



STATE CORONER'S COURT OF NEW SOUTH WALES

Inquest: Inquest into the disappearance and suspected death of Jason Davies

Hearing dates: 5 April 2016

Date of findings: 5 April 2016

Place of findings: NSW State Coroner's Court, Glebe

Findings of: Magistrate Derek Lee, Deputy State Coroner

Catchwords: CORONIAL LAW – missing person, cause and manner of death

File number: 2013/241072

Representation: Senior Sergeant Sasha Harding, Advocate Assisting the Coroner

Findings: I find that, on the balance of probabilities, Jason Davies is now deceased. He died sometime after 9 February 2012. The available evidence does not allow me to make any finding as to where he died, or the cause and manner of his death.

Table of Contents

Introduction	1
The function of a Coroner and the nature of the inquest	1
What we know about Jason's background	1
Jason's disappearance	2
What was done to locate Jason?	2
The first inquest	3
What further enquiries have been made to locate Jason?	3
What happened to Jason? Is he deceased? If so, how did he die?	4
Findings	5
Identity	5
Date of death	5
Place of death	5
Cause of death	5
Manner of death	5

Introduction

1. This is an inquest into the disappearance and suspected death of Jason Davies who left his home on 26 January 2012 and has not been heard from or seen since. He was reported as missing to police 6 months later. Despite extensive searches the police have been unable to find any further information about Jason's whereabouts.
2. An inquest into Jason's disappearance was conducted in September 2014. At that time a finding could not be made that Jason was deceased and further enquiries were requested. This inquest will consider those further enquiries and examine all the presently available evidence into Jason's disappearance.

The function of a Coroner and the nature of the inquest

3. In New South Wales, if a person disappears and the evidence suggests that he or she may have died then pursuant to section 21 of the *Coroners Act 2009* (the Act) a coroner is obliged to hold an inquest to determine, if possible, whether that person has indeed died. If a coroner reaches that conclusion then the coroner must also determine, if possible, the circumstances of the person's death.

What we know about Jason's background

4. Jason was born in Sydney in 1969 to his parents, Lynette and Jack. The family (which also included Jason's younger brother, Simon) lived in Smithfield for several years before moving to the Gold Coast. Jason's parents later separated, his father returned to Sydney and Jason lost contact with him.
5. After Jason finished high school, his mother's health took a turn for the worse when she developed chronic fatigue syndrome. Jason and his mother largely kept to themselves and did not keep in touch with other family members apart from Simon.
6. Jason's mother passed away in 2005. At about the same time, Jason experienced his own health issues and was hospitalised for about a month. After leaving hospital, Jason moved in with his brother for a short period of time before leaving to go travelling. He spent some time interstate and abroad, and contacted his family, usually his grandmother, only intermittently.
7. Jason eventually returned to Sydney and stayed in temporary accommodation. At some stage Jason contacted his aunt, Julie Parnell, to ask if he could move in with her at Byron Bay. Ms Parnell told Jason she had no room for him. Jason later moved in with his grandmother, who lived in Chain Valley Bay, in 2011.

8. According to his aunt, Jason enjoyed travelling and would often catch the train to visit different places, often to watch sports. In January 2012, Jason went to Perth to watch the cricket, travelling by bus and train. He returned just before 26 January 2012.

Jason's disappearance

9. On 26 January 2012 Jason left home, telling his grandmother that he would be back in a few days to collect his belongings. He did not say where he was going. Jason left with only his wallet, but not his mobile phone which was broken. He also did not take a bag or any change of clothes with him.
10. After several weeks Jason did not return and his grandmother did not hear from him. This was not unusual because Jason often left for periods of time and did not contact his family. However, as time went on, his grandmother and aunt became increasingly concerned.
11. On 25 June 2012, Ms Parnell contacted Toukley police station and reported Jason as missing.

What was done to locate Jason?

12. Over the next several months, the police made a number of enquiries in an attempt to find Jason, or at least uncover some information about where he went after leaving home. The investigation revealed that:
 - Jason had not been admitted to hospitals in Wyong or the Gold Coast;
 - Jason had not stayed at any hotels and other temporary accommodation in the Sydney area where he was known to have stayed in the past, including his last known address before moving in with his grandmother;
 - Jason had not registered any new mobile phones in his name;
 - Jason had last used his Medicare card on 31 January 2006 in Queensland, and had not used it since;
 - According to the Department of Immigration, Jason had not left the country since his disappearance;
 - Jason had not registered on an electoral roll anywhere in Australia;
 - There was no record of Jason in any police database from New South Wales, Queensland, South Australia, or Victoria;

- There was no record of Jason on the Roads and Traffic Authority (as it then was) computer database or licensing system;
 - The Births, Deaths and Marriages registries in Western Australia and Queensland had no record for Jason;
 - Police were unable to locate any medical records relating to Jason; and
 - Jason had not been identified with any unidentified remains from the Missing Persons Unit.
13. The police contacted all the major banks and discovered that Jason had an account with the National Australia Bank (NAB). Jason's regular payments from Centrelink were paid into this account. The account was last accessed on 9 February 2012 (14 days after Jason's disappearance) from an ATM in World Square in the Sydney CBD when \$100 was withdrawn. At the time, the balance in the account was \$1,266.50. Unfortunately the police were unable to recover any CCTV footage of the withdrawal.
14. If this withdrawal was in fact made by Jason, this represents the last piece of evidence showing that Jason was alive.

