



# OFFICE OF THE STATE CORONER

## FINDINGS OF INQUEST

**CITATION:** Inquest into the death of Gitanjali

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

**JURISDICTION:** Brisbane

**FILE NO(s):** COR3699/2010

**DELIVERED ON:** 15 July 2011

**DELIVERED AT:** Brisbane

**HEARING DATE(s):** 17 November, 20 December 2010, 14 February, 4 - 7 July 2011

**FINDINGS OF:** Magistrate John Lock, Brisbane Coroner

**CATCHWORDS:** CORONERS: self-immolation

### REPRESENTATION:

Counsel Assisting: Mr M Le Grande of Counsel

Counsel for Angrej Singh: Mr S Hamlyn-Harris of Counsel instructed by Legal Aid Queensland

Counsel for Dr Towsey and Dr Muller: Ms Pyra, Lawyer, Cooper Grace & Ward

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## Introduction

1. Gitanjali was a 27 year old female Indian national who was living in Australia on a student visa with her husband. On 31 October 2010 Gitanjali suffered extensive burns to her body after kerosene was poured over her and lit with a match. She was taken to Royal Brisbane Hospital where she later died from her burns. A police and coronial investigation commenced to determine whether this was an act of intentional self-immolation and if so, the reason for taking her own life; or if a third party was involved in the act which brought about her death, who that was and why. Those are essentially the issues for this inquest.
2. The *Coroners Act 2003* provides that a coroner's written inquest findings must be given to the family of the person who died, and each of those persons or organizations granted leave to appear at the inquest and to various officials with responsibility for the subject matter of any recommendations. These findings will be distributed in accordance with the requirements of the Act and posted on the website of the Office of the State Coroner.

## The scope of the Coroner's inquiry and findings

3. A coroner has jurisdiction to inquire into the cause and the circumstances of a reportable death. If possible he/she is required to find:-
  - (a) whether a death in fact happened;
  - (b) the identity of the deceased;
  - (c) when, where and how the death occurred; and
  - (d) what caused the person to die.

The only issue of contention in this case is how the death occurred. All other matters I am required to make findings about are uncontentious.

4. There has been considerable litigation concerning the extent of a coroner's jurisdiction to inquire into the circumstances of a death. The authorities clearly establish the scope of an inquest goes beyond merely establishing the medical cause of death.
5. An inquest is not a trial between opposing parties but an inquiry into the death. In a leading English case it was described in this way:- *"It is an inquisitorial process, a process of investigation quite unlike a criminal trial where the prosecutor accuses and the accused defends... The function of an inquest is to seek out and record as many of the facts concerning the death as the public interest requires."*<sup>1</sup>

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<sup>1</sup> *R v South London Coroner; ex parte Thompson* (1982) 126 S.J. 625

6. 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. As a result, the Act authorises a coroner to make preventive recommendations concerning public health or safety, the administration of justice or ways to prevent deaths from happening in similar circumstances in future.<sup>2</sup> However, a coroner must not include in the findings or recommendations, statements that a person is or maybe guilty of an offence or is or maybe civilly liable for something.<sup>3</sup>

## **The admissibility of evidence and the standard of proof**

7. A coroner's court is not bound by the rules of evidence because the Act provides that the court "*may inform itself in any way it considers appropriate.*"<sup>4</sup> That does not mean that any and every piece of information, however unreliable, will be admitted into evidence and acted upon. However, it does give a coroner greater scope to receive information that may not be admissible in other proceedings and to have regard to its origin or source when determining what weight should be given to the information.
8. This flexibility has been explained as a consequence of an inquest being a fact-finding exercise rather than a means of apportioning guilt; an inquiry rather than a trial.<sup>5</sup>
9. A coroner should apply the civil standard of proof, namely the balance of probabilities but the approach referred to as the *Briginshaw* sliding scale is applicable.<sup>6</sup> This means that the more significant the issue to be determined; or the more serious an allegation; or the more inherently unlikely an occurrence; then in those cases the clearer and more persuasive the evidence should be in order for the trier of fact to be sufficiently satisfied that it has been proven to the civil standard.<sup>7</sup>
10. It is also clear that a coroner is obliged to comply with the rules of natural justice and to act judicially.<sup>8</sup> This means that no findings adverse to the interest of any party may be made without that party first being given a right to be heard in opposition to that finding. As *Annetts v McCann*<sup>9</sup> makes clear, that includes being given an opportunity to make submissions against findings that might be damaging to the reputation of any individual or organisation.

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<sup>2</sup> Section 46 of the Act

<sup>3</sup> Sections 45(5) and 46(3) of the Act

<sup>4</sup> Section 37 of the Act

<sup>5</sup> *R v South London Coroner; ex parte Thompson* per Lord Lane CJ, (1982) 126 S.J. 625

<sup>6</sup> *Anderson v Blashki* [1993] 2 VR 89 at 96 per Gobbo J

<sup>7</sup> *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 361 per Sir Owen Dixon J

<sup>8</sup> *Harmsworth v State Coroner* [1989] VR 989 at 994 and see a useful discussion of the issue in Freckleton I., "Inquest Law" in *The inquest handbook*, Selby H., Federation Press, 1998 at 13

<sup>9</sup> (1990) 65 ALJR 167 at 168

11. If, from information obtained at an inquest or during the investigation, a coroner reasonably believes the information may cause a disciplinary body for a person's profession or trade to inquire into, or take steps in relation to, the person's conduct, then the coroner may give that information to that body.<sup>10</sup>

