



IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

**COR 2022 004182**

**FINDING INTO DEATH WITHOUT INQUEST**

*Form 38 Rule 63(2)*

*Section 67 of the Coroners Act 2008*

Findings of:	AUDREY JAMIESON, Coroner
Deceased:	Rohan Patrick Cosgriff
Date of birth:	13 April 2005
Date of death:	26 July 2022
Cause of death:	1(a) Neck compression 1(b) Hanging
Place of death:	Miners Rest, Victoria, 3352
Keywords:	Suicide; young person; sextortion; image-based abuse; eSafety Commissioner

## **INTRODUCTION**

1. On 26 July 2022, Rohan Patrick Cosgriff was 17 years old when he was found deceased at his home. At the time of his death, Rohan lived at in Miners Rest with his parents, Rebecca and Anthony, and younger sister.
2. He attended Miners Rest Primary School where he was the school captain in year six, before attending St Patrick's College for secondary school. He was engaged with his schoolwork and aspired to be a teacher. He volunteered as a mentor at a camp for children who had experienced trauma and adversity and received excellent feedback about his leadership skills.
3. Rohan was a compassionate, patient and bright young man who was popular with his peers. He was a talented sportsman who played Australian rules football, futsal and tennis. He had a keen interest in wildlife and animals and loved horse racing. He worked as a stable hand at his father's racing stables after school and attended race days when his football schedule allowed him to do so.
4. Rohan was generally fit and healthy; his only known health issues were occasional allergies and sports injuries. He had no known mental health issues and was always upbeat, happy and cheerful.

## **THE CORONIAL INVESTIGATION**

5. Rohan's death was reported to the Coroner as it fell within the definition of a reportable death in the *Coroners Act 2008* (the Act). Reportable deaths include deaths that are unexpected, unnatural or violent or result from accident or injury.
6. The role of a coroner is to independently investigate reportable deaths to establish, if possible, identity, medical cause of death, and surrounding circumstances. Surrounding circumstances are limited to events which are sufficiently proximate and causally related to the death. The purpose of a coronial investigation is to establish the facts, not to cast blame or determine criminal or civil liability.
7. Under the Act, coroners also have the important functions of helping to prevent deaths and promoting public health and safety and the administration of justice through the making of comments or recommendations in appropriate cases about any matter connected to the death under investigation.

8. Victoria Police assigned an officer to be the Coroner's Investigator for the investigation of Rohan's death. The Coroner's Investigator conducted inquiries on my behalf, including taking statements from witnesses – such as family, the forensic pathologist, treating clinicians and investigating officers – and submitted a coronial brief of evidence.
9. This finding draws on the totality of the coronial investigation into the death of Rohan Patrick Cosgriff including evidence contained in the coronial brief. Whilst I have reviewed all the material, I will only refer to that which is directly relevant to my findings or necessary for narrative clarity. In the coronial jurisdiction, facts must be established on the balance of probabilities.<sup>1</sup>

## **MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE**

### **Circumstances in which the death occurred**

10. Rohan was 'on top of the world' in the days leading up to his death. His football team was almost certainly going to make the finals, he had just been awarded 'Best on Ground' and one of their horses had won at Warracknabeal, which he was very happy about.
11. On 26 July 2022, Rohan spent the day at school as usual and then attended football training. After football training he had dinner at his friend Lachlan's house. He was his normal, happy self. Lachlan's mother dropped him home at around 8pm. Anthony asked him how football training had been, to which he replied it was "good". He heard Rohan have a shower and go to his bedroom.
12. Rebecca returned home from dinner at around 9:30pm and asked Anthony where Rohan was. They realised he was not in his bedroom and began looking for him. Anthony located him in the yard to the side of the house, hanging from a cypress tree. He immediately lifted him down and commenced cardiopulmonary resuscitation (CPR).
13. Emergency services arrived shortly thereafter and took over resuscitation efforts, sadly to no avail. Rohan was declared deceased at 10:25pm.

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<sup>1</sup> Subject to the principles enunciated in *Briginshaw v Briginshaw* (1938) 60 CLR 336. The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals unless the evidence provides a comfortable level of satisfaction as to those matters taking into account the consequences of such findings or comments.

