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TRANSCRIPT OF PROCEEDINGS

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CORONERS COURT

CLEMENS, Deputy State Coroner

No. 41 of 2008

**IN THE MATTER OF AN INQUEST IN THE CAUSE
AND CIRCUMSTANCE SURROUNDING THE DEATH OF
KAREN LEE MAHLO**

BRISBANE

10.10 AM, MONDAY, 10 FEBRUARY 2014

DAY 1

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

and police attended and it was discovered that there was a chef's knife plunged into her chest in the region of the heart. Two computer printed notes were found on a printer near her computer which appeared to be suicide notes, one addressed to Mr Hehir and one addressed to her two children. An autopsy was conducted by Dr
5 Olumbe and considered that, in respect of the fatal wound through the sternum or breastbone, that only a mild force was required to cause that. That led to some consternation on the part of her family and, in particular, Dr Fraser. As a result, further opinion has been sought from a consultant pathologist, Dr Isles, who will give evidence, and Dr Isles has expressed that greater force was required and one of the
10 issues to be determined at this inquest is, if possible, to determine the cause of death.

There are some concerning aspects that were raised by the family and Dr Fraser about the involvement of Mr Hehir. That concerns the nature of the relationship with Dr Mahlo, whether it had ended at the time of her death, the fact that Mr Hehir was a
15 – both executor and financial beneficiary of a will that Dr Mahlo had executed in February 2008 and concerns arose as a result of the forensic examination of Dr Mahlo's computer which recorded the insertion of a USB stick entitled John's USB at around 2.38 am on the morning of 28 May 2008. The purpose of this inquest is to determine, if possible, as I've said, the precise cause of Dr Mahlo's death and
20 whether any person was, in any way, involved with that.

There was civil litigation concerning the will because Dr Mahlo had discussed with members of her family creating a new will before her death and on her computer was a new will which had removed Mr Hehir completely from being executor and
25 beneficiary and returning it to a previous state, that is, leaving proceeds to her parents and her two adult children. Now, I was not intending to go through what was conducted in exhaust of civil proceedings before his Honour McMurdo J though it does have some peripheral relevance. Another issue to be considered is the treatment given to Dr Mahlo given the state of her depression and her previous attempts at
30 suicide and questions of Dr Fraser will be asked to that end. That's all I wish to say, your Honour, I'm ready to call the first witness.

D/STATE CORONER: Thank you.

35 MR CHOWDHURY: So I call Detective Jodie Allan.

D/STATE CORONER: Detective Allan, if you could come forward – oh, right.

MR CHOWDHURY: Yeah, she's just outside.

40

D/STATE CORONER: Thank you.

MR CHOWDHURY: And before she commences, I'll formally tender the exhibits.

45 D/STATE CORONER: Thank you. Those two exhibits are received into evidence in accordance with the record A1 through to - - -

Were they subject to fingerprint examination?---I think they were.

Yes?---I'm pretty sure they were.

5 All right. You don't know what the result of that examination was?---I don't think there was anything found.

Yeah. Thank you. Now, you spoke to Mr Hehir – do you need to see a copy of your statement?---Oh, I could – if I could to refresh my memory, that'd be lovely.

10

Yes. Perhaps if the witness could be given a copy of exhibit C1.

D/STATE CORONER: Yes, certainly.

15 WITNESS: The first one?

MR CHOWDHURY: Yes?---Mmm.

Thank you?---Thank you.

20

I just want to take you to the bottom of page 2 and the last paragraph there where you detailed a conversation with Mr Hehir?---Yes.

25 And one of the things you noted there is that Mr Hehir introduced himself as Dr Mahlo's ex-de facto?---Yes.

Thank you. And that he had last seen Dr Mahlo late in the previous afternoon?---Yes. On the 27th.

30 All right. He then spoke about a – of the evening – a conversation where there was an argument?---Correct.

Can you recall if Mr Hehir said what the argument was about?---I think they argued a lot. If I could refer to my notes.

35

Absolutely. Did you make those notes at the time?---At the time I was speaking with Mr Hehir.

Thank you?---Yes.

40

D/STATE CORONER: Thank you.

45 WITNESS: Mr Hehir informed me that they'd broken up about a week ago and that they'd been arguing on and off, particularly when she drank alcohol and she was drinking alcohol last night. He informed me that she told him to stop hurting people and he left at about 6.30 in the evening and she was still drinking. He'd gone there

MR CHOWDHURY: Just take a moment to have a look at it and familiarise yourself with it. It consists of 18 pages?---Yes, it -- yes it does.

5 All right. Now, that was the first report that you filed; correct?---That report was actually filed by Senior Constable Gerry Williams of the Caloundra Uniformed Police.

10 Right. Was the uniformed branch initially tasked to investigate the death of the [indistinct]?---Correct.

All right. At some point, the CIB was involved?---That's right.

15 Okay. Can you recall when that was?---Uniformed police attended the residence first, once they've attended the residence, they'd request that CIB attend. Three of us were working then we've attended at 5.30 in the morning with Scenes of Crime. We did an initial examination of the scene, I then returned the -- spoken to the deceased's daughter, returned with John Hehir, and then, from there, the whole investigation was handed back over to uniform as we deemed it a suicide.

20 Thank you. Now, you then filed a series of supplementary reports to the coroner -- --?---Yes.

-- -- in 2010 and then throughout 2011. Correct?---Yes.

25 All right. Some of the matters that were raised in those reports -- I won't go through them specifically, but one is, after a police examination of the computer, it was noted that a USB stick with the title, John's USB, had been inserted into Dr Mahlo's computer at around 2.38 am?---That's right.

30 On the 28th of May 2008. Do you know if that USB was ever located?---I was never able to locate it.

35 All right. Now there's also found on the examination by the police computer experts that a document on Dr Mahlo's computer entitled, "Last will and testament," was accessed at 2.51 am?---That's correct.

And again at 7.24 am?---That's right.

40 Now it appears that the 7.24 am access was done by police?---Yes.

All right. Were you able to ascertain, as best one could, who accessed the document at 2.51 am?---No.

