



# OFFICE OF THE STATE CORONER

## FINDINGS OF INQUEST

**CITATION:** **Inquest into the death of  
Brent William Rivett**

**TITLE OF COURT:** Coroners Court

**JURISDICTION:** Brisbane

**FILE NO(s):** COR 2013/4618

**DELIVERED ON:** 19 October 2015

**DELIVERED AT:** Brisbane

**HEARING DATE(s):** 2 September; 12 October 2015

**FINDINGS OF:** Mr Terry Ryan, State Coroner

**CATCHWORDS:** CORONERS: Death in custody, siege situation,  
suicide, appropriateness of actions of attending  
police.

**REPRESENTATION:**

Counsel Assisting: Miss Emily Cooper

Queensland Police Commissioner: Ms Belinda Wadley (Public Safety  
Business Agency)

Constables Mackay, Morice, Hess, Field  
and Woods: Mr Troy Schmidt  
(Instructed by QPU Legal Group)

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## Introduction

1. On Boxing Day morning 2013, Brent William Rivett boarded a train from Wynnium Central to the City at 6:43 am. He then boarded another train to the Northgate Station, where he arrived at 8:23 am. He carried a shopping bag, a backpack and another small bag. These contained six sets of handcuffs, three gags and a bottle of chloroform. The backpack also contained a hunting knife, a sawn off double-barrel shotgun and approximately 20 shotgun cartridges. He also carried with him a handmade card from his son, then aged eight years.
2. It was a thirty-minute walk from the Northgate Station to the residence of the ENW family, who were known to Mr Rivett. He had previously been a guest at the residence. The family consisted of Mr and Mrs ENW and their teenage daughter. They had lived at this address for over eleven years. Mr ENW had also operated a smash repair business in the area for many years.
3. It is not clear what Mr Rivett did after leaving the Northgate Station. He arrived at the ENW residence at around 10:55 am and took Mrs ENW and her 13-year-old daughter hostage after placing handcuffs on their wrists and ankles, and a rubber ball-shaped gag in Mrs ENW's mouth.
4. Prior to being taken hostage, the daughter was able to call police. After taking an amount of cash, Mr Rivett attempted to leave the residence through the garage door. Police entered through the garage door, as Mr Rivett was about to leave in the family's car. Mr Rivett fired his rifle towards the police and retreated into the house.
5. At 11:17 am, a second gunshot was heard, but it was unclear at that time whether anyone had been shot. At approximately 4:15 pm the hostages were extracted from the house via the window of the bathroom they occupied. At around 7:20 pm, and through the use of camera technology, police were able to confirm that Mr Rivett had been shot and was deceased.
6. These findings:
  - confirm the identity of the deceased person, how he died, the place and medical cause of his death;
  - describe the circumstances leading up to the death;
  - consider the appropriateness of the actions and decisions made by police on the day of the death; and
  - consider the adequacy of the police investigation into the death.

## The investigation

7. Detective A/Senior Sergeant Paul Browne from the Queensland Police Service (QPS) Ethical Standards Command (ESC) conducted an investigation into the circumstances leading to the death of Mr Rivett.
8. Upon being notified of Mr Rivett's death, the ESC attended and an investigation ensued. The investigation was informed by statements and recorded interviews with:
  - the police constables involved;
  - persons who were inside the residence in the lead up to the death;
  - residents of neighbouring properties; and
  - Mr Rivett's family and associates.
9. Forensic analysis was conducted and photographs were taken. All of the police investigation material was tendered at the inquest.
10. Forensic Pathologist, Dr Philip Storey, conducted an external autopsy examination with partial internal examination. Further photographs were taken during this examination.
11. I am satisfied that the investigation was thoroughly and professionally conducted and that all relevant material was accessed. I commend Senior Sergeant Browne for the thoroughness of his report.