14. A “suicide note” was located in Rohan’s pocket, stating *“I made a huge mistake. I’m sorry. I love you all. This is life ending.”*
15. It was later identified that immediately before his death, Rohan was the victim of sexual extortion, or ‘sextortion’.<sup>2</sup>

### **Identity of the deceased**

16. On 26 July 2022, Rohan Patrick Cosgriff, born 13 April 2005, was visually identified by his father, Anthony Cosgriff, who completed a Statement of Identification.
17. Identity is not in dispute and requires no further investigation.

### **Medical cause of death**

18. Forensic Pathologist Dr Sarah Parsons from the Victorian Institute of Forensic Medicine (**VIFM**) conducted an external examination on the body of Rohan Cosgriff on 27 July 2022. Dr Parsons considered the Victoria Police Report of Death (Form 83) and post mortem computed tomography (**CT**) and provided a written report of her findings dated 5 August 2022.
19. The findings at post mortem examination were in keeping with the known circumstances. The post mortem CT scan showed no abnormality.
20. Toxicological analysis of post mortem blood samples did not identify the presence of any alcohol or any common drugs or poisons.
21. Dr Parsons provided an opinion that the medical cause of death was 1 (a) NECK COMPRESSION; 1 (b) HANGING.

## **FURTHER INVESTIGATIONS**

### **Police investigation**

22. Rohan’s mobile phone was examined by Victoria Police in October 2022 and Snapchat messages between he and the sextortion scammer were discovered. The sequence of events was as follows:

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<sup>2</sup> The Australian Centre to Counter Child Exploitation defines sextortion as a form of online blackmail where someone tricks or coerces another person into sending sexual images of themselves and then threatens to share the images unless they comply with their demands. Usually, these demands are for more images, payment or sexual favours.

- a) At around 7:12pm on 25 July 2022, Rohan received a message on Snapchat from someone purporting to be a woman named 'Christine Herdon'. They exchanged messages and built rapport.
  - b) At around 6:36am on 26 July 2022, 'Christine' recommenced the conversation and suggested they exchange intimate images. 'Christine' sent an image to Rohan.
  - c) At around 8:23pm, 'Christine' again requested an intimate image from Rohan. They exchanged messages for nine minutes, before Rohan sent an image.
  - d) 'Christine' immediately began making threats to distribute Rohan's intimate images unless he paid an amount in exchange. Rohan replied stating that he could not pay and would kill himself. 'Christine' provided a deadline for payment of one hour from 8:47pm.
  - e) At 8:56pm, Rohan stated that he was struggling to locate the money. 'Christine' replied "Okay fast. 45 mins left." and "Hey". This was the end of the messages.
  - f) At some time between 8:56pm and around 9:37pm, Rohan tragically took his own life.
23. As the incident involved the offences of blackmail<sup>3</sup> and threat to distribute intimate image,<sup>4</sup> investigators from the Ballarat Sexual Offences and Child Abuse Investigation Team commenced a criminal investigation. It was established that the Snapchat and Instagram accounts used by the offender originated in Nigeria, but investigators were unable to positively identify any persons responsible.
24. The investigation file was forwarded to the Australian Federal Police for further investigation. Ultimately, they were unable to identify any person or entity to progress the investigation and on 11 October 2023 the criminal investigation was closed and marked as unsolved.

### **Online safety education**

25. Having reviewed the tragic circumstances of Rohan's death, I considered that education may play an important role in preventing like deaths. Accordingly, I sought information from St Patrick's College Ballarat as to the education provided to Rohan and informed myself

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<sup>3</sup> Section 87 of the *Crimes Act 1958* (Vic).

<sup>4</sup> Section 53T of the *Crimes Act 1958* (Vic).

generally about the online safety education available to young people, parents and schools in Australia.

26. St Patrick's College advised that education on online safety, social media and the dangers of posting images online was covered by way of the school's pastoral care program, year level assemblies, external speakers and programs and in communications sent home to parents. I make no criticism of the school in this regard and consider that the education they provided was appropriate.
27. My research on this topic identified a wealth of online safety education and resources available to young people, parents and educators. For example, the eSafety Commissioner, Australia's independent regulator for online safety, produces a range of information for educators, parents, children and young people on being safe online. Of particular relevance to this case, the eSafety Commissioner's website has pages titled "My nudes have been shared", "Someone is threatening to share my nudes" and "I'm being pressured to send my nudes". These pages contain advice reporting and welfare contacts for young people, and importantly, stories from young people with lived experience.
28. In the school setting, the Victorian Department of Education states that online education should be included within school curriculum planning and taught explicitly. The Department provides classroom resources to assist schools in providing education to students.
29. Having perused the resources available, I do not consider that more education is the solution to preventing deaths in like-situations. What needs to be done is to bolster the legal response to sextortion and image-based abuse, particularly in situations such as Rohan's involving an international element, and to empower young people to speak up and seek assistance when they find themselves a victim of these crimes.

