

**Felonious Podcast**  
**Episode 11 - Kathleen Folbigg**

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**00:00:00.000 [Opening Music]**

**00:00:04.000 Introduction**

Emma: Hello and welcome to this episode of Felonious. A podcast where we discuss the realm of true crime from chilling cold cases to the wild and wacky, we'll explore it all with the perfect blend of seriousness and humour. My name is Emma

Naza: and I'm Nazia. To keep up to date with what's coming up be sure to follow us on Instagram [@felonious\\_pod](https://www.instagram.com/felonious_pod) and visit our website [feloniouspod.com](https://feloniouspod.com). We hope you enjoy this episode, so let's get to it.

**00:00:32.000 Banter**

Nazia: I don't know how we got into that conversation. My brain is so foggy from this cold.

Emma: Yeah, so listeners, we've had colds, I had a cold last week and I'm slowly getting over it and you've just started one.

Nazia: Yeah, and the week before you had a cold, I just had a crazy day. We've had to reschedule this recording a couple of times. I'll call it a mental health day, 'cause everything was just going wrong that day, and then you got ill, and then I got ill. But we're gonna power through today.

Emma: Yeah.

Nazia: Yeah. Right. So what do we have? What's your find for this week?

Emma: My find for this week is an Instagram one. This is on the History of Dogs Instagram account. It was published in the Birmingham News in America on December 22nd, 1921, and the headline is "Woman rescues dog but leaves husband in jail." Tommy Parker's wife may not love Tommy, but she certainly loves her pug dog. On Wednesday night or early Thursday morning, Tommy ended up in jail on a charge of being drunk after a heavy night of drinking hooch. The pug dog, belonging to his wife, accompanied Tommy to the police station where he was bow-wow-ing all over the warden's office. Then Tommy's wife showed up. The warden asked her if she was looking for her husband, to which she responded, "No, sir, where is my dog?" The dog took one look at the warden and jumped through the window to the outside office and into the arms of his mother. Tommy, however, remained in jail. He pleaded not guilty and paid a fine of five dollars.

Nazia: I'd say that lady has her priorities just right.

Emma: I mean hell yeah.

Nazia: I don't know how I feel about people getting drunk around animals. Like, you know, like when you take them to the pub or take them out and...

Emma: Yeah

Nazia: I don't know how I feel about that.

Emma: There's a pub in Chiswick where I used to live in London and there's this guy who had a- It was a massive German Shepherd. It looked like a horse, it was so big.

Nazia: I think I remember this, yeah.

Emma: But he used to accompany this guy to the pub and he would drink the beer from the drip trays that sat under the, on the counter, under the pumps.

Nazia: Ergh.

Emma: But he loved it. He was always pissed, though.

Nazia: Oh, God. I suppose, yeah, I mean, I think if the dog was some kind of like service dog had to chaperone their owner home. Even then, but yeah, a dog drinking beer, I don't know.

Emma: Yeah, it's not good for the dog.

Nazia: No, even though it's a German shepherd and they're quite big, so maybe they could handle it, but still, no.

Emma: Yeah.

Nazia: I don't agree with that.

Emma: It's not good, but I did used to give beer to George, my sausage dog. So whenever we had a bottle of beer, it's really bad, but we let him drink from the bottle. And you could just see his tongue sticking into the neck of the bottle.

Nazia: Oh my god! I mean you're a minor then, so like you weren't...

Emma: Yeah I was illegally drinking and giving beer to my dog.

Nazia: I was gonna say such a British thing. Anyway, moving on from beer drinking doggies.

Emma: Yeah.

### **00:04:24.300 Episode Introduction**

Nazia: We're gonna bring the tone down today.

Emma: Yeah, it's a serious one today.

Nazia: Yeah, lots to say about today's case. So in today's episode, we will be looking at the case of Kathleen Folbigg which sent shockwaves throughout Australia as she was labeled the country's worst serial killer. After spending more than two decades behind bars for the murder of her four children, she is finally a free woman. But why did it take so long for her innocence to be proven when other women who were wrongfully convicted were freed within a few years?

### **00:04:57.000 Disclaimer**

Nazia: So as you can imagine, today's episode is going to be discussing infant death, including SIDS, so sudden infant death syndrome, and there's also going to be mentions or discussions around infanticide, including shaken baby syndrome.

