



# **CORONERS COURT OF QUEENSLAND**

## **FINDINGS OF INQUEST**

**CITATION:** Inquest into the death of Lee Edward Parker

**TITLE OF COURT:** Coroners Court

**JURISDICTION:** Toowoomba and Ipswich

**FILE NO(s):** 2016/3436

**DELIVERED ON:** 20 February 2020

**DELIVERED AT:** Brisbane

**HEARING DATE(s):** 3 July 2019, 19-23 August 2019, 18 & 20 December 2019

**FINDINGS OF:** John Lock, Deputy State Coroner

**CATCHWORDS:** Coroners: inquest, fire, suspicious circumstances, Mobile Home Park, smoke alarms.

### **REPRESENTATION:**

**Counsel Assisting:** Ms M Jarvis, Ms A Martens

**Counsel for Mr G Parker on behalf of the family:** Mr N Edridge i/b Caxton Legal Centre

**Counsel for C O'Loughlin:** Mr M Rawlins i/b Walker Pender Group

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## Introduction

1. Lee Edward Parker was aged 47. He had a background medical history of post-traumatic stress disorder, depression, hypertension, sciatica, obstructive sleep apnoea and other conditions. He was a smoker and known to drink alcohol heavily.
2. At time of his death he had been residing at the Atkinson Dam Caravan Park. On the night before and into the morning of his death, Lee and several other people had been consuming alcohol while seated around a bonfire.
3. On 19 August 2016, police and fire services were called to the caravan park due to a bus that had been converted into a dwelling being on fire. The fire had engulfed the bus. After it was put out, fire officers were able to enter and found Lee's body inside. Lee's remains were positively identified at autopsy, and his cause of death was found to be consistent with the effects of the fire.
4. Whilst police were trying to locate witnesses and identify persons at the location, police intervened between two females, being Cathleen Susan O'Loughlin (tenant) and a Kim Brock (Caravan site manager). Ms Brock was arguing with Ms O'Loughlin about the fire and was accusing Ms O'Loughlin of causing the fire. The two were name calling each other and both parties were separated. Police learnt the bus in question was rented by Ms O'Loughlin.
5. Police spoke to the occupant of the bus, Ms O'Loughlin in relation to the fire. She seemed to be heavily affected by alcohol at the time. This conversation was recorded by portable recording devices. Ms O'Loughlin stated that she had been drinking beers with others at the bonfire and that Lee had been flirting with her at the bonfire and that he was going back to her bus. Ms O'Loughlin could not provide a time of when she last saw Lee.
6. Ms O'Loughlin stated that she did not want any intimacy with Lee and that she went back to the bus to sleep but as she walked up the street in the caravan park, about 40 metres away from her bus, she saw the fire and started yelling 'fire' 'fire'. Other tenants from the caravan park then came out of their buses/van's/dongas and tried to assist with putting out the fire and a number of them called police and emergency services.
7. Ms O'Loughlin stated that other tenants told her it was her bus on fire and she got upset and distressed due to her cat being in the bus. Ms O'Loughlin is alleged to have stated she was not sure if Lee was still in her bus.
8. Police obtained versions from the witnesses who were on scene when police arrived. Police also conducted door knocks to ascertain further information in relation to this investigation. Police took statements from a number of persons including first response officers (in excess of 30). Police began investigating the fire as potentially suspicious and devoted significant resources to gathering

evidence to inform the investigation. This included, three separate scientific reports as to a possible cause for the fire; one by a police forensic scientist, one by a fire investigations officer from Queensland Fire and Emergency Services and one by an inspector from the Electrical Safety Office.

9. Preliminary investigations revealed that a group of persons including Lee were all at the back of the caravan park consuming alcohol whilst seated around the bonfire. There were a number of conversations in relation to persons having sexual relations with each other whilst at the bonfire and Lee stated that he wanted to have sex with Cathleen. At one stage in the early hours of the morning on 19 August 2016, Lee has left the bonfire and walked in the direction of the main caravan park. After some time, the evidence suggested Cathleen has walked away from the bonfire for about 15 minutes and then returned. She was in the vicinity of the bonfire for some further time and then headed back to her bus and says she then saw flames.
10. The Queensland Police Service (QPS) submitted a report on the results of its investigation, with a recommendation that I consider whether an inquest would assist in providing further evidence as to what occurred at the Atkinson Dam Caravan Park on 18 and 19 August 2016, and to test the credibility and reliability of those who were present and witnessed certain events, both prior to and after the bus fire.

## Issues for the inquest

11. Mr Geoffrey Parker, on behalf of his family including his four daughters, two grandchildren (Lee's son and daughter), Lee's ex-wife and Geoffrey's ex-wife, requested an inquest into his son's death. Mr Parker explained that he and the rest of Lee's family felt there were more contributing factors than just the fire that caused Lee to die.
12. The following issues for the inquest were determined:
  1. The findings required by s. 45 (2) of the *Coroners Act 2003*; namely the identity of the deceased, when, where and how he died and what caused his death.
  2. The circumstances surrounding the death and, in particular:
    - a) the chain of events leading to the fatal fire
    - b) the cause of the fire
    - c) any factors that may have prevented the deceased person from escaping the fire or otherwise contributed to his death.
  3. Whether there are any matters about which preventative recommendations might be made pursuant to section 46 of the *Coroners Act 2003*.

## **Personal background**

13. Alexis Parker, Lee's youngest sister provided some background information concerning Lee Parker. His family included his two children, his parents and four sisters. He was a much loved uncle and great uncle to his many nieces and nephews.
14. Lee was in the Army for 17 years and reached a rank of Warrant Officer class II. He studied hard to further educate himself and was one of the youngest Warrant Officers appointed since WW11.
15. He married Janene whilst in the Army and they had two children Ashlee and Samuel. In 1999 he was deployed to East Timor as part of the United Nations Transitional Administration leading a Crimes against Humanity investigation team.
16. Lee was medically discharged from the Army in 2004 and began a long struggle with post-traumatic stress disorder (PTSD). He also sadly suffered the loss of some close friends he had served with due to suicide. This all took a toll on his marriage, which also sadly broke down.
17. Lee endured some extremely low times. Previously he was a disciplined person with a strong sense of purpose and direction in life, which PTSD had taken from him.
18. Eventually Lee entered into another long term relationship but when that ended he had nowhere to go and not wanting to burden his family moved to the Atkinson Dam Caravan Park. As Alexis stated he would never have been a burden on the family. This move was initially meant to be a temporary one but became long term when Lee began working there. The family acknowledge this work gave Lee a purpose again and kept him busy and useful by helping people.
19. Lee's death has created an enormous sadness and loss to his children, parents and other friends and relatives.
20. The evidence of the vast majority of the residents of the park who gave evidence described Lee in a highly positive manner due to the help he provided to many at the park and his friendliness.

## **Autopsy results**

21. Dr Rohan Samarasinghe, forensic pathologist performed the post mortem examination. Due to the extent of the fire damage the pathologist was unable to comment about the presence or absence of external soft tissue trauma. An internal examination showed no obvious evidence of the ante-mortem history. There was no evidence of traumatic brain injury.

22. There was evidence of smoke inhalation with the presence of soot up to the lower air passage within the lungs. This indicated he was alive at the time the fire started.
23. Toxicology testing revealed high levels of alcohol in the blood (0.158%) and in the urine (0.244%) consistent with a heavy alcohol intake. Carbon monoxide saturation was found well within the toxic range but below the lethal range. No other drugs were detected.
24. In summary, the forensic pathologist considered the evidence of smoke inhalation with the toxic blood level of carbon monoxide would indicate he was alive at the time of the fire starting.
25. Inhalation of the fire fumes would have rendered him unconscious and exposed to burns and other effects of fire such as hyperthermia.

## **The investigations**

### ***QPS Investigation***

26. The investigating officer was Detective Senior Sergeant James Steginga and he provided a detailed report.
27. The death of Mr Parker occurred on 19 August 2016 at Site 12A of the Atkinson Dam Caravan Park, 545 Atkinson Dam Road, Coominya.
28. Lee Parker resided at Site 36. He assisted the owner of the caravan park in performing general maintenance within the caravan park.
29. Site 12A consisted of a decommissioned bus with an affixed annex on the passenger side and had been converted into a dwelling. Lee Parker's body was located lying on the floor at the rear on the passenger side with his head facing towards the front.
30. Initial identification was not able to be completed by normal means. Investigators had identified all other persons within the caravan park had been accounted for except for Lee Parker who had not been sighted. Medical records obtained by me noted a medical implant had been inserted on 12 February 2012. During the autopsy such medical device was found on the body. This had no identifying markers although the manufacturer indicated such items did not carry serial number or bar codes. Odontology testing was considered however the odontologist stated that due to the damage sustained to the deceased teeth, even if records were obtained a probable match only could be made using these. DNA samples were collected. As the investigating coroner, I accepted identification based on the above.
31. The investigation revealed that at about 04:00 hours on Friday, 19 August 2016, Queensland Fire and Emergency Services (QFES) received several triple zero calls from residents of the caravan park and a resident who resided

across the road. The neighbouring resident, Kathryn Gow said she heard loud bangs coming from the caravan park. Other callers reported a bus to be on fire.

32. As a result of these calls QFES, Queensland Ambulance Services (QAS) and QPS were notified and units dispatched.
33. QAS were the first to arrive at 04:21 hours and assisted with scene management. At about 04:30 hours, three QFES units and one QPS unit arrived. QFES commenced fighting the fire externally. Due to the intensity of the fire, no internal firefighting or searching commenced.
34. Upon suppression of the fire QFES entry was gained and at about 04:52 hours one occupant was located deceased within the dwelling. A crime scene was declared and the area secured by police investigators.
35. Specialist Forensic Section Officers attended and completed the necessary forensic scene examinations. The body of Lee Parker was then removed and taken to the forensic service mortuary for an autopsy.
36. A doorknock of the neighbourhood was conducted by police detectives and those witnesses who had any relevant information subsequently provided signed statements to police. No CCTV footage of the actual fire was identified from the location although CCTV audio was provided by a resident, which contained relevant information.
37. Intelligence checks were conducted to identify the callers to 000. It was established there were four confirmed calls made. The first call made was by an unknown male, with a second unknown male also speaking on the phone. Both males requested the fire service attend the caravan park and both indicated there were possibly two people in the bus. Both were unsure on how the fire started. The second male indicated the call was being made on James Lapham's (the park owner) phone.
38. The third caller is confirmed to be Kathryn Gow. A fourth and final call is by an unidentified female who indicated a female has lit her own caravan on fire. A second female comes on the line, identified as Ms Brock who confirms that Cath O'Loughlin lit her own van and she has mental health issues. She was unsure if there was anyone inside.
39. Ms O'Loughlin was interviewed by detectives under caution.
40. In his conclusions DSS Steginga stated the circumstances of the night and morning are confirmed up until Lee's departure from the bon fire. It was reasonably suspected this occurred in the early hours of 19 August 2016. Lee had been consuming alcohol with Chris Collins for most of the day as they cleaned out a storage container and placed unwanted items on the bonfire. The bonfire was over 200 metres from where Lee was located deceased.

41. It was confirmed Lee and Chris Collins travelled to Lowood at about 21:00 hours and returned to the bonfire. Further people attended including Ms Brock and Ms O'Loughlin. Some other people came and went including Jordan Brock and Ian Brock.
42. It was further confirmed Lee and Ms O'Loughlin participated in highly sexualised flirting with Ms O'Loughlin exposing her breasts and Lee asking her for sex. During the evening Ms Brock received a number of calls from a person confirmed to be Jody Vickery. At one point Lee and Mr Vickery argued and threatened each other but the call was terminated.
43. Lee was seen to be very intoxicated and was observed to fall over and fall asleep. Sometime after 01:00 hours and according to Mr Collins around 03:30 hours Lee left the bonfire and walked away. Ms O'Loughlin, Ms Brock and Mr Collins remained.
44. At 03:40 hours Benjamin Peters hears banging on his door. He hears a female voice say *"it's the police, open up"*. Peters went to the door and recognised a new resident carrying a walking stick who attempted to push past him and asked *"Where does Chris and Maxine live"*.
45. Ms Brock and Mr Collins say they left the bonfire in an effort to hide from Ms O'Loughlin, firstly hiding in a shipping container and then at the office. Mr Collins say they last saw Ms O'Loughlin at 03:45 hours. When back at the office Mr Collins saw a glow coming from the caravan.
46. DSS Steginga stated it was the initial belief of investigators that Ms O'Loughlin had lit the fire based on the evidence given to them by witnesses Brock, Hill, Horsfall and Thompson and supported to some extent by Ward and Dimitrov. At the scene Ms O'Loughlin admits to knowing the deceased as Lee and that he had been at her bus prior to the fire. Ms O'Loughlin refers to Lee on multiple occasions, heard by civilian and emergency service witnesses as being 'Chris' brother'. It was also identified that Ms O'Loughlin was in possession of Lee's keys. Ms O'Loughlin in her interview with detectives denied knowing Chris's brother's name and denies he had been in her bus. It was further noted through the interview, that Ms O'Loughlin indicated she observed the fire from the bonfire location, however witness Morrell observes a person he later identified as Ms O'Loughlin walking away from the bus moments before Mr Morrell heard a loud explosion and seeing the fire. Finally, Ms O'Loughlin cannot account for Lee's keys being in her possession.
47. Since reviewing the witness evidence and subsequent follow-up enquiries, DSS Steginga was of the view the evidence provided by the witnesses is unreliable, based on a few factors. It was noted the alleged admissions heard at the time are different, although the witnesses were altogether, with some of the versions since altered greatly as to what was originally said and have become more specific with detail on location. Maxine Reid now recalls Ms O'Loughlin admitting to lighting the fire, although she failed to disclose this in

her original statement. DSS Steginga was of the view that conversations throughout the caravan park may have influenced witnesses' recollections of the events both at the time of their original statements and upon follow-up. Those who hear a female indicate she lit the fire, cannot identify who made the statement. This belief is further supported by forensic experts who cannot identify the exact causation or seat of the fire. Another issue identified is timing and DSS Steginga stated it cannot be certain as to when Lee or Ms O'Loughlin left the bonfire or how long before the fire Ms O'Loughlin was seen. It is uncertain as to why Ms O'Loughlin now retracts her statement regarding her knowledge of Lee being in her dwelling along with being in possession of his keys.

48. DSS Steginga requested I consider whether an inquest would assist in providing further evidence of what occurred and further consider the credibility and/or reliability of all of the persons that may have been present.

