



CORONERS COURT OF QUEENSLAND

FINDINGS OF INQUEST

CITATION: Inquest into the suspected death of Jesse Kearney

TITLE OF COURT: Coroners Court

JURISDICTION: SOUTHPORT

FILE NO: 2015/3320

DELIVERED ON: 15 July 2020

DELIVERED AT: Southport

HEARING DATES: 28 May 2020, 1 to 3 July 2020

FINDINGS OF: Jane Bentley, Deputy State Coroner

CATCHWORDS: Coroners: inquest, missing person, methylamphetamine, searches, police investigation.

REPRESENTATION:

Counsel Assisting: Mr David Funch with Ms Rene Jurkov

Joanne Nicholson: Ms Jade Marr (instructed by Caxton Legal Centre)

Commissioner of Queensland Police: Ms Maria Vassillakos

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Introduction

1. Section 45 of the *Coroners Act 2003* provides that when an inquest is held the coroner's written 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 officials with responsibility over any areas the subject of recommendations. These are my findings in relation to the suspected death of Jesse Kearney. They will be distributed in accordance with the requirements of the Act and posted on the web site of the Coroners Court of Queensland.
2. These findings and comments:
 - a. confirm the death of the person, the identity of the missing person, whether he is deceased and, if so, the time, place and medical cause of his death, as far as can be ascertained;
 - b. consider whether the actions or omissions of any third party contributed to his death; and
 - c. consider whether any changes to procedures or policies could reduce the likelihood of disappearances and/or deaths occurring in similar circumstances or otherwise contribute to public health and safety or the administration of justice.

Background

1. Jesse Kearney was born on 7 December 1986 to Joanne Nicholson and Rory Kearney.
2. Jesse was a kind and generous person who loved his family and was much loved by them.
3. At the time of his death Jesse was unemployed. He was on unemployment benefits. He had been the victim of a serious car accident in 2007 which left him with significant back injuries.
4. Jesse received a large personal injuries payout due to that accident and had purchased the unit he lived in at Nerang Street, Nerang. However, he struggled to meet day to day expenses. Jesse was not depressed or suicidal.
5. At the time of his death Jesse had a flat mate, Casey Paterson.
6. Mr Paterson said that Jesse had been binging on "ice" (methylamphetamine) for some days prior to his disappearance.
7. Jesse was last seen at Tamborine Mountain on the evening of 19 February 2015. Since that time he has not accessed his bank accounts, had any contact with state or government departments or doctors or police and there is no record of him travelling. He has not used his social media accounts. He has not contacted family or friends. He last used his phone at 6.57pm on 19 February 2015.
8. Tropical Cyclone Marcia was impacting the weather on Tamborine Mountain on 19 February 2015. Heavy rain and strong wind caused flash flooding and fallen power lines. There was thick fog and poor visibility.

9. At 8.22pm on 19 February 2015 police from North Tamborine Police Station received information that a male person was behaving erratically in the area around the Tamborine Mountain Golf Course. Police received phone calls from a number of residents who advised that a tall thin male wearing jeans and no shirt and who was covered in grass and mud was approaching people and entering their houses. He was asking for drinks or food or to borrow their cars. He did not appear to be threatening. This person was Jesse.
10. Between 8.22pm and 9.42pm police received eight calls about Jesse, however, due to the extremely inclement weather and the fact that Jesse appeared to be hiding from police, officers were unable to locate him.
11. On 20 February 2015 Jesse's mother, Joanne Nicholson, contacted police and advised that she had not seen him since 19 February 2015 and she was very concerned for his safety. Ms Nicholson advised police that Jesse used the drug ice and he was drug affected when she last saw him on 19 February. Jesse was recorded as a missing person and police began searching for him on 22 February 2015.

