



CORONERS COURT OF QUEENSLAND

FINDINGS OF INVESTIGATION

CITATION: **Non-inquest findings into the death of Nyobi Jade Hinder, River Jamie Hinder and Charlie Hinder**

TITLE OF COURT: Coroners Court of Queensland

JURISDICTION: CAIRNS

DATE: 30 March 2020

FILE NO(s): 2015/2894, 2015/2913, 2015/2914

FINDINGS OF: Nerida Wilson, Northern Coroner

CATCHWORDS: CORONERS: domestic and family violence; homicide-suicide; filicide; retaliatory paternal filicide; coercive control; caravan explosion; explosives; mechanism of explosion; police response to domestic violence; storage and security of explosives; mines; domestic and family violence reforms to security requirements for explosives licenses.

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1. In accordance with section 46A(2) I have directed that a copy of these non-inquest findings be published on the Coroners Court of Queensland (CCQ) website.
2. The coronial investigation and the preparation of these non-inquest findings have drawn largely upon the investigation reports of:
 - Detective Sergeant David HALL
(Mt Isa Child Protection and Investigation Unit)
 - Mr Martin LAND - Deputy Chief Inspector Of Explosives
(Department of Natural Resources and Mines QLD)
 - The Domestic and Family Violence Death Review Unit, Coroners Court Qld

Introduction

3. On Monday, 27 July 2015 at approximately 5:00pm Katherine Hinder departed her home at Deighton Street, Mt Isa to commence night shift at the local X-Strata mine. Her seven-year-old daughter Nyobi, and four-year-old son River, remained at the home address with their father Charlie Hinder.
4. Katherine and Charlie were separated. Charlie was living in a caravan in the front yard of the family home. Those living arrangements had been in place since about May 2015. The children would sleep with their father in the caravan when Katherine was on nightshift. Charlie was not employed.
5. Katherine arrived home sometime before 7:00am on Tuesday, 28 July 2015; Nyobi and River had not yet come back into the house. Katherine went to the kitchen and commenced preparing their school lunches. At 7:00am Katherine's phone alarm started, this was her prompt to wake Nyobi and River to start getting them ready for the day.
6. Katherine then walked from the kitchen to the front sliding door of the house. Katherine stepped outside and approached the caravan where Charlie, Nyobi and River were. Before knocking she decided instead to send an SMS so as not to disturb the neighbours.
7. Katherine then walked away from the caravan and went back inside the house. As she entered the kitchen to locate her phone an explosion occurred (later reported to have been felt within a 50-metre radius).
8. When Katherine recovered, she could see that the caravan was flattened and black. Debris from the explosion prevented her from getting outside the house.
9. Katherine made her way to the garage and called 'Triple0'. Katherine could see blood on her vehicle. Police, Ambulance and Fire & Rescue emergency services arrived, and an investigation commenced.
10. At first it was thought that the explosion was caused by a gas leak. The Queensland Police Service investigation later concluded that Charlie had intentionally killed Nyobi, River and himself.

11. I agree with those conclusions and make relevant findings below.
12. The Queensland Police Service Disaster Victim Identification (DVI) Squad attended the scene and a formal DVI process was used to identify the remains as the three bodies were extensively traumatised, burnt and were not visually identifiable. Various methods were deployed to verify the remains including anthropology, forensic odontology, radiology and DNA.
13. The cause of death, as determined by a Senior Forensic Pathologist for Charlie, Nyobi and River, was nominated as 'explosion'.

The Hinder Family – background

14. Katherine and Charlie met in 2005 when they were both working as underground miners at Xstrata Mine (now named 'Glencore', for the purpose of these findings I will continue to refer to 'Xstrata' as it was then). Both had access to and used explosives as part of their daily working life.
15. On a night, approximately four months after commencing their relationship the couple took a late night drive during which Charlie stopped the car and delivered Katherine to the side of the road. He gave her a camera and told her to start filming the location from where they had just driven.
16. Charlie drove further down the road. Katherine heard a loud bang and observed a road sign exploding (in the direction she was filming). Without Katherine's prior knowledge, Charlie had used a 'sausage style' Power-gel explosive to detonate the sign.
17. After the event Katherine argued with Charlie about him having an explosive in the car and involving her without telling her prior. Charlie told Katherine that he had no more explosives; he then took her to her mother's residence.
18. Charlie and Katherine did not speak for some weeks after this event, although later renewed their relationship. Katherine told Charlie she did not want any further involvement with explosives, Charlie assured her they were all gone.
19. Katherine and Charlie moved from Mt Isa to Rockhampton in March 2008. Charlie commenced work at Carborough Downs mines. He did not have access to explosives in that role. He later went to work at the Grasstree Coal Mine and similarly, did not have access to explosives in his role there.
20. Charlie and Katherine married in 2008 and went on to have their first child, Nyobi.
21. Whilst living in Rockhampton in 2009 Katherine located a tin full of ammunition and observed Charlie had been storing 'sausage style' explosives and commercial detonators. Katherine confronted Charlie about the tin; she told him she would call the police. Charlie said he would get rid of them; he then went for a drive and when he came back a couple of hours later he told Katherine that the explosives were gone forever.

22. Katherine would later inform police the sausage style explosives she had observed in Rockhampton appeared to be the same as those she had seen him with in Mt Isa.
23. In May 2011 River was born and in December 2013 the family returned to Mt Isa to live.
24. Upon returning to Mt Isa, Katherine commenced work at Xstrata (which by that time was Glencore) and Charlie commenced work as a First Class Machinist at Kretschmann Engineering.
25. The following years for the Hinder family were reportedly unremarkable.