45 No. Did you speak to Mr Hehir about that?---Well, I interviewed Mr Hehir later on in 2011. He was interviewed at length, and I've asked him those questions.

Yes. He denied accessing that?---Yes.

All right. Yes. Did – now, one of the witnesses that you spoke to was Veronica Wendt?---Yes.

5 All right. Can you just described – is she blonde-haired?---Back then she was sandy. I'd say she's sandy. She – I'd met her on the day. On the day that Dr Mahlo passed away, I'd met her later in the day, so I knew what she looked like, and I wouldn't say she was the person being described to me, no. And she was certainly no way affectionate towards him.

10 Right. Did any of your enquiries involve anything with any intimacy between Veronica Wendt and Mr Hehir?---I don't believe there was anything – again, I didn't specifically ask, but it was certainly the feeling that I got from her that there wasn't.

15 Right. Now the knife that was in Dr Mahlo's chest: that was subject to forensic examination?---Yes, it was.

And were any DNA results obtained from that that you can recall?---I can't recall. But I know the other test results didn't give us anything else.

20 Right. And there were certainly no fingerprints?---No.

Thank you. It was established, in your investigations, that that knife had belonged to Dr Mahlo? Come from her kitchen?---Yes.

25 Thank you. And there weren't any signs, when you examined it, of any struggle, or anything to indicate there was an altercation?---No. There was nothing upstairs that alerted us to anything majorly concerning, and I looked thoroughly downstairs, and there was nothing downstairs that alerted me that anything untoward had gone on in that residence.

30 I think that Mr Hehir had told you that, when he came that morning, he was concerned about Dr Mahlo. The front door was open?---Yes. From memory, he did.

35 Thank you. Yes. I have nothing further, thank you.

D/STATE CORONER: Thank you. Mr Lewis?

40 **EXAMINATION BY MR LEWIS** **[10.31 am]**

MR LEWIS: Thank you, your Honour. The report on – or the examination of Mr Hehir's computer: the first mention of his current wife Jill is on the 23rd of August, isn't it?---I can't remember. I'd have to look back at that report to refresh my
45 memory.

And that's the photo – you remember there was a photograph of her?---Of Jill?

You are not – are you in possession of anything that is able to refute the proposition that, in fact, my client and Jill Hayes did not meet until August of 2008?---I've got no information except what was on the computer analysis. That's all I've got.

5 Yes. Thank you. You – on your own words, you didn't take to Mr Hehir?---No.

You used the expression, "He was not upset like a man would be." Is that because he was crying and blubbing, to use your words?---Yeah. It was more the blubbing.

10 Right. So the, real men don't cry sort of attitude?---That was probably the – what question did you want to ask me with that?

Well, that was – an expression you used was, "He wasn't upset like a man would be."

15

It was more the blubbing. The blubbing – it's just not that – not something I expect from a grown man.

Yes. And you accept, though, that people react differently?---Yes.

20

To the loss of a loved one?---Yes.

The USB stick: now it was sometime afterwards that you asked my client about it?---Yes.

25

And the – I presume we're talking about one of those little things that you stick in a computer and - - -?---That's what I'm presuming it is, yes.

30 All right. And you accept, don't you, that they have a limited lifespan?---No. I didn't know that.

Well, no. In the fact that they're small, they're easily lost, misplaced?---They're small, yes. Some are small. Some are big, yes. They're all different.

35 All right. He denied accessing the computer in the early hours of the morning?---Yes.

And that USB stick has never been able to be located?---No.

40 But as I understand the report, there may be – well, I'll have to wait until the author of the report gives evidence. But it can say that the USB stick was attached to, or plugged into the computer, but that's as far as it goes. It doesn't indicate what, if anything, was transferred or - - -?---I don't know.

45 No?---I don't know.

Thank you, your Honour.

WITNESS: Good morning.

JAMES MORRIS, SWORN

[10.39 am]

5

EXAMINATION BY MR CHOWDHURY

10 MR CHOWDHURY: Sir, would you please state your full name and
occupation?---James Morris. I'm an investigative computer analyst with the
Queensland Police Service.

15 And you provided a statement in respect of your examination of a computer
belonging to Dr Karen Mahlo. Correct?---Yes, I did.

And your Honour, that's exhibit C5.

20 D/STATE CORONER: Thank you.

MR CHOWDHURY: And you also prepared a report – an examination report – of
your findings upon examination of the computer?---Yes, I did.

25 And that's exhibit C5.1. Now, you've set out your qualifications in your statement.
I take it part of your duties on a day-to-day basis is to examine computers or USB
devices and so forth to retrieve data and information?---Yes, it is.

30 Now, in this case, as I understand it, you were looking for documents produced,
emails, anything that might shed some light on the circumstances of Dr Mahlo's
death?---Yes.

Now, I understand also that you've been able to – you put in your examination report
that it's easier to explain it if we can see it on the computer?---Yes, that's right.

35 All right. I'd ask perhaps if the witness perhaps could then be seated up near the
computer.

D/STATE CORONER: Yes.

40 MR CHOWDHURY: I hope it'll come up on all our monitors.

D/STATE CORONER: Thank you.

WITNESS: Is it okay to come up to the computer?

45

D/STATE CORONER: Yes, that's fine.

opened
5 because I'm referring to his analysis there to expand upon later down further. So where I went into to look at those particular timeframes in paragraph 10, in the time analysis, I observed at 3.29 on the 28th of May 2008 that the control panel had been happened. The power configuration settings were changed to always on. This setting instructs the computer not to shut down or hibernate to save power. So what that actually – what I believe it to mean is that someone has physically gone to say – to show you an example - - -

10 Yes. Thank you?---To go to the control panel – we'll just change the view on this. We can't. Power options and instead of it being at, say, turn the monitor off or the computer off at whatever time, we change that to always on so that's what I'm referring to.

15 Okay. Were you able to determine what the setting had been before then?---No, I would have to go back and re-examine the computer.

Thank you. But that had to have been manually done. It wasn't something automatically generated by the computer?---I believe so. It would have to be done - - -

20 Thank you. Now, just in respect of Mr Muir's report – now, Mr Muir will give evidence shortly, but the USB stick works by inserting it into the USB port?---That's right.