18 to 19 February 2015

12. Amelia Bull and Jesse were friends having known each other at high school and recently having met up again. On 18 February 2015 Ms Bull visited Jesse at his residence at Nerang. Later that day, Shannon Fawcitt and his girlfriend, Kelly-Anne Thompson, attended Jesse's residence. Jesse asked Mr Fawcitt to drive them up to Ms Bull's house. Mr Fawcitt agreed.
13. Mr Paterson was home at about 2am on 19 February and he saw Ms Bull and Jesse leave the unit with Ms Thompson and Mr Fawcitt.
14. They drove back to Ms Bull's house arriving there at about 2.30am on 19 February 2015. Mr Fawcitt and Ms Thompson stayed there until they left about 6am on 19 February 2015 to return to the Gold Coast. All four stayed awake all night. Jesse and Ms Bull smoked ice and cannabis.
15. After they left Ms Bull called RACQ to jump start her car. She and Jesse then drove to Ms Nicholson's house at Palm Grove Avenue, Eagle Heights. They arrived there at about 10am.
16. Ms Nicholson noted that both Jesse and Ms Bull appeared to be under the influence of drugs. She asked them to leave. They left about 10.05am.
17. Jesse was wearing long black pants, shoes and a short sleeve black "Dexter" brand T-shirt.
18. As it was a very rainy day they went and hired some DVD's and then went back to Ms Bull's house and watched the movies.
19. In the afternoon Ms Bull and Jesse picked up Ms Bull's daughter from school and dropped her at Ms Bull's mother's house (Karen Bull). Ms Bull had a doctor's appointment which she attended at 4pm.
20. While Ms Bull was at the doctor Jesse walked back to Ms Nicholson's house. He told Ms Nicholson that he felt paranoid.

21. When she finished at the doctor Ms Bull drove to Ms Nicholson's house and picked Jesse up. Ms Nicholson never saw Jesse again.
22. Ms Bull and Jess arrived at Ms Bull's house at 4.30pm. Jesse was acting strangely. He was becoming paranoid and imagining that things were on the floor. Ms Bull vacuumed the floor to placate him. She then went out to her car to change her tyre.
23. At about 7pm Ms Nicholson phoned Ms Bull and asked to speak with Jesse. Ms Bull told her he was not there. Both Ms Bull and Ms Nicholson tried to ring Jesse but his phone was turned off.
24. Ms Bull drove around looking for Jesse. At one point Ms Bull saw Jesse jump out of some bushes on the side of the road. He then ran away.
25. Ms Bull was stopped by police who were looking for a male person who had been sighted by residents numerous times that night. She told them that it was Jesse and he had left her house at about 7pm.
26. Ms Bull drove to Ms Nicholson's house at Eagle Heights. She arrived there at about 10.30pm. She and Ms Nicholson drove back to her house in separate cars. They confirmed that Jesse was still not there. Ms Nicholson collected Jesse's belongings.
27. Ms Nicholson and police continued to search for Jesse throughout the night.

Sightings of Jesse on 19 February 2015

28. Residents of Tamborine Mountain saw Jesse at various times between about 7.15pm and 9.45pm on 19 February 2015.
29. At first Jesse was seen wearing dark long pants. He was then seen naked. At about 7.45pm he was given a pair of jeans. Thereafter he was seen wearing those jeans (also described as long pants).
30. At about 7.15pm Jennifer Shields was at her house on Coomera Gorge Drive, Tamborine Mountain, when she heard noise from her kitchen. She went into the kitchen and saw a man wearing a dark pair of jeans and holding a bundle of clothes. He was covered in scratches like he had fallen in bushland. He was sweating and seemed to be panicking. He said he needed a car because people were chasing him to kill him. He asked for a drink.
31. Ms Shields considered that he was "off his face on ice". She gave him a flask of water but he couldn't work out how to lift it to his mouth and tipped it over her kitchen bench. Ms Shields talked him into leaving her house and he took an orange from a fruit bowl and the water flask with him.
32. Ms Shields called 000. She later identified the male person as Jesse.
33. At about 7.30pm Gaia Meyjes-Brown was driving north on Guanaba Road towards the golf course. She was nearing the intersection with Golf Course Road when she saw a naked man jump down from the embankment on the left and land in the ditch beside the road. She braked heavily and he ran across the road in front of her car.

