



**CORONERS COURT
OF NEW SOUTH WALES**

Inquest:	Inquest into the death of Quinn Martin
Hearing dates:	12 July 2018
Date of findings:	12 July 2018
Place of findings:	State Coroner's Court, Glebe
Findings of:	State Coroner Les Mabbutt
File number:	2015/266008
Catchwords	CORONIAL – Homicide by person or persons unknown
Representation:	Coronial Advocate assisting Mr Ben Hart
Recommendation under s 82 Coroners Act 2009	I recommend that the death of Mr Martin be referred to the Unsolved Homicide Unit of the NSW Police Homicide Squad for further investigation

Introduction

Mr Quinn Martin was last seen on 7 December 2012 at a property at Colo Heights.

On 9 September 2015 Mr Martin's skeletal remains were located in the Parr State Forest, Colo Heights approximately 2.5 kilometres from where Mr Martin was last seen. Mr Martin's remains were identified by DNA testing.

Around the time of his disappearance Mr Martin was using drugs and was on bail awaiting sentence for break and enter and steal offences.

Why was an inquest held?

The role of the Coroner pursuant to s 81 of the *Coroners Act 2009* is to make findings regarding:

- The identity of the deceased
- The date and place of that person's death

- The cause and manner of that person's death

Pursuant to s 27 of the Act an inquest is mandatory where the manner of death may be a homicide.

Pursuant to s 82 of the Act, a Coroner has the power to make recommendations, including concerning any public health or safety issue arising out of the death in question.

BACKGROUND

Quinn Martin was known to everyone by his nickname Dicky. He was born on 31 January 1979. Mr Martin's sister Torrie Martin was very close to him. He grew up in the Windsor/Colo area and was well known.

Mr Martin had been in a past relationship with Leonie Berrigan nee Fuller and they have a daughter Shayla who was born in 1999. Shayla is now 18 years of age. Mr Martin began a relationship with Jana Murphy around 1999/2000. Jana also had a child from another relationship and Jana and Mr Martin had four children together. He was still in a relationship with Jana at the time he went missing.

Mr Martin didn't have a significant work history. He was known to work hard when he did and most often worked a day here and there doing demolition and labouring for several people and businesses in the area.

The police investigation into Mr Martin's disappearance

Detective Senior Constable Peter Nassar the officer in charge of the investigation gave evidence at the inquest regarding the investigations conducted firstly into Mr Martin's disappearance and upon the locating of Mr Martin's remains his death. A large brief of evidence was tendered including numerous statements, reports, photographs and forensic material.

Events leading up to Mr Martin's disappearance and death

Mr Martin was reported missing by Jana Murphy on 8 December 2012. Jana, Mr Martin, two of their children and an acquaintance travelled up to that person's property on the Putty Road, Colo Heights during the evening of 7 December 2012.

They drove up in Mr Martin's vehicle and had stopped at Windsor Police Station where Mr Martin had to report on Bail. During the trip they also stopped on the side of Putty road to ensure that no-one was at the property before driving in. Jana believed Mr Martin was involved in some kind of criminal enterprise.

Mr Martin and the friend went down the back of the property, which is a large, rural landholding that backs on to the Parr State Forest. Mr Martin came back about an hour later and told Jana that he was going to be busy for another 1 ½ hours and then they would go home. However, about 1 hour later the friend returned from the rear of the property alone. Jana was told that Mr Martin had left. Jana went to bed around 2am and never saw Mr Martin again.

The friend later told Jana and police that Mr Martin had returned to the property early in the morning after Jana had gone to bed. Mr Martin said he was going to rip off a drug plantation on Wheelbarrow Rd, Colo Heights, Mr Martin left on foot, was visibly affected by drugs, and he never returned.

The following morning, the friend took Mr Martin's car down to the petrol station and filled it up as Mr Martin had apparently used all the fuel the previous night. Police interviewed and spoke with the friend, another person on the property at the time and Jana numerous times throughout the investigation.

During the early hours of the morning on 8 December 2012 a group of four friends driving a white Landcruiser Troop Carrier had also arrived at the property. They were familiar with the property and the driver of the vehicle had stored tens of thousands of dollars' worth of speakers and sound equipment there. He told Police that he was checking in on the speakers and that he needed to clean up the property after a party he'd organised earlier in the year.

They discovered that some dirt bikes and expensive batteries had been stolen from the stored equipment. Some of these items were later located at Mr Martin's home.

The four persons deny seeing Mr Martin during the early hours of the morning when they arrived and said they'd just stopped in on their way home from a long road trip to North Queensland. The driver of the Landcruiser arranged to have all the speakers and sound equipment removed the following day, 9 December 2012. Police interviewed the four persons in the Landcruiser, checked their whereabouts at relevant times through CCTV footage and spoke with their associates.

