



CORONERS COURT OF QUEENSLAND

FINDINGS OF INQUEST

CITATION: Inquest into the death of
Darrell Gene Simon

TITLE OF COURT: Coroners Court

JURISDICTION: Toowoomba

FILE NO(s): 2016/2044

DELIVERED ON: 19 December 2018

DELIVERED AT: Brisbane

HEARING DATE(s): 11 April 2018, 17-21 September 2018

FINDINGS OF: John Lock, Deputy State Coroner

CATCHWORDS: Missing person, delay in finding body,
search, whether suicide or suspicious

REPRESENTATION:

Counsel Assisting: Ms M Jarvis

Counsel for the family: Mr P Boyce, Butler McDermott Lawyers

Counsel for QPS: Mr I Fraser, QPS Legal Unit

Counsel for QPS officers Roberts, Bourke and Harm:
Mr T Schmidt i/b Gilshenan & Luton

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Introduction

1. On 21 May 2016, human skeletal remains were discovered on a remote part of a rural property in Laidley Creek West formerly owned by Darrell Gene Simon, a 46 year old male person who had been reported missing since November 2014. Queensland Police Service officers were called to the property after the skeletal remains were located by the new owner of the property under a tree not far from a dam. There was a noose and a rope hanging from the tree. Clothing was located on the ground beneath the noose. Other bones were scattered over an area measuring approximately 15 to 25 metres.
2. The skeletal remains were found in a configuration that suggested the individual may have died as a result of hanging. Some of the neck bones were located within the noose hanging from the tree, and many of the remaining bones as well as several items of clothing, were found directly beneath the noose.
3. The remains were forensically examined and compared with DNA obtained from a toothbrush belonging to Mr Simon that had been collected from his residence around the time he was reported missing. Those examinations positively identified the remains to be those of Mr Simon.
4. The forensic pathologist noted hanging (whether suicidal, accidental or homicidal) as a possible cause of death, but due to the lack of soft tissue and visceral organs to enable assessment of any injuries and/or natural disease, the cause of death was formally described in the autopsy report as *not determined (skeletal remains)*. The forensic pathologist did note there was no evidence of skeletal trauma, and post mortem changes were consistent with the bones having been exposed to the elements for some time.
5. Earlier in the year, on 9 February 2016, a mountain bike matching the description of one owned by Mr Simon had been discovered in a dam on the property approximately 60 to 70 metres from where the skeletal remains were later found. Mr Simon was reported to have been riding this bike at the time of his disappearance on the morning of Sunday 16 November 2014. His partner, Sharon Rowland, told police this was the last time she saw Mr Simon, when he kissed her goodbye to leave for his usual morning bike ride.
6. According to her statement to police, Ms Rowland had spent the previous evening with Mr Simon at their rental property at Plainland. Mr Simon also owned the rural property at Laidley Creek West, where he had a shed he had converted into a partial residence by installing a shower and toilet. Mr Simon would sometimes stay in the shed, and sometimes stay with Ms Rowland at Plainland. Ms Rowland was not concerned when Mr Simon did not return home after his bike ride on the morning of 16 November 2014, as she assumed he had ridden out to the property and must have wanted some time away. Apparently this was in character for Mr Simon, who often spent time on his own at his property.

7. It was not until the following Thursday, 20 November 2014, that Ms Rowland became concerned. She went out to the property and noticed mail piled up inside the letterbox, with no sign of Mr Simon. Ms Rowland says she then spoke to Mr Simon's father, Lawrence Simon, to ask if he had heard from or seen his son. Lawrence Simon replied that he hadn't. Mr Simon's father subsequently went to the police station to report his son missing, triggering a missing person investigation led by officers from the Gatton Criminal Investigation Branch.
8. Despite numerous police searches and inquiries undertaken over the following weeks and months in an effort to find out what had happened to Mr Simon, police were unable to locate any evidence to definitively explain his disappearance. Several possibilities were explored including Mr Simon intentionally disappearing to escape financial or other difficulties; being fatally struck by a car during his bike ride with his body having been left in some as yet undiscovered location; or coming to some other harm possibly due to foul play. Mr Simon remained missing for a period of eighteen months until 21 May 2016 when his remains were found at his Laidley Creek West property.
9. At the time of giving her statement to police in March of 2016 when Mr Simon was still missing, Ms Rowland said she believed financial difficulties and conflict with a neighbour had impacted Mr Simon to a point where 'it all just got too much for him and he just left without wanting to be found'. Ms Rowland described their relationship at the time of Mr Simon's disappearance as 'in a good place'. She had recently been away on a trip to Melbourne, and upon her return, which was only days prior to his disappearance, Mr Simon had told her how much he loved her and how much he had missed her whilst she was away. Ms Rowland said she believed Mr Simon did not tell her of his plans to take off because he knew how much it would have affected her.
10. Mr Simon's father, Lawrence Simon, remained very involved in the search for his missing son and in advocating for him to be found. Lawrence Simon has raised concerns with both police and the Coroners Court that his son's death may be suspicious and that he may have been harmed by someone else, possibly in a dispute over money.
11. For this reason, and given the unusual circumstances surrounding Mr Simon's death and his remains not being found on his property during the initial searches in the weeks after he disappeared, a decision was made to hold an inquest. It was hoped that by hearing from both the police involved in investigating Mr Simon's disappearance, as well as those close to Mr Simon around the time of his disappearance, it would be possible to obtain a clearer understanding of the circumstances of Mr Simon's death and the efforts made to find Mr Simon.

Issues for the inquest

12. The following issues for the inquest were determined at a pre-inquest hearing that took place on 11 April 2018:

- i. The findings required by s. 45 (2) of the *Coroners Act 2003*; namely the identity of the deceased person, when, where and how he died and what caused his death.
- ii. The circumstances by which the deceased's remains came to be found at his rural property in May 2016, which was eighteen months after his reported disappearance in November 2014, and why the remains were not located sooner.
- iii. Whether there are any matters about which preventative recommendations might be made pursuant to section 46 of the *Coroners Act 2003*.

Autopsy results

13. Dr Bianca Phillips, forensic pathologist, conducted an examination of the bones and considered scene photographs, one of which showed a noose hanging from a tree with several entrapped bones within it.
14. CT scan showed a near complete set of skeletal remains. There was a congenital anomaly of the C1–C2 vertebra. There was no evidence of definite trauma to the bones.
15. Anthropological parameters were consistent with a male Caucasoid individual, greater than 27 years old and between 170 and 183cm in height. The missing person report stated that Darrell Simons was a 183cm tall Caucasian male and these parameters were consistent with the anthropological estimates made at post-mortem.
16. DNA analysis was performed on bone from the skeletal remains and compared with a DNA profile obtained from a toothbrush which belonged to Darrell Simon having been collected from his residence at the time he was reported missing. The DNA profile from the skeletal remains was reported to be 100 billion times more likely to be seen if the remains were from Darrell Simon.
17. The autopsy conclusion was that the skeletal remains located were those of Darrell Simon.
18. Additional skeletal remains were subsequently discovered at the same location and these were determined to be consistent with being from the same individual.
19. Although the scene with neck bones still inside the noose hanging from the tree suggest the cause of death may have been hanging, the findings and interpretation were limited by post-mortem change in the absence of soft tissues.
20. The forensic pathologist stated that although the most common manner of death in cases of hanging is suicide, cases of accidental and homicidal hanging are also known to occur. Given the above and the concerns of the next of kin, the cause of death was considered to be undetermined.