The first inquest

15. An inquest into Jason's disappearance was originally conducted by her Honour, State Coroner Jerram (as her Honour then was) on 24 September 2014. At the conclusion of the inquest her Honour was unable to make a finding, on the basis of the evidence available at that stage, as to whether Jason was in fact deceased.
16. Her Honour directed that further enquiries be made regarding Jason's whereabouts, in particular whether there was any further activity on Jason's bank account.

What further enquiries have been made to locate Jason?

17. On 22 June 2015 and 22 September 2015, the police repeated the searches that were performed shortly after Jason was reported missing. Checks were again conducted with various financial institutions, Medicare, interstate missing persons units, electoral rolls, driver's licensing databases, Medicare, all interstate police databases, and Department of Immigration records. None of the checks produced any new information regarding Jason's whereabouts.
18. The police specifically investigated Jason's account with the NAB. The last transaction was still recorded as the \$100 withdrawal on 9 February 2012. Since that time, Jason's Centrelink payments have continued to be deposited into the account so that as at 31 October 2015, the account had a balance of \$77,225.06.

What happened to Jason? Is he deceased? If so, how did he die?

19. Jason's family knew that he enjoyed travelling. They also knew that he would often not tell them where he was going or provide specific information about how long he would be gone for or when he would return. This is why no one thought anything was unusual when Jason didn't return home for some time after 26 January 2012. This also explains why he was not reported as missing for some 6 months.
20. From the limited evidence about Jason's background it appears that he largely kept to himself and did not keep in regular contact even with those closest to him, such as his grandmother and aunt.
21. The police have conducted extensive and repeated searches in 2012, 2013 and 2015 to try to find any information about what happened to Jason after he left home. None of those searches have produced any evidence that Jason is still alive.
22. By October 2015, almost \$80,000 had accrued in Jason's bank account. Given that:
 - (a) the account only had a relatively modest balance of some \$1,200 at the time of Jason's disappearance;
 - (b) Jason's Centrelink payments (his only known means of financial support) were deposited directly into the account; and
 - (c) this is the only known account used by Jason;it seems highly unlikely that Jason would not have accessed his account at some stage after 9 February 2012 if he were still alive.
23. There was a possibility that Jason could have met with foul play sometime between 26 January 2012 and 9 February 2012, and that an unknown person could have obtained his bank card and used it fraudulently. However if that had occurred, one would expect there to have been repeated withdrawals from the account. Given that this did not occur, I am satisfied that it was Jason who last accessed the account on 9 February 2012 and that this is the last known evidence of him being alive.
24. It has now been more than 4 years since Jason last left his grandmother's house. His family have not heard from him since that day in January 2012. Even allowing for what is known about Jason's travel practices and his infrequent contact with family members one would expect there to have been at least some communication from Jason in the past four years.
25. Taking all of the above into account I reach the conclusion on the available evidence that, on the balance of probabilities, Jason is now deceased.

26. Given the very limited evidence concerning what happened to Jason after he left home I am, regrettably, unable to make any finding as to where Jason died, what caused his death, and the manner of his death. I understand that this will only add to the distress that Jason's family must be experiencing, and has experienced, since his disappearance.
27. No member of Jason's family was present at the inquest but his aunt has been advised of the results of the further investigation conducted by police after the original inquest in September 2014. On behalf of the coronial team I would like to offer my sincere and respectful condolences to Jason's family. Jason's mysterious disappearance, and the uncertainty associated with his disappearance, has no doubt caused a great deal of anguish to them. I note that DNA samples have been taken from his family and preserved for possible later identification purposes. I hope that sometime in the future some further information can be uncovered as to what happened to Jason.

Findings

28. I now turn to the formal findings that I am required to make under section 81(1) of the Act:

Identity

The person who died was Jason Davies.

Date of death

Jason died sometime after 9 February 2012. The available evidence does not allow me to make any more precise finding as to the date of his death.

Place of death

The available evidence does not allow me to make any finding as to where Jason died.

Cause of death

The available evidence does not allow me to make any finding as to what caused Jason's death.

Manner of death

The available evidence does not allow me to make any finding as to the circumstances of Jason's death or how he died.

29. I close this inquest.

Magistrate Derek Lee
Deputy State Coroner
NSW State Coroner's Court, Glebe
5 April 2016