Police conducted an extensive search of the property with no result. Police investigations into Mr Martin's disappearance also considered Mr Martin's other associations and criminal interactions in the Windsor community.

Police discovered that Mr Martin had been threatened by a member of a motor cycle gang over a car that he had sold to another person. Mr Martin had used his father's motor vehicle as surety for a drug debt. Mr Martin then allegedly threatened that person in company with a member of another motor cycle gang. Mr Martin was in turn, contacted by a member of the first motor cycle gang and warned to cease his endeavours to recover the car. This occurred in June or July 2012. The persons involved were interviewed by police.

During one of the break and enter offences committed by Mr Martin he stole a safe and several motor cycles in company with others. The property had been owned by a former member of a motor cycle group. When spoken to by police about those offences Mr Martin nominated his co-offenders. Investigators questioned his co-offenders and a number of other persons.

During this part of the investigation prior to the locating of Mr Martin's remains, Police received information that Mr Martin was alive and was living with persons he knew in other parts of state and he did not wish to be located. Police obtained information through their investigations from various sources that a number of persons may wish to cause harm to Mr Martin.

Locating Mr Martin's remains

Police had searched the Putty Road property initially when Mr Martin was reported missing. Following receipt of further information by police in September 2015 a further extensive search resulted in police locating Mr Martin's skeletal remains on 9 September 2015 approximately 2.5kms at the rear of the Putty Road property in the Parr State Forrest.

Mr Martin's remains were dispersed over a 100 metre area. Mr Martin's remains had not been buried but were in thick bushland approximately 50 metres off a track.

The investigation conducted by police to investigate Mr Martin's disappearance and subsequently his death under strike force 'VOWEL' was long and complex. Numerous witnesses were interviewed. A number of witnesses were re interviewed several times given conflicting information police received regarding Mr Martin's movements and activities prior to his death and other information obtained by police. However, despite the large number of statements taken and information collated, the evidence is not sufficient to establish the person or persons who were involved in Mr Martin's death.

Cause of Death

Dr Van Vurren the forensic pathologist who examined Mr Martin's skeletal remains could not determine a cause of death but noted *"The cause of death cannot be accurately determined. The bones were located in close proximity to each other, but not intact. A large number of bones and fragments are absent, and some of the bones... are incomplete. Multiple skull fractures are present both visually and on CT examination. Some of the large fragments could have occurred during the post-mortem period or due to animal interferencemost of the fractures seen on the CT scan appear to be peri mortem."*

Consultant Forensic Anthropologist Denise Donlon examined the remains and stated *"Most of the fractures have the appearance of peri-mortem trauma... What is not clear however, is the cause of the peri-mortem trauma. Determining cause and manner of death is usually reliant on the damage to soft tissue."*

Given that evidence I am unable to find on the balance of probabilities the exact cause of Mr Martin's death.

Manner of death

The evidence of peri mortem skull injuries (injuries that occurred prior to death) the location of Martin's body and the manner it was located satisfies me Mr Martin's death was suspicious. The totality of the evidence establishes another person or persons were involved in the death of Mr Martin. I find Mr Martin's death was not accidental.

For those reasons I find on the evidence Mr Martin's manner of death was homicide. However, the available evidence does not support a finding that a known person or persons were involved in Mr Martin's death.

Date of death

Ms Donlon's opinion on the time that had elapsed since death states *"Taking into account the above as well as the large number of variables which can affect the skeletonisation of a*

body, it is my opinion that this man probably died at least a few months before his skeleton was found. Given the cracking of the bone, it is probably that the time since death is greater than a few months."

Taking that evidence into account and the date Mr Martin's remains were located (9 September 2015) I find Mr Martin died between 7 December 2012 the last date he was seen alive and 31 December 2014.

Conclusion

The identity of Mr Martin was confirmed by DNA evidence.

The evidence satisfies me on the balance of probabilities that Mr Martin died in the area of Colo Heights NSW.

Despite a lengthy and complex police investigation, involving a large amount of information, statements and reinvestigation, the person or persons who were involved in the death of Mr Martin are unknown.

In the circumstances I recommend that this case is referred to the Unsolved Homicide Squad of the NSW Police for further investigation.

Findings Pursuant to s 81 of the Coroners Act 2009

Identity

The person who died was Quinn Martin

Date of death

Between 7 December 2012 and 31 December 2014

Place of death

Colo Vale NSW

Cause of death

Undetermined

Manner of death

Homicide by a person or persons unknown

Recommendation under s 82 of the Coroners Act 2009.

I recommend that the death of Mr Martin be referred to the Unsolved Homicide Unit of the NSW Police Homicide Squad for further investigation.

Les Mabbutt
State Coroner
12 July 2018