Charlie and Katherine separate

26. Sometime in early 2015 the marriage began to break down. Charlie and Katherine separated two months prior to the explosion, after seven years of marriage.
27. Katherine later told police that the couple had been experiencing emotional stress in the year leading up to their separation in 2015 and that she wanted to leave Charlie but had not done so because Charlie had threatened self-harm and harm to her and the children.
28. Out of respect for Katherine's privacy (and noting that she has given her permission for these findings to be published without an inquest) I will avoid outlining in explicit detail Charlie's domestic and family violence behaviours against Katherine in the years preceding these deaths. However, on the information before me I am satisfied that Charlie's behaviour escalated in the context of an imminent and actual separation from Katherine and that Charlie's behaviour in this context was consistent with covert and coercive controlling violence.¹
29. While not an exhaustive list, Charlie's behaviour included the following tactics to intimidate and manipulate Katherine:
- threats of suicide and self-harm if she were to leave him;
 - threats of harming Katherine and the children;
 - attempts to publicly discredit Katherine's parenting to friends and family members;
 - manipulating the perception of others by depicting himself as a victim;
 - sexual jealousy and allegations of infidelity; and
 - attempting to control Katherine's daily activities by monitoring her movements.
30. It is salient to note that non-physical abuse can be difficult to identify because it leaves no visible injury and because victims often do not recognise that they are a

¹ Coercive controlling violence is a pattern of emotional abuse, intimidation, coercion, and control commonly associated with persistent and serious physical violence. Refer to: Johnson, M.P. (2008). *A typology of domestic violence: Intimate terrorism, violent resistance, and situational couple violence*. Boston: Northeastern University Press.

victim of abuse or seek help.² In this case, most of Charlie's behaviours were not known to formal services, except for two episodes of domestic and family violence that were reported to police prior to the death. I will expand on these contacts in greater detail below.

Escalation in domestic and family violence

31 March 2015

31. At approximately 2:00am on 31 March 2015 Katherine went to the Mt Isa Police Station to report that she and Charlie had a verbal argument. The argument had arisen on account of her having resumed smoking after a period of abstinence (because of emotional stress). Following their argument Charlie went into the main bedroom where Nyobi and River were sleeping. Katherine fell asleep on the couch and was woken by Charlie leaning over her.
32. Charlie grabbed the couch and shook it violently. He yelled at her and grabbed a pillow and hit her around her head with it. Katherine told police that she yelled at him and told him to stop but he kept hitting her with it and didn't stop until he was 'satisfied' with her response.
33. Katherine informed the police that both she and Charlie held firearm licences and there were three firearms stored at their residence.
34. On account of these disclosures police attended their residence and placed Charlie in custody whilst they conducted an investigation. Katherine took police to the gun safe where the firearms were stored and opened the safe. Police seized the firearms. They remained in the possession of the Queensland Police Service thereafter.
35. Charlie was taken into custody at 4:25am and later released at approximately 8:15am.
36. Charlie was released subject to conditions imposed pursuant to the *Domestic and Family Violence Protection Act 2012* namely:
 - a. Not use any weapon;
 - b. Be of good behaviour towards Katherine; and
 - c. Not commit domestic violence against Katherine;
37. Nyobi and River were not named in those conditions.
38. The release conditions were to remain in force until such time as a Court made a Domestic Violence Protection Order or a Court dismissed any application for such order. They were in effect, a form of interim protection until such time as a formal protection order was made.

² McKinnon, L. (2008). *Hurting without hitting: non-physical contact forms of abuse*. Australian Domestic and Family Violence Clearinghouse, Stakeholder paper 4.

39. The release conditions included notes addressed to Charlie (as the Respondent) explaining what acts may amount to domestic violence or associated domestic violence. Charlie signed those release conditions signifying that he had read and understood them. There was an associated statement from a police officer confirming they had served Charlie with the documents and explained them to him.
40. Later on 31 March 2015 an officer of the Queensland Police Service filed an application for a Domestic Violence Protection Order naming Katherine as the aggrieved and Charlie as the respondent. Nyobi and River were named in that Application. The matter was set down for hearing on 1 April 2015.
41. Also on 31 March 2015, QPS provided a notification of concerns to the Department of Communities, Child Safety and Disability Services (DCCSDS) and this was finalised by DCCSDS as a Child Concern Report.
42. On 1 April 2015, a Child Safety Officer (CSO) with the Department of Communities, Child Safety and Disability Services (DCCSDS) used their Structured Decision Making (SDM) Screening Criteria Tool to determine the departmental response. A 'no harm' criterion was selected and was based on:
- A lack of prior departmental or police contact in relation to domestic violence which was deemed to indicate 'there is not a pattern of escalating or chronic domestic violence occurring within the household at this time';
 - Charlie was reported to be seeking assistance for depression because Katherine had indicated he was seeing a counsellor (a protective factor);
 - Katherine's intention to leave the relationship;
 - An absence of any indication that Nyobi or River had directly witnessed any violence on that occasion;
 - No information was supplied 'to indicate that Charlie made threats to harm the children and no information to indicate that he has been physically abusive of the children';
 - The fact that this appeared to be the first reported occasion of physical violence;³ and
 - The lack of any current 'reasonable suspicion of parental behaviour which would indicate an increased risk or unacceptable risk of harm for the children whilst in the care of the parents'.