34. Mr Hansford resided on a 50 acre property on Golf Course Road. He was at home on 19 February. At about 7.45pm he heard his front sliding door open. Mr Hansford walked down the hallway and saw a naked male who was wearing nothing but two hats on top of each other. Mr Hansford saw that the hats were those belonging to his wife. The male had scratches, leaves and sticks all over him. He was very agitated. He asked Mr Hansford for his car. He said people were shooting at him. Mr Hansford didn't believe him as he hadn't heard any gun shots.
35. Mr Hansford went to his bedroom and got some clothes – a pair of blue jeans and a striped shirt. The male walked through the house and picked up a blue denim skirt from a washing basket. He put on the jeans and held the shirt and the skirt. He then went into the kitchen and drank some orange juice. He went to the kitchen tap and turned it on to get a drink but turned on the hot water instead of the cold. He then walked to the other end of the house and hopped over a railing on the verandah and dropped out of sight.
36. Mr Hansford went to check the cabins on his property but did not see the male again. He returned to the house and his wife called the police.
37. A few days later Mrs Hansford found the blue skirt on a barbed wire fence in the paddock towards Guanaba Road/Henri Robert Drive.
38. At about 8.25pm Mr Ronald James was at home with his wife at their house on Golf Course Road, Tamborine Mountain. He heard someone at the door. He opened the door and saw a male person standing there. Jesse was wet and covered in mud and grass. He was wearing long trousers but had no shirt or shoes.
39. Jesse appeared very agitated and said words to the effect, "I need your car, someone's trying to kill me."
40. Mr James told Jesse that he didn't have a car. Jesse then ran off towards Mr James' neighbour's house. Jesse jumped over a rose hedge and down a four foot high retaining wall and then ran off. Mr James went to his neighbour's house and told her what had occurred and then went home and called the police.
41. Anja Brannolte lived at Ocean View Parade, Tamborine Mountain. She was at home on 19 February 2019. At about 9pm she saw a person run across her back deck past her back door. She looked outside and saw a dark figure run off up the back of her property towards the golf course. She saw wet bare footprints on her verandah.
42. At about 9.10pm, Joscelyn Keulemans heard a knock on her door at Jenyns Road, Tamborine Mountain. She opened the front door but left the screen door closed. She saw a man wearing only long pants and carrying a piece of clothing. He was completely wet.
43. He asked whether he could come inside for a drink of water as there were people after him and he needed a rest. She said she could not let him in. He looked disappointed and walked off towards her fence and jumped over it into her yard. Ms Keulemans warned him not go to into her yard but he continued. She called the police at 9.18pm.

44. Ms Keulemans later saw a photo of Jesse and thought it was he who came to her door.
45. Kevin Arnold was at a meeting at the golf club. At about 9.20pm Senior Constables Edwards and Meiers arrived asking about a male person who had been seen nearby. About 10 minutes after they left a young male person walked into the bar area and said he needed a car as he had to get out of there.
46. Mr Arnold saw that the male appeared irrational and in a state of panic. He was only wearing long pants but was holding a shirt or rag in his hand. He was wet and had grass all over him. He ran out and disappeared. Mr Arnold later identified him as Jesse.
47. Nicholas Nicholas resided at Golf Course Road. At about 9.40pm he saw a man outside his door. He was wearing blue jeans and Mr Nicholas saw a white waist band protruding from the top of the jeans. He jumped over the gate and Mr Nicholas thought he had fallen but when he looked the man had completely disappeared.

Searches

48. In the days after Jesse was reported missing police conducted a full land search. The initial search continued for 21 days and involved police, SES and local volunteers.
49. Police continued to conduct searches after the initial search and when any new information was received.
50. On 27 February 2015 the greens keeper at the North Tamborine golf course found a mobile phone near the first green. It had no back or battery. Examinations revealed that the phone belonged to Jesse and that he last used it at 6.57pm on 19 February 2015 when he made a 9 second call to Ms Bull's phone.
51. On 2 March 2015 a pair of jeans was found in water in a creek bed across from the golf course. Mr Hansford identified those jeans as the pair he had given Jesse on the night of 19 February. No DNA could be located on the jeans.
52. The location of the phone and the jeans led police to believe that Jesse may have been in the area of a nearby kiwi fruit farm and focussed their attention on an escarpment at the back of that property.
53. Police searched the area at the back of the farm on several occasions.
54. On 20 June 2015 four police officers used a machete to hack their way through thick lantana and bush at the bottom of that escarpment and managed to find a way to get searchers into the area.
55. On 4 July 2015 police returned with SES vertical rescue teams and ground crews. Searchers rappelled down the cliff face and at the bottom of that cliff face found a pair of "Hot Chilli" brand white board shorts with grey stripes. In the pocket of those shorts was a glass "ice" pipe and a small clip seal plastic bag containing some green leafy material believed to be cannabis.