### ***Social history and Events leading up to 31 October 2010***

12. Gitanjali was aged 27 years and was born on 10 February 1983. She was an Indian national living in Australia with her husband Angrej Singh on student visas.
13. Gitanjali came from a middle-class Hindu (Mahajan) family. She was the eldest daughter and had two younger brothers. Her father died in 2007 and was a clerk in a government department.
14. She completed a diploma in nursing over a 1 1/2 year course at a nursing college near her uncle's house. She later secured employment as a nurse in a hospital near her parents' current home village in the Moga district.
15. It was during her employment and training that she met her husband who was employed as a laboratory technician at the same hospital.
16. The husband Angrej (Raj) Singh was born in India on 25 September 1980. He was born into a middle-class Punjabi (Jat) family. His family were landlords and owned numerous properties. He was also educated to a diploma level.
17. Angrej was Gitanjali's first boyfriend. As they were from differing castes their families were not initially happy with the pairing. When her family found out about the relationship, Gitanjali was taken home by her family. She left home a day or so later and the couple were married in a court ceremony the same day.
18. After the court marriage Gitanjali returned to her parent's home at which time her family arranged for a traditional Indian marriage after both of the families agreed. It has been identified that no dowry was provided. Not all of Gitanjali's wider family group were happy with the marriage.
19. Investigators made telephone calls to family members of Gitanjali and of the husband in India. Her mother advised investigators the family were not happy about the marriage as they had not been told prior to the event occurring. She confirmed other reports that Gitanjali's cousin, Gurmeet Karla was present at a family meeting and became angry and assaulted Gitanjali by choking her. This incident becomes relevant as Gitanjali's later contact with her cousin in Australia is a matter of some conjecture in this case.

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<sup>10</sup> Section 48(4) of the Act

20. Gurmeet Karla gave evidence at the inquest. He had denied in his statement to police that he had assaulted Gitanjali. In his evidence before the court he also denied any assault although when pressed agreed he was angry at her, as was the whole family, that he could not remember and that he “did not bash her”. Gurmeet was not totally frank in his evidence and to the extent I need to make a finding on this issue it is more likely than not some form of assault as described by her mother occurred. It is apparent that subsequently there was some estrangement between those sides of Gitanjali's wider family. It is probable Gitanjali harboured a grudge against him.
21. Gitanjali's mother stated that after the court marriage both families sat down together and arranged for a social ceremony and both families were happy about the marriage after this.
22. Gitanjali's marriage was referred to by many of the Indian witnesses as a “love marriage” as distinct to an arranged marriage.
23. It is a matter of public record that “bride-burning”, although outlawed in India, is still practiced. Such events usually occur in the context of a dowry dispute (despite dowry demands having also been abolished). In the case of Gitanjali there is no suggestion of a dowry or such a dispute.
24. It is also a matter of public record that many thousands of women die in India as a result of “kitchen fires.” These are often thought to be homicidal with a member of the husband's family or the husband involved. Kerosene is the predominant choice of fuel given its wide use in India for heating and cooking purposes. Both of those issues have some relevance to the facts of this case as kerosene was the ignitable liquid used here and there are recurring references throughout the evidence to the events happening in the kitchen, even though it is clear the ignition took place outside.
25. It is also a matter of public record that suicide by burning is a rare event in developed countries but is more frequent in some parts of the developing world, including India. There has been much published literature on such cases and it is fair to say a significant percentage of self immolation patients are female with no previous history of suicide attempts and many later regret their self immolation act. Marital conflict is often a motivating event.
26. Gitanjali's mother stated the family of the husband had provided the funds to enable both of them to travel to Australia and study. Her mother stated she spoke to her daughter and her husband every three or four days and she described the relationship as a loving and caring relationship.
27. Amrinder (Amy) Kaur<sup>11</sup> confirms she had a good relationship with Gitanjali and she had visited her at the house at Runcorn. She thought

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<sup>11</sup> D7

Gitanjali and her husband had a close relationship which she described as touchy-feely and somewhat westernised. This description is not unlike other descriptions of the relationship. In fact the overwhelming evidence supports a finding Gitanjali and her husband had a loving and close relationship with a complete absence of any evidence which would support Angrej Singh having a propensity to commit an act of violence as serious as occurred here.

28. A number of witnesses referred to the fact that Gitanjali was in constant contact with her husband whilst he was working away from her and she missed him. There is evidence the financial position of the couple was such that the husband may have to leave to try and find work to support them because he had been unable to find employment in Brisbane.
29. There had never been any suggestion Gitanjali had attempted suicide or tried to harm herself previously.
30. Gitanjali's mother also understood the husband was unable to return to India for the funeral as he had medical treatment and was also assisting the police investigation. She stated she was still in contact with the husband. She did not believe there were any suspicious circumstances surrounding her daughter's death and was unable to explain how it occurred. She stated her daughter would have confided in her if there had been anything wrong about the relationship.
31. Joginder Singh, the husband's brother, stated the marriage was a loving and caring relationship. The family had taken out a loan of 1.5 million rupee (approximately \$30,000 AUD) to enable Gitanjali and her husband to travel to Australia to study. He stated the money was not required to be paid back however the husband wanted to stay in Australia to work and help pay for the loan. He did not believe there were any suspicious circumstances.
32. Gitanjali gained entry into the King's International College on the Gold Coast to study nursing. She and her husband secured student visas with Gitanjali being the main applicant and her husband listed as a dependent. They arrived on 20 May 2009. The visa allowed both Gitanjali and her husband to remain in Australia for the purpose of study until 15 March 2011 and the visa contained conditions enabling them to vote, work and study. This is noted on the visa in her passport.
33. Enquiries made at King's International College indicated Gitanjali commenced studies in July 2009 and finished in June 2010. She was unsuccessful in completing her enrolled nursing studies and subsequently requested a transfer to Canterbury Technical Institute in Brisbane. She had paid approximately \$16,000 out of a total \$18,000 for an 18 month period of study.