1 April 2015

³ This represented a failure to recognise that the risk of homicide/filicide can occur even in circumstances where there has been no prior history of physical violence. It is the elements of coercive control, such as those that were present in this case, that are most likely to result in a lethal act of violence as opposed to any singular act of physical abuse.

43. On 1 April 2015 the Application for a protection order was granted. Katherine was named as the aggrieved; Nyobi and River were named children on the order. The order was made for an operational period of 12 months. It included the mandatory condition that Charlie was to 'be of good behaviour towards the aggrieved and not commit domestic violence against the aggrieved'.

44. There were no other conditions.

45. On that same date a 'Voluntary Intervention Order' was made requiring Charlie to report to the North Queensland Domestic Violence Resource Service (NQDVRS) within five days. He was required to be assessed as to his suitability to participate in an approved intervention program and counselling. If approved, Charlie was required to attend and participate in such programs as directed by the NQDVRS.

46. The 'Go-FARR' program is described as:

"an informative group about the effects of domestic violence on children to discuss how the client's use of abuse and violence could impact on their children. Participants are provided practical tools to assist clients in changing their behaviour and encouraged to attend the behavioural change program"⁴.

47. Charlie completed the initial program however there are limited records regarding the qualitative outcomes of his participation; and he did not return despite the program convenor recommending further work be undertaken.

23 April 2015

48. At about 7pm on 23 April 2015, Charlie attended the Mt Isa Police Station and sought advice regarding "ongoing issues" he was experiencing with Katherine. Charlie informed police that he was then residing in a caravan at the front of their residence but the atmosphere in the house was one of "extreme tension" between himself and Katherine and "arguments [were] constantly occurring". Police gave Charlie advice about removing himself from any volatile situation that may arise and discussed how such situations may constitute a breach of the Protection Order. Charlie then left the Police Station.

49. At 8:40pm that same night, Charlie made a telephone call to the Mount Isa Police Station informing them that Katherine had "blown up" because of his having attended the police station earlier. As a result of that telephone call two Constables attended their residence and observed both Katherine and Charlie waiting on the front verandah.

50. Katherine and Charlie were separated at that time, although Charlie was living on site in a caravan at the front of the property.

51. The two Constables recorded their interactions with Katherine and Charlie on body-worn cameras. I have had the benefit of viewing those recordings. Whilst police

⁴ Refer to email from Mr Matthew Moss, dated 29 July 2015.

spoke with Katherine and Charlie separately it was apparent they were within close physical proximity of each other.

52. During her conversation with police (three weeks into the operational period of the DVO) Katherine made disclosures that included Charlie 'shoved' Katherine against a wall in the week prior, causing an injury to her nose that was still visible and observed by the male Constable that was speaking with her.
53. Katherine was given advice by the male Constable that had she reported this incident to police (at the time of the event) they could have investigated.
54. At this juncture I make this point: raising an incident of alleged domestic violence within one week of the alleged incident was relevant and should not have precluded any police enquiry and / or investigation. Katherine was entitled to the protection the DVO provided. In my view it would also inform the underlying issues at play during this callout, and therefore the approach to be adopted by police.
55. The male Constable informed Katherine that he would raise the allegation with Charlie. The police officer did not in fact raise the allegation (prior conduct) with Charlie, or test his version of events in relation to matters that occurred prior to this police callout. .
56. The combination of Katherine's allegation and the visible injury may / should have of itself been sufficient to investigate further. Police ultimately took the view that there was an insufficient basis upon which to charge Charlie with any offence.
57. After viewing the body-worn footage I formed a view that police interactions with Charlie were disproportionately focused on assisting him to avoid contravening the order, rather than invoking the protection it was meant to offer Katherine, Nyobi and River.

The days leading up to the explosion

58. On 6 July 2015 Charlie shared the following on Facebook:

"Cherish every moment and every person in your life, because you never know when it will be the last time you see someone. Share if you agree".

59. On 17 July 2015 Charlie shared the following on Facebook:

"So may (sic) suffer alone. Let's say a prayer today for every person battling depression. Share if you agree".

60. That same day Charlie posted the following message:

"I find it really interesting that almost nobody questions the purpose of human existence. It seems that nobody really knows, so why live? I've done heaps of cool shit (good & bad) during my life, but why? Just to pass the time until it's over?"

I see all the people around me & I don't know why I can't ask each & everyone of you what you think the purpose of living is. Maybe it's because I don't think anybody else knows either & I don't want to waste my time listening to the gobble de gup that people come up with. It's funny because all I have is time. So I guess I'll ask the question. Why do you think we are here? You can Google it & read for hours & still be none the wiser. Have a good think about it and let me know what you come up with".

61. After posting that message Charlie exchanged messages with a friend that had responded. In one of the subsequent messages Charlie wrote:

"I only have love for my kids now, the other side of my heart is broken"

62. On 22 July 2015 Charlie shared the following quotation:

"When you find yourself tipped over by the guts of life; when you fall to the floor and shatter. There are those who will walk around your pieces, lest they cut themselves upon the scatter. But others will pick up your broken bits, they'll cherish all they can gather. These are the ones to whom you must hold on forever – not those who forsook you – but the ones who glued you back together".

63. On Saturday, 25 July 2015 (three days before the explosion) neighbours heard a loud and heated argument. Having reviewed those witness statements it is unclear to me whether they were positively identifying Katherine and Charlie as the source of the argument or another household in close proximity.

64. On 26 July 2015 at 5:52pm Charlie shared four photographs, one was a photograph of himself and one a photo of Nyobi and River together.

