



**STATE CORONER'S COURT
OF NEW SOUTH WALES**

Inquest: Inquest into the death of Annemarie Jeffery

Hearing dates: 24 March 2023

Date of findings: 24 March 2023

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

Findings of: Magistrate Harriet Grahame, Deputy State Coroner

Catchwords: CORONIAL LAW – missing person, LANDSAR search,

File numbers: 2021/138569

Representation: Ms Amanda Chytra (Sergeant)
Coronial Advocate Assisting

Findings:

I make the following findings pursuant to section 81(1) of the *Coroners Act 2009* (NSW),

Identity

Annemarie Jeffery is dead.

Date of death

She died on or in the days very shortly after she went missing on 25 August 2020.

Place of death

Her place of death is somewhere in the vicinity of the Lake Arragan and Red Cliff Campgrounds near Brooms Head NSW. I am unable to determine if she died on land or in the water.

Cause of death

Her cause of death remains unknown.

Manner of death

Her manner of death remains unknown.

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Introduction

1. Annemarie Jeffery was last seen on 25 August 2020. She had been camping with her husband David and various friends at the Lake Arragan Campgrounds near Brooms Head, NSW. The group had enjoyed a congenial campfire and good meal the night before. On the morning of 25 August 2020 they were preparing to go for a walk through the beautiful coastal area where they were staying when Annemarie left the group to go briefly up to the amenities block. Tragically she did not return.
2. Unfortunately the exact circumstances of her disappearance remain mysterious. While searching commenced almost immediately, Annemarie was never found and over two years later there is still no firm evidence to indicate exactly what happened.
3. Annemarie came from a close and loving family. Her husband, children, brother and sister in law and niece were present in court during the inquest. Once again I offer them my sincere and heartfelt condolences. The pain of losing Annemarie must surely be exacerbated by the devastating fact that despite an investigation we remain unable to say what actually occurred.

The role of the coroner and the scope of the inquest

4. The role of the coroner in a case such as this is to make findings firstly as to whether the nominated person is actually dead and only if that can be established, is the coroner to make further findings as to the date and place of death. The coroner is also to address issues concerning the manner and cause of the person's death.¹
5. The decision about whether a person is dead is considered a "threshold question" in a missing person case.² Given the seriousness of the finding, it is well established that the court should apply the *Briginshaw* standard³. The proof of death must be clear, cogent and exact. At common law, there is a presumption in favour of the continuance

¹ Section 81 *Coroners Act* 2009 (NSW)

² Dillon H and Hadley M "The Australasian Coroners' Manual" Federation Press, 2015, page 111

³ *Briginshaw v Briginshaw* (1938) 60 CLR 336

of life,⁴ however it is not a rigid presumption and the circumstances of any given case must be carefully examined before a finding of death can be made.

6. In addition to deciding these questions, at the conclusion of proceedings, the coroner may, if necessary, make recommendations in relation to matters arising directly from the evidence.⁵

The evidence

7. The inquest was held at Lidcombe Coroners Court on 24 March 2023.
8. A two volume brief was tendered, including witness statements, police reports, photographs and maps. It contains the records of many days of investigative work and searching. I will only refer to these detailed records briefly within the scope of these written reasons, however I have had the opportunity to review all the documents provided.
9. The court also heard oral evidence from two officers involved in the search for Annemarie. Detective Senior Constable Waddell gave evidence about the area where Annemarie went missing and in relation to various aspects of the search which took place. Senior Constable John Stirling gave further evidence about the search, particularly in relation to the use of technology.
10. Section 81 (1) of the *Coroners Act* 2009 (NSW) requires that when an inquest is held, a coroner must record in writing his or her findings in relation to various aspects of the death. These are my findings in relation to the disappearance and suspected death of Annemarie Jeffery.