## The Inquest

12. Mr Rivett's death was reported as a death in custody under the *Coroners Act 2003*. As he died while he was trying to avoid being put into custody, an inquest was mandatory.
13. A pre-inquest conference was held in Brisbane on 2 September 2015. Miss Cooper was appointed as counsel to assist me with the inquest. Leave to appear was granted to the Commissioner of Police and the various police constables involved in the first response to the reports that Mrs ENW had been assaulted at her residence.
14. The inquest was held in Brisbane on 12 October 2015. All of the statements, records of interview, photographs and materials gathered during the investigation were tendered at the inquest.
15. Counsel assisting, Miss Cooper, proposed that all evidence be tendered and that oral evidence be heard from the following witnesses:
  - Detective A/Senior Sergeant Paul Browne
  - Mrs ENW
  - Constable Michelle Hess
  - Constable Christopher Mackay
  - Constable Paula Morice
  - Constable Bridget Woods

- Constable Wade Field
  - Inspector Sean Cryer
16. I consider that the evidence tendered in addition to the oral evidence heard at the inquest was sufficient for me to make the necessary findings under the *Coroners Act 2003*.

## **The evidence**

### ***Personal circumstances***

17. Mr Rivett was 45 years of age at the time of his death. He was born in New Zealand in 1968 and moved to Australia with his family in 1979. After he finished high school in Brisbane he started an apprenticeship as an auto-electrician. He had worked in the automotive industry for most of his life. He had no criminal history in Queensland.
18. Mr Rivett's marriage to long-term partner, Tracie, ended in 2005. At around the same time as the marriage ended, Mr Rivett commenced a relationship with another woman, CCJ. Together they had a son, who was born in November 2005. However, that relationship ended in 2008 and CCJ moved to Perth with their son in early 2013. Mr Rivett was described by CCJ as an "awesome dad" who, apart from a period surrounding his 2011 admission to hospital, had fortnightly contact with his son until 2012. He met his child support obligations.
19. CCJ informed police that Mr Rivett had frequently queried whether he was the father of their child but she had always assured him that he was. She was not aware that he had ever been to Perth to see his son.
20. In August 2013, Mr Rivett experienced another relationship break down. This relationship had commenced in 2009-2010. His partner, Kristine, told police that he was becoming increasingly distant and she ended the relationship after seeing an entry for a purchase from an American gun website. However, there is no evidence that this was the source of the shotgun Mr Rivett used on 26 December 2013.
21. Mr Rivett also left his job at Pacific Rim Trading in November 2013, and was subsequently unemployed. After leaving his job he travelled by train to Cairns on 16 November 2013 to visit friends. He returned to Brisbane on 7 December 2013 on a commercial airline and lived in motels at Northgate and Wynnum from 10 to 26 December 2013. Bank records indicated that he was quickly exhausting the proceeds of his savings account.
22. Mr Rivett had not contacted his immediate family for over two years prior to the time of his death. His ten-year-old son, mother, brother and sister survived him. Mr Rivett's brother attended the inquest, and I extend to his family my condolences.

23. Mr and Mrs ENW were acquainted with Mr Rivett as a result of his involvement in the automotive industry. Mr Rivett had worked for many years in a business at Sandgate Road, Virginia, which supplied second hand parts to the smash repair business operated by Mr ENW.
24. They had also socialised together with Mr Rivett and CCJ at a local bowls club and hotel. They had visited each other's homes. Although he had previously visited the ENW family residence on a number of occasions, the family had not seen or heard from Mr Rivett for some 4-6 years.

### ***Mental health history***

25. I was provided with Mr Rivett's medical records from the Prince Charles Hospital (PCH) and these were tendered at the inquest. Those records confirmed that Mr Rivett's recorded mental health history related to one episode, which occurred in April 2011.
26. That episode saw Mr Rivett being admitted to the PCH under an Emergency Examination Order on 13 April 2011. He had been listed as a missing person, and was subsequently found by police at a roadhouse at Nudgee with a noose and handcuffs in his possession.
27. Mr Rivett was admitted to the PCH mental health ward for two days. There he told hospital staff that he had recently had a relationship breakdown. He had flown to Thailand where he purchased drugs and a gun with the intention of taking his own life. However, he was unable to carry out his plan and returned to Queensland.
28. When he was discharged on 15 April 2011, Mr Rivett was noted to have found temporary accommodation with a friend and had been offered a job. He was given advice about linking with a General Practitioner and to continue on the anti-depressant, Mirtazapine, for another six months.
29. On 27 April 2011, the PCH followed up with Mr Rivett's GP, Dr Anand Patel and were informed that Mr Rivett had presented for his follow up appointment. He had been provided with details for the Bayside Community Health Service if he wished to engage with that service. As a result of this follow up, Mr Rivett's case was closed to the PCH. It appears that he chose not to engage with services on his return to Wynnum.
30. Apart from this admission to the PCH in 2011, there was no other documented mental health history.

