

Malicious Intent

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Extract

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Prologue

Clare Matthews was cold, wet and late for dinner – again. As the train pulled into Seven Hills station, she peered along the empty platform through teeming rain and braced herself to dash for cover. Two or three steps later, the full force of the storm unleashed itself, snapping her umbrella inside out. Dodging puddles, she sprinted up the stairs, along the overpass and down the ramp to the multi-level car park. Safely inside the entrance, she had a coughing spasm, and wiped her nose with a sodden cardigan sleeve. A group of teenage boys on the stairs above wolf whistled.

Clare's pulse pounded. She'd worked with girls who'd been raped in situations like this. Turning around brought the realisation: no-one else had left the train. The usual peak-hour crowds had long gone, escaping early for the weekend.

Just keep walking; don't bother them and they won't bother you.

'Look what we got here.' One slid down the metal railing and landed in her path. 'How about a gangbang?' He leant forward and trailed a finger down her arm.

Repulsed, Clare turned and pulled away, but he grabbed her from behind, thrusting his pelvis into her back. The others laughed. She swung her bag at him and ran up the stairs. Halfway up, two more appeared and blocked the way while a pair of hands groped her breasts.

‘Leave me alone!’ she screamed, struggling to push them back.

The one in front pulled her skirt up to her waist and shoved a fist between her legs. With one hand fending off the fist, she used the other to ram the broken umbrella spoke into what she hoped was his groin. He instantly withdrew, clutching himself. She ran up the remaining flight of stairs as fast as her legs would allow. Swearing followed by loud laughter echoed through the concrete stairwell.

Clare pulled open the doorway to the car park’s second level as pain stabbed at her ribcage. Suppressing another cough, she frantically tried to remember where she’d parked her car. Back on the stairwell, the laughter and noise stopped. The silence frightened her more.

Grabbing the house keys from her bag, she crouched behind a cement pillar, unable to see her car.

As soon as they come out that door and start looking, I’ll get down the stairs and back to the platform. There’s got to be someone there by now.

Raucous laughing started again, and grew louder.

Then she saw the man. Thank God she wasn’t alone. Holding her chest with one hand, she hurried to where he was standing.

He looked like a lawyer: long black coat, expensive shoes, impeccable hair.

‘This is the third time I’ve called.’ He spoke loudly into his mobile as she walked briskly towards her Volkswagen. ‘It’s a black BMW.’

The man managed a harrowed smile before moving away to continue his conversation. Clare turned around. No-one was following. Her body shuddered with relief. Her car was just down this aisle.

She took some slow, deep breaths and looked back at the man. A broken-down BMW. So God had a sense of humour, after all.

Hands trembling, she fumbled with the key and opened the

door of her yellow VW. Leaning in, she quickly threw her bag onto the back seat. Shards of glass covered the seat and floor.

What?

'They've been at my car too.' The lawyer approached, briefcase in hand. 'Only they tried to steal mine and destroyed the ignition barrel in the process. It won't start.'

Clare's eyes flicked to the stairwell door. No-one else was on the level – yet. 'We should call the police,' she managed, feeling a pang of guilt about thinking he'd broken down.

'I've done all that. With the storm and the Friday night exodus, they're caught up with accidents, and the Motor Club will be at least two hours. They said the best thing is to drive to the local police station.' He glanced around the near-empty car park.

Clare couldn't stop watching for signs of the gang.

'We can give a statement and at least get home tonight.' He paused as if waiting for an offer. 'Is there any chance you could drive us? Ordinarily I wouldn't impose, but I've already been here an hour and no-one else would help. With that pack of hoons on the loose, who knows what they'll do next?'

After the way they grabbed her in the stairwell, Clare didn't waste time. 'Okay,' she agreed, reaching in to pull a rug from the back seat. 'Quick. You can use this to wipe off the glass.'

'Thank you.'

With a grateful smile, the man brushed at the broken fragments and climbed into the passenger seat. An isolated car park was the last place either of them wanted to be.

Still shaking, Clare climbed in and started the ignition. The engine turned over and cut out. The man leant forward, almost willing the car to move.

'Don't worry, she almost never starts first time.'

Clare took a deep breath, reached down and pulled out the choke, continuing to pump the accelerator pedal.

'It's good of you to do this. After all, we're both victims of a sort . . .'

 the man said.

A screech of tyres startled them both. Someone was racing around the car park above; the next screech was much closer.

