where his training was to take place that day.

It was later noticed that he had not taken his mobile phone with him as was usually the case.

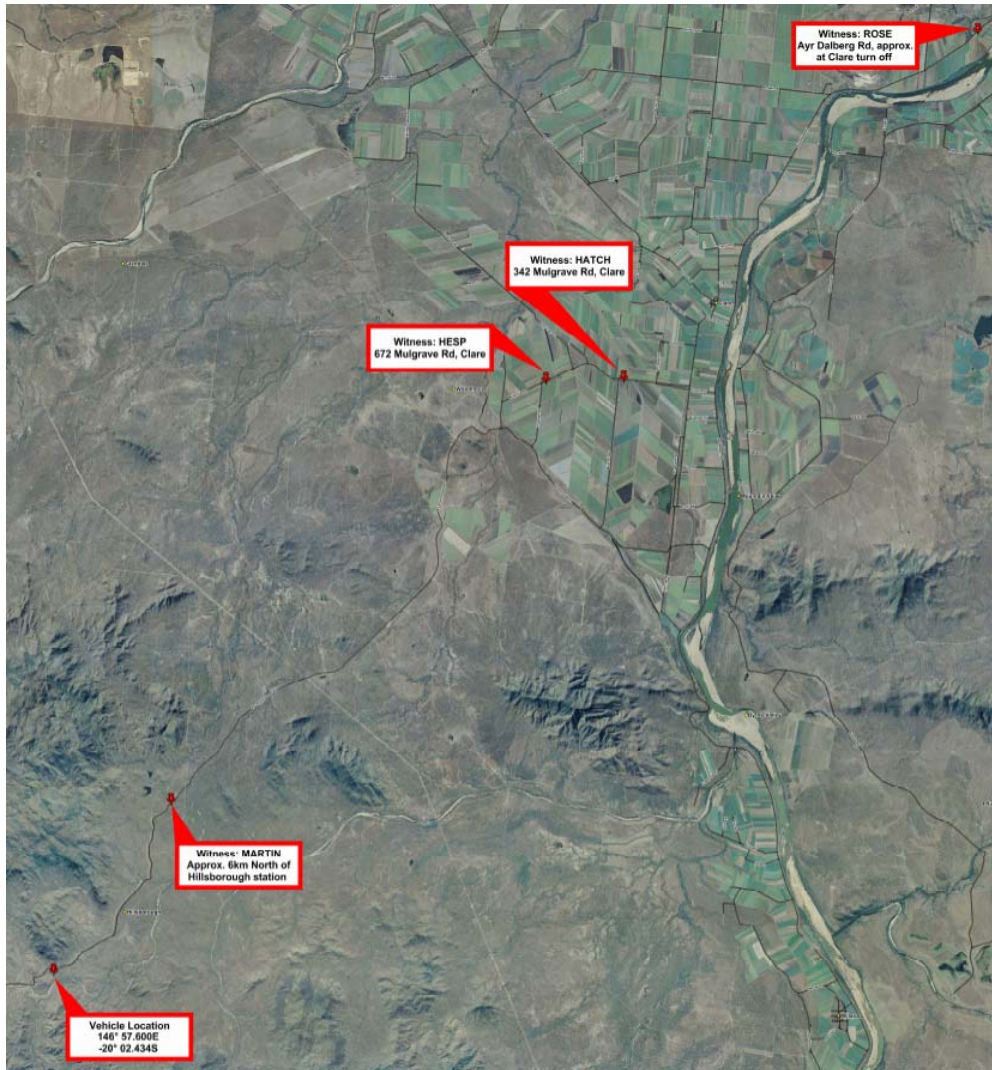
Failure to attend training

Sergeant Albert Stillaway was conducting an operational skills training session in Townsville on 23 September. That morning he reviewed the list of the 10 participants attending his class that day. The list did not include the name of Senior Sergeant Isles who had been a late addition. A short time later, and well before the commencement of the session, the training coordinator, Sergeant Garry Haslam, told Sergeant Stillaway that Senior Sergeant Isles was coming to his session today.

At the scheduled start of 9:00am two of the 11 officers expected had not turned up to Sergeant Stillaway's class and ultimately never did. One of those officers was Senior Sergeant Isles. Early in the session another officer had to leave due to operational reasons. All three officers were marked as having not attended on the session attendance sheet. The inquest was told that neither the failure by officers to attend training nor the requirement for an officer to leave during training were unusual events. There was no policy, requirement or practice to make enquiries about why there had been a failure by an officer to attend. The responsibility for completing this mandatory training fell first on the officer him or herself and, if not completed within the requisite time, on the training officer with oversight of that individual.

