

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 1258/11

Inquest into the Death of REDAE BERHANE

Delivered On: October 26, 2011

Delivered At: Coroners Court of Victoria
Level 11, 222 Exhibition Street
Melbourne 3000

Hearing Dates: October 26, 2011

Findings of: JUDGE JENNIFER COATE

Place of death: Unknown

Police Coronial
Support Unit (PCSU): Senior Sergeant Jenny Brumby

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Court reference: 1258/11

In the Coroners Court of Victoria at Melbourne

I, JUDGE JENNIFER COATE, State Coroner

having investigated the suspected death of:

Details of suspected deceased:

Surname: BERHANE

First name: REDAE

Address: 5/162 Arnold Street, Carlton, Victoria 3053

AND having held an inquest in relation to this suspected death on October 26, 2011 at Melbourne

find that the identity of the suspected deceased was REDAE GEBRESILASSIE BERHANE and that he was last sighted on August 6, 2007 and has not been seen or heard of since that time:

I am unable to make any finding as to cause or place of suspected death.

REDAE GEBRESILASSIE BERHANE (Redae) has become the subject of a coronial investigation in the following circumstances:

1. Redae was born in Addis Ababa Ethiopia on July 4, 1984. He was one of two sons born to Mr Gebresilassie Simon ("Simon") and his first wife. Redae has a brother Fesah who still lives in Ethiopia.
2. Redae has suffered from a severe stutter and partial deafness since a child.
3. Simon came to Australia in August 1994 on humanitarian grounds. On arriving in Australia Simon sponsored both of his sons to come to Australia, however, only Redae came and Fesah stayed in Ethiopia, where he remains.
4. Redae arrived in Australia in 2000, aged about 16, on the basis that he would be able to be provided with medical care.

5. Redae lived with his father in a Ministry of Housing unit in Carlton at 5/162 Arnold Street Carlton. Redae had few friends and kept to himself. He left school in Year 11. His father described him as a good and obedient boy.¹ His cousin, Luel Hailu, stated² that Redae was hard to understand when he spoke as a result of his hearing and speech problems.

6. In 2004, Simon was imprisoned for approximately 18 months, although only serving about seven months of that sentence. During this time, Redae, aged 20 to 21, was at home by himself. It appears that the relationship between father and son deteriorated whilst Simon was incarcerated. It may well be that this deterioration was as a result of Redae's own deteriorating mental health.

7. In October 2004, Redae had a one month involuntary admission to St Vincent's Hospital. At this time he was recorded as agitated and anxious and not eating, believing that his food was being poisoned. He was in such poor physical condition that he needed to be placed on an intravenous drip to be re-hydrated. He was diagnosed as suffering from schizophrenia at this time. He was again hospitalised in December 2004 for one month with non compliance with medication and preoccupied with paranoid and religious persecutory thoughts.

8. In May 2005, Redae was granted citizenship of Australia. Between June 2005 and November 2005 with the assistance of his father, Redae returned to Ethiopia to visit family. On his return, he had apparently stopped taking his medication and stopped eating.

9. By early 2006, Redae was showing signs of relapse. By May 2006, Redae's father concerned that Redae was not following up with his treatment, contacted adult psychiatric services. Redae was not showering and not eating and talking to himself. He was attended by the Crisis Assessment and Treatment Team who found him not to be treatable in the community and he was hospitalised for three weeks at the Royal Melbourne Hospital.

10. Upon his release from the Royal Melbourne Hospital, he was placed under the treatment of Waratah Mental Health Services on a community treatment order.

11. During the months after his release from this period of hospitalisation, Redae was being treated every two to three weeks by Waratah.³ According to the statement of his case manager, specialist mental health nurse Alison Lewis, Redae did not accept that he had any mental health problems and believed that his past hospitalisations were as a result of the poor relationship with his father. Redae did not believe that he required any medication.

¹ Evidence provided at Inquest

² Statement of Luel Hailu of 22nd May 2011

³ Statement of Alison Lewis, specialist mental health nurse 2nd August 2010

12. During these months after June 2006, post his release from the Royal Melbourne Hospital, Redae was being treated with the antipsychotic, Risperidone Consta, by injection. The evidence is that he did not like this form of treatment and was changed on to medication by tablet. However, it became clear he was not taking his medication. In February 2007, he was readmitted to the Royal Melbourne Hospital with a further relapse in mental state. Upon release from hospital his medication was changed and reduced and his mental state was assessed to be improving. The evidence is that Redae started to engage with the community.