Evidence on the issues

Background history

21. Sharon Rowland commenced a relationship with Darrell Simon in 2008. She was aware of an arrangement between Darrell and her brother Ramon Rowland to build a shed on Darrell's property. Ramon later moved his business from the shed and Darrell and she decided to start using the shed as living quarters. She repaid her brother \$200 per fortnight to recompense him for the outlay he had made but it is evident not all of the outlay was repaid.
22. At one point she and her two daughters were living together with Darrell. It is evident there had been some conflict between Darrell and her daughters and eventually the girls decided to go back to Victoria to live with their father. About 12 months later they decided to move back to Queensland and for a time she moved from the shed and lived with her two daughters but she remained in a relationship with Darrell and stayed periods of time at the shed with him.
23. Ms Rowland says that for a time Darrell was spending more and more time with her at a property at Burgess Road where she lived in a shed and her daughters lived in the main house. She later moved to a property at Mountain View Drive, Plainland. She stated that Darrell was living with her full-time at this property and went out to his farm property when he needed to or wanted his own space.
24. Ms Rowland stated that Darrell was a very fit person and was into bicycle riding and he would ride most mornings.
25. Sometime in mid-2014 Darrell lost his job and Ms Rowland said he started to have trouble making mortgage repayments. He sold a few motor vehicles to help make the payments. She was aware he sold a ride-on lawnmower.
26. Brianna Janny Alsop is the daughter of Sharon Rowland. She first met Darrell Simon in 2009 when he started to spend time with her mother. Her mother introduced him as her boyfriend. He started staying with their mother about four or five nights a week and at other times he lived alone in a caravan at Laidley.
27. After a short period of time Brianna says Darrell moved in with them and stayed mainly there and occasionally would go to his property. After a period of time the relationship between Brianna and Darrell deteriorated and sometime in 2010 she moved to Victoria to live with her father. At the end of 2011 she came back to Queensland and moved in with her sister who had also moved out.
28. At this time Brianna says her mother was still in a relationship with Darrell and was living at his farm with him. He had built a big shed on the property and he was living in that. She believes the shed was owned by her uncle Ray Rowland.
29. Brianna says she understood that Ray (RAMON) had built on Darrell's block of land so Ray could run his upholstery business from there. She understood the

arrangements made was for her mother to make fortnightly payments to Ray for the eventual purchase of the shed.

30. At this point in time she had very little contact with Darrell. She believes that Darrell had not wanted her mother to remain in contact with her daughters at one stage and she believes he threw her out of his place for that reason. However, a few months later they got back together, although her mother never moved back in with him full time.
31. Eventually the two daughters and their mother moved into a rental property at Laidley and Brianna says her mother would stay the odd occasion with Darrell at the shed but they otherwise had no contact with him. Brianna later moved house and lived with her boyfriend and her mother moved into another rental property. She is aware her mother continued the relationship and Darrell spent more and more time with her.
32. Her sister Kara Alsop also had a disagreement with Darrell as she says he liked to control them. She eventually moved back to Victoria to live with her father and later returned to live with her sister and then her mother for a period of time.
33. At the beginning of 2014 Kara Alsop said her mother was living at a place at Plainland but her mother had remained in the relationship with Darrell and he would stay a few nights with her and she would stay a few nights with him.
34. Lawrence Simon said he was not sure about how Darrell's relationship with Sharon was going.
35. Mr Lawrence Simon says in 2009 Ramon Rowland, Sharon's brother, asked Darrell to put a shed on his property that Ramon supplied at a cost of \$16,000. He says the arrangement went pear shaped when Darrell realised Ramon was using the shed as a drug lab and ordered him off the property. This is denied by Ramon, and there is no evidence produced that would suggest there was a drug lab there.
36. Mr Simon was informed by Police that Darrell appeared to be under some financial pressure. He recalls that although Darrell owed Ramon Rowland \$16,000, when Darrell had sold a motor vehicle for \$40,000 he advised Darrell to repay Ramon. Darrell's response was that as long as he was with Sharon he was safe.
37. Lawrence Simon had discussions with Darrell's employer Donald Trease. Lawrence says he is aware that Darrell stopped working with Donald Trease. Darrell was working away at the time and Darrell told him the work had dried up. Donald Trease told him Darrell had quit.
38. Lindsay Gordon Rowland is the father of Sharon Rowland. Prior to moving to Queensland 10 years previously he was involved with the Geelong Harley Association, a social motorcycle group. He believes his daughter and Darrell

Simon had been involved in an intimate relationship for about 6 ½ years. He took a liking to Darrell. He was aware there was some friction between Darrell and Sharon's daughters. He was also aware that Sharon would often spend several nights a week at the Laidley Creek West property.

39. Mr Lindsay Rowland stated that after they had been together for a couple of years Darrell and his son Ramon came up with the idea to build a large shed on Darrell's property. Ramon was at the time working as a correctional officer but was also running an auto upholstery business out of his shed in Laidley in his spare time. He believes the plan was for Ramon and Darrell to work on motor vehicles in the shed with Ramon doing his upholstery work. He believes Ramon borrowed money from the bank to put down the shed slab and purchased the shed and they both assisted in erecting the shed.
40. Mr Lindsay Rowland stated that after about six months Ramon moved out of the shed and moved his business to a shop in Laidley. There had been difficulties in bringing vehicles out to the property as when it rained it became impossible to access. Darrell then installed a shower, septic system and moved into the shed to live there. Mr Lindsay Rowland believed that his son was initially making loan re-payments on the shed, however after Darrell moved into the shed his daughter started making loan repayments and had paid about \$6000 towards the loan over time.
41. Mr Lindsay Rowland is aware of a number of accusations concerning himself and his son that had been made by Darrell's father. He denies that he or his son are or were ever members of the Black Uhlans Motorcycle Club. His son now works with juveniles in South Australia and was previously in the corrections system in Queensland and would not have been able to do this if he had such connections.
42. Ramon Rowland confirmed an arrangement with Darrell where they would build a shed on Darrell's property and he would run his business out of the shed. He borrowed \$40,000. The cost of the shed was \$26,000. Darrell and he then constructed the shed. The plan was for him to lease part of land so that he could run the business from the shed. He said he was paying \$100 per week. He said there was a verbal agreement that if he decided to move or the business closed down, Darrell would pay him out for the cost of the shed.
43. Shortly after moving his business Darrell told him that he could not afford the payments on the land and he would have to sell. Ramon says he then moved his business to a shed in Laidley. In court Ramon denied he had been told to leave by Darrell because he was involved in illegal activities
44. Sometime later his sister Sharon approached him and said that she and Darrell were intending on using the shed as their place of residence and they would rent the shed from him whilst they were living in it. Sharon commenced paying him directly into his bank account but he says over a 13 month period he basically received 4-6 months rent out of the shed and lost the rest of the money.

45. Ramon says he has been provided with photocopies of Facebook pages made by Darrell's father. In those Facebook pages Darrell's father alleges that he and his father were members of an outlaw motor cycle gang; that he played some part in Darrell's disappearance and that Sharon was only being paid for sex by Darrell.
46. Ramon Rowland denied in his statement and in court as ever having being part of an outlaw motorcycle gang and stated he has had nothing to do with the disappearance and death of Darrell Simon.
47. Anthony Darney had known Darrell for nine years. He recalls Darrell having purchased a block of land out at Laidley Creek West and it was after this that Darrell was introduced to Sharon Rowland. At some stage he was advised that Darrell had gone missing.
48. Mr Darney knew Ramon Rowland well as he lived with him at one stage. Mr Darney was bemused with the suggestion Ramon was or ever had been a member of an outlaw motorcycle gang.

Financial stressors

49. Donald Trease was Darrell's employer who had worked for him for some period of time and he was quite close to Darrell in that period. He stated that his character changed completely during the last 4-6 months whilst he was working for him. He was aware that he was experiencing some financial difficulties and he said he had provided some cash advances on about six occasions to assist him.
50. Darrell suddenly resigned from his employment and he did not tell Mr Trease what prompted his decision. Shortly after Darrell changed his mind but Mr Trease said he had made other arrangements. He says he was disappointed in the manner in which Darrell had suddenly resigned and told him it was too late. Just before he left his employment in June 2014 Darrell made a comment to him which surprised him to the effect "you know if I wanted to disappear, no one would ever find me." He stated he drew the nexus between that comment and the financial troubles he was having.
51. Simon Trease worked with Darrell and stated that when Darrell resigned it was during a time when they were working at Tara and were staying in a caravan and Darrell complained about the accommodation. He believed his father told Darrell to not bother coming back.
52. Ian Grant was a neighbour who was not on particularly good terms with Darrell Simon. There were a number of issues concerning fences, cattle and dogs. This dispute had been a long standing state of affairs. There is no evidence to suggest Mr Grant has anything to do with Darrell going missing or his death.

