



OFFICE OF THE STATE CORONER

FINDINGS OF INQUEST

CITATION: **Inquest into the deaths caused by the south-east Queensland floods of January 2011**

TITLE OF COURT: Coroners Court

JURISDICTION: Brisbane

FILE NO(s): Various

DELIVERED ON: 5 June 2012

DELIVERED AT: Brisbane

HEARING DATE(s): 31 October – 2 November 2011; 27 February – 1 March 2012

FINDINGS OF: Mr Michael Barnes, State Coroner

CATCHWORDS: Coroners: inquest; south-east Queensland floods.

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Department of Community Safety:

Mr Alan McSparran SC with Mr Michael Nicolson

All Inquests

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Department of Community Safety:

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Commissioner:

Mr Wayne Kelly (Queensland police service solicitors office)

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Introduction, the investigation, the QFCol and the inquest

The *Coroners Act 2003* provides in s45 that a copy of an inquest's findings must be given to the family of the person who died, each of the persons or organisations granted leave to appear at the inquest and to various officials with responsibility for the subject matter of any recommendations. These are my findings in relation to the deaths and suspected deaths of twenty five people who lost their lives as a result of flooding in South-East Queensland in January 2011. They will be distributed in accordance with the requirements of the Act and posted on the website of the Office of the State Coroner.

In December 2010 and early January 2011, significantly above average rainfall in south-east Queensland resulted in the saturation of river and creek networks and their catchments. On 10 January 2011, unusual climactic conditions combined to inundate Toowoomba and the upper Lockyer Valley with an intensity of rainfall rarely seen. It resulted in catastrophic flash flooding. Continuing rainfall over the following days caused widespread flooding further downstream.

Between 10 and 13 January 2011, 22 people lost their lives in the affected area; another three who disappeared after being struck by the flash flood have not been seen again. Although the loss of life and damage to property was widespread, the community of Grantham suffered most from these events with 12 of its residents deceased or missing.

These findings:-

- Address the matters required by s. 45 (1) and (2) of the Act; namely, whether those who are missing are dead; the identity of the deceased persons, how, when, where they died and the medical causes of the deaths;
- Summarise the activities of police and other rescue authorities during the floods and in the subsequent search for the missing;
- In relation to the death of Jesse Wickman, examine the adequacy and appropriateness of the attempt to rescue him from flood waters on 11 January 2011; and
- Examine empiric and anecdotal evidence relating to other deaths in areas affected by the floods in order to determine whether there has been any significant change in the incidence of suicide.

Because of the appointing of a Commission of Inquiry to investigate aspects of the floods, for reasons detailed later, these findings do not look at prevention issues in the way an inquest might usually be expected to.

QPS investigation

The coronial investigation was conducted by a Queensland Police Service (QPS) task force named *Galaxy* consisting of officers from the Southern

Region and from the State Crime Operations Command. The task force was led by Detective Superintendent John Sheppard. It worked closely with the QPS search and rescue operation but operated separately from a major incident room (MIR) in Toowoomba. Attached to the Galaxy MIR were victim liaison officers and an officer from the missing persons unit. Detective Superintendent Shepherd liaised with the Office of the State Coroner from an early stage with regard to the content and extent of the Galaxy investigation.

I accompanied officers from Task Force Galaxy to inspect the relevant sites in Toowoomba, Grantham, Postman's Ridge, Murphy's Creek and Spring Bluff on 12 January 2011.

In the initial stages of the investigation, members of the Galaxy team attended evacuation centres in Toowoomba and various Lockyer Valley communities. Over 240 people were interviewed in order to identify potential witnesses to the relevant events. A further 230 "first responders" from the QPS, Queensland Fire and Rescue Service (QFRS) and the Queensland Ambulance Service (QAS) were identified as having relevant information. Enquiries and requests for public assistance were made to identify people who may have witnessed the incidents leading to loss of life. Statements were taken from all witnesses and in some cases re-enactments were conducted and video recorded.

Initially, more than 50 persons were feared lost but as a result of these inquiries and subsequent searches this number was reduced over time to the remaining three missing people dealt with in this report.

Contextual data from the Bureau of Meteorology (BOM) was obtained by the investigation team and images from a wide variety of media devices operated by civilians, rescue personnel and media organisations were collected and analysed. In each case steps were taken to establish the context in which the images were recorded so they could be properly tendered into evidence at the inquest. Global positioning system (GPS) data was obtained and media articles relating to the floods were examined and collated.

The task force oversaw vehicle inspections on those vehicles in which deceased persons were travelling at the time they were washed away. Equipment used in an apparent "failed" rescue attempt involving one of the deceased was independently tested and relevant training and equipment maintenance records seized.

The Galaxy investigators listened to and collated all emergency calls made in relation to each of the deceased and missing persons. They also collected telecommunications data relating to other telephone calls made by deceased and missing people and, where relevant, by their friends and family. The timing and nature of these calls were set out chronologically in tables and linked to other events known to have involved the deceased and missing persons.

The circumstances of the recovery of each deceased person's body were ascertained and statements obtained as to where and how the person was located. Details relating to the formal identification of each deceased person were included in the Galaxy brief.

In order to help counsel assisting present the voluminous investigative material at the inquest, Task Force Galaxy investigators compiled it in an audiovisual format. Video, still photography, overhead maps and a range of other material was used to produce an overview presentation of the events of 10 to 13 January 2011 which was shown at the inquest. A separate compilation was prepared in relation to each of the incidents that resulted in the death or disappearance of a person.

I was greatly assisted by the significant amount of work that went into each of these compilations as I was by the scope and professionalism of the Galaxy investigation as a whole. As a result of their detailed work, it was not necessary for eye witnesses to give evidence in any but one case, although the opportunity to do so was offered to each of the families who lost relatives.

I commend Superintendent Sheppard and his team for the high standard of their investigation and the comprehensive brief of evidence they produced.

Jurisdiction

The 22 known deaths were reportable deaths for the purposes of the *Coroners Act 2003* because they were violent or unnatural.¹ I held a suspicion the three missing people were deceased and that their deaths were reportable. That gave me jurisdiction to investigate the circumstances under which they went missing and to find them to be dead if the evidence supported that conclusion.²

I determined it was in the public interest an inquest be held in relation to each of the deaths.³ Having regard to the similarity of the issues to be investigated in each inquiry, it was appropriate to combine them into a single inquest as envisaged by s33 of the Act.

The QFCoI

The Queensland Floods Commission of Inquiry (QFCoI) was established on 17 January 2010 pursuant to the Commission of Inquiry Act 1950 ("COI Act"). Section 4A of that Act excises from the usual jurisdiction of a coroner those matters into which the CoI is directed by its terms of reference (ToR) to inquire. The ToR of the QFCoI included a direction to inquire into the following matters:

- a) the preparation and planning by federal, state and local governments; emergency services and the community for the 2010/2011 floods in Queensland,*
- b) the performance of private insurers in meeting their claims*

¹ Coroners Act 2003 s8(3)(b)

² Coroners Act 2003 s11(6)

³ Coroners Act 2003 s28

responsibilities,

c) all aspects of the response to the 2010/2011 flood events, particularly measures taken to inform the community and measures to protect life and private and public property, including:

- i. immediate management, response and recovery*
- ii. resourcing, overall coordination and deployment of personnel and equipment*
- iii. adequacy of equipment and communications systems; and*
- iv. the adequacy of the community's response.*

d) the measures to manage the supply of essential services such as power, water and communications during the 2010/2011 flood events,

e) adequacy of forecasts and early warning systems particularly as they related to the flooding events in Toowoomba, and the Lockyer and Brisbane Valleys,

f) implementation of the systems operation plans for dams across the state and in particular the Wivenhoe and Somerset release strategy and an assessment of compliance with, and the suitability of the operational procedures relating to flood mitigation and dam safety,

g) all aspects of land use planning through local and regional planning systems to minimise infrastructure and property impacts from floods,

Following correspondence and discussion with Commission Holmes, it was agreed the coronial inquest would proceed on the basis that its jurisdiction to make findings pursuant to section 45(1) and (2) of the Coroners Act was unrestricted by the combined effect of s4A of the Col Act and the QFCol's ToR. This included the receipt of evidence that, although touching on areas contained in the QFCol terms of reference, was necessary to establish a meaningful narrative of "how" the person had died or disappeared as required by section 45 (2)(b) of the Coroners Act.

However, it was clear that comments or preventative recommendations which might normally be made in accordance with section 46 of the Act were precluded in this case if they related to any of the matters iterated in the QFCol's ToR. In effect, the inquest was not to look at matters of prevention, that being a matter for the QFCol.

The State Coroner, staff from his office and a representative of the QFCol visited the Lockyer Valley and Toowoomba to meet with the families who lost loved ones to explain the way the two inquiries would intersect and to answer questions about how the processes would proceed.

The inquest

On 31 October 2011 the inquest was opened and proceeded for three days during which evidence was heard from a number of police officers associated with the QPS Task Force Galaxy. Their reports and all exhibits were tendered into evidence. The officers gave detailed evidence about the results of their investigation into each of the deaths except for that of Jesse Wickman.

The evidence specific to Jesse's death was heard over four days from 27 February 2012. That inquest differed from the others in that it was necessary to hear first hand accounts from witnesses involved in Jesse's attempted rescue in order to reach conclusions about the circumstances of his death.

Written submissions were made by counsel assisting and circulated to those with leave to appear. Submissions in reply were received from the Department of Community Safety, the Queensland Police Service, one of the bereaved families and two of the police officers involved in one of the fatal incidents. I found the submissions to be of assistance and I thank the lawyers for them.

Overview of events

To even summarise all of the information contained in the exhibits and transcript would be impractical because of the volume of the material. However, it is appropriate to record in these reasons the evidence necessary to understand the findings I have made. First, an overview of the south east Queensland floods of January 2011; and then a précis of the evidence specifically relevant to each of the deceased and missing persons.

Meteorological summary

At the request of Taskforce Galaxy, the Bureau of Meteorology prepared a detailed report explaining the meteorological and hydrological conditions that combined to precipitated the January 2011 floods in south east Queensland

It noted that in the second half of 2010 Australia experienced one of the strongest La Nina events on record. In the last four months of 2010 ocean temperatures around Australia broke previous highest records by a large margin. As a result Queensland experienced its wettest July to December.

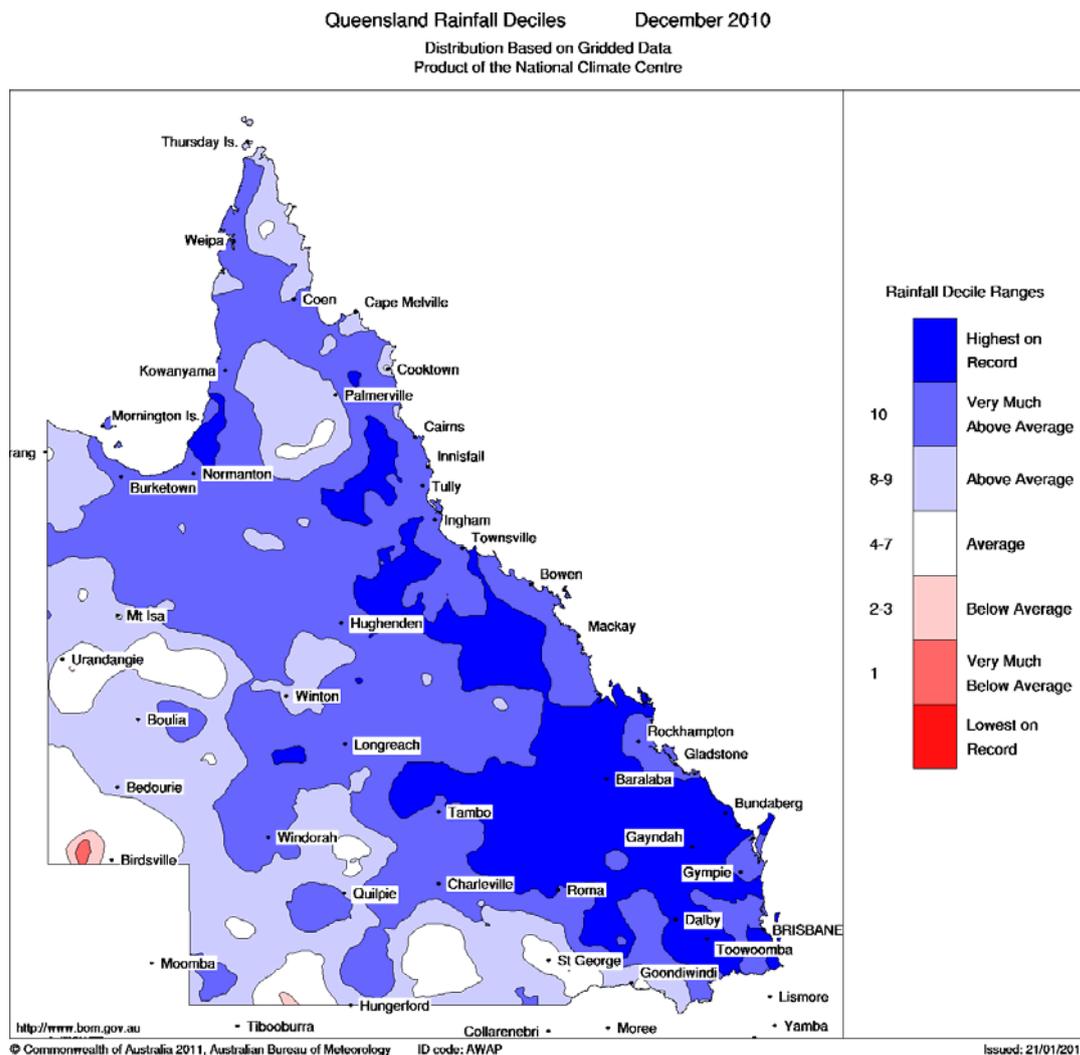


Figure 1 - Queensland record rainfall distribution: December 2010

In early January 2011 the heaviest rainfall occurred in south east Queensland. Initially, the heaviest falls were in the Mary and Burnett River catchments but from 9 January, this moved south to impact the Brisbane, Bremer and Condamine River catchments. Daily falls in excess of 200 millimetres were recorded in these areas in this period. Those catchments are shown on the map below.



On the morning of 10 January 2011, two intense thunderstorms formed off the coast adjacent to Maroochydore and Redcliffe respectively. At about 11.00am they converged to form a single intense storm which drifted in a south-westerly direction towards the Great Dividing Range at about 30 km/h. Due to orographic enhancement whereby humid air forced upwards by the terrain is cooled and rendered able to hold less moisture, rainfall intensity in the storm cell increased as it approached the range.



Mt Stapylton Radar 10am est 10 January 2011



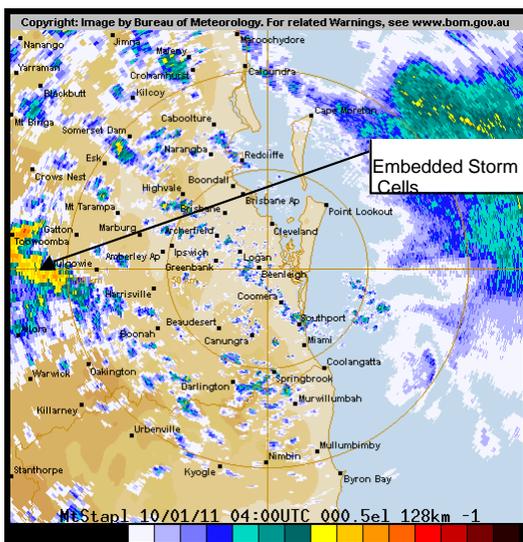
Mt Stapylton Radar 11am est 10 January 2011



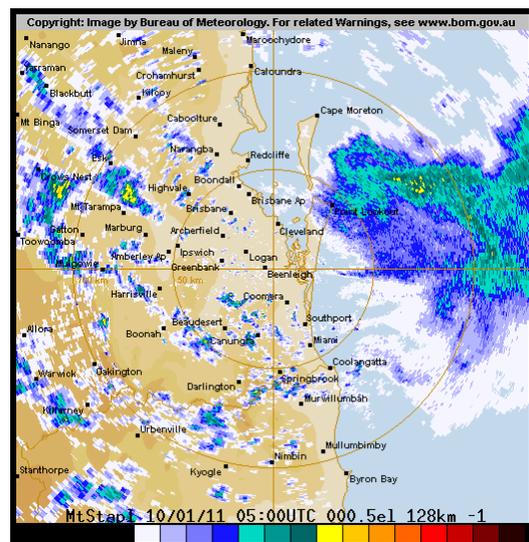
Mt Stapylton Radar Noon est 10 January 2011



Mt Stapylton Radar 1pm est 10 January 2011



Mt Stapylton Radar 2pm est 10 January 2011



Mt Stapylton Radar 3pm est 10 January 2011

Figure 2 - Brisbane (Mount Stapylton) radar imagery from 10am to 3pm EST on 10 January 2011.

The mathematical probabilities of such a meteorological event were explored in advice provided to the QFCOI by BOM.⁴ For the purposes of these findings it is enough to say it was most unusual. It resulted in an extraordinary intensity of rainfall measured at a maximum of 60mm in the one hour to 1:50pm at Toowoomba which included a peak of 144mm/h over one 10 minute interval. The BOM acknowledged that falls between gauges may well have been higher. Numerous witnesses described the rain as by far the heaviest they had ever seen.

As a result of this extreme weather the following occurred:

- fast creek rises and flash flooding in the Toowoomba city area;
- fast rises in Gowrie and Oakey Creeks as water drained from Toowoomba to the west towards the Condamine River;
- flash flooding of the upper parts of Murphy's Creek, Lockyer Creek and its tributaries (notably, Rocky Creek) as water drained along the steep eastern slopes of the Great Dividing Range and into the Lockyer Valley;
- the inundation of several communities including, as will become tragically clear in the course of these findings, the devastation of the township of Grantham; and
- major river flooding in the Stanley, Bremer and Brisbane Rivers over subsequent days.

Further intense rainfall fell over large areas of south-east Queensland on 11 and 12 January 2011. In combination with earlier rainfall, this resulted in further incidence of flash flooding notably at Karrabin and around the township of Minden.

Loss of life

Twenty-three of the 25 dead and missing people with which these findings are concerned were located in the area bounded by Toowoomba to the west and Minden to the east at the time they were first affected by flood water. One death occurred at Durack to the south-west of Brisbane while another occurred on the flooded Myall Creek at Brymaroo north-west of Toowoomba.

Twenty-two of the dead and missing people were first struck by the flood water that resulted in their death or disappearance on 10 January 2011. The last incident with which these findings are concerned was the death of Van Toan Giang who entered flood water at Durack on 13 January 2011.

Twelve of the dead and missing people were residing at Grantham when they were struck by flash flooding.

