



**STATE CORONER'S COURT
OF NEW SOUTH WALES**

Inquest: Inquest into the deaths of EG & JB

Hearing dates: 13 January 2017

Date of findings: 13 January 2017

Place of findings: NSW State Coroner's Court, Glebe

Findings of: Magistrate Derek Lee, Deputy State Coroner

Catchwords: CORONIAL LAW – homicide, suicide, electrocution, mandatory inquest

File numbers: 2015/336428; 2015/336431

Representation: Sergeant T O'Donnell, Coronial Advocate assisting the Coroner

Non-publication order: Pursuant to section 75(2)(b) of the *Coroners Act 2009* I direct that there be no publication of any matter that identifies EG, JB or any of their relatives.

Findings: I find that EG died between 6 November 2015 and 13 November 2015 at Woollahra NSW due to electrocution, as a result of actions carried out by JB.

I find that JB died between 6 November 2015 and 13 November 2015 at Woollahra NSW due to self-inflicted electrocution and that he acted with the intention of ending his own life.

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Introduction

1. EG and JB were married for over 25 years. Sadly, EG and JB faced challenges from serious physical and mental health conditions which plagued them in their later years. Whilst these challenges affected EG's and JB's quality of life, the challenges did not affect the couple's devotion to one another. Indeed, it only made this devotion stronger, both in life and, tragically, in death.
2. On 13 November 2015 EG and JB were discovered inside the bedroom of their home. The circumstances of their discovery suggested that JB had made arrangements to take both his own life, as well as that of EG's at the same time. However, subsequent investigation revealed that this was not an act of malice but one borne out of love, devotion and compassion.

Why was an inquest held?

3. All violent and unnatural deaths must be reported to a Coroner. A Coroner has an obligation to make findings about the identity of the person who died, when and where they died, and what the cause and the manner of their death was. The manner of a person's death means the circumstances in which that person died. If it appears to a Coroner that a person died, or might have died, as a result of homicide, then section 27(1)(a) of the *Coroners Act 2009* (the Act) requires that an inquest must be held.
4. In the case of EG and JB, because the evidence that has been gathered about their deaths indicates that EG died as the result of homicide, the law requires that an inquest must be held into her death. As JB's death is connected with EG's death, an inquest was also held into his death. Regrettably, the mandatory requirements of the Act bring with it the distressing memories associated with EG's and JB's deaths.
5. When an inquest is held section 81(1) of the Act requires that the findings of the Coroner be recorded in writing. These are the findings of an inquest into the deaths of EG and JB.¹

The lives of EG and JB

6. Before setting out the findings from the inquest, it is appropriate at this time to briefly say something about what is known about EG and JB. As EG and JB had no family in Australia and lived a largely solitary lifestyle as a couple, little information is known about their personal background. Most of what is known has been gathered from information provided from EG's cousin, SS, who resides in the United States but who remained in touch with EG and who met JB during one of the couple's trips abroad.
7. EG was born in 1940 in Kharkov, Ukraine. Her father was killed during combat in World War II and EG's mother was left to raise both EG and her older sister, Victoria, on her own. After moving briefly to Uzbekistan to escape the war, EG and her mother and sister later returned to Kharkov. After completing high school, EG obtained a Masters degree in engineering and moved to Moscow before later moving to Australia in 1979.

¹ These findings have been prepared without the benefit of a transcript of the proceedings.

8. JB was born in Germany. Seeking to escape the impact of World War II his family moved to Switzerland, then Italy, and eventually Australia. JB completed tertiary studies in Australia and obtained a degree in electrical engineering.
9. It was in Australia that EG and JB met and later married sometime in the 1980s. The wedding was held in the garden of the unit complex at 62 Ocean Street, Woollahra where JB was living with his mother at the time. EG later moved into the unit and she and JB continued living there for the rest of their lives. They enjoyed life as a couple and took pleasure in being in the company of friends, travelling abroad (usually to Europe) and pursuing their interests in music and the arts.
10. Ms SS has fond memories of EG as a young woman who was always smiling and laughing, energetic and joyous. Sadly, in later life, much of the vibrancy of EG's early years would succumb to her adverse mental health issues and EG became more withdrawn and reclusive. Despite these challenges, EG took care of JB's mother for many years before she passed away.
11. EG was a devoted sister, daughter and wife and, in the words of Ms SS, she was always extraordinarily kind to everybody she met in her life. JB was equally devoted to EG and equally as kind. It was clear to all who knew them that EG and JB had a great love for one another, with one their greatest pleasures in life being to simply be in each other's company.

What happened on 12 November 2015?