65. On Tuesday, 28 July 2015, the day of the explosion Charlie shared a sketched image of a skeleton hugging an adult female.

66. On 28 July 2015, just hours before the explosion, he posted a final message to Facebook; it read:

"I love my kids and can't let her evil take them from me. Don't feel sorry for me or her, feel sorry for my beautiful kids. To all my friends thank you & I'm sorry, I love you all. I guess this world was just not for us. I love all my family. Don't feel bad. Kath is so evil you could not believe & I can't escape it. She has ruined my life and would continue doing so for a very long time. I'm suffering from domestic violence from her but can't get help. I'm a puppet on her string, she controls everything. I am taking my beautiful kids with me because Kath never wanted to be a mother & she doesn't realise what she has done to them, poor things. I love my kids more than anything in this world, they would have been great. We all went instantly cuddling each other. Goodbye everybody".

67. I record the Facebook responses to that message (each from a different person) below:

“Ummmmm excuse me?! I know you are going thru some shit right now Stretch but I suggest you talk to someone that can help you”.

68. [Stretch is a reference to Charlie’s nickname]

“That is not the answer! There is help out there, you just got to look in the right place”

69. Charlie also sent an email to a family member stating:

‘I love my kids and I can’t let her take them off me. Sorry, I love my kids. This world is not for us. I had to take my beautiful kids with me’.

70. No one who read or replied to the messages alerted the authorities.

71. The last messages have a prophetic quality to them and, while Charlie’s perceptions of himself as the victim are without basis, these messages demonstrate his mental state in the days leading up to his final actions. As I have stated earlier, I am satisfied on balance, having considered the evidence before me, that Charlie was **not** the victim of domestic and family violence in the relationship with Katherine. Rather, he was the sole perpetrator of violence within the relationship.

Review by the Domestic and Family Violence Death Review Unit

72. The Domestic and Family Violence Death Review Unit (DFVDRU) sits within the Coroners Court of Queensland. The DFVDRU reviewed the Brief of Evidence provided in this matter and prepared a report as part of this coronial investigation. I have extracted relevant parts of the report below.

73. The review outlined the history of domestic and family violence perpetrated by Charlie toward Katherine, relevant system contact proximate to the deaths and other relevant issues.

Retaliatory paternal filicide

74. Filicide is the killing of a child by a parent or caregiver. Tragically, on average a child is killed by a parent every two weeks in Australia, and Queensland has a consistently high rate of filicide comparative to other jurisdictions in Australia.⁵

75. When biological fathers kill their children it is most often in a context in which they are separated from the child’s mother or they perceive that there is a threat of separation.⁶

76. ‘Retaliatory filicides’ are homicides of children by a parent (most commonly a male parent) that are associated with a specific intention to kill in order to ‘punish’ the

⁵ Brown, T., Bricknell, S., Bryant, W., Lyneham, S., Tyson, D., & Arias, P. F. (2019). *Filicide offenders*. Woden: Australian Institute of Criminology.

⁶ Alder, C. and Polk, (2001) *Child homicide in Australia*. Cambridge University Press, Cambridge.

children's other parent for a perceived wrong.⁷ In many of these cases the perpetrator views the children as an extension of the mother and thus the motive for killing the children often relates to a desire to hurt the mother.⁸

77. I am of the view that the homicides of Nyobi and River are a compelling example of 'retaliatory filicides' and that Charlie intended to punish Katherine for ending the relationship.

Service system contact

78. Service system contact was largely concentrated in the year preceding the deaths, when Katherine and Charlie were in the process of separating (examples below):

- Charlie attended counselling sessions with a private psychologist and disclosed relationship conflict as well as some indicators of controlling, obsessive behaviour;
- Katherine and Charlie attended some relationship counselling sessions, initiated by Charlie;
- Katherine approached police in March 2015 to report an episode of domestic and family violence which triggered contact with a range of services including the police, courts, child safety services and specialist domestic and family violence services.

Criminal justice system responses

79. I accept the conclusions of the DFVDRU that the comments made by attending QPS officers in their statements in relation to the call out on 23 April 2015 demonstrated a limited awareness regarding the dynamics of domestic violence. Charlie remained in close physical proximity while police were speaking with Katherine.

80. Examples of the comments made are as follows:

- An officer described Katherine as "*quite agitated and [emotional]. She was telling me that the things that Charlie Hinder had earlier told me were all lies, and that he was trying to use police against her. It seemed that she was mainly concerned that Charlie Hinder had somehow gotten her in trouble with police*";
- Katherine provided information in relation to an earlier incident when she was pushed into a wall and suffered an injury that was still visible to one of the attending officers. An officer commented that "*she didn't provide any particular details about this except that it happened during an argument*" and "*she didn't indicate that she wanted to make any formal complaint*";

⁷ Liam, M and Koenraad, F. (2008) 'Filicide: A comparative study of maternal versus paternal child homicide'. *Criminal Behaviour and Mental Health*, vol. 18, no. 3.

⁸ Kirkwood D. (2012). '*Just say goodbye*': *Parents who kill their children in the context of separation*. Discussion Paper No 8. Domestic Violence Resource Centre Victoria.

- The attending officer also stated: *“I remember specifically asking Katherine Hinder if anything had happened that would constitute a breach of the domestic violence order. She told me no”*.