⁴ *Hydrological Advice to the Commission of Inquiry regarding 2010/11 Queensland Floods*

Search and rescue

In the section of these findings that relates to the deceased and missing people, I will address the search and rescue efforts specific to each. It is appropriate, though, to record the scope of search and rescue operations conducted in south-east Queensland in the days, weeks and months following the events of the January 2011.

These findings do not critique the immediate response of the emergency services to the flooding because, as explained earlier, that aspect of the disaster is covered by the QFCoI ToR and is accordingly beyond a coroner's jurisdiction.

The inquest heard oral evidence from QPS Inspector Mark Kelly, who was appointed as the overall search commander for south-east Queensland on 13 January 2011 and continued in this role until 11 February 2011.

Inspector Kelly told the inquest that during the period of highest search intensity, from 11 January to 2 February 2011, over 200 Australian Defence Force (ADF) personnel and more than 220 QPS officers were deployed. They were assisted by a large number of State Emergency Service (SES) personnel, ADF heavy equipment, cadaver dogs, police divers, boats and helicopters.

Inspector Kelly oversaw a foot search that covered 131 km of creek line on three separate sweeps. It is estimated this resulted in an area of 663 km² being searched on foot multiple times.

A vehicle task force was deployed and 834 vehicles were identified as having been affected by flood events. These were towed or otherwise recovered, thoroughly searched and their owners traced.

The National Land Search Operations Manual, an internationally recognised manual for the conduct of search and rescue operations, contains *Probability of Detection Tables*. These tables take into account the extent, type and "extent of overlay" of searches conducted and calculates a percentage probability of detection. Inspector Kelly told the inquest the area covered was searched in a manner that, according to the tables, would result in a probability of detection of 99%. He explained to the inquest the fact three people remain missing was sadly understandable as a result of several factors including but not limited to:

- the intensity of the flood waters being sufficient to have carried the missing out to sea; and
- the transporting and depositing of enormous amounts of silt along the floodplain - it is readily conceivable this may have buried the bodies of the missing persons.

An internationally recognised authority on survival medicine, Dr Paul Luckin, was consulted by the QPS in relation to the three missing persons. In each

case Dr Lukin concluded the missing person perished shortly after the time he or she was last seen.

Intermittent targeted searches have continued along various stretches of creeks and rivers at various times since the main search was concluded. They have yielded no new results.

Condolences and commendations

Sudden and unnatural deaths almost inevitably cause grief to the relatives and friends of those who die. There were however aspects of these deaths that exacerbated the anguish:-

- The floods came suddenly, unexpectedly, and largely without adequate warning;
- They took people from within their own homes and as they tried to flee to safety;
- Young children were lost despite their parents desperately striving to save them;
- Families lost multiple members;
- Many of the bereaved knew other victims and their families well;
- Whole communities were devastated;
- While for some the fatal impact was almost instant, in other cases the agony played out before bystanders, aghast but unable to help.

To the family and friends of those who died, I offer my sincere condolences. To all those affected I offer commiserations.

Amongst the sorrow, loss and suffering there were also acts of noble courage, compassion and dedication to duty. There were numerous instances of emergency services personnel, police officers, family members of those at risk and members of the public wading into flooded creeks; swimming out into swirling lakes, manoeuvring aircraft and rescue craft in highly dangerous settings, and working crushingly long hours. There is no doubt, without these acts of bravery and commitment more lives would have been lost. I commend all those involved in the rescues and the rescue attempts.

The missing and deceased

The next 16 sections contain a description of the circumstances in which the dead and missing were lost and the findings required by s45 in relation to each of these events. The incidents are presented in chronological order, so far as can be ascertained. By and large, that also coincides with the water flow from Toowoomba through the Lockyer Valley.⁵

⁵ More detail of the technical and forensic evidence presented to the inquest can be obtained by viewing the exhibits. More detail of the personal experiences of those who survived the flood can be found in a recently published book: Gearing A., *The Torrent*, UQP, 2012

Donna Maree Rice and Jordan Lucas Rice

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Location

Toowoomba's location astride the Great Dividing Range makes it seem an incongruous site for a flood. And indeed rain that falls on the eastern edge of the city rushes down the escarpment feeding the creeks involved in most of the other deaths investigated at this inquest.

However, rain that falls in many other part of the town is channelled by the ridges surrounding Toowoomba into the city centre where it flows into two small creeks, East Creek and West Creek. Because these small waterways run through the CBD they are diverted under road ways via culverts and pipes that are regularly overloaded, resulting in water spilling across roads and parks.

East Creek runs parallel to Kitchener Street and regularly causes minor flooding at the intersection of that street with James Street.

Personal circumstances

On 10 January 2011 Donna Rice, 43, was living with her long-term partner John Tyson and two of their three sons Jordan, 13, and Blake, 11, at Rockville in Toowoomba.

Events leading to the deaths

At 12:40pm, John and Donna's eldest son, Chris, rang his parents' home and arrangements were made for Donna to pick him up from his address at Mount Lofty. At about 1:30pm Ms Rice set off in the family's white Mercedes Benz sedan with Blake in the front passenger seat and Jordan in a rear seat. Heavy rain was falling in Toowoomba at the time.

The intersection of James and Kitchener Streets is adjacent to East Creek which follows a course approximately parallel to Kitchener Street. Traffic camera video footage shows water covering the intersection and rising rapidly in the minutes leading up to 1:45pm. Although vehicles had been travelling through the intersection without incident in the minutes beforehand, by the time Ms Rice arrived it was becoming more problematic. Still photographs

taken by nearby witnesses show the white Mercedes coming to a halt in the southbound lanes of Kitchener Street in what was then shallow water on the edge of the intersection. However it rapidly deepened. Soon, it caused the vehicle to stall. It would not re-start.

The Task Force Galaxy investigation report into these deaths states that as they approached this intersection, Jordan Rice encouraged or cajoled his mother into an attempt to cross the flood water. This conclusion is drawn from a statement made by Blake Rice in his recorded interview with police. At the inquest it was submitted by counsel for Mr Tyson that the particular statement on which that conclusion relies is, at best, ambiguous and in fact it is more likely to relate to an earlier incident. A written statement was provided from Blake Rice confirming that he was in fact referring to an earlier incident in his interview. It was no doubt open for the Galaxy investigators to draw the inference they did from the original statement, but I readily accept that even on the original wording of the statement, it is at least as likely that Blake Rice was referring to another, earlier, incident. I certainly now have no difficulty accepting that as the Mercedes approached the intersection of James and Kitchener Streets there was no prompting from Jordan Rice to cross the flood water.

Nor was Ms Rice reckless in her manner of driving: she stopped the car before the intersection in what was then very shallow water and waited to see whether it was safe to proceed. She could not be expected to have foreseen the rapid transformation of the scene that soon overtook them.

Telephone records from the Toowoomba police communications room show that Donna Rice called "000" at 1:48pm advising the operator that her vehicle had become stranded in flood waters and she required a tow truck. Ms Rice was told she would need to call her one herself as, due to the number of calls for assistance, it would be some time before police could assist with making such arrangements.

The police officer Mrs Rice spoke to did not treat her call with the seriousness it warranted and did not treat her with respect. Those issues have been investigated by the QFCoI and the Ethical Standards Command of the QPS. There is therefore no need for me to make further comment in relation to them.

At 1:57pm Jordan Rice called "000" and spoke to Toowoomba QFRS communications. A recording of this call was tendered at the inquest and it is obvious at this stage that Jordan is distressed. He tells the operator that their vehicle is being flooded and says that they are in danger of drowning. A conversation heard in the background of this call indicates that Ms Rice is making arrangements for the occupants of the Mercedes to climb onto the roof.

At great personal risk to themselves bystanders, Warren McErlean and Christopher Skehan, waded through the deep, fast flowing water in attempts to rescue the Rice family.

Mr McErlean was knocked over and had to be dragged to safety on a traffic island by a rope he was taking out to the car. He explained what happened next:-

"When I got back to the island, I remember saying something like, "WE CANT LEAVE THEM." I remember Chris saying something like 'GIVE ME A GO". I then untied the rope from my waist and tied it around Chris' waist.

I untied the rope from the pole, and then looped it around another post. Chris walked out into the water and I fed him rope, keeping pressure on him, as he walked. Chris is a lot taller than me, and the water was already was up close to his waist.

I don't think Chris was going to make it to the car, as when he got a metre or two away from the car, I could see him starting to lose his footing. It looked like he was about to fall. Chris suddenly turned and dove towards the car. I remember that as he hit the car the occupants reached out of the windows and grabbed hold of him. Chris then grabbed hold of the car.

I am not sure how he got the back door of the car open, however he did and he managed to get his end of the rope tied around the pillar of the car between the front and back door. After he did this, I re-tied my end of the rope to the pole making it tight."

Mr Skehan explained what happened when he reached the car:-

"At this time, the lady was standing on the ledge of the drivers door with the door open. There was a young boy, who looked to be about thirteen (13) or fourteen (14) years old, standing on the ledge of the rear drivers side door.

I couldn't hear much of what anyone was saying to me because of the rain and the water, however I remember the lady yelling something like, "take Blake first.

I then ducked under the rope, so that the rope would support me from the current and I was now standing nearest the drivers door. At this time a young boy who appeared to be nine (9) or ten (10) years old, came to the drivers door where I was standing and I put him on my back, and "piggy-backed" him. I started to shimmy sideways back towards the traffic light. The rope was against my stomach and the water was striking my back.

As I was moving back I could feel the water striking me harder than what it had been when I walked out. I cant say whether it had gotten deeper as it was splashing around me a lot.

When I got back to the traffic light, I handed the kid over to Warren. As I did this, Warren lost his footing and myself and another guy had to grab hold of Warren and the kid and push them back towards the guard rail around the traffic light which they grabbed onto.

I was puffing at this time as a result of moving through the waters on the way back from the car.

I looked back at the car, and saw the other boy and the lady still standing on the door ledges, one at the front and one at the back.

I started to shimmy my way back across the rope, again moving sideways with the rope to my stomach and the water striking back.

As I was moving back across the rope on this occasion, the current of the water was stronger again. On two occasions as I moved along the rope, my legs got swept out from under me, and I went under water, however managed to get back up as I was still holding onto the rope.

When I got back to the white car the second time, the young boy had now climbed onto the roof of the car.

As I got to the vehicle, the young boy almost jumped on me. I remember him yelling something like, "TAKE ME." I told him that I could not carry him as I was barely able to walk across myself."

Mr Skehan stayed beside the vehicle, while Donna and Jordon remained on the roof while he contemplated what to do next. Nature quickly intervened:

"All of a sudden, I felt the white sedan starting to move in the current. I could feel the rope in my hands getting tighter. The vehicle stopped moving. I remember looking around and seeing other cars.

I could feel the car starting to move again. I was standing next to the drivers door, the lady was standing on the ledge of the rear drivers door and the boy was on the roof. I was holding onto the car at this time.

The vehicle continued to move and I saw the rope break.

All three of us were still holding onto the car as it drifted across the road towards a sign post. As we got close to the sign, I yelled out to grab hold of it. I remember that the boy I both made a lunge for it, he across the roof and me across the bonnet of the car, however before we could grab it, the car knocked it over.

The subsequent sudden jolt threw all three people on the vehicle into the choppy, fast flowing water and very quickly into the even more rapid water of East Creek. Mr Skehan was able to secure himself to a light pole and was

initially relieved to see that Donna and Jordan had also gripped a light pole some metres further downstream. However his relief was short lived:

“I looked down stream to the second pole. Unlike me, the lady and the boy were holding onto the sides of the light pole, the lady on the right side and the boy on the left.

I then saw the lady lose grip of the pole and get swept downstream. I saw her head towards a tree with hanging branches. She disappeared under the tree and I did not see her again.

Almost immediately after, the boy lost his grip of the light pole and got swept down stream as well. I did not see the boy again.

A number of other witnesses also described seeing Mrs Rice, and then Jordan, losing their grip from the pole and being swept away. A resident capturing video footage of East Creek further along Kitchener Road appears to have inadvertently captured an image of Ms Rice as she is swept along with the current. Mr Skehan was able to maintain his grip on the upstream light pole long enough for the water to subside.



Photo. 1 - The vehicle of Ms Rice becomes stranded in flood waters - 10 January 2011

Search and recovery

The white Mercedes Benz was located by QFRS officers approximately 400 metres downstream from where it had been washed off the roadway.

A short time later, at 3:30pm, employees at the Allied Milling Company located at the corner of Chalk Drive and Ruthven Street, advised police they had located a body at their complex. Video footage of the flood water travelling earlier at great depth and speed through that complex was tendered at the inquest. Police attended this location and a scenes of crime officer

photographed the female body *in situ*. This was approximately 2km from where Ms Rice had last been seen.

At 5:15pm QFRS officers were searching parkland adjacent to East Creek when they located a male body wedged in trees approximately 5 feet above ground level. Again, a QPS scenes of crime officer attended and took a series of photos of the body *in situ*. This location was 1.1km from where Jordan Rice had last been seen.

Later that evening the bodies were positively identified by a family member as being those of Donna Maree Rice and Jordan Lucas Rice.

Autopsy findings

On 11 January 2011, external autopsy examinations were conducted on the bodies of Donna and Jordan Rice by Dr Roger Guard, an experienced pathologist. Dr Guard took into account the circumstances in which both people were last seen and the circumstances in which they were found and, combined with his observations during the examinations, issued autopsy certificates listing the cause of death for each of the deceased as:

1(a) Anoxia due to drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased persons are, how they died, when and where they died and what caused their death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

- | | |
|-----------------------------------|---|
| Identity of the deceased – | The deceased persons are Donna Maree Rice and Jordan Lucas Rice |
| How they died- | Both were occupants of a vehicle that became stranded in flood waters and was then washed from the roadway. Both persons were thrown into fast flowing flood water and submerged. |
| Place of death – | They died at Toowoomba in Queensland |
| Date of death – | They died on 10 January 2011 |
| Cause of death – | Donna and Jordon Rice both died from drowning. |

Sandra Christine Matthews and Steven Noel Matthews

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Location

Spring Bluff is a narrow ridge that extends eastwards from the main range on which Toowoomba sits. Murphys Creek starts in the slopes of that range and flows eastward on the southern side of Spring Bluff, joining Lockyer Creek at Postmans Ridge, which flows across the Lockyer Valley to join the Brisbane River below the Wivenhoe Dam.

In the middle of the 19th century a railway line was built along the ridge. To water the steam trains that slowly ground their way up the range, a station was build about half way. It was called Spring Bluff.

McCormack Drive crosses Murphys Creek and makes the short, steep climb to the railway station. Parallel to it and slightly to the east, a creek of short reach, Spring Bluff Creek, falls into Murphys Creek. Spring Bluff Creek only flows after heavy rain. Murphys Creek is usually only a shallow stream at this point.

Personal circumstances

Sandra and Steven Matthews, aged 46 and 56 respectively, had lived on their 10 acre property at McCormack Drive, Spring Bluff since 2004. Mr and Mrs Matthews lived with their son, Samuel, and daughter, Victoria, in a low set four-bedroom brick dwelling with two large sheds nearby. On the same property but set significantly higher and to the south was another house occupied by the family of Sarah Norman, the Matthews' eldest daughter.

Events leading to the deaths

At around 1:30pm on 10 January 2011, the water in nearby Murphy's Creek on the southern side of the house, and Spring Bluff Creek, to the rear of the house, rose very quickly from already swollen levels. Samuel Matthews described it this way:

“At about 12:00pm we realised that the main creek at the front was starting to rise up to the level with the crossing. It was about two

minutes between when the water was half up the crossing to when it was up to the top of the crossing.

Only a minute or so later did we realised that we would have to get to higher ground due to the rate the water was rising. I observed that Spring Bluff Creek at the back of the house had become a fast flowing creek and McCormack Drive, which is leads up to Spring Bluff Railway Station, had become like a river of water as well.”

Analysis of police communications show that a “000” call was made from the landline at the Matthews residence at 1:31pm. The caller, Mrs Matthews, told the operator at the Toowoomba police communications centre that her house was surrounded by water and that the family were preparing to get on the roof of the house.

Samual Matthews told investigators that around the time of this call water started coming into the house a very fast rate. The family had, only a short time earlier, intended to cross the floodwaters around the house to nearby high ground but before they could do so it became clear the water was too deep and the current too strong. The family members clung onto fittings within the house as the water level inside rose and the current strengthened.

At 1:37pm another call was made to “000” from the landline at the McCormack Drive residence. Attempts to transfer this call to emergency services failed and no details of the caller were obtained by the Telstra operator. The audio recording of this call was tendered at the transcript and in it Mrs Matthews can be heard to say:

“we’re going under get on the roof.... We can’t even get on the roof.”

A distressed Victoria Matthews can be heard in the background saying:

“I don’t know how to get out...we can’t get out. It’s too high”

Samual Matthews says that after this call he made his way to the hallway of the house and was able to lift his sister Victoria up into the roof cavity. His parents knew where he was going and Samual expected them to follow him. When neither parent joined him in the hallway he returned to the kitchen to investigate. He found the back wall of the house had been torn away by the force of the water and the entire contents of the kitchen, where his parents had been moments before, were missing.

“Dad and I had already discussed that we should get into the roof cavity to get out of the water. I then grabbed Victoria and pushed her in front of me down the hallway towards the man hole. I then lifted Victoria up into the man hole. I thought dad was getting mum out of the kitchen so I waited at the bottom of the man hole for them to come to me. After about a minute I made my way to the kitchen and saw that the back wall of the kitchen was gone. I saw that the entire contents of the kitchen were gone and mum and dad were gone too.

I then headed back towards the man hole and was almost sucked into the door way of my parents bedroom and the water was by now just flowing straight through the house.

I managed to get a few towels from the laundry before I got into the man hole and climbed up. I then wrapped Victoria up in the towels to prevent hypothermia. Victoria was pretty hysterical but this time and we could feel the house moving. I then told Victoria mum and dad had been swept away.

Samual returned to the roof cavity where he stayed with Victoria. He told investigators that, at the height of the flooding, water came to within 2 feet of the ceiling of the house.

“About an hour later I saw the water level had dropped to about my waist height and the current had subsided. I then dropped down into the house through the man hole and wadded to the front door.

I went outside to try and communicate with my other sister Sarah who I saw was on the far bank near her granny flat. I tried to yell out and used gestures that Victoria was in the roof and that mum and dad had been swept away but I don't think Sarah could hear me but I think she got the picture of what had happened.

He and Victoria were able to make their way to safety after the flash flooding had subsided.

At 1:47pm Sarah Norman contacted Toowoomba police communications and told them that she could see her parents' house had been inundated with water. After this phone call she took the photograph reproduced below which looks from a point near her house towards her parent's house (obscured behind the trees).