Background

11. Annemarie was born in South Africa on 15 September 1946. She met David Jeffery when he was a post-graduate student and they married in 1974. Annemarie was a

⁴ *Axon v Axon* (1937) 59 CLR 395

⁵ Section 82 *Coroners Act* 2009 (NSW)

bilingual, senior nursing sister working in a rehabilitation hospital in Johannesburg. David told the court that she was “intelligent, well read and independent”. She was a woman with strong views and many skills. She had nursed in remote African villages, Johannesburg and London. She had travelled extensively and had many friends.

12. Aside from her own achievements, David Jeffery told the court that Annemarie always supported his work and was a calm and dedicated mother. Her children Renee and Stephen were born in small remote African towns, despite the potential dangers involved. I was left in no doubt about Annemarie’s strength and resilience.
13. In 1978 the family made a difficult decision to move to Australia to bring up their children and while it was difficult for Annemarie to be away from her parents, she entered into her new life with enthusiasm. Annemarie retrained as a bookkeeper and was involved in the family business. Once her children left home, she travelled widely with her husband and enjoyed the company of friends.

Annemarie’s recent medical history

14. Annemarie was diagnosed with epilepsy in 2013 when she experienced her first seizure. This was successfully controlled by the anti-epileptic medication Kepra (levetiracetam). It appears that Annemarie’s cognitive abilities may have been impacted from this time, although the effect was likely to have been very subtle at first.
15. On 9 December 2019, Annemarie attended upon Dr Robert Boland-Freitas, a specialist neurologist and he noted that she had been diagnosed with a mild cognitive impairment, which he expected would become Alzheimer’s disease. Annemarie had been suffering episodes of disorientation which Dr Boland-Freitas diagnosed as likely being due to a combination of either epilepsy or exacerbations of her mild cognitive impairment. These difficulties were particularly apparent in unfamiliar settings or when travelling far from home. At the time of the examination, Annemarie was oriented to place and person, as well as year and month, but could not recall the exact date. David was in attendance with Annemarie at this appointment and Dr Boland-Freitas observed that David was attentive, respectful, and helpful throughout.

16. Annemarie had suffered one generalised tonic-clonic “*grand mal*” seizure between 18 November and 9 December 2019. Dr Boland-Freitas identified two factors which he believed had likely led to the seizure: the first being missing a dose of her prescribed anti-epileptic medication and the second was alcohol intake preceding the seizure. Dr Boland-Freitas recommended an increase in the dose of anti-epileptic medication to 500mg twice daily, and asked Annemarie to return for a review in-person in early 2020. However, this appointment was delayed due to concerns around travelling to Sydney during the pandemic.
17. An email sent by David to Dr Boland-Freitas on 1 June 2020 described Annemarie’s condition as stable, if not improved since the last appointment. The increased Keppra dosage had been strictly followed and there had been no new epileptic fits. Annemarie’s memory loss was much the same and still concerning and the *déjà vu* incidents were still happening where she would get time and space events mixed up. Annemarie last attended her General Practitioner on 14 August 2020 for a repeat prescription of her Keppra medication.
18. The court heard that Annemarie experienced a very gradual deterioration of her mental health. For a woman as capable and vibrant as Annemarie the cognitive changes she had experienced were understandably extremely difficult. David told the court that she understood what was happening and it caused her distress, frustration and at times periods of sadness and depression. Not seeing loved ones during the COVID period was also especially hard. However, she was well supported by friends and family and continued to live an independent life. The final camping trip was an example of this. I understand that the evening before her disappearance was a happy one as friends enjoyed good food and wine around a campfire. I accept the evidence before me that she was in good spirits on the morning of her disappearance.

The morning of her disappearance

19. Around 10am on Monday 24 August 2020, Annemarie and David, Roslyn, Sue, and Garth set off from Coffs Harbour for the Lake Arragan Campgrounds in Brooms Head in three separate vehicles. Annemarie and David’s vehicle was fitted out with a trailer whilst the others had loaded their camping gear into their cars. They set up camp

when they arrived and walked down to the beach and along the outlet before arriving back at camp around 4pm. They made a fire and remained at the campsite for the rest of the night. David recalls that he had consumed a couple of stubbies and a glass of red wine, whilst Annemarie drank a glass of riesling or two. They went to bed around 10pm.