### ***QPS scientific officers***

49. Sergeant Diane Howard is a forensic scientist with the Scientific Section of the Major Crime Unit. She has completed the Fire Scene Examination training program and has degrees in a Bachelor of Science and a Master of Forensic Science and undertakes examination of fire scenes to determine the area of fire origin and assisting in determining the cause of the fire. She attended the scene on 19 and 20 August 2016.
50. Electricity was connected to the bus at the time of the fire via an extension cord from an external fuse box. There was no gas supplied to the dwelling. Access to the bus could be gained via a front door located on the front western side of the bus. Sgt Howard stated the fire pattern suggests the front door was closed during the fire. There were dual opening doors at the rear of the bus. The construction of the double bed, bed frame and shelf above the bed appeared to prevent these doors being used to access the living space of the bus. Oxidisation on the doors indicated the doors were closed during the fire. The windows to the northern, eastern and southern sides of the bus were heat affected and sooted on the inside surfaces indicating the windows were closed during the fire. The windows on the western side of the bus were destroyed and a determination of their positioning during the fire could not be made.
51. Lee Parker's body was located at the back western side of the bus wedged between the metal frame of the double bed and rear side frame of the bus.
52. The body presented in the pugilistic attitude. The body had extensive heat and fire related injuries resulting in no skin or clothing remaining.
53. The most predominant fire damage to the external portions of the bus was the passenger side (western), which also comprised a fabric awning. Fire damage inside the bus was extensive with the most predominant fire damage towards the front passenger western side.

54. A wardrobe, bench seats and table, which were originally positioned on the passenger side of the bus were fully consumed. A pile of fire affected fabric, which included a purple blanket and a multi-colour rug were positioned adjacent to the driver's side seat and just to the left of the door. The purple blanket was on top and was folded. Removal of the blanket and rug revealed purple patterned carpet floor covering. Testing of various debris samples of material taken from the bus, including the blanket and purple carpet, by QPS forensic scientist Jane Churchill confirmed there were no ignitable liquid residues identified.
55. Sgt Howard opined there are three possible reasons for not finding any ignitable residue. Firstly, it may be there were no ignitable fluids present; secondly, they had all been consumed in the fire; or thirdly they were not present on the samples tested.
56. A fuse board from inside the bus did not contain any liquid residues and was tested by the Electrical Safety Office (ESO) and was found not to be a cause of the fire.
57. Based on the analysis of fire patterns observed at the scene Sgt Howard concluded the area of origin was the inside front passenger western side.
58. As to the cause of the fire Sgt Howard stated the first fuel ignited was not able to be confirmed. Gas was not connected to the bus. The weather was said to be fine at the time of fire outbreak. No items of an overtly spontaneous, combustible or self-heating nature were located. Spontaneous combustion/self-heating was not considered a plausible cause.
59. Electricity was connected to the bus. The lighting, switches and power point were severely damaged. Remnants of electrical items were located towards the front of the bus including a heater, toaster, kettle and USB charger. The occupier of the unit Ms O'Loughlin stated in a record of interview that a heater was placed on a table located to the western passenger side of the bus. Ms O'Loughlin claimed the heater was not turned on but it may have been plugged in. Only one heater was located in the bus and the damage was extensive and there were no internal workings capable of being tested. Sgt Howard could not rule out the heater as being contributory.
60. Sgt Howard stated the bed mattress was not as damaged as would be expected if it was the origin of the fire.
61. The front western side of the bus contained no electrical items except the external case of a heater. Electrical contribution could not be completely excluded, however no supportive fire patterns were observed, nor any electrical wiring or appliance remains that indicated an electrical outbreak of fire.

62. Sgt Howard was of the opinion fire outbreak due to some form of human involvement, either accidental or deliberate, could not be eliminated and is the more plausible cause of the fire.

### ***Electrical Safety Office Investigation***

63. Reg Neil of the ESO was requested by QPS to examine a number of samples including a bank of circuit breakers and a caravan socket inlet connected to an extension cord. The request was to examine for any adverse electrical activity and provide other relevant information. The orientation of the socket outlet, conductors, switchboard and extension lead were known from photographs supplied from the fire scene by QPS.
64. Power to the converted bus was supplied from a metered 15A power point in a switchboard protected by a 16A rated safety switch. The extension cord was connected to the home via a caravan inlet socket. The length of the surviving yellow extension cord measured 2.4 m. The caravan inlet was identified as a design that is superseded and includes non-insulated live pins not manufactured under the Australian Standards since 2005.
65. An internal examination of both the inlet and socket revealed signs of adverse electrical activity on the active pin of the caravan inlet and the active contact on the extension lead socket. Examination of an imprint of the plug pin in the melted plastic in the socket shows the final resting place of the active pin slightly lower than the arc points on the contact and plug pin. This tends to support the likelihood the plug pin subsequently moved down in the course of the fire. The plastic around the active pin and socket contact is melted but not burned.
66. Mr Neil stated the arc damage on the inlet pin and socket contact could be attributed to two possibilities, but the precise time of this occurrence could not be determined. The arc damage could be from foreseeable misuse or damage caused by the incorrect removal or incorrect insertion of the extension cord into the inlet socket. Alternatively, a parting arc occurred at the time of the fire as the inlet assembly and extension cord socket melted upon exposure to radiant heat or direct flame contact and the electrical connection became loose, with the poor connection leading to high resistance and subsequently arcing.
67. The internal anchor of six circuit breakers was also examined. Examination of the eight contacts on the breakers revealed no evidence of any adverse electrical activity.
68. Mr Neil concluded the patterns of fire damage to the rear of the caravan socket outlet was consistent with external heat. However, it cannot be confirmed that evidence of electrical activity on the active inlet pin and socket contact occurred at the time of the fire. The absence of evidence of electrical activity found on the remains of the six circuit breakers provided and the fire patterns

and damage to the caravan inlet and immediate surroundings mean the samples provided can be eliminated as a source of the fire.

***Fire Investigation Report - Queensland Fire and Emergency Services***

69. The QFES investigation was carried out by Mark Boreham. QFES found that Lee was located at the rear of the bus. The bus was immobile and used as a permanent residence within the caravan park. The engine was not operational and the on board fuel tanks were empty. The bus was connected to 240 volt power supply.
70. The first 000 call was made at 04:05 hours. The first crew arrived at 04:30 hours and the fire was under control by 05:33 hours.
71. Based on the observed fire-related damage and directional fire travel indicators, the fire initially started within the western side of the bus and/or the eastern side of the annex. Convective heat rises has projected radiated heat and direct flame contact towards the roof of the bus and annex. The canvas annex would have failed early in fire development due to its combustible nature.
72. As the fire continued to develop, flames and concentrations of heated smoke particles would have been projected laterally within the upper sections of the bus and radiated high concentration of heat in all directions onto the internal contents.
73. The combustible contents of the annex were ignited from radiant heat or flaming drop-down materials emitting from the bus, or were first in the sequence of ignition.
74. The continued accumulation of both fire and heated smoke particles within the bus has increased the temperature of the interior contents where the emitting flammable vapours/gases reached their auto ignition temperature (the lowest temperature at which a combustible material self-ignites) or were ignited by the flaming combustion within the compartment.
75. The developing fire continued to escalate and was directed laterally through the bus, projecting the fire northerly and southerly.
76. The investigation was unable to determine the exact area of origin of the fire. The investigation was unable to identify an exact source of ignition. The investigator was unable to discount energised electrical items, smoker's material or the use of a portable/introduced ignition source as a source of ignition. The washing machine in the annex was discounted because it was not connected to a source of electricity.
77. The observed fire debris on the bus and annex did not indicate the presence of unusual or suspicious fuel loading. This does not exclude the introduction of ignitable fluids.

78. Given the absence of conclusive ignition sources, the investigator was unable to categorically rule out human intervention, either accidental or malicious.
79. In his conclusions the investigator stated in addition to the time taken for this fire to be discovered, the fire had burned for a duration of at least 25 minutes prior to suppression intervention. The prolonged period of fire activity combined with the high external fuel load in the annex has resulted in a high degree of damage sustained to the western side of the bus.
80. James Lapham observed all contents of the annex and the northern portion of the bus interior to be on fire upon his attendance. He also stated he recalled seeing the purple paint intact at the rear of the bus with all the exterior aluminium cladding intact and no visible fire projecting through the western side of the bus.
81. The investigator stated the degradation of the aluminium cladding on the western side of the bus extends below the level of the bus floor indicating exposure to direct flame contact and a high intensity heat emitting below the level of the bus floor. Due to the level of degradation sustained to the bus by fire, the investigator was unable to determine if the fire had initiated in the annex or the observed damage to the contents in the annex is a result of ignition from a fire propagating in the bus.
82. Within the bus the remains of several severely fire damaged electrical components and the associated wiring were recovered during a search of the fire debris. At the time of the investigation it was not possible to confirm which items were, or were not energised due to the high levels of degradation by fire sustained to all items in this area.
83. QPS sampled multiple locations across the site and seized the electrical switchboard for forensic assessment. The internal linings used throughout the interior of the bus are observed to have been extensively consumed throughout and likely to have contributed to the fire intensity and subsequent damage.
84. The observed fire debris in the bus and the annex did not indicate the presence of unusual or suspicious fuel loading. This does not exclude the introduction of ignitable liquid.
85. Given the absence of conclusive ignition sources, the investigator was unable to categorically rule out human intervention either accidental or malicious.

## **Evidence of first response officers**

### ***Constable Patrick Reed***

86. Constable Patrick James Reed attended the scene as a first response officer from Karana Downs police station. He arrived at approximately 04:20 hours.

Other police were ahead of him and QAS and QFES were already present. By this time QAS were aware that a body was located in the burnt out vehicle.

87. It was at this point when Constable Reed was talking with ambulance officers that he could hear an argument between two ladies next to a fence approximately 15 metres from where he was standing. He observed a female he now knows as Cathleen O'Loughlin and another lady he only knows as Kim. His partner Senior Constable Faulks later told him Kim was one of the caravan park managers. He could hear the argument getting louder so he and his partner went over and separated them. He could not make sense of how the argument started but Ms O'Loughlin kept saying to him that Kim had called her a "cunt" and was blaming her for the vehicle fire.
88. Constable Reed said both Ms O'Loughlin and Kim appeared affected by alcohol. Ms O'Loughlin's speech was slurred and he could smell alcohol on her breath. Ms O'Loughlin was wearing a crochet blanket and had a handbag. During this altercation Ms O'Loughlin threw a large set of keys to him which he caught. He recalls asking her several times who owned the keys and Ms O'Loughlin kept saying they belong to "Eddie" who was a "Clinger". He later found out that Eddie was a man who dressed as a woman and was a resident at the caravan park.
89. Ms O'Loughlin stated the keys were for Eddie's car that she had used earlier that day. Constable Reed stated he later found out from Eddie the keys did not belong to him. SC Faulks also saw Ms O'Loughlin throw a set of keys to Constable Reed. She also recalls her saying the keys belong to Eddie who was the "Clinger" of the caravan park. She later understood this term was based on the TV television show "Mash" where one of the characters was named Clinger and he dressed in female clothes. SC Faulks later asked Eddie about the keys and he stated they were not his and he had already got his keys back. This conversation is recorded in SC Faulks digital recording.<sup>1</sup>
90. At this point his partner SC Faulks went and spoke with CIB and he activated his electronic recorder whilst waiting with Ms O'Loughlin. Constable Reed stated in evidence her emotional state was up and down and at one point she could speak reasonably and at other times she was loud and off topic. Constable Reed told the court his job at the time as instructed by detectives was to be with her and listen but not to gather evidence. They were standing only a short distance from the bus. She was preoccupied about her cat.
91. At one point in the conversation Ms O'Loughlin stated without any prompting *"but there was a man on my bus tonite"*. Later in reference to her cat she said *"That's all I need to know, alright. (crying) That's all I care about. He can burn everything else you know. She's the only family I got"*.

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<sup>1</sup> Exhibit 3.1

92. At another point Ms O'Loughlin is heard to say "*And he was entering my bus last night. Right. And he's gone astray. Now his brother is Chris. Chris, I'd trust him with my life. He's here somewhere. Alright. You hunt down Chris and like, but this other bloke. Find Chris and you'll get the brother. Alright. If he's done it, he's up shit creek. I'll put him behind bars that's for sure, (ui) cunt. Never, I don't even know the bloke but I'll put him down, I'll tell you that. Why don't you guys come out here with a six pack. Don't look, don't look so serious. Can someone smile please*".

93. In relation to Lee she is recorded as saying "*I knew (?) he was going to go over to my place, right, last night. But I'm not into having fuckety-do-da's anymore, alright, I'm over it. Had a gutful of them. Abusive men in my life.*'

94. Later Ms O'Loughlin was taken by CIB to assist in enquiries and Constable Reed continued with crime scene duties.

### **SC Megan Faulks**

95. Senior Constable Megan Faulks was in the presence of Constable Reed when she observed a verbal argument between Cathy and Kim where Kim blamed Cathy for lighting the fire. She had activated her digital recorder.<sup>2</sup> She stated that Cathy was telling her that it was her bus that was on fire and the other lady was calling her names like "cunt" and accusing her of starting the fire. Both of the women smelled of alcohol and Ms O'Loughlin was heavily affected by alcohol and was unsteady on her feet, her speech was slurred and she kept repeating the conversation over and over.

96. In the course of the conversation Deborah Yarrow gave SC Faulks an account of first becoming aware of the fire. Ms Yarrow describes Ms O'Loughlin saying she was not sure if Lee got out, and there might be a dead body in the bus.

97. In this same group conversation Maxine Reid is reported as saying she heard Cathleen O'Loughlin screaming out "fire, fire". Ms O'Loughlin also was reported as saying "*Chris's brother in there*" over and over. Maxine Reid stated she was trying to calm her down. Ms Reid was asked who Chris's brother was and she said it was Lee although they were not brothers. During the conversation Kim Brock describes Ms O'Loughlin as 'just nuts' and says she asked Chris to have a drink with her, has kissed Chris, then last night Lee was saying to Ms O'Loughlin 'want to fuck me'. She says Cathleen said "*yes I do*" but that she had kissed Chris the other night and Ms O'Loughlin was saying she felt really bad for Chris. Then when Lee left we had to hide from her. 'Not the full quid'. 'Days of our lives'. She is reported as saying Lee said like "*fuck Chris, Chris do you mind if I fuck her*". Chris told Lee he didn't care.