53. Ms Rowland also told police that she thought Darrell was up to date in his mortgage repayments. She said in court he was struggling financially and sold his beloved General Lee vehicle to make repayments as the bank had been calling him almost every day. She presumed this went to the bank and he was up to date. He had placed the property on the market for \$350000 but it had been on the market for a while and there was no interest in the property. Sometime after Darrell was reported missing Ms Rowland says she received advice from a loan company that she was behind in repayments for her motor vehicle that Darrell had been paying. She then became aware that Darrell had been withdrawing money out of an account they both had access to.
54. Ms Rowland was asked why Darrell may have taken his own life. She thought he could not handle losing his rural property, he was struggling financially and was having arguments with his neighbour. She stated that Darrell had too much pride in himself to let the property go and would have been worried what people would think of him if he lost the property.
55. Bank records show Darrell owed \$212,406 on his mortgage as at one July 2014 and stopped making regular payments at the end of June 2014. He made one small payment of \$200 on 11 September 2014. There was very little money in other bank accounts and no evidence of a regular income being paid into the accounts.
56. At some time in 2014 Lawrence Simon says Darrell told him he was not able to pay his mortgage and had difficulty paying his bills. Mr Lawrence Simon says he paid Darrell to do some major concrete work for him to help Darrell out financially.
57. About two weeks before he disappeared Lawrence Simon said he had agreed for Darrell to come and live at his home and move his personal property into a shed on his property and let the bank resume his property. In his evidence he said this was so Darrell could *"forget about everything going wrong in his life"*. When asked to expand on this Lawrence Simon explained that Darrell was out of work and had no money. He had told Darrell to go on the "dole" but Darrell refused. He stated Darrell knew he was going to lose his rural property. Lawrence Simon said in court the property meant everything to Darrell.
58. Mr Anthony Darney recalled that he must have seen Darrell only 2-3 days before he was reported to have disappeared. They had a general conversation and then Darrell said out of the blue "would you be interested in buying my Commodore". He knew this was a vehicle that both Darrell and Sharon used to drive around in. Mr Darney asked him how much he wanted for it and Darrell said \$4000 and he told Darrell that was probably too much and it would only be worth around \$2000. Darrell was also interested in selling his ride-on lawn mower. Darrell then changed the conversation and started to talk about bankruptcy. Darrell asked Mr Darney if he had been bankrupt before and Mr Darney said he had. Mr Darney told him the bankruptcy authorities would take his assets and probably take his land and shed. Darrell then made a comment "what if I went missing. What can they do." Anthony Darney said he did not know the answer to this question, but

suspected the bank would freeze all of his assets. Darrell then spoke about giving his property to his father.

59. Mr Darney said in the time he had known Darrell he had never openly spoken about his finances at all and he sounded strange on the day that he said this. He later found out that Darrell had sold his motor vehicle and also a ride-on lawnmower. Mr Darney stated in court that Darrell loved his rural property and he was always toiling on it.

Events leading to reporting the disappearance

60. On 8 November 2014 Sharon Rowland went to Melbourne for a family function. While she was away she says Darrell stayed at her address and looked after it for her. She returned on 14 November 2014. They had dinner together and returned to her residence. On 15 November Darrell got up early and went for his usual morning bike ride and later returned. There was nothing unusual with what was occurring and she says Darrell stated he had missed her whilst she was away. They had a few drinks during the day and watched the V8 racing, something Mr Lawrence Simon said his son was known to be a fan of.
61. On the following morning of Sunday 16 November, Darrell again got up early to go for a bike ride. He had recently purchased a bicycle from Supacheap Auto. Ms Rowland says he gave her a kiss and said he would see her later. There was nothing about his demeanour to give her any concerns and she thought that they were in a good place as far as their relationship was concerned. She said she expected him back in a few hours so he would watch the V8's.
62. Darrell did not return that day but Ms Rowland did not think anything of this and she imagined he must have ridden out to his property and stayed there. This was not the first time this occurred but on a previous occasion she came and picked him up from the property. After Mr Simon had not contacted to her for a day or so she says she still had no reason for concern and just thought he must have wanted some time away.
63. Ms Rowland later told police she had become concerned after a few days and had sent a text message to Darrell with no response. She was shown telephone records which indicated she had not sent a text until 8:54 am on Friday 21 November 2014. She said she was sure she tried to contact him on the Wednesday and went there on the Thursday. She may have used another mobile. She did not think it was that long before she tried to contact him.
64. Ms Rowland says it was not until the Thursday of 20 November that she became concerned. In evidence Ms Rowland says she went to the property to look for Darrell. She drove out to the farm and saw that his mail was piled up in the letter box. She used a key to enter the shed and could see that nothing appeared to be out place. She then telephoned Darrell's father, Lawrence Simon, and asked if he had heard or seen from Darrell and he said he had not. Later that afternoon

Lawrence Simon rang her and told her he was going to report the matter to police as a missing person.

65. Mr Ian Grant gave evidence that at the time Mr Simon went missing he telephoned Sharon Rowland because a stallion of hers had come onto his property. He was not sure of the precise date only that it was near the end of November. He says Ms Rowland came out and rounded the stallion up with some assistance. Mr Grant says Ms Rowland told him that Darrell Simon had up and left her high and dry and she seemed annoyed about this. Ms Rowland denies she made this statement. Mr Grant thought it was odd that she was concerned about Darrell being missing as he had only been gone a short while.
66. Ms Rowland told police in an interview it was at the stage when she had been contacted about the horses she thought Darrell must not be at the property and that is why she attended.
67. After hearing the evidence I consider the most likely scenario is Ms Rowland was contacted by Ian Grant about horse/s being on his property. She thought Darrell must not be at the property and she attended on 20 November. She did not do anything about her horse/s that day, consistent with the evidence of PCSC Roberts who said he saw her leading a horse away on the property when he attended on 23 November 2014. She then telephoned Darrell's father on 20 November and when he said he had not heard from him she commenced her series of text messages from 21 November.
68. Towards the end of 2014 Brianna Alsop recalls a conversation with her mother where she asked where Darrell was and her mother said he had ridden his bike out to the farm. Sharon had only just come back from Victoria. In court Brianna said she was told by her mother that Darrell had gone on a bike ride to his property and she had expected him only to be gone a few hours. She recalls her mother saying she contacted police after a few days.
69. Brianna thought things were very good between her mother and Darrell around this time and she has no reason to suspect he went out to the farm because of any argument.
70. Kara Alsop remembers a time in November 2014 when her mother rang her and told her that Darrell had gone for a bike ride and had not come home. Her mother told her he had left and she had not seen him since that time. Her mother also said Darrell had given her a kiss and said that he would see her later. Her mother had expected him back. She understood her mother had gone to his property and noted he had left his wallet and other property at her house. Ms Alsop is aware that Darrell was later reported missing to police.
71. Lawrence Simon last saw Darrell on 11 November 2014 when they had gone to Toowoomba that day to take Lawrence to hospital for a regular appointment. Darrell appeared to be in a good mood and they were talking about him moving in.

72. Lawrence Simon says his brother Greg spoke to Darrell on the evening of 14 November 2014 and according to Greg he appeared to be in a good mood.
73. Lawrence Simon says that Darrell had not spent any real time with Sharon since late 2013 after she moved out of the shed. He says Darrell spent his weekends with his brother Greg on Bribie Island or at his shed at Laidley Creek West.
74. Mr Lindsay Rowland also recalls that he had a conversation with his daughter a week or two after she had returned from a visit in Victoria. She told him that Darrell had gone back out to the farm. She said she did not consider this unusual as they would often spend a few days together and then one or the other would go back to each other's property. A few days later he had a conversation with his daughter where she sounded more concerned and it was apparent she had been out to the farm and had located a large amount of mail in the mailbox.
75. Sometime after Darrell went missing Mr Lindsay Rowland believes Darrell's father had attended the property and had put glue in the locks on the gate to stop his daughter from going onto the property.
76. Mr Lindsay Rowland was also aware that both Sharon and Darrell's father had been removing items from Darrell's shed including motor cars and model vehicles. Mr Rowland had not assisted Sharon in removing any property.
77. Mr Lindsay Rowland is also aware that Sharon has taken an old fibreglass boat from the property that he believes had no real value but his daughter stated she wanted it because it reminded her of him.
78. Mr Ian Grant also stated he noted that after about two or three weeks since his disappearance he saw Sharon Rowland driving her vehicle through his property to gain access to Darrell's property and could see she was removing property from the shed in which Darrell lived.
79. A week later he saw Sharon Rowland driving a motor vehicle with a car tray removing property. This occurred 2 to 4 times. He had been asked by Lawrence Simon to keep an eye on the property and to call if he saw anything unusual and he made this call.
80. Mr Simon's father Lawrence Simon attended Ipswich police station on 22 November 2014 to report his son missing. He told Constable Daniel O'Keefe that his son's girlfriend Sharon Rowland had only just told him that she had not seen Darrell in over a week after he had left her house for a bike ride. He had concerns for his son's welfare.
81. Constable O'Keefe also contacted Sharon Rowland. She told him they had been in a relationship for six years and he was able to obtain details about when she had last seen him. She also told him she had not reported him missing because she thought he would come home. Constable O'Keefe then got in contact with

CIB and made arrangements for other police to attend Sharon Rowland's address.