34. Internal checks by staff indicated Gitanjali had plagiarised another person's work. Julia Ahu <sup>12</sup> confirmed that in August 2009 it was reported Gitanjali and other students had stolen an assessment from another student's USB drive. Gitanjali and the other students involved were required to resubmit independent work and they passed.
35. After this Ms Ahu reported there was some distancing between Gitanjali and other students and she started having difficulties in completing assignments. In May 2010 she failed a practical assessment. She was very upset and was very emotional when she pleaded to be given another chance. She was given that chance and failed a second time. She again pleaded for a further chance. Ms Ahu reported that she threw herself on the floor and said "you are killing my mother and father. I can never go back to India with this on my head". She appealed a refusal and was given a third chance but failed again. She requested a release from the college which was granted.
36. Enquiries made with Canterbury Technical Institute indicated Gitanjali was doing well with her studies from their point of view. The course she was enrolled in was a business course and not a nursing course. The College was not aware of any issues in relation to her grades, behaviour or her visa. However, she did owe \$3650 in fees including \$1650 for term 1 and \$2000 for term 2. On 22 October 2010 she was sent a text message stating there were outstanding tuition fees which needed to be paid forthwith.
37. During the investigation police obtained a statement from Manpreet Aulkh, a fellow Indian student, who stated some six months prior to her death, Gitanjali had said to her that she would rather die than go through the shame of having to face her family. This comment apparently related to problems she was having in relation to her studies at King's International College. This had occurred some six months prior to her death and reports from her current college indicated Gitanjali was progressing well in her studies, although the outstanding fees may have been causing her some concern and the fact they were not nursing studies.
38. For a few months prior to the 31 October 2010, the couple were living at an address at Loganholme where they were caring for a 69 year old woman, Nerene Mitzi Marshall (Mitzi). Mitzi was wheel chair bound due to the effects of two strokes. She had spent almost 8 months in hospital for rehabilitation purposes. She also suffered from macular degeneration of her eyes which affected her eye sight. She knew Gitanjali by the name of Shampi and her husband as Raj.
39. The arrangement was the couple would be paid \$200 per week and supplied with food and board. In exchange they would provide care including showering, taking her to the toilet, preparing meals and providing her with medication and general care.

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<sup>12</sup> D12 Julia Ahu



40. Although there is some evidence which suggested Mitzi was critical to friends (Jane Saddington and Joe Spina) of their standard of care, Mitzi later told police she was pleased generally with their work and her comments may have been misunderstood. In particular she never saw the husband display a temper or be aggressive. Mitzi also described their relationship as loving and caring.
41. It is evident Mitzi was a difficult person to care for and could be domineering. Gitanjali and her husband were often woken up five times during the night to take her to the toilet. Jane Saddington said Mitzi was suffering a little bit of dementia. There had been an incident when the couple were locked out of the house by Mitzi when they came back late one night. The relationship may have soured. Jane had a meeting with Mitzi which resolved some of the issues and Jane told her the couple could not be there 24 hours a day 7 days a week.
42. Mitzi had lent the couple \$1700 to buy a car and they were to pay her back, although there was no time frame. This money was still outstanding on 31 October 2010. It is evident Gitanjali was concerned about the money and offered her computer. The computer was important to Gitanjali as she used it for contacting her family and her coursework. On the morning she was burnt they had been looking at an Indian movie on the computer.
43. There had been recent talk of the couple having to move out and go back to India. They had given notice to Mitzi and her friend Jane, but agreed not to leave until another carer was found. Mitzi believed their visas expired in November or December and she had been asked to write a letter to the Immigration authorities in support of an extension.
44. The investigation confirmed their health insurance, which was necessary for entry purposes, was due to expire on 21 November 2010.<sup>13</sup> This date was also referred to on a sheet of paper found at the scene<sup>14</sup> as being the date of the expiration of their visa.
45. Gitanjali and her husband had told Mitzi their visas were due to expire on 21 November 2010. They had asked her for a letter of support for an extension of their visa. Jane Saddington told police she had been informed the couple had been pressuring Mitzi to sign a form which would assist them in remaining in Australia. She also told police she received a SMS message from Gitanjali saying they were leaving on 14 November as their visa expired on 21 November.
46. Whatever is the case it is evident that in Gitanjali's mind there was an urgency to find alternative accommodation, although it is not clear as to why it came to a head on 30 and 31 October 2010. Both Mitzi and Jane told police they were unaware why any SMS messages were sent by Gitanjali the night before she died looking for urgent accommodation but clearly those text messages are some evidence of Gitanjali's state of