### ***Events leading to the death***

31. The events of Thursday, 26 December 2013 were detailed over the course of the inquest. Mrs ENW was the only family member to give evidence. I did not consider it appropriate or necessary to require her daughter (now

aged 15 years) to give evidence about what must have been a terrifying experience over and above that contained in her statement to the QPS. I commend Mrs ENW and her daughter for their courage and composure in the circumstances.

32. Mr ENW left for work just before 6:00 am, as he needed to finish a number of jobs before the family left for a beach holiday. Given the number of items of restraint Mr Rivett took to the residence, he may have been surprised to find that Mr ENW was not at residence that morning.
33. Mrs ENW was at home with her daughter, and she confirmed that at about 9:30 am they went for a run. When they got back, they were cleaning the house and preparing for the family holiday. Mrs ENW went to do some laundry, and recalled that this was at about 10:50 am.
34. Mrs ENW gave evidence to the inquest that when she went out to the backyard to hang out the washing, she felt somebody grab her from behind. Mrs ENW could not tell who it was straightaway but told the inquest that Mr Rivett held a knife to her neck.
35. At this time, her daughter was inside the house on the second level. She told police she heard screaming from downstairs and the sounds of a struggle. This prompted her to look out into the backyard. She used the home phone to call 000 and after being directed by the operator to go to a room with a lockable door, she went into the bathroom. Her 000 call records that she told police that she had “no idea” who the man was but he was “a big fat man who was about 60” years of age. She said that she was “really scared that he was going to come and get me”.
36. The sequence of events in the backyard was also confirmed by the statement of a neighbouring 12 year old who witnessed the events from a window overlooking the scene.
37. Mr Rivett dragged Mrs ENW backwards into the laundry. She recalled that she was told not to scream, and if she did scream she would be dead. Her arms were pulled behind her back and she felt something like handcuffs being placed on her wrists. She was told to lie on the ground on her stomach. She did so and her ankles were also secured with handcuffs. Mrs ENW told the inquest that it was at this point she was able to get a good look at the person’s face, and she identified him as Mr Rivett.
38. Mrs ENW asked him what he was doing, and she was told “it’s payback time.” He sat Mrs ENW up so that she was in the middle of the floor, and it was at this point that Mrs ENW noticed he had a gun. She described it in her evidence as looking like a rifle, but shorter than normal and with two barrels. Mr Rivett showed her the gun was loaded, and said he was “prepared to die today.”