20. About 8am the next morning, Tuesday 25 August 2020, Annemarie and David got up for the day. This was unusually late for them, but the weather that morning was particularly cold, and they had decided to stay in bed a bit longer. Annemarie got dressed and walked up to the toilet block alone. The estimated distance from the campsite to the toilet block is 185 meters. Annemarie returned shortly after and began cooking breakfast at the campsite.
21. About 8.30am, the group discussed their plans for a walk along the North Track which involved wading through water. Roslyn and Sue didn't want to get wet so were likely to walk South. Annemarie had opted to go with David and Garth.
22. Sometime between 8.30am and 9am, Annemarie told David that she wanted to go to the toilet again before they set off on the walk. A short time later, Roslyn also left for the toilet, not realising that Annemarie had already gone. The precise timing of these events is not established, but David believes that it may have been ten minutes between Annemarie and Roslyn leaving for the toilet block. Roslyn did not see anyone whilst walking to the toilet block, apart from two young girls packing up their campsite. She used one of the two toilets and walked back. When she arrived back at the campsite David asked whether she had seen Annemarie on her walk. When Roslyn informed him that she had not, David immediately set off in the direction of the toilet block to look for her.
23. David searched the toilets as well as the carpark but could not see Annemarie. He rushed back to the campsite and alerted everyone in the group that Annemarie was missing. Annemarie had not taken her mobile phone with her when she went to the toilet and she had not taken her scheduled dose of Keppra that morning as the medication box was still in the car. David got in his car and drove along all the surrounding roads as he thought that she could not have gone too far in the time that had elapsed. David then drove to the Campground Manager and alerted him to the

situation. He continued driving through every track and stopping to ask the other campers if they had seen his wife. David kept crossing paths with the Campground Manager who said that if Annemarie wasn't found in the next thirty minutes, he would call the police. The Campground Manager advised David to check the lookout and power station. When Annemarie wasn't located at either location, it was decided that the police should be notified.

The search

24. About 11.30am on Tuesday 25 August 2020, NSW Police were alerted to the possible disappearance of Annemarie Jeffery. Senior Constable Jeffcoat was at Maclean Police Station when he was made aware of the report of a missing person within the Lake Arragan campgrounds at Brooms Head. Senior Constable Jeffcoat has extensive local knowledge of the campground and surrounding area and is an accredited Land Search and Rescue Coordinator (LANDSAR). Senior Constable Jeffcoat and another officer, travelled the 20km from the police station to the campground, arriving around midday. When police arrived, campers were already out looking for Annemarie which meant that the use of a search dog was not viable due to scene contamination.
25. A search operation was commenced with requests made for volunteers from the State Emergency Services (SES), Rural Fire Service (RFS) and Westpac Rescue Helicopter to attend to assist with the ground search. Members of the Yamba, Maclean, Grafton, Copmanhurst and Coutts Cross SES as well as three members of the National Park and Wildlife Service (NPWS), members from the Yamba Surf Rescue, and other civilians at the campsite joined in the search. Surf Rescue deployed a drone and the NPWS quad bike operatives were deployed to areas around the campground.
26. At 4pm, Westpac Helicopter 'Lifesaver 2' arrived on scene and commenced an aerial search of the campground and surrounding area including a low altitude search of Lake Arragan itself and the coastline without success. A request was made for the use of a Forward Looking Infrared (FLIR) system (or thermal detection camera), but

this was unavailable. The Westpac helicopter and Surf Rescue drone were not equipped with this type of specialised camera.