I am satisfied that no criticism should be made of Sergeant Stillaway. There was no expectation he would make any further enquiries when Senior Sergeant Isles did not attend training that day. Whether such an expectation needs to exist through a change in practice or policy is a matter I will address later in these findings.

Eye witness accounts



Just after 8:00am on 23 September 2009 Jason Rose, a truck driver, was travelling east on Ayr-Dahlberg road. He had been warned via his CB radio of an unmarked police car travelling west on the same road. A short distance to the east of the turnoff to the township of Clare, Mr Rose observed a silver sedan. Despite being unmarked, it was recognisable to him as a police vehicle though he was unable to see the driver.

Paul Hatch, a local farmer, was disc ploughing a field at 342 Mulgrave Road, Clare. He observed a silver sedan travelling west along Mulgrave Road. The car stood out to him as it was travelling at only 60 to 70 kilometres per hour on a road where he was used to seeing cars travel at around 100 kilometres per hour. Mr Hatch thought that he first saw the car somewhere between 9:00 and 9:30am although he did not have a watch and when he gave evidence at the inquest he conceded it could have been earlier. Around 10 to 20 minutes later he saw what he believed to be the same car, travelling at the same unusually slow speed, again. He was unable to recall which way the car was travelling on this occasion. He remembers thinking that the driver may be a tourist as it was often the case in his experience that tourists would drive along Mulgrave Road before realising that it turns to gravel a short distance later and then retreating. Mr Hatch had met Senior Sergeant Isles on a few occasions so

was familiar with his appearance. Due to his distance from the car he was able to describe the driver as an older grey-haired man but was not in a position to confirm whether or not it was Senior Sergeant Isles. He was adamant there was only one person in the car.

Mr Hatch thought little of this until he had a discussion several days later (likely on 28 September 2009) with another resident of Clare, Sonia Hesp. She had also seen a silver sedan turning around near the intersection of Mulgrave Road and Freeman Road while looking from her kitchen window on 23 September 2009. Although they considered the possibility that the vehicle may be that of Senior Sergeant Isles (which by then had been well-publicised as missing) they did not report this information to police. It was not until they were later approached by police as part of the investigation into the disappearance of Senior Sergeant Isles that these versions emerged. By this time the vehicle had been independently located.

Susan Martin had finished work as a cleaner at a Powerlink construction site on Ayr-Ravenswood Road that morning. She was travelling from the site eastbound towards Ayr. Between 9:10 and 9:25am she passed three vehicles in the space of about two minutes travelling in the opposite direction towards the town of Ravenswood. She found this unusual as it was rare to pass any vehicles on this stretch of gravel road. She described the first of these vehicles as a light-coloured sedan and it stood out in her mind as she recalls thinking that the driver (who she did not see) would need to take care driving a sedan over the rough terrain to the west. She described the second vehicle as being dark and similar to a Mitsubishi SUV 4WD. The third vehicle was a light-coloured 4WD wagon. Ms Martin said she thought it was possible the vehicles were travelling together, but they weren't driving in a close convoy.

Lawrence Smith is a resident of New Zealand who was holidaying in Australia in September 2009. He had stayed at the Imperial hotel in Ravenswood on the evening of 22 September. The following morning he drove to the homestead of Hillsborough Station just off Ayr-Ravenswood Road. There he asked for permission to prospect for gold on the station. He had been on the property the previous year for the same purpose. He was granted permission and then drove back along the road towards Ravenswood and turned left (south) onto an undulating dirt track which leads to Eight Mile Creek. On his estimation, he arrived at the creek at around 10:00am and was surprised to find a late model Toyota sedan parked in the middle of the dry creek bed blocking the crossing.

Mr Smith parked his vehicle and inspected the Toyota. He walked around it looking for signs of the owner. He did not touch the car and the tinted windows made it difficult to see inside, but he could tell that there was no one in it. He says he did not observe anything to indicate where the driver of the car may have gone. He walked 100 metres towards a nearby windmill and watering trough thinking that the owner of the vehicle may be there. Finding no one he continued to walk south along the creek bed looking for gold. After two and a half hours he returned to his vehicle and had lunch for around half an hour. Mr Smith told the inquest that he again examined the Toyota and

specifically looked for footprints that may have been associated with the vehicle but saw none except his own. Leaving at about 1:00pm he drove back to Ravenswood to spend the night.

The following morning, after fossicking some more, he went back to the homestead to report the Toyota but found no one home and so returned to Airlie Beach where he was staying. On 30 September he became aware a police officer was missing and that Hillsborough Station was near the area where searches were being conducted. He contacted the local police station and told an officer of the car he had seen.