39. Mr Rivett gagged her mouth, which made it hard to talk but not impossible. When Mr Rivett asked where her daughter was, Mrs ENW said that she shrugged her shoulders. Mrs ENW said that Mr Rivett then started acting erratically and he headed upstairs. She heard a knock on a door, but did not hear anything else.
40. Mr Rivett came back downstairs and asked where the safe was. Mrs ENW shook her head and indicated to him that there was some cash in a drawer. Mr Rivett took the cash and then asked her where the keys to the family's car were, and how to get out. Mrs ENW indicated where the car keys were, which also had a remote control for the garage. Mr Rivett used the remote, and walked Mrs ENW over to the garage entry while the garage door was opening. He then left Mrs ENW in the doorway and went back inside the house.
41. Mrs ENW gave evidence that, as the garage door opened, she saw police constables begin to enter. She indicated to them to stop and go back, she was trying to mouth the word 'gun'. Mr Rivett then re-appeared, pointed the gun at police but upwards, and let off one shot. The shot struck the windscreen of the QPS van, which was parked only metres away in the driveway.
42. Police immediately retreated, and Mr Rivett closed the garage door. He took Mrs ENW upstairs and sat her in a hallway. Mrs ENW then saw him kick the bathroom door open and subsequently heard her daughter screaming.
43. During her interview with police, Mrs ENW's daughter confirmed it was at this point in the bathroom that she recognised the man as Mr Rivett, an acquaintance of her father's she not seen for years. Mrs ENW, while still bound, walked to the bathroom and saw her daughter standing in the corner spa with the house phone in her hand. Mr Rivett grabbed her daughter and said she "shouldn't have called the police." He then placed handcuffs on the daughter's wrists and ankles.
44. Mr Rivett initially took Mrs ENW and her daughter to the study. He ran around the house locking doors and windows before he walked them to the main bedroom. He then placed them in the ensuite bathroom and told them to "shut up and stay in there."
45. Mrs ENW saw him put a backpack, some shotgun cartridges and the stolen cash on the main bed. During her evidence Mrs ENW recalled telling him to take anything he wanted, however, Mr Rivett replied that "it's too late – there's 20 cops outside now". Mrs ENW's daughter also said that after she had pleaded with Mr Rivett not to harm them he indicated that he was going to take the money and leave but that was no longer possible.



46. Mr Rivett also said that he had just returned from Perth, where he found out that he was not the father of his son, and implied that Mr ENW was. Her daughter also heard him say “[Mr ENW] needs payback.” Mr Rivett then left them in the bathroom, and that is where they stayed until SERT officers extracted them from the residence. At different times he told both hostages that he was not going to kill them.
47. Mrs ENW told police that it was about half an hour later that she heard a single gunshot from downstairs, and there were no noises after that. While Mrs ENW recalled a timeframe of a half hour, I am satisfied from hearing other evidence from the attending police, and the 000 call recording that it was only 12 minutes later that the second shot was fired.
48. In any event, after the second gunshot and waiting for a considerable period of time, her daughter went to the ensuite bathroom window and signalled to the police outside. Police were later able to enter via the window, and they were extracted from the house and helped down by using a ladder. The time by this stage was just after 4:15 pm.
49. Mr Rivett’s body was not discovered inside the house until 7:20 pm that evening. Police had been unsure about his status after Mrs ENW and her daughter had been extracted from the residence, and whether the second gunshot had been inflicted on him, or something else in the house. He was found slouched in an armchair in an upstairs bedroom with significant injuries to his head. The sawn off shotgun was on the floor beside the chair. He was confirmed deceased by constables of the Special Emergency Response Team (SERT).

### ***Autopsy results***

50. An external examination along with a partial internal examination (stomach contents) was conducted by experienced Forensic Pathologist, Dr Philip Storey, on 30 December 2013.
51. Toxicology testing confirmed the presence of chloroform in both the blood and stomach contents, the presence of which suggests Mr Rivett drank the substance shortly before his death. A small amount of salicylic acid (aspirin) was also detected.
52. External examination identified severe traumatic injury to the face with multiple variably sized lacerations involving the forehead, mid-face and mouth. Facial bone fractures were visible through the largest of these. There was a laceration to the rear of the skull and skull fracturing was visible through this. A CT scan of the head identified severe, multiple fragmented fractures to the skull and facial bones. There was severe disorganisation of the base of the skull and the teeth.

53. Internal examination confirmed the presence of shotgun injury to the head. The entry site was at the hard and soft palate within the cavity of the mouth. There was severe pulping in the rear of the back of the throat, with associated basal skull fractures. The exit site for at least one pellet was at the rear of the skull with a laceration at the occipital region. The large laceration at the front of the face may have also represented an exit site for at least one pellet.
54. Dr Storey explained that a single defined trajectory for the shotgun injury could not be identified because:
  - Each shotgun cartridge contained multiple pellets;
  - There was extensive damage to the base of the skull and the brain with extensive pulping injury; and
  - Multiple pellets were present within the cranial cavity, each of which would have ricocheted irregularly.
55. The injuries were classified by Dr Storey as devastating. The relevance of the chloroform to the death was determined to be unclear. The cause of death was formally determined as shotgun wound to the head.