82. Constable Christopher Borg took up with Sharon Rowland early on the morning of 23 November 2014. He was handed Darrell Simon's wallet containing ID and credit cards and also keys to the house. He and Constable O'Donnell then proceeded to the rural property and walked around the shed/residence and then inside the shed looking for anything out of place or for any signs that Darrell Simon had been there recently. He did not notice anything that was out of place.
83. Sergeant Michelle McTaggart attended upon Ms Rowland at her address at Plainland on 24 November 2014 to collect clothing similar to what Mr Simon had been wearing on the date of his disappearance and to obtain further details of the bicycle that he was believed to have been riding. Sgt McTaggart also attended later that evening where she was able to photograph a large box, which depicted a mountain bike and inside the box was a receipt showing that it had been purchased at Supacheap Auto at Ipswich on 4 October 2014. It was later confirmed by Police the bicycle was purchased on 4 October 2014 by Mr Simon at Supercheap Auto at Riverlink Shopping Centre.
84. There was some contention as to what clothing was described by Sharon Rowland. In her initial response to police she described black bike pants and a grey t shirt. She provided a t-shirt to police, which some evidence suggests it was more of a brown colour provided. Ms Rowland provided her written statement on 19 March 2016 and described the shirt as black with white and blue stripes
85. Darrell Simon's half-sister, Laura Lorang-Simon was contacted by her father by text on 22 November stating Darrell had not been seen for 6 days. The next day she and her father travelled to Darrell's property and all looked secure and nothing was out of the ordinary. They then went to speak to Sharon Rowland. Laura stated it was only after it became apparent Darrell had left his personal effects at Sharon's house that she became concerned. Otherwise she said it was not uncommon for Darrell to go away for periods of time but he generally would say something.
86. Laura stated she was aware there had been two versions provided by Sharon as to the time he left for his bike ride, one being 6 am and the other 9 am. This evidence comes through Constable Daniel O'Keefe who recorded his conversation with Ms Rowland on 22 November 2014 as stating two times being 6 am and 9 am. Ms Rowland conceded there seem to be two times but her other consistent evidence was that Mr Simon left at a time when it was breaking daylight.
87. Laura and her partner then started searching the streets and creeks in the area and noted where they had gone on a map provided by police. They went to a few places where they believed Darrell may have gone but no information was received.

88. In the last paragraph of her statement Ms Lorang-Simon stated she could provide other information if required. She was asked in court if there was any other information she could provide relating to the circumstances of Darrell's disappearance and death and she said no.

Searches

89. Sergeant Anthony Harm was the QPS search coordinator and conducted a search of Darrell Simon's property with SES volunteers on 23 November 2014. This was seven days after the disappearance. He coordinated numerous searches of other areas over a number of months.
90. Sgt Harm was appointed the search coordinator by his Officer in Charge Senior Sergeant Bourke on 23 November 2014. Sgt Harm received a report regarding the missing person noting that Darrell Simon had left the address at 10 Mountain View Road, Regency Downs at about 6 am on 16 November 2014 and had not been seen since. It was thought his destination may have been his property at Lot 3 Valley Vista Crescent, Laidley Creek West.
91. Sgt Harm performed an initial visual search of the property on 23 November 2014 in company with Plain Clothes Senior Constable Timothy Roberts and stated he formed some initial theories about the missing person. These included:
- a. He had been accidentally hit by a vehicle while riding and was injured or deceased along the roadway
 - b. He had been hit and killed by a motor vehicle and his body had been removed and disposed of
 - c. He had staged his own disappearance
 - d. He was despondent and had self-harmed
 - e. He had been the subject of foul play or third party intervention
92. Sgt Harm arranged for mobile telephone tracking and triangulation. He contacted the local State Emergency Services (SES) with a view to performing a land search of the property. He contacted police air services to arrange for an initial aerial search and he was the spotter in the helicopter. This all occurred on 23 November.
93. Sgt Harm briefed a group of SES members who were led by group leaders Shane Engel and Shaun Engert. Ground searches commenced on the afternoon of 23 November. Before commencing the search Sgt Harm briefed the SES volunteers about the possibility of despondency or foul play; the need to identify disturbances in the vegetation on the ground; and the potential for smelling or seeing decomposed remains. A group of six SES members were tasked with searching from the northern boundary towards the south with the second team of six tasked with searching from the southern boundary towards the north. A GPS receiver was provided to each team. After approximately two hours the searchers returned to the starting point and reported that the area had been

searched to the best of their ability. Due to the thick scrub, lantana and the state of the terrain there were numerous areas that were not able to be searched. Areas of thick scrub and lantana were searched from the outside and where possible a visual search was done through the dry vegetation. The search teams advised that they had reached the western boundary as tasked.

94. Sgt Harm states he obtained a Google map of the property and says he knew the boundaries from his discussion with Sharon Rowland. Each SES team had a GPS. Sgt Harm says he relied on the searchers to identify they had reached the western boundary and he had not seen it for himself.
95. Shane Engel was a Team leader for his SES group and took part in the search of the Laidley Creek West property. He recalls receiving a briefing from Sgt Harm and Snr Sgt McDonald. He led one team and Shaun Engert led the other.
96. From his memory Mr Engel said his team searched from the boundary fence at the north eastern corner and conducted parallel sweeps back and forward until they came back to the big green shed at the bottom of the driveway. On each sweep they went all the way to the boundary line to complete a thorough search. The other team finished their search at about the same time. They were briefed to be alert for the missing person, bicycle, a helmet or any other clothing which he was last seen wearing.
97. Mr Engel said in court that the briefing included that there was no internal barb wire fence inside the property although they found one or two sections of barb wire fencing. He did not see anything of interest during the ground search. They also searched around a dam on what they thought was the property but did not go into the water. Mr Engel described the dam as being towards the bottom of the property. He said it seemed more than a waterhole as it had a bank to it. Mr Engel said they were out there for most of the day in hot conditions. He presumed they had searched the whole of the property.
98. Sean Engert was the acting deputy team leader. He recalls the day as being very hot. He recalls receiving a standard briefing from QPS and was given a google map by police, which had the boundaries highlighted. He was shown a map in court and recognised the property and the blue boundaries highlighted. He searched more on the western side up the hill towards the north eastern corner. He also recalls seeing a dam on the lower side of the property. It is now apparent this dam was on another property to the south of Darrell Simon's property. There was no boundary fence between the two. Sgt Harm had seen the team go down to that property from his observation point and had to get them to get back on track.
99. A neighbour, Ian Grant noted that in relation to the search conducted that it was apparent a large number of markers had been left on trees inside an adjoining property and he thought at the time a thorough search must have been conducted on this property. He found it hard to believe that a similar thorough search of Darrell's property did not locate him.