25 Of the computer. And a computer may have more than one USB port?---That's fine. Normally what happens is that every USB device will have a serial number or a device type that the computer will recognise it by. For example, if you have a USB-based camera, it'll recognise it as a – it's a video device so I need to run these drivers to run it and go from there. Whereas with a storage device as with a USB thumb-
30 drive, it would recognise it as USB storage and again that has a manufacturer plus a serial number that goes with it and that gets registered in the computer registry, which is like a database of settings and usually when that is inserted, it assigns a drive letter to it so that we can go to it with Windows Explorer or save files to it.

35 Thank you. Now, at paragraph 13 of your statement, you located a number of email messages dated before 28 May 2008 and you bookmarked those into a series of report tables?---Yes.

40 Are you able to take us to the report tables?---Yeah, sure.

Okay. So what we'll do is – we'll just have to go towards the end of the document here. Okay. By using that statement, that's just a broad statement to say that I've gone through the different emails and categorised them into different report tables there so as you can see there, we've got the timeline with recently used files on there
45 – Queensland Health, Terry and Me Correspondence, Email Located, the Inbox, Will, USB and other files and emails and they're just other incidents and things like that.

life and hers by you has not been good for either of us. I don't think she can see (teenage short-term memory) how much you have helped both of us, but in the end, the lack of separation of powers has not been good. Neither she nor I are good at having our lives watched over part of the phone, financial advice, job, computer
5 privacy, rules, access to everything so that I – we totally lose our independence. Right or wrong, that is the way we are. She is, in the end, is just much better at standing up for herself and drawing the line. I'm far too submissive (in personal relationships). I do care for you for a great, but I cannot go on like this."

10 Now, just in your report, I think it means that that last paragraph is repeated twice. Is that how it appears in the email?---You mean the right or wrong part or - - -

Yes?---It might be further down where – this is a reply to a previous email – where it says, "Today I sent a text to Anna to let her know." I believe it's from Mr Hehir to
15 Ms Mahlo.

Yes?---You can see that it's a reply so the thing is the 15th of May, 1.02 am, which is that GMT time again, but if we go back up the top – sorry to take you there – 1.07, five minutes later, she's replied so I believe that that's just her reply to that email
20 because usually when you reply, it keeps the text of the previous message in there.

Okay. Now, you haven't set out all of the emails in your report. You've only done an extract?---I did an extract, but I did actually include all of the emails that were located. They're actually – on the front of my – on the DVD itself, there's an
25 instruction sheet on how to get into that so if we go back, email from Mahlo computer and from the FAA DVD so I've actually got instructions on the report DVD on how to get into – there's a program on – a standalone program to read the emails.

30 Yes?---And you can get into those via that and you just load up the correct path and you can read the different emails from there.

Thank you. Now, I want to ask you about what's been called "suicide notes" and the formation of them?---Okay.
35

Were you involved in doing that? Was that on Dr Mahlo's computer – the hard drive at least?---Let's go back and – there were registry entries or recent documents showing that "Suicide John" or "Suicide Note" on there.

40 Yes?---Okay. I'm just going to go into the - - -

It might be actually in Mr Muir's examination of it?---Yeah. I think it's probably more his – a question for him actually.

45 When you were doing your examination, were you looking for particular emails and subject matters or were you simply asked to access all emails?---It was all emails to

Yes. All right?---Would you like me to go back up for a bit or - - -

Yep. Okay. So that's forwarding her a commentary she's made about her problems with Queensland Health?---Yes.

5

Okay. You said there was another email?---Actually, well, at the end, "John - Karen's partner" so whether he may have written that, I don't know. That's just what's at the bottom of it.

10 It's got "John - Karen's partner". But that email is being sent from Dr Mahlo's computer, is it?---Yes.

Right. Okay. Thank you?---Okay. So we'll go down and just look for another 27th.

15 Well, you've indicated that there was another one?---I'm just saying that in the report I may have mistaken the time in that one, if that was the - that's what I'm just looking for now, just to make sure we had the - - -

20 Yes. In your report you said about 2.45 pm, but it appears to be 2.33 pm?---No. I think that was probably the one I was referring to.

All right. Were there any other emails sent on the 27th of May 2008 or 28 May 2008 from Dr Mahlo's computer, not just to John Hehir, but to anyone else? We've seen one that she's forwarded to a lot of people - - -?---Yep.

25

- - - in Queensland Health. Were there any others that you could find?---I - I would prefer to actually re-examine that to answer that question, because based on the software I've got here - - -

30 Yes?--- - - - and the time it takes, I'd prefer to re-examine those particular emails to give you an answer.

All right. How long would that take you?---It wouldn't take - probably wouldn't take that long at all.

35

All right?---The thing is, we just load those particular email things up and I can sort them into an easier format to answer your questions.

40 All right. I was just wondering if perhaps you could do that and come back after lunch, or - would it take only, what, about 10, 15 minutes?---Yeah. Well, I've - I've got them loaded up already, because I came into work yesterday to prepare them.

All right. We might get you to do that, then, this morning?---Okay.

45 Okay. So we can get it all finished. Now, I just want to ask you before you go and do that about the template of a will sent from John Hehir's email to Dr Mahlo on the

18 months. I just hope so much that when you come through this, you will return to the way you were before and love me the same as just weeks ago. Just at Easter, the Friday and Saturday were fantastic and then just a phone call on Sunday, you turned so quickly. I understand and accept this is all part of your depression and my love
5 for you will go through this 1000 times plus for you. Sometimes I find it so hard to understand why you turned so quickly and even what it is that I have done so wrong. Would you like me to stop or keep - - -

No. That's all right. How long does it go for?---We're pretty much -- about another
10 two paragraphs and that's it.

All right?---So - - -

If you just read out that last paragraph?---Okay. Sure. So quickly it's hard to
15 comprehend for me. The answer is always the same. I just do it and always felt right for both of us. You've told me that you've discussed our relationship with Clive and, regardless of our differences, you have said that you told him words to the effect it just works and you love me. I'm tired, as it has now been a long day and I'm calling it quits for the night to go to bed now. If there's anything else that you need or want,
20 please just give me a call and I will get it down for you. That's it. Then he says Karen Lee, I love you so much at the end.