### ***The QPS response***

56. The ESC investigation revealed that the 000 call was made by Mr and Mrs ENW's daughter at 10:57 am. The job was tasked as Code 2 (urgent matters involving injury or present threat of injury to person or property) to a general duties crew who were conducting patrols on Lutwyche Rd, Constables Bridget Woods and Wade Field. A second crew was also tasked, consisting of Constables Michelle Hess, Christopher Mackay and Paula Morice. The Code 2 enabled the officers to proceed under lights and sirens and to engage in urgent duty driving.
57. ESC investigators interviewed the constables, and I heard evidence from each of them at the inquest. The versions provided were largely consistent. For that reason that I have summarised the evidence provided as a whole, except for key individual statements.
58. The first police units arrived at the residence just at 11:05 am. As the police arrived, they saw the garage door was opening. The crew had parked the QPS van on the driveway of the residence; incorrectly thinking the incident was taking place at a neighbouring property.
59. Mrs ENW could be seen with her hands and ankles secured, standing in the far corner of the garage. There were two sedans parked in the garage. Constables Morice and Mackay entered the garage first, followed by Constable Hess. None of the constables was wearing a bulletproof vest, as they were not aware of any risk of firearms at that stage. All constables thought they were entering the scene of a domestic violence incident.

60. Unfortunately, the attending units were informed by the radio operator “informant advised that there is a man holding his mother on the ground out the back yard”. This is what was entered by the call-taker in the CAD log and was misinterpreted by the operator as relating to a man holding his mother down, not the caller’s mother. This was clearly not an accurate reflection of the call made by Mr and Mrs ENW’s daughter.
61. Constable Morice was the first Constable to enter the garage. She saw Mrs ENW standing in the internal doorway at the rear of the garage with a terrified look on her face. She was gagged and unable to speak. Constable Morice then saw movement to the right of Mrs ENW and a double barrel shotgun protruding at hip height from behind the internal door. She was not able to see the person holding the gun. Constable Morice yelled ‘gun, gun, gun’ and the constables ran from the garage. It was while they were running from the garage that the gun was fired and the shot was heard to hit the windscreen of the QPS van. This was within 10 seconds of booking off at the job location.
62. The garage door closed and the constables radioed police communications to advise that shots had been fired and more crews were urgently required. They also established a cordon after initially taking cover along the property boundary.
63. Constables Woods and Fields arrived a short time later and saw the first three constables running from the driveway with guns drawn. They put on their ballistic vests and took cover behind their vehicle next to a power pole. Constables Morice, Woods and Field later heard what they thought was a gunshot from inside the residence, but the sound was described as being deep and muffled.
64. All first response constables continued to work at the scene until they were relieved at about 2:30 pm. SERT officers had replaced them in the inner cordon at approximately 12:30 pm. They provided statements to ESC investigators before they were able to cease duty. They were not aware that Mr Rivett had taken his own life at the time they gave their statements.
65. The sequence and timing of events throughout the first response is helpfully set out by reference to the 000 call made by Mr and Mrs ENW’s daughter. I have reproduced that data below:-

<u>CAD Data time:</u>	<u>Call recording time:</u> (commences 10:57:14)	<u>Activity:</u>
10:58:17	00:15	There is a man holding Mum on the ground in the back yard.
10:59:28	01:15	[child] describes the male person involved.