Photo. 2 - Flash flooding on the Matthews property - 10 January 2011

Search and recovery

After contacting police, Sarah Norman rang a number of family friends who attended the property as soon as they could and began a search for Mr and Mrs Matthews.

In the meantime, Samuel Matthews had set off downstream looking for his parents.

“I then walked down stream for about one and a half kilometres to look for mum and dad but did not find them. I got to the third neighbours house down stream and got a lift back as I could not walk anymore as I had no shoes on.

By this time I saw the water had dropped to about three quarters of the way up the bank but there was debris everywhere.

When I got back to Sarah’s about five minutes later, Sarah sat me down and told me that mum and dads bodies had been found.”

At approximately 5:40pm two of these family friends located a male body in debris 2.1km from the Matthews’ house. Minutes later and 200 metres further downstream from the house a female body was also found amongst debris by another family friend.

A QPS scenes of crime officer was called and took photographs of both bodies *in situ*. QFRS officers who had assisted in the search managed their retrieval.

The bodies were identified as being those of Steven Noel Matthews and Sandra Christine Matthews by their daughter Sandra Norman.

Autopsy findings

External autopsy examinations were conducted on the bodies of Sandra and Steven Matthews by Dr Boris Terry, an experienced pathologist, on 11 January 2011. Dr Terry took into account the circumstances in which both people were last seen, the circumstances in which they were found and, combined with his observations during the examinations, issued autopsy certificates listing the cause of death for each of the deceased as:

1(a) Drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased people were, how they died, when and where they died and what caused their death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased – The deceased persons were Sandra Christine Matthews and Steven Noel Matthews

How they died-	Mr and Mrs Matthews were sheltering from flash flooding in their home when a wall of water smashed through the house and swept them from it. They were then submerged in the flood waters.
Place of death –	They died at Spring Bluff in Queensland.
Date of death –	They died on 10 January 2011.
Cause of death –	Mr and Mrs Matthews both died from drowning.

Katie Louise Schefe and Selwyn Hector Schefe

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Location

Murphys Creek starts in the slopes of the Great Dividing Range, immediately to the east of Toowoomba and flows eastward on the southern side of Spring Bluff, before joining Lockyer Creek at Postmans Ridge, which flows across the Lockyer Valley to join the Brisbane River below the Wivenhoe Dam.

A few kilometres downstream from where it rises, the creek flows out of the steep foothills into the paddocks and forests of the Upper Lockyer Valley. A small township bearing the name of the creek is a dormitory town for residents who work in Toowoomba and elsewhere and is surrounded by relatively densely settled bush blocks and hobby farms.

Personal circumstances

On 10 January 2011 Selwyn Schefe, 52, and his wife Catherine were at their home in Watts Road near the township of Murphys Creek with their 6 year old daughter Katie.

Their house was a double storey hardy-plank structure situated approximately 20 metres from Murphys Creek with a detached carport and machinery shed.

Events leading to the deaths

The property in Watts Road had been owned by the Schefe family since 1991 and in that time the house itself had not been subjected to any flooding. Access from the property onto the nearest sealed road required the crossing of a causeway which traverses Murphys Creek.

On 10 January 2011 the Schefe family remained at their house because the causeway providing access to and from their property was covered by floodwaters making it impassable. Mrs Schefe told investigators that early in the afternoon rain in the area intensified and flood water began to encroach on the house yard. Things changed very rapidly from then on as Mrs Schefe described:-

“It was at stage that I was walking on grass with Selwyn and the next we were ankle deep in rushing water. I rushed inside to see if any water had gotten into the family room, which was the closest room to the creek. All I can remember is that there was now brown oozing water through the house and it was building up at a rapid rate. I rushed back outside to tell Selwyn and I saw him holding onto our barbeque which had been washed around the side of the house. The water was up to his thighs.

I jumped up over the small retainer wall between the house and carport to go around the front of the house to see what was happening and only made it a couple of steps when I yelled at Selwyn to let go of the barbeque and to get Katie out of the house. It was at this stage I realised that this was extremely serious and we needed to get Katie out of the house and we all needed to get to higher ground.”

That proved more difficult than could have been expected:

“The back door had closed as something rushed past it and Selwyn was unable to open it with the force of the water. He yelled to Katie to climb up onto the freezer in the study and climb out the window. Trixie, our dog, was inside with Katie and she lifted her to Selwyn. He threw her to me but I couldn’t catch her and she got swept away. By this stage the water was up to Selwyn’s waist and he was having trouble moving through the water with Katie towards me.

I was only about 2 metres away.

I held onto the carport post and helped them to get across to me. The water was already half way up the car doors and we were unable to open them with the force of the water. The water just kept rising so quickly and kept getting stronger.

We held onto the front of my Nissan X-Trail to pull ourselves, step by step, closer to an area closer to the higher ground. We then held onto the front of his dual cab and he put Katie on the bonnet so that we could try and do something but the water was rushing so fast and rising so quickly that we had no chance of getting to higher ground which was only about 5 metres away.”

With significant difficulty the three family members made their way through waist deep water into the rear tray of their Mitsubishi single cab utility which was parked in the carport.

A short time after the three had got into the tray of the Mitsubishi, the force of the water started to move the vehicle and it began to float downstream towards a neighbouring property. Task Force Galaxy investigators spoke to an eyewitness on a neighbouring property who watched as the utility was swept along by the flood waters and into Murphy's Creek.

Mrs Schefe told investigators that after travelling a short distance the vehicle struck an object causing her to lose balance and fall into the water. She looked up to see her husband holding her daughter, both of whom were still in the rear of the vehicle. This is the last time she saw either of them alive. She said that after she was thrown from the vehicle:-

“All I remember is hitting my head a lot, a lot of darkness and gasping for air. I ended up in a tree but I don’t know how I got there. I held onto that tree for dear life and yelled out for help. I had lost my glasses so could not see very well but I could see a house on the other side of the creek and just hoped and prayed that they could see me.

I do not really know how long I was hanging onto this tree.

There was a large tree nearby with a fork which I used to gauge the level of the water. I was holding onto the tree and keeping my head above the water level. I had to hold on very strongly and remained with this tree. I think I was in a backwash pocket of the creek. I thought I was close to the bank but I was too scared to let go because the water was still flowing very fast and I was afraid of being washed back into the main part of the creek.

Eventually the water dropped and I was left sitting on a build up of sticks and other debris. I noticed that my knee length pants had been stripped off me but I still had my underpants on.

Finally I made out a figure near the house and waved and they waved back. I don't know how long I was in the tree for.

The next thing I realise was Fire and Rescue officers walking towards me. I was told that I could stand up in the water and they rescued me and moved me to their Fire and Rescue truck which was parked at the bottom of the road near the school. The road started with the letter 'O'

I was then taken to the Murphy's Creek pub and a blanket was wrapped around me and was later taken to the hospital.

The last time I saw Selwyn and Katie was on the back of the ute as Selwyn had Katie in his arms. Selwyn could not swim

A neighbour took a series of photographs of the flood water downstream from the Schefe residence. In one photograph, tendered at the inquest, the Mitsubishi utility can be seen partially submerged in the course of being swept downstream. There is no sign of Selwyn or Katie Schefe in the photograph.



Photo. 3 - Flood water downstream from the Schefe residence on 10 January 2011

Search and recovery

The Mitsubishi utility was located in Murphy's Creek adjacent to 1280 Murphy's Creek Road. Inspections of the Schefe residence showed that it had been completely swept away by the flood waters leaving only the cement foundations.

Early on 12 January 2011 a male body was located in a lake which had been formed by flood waters adjacent to Brightview Road, Tarampa. Police were called to the location and a scenes of crime officer took a series of photographs of the body at the point where it had been retrieved from the lake. This location is 49 kilometres from the Schefe property. Dr Alexander Forrest, a forensic Odontologist, was able to use dental records to formally identify the body as being that of Selwyn Hector Schefe.

On 22 January 2011 a body was discovered adjacent to the property at Lot 21 Jesse Lane, Murphy's Creek by the owner of that property. Police attended and again the body was photographed by scenes of crime officers *in situ*. This location is 3.4 kilometres from where the Schefe's house had stood. Dr Forrest was again able to use dental records to formally identify the body as being that of Katie Louise Schefe.



Photo. 4 - Remains of the Schefe residence

Autopsy findings

On 14 January 2011, an external and partial internal autopsy examination was conducted on the body of Selwyn Schefe by Dr Alex Olumbe, an experienced forensic pathologist. He took into account the circumstances in which Mr Schefe was last seen and the circumstances in which he was found and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Drowning

On 24 January 2011, an external and full internal autopsy examination was conducted on the body of Katie Schefe by Dr Beng Ong, an experienced forensic pathologist. Dr Ong took into account the circumstances in which Katie Schefe was last seen and the circumstances in which she was found and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Consistent with drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased persons were, how they died, when and where they died and what caused their deaths. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased – The deceased people were Katie Louise Schefe and Selwyn Hector Schefe

How they died- Selwyn Schefe and his daughter Katie were occupants of a house that was

inundated by flash flooding. After they escaped into the tray of a utility vehicle, it began to float and was taken by the current. Both were thrown from the vehicle as it was washed downstream and they were submerged in rushing flood waters.

Place of death –

They died at Murphy's Creek in Queensland.

Date of death –

They died on 10 January 2011.

Cause of death –

Selwyn and Katie Schefe both died from drowning.

Sylvia Helen Baillie

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Location

Postmans Ridge is an area a few kilometres north of the Warrego Highway between Withcott and Helidon. In recent decades, larger cattle grazing properties have been subdivided into smaller acreage holdings and the area is now relatively closely settled. Many of these newer dwellings are built on creek flats, some quite close to the creeks which are often only a series of water holes except after heavy rain.

Personal circumstances

On 10 January 2011, Sylvia Baillie was residing at 89 Murphy's Creek Road, Postman's Ridge where she had lived for the past five years. The house was a single-storey brick dwelling on a concrete slab situated only 10 to 20 metres from the banks of Rocky Creek.

There were a number of neighbours quite close by with whom she was friendly.

Ms Baillie was 72 years of age and is survived by her sons Richard and Ian and daughter Rowena.

Events leading to death

On the evening of 9 January 2011, Kelly Wilson, a family friend, stayed with Ms Baillie. She observed the water in Rocky Creek rise steadily over the course of that night and early the next morning. She helped Ms Baillie pack a number of personal belongings into Ms Baillie's vehicle in case it became necessary to evacuate the house over the coming days. Other treasures were in suitcases near the front door.

Rodney Alford, a neighbour of Ms Baillie, visited her at around 1:00pm on 10 January 2011 and recalls she was concerned about the continually rising floodwaters near her house. Mr Alford suggested Ms Baillie move to his place which was on higher ground. He recalled Ms Baillie saying she would just take a few further items in the car before leaving.

Records of telephone calls from Ms Baillie's house reveal in the period after this visit from Mr Alford, Ms Baillie spoke to a close friend, Janette Barnes who recalls Ms Baillie was anxious about the rising water. At 1:52pm, Kelly Wilson received a call from Ms Baillie. Ms Wilson told Ms Baillie she had heard 100 mm of rain had fallen nearby in a very short period. She told Ms Baillie she needed to leave the house now and go to higher ground. She said Ms Baillie told her she would leave.

At exactly 2:00pm, Ms Baillie called her daughter, Rowena Joliffe. She told her the waters around the house were rising; the car was out the front of the house; and she was preparing to evacuate.

Shortly after 2:00pm, Joelle Williams, a visitor at 84 Murphy's Creek Road, heard Ms Baillie yelling out "*help, help me*". Ms Williams notified her boyfriend, Alex Neighbour and his mother Helen Neighbour. They observed someone standing inside the screen door of Ms Baillie's house and heard her cries for help. The water level at the front door was by this time around waist height. Alex Neighbour and his father, Rodney approached the house but soon realised the depth of the water and the strength of flow was such that they were unable to reach Ms Baillie. Alex Neighbour returned to his house to get a rope and told his mother to call the QFRS. Helen Neighbour maintained a view of Ms Baillie's house and said around this time she noticed Ms Baillie's car start to float and it was soon carried away by the current.

Returning to where his father was positioned, Alex Neighbour tied the rope to a light post with the intention of making his way through the floodwaters to Ms Baillie. At this time he observed what he describes as a "*wall of water*" heading towards the house of Ms Baillie. These witnesses described how Ms Baillie's house crumbled and fell apart shortly after that "*wall of water*" struck. They watched helplessly as the entire house was swept away. Alex Neighbour described it this way:-

" As I started to get the rope ready to tie around the sign, I turned and looked at the old lady and all I could see was this massive wave of water coming which I would estimate to be about 3 metres in height. I can't be exactly sure of this height but when it hit her house it was higher than the peak of her roof.

When I say this wave of water, it hadn't quite reached the old lady's house, and I immediately dropped the rope I was holding and put my hands on my head in shock as I knew what was about to happen.

As I did this, the old lady looked around to see what I was looking at as she must have seen my reaction. It was at this stage the wave of water hit her house and just blew it away with her inside. The whole house disappeared with the old lady in it and there was absolutely nothing left except for the concrete slab."

Triple 0 call records show that a call was made by Helen Neighbour at 2:13pm during which she advised the operator that Ms Baillie was stranded in her

house by floodwaters. It appears that during the course of this conversation the house was swept away and Ms Neighbour reported this as it occurred.

Photographs taken by Joelle Williams show the water level had risen to near the roof line of Ms Baillie's house in the minutes prior to it being swept away.



Photo. 5 - Baillie's house minutes prior

Photographs taken after the floodwaters had subsided show all that remained of the property was the concrete slab.



Photo. 6 - Baillie's house site

Search and recovery

A review of the emergency services response to this "000" call showed the relevant information was passed on through appropriate channels but the extent of the flood water at that time meant the area was inaccessible. It is

sadly clear even the most prompt attendance by emergency services would not have been able to save Ms Baillie in any event.

Seven days later, on the morning of 17 January 2011, a police search located the body of a female person in the rear yard of 21 Harris Street, Grantham. Scenes of crime officers attended and photographs of the body were taken *in situ*. Officers from the Disaster Victim Identification unit attended the location and arranged for removal and lodgement of the body. A DNA profile taken from samples offered by Ms Baillie's daughter enabled forensic experts to confirm that this was the body of Ms Baillie. It had been swept 15.5 km from where Ms Baillie was last seen alive at Postmans Ridge.

Autopsy findings

An external and partial internal autopsy examination was conducted by Dr Kathryn Urankar, an experienced forensic pathologist, on 19 January 2011. Dr Urankar took into account the circumstances in which Ms Baillie was last seen and, combined with her observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Presumed drowning (flood-related death).

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how she died, when and where she died and what caused her death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

- | | |
|-----------------------------------|---|
| Identity of the deceased – | The deceased person was Sylvia Helen Baillie |
| How she died- | Ms Baillie was the sole occupant of a house that collapsed and was swept away by a wall of water during a flash flood. The force of the water was such it is likely she drowned a short time later. |
| Place of death – | She died at Postmans Ridge in Queensland |
| Date of death – | She died on 10 January 2011 |
| Cause of death – | Ms Baillie died from drowning. |

Bruce William Warhurst

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Location

Postmans Ridge is an area a few kilometres north of the Warrego Highway between Withcott and Helidon. In recent decades, larger cattle grazing properties have been subdivided into smaller acreage holdings and the area is now relatively closely settled. Many of these newer dwellings are built on creek flats, some quite close to the creeks which are often only a series of water holes except after heavy rain.

Personal circumstances

On 10 January 2011 Bruce Warhurst was residing at 168 Murphy's Creek Road, Postman's Ridge where he had lived for the past 22 years with his wife, Wendy Warhurst. Their 17 acre property consisted of farmland on which sat a house and several sheds. These buildings were located 60 to 80 metres from the bank of Rocky Creek, a short distance downstream from the residence of Sylvia Baillie. The weatherboard house was set off the ground on 50cm concrete stumps.

Mr Warhurst was 60 years of age having been born on 4 April 1950. He is survived by his wife and children.

Events leading to death

Up until 1:30pm on 10 January 2011, Bruce and Wendy Warhurst were at their Postman's Ridge property along with their daughter-in-law, Samantha and their granddaughter, Hailey. At this time Wendy Warhurst set off with Samantha and Hailey to drive to Toowoomba. When they reached the base of the Toowoomba Range their progress was stopped by a landslide blocking the roadway. Water began rising around the vehicle and further rock falls meant they quickly became stranded with other motorists.

Shortly after coming to a halt Mrs Warhurst received a call on her mobile phone from her husband. Records show this call was made from the landline of the Warhurst residence at 2:08pm. Mr Warhurst informed his wife there was "water everywhere" at Postman's Ridge and she should not rush home. Mrs Warhurst related her predicament and with rocks continuing to fall around her

says she would clearly have sounded upset, even hysterical, on the phone. Mr Warhurst told her he would come to their location in another vehicle to collect them.

A neighbour of the Warhurst's, Barry Hennessy, recounted to investigators that at about 2:30pm (although it is likely to have been earlier) he saw Bruce Warhurst walk out of his house and then:-

“Within a minute or two of seeing Bruce, I then witnesses what I would describe a wall of water wash through Rocky Creek. One second the house area and front paddock area of WARHURST’s property was dry, then within a couple of seconds this wall of water, which I estimate to be about 2 – 3 metres high, washed across the property engulfing the house and land.

The force of the flood water has almost instantaneously picked up Bruce’s house and began to wash it away across the paddock in an easterly direction. We watched the house moving across the paddock and then disappear southerly direction following the creek line. It only took about a minute to disappear from sight from the time the wall of water hit it.”

The initial part of this sequence of events is illustrated by photographs taken by another witness, Valroy Cullens. These depict the Warhurst house in various stages of inundation with the water in the final photograph appearing to reach a depth of approximately 3 m.



Photo. 7 - Warhurst property inundated by Rocky Creek

Emily Willmet was a passenger in a vehicle driving along Murphy's Creek Road on this afternoon. She used a video camera to capture footage of flooding on local properties. At 2:27pm she captured footage of the Warhurst property and this was shown at the inquest. It depicts a large volume of

floodwater inundating the property. A short time later Ms Willmett can be heard talking about a house depicted in the footage where only the roof is visible above the water. This appears to be the Warhurst residence as it was, at the point it was swept away by the flood waters.

At 2:33pm another neighbour of the Warhurst's, Ann Strahley, telephoned "000" and advised the operator the house across the creek from her property had washed away down Rocky Creek. She later told investigators she was referring to the Warhurst residence.

It is now sadly apparent Mr Warhurst is likely to have drowned shortly after his house was inundated by the flood water. Having regard to the volume of water and the speed with which it rose, nothing could have been done to save him.