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<sup>13</sup> Exhibit N2

<sup>14</sup> L7.2 photo 18 and 19

mind the night before. The text message sent to Ram Singh Chouan reads “ *I need a room for couple without bond only 100\$ I can pay nu r also giving us a job coz I have no hope choice without you veere I'll wait 4 ur call in evening thnx Gitanjali.*”

## **The Investigation**

47. Angrej Singh’s spoken English is not of a high standard and this complicated the police investigation. Assistance was given to police by cultural liaison officers within the police service and by interpreters. However, some latitude has to be given when considering the recording and transcribing of what has been said given the inherent difficulties. Interpreters have been utilised for all pre-inquest and inquest hearings.
48. A pre-inquest hearing was convened on 17 November 2010. The reason for this early sitting was due to the fact there was some evidence Mr Singh wanted to leave Australia and take his wife's body back to India for a funeral. At that time the evidence did not provide any contextual information which would have supported any reason why Gitanjali would want to take her own life.
49. An autopsy was conducted by Dr Beng Ong who found the cause of death was due to extensive burns and noted that “third party involvement cannot be ruled out, but self immolation is also a possibility.”
50. The police investigation at that early stage had scientific evidence of the presence of ignitable fluids on the clothing of the husband and there was conflicting evidence arising from statements given by the husband as to what had occurred that day and in particular whether the fire took place in the kitchen or outside.
51. Further pre-inquest hearings were set for 20 December 2010 and 14 February 2011 with an inquest subsequently taking place on 4 July 2011. At all times Mr Singh has cooperated with the enquiry and indicated he would remain in Australia until the investigation and inquest had been completed. He also cooperated with the police investigation and undertook approximately 11 hours of interviews.
52. The police investigation was headed by Detective Senior Constable Denton Sandlant and Detective Sergeant Galpin. The investigation was thorough and the report to the coroner and the brief of evidence for the inquest comprehensive. Both officers were commended for their work by counsel assisting Mr Le Grande and I concur. In particular DSC Sandlant’s request for the review of the scientific evidence concerning the presence of the ignitable liquids identified was an important development and produced some clarity to the case which otherwise may have been mystifying.

## **How the burns occurred**

53. Gitanjali sustained burns to approximately 90% of her body at approximately 12:15am on Sunday, 31 October 2010.

54. At 7:10am Gitanjali telephoned Jane Saddington. The conversation was brief as Mrs Saddington had her grandchildren with her. There had been an issue raised as to whether or not both Gitanjali and her husband could go to the Temple that day, as it was expected to be a lengthy visit and Mitzi would have been on her own for a number of hours. Mrs Saddington stated Gitanjali was apologetic about causing any problems. She recalls Gitanjali was sounding very low and sad and stated *"I have never heard her sound so low, as if she was defeated and had no way out."*
55. Ram Singh Chouan<sup>15</sup> had a number of telephone calls and messages from Gitanjali that Sunday. He recalls speaking to her about possible jobs for her at a Nandos store which he managed, but there were no vacancies. He also got the desperate sounding SMS message from her the night before asking if he had any rooms available for a couple without a bond for \$100 per week.
56. Sukhchain Singh<sup>16</sup> and his wife Amy gave evidence of a number of telephone calls on 31 October 2010 about arrangements being made to meet at a friend's house before going to the Sikh temple because the friend may have had a room to rent. Gitanjali told Amy during the morning they could not make the prayers and would go later but wanted to make an arrangement to inspect the friend's house later that night. Pritpal Singh Bandesha also confirms it was his house they may have been interested in and he recalls a call on 31 October from someone he did not know asking about a spare room and the woman said it was for her and her husband.
57. Mitzi told police that earlier that morning she had woken and Angrej took her to the toilet. Later Gitanjali came in and asked if it was ok for her to give Mitzi a shower later. This would have been before 10am.
58. Mitzi thought Gitanjali seemed fine but very subdued and quiet when she first saw her. She later recalls Gitanjali going past her room and making her way to the kitchen. About 30 minutes later Mitzi heard a loud scream of pain coming from the front of the residence. Some time later she saw Gitanjali and her husband run past her room. They then came into the room. Gitanjali was bare breasted and said *"Look at me I'm burnt"*. She was screaming. They asked her to call her friend Jane Saddington. They left the room as she spoke to Jane. Angrej came back into the room and was talking about snakes and asking for her to call an ambulance. He dialled and gave her the telephone. They spoke to QAS and Gitanjali also got on to the telephone.
59. Queensland Ambulance records noted a telephone call was received from an elderly English speaking female who stated her carer had been burnt. A male voice with poor English is then heard to say, *"Hurry up, hurry up"*. He was requested to remain on the telephone for an interpreter to assist however the call was terminated. Some seven

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<sup>15</sup> D4

<sup>16</sup> D19

minutes later the QAS ambulance returned the call to the telephone number which had rung and spoke to an elderly English speaking woman. Gitanjali spoke on the phone stating words to the effect "*I'm patient, I've been burnt. I've been burnt in the kitchen. Whole body burnt*". It is apparent Gitanjali had taken up a telephone extension from another room when this call was received.