11:00:12	02:18	Mother's phone can be heard ringing.
11:01:23	03:40	[child] is in the upstairs bedroom with the door locked.
11:03:25	05:40	Male is trying to open the bathroom door.
11:04:14	06:55	[child] is 13 years old.
11:05:00	07:16	[child] can hear her Mother screaming downstairs. Male is yelling at her.
<b>11:05:00</b>	<b>07:33</b>	<b>Call taker hears loud bang in the background.</b>
11:06:45	08:37	Male is in the bathroom with [child]. [child] is screaming. Male can be heard in the background. [child] says: "Please don't kill me." Male is talking to [child]. [child] is asking "Please don't kill me, are you gonna kill me?" Mrs ENW tells [child]: "Just do as he tells you." [child] is screaming. Male tells them to get in a room. [child] can be heard screaming.
	11:29	Call taker says she cannot hear anything.
11:09:41	11:46	Male voice heard again. Call taker says she can hear him.
11:11:04	13:12	Male says he has just come back from Perth to find out [son's name] is not even his son. Sirens can be heard in the background.
11:15:09	16:35	[child] screams and male voice heard.
<b>11:17:23</b>	<b>19:55</b>	<b>Call taker hears another loud bang, possibly shot.</b>
11:18:57		Line remains open, nil conversations or noise can be heard by call taker.

66. This data shows that there were two loud bangs from inside the residence. The first occurred approximately 7 minutes and 30 seconds into the 000 call, and the second about 20 minutes into the 000 call. There is approximately 12 minutes and 30 seconds between the sounds. These are the only two sounds consistent with a shot being fired and this timing is consistent with the evidence of the constables who heard the second shot.
67. At the inquest I heard evidence from Regional Duty Officer, Inspector Sean Cryer, in relation to the police response from the time Mr Rivett took Mrs ENW into the house, and the sound of what was believed to have been the second gunshot.
68. Inspector Cryer gave evidence that he arrived on scene at about 11:55 am and took command of the situation. This was after the initial police response and after the second gunshot, which resulted in Mr Rivett's death.

69. Inspector Cryer gave evidence about a number of matters, including:
- a range of instructions he provided (while en route) to the crews who were at the scene;
  - his request for the deployment of the Special Emergency Response Team (SERT); and
  - his declaration of an emergency in accordance with the *Public Safety Preservation Act 1986*.
70. Upon arriving at the scene Inspector Cryer confirmed that inner and outer cordons were in place and took up with the District Duty Officer for a briefing. The inner cordon was moved to a safer distance from the incident scene. It was confirmed that the residence was isolated, Mr Rivett was contained within the residence and evacuations of neighbouring dwellings had commenced. Officers with ballistic shields extracted one of the first response crews from close to the scene.
71. Inspector Cryer confirmed in his evidence that dog squad units were used in the inner cordon, and two vehicle blocks utilising “stingers” were in place to minimise the risk of escape in a motor vehicle. Inspector Cryer confirmed that the State Negotiator, Senior Sergeant Michelle Jarrett then arrived. Mobile and landline phones were isolated to enable communications on a dedicated line. In his evidence at the inquest, Inspector Cryer described the situational awareness of the residence, at this point, as being quite good. There were ‘eyes on’ the residence from all four sides, with cordons on each side.
72. Discussions were commenced outside the inner cordon with Mr ENW, who was able to provide information surrounding the identity of ‘Brent’, and what his motives might have been.
73. Inspector Cryer gave evidence about the main decisions made that afternoon. He said the first and foremost priority was to enter the house and retrieve the hostages safely. The advice he received from the SERT Inspector at the scene, as well as the Deputy Commissioner of Police, was to exhaust all options before entering the residence. The available intelligence was that the hostages were alive, but there had been no response from Mr Rivett.
74. The options were either forced entry or covert entry into the upstairs area. The forced entry option would have involved dynamic entry with “flash bang” devices, and a high probability of someone being injured or killed. The covert entry option was chosen, and involved the use of a ladder to insert various operatives to protect the hostages, unshackle them and then remove them down the ladder. This was ultimately successful.

