



*Western*

*Australia*

## RECORD OF INVESTIGATION INTO DEATH

*Ref No: 39/13*

*I, Barry Paul King, Coroner, having investigated the suspected death of **Ah Bee Mack** with an inquest held at the **Perth Coroner's Court, Court 51, CLC Building, 501 Hay Street, Perth** on **8 October 2013**, find that the death has been established beyond all reasonable doubt, that the identity of the deceased person was **Ah Bee Mack**, and that death occurred between **18 December 2008 and 29 December 2008** at **144 Fairfield Street, Mount Hawthorn**, in the following circumstances –*

### **Counsel Appearing :**

Sergeant Lyle Housiaux assisting the State Coroner

## THE DECEASED

1. Ah Bee Mack (**the deceased**) was born of Chinese Malaysian origin on 20 April 1954. She had always used the name Pauline. She was unofficially adopted by Maria Tan when she was seven or eight years old and regarded Ms Tan's son and daughter, Harry Chew and Nancy Tan, as her brother and sister.
2. The deceased left home when she was 21 or 22 years old and moved out on her own. She responded to an advertisement in a newspaper and began to correspond with Donald Ernest Mack (Donald), which led to her moving to Australia and marrying him.
3. The deceased and Donald lived in Donald's home in Mount Hawthorn. They had two sons, Brent Donald Mack (Brent) and Adrian Ernest Mack.

4. The deceased had few friends and was shy and uncomfortable in company.
5. In 2008 Donald was very ill. Brent, who had been living independently, moved back into the family home. The deceased cared for Donald until he died on 9 August 2008.
6. On 5 and 7 September 2008, the deceased visited Harry Chew and his wife Nellie, who had migrated to Australia in 1986.
7. On 28 September 2008, Nancy Tan, who was now living in Adelaide, was visiting the Chews in Perth. The deceased went to the Chews' home for lunch and saw Ms Tan there.
8. On 10 October 2008, the deceased had a long telephone conversation with Ms Tan. The deceased was happy and positive, indicating that she was interested in becoming qualified to become a carer. They discussed the possibility of doing some travelling together and agreed to keep in more regular contact. Ms Tan did not hear from the deceased again.
9. In December 2008 Mrs Chew sent the deceased a Christmas card and a note inviting her to visit for Christmas. Uncharacteristically, Mrs Chew did not receive a response from the deceased.
10. In 2009 the Chews were preoccupied with Harry Chew's health, so they did not try to contact the deceased. By mid 2010 Mr Chew's health had stabilised, so Mrs Chew tried to contact her in writing. When she received no reply, they visited her home and spoke to Brent. After several exchanges with Brent, they became suspicious and notified the police who then conducted an investigation into the deceased's disappearance.
11. Following the police investigation, Brent was charged on indictment with the murder of the deceased.
12. From 6 November to 9 November 2012, Brent was tried for the murder of the deceased before McKechnie J without a jury in the Supreme Court of Western Australia. On 23

November 2012 McKechnie J convicted Brent and delivered comprehensive reasons.<sup>1</sup> On 25 January 2012 McKechnie J sentenced Brent to life imprisonment from 26 August 2010 and set a minimum of 20 years before release on parole.<sup>2</sup>

13. McKechnie J made the following findings beyond reasonable doubt, which I accept:<sup>3</sup>
  - a) Brent had a motive to kill the deceased to gain control of her money and property;
  - b) the deceased was dead;
  - c) Brent killed her by some unknown means prior to 29 December 2008, possibly on 21 December 2008;
  - d) the killing was an unlawful killing;
  - e) Brent disposed of the deceased's body in a way calculated to conceal her death and the cause of death;
  - f) Brent put his motive into immediate action by stealing from the accounts to the eventual extent of more than \$225,000; and
  - g) Brent consistently told lies to divert attention from his crime because he could not tell the truth and remain unpunished. He did so to cover up his crime of murder, not just a homicide.
14. On 8 October 2013 an inquest was held at the Perth Coroner's Court. The evidence adduced was the report and oral testimony of Detective First Class Constable Linda Carter. Her evidence made clear that the deceased's body has not been found and that there is no cogent evidence upon which the cause of death can be determined.
15. On the information available to me, it is not possible to determine the cause of death of the deceased.
16. Under s53(2) of the *Coroners Act 1996* the finding of a coroner on an inquest into a death must not be inconsistent with the result of any earlier proceedings where a person has been charged on indictment of an

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<sup>1</sup> *The State of Western Australia v Mack [No 2]* [2012] WASC 445

<sup>2</sup> *The State of Western Australia v Mack* [2013] WASC 12

<sup>3</sup> *The State of Western Australia v Mack [No 2]* [2012] WASC 445 at [252].

offence in which the question whether the accused person caused the death was in issue.

17. I am therefore bound to find that the manner of death was unlawful homicide, and I so find.

B P King

Coroner

1 November 2013