98. SC Faulks asked Kim Brock if she has a bit of conflict with Ms O'Loughlin. Ms Brock replied replies "*no, 'just what she's done tonight*". SC Faulks asks what Ms Brock thinks Ms O'Loughlin has done and Ms Brock replies "*Burnt her own*

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<sup>2</sup> Exhibit 3

*bus down, because she hated her accommodation, she felt isolated, she didn't know what to do, she was promised a toilet and a shower and she didn't get any of that, everything that happened tonight with Lee and Chris'.*

99. Cathleen O'Loughlin then tells SC Faulks the following:

*O: They said 'it's your bus'. I just went into instant shock – like 'what? what?' – like [sigh]. But Chris' brother Lee was heading down there.*

*F: How do you mean he was heading down there?*

*O: Well, he thought he was in for a bit but he wasn't.*

*F: Oh ok.*

*O: Cause I'm not like that.*

*F: Oh ok. So where was he heading from?*

*O: The bonfire.*

*F::How did you know that he was heading to the bus?*

*O: Oh he was just like you know flirting with me and stuff like that.*

100. Cathleen O'Loughlin calls out to 'James' and a male voice is heard talking with her, as follows:

*J: Were you in your bus when the fire was alit [sic]?*

*O: Do you know where I was? Bonfire.*

*J: Yeah but you'd left there by then.*

*O: Yes.*

*J: So had you gone back to your bus...*

*O: Do you know who went up there? Lee.*

*J: Ok. And had you gone to your bus when it was alight?*

*O: No. I was sitting at the bonfire with Kim and she was on the switch (?).*

*J: Just that you told someone that you thought you lit it with the heater, and then you said you lit the carpet.*

*O: No. No heater on, and I came straight through, and I saw a flame. When I left that bonfire, I was screaming 'fire, fire, fire'. Do you'd think I'd do that to my own place?*

*J: I don't know. I'm just trying to find out where Lee is. That's what's important.*

*O: He went there.*

*F: How do you know he went there?*

*O: Because he was going there.*

*F: Were you going together?*

*O: Nuh. But he thought he was in for it but he wasn't gonna get any. He was getting nothing from me. I'm not a one night stander.*

101. SC Faulks asks about who was at the bonfire. Cathleen O'Loughlin says Kim, Lee and Chris. Ms O'Loughlin then says:

*O: Chris is a trustworthy bloke, and Lee is his brother. And so, he thought he was coming up to my place, for a good time.*

*F: Chris or Lee?*

*O: Lee. Which wasn't gonna happen.*

*F: How did you know that he was thinking that?*

*O: Cause he was like, flirting with me. You know.*

*F: How was he flirting?*

*O: like, you know, do you wanna, whatever.*

*F: Ok. And he was saying words was he?*

*O: Yeah. I thought matey, I'm not really into one night stands, you know, but he disappeared, ok. And um.*

102. SC Faulks then asks:

*F: When you left the bonfire, where were you going?*

*O: Home*

*F: Who was left behind at the bonfire when you were going home*

*O: Kim, but she had turned, her personality turns when she drinks more*

*F: Who else was with Kim?*

*O: Kim and Chris*

*F: They were the two people left there*

*O: Yeah. Cause Lee is Chris' brother, right. I like Chris, but, look, I'm not into relationships with anybody.*

*O: Was there some sort of kissing?*

*O: When?*

*F: With Chris?*

*O: Well not last night. A couple of nights ago. He offered me some marijuana, and I don't smoke that.*

*F: Did you actually get back to your bus?*

*O: Nah. As soon as I left that bon, that fire, I saw flames, I saw, I'll show you, do you want me to show you?*

*F: No it's ok, cause you said you didn't want to have a look again.  
We'll just wait here.*

103. Cathleen O'Loughlin then describes seeing flames from behind some trees. She says:

*O: As soon as I started walking up, I was screaming fire. Didn't know (?) it was my bus. I was screaming fire at the top of my lungs. Fire. Didn't know it was (??) my fucking bus, thank you James, for no fire alarms.*

*F: So from when Lee left the bonfire, had you seen him again after that?*

*O: Nah.*

*F: Ok.*

*O: Nah.*

*F: Ok.*

*O: And behind my door, like, because Jacob had arrived into the park, right? I didn't trust him very much because he's a junkie, right? And I had actually tied bells to the back of my door.*

*F: Oh so you could hear.*

*O: Yeah. If anyone come in. Because I wasn't going to be there, see?*

*F: So when you left your bus, was it locked?*

*O: There's no lock.*

*F: It doesn't lock?*

*O: It doesn't lock.*

*F: So you don't have a key?*

*O: Nah.*

104. Later Ms O'Loughlin says;

*O: Yeah well that Lee, disappeared. Alright. And he was heading down towards my bus.*

*F: Did he say that's where he was going?*

*[Possibly a non-verbal response by O'LOUGHLIN]*

*F: So if you knew he was going there, why did you go, if you didn't want any hanky panky?*

*O: I didn't really. I just sorta sat around the fire. I was quite comfortable there. I wasn't in a hurry. Nah. Oh fuck off. You know. I don't swear but [laughs]. Oh let me have a cigarette please.*

105. At one point the following conversation took place:  
*O: I'd be dead inside there that bloke, if he did that to my van, I couldn't give a fuck. I hope he's dead inside.*  
*F: Who?*  
*O: That bloke that went in there. I couldn't give a fuck.*  
*F: Who do you think that is?*  
*O: That Lee.*  
*F: So you hope a persons dead?*  
*O: I don't care. As long as my cat's alright. That man don't mean nothing to me anymore. I've been used and abused my whole fucken life.*

**DSC Bradbury**

106. Detective Senior Constable Anthony Bradbury was made aware of the fire over the police radio and commenced heading to the area. On route he contacted Constable Ben Oldham who was on the scene and gave him advice in relation to securing the scene.
107. DSC Bradbury arrived at about 05:30 hours. After speaking to Constable Oldham he ensured a crime scene log had been commenced to record all persons that entered the scene. He spoke to Constable Kyle Dixon who was in the company of Cathleen O'Loughlin who he understood was the resident of the bus that had caught fire. He started recording his conversation with her.
108. During the course of the conversation Ms O'Loughlin was very up and down emotionally and concerned about her cat. She made reference to someone called Lee who was going down to the bus prior to her going there. She said she did not really know the guy and she was not into one night stands. At this point DSC Bradbury described her mostly sobbing about her cat. At times she would speak normally albeit justifying herself and then suddenly jump into another subject. He stated he found it difficult to get a lineal version from her.
109. Ms O'Loughlin went on to say she did not know what happened down there as she always puts her cigarettes out and there were no candles inside. She also mentioned that the last person in the van was Chris's brother Lee and went on to say she had only just met him tonight and said words to the effect "*if that bloke's been in my van and done something But like I only just met him, like he's not an enemy or anything like that.*
110. At one stage the manager of the park James Lapham approached and told Ms O'Loughlin he was looking for Lee. She told the manager that a few hours prior Lee had told her he was going to the van. She said she did not see him go in there but the van was easy to get into. The conversation was as follows:

*JL: Listen. You, Lee wasn't in your place was he?*

*O: Yes*

*JL :He was in your house*

*O :Yes*

*JL :Tonight? Okay. Whereabouts was he in your house?*

*O :I don't know*

*JL: So how do you know he was in your house?*

*O: Because he said he was going there*

*JL: Yeah, but you didn't, you never*

*O: But I wasn't going to have sex with him*

*JL: No, I don't care darling that's your business*

*O: No, but he was going in there and I had no heaters on*

*JL: Ok did*

*O: I had two lights on*

*JL: But did you see him in there at all?*

*O: No*

*JL So you didn't actually see him in there?*

*O: No but he disappeared for a good hour*

*JL: Did you say your place was locked though?*

*O :Yes*

*JL: So how*

*O: No no, it wasn't locked*

111. DSC Bradbury stated he remained with Cathleen O'Loughlin for some time and she continually talked about her cat and the lack of the fire alarms in the van. Whilst she was in his company he became concerned about her uncertain mental state and arranged for a support person to attend the police station and assist. He also observed that she had a large bunch of keys. He was later informed the keys belonged to the deceased person Lee Parker.

**Constable Dixon**

112. Constable Kyle Dixon arrived in the company of Plain Clothes Constable Oldham at about 04:55 hours. He observed the fire was under control but firefighters were still working on the fire. He was told by a fire officer a deceased person was in the caravan. They declared a crime scene and setup police tape around the caravan site. QAS officer Peter Brown approached him and told him a colleague had heard from someone that the woman who lived in the caravan may have set the caravan on fire. He said her name was Cathleen and she wanted to go to hospital because she had chronic pain and had lost her medication. The QAS officer had told her it was not an emergency and she would have to attend her local doctor in working hours.

113. Constable Dixon then activated his digital recorder and spoke to Ms O'Loughlin. She stated she was at the bonfire with Kim, Chris and Lee having drinks. She stated she lives in the burnt out bus and she had left it unlocked. She said the bus was in a poor state and she had raised the issue with the owner, James, that she was not happy about it. Cathleen stated when she was at the bonfire Chris had said to her *"I hear you invited Lee back to your place."* Cathleen said to Chris she was not really into that and stated Lee headed off towards her bus. Cathleen then stated she had information to tell the police about a man in the caravan park who is involved in drugs. She also said Kim was trying to persuade her to take this bloke home with her and Cathleen said she was not really into that and did not want a one night stand. She stated she was heading home after the bonfire where she had been for some hours and on the way home saw the fire. She stated she saw the flames just after leaving the bonfire and started yelling out there was a fire. She stated this fellow Lee was going down to her place and she did not know him. Cathleen stated Lee had told her he was going down to have a good time with her. She said she told him she was not into that. She stated Lee had not been at the bonfire for a couple of hours. She said she had not left a heater on and could not believe it when she saw it was her place on fire.
114. In his statement Constable Dixon records Ms O'Loughlin said she left the bus unlocked when she left it however *"had propped something against the door to stop predators coming in"*. In evidence he agreed the actual recording was unintelligible at that point although he thought she had said "propped". At one point Ms O'Loughlin referenced the fact she had tied "bells" behind the door as a precaution because the door would not lock.
115. Constable Dixon stated it was difficult to maintain a conversation with her as she continually went off the topic and she appeared moderately affected by alcohol.
116. Constable Dixon also had a conversation with Ms Brock at the shop. He did not record this conversation but took notes in his QPS diary. At one point Ms Brock said that Chris, Lee, Cathy, Jordan and herself went to the bonfire. At about 01:25 hours she got a call from a private number. It was a male voice and he aggressively stated he wanted to speak to Lee. There were about five telephone calls. She recalls Lee was making ongoing sexual advances towards Cathy for hours. Cathy had allegedly kissed Chris and did not want to hurt Chris's feelings. Chris was saying that he did not give a fuck. Lee left the bonfire first but prior to that he had fallen over into a white tub as he was intoxicated. Around an hour to an hour and 15 minutes after the first telephone call, Lee got up and stumbled and walked off as if he was going to his home. Ms Brock said at this stage it was only herself, Chris and Cathy left. Her husband Ian had left some time in the period between the first telephone call and Lee leaving. She says she and Chris sneaked off into a container near the bonfire to hide from Cathy who was driving them insane. They stayed there for

30-40 minutes and then bolted from the container. They went back to the shop. Chris first saw the fire and raised the alarm.

### **QAS Officer Colbran**

117. Shira-Lee Colbran is an Advanced Care Paramedic with the Queensland Ambulance Service. She and her partner Peter Brown arrived at 04:21 hours prior to QFES who arrived two-three minutes later. There were about 50 people standing together. Her attention was drawn to a lady who appeared to be quite upset. She was having a heated discussion with another lady who was telling her to calm down. It is likely this person was Kim Brock. Ms Colbran asked her what was wrong and was it her bus. The lady stated she was worried about her cat. Another lady came up and asked *"is Lee still in the bus?"* There was a pause before the lady said *"I do not know he could be"*. She identified her name as Cathy. Ms Colbran suggested she take Cathy to the ambulance to check her over and she agreed.
118. A fourth lady came over (Ms Colbran later found out her name was Kim) and approached Cathy as they were walking to the ambulance. She yelled out *"you killed your cat you fucking cunt"*. Ms Colbran asked Kim to move away. She was close enough to Cathy to smell a strong smell of alcohol. Cathy stated she wanted to have a smoke and she was told she could not do so near the ambulance and she was to move away.
119. Ms Colbran asked her what happened. Cathy said *"this guy that I know came over earlier in the night. I think that he was after some sex but I am not like that, I am not a slut, I locked up the bus and the cat was inside and I have gone out for a little while. When I returned I found the bus was on fire."*
120. Cathy made reference to the stress of her mother's illness and having now lost everything in the fire. She wanted to go the hospital. Ms Colbran asked was it possible there was someone in the bus. Ms O'Loughlin said *"I do not know. I cannot remember if this guy left or stayed when I locked it up."* Ms Colbran said in evidence that in reference to "locking" Ms O'Loughlin said she had a key and she locked the bus door before she left. This was not something that is recorded in her statement.
121. Ms Colbran stated the lady named Kim came over and was speaking about the cat. Kim then said *"you do realise that you are going to jail today for what you have done."* Ms Colbran stated Cathy looked at Kim with a puzzled look and said she does not understand. *"What do you mean?"* Kim asked *"why did you set the bus on fire?"* Another lady came over and asked whether Lee was in the bus or was he out of it. Cathy said she did not know. Kim then said *"if I find out that you've killed him, I am going to fucking kill you"*. Cathy and Kim then started having a heated argument. She asked her QAS partner Peter to speak to them as they were about to have a fight. Peter told her that they had found the body and that multiple people who were living in the caravan park had come up to him and told him that Cathy had set it on fire.

122. Ms Colbran stated Ms O'Loughlin had not said in her presence anything referencing "Chris' brother" or that she had "lit the bus".
123. Ms Colbran made notes of her conversation in her electronic "Toughbook" device. A copy of the note was later produced by QAS and there does not appear to be a reference to a key although the substance of the conversation is otherwise recorded.

### **Murray Thomas**

124. The QFES first response was carried out by Murray Thomas and his crew of the Lowood station. He noted the flames to be intense on the right hand side of the bus (as you are looking from front to back), which appeared to have been an annex type structure attached to the side of the bus. All windows on the annex side were burnt out as well as the aluminium panelling.
125. He stated in evidence the right hand side was more ventilated and there were no windows present. He described sounds made by window glass breaking as potentially loud enough that a lay person would think they may be gunshots.
126. He described a lady who he was informed was the occupier of the bus and he asked her if anyone was inside. She said *"I don't know, my cat is inside, I'm worried about my cat"*.
127. The body was found at the right hand side rear of the bus. He had been told by firefighter Rose that the bus door was closed but not locked when firefighters entered the bus.
128. Mr Thomas stated in evidence there were no objects present that impeded access to the front door. He said they moved some beds away from the window area on the right side to enable hose access through the windows for firefighting purposes. He did not see evidence of any smoke alarms although the fire was very intense. The damage was consistent with a fire spreading from front to back.

### **Andrew Rose**

129. Andrew Rose provided a statement. He was informed by officer Murray Thomas that someone may be in the bus. He put on breathing apparatus and took a charged hose line of water down the passenger side of the bus to do a rapid search and initial knock down of the fire. The fire was able to be quickly suppressed.
130. At one point he went to the entry door of the bus, which was located towards the front passenger side of the bus. He recalls being at the door of the bus and there being no issue or hindrance to him gaining access to open the door to enter the bus. He recalls nudging the door with his shoulder so he could access inside the bus.

131. He moved up the internal stairs with his hose line and was able to have a clear view internally of the front of the bus. He extinguished a few more hot spots further down the bus from near the driver seat area. He suspected the floor of the bus was structurally weakened by the fire so he went back outside. The wall panels of the bus were destroyed by fire and he was able to have a clear view into the bus. At one point he was assisted in moving some external garden structure away from the side of the bus and shortly after observed a deceased person lying against the passenger side wall, just rear of the rear axle.