75. Inspector Cryer confirmed his involvement on the day was managed, at all times, in conjunction with the Criminal Investigation Branch who were obtaining intelligence in relation to Mr Rivett's background, the negotiators, and SERT officers. There were 50-70 police deployed at the scene for up to 10 hours.
76. In his evidence, Inspector Cryer confirmed the sequence of events throughout the afternoon in terms of when the ENWs were extracted from the dwelling, the measures employed by the SERT team to understand what was happening inside the house, and how Mr Rivett was eventually located deceased in the upstairs part of the house.
77. Inspector Cryer's evidence is helpfully summarised in a table, produced by ESC Investigator Senior Sergeant Browne in his report. Relevant parts are reproduced below:

11:55	<ul style="list-style-type: none"> <li>• Arrived at scene.</li> </ul>
12:10	<ul style="list-style-type: none"> <li>• Briefed RCC.</li> <li>• SERT Intelligence setting-up.</li> </ul>
12:15	<ul style="list-style-type: none"> <li>• Requested air exclusion zone because of interference from Media Choppers.</li> </ul>
12:25	<ul style="list-style-type: none"> <li>• Requested mobile Police facility to the scene.</li> </ul>
12:35	<ul style="list-style-type: none"> <li>• SERT Inspector advised the Bearcat was ready to go with Negotiators.</li> </ul>
12:52	<ul style="list-style-type: none"> <li>• Commenced moving forward with Negotiator's.</li> </ul>
12:55	<ul style="list-style-type: none"> <li>• Advice received phones had been approved for isolation.</li> </ul>
12:58	<ul style="list-style-type: none"> <li>• Inspector SO-023 advised SERT had taken over the inner cordon. Did a hand-over to him.</li> </ul>
13:05	<ul style="list-style-type: none"> <li>• Provided a SITREP to the RCC.</li> </ul>
13:11	<ul style="list-style-type: none"> <li>• Bearcat still out front of residence attempting contact.</li> </ul>
13:35	<ul style="list-style-type: none"> <li>• Contacted the on-call Inspector (Morganti) to advise.</li> </ul>
13:37	<ul style="list-style-type: none"> <li>• Inspector SO-023 advised Deputy Commissioner had approved a dynamic entry into the residence. Also approved use of a remote piloted aircraft (first time in operational use).</li> </ul>
13:45	<ul style="list-style-type: none"> <li>• SERT team being briefed for an Emergency Action to recover hostages.</li> </ul>
14:00	<ul style="list-style-type: none"> <li>• Advised by Morganti he was travelling to the scene.</li> </ul>
14:30	<ul style="list-style-type: none"> <li>• Briefed RCC.</li> <li>• SERT removed palings from a rear fence and made first eye contact with two female hostages. Knew for first time they were alive and both held hands up to show they were shackled. Confirmed they were the hostages in the situation and they called out that a person Brent was responsible.</li> <li>• Returned to Mr ENW and questioned him further on Brent and reason for being at the house. ENW disclosed Brent thought he (ENW) was having an affair with his wife.</li> <li>• Offender was identified as Brent William Rivett, dob: 22/09/68.</li> <li>• Hostages were identified as ENW's wife and daughter.</li> </ul>

15:50	<ul style="list-style-type: none"> <li>Inspector SO-023 advised all options had been exhausted (aerial vehicle, pole videos, robot videos, SERT operatives at scene, incoming telephone lines). Needed to consider making entry into the dwelling to rescue the hostages. All concurred and SO-023 to brief Deputy Commissioner for final approval.</li> </ul>
16:15	<ul style="list-style-type: none"> <li>On return advised SERT had extracted two female hostages from residence. Both were handcuffed and shackled. Taken to QAS and medically treated.</li> </ul>
16:30	<ul style="list-style-type: none"> <li>SERT commenced slow procedure of putting robot into dwelling (very slow process).</li> </ul>
19:30	<ul style="list-style-type: none"> <li>Contacted by phone and advised deceased located upstairs with gunshot wound to head.</li> </ul>

78. The interviews of each of the SERT operatives involved were tendered at the inquest. I have had regard to them and am satisfied there was no use of force against any person by them. The only methods adopted by the SERT team were the penetration of windows and doors, the use of a robot, pole cameras and tactical rocks (used to breach windows). This occurred only after the hostages were safely extracted.
79. The pole cameras identified Mr Rivett seated in a chair on the first level of the residence, clearly having suffered severe head trauma. It was at this time that police were able to enter the residence and physically locate Mr Rivett. He was declared deceased just after 7:30 pm.