60. The Queensland Ambulance Officers who attended the scene first could smell kerosene and Gitanjali, who was conscious, stated in broken English to the QAS officers the words '*kerosene, kerosene*'.
61. Gitanjali remained conscious at the scene for a period of time until she was sedated and intubated by Dr Rashford, Medical Director of Queensland Ambulance Services. Before she was intubated Gitanjali had contact with emergency services ambulance and fire officers and with police. At no time did she suggest or implicate her husband as having anything to do with her burns.
62. Queensland Ambulance took Gitanjali to Royal Brisbane Hospital. Angrej was taken by ambulance separately. At the hospital Angrej was informed that medical staff could do nothing further for his wife other than make her comfortable. He did not appear to be distressed or ask any questions.
63. Police officers spoke to the husband at the Royal Brisbane Hospital in the presence of a translator. The husband told them Gitanjali had left the bedroom where they were watching Indian movies to go to make some tea. Whilst she was in the kitchen he heard her screaming and says he saw her running from the kitchen to the front yard. He saw she was on fire and told police he removed her clothing in an attempt to stop the burning. He then assisted her inside the house and helped her to lie down before asking for help from Mitzi to make an emergency call.
64. An examination of the residence found an area near the front where there was a small amount of burnt debris. A strong odour of accelerant was coming from the pavers. Partially burnt clothing and a box of matches on top of the clothing were located in a large pot on the rear patio from which a smell of accelerant was also emanating.
65. In the couple's bedroom there was further evidence of burnt debris on the bed where Queensland Ambulance Officers had first treated Gitanjali. A suitcase which had been packed with men's clothing and some foodstuffs was also located. Some burnt material was also found in a bin in the ensuite and a wet and burnt shirt was found in the shower recess.
66. Police conducted a forensic examination of the scene and seized discarded clothing, matches and soil samples. A subsequent scientific examination identified the presence of medium petroleum distillate and medium aromatic product class ignitable liquids on Gitanjali's clothing and petroleum distillate class ignitable residues on the clothing of the husband Andrej.

67. At the scene various bottles of ignitable liquid (one bottle each of kerosene, turpentine and methylated spirits) were found. The initial investigation had suggested Gitanjali's clothing contained traces of mineral turpentine and her hair had a medium petroleum distillate and the clothing of the husband had similar levels of medium petroleum distillate. A final testing and analysis indicates these findings were incorrect.
68. Meagan Richards, a scientist with Queensland Police Service states the liquid in the kerosene bottle located in the external patio was found to be the same as the ignitable liquid residue on the clothing found from the large vase, shower recess and from the bra and other clothing of Gitanjali.
69. Gitanjali identified kerosene as the cause of her injuries to Queensland Ambulance Officers both at the scene and on the telephone call. None of the residue found contains elements similar to the mineral turpentine bottle.
70. An analysis of the husband's clothing also indicated he had medium petroleum distillate upon a pair of tracksuit pants, underwear and a pair of thongs. The distillate upon the pants and underwear could have originated from the same source but the distillate on the thongs could not have originated from the same source as found on the clothes. None of the medium petroleum distillate originated from any of the ignitable liquid bottles seized from the scene (mineral turpentine, kerosene or methylated spirits).
71. The medium petroleum distillate found on his clothing could be from any one of over 100 products. It is likely the source of this substance was from a burn medication "Burns Aid" which had been administered to the husband at the scene by ambulance officers.
72. A fingerprint examination was conducted of the bottles of ignitable liquid and fingerprints belonging to Gitanjali's right and left hand were identified on the bottle of kerosene. No fingerprints of Angrej Singh were identified.
73. Two days later Detective Sergeant Galpin attended the scene and noted two partly burnt matches in an area close to where the accelerant had been found. On the eaves above the tap area he also noted what appeared to be soot. He was concerned that scenes of crime officers had missed what was possibly important evidence and arranged for them to re-attend. He telephoned a senior officer back at the station and that officer was able to confirm by looking at the initial scenes of crime photographs which had already been downloaded that these two matches were in approximately the location as found by Detective Galpin. A review by the court of a blown up version of that photograph confirms this is the case.
74. A piece of skin with markings consistent with the application of henna was found near the tap. Gitanjali had applied henna as a decoration to her hand as part of the festival taking place at the Sikh Temple.

75. Several lengthy interviews were conducted with Angrej Singh who described his relationship with his wife as a loving one.
76. The first version was provided to Senior Constable Tanya Flood<sup>17</sup> at the scene and which she recorded digitally. Angrej Singh told her his wife had been in the kitchen and she had some oil (reference to two snakes out there) and he had been in the room. He told her that she was crying and he came outside and saw she was burnt and trying to open the tap. He was helping her and trying to save her. Later he said she was making tea for them. She went to the kitchen and he stayed in the room. He was watching a Hindi movie. She was then crying and he came outside. She tried to open the tap. He turned on the tap and used the hose to put water on her. He tried to open her clothes. Mitzi called the ambulance. When asked if he had a fight or argument with Gitanjali, he denied this. She heard him saying Gitanjali had been praying prior to the incident.
77. A second version was also digitally recorded at Royal Brisbane Hospital later that day by Detective Sgt Ian Galpin<sup>18</sup>. Angrej said they woke up late at about nine o'clock and she did some prayers in the morning. She went to make some tea and he was watching a CD on the laptop. He heard a scream and he saw Gitanjali was on fire. He tried to get her clothes off with his hands. The fire would not go out and he got some water and threw it on her. He said she was in the kitchen when she was on fire and she ran outside. He was asked if he saw her on fire in the kitchen and he said she was outside when he saw her. He saw she was trying to get to the tap and she couldn't. He tried to take her clothes off and then she walked inside with him with her clothes off.
78. In a third interview at the hospital on 31 October<sup>19</sup> the police asked about the suitcase just inside the bedroom which had some clothing and food in it. He said they were getting ready to move from that place and their visa was about to expire. He said it contained both his and her clothing. He said they were going to leave on the 14 and if the visa was not extended they would have returned to India. When asked about what flammable liquids they had in the house he stated he had never known or given thought to anything that was flammable. They had never bought any kerosene and they had not used any kerosene oil lamps. He told police his wife was not depressed and she was intelligent and looking forward to the future. He denied splashing any oil or flammable liquid on her.
79. On 1 November 2010 a fourth interview was digitally recorded.<sup>20</sup> He said he thought she had run from inside the house to outside the house screaming. He tried to take her clothes off and when he couldn't he started putting water on. She then walked to the bedroom with him. She asked him to save her. He took her inside and put her on the bed. He asked the lady to call the ambulance because his English isn't that good.