### **00:05:18.980 Kathleen's Early Life**

Emma: So Kathleen Folbigg was born on the 14th of June 1967. Her father was Thomas John Britton, who emigrated from England to Australia. He was a womanizer with a drinking problem and her mother, Kathleen Donovan, also had a drinking problem. In 1969,

Kathleen's parents had a massive argument and her mother left her father with his wages and went to some friend's house. One day he waited for her to come home with a carving knife and when she got out of the taxi he stabbed her 28 times and she died from her injuries. Kathleen at the time was only 18 months old. Kathleen's friend Tracy Chapman recalls Newcastle being a nice place to grow up in the 1980s, living close to the beach and getting on really well with Kathy from the beginning. Megan Donegan, another childhood friend, knew her from high school, and Kathy was known for having very strict parents, her foster parents, which she had in common with Tracy, so her parents were strict as well. However, no one knew then that she was a foster child. Her foster mother, Deidre, hadn't adopted her, and she was still a ward of the state. On her 16th birthday, she was told by her foster parents that her father murdered her mother. She moved out of her foster home when she was 18 years old, and met a car salesman Craig, who was much older than her and they wanted to get married. Megan recalls that he was very charismatic and they got married in 1987 and moved to a suburb.

#### **00:07:22.340 Kathleen's First Three Children**

Emma: On the 1st of February 1989, Kathy gave birth to Caleb. At the hospital, it was noted that he had difficulties breathing and swallowing simultaneously. He was diagnosed with a floppy larynx, laryngomalacia. On the 19th of February, Kathy fed Caleb at 1am. At 2.53am, he was discovered lifeless. The cause of death at the autopsy was determined as SIDS. Kathleen's second child, Patrick, was born on 3 June 1990. Lots of tests were done on him and they found nothing of concern. Four months later, however, Kathy found him not breathing and he was taken to hospital in time and resuscitated. He ended up blind and with epilepsy. He suffered seizures and had various hospital visits. Four months after the initial incident, Kathy found him dead. This sent Kathy into depression. Patrick had passed away due to an epileptic fit causing an airway obstruction, not SIDS. On 14th of October 1992, Sarah was born. Megan, who's Kathleen's friend, also had her child, Alex. The mothers would hang out together with their babies. Megan observed Kathy as being very vigilant. Sarah passed away at 10 months old, and at the time she had a cold. The autopsy stated the cause of death was SIDS.

#### **00:08:33.620 Meanwhile in England...**

Emma: Meanwhile in England, in 1993, Beverley Allitt, also known as the "Angel of Death", was on trial. She was a nurse who murdered four children by injecting them with insulin. Professor Roy Meadow, an expert in child abuse, gave evidence at the trial. He coined the term "Munchausen Syndrome by proxy" where the sufferer harms or fakes illness of those under their care, usually children. He was put in the spotlight because of the Beverley Allitt trial and was asked to give evidence in similar trials. He was also an expert in cot deaths or SIDS, and claimed that many children were actually killed by their parents rather than SIDS. He carried out his own research into the death of 81 infants, which were apparently caused by natural deaths, but according to him were actually murdered by their parents. Roy Meadow had a theory regarding infant deaths with no identifiable cause which was called Meadow's Law, where one was a tragedy, two was

suspicious, and three was murder. In 1996, Sally Clark gave birth to her first baby, Christopher. He died at 11 weeks from a lower respiratory tract infection. In 1997, Sally gave birth to Harry, three weeks premature. In January 1998, he was found dead during the night. A few days later, Steve and Sally were taken in by police. Sally was accused of shaking Harry to death. Allan Williams, the pathologist, then decided to go back to Christopher's postmortem and changed the cause of death to him being smothered. After an 18 month inquiry Sally was charged with the murder of her two babies. At the same time, Sally Clark was being investigated, another British mother was accused of murdering her two children - her daughter who died in 1996 and her son who died in 1997. Professor Roy Meadow was a key witness in both trials.