### ***Adequacy of Ethical Standards Command investigation***

80. The ESC investigation detailed the following exhibits of interest which were found after Mr Rivett's body was discovered:
- a 12 gauge 'Urko' brand double barrel, break down shotgun;
  - a pair of handcuffs along with an ammunition pouch;
  - a black bum bag containing 3 x eye masks, 3 x rubber ball gags, a further pair of handcuffs, a small brown medicine type bottle (later identified to contain chloroform) and a syringe;
  - a black handled 'Leatherneck-Tanto' brand knife and sheath; and
  - 3 x white latex gloves.
81. Given the location of these items at the ENW house, the ESC investigation found that Mr Rivett had attended at the house on 26 December 2013 with the intention of either robbing it and/or to seek some sort of revenge. It is unknown whether Mr Rivett may have sat and watched the property for a period of time before attending and detaining Mrs ENW in the backyard.
82. For the purposes of my findings, it is unnecessary for me to determine why Mr Rivett was at the house, over and above what the police investigation has already concluded. Whatever his original motives, his

plans clearly went awry when he was confronted by police officers, as he was about to leave the residence.

83. All police witnesses were interviewed with respect to their knowledge and application of police training with respect to the incident. None of the constables involved was able to identify anything that could have been done differently, or in a better way.
84. The investigation concluded that it is likely that Mr Rivett panicked after police surrounded the house and decided soon after to end his own life. There was no evidence implicating any other person as being directly involved in the death. There was no evidence that any of the first response police constables or other officers involved acted inappropriately or contrary to QPS policy or training.

## **Conclusions**

85. I conclude that Mr Rivett died from a self-inflicted gunshot wound to the head. I find that none of the police constables or other witnesses at the ENW's residence caused or contributed to his death in any way.
86. I am satisfied that the actions and decisions made by the attending police constables in the immediate lead up to Mr Rivett's death were appropriate and timely. The attending constables or other QPS officers could not have reasonably prevented Mr Rivett's death.
87. QPS officers were not aware Mr Rivett had taken his life shortly after he was confronted by police officers as he went to leave the ENW residence. They continued to act to ensure the safety of the hostages in accordance with the relevant QPS policies, including the Siege Management Strategy. After the hostages were extracted they maintained efforts to open negotiations with Mr Rivett until it became apparent that he was deceased.
88. I am satisfied that the investigation conducted into Mr Rivett's death by the Ethical Standards Command was appropriate, thorough, and covered all relevant areas of investigation. I am satisfied that the protocols established to investigate deaths in custody in accordance with the Queensland Police Service Operational Procedures Manual were complied with.

## **Findings required by s.45**

89. I am required to find, as far as is possible, the medical cause of death, who the deceased person was and when, where and how he came by his death. As a result of considering all the material contained in the exhibits, I am able to make the following findings:

**Identity of the deceased** – The deceased person was Brent William Rivett.



**How he died -**

The death occurred after he went to a family residence at Banyo and took a mother and her daughter hostage. He handcuffed their hands and ankles. While he was trying to flee the residence with cash and the family's car police constables arrived and he retreated into the residence. A short time later, Mr Rivett died from an intentional self-inflicted gunshot wound to the head.

**Place of death –**

Banyo in the State of Queensland.

**Date of death –**

26 December 2013.

**Cause of death –**

Mr Rivett died from a gunshot wound to the head.

***Comments and recommendations***

90. Section 46, insofar as it is relevant to this matter, provides that a coroner may comment on anything connected with a death that relates to public health or safety, the administration of justice or ways to prevent deaths from happening in similar circumstances in the future.
91. In this case I have found that there are no grounds for criticism of the police officers involved. They responded professionally and in accordance with their training in a protracted situation involving a man, who was initially unknown to them, in possession of a weapon and who held two hostages. There are no useful recommendations I can make arising from this matter.
92. I close the inquest.

Terry Ryan  
State Coroner  
Brisbane  
19 October 2015