Search and recovery

At 5:30pm James and Melissa McMullen, friends of Mr Warhurst's son, inspected the Warhurst property at his request. The floodwaters had subsided and they found the entire house and all sheds were gone with only the concrete foundations remaining. An immediate search of the area failed to locate Mr Warhurst.



Photo. 8 - Remains of the Warhurst property

On 16 January 2011 an ADF member located the body of Mr Warhurst amongst debris on the edge of Rocky Creek at the rear of a property in the township of Helidon Spa. This point was 6 km downstream from where the Warhurst residence had been located. The body was identified as that of Bruce Warhurst through DNA and dental comparisons.

Autopsy findings

An external and partial internal autopsy examination was conducted by Dr Nathan Milne, an experienced forensic pathologist, on 18 January 2011. Dr Milne took into account the circumstances in which Mr Warhurst was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

- Identity of the deceased** – The deceased person was Bruce William Warhurst.
- How he died-** Mr Warhurst was the sole occupant of a house that was swept away by a flash flood. The force of the water was such it is likely he drowned a short time later.
- Place of death** – He died at Postman's Ridge in Queensland.
- Date of death** – He died on 10 January 2011.
- Cause of death** – Mr Warhurst died from drowning.

James Cole Perry

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Location

The Warrego Highway connects Ipswich and Toowoomba. At Helidon, approximately 19 kilometres east of Toowoomba, the Highway crosses Lockyer Creek.

Personal circumstances

On the afternoon of Monday, 10 January 2001 James Perry, 39, was returning home to Toowoomba from the Gold Coast where he had officiated in his role as a horse racing steward. With him in the family's Subaru Forester station wagon were his wife Jennifer Thorncraft and their 8 year old son Edwin.

Events leading to disappearance

At about 3:00pm, as they were travelling west along the Warrego Highway near the town of Helidon, they approached the bridge over Lockyer Creek. The bridge is quite high over the creek but a little further west where the creek runs parallel to the highway, the water had risen to cover a section of the highway. It is likely Mr Perry saw a number of vehicles in front of him and on the western side of the water successfully negotiate this flooded area.

Ms Thorncraft told investigators that after driving into the water it soon became apparent that they would not make it across the water. An attempt to reverse was thwarted by cars that had followed closely behind them. Moments later the vehicle stalled and was unable to be restarted. The vehicles immediately behind the Subaru Forester were able to reverse out of the floodwater leaving Mr Perry, Ms Thorncraft and Edwin stranded alone in the rapidly rising and quick flowing water.

Mark Comello was the driver of an 8 tonne Isuzu delivery truck which had been travelling east on the Warrego highway before coming to a stop at the Lockyer Creek bridge. He saw the stranded Forester and drove into the water intending to rescue the occupants. He was able to drive to within approximately 50 metres of it before it became clear to him that the depth of water and the rate of flow were too dangerous for him to drive any further. It was clear to him that even if he was able to reach the Forester he would not be able to reverse or continued to a place of safety.

A short time later the vehicle driven by Mr Perry was swept off the highway and into the flood waters to the south. One of the many nearby witnesses told police that he telephoned "000" shortly after this had occurred. Records tendered at the inquest show that this "000" call was made at 3:07pm. In that call the witness states that he can see a QFRS vehicle arriving. Records show that a Forest Hill QFRS appliance arrived at the scene at 3:09pm.

Ms Thorncraft described the vehicle being swept away:-

I then heard James say the car is starting to move and I felt the car move a bit and then we were dragged sideways in the car off the side of the road towards the passengers' seat side.

I thought that when we went over the side of the road we would flip the car but it seemed a gentle drop and the car stayed upright. I would estimate the distance that we dropped from the road to the side of the road would have been around 6 foot. At the time we had all the windows up.

At 3:12pm Mr Perry used his mobile telephone contact "000". This call dropped out as the Telstra operator attempted to transfer to emergency services. Mr Perry called back at 3:14pm and was transferred to the Brisbane police communications room. Mr Perry outlined the urgency of his situation saying that he could see a QFRS vehicle but that no was coming to save them.

It was apparent to the Forest Hill QFRS crew that there was nothing they could do in this situation without air support. They were advised that an emergency services helicopter would be at least an hour away.

Mr Perry called "000" again at 3:23pm at which time he told the operator his vehicle was starting to sink. Over the course of the next 30 minutes several other calls were made to emergency services alerting them to the plight of the three people in the Forester.

The movement of the Forester in the period after it was swept from the Warrego Highway was captured by a Channel 7 cameramen located in a helicopter hovering overhead. That footage, tendered at the inquest, initially shows all three occupants of the vehicle inside the cabin as it floats through slow-moving flood water gradually heading towards the fast flowing main channel of the Lockyer Creek. A short time later all three occupants of the vehicle were filmed sitting on the roof. The Channel 7 helicopter pilot landed on the Warrego highway next to the QFRS vehicle. QFRS officer Craig Barrett boarded a helicopter and was flown over the area to assess the situation.

Due to the earlier request of Officer Barrett, a QFRS swift water rescue crew arrived at 3:31pm. The helicopter returned to the Warrego Highway in order to pick up these officers.

The helicopter was not fitted with a winch and there was nothing those on board could do to assist other than keep the family under observation.

As the helicopter returned a second time to the Warrego Highway the situation for Mr Perry, Ms Thorncraft and Edwin was becoming more perilous. As the vehicle floated towards the main channel Ms Thorncraft says that they were required to ride the vehicle "like a surfboard". The water was becoming increasingly rough and as they neared the main channel Ms Thorncraft could see what she thought were powerlines arcing on top of the water. She decided with Mr Perry to jump from the vehicle and dive under this object.

Ms Thorncraft described what happened next:-

I then saw the car get caught up in the lines and it was like a sling shot. I looked around again and saw that James had hold of the vehicle and had Teddy between him and the car. I made eye contact with James and then had to dive deep as there were more power lines in front of me and I didn't want to be electrocuted by them. That was the last time I saw James.

When I came up after diving under the powerlines I was in the water and being dragged very fast and what I would describe as in waves, I recall that I got dragged under a number of times and made sure that I was facing away so that I didn't get slapped in the face with waves. I was out of control for a while and then calmed down and decided that I had to swim across the current but not to fast as I did not want to exhaust myself.

The Channel 7 helicopter returned with the two QFRS swift water officers to the point where the vehicle had been last sighted but it was no longer there and despite further searching was unable to be found. Investigators from Task Force Galaxy later identified a witness who observed the Forester submerge under the flood water.

The two QFRS swift water rescue officers continued to search the area for people in the water from the Channel 7 helicopter and later from an emergency services rescue helicopter.

They had trouble locating the vehicle and its occupants because all had been swept so far down stream so quickly.

Ms Thorncraft described it this way:-

I recall that I saw some people on the side of the water and they were running and it was at this time that I realised how fast I was travelling.

I recall that I saw a tree sticking out of the water so I thought I would line myself up with it and try and grab it. I recall that I hit the tree really hard and got knocked a bit silly. I then went under and thought "I'm not coming up again." I then resurfaced and saw that I was still travelling and saw another tree coming up again, I thought this time I would just try to get caught up

rather than grab hold of it. I remember that I went into the tree and it was a bushie type of tree. I think it must have slowed me up and I was able to grab hold of a branch and pull myself up. I remember that the water was travelling over my face and I just held on as I knew that it was my last chance.

At 5:07pm a rescue helicopter crew located Ms Thorncraft still stranded in a tree surrounded by fast flowing water. Two QFRS officers in the helicopter were dropped nearby and then swam through the strong current and debris to reach her. They helped Ms Thorncraft to high ground, obtained details on where she had last seen her husband and son, and then waited 45 minutes with her until the helicopter returned. The water had receded sufficiently by this time for the helicopter to land nearby and lift Ms Thorncraft and the two rescuers to safety. The tree to which Ms Thorncraft had clung was 1.8 kilometres downstream from where the Forester had been swept from the Warrego Highway.

Ms Thorncraft described how she was rescued:-

I just held on and recall two SES men from another helicopter got dropped off near me, I then spoke with them for a while and asked them about James and Teddy and told them what they were wearing. I felt like I was up in the tree for about an hour before one of them walked out to me and informed me that I could get out of the tree as most of the water had passed now.

I climbed out of the tree and then flew with them to the side of the road somewhere on the highway. I recall that I was sitting on the highway and a lady from the Fire Brigade came and wiped me down. I recall that it started to rain and I thought I had lost both Teddy and James.

I was then placed in a Police car and told that we had to get out of here as more water was coming. I was driven towards Gatton when the Police stopped the car and said we had to wait for the ambulance. I told him I didn't need an ambulance. The ambulance then pulled up and a man with a uniform of some type asked me if my son was Teddy PERRY. I told him it was and he told me that he was in the back of the car. I then went to the rear of the car and saw Teddy sitting up

A crewman in the same a helicopter had spotted Edwin Perry sitting on a large blue feed bin in the middle of a flooded paddock. In an amazing feat of survival he had endured being swept downstream through choppy, obstacle strewn water to a point 6.3 km from the Lockyer Creek Bridge

The exact movements of James Perry after he parted with the vehicle are unknown. Ms Thorncraft has understandably been reluctant to have Edwin provide a detailed account to police investigators and I did not consider it appropriate to require him to give evidence or provide a statement. The last established sighting of Mr Perry is that of his wife, Ms Thorncraft, outlined above. It is corroborated, in all but the moment he became separated from the vehicle, by video footage and other eyewitness accounts.

The body of Mr Perry has not been found.



Photo. 9 - The Lockyer Creek flows over the Warrego highway - 10 January 2011

The search and results of QPS investigation

The Subaru Forester was located on 16 January 2011 under debris in the Lockyer Creek between Helidon and Grantham. It was half full of silt and dirt and the key was still in the ignition. An extensive search of the surrounding area failed to reveal any sign of Mr Perry.

A detective from the QPS missing persons unit attached to Task Force Galaxy has conducted enquiries in relation to Mr Perry with a number of state and federal agencies including the Health Insurance Commission, Centrelink and the Department of Immigration and Citizenship. The bank accounts of Mr Perry have been monitored as have interstate police computer systems. There has been no indication from these sources that Mr Perry may still be alive. There have been no reported sightings of him. I have no doubt that were he still alive he would have contacted his family.

Earlier in these findings I set out the opinion of a survival medicine expert, Dr Luckin, in relation to each of the three missing people. In the circumstances there can be no reasonable doubt that Mr Perry is in fact deceased.

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. In the case of a missing person I am required to find if in fact the person is deceased.

As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I find that James Cole Perry is deceased. I am also able to make the following findings.

Identity of the deceased –	The deceased person was James Cole Perry
How he died-	Mr Perry was the driver of a vehicle that was swept by flash flooding from the Warrego Highway and into a wide expanse of flood water. In an attempt to avoid fallen powerlines Mr Perry, his wife and child entered the water and were swept downstream. Although his wife and child survived, Mr Perry succumbed to the fast flowing and turbulent waters.
Place of death –	He died at Helidon in Queensland.
Date of death –	He died on 10 January 2011.
Cause of death –	Mr Perry died from drowning.

Dawn Margaret Radke, Pauline Lesley Magner and Jessica Lily-Ann Keep

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Location

Grantham is a rural community with a population of approximately 500, set on small-cropping plain lands a few kilometres south of the Warrego Highway about 30 kilometres east of Toowoomba.

Sandy Creek, a small stream of short reach, flows through the town from the north to join Lockyer Creek on the southern outskirts of Grantham.

Personal circumstances

In January 2011, Matthew and Stacy Keep were living at 84 Railway Street, Grantham with their three children Madison, 5, Jacob, 4, and Jessica, 1. Stacy's mother, Dawn Radke, 56 was also living with them. She suffered from a number of medical conditions that required regular medication. Matthew's mother, Pauline Magner, 65 was also at the house on 10 January 2011 because Mr Keep had brought her there due to his concerns about the rising floodwaters near her usual residence.

Events leading to the deaths and disappearance

By 3:30pm on 10 January 2011 the house at 84 Railway Street Grantham was surrounded by quickly rising floodwater. Stacy Keep described what happened next:-

“The water started coming inside, we decided to put the kids up on the kitchen bench, thinking that they were safe. We looked out the windows and there was water surrounding the house. The windows could not take the pressure of the water and they started smashing instantly and all the water came gushing in and the kids went flying off the kitchen bench.”

Stacy grabbed hold of her youngest child, Jessica, but the force of the water caused the other two children, Jacob and Madison to be washed from view.

Mr Keep scrambled to search for the children and was able to locate Madison near the front door of the house. He placed her on top of a nearby couch. Frantic searches for Jacob were unsuccessful. During the search Mr Keep opened the internal door to the garage. This caused a sudden flow of water that forced Mr Keep and Ms Radke into the garage. Ms Radke then attempted to open another doorway in the garage causing a further flow of water that knocked her off her feet. The force of the water had by this time also buckled the outside, metal garage door. Although Ms Radke was able to momentarily grab on to a mower (allowing Mr Keep to get closer to her in order to attempt a rescue), she was unable to hold on and was washed out of the garage. In any event, a short time later the force of the water was such that Mr Keep was himself washed away. He travelled approximately 150 metres in the fast flowing water until he was able to secure himself to a neighbouring house at 7 Sorrensen Street.

As this was occurring Stacy Keep was trying to move through the floodwaters in another part of the house in order to assist her mother-in-law, Pauline Magner and her daughter Madison. The strength of flow was such that she was unable to cover the short distance to them. They struggled to get outside, hoping to get her and her young child onto the roof.

“I went outside and was holding on to the garage door and I got Jessie up on top of the garage door and I tried to get myself up there. The force of the water and me being pregnant I couldn’t get up there. I left Jessie there for a while, I was holding onto the door so that she could have some breathing time. I was looking around and thinking of what else I could do.

At that time I was holding onto the door and holding on to Jessie, the water hit me and I lost grip. I quickly grabbed her and we went around to the side of the house and I managed to grab onto the down pipe. I was able to hold onto that for about five minutes when I just got so tired and I was looking around seeing what other places I could get to, to make sure she was out of the water.

I noticed the house next to us had a few places where I could probably do something, so I let go of the down pipe hoping that I would get over there. I couldn’t because the water was too strong and it was pushing us in a different direction, the water was really deep and I couldn’t touch the bottom. There were other houses that were floating past and I was trying to get over to them but I just couldn’t. I was trying to keep us both above the water.”

After the floodwaters swept Mrs Keep and Jessica from the house its strength was such that she was unable to reach any of the points she had identified and became tangled in debris near the railway line, forcing her underwater.

“At that stage I just tried to go with the water because I knew that there was nothing that I could do. We got washed up on the rail way tracks and I got my legs stuck and then we went under water and I couldn’t

get them out. The water was just so strong and Jessie got ripped out of my arms. After that I just gave up myself and I started to blank out at that stage because I was under water for too long. But then all of a sudden it felt like something lifted me out, just like a current of water or something.”

Although near exhaustion, Stacy was able to disentangle herself and swim to some nearby railway sleepers where she climbed to safety and was later rescued by a helicopter.

Meanwhile, Mr Keep had found the Raphael family waist deep in water at 7 Sorrensen Street and helped them onto the roof of their house. Using their mobile phone he dialled “000”, telling the operator:

“Somebody come to Grantham, please....There’s people on their roofs, I’ve lost me son, there is a metre and a half through my house. I can’t get back. I’m down on another roof.”

Mr Keep and the Raphael family were later rescued by helicopter from the roof of 7 Sorrensen Street and taken to higher ground where he was reunited with his wife. They realised family members who had been in the house could still be there. They couldn’t persuade the rescue helicopter crews to go back to their house because the crews were, understandably, concentrating on getting to people they knew were in urgent need of rescue, rather than looking for those who couldn’t be seen. Stacy Keep described what happened next this way:-

“So my husband decided to take it in his own hands and he walked down the hill and he jumped back in the water. Matt failed the first time so he had to try and swim back out and then this stranger saw what he was trying to do and they both hopped back in the water and managed to get to the house. The stranger went inside and he saw Madison on a white lounge in the corner and he said “I can hear another voice.” So my husband managed to get in there and searched around thinking that it was his mother, but it turned out to be Jacob. Jacob was in our en-suite.”

Mr Keep described what happened after he and his wife were rescued like this:-

“I then immediately ran down the hill to my house which was about six hundred (600) metres from where we were and crossed the railway lines and entered the water. I was swimming toward my house and when I got close to my house I started to scream for my daughter. I heard her voice and I swam into some deep water close to my house and got washed past it, but I gained my feet and another gentleman had entered the water about one hundred (100) metres to the east of my house and he made it to my house and retrieved my daughter and told me there was another voice inside.

I managed to walk up to a better place and enter the house and found my son in the en-suite in the shower and he was alive so I grabbed him and exited through the kitchen of the house to where the other gentleman was with my daughter.”

Sadly, there was no sign of his mother, Pauline Magner, nor Stacy’s mother Dawn Radke. Mr Keep assisted his children onto the roof and was rescued for a second time by helicopter sometime later.



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QP1100028000 Op. Juliet Drew - Grantham Helidon Road, Grantham
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Photo. 10 - 84 Railway Street on 11 January 2011

Search and recovery

On 11 January 2011, during organised searches of creeks and bushland in the Lockyer Valley, the body of a female person was found on the bank of the Lockyer Creek near Princes Street, Gatton. This location is approximately 8 km east of Grantham. Later in the day the body was identified as being Pauline Lesley Magner by her daughter Donna Riley.

On 23 January 2011 members of the ADF were searching an area of Lockyer Creek 37km east of Grantham. The body of a small child was located amongst debris on the banks of the creek near Wendts Road, Mount Tarampa. It was identified as Jessica through DNA comparison.

Findings of QPS investigation

The body of Dawn Radke has never been found. A detective from the QPS missing persons unit attached to Task Force Galaxy has conducted enquiries with a number of state and federal agencies including the Health Insurance Commission, Centrelink and the Department of Immigration and Citizenship. The bank accounts of Ms Radke have been monitored as have interstate police computer systems. There has been no indication from these sources that Ms Radke may still be alive.

In the course of their investigations into the disappearance of Ms Radke police received information from an acquaintance of hers that she had been sighted

walking along Davey Road in Gatton on 19 January 2011. The person who reported the sighting was not aware as at 19 January 2011 that Ms Radke was a missing person so had not thought it particularly significant at the time. Further investigation of this claim revealed the acquaintance had only seen the person he thought was Ms Radke from behind while he was riding a pushbike. The acquaintance confirmed to police he had guessed it was Ms Radke based only on the person's body shape and direction of travel. He had not seen the person front on. His description of the clothes this person was wearing did not match with any the clothes Ms Radke was wearing at the time of her disappearance.

Further extensive searches arising from this purported sighting established that none of Ms Radke's extensive list of medication prescriptions had been filled since the disappearance. There was no reason to believe she would not make attempts to contact her family if alive and physically capable of walking along a street; this has not happened. There have been no other reported sightings of Ms Radke. I have no doubt the person reporting the sighting was mistaken.