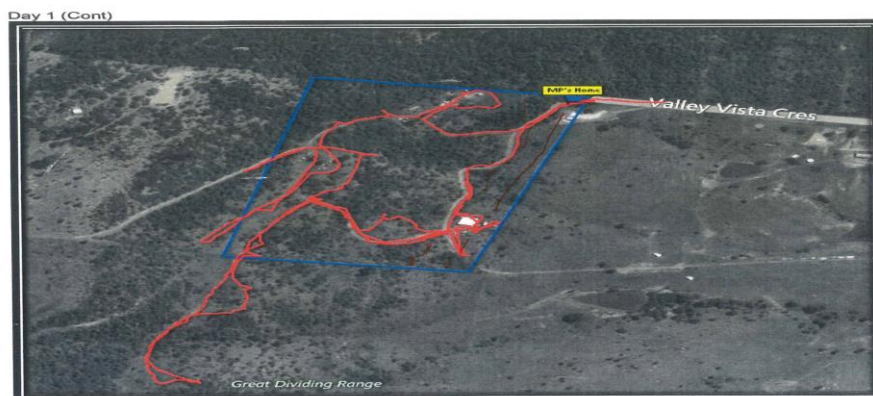
100. It is apparent the SES searchers had searched part of a property belonging to a Warren Laffen. This property was to the south of Mr Simon's property and had been fenced by Mr Simon, but after a dispute between Mr Grant and Mr Simon, the fence was removed. On this property was a dam, which was the one reached by SES searchers.
101. Sgt Harm also received information of the last mobile telephone contact on 16 November 2014 where "pings" to towers situated at Plainland and then Laidley were noted. On 24 November 2014 searches were conducted in motor vehicles by 15 SES members on roads in the Summerholm area towards Laidley. This was to ascertain if he had somehow come off his bicycle. SES were requested to undertake foot searches in those areas that were not visible from the roadway. They also conducted foot searches of a number of areas due to the thickness of the vegetation bordering the road. A bicycle pedal was located at Zischke Road with subsequent enquiries confirming it was not related.
102. Mr Engel and his group were called upon by police a few days after the property search to assist with further searches and search an area of land on Laidley Creek West Road as a targeted area of long grass between the roadway and the nearby creek. He was also aware that other SES members conducted a vehicle search. In none of the searches was anything of interest located.
103. A further air search was conducted on 25 November 2014. On the same day further mobile and foot searching was done on the same roadway in the opposite direction to the previous searching to provide a different perspective to searches.
104. On 26 November 2014 further vehicle searching was conducted in the vicinity of Darrell Simon's property and surrounding roads.
105. On 9 February 2015 a bicycle helmet was found at the intersection of Summerholm Road and Prufert Road, Summerholm. Sgt Harm arranged for SES staff on foot and horseback to search the area. The helmet was ultimately discounted as being related to the incident.
106. On 23 March 2015 a land search was conducted where Laidley Creek West Road is bordered by Laidley Creek near Mulgowie. This was a search over rugged and steep sections of the creek bank.
107. On 12 February 2016 Sgt Harm attended the property after receiving information about the bicycle that had been located in the dam. He conducted a land search of the area around the water's edge of the dam and located nothing. The bicycle became exposed as water levels in the dam dropped.
108. The Officer in Charge of Laidley Station at the time was Senior Sergeant James McDonald. He reviewed and provided advice and guidance during the missing person investigation and was involved in some of the search activities. He

approved media releases through police media and local media channels including dressing an officer in clothing to Mr Simon and riding a similar bicycle.

109. Snr Sgt McDonald also followed up on a number of other leads that had been provided to police including possible sightings of Darrell Simon but no relevant information was obtained. Police were also instructed to intercept vehicles on Mountain View Road on 27 November 2014 to see if there was any information concerning possible sightings of Mr Simon. No information was obtained. Letters had been located from financial institutions including, from the Commonwealth Bank about foreclosure on the property and eviction as well as from Esanda relating to a motor vehicle. He passed this information on to both Sharon Rowland and Lawrence Simon.

QPS review of search

110. Sgt Harm attended the property on 7 June 2016 after receiving information that bones had been located in the north-west corner of the property. Sgt Harm states that following the discovery of the remains he could not understand how they were missed in the initial search. He reviewed the maps and spoke with an SES search member. He then discovered during this process that the property was partly divided by an internal fence. There was no indication that was the case when the search was conducted. After he realised his mistake he notified his District Officer and the District Officer sought a review of the search.
111. It is apparent there was some internal fence at about half way to the western boundary going north/south although Mr Engert stated the fence was not substantial and only partly divided the property. That was evident from my view of the property conducted in the presence of all legal representatives just prior to the inquest. It also became evident from the evidence of Mr Engert (who had not previously provided a statement) the SES searched an area that was highlighted on a map produced by Sgt Harm and this is precisely what they searched. Mr Engert identified the map and it is clear only half the property was searched.



Foot search of MP's property – Lot 3 Valley Vista Cres, Laidley Creek West

112. The State Search and Rescue Coordinator and Training Officer, Senior Sergeant Whitehead conducted a review of the search and a report was prepared and dated 29 July 2016. The court only became aware of this review a week out from the inquest and the report was only received on 12 September 2018 just prior to the inquest commencing.
113. It is now apparent from interrogating downloads of the two GPS devices, only the eastern portion of the property, being approximately half of the property, was searched. The review suggests that unknown to either of the SES or Sgt Harm as the search coordinator, the property had a fence dividing the eastern and western halves in two approximately equal sized areas. The review stated that neither of the missing person's partner nor father provided any information about the fence. The briefing given to SES was to search from north to south from the eastern boundary to the western boundary. The search conducted identified large areas of impenetrable scrub and lantana preventing a standard line search from being undertaken. These areas of thick vegetation were searched from the outside.
114. Given the status of the terrain and thickness of the vegetation in the eastern searched portion the review stated it was reasonable to assume that the western portion of the property was of a similar nature. It was therefore reasonable to assume that if it was not possible for the SES to search parts of the property due to the density of scrub and lantana, a similar situation would apply on the western portion. The area in which the bones were located was in thick scrub and lantana, and it was through clearing and drought over the subsequent time that the vegetation became thin enough for the current owners to access the area and find the bones.

115. The review noted the profile of despondent people (Lost Person Behaviour) would suggest it more likely Mr Simon self-harmed in the period between when he was last seen and when he was reported missing, most probably towards the former. It was possible, though unlikely, he was actively avoiding searches and self-harmed in the period after the initial search of the property. The SES search of the property was not going to locate a responsive target as he was in all likelihood deceased by that time.
116. The review noted that the search incident was difficult in nature given that Mr Simon was last seen riding a bicycle from his partner's residence. With no destination available to the search coordinator the planning of a search was problematic with many options to be considered and taken into account.
117. With no indication of despondency from Ms Rowland or Mr Simon's father the most likely scenario was a motor vehicle incident and the search was conducted on that basis. The search was made of the property but through a misunderstanding in relation to property boundaries only one half was searched.
118. The review stated that given the nature of the terrain within the property and the difficulty in searching in thick scrub it is doubtful Mr Simon's body would have been located and the remaining half of the property been searched. The risk vs gain in harming searchers is always a factor to be considered. The review considered Sgt Harm had done a creditable search.
119. Sgt Harm has considered the review and has provided further information as to what he believes could be done to improve the search capability of the QPS. Sgt Harm believes the ability to download the GPS trackers to a laptop on site in this case may have assisted to identify that the whole property had not been searched immediately and a further search of the remainder of the property could have been conducted. He had identified the following improvements:
- a. Refresher training in the Ozi Explorer for part-time land search coordinators. He has received further training in the system since the incident and found it helpful as the system is not often used operationally.
 - b. Downloading of GPS trackers onto the Ozi Explorer system could be conducted as soon as possible after use at the scene, if possible, to enable immediate decision to be made on search area coverage. A laptop could be made available for field use for this purpose.
 - c. The laptop and GPS trackers could be stored together so they could be picked up at the same time when needed.
120. Snr Sgt Whitehead said these recommendations were all valid suggestions. Since 2016 all GPS search coordinates are either downloaded at the scene or as soon as possible back at the station to verify the area searched. To do this at the scene would require a SAR computer. In any case any delay in

considering the GPS data would only be half a day. GPS devices have been sent to almost every QPS station and 700 licences for Ozi Explore had been provided. Snr Sgt Whitehead also QPS have available various mapping sources including Google, RP data and local councils. SAR officers can utilise Intel officers to assist in obtaining such maps if not readily available.