12. During the evening of 12 November 2015, Maria Ormiston and Doran Argamon, who lived in the same unit block as JB and EG, were having a conversation. They were concerned for JB's and EG's welfare because Mr Argamon had noticed that the lights in their unit had been left on for several days. Ms Ormiston recalled that she had last seen EG and JB three weeks earlier. Acting on their concern, Mr Argamon called some local hospitals to see whether either JB or EG had been admitted. When he discovered that this had not occurred he and Ms Ormiston assumed that JB and EG were away (as they were known to take short trips away together) and that they had simply forgotten to turn the lights off in their unit.

What happened on 13 November 2015?

13. The next morning, Ms Ormiston was still troubled by her conversation with Mr Argamon the previous night and still concerned for EG's and JB's welfare. After speaking to another resident of the unit block (Yvonne Perides) about this, Ms Ormiston recalled that she may have a key to EG's and JB's unit. JB had previously left a key to his unit with Ms Ormiston for safekeeping in case any issues arose whilst he and EG were away from the unit whilst on a vacation. After retrieving the key from her unit, Ms Ormiston asked another resident of the unit block (Craig Foley) to accompany her and Ms Perides whilst they went to EG's and JB's unit to check on them.
14. Shortly after 10:30am, Ms Ormiston, Ms Perides and Mr Foley entered EG's and JB's unit. Upon entry they immediately noticed an unusual smell which told them that something was wrong. Mr Foley went upstairs to the main bedroom and saw JB's on the bed, unresponsive and clearly deceased. The group of neighbours immediately called the police.
15. The police arrived on the scene a short time later along with officers from NSW Fire & Rescue. The first responders found EG and JB lying face up, side by side, on their bed. Both of them had

their fingers interlocked with their hands resting on their chests, and they were clearly in an advanced state of decomposition. The officers noticed that electrical wiring was connected to both of their arms and ankles and that the wiring ran to a power board on the floor beside the bed. The power board itself had an electric timer and was plugged into a wall socket which had been turned on.

What was found inside EG's and JB's unit?

16. The police made arrangements for technicians from the electricity supplier to the unit block, Ausgrid, to attend the unit to disconnect the electricity and examine what was found in the unit. It was discovered that the timer on the power board had been set to turn on at 2:00 for 30 minutes, meaning that each day at 2:00am and 2:00pm electricity would pass through the power board and to the wiring connected to EG and JB for 30 minutes. This had the effect of subjecting EG and JB to a flow of electrical current, resulting in their electrocution.
17. Such an event would have ordinarily blown a fuse in the unit, effectively stopping the supply of electricity to the power board. However, because the unit was older and did not contain a safety switch or circuit breaker, the fuse board was intact, meaning that electricity was delivered to the power board continuously from the time it was set up to the time that EG and JB were discovered. This means that whilst the first delivery of electricity to the power board, and consequently to the wiring connected to EG and JB, was fatal resulting in their deaths, electricity continued to be delivered to the wiring connected to EG and JB until 13 November 2015, with the last incident of electricity supply being at 2:00am that morning.
18. During the search of the remainder of the unit, other items were discovered by the police. A letter addressed to Ms Perides was located on sideboard in the ground floor hallway. Handwritten below Ms Perides' address were the words: "*For you or your friends. Sincerely, JB*". Inside the letter were some tickets to an upcoming event at the Sydney Opera House.
19. On top of another sideboard, this one in the main bedroom, were a number of personal papers including a printout of an email dated 3 November 2015 from JB to a Dr David Bryant at St Vincent's Hospital in which JB expressed experienced dizziness and pain in the right side of his chest. On a foot rest in front of the sideboard was the TV guide section from the Sydney Morning Herald newspaper from 2 November 2015. The guide itself was open to the listings page for 6 November 2015 and handwritten at the top page was: "*7.20 on 7.50 off*".
20. A number of documents were found stuck to a mirror in the main bedroom wardrobe with the first document titled "ASSETS J.G. [REDACTED] (Oct 2015)". It listed a number of details for bank accounts and real estate assets. Amongst the remaining documents was one titled "David H Bryant Diagnosis" which contained the following text:

*"I presume that the diagnosis is that I have lung cancer affecting my right lung and would appreciate your prognosis of the likely future. I am not so concerned about myself as my wife EG who has suffers [sic] from chronic paranoid schizophrenia and refuses to take any medication for the condition. I do not wish to have her end her days locked up in an asylum. (All our previous friends have understandably withdrawn from closely associating with us and we have no blood relations or others who would have the least interest in our welfare)."*²

² Exhibit 1, tab 7.

21. Adjacent to the main bedroom was a home office. Some electrical cord and wiring, similar to those attached to EG and JB, was found inside a garbage bin just inside the doorway to this room. Additional electrical wiring and a Stanley knife were located on a desk and an electrical timer was found on a lounge in the office.

What were the causes of EG's and JB's deaths?

