



# OFFICE OF THE STATE CORONER

## FINDINGS OF INVESTIGATION

**CITATION:** **Non-inquest findings into the death of Lachlan Maurice O'Rourke**

**TITLE OF COURT:** Coroner's Court

**JURISDICTION:** Brisbane

**DATE:** 8 July 2015

**FILE NO(s):** 2012/3582

**FINDINGS OF:** Christine Clements, Brisbane Coroner

**CATCHWORDS:** CORONERS: Investigation, homicide/suicide, domestic violence

Lachlan Maurice O'Rourke lived at Hutton Street, Clayfield in Queensland. He died at his home on 3 October 2012. He was 42 years of age at the time of his death. Lachlan O'Rourke died due to a shotgun injury to the head and his death was therefore reported to the coroner.

Lachlan O'Rourke was employed fulltime by Team Taxi Trucks and Carriers.

Lachlan O'Rourke had been in a personal relationship with Elissa Anne Burnett for some months. However, by the end of September 2012 that relationship had ended.

On 29 September 2012, Lachlan was in company with a friend, Phillip Jackson. They went out for dinner and then to a bar in New Farm/Fortitude Valley. Lachlan told Phillip he had broken up with Elissa. The main reason was due to his need to undergo surgery at the Royal Brisbane Hospital in a week's time. He required a colostomy bag.

However, in the course of the evening Lachlan also told Phillip that he had broken up with Elissa because he was jealous of her male friends. He expressed feelings that he had wasted time and money in the course of the relationship.

On 30 September 2012, Lachlan contacted Phillip and invited him to attend the Caloundra Music Festival with him. He had previously bought tickets intending to take Elissa with him. Phillip indicated he was unable to accept the invitation. Subsequently, Phillip received text messages from Lachlan indicating Lachlan had seen Elissa at the music festival in company with two men. He said he had spoken with her and everything was 'cool', but Phillip thought he was acting in a jealous manner.

Phillip was aware that Lachlan was expecting to see Elissa again. He intended returning to Elissa a sex video they had made. Phillip Jackson recalled Lachlan kept texting him on Tuesday, 2 October, which was the day before Lachlan O'Rourke and Elissa Burnett died. Phillip could not go over to Lachlan's place to see him or stay that evening due to work or family commitments at the time. Phillip did not hear from Lachlan again.

Elissa Burnett, who was aged 32, attended Lachlan O'Rourke's home at Hutton Street, Clayfield at approximately 6.30pm on the evening of 3 October 2012. Police received numerous emergency calls after the sounds of a shotgun being discharged were heard by several neighbours.

When police arrived they located Elissa Burnett in the front yard of the property at the bottom of the steps that led to the front door. Elissa was deceased and had sustained severe head trauma.

Police then proceeded around the house to the rear of the property where they located Lachlan O'Rourke. He was deceased and it was evident he had suffered severe head trauma. A deceased Rottweiler dog was also observed in the immediate vicinity. A shotgun was located next to Mr O'Rourke's body. The dog was known to belong to Lachlan O'Rourke.

## **Autopsy**

Autopsy examination was conducted on 5 October 2012 by the Forensic Pathologist, Dr Storey.

He observed a couple of small fresh abrasions to the third and fifth knuckles of the right hand and the fifth knuckle of the left hand. There were small bruises to the knee regions. Dr Storey considered these injuries were inconclusive but may have indicated an element of physical altercation prior to death. Alternatively, they may have been due to falling after being shot.

The fatal injury was due to shotgun discharge to the anterior midline of the head extending from the upper lip, upward through the nose to the upper forehead. The pathologist noted the point of entry was either within the oral cavity or near to the mouth.

The shotgun injury caused devastating injuries to the brain. The pathologist noted death would be virtually instantaneous.

Significantly, toxicology testing did not reveal the presence of either alcohol or drugs other than doxylamine which is an anti-allergy drug with sedating properties. This was detected at non-toxic levels.

The pathologist concluded that Lachlan Maurice O'Rourke died due to a gunshot wound to the head. The circumstances clearly indicate that this was a self-inflicted wound.

It was noted that when police entered the house they located a note on the kitchen bench, which is assumed to have been written by Lachlan O'Rourke. It stated 'It is what it is, don't bury me in the family plot, I've been a disgrace all my life.' Police investigation confirmed that Lachlan O'Rourke had significant criminal history. This commenced in 1990 when he was ordered to perform community service and placed on probation for a matter of assault occasioning bodily harm. In 1997 he was imprisoned for four years and six months with a recommendation for parole after 15 months. The court also recommended a course of psycho-therapy whilst in prison. The sentence related to numerous break and enter and stealing offences as well as assault occasioning bodily harm whilst armed and assault with intent to prevent detention.

Significantly, although there had been a previous domestic violence order naming Lachlan O'Rourke as the respondent, this did not relate to Elissa Burnett but a previous girlfriend.

There was no indication of Elissa Burnett making a complaint to police alleging violence or requesting protection in the course of her relationship with Lachlan O'Rourke.

The other notable information related to Lachlan O'Rourke's immediate family. Police indicated that both Lachlan's sister and mother had died due to suicide.

## **Conclusion**

Lachlan Maurice O'Rourke caused his own death by discharging a shotgun into his head. He died immediately on 3 October 2012 at his home at Hutton Street, Clayfield. He died due to the fatal shotgun wound. His suicide occurred immediately following Elissa Burnett's death. She had been shot in the head by Lachlan O'Rourke. It appeared the underlying cause of Lachlan's action was the recent ending of their relationship and feelings of jealousy and rage.

It is not known exactly when in the sequence of events Lachlan O'Rourke wrote the suicide note. However, it appears to have been placed in clear view on the kitchen bench with the biro placed on top of the page of the notebook.

Witnesses report hearing, and to some extent observing, Elissa arriving at the premises and entering the dwelling. There was then the sound of a scream followed by two gunshots. A witness saw Lachlan O'Rourke standing on his verandah pointing a gun towards the road and then a second shot was fired.

Lachlan O'Rourke then returned inside his dwelling.

There was then an indeterminate period of time that passed before another two or three shots occurred. It is evident that the second series of shots occurred at the rear of the dwelling when the dog was shot before Lachlan discharged the shotgun causing his own death.

Given the very short space of time between Elissa Burnett arriving at the premises and the sequence of events that follows, it is concluded that Lachlan O'Rourke had prepared the weapon, and possibly the note in advance of Elissa's arrival at the premises. He then followed through the course of events fatally shooting Elissa Burnett, then his dog, and finally, himself.

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8 July 2015