Further searches and events leading to discovery of body

121. Senior Constable Matthew Barrett attended the property on 9 February 2016 in the company of Constable Cassandra Field-Miles. They had received information that a pushbike had been located in a dam on the property at Lot 3 Valley Vista Crescent. It was believed the pushbike belonged to Darrell Simon. It had been discovered by two persons as they were driving around the property on a quad bike. Notebook statements were taken from the two finders.
122. The bicycle appeared as if it had been in the water for some time. Senior Constable Barrett then waited at the property until CIB officers including Sergeant Bourke, Senior Constable Flintham and Senior Constable Neumann arrived.
123. Senior Constable Paula Biscaya attended the property and took photographs of the area and bicycle concerned.
124. Sgt Andrew Bauer attended the property on 12 February 2016 as a member of the police diving unit. He conducted a wade through the dam but did not locate any items or human remains.
125. Caroline Doyle and her husband David Doyle purchased the land from the bank mortgagee in April 2016. They were aware the owner had been reported missing. The property consisted of 32 acres and was heavily overgrown with grass, lantana and general regrowth. They attended the property regularly to clear the property. They allowed a neighbour, Ian Grant, to have cattle graze on the property and this also assisted in clearing the land.
126. On 21 May 2016 the Doyles arrived at the property and went through a section of the land they had previously been unable to get through. Cattle tracks had allowed them to move through the heavily overgrown lantana. They observed scattered bone fragments on the ground and noticed a baseball cap and some clothes. They saw a rope hanging from a nearby tree. They did not disturb the bones and made their way out of the area and telephoned police. The couple later showed police the area where the bone and rope had been found.
127. Sergeant Owen Esaias, a QPS forensic scientist attended the property on 22 May 2016 and recorded and collected the bones within the area that was examined as well as the rope found in the tree. Below the tree in some loose soil, were located a pair of black speedos and black track suit pants as well as black rubber shoes with some bones in them. Other clothing including a baseball cap and two pieces of fabric and sunglasses were found at short

distances from the tree. Forensic Crash Unit officer Senior Constable Reid assisted by using a surveying tool to map the area.

128. Sgt Esaias and SC Reid had obtained an aerial map from the Lockyer Valley Regional Council, at no cost to QPS. It is quite apparent the quality of the images of the property on this map is far superior to the Google map images used in the search of the property and one wonders if the same mistake in conducting a search of only half the property would have been made if this map had been obtained by Sgt Harm.

Discovery of other items of interest

129. Mr Grant said in his evidence that after the SES search had been completed he was being “nosey” and had a look around the property. He says that he searched a middle shed called by some as the “Chateau” or “Chalet”, and found some stretchy British Racing green bike pants. He did not tell police about this but thought he told Lawrence Simon about this find. He could not say when this occurred, only that it was after the search.
130. After hearing this evidence Police were asked by me to attend the property that evening and conduct a search. No bike pants were located.
131. In evidence before the Court Lawrence Simon was asked by Ms Jarvis about this evidence of the discovery of bike pants by Mr Grant and whether he was told about the finding by Mr Grant. Lawrence Simon admits he was told something by Mr Grant and he then went to the middle shed himself and found a mitt, a brown coloured shirt and a bicycle helmet and removed them. He said in court he knows that this evidence “doesn’t go for me” and a will not help him and that it “muddies the waters”. Lawrence Simon did not tell police about this find. When asked if he could produce the items he said they were in court and the mitt and helmet (largely red in colour) were accordingly produced.
132. Sharon Rowland stated Darrell had a red helmet. She was shown a photograph in court of the helmet produced by Lawrence Simon and recognised the helmet as one belonging to Darrell. She said he had ridden off in a helmet like this. She said there was another older red helmet Darrell had which had remained at her house until she disposed of it amongst other property and clothing of Darrell sometime later. Later in her evidence she had reported to Police the older helmet was Darrell’s and agreed it was the only one she knew of at the time. She speculated Darrell may have bought a new helmet without her knowledge and was wearing it on the day of his disappearance.

Issues concerning missing property

133. Sharon Rowland agrees she has removed an old boat from Darrell’s property after he went missing but she says she wanted it for sentimental value and it was in response to Lawrence Simon locking her out of the property and removing things himself. She also decided to keep a few small items of sentimental value and get rid of the rest.

134. Senior Sergeant McDonald also spoke to Sharon Rowland and Lawrence Simon during the course of the investigation, particularly in relation to property disputes. It had been confirmed by Snr Sgt McDonald that Lawrence Simon had changed the locks on the shed.
135. On 23 January 2015 Snr Sgt McDonald had lengthy discussions with Lawrence Simon over his property dispute with Sharon Rowland. He was told by Sharon Rowland she had sought legal advice and she had been told she had a strong claim being a defacto for six years. She subsequently removed other items from the address. Lawrence Simon was informed that this was a civil matter and they would need to take other action in the Family Court or QCAT.
136. On 24 February 2015 a meeting was held at Gatton Station to update the family about the progress of the investigation. It is apparent Lawrence Simon did not have any concerns or questions at that time relating to the Missing Person investigation. Lawrence Simon did raise concerns related to the property disputes. He was advised to seek legal advice and that police would assist with any necessary mediation but they would not intervene in any property settlement. This position was reinforced with Lawrence Simon and Sharon Rowland on a number of subsequent occasions.
137. The property dispute issues between Lawrence Simon and Sharon Rowland are matters that are beyond my jurisdiction to determine or investigate as they have no bearing on how I should determine the circumstances of how Mr Simon died or what caused his death.

The QPS Investigation

Miscellaneous investigations

138. Detective Senior Constable Trudi Flintham assisted PCSC Roberts with numerous investigative tasks, attended the Laidley property where the remains were found on 21 May 2016 and managed and secured the scene. She also had several recorded discussions with Lawrence Simon after the remains were found.
139. Sergeant Kirsty Gleeson a scenes of crime officer also attended on the property on 21 May 2016. She observed clothing and bones near the rope within the tree. She observed vertebrae inside the knot at the end of the lead rope. She observed a skull approximately 25 metres downhill from the rope in the tree. She took a series of photographs.
140. Gordon Guymer is a botanist and an expert on plants and vegetation of Queensland. He inspected the tree on which the body was found. The tree is an *Acacia salicina*. He opined that the tree would have been about 10 m high in November 2014 and the branch on which the rope was located would have been a few millimetres less in diameter in November 2014. He noted that Tim

Roberts weighed approximately 80 kg (a similar weight to Mr Simon) and Mr Roberts swung on a rope connected to the same branch and this only had a minor distortion of several millimetres. In Mr Guymer's opinion the tree and the branch would therefore have been able to hold a weight of 80 kg in November 2014.

141. Senior Constable David Hartland was the scenes of crime officer who undertook a number of forensic examinations including taking DNA from a toothbrush, which eventually was tested positive for DNA of Mr Simon.
142. Sgt Michelle McTaggart attended at the property on 21 May 2016 having been informed that other pieces of bone had been located by the owners of the property Mr and Mrs Doyle. A scenes of crime officer Sgt Michael Mitchell later attended and collected these bones. Sgt McTaggart was told by Mr Doyle that he had made arrangements with Lawrence Simon to attend the property and visit the site where the remains had been located a few weeks earlier. Mr Simon had arrived with his daughter and a male friend and was taken to the area and it appears they were the persons who found the extra bones.
143. Sgt Michael Mitchell took a number of photographs and he later forwarded images to anthropologist Donna McGregor who confirmed that the bones depicted in the images were human.
144. Senior Constable Jonathan Reid also attended the Laidley Creek West property on 22 May 2016. He was tasked to create a scaled forensic scene map. He also took photographs and conducted a topographical survey utilising a surveying tool.

Investigation by PCSC Roberts

145. The missing person and coronial investigation was coordinated by Plain Clothes Detective Senior Constable Timothy Roberts. He became aware of the missing person report during the morning shift of 23 November 2014. He was aware that Darrell Simon was reported missing by his father Lawrence Simon. Darrell had been last seen by the Sharon Rowland on the morning of 16 November 2014 when he left the address at Mountain View Drive, Plainland for a planned bicycle ride. He was also aware that Mr Simon had a rural property at Laidley Creek West.
146. PCSC Roberts initially travelled to make enquiries with Sharon Rowland but was unable to locate her at the address. He then travelled to the rural property and came across and had a discussion with Ian Grant. PCSC Roberts understood that Mr Grant and Mr Simon had not been getting along for some time and had been feuding about boundary fences and animals. Mr Grant showed him a text he had sent to Mr Simon on the morning of 17 November 2014. He attempted to call him on 18 November 2014 on two occasions and sent a further text message that evening. This was in relation to horses coming

through the fence and onto his property. Mr Grant said he received no response or answer to his calls.