Earlier in these findings I set out the opinion of the survival medicine expert Dr Luckin in relation to each of the three missing people. In the circumstances there can be no reasonable doubt Ms Radke is in fact deceased.

Autopsy findings

An external autopsy examination was conducted on the body of Pauline Wagner by Dr Roger Guard, an experienced pathologist, on 14 January 2011. Dr Guard took into account the circumstances in which Ms Wagner was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Anoxia due to drowning

An external and full internal autopsy examination was conducted on the body of Jessica Keep, by Dr Beng Ong, an experienced forensic pathologist, on 24 January 2011. Dr Ong took into account the circumstances in which Jessica was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Consistent with drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased people were, how they died, when and where they died and what caused their deaths. In the case of missing persons I am required to find, if possible, if in fact the person is deceased.

As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I find that Dawn Margaret Radke is deceased. I am also able to make the following findings.

Identity of the deceased –	The deceased people were Dawn Margaret Radke, Pauline Lesley Magnier and Jessica Lily-Ann Keep
How they died-	The three deceased were occupants of a house that was inundated with fast flowing flood water. Mrs Magnier and Mrs Radke were swept from the house by the force of the water and submerged. Lily-Ann Keep died when she was wrenched from her mother's arms as she struggled through a ragging torrent to carry her child to safety.
Place of death –	They all died at Grantham in Queensland
Date of death –	The three persons died on 10 January 2011
Cause of death –	They all died from drowning

Garry Daniel Jibson, Jocelyn Eleanor Jibson and Llync-Chainn Clark-Jibson

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Location

Grantham is a rural community with a population of approximately 500, set on small-cropping plain lands a few kilometres south of the Warrego Highway about 30 kilometres east of Toowoomba.

Sandy Creek, a small stream of short reach, flows through the town from the north to join Lockyer Creek on the southern outskirts of Grantham.

Personal circumstances

As at 10 January 2011, Llync-Chainn Clarke-Jibson, 32, lived at 1346 Gatton Helidon Road, Grantham with her husband, Daniel McGuire and her three children Garry, 12, Zachary, 7, and Jocelyn, 5.

Mrs Clarke-Jibson, Garry Jibson and Jocelyn Jibson died on that day and are survived by Mr McGuire, a member of the Grantham branch of the Queensland Rural Fire Service (QRFS) and their son and brother, Zachary.

Events leading to the deaths

Mr McGuire told investigators he and his family had moved to Grantham three and a half years earlier and had taken up residence at 1346 Gatton Helidon Road Grantham, a wooden house sitting on steel stumps approximately one metre high. He had joined the QRFS a short time later. As part of his duties with that service Mr McGuire had access to Grantham fire appliance number 51 which is an Isuzu four-wheel-drive truck.

Mr McGuire had been tasked to carry out duties in his role as a member of the QRFS due to flooding in the local area in the days leading to 10 January 2011 and again on that morning. After returning home in the Isuzu truck and falling asleep in the afternoon, Mr McGuire was woken by his neighbour Kenley Arndt. Mr Arndt told him the local creek had broken its banks and he and his wife were going to leave the area. Mr McGuire realised the strength of the floodwaters when he saw uprooted trees being carried along by the current. He too decided to evacuate his family. This series of events and the intention

to evacuate is corroborated by the contents of a phone call made by Mr Maguire to the Group Officer for the Gatton QRFS at 3:54pm.

Mr McGuire, his wife and their three children got into the fire truck. At 4:21pm he called "000" and told the operator his truck was taking water and that he and his wife and three children were going to have to abandon the vehicle. The staff member at QPS communications taking this call was aware at the time that there were no helicopters available to attend and no other units were able to reach the area.

Mr McGuire described what happened next in this way:-

"Once we were in the truck, I was in the driver's seat, Zach was beside me, Garry was nursing Jocelyn and Llync was in the passenger seat. I was still on the phones and the next thing there was a big wall of water that hit us. It was bigger than the truck. I had just started driving forward when the wall of water hit us. I hadn't even got on the road. When the wall of water hit us I just dropped the phones.

When we started driving off my window was down but Llync's was up. No one had time to put on seatbelts. All I remember was the truck getting spun around. It got swirled around 360's. Llync was screaming that the passenger window wouldn't go down and I saw a tree coming up.

I threw Zach up through the driver's window and told him to climb. I found out later that this tree was two houses down from my house. I heard everyone else screaming. I got sucked through the window and all I remember was trying to grab the last tree in the street from our end. I managed to grab onto that tree and got up into the tree. I called out for Zach and I couldn't see the fire truck anymore. He called back. I could only just hear him. He said he was alright but was crying and screaming. I just told him to hang (sic) on help would be on its way. I just kept talking to him for hours until we saw the choppers and stuff. He just kept calling out, "Where's Mum?" and I kept going "I don't know mate"."

Other witnesses provided accounts of seeing the truck washed backwards off the road. They described the vehicle at one later point as disappearing under the floodwaters.

Mr McGuire and Zachary remained in the trees for approximately six hours, until the water receded sufficiently for them to walk to safety.

Although it was late at night by this time, after some searching Mr McGuire was able to spot the emergency light bar of his vehicle protruding from water some 200m away. Another witness also saw the top of the vehicle at this time and took a series of photographs which were tendered in evidence at the inquest.



Photo. 11 - Yellow appliance in background

Search and recovery

At 2:30am the following morning QFRS Swift Water Rescue officers Paff and Chadwick approached the Grantham QRFS truck that had earlier been driven by Mr McGuire. Inside the cabin they saw the bodies of three people. The scene was secured and QPS scenes of crime officers attended to take photographs and conduct further examinations.

The three bodies were taken from the vehicle and transported to the Toowoomba morgue where they were formally identified by Mr Maguire as being his wife Llync-Chainn Armana Omega Clarke-Jibson and two of his children, Jocelyn Eleanor Jibson and Garry Daniel Jibson.

Autopsy findings

External autopsy examinations were conducted on the three bodies on 14 January 2011 by Doctors Terry and Guard, both experienced pathologists.

Taking into account the circumstances in which the three people were last seen alive and in which their bodies were found, combined with their observations during the examinations, the doctors issued autopsy certificates listing the cause of death for each of the three as:

1(a) Drowning⁶

Findings required by s45

I am required to find, as far as is possible, who the deceased people were, how they died, when and where they died and what caused their deaths. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

⁶ In the case of Jocelyn Jibson, the cause of death was, more specifically: *Anoxia, due to drowning.*

Identity of the deceased –	The deceased persons were Llync-Chainn Armana Omega Clarke-Jibson, Garry Daniel Jibson, and Jocelyn Eleanor Jibson
How they died-	The three deceased people were occupants of a truck that was swept from the road and submerged by flash flooding as their husband/father was trying to drive them to safety.
Place of death –	They died at Grantham in Queensland.
Date of death –	They died on 10 January 2011
Cause of death –	Each person died from drowning.

Jean Gurr

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Location

Grantham is a rural community with a population of approximately 500, set on small-cropping plain lands a few kilometres south of the Warrego Highway about 30 kilometres east of Toowoomba.

Sandy Creek, a small stream of short reach, flows through the town from the north to join Lockyer Creek on the southern outskirts of Grantham.

Personal circumstances

At the time of her death Jean Gurr was 88 years of age. She was a widowed pensioner living alone. Since 2001, Mrs Gurr had lived at 1362 Gatton Helidon Road, Grantham, in a wooden house sitting on 50cm She had undergone spinal surgery and received a hip replacement. Consequently she had limited mobility and relied on a walking stick. She is survived by her son, Andrew Gurr.

Events leading to death

Extensive enquiries by police have failed to identify any person who saw or spoke to Mrs Gurr on 10 January 2011. The last known sighting was by Colin Wells, an employee of the Grantham Newsagency, who had a conversation with Mrs Gurr outside the newsagency at around 10:00am on 9 January 2011.

Andrew Gurr told investigators his mother had access to a medical distress alarm in the form of a necklace pendant with an activation button. When pressed it would alert a monitoring centre and assistance would be provided. Enquiries revealed this alarm was operable and had been operated by Mrs Gurr as recently as 29 December 2010, but was not activated at any time on 10 January 2011.

An examination of telephone records from the landline at 1362 Gatton Helidon Road showed two calls were made to the residence of Mrs Gurr's daughter-in-law at 4:05pm and 4:10pm. In both cases the calls went unanswered.

At 4:41pm Andrew Gurr called his mother as he had become aware of the possibility her house may have been flooded but was met only with an engaged signal. Later in the evening he twice called "000" to report his concerns about the welfare of his mother. Evidence in the form of aerial video footage and eyewitness accounts established by 4:41pm the town of Grantham had been inundated by the flash flooding.

Search and recovery

In the aftermath of the flooding of Grantham, officers from the QPS and QFRS conducted a systematic search of all properties in the town. Mrs Gurr's house was searched by QFRS officers on the evening of 10 January 2011. QFRS officer Phillip Paff told investigators that on entering the house he discovered a female body lying on her back inside the front door. He reported this immediately to nearby police officers who sealed off the area and arranged for photographs to be taken and other appropriate examinations to take place.

The photographs taken at that time were tendered at the inquest and show marks on the interior walls of Mrs Gurr's house indicating flood water had reached a height of approximately six feet. The floor was covered in 60cm high mud.



Photo. 12 - Interior of Mrs Gurr's house

The body was identified as that of Jean Gurr by her son Andrew.

Autopsy findings

An external autopsy examination was conducted on the body of Jean Gurr by Dr Boris Terry on 14 January 2011.

He took into account the circumstances in which the body of Mrs Gurr was found and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how she died, when and where she died and what caused her death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased – The deceased person was Jean Gurr

How she died- Mrs Gurr, the sole occupant of a house, was trapped inside it when it was inundated by water during a flash flood.

Place of death – She died at Grantham in Queensland.

Date of death – She died on 10 January 2011.

Cause of death – Mrs Gurr died from drowning.

Bruce Allan Marshall

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Location

Grantham is a rural community with a population of approximately 500, set on small-cropping plain lands a few kilometres south of the Warrego Highway about 30 kilometres east of Toowoomba.

Sandy Creek, a small stream of short reach, flows through the town from the north to join Lockyer Creek on the southern outskirts of Grantham.

Personal circumstances

In January 2011 Bruce Marshall, 66, was living at 1420 Gatton Helidon Road, Grantham with his wife Shirley and adult son Aaron. The house was a wooden dwelling set approximately 50cm off the ground on wooden stumps.

Mr Marshall suffered from a number of medical conditions, in particular problems with his back, but was able to walk unaided.

Events leading to death

At around midday on 10 January 2011, Mrs Marshall left their residence and travelled with her son, Aaron, to Toowoomba, leaving Mr Marshall home on his own.

Investigators obtained telephone records from the mobile telephone belonging to Bruce Marshall which showed an outgoing telephone call at 4:03pm to his daughter, Fiona Latz. Among other things they discussed the possibility of flooding in Grantham. Ms Latz said Mr Marshall told her he was not worried about the water level as it did not usually rise high enough to cause him any problems. Toward the end of the conversation, less than seven minutes later, Mr Marshall told his daughter water had reached the front step of his house and, then, that it was starting to come through the floorboards. He ended the conversation with his daughter, telling her he was going to call the SES.

Mr Marshall then used his mobile telephone to contact “000”. He told the operator he was in his house at Grantham and the water was up to his waist. He said he needed help or he would drown. This call was made at 4:11pm

and as the Telstra operator attempted to transfer the call to police communications it was terminated.

At 4:12pm Mr Marshall again contacted "000" from his mobile phone and on this occasion was successfully transferred to the Ipswich police communications room. He again stated water was up to his waist and there was only about three feet left until it reached the ceiling. He requested help to get out of the house and was told an attempt would be made to contact the SES.

At 4:18pm an operator from the Toowoomba police communications room called Mr Marshall on his mobile phone. Mr Marshall told the caller the water was now up to his shoulders; he was still in the house and he was unable to get out. Mr Marshall was advised to try to get to the highest part of the house but not to go outside as the water current may sweep him away. Mr Marshall then indicated he thought he may be all right and the call was terminated. Another call was made from the Toowoomba police communications room to the mobile phone of Mr Marshall one minute later at 4:19pm. There was no answer.

It is clear there was no prospect of getting emergency services personnel to Mr Marshall between the time of his first call for help and 4:19pm. Indeed vehicular access was not possible for many more hours.



FR849208-1627630-4005465-IMG_0378
QP1100031138 Op. Juliet Drew - 1420 Grantham Helidon Road, Grantham
Photographic & Electronic Recording Section © Queensland Police Service 2011

Photo. 13 - 1420 Gatton Helidon Road, Grantham on 11 January 2011

Search and recovery

During the systematic search of all buildings in Grantham a male body was found in the house at 1420 Gatton Helidon Road on 12 January. A wallet located on the body contained a driver's licence in the name of Bruce Allan Marshall. That this was the body of Mr Marshall was later confirmed by fingerprint analysis.

Autopsy findings

On 13 January 2011 an external autopsy examination was conducted on the body of Bruce Marshall by Dr Roger Guard, an experienced pathologist. Dr Guard took into account the circumstances in which Mr Marshall was found and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1. Anoxia due to drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

- Identity of the deceased** – The deceased person was Bruce Allan Marshall
- How he died-** Mr Marshall was the sole occupant of a house that was inundated by flash flooding causing him to become trapped and then submerged.
- Place of death** – He died at Grantham in Queensland.
- Date of death** – He died on 10 January 2011.
- Cause of death** – Mr Marshall died from drowning.

Reinskje Van Der Werff

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Location

Grantham is a rural community with a population of approximately 500, set on small-cropping plain lands a few kilometres south of the Warrego Highway about 30 kilometres east of Toowoomba.

Sandy Creek, a small stream of short reach, flows through the town from the north to join Lockyer Creek on the southern outskirts of Grantham.

Personal circumstance

Reinskje Van der Werff lived at 1380 Gatton Helidon Road Grantham with her daughter, Wendy Hodda, and her husband Lyle Hodda. An 86 year old disabled pensioner, she suffered from osteoporosis and had very limited mobility.

Events leading to death

On 10 January 2011, Wendy Hodda was at home looking after her 10 year old son, her mother, Ms Van der Werff, and three of her grandchildren. At around 3:00pm, Ms Hodda received a telephone call from her son in law, the father of the grandchildren she was caring for, Mr Anthony Tonner. He had seen the flooding upstream at Withcott and rightly predicated there was likely to be a lot of water on its way to Grantham. He told Ms Hodda to get everyone in the house onto the roof.

Ms Hodda told him was no realistic prospect of getting her mother onto the roof given her medical condition and lack of mobility. It was agreed it would be best to place Ms Van der Werff at the highest point possible within the house.

Ms Hodda retrieved a ladder from their shed and placed it against the guttering of their single story brick house. This was the only way to access the roof and after much further thought it was sadly clear that there was no prospect of getting Ms Van der Werff up onto the roof via this method. Accordingly, Ms Hodda placed Ms Van der Werff, with much effort, onto the kitchen table with her feet placed on a chair. At around this time Ms Hodda

noted muddy water bursting through the fence line of their property. Ms Hodda left Ms Van der Werff and took the four children onto the roof of the house. This was the last time she saw Ms Van der Werff alive. A series of recorded statements taken from the children by investigators corroborated this series of events.

The extensive flooding of Grantham that followed a short time later resulted in water reaching a level that was only a foot or so below the roofline of the house at 1380 Gatton Helidon Road. Video footage taken from the air and from local residents was tendered at the inquest and reveals the extraordinary depth and velocity of the water in the area during this period. Ms Hodda and the children were rescued from the roof by helicopter shortly before 5:00pm.

Search and recovery

In the aftermath of the flood all houses and buildings in the Grantham area were systematically searched by emergency services personnel. This was a lengthy, painstaking and methodical process and that meant that the house at 1380 Gatton Helidon Road Grantham was not cleared until 16 January 2011. At this time the body of a deceased female person was found lying on the kitchen floor of the house. QPS scenes of crime officers attended and photographed the body *in situ*. The circumstances in which the body was found enabled it to be identified as that of Reinskje Van der Werff.

Photographs taken of the house at this time indicate that the velocity of water which flowed through the house was sufficient to move items of furniture, including a refrigerator, from their original position.



FR850754-1629479-4011894-IMG_5432
QP1100040743 Op. Juliet Drew - 1380 Gatton Helidon Road, Grantham
Photographic & Electronic Recording Section © Queensland Police Service 2011

Photo. 14 - Interior of 1380 Gatton Helidon Road, Grantham on 16 January 2011

Autopsy findings

An external and partial internal autopsy examination was conducted on the body of Reinskje Van der Werff by Dr Nathan Milne, an experienced forensic pathologist, on 18 January 2011. Dr Milne took into account the circumstances in which Ms Van der Werff was last seen and in which her

body was found and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how she died, when and where she died and what caused her death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased – The deceased person was Reinskje Van der Werff

How she died- Ms Van der Werff was the occupant of a house that was inundated by flash flooding. Her lack of mobility resulted in her becoming trapped in the house and submerged by the flood water.

Place of death – She died at Grantham in Queensland.

Date of death – She died on 10 January 2011.

Cause of death – Ms Van der Werff died from drowning.

Christopher John Face, Brenda May Ross and Joshua Adam Ross

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Location

Grantham is a rural community with a population of approximately 500, set on small-cropping plain lands a few kilometres south of the Warrego Highway about 30 kilometres east of Toowoomba.

Sandy Creek, a small stream of short reach, flows through the town from the north to join Lockyer Creek on the southern outskirts of Grantham.

Personal circumstances

As at 10 January 2011, Brenda Ross had been living at 8 Anzac Avenue Grantham, in a single-storey brick house she had owned for approximately seven years. Mrs Ross was a 56 year old widowed, disabled pensioner who suffered from a number of health conditions causing her limited mobility, such that she relied on the use of a walker and wheelchair.

Elizabeth Fraser, the daughter of Mrs Ross, and Christopher Face, a 63 year old man who was a long time friend of the Ross family, also resided in the house.

Bordering 8 Anzac Avenue to its rear is 7 William Street. Joshua Ross, Mrs Ross's 25 year old son, lived at this address. Christopher Barrett, the partner of Ms Fraser, lived in a caravan parked in the backyard of this property.

Events leading to the deaths and disappearance

On the morning of 10 January 2011, Joshua Ross and Christopher Barrett were cleaning up the yards of 8 Anzac Avenue and 7 William Street following flooding over the preceding weeks. Mr Barrett was mindful of the possibility of further flooding that day and periodically checked the water level in Sandy Creek, which ran under a culvert approximately 100 metres from the houses.