81. No formal risk assessment was undertaken by the attending officers on this occasion in *contravention* of operational requirements outlined within section 9.6.6 of the QPS OPM⁹ and the attending officers ultimately formed the view that *“this current incident is not domestic violence and simply a heated argument between a divorcing couple”*. The matter was recorded as *“No DV”* after officers received authorisation from the (senior) shift supervisor on duty that night.

82. That senior officer provided a statement to the coronial investigation. The senior officer stated he was: *“completely satisfied on the information provided to me on the night, both parties were separated in different areas and the risk for another verbal argument had been mitigated and agreed upon by both parties”*. He further states that his *“thought process was purely based on the information provided by [attending officers] being a verbal argument only”*.

83. The DFVDRU concluded the attending officer had failed to disclose to the shift supervisor Katherine’s report that she had been pushed against a wall. In the absence of a formal risk assessment the DFVDRU concluded this matter was treated by officers in isolation from the previous indicators of high risk identified by the officers who responded on 31 March 2015.

84. The officers involved with the events on 23 April 2015 would (or should) have had access to information about the earlier incident. There was a failure to assess the events of 23 April 2015 against the background of the previous assessment of high risk indicators.

Katherine’s perception of the police responses

85. A representative from the DFVDRU had the opportunity to speak with Katherine by telephone as part of their review. Katherine reported positive experiences in her contact with police. Katherine considered that she had been taken seriously when she made contact in relation to Charlie and was generally satisfied with their efforts.

Department of Communities, Child Safety and Disability Services (DCCSDS)

86. A Systems and Practice Review (SPR) was completed under section 246A of the *Child Protection Act 1999* (the Act) in relation to the Department’s involvement under the Act with the subject children, Nyobi Hinder and River Hinder.

87. The Child Death Case Review Panel (CDCRP) completed a review of the department’s SPR report.

⁹ Section 9.6.6 of the QPS OPMs current at the time of contact stipulates that police officers investigating a potential breach of a protection order are to conduct a domestic violence protective assessment with the aggrieved named in the order (as outlined in section 9.6.2).

88. Service delivery by DCCSDS comprised one notification by police that was recorded as a Child Concern Report, after the QPS referral on 31 March 2015 in relation to the incident of domestic violence.

89. I am therefore satisfied that DCCSDS were alerted to the event and had an opportunity to assess risk factors, notwithstanding they had not been provided a Mental Health Child Protection Form (SW188).

90. After these deaths, the DCCSDS completed an SPR to consider the service delivery by the Department as a result of this notification. The Child Death Case Review Panel also considered the deaths of River and Nyobi as part of a cluster of child homicide fatalities.

91. The SPR noted that the QPS Child Harm Referral Report furnished to DCCSDS contained critical information regarding Katherine's fear / concerns surrounding Charlie including:

- that she believed him to be in an unfit mental state and was concerned for the safety of the children;
- that Charlie had insinuated he was going to hurt the children;
- that Katherine wanted to end the relationship but was fearful because Charlie had threatened to kill himself if she left him.

92. The following issues were identified by the SPR:

- Attempts to further clarify and seek additional information from the notifier should have occurred to provide further context and better inform the decision making process at intake; and
- A pre-notification check could have also been conducted with an education facility given the information regarding the children and their presentation was not available in the notification report and Nyobi was of school age.

93. The SPR also found that the information recorded, and ultimately relied upon in making the decision, was not entirely reflective of the information provided by police. It minimised the nature of the threats made and did not reflect Katherine's interpretation and fear. This was critical as it led to a determination that the statements made by Charlie were not suggestive of a specific threat; which the SPR considered incorrect.

Police investigation into the deaths

94. On the day of these deaths police commenced Operation North Cello. Detective Sergeant (DS) David Hall was appointed the lead investigator.

95. Mr Martin Land, Deputy Chief Inspector of Explosives and Detective Sergeant David Hall of the Mount Isa Police Station co-authored a comprehensive report in relation to the explosion. That report was received by the Coroners Office in October 2018.

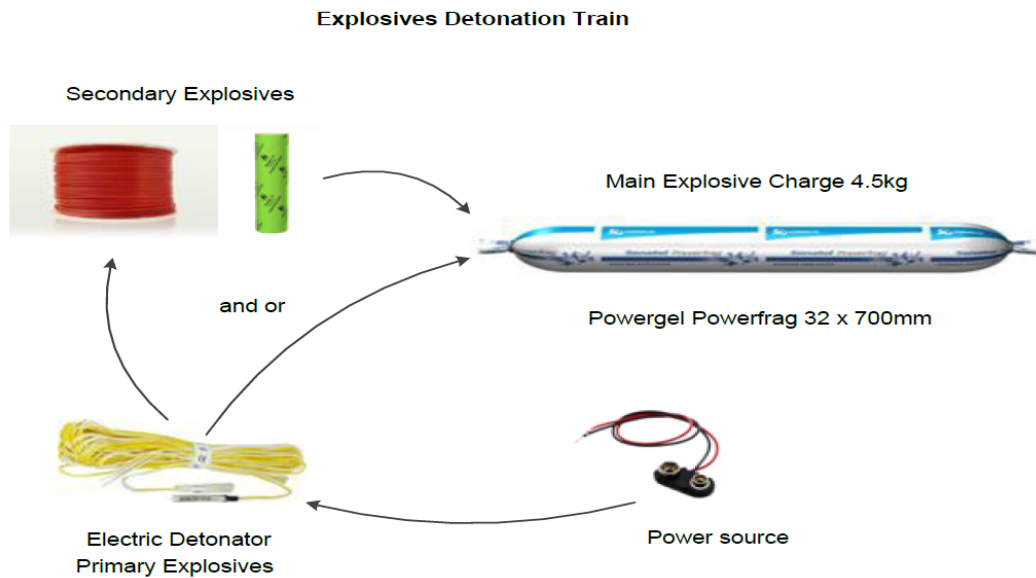
96. Upon police arrival at the scene it was evident there had been a large explosion and the extent of the explosion and debris covered a large area of the incident address at Deighton Street, and surrounding streets and residences. It was also evident that due to the explosion the caravan and dwelling at 39B Deighton Street were on fire and rounds of ammunition were exploding at the time.
97. Police and residents conducted an immediate response to the dwelling in order to render assistance to persons potentially injured and to locate all persons attached to the residence. At this time the only person alive at the residence was Katherine.
98. Initial versions from first response police, neighbours and Katherine indicated that the explosion may have been the result of exploding gas bottles. This inference was drawn from the sounds and observations.
99. The Explosive Ordnance Response Team ('EORT') coordinated by Sergeant Michael Gardner attended the scene. Queensland Fire and Rescue Service (QFRS) were also in attendance and the QFRS investigated and concluded that no gas bottles were located within the blast zone or surroundings or attached to the caravan. A crime scene and investigation centre were established.