147. PCSC Roberts then travelled a short distance to Darrell Simon's property. He observed a utility park outside a large locked gate and presumed this was Sharon Rowland and later met up with her on the property, observing she was leading a horse down a mountain side on the property and heading back towards the shed.
148. Sharon Rowland confirmed that she and Mr Simon had been constantly feuding with Mr Grant over her horses getting through to his property and she had attended because Grant had been in contact with her. PCSC Roberts made an arrangement to see Ms Rowland at her residence later in the day.
149. PCSC Roberts then attended Laidley police station and made a formal request for details regarding mobile telephone activity of various people and spoke to the Missing Persons Unit about the progress of the investigation.
150. PCSC Roberts later had a conversation with Lawrence Simon and Laura Simon at the station. He understood they were likely to make their own vehicle searches.
151. As arranged PCSC Roberts spoke to Sharon Rowland later that afternoon. She produced a wallet containing Darrel Simon's driver license, bank card and Medicare cards. There was no cash in the wallet. No other items of interest were located that afternoon to assist in the investigation. A request was made for contact with various financial institutions to establish whether there had been any activity on Mr Simon's accounts since his disappearance.
152. Contact was then made with other potential witnesses including Brianna Alsop and of local license establishments. Patrols were conducted in the vicinity of all nearby bus stops and further enquiries were made for any found property in the area of the relevant period. These enquiries proved negative. Contact was made with any Pawn shops for any recent transactions. A Cash Converters at Ipswich had a last purchase noted in September 2014.
153. Further conversations occurred with family members providing more information including that it was not unknown for Darrell to disappear but that they thought he would have told his girlfriend.
154. Contact was made with a Supacheap Auto store relating to the bicycle that he had purchased at the store.
155. On 26 November 2014 PCSC Roberts received mobile telephone records and enquiries were made or attempted to be made with a string of telephone numbers that Darrell Simon had contacted or had been contacted by leading up to the date of his disappearance. Most of these persons were contacted and no valuable information was received.

156. PCSC Robert also followed up a number of crime stopper information that had been provided to police but this information did not lead to anything. PCSC Roberts also followed up information concerning a friend of Darrell Simon, Anthony Darney who had spoken to Darrell a day or two prior to his disappearing about financial matters. Mr Darney also gave some information concerning the nature of the relationship between Darrell and Sharon Rowland indicating it was not a formal exclusive relationship although they spent considerable time together.
157. On 24 February 2015 PCSC Roberts had a meeting with Lawrence Simon and Laura Simon in the presence of Inspector Curtin and Snr Sgt McDonald. The purpose of the meeting was to update the progress and direction of the investigation and offering the family an opportunity to raise any concerns. The main concern from Lawrence Simon was with respect to property that had been removed from Darrell Simon's property by Sharon Rowland.
158. PCSC Roberts was also provided information from a finance company from which Darrell had signed a rental agreement for a ride-on mower. On 28 October 2014 Mr Simon apparently had an abusive telephone call with a credit officer regarding efforts to collect the debt and in which Darrell Simon stated he would go bankrupt and they could not pursue him any further. The credit officer also had contact with Laidley police and spoke to Snr Sgt McDonald who said he spoke to Sharon Rowland and was informed Darrell had sold the ride-on lawn mower as well as other property for \$6000.
159. PCSC Roberts gave some of the information to Lawrence Simon. On 27 March 2015 an article was published in the local newspaper requesting any information about the current whereabouts of the ride-on lawn mower. Police had not provided this information to the media.
160. PCSC Roberts was later given information from Sharon Rowland that the mower and a white Commodore was sold to a particular person. When approached that person stated he did not know either Sharon Rowland or Darrell Simon and he had not purchased any of those items.
161. On 12 August 2015, PCSC Roberts approached Lawrence Simon regarding obtaining a statement. Lawrence Simon stated he wished to speak to his solicitor first. PCSC Roberts later followed up inaccurate information provided by Lawrence Simon concerning information received that his son's bicycle had been located by police. Lawrence Simon also declined to give further information regarding an alleged recent possible sighting of Darrell.
162. At this stage PCSC Roberts said there was no evidence then or now for foul third party involvement to be substantiated in respect to Mr Simon's disappearance. Self-harm or misadventure remained open at that time.

163. On 9 February 2016 PCSC Roberts received information that a mountain bike had been located in a dam on Darrell Simon's property. On 12 February 2016 he attended at the property to assist with a search of the dam in conjunction with the police dive squad. No other evidence was located during this search
164. On 19 March 2016 he obtained a detailed statement from Sharon Rowland.
165. On 15 May 2016 PCSC Roberts attended upon Sharon Rowland who was upset and showed him a number of Facebook messages which she claimed had been originally posted by Lawrence Simon. There were messages that appeared to be the derogatory towards many persons including Sharon Rowland and Snr Sgt McDonald. The messages were screen copied and emailed to his work address.
166. On 21 May 2016 PCSC Roberts was made aware that human skeletal remains had been located on Darrell Simon's property.
167. During this period of time he also obtained banking records, which when reviewed did not produce any lines of enquiry.
168. PCSC Robert obtained statements from Donald Trease, Lindsay Rowland and Ramon Rowland.
169. PCSC Roberts also arranged for a tree expert to provide certain information concerning the tree from which Darrell Simon was found hanging.
170. PCSC Roberts has also provided information concerning the complaint of stealing property, particularly the boat, by Sharon Rowland. There is obviously a dispute as to whether Rowland was in a defacto relationship with Darrell Simon and the extent to which she may have had some claim on his property. Police regard this matter as civil in nature.
171. PCSC Roberts now believes Darrell Simon took his own life in the context of dire financial problems.

Conclusions on the issues

172. In reaching my conclusions it should be kept in mind the *Coroners Act 2003* provides that a coroner must not include in the findings or any comments or recommendations, statements that a person is or maybe guilty of an offence or is or maybe civilly liable for something. The focus is on discovering what happened, not on ascribing guilt, attributing blame or apportioning liability. The purpose is to inform the family and the public of how the death occurred with a view to reducing the likelihood of similar deaths.

173. A coroner should apply the civil standard of proof, namely the balance of probabilities but the approach referred to as the *Briginshaw*¹ sliding scale is applicable. This means that the more significant the issue to be determined, the more serious an allegation or the more inherently unlikely an occurrence, the clearer and more persuasive the evidence needed for the trier of fact to be sufficiently satisfied that it has been proven to the civil standard.
174. With respect to the *Briginshaw* sliding scale it has been held that it does not require a tribunal of fact to treat hypotheses that are reasonably available on the evidence as precluding it from reaching the conclusion that a particular fact is more probable than not.
175. As well, when determining the significance and interpretation of the evidence, the impact of hindsight bias and affected bias must also be considered. This relates to taking into account that after an event has occurred, particularly where the outcome is serious, there is an inclination to see the event as predictable, despite there being few objective facts to support its prediction.
176. Counsel Assisting Ms Jarvis submits the totality of the evidence strongly supports an inference that Darrell, in severe financial distress by November 2014 and about to lose his much-loved property, decided to take his own life.
177. It is submitted by Mr Boyce for Mr Lawrence Simon that an open finding is the most appropriate finding. That would mean determining the issue of whether Darrell's death was a result of suicide or if there was some other explanation implicating some other person/s in his death remains open and undecided.
178. Principally the submission for the family focuses on concerns they have regarding the overall competency of the police investigation and concerns regarding the evidence of Sharon Rowland.
179. On the issue of the competency of the police investigation, and other than the search of the property, it is evident to me the investigation was comprehensive in that other searches and investigations were conducted expeditiously and in accordance with a well thought out investigation strategy. The investigations conducted are set out in this decision and speak for themselves in that respect.
180. It was also submitted by the family that the scientific evidence at the scene particularly relating to the known height of Mr Simon and the height of the distance of the ground to the bottom of the noose found in the tree (Mr Simon being of a height greater than this), as well as a lack of a launching pad, calls into question any suggestion of hanging. In my 10 year experience as a coroner I can say that a significant percentage of suicidal hangings do not occur in full suspension but in partial suspension mode.