56. Those shorts were identified by Karen Bull as those worn by Jesse on the afternoon of 19 February. Tests failed to identify any DNA on the shorts.
57. Numerous other searches of the area were conducted by police officers, SES ground and vertical rescue teams, police dogs, police cadaver dogs, water police including divers, and police helicopter crews. Nothing further was found.
58. On 6 November 2015 Ms Nicholson found a pair of black men's pants in the Nerang River. She believed they belonged to Jesse. Tests were conducted but no DNA could be identified.
59. Lovely Stadlman, an acquaintance of Jesse, told police that her mother who is psychic said that Jesse's body was a shed at the end of Jakarta Court, Mount Tamborine. Police searched the area and found nothing.
60. The last full scale land search of the escarpment and the area where the jeans were found was conducted by police and 45 SES volunteers on 8 November 2015.
61. In December 2018, Kylie Cole, a friend of Jesse's, told police that Jesse was buried in a certain location on the mountain.
62. Police organised for cadaver dogs to visit the location. They gave a positive indication that there were remains at the site. From 23 to 24 January 2019 police officers excavated 8 tonnes of soil from the location. The excavation was carried out by hand with shovels.
63. All of the soil excavated was sieved. They excavated the area until they hit rock on all sides and they could dig no deeper without utilising earthmoving equipment. They found no indication that the site had previously been dug up. Nothing of interest was located.

Rumours and Allegations

64. There were rumours circulating amongst Jesse's friends and acquaintances that Jesse was abducted, taken off the mountain and murdered due to his involvement in dealing drugs.
65. Police fully investigated these rumours and concluded that none of the rumours could be substantiated.
66. Those allegations were further explored at this inquest.

The inquest

67. The inquest commenced on 1 July 2020 at Southport. Fifteen witnesses were called to give evidence: four police officers involved in the investigation into Jesse's disappearance; one forensic medical officer; and 11 persons who had or were believed to have information regarding the circumstances surrounding Jesse's disappearance.

The evidence

Senior Constable Brendan Edwards

68. SC Edwards has been stationed at the North Tamborine Police Station since 2002. He has an extensive knowledge of the area. He has been a qualified Field Search Co-ordinator since 2014. He knew Jesse and Joanne Nicholson as local residents.
69. SC Edwards has been involved in this investigation since the night Jesse was last seen. He was working on a 2pm to 10pm shift on 19 February 2015. The station was preparing for a disaster management situation due to concerns as Tropical Cyclone Marcia was impacting the area that night. Police had received calls regarding fallen trees and power lines due to the strong winds and rain which was occurring.
70. At about 8pm he was at the station with Senior Constable Miers. SC Miers received a call from Gaia Meyjes-Brown who reported that she had just seen a naked male jump out in front of her car as she was driving on Guanaba Road near the intersection with Golf Course Road.
71. Shortly thereafter a second call was received regarding a male person acting in a similar manner in the area. SC Edwards and SC Miers left the station and commenced patrolling in the area in an attempt to find the person.
72. While they were out looking they received further information on the radio that more calls had been received reporting a naked male entering private residences. He was stating that people were after him and asking to borrow a car.
73. SC Edwards and SC Miers used side lights and a spotlight searching for the person.
74. They attended the addresses from which reports had been made.
75. They were driving on Jenyns Road when a vehicle approached driven by Ms Bull. She told the officers the person they were looking for was Jesse and he had left her house about an hour earlier and she didn't know where he was.
76. They went to the Golf Club and asked the persons there to call police if they saw Jesse. They then continued patrolling the area.
77. At about 9.30pm they received a call that Jesse was at the Golf Club. They immediately drove there and were told that Jesse had been there but upon being told police were looking for him he ran out towards the golf course and disappeared out of sight.
78. SC Edwards and SC Miers continued patrolling and using a loud speaker to call out to Jesse and ask him to come out and speak to them. They continued doing this until 10.30pm. At that time they'd had no further reports and found no sign of Jesse.
79. That night SC Edwards searched the residence of Ms Bull and found nothing of interest.