Summary of the investigation report

Mechanism and Circumstances of the Explosion

100. One of the means by which investigating officers were able to determine the amount of explosives used in the blast was to examine the 'velocity of detonation' (VOD) and its impact on the surrounding environment. Whilst the blast itself was felt for a 50m radius the area of damage was confined to a 28m radius. Taking into account the absence of any barriers or protective structures that may have redirected the blast, along with a detonation point at or near ground level, it was concluded that between 3kg to 5kg of explosives were used to generate the blast.
101. In order to detonate the explosive, Charlie required an 'explosive train', essentially a device that allows the transmission and intensification of force from the initiating power source to the explosive charge. Forensic examination of the blast site located a 9-volt battery "*exhibiting signs of extremely close intimate contact with the explosive charge*". Such a battery would have been a sufficient source of power to initiate the blast.

102. The following diagram represents the likely explosive detonation train used in this instance:



103. As is apparent from the diagram, the components would have required some assembly. The report prepared by Mr Land and Detective Sergeant Hall concluded that the type of arrangement depicted above was “*very simple*” and could have been assembled and used by a person with “*little or no explosives knowledge and training*”.
104. As to the location of the blast within the caravan, Sergeant Gardner observed that damage sustained to the mattress and bedframe located within the caravan was indicative of an explosive charge and blast “*in close intimate contact with the mattress*”.

*“Injuries sustained [by] the victims also indicated **extreme close intimate contact** with the explosive charge on the mattress.*

Vented blast effects protruding out towards the street, together with the pushing of the mattress back towards the house suggests that the adult victim was sitting on the mattress with his back towards the house and the explosive charge positioned in front of him (and suggesting the charge was being held or cradled”.

Source of explosives

105. Statements were obtained from Katherine and Charlie’s brother, regarding the explosives and detonators that had been in Charlie’s possession over the years.
106. Charlie’s brother told police he had never found out where Charlie had got the explosives from but knew that because of the shape of them that they were for cracking rocks. He said he saw what looked like a silicone tube which was used

in a corking gun and in the middle it had a black powder in it. He said that Charlie had called it 'Black powder'. He saw about 5-7 explosives and 10-20 detonators.

107. Katherine told Police she had seen Charlie's green ammunition tin and inside were sausage style commercial explosives and commercial detonators, and outside the tin were rolls of bell wire. She said they were blue and white and the brand 'Orica'.
108. Katherine was shown photographs of examples of explosives by the Department of Natural Resources and Mines and she identified one of them as similar to the type of the commercial explosive in Charlie's possession. The only difference she identified was that the one she saw was about a metre long, she said she only saw it from the top view and the tin was full so she had assumed there was more underneath.
109. The commercial detonators shown to her, she said were similar to the ones in Charlie's possession. She was unsure of how many he had in total. Katherine was also shown commercial bell wire and she identified that bell wire as the same one Charlie had outside of the tin and that he had at least two rolls of it.



Above: Electric Instantaneous II Detonator identified by Katherine



Above: Package Emulsion Explosive Types identified by Katherine

110. The Explosive Ordnance Response Team ('EORT') coordinated by Sergeant Michael Gardner attended the scene. They noted major damage sustained to the caravan down to the tray and wheel base with debris spread over a limited area across the street and surrounding houses.

111. Sergeant Gardner further reported that:

- There was no unconsumed explosive material on the seat of the blast therefore indicating a high order detonator that was in good condition and initiated correctly;
- Examination indicated that a primary high explosive was used as the main charge;
- A detonator would have been required to achieve high order detonation together with possibly a detonation cord in order to form such a reliable explosive train;
- There was no evidence to suggest that it was a home-made explosive or detonator;
- The recovery of a battery exhibiting signs of extremely close intimate contact with the explosive charge supports a theory that it was used to initiate an electronic detonator.

112. He further concluded (in concurrence with the QHSS and DNRME) that it was not possible to ascertain the exact make, brand or manufacturer of the explosives.