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<sup>17</sup> Exhibit C5, H2

<sup>18</sup> Exhibit C8, H3

<sup>19</sup> C8, H5

<sup>20</sup> C8, H6

He told police that Gitanjali was fully conscious and was talking to the ambulance. Later in the conversation he said that after he put the fire out he took the clothes off and that happened outside at the front of the house. He then took some of the clothes to the pot and put them in there. At this stage he thought everything was normal and she was talking and walking and everything would be okay after treatment. In this statement he stated he was working for a time in the Northern Territory to get money together for her study. She was not depressed or worried about anything. He was not involved in any way with her catching on fire, only in trying to save her. He apologised to everyone as being her husband he should have looked after her.

80. On 4 November 2010 a further fifth interview took place at the hospital.<sup>21</sup> On this occasion Detective Sgt Galpin gave him a warning about his right to remain silent. There was a reference to them wanting to go to the temple later that afternoon at about 2pm. They go most Sundays but sometimes would miss one. There were a series of questions about him applying henna to her hands and whether it takes a lot of effort to take it off. (It is apparent the henna was applied for cultural reasons as a celebration for a festival for husbands). He was asked about the SMS messages to the cousin and he said he knew of the conversations going on. He explained they first fell in love and then had the court marriage and once the families found out they were legally married nobody opposed them. He spoke about a person coming and strangling her in the night when they sent her back home. He said she was impersonating another girl on the Internet to annoy the cousin like he did to her in India. She was flirting with him as a joke. She used the name Sernea. The series of communications had been going on since they had moved there. He said he knew what was going on. She was bitter because he did a bad thing and tried to strangle her. They also spoke on the telephone. She also used a different e-mail address and also used Orkut which is like Facebook. The police were questioning at this stage whether the husband had discovered she was having an affair. He said there was nothing like that.
81. He was never upset about the telephone calls and text messages to the cousin but he had asked her to stop it some time ago. He denied they were having an affair. He didn't know there was kerosene in the house.
82. On 9 November 2010 a re-enactment was completed.<sup>22</sup> The same day he had a lengthy Record of Interview.<sup>23</sup> He could not explain how his wife was covered in kerosene.
83. It was put to him the investigation had compelling evidence of the fire starting near the front of the house and not the kitchen. He was asked why his wife would have mentioned to the ambulance officers about the fire happening in the kitchen. He was asked whether he told her to say it happened in the kitchen. He denied this. It was also suggested he had

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<sup>21</sup> H7

<sup>22</sup> C8,

<sup>23</sup> H 9 and 10

previously told police he heard his wife scream and heard the door open at the same time. However the investigation revealed the fire started at the front and not near the door.

84. He was also shown photographs which revealed a matchbox in the pot on top of clothes. He said he had thrown the matchbox into the pot after taking them from his wife. He was asked to explain how that could occur but he could not.
85. He also was asked to explain some burnt matches found near where the fire started but he said he knew nothing about them. He said he had not moved the matches. He could not explain how the matches got to the back of the house.
86. It was suggested to him the fire was not an accident. It was put to him that when she was ignited she was on her knees. It was suggested to him he did not have a good marriage and she was seeing another man. She had changed schools because she had failed at King's College which was an expensive mistake.
87. He was asked about the fact she had failed her first course when previously he had said she was a good student. It was suggested he had found out she didn't love him and took her outside and tipped mineral turpentine over her and he struck a match and set her alight. He denied this.
88. He was also asked whether he was aware of other men in her life. He said he did not. He knew nothing about her being suicidal and he did not help her to commit suicide in any way.
89. He then told police that in relation to the matchbox he had lied. He had picked up the matchbox with the clothes. He said he had found the matches outside where the clothes were on the ground. After he put the fire out he saw the matches and his wife said to throw them.
90. He told police this was the only lie he had told them. The explanation that came out of the interview was that he felt ashamed and embarrassed and didn't know how to tell people that she may have taken her own life. He agreed they had minor arguments about her wanting to leave. He stated he didn't think she ever meant it.
91. Police later had an interview with him and told him the police had no evidence to show his wife had a boyfriend and this was only what other people thought.
92. Satwant Singh Dhillon<sup>24</sup> spoke to Angrej on two occasions after the incident and said Gitanjali was in the kitchen when he heard her screaming. He found her there and tried to extinguish the fire with his hands and water.