## **Evidence of residents of the park**

### ***Diane Dimitrov***

132. Diane Dimitrov has been a resident at the caravan park for four years. She described herself as a friend of Lee who was happy-go-lucky, dedicated and a hard-working person. She was aware James Lapham had helped Lee and Chris get back on their feet and Lee did odd jobs at the caravan park. She stated Lee and James Lapham were very close.
133. Ms Dimitrov stated was aware Lee had a problem with alcohol and could get argumentative when really drunk and she had heard from other people he would literally pass out. She had not seen Lee actually drinking and only the effect it had on him later on. She had not seen him drunk in quite a while since he had moved in with James.
134. Ms Dimitrov shared her van with a friend Ivan Ward. She was also caring for her then six month old grandchild.
135. At around 03:00 hours to 03:30 hours (having fed the baby) she was having a cup of coffee with her friend Ivan when she heard a male voice shouting "fight". Ivan said he was shouting "fire". Another resident started yelling that a bus was on fire. She went outside and saw flames coming from a bus behind their site.
136. She heard a female voice who was screaming and yelling very loud. She heard her say "*I lit the purple carpet*" and she was also saying something about her cat being still in there. She did not recognise the voice and did not know who it was that was shouting. By this stage all of the dogs at the caravan park were going mad.
137. Ms Dimitrov says by this time she had already gone to the premises occupied by the park owner James Lapham and believes she woke him as he came to the door with a towel wrapped around his waist. He looked startled.
138. Ms Dimitrov stated she has a very vivid recollection of the words "*I lit the purple carpet*". She stated she did not speak to anyone that night or otherwise leave her area given she had a baby in the van. She was focused on her place as

embers were coming into her yard. She provided her statement to police the same day and had not spoken to anyone at the park about the fire.

139. In evidence she said there were lots of rumours going around and dismissed absolutely the suggestion Lee had an affair with James' wife Sam. She dismissed the suggestion James Lapham was somehow involved in the fire, because she had woken him up.

#### **Ivan Ward**

140. Ivan Ward lived in the same caravan as Diane Dimitrov. They were not in a relationship. He had known Lee Parker for two years and understood he was helping James Lapham with maintenance around the caravan park. Lee was living in the same residence with James and his partner Sam.
141. He states that around 03:30 hours he heard Diane get out of bed and so he did also and they had a cup of tea. He then heard a male person running down the road yelling out "*fire, fire*". He was heading in the direction of James' house and assumes he was calling out to get James' attention. This person did not go to James' house and instead Diane went over and he saw her with James who had a towel around him.
142. During all of the commotion he heard a woman screaming about wanting to get back in the caravan that was on fire. One of the things he heard her yelling out was that a heater had started the fire. However, in the next breath he heard her yell "*I lit the carpet on fire*". She sounded confused when she was saying these things because immediately after this she would say again the heater had started the fire. The woman kept on yelling until the ambulances arrived.
143. In his evidence at the inquest Mr Ward stated he wanted to amend his statement in that the woman had made reference to the carpet being "purple" so that he says the words were "*I lit the purple carpet on fire*". He was not sure why this was not in his original statement and may have not said this at the interview or police misunderstood. He is not able to read or write and his statement was read to him by police. He stated in evidence he was 100% certain the words "*I lit the purple carpet on fire*" were said.
144. He stated the woman did sound confused as she was going from saying the heater started the fire to saying she started the fire. These words were said by her before emergency services arrived. He recalls the front of the bus was on fire when he first saw it.
145. Mr Ward gave his statement the same day. He said he had not spoken to any one at the park about the fire. He had never been in the bus and was not aware of the colour of any carpet.
146. He was adamant the words were "*I lit*" and not "*it lit*". He does not recall anyone saying "Chris' brother" and only that Lee was missing. He did not hear her say

*"I left the heater on it lit the purple carpet"* but agrees she sounded confused talking about the heater in one part and then saying she lit it in another.

### **Jason Morrell**

147. Jason Morrell had been a resident at the caravan park for about a week. Mr Morrell is unable to read and write and was on a disability support benefit. He was asked by Counsel Assisting if he had difficulty with communicating and putting information together and agreed this was the case.
148. In his statement he set out that from about 8 to 9 o'clock he had been having a few drinks with his neighbour Maxine at her place next door. He then went back to his own caravan and looked at a DVD and fell asleep at around 11:30 pm. He woke up in the early hours of the morning. He decided to go to the toilet block. Whilst walking down the street he felt an impact on his left shoulder. A woman had been coming down the street the opposite way and she hit his left shoulder as she passed.
149. He went to walk on when the woman grabbed his left hand. He told her to let go of him. He could smell a lot of alcohol on her. She spat on his face. He reeled his hand away and walked on. He remembers the woman had a crochet blanket in her right hand. He then went to the toilet. As he left the toilet he heard an explosion. He looked up towards the purple bus and saw a ball of fire coming out of the bus. The flames were quite tall. The flames were coming out of the middle of the bus, not the front or back and coming out of the side of the bus closest to the toilet block. He saw a woman standing in between him and the bus. She was the same woman who had shoulder charged him earlier. She was not doing anything. She still had the same crochet blanket. He could see she was staggering around like she was drunk. He then ran back to his own caravan to get his shoes and a shirt and asked his partner to call emergency services. By the time he got back to the fire there were a lot of people hovering around and he saw James, the owner of the park, with a garden hose trying to put it out.
150. He saw his neighbour Maxine trying to calm the woman who he had seen earlier. He remembers this woman yelling out "*Chris's brother is in the bus, Chris's brother is in the bus*". He also recalls a man who does not know yelling "*this is all your fault, this is all your fault, this is what you have done*". He recalls Kim, the park manager speaking to the woman and telling her she was no longer welcome in the caravan park.
151. He remembers at one point the woman turning towards him and smiling and saying "*shows over now*".
152. After the police arrived he remembers the woman having a bundle of keys in her hand and she was trying to give them to the police officer. He remembers the police officer saying he was not sure who they belong to and for her to hang onto them for now.

153. In his evidence at the inquest Mr Morrell said he could also smell kerosene or unleaded petrol on her. He does recall her smelling of alcohol on her breath and kerosene on her hands. He said he forgot to tell police about this but was pretty confident he could smell kerosene on her hands when she brushed up against him.
154. He also stated in evidence he recalls the lady saying something about "*accidentally lit the mat*". He was asked why this important information was not given to the police and he said he had a bad experience previously with police. He agreed it was important information but he was not thinking about all this when answering questions.
155. Mr Morell's statement also makes reference to his girlfriend Nikita as a defacto and a partner. In evidence he said she was not his defacto and she was just staying with him because she was going to be homeless.

### **Maxine Reid**

156. Maxine Reid had been living at the caravan park since March 2016. She was caring for a number of her daughter's children. Her statement deals with her movements during the day and evening of 18 August 2016, none of which is controversial.
157. At around 04:00 hours she woke up to the sound of what sounded like cats fighting. She heard her oldest grandchild Byron get up and open the sliding door. She heard him run off and decided to go out herself and see what was happening. It was at this stage she saw a female she knew as Cathleen hobbling up the street screaming "fire, fire". She asked Cathleen what was wrong and she said there was a fire. Maxine says she tried to calm her down. Cathleen was saying it was her bus that was on fire. Maxine could see a glow coming from the front of the caravan park and as she walked closer she could see it was Cathleen's bus on fire.
158. Maxine says she saw a lot of people coming out from their vans and standing around. When she saw the bus it was completely on fire with flames coming out from all of the windows. She then heard Cathleen say "*my cat, my cat is in there*". Cathleen also said "*Chris's brother is in there, Chris's brother is in there*". She kept screaming this. Maxine asked her if she was sure there was somebody in the van and she kept screaming "*Chris's brother is in there, Chris's brother is in there*" and "*my cat is in there, she is like my daughter*".
159. Maxine says she continued to try and calm Cathleen down but she could not and it was not until an ambulance arrived and one of the officers spoke to her that Cathleen managed to calm down.
160. Ms Reid provided her first statement on 19 August 2016. She provided a second statement in March 2018. In this second statement she says she remembers Cathleen screaming and shouting and Cathleen leant into her and mumbled in her ear "*I lit the blanket*". Ms Reid says she asked what blanket

and is not sure exactly what Cathleen said but it was either a pink or purple one. She also says Cathleen at one point stated "*I've got Chris' brothers keys*".

161. Ms Reid was asked why this significant information was not given to police on the day and she explained she overlooked it given the situation that day and on losing Lee who she was friendly with.
162. In her evidence at the inquest Ms Reid added to this information by saying Cathleen had mumbled in her ear "*I did it*" When she asked how, Cathleen said "*I lit the blanket and threw it and shut the door.*" When asked why this was not in either statement Ms Reid conceded maybe her memory is failing or she added it in her own words. Cathleen was hysterical at the time. Ms Reid is certain she spoke about a blanket. She recalls smelling alcohol on her but nothing else such as kerosene.
163. Ms Reid had been inside the bus in question before Cathleen took up occupation and she said the bus had a purple interior and the carpet was a purplish speckle colour.

#### ***Kathleen Horsfall***

164. Kathleen Horsfall stated she knew Lee well and he and Chris helped her a lot and were like brothers to her.
165. In her statement to Police she recalls waking up at around 03:30 hours on 19 August 2016. She heard a man screaming there was a fire. She looked out of her window and could see a bright yellow colour and smoke. She and her husband then went outside and walked to where the fire was. The fire was well lit.
166. She saw Kim with a lady she had not seen before who had a multi-coloured crochet shawl wrapped around her. Kim was hysterical and she tried to calm her down. This lady said "*I deliberately lit the bus*". The female then said "*oh my God, Chris's brother is in there*".
167. Kathleen was friends with both Lee Parker and Christopher Collins. She said "*Chris does not have a brother*". The lady then referred to the tall boy and Kathleen said that was not his brother but his best mate. The lady then spoke about her cat being in there too.
168. She recalls a number of people being upset and approaching the lady like they wanted to punch her.
169. In a further conversation she had with DSS Steginga she says police told her Lee was murdered by associates of James Lapham and this was confirmed as Lee did not have smoke on his lungs and was dead before the fire started. At the inquest she said she was told this by Chris and Lee's girlfriend. She maintained she was present when Cathleen said "*I lit the fire*".

170. In her evidence before the inquest Ms Horsfall spoke about Josh Lapham threatening her after the earlier fire six months previously saying she would be next. She said whoever killed Lee put him into the wrong van. Lee's van was apparently next to it. She said for the first time that the lady in question said "*I deliberately lit the bus*". It was put to her by Counsel Assisting she did not hear this statement but she maintained she did.
171. Later in her evidence she suggested Josh (James Lapham son) and Adam (a friend of theirs) were somehow involved although no evidence was proffered in this respect. She said she did not think Cathleen did it. She was asked if she saw Josh and Adam that morning and she said they were not there at the time of the fire but came later that morning.

### **Colin Horsfall**

172. Colin and his wife had been a resident of the caravan park for about two years. He recalls Lee as a happy go lucky man who did odd jobs around the park.
173. He recalls that about 04:45 hours on 19 August 2016 he was woken by his wife Kathleen who told him there was a fire in the park. He told her to call emergency services and he raced out in the direction of the flames. He saw a female jumping up and down and shouting fire and pointing to where the fire was. By this time the fire had fully involved the bus.
174. At one point he remembers there was a female standing near the fire. He remembers her saying her cat was in there. In his evidence he recalls someone saying "*Chris' brother is in there*". He was not sure if it was the female he saw first or someone else.
175. In a later conversation he had with DSS Steginga he claims he heard Cathleen say "*I lit a pile of clothes in the centre aisle of the bus*". He later stated he could not be certain who said those words and it may have been from someone else.

### **Jessica Thompson**

176. Jessica Thompson was a resident at the park and considered Lee to be the nicest most cheerful man she knew. He was very kind to her daughter.
177. She woke around 04:00 hours to a woman yelling out "*fire, fire*". Her neighbour Maxine walked past and said it was up there. She walked out and could see flames at the end of the park. At first someone mentioned it may be one of her friends but when she attended she could see it was another residence, which was totally engulfed in flames.
178. She could hear a woman say "*My cats inside. She is all I got she is like my daughter*".
179. The ambulances arrived and she heard the woman say "*Chris's brother is in there. Chris' brother is in there. My cats in there. I lit the fire*".

180. Ms Thompson said the woman was hysterical but she did not recall anything else she said. She learnt later it was Lee in the bus.
181. In her evidence at the inquest Ms Thompson said she had blocked out the events of that day and could not recall much. She said she had heard about the case on the news this week and questioned to herself if she heard her say she *"lit the fire"*. It is apparent Ms Thompson was outside of the court room reading her statement when she spoke to Kathleen Horsfall. Ms Thompson told Ms Horsfall she had put in her statement that the woman had said she had lit the fire. Ms Horsfall told Ms Thompson that the woman had not said this.

### **Jody Vickery**

182. Jody Vickery is now deceased. It is apparent that some-time in mid- 2016 he had placed a deposit for a caravan at the Atkinson Dam caravan park. The caravan at the time was being renovated. He subsequently decided to take up another tenancy and asked for the deposit to be paid back. There were a number of angry telephone calls about this. He recalls speaking to a person who had shown them the caravan. There was a lot of background noise and loud music and yelling. It is apparent this is the telephone conversation referred to by a number of witnesses that occurred in the evening around the bonfire.

### **Benjamin Peters**

183. Benjamin Peters had been residing at the caravan park for approximately four months. He knew Lee worked for James Lapham as a maintenance man and would do odd jobs around the park. He did not know Lee well but did not believe he had any enemies in the caravan park. As far as he knew James Lapham and Lee got on well.
184. On the evening of the fire he had an early night and went to bed. He was awoken from his sleep at about 03:40 hours to someone bashing on his caravan door. He knows this was the time because he looked at his alarm clock.
185. He ignored the bashing as he thought it was just someone playing around or something. This continued for five minutes. He heard a male voice saying something like *"leave him"*. He did not recognise the voice but knows for sure it was not Lee. In evidence he was asked if he knew the male voice and said it did not sound like Lee and he did not think it was James Lapham.
186. He then heard a female voice say *"it is the police open up"*. He got out of bed, opened the door and saw a female who he recognised as a new resident of the caravan park. He remembers she was carrying a walking stick. She tried to come inside the caravan and was saying something like *"where does Chris and Maxine live"*. He blocked her entry and told her to leave. He told her Maxine lives in the caravan behind him and Chris was on the other side of the park. He heard the female say sorry after he closed door and went back to his bed. He got the impression she was *"off her face"*.

187. In evidence at the inquest he says she asked him if he had any stuff, and presumed she meant drugs. He says this was not in his statement as possibly there was too much going on at the time and he forgot this. He says the lady was behaving as if she was drunk or drug affected. He could not smell alcohol. The video CCTV recording of Patricia White was played and he agrees he thinks he heard a woman's voice say "Police open up".
188. About three minutes later he heard a female voice, who he believes to be the same female who had just been at his door, screaming "fire" over and over. He remained in bed until about 04:20 hours when he got up to go to the toilet block and at that stage could see there was a fire at the bus of the female who had been knocking on his door.
189. Mr Peters had previously stayed in that bus and said there no smoke alarms in the bus or other vans at the park. They were installed a few weeks later.