Alarm is raised

By 6:30pm on the evening of 23 September 2009 Fiona Isles had been worried about her husband's lateness for some time. At that time she called Ayr police station to see if there had been any contact with him. Enquiries were made with the operational skills trainers in Townsville and it was discovered that Senior Sergeant Isles had not attended training that day. Sergeant Rickerby who had obtained this information was sufficiently concerned that he attended the Isles residence and took some further information. He advised the acting officer in charge and checked the station gun safe. He rang the Isles residence and spoke to Steven Isles who then advised him that it appeared a shotgun was missing from the gun safe in the Isles residence. It became apparent later in the evening that there were likely also shotgun shells missing. While he was taking details about the shotgun, Sergeant Rickerby heard a woman scream in the background. He says he was advised by Steven that his mother had found "*a suicide note*".

Fiona Isles says that she had begun to panic as it was so unlike her husband to not be home at that time. She began looking through the house and says that she was going through folded clothes on top of a cupboard in their bedroom when she came across a blue hardcover notepad. She was familiar with this notepad recognising it as one her husband used to note his thoughts when "*suffering from stress and depression*". On the last in a series of used pages from the back of the book was a one page, undated, handwritten entry signed "*Mick + Dad*". It commences:

"This is nobody's fault but mine. I feel old and have lost the will to do anything. I feel a failure and a loser, particularly to my family whom I love so much."

The note does not expressly refer to an intention to suicide but is unmistakably one intended to convey that impression. Insofar as it ascribes any basis or motive for suicide, no specific mention of the QPS is made. It does, though, refer to people that have been there for him "*during this time*" in a way that makes it a likely reference to the stresses of the previous 12 months.

Once the information regarding the missing shotgun and the note were known, senior police were immediately notified. Acting Chief Superintendent Powers was appointed to the role of family liaison officer. Two major incident

rooms were established to support the investigation, one in Townsville to provide intelligence and investigative support and one at Ayr station for the purpose of search and rescue coordination.

Two detectives from Townsville interviewed Fiona and Steven Isles that evening. Fiona Isles told the investigators that her husband's level of depression had deepened approximately five weeks prior to his disappearance. This is consistent with the timing of her contact with Dr Barry while on holiday at the Gold Coast. She said of him at that time; *"he's just a broken man, I knew he was getting worse because he stopped going to church and he stopped exercising."*

Police patrol vehicles were tasked that night to search the road between Ayr and Townsville. At the time a large dust cloud was present over northern Australia and that precluded any air search until the following day.

The search

Prior to discovery of the vehicle

The search for Senior Sergeant Isles was initially coordinated by Senior Constable Jason Jesse. He had 20 years experience in the coordination of marine and land search operations at that time. He attended the forward command post at Ayr police station in the early hours of 24 September 2009 to begin planning for that day's search. The aerial search at that time and on subsequent days focused on the area between Ayr and Townsville. It gradually extended west over subsequent days before air assets were then tasked to the Paluma Ranges north of Townsville to investigate a possible sighting of the missing Toyota. Prior to the air assets being reassigned for this purpose, the search had covered a significant area and had extended west to a point only just short of where the vehicle was ultimately located. The map below shows the extent of the air search prior to the vehicle being found and the location in which it was ultimately found.



On 24 September 2009 Senior Constable Jesse tasked Senior Constable Ian Bowron, the officer in charge of Ravenswood police station to perform a search of Ayr-Ravenswood Road including tracks leading from the road.

In the course of performing this task Senior Constable Bowron turned off the main road and travelled down the dirt track on which Lawrence Smith had seen the Toyota the day before. After travelling approximately 100 metres Senior Constable Bowron formed the view that a two wheel drive sedan would not have been able to progress any further along the rough track. He turned back to the main road and continued his search without having seen the Toyota despite coming within a few hundred metres of it.

The vehicle is found

On the morning of Monday, 28 September 2009 the manager of Hillsborough Station, Adrian Loader, travelled along the same dirt track to inspect the windmill and water trough near Eight Mile Creek. As with Mr Smith five days earlier, he came across the Toyota parked at a point where the track traverses the dry creek bed. He inspected the vehicle and found no obvious sign of human movement. His initial thought was that the vehicle was a dumped stolen car and after attending to his duties he returned to his home and contacted Senior Constable Bowron at Ravenswood. Senior Constable Bowron met Mr Loader and they travelled to the car together. It was confirmed as the missing a vehicle of Senior Sergeant Isles and senior police were notified.

A detailed forensic examination of the vehicle was undertaken and a series of photographs taken; one of those is reproduced below.



It can be seen that the vehicle was not bogged or stuck in the creek bed. The collection of leaves and cobwebs on the vehicle indicated it had been there for some time.