Shortly after lunch, Mr Barrett noted that Sandy Creek had broken its banks. Later that afternoon he made arrangements with Ms Fraser to begin moving

his caravan and their cars to higher ground at the Grantham railway yards. The occupants of both houses also moved valuable items off the floor and onto tables and beds.

Mr Barrett, Ms Fraser and Mr Face drove vehicles to the railway yard and Ms Fraser went to a local store to get supplies. After leaving his car at the railway yard Mr Face walked the 200 metres back to 8 Anzac Avenue where he joined Brenda and Joshua Ross.

After Mr Face returned to the property the flow of water through the town of Grantham began to rapidly increase. Mr Barrett, who had remained at the railway yard, told investigators he saw a “wave” come through the town. Whereas initially he had seen debris such as polystyrene boxes and plastic chemical drums floating past, after the wave he saw large and heavy items such as a car, shipping containers, trees and water tanks being carried by the flood waters.

At 4:27pm Brenda Ross telephoned “000” and told the operator she was in her bedroom at 8 Anzac Avenue Grantham, the flood water had inundated the house and it was now up to her knees. Mrs Ross then passed the phone to Joshua who was advised by the “000” operator to get as high as possible in the house and onto the roof if possible. Mr Ross told the operator his mother was disabled and they were unable to move her. The “000” operator confirmed emergency services were aware of the situation in Grantham, that they would do all they could but that resources were stretched to the limit.

At 4:31pm Elizabeth Fraser called Brenda Ross on her mobile phone. Mrs Ross repeated what she had told the “000” operator before again handing the phone to Joshua Ross. It is apparent that the situation had deteriorated even further in the four minutes between telephone calls as Mr Ross told Ms Fraser that the house was creaking and that the internal walls had been damaged and were shaking. At this stage there was of course, tragically, nothing Ms Fraser or anyone else could do to assist the three people at 8 Anzac Avenue.

Morva Richardson and her husband Lance Richardson were the proprietors of the Grantham Hotel located next door to the Ross residence on Anzac Avenue. Video footage taken from the Hotel shows the speed at which the water rose in the immediate area.

Mr Richardson said:-

“ There was not time to see anything really it just happened to dam quick. Basically I was standing on the veranda and then I heard a loud crack and I looked around and I could see the house at 8 Anzac Avenue and the house was gone.

I only just got a glimpse of the roof of the house collapsing into the water and the house just went splat really. We did look but we could not see anyone and I believed at the time they had no chance.”

Mrs Richardson told investigators that she recalls seeing Christopher Face and Joshua Ross through the windows of 8 Anzac Avenue as the water rose. A short time later:-

“I was watching the flood waters around the house; it would have been halfway between the floor and the bottom of the windows.

Next thing I know, the whole house seemed to pop up out of the water and then it exploded. All the bricks just blew out a couple of meters in all directions.

There was no actual explosion; it was just like the house blew out.

I knew Christopher Face, Joshua Ross and Brenda Ross were in the house at the time”.

Aerial footage taken by a news media outlet at 4:34pm shows the house to have been washed away. The video footage taken from the Grantham Hotel does not capture the moment of the collapse but shows the house *in situ* as late as 4:28pm and, on resumption at 4:54pm it shows the house has been washed away.



Photo. 15 - Remains of 8 Anzac Avenue

Search and recovery

On 13 January 2011, the body of Joshua Ross was located in a farm paddock at 1152 Gatton Helidon Road, Grantham. His body had been washed 1.7 km from 8 Anzac Avenue. He was formally identified through dental comparison using both CT and photographic imaging.

The body of Brenda Ross was located the following day in a farm paddock at 75 Philips Street, Grantham; a distance of 1.8 km from where her house had stood. Formal identification was confirmed through dental and DNA comparison.

Autopsy findings

On 15 January 2011, an external and partial internal autopsy examination was conducted on the body of Joshua Ross by Dr Beng Ong, an experienced forensic pathologist.

He took into account the circumstances in which Mr Ross was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Consistent with drowning

On 17 January 2011, an external and partial internal autopsy examination was conducted on the body of Brenda Ross by Dr Philip Storey, an experienced forensic pathologist.

He also took into account the circumstances in which Mrs Ross was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Consistent with drowning (Flood-related death)

Missing person

The body of Christopher Face has not been found. A detective from the QPS missing persons unit has conducted enquiries in relation to him with a number of state and federal agencies including the Health Insurance Commission, Centrelink and the Department of Immigration and Citizenship. The bank accounts of Mr Face have been monitored as have interstate police computer systems. Unsurprisingly there has been no indication from these sources that Mr Face may still be alive. There have been no reported sightings of Mr Face.

Earlier in these findings I set out the opinion of the survival medicine expert Dr Luckin in relation to each of the three missing people. In the circumstances there can be no reasonable doubt that Mr Face is in fact deceased.

Findings required by s45

I am required to find, as far as is possible, who the deceased persons were, how they died, when and where they died and what caused their deaths. In the case of missing persons I am required to find, if possible, if in fact the person is deceased.

As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I find that Christopher John Face is deceased. I am also able to make the following findings.

Identity of the deceased – The deceased people were Christopher John Face, Brenda May Ross and Joshua Adam Ross.

How they died-	They were occupants of a house that was inundated, collapsed and then washed away by a flash flood. It is likely each died a short time after the house collapsed.
Place of death –	They all died at Grantham in Queensland.
Date of death –	They all died on 10 January 2011.
Cause of death –	Mrs Ross, Mr Ross and Mr Face died from drowning.

Jesse Joshua Wickman

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Personal circumstances

At the time of his death on 11 January 2011 Jesse Wickman was living with his parents and older brother in the township of Minden. He was four years of age having been born on 15 September 2006. It is clear that he was much loved and that his very sad death has had a profound effect on his parents, brother and extended family.

Hearing

The inquest into Jesse's death differed from each of the other people covered in this report to the extent that some evidence was heard directly from eye witnesses. This was in addition to the process adopted in all other matters; namely receiving evidence in documentary form through the investigating officer. This was because Jesse's case raised a number of contentious aspects which would likely benefit from the forensic process that can be adopted in this court when witnesses are called appear in person.

Mr Johns appeared as counsel assisting as he had in all other matters. In addition, the Department of Community Safety and the Queensland Police Service Commissioner were represented. Seventeen witnesses were called and 182 exhibits specific to this matter were tendered. The witnesses were heard over four days from 27 February 2012 to 1 March 2012.

The Wickman family become stranded

On the evening of 10 January 2011 the Wickman family began preparations for a possible evacuation of their residence in Rose Avenue, Minden. This was prompted in part by a recorded telephone warning of the potential for flooding in the area and in part by their observations of media reports and of the relentless rainfall.

Brian Wickman monitored water levels around his house throughout the night and by 7:00am on the morning of 11 January, he and his wife Katie had decided to evacuate and take their two sons, Cody, 7, and Jesse, 4, and their pets and some possessions to higher ground. Brian Wickman set off in his Nissan 4WD utility while Katie followed him, along with the children, in their Ford Territory station wagon.

They drove along Lowood Minden Road southbound towards the intersection with the Warrego Highway. About 150m short of that intersection, adjacent to the Minden State School, they were confronted with flowing water covering the road. Brian Wickman slowly entered the water and Mrs Wickman, having noted the water covered half of the wheels of her husband's 4WD at its deepest, also began to cross. As he traversed the water Mr Wickman noticed the force of the water caused his vehicle to "buck". He accelerated and was able to get to the other side. At the same time Mrs Wickman felt a surge of water under her vehicle and it stalled.

Katie Wickman decided to exit the vehicle with her children in order to carry them, with the assistance of her husband, to dry ground. At the time that dry ground was only 4-5 metres away. As she unbuckled her children's seat belts the vehicle began to move and it quickly became apparent that she would be unable to immediately get them to safety.

Brian Wickman exited his vehicle and made his way through the fast flowing water to the Ford Territory. Once there he assisted his wife and children onto the bonnet of the car. Using Katie's mobile phone he called "000" and was put through to Ipswich District Police Communications. He gave an account of his situation advising that he feared for the safety of his family given the instability of the vehicle. Amongst other information he told the police operator that his children were aged seven and four. Records show that this call was made at 7:45am.

Richard Katt, an employee of Queensland Urban Utilities, was travelling on the Warrego Highway eastbound when he noticed a vehicle off the left-hand side of the highway in flood waters. Seeing what he thought to be an adult female and two children on the bonnet of the vehicle he stopped his own car and got out for a better look. He then observed the person he now knows as Brian Wickman wade into the flood waters and join the other three people on the bonnet of the vehicle. Mr Katt rang "000" and was put through to Firecom who advised him that help would be sent. This call was made 3 minutes after the "000" call of Brian Wickman, at 7:48 AM. Mr Katt tried to convey this information to the people on the vehicle but was unsure whether they could hear him over the noise of the rain and flood water. He subsequently took a number of photographs of the scene and these were tendered at the inquest.

The QPS communications officer who had received a call from Mr Wickman confirmed with Firecom that they were dealing with the same situation although did not pass on the information received from Mr Wickman relating to the ages of the two children.

The QFRS unit

QFRS officers Ian Bland and Brendan Ashby had spent the preceding week deployed in Emerald to assist with flood rescue and recovery efforts. Both were qualified through the QFRS as Level 2 swift water technicians (meaning they were qualified at a level sanctioning both to perform “in water” rescues).

At the inquest it was acknowledged that although both officers had completed all requirements to qualify as a Level 2 technician, Officer Bland had not completed some required review activities in the 2009-2010 training period. Having considered the practical application of his skills over that period and the training that he nonetheless conducted (albeit in a different format to that required for the ongoing re-certification process), I have no hesitation in finding that both officers were well qualified to conduct the type of rescue that they subsequently undertook.

After arriving back at Ipswich station where both were based on the evening of 10 January 2011, both officers Ashby and Bland volunteered for immediate re-deployment. They were instructed to re-commence duty at 6:30am the following morning and assigned to the QFRS appliance 645M. This was a vehicle with which both were familiar and on that morning, as with all others, they performed a check of the equipment attached to it. Unlike most other mornings, though, a significant amount of equipment was missing. 645M had been deployed to Murphy’s creek on the previous evening and consequently, as officer Bland stated at the inquest:

“Basically every swift water item on that truck was left in deployment and it was at Gatton”.

The first assignment of 11 January 2011 for officers Bland and Ashby was, therefore, to travel to Gatton and collect this equipment. Their passage was blocked by water covering the highway at Glenore Grove. Therefore, after rescuing a stranded motorist, the officers returned to their appliance and were told to head back to Ipswich.

At 7:50am Firecom dispatched 645M in response to the “000” call from Mr Katt. Officers Ashby and Bland were by then close by and arrived at the scene only 4 minutes later. On arrival the officers spoke briefly to Mr Katt and assessed the scene. At the inquest both officers said that they formed an initial plan to make their way to the vehicle, provide personal flotation devices (PFD’s) to the stranded people and then to wait for further swift water rescue assistance.

Shortly before they arrived at the scene, officers Ashby and Bland had heard radio communication between Firecom and a QFRS appliance from Rosewood. Officer Bland gave evidence that he was familiar with the officers in the Rosewood appliance and knew them to be capable swift water technicians. They entered the water with the expectation that this crew would be arriving shortly.

Some of the several items missing from appliance 645M were waterproof covers for the two officers' radios. As they would have to enter the water without their radios, Officer Bland gave the mobile telephone from appliance 645M to Mr Katt. He showed Mr Katt the number he would need to dial if the officers got into any trouble. Officers Bland and Ashby then set off into the flood water aiming to travel in a more or less direct line to the stranded vehicle. The photograph below, taken by Mr Katt, shows the two officers shortly after they entered the water with this initial approach in mind. The stranded vehicle with people on top can just be made out in the distance. It can also be seen from the photograph that the flood water was travelling swiftly from right to left as one looks from the perspective of the two officers.



Photo. 16 - Initial approach of Wickman vehicle

The attempted rescue

Both QFRS officers told the inquest that after their arrival and before they entered the water rain was falling very heavily and that their view of the vehicle was obscured. Mr Katt did not discuss with the officers his understanding that one of the people on top of the vehicle was a young child. The QFRS officers said they had formed an opinion the two smaller people on the vehicle were teenagers. It was on this basis four adult sized PFD's were selected from 645M to be carried out to the family. The officers said, in any event, they would always err on the side of selecting a larger PFD rather than a small PFD. This is because larger PFD's can be adjusted tighter to some degree whereas little can be done if a PFD is too small. It is likely that there was a child sized PFD available for use if either QFRS officer had thought it necessary.

When the officers advanced a short distance from where they are depicted in the photo above they came into the main current. It was very quickly clear to them the force of the water was too strong for them to swim across to the vehicle without being washed downstream. The officers returned to their point of entry and walked several hundred metres upstream and along the Warrego Highway to a point where a barbed wire fence abuts the road. The top that barbed wire fence can just be seen running from right to left and adjacent to the stranded vehicle, in the photo above. The officers used the fence as a support to slowly make their way to the vehicle.

By this time the water had risen so that, unlike in the photo above, the top of the fence was approximately 1 foot below the water. This required the officers to grip the top strand of barbed wire, sustaining injuries to their hands, and to pull themselves through the water to the vehicle. Much of the time they were off their feet and had to keep hold of the wire to prevent themselves from being washed away. As he was making his way to the vehicle Officer Bland was struck by a large chunk of bitumen that had come loose from the roadway. This caused him to lose his grip on the fence and he began travelling with the current at great speed. Swimming aggressively towards the car he managed to “beach” himself on the bonnet. Officer Ashby continued along the fence line but as he reached the vehicle he became tangled on the fence and required assistance from Officer Bland and Mr Wickman.

Each of the Wickman family members was provided with a PFD. Officer Bland fitted a PFD to the older Wickman boy, Cody, and then put a PFD over the head of Jesse. Both officers recall being surprised at how young Jesse was when they arrived at the car. Officer Bland and then Officer Ashby tightened the straps on Jesse's PFD as much as possible and checked all the straps. The PFD was clearly larger than would have been desirable for a child of Jesse's size.

The two QFRS officers told the Wickman family of their plan to wait for another QFRS crew to arrive. At this stage there was still no sign of the Rosewood crew and, it is now known, that no emergency service crew would be able to access the scene in time to assist.

The training manual for swift water technicians sets out the resources usually required to perform a rescue in these circumstances. It provides for two trained swift water rescue technicians acting as “downstream safeties” with ropes to secure those swimming from the vehicle to shore should they not be able to make it themselves. There would also be an “upstream lookout” tasked with spotting oncoming debris. None of this was available to the officers or the Wickman family on this morning.

Although, the primary focus was on remaining on top of the car until help arrived, the officers were conscious that the flood water was continuing to increase and the car was moving under them. Accordingly, they devised a plan that could be adopted if they had to leave the vehicle that involved swimming to an “eddy”; a still (or relatively still) section of flood water created behind an obstacle in the flow of water that could be seen some distance

away. The obstacle creating the eddy was the farmhouse and the raised land surrounding it (depicted in the photograph above). Downstream from this area; between the farmhouse and the large tree in the top left of the photograph was the eddy the officers considered could realistically be reached by swimming across the current.

The officers explained this plan to the Wickmans. Naturally anxious about what may occur, Mr and Mrs Wickman asked the QFRS officers who would take the children should they need to relocate from the car. I accept the evidence of Mr and Mrs Wickman that, in reply, one of the officers said he and his colleague would take the children with words to the effect of “*we are the experts*”. In their statements and oral evidence Mr and Mrs Wickman placed significant focus on this statement. In the context of subsequent events I can understand why. I doubt, though, that it was said arrogantly or was a dismissal of the Wickmans as being somehow peculiarly unsuitable to the task. Rather it was likely a direct and literal response to a question. Their training would have made it clear to the officers that it is they who have the requisite skills and they, of course, would take the children.

Nowhere in the training materials for swift water rescue accreditation are officers instructed to tether themselves to the person being rescued in the course of a swift water rescue. Expert evidence heard at the inquest made it clear that such a technique was not part of practical training either because of the risk that a person being rescued may panic and try to keep themselves above water by placing downward pressure on the rescuer. A tether would hinder the ability of the rescuer to separate him or herself from the person being rescued in such a situation. Further, it poses the risk of the tether becoming snagged and either or both persons being held underwater by the current.

It was clear to officer Ashby that four year old Jesse was scared about the situation they were in and particularly concerned at the prospect of having to enter the water. He took this into account along with Jesse’s small size in deciding to tether himself to Jesse. He did this by attaching the carabineer which formed part of his PFD (linked to it by the ribbon-like orange material depicted below) to Jesse’s PFD. The carabineer was attached to Jesse’s PFD in the manner depicted in the photograph below; namely on the black waist belt at a point between the two grey eyelets.



Photo. 17 - "Macpac" PFD

Jesse was wearing a "Macpac" brand PFD manufactured in New Zealand and bought by QFRS between 1999 and 2001. It has a quick release toggle which can be seen on the right of the photo above. When the toggle is pulled, the friction lock that otherwise holds the black waist belt in place is released and the belt is able to come loose. It is designed to enable the wearer to quickly and easily shed the vest should that become necessary. This feature makes it different to a PFD that is designed for general use in boating (for instance); and it is this one feature that means it does not comply with the only Australian Standard relating to PFD's. That standard, AS4758.1:2008, specifically states that it is intended only to apply to PFD's used in boating and related water sports. There is no Australian standard relating to PFD's used in swift water rescues.

Should the quick release mechanism on the Macpac PFD be activated when a tether is attached to the waist belt it is likely that a longitudinal force applied to the tether would result in the end of the waist belt threading through the still enclosed carabineer un-tethering the wearer.

On the day in question Officer Ashby did not turn his mind to this possibility. He told the inquest that the only reason he decided to tether himself to Jesse was because he thought it gave Jesse a better chance of survival should there be a requirement to swim to safety. Mr Wickman gave evidence that he recalled a rope linking the two PFD's which he used to wrap around Jesse and tie to him. It may well be that he is referring to the orange ribbon-like material pictured in the photograph above as there is no evidence of any other rope being present. Certainly it is possible that this may have been wrapped once around Jesse by Mr Wickman.

Shortly after the PFDs had been fitted to each of the Wickman family, suddenly and without warning Cody Wickman fell into the water. He may have lost his balance due to the movement of the vehicle which was being buffeted by the rising water. He was quickly taken away from the vehicle by the current. Officer Bland dived across the barbed wire fence in front of the vehicle and swam after Cody, gathering him in and then swimming in a defensive manner across the current. He was able, with great effort, to direct the two of them to the previously identified eddy some 40 to 50 metres away.