22. EG and JB were both later taken to the Department of Forensic Medicine at Glebe. Dr Istvan Szentmariay performed the post-mortem examinations on 19 November 2015. Dr Szentmariay found that JB had red electric wire tied around his left wrist which was covered by a surgical crepe bandage. A blue electric wire (with no plastic sheath) was tied around his right ankle in a similar fashion and also covered by a crepe bandage. Burn marks were found on JB's left wrist and right ankle. EG also had electric wires wrapped around her left forearm and right ankle in a similar manner.
23. In his autopsy reports dated 1 June 2016 Dr Szentmariay concluded that the cause of both EG's and JB's death was electrocution.

What is known about EG's medical history?

24. EG's general physical health was mostly good. However, at some point (the precise time of which is not known) many years before her death, she was diagnosed with chronic paranoid schizophrenia. Although EG was prescribed medication she decided not to take it and declined any treatment during her later years in life. The available evidence indicates that some treatment was initially provided to EG by a psychiatrist, Dr Stuart Bartell, but it appears that this treatment ended after JB took over full-time care for EG. It seems that this decision was made because neither EG nor JB wanted EG to be admitted to, and cared for in, a mental health facility.
25. As a result of her condition, EG experienced paranoid delusional episodes. One such episode occurred on 6 May 2007 when EG swam into the ocean from Tamarama beach whilst she and JB were taking a walk. It appears that EG's actions were prompted by a mistaken belief that JB, her psychiatrist, and some corporations were conspiring against her to admit her to a mental health facility. EG was eventually rescued by lifeguards, about 100 metres from the shoreline, and taken to the emergency department at Prince of Wales Hospital. Upon examination EG's vital signs and physical assessment were normal but she was found to be expressing suicidal ideation, paranoid thoughts and hallucinations. EG was prescribed antipsychotic medication (Risperidone) and reviewed by a psychiatry registrar who concluded that she could be discharged the following day into JB's care.

What is known about JB's medical history?

26. JB had a history of high blood pressure and polymyalgia rheumatic (an inflammatory disorder causing muscle pain and stiffness). In late 2014 and early 2015 he began experiencing pain in his chest. His GP, Dr Peter Holloway, referred JB to Professor David Bryant, a specialist physician at St Vincent's Hospital. Subsequent examinations revealed that JB had possible malignant tumours in his right lung and in March 2015 it was strongly suspected that he had bronchogenic carcinoma with pleural spread (metastatic lung cancer) with a life expectancy of about 12 months. Due to his age JB was not suitable for chemotherapy and radiation treatment and whilst other treatment options were discussed with JB, it appears that he declined to receive them on

the basis that undergoing such treatment would prevent him from caring for EG. JB had previously expressed the same concern to Dr Holloway.³

27. JB continued to see Professor Bryant between April 2015 and September 2015, during which time his condition remained stable. However, by September 2015 JB's condition had begun to deteriorate and it was noted that he had a large right side pleural effusion (an abnormal build-up of fluid in the membrane lining the lung). Professor Bryant explained to JB that, without therapeutic intervention, it was likely that his life expectancy was only a few months. However, JB continued to decline treatment on the basis that it would render him unable to care for EG. In a letter dated 16 September 2015 Professor Bryant wrote to Dr Holloway, explaining:

"The normal life expectancy for a person with a malignant pleural effusion, on active treatment, is now more than twelve months. Given JB's current situation and his views about management the likelihood of him surviving for more than another few months is therefore poor. He understands and accepts this situation".⁴

28. On 4 November 2015 JB attended St Vincent's Hospital for the last time and it was noted that the disease had progressed significantly since JB's last examination two months earlier, and that the pleural effusion had virtually rendered his right lung useless.

What was the manner of EG's and JB's deaths?

29. Although the cause of EG's and JB's deaths is clear, both from the medical evidence and from the circumstances in which they were found on 13 November 2015, two questions remain: what was the manner of their deaths, and when did they die? A coroner has an obligation to answer, if the evidence allows, both questions.
30. It is clear that EG's and JB's electrocution was caused by the wiring connected to their bodies. The police investigation did not reveal any suspicious circumstances, or any evidence of forced entry into EG's and JB's unit, nor any evidence that an unknown third party was involved in their deaths. From the items found inside the unit, JB's training as an electrical engineer, and JB's comments to Professor Bryant, it seems clear that JB was responsible for connecting the electrical wiring to himself. I conclude that he acted in this way because he was confronted with a terminal illness with a short life expectancy and (for reasons explained further below) made a decision to control the circumstances and timing of his death, and that of his wife's. I therefore conclude, on the balance of probabilities, that JB acted with the intention of ending his life.
31. For the same reasons, I also conclude that JB was responsible for connecting the electrical wiring to EG. Although EG had completed tertiary studies in engineering there is no evidence that she had familiarity with electrical wiring and circuitry to the same extent as JB. I conclude that JB acted in this way because he did not want EG to be left alone if he succumbed to his terminal illness, and left facing the possibility of being involuntarily admitted to a mental health facility. Given JB's many years of caring for his wife, and his views about such a possibility which he had previously expressed to Professor Bryant and Dr Holloway, it is clear that the idea of this occurring was not something which JB wanted. Because JB acted in this way this means that the manner of EG's death is therefore homicide.