¹ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 361

181. As regards the evidence of Ms Rowland it is submitted by the family there are inconsistencies in her evidence that cause concern about her actions or lack of them and her motive for not acting at all in respect to Darrell's disappearance.
182. What I can say about her evidence is certainly there were differences in some of the versions of evidence she gave in respect to some minor aspects, consistent with recollections and memory changing over time and noting the disappearance was over four years ago and there being an almost 18 month period between her interviews in November 2014 and statement given in March 2016. I consider her evidence given was credible and truthful. Her explanation for not following up on concerns for Darrell for five days is also credible and consistent with the type of relationship they had.
183. There was criticism of police for not further investigating and following up on her telephone records particularly relating to contact she may have had with persons after the disappearance. There is no evidence that suggests Ms Rowland was somehow involved in Darrell's disappearance and at some point decisions have to be made about where investigations should stop.
184. The fact that it took 18 months for Darrell's body to be found has no doubt compounded the grief felt by his family and friends, particularly his father. In that period it seems rumours and speculation suggesting foul play and malicious or accidental intent by unknown/unnamed third parties were coming to the surface. However there is just no credible evidence supporting any such speculation.
185. On considering and weighing up all of the evidence there is only one inference that can be supported on the available evidence and that is Darrell Simon took his own life.
186. One wonders if Darrell's body was found during the first police search on 23 November 2014, whether such unhelpful and at times clearly defamatory and untruthful speculation would have even surfaced.
187. The fact the ground search was conducted over only half the property was very regretful and should not have happened. The assumptions made about the boundaries of the property was one thing, but the failure to crosscheck after the search with the GPS tracking and making sure the whole of the property had been searched, compounded the issue. What seems to have been accepted in the retrospective review of the search that the mistake was made due to accepting the property had a fence dividing the eastern and western halves in two approximately equal sized areas. The review stated that neither of the missing person's partner nor father provided any information about the internal fence. For a start it is quite evident the internal fencing was not significant and certainly did not fence off the whole of the property in half. Suggesting some failure on the part of Ms Rowland or Lawrence Simon in that respect was unfortunate. The maps should have been cross checked by the search

coordinators prior to searching and subsequently to ensure the correct boundaries were identified.

188. Counsel Assisting submitted there were a number of reasons why Darrell's remains were not located sooner. Counsel for the Commissioner of Police accepts those submissions. The reasons submitted include as follows:
- a. The search was informed by a printed copy of a Google Maps image of the property, which is less helpful in determining the property's boundaries and features than other map products available to QPS.²
 - b. QPS otherwise relied on verbal descriptions of the property and its boundaries by relevant witnesses and did not take any other steps to verify the precise location of those boundaries and then communicate this to those searching the property.
 - c. The property had large areas of impenetrable scrub and lantana and steep terrain, preventing a standard line search from being conducted and making some areas of the property inaccessible.
 - d. The verbal briefing process between SES and QPS following the search failed to identify or alert QPS to the fact the entire property had not been searched and, specifically, that one of the two groups had not searched up to the western boundary.
 - e. Whilst data downloaded from GPS trackers worn by the SES volunteers that day indicated a significant portion of the property had not been searched, this was not identified by Sergeant Harm or any other QPS officers involved in the investigation into Darrell's disappearance until after Darrell's remains were located 16 months later by the property's new owners.
189. Counsel for the Commissioner submits that notwithstanding those failings in the conduct of the search, there is no evidence this contributed to Darrell's death. This is accepted.
190. It cannot be certain that if the second half of the property had been searched that Darrell's body would have been found. The terrain and vegetation was difficult and Darrell seems to have been of the mind to make discovering him difficult in that he disposed of his bicycle in the dam and threw his helmet and perhaps other clothing in the middle shed or elsewhere. I am satisfied on balance the helmet found at the property by Lawrence Simon was the helmet he was wearing when he rode away and is not the same helmet Ms Rowland later disposed of. Darrell did not leave any evidence at the main shed that he had been present. He left his wallet and money as well as any known second set of keys to the main shed behind at Ms Rowland's residence.

² See for example maps obtained by Senior Constable Jonathon Reid from the Lockyer Valley Regional Council: B24.1 pg 4-7. Senior Constable Reid and Senior Sergeant Whitehead each gave evidence that these maps would have been available to Sergeant Harm at the relevant time, had he requested them.

191. It was not at all helpful that Lawrence Simon did not disclose the finding of the helmet and other items to police. That may very well have brought about further investigations and a change of strategy much earlier.
192. Ultimately, I am satisfied the identity of the skeletal remains located on the property on 21 May 2016 are those of Darrell Gene Simon. I am also satisfied he died at Lot 3 Valley Vista Crescent, Laidley Creek West at some time shortly after he arrived there on 16 November 2014. I am satisfied that by the time he was reported as a Missing Person on 22 November he was already deceased.
193. I am also satisfied he died by hanging himself with an intent to take his own life in the context of financial stressors, particularly the inevitable foreclosure on his property at Laidley Creek West. There was credible evidence about these matters from a number of sources. In that regard the evidence of his father Lawrence Simon is particularly poignant. In his evidence Lawrence spoke about helping so Darrell could “*forget about everything going wrong in his life*”, which largely related to financial issues and losing his rural property, which meant everything to Darrell.
194. Unsurprisingly, and as is so often the case, the fact Darrell Simon would take his own life was quite unpredictable to those who knew him and cared for him. In hindsight one can see the financial stressors were almost certainly building in his own mind around the time he made his decision. These included the out of character conversations he had with Anthony Darney a few days prior to him going missing and his father’s observations about his financial difficulties. Ms Sharon Rowland was aware of his financial problems, given he was selling property he clearly was attached to, but it is clear she only became aware of the extent of the problems after he died.
195. I am also satisfied he was on his own at the time he hung himself. There is no evidence that would support any finding of third party involvement in his death.
196. Relationship stressors do not appear to have been a factor in Darrell’s decision.

Findings required by s. 45

Identity of the deceased – Darrell Gene Simon

How he died – Darrell took his own life shortly after he got on his bicycle and rode to his rural property at Lot 3 Valley Vista Crescent, Laidley Creek West on 16 November 2014. He died by hanging himself with an intent to take his own life in the context of financial stressors, particularly the inevitable foreclosure on his property at Laidley Creek West. It is evident he disposed of his bicycle in a nearby dam, changed his clothes and disposed of his clothes

and helmet in a nearby building. I am also satisfied he died some time shortly after he arrived there on 16 November 2014. I am satisfied that by the time he was reported as a Missing Person on 22 November he was already deceased.

Place of death – Lot 3 Valley Vista Crescent, Laidley Creek West, Qld

Date of death– Between 16 November 2014 - 22 November 2014

Cause of death –1(a) Hanging

Comments and recommendations

197. Ms Jarvis submitted the Court may be minded to make a number of recommendations. Counsel for the Commissioner accepted the recommendations. The submission on behalf of the QPS noted the QPS has taken steps to address the issues identified by the implementation of the Task Sheet system, use of which is mandatory for every search. Further, integrated training between the SES and QPS has been standard over the last three years, improving the communication between both agencies.

198. Accordingly I make the following recommendations:

- i. That where internal reviews are conducted by QPS in relation to the adequacy of police investigations into a death reported to a coroner (including isolated aspects of an investigation such as, in this case, the review conducted by Senior Sergeant Whitehead regarding the search of Darrell's property), QPS ensures a copy of the findings of any such review are provided to the investigating coroner as a matter of course and without delay.
- ii. That QPS considers the adequacy of resources, information and training currently provided to its officers for the purpose of coordinating and conducting land searches, to ensure officers are able to *and do in fact* access high quality map products and GPS tracking data in a timely way. Whilst not prescribing how QPS might ensure officers take these steps in the future, an example may be to implement some type of quality assurance checklist that officers are required to complete as they go.
- iii. That QPS consider whether improvements can be made in relation to communication between SES and QPS at the conclusion of a land search involving SES volunteers, to ensure vital information is passed on to QPS officers responsible for the quality and accuracy of that search.

I close the inquest.

John Lock
Deputy State Coroner
Brisbane
19 December 2018