Having seen Officer Bland make it to the eddy successfully, Officer Ashby explained to Mr and Mrs Wickman that he would take Jesse and that they should wait on the vehicle until he had arrived safely on the other side before following. There is a dispute in evidence as to what was said at this time. Mr and Mrs Wickman recall telling officer Ashby that Jesse would not be able to hold on to his neck in the current and that Officer Ashby should hold him in front. Officer Ashby told the inquest that he could not recall this conversation but that he in fact held Jesse to the side while telling Jesse to hang on tightly around his neck. He said that this was the only position that would enable him to adopt the defensive swimming stroke in which he had been trained.

Halfway across the main current it became apparent to officer Ashby that he was not going to make it to the eddy without adopting a more aggressive stroke. He rolled onto his front and started swimming something approaching freestyle. It is likely that as he did this Jesse would have been on the officer's back and being held less securely. I accept the change in approach was necessary in order to avoid their being swept further downstream where the water was even more turbulent and the current faster.

Officer Ashby was not able to make it to the eddy on his own: Officer Bland was required to throw a rope to him. Despite his best attempt Officer Bland was unable to throw the rope out sufficiently far on the first attempt and only just reached Officer Ashby on the second throw. As Officer Ashby grabbed the rope and it tightened, he stopped moving with the current, increasing the force of the water against him and Jesse as they went from floating at the same speed as the water to becoming stationary.

In the course of grabbing the rope it was necessary for officer Ashby to reposition Jesse. He told the court, as he had told investigators, that as he did this he momentarily lost grip on Jesse and as he reached out to regather him found that the current had already taken Jesse out of reach. A moment later it became apparent to him that Jesse had floated further away from him further than the length of the tether between the two PFD's. Officer Bland saw Officer Ashby reach out to grab Jesse but estimates that he got no closer than 60 cm to, what was by then, the clearly loose black waist strap on Jesse's PFD floating in the water.

It was put to Officer Ashby at the inquest that, had it not been for the tether between he and Jesse, he would have had a lesser sense of security and may have reached out to grab Jesse with greater urgency. Officer Ashby denied

this was the case but it is difficult not to accept that the tether would have, even subconsciously, influenced the immediacy of the situation in his mind.

At the inquest Officer Ashby explained at some length the nature of the water immediately downstream from him at that point. I accept his explanation, supported by Officer Bland, that in his exhausted state it was a reasonable, though no doubt very distressing decision to not swim after Jesse. Officer Bland told the inquest that he had in fact yelled an order to Officer Ashby to maintain his hold on the rope while Officer Bland pulled him to safety.

Officer Bland told the court he had formed the view at this point that he had good prospects of both pulling Officer Ashby to safety and then successfully rescuing Jesse. Although he was tragically wrong in hindsight, there is no basis on which it could be said it was an unreasonable mindset to complete the one certain rescue that could be made.

Brian and Katie Wickman said that from their perspective it appeared as though officer Ashby “gave up” on Jesse. This perspective was explored carefully at the inquest and although I can understand how they have come to that view from their vantage point on the vehicle, I do not accept it is at all a fair reflection of what occurred.

After pulling Officer Ashby into a position of safety as quick as he possibly could, Officer Bland then ran and dived into the water swimming downstream in the direction of Jesse. Officer Bland told the inquest that he swam for approximately 70 metres during which he closed the distance between he and Jesse by half. Early on in the swim he had identified a tree downstream. The significance of this tree in his mind was that it was the last point to which he would be able to swim before he would have to stop for his own safety. Beyond that point it was clear to him that the floodwaters entered the main current and that he would be placing himself in great danger by continuing. As he approached this tree Officer Bland noted that the distance between he and Jesse increased back to its original distance within the space of a second or two. It appeared that Jesse had entered a much faster flowing part of the flood water. This is supported by calculation made by Phillip Paff later that day that the floodwaters in the area were flowing at up to 45 km per hour. Officer Bland says that he had no choice but to grab onto the tree he had identified earlier.

The separation of the small child created yet another change in circumstance. I now had to make a decision. I had two in the water in danger. My training dictates that I am to complete the rescue in hand before attempting the second rescue. As Brendon was now tethered to me by rope, I completed his rescue by pulling with two more overhand grabs of the rope I had Brendan safe in the 'eddy'.

I then ran to the end of the 'eddy' and dove into the current, at this time the smaller child was approximately 15 metres down stream and moving away from me. I swam aggressively in an attempt to regather the small child before he entered the main current from my right. After my aggressive swim with the current of about 70 metres travelled I

closed the gap between him and me to about half before the main current swept him rapidly away from me again. This meant that when the main current took hold of him he went so fast that within no time he was again double the distance to when I had commenced chasing him. I realised I was not going to be able to regather him in these conditions. I knew he was floating high in the water and I wasn't. I didn't know how many barb wire fences were between us and at what height below the surface they were. I commenced self rescue before my option of self rescue was no longer available.

Officer Bland told the inquest that it then required great effort to wade, swim and “dolphin” dive his way back up stream to the eddy. By the time he had returned, Mrs Wickman had made her way across from the car. She had seen Jesse come loose from the grasp of Officer Ashby and had placed all of her hope in Officer Bland successfully reaching Jesse. At the inquest officer Bland recounted his return to the eddy:

By the time I got to the point where I was about waist deep, I could see the mother standing with her older child and she recognised then that I didn't have her younger child and she let out a, as only a mother can, a really painful scream. That upset me because I felt like I failed and I turn my back to her and threw up in the water and recovered my thoughts for a minute, and then headed back to what I had to face.

Over the following minutes the group waded through the floodwaters between the eddy and the farm house, negotiating barbed wire fences and other obstacles as they went. This resulted in injuries, in particular to Katie Wickman who sustained a number of deep lacerations. On arrival at the farmhouse the QFRS officers gained access and were able to use the telephone to call Firecom at Southport. Records show that the first of these calls was made by Officer Bland at 8:40am, approximately 43 min after the rescue attempt had commenced.

Communication of the failed rescue to Firecom and QPS

A recording of this telephone call was played at the inquest. In it Officer Bland summarises their circumstances and reports that Jesse had been lost downstream. He sought rescue for the family by helicopter but was advised that air resources were stretched and none were immediately available. Although he did not specifically request a search for Jesse be commenced, Officer Bland considered that this was implicit from the information he conveyed.

At 9:08 am Officer Bland made a second call to Firecom seeking an update on the likely arrival time of a helicopter. In this call he advised that Officer Ashby was not coping well and would require "Fire Care", a counselling service available to QFRS members. In that call the operator spoke with her supervisor, Cameron Spalding, who gave evidence at the inquest.

Helicopter resources were not sufficient to keep up with the heavy demand for them to attend emergency situations. Mr Spalding was unable to give a likely

arrival time for the helicopter but assured him that he was doing his best to arrange one. During this call the following information was relayed from the operator to Mr Spalding:

"Cameron, for that job there with the 850 Lima one of the officers are going to need Fire Care, and the other officer's phoning me at the moment saying that he had to let go of the kid that went down the river."

There is no discussion specifically relating to a search for Jesse in either of the telephone calls.

The evidence given at the inquest established that there was a breakdown in communication arising from the two calls between Officer Ashby and Southport Firecom.

Mr Spalding considered it the responsibility of Officer Bland, as the officer on the ground, to make a specific request for a search to be conducted either to Firecom or to the operator of the air resources ultimately deployed. I consider that unreasonable. I am of the view Officer Bland conveyed information that would have prompted an adequately trained Firecom operator to seek to elicit whether any further emergency rescue effort was required.

Further confusion was caused when Firecom called the mobile telephone of appliance 645M and spoke to Mr Katt. After it was clarified that Mr Katt was a civilian, he was asked whether assistance was required to which he replied in the negative. Mr Katt told the inquest that from his vantage point, while he thought he saw a child come loose from the grasp of Officer Ashby during the course of the rescue, he had not thought that subsequent body language from the group was consistent with this having in fact occurred. On the basis that the group had made its way to a position of relative safety in the farmhouse he took the view that they did not need urgent assistance. He made a point at the inquest of noting his response to Firecom was a matter he has thought about many times since and now deeply regrets.

Rescue Helicopter "Helitek 220" was tasked to attend the farmhouse and arrived at 10:07am. At this time Officer Bland mistakenly understood that other arrangements had been made for a search based on the information he had provided to Firecom. This understanding had also been conveyed by Officer Bland to Officer Ashby. The inquest heard varying accounts of conversations with the helicopter crew from both Officer Bland and Mr Wickman. It is clear that there was discussion between each of these two men and either the helicopter pilot or, in my view more likely, the helicopter crew. It is now known that the helicopter was not tasked to conduct a search for Jesse though it appears Mr and Mrs Wickman also left the scene with an understanding that a search involving helicopters was underway. I am inclined to the view that Officer Bland had already formed the opinion that Jesse could not possibly have survived. This is corroborated to some degree by the radio contact from 645M to Firecom at 10:16am in which it was advised that three people had been rescued from swift water and evacuated by helicopter and

that there was one possible “Code 9 Charlie, 4 year old downstream”. It was explained at the inquest that this code signifies a deceased person.

After being ferried back to their vehicle on the highway, the officers were detailed another job. Mr Wickman retrieved his vehicle and the Wickman family were left to their own devices. They were advised to attend Laidley Hospital to have Mrs Wickman’s injuries attended to.

Whether it was reasonable of Officers Ashby and Bland to move on to another task, rather than conducting any search for Jesse, depends on the reasonableness of Officer Bland's understanding that conduct of a search was the responsibility of Firecom, he having passed on all appropriate information. I am inclined to the view that he was entitled to conclude that others were now responsible for that.

Search for and locating of Jesse’s body

On their way to Laidley, the Wickmans were thwarted by yet more water covering the road and they stopped at a service station. Katie Wickman, a civilian employee of the QPS, contacted Inspector David Preston whom she knew through her work as the Ipswich District Inspector. Over a series of telephone calls just prior to 11:00am she related what had occurred to her and her family. She told Inspector Preston that Jesse had been washed away and was missing. She also told him that she understood an air search was currently underway.

The inquest heard from Inspector Preston and two other officers with whom he liaised in the subsequent hours. Inspector Preston personally attended the Ipswich Communications Centre where he observed the job log that had been created in relation to the Wickman family. He also became aware that a helicopter had been sent to rescue the family. He acknowledged at the inquest he did not confirm an air search was underway. The inquest heard that inspector Preston was nearing the end of a shift that had, by that stage, gone for more than 24 hours and that he was due to commence work again early the following morning. His failure to ascertain the status of the search for Jesse, in the context of the events of 11 January 2011 and his own circumstances does not warrant criticism.

Shortly before midday senior Constable Lyle Swan of Marburg police station contacted Brian Wickman by mobile telephone. Senior Constable Swan also knew Mrs Wickman through work and on being told that they were stranded at a service station, and that Mrs Wickman required help, made attempts to access them. Unable to get out of Marburg in his police vehicle, he managed at around midday to traverse the flood waters in his personal 4WD. He took up with the Wickman family at the service station and then drove with them to St Andrews Hospital in Ipswich where Mrs Wickman was treated and a QPS support officer arranged to be with the family.

At approximately 2:00pm, officers Ashby and Bland returned to Ipswich Fire Station. Officer Bland commenced a conversation with his supervisor Fire Officer Bruce Beasley. Under questioning from Officer Beasley, Officer Bland

acknowledged that it was possible that Jesse was still *“floating around out there somewhere”* given that he had been wearing a PFD when last seen. Officer Beasley made arrangements for two other swift water rescue officers to travel to the scene immediately. Those officers, Paff and Vaccaneo, took up with an SES boat crew and commenced a search at around 3:30pm.

At approximately 4:47pm while traversing the perimeter fence of a property on Lowood Minden Road at Minden, QFRS officer Paff found the body of a young child. The child was wearing a PFD which had become snagged on the lower strand of the barbed wire fence. Senior Constable Swan attended the scene and transported the body to Ipswich General Hospital where a life extinct certificate was issued and the body was identified as that of Jesse Joshua Wickman.

Although I have indicated that aspects of the responses of emergency services personnel remote from the scene after Jesse was lost were not optimal, I wish to make quite clear that I do not suggest any different action is likely to have led to his being saved. The volume and velocity of the floodwaters; the amount of debris swirling within it; and the dangerous snags and obstructions over which his small body would have been washed means that even if the closest helicopter was rushed to the scene the moment he slipped from Officer Ashby’s grasp, the chances of finding him alive and extracting him from the water were negligible.

Autopsy findings

An external autopsy examination was conducted on Jesse’s body on the morning of 12 January 2011 at the Queensland health Scientific Services facility at Salisbury.

That examination was conducted by an experienced forensic pathologist, Dr Nathan Milne. Dr Milne considered the circumstances in which Jesse had been found along with CT scans conducted prior to the autopsy examination and formed the view that the cause of death was drowning.

Conclusions

No equipment shortage contributed to Jesse being lost. The swift water rescue officers took four adult sized PDFs to the stranded vehicle because they knew whatever the size of the people to be rescued, they would fit into adult PDFs that could be adjusted to fit a child. The validity of this approach was borne out when Jesse’s body was found still wearing the PDF.

The officers planned to remain with the Wickman family on the vehicle until the necessary back-up arrived. Sensibly, they made plans of what to do if they were forced to leave the vehicle before that eventuated.

One of the officers tethered Jesse to himself even though that was not consistent with his training because it increased the risk to the officer. He took this added risk to increase Jesse’s safety and sense of security.

When Jesse's older brother Cody slipped into the water, probably because the vehicle was moving under the force of the rising current, the swift water rescue officers put the contingency plan into operation.

Tragically, after Cody had been swum to a safer location and Jesse had also nearly been brought to the same place, he was swept from the officers grasp. That officer then had to save himself. As soon as that had been accomplished, his partner set off in a desperate and dangerous attempt to recover Jesse. Despite his best efforts that was not able to be achieved and Jesse was swept away.

An air search for Jesse did not commence immediately after he was lost or as soon as a helicopter was able to get to the scene because of a breakdown in communication between the swift water rescue officers at the scene and the Firecom operator they reported events to. I do not consider this was due to any shortcomings on the part of the swift water rescue officers. I am convinced that even had such a search commenced immediately, the chances of Jesse being rescued from the air were extremely remote.

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased – The deceased person was Jesse Joshua Wickman

How he died- Jesse drowned shortly after he was swept from the grasp of a QFRS swift water rescue officer while the officer was attempting to rescue Jesse from the roof of a car stranded in rapidly flowing flood water.

Place of death – He died at Minden in Queensland

Date of death – He died on 11 January 2011

Cause of death – Jesse died from drowning.

Robert Gregory Bromage

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Location

Walloon is a small country town west of Ipswich. Now mainly rural residential, the property between Walloon and Ipswich not taken up by the Amberley RAAF Base is given over to hobby farms and horse paddocks. The Warrego Highway runs east - west to the north of the town and to the south, the Bremer River flows to Ipswich.

The Karrabin-Rosewood Road generally follows the course of the river and is the most direct route from Walloon to Ipswich. About three kilometres east of Walloon, the road crosses Campbells Gully, which except after heavy rain, is a series of waterholes sloping down to the Bremer River.

Personal circumstances

In January 2011, Robert Bromage was 50 years of age and living alone in a caravan on a friend's property at Seidels Road Walloon. He was a single pensioner having separated from his wife. He was suffering from multiple sclerosis.

Events leading to death

The last person to see Mr Bromage alive was the friend on whose property he lived. She saw him at 10:00pm on the evening of 10 January 2011. In the early hours of 11 January 2011, while still dark, she heard the car start and Mr Bromage apparently leaving the property. Ms McGinn told investigators this was not unusual for him.

In the week prior to his death, Mr Bromage had purchased a second-hand red Hyundai sedan. Examination of his mobile phone showed on the morning of 11 January 2011 Mr Bromage sent a number of SMS messages to a friend seeking advice on where best to obtain a road worthy certificate for this vehicle. He was advised by his friend to contact Darra Mechanical Repairs. Telephone records show he did that at 8:30am. Analysis of mobile telephone tower data shows this call was made somewhere within a 10km radius of the Ipswich CBD.

On the morning of 11 January 2011, Constables Adam Mulhall and Christopher Leonard were detailed to attend Karrabin-Rosewood Road Karrabin to control traffic due to reports of water crossing the roadway.

Shortly after arriving on site at about 10:00am, Constable Mulhall took up a position adjacent to the point where water was crossing the road. This was just to the west of where a large industrial complex owned by Bradken Engineering is situated on the southern side of the road. Campbells Gully is usually a series of waterholes, but after heavy rain it flows into the Bremer River a few hundred metres to the south of Karrabin-Rosewood Road. On this day, the water here was about a meter deep over the road and flowing very quickly.

The officer saw a small red sedan on the part of the road that was underwater 50 to 60 metres from him. The force of the flowing water was washing the car south off the roadway and towards the engineering works. Constable Mulhall was unable to reach the vehicle but used a loudhailer to call to it because its illuminated taillights made him suspect there was somebody in it. He received no response. He advised Ipswich police communications of the situation and watched as the vehicle was washed off the road, began bobbing in the deeper, fast flowing water and moved out of view into an area behind the engineering works.

Constable Mulhall entered the Bradken engineering works and with the assistance of Bradken employees searched for the red sedan over a period of approximately 40 minutes. The vehicle could not be found and he advised Ipswich communications of this before being assigned to other duties.

It is now known Mr Bromage was in the vehicle observed by Constable Mulhall. It is likely Mr Bromage died a short time after the vehicle was swept from Karrabin-Rosewood Road.

Search and recovery

On the morning of 12 January 2011 the water flowing around the Bradken engineering works had subsided, at least from the level of the previous day. At around 11:00am an employee of the business observed the rear wheels of a vehicle protruding from flood waters near the engineering works. Brisbane police communications was advised of the location of the vehicle at 11:08am and QFRS officers were deployed to the scene. Using a crane from the Bradken works the vehicle was dragged from the creek and a body was found in it.

The scene was secured shortly afterwards by QPS officers and a forensic examination undertaken. Prescription medication found in the vehicle contained the name of Robert Bromage and he was later formally identified by his brother, Joseph Bromage.

Autopsy findings

An external autopsy examination was conducted by Dr Beng Ong, an experienced forensic pathologist, on 13 January 2011. Dr Ong took into

account the circumstances in which Mr Bromage was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Consistent with drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased – The deceased person was Robert Gregory Bromage.

How he died- Mr Bromage was the sole occupant of a vehicle that became stranded in floodwaters. The vehicle was swept from the roadway and then completely submerged while Mr Bromage remained inside.

Place of death – He died at Karrabin in Queensland.

Date of death – He died on 11 January 2011.

Cause of death – Mr Bromage died from drowning.

Robert John Kelly

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Personal circumstances

Robert Kelly was born on 14 February 1980 and was 30 years of age when he died on 12 January 2011. Mr Kelly was a resident of Gracemere, south of Rockhampton, but was in the process of moving to the Dalby area having recently obtained work there in the mining industry.

