



STATE CORONER'S COURT OF NEW SOUTH WALES

Inquest:	Inquest into the death of Jason Britten
Hearing dates:	5 July 2016
Date of findings:	5 July 2016
Place of findings:	State Coroners Court, Glebe
Findings of:	Magistrate Harriet Grahame, Deputy State Coroner
Catchwords:	Coronial Law – Cause of death
File number:	2015/00152452
Representation:	Nishant Ramavat, Coronial Law Advocate – Advocate assisting the Coroner
Findings:	<p>On the balance of probabilities, I find that Jason Britten died between on or around 13 February 2015 at his home at 29/12 Jersey Road, Strathfield, NSW. The cause and manner of his death remains uncertain.</p>

IN THE STATE CORONER'S COURT
GLEBE
NSW
SECTION 81 CORONERS ACT 2009

REASONS FOR DECISION

1. This inquest concerns the death of Jason Britten.

Introduction

2. Jason was a 30 year old man who was living alone in in Strathfield at the time of his death. He had recently moved to the unit, having been released from a drug treatment program. Jason had a history of substance abuse and mental health issues. He had previously attempted suicide and had received mental health treatment.
3. Jason had a somewhat troubled history. His father stated that family relationships were strained because of Jason's ongoing heroin use.¹ At the time of his death Jason had little contact with his family and appears to have been somewhat socially isolated. He was under the supervision of Community Corrections (Probation and Parole) and had attended his last appointment on 10 February 2015. Jason failed to report on 26 February 2015 or at any time thereafter. At some point a warrant for breaching his parole conditions issued.

The role of the Coroner

4. The role of the Coroner is to make findings as to the identity of the nominated person, and in relation to the date and place of death. The Coroner is also to address issues concerning the manner and cause of the person's death.²

¹ Statement of S/C Watson, Exhibit 1, Tab4, paragraphs 27,29

² Section 81 Coroner's Act 2009 (NSW)

Discovery of Jason's body

5. On Saturday 16 May 2015 Colin Brodie attended Lake Macquarie Police Station to report Jason missing. Colin had originally known Jason through his son and had allowed Jason to stay with his family in previous years. A strong friendship had developed and Colin regarded Jason with great fondness.
6. Colin had last spoken to Jason on 6 February 2015. Later he became aware that Jason was wanted by police in relation to an outstanding warrant. For this reason Colin did not immediately contact police. However, over the weeks when Colin did not hear from Jason he became increasingly concerned for his friend's welfare.
7. About 11.40 am on 21 May 2015, Senior Constable Lauren Watson, Constable Christopher Davis and Probationary Constable Larissa Nicita attended Jason's last known address at 29/12 Jersey Road Strathfield, in response to Colin Brodie's missing person report. There were no signs of forced entry to the unit and it was locked and inaccessible from the outside. Window screens were all in place and on closer examination there were numerous valuable items, including cash and a bankcard in full view. Police had no concerns in relation forced entry or foul play.
8. A neighbour indicated that he had last seen Jason on 11 February 2015, when they had argued about money.³ A later canvass of neighbouring properties revealed no further information.
9. When police finally entered the unit they were struck by the smell of decomposition. Jason's body was located lying on top of an air mattress in the middle of the lounge room, with a blanket over him, as if he were sleeping. His mobile phone was nearby. It was immediately clear that Jason had been dead for some time. There were syringes on the kitchen bench and a receipt indicating that Jason was likely to have purchased them on the evening of 12 February 2015. Police also found a receipt for diazepam and a small quantity of prescription medication.
10. Later investigations revealed that Jason had not opened any text messages on his mobile phone from 14 February 2015. All earlier messages had been read. The last

³ See narrative of P79A form, Exhibit 1, Tab 1

reply to a text message was on 13 February 2015. On 14 February 2015 at 4.32pm there was a message from “Fang” saying “Got cold if your chasing”. Jason did not reply to this message, which is most likely a reference to the drug, ice.

Identification

11. Jason’s body was taken to Glebe Mortuary. His body was too decomposed for a visual identification. At a later time Jason was formally identified by way of comparison of dental records.⁴

The Autopsy

12. An autopsy was conducted on 22 May 2015.⁵ The body was in a very advanced state of decomposition. However, the forensic pathologist was able to find that there was no evidence of bodily injury on the surface of his body and CT scans did not identify any bony injuries. There was also no evidence of blood loss present on the surface of the body, clothing or bedding which might indicate an injury. Little meaningful information could be gleaned from the examination of internal organs. No fluid was available for toxicological testing.
13. Overall, a cause of death could not be determined, due mainly to the effects of bodily decomposition. The pathologist did not offer an opinion as to the time of Jason’s death. However, due to the significant decomposition it can be estimated that Jason had been dead some weeks.

Investigations into Jason’s Drug Use

14. It is clear that Jason had a long standing drug problem. Jason’s father, Graham Britten stated that Jason had been using heroin since he was about 15 years of age.⁶ He reported that Jason had made numerous attempts to stop using drugs but that these had all been unsuccessful. Jason had recently been at the WHOS rehabilitation program for about 6 months

⁴ Exhibit 1, Tab 3

⁵ Autopsy Report for the Coroner, Dr Kendall Bailey. Exhibit 1, Tab 2

⁶ Statement of S/C Watson, Exhibit 1, Tab 4, paragraph 27

Investigations of Jason's Mental Health Issues.

15. Jason had longstanding mental health issues. He had been hospitalised on previous occasions and had previously attempted suicide. It is not clear if Jason had been receiving mental health care at the time of his death.

Did Jason commit suicide?

16. It is certainly possible that Jason took his own life. The NSW Police COPS system recorded attempts in November 2010 and February 2014. Jason's father, Graham Britten and his friend, Colin Brodie have both indicated that suicide is something Jason spoke of from time-to-time. However in the circumstances of escalating drug use, it is also possible that his death may have been the result of an accidental overdose. Without a note or other specific indication, suicide is not established on the available evidence.
17. There is no evidence to suggest that Jason had any other known physical health problems which could have caused a sudden death and the level of his decomposition means that no useful information could be gleaned from the autopsy in relation to this possibility. Unfortunately it was also impossible to undertake post mortem toxicological testing.
18. Given the evidence available, while it is certainly likely that his death was caused by the ingestion or injection of drugs, a firm manner or cause of death cannot be established.

Findings

19. On the balance of probabilities, I find that Jason Britten died on or around 13 February 2015 at his home at 29/12 Jersey Road, Strathfield, NSW. The cause and manner of his death remains uncertain.

I offer my sincere condolences to his family and to his friends, particularly Colin Brodie.

I close this inquest

Magistrate Harriet Grahame
Deputy State Coroner
5 July 2016