80. SC Edwards started work the next day at 8am and learned that Jesse had not been found. He then arranged for police to attend Jesse's residence at Nerang. He spoke to Ms Nicholson who confirmed that Jesse was still missing and she had seen him twice on 19 February and believed he was under the influence of drugs at those times.
81. SC Edwards arranged for a BOLO (be on the lookout) alert to be issued to Gold Coast and Logan police. He established that Jesse had not been admitted to hospital.
82. SC Edwards completed and lodged a Missing Persons Report.
83. Police attended Jesse's unit again on 21 February and conducted a search of the unit.
84. Searches of the area commenced on 22 February. The searches incorporated SES volunteers and police officers including water police.
85. Every home in the area was door knocked and yards were searched.
86. SC Edwards conducted extensive investigations and searches. He continued to oversee and personally conduct searches in the area for the next ten months.
87. Taking into account the searches that had already been conducted and the geography of the area, SC Edwards came to believe that Jesse could have gone to the kiwi fruit farm across the road from the golf course which backs onto a steep escarpment. He oversaw the searches of the escarpment and surrounding area.
88. SC Edwards concluded that Jesse had fallen or climbed down the escarpment and died there and due to the impenetrable nature of the vegetation searchers had been unable to find his remains.

Sergeant Michael Jones

89. Sgt Jones gave evidence that he is a qualified search co-ordinator and has been for approximately 20 years. He recalled that on 19 February 2015 all police officers were recalled to duty as Tropical Cyclone Marcia was impacting Tamborine Mountain. He was the officer in charge of the station at that time and was in charge of the initial searches and inquiries in regard to Jesse.
90. Sergeant Jones said that it was apparent by 22 February 2015 that Jesse was missing and full searches commenced. Although other police had spoken to the people who saw Jesse on 19 February 2015 Sergeant Jones spoke to them again including Mr Hansford.
91. After many searches had been conducted and the jeans that Mr Hansford had given Jesse were found, police developed a theory that Jesse may have been heading towards an area behind the kiwi fruit farm.
92. Sergeant Jones gave evidence of the extensive lengths police officers went to in order to search that area.

93. Sergeant Jones continues to be distressed that Jesse remains missing. He returned to the area and conducted further searches in 2016 but did not locate anything relating to Jesse.

Detective Sergeant Darren Ward

94. Detective Ward was involved in the investigation from its commencement as well as the searches. He located the board shorts at the bottom of the cliff. He believes it is most likely that Jesse died in that area.

Detective Acting Sergeant Sean Hayter

95. Detective Hayter became involved in the investigation into the disappearance of Jesse in December 2018 when Kylie Cole told police that Jesse was buried on the mountain.
96. Detective Hayter organised for cadaver dogs to visit the location she identified. They gave a positive indication that there were remains at the site. Police officers, including Detective Hayter, excavated 8 tonnes of soil from the location. The excavation was carried out by hand with shovels.
97. Detective Hayter gave evidence that all of the soil excavated was sieved. They excavated the area until they hit rock on all sides and they could dig no deeper without utilising earthmoving equipment. He saw no indication that the site had previously been dug up. Nothing of interest was located.

Matthew Lloyd

98. Mr Lloyd knew Jesse in the months before his disappearance. Mr Lloyd was called to give evidence as it was suggested he may have some knowledge of the events surrounding Jesse's disappearance but he did not provide any information which was reliable or of assistance. He was not a credible witness.

Jessica Pascoe

99. Ms Pascoe gave evidence that she was with Jesse before he left his unit on 18 February 2015 to go to Tamborine Mountain with Mr Fawcitt and Ms Thompson. She said she had never seen him so intoxicated. He wasn't making much sense and was talking gibberish. She said that Mr Fawcitt attended the unit and Jesse asked him to drive him and Ms Bull to Ms Bull's residence.
100. Ms Pascoe said she phoned Jesse later and he sounded like he was still under the influence of drugs.
101. Ms Pascoe said that about 2 or 3 days after Jesse disappeared she visited Ms Bull and asked her what happened to Jesse. She said that Ms Bull said that she didn't know.
102. Ms Pascoe said that Mr Fawcitt was driving a white van when he left with Jess and Ms Bull and she made a note of the registration number of that van and later gave it to Detective Ward when she met him at a skate park. Detective Ward denied that he met Ms Pascoe at the park. He said she agreed to meet him but then didn't attend the meeting. He denied that she gave him a registration number. I accept the evidence of Detective Ward.

