“Locked out of the System and Left in the Dark: How Judicial Systems Fail Grieving Families”

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Winner – 2025

JERAA Ossie Awards

Best text-based story by a postgraduate student – over 750 words

Locked out of the System and Left in the Dark: How Judicial Systems Fail Grieving Families

> *“Tasmania’s coronial system is broken. Families are left waiting years for answers, and in too many cases, they never get them at all. The lack of transparency and accountability leaves grieving families retraumatised”*
> - Jacqui Lambie. August 2025.

Eva Mazurek is polite, poised, and slightly guarded. This impression almost hides the hint of defeat and vulnerability fraying her edges. Her daughters Jodie and Jessica say Eva still cries whenever she talks about Jason, even though it’s been over two decades. But time probably becomes irrelevant when your only son disappears without a trace at the age of 20. Eva stares through steely blue eyes. Still upright and poised. No sign of tears. If anything, the vulnerability at her edges has been replaced by a hardened determination and a wary appetite for what I’m holding as I introduce myself.

The manila folder I hold has a collection of intelligence reports and internal memos obtained from Tasmania Police through Right to Information (RTI). Eva and I have never met before now, and our introductory meeting is occurring under these circumstances because I want her to receive this information in the gentlest way possible. From my conversations with Jodie and Jessica where they have described poor communication from both police and the coroner’s office, I can’t assume that Eva knows what I know. Eva’s gaze shifts to the file. Waiting. Hungry for information she may not have received. But her tension can only be understood by going back to the morning Jason disappeared.

The Disappearance of Jason Mazurek

“If I go through it like a timeline in my own mind, I can talk about it a little bit easier, I guess”, Jessica explains when I ask her to revisit the last time she saw her brother at Wrest Point Casino on 15th September 2002.

“I met Jason in the foyer, and he said he was ready to go… We were a bit bored”. This ordinary conversation was caught on the casino’s CCTV from 1.26am. Jessica asked Jason where Michael was. Jason wasn’t sure. He’d last seen his best mate upstairs in the casino nightclub, but they had lost each other in the crowd. “You stay here, and I’ll get Michael” Jessica instructed her brother. Jessica turned her back to Jason and climbed the stairs to the nightclub. It was the last time she ever saw him.

News reports published at the time of Jason’s disappearance quote Jessica as estimating she was gone for no more than 10 minutes before she returned to the casino foyer. After not finding Jason where she had left him, Jessica and Michael scoured the casino. It wasn’t like Jason to disappear. After approximately two hours of searching the crowd at the casino had thinned. By then it was around 3.30am. Tired and anxious, Jessica and Michael decided to head back to where they were all staying. Jason wasn’t there either. Later that morning Jessica, her sister Jodie and their mother Eva began calling the local hospitals and police.

As part of their investigation police retrieved the footage of Jessica and Jason captured by the casino’s CCTV in the foyer. Additional footage was obtained from an external camera at the casino showing a figure walking by the foreshore of the Derwent River near the casino approximately 10 minutes after the footage from the foyer. The external footage is grainy and of poor quality, but police determined that this is evidence that Jason likely attempted to walk to Jodie’s house from the casino. A journey which would have taken two and a half hours. Jessica recalls telling police at the time that she did not think the grainy external CCTV footage capturing a figure by the water was Jason.

> *“It didn’t look like him, it didn’t walk like him … I said I don’t think it’s him. And then all of a sudden apparently it turned out that I said that it was him and that was his last known location … When I spoke to the AFP about it they said, “that’s what’s in your statement”. I’m like, no, that can’t be in my statement because I did not say that.”*

Jodie is equally critical regarding the investigation into her brother’s disappearance. “The police couldn’t even get his hair colour right,” she says, exasperated. “The

papers kept saying it was black. His hair was never black, it was brown." It's an example of many inconsistencies which ultimately reinforce the initial feelings the family had 23 years ago that Jason's disappearance was not taken seriously or investigated thoroughly.

Jurisdiction of the Coroner's Office

In 2008, Coroner Christopher P Webster handed down his finding regarding Jason. Eva did not receive a copy of the report until September 2021, more than a decade later. In fact, she was only alerted to its existence by Nicole Morris, founder of the Australian National Missing Persons Register when Morris was writing her book 'Vanished'. The family did not know of the report's existence until Morris asked about it. When the report was finally sent, there was no explanation of why the family had not been notified of the coroner's findings. Before speaking with Eva, I had applied to the coroner's office twice for a copy of this report and each request was declined without explanation. The copy of Jason's coronial report provided to me by Jessica is brief and vague in comparison to other published coronial reports. Even other findings, like Jason's, which were conducted and finalised without an inquest.