## COMMENTS

Pursuant to section 67(3) of the Act, I make the following comments connected with the death.

1. To assist my investigation into Rohan's death, I asked the Coroners Prevention Unit (CPU)<sup>5</sup> to establish whether any other young people (aged up to 24 years) in Victoria had taken their lives in a context of sextortion or other similar image-based abuse.
2. The CPU searched coronial databases including the Victorian Suicide Register (VSR) and identified one other Victorian suicide since 2014 of a young male which occurred in very similar circumstances to Rohan's death. The young male had engaged online with a woman he did not know and sent an intimate image, which was subsequently used to blackmail him. He tragically suicided without telling his loved ones about the sextortion, and police who investigated his death found that money he sent to his blackmailers ended up in a West African country.
3. The CPU advised me that during the past decade there have been at least 11 other suicides among young people in Victoria who were the subject of sextortion or image-based abuse, where there was no evidence of transnational organised crime involvement. Additionally, the CPU identified at least another seven deaths of young people where bullying of a sexual nature had taken place though not image-based abuse or sextortion.

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<sup>5</sup> The Coroners Prevention Unit (CPU) was established in 2008 to strengthen the prevention role of the coroner. The unit assists the Coroner with research in matters related to public health and safety and in relation to the formulation of prevention recommendations. The CPU also reviews medical care and treatment in cases referred by the coroner. The CPU is comprised of health professionals with training in a range of areas including medicine, nursing, public health and mental health.

## Legal response to sextortion

4. In support of my investigation, the CPU also alerted me to a recent joint operation between the Australian Centre To Counter Child Exploitation and the Australian Transaction Reports and Analysis Centre titled Operation Huntsman. The purpose of this operation was to tackle Australian-based bank accounts of international sextortion syndicates. The description of the sextortion process in this article struck me as being very similar to what happened to Rohan:

*The offending often starts with a direct message on social media but can escalate very quickly once a victim has engaged.*

*The teenage victim is usually asked to continue chatting on a different app where the conversation becomes highly sexualised and the victim is coerced into self-generating child abuse material.*

*Once an offender has received a compromising image, they will use it to blackmail the victim with threats to share the picture or video with the friends and family on their social media contacts list unless they pay.*

*In some instances, offenders have doctored images to make the victim appear to be in even more compromising positions.*

*Authorities are not able to provide information about specific blackmail demands however generally investigators are seeing that offenders initially demand payment of a sum that would seem large to a teenager to pay.*

*The amount is then negotiated down to a limit the victim could pay. The demands for payment does not stop after an initial money transfers with offenders continuing to blackmail a victim until they are blocked.<sup>6</sup>*

5. In an illuminating discussion with eSafety Commissioner Julie Inman Grant, I was concerned to learn that Operation Huntsman was symptomatic of a recent significant shift in the nature of sextortion in Australia. Around six years ago, the typical profile of a sextortion victim was a young female who had shared an intimate picture with a partner prior to relationship breakdown. Now, the typical profile is a young male (16-24 years) sharing an intimate picture

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<sup>6</sup> Australian Centre to Counter Child Exploitation, “AFP and AUSTRAC target offshore sextortion syndicates preying on Australian youth”, 1 December 2022, <<https://www.acce.gov.au/news-and-media/media-release/afp-and-austrac-target-offshore-sextortion-syndicates-preying-australian-youth>>, accessed 30 April 2024.



with a stranger online who is part of an overseas-based criminal network. I believe that this issue must be addressed with some urgency to prevent further suicides in tragic circumstances from occurring.