27. At 7pm, additional SES personnel arrived to assist and were deployed in an extended line search with the SES Yamba supervisor taking a vehicle to search all roads and fire trails in a 3km radius. A request was made for Polair to attend however police were advised that they would not be available until 26 August 2020. At 10pm the search was formally concluded for the night. Arrangements were made for the search to recommence the following morning.
28. At 7.30am the next morning, Wednesday 26 August 2020, Sergeant Amanda Vidler and Senior Constable John Stirling from the Lismore Rescue and Bomb Disposal Unit arrived at Maclean Police Station. A briefing was conducted, and Sergeant Vidler took over the role of LANDSAR coordinator. At 11am, the Westpac Helicopter completed another tasking with no sightings of Annemarie.
29. At 3.40pm Dr Paul Ludkin, a survival expert, was contacted. Dr Ludkin estimated Annemarie's time frame for survival would be Thursday afternoon to Friday morning. Based on this, it was determined that the search would continue into the night as long as it could be done safely and then resume at first light. As night came in, FLIR capability was requested again, this time from Queensland Police as well as the Rural Fire Service but was unavailable. The search was concluded for the night at 7pm.
30. At 7.45am on Thursday 27 August 2020, the search for Annemarie recommenced. Coffs Marine Area Command officers arrived and were given taskings around the cliffs from Brooms Head to Angowrie. The Marine Area Command examined the tidal drift patterns and concluded that if Annemarie was in the water, she would have washed up onto the beach. The search areas were tracked by handheld GPS making recording the search areas as accurate as possible. Some areas of high probability were searched multiple times.
31. Dashcam footage was obtained from a camper who was parked about 100m south of the Lake Arragan main campground. The dashcam recorded continuously from 6.34am to 3.39pm on 25 August 2020. The footage was reviewed, and it showed several vehicles heading into the campground around the time Annemarie went

missing. The camper also drove through the campground at 2.20pm and travelled directly past all the camp sites. Unfortunately, the footage is not of a high enough quality to identify the registration of these vehicles and nothing was seen in the footage to assist investigators in locating Annemarie.

32. On Friday 28 August 2020, the approach to the search changed as it was now expected Annemarie would be immobile and unresponsive. Teams were allocated to search high probability areas and covered beaches, lakes, and campsites for a radius of up to 10km from Annemarie's last known position. The only areas that were not covered were areas where the terrain was so impenetrable that it was not considered possible for a person to have gone through it. A NSW Police Force drone was used to search the lakes and open areas and take footage of the area.
33. On Saturday 29 August 2020, the search teams were pushed into new ground, expanding the search areas out but there was still no sign of Annemarie. At 3pm, in consultation with the Commander of the RBDU, the decision was made to suspend the search. The investigation was taken over by Detective Doug Scott from Grafton Police.

Potential Sightings

34. An extensive canvass was conducted of the campground both during the active search and as part of the later ongoing investigation, with police speaking to as many of those who were present at the campground as could be located. It is important to note that the times given by witnesses in circumstances such as this are often estimates and provided from memory. So small discrepancies in timings are not unusual.
35. The last confirmed sighting of Annemarie was by a camper who believes that she spoke to her between 8.45 to 9am on 25 August 2020 when Annemarie walked past her caravan on the way to the toilet block. They had a conversation where Annemarie pointed out the people in her camp and her tent trailer. Annemarie appeared in good spirits and happy to be away with friends. Investigators are confident that the woman that was spoken to was indeed Annemarie. The camper saw Annemarie returning from the toilet block a short time later but did not speak to

her on that occasion. Annemarie did not appear upset or disoriented from what the camper observed.

36. Around 11.30am two campers were walking along the sand dune path that led from the beach to the toilet block at the campground. The recalled seeing an elderly lady grab hold of the wire fence on the path as though she were scared or timid. She was wearing something on her head, had glasses and was carrying something over her arm. At the time the campers did not think anything of the encounter as they were not aware that there was a search for a missing person under way. The precise time of this sighting is not confirmed and I am not now able to say whether this sighting was actually Annemarie.