The odometer reading was 79 km more than when it was booked out on 23 September 2009. This distance accords very closely with that between the location where the vehicle was found and the police station in Ayr. The vehicle's trip computer showed that since the engine of the vehicle had last been turned on, the vehicle had been running for 40 minutes and had travelled at an average speed of 70 km/h. After adjusting for the various quirks of the computer system, this corresponds to a distance of 45 to 48 km. This is the distance between the point where the vehicle is found and a point just south of Clare.

The parking brake of the vehicle was off and the keys were located on the front driver side floor. A set of Senior Sergeant Epauettes were in the drink holder in the centre console. A uniform shirt was stuffed under the front passenger seat with a uniform utility belt. A \$20 note was located in the left side shirt pocket and a \$5 note was located in the right shirt pocket. An exercise pad was found on the floor in the back of the vehicle. Uniform pants and belt were located in the boot along with a hessian bag and a blanket. The last two items were later identified by Fiona Isles as coming from under their house. Also in the boot was a box which holds 25 shotgun cartridges when full. It was found to contain nine cartridges. A fingerprint of Steven Isles was found on one of them.

The vehicle was tested for DNA and fingerprinted. No latent fingerprints were discovered in the vehicle. A number of mixed DNA profiles were obtained from the interior of the sedan. This is thought unsurprising given its use by

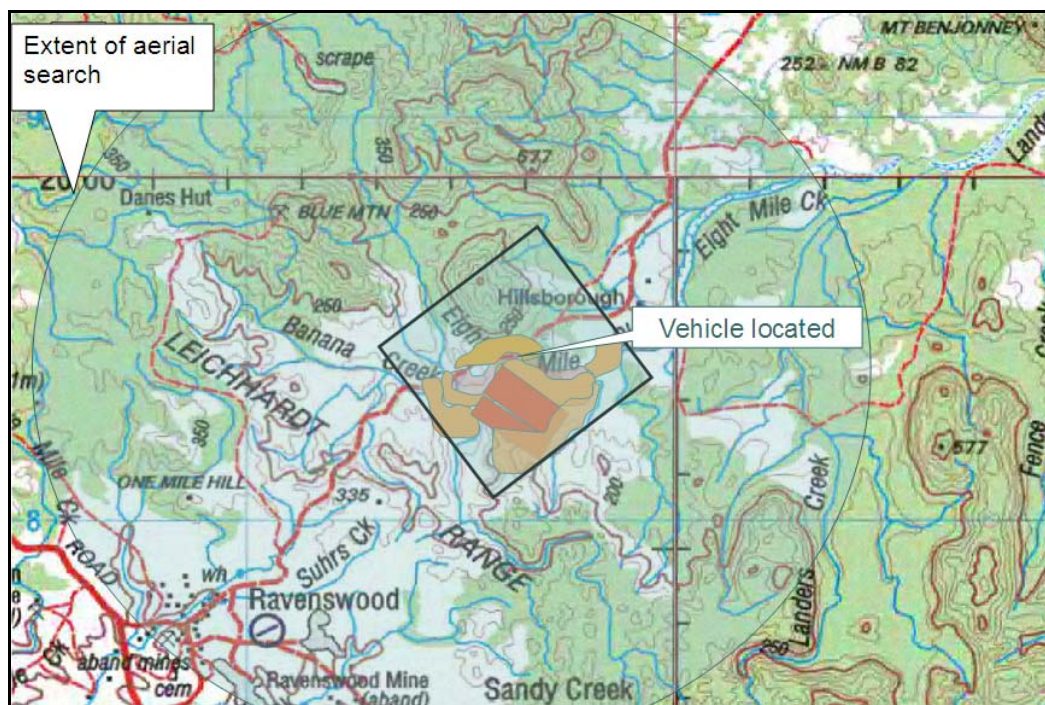
various police officers for many different purposes including transport of members of the public.

On the afternoon of 28 September 2009 a number of police and eight State Emergency Service (SES) personnel conducted a search east and west along Eight Mile Creek from the point where the vehicle had been found. Air assets were redeployed to search the area around the location of the vehicle.

Geography and terrain

The map below depicts the terrain around the location where the vehicle was found. The box around that location represents the 4 x 4 km area where foot searches were concentrated over the following days. Also depicted is the much larger area of aerial search. In the latter part of the search, foot searches were conducted in areas outside the box though, necessarily, with less intensity of coverage.

Those searching in the days after the vehicle had to contest high temperatures and difficult, rocky terrain. The heat meant that police dogs could only be deployed for short periods.



Extent of the search

On 29 September 2009 Senior Sergeant Warren Francis from the Brisbane Water Police was asked to provide an officer to assist with co-ordination of the search. Senior Sergeant Francis was then, as now, the most experienced search and rescue coordinator in the QPS having coordinated or been involved in around 1000 search and rescue incidents in the past 24 years. He personally travelled to Ayr to take over coordination of the search for Senior Sergeant Isles.