Thank you. And that was sent from Mr Hehir's email address on the 8th of May 2008?---Yes. The return -- yeah. That was sent on the 8th of May.
25

At -- in the early hours of the morning, by the looks of it?---Yes.

Thank you. Now, I don't have any further questions subject to you doing that search for all the emails that were sent from Dr Mahlo's computer on the 27th and 28th of
30 May 2008?---Okay. So emails, 27th and 28th sent from her computer?

Yes. And any received?---Okay. So any emails from the 27th and 28th?

Correct?---Okay.
35

All right. I ask that this witness be stood down so that we can do that exercise, your Honour, and I'll move on to Mr Muir.

D/STATE CORONER: Thank you. Is there a particular time you wish to recall this
40 witness?

MR CHOWDHURY: As soon as we finish with Mr Muir.

D/STATE CORONER: And so can you do what you need to do?---In about half an
45 hour. Yeah. I can just go back to police headquarters and I can get those.

All right. Thank you. Please do so.

And the purpose of your examination was to find – to determine what activity had been on that computer?---That's correct.

5 Thank you. Now, in particular, I'm interested – if you look at paragraph 16 of your statement. You should have that – at least that page?---I do. Yes.

Is that when you examined – can you tell me just briefly what you examined? Is it a particular location in the computer?---Certainly. This is referring to a log file.

10 Yes?---The U3Launcher.log file. That's a text file, basically, that whenever a certain type of USB was plugged in, it would update this log file. So each consecutive time you plugged it in, it would, you know, append extra data at the end of the log with different dates and time and different activities.

15 So what was noted that at 2.45 am, a USB was inserted into the computer, which – the USB stick was called John's USB?---That's correct. And the serial number of that USB was located in that log file.

20 Okay. And it had previously been inserted into that computer in November 2007 and December 2007 and back in March 2008?---That's correct. Yes.

25 Thank you. Now, you weren't able to determine what the USB stick did, as in what documents it accessed or uploaded or downloaded?---No. I didn't have access to the actual USB itself so all I had were references to the files located on the USB, if that makes sense.

Sorry. Just say that again?---So for example, if a file is executed that resided on that USB, it would create, like, a link file – an .lnk shortcut file.

30 Yes?---So there was a mention of one file, I believe, in my timeline document which is notes.docx, which was located on the G drive, which was the USB drive at that time.

35 Right. Do we know what that document was?---No. We don't. We didn't have – you don't have any visibility, just the fact that the file was executed from the USB.

At 2.45 am?---I would have to refer to my notes, I believe.

40 Do you have your notes with you?---I do.

D/STATE CORONER: Please do.

45 MR CHOWDURY: I think it's reflected in paragraph 20 of your statement?---Is it? Yes. That's correct. Yes. So the notes.docx file was – had a date and time of 2.49 am on the 28th of May.

Where would those logs be kept?---They would be kept in the Window – so in the Windows installation there'd be logs – event logs, they're called.

5 You weren't asked to look for – to see when the USB stick was removed?---I don't recall.

10 Is that something that could be retrieved now?---I believe we were given this computer potentially six months after the incident occurred; therefore, it had been used up until that point. Those logs – they may exist or they may have been overwritten.

15 If the police still have a copy of the hard drive of the computer would those logs be able to be accessed from the hard drive?---If they still exist, potentially. But as I said, the computer was given to the police months after the incident occurred, and it had been used up until that point, so it's potential that they've been overwritten.

Right. But we won't know unless someone does an examination?---That's correct.

20 All right. Thank you. If we go to paragraph 19 we see a word document titled Anna and Ben for mum. It was again located in the C drive?---Yes.

Under documents and settings?---That's correct.

25 And it was noted that document was created at 2.47?---Yes.

So one minute before the Suicide John document was created?---That's correct.

30 It didn't appear to have been printed until – is there reference to it being printed before 1321 on the 28th of May?---I believe the file had a printed date – no. It's only – it's only going to record the last printed date. So if you printed it multiple times it would just record the last printed date.

35 [indistinct] in respect of the document titled Suicide John you've noted that it was printed at 2.49 and also a modified date and time at 1320, but you don't have an earlier printing time other than 1321; is that correct?---No. I don't.

All right. What does that – well, we know that prior to 1321 – which is, you know, 1 o'clock, 20 past 1 in the afternoon - - -?---Yes.

40 - - - the police had already been. And we know that one of the detectives, Detective Allan, have found two printed notes in the printer tray?---Mm-hmm.

Okay. Was there - - -?---So - - -

45 Clearly, it had been printed before 1.21. Is there any reason why there's no print date before that time?---It only records the most recent print date.

So – now, I know, but that's what I'm trying to understand. So a USB stick is stuck into the computer?---Yes.

5 There is something on that which was a word document titled Notes which somebody has done something to at 2.49 am?---That's correct.

So that could be somebody looking at the document on that USB stick?---Yes.

10 It could be somebody looking at and changing that document on the USB stick?---Yes. That's possible.

15 Would it be somebody transferring a document from the USB stick to the computer, or would that show up differently?---I believe as it was a link file it would indicate opening of the document, but whether or not that date and time relates to the first opening of it or, potentially, saving it, closing it, printing it.

Sure?---I'm unable to determine that.

20 And if somebody had sent a document from the computer to the USB stick would that show up differently in any way?---It – it wouldn't show up as a link file. No.

25 So you can say that that didn't happen?---Well, I can't say that unequivocally, because, I mean, you could copy it to the USB stick and then execute and open that file when it was on the USB stick, which would create the same link file that I saw. Yes.

All right. So - - -?---It's a possibility.

30 Basically anything could have happened in relation to these – the document headed notes that was on the USB stick. You just can't tell us?---No. I cannot tell you what happened. All I can tell you is at 2.49 there was activity in relation to that document which resided on the USB stick.

35 All right. But you can't tell us if the document originated on the computer and went to the USB stick or vice versa?---No.

All right. The document, if you go to paragraph 18, entitled Suicide John, was created at two – it would seem, had a creation date at 2.48?---Yes.