Coroner Webster concluded that Jason is likely deceased and that his death likely occurred on or shortly after the 15th of September 200*2.* He was unable to comment with certainty on the cause or location of Jason's death but stated "drowning in the Derwent River as a cause of death cannot be excluded."

The "circumstances surrounding the death" section was equally sparse and vague. Much of it reads as though it came from Jason's best friend Michael, who was with him on the night he disappeared. Yet Jessica says Michael told her the police never interviewed him. "I was dumbfounded. I assumed that he had been spoken to… It makes you question everything."

Jessica's own recollections of that night also appear in the coronial report, but not in the way she remembers giving them. The inconsistencies range from potentially minor — that Jessica told Jason in the foyer that she could not find Michael — which not only conflicts with what she currently states, but also with every newspaper

article quoting her and mentioning the sequence of events at the time of Jason's disappearance. To inconsistencies which have much more serious implications on where Jason was last located, such as the police narrative that Jason had been identified from the grainy external CCTV footage capturing a figure by the water's edge, some distance from the casino.

Unlike other coronial reports, there is no mention of individuals within Tasmania Police who investigated Jason's case. Other reports list the pieces of evidence such as statements, affidavits, photographs and video footage that the coroner relied on to arrive at a conclusion in their report. There is not even a passing reference to where the information in Jason's report was gleaned from. Coroner Webster states in the concluding comments of Jason's coronial report that he is

> *"satisfied that a full and detailed investigation has been carried out regarding the disappearance and subsequent suspected death of Mr Mazurek… The evidence before me does not allow me to find that any other person was involved in Mr Mazurek's death."*

Jason's case is one example of a broader, cruel irony here. Families are told that only "new and compelling evidence" can justify re-opening a coronial file or holding an inquest, yet the very documents that might reveal contradictions or overlooked leads are locked away. Without access to those files, families cannot commission independent experts to re-examine the evidence. Police, meanwhile, don't always have the resources to pursue historic cases with fresh eyes. Unless a particularly diligent investigator takes interest, many families remain stuck with conclusions they believe are wrong but cannot challenge.

An "Astounding" Lack of Transparency

Accessing a coronial file is difficult. During the last few months investigating Jason's disappearance for this article, I've spoken to several police officers about Jason's case and a clerk at the coroner's office on multiple occasions. All have been polite and willing to assist in whatever way they can, but ultimately, I have been roadblocked at every turn and no one within police has agreed to go "on the record" with their comments. What does this demonstrate about institutional transparency?

Tasmania Police have advised that any information in the coronial file no longer falls under the jurisdiction of Tasmania Police, but under the Tasmania's Coroners Act (1995), an opaque and unwieldy piece of legislation.

Even for the legal representative of the person with the most rights to the file – the senior next of kin – accessing anything contained within a coronial file is difficult. In Jason's case, this is Eva. Outside of information which could compromise an active investigation, breach confidentiality or reveal sensitive procedural information, arguably the information should be released to the senior next of kin on reasonable request.

This results in families like Jason's being not only excluded but kept in the dark, perhaps deliberately. It's the institutional version of stepping over a body in the gutter. The coroner has ultimate power over grieving families who may have lost faith in an under-resourced judicial system or have concerns about how an investigation was handled, as in Jason Mazurek's case.

Such issues with transparency are not confined to Jason's family. In 2015, Amanda and Jason Westbrook found themselves in a similar battle after the death of their daughter Eden. Eden's death at the young age of 15 was ruled a suicide, a finding her parents have long disputed. Their attempts to access coronial materials regarding their daughter were repeatedly blocked and remain that way after a decade of the family campaigning. During this period the Westbrooks engaged an independent expert to review Eden's case, experienced pathologist, Dr Byron Collins. Dr Collins' request was also refused by the coroner, in which he has been quoted as stating he has never encountered this in his 50-year career and that the decision to refuse access left him "astounded".

If Eden's case highlights the barriers families face in challenging Tasmanian coronial findings, the death of Helen Bird demonstrates how fragile those findings can be. In 2010, Helen was found hanging in a shed at her home and her death was ruled a suicide. But the case was reopened years later when a young detective picked up inconsistencies in the evidence and witness statements. This forced a coronial review, leading to a shocking finding 14 years later that Helen's husband was

involved in Helen's death and had staged the scene to resemble suicide. If it weren't for one investigator willing to dig deeper, the original ruling might still stand unchallenged.