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<sup>24</sup> D5



93. Satinder Singh <sup>25</sup> says she was told by her husband Nasib<sup>26</sup> that Raj had said Gitanjali had gone to the kitchen to make some tea and he then heard the scream of a woman. He went outside and saw it was Gitanjali burning and she was near the tap. He said he tried to put water on her. He said he did not know how the fire started.
94. The husband was not frank with police about his knowledge of the bottle of kerosene. He had always denied any knowledge of the bottle but in examination at the inquest he admitted he put the bottle back into the plastic box where it was found later by police. He said he did so at Gitanjali's request.
95. There was also an interesting line of enquiry which resulted from an analysis of SMS text messages. The couple each had a mobile telephone. The police investigation has established Gitanjali was using an assumed name and was sending SMS messages to her cousin Gurmeet Singh Karla. The messages clearly had a romantic content to them.
96. Gurmeet Karla told police he never realised the lady sending him the messages was Gitanjali and he thought it was simply a woman wanting to commence a relationship with him.<sup>27</sup>
97. He told police he came to Australia in April 2009 with his wife on a student visa. She was listed as the student and he was listed as a dependent. She was attending college in Brisbane and after few months he travelled interstate. He was in Sydney on the day of Gitanjali's death.
98. Gurmeet said he had no idea Gitanjali and her husband were in Australia. He admitted when he found out she was married he was very angry with her and yelled at her but never touched or hurt her. He had not seen her after this altercation.
99. Gurmeet's movements at the time of the incident have been accounted for and he is not directly considered as a person of interest.
100. Gurmeet states he received a message on the Internet via Orkut (an Indian version of Facebook) from a female who identified herself as Jind Sandhu and she also provided a profile picture. He stated he did not know the person who appeared in the photo and after speaking with her on the phone she told him her name was Sneha Sahai and that the profile name was a false name. He stated he did not recognise the voice and he spoke with her in Hindi. Whenever he had spoken with the deceased in India they spoke in Punjabi. They started flirting. When she would not give her address in India so he could check he told her to stop calling him. He only found out Gitanjali had died from his family.

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<sup>25</sup> D8  
<sup>26</sup> D16  
<sup>27</sup> D6

101. Other witnesses including GursimanJit Singh and Mapreet Aulkh noted Gitanjali would often take telephone calls and tell the person she was talking that she was in a different location to where she actually was.
102. The husband was questioned about these love messages and said he was aware of them and was even present when Gitanjali sent some of them. He said Gitanjali wanted to seek revenge on Gurmeet for the incident which occurred in India several years earlier and it was her intent to have him fall in love with her so she could then break his heart.
103. The husband's evidence is that he told Gitanjali to stop the deception and to let the past go. He denied being concerned or angry about the contact she was having but asked her to let it go.
104. Given there is a gap of a number of months between the last contact and her death I accept this is what occurred.
105. Gurmeet telephoned Angrej Singh after the death to discuss arrangements for sending the body back to India. They apparently spoke for an hour. The husband says he did not discuss the SMS and other contact with him. Gurmeet said he could not remember but when pressed admitted that maybe they did speak about it. Gurmeet said Angrej was not angry about the telephone contact but was angry that his (Gurmeet's) family was only thinking about Angrej and Gitanjali after her death.

### **Medical Evidence of the Burns**

106. Dr Towsey treated Gitanjali for the burns and Professor Muller treated Angrej Singh. Professor Muller and Dr Towsey were both shown photographs of injuries to both victims together with post-mortem photographs of the injuries to Gitanjali in an attempt to provide assistance with regard to burn patterns. Although neither specialist could be definitive they both agreed the burn patterns on Gitanjali's front and back were of similar severity indicating they were consistent with a self pouring action of an accelerant-based product to her upper torso and back regions. Burns in these areas were substantially more severe than burns elsewhere on her body. The burn patterns to her face indicated she most likely covered her cheeks and eyes, instinctively, with her hands to protect them.
107. Professor Muller states the injuries to the husband were consistent with his version of events that he made attempts to remove her clothing while they were burning. The main burns to Angrej Singh were to the top of the right hand, the tip of one or two fingers of the right hand and superficial burns to the left hand. Importantly there were little to no burns to the palms of the hands. In his statement<sup>28</sup> Professor Muller stated the burns were consistent with his version of events of attempting to remove his wife's clothing. Professor Muller also favoured that Gitanjali was

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<sup>28</sup> Exhibit M2

kneeling but it was also possible she was lying supine (face up). Lying prone (face down) was also possible.

108. In his evidence Professor Muller agreed the burns could support a scenario of her kneeling, with a hand on her head and kerosene being poured over her head and then being lit although he also thought there would be more burns to the face in that scenario.
109. Essentially Professor Muller's evidence was that the pattern of burns to Gitanjali and her husband were such that a number of scenarios were possible and he could not weigh one against the other.
110. Given the burns to Gitanjali were approaching 90% of the body it was not thought the availability of skin tissue through a donor skin bank could have been utilised to save her. Nonetheless, Dr Towsey did make a telephone call to the Victorian skin bank, but no tissue was available.
111. Both Dr Towsey and Professor Muller made reference to the fact there was no skin bank facility in Queensland. There had been ongoing submissions made to government for well over a decade to have such a facility established. Professor Muller advised the court funding had now been gained for both a Donor Skin Bank and a Skin Culture Laboratory and the former was now waiting a final inspection and regulatory approval from the Therapeutic Goods Administration. He said the skin culture laboratory was advancing but was some 18 months down the track.
112. It is accepted the non-availability of such facilities did not impact on the treatment and survival of Gitanjali in this case but there was support from the witnesses for a recommendation a skin bank and skin culture laboratory be brought into operation as soon as possible.