### **Jody Bailey**

190. Jody Bailey knew Lee as a fairly quiet person who had a drinking problem.
191. On the 18/19 August 2016 she was at home with her partner Shayne Fairclough. She woke up to yelling and went outside and heard someone saying "fire fire". She saw one of the buses on fire and Shayne grabbed a hose and started using it.
192. In her statement she says she freaked out herself and Kim Brock tried to calm her. She then says she heard Cathleen saying "*I left the heater on, open the door my cats in there*". Cathy then went quiet and said "*oh I don't have a heater*". At some stage Ms O'Loughlin continued talking about her cat and "*Chris' brother*" being in there.
193. Ms Bailey said she also heard someone else say "*she lit it herself. She lit up a purple mat on fire*" She thought it was a female voice from behind her. At this stage people were getting angry with Cathy. Cathy was wailing but she did not look as if she was actually crying tears.
194. Later Ms Bailey says she saw Cathleen talking to the police and smiling and she heard her say "*I hope he is dead.*" In her evidence she added she recalled Cathleen saying "*I am not a one night stand*".
195. Ms Bailey provided other information based on hearsay, often third hand hearsay about events that occurred earlier.

### **Shayne Fairclough**

196. Shayne Fairclough was in a relationship with Jody Bailey. He also helped out on work at the park for the owner. He knew Lee and described Lee's relationship with James Lapham as good and there had been no falling out between them. He stated Lee had a drinking problem.

197. At about 04:00 hours he was watching television and heard a commotion of someone yelling in the distance and from behind his residence. He thought they were saying *"fight fight"*.
198. Shayne says he went out the front of his cabin and realised people were yelling *"fire fire"*. He grabbed a hose and ran to the back of his fence and started watering the back of the bus that was on fire. When he first saw the bus he could see the flames in the middle and they were high. He tried to open the back door of the bus but the slide lock prevented him from doing so.
199. He did not hear any conversations others were having with Ms O'Loughlin as he was concentrating on the fire. He basically heard stories of what had happened that night from others and there was gossip around the park and other information from his partner Jody who heard them second-hand herself.

### ***Damion Carpenter***

200. Damion Carpenter had been a resident of the park for two years. He stated that Lee was a kind man who helped him and his family out. He said James Lapham and Lee got on fine together. Lee had no enemies in the park.
201. Sometime between 03:30 hours and 03:45 hours he heard his dogs and more than the usual other dogs barking and he went outside to investigate. He saw a big orange glow and on further investigation saw a bus on fire. The bus was completely on fire and it was big. He ran up to the bus and heard a male voice coming from the rear yelling out the bus was on fire. He thought the person was trying to get some attention. He tried to check if anyone was inside but the fire was too intense. A number of people then gathered. He noticed the park owner was not present so he called James Lapham who sounded as if he had just woken and James attended soon after.
202. Mr Carpenter saw Maxine holding another woman who was yelling that she wanted to get back into the bus. People were accusing her of lighting the fire. He saw ambulances arrive and they took care of the woman being held by Maxine. He thought the woman may have been intoxicated and she was only wanting to care about her cat.

### ***Claire McKay***

203. Claire McKay had been at the park since June 2016. She and friends had been at the bonfire earlier and left at 21:30 hours. She saw Lee and Chris down there. They had been clearing out a container near the bonfire.
204. Later she heard someone yelling fire and went outside to investigate. She says a woman she knows as Cathleen was yelling out *"fire, fire"*. Cathleen smelt of alcohol and she grabbed her arm and said *"I hope that is not my bus on fire."*
205. Cathleen continued towards the bus/van and Ms McKay followed and could see the whole bus was on fire. The same woman said *"Oh my bus and my"*

cat". She was screaming and hysterical. Ms McKay did not have any other conversation with Cathleen.

### **Clarissa Scott**

206. Clarissa Scott was staying with friends Sereena and Joel at the park. Ms Scott told the inquest she had seen Cathy earlier flirting and trying to get on to all the males. They were up watching television when sometime between 03:30 and 04:00 hours she heard muffled yelling. Two other friends went to investigate and returned to say there was a fire. She then went to investigate.
207. Ms Scott says she saw an older lady with a crutch and knitted blanket walking out of the toilet area, look up at the fire and saw her face drop.
208. Ms Scott says this woman she now knows as Cathy say "*My cat my cat, I locked my cat in so it couldn't get out*". She also said "*Chris' brother is in there*". Ms Scott describes Cathy as hysterical and wailing but did not see any tears and did not appear to show any remorse. Her statement states she saw Cathy with a smile on her face and there was a weird laugh.

### **Andrew Yarrow**

209. Andrew Yarrow was on his mobile phone when sometime between 03:00 and 04:00 hours he heard a lady yelling "*fire fire*". He saw a woman with a crutch. He says he asked the woman where the fire was and she said she did not know. He looked to his left and saw a big orange glow about 20 metres away and he ran off to it. As he ran up to the corner he could see the fire was huge. He grabbed a hose but was told by someone to get away from the bus.
210. He then saw the manager Kim dealing with the woman. He heard the woman say "*I don't care about him. I just want my cat.*" He rang the fire brigade who were already aware and on their way. He heard someone say "*I am pretty sure she lit the fire herself*". He is not sure who said this but it was not Kim.
211. After speaking to Kim he then rang 000 and this time requested the police attend. He could hear people arguing but could not recall what it was about.

### **Deborah Yarrow**

212. Deborah Yarrow said Lee was a kind and gentle man. She considered Lee and James Lapham got on well. Ms Yarrow had cleaned the bus in question just before Ms O'Loughlin moved in. She described the carpet colour as grey. She did not think there were smoke alarms but thought the owner was in the process of installing alarms before the fire.
213. She woke to the sound of someone yelling out "*fire*" around 04:00 hours. She saw an inferno up past the amenities block. She could see people gathered up at the fire. She saw Maxine cuddling a woman who she now knows as Cath. She went over to help Maxine and could smell alcohol on Cath's breath. Cath told her to go away but she stayed. Ambulances attended and they took over caring for Cath.

214. Ms Yarrow says she then took Cath a glass of water. She put in her statement that Cath said *"there's someone in the bus"*. Ms Yarrow asked who and Cath said *"Chris's brother"*. Cath stated *"I've locked the windows and doors on the bus so my cat cannot get out. I want my cat. I don't care about him. I want my cat. I don't care if he's dead or alive, I want my cat"*. Ms Yarrow described her expression as blank as if without any remorse.
215. Ms Yarrow says she saw Cath had a set of keys in her hand, which she recognised as Lee's. She says Cath told the ambulance officer she had found the keys and did not know who they belonged to and gave them to the ambulance officer.

### **Joel Yarrow**

216. Joel Yarrow recalls Lee and James Lapham had a good relationship and he had not seen any problems between them.
217. Joel was watching television with his partner Sereena Edwards and recalls the time as 04:05 hours when he heard a female voice yelling *"fire, fire"*. He also heard a popping noise like an explosion. He went outside and saw an orange glow down at the buses. He ran to the office area to try and raise the manager Ian but was not able to.
218. He then ran back in the direction of the fire. He passed a woman with a blanket who appeared drunk talking about a fire and her cat. When he got to the fire he could see James Lapham and Chris were there with hoses and Chris was removing gas bottles. In his statement he says the woman was now with Maxine and was screaming about her cat being in there and that Chris' brother being in there. In evidence he stated he had been told she had said this but had not heard her say this directly.
219. He recalls the woman was at times pretty calm but became hysterical again when his partner Sereena approached her.
220. Joel was recorded by SC Faulks at one point describing the lady he had seen with a crutch and a blanket. He had asked her what happened and she said something about she 'did not do it' and started talking about not leaving the heater on. Mr Yarrow no longer recalls this conversation with police or the conversation about the heater.

### **Christopher Collins**

221. Christopher Collins had lived at the caravan park since February 2013. It is apparent he has had a falling out with James Lapham since the fire.
222. He had been helping James and Sam at the park on a largely non-payment basis. He said he helped as it gave him something to do. James had tried to pay him at times but he did not want payment. He spoke about James being involved in fights at the park and physically removing people from the park. On

one occasion Mr Collins also intervened when James was out-numbered and someone had a screw driver and was attacking James.

223. He described Lee as his 'brother' and was very emotional when speaking about Lee. He said Lee's relationship with James was supposed to be good. He said there were disagreements but nothing physical. He said on the day of the fire James was angry with him and Lee drinking but again there was nothing physical.
224. The reference by Ms O'Loughlin as Lee being Chris Collins' brother is clearly related to Mr Collins speaking about Lee in those terms. Although not referred to in his statement, in evidence he said he had told Ms O'Loughlin that if she wanted to have sex with his brother he was happy for her to do so.
225. On the day and evening before the fire, Lee and Mr Collins were packing up their belongings up as he was intending to go to the Sunshine Coast where James Lapham and his wife Sam were setting up another accommodation business. James was in the process of handing over the caravan park to Kim and Ian Brock. Lee was also going to move with them to the Sunshine Coast.
226. Because they were moving they were throwing out belongings they did not want and this was being placed on a bon fire. At about 21:00 hours he and Lee went to a local hotel and bought some take away alcohol. They each bought a bottle of scotch and Mr Collins had a pack of Woodstock mixers. They got back at around 22:00 hours or a little after. He was with Lee, Kim, and Kim's son and girlfriend.
227. Cathy then came down. She had some beers she carried in a brown coloured vinyl bag. He had helped move Cathy to the park
228. At some point they went back to the fire pit and Kim, Cathy, Lee and himself were there. Lee was throwing folders and papers into the fire. He recalls drinking two thirds of his own bottle of scotch and Lee had drunk all of his and was drinking some of his bottle.
229. At one point Kim told him that Cathy thought he would be upset if Lee and Cathy had sex. Cathy said to him "*I want to fuck Lee but I like you*". He told Cathy that would not be a problem because they were not in a relationship. He did not know why she would feel bad because he has had nothing to do with Cathy. In evidence he stated that a few days previously Cathy had tried to kiss him but he was not interested in her.
230. At one point Lee fell asleep at the fire. When he woke, Lee again asked Cathy if she wanted to have sex and she said she did but wanted to have one more drink. Chris says he was having a serious conversation with Kim who was worried about the responsibility of looking after the park and concerns regarding drug use that had been occurring at the park. At this point he thought it was not appropriate for Cathy be involved in the conversation. Lee had got

up halfway through this conversation and as he was leaving he said to Cathy “*if you want to fuck, come along do you want to fuck or not.*” Lee did not say this in an angry voice.

231. Mr Collins recalls he told Cathy to “*go and fuck my brother*”. Lee then left and headed off in the direction of his residence. This is also the direction he would take to go to Ms O’Loughlin’s bus.
232. Cathy stayed and would not leave despite his prompting so he decided to get up and walk away. He says he ran into Kim around the back of the storage container and they got into the container and closed the door to stop Cathy from finding them. After about 10 or 15 minutes they snuck out and went to the park shop. It was only a couple of minutes that passed when he saw a glow from inside the shop. He ran outside and realised it was a fire.
233. He ran over and removed a gas bottle and then rang emergency services. He started to use a hose to water the bus. James came over and took the hose of him and told him to go and find Lee. He thought would have been at his place or Lee’s place but he was not at either. He then found out that everyone was saying Lee was in the bus. Kim told him Cathy had said she started the fire and was worried about her cat. She further stated that Chris’s brother was in there.
234. Chris Collins stated he would have last seen Cathy at about the 03:45 hours and he had seen Lee at about 03:30 hours. Chris stated that over the night he would have drunk half a bottle of scotch and two cans of Woodstock.
235. Mr Collins did not hear any conversations Ms O’Loughlin was having at the bus fire site and had not seen her at the fire site until she was with the police.
236. Shortly prior to the inquest Mr Collins made some concerning allegations to my investigations officer to the effect Lee Parker had died by way of ‘blunt force trauma’ to the back of the head. I requested DSS Steginga to obtain further details from Mr Collins.
237. Mr Collins indicated to DSS Steginga that if Lee ‘had blunt force trauma to his head’ then James Lapham did it. Mr Collins was asked if that was ‘fact’ or his ‘belief’ and he indicated it was his ‘belief’. When asked about the source of this information, he indicated it was Joel Fairclough who told him, and that Joel was told by James’s son Jacob. Mr Collins was not told this information directly. Mr Collins stated that James had been hiding whilst they were at the bonfire, after Lee had accidentally pocket dialled James and had said some things about him. He was then told that when Lee left the fire, he was confronted by James up the track a bit and Lee being drunk would have told him where to go and James pushed him, causing Lee to fall back and hit his head on a rock ‘or something’. He was told this by a couple of people but could only indicate Joel Fairclough.

238. In his evidence at the inquest Mr Collins also said a Michael Lee had also said this to him. In evidence Mr Collins said he had only received this information in the past few weeks.
239. Joel Fairclough was also said to have told Mr Collins that he was told by James's son Jacob Lapham that the woman who is said to have lit the fire witnessed it and that James offered her money if she helped him get Lee into the bus and set the bus alight.

### ***Joel Fairclough***

240. Joel Fairclough provided a statement dated 26 September 2019. He was not present at the park at the time of the fire. He stated that he would not trust Mr Collins with the truth. He stated that approximately three or four months ago he spoke with Mr Collins on the telephone. Mr Collins told him that on the night of the fire, James Lapham had found out that Lee Parker was having an affair with Sam. Mr Collins said James confronted Lee and there was an altercation, being a shove, which resulted in Lee Parker's death.
241. In his evidence at the inquest he stated that at the time he lived there he thought Lee, James Lapham, Sam Savidge and Chris Collins all got on well together. James and Lee were best mates but James did not treat Chris Collins as well.
242. He stated there may have been some smoke alarms in some vans but not all and could almost guarantee not in the bus in question.
243. James had never spoken to him about the fire other than it was more about having lost his best mate and he was sad about it.
244. He had spoken to Chris Collins who contacted him long after it happened and who said Lee and James had an altercation at the amenities block, Lee was pushed and fell and he was placed in the bus and it was set on fire. He said he never told this story to Chris Collins.
245. Soon after he was asked by police to provide a statement he says James Lapham rang him and threatened to bash him because he was giving a statement and have him charged over a motor bike that had been stolen from him. James Lapham denies this conversation took place.

### ***Luke Fuller***

246. Luke Fuller was in a relationship with Michelle Purton. He knew Lee Parker to say hello to and said he was a good bloke. He did not know anyone by the name of Cathleen O'Loughlin. He provided a statement two years after the fire but states he remembers it well as it was a few days before his birthday.
247. He woke up in the early hours to a woman screaming out "fire". He could see the fire in the distance and ran up towards the bus. There was an old man standing out the front who said the woman was saying there was someone in

there. Mr Fuller put a jumper over his head and tried to run in but it was too hot and he could not breathe and then backed out. Mr Fuller indicated he was able to climb a few steps and enter the bus and looked to his right but could not see anyone and the heat was too much.