40 The other document at paragraph 19 titled Anna and Ben from Mum was at 2.47?---Yes.

And then the document headed Notes on the USB is at 2.49?---That's correct.

45 So would that indicate that the documents that are on the computer were created before what happened with the USB stick?---No. I can't say that because I'm not able to determine if it was a creation time at 2.49 or – or what kind of time it was.

28th of May – that would depend on whether or not the time and date had been changed?---Yes. I think I did determine if it was accurate. The registry report indicated that the date and time was set to the Eastern Australian Time, and it was correct when I received it.

5

That's at the time you're looking at it?---That's – that's the time I looked at it. If you were updating the date and time of a computer it would be recorded in the event logs as well.

10 Okay?---So that could be determined.

But that's the event log that would tell us what time the USB stick - - -?---There's a lot of – every – every event gets logged. There's also different logs in the event logs.

15 No. But that's the event log that would tell us what time a USB stick was taken out of the computer?---Same type of logs, but not necessarily the exact same log.

Okay?---The same type of log. Yes.

20 So it might have been overwritten - - -?---Potentially.

- - - in time?---Potentially.

25 All right. Just with a USB stick. Once it's put into a computer the name can be changed to anything, can't it?---You can rename volumes of – yeah, of a hard drive or a USB stick floppy drive. Yes.

30 So, for example, it could be called John's USB one minute and something else the next?---If you changed the name in a computer it would actually update the volume name on the USB stick, so next time you plugged into anyone else's computer it would come up with the new volume name that you'd just renamed it to.

Yes. That's what I mean?---Yes.

35 So you can call it what you like?---Yes, certainly.

And change the name. So it could be – Holiday Photos 2009 could become Holiday 2010?---That's correct, yes. You can update.

40 But you can track it by the serial number on the USB?---That's correct. That's correct. And that's unique.

And certainly, that USB wasn't used in the computer after the early hours of the morning of the 28th of May?---Not according to the log, no.

45

Yes. Thank you.

D/STATE CORONER: Resuming with Mr Morris.

JAMES MORRIS, CONTINUING

[2.07 pm]

5

EXAMINATION BY MR CHOWDHURY

10 MR CHOWDHURY: Mr Morris, during the break were you able to obtain a print out of what the last emails to and from Dr Mahlo's computer were?---Yes, I was.

I understand that you have reduced that to two documents; is that correct?---Yes, that's right. Well, yes, to one document from Dr Mahlo's computer.

15

And do you have a copy of it there?---I'll just get it.

Thank you. All right. Are these your copies?---Yes.

20 And we'll give them back to you. Thanks. Your Honour, I understand you've got a copy of these.

D/STATE CORONER: Thank you.

25 MR CHOWDHURY: So the document I'm looking at is a two-page document headed Mahlo Email?---Yes, that's correct.

Emails from 27 May, 28 May 2008?---Yes.

30 And by reading it, it appears that there were five items found?---There were five emails that fell within that search period.

Yes?---Four of them were in the junk mail folder and one of them was in the sent items.

35

Yes?---That was the one at 14.33, so it's the last – it would be the last email on there.

Yes?---Now - - -

40

The four emails seem to be just promotional materials?---Yes, that's right.

The last one was about the email that we saw on your computer – on the computer this morning - - -?---Yes. The - - -

45

- - - about an update with the Department of Health, correct?---The email I was referring to in my report at – which is on the other page of Hehir - - -

Thanks very much. Yes. I have no further questions.

D/STATE CORONER: Thank you. So you don't wish to release this witness at this stage?

5

MR CHOWDHURY: No.

D/STATE CORONER: Excuse him for the rest of the day. Thank you. Thank you, Mr Morris.

10

MR LEWIS: I've got – I've a couple of questions, your Honour, which I may as well - - -

D/STATE CORONER: Oh, sorry. I beg your pardon, Mr Lewis.

15

MR LEWIS: - - - get out of the way now.

D/STATE CORONER: Indeed.

20

MR LEWIS: Thank you.

EXAMINATION BY MR LEWIS

[2.12 pm]

25

MR LEWIS: Just in relation to the report that you prepared, do you have a copy of that?---I'll just need to receive it from the - - -

30

If I can take you halfway down the second page where – which is under the heading Examination Finding Summary?---Yes.

35

And to the paragraph that says, at approximately 02:00 hours. You say later on that it is suspected that Hehir may have done some things; is that you quoting from another document?---That's from a QP127B, which is our request for examination.

Okay. So somebody else has written that and you've just simply transcribed it into your report?---Yes. Yep.

40

Okay. So that's the same thing two paragraphs afterwards then?---Yes.

All right. The email that was sent on the 8th of May from Mr Hehir to Dr Marlow and that enclosed the will – attached the will template. Do you remember that one?---Oh, there's a lot of emails there.

45

Yeah. We looked at it earlier - - -?---Okay.

Yes. So that's the earliest and in fact it could well have been, say, on the 22nd or the 23rd?---Oh, that's the only documented evidence I have.

Yep?---Yeah.

5

So there's no indication on Mr Hehir's computer prior to that that he had any contact with Jill Hays who is now Jill Hehir?---Well, we'd have to go back again to check that out, because it's been three years since I examined that - - -

10 Well, but this is your report?---Yes. Yes.

So that's clearly what you were of the view when you examined the computer and wrote - - -?---Based on what I had, yes.

15 - - - and wrote your report?---Yep.

Right. And obviously that was one of the things that you were looking for is contact between him and her?---As to when they first met, yes.

20 Yes?---That's - was one of the things I was asked to look at.

Right. So you would have been keenly looking for any information that linked the two?---Oh, yes.

25 Right. So the best - your best guess is they couldn't have met any time before the 21st of August from what you found on the computer?---Not from what I found, no.

Yeah. All right. Thank you, your Honour.

30 D/STATE CORONER: Thank you.

EXAMINATION BY MR CHOWDHURY

[2.18 pm]

35

MR CHOWDHURY: Just in respect of that last matter, you were simply looking in respect of computer - details on the computer about emails or some other contact, correct?---Yes, that's right.

40 All right. You couldn't or course say whether there'd been telephone contact or meeting in person?---No.

Nothing further.