‘Come on!’ Clare urged. This time the engine hummed and she released the handbrake. ‘May not be a Beemer, but she’s reliable.’

The man twisted around in his seat and stared out of the intact rear window as they headed for the exit.

‘I don’t think they’re following us,’ Clare said, unsure who needed more reassurance.

Out of the car park she waited at a stop sign for an opportunity to break into the dispersing traffic.

Eventually, the man spoke. ‘Well, Clare. I was beginning to worry about you. You’re not usually this late off the train.’

1

Dr Anya Crichton sat in the witness box and surveyed the room. Her gaze quickly found the teenager in the dock. Scott Barker sat, round-shouldered and eyes downcast. The university student was like any other, except for two things. His family was one of the most prominent in the state, but more importantly, Scott was on trial for murder.

Judge Little took command. 'Please proceed, Mr Brody.'

Anya concentrated on Dan Brody. The barrister seemed more impressive in court than he did on any of his television appearances.

'Thank you, Your Honour.' Smiling, Brody stood from behind the table, rising to his full six feet four inches. 'Could you please state your name and qualifications for the jury?'

'Anya Rose Crichton.' Her voice remained even. Controlled breathing always helped. 'I am a medical practitioner, with specialist qualifications in forensic pathology and forensic medicine.'

'For the benefit of the jury, doctor, could you explain what your job entails?'

'As a forensic pathologist, I have conducted thousands of post-mortems to establish cause of death. As a forensic physician, I assess wounds and injuries of people who have been assaulted or involved in an assault and survived.'

‘Could you please tell the court where you gained your experience?’

‘After completing my medical degree at the University of Newcastle –’

‘Yes, yes, Your Honour,’ interjected the prosecutor from his seat. ‘There is no issue as to the expertise of this witness.’ Alistair Fraser sat shrouded in black silks, hands on his paunch.

Anya’s back straightened. Fraser was already on the back foot. He had no intention of letting the jury hear the breadth of her experience and qualifications, her work at the State Forensic Institute or two years in England specialising in wound analysis.

Brody placed both hands firmly on the lectern and addressed his witness. ‘Doctor, could you please describe the circumstances under which you came to meet the defendant?’

‘I was called by the family solicitor to examine Scott Barker on the twelfth of December. He was in hospital for injuries following an alleged assault. I documented Scott’s wounds in case of permanent injury and/or further police investigation.’

‘And what did you find?’

‘Scott Barker was in the emergency department with a series of wounds to his arms, hands and fingers. The incisions were deep and extensive. One particular injury severed the web between the base of his right thumb and index finger, as well as tendons in the right hand.’

Brody tendered photographs of Scott’s injuries to be shown later to the jury.

‘And, doctor, in your opinion, how were these wounds inflicted?’

‘They are classic defence injuries.’

‘Could you please explain what you mean?’ Brody asked.

Looking to the jury, Anya carefully chose her words. ‘These wounds result from attempts to ward off someone brandishing a sharp weapon. The victim instinctively raises his hands and forearms to protect his eyes, face and head.’ Lifting her arms to demonstrate, she glanced at the twelve jurors. Three took notes,

the others sat forward in their seats. 'In the process, the victim sustains the characteristic deep incisions to those areas.' She paused. 'Exactly like the ones Scott suffered on the twelfth of December.'

Seeing Scott triggered vivid memories of that night. The shy youth claimed to be the victim of an unprovoked attack by two drunks outside a pub in Glebe. The attack wasn't difficult to imagine; the forensic evidence supported Scott's version of events. As he walked home from Sydney University, two men stopped him, wanting to know what he had in his bag. In the confrontation, Scott's laptop computer was smashed. When he yelled for someone to call the police, one of the men pulled out a switchblade. In the scuffle, the knife pierced the chest and heart of the larger man, killing him. The dead man had a blood alcohol reading three times the legal limit. The police case rested on the testimony of the second man, who alleged Scott had gone berserk, broken his own computer and attacked the two men.

Brody continued, 'Could you please explain why Scott would have such a deep cut to one palm only?'

'When someone is under attack they'll do anything to defend themselves, even if it seems irrational. That includes grabbing the weapon by the blade. When the hand is closed around the blade, movement by the assailant results in cuts across the flexures of the phalanges, the palm side of the victim's fingers. The blade slices through the skin, tissues and even tendons. In the process of grabbing the knife, Scott suffered permanent damage to that hand.'