6. The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA) has appointed Ms Delia Rickard PSM to undertake a Statutory Review of the *Online Safety Act 2021* (Cth), the purpose of which is to examine whether any additional protections are needed for harmful online material. The Issues Paper to guide public consultation for the Statutory Review contained only one reference to sextortion, an incidental mention while describing Australia's non-consensual sharing of intimate images scheme:

*Recently, the scheme saw a significant rise in the number of reports relating to sexual extortion (sextortion), with the majority of the reports from young men aged between 18 and 24.*<sup>7</sup>

7. I am uncertain what this means about the Statutory Review's focus on sextortion, but I would like to be certain that the Statutory Review gives sufficient weight to the risk of sextortion in circumstances similar to those which tragically led to Rohan taking his life. I note that the public consultation process for the Statutory Review closed on 21 June 2024,<sup>8</sup> however I hope that by distributing this finding to the Statutory Review, lessons can be learned from Rohan's death to inform the work of the Statutory Review relating to sextortion.

#### The issue of shame

8. A common theme in cases of sextortion, image-based abuse, and indeed sexual offences generally, is that the victim often feels a deep sense of shame, embarrassment and guilt, and these feelings often prevent them from disclosing what has happened to them.
9. I do not for a moment criticise Rohan's very real feelings that led him to take the drastic and permanent action he chose. It would however be remiss of me to not mention that had he felt able to disclose the incident to his family, a trusted friend or police, his death may have been prevented.

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<sup>7</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts, *Statutory Review of the Online Safety Act 2021: Issues Paper*, April 2024, Canberra: DITRDCA, p.21.

<sup>8</sup> Department of Infrastructure, Transport, Regional Development, Communications and the Arts, "Statutory Review of the Online Safety Act 2021", undated, < <https://www.infrastructure.gov.au/have-your-say/statutory-review-online-safety-act-2021>>, accessed 1 July 2024.

10. There is a myriad of online safety resources available to young people and given its inclusion in the school curriculum it would be a topic almost impossible for a young person to avoid. However, the fact remains that with all the education in the world, and no matter how many times the message ‘don’t send intimate images’ is repeated, young people will continue to do these things, and the conversation must turn to *should you find yourself in this situation, it is going to be okay*.
11. We need to empower our young people to speak up about what has happened to them, to talk about a shameful or embarrassing situation before those feelings compound into something they perceive as impossible to confront. To use two old adages – *a problem shared is a problem halved* and *this too shall pass*. If a young person finds themselves in a situation like Rohan did, the most important thing is that they know they have not done anything wrong, that they are a victim, that there is help and resources available to them, and that the situation will not define the rest of their lives.

## RECOMMENDATIONS

Pursuant to section 72(2) of the Act, I make the following recommendations:

- (i) With the aim of preventing like deaths and promoting public health and safety, I recommend that Delia Rickard PSM consider the circumstances in which Rohan Cosgriff suicided and how these circumstances might inform the Statutory Review of the *Online Safety Act 2021* (Cth), particularly with respect to combatting sextortion led by transnational crime syndicates.

## FINDINGS AND CONCLUSION

1. Pursuant to section 67(1) of the *Coroners Act 2008* I make the following findings:
  - a) the identity of the deceased was Rohan Patrick Cosgriff, born 13 April 2005;
  - b) the death occurred on 26 July 2022 at his home address in Miners Rest, Victoria, 3352;
  - c) I accept and adopt the medical cause of death ascribed by Dr Sarah Parsons and I find that Rohan Patrick Cosgriff died from neck compression due to hanging in circumstances where I find he intended to take his own life;
2. AND, having considered the evidence before me, I find that Rohan Patrick Cosgriff, a victim of sextortion, took his own life in response to that incident.

I convey my sincere condolences to Rohan's family for their loss.

Pursuant to section 73(1B) of the Act, I order that this finding be published on the Coroners Court of Victoria website in accordance with the rules.

I direct that a copy of this finding be provided to the following:

Anthony & Rebecca Cosgriff, Senior Next of Kin

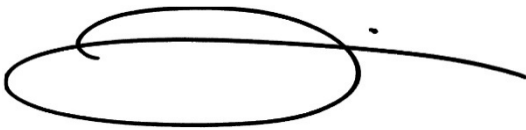
Julie Inman Grant, eSafety Commissioner

Delia Rickard PSM

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Senior Constable Aaron Ing, Coroner's Investigator

Signature:



AUDREY JAMIESON

CORONER

Date: 5 July 2024



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NOTE: Under section 83 of the *Coroners Act 2008* ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.

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