45 D/STATE CORONER: Thank you.

MR CHOWDHURY: Madam, would you, please, state your full name?---Rachel Lee Campbell.

5 And you still live at William Street, Moffat Beach?---Look, I still own the property. I do reside there very occasionally, but live in Brisbane.

All right. I understand. Certainly, at the time we're concerned with, which is the months up to May 2008, you were living there?---Correct, yes.

10 And that was your residential address. Now, you knew Dr Mahlo who lived across the road from you?---I knew her to say hello to. That was all.

Did you ever socialise with her?---Never.

15 All right. And were you aware of her domestic relationships at all?---As an outside observer from across the road, yes. Not interested, but proximity wise, yeah.

You would see -- you'd see comings and goings?---Yeah.

20 You'd see comings and goings; is that a fair statement?---Yes.

If you go -- do you remember giving a statement to police?---Yep.

Will you have a look at your statement; it's just there?---Thank you.

25 And that is exhibit B1?---Did you want me to read it?

No, no?---No.

30 I'll take you to a particular passage?---Sure.

I just want you to make sure that that is your statement?---That's my statement.

35 Yeah. Go to the second page and it's the fourth paragraph there?---I remember when? Is that the one?

Fourth paragraph, so, "A short time later ambulance and police" - - - ?---One, two, three, four. Okay.

40 Yes. The police unhelpfully have not numbered paragraphs?---No worries.

Okay?---Yep.

45 Now, you talk about in the early hours of the morning about 3 am being woken up by someone wailing very loudly and running up and down the street?---Correct, yes.

In your statement you hadn't seen him for a couple of weeks. Was that correct?---I think that's the policeman's inference. I hadn't seen him around is all I can think, but I can't recall back to that time.

5 Right. Well, the statement was given to the police on the 5th of January 2010, so a year and a half after the incident?---No, no. They came and interviewed me straight after the incident.

Right?---So it was straight after the incident.

10 Well, if you look at the first page, the top right-hand corner, do you see a date?---Yeah.

15 5 January 2010?---I didn't give a statement - I gave it straight after the incident. So whether it's been altered or something then or sent to me, or something like that, but that's - that's not the case. The interview was conducted straight after the incident.

Right. Can you go to the back page of your statement at 24? Is that your signature in the rectangle there?---That's my signature.

20 And there it says that the date is the 5th of January 2011?---Right. So this - the front one says 2010.

Yeah?---And this one says 2011.

25 Yeah?---So there's some - - -

Can you remember what year it was you signed this statement?---Well, it was when Karen died, straightaway.

30 Right. Now, what I'm going to suggest is that you, no doubt, spoke to the police on the day after Karen's body was found, but did you give a typewritten statement then or just simply a verbal account to the police?---I gave a verbal account.

35 Yes?---And then Jo, the policeman who interviewed me wrote it up in this format and emailed it to me.

Yes?---I made a few corrections and sent it back to her. So I didn't type a statement myself at all.

40 Right?---I just altered hers.

Right. You made some corrections?---Yes, some minor corrections.

45 All right. Can you recall during that exercise minor corrections the same year, or same month that Karen died?---Same - same year, same month, same - yeah.

Okay. Can you describe the argument?---I could – I can hear in my mind's eye that Karen's upset, but not – she hasn't lost it. She's still in control. So, yeah, I – what are you asking for?

5 Well, were the voices raised, or was it just a conversation? Can you tell me?---Well, voices were raised because I could hear it.

And you said that Karen was upset but still in control?---Mmm.

10 What about John? What was his state? Could you tell?---I – yeah, I don't recall.

How long did this argument go for?---For a significant amount of time.

Can you put an estimate on it?---Up to an hour, half an hour to an hour.

15 That's quite a long period of time. It went on for that, at least half an hour?---I can't say absolutely because it's so long ago.

20 Sure. But it wasn't just a two-minute or - - -?---But it was a significant amount of time and I was able to hear it.

Right. So it wasn't just a two-minute or a five-minute flair up?---No.

25 Right. And can you recall anything else that was said, apart from the registration of the motorbike?---No.

All right. I take it you said you didn't make any notes of what you heard anywhere?---No.

30 Now, was there anyone else present that you could see for that argument?---No.

Did you remain on your veranda for all of that half hour or however long it was?---I don't recall.

35 All right. Thank you. You didn't see any need to get involved or any concern?---Definitely not.

All right. You say in your statement, "I believe this argument was like a break-up argument"?---That's the policeman's words, not mine.

40 Right?---I – I get the feeling when I read this statement that she was leaning – she was pushing certain – a perspective, you know.

45 Yeah. It was about - - -?---I really didn't think – I really did think it was a sort of – that they weren't together any more.

All right. Yes. I have nothing further, your Honour.

D/STATE CORONER: Thank you. Mr Lewis.

5

EXAMINATION BY MR LEWIS

[2.35 pm]

10 MR LEWIS: Thank you, your Honour. Ms Campbell, just briefly. You say that it was about 3 am - -?---Correct.

- - - when you were woken by the sound of someone running up and down the street?---Correct.

15 Could it have been later than that?---It may have been slightly later, yeah.

Okay. Well - -?---But it was around that early morning time definitely. I didn't look at a watch or anything like that, but, yes.

20 Well, how long after that occurred did the police arrive?---I - I couldn't account for it. I couldn't say entirely. It wasn't long.

Okay?---But it was time for me to talk quite - you know, I was talking quite a while to John, but I didn't have a watch. I wasn't taking into account - - -

25

No?---I was concerned about his welfare.

Yeah. Now, there's - they certainly didn't take two and a half hours?---Probably not, no.

30

Okay. Well, it would seem that police arrived at about 5.30, 5.37?---Sure, sure.

That would make it, wouldn't it, later than 3 o'clock in the morning when you saw John?---Yeah, probably and possibly. But I didn't go out straightaway when I heard the wailing - - -

35

No?--- - - - and carry-on. I waited for - I mean, I, you know, sort of - sometimes people go off the tree and you wait a bit to see if they're okay, you know what I mean.