13. In preparation for a review at the Mental Health Review Board, Redae attended at Waratah Mental Health Services on July 19, 2007. He was reviewed by Alison Lewis and Dr Cheong (the senior registrar). Redae was noted to be hopeful of obtaining full time work and disappointed that he could not. His aim was to sponsor his family to Australia. He was noted as mentally stable at that time with no formal thought disorder.⁴

14. According to Ms Lewis, Redae believed that when he attended the Mental Health Review Board on July 20 2007, he would be taken off his community treatment order.

15. According to Ms Lewis, he seemed relaxed and presented as well dressed. However, he was surprised and quite angry when advised by the Board that he would not be taken off his community treatment order at that time. Redae did not return for any further appointments with Waratah after this day.

16. Ms Lewis stated that *"for him to go missing and not be found within a short period of time is both unusual and seemingly out of character. I do have concerns that he may have fallen ill by misadventure either through the involvement of others or as a consequence of poor choices due to a relapse in his mental state. When unwell he would become more disorganised in his thinking and I question whether he would have the ability to plan and live independently without support. In the past Redae, when he has not taken treatment, has become increasingly paranoid and as a consequence suspicious that his food and drink may have been tampered with and has limited his intake of food and fluids which have resulted in the need for medical intervention. He would have been suspicious about authority figures and would not have sought out help from the police or hospital."*⁵

17. Redae was last seen by his father leaving his home address on August 6, 2007. He was reported missing by his father in August 2007.

18. The evidence is that Redae had a difficult childhood. The relationship with his father deteriorated significantly over the last couple of years they were living together in Australia.

⁴ Ibid (P3)

⁵ Ibid P 4

19. Detective Leading Senior Constable Gerard Walsh has conducted a number of investigations and compiled the inquest brief.⁶ The brief contains evidence of a number of investigations and checks of various agencies and services that have been made in an effort to locate Redae or endeavour to confirm whether or not he may still be alive.

20. In summary those investigations are as follows:

- A search of the premises where Redae resided by the members who took the initial report of Redae as a missing person;
- Enquiries of metropolitan hospitals re "admissions";
- Enquiries and assistance provided by the Missing Persons Crime Theme Desk;
- Enquiries made with the Immigration Department (which produced no information to suggest Redae had left Australia via normal departure points noting that Victoria police are currently in possession of Redae's passport);
- Media release campaign conducted (See Appendix 1 Circular 1/ 2008, Community News Fairfax Community Network, Circular October 2008 from Missing persons, AFP circular 2008));
- Redae is listed on the National Missing Persons database;
- Local media outlets notified;
- Local African community newspapers notified and ran story;
- Centre Link checks conducted;
- Bank/financial checks conducted;
- Medicare and Pharmaceutical benefits Scheme checks conducted including under a possible alias;
- Liaison with all Australian States and Territory Coroner's Court in relation to (unidentified bodies of African appearance);
- Prisons checked;
- Ministry of Housing checked;
- Births Deaths and Marriages checked;
- VicRoads checked;
- Criminal records history checked;
- Religious groups checked;
- Refugee detention centres checked (with the assistance of the Department of Immigration);
- Department of Human Services checked;
- Ongoing liaison with Bellier Task Force (Victoria police missing Persons unit);
- DNA samples taken from Redae's father for comparison against any unidentified persons;

⁶ Exhibit 1

- Two possible sightings of missing persons have been canvassed and investigated;
- Port of Melbourne checks conducted re-passenger movement.

21. Simon has made a number of personal enquiries and searches including putting up Redae's photo around Melbourne and in African community publications and looking in various farming communities around Victoria including Shepparton, Swan Hill, Bendigo and Tatura. Simon made enquiries of the Salvation Army Homeless Persons and Hospitals around Melbourne.