Senior Sergeant Francis told the inquest that he received an extensive briefing from Senior Constable Jesse and that in his opinion the coordination of the search to that point had been well managed. Senior Sergeant Francis received a formal handover on the morning of 30 September. At this time arrangements had already been made by Senior Constable Jesse for the allocation of resources for the search on that day. This involved an increase in the resources deployed on the previous day. On 30 September, day 7 of the search, one rotary winged aircraft, 32 SES volunteers, seven police officers, 43 Australian Defence Force personnel, 1 general-purpose police dog, 1 cadaver dog, 2 police off-road motorcycles and riders, 1 mobile police command post facility and 2 police Quad bikes and riders were involved in the search.

It was apparent on this day that the dogs were suffering serious limitations in that any scent was now seven days old and had most likely been non-existent after a matter of hours. Because of this and their susceptibility to heat exhaustion they were not used again after this date.

The intensity of the search increased until Friday 2 October 2009 when the resources deployed in the search area were at their peak. In addition to the aircraft and motorised vehicles referred to above, there were 130 police officers, police academy staff and recruits, SES volunteers and Australian Defence Force personnel searching the areas directed by Senior Sergeant Francis.

Late on 1 October 2009, Senior Sergeant Francis consulted with Dr Jeff Brock, a specialist in survival medicine. Dr Brock provided the following opinion:

If the missing person was still, not walking or self helping, uninjured, remaining in a sheltered position and was drinking any available water he would be at the extreme range of survival. It is not considered he would last longer than tonight. If the missing person was self helping, wandering around lost then the time frame for survival has long passed. The missing person would be deceased.

Notwithstanding this advice, Senior Sergeant Francis sought permission to extend the search into 3 and 4 October 2009 and into an area east of the existing search area. This permission was granted and the area was covered with gradually dwindling resources.

On 5 October 2009 the search was halted and Senior Sergeant Francis returned to Brisbane. Since that time there have been a number of subsequent searches performed by both the Townsville water police and Townsville stock squad. Senior Sergeant Francis had involvement in one of these searches which was conducted by Townsville water police from 26 to 30 October 2009.

Despite these extensive searches since the vehicle was found on 28 September 2009, no evidence has been located that is relevant to the disappearance of Senior Sergeant Isles.

Investigation findings

Investigators conducted an audit of the Isles family gun safe by comparing the contents against those weapons registered to Senior Sergeant Isles on a certificate issued under the *Weapons Act*. Missing was an Aramberri 12 gauge break action shotgun.

Steven Isles told the inquest that when the heavy gun safe had been moved into the Isles residence in Ayr some years before, it had been accidentally dropped on the barrel of the missing shotgun. He was of the opinion, based on his own observations and discussions with his father, that, while the weapon may still be operable, it would be prone to a barrel explosion. He believes his father would have been mindful of this.

In addition to his mobile telephone Senior Sergeant Isles left behind all of his prescribed medication. He also left behind rosary beads that were normally carried in his pocket.

Fiona Isles told investigators that it was not obvious to her that any clothes from the house were missing. She also said it was possible her husband might have taken a pair of shorts and a T-shirt, for instance, without her being able to tell they were missing.

As a result of concerns raised on behalf of the Isles family in relation to the thoroughness of the investigation, further enquiries were ordered into the movements of a colleague of Senior Sergeant Isles on 23 September 2009. Insofar as there was any relevance it arose because this colleague had become involved in an argument with Senior Sergeant Isles more than a year earlier in relation to the management of police rosters. The nature of the argument had been recounted by the colleague to another officer days later during which it was alleged the colleague said words to the effect of (in relation to Senior Sergeant Isles) “...if I had a gun I would have shot him”. There was evidence to show that this colleague and Senior Sergeant Isles had returned to an at least civil, if not amicable relationship by September 2009. The further enquiries adequately accounted for the other officer’s movements on the relevant day.

Alleged sightings

Several alleged sightings of Senior Sergeant Isles were reported to police during the course of the investigation. In one case the alleged sighting was made during conversation by an initially unidentified person in a pub. Investigations established the identity of this person to the satisfaction of police. Unfortunately, by the time police came to speak to this person it was discovered he had killed himself. Investigations conducted in relation to the other alleged sightings established that they were not of Senior Sergeant Isles.

The Australian Federal Police (AFP) passed on information to the QPS that an anonymous person had posted information on a website alleging Senior Sergeant Isles was seen and spoken to near Timber Creek in the Northern Territory on or about 12 October 2009. Attempts by the AFP to trace the source of this information or the identification of the informant have been unsuccessful. Police in Timber Creek were sent photographs of Senior Sergeant Isles and conducted enquiries in the local area without success.