40

There's other indications to suggest that, perhaps, John hasn't got to the house until at least after 4.33. That could be right and you're just - -?---Yeah. I - yeah, I - - -

Okay. That's all right?---Possibly, probably.

45

I understand - -?---Possibly.

After you'd gone to bed?---I – I know it was all day. That's all I know. It was over and over for a very lengthy time. I thought it – during the day, but it could be possibly at night, yeah.

5 Was it after the argument?---Yes.

Okay. And, what, it went on for hours and it seemed like hours and hours?---Yeah. Yeah.

10 Okay?---It's not normal. It's not usual for someone to play a song over and over and over and over and over. It was notable.

All right. Yes. Thank you.

15 D/STATE CORONER: Thank you, Mr Lewis. Mr Chowdhury.

EXAMINATION BY MR CHOWDHURY

[2.40 pm]

20

MR CHOWDHURY: Just one question. You've said on a number of occasions that your statement contains phrases that weren't your words?---Correct.

25

Okay. Did you raise that with Detective Allan, saying, "No, that's not what I want to say in my statement"?---Again, she had emailed through a copy to me. I made a few corrections. Like, there were some errors. Like, I didn't know Karen's name and stuff like that, which I did, beforehand and stuff like that, and I just did those minor things. I didn't – I honestly didn't think it would – I would have written it myself if it was to be in my words. I didn't know – I still don't – I don't even know what this court is about. I don't – yeah, I didn't anticipate that it would come to a court thing, so - - -

30

Well, you knew you were doing a statement of witness for the police?---Yeah.

35

And you have to sign it as being true and correct, didn't you?---That – yeah. I – sorry, I've never done anything like it before, so I don't - - -

Sure?---Yeah. And it was near enough and I just, yeah, didn't want to bounce it back and forward any more.

40

Right. So you made some minor alterations, but didn't wish to change any words that you say now weren't yours?---Yeah.

Is that right?---Correct.

45

Okay. Despite that, you were happy to sign it as being true and correct?---I – yeah.

RHIANNON LEE CLARK, SWORN

[3.12 pm]

EXAMINATION BY MR CHOWDHURY

5

MR CHOWDHURY: Madam, is your full name Rhiannon Lee Clark?---Yes.

10 Now, are you still friends with Anna Sasanow?---Still acquaintance, I suppose, with her, so, yeah.

Right. But not as close a friend as you have been in the past. Is that a fair statement?---No. Yeah, that's -- that's probably right. Yep.

15 All right. Thank you. Now, do you recall giving a statement to police which is dated the 3rd of January 2011?---Yes.

Just have a look at the document there next to you?---Yes.

20 In fact, you gave two statements?---Two statements.

Yes?---I thought it was only one, but it must have been two.

There's a brief one-page statement that you did additionally?---Okay. Yep.

25

All right. Thank you. Have you had an opportunity to read those statements before coming to court today?---I briefly read it the other day, but I've just had a baby so I've just sort of, yeah, been a bit busy.

30 All right. I understand. Thank you. I just want to ask you a couple of questions. In 2008, say, from January 2008 through to Karen's death on the 28th of May 2008, how often would you see Dr Mahlo?---Every couple of days, if not every day, so quite frequently.

35 All right. And would you go to her house, or to, you know, your house? What was your- -?---Both, but we mainly used to go to her place, so because she's -- yeah. We used to go swimming in the pool and, yeah, spent quite a bit of time there.

40 Right. Okay. And at that stage you were good friends with Anna Sasanow, her daughter?---Yeah, I was very good friends with her.

All right. Where was Anna living at that stage?---She was living with her mum to start with.

45 Yes?---And then she moved in with us. So we had sort of like a bit of a share house.

Right?---So she ended up moving in with us then, so - - -

How did you know that John had been kicked out of the house?---That's what Karen told me.

Right. And are you able to say when in April that occurred?---I can't say offhand.
5 I'd have to -- yeah, I'm not exactly sure what date it was, to be honest, so - - -

Okay. But it was some time in the month of April?---Yes.

Right. And did you continue to go to Dr Mahlo's house after that?---Yes.

10 Did you see John Hehir at the house much after that or at all?---That was the -- was that the month that she passed away?---Well, May. She passed away on the 28th of May?---Yep. So I actually didn't -- I don't think I did see him there between that last month that she was alive. She spent a lot of that time just sort of -- yeah, she was
15 quite down and, yeah, she was just basically recovering, I suppose, from the break-up.

Yeah. You make a comment in the bottom of page 3 that throughout 2008 Karen was down more than up with her depression. Can you just explain that a little bit.
20 What was it that you observed about her?---I observed her drinking got a lot heavier. She would ring Anna at sort of all times of the night and stuff like that to - you know, quite upset. She would be in her dressing gown a lot when we went over there, so she just sort of wouldn't go out of the house or anything like that. She was always sort of moping around the house a little bit like she was -- yeah, she was quite down.

25 All right. Had Dr Mahlo told you about any of the problems she was having at work?---At work, no.

Right. So you weren't aware of any of that?---I heard, like, through Anna.

30 Right?---But, yeah, not from Karen herself.

Okay. Thank you. Can you just go to page 4 and the third paragraph of your statement and come forward to the week when Dr Mahlo passed away?---Yeah.

35 Which paragraph, sorry?

Third paragraph?---Yep.

Where you said that Anna and you went over to Dr Mahlo's house because she was
40 really down and just wasn't herself?---Yep.

Can you just explain what exactly was happening with Dr Mahlo. Was it about her manner or speech or whatever that said that she just wasn't herself?---She -- like I was saying before, she was really -- just really upset. She was always in her dressing
45 gown and, yeah, just like I said, she was drinking a lot more and just quite -- just down in general.

Okay. And that was different from what you had seen in the days before?---Yes.

Okay. Did she have any discussions about the future, what she was planning to do?---Not really. I suppose it was more just what we were doing at the time, like
5 talking about the, you know, here and now, I suppose. It wasn't really directed at the future or anything. She just -- yeah, it was just a lot more high-spirited. There was quite a few people there as well.

Yeah?---So conversations with lots of different people on that day, so - - -
10

All right. Did you see if she drank much alcohol?---She had a few drinks. She had a few glasses of wine, but I wouldn't say she drank a huge amount of alcohol.