22. Redae's cousin Luel Hailu, currently living in Victoria, made a statement as to the efforts he has made to try and locate Redae. He stated that one friend advised him that someone had seen Redae on a train at Newport station heading into the city but no details as to when this was or who made this sighting were provided in that statement.

23. However, the brief also contains a statement from Acting Sergeant Hickson who stated that he attended to a person at the counter at Moonee Ponds police station on August 20 2007. He noted that he had made notes in his day book that a person called "Tadese" attended the police station at 5.35pm on that day and advised that he had seen Redae at the Footscray train station at 2.00pm on that day.

24. According to Alison Lewis, Redae's treating mental health team also made a missing person report which resulted in both TV and radio coverage.

25. There is evidence that just prior to Redae going missing he wanted to return back to Ethiopia. There is no evidence to suggest that this has occurred. Simon stated that he is in constant contact on a weekly to fortnightly basis via phone with family members in Ethiopia and they have not sighted or had any contact with Redae for some years. Dr Berhan Ahmed, a community leader in the African community in Melbourne, assisted this investigation at the request of the Court. He was requested to make contact with Redae's family in Ethiopia and did so. He has provided a statement as to this contact, which has been included in the inquest brief.⁷ He confirmed that his enquiries confirmed that the family had not had any form of communication from Redae in the past 3 to 4 years.

26. The investigating member has maintained contact with Redae's father and community leaders from the African community in the hope of acquiring further information.

27. Victoria Police still have Redae as a missing person investigation and at this stage have no further evidence as to his whereabouts or well-being.

⁷ Statement of Dr Berhan Ahmed 31st August, 2011

28. Simon is understandably distraught at not knowing where his son is or what has happened to him. Ms Alison Lewis stated that she has had many sessions with Redae's father and noted that he remains convinced that Inner West Area Mental Health Service have some knowledge of Redae's whereabouts. Ms Lewis confirms that sadly, they do not. Ms Lewis also stated that she was well aware of the distress to families in the situation of Redae's father and noted that she was unable to give the closure that Simon so desperately desires. She also stated that if any new information became known to her about Redae that she would pass it on to the police.

29. Ms Lewis stated that in her opinion, Redae's history provides a basis for concluding that Redae would have considerable difficulty fending for himself in the community unassisted and not medicated.

30. Detective Leading Senior Constable Walsh gave his opinion that whilst Redae may be deceased, he may also be alive either in this state or some other part of Australia being cared for by a person or persons unknown.

Conclusion:

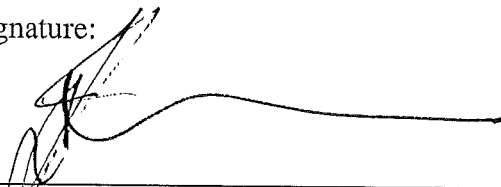
23. Given the above, despite considerable efforts made by the investigating member, and Redae's father, Redae has not been seen since August 2007 or had any contact with any friends, family or community, or institutions such as banks or government agencies including Centrelink.

24. Given his language and mental health difficulties, he would have considerable difficulty in maintaining himself in the community without assistance and support. His history has shown that in the absence of medication, he would be likely to lapse into his persecutory beliefs and discontinue eating and drinking and thus put his life at considerable peril.

25. I am only able to make findings based on the evidence before me. There is no conclusive evidence to date that establishes that Redae is no longer alive. I consider it appropriate to find that in the above circumstances Redae has been missing for in excess of 5 years, suffering from a range of difficulties that would make him very vulnerable without assistance and support. I find that he is currently still missing, unable to be located, despite a considerable range of investigations and enquiries.

26. In these circumstances, I request that Victoria police and, in particular the Missing Persons Unit, keep Redae's case open to ensure that (1) in the event that any further information be provided, the police may apply to have his coronial investigation re-opened and (2) that, in the meantime, that Redae continue to be checked against all and any new information being provided to Victoria Police.

Signature:



Judge Jennifer Coate
State Coroner
October 26, 2011



DISTRIBUTION:

I direct a copy of this Finding be provided to:

Mr Gebresilaisse Simon (Redae's father)
D/S/C Gerard Walsh, Moonee Valley Crime Investigation Unit (Investigating Member)
Bellier Task Force
Missing Persons Unit, Victoria Police