QPS Investigation in Collaboration with the Department of Natural Resources and Mines

113. Of primary interest to investigators was Charlie's employment at the Mount Isa Mines Glencore Company (Xstrata) between July 2005 and March 2008. In that particular time period Charlie performed duties in a number of roles, namely:

- Labourer;
- Serviceman;
- Mine assistant; and
- Jumbo Operator

114. In addition to those substantive roles Charlie performed acting duties as a Charger.

115. I have the benefit of Job Descriptions for each of the substantive roles. The only position or role held by Charlie requiring him to handle explosives was when performing the role of a Charger.

116. The report highlighted the mine was a 24-hour operation using approximately 80 to 100 tonnes of packaged explosives on a weekly basis. Shifts at the mine were rostered on a 12-hour basis. Orica Mining Services supplied the mine with explosives for an almost 30-year period commencing in the late 1970s up until 2008. In that same relevant time period from 2005 to 2008 more than 450 employees at the mine were authorised to use and handle explosives.

117. A significant volume of explosives was stored at the mine at any given time, and therefore there was opportunity for Charlie to acquire explosives undetected.
118. Assessments to determine the appropriateness of personnel to handle explosives included National Criminal History Checks (NCHC) and obtaining clearances from the Australian Security Intelligence Organisation (ASIO).
119. There were no separate requirements for psychological assessment to identify potential or actual suicidal or homicidal ideation, nor any risk assessment concerning possible background of domestic violence. Although, had those screening processes been in place in the period between 2005 and 2008 they would not necessarily have identified any risk with Charlie at that time.
120. The material before me indicates there was in place a system for medical clearances although this does not appear to address any psychological evaluation. I am also unsure if in 2015 personnel handling explosives were required to disclose the existence of domestic violence orders naming them as respondents.
121. The joint investigation report concluded that through his work Charlie became a 'trusted insider' that is, he had the opportunity to access sensitive areas and information including, in this case, access to explosives and detonators and information concerning their operation.
122. The joint report further concluded that detection of this behaviour can be difficult due to co-workers being unwilling or reluctant to consider that one of their cohort may be engaged in criminal or dishonest behaviour. Equally had Charlie 'appeared' to be acting in a manner consistent with his role and responsibilities then there may have been no cause for concern amongst his co-workers.
123. The Queensland Explosives Inspectorate (QEI) conducted an audit of explosive security and compliance at the mine in the 2005 to 2008 period. Charlie was employed at the mine during that period.
 - The audit noted instances of non-compliance including an occasion in 2006 where two unattended and unsecured 'charge cars' were located with unsecured explosives on board.
 - On another occasion unsecured explosives were located in a 'charge car' in August 2008. (This occurred notwithstanding new systems and procedures being implemented at the mine following the 2006 event).
 - In November 2008 two detonators and three metres of detonating cord were located inside a welding glove behind a locker. This incident was reported to the Explosives Inspectorate and the QPS. An investigation was conducted however the identity of the person who concealed the items there could not be established nor could their purpose for concealing the items there.
124. I have concluded from the audit that it was possible for employees to access commercial explosives at the Xstrata Mine during Charlie's period of employment whether authorised or unauthorised by direct or indirect means.

125. I find that it is more probable than not that the explosives used by Charlie were sourced by him during the period of his employment at Xstrata Mine in the years 2005-2008.

Reform at Mount Isa Mines Glencore Company (Xstrata)

126. On 15 February 2017 a Form 25 Requirement for Information was issued to Glencore / Mt Isa Mines requesting information including Explosive Security and Management Plans and other policy documents created by them prior to, and after, 12 February 2008.

127. I am satisfied after considering the response that a number of significant reforms have taken place at Xstrata/Glencore in relation to explosives handling.

128. I accept the conclusions of the joint QPS / DNRME investigation report to the effect that:

- Xstrata has updated their explosive storage facilities, and now exceed the industry standard;
- A 'Cardax' electronic access entry system and video surveillance has been implemented (a move away from the manual sign in / sign out system);
- Between January 2009 and April 2016 there were significant improvements in explosives security; and
- Three breaches of explosives handling protocol occurred between 2009 and 2010. Between 2010 and 2016 there were no "*major breaches*" identified in explosives storage practices.

Other Opportunities for Charlie to Acquire Explosives

129. I am conscious that these findings have focused heavily on the operation of the Mount Isa Mine (Xstrata) however I have also considered Charlie's workplaces from 2008 onward (such that would provide opportunity to acquire explosives).

130. Upon ceasing work with Xstrata Charlie took up work as a welder with CSR Humes. That organisation did not hold any explosives authorities and as such Charlie would not have had access to those materials through this employment. I note Charlie's employment with CSR Humes ceased in September 2008.

131. Charlie was next employed at Leighton Mining, a contracting company that worked on-site at the Carborough Downs Mine; the Mine was operated by the company Vale. Charlie worked for Leighton as an Underground Operator from September 2008 to March 2010. Although that mine held explosives, the nature of Charlie's role was such that he would not have had access to explosives at this workplace. Furthermore, the types of explosives used in this underground operation were different to those that were likely used by Charlie to cause the fatal explosion. I

conclude that Charlie did not source the explosives material from Carborough Downs Mine.

132. Following work at the Carborough Downs Mine Charlie took up work as an Underground Supervisor by a company called CQE Services contracting to the Grasstree Coal Mine near Moranbah; the Mine is owned and operated by Anglo American (they were not Charlie's employer). The Mine held explosives authorities. Charlie was employed by CQE Services until June 2011
133. Whilst QPS considered it "*highly unlikely*" that Charlie had access to explosives during this period of employment, given the nature of his role (and other safety restrictions) they could not exclude the possibility that he may have acquired explosives material regardless of his access levels. I have taken into account that the types of explosives used in this underground operation were different to those likely used by Charlie to cause the fatal explosion. On that basis I conclude that the explosives that Charlie used in the blast that caused these deaths were not sourced from Grasstree Mine.
134. Charlie continued to work as an Underground Supervisor from June 2011 until December 2012 although it appears this was under the auspices of a different company, Napean Site Services. This does not alter any of the conclusions I have already made.
135. I **find** that Charlie acquired the explosives, used by him in the fatal explosion, during his period of employment at the Xstrata Mount Isa Mine.