#### **00:10:50.660 Kathy's Fourth Child**

Emma: Going back to Kathleen Folbigg, on the 7th of August 1997, she gave birth to her daughter Laura. Kathleen took all the precautions she could think of to keep Laura safe, including making sure anyone who babysat was CPR trained, including close friends. On one occasion, her friend Karen Hall was babysitting Laura. When she was about one years old, Laura stopped breathing and Karen had to perform CPR on her to bring her back. Laura was 18 months old when she passed away in February 1999. A doctor decided to speak to a detective after Laura's death, as it was the fourth one to pass away. Although the pathologist found myocarditis in Laura, the cause of death was noted as undetermined as the heart condition wasn't significant enough. Laura died at the age of 18 months, much older than her siblings, and the three previous deaths drew suspicions. A multiple murder investigation was launched by Detective Sergeant Bernie Ryan. The police went to Kathy's house to look at the evidence and scene. Although there was no evidence of foul play, the police still had their suspicions.

#### **00:12:07.620 Kathy's Diaries**

Emma: By May 1999, the relationship between Kathy and Craig was fragile after they had lost their four children. Craig read Kathy's diaries, which were always kept on the bedside table. In her diary she had written, "I know there's nothing wrong with them, nothing out of the ordinary anyway, because it was me, not them" and "I am my father's daughter." Craig gave these diaries to the police. Kathy was then questioned by police, and denied killing her four children. They questioned her about her diaries, which she argued were being misinterpreted. Kathy was understandably depressed after the deaths of her children, and she hadn't received adequate grief counselling. Police argued that Kathy had smothered her four children and then wrote about it in her diaries. During the trial, the prosecution experts put forward the theory of Meadow's Law. Kathleen and Craig divorced in 2000.

#### **00:13:06.020 Sally Clark's Trial**

Nazia: So going back to England, in October 1999, Sally Clark went on trial for the murder of Christopher and Harry. According to the prosecution, Sally, who was a lawyer, was deemed selfish and obsessed with her career. They argued that she didn't want her

glamorous, wealthy lifestyle hindered by children. Allan Williams claimed that Sally had shaken Harry to death, which caused bleeding behind the eye and demonstrated the act with his arm from the witness box. This demonstration had an impact on the jury and Sally. Philip Luthert, who was a professor of pathology and a defense expert witness, argued the bleeding behind Harry's eye was not there prior to his death and that he did not die from shaken baby syndrome. Although there was no evidence of murder, Roy Meadow argued that the chances of a middle-class non-smoking mother having two caught deaths were 1 in 73 million. The jury gave a guilty verdict and Sally was handed two life sentences. Shortly after she went to prison, she recorded a video message protesting her innocence. However, most of their newspapers viewed her as guilty. Eventually, Sally began to wonder herself if she had done something wrong to cause the deaths of her two boys, especially since everyone else believed Professor Meadow's theories. You can imagine like she's obviously been wrongfully convicted and she's in prison and in prison, apart from pedophiles, child murderers are seen as the lowest of the low. So you can't imagine what she would have been going through with everyone around her, believing that she was guilty.

Emma: She was a victim of many attacks in prison, wasn't she?

Nazia: Yeah, well, probably. I know the next case we'll discuss. - there's someone we mentioned later on who did get quite badly attacked in prison.

#### **00:15:04.380 Angela Cannings**

Nazia: So also in England, in November 1999, Angela Cannings was arrested on suspicion of murder of her three babies, Gemma, Jason and Matthew. Professor Roy Meadow was going to be the main witness for the prosecution in the trial. By this point, he had been knighted by his services to child health. In 2001, John Sweeney, an investigative journalist, started to look into the facts around the Sally Clark case while he was working at the BBC. Sally was in prison, serving two life sentences for the murder of her sons. John spoke to various doctors and experts who said that Roy Meadow's statistics were just plain wrong. The statistics he was using came from an unpublished report by Professor Peter Fleming. Professor Fleming himself said that figure was taken out of context. He had sent the report to Meadow in confidence. The figure, 73 million, is actually the number of births in the UK in 100 years. Therefore, the figure that Roy Meadows was using in his arguments was grossly misused. Despite Professor Fleming writing to solicitors offering to clear this up, he was not asked to be a witness on any of the trials. Professor Meadow's arguments and evidence started to crumble. When he was asked to give evidence for his statistics, he said that it was from his own research and conveniently that he had shredded all the paperwork. During Angela Canning's trial, the prosecution were trying to paint Angela as a mother who smothered her children so she could get attention and sympathy. The Sally Clark case was still fresh on people's minds. Angela's lawyer, Michael Mansfield, knew the prosecution had doubts about Roy Meadow's reliability, so he wanted to keep statistics out of the case. In the village where Sally lived, her defence team discovered that four other families had also experienced cot deaths. So they looked at environmental factors causing these deaths, such as

pesticides used in the local area or chemicals from the nearby Ministry of Defence Base. There was no evidence in Angela's case that her babies were smothered. All the prosecution had was Meadow's law. The jury took nine hours to reach a verdict, and Angela was found guilty of murder.