248. While people were standing around, the woman was continuing to scream and others were trying to calm her down. She was saying her cat was in there.
249. He then saw a girl named Sereena swing at this woman at least twice. He and another male person took away some gas bottles that were right out the front of the bus. He then went over to where the group was standing and heard the same woman yelling that someone was in there she had "*lit the carpet on fire*". Mr Fuller confirmed in his evidence he was not 100% sure she said these words but it sounded like her voice. He said in evidence he has a vague memory of this statement now.
250. Mr Fuller says the woman he knew as Sereena pulled him aside and told him that the lady who claimed to have lit the carpet had not and that James had started the fire. She told him James did it because James had found Lee in bed with his partner Sam the night before. He states that probably about 5–10 minutes after the fire had started James had arrived with a dressing gown on and his hair was dripping and he was wet.
251. Mr Fuller says as they were walking back to their own caravan after the fire brigade arrived, the lady who had been screaming was sobbing and saying "*James had made her do it*".
252. He states rumours then went around the caravan park to the effect James had paid this woman to start the fire. James' son Josh told him this was the rumour going around. In his evidence he confirmed he heard the rumours and one source was Josh. In his statement he says Ian Brock was another source but in evidence he said he cannot now recall this.
253. Another rumour he had been told by a lot of people is that James had found Sam and Lee in bed together and Lee and James had an argument. Lee then went and got blind rotten drunk and was not listening to James and when James stormed out he lit the fire on the way out. This was confirmed with a couple of people there including the manager of the shop Ian and his partner Kim.
254. Mr Fuller states he believes James lit the fire because he lit a fire the year before at the caravan park. It was about an old couple that would not sell.

### **Michelle Purton**

255. Michelle Purton was in a relationship with Luke Fuller and also gave her statement two years later. She had been at the caravan park for about 10

months with another partner. They separated and she formed a relationship with Luke Fuller.

256. She states she knew Lee Parker but did not get on with him. She stated it was pretty common knowledge in the park that he was using “crack”. She also states it was common knowledge that Lee was having an affair with Sam and at some stage James found out. In her evidence she confirmed she had no direct knowledge and this was all rumours going around the park.
257. She says however James and Lee were talking just before the fire happened like they were like best mates.
258. On the night of the fire she was asleep. Her 18-year-old son woke her to tell her there was a fire. She walked outside and could see a raging fire. By the time she got to it she saw a purple bus was on fire and there were plenty of people standing around. She says she saw her partner Luke running into the fire because the lady that lived there was yelling out that there was someone in there and her cat was in there. She stated her name was Cathleen and she had not long moved in. In evidence she said Luke went through the door and for a moment she could not see him and then he came back out.
259. Michelle recalls someone saying Lee was drunk and he was trying to get on with the lady. Someone else was saying she had set the fire and trapped him in there.
260. She recalls another lady from park punch Cathleen in the face twice because she would not shut up and kept screaming about her cat.
261. People who lived in the park before she got there told her James had burned out an old couple’s caravan who he was having a disagreement with.
262. In her evidence she also alleged James had said to her he had the will and ways to get rid of her.

### ***Sereena Edwards***

263. Sereena Edwards was the partner of Joel Yarrow. She had moved into the park in March 2016. She knew Lee as he did a lot of maintenance around the park. She said he was friendly and would do anything for anyone.
264. She had not met the resident of the purple bus until the morning of the fire. About 04:00 hours she heard yelling and screaming. She thought it was just an argument or fight that normally happens in the park. Her partner and another man ran outside to deal with that.
265. She walked outside and could see flames to her right. She saw the purple bus was on fire. She rang 000 on her mobile. She saw people moving gas bottles away from the bus. She saw Luke trying to get into the bus.

266. Ms Edwards says she ran towards the bus and met with the woman she now knows as Cath standing with Kim the new owner and manager of the park. Cath was saying *"my cat is in there my cat is in there"*. Cath was carrying on and being aggressive towards people. She was talking about wanting to cuddle her friend. She kept repeating *"I do not think I left the heater on I am sure I did not leave a heater on"*. In her evidence she said Cath was being verbally abusive to people who were trying to help but she repeatedly went on about her cat and not leaving the heater on.
267. In respect to the allegation she (Sereena) punched or threw a couple of swings at Cath she said she was trying to pull her away from people.
268. Ms Edwards remembers smelling alcohol on Cath and she seemed to be very drunk. She remembers saying to Cath that they could not save her cat now. Cath then said *"Chris's brother is in there"*. They were all talking about Chris and she did not know what she was talking about. Ms Edwards said she only knew Chris by his nickname 'yep yep' at that time. Ms Edwards stated Cath was standing there and going on and would not shut up. She kept going on about her cat.
269. Kim Brock was also present and Kim told Ms Edwards Cath had been trying to get onto the Lee all night and they had a couple of drinks. She asked Kim where Lee was and she said she did not know but he may have passed out in the bush or garden somewhere. Along with others they then started looking for Lee in the gardens and elsewhere around the caravan park.
270. The evidence of Luke Fuller was put to her to the effect she told Mr Fuller that the lady who claimed to have lit the carpet had not, and that James had started the fire because James had found Lee in bed with his partner Sam the night before. Ms Edwards said in evidence she does not know why she said those things. She said there were stories going around about James and other people but she had no direct knowledge.
271. Ms Edwards stated in evidence she did not hear Cath say anything about having lit the fire and only about not leaving the heater on.

### **Ian Brock**

272. Ian Brock stated the relationship with James Lapham was friendly when they first met. He was encouraging him and his wife Kim to become managers over a 12 month period. He said there were no smoke alarms at the park. Kim had brought this up when they took over but it was not until a week after the fire that smoke alarms were provided for installation.
273. Ian Brock was doing work in the shop most of the evening. He does not drink. At about 01:00 hours he went down to the fire pit where Chris, Lee, Cathy and Kim were. He could see they were all drunk. Lee was really drunk to the point he was tripping over boxes and hugging and kissing him and telling everyone how he loved them.

274. Ian Brock recalls that about 01:15 hours his wife started to receive telephone calls on her mobile from a male person who was looking for Lee. He thinks there were five calls in total. He heard Lee saying *"well you know who I am so why do not you tell me who you are"*. He was telling the person to come there and see him. At one point he heard the male person threatening Lee saying *"I will come down and sort you out"*. Lee just said well come on them. Lee did not seem to know who it was or if he did he did not tell him.
275. Cathy was also as drunk. She was being flirtatious with Lee in that she was very sexual in her talk towards him. He remembers her saying that she had very nice "tits" and asking Lee if he wanted to see them. She saw Cathy start to lift her top up and show her breasts. Kim said something to Cathy about this being inappropriate and they had a small argument. Cathy then went on to say that she was not into one night stands.
276. Ian Brock says Lee then said something like *"why did you show me those for, do you want to fuck me."* He says Cathy said *"well yeah I want to fuck you"*. Lee then said he would go back to her place but she said she wanted to have one more drink. This went on for about 10 minutes and then he saw Lee and Cathy start to walk off together.
277. He then went over and pulled Lee aside and told him not to go with Cathy because he had been told the park policy was that employees were not to sleep with tenants in the park. He recalls Kim talking to Cathy and saying things like you do not want to sleep with him as he is getting married next week. Lee heard this and started yelling he was not getting married. Ian Brock then decided he was going to bed and noted it was 02:33 hours.
278. At around 04:00 hours he heard a knocking and yelling and another resident Colin Horsfall was yelling that the bus was on fire. Ian went to the scene and the whole park seemed to be there and he saw James with a garden hose.
279. At one point he saw Cathy crying and asked if she was alright. She said she was worried about her cat being in the bus. He told her he did not think the cat would make it. She started crying again it and said *"Chris's brother is in there, but fuck him I am more worried about my cat."* He says he asked her to repeat what she had said which she did. He recalls these were her exact words. Mr Brock confirmed this evidence at the inquest.
280. He walked off confused because he knew Chris did not have a brother and then he realised she was referring to Lee. He started looking for Lee.
281. Mr Brock was asked about the earlier fire at the park before they were managers. The source of any information was from Joel and Tyler Fairclough.

282. Mr Brock stated he thought it unusual that James Lapham was fully dressed and suggested he was wearing a business jacket. He said James had told him not to speak to the police.

**Kim Brock**

283. Kim Louise Brock stated she had been a resident of the caravan park for about 4 ½ months. They had just taken over management of the park from James Lapham and Samantha Savidge. Ms Brock had little recollection of the events when giving her evidence. She said she was pretty intoxicated at the time. Her statement was provided later on the day of the fire and she relied on what was stated there.
284. Cathleen O'Loughlin was a new tenant to the caravan park. Christopher Collins who is an employee of James Lapham picked Cathleen up on 12 August 2016 and brought her to the caravan park.
285. She had gone to the fire pit at about 22:30 hrs on the night in question. Chris, Cathy and Lee joined herself and her son Jordan and his girlfriend Kayla at the fire pit. They were sitting around talking and drinking. Kim told police she had a bottle of wine and half a bottle of vodka. She felt pretty intoxicated earlier in the night but had started to sober up when the fire started.
286. She remembers Cathy and Lee flirting a lot and saying a lot of inappropriate things to each other and Cathy flashing her breasts to Lee. She remembers Lee saying to Cathy *"do you want to fuck"*. Cathy replied *"what about Chris I do not want to hurt his feelings"*. She think this was because Cathy and Chris had some beers the Sunday before and Cathy told her she had kissed Chris. Lee looked over to Chris and said *"you do not care do you"*. Chris said *"no go for it"*.
287. She then recalls a number came through to her mobile and a male voice said *"where the fuck is Lee"*. The telephone was on loud speaker and Lee grabbed the phone and said *"who the fuck is this, bring it on cunt, come out here"*. A couple more of these calls were made.
288. Kim Brock said the group kept on drinking. At one stage Lee was so drunk he fell over a small storage box and fell into it. He just sat there and fell asleep. At about 03:30 hrs the fire had died down and Lee got up and started stumbling around and started heading in the direction of his place. She was concerned about him getting home as he does this all the time.
289. After Lee left it was only Kim, Chris and Cathy who were there. She stated Cathy was talking nonsense and Chris told her to go home but she would not. In the end Chris and Kim pretended to go home and walked in different directions and they hid in a container for about 15 minutes and then ran towards the park shop. There were both sitting in the shop when Chris shouted out about seeing a fire and they both went outside and could see flames coming from the direction of Cathy's place.

290. In her statement she stated she remembers someone shouting about Lee and people started looking for him around the park. She says she saw Cathy and it appeared she was smirking "I did it". Kim says she grabbed hold of her and started hitting Cathy until she was pulled off.
291. In her evidence she said the words used by Cathy were "*I did it I lit the fire*". Ms Brock said there was a lot of talk going around and some of what she recalls may have been from others.
292. Ms Brock stated James had asked them to unblock a toilet that had been blocked for a long time. He had told her not to speak to the media but he did not tell her to not speak to the police. Ms Brock said it was now all a blur.

### **Lesley Hill**

293. Lesley Hill was a resident of the caravan park. In her statement she said on the evening of 18 August 2016 she was watching a movie with a neighbour who was also at her place that night. Some-time in the early hours they heard a loud bang. They walked out and saw redness coming from further up the street. They walked up and could see the purple bus was on fire.
294. Ms Hill says she saw a lady walking around from a side street. The lady was staggering and had a crochet blanket wrapped around her. Ms Hill says in her statement she cannot remember the exact conversation but remembers her saying "my cats inside". She also said something like "*I do not know if I left my heater on or I lit the mat on fire*". She was not 100% sure but thinks the lady make mention about a purple mat. Ms Hill knows the lady was saying something about lighting the mat on fire. She could smell alcohol strongly on her.
295. In a conversation she had with DSS Steginga. Lesley Hill stated she thinks Cathleen made these statements in the presence of either Kim or Sereena Edwards. She also recalls Cathleen saying "*I light the fire under the front seat*".
296. In her evidence at the inquest she recalled the relationship she observed about Lee, James, Sam and Chris was it was all okay. She had at one stage cleaned the bus in question and there was no smoke alarm. She stated she and her partner had put their own smoke alarm in and sometime later the fire department came and tested them.
297. Ms Hill recalled the woman staggering up the lane way and was very loud. She appeared very drunk. She is confident she heard her say her cat was inside and referencing a heater and lighting a purple mat. She agreed the woman sounded confused. By this time other people were arriving.

### **Patricia Anne White**

298. Patricia Anne White was a resident in a caravan located at the western end of the caravan park and away from most of the other residents. Ms White provided a statement to police dated 1 October 2016. She had attended the

Lowood Police station on 17 September 2016 and spoke to PCSC Edwards who took details in his police notebook and from these notes he compiled her statement. PCSC Edwards also took possession of a CCTV recorder. On 8 August 2019 Ms White provided an addendum statement.

299. In her evidence before the inquest she indicated on a Google photograph that her caravan bus was close to the area where the bonfire was that night and morning. She also said she could see the bonfire from her van and could see Lee and Chris but could not see Kim and Ian. Importantly she recalls at about 01:00 hours hearing voices that woke her to the rear of their caravan bus. She recognised the voices as belonging to Lee, Chris, Kim and Ian. She also heard the voice of a female. She did not recognise the female voice but heard Lee talking to her. Patricia got the impression Lee wanted to go with the female and heard him ask her for sex. Patricia stayed up for a while and went outside for a smoke. She could hear Lee talking to a girl he referred to as "Kat" and saying "*let's go to your place and fuck*". She heard Chris tell Lee to cut the "F" words. Her statement notes she heard Lee reply "Chris, it's in my nature." In her evidence she added that Lee said "*I am a deviant, it is just in my nature.*" In her second statement Ms White added by way of clarification she heard Lee say words to the effect of "*Show me your tits Kat*".
300. In her evidence at the inquest she added (this not being contained in either statement) she heard Lee arguing with someone but could not hear any other person and assumes Lee was speaking to this person on the phone. She recalls Lee saying he spent years in the military and nothing scares him.
301. In her first statement she said at 03:00 hours she opened her door and went outside but in her second statement and in her evidence she says she opened her door and looked to the left and could see the group had dispersed and the park was all quiet.
302. At about 03:25 hours (in her evidence she said it was 03:30 hours) she came outside again and saw a glow and heard a voice she recognises to be Cathleen yelling out "fire". She woke her partner Noel and they approached the bus on fire and could see Cathleen being held by people as she was being frantic. She heard her say "*Chris's brother is in there*". In her second statement she says she did not hear Cathleen say these words but says Cathleen was hysterical and saying "*my cat, my cat is inside*". In her evidence she stated the bus was fully gutted at the time she arrived. She is not sure why she corrected the words she heard and explained it maybe something she heard from others or the police officer taking her statement got it wrong.
303. Later she and her partner recalled they had installed a CCTV camera at the front of their bus, which also records audio. She then listened to the recording and could hear the commotion outside the bus at about 01:00 hours. She told the police about the recording.