Other enquiries

Enquiries with the Department of Immigration and Citizenship indicate Senior Sergeant Isles has not left the country using his passport. He is still recorded by the Department as being in Australia.

Multiple enquiries with financial institutions where Senior Sergeant Isles was known to hold accounts established that no suspicious transactions have been recorded.

The survival expert, Dr Brock, provided a report at the request of investigating police. Dr Brock examined a number of different scenarios for survival. These differed in relation to whether Senior Sergeant Isles had access to food or water, his determination to survive, the equipment he had with him and the amount of ground covered.

It is clear that Senior Sergeant Isles could readily have walked outside the area that was later covered during the search. He could have done this in any direction within the first 24 hours of his disappearance. Dr Brock told the inquest that due to ants, termites, maggots and pigs in the area that little of a person's body would remain in such a location.

The investigating officer, Inspector Swan, told the inquest that he had given consideration to other possible explanations for Senior Sergeant Isles' disappearance. This included the possibility that he had met foul play, that he had disappeared with second or third party support or that he had faked his disappearance without assistance. There is no evidence supportive of any of these scenarios.

More within the realm of possibility is a scenario in which Senior Sergeant Isles drove his car to Hillsborough Station in order to walk in that area to clear his head or as a form of stress relief; and that he then became lost, and perished. There is evidence that Senior Sergeant Isles had knowledge of this area having travelled to Ravenswood from Ayr regularly to play golf. He is known to have stopped several times in the vicinity of a lookout near to the point on Eight Mile Creek where the car was found. I have taken account of this possibility when drawing my conclusions in relation to the cause of death.

Findings required by s45 (1)&(2)

Proof of death and identity

Michael Isles' disappearance has been treated as a suspected death. I am required to find whether he is in fact dead. I made a provisional finding to that

effect on 5 August 2011 to enable his wife to resolve certain legal matters with the intention of reviewing the position at the inquest.

Because his body has not been found and nobody saw him die, there is a theoretical possibility that Mr Isles is still alive. None of his family or friends has seen him since 23 September 2009. Searches of bank accounts and the records of relevant government departments show no transactions since his disappearance. This means that he could only be alive if he were living under a false identity in a location where he is not known and he was deliberately concealing himself.

I find it inconceivable that Mr Isles would refrain from contacting his wife and children were he still alive. Accordingly, I confirm my earlier finding that Michael James Isles is dead.

How he died

Because there are no known witnesses to his death and his body has not been found, it is impossible to rule out absolutely, categorically any particular cause of Michael Isles' death. However, in proceedings such as these, coroners do not deal with remote and inherently unlikely possibilities, but rather focus on what the evidence indicates is most likely.

It has been suggested the missing man may have been the victim of foul play but there is simply no evidence to support that suggestion. There is no evidence of any person having any motive or desire to kill Senior Sergeant Isles. On the contrary, he was a well liked and highly respected police officer. Further, it was likely he was seen driving alone along the road leading to where his car was later found; only an hour or so before it was first seen at that location. The evidence that other cars were following his has been exaggerated: they were simply travelling in the same direction at about the same time. I dismiss the suggestion that Senior Sergeant Isles was murdered.

The evidence overwhelmingly points to him voluntarily driving himself to a remote location some 380 metres along a bush track that runs off a little used back road 78kms from Ayr. There he parked the car where it could not be seen from the road and walked off into the rugged Leichardt Range, never to be seen again. There are two reasonably possible explanations for this:

1. He went for a walk in the wilderness and became lost, or overcome by exhaustion and died of exposure; he died of some previously undiagnosed disease that came upon him suddenly; or he was bitten by a poisonous snake or attacked by some other wild animal; or
2. He took his own life after concealing himself.

Forceful submissions have been made on behalf of the Isles family that I should not find that Mr Isles took his own life. In considering those submissions it has been necessary for me to reflect upon the standard of proof applicable to such a finding. I have set out the applicable legal principles earlier in this report.

Suffice it to say at this stage, suicide is not a finding that should be made lightly. I have applied these concepts in these findings by considering the question of whether Senior Sergeant Isles committed suicide to be a most significant issue and also by recognising that suicide by an apparently rational, strong willed man with the support of a loving family is an unlikely occurrence. If the evidence is equally consistent with accident or misadventure, it would be wrong to find suicide.

However, that doesn't mean the usual sifting and evaluation of all of the known facts, the making of deductions based on an assessment of the range of usual human behaviour, and an appraisal of the cumulative weight of the evidence to reach a conclusion is abandoned in favour of some different approach in possible suicide cases.