Was the search adequate ?

37. The search for Annemarie was initiated at the first possible opportunity and police were contacted soon after. The evidence of the police search was that it was thorough and methodical. It was coordinated at all times by a LANDSAR accredited officer, initially by Senior Constable Jeffcoat and then Sergeant Vidler from the specialist Police Rescue and Bomb Disposal Unit.
38. I was told that some of the original maps and tasking sheets were destroyed in floodwater, but I had sufficient material available to me to assess and evaluate the search.
39. The only resource that may have assisted the search which was not available at the time was a FLIR camera. Extensive efforts were made by the search coordinators to secure a FLIR camera through numerous organisations. But these efforts were thwarted by resource availability and the remoteness of the location from where the aircraft were based. The court was informed that since 2020 there has been an increase in the number of drones in the NSW Police Force fleet that are fitted with FLIR cameras, as well as technological advancements in camera capabilities and range. Lismore Police Rescue now have three drones with FLIR capabilities and by the end of 2023 will likely have four accredited pilots to operate them.

40. Senior Constable John Stirling told the court that while FLIR technology has limitations, it is a useful tool in a search of this kind. He confirmed that since Annemarie's disappearance the technology now available is both improved and more readily available.
41. In my view, given the resource restraints, the searching conducted was adequate. It commenced very soon after Annemarie went missing and it remains a mystery that she was not found.

Investigations after the initial search

42. NSW Police continued investigations after the initial search including locating and interviewing campers, a media release and community information request, obtaining familial DNA for comparison purposes and liaising with the Missing Persons Unit. There was additional searching with a cadaver dogs conducted in September 2020, with no result.

Is Annemarie Jeffery dead?

43. Police have made all the regular inquiries into administrative records relating to Annemarie's bank accounts, business records, telephone records and medical records. These inquiries are sometimes called "signs of life" checks and are conducted to see if there is any kind of activity which might suggest that a person is still living. No activity has been detected which suggests suspicious activity or points to any suggestion that Annemarie is still alive.
44. Perhaps the most telling fact is that there has been no contact with her husband, children or friends. It would be entirely out of character for Annemarie to remove herself from those she clearly loved and create a new life elsewhere.
45. Having weighed up all the evidence before me, I am able to make the formal finding that Annemarie Jeffery is dead. I make that finding, "on the balance of probabilities" knowing that Annemarie's remains have not been discovered. I am satisfied that the evidence in this case reaches the requisite standard.

Is it possible to say where, when or how Annemarie died?

46. While I am able to make a finding, based on all the available evidence that Annemarie is dead, other questions remain more difficult to answer. Unfortunately I am unable to know or record the medical cause of her death. I am also unable to record the circumstances or manner of her death. However, there appears to be no evidence currently before me which would indicate either a suspicious death or a death that was intentionally self-inflicted.

Findings

47. For the reasons set out above, I make the following findings pursuant to section 81(1) of the Act,

Identity

Annemarie Jeffery is dead.

Date of death

She died on or in the days very shortly after she went missing on 25 August 2020.

Place of death

Her place of death is somewhere in the vicinity of the Lake Arragan and Redcliff Campgrounds nears Brooms Head, NSW. I am unable to determine if she died on land or in the water.

Cause of death

Her cause of death remains unknown.

Manner of death

Her manner of death remains unknown.

Conclusion

48. I have no doubt that Annemarie was a remarkable woman and that she is greatly missed. Once again I offer my sincere condolences to her family and thank them for attending these proceedings. I acknowledge their grief and the real pain involved in not knowing what happened. I assure them that should further cogent information ever become available, this inquest could be re-opened.
49. I thank the investigating officers and all those involved in the search. I thank Sergeant Chytra for her preparation of this inquest.
50. I close this inquest.



Magistrate Harriet Grahame

Deputy State Coroner

24 March 2023

NSW State Coroner's Court, Lidcombe