#### **00:17:28.960 Sally Clark is Freed**

Nazia: At the beginning of Sally Clark's sentence, Marilyn Stowe contacted her husband Steve and offered her services free of charge. Steve told Marilyn that they had difficulties getting documentation from Macclesfield Hospital where their babies were taken to after they had died. Marilyn decided to go to the family's GP practice where the receptionist told her that on the day her second child had died, Sally went in with him because the baby monitor which monitored his heart rate kept going off. Sally thought the baby monitor was faulty. The receptionist didn't tell anyone about this incident because nobody had asked her. Marilyn was directed by the receptionist to another health care centre. However, Macclesfield Hospital advised staff at this health centre not to speak with her. Marilyn then received a phone call from the police asking her what she was doing. She then phoned Macclesfield Hospital herself, who were adamant that they did not want her speaking with their employees. They proposed that she stopped speaking with their staff if they released all the documentation they had. She received over 1,000 pages of documentation. The family solicitor got in touch with Marilyn after reviewing the documentation. They found a microbiology report for Harry, which no one knew existed, which showed Harry had a lethal amount of bacteria in the cerebrospinal fluid which indicated that the cause of death was meningitis or toxic shock, either way, natural causes. The pathologist Allan Williams had withheld this information in the trial. The case was referred back to the Court of Appeal, and Sally was freed in 2003. Professor Roy Meadow's theory was destroyed.

#### **00:19:15.840 Kathy Folbigg's Trial**

Emma: In April 2003, as cases were collapsing in England, Kathy Folbigg was facing trial for the murder of her four children. The prosecution argued that she murdered her children because they were interrupting her life. They relied heavily on her diary entries as evidence. Her childhood friend Megan Donegan explained that in her depression, Kathy was hard on herself and trying to find a reason for losing her babies. There was no evidence of smothering. However, even though Meadow's theories were being debunked in England, in Kathy's case, they set a precedent that four deaths in a family was unnatural and almost impossible. Expert witnesses at the trial testified that they did not know of any other family in the world, where three or more babies died suddenly of natural causes. However, there were eight other families around the world where this had happened, which the jury were not aware of. The jury deliberated for 12 hours and found Kathy guilty of three counts of murder and one count of manslaughter. She was sentenced to 40 years in jail with no parole for at least 30 years.

#### **00:20:32.120 Angela Cannings is freed**

Emma: In December 2003, Angela Cannings was assaulted in Bullwood Hall Prison. She had boiling water mixed with sugar thrown at her, which caused burns. This is apparently a common punishment to prisoners who are accused of murdering children. John Sweeney was convinced Angela was innocent and decided to look at her family history. He discovered she had a cousin who had experienced two infant deaths. There were also other infant deaths in the family. Angela's grandmother had two out of her nine children die as infants, and her great grandmother also lost a child. John received a call from Angela's legal team, who had received a call from Angela's half-sister, who Angela had no idea about, and who had only just found out they were half-sisters. They met with her and she informed them she had had twins who had experienced life-threatening events in infancy. All of this information was revealed just before the appeals process. The appeal hearing took a week, but after two years of being falsely accused and imprisoned, Angela was finally freed.

### **00:21:43.440 More Women are freed**

Emma: In 2003, Meadow gave evidence against Trupti Patel who had lost three babies. But the jury understood the science in this case, that there was a genetic factor at play. And Trupti was cleared of all charges. In 2005, Professor Roy Meadow was struck off by the General Medical Council after his evidence was discredited. However, he was reinstated not long after following an appeal.

Nazia: Yeah, it's so unfair that this man, he wasn't only reinstated, but he didn't have a harsher punishment considering how many women he sent to jail and how many lives he ruined. And I think I read up on some of the documents around his appeal and it said that his misuse of statistics were not an example of serious professional misconduct, which is just bullshit.

Emma: What?

Nazia: Yeah. So when he was reinstated. That's what the... Can you call it judge? I can't remember, but they deemed that his misuse of statistics, which helped put women in jail wrongfully, it was not an example of serious professional misconduct, apparently.