A self-inflicted death causes the bereaved more distress than an accidental death in most cases. Survivors feel intense sympathy for the suffering of the deceased that led to such drastic action. Many torture themselves with remorse that they did not foresee and intervene to prevent the death and/or recriminate against those they hold responsible for making the loved one's life unbearable. Some believe a suicide finding reflects poorly on the deceased, suggesting they were some how weak or cowardly. Others are concerned it indicates a break with a religious faith which proscribes self harming.

Because of this, some coroners are reluctant to make a finding of suicide even where the evidence supports it, believing it more consistent with their commitment to therapeutic jurisprudence to spare the family further suffering.

Such altruism is understandable and commendable, but it comes at a cost: good public health policy is dependant upon accurate statistics. If we don't know how many and in what circumstances people take their own lives, designing and evaluating prevention strategies is impeded. Similarly, those responsible for maintaining safe workplaces, for example, may have their focus obscured by false comfort from a finding that the death was an unavoidable accident. This approach may also tend to perpetuate the wicked stigma associated with suicide that characterises the victims as weak, and the survivors as partially responsible when neither is true in most cases.

Coroners must therefore, in my view, stay true to their oath and make findings based solely on their careful weighing of the evidence. That is what I have tried to do.

In this case there is significant evidence pointing to a manner of death other than suicide:

- Michael Isles was obviously a man of strong character who had stood firm against great stress caused by his being the subject of corruption allegations in a small town where this was public knowledge.
- Mr Isles was a practicing Catholic and that religion proscribes suicide.

- He had overcome cancer and debilitating anxiety and/or depression and made himself well enough to return to work with a view to resuming his position as officer in charge.
- His family, his doctors and his closest confident did not think he was at risk of suicide at the time he disappeared. They believed he was “*on the mend*”; that the worst was behind him and that he was relieved to be continuing his career.
- The family point to plans he was making for his imminent retirement – his future focus.
- They also question whether a man intending to kill himself would be sufficiently concerned about his sunglasses to exchange one pair for another, as did Michael Isles at a time when the suicide plan must already have been in train, if that is how he died.

Conversely:

- It seems unlikely that Senior Sergeant Isles would suddenly have decided to go for a walk in the bush and not to tell even his family of his changed plans.
- There is also no reason he would have taken a shotgun and ammunition with him were he merely going for a walk. His son submitted I could not be sure he had taken the gun as it was damaged and may have been disposed of. Further, Steven Isles suggested that were his father intent on suicide he could have more easily used his service issue handgun, rather than risk using a gun that may have misfired. However, the presence of ammunition from the Isles home in the boot of the car makes it highly likely the shotgun missing from Senior Sergeant Isles’ gun safe was the item a neighbour saw him putting in the boot of the car just before he drove off. It was probably wrapped in the blanket and hessian bag found in the car.
- Superficially, it is surprising Mr Isles’ body has not been found. However, the ground search was unavoidably limited to an area a man could walk out of in an hour or so. Mr Isles was familiar with police search procedures and could have easily gone beyond the likely search zone.
- He had previously told a therapist that were he to kill himself, his body would not be found. The eventuation of this prediction was facilitated by the craggy, rock strewn ravines and gullies spread among the Leichardt Range, close by where the car was found.
- The note written by Michael Isles clearly contemplates his being dead when it is read by his family. It is not dated but it is on the last used page of the notebook in which it was found. Had it been written at some earlier time after which Mr Isles had resiled from a plan to end his life, I don’t believe he would have left it around the house where it was so easily found.
- I accept Mr Isles’ mental health seemed to improve in the weeks before his death, but only one month before his disappearance his treating doctor wrote he was *not psychologically fit to make good sound judgement*. Against a background of mental illness stretching back over

a decade, which had in relatively recent times seen him in crisis, a sudden relapse is readily conceivable. Mental health can not be objectively assessed as can physical illness. Sadly, coroners investigate undeniable cases of suicide that have occurred within hours of a consultant psychiatrist concluding the person was not of significant risk of imminent self harm.

Weighing all these factors I reluctantly find that Michael Isles intentionally took his own life. I sincerely regret the distress this will cause his family.

When he died

There is no reason to believe Mr Isles would have delayed in carrying out his plan. Accordingly, I find he died on 23 September 2009.

Where he died

Because Mr Isles body has not been found, the precise location of his death can not be established. However, I find he died on or near Hillsborough Station via Ravenswood.

Cause of death

I find the cause of death was gunshot wounds.

Comments and preventive recommendations

Section 46 provides that a coroner may comment on anything connected with a death that relates to public health or safety or ways to prevent deaths from happening in similar circumstances in the future.