All right. Thank you. When she left your house, was that the last time you saw her
15 or spoke to her?---Yes.

Thank you. And then you found out the following morning. Some police came to your place?---Yes.

20 Thank you. Yes, I have nothing further.

D/STATE CORONER: Thank you. Mr Lewis.

25 **EXAMINATION BY MR LEWIS**

[3.22 pm]

MR LEWIS: You said that Dr Mahlo -- you described her as "liked to have a drink."
30 She was a very heavy drinker, wasn't she?---Yes, she was.

Now, the drinking would go up and down depending on her state of mind?---Yes.

And in the week leading up to her death she was drinking very heavily?---Yes, she was.
35

In the times that you saw her?---Yeah. She'd been drinking, like, the night before. She wouldn't -- she wasn't getting up first thing in the morning and having a drink or anything like that. But for me I would class what she was doing as, yes, heavy
40 drinking, so - - -

All right. And then she certainly was drinking at your house on the 27th?---Yes.

You knew about Dr Mahlo trying to take her life with an overdose of pills?---Yes.

45 Did you know about any other occasions?---I think there was a time before that which I'd heard about, but I didn't really know very much details about that, so - - -

MR CHOWDHURY: We'll just see if Dr Olumbe is here, your Honour.

D/STATE CORONER: Yes. Well, I might still request that you keep yourselves available for a little bit longer because - - -

5

MR CHOWDHURY: Yes.

D/STATE CORONER: - - - I think Dr Olumbe has difficulties being available during the rest of the week.

10

MR CHOWDHURY: Yes. Well, I think we should just wait to see if he comes.

D/STATE CORONER: All right. Well, I'll be instantly summonsable.

15

MR CHOWDHURY: Thank you, your Honour.

ADJOURNED

[3.26 pm]

20

RESUMED

[3.36 pm]

D/STATE CORONER: Please be seated. Dr Olumbe, do you have any objection to taking an oath on the Bible?

25

DR OLUMBE: No objection, your Honour.

30

ALEX ONZERI KIRASI OLUMBE, SWORN

[3.36 pm]

EXAMINATION BY MR CHOWDHURY

*examination in chief
cross 13 minute*

35

D/STATE CORONER: Thank you. Please be seated.

MR CHOWDHURY: Sir, would you please state your full name and occupation?---Alex Onzeri Kirasi Olumbe. I'm a senior forensic pathologist with Queensland Health.

40

Dr Olumbe, you conducted an autopsy on the deceased Karen Mahlo on the 29th of the May 2008?---That's correct.

45

And you provided a report to the Coroner?---That's correct.

Which is exhibit A3, your Honour.

And then the knife being manipulated?---Yes.

All right. Can I ask you the location where the knife entered, was that proximate to the heart?---Yes.

5 Now, we know that the deceased was a medical doctor?---Yes.

And, therefore, would have considerable knowledge of human anatomy?---That's correct.

10 The location of the knife was close to where the heart was?---That's correct. And that's why even -- in the event of CPR, that's where you localise your compressions.

Yes. Now, I just want to clarify about degrees for force. If you look at the middle paragraph of that page -- -?---Yes.

-- - where you talk about the fatal wound track?---Yes.

That traversed the third intercostal muscle?---Yes.

20 The last sentence of that paragraph you said, "The path of this wound track through chest and depth of penetration," etcetera, "a finding suggestive of use of mild amount force." Is that different from the initial force that was required to push the knife through the sternum?---Yes, different.

25 Because if we look at the third last paragraph on page 7, describe - the penetration through the skin and bony chest plate was suggestive of a severe amount of force?---Yes.

30 All right. Okay. And you say that because, presumably, the breast bone is naturally a hard, bony plate?---Yes, it's -- that's correct.

It's designed to protect the lungs and the heart?---Exactly.

35 All right. Thank you. Now, you mentioned in your report about some small scratches around that stab wound; is that correct?---That's correct.

And if you go to the last page, page 8, you call them superficial scratch marks?---Yes.

40 That could comprise hesitation or tentative marks?---That's correct.

In stabbing in suicide where people inflict stab wounds to themselves, is that commonly seen?---That's correct.

45 I was wondering if you could help me. Do you have a set of the photographs?---Yes, I do have.

That would be consistent with an attempted suicide?---Of previous self-harm and associated with suicidal ideation.

5 Right. Thank you. The marks or the nicks on the hand that we can see in photograph 15, are you aware of what are called sometimes defensive marks?---Yes.

Where someone is trying to fend off a violent attack?---Yes.

10 Are those marks consistent with that?---They're very minor to have been - considering the implement that was used, very minor to have been the so-called defensive marks.

15 All right?---And, your Honour, there were no defensive marks on the arm. We tend to get, like, mostly grid marks which are linear, and we might get them symmetrical on a number of fingers and the palm.

Now, have you had the opportunity, Doctor, to read a report from Dr Isles?---Yes, whom I know very well.

20 Right. Thank you. I just want to take you to two parts of Dr Isles' report. And, for the record, that's exhibit G1.

D/STATE CORONER: Thank you.

25 WITNESS: I've got a copy of it.

MR CHOWDHURY: I'm just going to take you to page 3 of Dr Isles' report under the heading 2: Injuries to the Right Hand?---Yes.

30 Do you agree with what Dr Isles puts there, that those injuries to the right hand may have been caused in the clumsy handling of the knife?---That's correct. And in some occasion, your Honour, I've seen those kind of injuries also associated when you're using - hesitation marks, because in the event of hesitation marks, before one executes the fatal injuries, you sort of, like, tentatively try to stab yourself or to make
35 the nicks, so maybe it will be painful and be handling the blade to stop it. And that's where you can get those kind of injuries, so it could be as [indistinct] those two.

Thank you?---Yes.

40 Now, you make a note in your report that there's some bruising to the back of the hand?---Yes.

Are you able to express any opinion as to the likely cause of that, other than just simply blunt trauma?---It's a little difficult to say what it would be, but definitely
45 consistent with a blunt trauma.

Thank you. Yes, I have nothing further, your Honour.