Fraser jumped to his feet. 'Objection, Your Honour,' he boomed. 'This is conjecture. The witness was not present and could not know who grabbed what, where or when.'

Judge Little curtly reminded Fraser he had accepted Dr Crichton as an expert in this field and overruled the objection. The prosecutor flopped into his chair. Anya breathed out, appreciating the minor victory.

'So, doctor.' Brody put a hand on one hip, just below his bar jacket. 'Scott Barker is accused of cold-blooded murder, but you are saying Scott's wounds suggest that he was, in fact, fighting for

his own life.' He paused for maximum effect. 'How likely is it that someone claiming to defend himself against a knife attack could suffer no defence injuries?'

'It would be unlikely.' Anya clasped her hands as Brody prepared the final blow to Fraser's case.

'You reviewed the post-mortem report on the deceased?' Brody underlined something in his notes. 'Did the *alleged* victim, the deceased, sustain any injuries to his arms or hands to suggest he fought off a knife attack?'

'No.'

'That's all, doctor.'

A murmur rumbled through the courtroom and in their gallery the press scribbled notes.

Anya's adrenalin surged as she watched the prosecutor haul himself to his feet. She wondered if this was how gladiators felt during combat.

'You say that Scott was the *victim*, and yet another man died during this incident.' Fraser faced the jury. 'I would have thought the dead man is the only real victim in this case.' He slapped the desk and barked, '*And* we have an eyewitness account of Mr Barker initiating a vicious and premeditated attack on two friends, drinking after a hard day's work.' The seasoned barrister spat the words out as he leant over the desk, knuckles white with the weight of his bulk. 'Now, the deceased was two metres in height and the defendant is 1.6 metres tall. Let's talk about the fatal wound.' Pulling on half-glasses, he flicked through some papers and lowered his voice. 'The autopsy report states that the weapon pierced the fourth left intercostal space and penetrated the right ventricle of the heart, causing massive bleeding into the sac around the heart. This, of course, caused death.' Head down, Fraser stared over his spectacles. 'Do you agree with that, Ms Crichton?'

Brody rose to object but the judge was already berating Fraser for failing to address Anya by her professional title.

Pulling a handkerchief from beneath his robe, Fraser wiped his ruddy face.

‘Now, do you agree that, taking into account the angle of the wound, it had to be inflicted from below, for example, by someone who reached up to stab the deceased?’ His face glistened with perspiration.

‘No, I do not agree.’ Anya realised Fraser’s strategy. ‘Guessing trajectories of weapons is notoriously unreliable because people, hands, bodies and the weapon are all moving at the same time when the weapon makes contact with the body.’ Staring directly at the prosecutor, she added, ‘In other words, no competent expert could say the fatal wound was inflicted by a shorter person.’

Clearing his throat, Fraser responded. ‘Now, as you were not actually present at the post-mortem, could you please explain how you are in any position to comment on the wounds described in the report?’ He peeled off his glasses with a smug look of victory.

Fraser had gaffed again. He obviously hoped she would try to discredit the pathologists at the State Forensic Institute, giving the jury the impression that her opinions were based on bitchiness, not fact.

‘As a forensic pathologist and physician, I am an expert in wounds, and the autopsy report is quite explicit in the wound descriptions. Having worked closely with the doctors at the State Forensic Institute, I believe their findings to be above reproach. The fact that I was not present at the post-mortem makes no difference to my ability to understand or interpret the wounds, which were clearly and expertly described by the pathologist.’

Fraser’s tight-lipped expression confirmed his irritation. ‘No further questions, Your Honour.’ He collected up his papers as Judge Little excused Anya.

Stepping towards the door, she looked over to see Scott mouthing ‘Thank you’ as she passed the dock. It was the first time she had seen him smile. Outside the court, she walked quickly to the ladies’ room, past the camera crews and reporters milling outside the gates. She turned on the cold tap and let the water flow over her wrists.

A familiar voice echoed through the bathroom. 'Still getting stagefright, I see.'

Anya grabbed a paper towel and turned to see Detective Sergeant Kate Farrer sauntering towards the basins.

'You look like shit.' Kate dug her hands into the trouser pockets of her fawn suit and leant against the bathroom wall. 'But you still did well in there. God, it's amazing the way juries trust you.'

Too exhausted to argue, Anya wet the paper towel and dabbed it under her cream blouse, cooling her neck. Her temples pounded. This case had been more stressful than she'd realised. All she wanted was to go home and sleep.