Events leading to death

After travelling from Gracemere, Mr Kelly and a friend booked into the Fairways Motel at Dalby on 9 January 2011. During the evening, due to flooding, all guests and staff were required by police to evacuate the motel and were moved to a local school. After spending the evening of 10 January 2011 at the school, Mr Kelly organised to visit a friend in Toowoomba late on the evening of 11 January 2011.

Mr Kelly set off alone in his silver Toyota Prado Wagon and arrived at his friend's house in Toowoomba in the early hours of 12 January 2011. It was apparent to his friend when Mr Kelly arrived that a panel on the rear passengers side of the Prado was missing and Mr Kelly recounted having been nearly swept off a flooded roadway on his way to Toowoomba during which the damage were sustained.

At 5:30am Mr Kelly checked into the Riveria on Ruthven motel and then returned to his friend's house later in the morning. Mr Kelly discussed his intention to travel back to Dalby that afternoon but was discouraged from doing so by his friend and her family.

Mr Kelly then spoke via mobile telephone with his friend who had remained in the evacuation centre at Dalby. It was agreed Mr Kelly would return to Dalby, pick up this friend and the two of them would return to Gracemere.

Because the Warrego Highway was still closed at some places between Dalby and Toowoomba. Mr Kelly took an indirect route to Dalby along minor country roads which included the Brymaroo Irvingdale Road. There is a causeway where Myall Creek crosses Brymaroo Irvingdale Road.

As he drove towards the Myall Creek crossing, Mr Kelly was speaking on his mobile phone to a friend in Mackay. That call had been made at 2:09pm and the friend, Samantha Walker, recounted the conversation she had with Mr Kelly to investigators. After approximately 10 minutes of conversation she recalls Mr Kelly saying “*Hang on a sec, fuck, fuck, fuck*” and then, moments later, “*I’ve just hit water*”. Ms Walker says the call was terminated and when she tried to call Mr Kelly back she was transferred to his message bank. This is the last known contact any person had with Mr Kelly.

Search and recovery

Early on 13 January 2011 two Toowoomba Council workers approached the Myall Creek crossing on the Brymaroo Irvingdale Road. They observed two submerged vehicles in the flooded creek and took a series of photographs while notifying other council officers and local police.



Photo. 18 - Mr Kelly's Toyota Prado

Police then attended the scene and with the assistance of some local residents removed both vehicles from the creek. It was later discovered the first vehicle removed had been washed from the causeway into the flood waters on 6 January 2011 while unattended. The second vehicle retrieved was the Toyota Prado belonging to Mr Kelly.

The Prado's ignition system was found to be in the “on” position. The body of a male person was located in the rear luggage area along with a variety of equipment and items including both full and empty containers of alcohol. A QPS scenes of crime officer attended and took a series of photographs of the vehicle and the male body in situ. The body was transported to the Toowoomba morgue where a series of fingerprint impressions were taken. These allowed police to identify the body as being that of Robert John Kelly.

A mechanical inspection of the vehicle found it to be in good working order apart from water damage.

Autopsy findings

An external autopsy examination was conducted on the body of Robert Kelly by Dr Roger Guard, an experienced forensic pathologist, on 14 January 2011.

Dr Guard took samples for toxicology testing which later revealed a blood alcohol concentration of 0.21%. The reliability of this reading must be considered in the context of the body of Mr Kelly having been transported to the morgue a full day after his death – alcohol can be a post mortem artefact of decomposition.

Dr Guard took into account the circumstances in which Mr Kelly was last seen and the circumstances in which his body was found and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) Anoxia due to drowning

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

- Identity of the deceased –** The deceased person was Robert John Kelly
- How he died-** Mr Kelly was the sole occupant of a vehicle which was driven into a flooded causeway, swept off the roadway and inundated with water before he was able to escape.
- Place of death –** He died at Brymaroo in Queensland.
- Date of death –** He died on 12 January 2011.
- Cause of death –** Mr Kelly died from drowning.

Van Toan Giang

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Location

Willawong is a low lying suburb approximately 16 kilometres south of the Brisbane central business district.

It is a mixed use area comprised of some industrial land, sporting fields and small crop farms.

Personal circumstances

Van Toan Giang died on 13 January 2011, his 25th birthday. A Vietnamese national, he arrived in Australia on 10 March 2007 and remained here on a permanent spousal visa. Mr Giang worked as a labourer on a farm owned by his wife's parents at Willawong. He is survived by his wife.

Events leading to death

Mr Giang's parents-in-law travelled overseas in January 2011. In their absence he was responsible for managing their farm. Other labourers at the farm told investigators in the days preceding the death of Mr Giang, they and he had been required to traverse flood waters on Bowhill Road in order to gain access to the farm.

Gurpreet Singh and Gopal Das, recall when leaving the farm with Mr Giang at 4:00pm on 12 January, the water came up to their chests at its deepest. They and Mr Giang were able to wade through it on this occasion without significant difficulty.

"Road closed" signs were in place on Bowhill Road from 10 to 15 January 2011.

At about 5:30am on the morning of 13 January 2011 Mr Singh arrived at the same point on Bowhill Road intending to again wade through the water to access the farm. It was clear to him the water had increased in depth from the previous afternoon and, being unable to swim, realised he would not be able to get to the farm. He left the location shortly before 7:00am. As he was

driving away he received a telephone call from Mr Giang asking him to return, which he did.

Mr Singh told investigators during a re-enactment of events that Mr Giang informed him he was going to swim across the flooded roadway in order to access the farm. This is consistent with the evidence of another witness and employee at the property, Doi Van Pham. Mr Giang telephoned him at approximately 6:30am and told him he intended to cross the flooded roadway, and use a dingy to transport cucumbers back across the flood water. He asked Mr Pham to meet him there in order to transport the cucumbers to Rocklea market.

As Mr Giang entered the water Mr Singh noticed there was an inflated truck tyre tube nearby and suggested this be put to use. Mr Singh says Mr Giang refused to use the tyre tube saying he could swim across. He described what happened next in this way:-

“It was just after 7:00am that Taun went into the water. I saw him walk into the water until it reached his shoulders, then he started to swim.

He started swimming freestyle for about 25 metres, then changed to back stroke. He was swimming well and I didn’t have any concerns for his safety.

Three times he changed from freestyle to back stroke, and he changed direction when he would do the back stroke, swimming back towards me.

When he would, I would yell out to him that he was swimming the wrong way.

He got about 50m away from me – about halfway across – and he yelled out to me. He put his hands in the air and I knew he was in trouble.

I don’t know swimming so I could only think to get help for him.

I was on the phone to my friend Robbie who works at the farm as well.

I was telling him what was happening as it was happening.

When Taun yelled out to me “Roo”, I hung up from Robbie and went to get help. He yelled out 2-3 times, very tiredly, and then he went under the water. I didn’t see him come up again.

Mr Das meanwhile rang “000” to inform authorities of the situation.

QPS officers, Constables Zampatis and McNeill were patrolling Bowhill Road in a marked police vehicle shortly after 7:10am when they observed a male person, now known to be Mr Singh, running towards their vehicle. Mr Singh

explained what had occurred to Mr Giang. On arrival at the flooded part of the roadway the police officers could not see anyone floating or moving in the water. A radio transmission from the police vehicle commenced at 7:13am and records the officers relaying the account of Mr Singh; their observations at the flooded part of the roadway and the arrival moments later of another vehicle containing three more police officers. The transmission records a request for SES personnel and a boat to assist in the search.

At this time three police officers waded into the flood waters and then swam to the point nominated by Mr Singh as being where he had last seen Mr Giang. Despite diving down to the flooded roadway the officers were unable to find him.

Search and recovery

The QPS district duty officer, Senior Sergeant Gregory Veivers, attended the scene and took charge of coordinating further search attempts. Aerial footage was obtained from a media organisation's helicopter but did not assist in locating the deceased below the water. After the arrival of QFRS swift water rescue officers and volunteer Queensland surf lifesavers, a systemised pattern of wading commenced.

At 8:15am the Metropolitan South Region Search and Rescue Coordinator, Sgt Anna Hunter, was asked to attend the scene. Sgt Hunter arrived at 9:15am. She was briefed by Senior Sergeant Veivers. The QFRS and surf lifesaving personnel continued to search the flooded roadway with the use of personal flotation vests and boat oars. Shortly before 10:00am, the body of Mr Giang was located at the edge of the roadway.

Arrangements were made for the body to be examined at the scene and a scenes of crime officer attended to take a series of photographs of the body *in situ*. There were no apparent external injuries. The body was formally identified as being that of Van Toan Giang by his wife Lien Giang.

Autopsy findings

On 18 January 2011, an external autopsy examination was conducted on the body of Van Toan Giang by Dr Alex Olumbe, an experienced forensic pathologist.

Dr Olumbe took into account the circumstances in which Mr Giang was last seen and, combined with his observations during the examination, issued an autopsy certificate listing the cause of death as:

1(a) *Drowning*

Findings required by s45

I am required to find, as far as is possible, who the deceased person was, how he died, when and where he died and what caused his death. As a result of considering all of the material contained in the exhibits, the material parts of which I have summarised above, I am able to make the following findings.

Identity of the deceased –	The deceased person was Van Toan Giang
How he died-	Mr Giang died while attempting to swim across flood waters covering a roadway. He was unable to negotiate the water and submerged beneath it.
Place of death –	He died at Willawong in Queensland.
Date of death –	He died on 13 January 2011.
Cause of death –	Mr Giang died from drowning.

Incidence of suicide

Introduction

In the months following the floods a number of media articles posited, or at least speculated on, a causal link between the January 2011 South East Queensland floods and an increase in the incidence of suicide in the affected region.⁷

If such a connection actually exists, it is important to identify its nature and extent so that appropriate public health responses can be mobilised immediately and planned for in future natural disasters.

It was fortuitous that one of a pre-eminent world expert in the study of suicide, Professor Diego De Leo, lives and works in Brisbane. Professor De Leo, the Director of the Australian Institute for Suicide Research and Prevention (AISRAP) at Griffith University is a psychiatrist and the editor of a number of academic journals relating to the study of suicide in both Australia and Italy. He has collaborated on a number of World Health Organisation studies relating to prevention of suicide and is a past President of the International Association for Suicide Prevention. He currently sits on the Australian Suicide Prevention Advisory Council and is Chair of the Advisory Committee to the Queensland Government Suicide Prevention Strategy.

At my request, Professor De Leo and the highly skilled and expert research staff at AISRAP collated and analysed the available data in order to investigate the purported link between this natural disaster and the incidence of suicide in the affected areas. Their detailed report, *Suicides in the Ipswich and Toowoomba region's after the January Floods in 2011*, was tendered at the inquest and Professor De Leo gave oral evidence. I record my appreciation for the rigorous endeavours of Professor De Leo and his staff.

Literature review

The report surveyed and préciséd the academic literature on links between natural disasters and changes in the incidence of suicide.

The most easily comparable natural disaster was the Brisbane flood of 1974. There was no study of suicide rates subsequent to that flood. Professor De Leo told the inquest that there was, however, data suggestive of health consequences arising from the 1974 flood. In the year following the Brisbane flood of 1974 visits to GPs, hospitals and specialists among people affected by the floods increased significantly. The main complaints were persistent psychological symptoms such as irritability, nervous tension and depressed mood. This, consequently, led to an increase in the use of sleeping tablets and psychotropic drugs. The increased prevalence of psychological distress

⁷ e.g. "How many did the floods really kill? MP demands end to silence over suicide," Queensland Times, page 1, 30 September 2011

was significantly greater than that of physical complaints for both sexes. Although there was no examination of incidence of suicide specifically, it was determined that there were no changes in mortality rates generally in the 12 months following the 1974 flood.

The limited international studies that have been conducted cover various types of natural disaster and widely disparate population sets. It was perhaps not surprising, therefore, that on their own the studies are far from definitive. Professor De Leo drew this conclusion from them:

“An overall analysis of the effects of different natural disasters, including earthquakes, floods, and hurricanes in the US failed to provide conclusive evidence of any increase in suicide rates. Furthermore, the results of the different studies seem to vary.....While only selected papers were presented in this short overview, there seems to be a drop in suicidal behaviour in the initial post-disaster period, which has been referred to as the ‘honeymoon’ period or the ‘pulling together’ phenomenon. However, a delayed increase in suicide rates has been observed. Once the cameras disappear, victims are often left to deal with their elevated level of everyday problems and the psychological effects of the disaster alone.”

Empirical evidence

Professor De Leo studied data relating to the Ipswich and Toowoomba regions as defined by the Australia Standard Geographic Classifications. Under this classification system “Toowoomba” includes an expansive surrounding area and, importantly for the purpose of this study, includes the towns of Postman's Ridge, Murphy's Creek, Grantham, Helidon and Gatton.

Professor De Leo liaised with my office to access suicide data for the period between 2000 and 2011. On an analysis of the raw figures alone Professor De Leo told the court that no statistically significant difference could be identified between suicide rates in 2011 and those of prior years. The incidence of suicides in Ipswich had increased from 2010; conversely the incidence of suicide in the Toowoomba region had fallen in 2011 from preceding years. However, in both cases, Professor De Leo was clear that any changes did not represent a statistically significant trend.

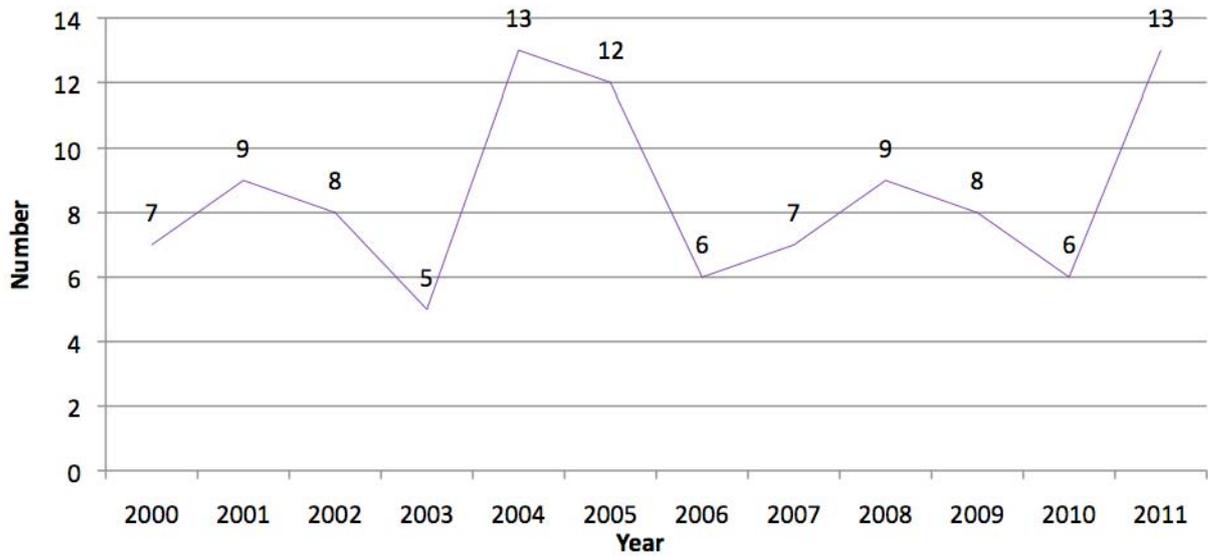


Figure 3 - Number of suicides in the Ipswich region during a period of 1 January to 30 June between 2000 and 2011

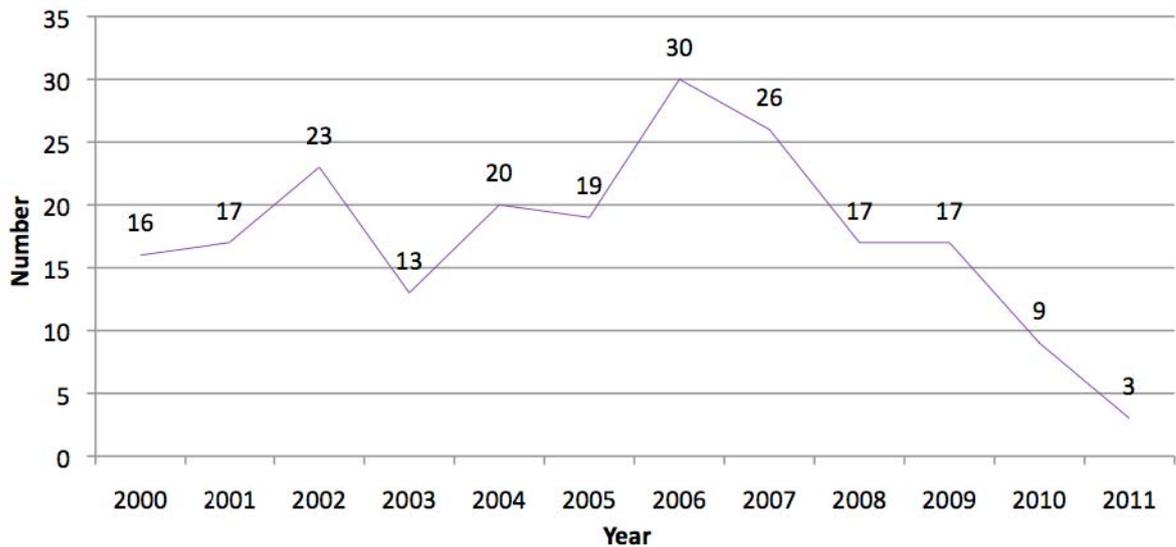


Figure 4 - Number of suicides in the Toowoomba region during a period of 1 January to 30 June between 2000 and 2011

The data for 2011 was then cross-referenced with records detailing whether the deceased person's address had been flood affected in January 2011. Further analysis of the data was conducted by applying known precipitating factors for suicide to the facts of each case. Professor De Leo found that only in one case was there an explicit mention of the floods as being a possible contributory factor to the suicide. In that case, however, there were other significant precipitating factors such as financial problems, mental illness and unemployment.

After analysing the data and considering the relevant literature Prof De Leo concluded:

“Based on these findings, it can be argued that there is little evidence to indicate that the January floods contributed in any impactful way on the suicide deaths within these regions. However, as noted previously, limited data were available to inform the suicide classification process.”

Professor De Leo did not rule out the possibility that a significant relationship between the January floods of 2011 and the incidence of suicide may develop over time. However, at present there is no evidence of any such link. There is certainly no evidence that the rate of suicide increased in the effected areas or that any suicides were directly attributable to the effect of the floods. However, there is anecdotal evidence of an increase in post traumatic stress disorder, depression and anxiety among the survivors that is linked to their flood experiences. I trust the relevant health services are aware of and are responding to this

I close the inquests.

Michael Barnes
State Coroner
Brisbane
5 June 2012