Casey Paterson

103. Mr Paterson gave evidence that he lived with Jesse at Jesse's unit at Nerang. He last saw Jesse on 18 February 2015. He said that Jesse had not slept for 24 to 48 hours before he left the unit.
104. Mr Paterson said that Jesse had always smoked cannabis but started using ice about a month before he disappeared. He said that he received some strange text messages from Jesse on the afternoon of 19 February 2015 in which Jesse mentioned being "set up" and he thought that Jesse was "fried" i.e. paranoid from the effects of ice.
105. Mr Paterson identified the board shorts found at the bottom of the cliff face as those he had owned and given to Jesse. He said that Jesse was wearing those shorts on the afternoon of 18 February 2015 when he left his unit to travel to Tamborine Mountain.
106. Mr Paterson said that the ice pipe located in the pocket of the board shorts looks like the ice pipe that Jesse used.
107. Mr Paterson saw shown a photo of the black trousers found by Ms Nicholson near the Nerang River and said that he did not recognise them at all.

Lovely Stadlman

108. Ms Stadlman gave evidence that she was friends with Casey Paterson but did not know Jesse well and had only met him a few times before he disappeared. She could provide no relevant information in regard to Jesse's disappearance.

Amelia Bull

109. Ms Bull stated, as she had previously told police, that Jesse left her house while she was in her garage at about 7pm on 19 February 2015 and she saw him later that evening run across a road.
110. Ms Bull stated that she saw Jesse three weeks before the inquest at Coles at Labrador. This is obviously untrue. It was apparent from Ms Bull's own evidence that she is unwell and has been for some years. She has been on an involuntary treatment order and has spent long periods as an inpatient at Mental Health Units. She is not a credible witness.

Shannon Fawcitt

111. Mr Fawcitt's evidence, which is corroborated by phone records, the statement provided by Kelly Thompson and the evidence of Ms Bull, is that he drove Jesse, Ms Bull and his then girlfriend, Kelly Thompson, to Ms Bull's house on the evening of 18 February 2015. They drove there in his mother's silver sedan. He and Ms Thompson spent some hours there and in the early morning he and Ms Thompson left and returned to Nerang.
112. He said that Ms Bull and Jesse were acting strangely during the night. He had taken two syringes to Ms Bull's house for the purpose of injecting ice. One of them went missing that night.

113. Mr Fawcitt said he has never owned a white van and was not driving one at the time of Jesse's disappearance.

114. I accept the evidence of Mr Fawcitt.

Kylie Cole

115. Ms Cole gave evidence that Ms Bull told her that Jesse had been taken from her house by Jason Hoffman. She said Ms Bull said that Mr Hoffman was in a shed on her property and when Jesse returned from somewhere he came out and took him away.

116. Ms Cole told police that she believed Mr Hoffman had killed Jesse because he owed him \$500 for drugs from about 2007. She told police that she believed Jesse was buried at a site on Tamborine Mountain. She said that Jason Hoffman took her there and showed her some pre-dug holes and said it was his dumping site.

117. As stated above, police excavated 8 tonnes of soil without finding any remains or indications that Jesse had been there. Ms Bull told the court there is no shed on that property. She denied saying that to Ms Cole and denied that Mr Hoffman was at her house that night. She said she had not seen him for some five weeks previously when he moved out of her house after they argued.

118. I find that Ms Cole was an unreliable witness and I do not accept her evidence.

Ben Watts

119. Mr Watts was Jesse's friend and last saw him in 2010.

120. Mr Watts knows Mr Hoffman well as Mr Hoffman was in a relationship with his mother. Mr Watts said he never knew Mr Hoffman to be violent or threatening.