³ Exhibit 1, tab 15.

⁴ Exhibit 1, tab 17.

32. Whether JB acted with EG's consent and whether EG was in agreement with his actions does not change the manner of EG's death from being homicide. This is because, as noted above, there is no evidence that EG connected the electrical wiring to herself and therefore intentionally caused her own death. However the available evidence indicates that EG was a willing participant in JB's actions. This is not because of EG's earlier self-harm attempt in 2007. That event is too remote and unconnected with the events of November 2015 to allow a conclusion to be reached that EG allowed JB to act out of an intention to cause her own death. Apart from that one incident there is no other evidence that EG had previously contemplated, or attempted, self-harm.
33. Instead, given the closeness of their relationship and their shared views regarding the undesirability of EG being admitted to a mental health facility, it is likely that JB and EG discussed when and how JB would act to bring about their deaths in order to prevent this likely eventuality from occurring. Given the way in which the electrical wiring was attached to EG's forearm and ankle, requiring to be secured in place with a bandage, it is highly unlikely that this could have been done by JB without EG's knowledge or consent. Furthermore, the positions in which EG and JB were found, in an almost identical otherwise peaceful supine position with their hands folded across their chests (and with EG lying under the bed covers), also indicates that their deaths had been planned.

When did EG and JB die?

34. The last time JB was seen alive was when he attended St Vincent's Hospital on 4 November 2015. Neither he or EG were seen again by anyone after this date until they were discovered on 13 November 2015. The location of the TV guide page in their bedroom opened to 6 November 2015 and JB's handwriting of "7.20 on 7.50 off" suggests that JB had initially intended for the timer to be set to deliver 30 minutes of electricity between 7:20 and 7:50 (although it is unclear if this is a reference to morning or evening times). It is not known whether, in setting the timer on the power board for the electricity to be delivered at 2:00 that JB had changed his initial plan, or whether this was due to an error on his part. Exactly when JB arranged for the electrical wiring to be connected to himself and EG is also not known.
35. Although the first supply of electricity was fatal, and EG's and JB's state of decomposition indicates that they had been deceased for several days before being discovered, the available evidence does not allow a finding to be made as to the precise time and date of their deaths. This issue is somewhat complicated by the fact that Mr Argamon mentions seeing the lights on in EG's and JB's unit "for a few days" but could not be precise as to when he first saw them on. This leaves open the possibility that the electrical wiring was configured by JB sometime after 6 November 2015.
36. Taking all of the above into account, I think it is best to conclude that EG and JB died sometime between 4 November 2015 and 13 November 2015.

Findings: EG

37. Before turning to the findings that I am required to make, I would like to thank Sergeant Tim O'Donnell, Coronial Advocate, and Detective Senior Constable Laura Dowsett, the officer-in-charge of the police investigation, for their assistance with this inquest.

38. The findings that I make under section 81(1) of the Act are

Identity

The person who died was EG.

Date of death

EG died between 6 November 2015 and 13 November 2015.

Place of death

EG died at Woollahra NSW 2025.

Cause of death

The cause of EG's death was electrocution.

Manner of death

EG's death was the result of actions taken by her husband, JB, and therefore the manner of her death was homicide.

Findings: JB

39. Again, the findings that I make under section 81(1) of the Act are:

Identity

The person who died was JB.

Date of death

JB died between 6 November 2015 and 13 November 2015.

Place of death

JB died at Woollahra NSW 2025.

Cause of death

The cause of JB's death was electrocution.

Manner of death

JB's death was intentionally self-inflicted with the intention of ending life.

Epilogue

40. As in life, EG and JB were inseparable in death. As a devoted husband, JB had cared for EG for many years, lovingly and kindly. His actions sometime between 6 November 2015 and 13 November 2015 were, in this sense, no different to his actions throughout the many years that had preceded the couple's death.

41. On behalf of the coronial team I would like to offer my sincere and respectful condolences to EG's and JB's family and friends. Although JB had written that he did not think anyone was concerned for his or EG's welfare, it is clear that many people were. JB and EG will no doubt be fondly remembered for their immeasurable kindness, and for their love and devotion to each other.

42. I close this inquest.

Magistrate Derek Lee
Deputy State Coroner
13 January 2017
NSW State Coroner's Court, Glebe