304. She also listened to the recording at about the same time as the fire by playing the recording up to her ear. In her first statement and in her evidence she says she could hear someone knocking and someone asking "*Lee open the door*" and then a long pause of nothing. She then heard an argument between three males. She could hear Lee being one as he is was not as loud as the other two. After the argument there was another long pause. She says the next thing she heard was "*help help I am on fire*". After a long pause she then heard another argument but could not hear what was being said. There was another pause before she heard a female voice yelling "*fire fire*".
305. In her evidence (and not contained in either statement) she says one voice was an angry Shayne Fairclough, a second was Chris (nickname Yep Yep) and there was Lee. She also then proffered there was another voice with an accent she says is James Lapham.
306. Ms White was asked why she had not provided this information to Police on either of the occasions of her providing a statement and she said she has been completely traumatised by this event and has not been thinking properly and is scared of James.

### **CCTV Recording**

307. PCSC Edwards took the statement of Patricia White on 17 September 2016. Although Ms White appeared to be critical in her evidence of how the statement was taken it is fair to say the statement reflects what was recorded by PCSC Edwards in his notebook.
308. PCSC Edwards stated he viewed and listened to a black Uniden recorder from the CCTV camera. He recalls on a file named 040130-1 at 7:30 there were faint voices yelling "fire". At 7:50 he could hear a male voice yelling "fire" multiple times.
309. PCSC Edwards provided a later report to the coroner having reviewed and scanned his notes made during the investigation onto the associated Qprime occurrence (QP1601555405). He can confirm that the recording (CCTV) provided did not have any visual component to the file and was only faint audio. He also recalls the times stamped on the file was incorrect (possibly the date as well) and did not correspond with the events on the day. He cannot be certain, however believes Patricia White did play the file at her home address and he was unable to hear what she believed to be on the file and requested a copy of the recordings. Ms White was unable to copy the requested file and he then took the device and made a copy of it. Whilst in his possession he reviewed the recordings, however cannot recall if they were from the original device or the copy made. He can confirm the recording and the copy he made were the same and reviewed the copy prior to returning the device to Ms White.
310. The court asked Police to see if their technical section could enhance the recording and this has been provided. It is fair to say the recording is still faint and making a positive conclusion as to what was said is difficult. It does appear

that around 3:20 minutes into the recording one can hear a voice saying what is likely the word “police” but could also be “Lee” followed by the words “open up” about 13 seconds later.

311. At about 3:52 minutes up to about 4:40 minutes there is a voice which certainly can be heard to say “open the door” and appears to say “police open the door” a few times.
312. At about 7:30 minutes one can hear a voice yelling “help” and “bus on fire” in a distressing manner. Lee’s family believe that is Lee’s voice which is heard. Ashlee Parker provided a statement that she has listened to the audio recording and states she can recognise her father’s voice yelling in the audio from seven minutes 32 seconds to about eight minutes. She states she can distinctly hear her father’s voice. She states it sounds to her that he was screaming out the words “help”, “let me out”, and “fire” repeatedly but not necessarily in that order. She can hear him screaming words and there is then a really distressed part where he yells out fire again and it sounds that he is screaming out in pain and panic.

### ***Samantha Savidge***

313. Samantha Savidge also provided a statement confirming that she and James Lapham has owned the caravan park since 2011. She recalls that Lee Parker moved into the caravan park sometime between 2013 and 2014. She recalls Lee moving into a few sites at the park over his time there.
314. During the time at the park she had spoken to Lee on and off and became associated with him more often when he became involved in the park’s shop. She stated that Lee and she got on well and became friends through their shared military experience.
315. Within the shop Lee took on the role of making pizzas. Prior to that he appeared a bit of a loner. She recalls at some point Lee telling her he had been kicked out of his house by his partner and that is why he ended up in the park. He recalls his partner’s name as Kirsty or Kristie and that she called in a few times and they were introduced. She recalls they had matching silver coloured Jeep Cherokees and she got the impression they were going to get back together but he needed to get better and stop drinking.
316. Over time Lee became involved in the administration of the park. The more he did the more he came out of his shell. She stated she spent a lot of time with Lee doing the admin of the park and thinks this is where the rumours of them having an affair came from. This came out years before Lee died in the fire. This was also not the only rumoured affair she was reported to be having. She stated it was also rumoured she had been a Gold Coast ‘hooker’ and that James had rescued her from the streets.

317. At the inquest she denied any affair between her and Lee. They had worked closely together on some of the business paperwork which is where the rumours may have emanated but she never paid any attention to the rumours.
318. She was aware that Lee had slept with at least three women in the park and James, herself and Chris had told him not to as they were worried the women would get messed up and leave the park and they would lose tenants.
319. Ms Savidge stated Lee was definitely an alcoholic and also had informed her he suffered from PTSD and other mental health problems. She said he remained a heavy smoker.
320. Before Lee died he moved into a three bedroom house they had built. Lee was very close to James and herself and she saw him as a brother and James saw him as a best mate. They got close to him like a family member, so much so he went overseas with them to Bali in 2016.
321. At the time of the fire she was in Toowoomba. She had never met with the woman who lived in the bus as Ms Savidge had left the park shortly after she arrived. Ms Savidge explained she had gone to Toowoomba to spend some time with their accountant doing the books for the business.
322. Ms Savidge stated Lee and James were fine at the time and she knew of no-one with a motive to harm Lee.
323. Samantha also stated that she knew that if there had been a woman involved and Lee had been drinking there would be only one reason why he would have been at the location, and that was to have sex.
324. On the issue of the lack of smoke alarms Ms Savidge disagreed with the statements of a number of witnesses who said there were no smoke alarms in the various cabins and vans. Ms Savidge stated she had bought thousands of alarms over the years. She disagreed with the suggestion from Mr Brock and Mr Peters that one week after the fire, smoke alarms were installed. She stated she had no knowledge of whether there was a fire alarm in the bus that burnt down.

### ***James Arthur Lapham***

325. James Lapham provided statements to police on 20 August 2016, 20 November 2017 and 9 October 2019.
326. Mr Lapham stated he had owned the caravan park for about 5 ½ years. He had recently started leasing the caravan park to Ian and Kim Brock. He was planning on moving to the Sunshine Coast to another accommodation venture and Chris Collins and Lee Parker were going to move with him and his wife Sam. Chris was a friend who helps out in the park and was also very close with Lee Parker.

327. James stated that Lee came to the caravan park around two years ago and they became friends. He helped him start to control his drinking problem. Lee started coming to help at the shop and ended up being there for the last year and a half. He was not a staff member but a good friend. James says he took Lee to Bali on holiday as thanks for Lee's help. Lee was also taking copious amounts of prescription medications three months ago but he had stopped taking those tablets for his drinking problem completely. Lee was also a heavy smoker and he had emphysema
328. Lee had keys for the house where he lived in and shared with James and his wife. He also had keys for the shop and other sheds on the property as well as for his motor vehicle.
329. In his second statement James Lapham provided details of the Moveable Dwelling Tenancy Agreement entered into with Cathleen O'Loughlin on 12 August 2016. He describes the interior of the bus to consist of a carpet being purple/blue in colour. Entry to the bus was via the door at the front right hand side. He states the bus was installed with a fire alarm which was located on the ceiling near the driver's seat.
330. With respect to smoke alarms generally it was put to Mr Lapham there was no practice to put in smoke alarms prior to the time of the fire. He denied this. He denied that alarms were only being put in routinely after the fire. He spoke about having bought thousands of smoke alarms because residents would routinely pull them out so they could smoke in their vans. The evidence of Joel Fairclough, Benjamin Peters, Kim Brock, Jessica Thompson that there was no smoke alarm in the bus was answered in the basis this was his practice. He stated that after the fire they checked the vans and every one of the vans had smoke alarms removed hence why they ordered a number to be installed.
331. He also states he had several conversations with Cathleen O'Loughlin which are recorded on 7 November 2017. On 20 November 2017 he provided a further statement to DSS Steginga. Mr Lapham says he sent the conversations to DSS Steginga by text or email but they were not able to be produced by him. He said he was trying to bait Cathy into saying something about the fire but she made no admissions in those conversations. DSS Steginga stated he was unable to say if her received the recordings and agreed he should have checked this.
332. Whilst at the station DSS Steginga provided him with a set of keys. He subsequently viewed these keys and confirm that the black car key is Lee Parker's Jeep key as well as keys for locks within the caravan park and keys to his other business on the Sunshine Coast. He gave those keys to Lee Parker and had seen them in his possession on many a time. DSS Steginga advises the keys are still held by Police as an exhibit and produced them at the inquest.

333. In his first statement James Lapham says that on the night in question he had gone to bed at around 23:00 hours and was woken by his telephone at about 03:36 hours. He noted he had a missed call from Lee at 01:11 hours and he then received another telephone call and heard someone screaming 'fire'. He immediately attended to the area and spoke with those around. He screamed out if anyone was in the bus that they know of and heard people say *"no she is okay she is down towards the toilet"*. He was relieved when he heard this. He then heard Cathy screaming out *"I do not give a fuck about him I am just worried about my cat"*. He yelled out what was she talking about and someone said *"Chris's brother is in there"*.
334. He approached Cathy and asked her if anyone was in the bus when she left and she again stated *"I do not give a fuck about him all I am worried about is my cat"*. He said *"are you saying there is someone in that bus"*. Cathy said *"I think Chris's brother could be in there"*. He then said *"do you mean Lee?"* and she said *"if that's Chris's brother"*.
335. James then spoke to Chris Collins and others and asked them to go and look in all the empty vans and containers to see if they could find Lee. He then checked the house.
336. He did not have any further conversations with Cathy. A lot of people were threatening her but he told them to leave it to the police.
337. At the inquest Mr Lapham was visibly upset when he was asked if he had any direct involvement in the death of Lee. He stated he was angry the people including Kim and Chris Collins were drinking. He said he was not told by them that Lee may have been with Cathy O'Loughlin in the bus and he would have ripped open the back of the bus if he had known. He denied having threatened Joel Fairclough after he heard he was giving police a statement.
338. James Lapham provided a third statement on 9 October 2019. He confirmed he had been in a defacto relationship with Samantha Savidge for 10 years. He describes his relationship with her on the basis that she is the most decent, honest and respectful woman he has ever met.
339. Over the nine years that Sam and he owned the caravan park he has heard many rumours including the one that Lee and Sam were having an affair. He was also meant to be having affairs with many females. All of this was untrue.
340. James Lapham stated that over the time of owning the caravan park he had to deal with many people who are unemployed and have lots of spare time. Stories generally start small and then turn into bigger 'garbage'. Over the years he has had to remove many people and he believes this is why rumours about him start.
341. On the day before the fire and the day of the fire he had little contact with Lee. He recalls in the evening waking in bed after hearing Lee's motor vehicle drive

into the driveway. He recalls speaking to Lee who said something to the effect that they were heading down the road to get something. He went back to bed as he was feeling unwell. He did not see Lee again and had no further contact with anyone else that evening including Cathleen O'Loughlin.

342. Sometime around 03:30 hrs the following morning he remembers someone yelling '*fire, fire, fire, James fire*'. He cannot remember if this was someone yelling or a telephone call. He had taken medication for his sickness and was dazed. He recalls then getting dressed and running to the fire.

### **Cathleen O'Loughlin**

343. Cathleen O'Loughlin provided a record of interview on 20 August 2016 after being warned of her right to remain silent. The interview was long and rambling commencing at 14:12 and finishing at 17:12 with a couple of breaks. The interview was conducted by DSC Max Gardener and DSS Steginga.
344. She informed police she suffered from depression and anxiety and pain from a spinal injury. She took an antidepressant, Kalma (alprazolam) for anxiety and Epilim (sodium valproate) as a mood stabiliser.
345. She said she had gone for a walk to the kiosk and spoke to Kim and Ian. Kim said to come down to the bonfire and she took two beers with her. She knew Chris, who had picked her and her furniture up from Beaudesert. They were burning rubbish and old things. Another fellow was there whose name she does not know but was apparently Chris' brother. He was getting flirty with her and she said she was being a bit silly herself. She said she would not have gone through with it. She later explained that he had said he wanted to have sex with her.
346. She maintained she did not know who was in her bus as she remained down at the bonfire. She said "*so whether he thought he was going to have sex with me or whatever but I just stayed at the bonfire*".
347. She said she was leaving as the other two (Kim and Chris) were going and she went to go home and she could then see flames and smoke from where the bus was situated. She started screaming 'fire, fire' but she did not know it was her bus.
348. When she got there she could see it was her bus but she did not know there was anybody in there but she wanted her cat, which was locked in.
349. She stated the police lady kept stopping her from going to get her cat. She maintained she did not know the name of Lee other than he was Chris' brother. She described him as having a shaved head, tattoo on his arm and he said he had been in the army and had been to East Timor. She said she had drunk some beer before she went and took two stubbies with her and drank them. Chris also poured some of his scotch into her stubbie.

350. Cathleen also maintained she did not think the person actually went to her bus. She was asked how he would know her bus and she said he asked her but she was not expecting him to go there.
351. She described the interior of the bus having a greyish looking carpet. She said she had bought a heater from Coles but she had put it on only for one night. It was placed on the middle of the table but nowhere near a curtain or anything like that.
352. She told police the door did not lock and she tied a couple of bells on her door( presumably as a warning device to deter anyone coming in).
353. She was asked about the set of keys given by her to police after the fire. She stated she had no idea where she got the keys from and said she did not recall them. She said she did not recall giving the keys to police.
354. Police then referred her to particulars contained in a number of witness statements. Diane Dimitrov had stated she heard a male voice first shouting "fire". Ms O'Loughlin stated she thought she was the first one to yell out "fire".
355. Similarly Ivan Ward heard a male voice yelling and then a high pitched female voice screaming out. Ivan Ward stated he heard this female yelling out a heater had started the fire. Ms O'Loughlin stated this was incorrect. It was suggested by Ivan Ward that in the next breath he overheard the woman yell out she had started it saying she lit the carpet on fire. Ms O'Loughlin stated that was totally false and suggested there was a schizophrenic woman in the park who does a lot of this sort of talk.
356. She said the only words she used were "fire, fire". It was put that Mr Ward said she sounded confused as she was saying these things because immediately after this she would again say the heater started the fire. Ms O'Loughlin responded this was incorrect and she had no heater on.
357. The statement of Chris Collins was put to her to the effect that Kim had told him that Cathy had told her she had started the fire and was worried about her cat. Mr Collins also said she further stated that Chris' brother was in there. Ms O'Loughlin stated that was incorrect and she was at the bonfire and was there with them the whole time and she never left them. She said she and Michelle (she later realises references to her are in fact Kim) and Chris were the last three down there.
358. It was put to her that there were two people saying there is a woman saying she started the fire. Ms O'Loughlin responded by saying that was not her and there was a loud schizophrenic woman named Alice roaming around. She was asked if she saw this woman that morning and Ms O'Loughlin said no and she did not know what she looked like. She said it was absolute crap when it was said witnesses referred to a woman Cathy saying she had started the fire and was worried about her cat.