That raises a bitter truth: not every case gets that kind of attention, and not every investigator has the time, expertise or resources to push beyond what they're handed. In many cases, families are left with a verdict that has never been tested, and the jurisdiction of the coroner's office leaves them with no means to challenge it. Despite decades, that attention to Jason's case has never come. Eva and her daughters remain without access to Jason's coronial file, relying instead on fragments like the ones in my folder that should never have been hidden from them in the first place.

However, hope exists on the horizon. The Justice and Related Legislation (Miscellaneous Amendments) Bill which passed the Tasmanian lower house this month proposes allowing for greater transparency for grieving families such as the Westbrooks and the Mazureks. The amendment strengthens right of access for senior next of kin to coronial files within 28 days (subject to limitations).

Bringing Information to Light

Two decades after Jason's disappearance I place the file I have been holding on the coffee table that sits between Eva and me. Each document I hand Eva contains potentially unverified intelligence provided to police about Jason's disappearance. Each piece of paper represents a possible step closer to having answers that the Mazurek family has longed for over two decades — longer than Jason was alive. In an attempt to soften the blow, I've deliberately put the least damning disclosures at the top of the pile, which have also been coded by police as possibly being less valid or reliable than the most alarming information.

Eva's eyes dart back and forth across each page with a keen desperation. She is riveted. According to Jodie and Jessica, updates from police about Jason and the investigation into his disappearance over the years have been meagre at best.

Eva lays to rest the final piece of paper contained in the file on the coffee table between us. That piece of paper is a disclosure report rated C.3 — a ‘fairly reliable’ known source. Reading that same piece of paper 24 hours earlier made my skin crawl and the hairs on the back of my neck stand on end. The report lists three redacted identities in a table titled “people involved”. At first glance it looks like an inconsequential government memo, until after this table:

“Subject Details: General; Murder”

The report goes on to state that the information was provided to police in 2013 by a person who was told the information from an ex-employee of Wrest Point Casino. Among the redactions the following can be read:

“A person who police should be looking at is [redacted]. [Redacted] apparently escorted [redacted] out of the facility and [redacted] was never seen again.

[Entire line redacted]

The body of [redacted] was taken away and hidden underneath Pier One [restaurant] at the complex, and for some time after that, numerous staff members commented on a smell that was emanating from that area.

The informant’s associate made security staff aware of the above, and soon after was forced out of her [redacted].

The information relates to the disappearance of [redacted] in 2002”

This report fits with the one prior to it, assessed as F.3 — Unknown source, “possibly true” information in which an individual attended the Hobart Police Station in 2019 with information regarding Jason’s disappearance which was summarised as the informant having witnessed Jason “in a confrontation with 2 or 3 males in the

reception area [of the casino] near the main entrance doors. Copy of informant's 6-page affidavit attached".

There is no affidavit attached. In a follow-up email enquiry, I am advised by a representative of Tasmania Police that the affidavit falls under the jurisdiction of the coroner's office.

Eva's eyes meet mine, soft and sad now, no longer steely. She utters quietly, "No one told me any of this."

My gaze drops to the floor as a burning shame creeps through me. Shame at how a system we put our faith in has failed Eva Mazurek, and her daughters, and Jason. And not only other Tasmanian families, but families in other Australian jurisdictions with similar coronial laws.

Jason wasn't a public figure or household name. At 20 years old he'd barely had a chance to carve out a life for himself. He didn't get the chance to follow his dream of joining the navy with his best mate, of watching his sisters get married, or of playing with nieces and nephews who would have adored him. He was a kind and quiet young man who loved his family and friends and wanted a quiet and uncomplicated life. Much like Jason himself, the headlines about him quickly vanished. The memory of him dissolving even among the investigators once tasked with finding him. It's understandable his family worries that Jason has been forgotten.

"Police said there was blood found in the car park at the time Jason went missing," Eva confesses. "A substantial amount of blood. I don't know what came of that either".

By the time I meet Eva's gaze again, I don't know what to say, but I notice that glint of steely determination is back — sharper this time. The air of suspicion is gone, replaced with a new intimacy of two people sharing secrets. Luckily, she speaks first and asks, "What do we do next?"