Luke Fuller

121. Mr Fuller knew Jesse for about ten years. He last saw him about two weeks before he went missing when Jesse stayed at his place for three days. At that time he was concerned about Jesse's wellbeing – he was "skin and bone" and it was apparent he had not been eating. Jesse told Mr Fuller that he had been using ice and Mr Fuller could see that he was drug affected. He described Jesse as "scattered" and not thinking straight.

Jason Hoffmann

122. Mr Hoffman gave evidence that he knew Jesse but had not seen him since about 2007. He stated he had no information concerning Jesse's disappearance. He said that Jesse did not owe him any money. I accept his evidence.

Dr Adam Griffin

123. Dr Griffin is the Director of the Clinical Forensic Medicine Unit and a Clinical Forensic Medical Officer.

124. Dr Griffin provided an opinion as to how the use of methylamphetamine might have impacted on Jesse on the night of his disappearance including his awareness of surroundings, his decision-making and his susceptibility to the elements.
125. Dr Griffin noted that it was raining heavily on Tamborine Mountain the night of 19 February 2015 and the minimum temperature was about 21 degrees Celsius.
126. Dr Griffin stated that the use of methylamphetamine could result in:
 - a. Elevated respiratory rate;
 - b. Elevated heart rate;
 - c. Hypertension;
 - d. Prolonged wakefulness leading to a “crash” period characterised by profound fatigue;
 - e. Wide variations in blood pressure that may result in heart attacks and strokes;
 - f. Psychotic symptoms including delusions, paranoia, agitation and violence;
 - g. Thermoregulatory derangement which may result in increased body temperature (hyperthermia) or decreased body temperature (hypothermia).
127. Dr Griffin concluded that Jesse was at risk of hypothermia on the night of 19 February 2015 because he was:
 - a. Affected by a substance;
 - b. Not thinking clearly;
 - c. Exposed to wind and rain;
 - d. Dressed inappropriately for the weather.
128. Dr Griffin noted that Jesse was seen to experience difficulty with coordination associated with drinking from a flask and a water tap. Loss of coordination and confusion are symptoms of hypothermia as is paradoxically undressing.
129. Withdrawal of methylamphetamine after a period of sleeplessness can cause an abrupt loss of consciousness.
130. Dr Griffin stated that a person who loses consciousness, partly clothed or unclothed, whilst affected by substances and exposed to rain and wind is at high risk of suffering hypothermia resulting in death.

Conclusions and Recommendations

Conclusions

131. I have considered the submissions made by Counsel Assisting and Ms Marr for Ms Nicholson. Both submit that there is no credible information on which to base a finding that any person had any involvement in the disappearance of Jesse. I agree with those submissions.
132. I find that the persons who made such allegations did so either on the basis of unreliable information provided to them by others or fabricated the allegations themselves, possibly by way of attention seeking or because, due to long term and serious drug use, they are delusional.

133. I find that Jesse died on Mount Tamborine late on 19 February or early on 20 February 2015.
134. Jesse was significantly affected by methylamphetamine which he had been using for at least two days prior to his death. By the time he was last seen Jesse had not slept for at least 48 hours.
135. His behaviour as described by those who saw him last (up until about 10pm on 19 February 2015) was consistent with a person who was suffering paranoia and hypothermia due to the effects of methylamphetamine. It is probable that Jesse lost consciousness and died from hypothermia. Unfortunately his remains were not located despite extensive and thorough searches.
136. I find that the police investigation into Jesse's disappearance was thorough and comprehensive.

Recommendations

137. There are no recommendations I could make arising from this inquest which would improve public health or safety or prevent deaths in similar circumstances in the future.

Findings required by s. 45

I find that Jesse Kearney is deceased.

Identity of the deceased – Jesse Kearney

How he died – Jesse Kearney died after he went missing on Tamborine Mountain. It is likely that he succumbed to hypothermia whilst suffering the effects of ingestion of methylamphetamine

Place of death – Likely to be the rainforest north of Golf Course Road, TAMBORINE MOUNTAIN QLD 4272 AUSTRALIA

Date of death– 19/02/2015 – 20/02/2015

Cause of death – The cause of the death of Jesse Kearney remains undetermined.

138. I close the inquest.

Jane Bentley
Deputy State Coroner
SOUTHPORT

15 July 2020