359. Ms O'Loughlin was asked if there was anyone ahead of her as she made her way to the fire and she said she did not know it was her bus and was simply yelling out "fire".
360. Ms O'Loughlin said she did not know the name of 'Chris' brother' and he had not introduced himself even in the flirty stage.
361. She was asked how did this person, Lee, get into her bus and she said the door did not lock and she was not with him. It was suggested the overall picture is there was some sort of flirty chat between the two of them and he has somehow ended up in her caravan. There were people saying they have heard a female saying she lit the fire and her cat was in the caravan. She responded by saying that was incorrect and she would not light up her own cat.
362. She was asked if she knew how the fire started and she said she had no idea and had only left a light on.
363. She was asked how she came into possession of the car keys and she said she had no idea and she did not steal keys. She had during the interview suggested Kim had something to do with the keys but did not particularise what Kim had done other than she had a nasty side and drinks wine.
364. The statement of Kim to the effect that Lee was asking Cathy to fuck and Cathy said she did not want to hurt Chris' feelings because she had kissed him the Sunday before, was acknowledged by Ms O'Loughlin as true but that was as far as it went. She maintained she did not hear Lee ask Chris if he cared if they had sex and Chris saying "no go for it".
365. Ms O'Loughlin says she does not recall the call made to Kim's phone and the argument Lee had with the caller. She denied the statement of Kim where she said she was with Cathy who smirked at her and said "I did it". Ms O'Loughlin stated Kim called her a "cunt" at the fence and said again she had a nasty side when she drinks wine.
366. Ms O'Loughlin denies the statement of Kathleen Horsfall that it was her when Ms Horsfall said she was close to Kim and Maxine and the lady was nearby and this lady said she had deliberately lit the bus and Chris' brother was in there.
367. Ms Horsfall says the woman responded by saying Chris does not have a brother and the woman responded by saying "the tall boy". Ms Horsfall says she responded "that's not Chris' brother that's his best mate" and the woman said "well my cats in there too". Ms O'Loughlin denied this.
368. It was put to her a number of people were saying she deliberately lit the bus. Ms O'Loughlin said "no, I was not there. I'm sorry I didn't say that". She denied

having touched Lee intimately. She denied she made any comments to the effect she had lit the bus.

***Cathleen O'Loughlin's evidence at inquest***

369. It is fair to say Ms O'Loughlin's evidence at the inquest followed the same rambling route that her interview and recorded statements with police took. She did not claim a right to not answer questions on the basis the answers may incriminate her.
370. She stated she was a heavy smoker (25 a day). She had bought a heater from Coles for the van and may have put it on during the third night. It needed feet to be screwed into the heater to stabilise it and she did not have a screwdriver.
371. She was able to recall what she was wearing the night of the fire but could not recall other aspects of the night, which she put down to the shock and trauma and losing her cat.
372. She maintains she only had a few stubbies of Victoria Bitter and some scotch and was not intoxicated. She recalls the truck with Chris arriving with the other person Chris described as his brother. He was wearing army pants and a slouch hat and she asked if he was in the army. She said to him words to the effect he would make a pretty handsome soldier and he said "Ok do you want to fuck". She said she had felt a little bond with Chris and said "no no Chris would not like that." This man then said to Chris "you don't mind if I fuck her" and Chris said "No no". She said it was as if she was a piece of meat.
373. Ms O'Loughlin stated it as a lie that she lifted her shirt and showed her breasts even though this was the evidence of a number of witnesses. She had earlier said she was not wearing a bra. She denied she flirted with Lee Parker
374. She stated that at one point Kim turned into a different person and told her to 'fuck off' and go home and Chris parroted these words. She stated she had last seen Chris' brother half an hour after they had pulled up in the truck and this was a few hours from when she left the bonfire.
375. Ms O'Loughlin stated she does not recall going back to her bus from the bonfire before the fire. She stated when asked if it was possible she did she said that it could be, but "that man would not have been there as she would have seen him".
376. She was unable to explain how she had Lee Parker's keys in her possession. It was a big puzzle to her and she said perhaps she picked them up from the bonfire. She said Lee had not given them to her.

377. She could not recall the statements she made to QAS officer Colbran <sup>3</sup>but did not deny them if that is what the officer said. She was unable to explain why she had referred to the man heading towards her bus. She denied the versions of events provided by Jason Morrell and Clarissa Scott. She does not recall knocking on Benjamin Peters' door and asking where Maxine and Chris lived or saying "it's the police open up" and asking for any "stuff". She denied the statement of Ivan Ward to the effect she may have knocked over a heater. She denied she had any involvement in the fire at all.
378. She denies saying she accidentally 'lit the carpet or mat on fire'. She denies the statement of Maxine Reid who said Ms O'Loughlin stated "*I lit the blanket and threw it and shut the door.*" She denied the statements of Kathleen Horsfall as a lie that she said *I deliberately lit the bus*" and "*oh my God, Chris's brother is in there*".
379. She also denied knowing Lee was going to her bus despite the evidence of her statements to many witnesses to the contrary.

## Conclusions

380. In reaching my conclusions it should be kept in mind the *Coroners Act 2003* provides that a coroner must not include in the findings or any comments or recommendations, statements that a person is or maybe guilty of an offence or is or maybe civilly liable for something. The focus is on discovering what happened, not on ascribing guilt, attributing blame or apportioning liability. The purpose is to inform the family and the public of how the death occurred with a view to reducing the likelihood of similar deaths.
381. A coroner should apply the civil standard of proof, namely the balance of probabilities but the approach referred to as the *Briginshaw*<sup>4</sup> sliding scale is applicable. This means that the more significant the issue to be determined, the more serious an allegation or the more inherently unlikely an occurrence, the clearer and more persuasive the evidence is needed for the trier of fact to be sufficiently satisfied it has been proven to the civil standard.
382. With respect to the *Briginshaw* sliding scale it has been held it does not require a tribunal of fact to treat hypotheses that are reasonably available on the evidence as precluding it from reaching the conclusion a particular fact is more probable than not.
383. It has also been stated that "*Evidence of possibility... is admissible and must be weighed in the balance with other factors, when determining whether or not, on the balance of probabilities, an inference... could or should be drawn. Where, however, the whole of the evidence does not rise above the level of*

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<sup>3</sup> "this guy that I know came over earlier in the night. I think that he was after some sex but I am not like that, I am not a slut, I locked up the bus and the cat was inside and I have gone out for a little while. When I returned I found the bus was on fire." "I do not know. I cannot remember if this guy left or stayed when I locked it up."

<sup>4</sup> *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 361

*possibility, either alone or cumulatively, such an inference is not open to be drawn.*<sup>5</sup>

384. Section 48 of the *Coroners Act 2003* provides that if from information obtained while investigating a death, a coroner reasonably suspects a person has committed an offence, the coroner must give to information to the Director of Public Prosecutions if the matter may involve an indictable offence.
385. There are a number of conclusions that can be readily made from the evidence. It is evident some of the witnesses who were present that evening and early morning of 18/19 August 2016 at the bonfire were drinking heavily and the main players being Ms O'Loughlin, Lee Parker, Ms Brock and Mr Collins were heavily intoxicated.
386. I can also conclude James Lapham was in his home that evening and was not present at any point that evening and early morning at the bonfire or the caravan of Ms O'Loughlin prior to the fire. I conclude there is no credible evidence that can remotely suggest he had some involvement in the fire starting or the death of Lee Parker.
387. I can readily find that at some point at the bonfire Lee sexually propositioned Ms O'Loughlin and Ms O'Loughlin responded with some flirting behaviour of her own and at one point lifted her top and exposed her breasts.
388. Lee Parker then left the bonfire with the intention of heading to Ms O'Loughlin's bus. It is uncertain at what specific time this occurred. Ms O'Loughlin also left the bonfire at some point, again the time of this is uncertain but they do not appear to have left together.
389. Based on the many statements made by Ms O'Loughlin to police and ambulance first responders I can also conclude Ms O'Loughlin knew Lee was going to her bus and was present at some point when he was in the bus. She told QAS officer Colbran *"I do not know. I cannot remember if this guy left or stayed when I locked it up."* The totality of the evidence leads to an inference on the balance of probability that at one point Ms O'Loughlin was at the bus with Lee Parker in the bus. There is no other satisfactory explanation for how Ms O'Loughlin came into possession of his keys or how she knew he had headed to her bus. Her statements to many witnesses support that conclusion. It is uncertain, based on the known evidence what occurred when Ms O'Loughlin arrived at the bus and whether she entered the bus or for how long and as to what occurred. Only she can say.
390. It is likely Ms O'Loughlin left the bus with Lee Parker still inside but the bus was not at that time well on fire. Her numerous statements to witnesses that *"Chris' brother is in there"* attests to that conclusion. Both she and Lee would have been intoxicated at the time.
391. At one point Ms O'Loughlin is seen and heard knocking on the door of Benjamin Peters saying *"Police open up"*. Mr Peters says some three minutes

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<sup>5</sup> Chief Justice Spigelman, *Selstam Pty Ltd McGuinness (2000) 49 NSWLR 262* at [79]

later the same woman was heard to be crying out “fire fire”. The timing of this event is corroborated by the CCTV (albeit of poor quality) where words which appear to have been said by a woman and suggest the words “*Police open up*” being said and then almost on three minutes it becomes evident the bus had become well involved in the fire. Even disregarding the CCTV evidence, there is no reason to suggest Mr Peters made this story up and it should be accepted.

392. As well if one accepts the evidence of Jason Morrell, and there is no reason not to, at some point shortly prior to the bus becoming well lit, Ms O’Loughlin was at the toilet block.
393. The totality of the evidence leads to an inference Ms O’Loughlin was some time and distance away from the bus when it was seen to be well lit.
394. What can also be concluded is Ms O’Loughlin is heard to say to other residents that “*I lit the purple carpet*” and that she had “*left the heater on*”. It is accepted some witnesses who repeat these statements may have heard others say they heard her say this words rather than directly from Ms O’Loughlin. As well she does not repeat such statements to the first responders or Police when they arrived. Some of the evidence from residents may have been affected by gossip that spread quickly through the caravan park, although investigating police commendably endeavoured to take statements from witnesses quickly. However, the evidence is such that I can find on balance she did make such statements and most likely repeated them on a few occasions. The evidence of Diane Dimitrov and Ivan Ward who were one of the first on scene is particularly compelling in that respect.
395. In other words the inference that can be drawn is it is likely Ms O’Loughlin was at the bus at some point, knew Lee was present, probably picked up his keys at that point and then left the bus. She was then seen later by Mr Peters and Mr Morrell some distance from the bus, and a few minutes later it is evident the bus was well lit.
396. There is some time period where Ms O’Loughlin’s movements are not accounted for, but it can be said she was not in the immediate vicinity of the bus when it had become well lit. As well as her documented mental illness there is evidence of her intoxication on the night in question. Accepting she made statements to the effect she ‘*lit the carpet*’ or ‘*left the heater on*’, it cannot be determined if Ms O’Loughlin intentionally or accidentally did an act, which caused the fire, however it is not excluded that she may have done so. In that respect the finding as to what caused the fire and if Ms O’Loughlin was directly involved, either intentionally or accidentally remains open.
397. The fire investigations by QPS and QFES were unable to make a conclusion as to the source of the fire. There is a little more certainty regarding the origin of the fire. QPS officer Sgt Howard concluded the area of origin was the inside front passenger western side. QFES investigator Boreham was unable to determine if the fire had initiated in the annex or the observed damage to the contents in the annex is a result of ignition from a fire propagating in the bus.

398. Sgt Howard was of the opinion fire outbreak due to some form of human involvement, either accidental or deliberate, could not be eliminated and was the more plausible cause of the fire. Fire investigator Boreham was unable to categorically rule out human intervention either accidental or malicious.
399. Ultimately this may be an issue for determination by others as to whether there is sufficient evidence to conclude otherwise and the evidence is referred to the Director of Public Prosecutions pursuant to s 48 of the *Coroners Act 2003*.

## Findings required by s. 45

- Identity of the deceased –** Lee Edward Parker
- How he died –** Lee died after the on-site bus/van he had made his way to during the early morning of 19 August 2016 became on fire. The source and origin of the fire has not been determined although human intervention, either intentional or accidental appears the most likely. The occupier of the bus, Cathleen O’Loughlin, at some point prior to the bus becoming well on fire had also made her way to the bus and her statements to numerous witnesses indicates she was aware of Lee’s presence in the bus when she left. On the evidence before the inquest the degree of involvement of Cathleen O’Loughlin into how the fire started or if she intentionally or accidentally did an act, which caused the fire, cannot be determined, however it has not been excluded on the evidence that she may have done so.
- Place of death –** Lake Atkinson Waterfront Park, Site 36 / 545  
Atkinson Dam Road ATKINSONS DAM QLD 4311  
AUSTRALIA
- Date of death–** 19 August 2016
- Cause of death –** 1(a) Smoke inhalation and effects of fire

## Comments and recommendations

400. Evidence was heard that the bus/van in question amongst others at the caravan park was not fitted with a smoke alarm but shortly after fire smoke alarms were retrofitted.
401. Although Ms Savidge and Mr James Lapham stated the majority of the various vans, buses and dongas had smoke alarms fitted prior to the fire, it is my finding this is unlikely to have been the case based on the evidence of a number of other witnesses. I can readily find the bus in question was not fitted with a fire alarm at the time. I find it unlikely that Ms Savidge and Mr Lapham had fitted “thousands” of smoke alarms over the years. I can accept some residents (but not thousands) would remove or disable them so they could smoke in their residences. I find it is more likely smoke alarms were fitted after the fire incident and it may be such practices of residents have occurred since that time.
402. This brings into question the issue of what were the regulations at the time concerning fire alarms in vans and other such residences on commercial caravan parks and whether there should be any changes.

403. Since 1 January 2017, Queensland required all new and substantially renovated homes to have photoelectric smoke alarms fitted. This does not apply to caravans or vans situated on on-site vans and caravan parks. An amendment to include on-site caravan parks as a residence requiring domestic smoke alarms be installed would be required to the *Fire and Emergency Services (Domestic Smoke Alarms) Amendment Act 2016*.
404. Queensland Fire and Emergency Services on its website recommends caravans are fitted with caravan specific photoelectric smoke alarms with a hush button.<sup>6</sup>
405. It is noted that since 2011, New South Wales laws require smoke alarms to be installed in all new and existing moveable dwellings including on-site and park vans. The smoke alarm must meet Australian Standard 3786 and it is recommended for a photoelectric type smoke alarm powered by a 10 year, non-removable, non-replaceable battery with a hush button.<sup>7</sup>
406. Specific comment was not sought from the relevant Queensland Government Department as to whether it would support a change to legislation making this a requirement and accordingly I will not make a recommendation that this occur.
407. However, I think consideration should be given to making mandatory the installation of smoke alarms in on-site van and caravan parks similarly to the stance adopted in New South Wales. I accept there will be some cost implications for caravan park owners but this needs to be balanced with the important public safety implications that will result.
408. On that basis I **recommend** to the relevant government agency being Queensland Fire and Emergency Services that the issue of mandatory installation of smoke alarms in new and existing moveable dwellings including on-site and park vans be considered, consistent with the current legislation in place in New South Wales.
409. I close the inquest.

John Lock  
Deputy State Coroner  
BRISBANE  
20 February 2020

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<sup>6</sup> Information Sheet- Fire Safety for Caravans and Mobile Homes

<sup>7</sup> NSW Planning and Environment Planning Circular BS 11-001, 25 February 2011