Emma: There's some major fucking error that ruined loads of women's lives.

Nazia: Yeah.

Emma: And loads of families live.

Nazia: Yeah. Exactly.

Emma: Jesus Christ.

Nazia: Anyway, yeah.

Emma: Allan Williams was put before a panel. He was no longer allowed to conduct any home office pathology for three years, but was not struck off. Donna Anthony, another mother who was convicted in 1998 for the death of her two babies, was freed after 28 cases were referred to the Criminal Cases Review Commission. In March 2007 Sally was found dead in her home. An inquest stated that she died from acute alcohol intoxication but there was no indication that she intended to die by suicide.

Nazia: Which further pisses me off, that two male medical professionals who erm...

Emma: Who falsified records and misused statistics.

Nazia: Yeah, exactly. And as a result, you know, not only have women gone through wrongful convictions when they should have been grieving and healing from their tragedies, but one of them has ended up dead because she couldn't cope with what she'd been through.

### **00:24:24.260 A Scientific Breakthrough**

Emma: In June 2015, 12 years after she was imprisoned, Kathy's legal team submitted a petition for a review of the case. Professor Carola Vinuesa, an immunologist, was approached and asked by the legal team if there were any new sequencing technologies that could help identify any genetic causes of death for the four children. Kathy was visited in prison by Professor Vinuesa's team to look into her medical history. Her ex-husband Craig was not questioned or tested. It is not made clear why. It was revealed that during Kathy's life there were periods where she lost consciousness. A significant episode was when she was 11 years old and she fainted in a pool during a swimming competition. This indicated a cardiac condition, so the team took samples from her to analyse her DNA and found there was a mutation. The mutation in this particular gene was one of the best established causes in sudden infant deaths syndrome. The next step was to analyse the children's DNA. For Patrick and Sarah, there were still tissue samples available, but not for Caleb and Laura. However, they had dry blood samples from them which were obtained at the time of birth, from heel prick samples. Caleb's had been stored for over 30 years. Sarah and Laura had the same mutation as Kathy and may have died from a cardiac condition. Although the boys did not have the same mutation as the girls, Carola and her team found mutations in their genes linked to epilepsy. This abnormality was passed on from both parents. According to Kathy's friend Tracy, even though the scientific discoveries were a breakthrough in her case, Kathy was devastated. Despite knowing she didn't murder her children, she knew she carried something in her which contributed to their deaths. In 2018, the case was reopened for a judicial review of the evidence. Kathleen's ex-husband Craig slammed the inquiry as "unnecessary and unwelcome" according to news reports at the time. He and his family endured the hearing to ensure she remained behind bars. Professor Vinuesa reached out to other cardiac specialists, including Peter Schwartz, who had a registry in America of just over 70 families who had lost children to the same cardiac genetic mutation that the Folbigg girls had.

Nazia: It bothers me that Craig Folbigg... apparently he didn't want to give his DNA. That's why I've read, but I don't know if it's true.

Emma: That doesn't really make any sense to me, because what's the worst case scenario?

Nazia: He has to live with the guilt of falsely accusing his wife and sending her to prison.

Emma: Oh yeah that.

Nazia: When her diaries, you know, they were left out in the open, it's not like she was hiding anything.

Emma: Yeah, exactly. And she was going through post-traumatic stress as well...when she wrote those diaries.

Nazia: Yeah, exactly.



### **00:27:49.740 Kathy is found guilty again**

Nazia: The prosecution went in all guns blazing and were going back to the diary entries. Kathy had a psychology review which indicated that she had complex post-traumatic stress disorder, but this did not indicate that she was capable of murdering her children. However, the commissioner of the inquiry did not want a psychologist to give an interpretation of the diaries, or any indication of a mother's emotion when she loses a child. He said it would be of no assistance to him. There was one diary entry where Kathy had written that she had lost it. Upon further reading of the entry, Kathy wrote that her daughter was in the high chair. Kathy took her out of the high chair, then she went to another room for five minutes to cry and calm down before going back to deal with her daughter. So in other words, she just did what any normal, reasonable parent would do is de-escalate, downregulate and go back to the situation to deal with it. Out of approximately 40,000 words from the diary entries, 20 were said to be indications of guilt. Professor Carola Vinuesa attended the hearing as an expert witness. She was repeatedly asked if she could dismiss the findings around the mutations in DNA. It became apparent to her that there was no interest in the scientific findings, including the international cases. Three of the best pathologists were invited to the hearing, and they all stated that the children died from natural causes. However, Kathleen was given a guilty verdict again. Reginald Bland, the Commissioner of the Inquiry, released a report of over 500 pages long in July 2019, arguing there was no possibility that genetics played a role in the children's deaths. The report argued that Kathy's daughters died awake under exertion, that they had no previous symptoms, and Kathy was not affected by the mutation, therefore it could not affect her children. Peter Schwartz disagreed with these arguments. In some cases, children can die from the first episode and the mother carries the mutation without symptoms while her children can have the full manifestations. The report said that the oral evidence Kathy gave during the inquiry with regards to her diary entries was a pack of lies. Professor Vinuesa's team continued their efforts to prove the mutations were fatal with the help of scientists around the world.