Conclusion

136. QPS and DNRME concluded that the most likely scenario is that Charlie misappropriated commercial power-gel explosives from the Mount Isa Xstrata Underground Copper Mine and used 4 to 5 kgs of the explosives along with PCF cartridges and detonators inside the caravan. It is likely that Orica Mining Services supplied the explosives to the mine and that the security systems at the mine between the years of 2005 to 2008 were not sufficient to prevent opportunistic acquisition of explosives.
137. I accept and agree with those conclusions.

Relevant reforms to security requirements for explosives

138. On 1 February 2020 amendments to the *Queensland Explosives Act 1999* came into effect. These amendments introduced a new 'Explosives Security Clearance' that is required for all explosives licence and authorisation holders, and for all people with unsupervised access to explosives.
139. Under these new requirements, if a person is subject to, or becomes subject to, a domestic violence order, police protection notice or release conditions then their security clearance and explosives licences will be suspended or cancelled.

140. In addition, the Chief Inspector of Explosives must now consider an applicant's history of domestic violence orders when deciding on an application for an explosives license or authorisation. The Queensland Police Service must also notify the Queensland Explosives Inspectorate if a person who police reasonably suspect is an applicant or current holder of a security clearance becomes subject to a domestic violence order, police protection notice, or release conditions.
141. This new regime would not have been applicable to the circumstances of this case as Charlie obtained the explosives well before the domestic and family violence came to the attention of police. However, I am satisfied that these changes are a significant improvement to the framework that was in place at the time of these deaths.

Findings required by section 45

I **find** that:

1. The commercial power-gel mining explosives used in the fatal blast that killed Charlie Hinder, Nyobi Hinder and River Hinder on 28 July 2015 were acquired by Charlie Hinder during his period of employment at the Xstrata Mount Isa Mine between the years 2005 and 2008.
2. The detonation of the explosive and subsequent blast was caused by:
 - i. Charlie Hinder assembling the explosive device; and
 - ii. Charlie Hinder initiating the explosive train that detonated the explosive substance.
3. Charlie Hinder was sitting on a mattress in the caravan holding an explosive charge in immediate proximity to the children Nyobi Hinder and River Hinder, perhaps holding or cuddling them, at the time he detonated the charge.
4. Charlie Hinder intended the explosion to cause his own death, and the deaths of his children, Nyobi Hinder and River Hinder.
5. Nyobi Hinder died instantly due to injuries as a result of an intentional and premeditated explosion caused by her father Charlie Hinder.
6. River Hinder died instantly due to injuries as a result of an intentional and premeditated explosion caused by his father Charlie Hinder.
7. Charlie Hinder died instantly due to injuries as a result of an intentional and premediated explosion caused by him. His death is due to suicide.
8. Charlie Hinder intended to kill Katherine Hinder in the explosion.
9. Charlie Hinder intentionally killed himself and his children as an act of spousal revenge, also referred to as retaliatory filicide.

Identity of the deceased -	Nyobi Jade Hinder, River Jamie Hinder and Charlie Hinder
How they died –	Explosion
Place of death –	Deighton Street, Mt Isa Queensland
Date of death –	28 July 2015
Cause of death –	Nyobi Hinder and River Hinder and their father Charlie Hinder died when Charlie intentionally detonated a commercial power gel mining explosive inside a caravan on the front lawn of the family home, killing himself and his children. He did so as

an act of spousal revenge / retaliatory filicide coinciding with the breakdown of his marriage and during the period post-separation from his wife against a backdrop of escalating acts of emotional, psychological and physical domestic violence. He also intended to cause the death of his wife in the same explosion however was unsuccessful.

Acknowledgements

The offering of one's sincerest condolences in deaths such as these seems trite. It is inescapable that Katherine has lost her precious children in the most shocking of circumstances and that her life is irrevocably changed.

I acknowledge Katherine's sincere engagement and her courage and kindness during her dealings with our office and thank her for providing her consent to publish these non-inquest findings.

Whilst many people were involved in the investigations surrounding these tragic events particular mention should be made of:

- Investigating Officer Detective Sergeant David Hall and his team for leading a professional and thorough police investigation and comprehensive investigation report to the Northern Coroner.
- The Queensland Police Disaster Identification Squad for the extraordinary work they performed in a climate of intense trauma.
- The Domestic and Family Violence Death Review Unit who have worked tirelessly with the Office of Northern Coroner to provide a thorough review of these deaths drawing on the best available contemporary research, in particular Travis Heller and Jordan Cotter.
- Counsel/s Assisting the Northern Coroner Joseph Crawfoot and Melia Benn for the many revisions of this document, and their sensitivity when communicating with Katherine Hinder.

It is the sincere hope of all who have assisted with the preparation of this document that the analysis of the circumstances surrounding these deaths will allow a greater understanding of the nuanced nature of domestic violence, and meaningfully contribute to essential public discourse.

I close the investigation.

Nerida Wilson
Northern Coroner
30 March 2020