'We still have to wait and see whether the jury acquits,' Anya replied, throwing the paper towel into the bin.

Kate raised one eyebrow. 'Anyone with an ounce of sense could see that kid is innocent. The only thing he's guilty of is being related to his old man's money. Next there'll be a wrongful death suit by the drunk's family.'

Anya watched Kate run a hand through her short black bob. The detective was smart and arrogant, with a reputation as a troubleshooter, among other things. The two had worked together on a number of homicides over the last few years and Anya had been impressed by the twenty-eight-year-old detective's straightforward approach. Gradually, they had become friends. Anya did wonder, however, why Kate went out of her way to intimidate everyone she met.

'When the kid gets off, you should make the most of the father's gratitude and double your fee. That'd stick it up everyone who thought you couldn't make it on your own.'

Anya smiled. 'Good to see you've taken my advice and had those diplomacy lessons.'

Kate was one of the few who knew her reason for the job change. The marriage breakdown and losing custody of Ben, her three-year-old son, were still painful. Anya pulled a lipstick from her purse, reapplied the terracotta gloss and walked towards the door.

Kate followed. 'You look like you could use a coffee. My shout.'

Anya hesitated. Solo work was isolating and she hadn't seen Kate for weeks. 'Only if I can choose the place. Don't want to end up with salmonella or worse.'

The pair walked out the court gates, ran the gauntlet through the media pack and crossed Oxford Street. They stopped at the second café they came to. Inside, Kate glanced at the blackboard menu and grabbed a window table. The waitress pounced.

'We'll have a mineral water and . . .'

'A short black, thanks,' chimed Kate.

They sat and watched the activity on the street until their drinks arrived. Across the road, Alistair Fraser left the courthouse, a camera crew in his wake.

Anya sipped her water. 'You look exhausted.'

'No choice. Without enough staff, I've been involved with homicide jobs all over the bloody state. As far as the brass is concerned, I'm only "consulting". Problem is, the local detectives wouldn't know shit from clay half the time.'

'And you still have your own case load.' Typical police, Anya thought. The hierarchy cut staff, increased workloads and still expected more arrests and reduced crime stats. 'Something else is bothering you.'

'A coronial inquest.' Kate heaped two sugars in her coffee. 'The case was treated as an apparent suicide off the Gap. Right from the start, it didn't add up. This one was all dolled up in designer gear, Dinnigan kind of stuff, but lots of cheap, chunky jewellery – very cheap.' She paused to lick the spoon. 'Not something you'd put on to swan-dive off a cliff.'

'Maybe she bought an expensive outfit on a credit card to go out in style.' Anya had seen women do this many times. Sometimes they'd pay for an expensive hotel room on credit, rack up huge bills then kill themselves in the room. 'The jewellery could have had sentimental value.'

'It's possible. She must have been attached to the shoes, too. They went with her into the water.'

‘Granted, that’s unusual, but doesn’t prove anything,’ Anya said. ‘What do you know about her social circumstances?’

‘Well, that’s the interesting bit.’ Kate caught the eye of a passing waiter and ordered a hamburger with the lot. ‘She went missing for a couple of months prior to her death.’

‘Was it out of character?’

‘Totally. She was about to take her final vows. The “I’m going to carry rosary beads and pray a lot” kind of vows.’

Anya had read about the case in the papers. ‘The nun with the double life.’

‘That’s her. The stuff tabloid dreams are made of. She disappeared two months before her death. Went to work and never came home. Next thing she is found dead, all done up.’ Kate looked around the busy café and lowered her voice. ‘And that’s not all; she was six weeks pregnant.’

‘Priests don’t have the monopoly on sex scandals,’ Anya mockingly whispered. ‘Nuns have been known to have sex!’

‘Funny. But for added drama, this woman tried to claw her own ears off before taking the plunge.’

Anya had to admit the scenario was bizarre, but there may have been a logical explanation. ‘What did the coroner say?’

‘He returned an open finding. He says it is probable she threw herself off the cliff, but there isn’t enough evidence to support the finding.’

‘I’m tutoring at the institute tomorrow.’ Anya smiled. ‘I’ll see what I can find out about the autopsy – unofficially, of course.’ She lifted a notebook from her handbag. ‘I’ll ask Peter Latham to dig out the file. What’s her name?’

Kate drained her coffee.

‘Matthews with two T’s. Clare Matthews.’