Issues which arose in this case which may warrant consideration from that perspective are:

- The investigation of allegations against Senior Sergeant Isles;
- The support for the officer while he was on sick leave; and
- The management of his transition back to work.

The investigations

It is not generally a coroner's role to critique the response of the CMC or the QPS to allegations of misconduct against a police officer. However, as I have found the police officer in this case took his own life, it is incumbent on me to consider any evidence that inappropriate or inadequate actions by those agencies may have contributed to the death so that changes can be considered to reduce the likelihood of further deaths.

Having regard to the evidence detailed earlier, I am satisfied that Inspector Ian Haughton, the officer who located Senior Sergeant Isles and transported him back to the station when a search warrant was being executed acted appropriately and with discretion. Suggestions in the media that Mr Isles was unnecessarily embarrassed or deliberately humiliated are baseless. Mr Isles' complaints that he was not told of the nature of the investigation by the officer transporting him, or allowed to go home and change before going to the

station were unreasonable. That officer was following basic police procedures. He could have been criticised for compromising the investigation of serious allegations had he acted otherwise.

The Parliamentary Crime and Misconduct Committee (PCMC) caused the Parliamentary Commissioner, Mr Alan MacSporran SC, to investigate seven complaints from Senior Sergeant Isles relating to the manner in which the CMC officers had conducted themselves in obtaining and executing search warrants on Ayr police station and on the Isles residence, and to the manner in which the investigation had proceeded thereafter. In his report the Commissioner found there was no basis to uphold six of the seven complaints. The Commissioner did conclude that the CMC's investigation of Senior Sergeant Isles was not conducted in a timely manner.

The Commissioner noted that he had no adverse comments in relation to the quality of the investigation itself, finding it was appropriately thorough and professionally carried out.

It is also the case that the QPS investigated some more minor disciplinary matters, one of which remained outstanding even after Senior Sergeant Isles disappeared. Again, while the time taken to finalise these matters seems excessive, there is no suggestion of any impropriety or unfairness.

In the circumstances, no comment by me in relation to these matters is warranted

Support

The officer who assumed control of the Ayr police station after Mr Isles was relieved of command, visited him that day at home on the first day he went off on sick leave. The Assistant Commissioner did likewise a few days later. The Human Services Officer assigned to Mr Isles' case said she visited the home on three occasions in the weeks following his first taking sick leave but was unable to locate Senior Sergeant Isles. A police chaplain with whom he developed a close bond, also visited in the first few weeks and regularly thereafter.

That chaplain said that Senior Sergeant Isles made it very clear that he did not want any contact with senior police. This was reported to a monthly meeting that was convened to formulate plans for assisting officers on sick leave to return to work. It was accepted. The chaplain said he was encouraged to maintain contact with Senior Sergeant Isles.

There undoubtedly was little rapport or trust between Senior Sergeant Isles and Assistant Commissioner Wilson, the officer in command of the Northern Region until late August 2008. When he was transferred, further efforts were made by the incoming Assistant Commissioner to re-establish more cordial relations with the Isles family after it was acknowledged that the regional hierarchy could have done more. Unfortunately, this rapprochement was undermined by the initiation of procedures designed to force the officer into medical retirement. Understandably, this generated resentment on Senior

Sergeant Isles' part and he indicated that all future contact should be via his lawyers.

The QPS claims its officers made over 100 contacts or attempts to make contact with Mr Isles while he was on sick leave and with his family after he disappeared. I have not attempted to verify that figure but I am satisfied there was an on-going effort to engage with the officer, albeit with limited success.

In such cases the QPS is in a difficult position: on the one hand it needs to show that it is vigorously pursuing allegations of serious misconduct, on the other it needs to compassionately support a stressed officer. In my view, in this case, the Service was stymied on occasions by hostility from Senior Sergeant Isles. It is also the case however, that during some periods of the drawn out proceedings, more could have been done to make the officer feel he had the support of his superiors. Sadly, it is unlikely this would have changed the outcome.

I have also found that the treatment and care provided by his doctors and psychotherapist was competent and appropriate.

I am of the view the facts revealed by this inquest relating to the support provided by the QPS to an officer on extended sick leave do not illustrate any systemic problems amenable to a preventative response.

Transition to work

It seems there was some confusion as to the extent of the involvement of Senior Sergeant Isles' treating doctor in his transition back to work. That practitioner did not issue a certificate indicating the officer was fit to resume duties and he believed that he would be consulted again before his patient took up a full work load.

However, it is clear that the doctor did participate in developing a return to work plan that was followed.

The slight confusion was contributed to by the format of the form utilised to record the return to work plan. I understand this has been rectified.

The problem did not contribute to the death. No systemic issue warranting comment from me arises.

This inquest is closed.

Michael Barnes
State Coroner
Brisbane
14 September 2012