## **Conclusions as to how the death occurred**

113. In submissions made at the conclusion of the evidence, Counsel Assisting, Mr Le Grande and Mr Hamlyn-Harris for Andrej Singh both agreed the facts supported a finding Gitanjali died as a result of severe burn injuries inflicted on herself in an apparent suicide by self immolation. I agree with that conclusion.
114. Over 11 hours of recorded questioning the husband provided a consistent although at times muddled version with the exception that he neglected to mention placing the matches in the large pot. He indicated he did not mention this as the actions of Gitanjali would have brought shame on him and he would have been unable to explain to his family why it had happened. Similarly he now admits also placing the kerosene bottle back in the plastic tub, having previously denied any knowledge of the kerosene bottle.
115. There are obviously references to Gitanjali catching fire in the kitchen by the husband and indeed Gitanjali herself makes reference to this in

the 000 telephone call. There was no evidence of any fire happening in the kitchen.

116. There is evidence both Gitanjali and her husband wanted to hide the clothing, matches and bottle of kerosene. Angrej said Gitanjali told him to do this. Angrej had to walk some distance from the front of the house to the back patio area. It could be concluded this was an attempt by him to hide the evidence of his actions. Another conclusion open is Gitanjali did not want further shame to be brought on her husband and herself, hence the reference to the kitchen and hiding the kerosene and clothing.
117. There is also compelling evidence of Gitanjali requesting help in relation to her burns. On her husband's version he found her trying to put the water tap on and that is corroborated with the finding of soot under the eave in the tap area and the piece of skin from her hands nearby.
118. There were some mystifying references to the presence of snakes by Gitanjali and her husband to Mitzi and others at the scene. I suspect one explanation for such references could be that Gitanjali thought the ambulance would arrive quicker if they thought she had been bitten by a snake.
119. The conclusion I reach from all of this evidence is it is likely she had by this time regretted her actions.
120. The police investigation has not identified any motive for Angrej Singh to take his wife's life.
121. There is no evidence implicating any third party involvement.
122. There were no signs of a struggle or disturbance at the scene and the only independent witness, Nerene Mitzi Marshall does not identify any confrontation taking place on the day of the incident.
123. The 000 recordings and all other witness statements do not provide any comment or insinuation by Gitanjali that any other person including her husband, was involved in causing the injuries. She had ample opportunity to say so. No-one at the scene thought she was apprehensive when in her husband's presence.
124. The only fingerprints found on the kerosene bottle were those of Gitanjali. No kerosene was found on Angrej Singh's clothing.
125. There is no evidence she was in a relationship with any one else. The contact with her cousin, although unusual, is most likely a result of her wishing to get back at him for the hurt he had caused. There is no evidence to suggest this was impacting upon her emotional state at the time she took her own life.
126. There was evidence of her delicate emotional state in relation to the difficulties arising from her previous college. There is also evidence of the couple being under financial pressure and she was concerned about a pending expiration of her student visa. She was also concerned about

her current living arrangements and the need to find urgent accommodation. The care arrangements were obviously trying for her and Mitzi was not an easy patient. It is likely Gitanjali was providing the bulk of the care.

127. Gitanjali was probably concerned about the very likely prospect of her husband having to go away to obtain employment. She had missed him when he had gone away on previous occasions.

128. There is evidence this was all coming to a head over the days prior to her taking her own life and in particular on 30 and 31 October 2010. There is no evidence the act of self immolation was planned and appears to have been an impulsive act which she then regretted.

129. Gitanjali was more concerned about these circumstances than her husband. Although her husband thought she was happy, having observed him in court and hearing his evidence it is most likely he simply was not aware of how she was feeling. I accept he is deeply affected by his wife's death.

### **Findings required by s45**

I am required to find, as far as is possible, the medical cause of death, who the deceased person was and when, where and how that person came by his/her death. As a result of considering all of the material contained in the exhibits, I am able to make the following findings:

**Identity of the deceased** – Gitanjali who was born on 10 February 1983

**How the person died -** Gitanjali died as a result of severe burn injuries inflicted on herself in an apparent suicide by self immolation on 31 October 2010. Gitanjali poured kerosene over herself and lit it with matches. She subsequently regretted her actions and wanted to be saved but her burns were too severe.

**Place of death** – Royal Brisbane Hospital

**Date of death** – 31 October 2010

**Cause of death** – Extensive burns

### **Concerns, comments and recommendations**

Section 46, insofar as it is relevant to this matter, provides that a coroner may comment on anything connected with a death that relates to public health or safety, the administration of justice or ways to prevent deaths from happening in similar circumstances in the future.

The issues raised by the circumstances of this case which warrant considerations from that perspective are specifically in relation to the establishment of a Donor Skin Bank and Skin Culture Laboratory.

**Recommendation 1** –It is recommended the establishment of a Donor Skin Bank and Skin Culture Laboratory in Queensland be progressed as soon as possible. It is noted these facilities have been approved by the Queensland State Government and are waiting final regulatory approval by the Therapeutic Goods Administration and it is recommended this final hurdle be overcome expeditiously.

I close the Inquest.

John Lock  
Brisbane Coroner  
15 July 2011