Emma: This Commissioner, what right has he to dismiss science in this case? It makes no sense at all.

Nazia: No, I mean, even the inquiry, the prosecutors, what was the point in inviting this whole team that have worked their arses off to look into the actual causes of the children's deaths when no one else would. And they've just dismissed them. And the fact that out of a whole diary, the smallest percentage gives an indication- it's like no one bothered to look at the whole diary. They just wanted to pick and choose.

Emma: Yeah.

Nazia: It's like, there's no other way to say it's just a huge, massive miscarriage of justice. You know, and how can you dismiss scientific experts? Like...

Emma: Yeah.

Nazia: I don't understand.

Emma: There are scientific experts that you should dismiss like Meadows.

Nazia: Yeah, that's true. Yeah, yeah. That's a good point. And the pathologist Alan Williams.

Emma: Yeah, those two.

### **00:31:33.100 A Second Inquiry**

Nazia: So in 2021, Kathy's legal team and medical experts called for a review of the inquiry. They lost their appeal with three judges maintaining that the girls' deaths were outliers compared to those reported in the literature. The head of Australia Academy of Science, Professor John Shine, publicly questioned the legal system's ability to assess the reliability of expert evidence. Kathy's legal team sent her diaries to Dr James Pennybaker, a world-renowned professor of psychology who has worked with the FBI and CIA. His area of expertise is to analyse the psychology behind texts. His analysis suggests there was no evidence of premeditation for murder or hostility. She mostly wrote about day-to-day life and was exhibiting normal parenthood. In 2021, a second inquiry was launched. Professor Vinuesa and Schwartz testified at a hearing in April 2023. The state attorneys of this hearing then said there is now reasonable doubt that Folbigg had killed her children. It was also said that psychiatric and psychological expert evidence presented to the inquiry has cast doubt on Kathy's diary entries used to convict her at trial. In 2023, 20 years after being convicted, Kathy was pardoned but not exonerated.

Emma: So her ex-husband Craig was completely against the decision of her being pardoned and even tried to get a retrial. And it's so sad that the person you expect to spend the rest of your life with, who you had children with and who you thought the beginning would support you through the grief of losing those children. Like the only other person that would know what that felt like just turns their back on you and betrays you and feeds you to the wolves.

Nazia: Yeah.

Emma: I just don't understand his thinking but he must have just been so like blinded by these diary entries that he picked and choose-chosen from.

Nazia: I mean not saying that I agree with him playing devils advocate if you call it that maybe he just wanted someone to blame. And that's his grief.

Emma: Yeah, maybe he just wanted an answer to the whole situation.

Nazia: Yeah, maybe for him that was his explanation when actually the science is the explanation. That should be enough of an answer. It was a genetic mutation. No one could do anything about it.

Emma: On both sides as well. It wasn't just Kathleen.

Nazia: Yeah, yeah, but maybe from his point of view, or maybe he's just misogynistic and just wanted to blame the mother because it's easier to blame the mother, isn't it?

Emma: Oh yeah, obviously.

Nazia: So Kathy gave an interview in October 2003, which gave insight into her life since release. And these are some quotes from the Justice for Kathleen Folbigg website. So Tracy Chapman, her friend tells Natalie exactly how her friend explained these disturbing written entries by letters she wrote to her from prison. "To start with, I'll agree, some of my entries sound atrocious," Kathleen wrote "All I can say is that at times, and at the time in question, I wasn't in a good positive frame of mind. The diaries were used to

dump every negative emotion, feeling, thought I've ever had. I didn't use them like other people recalled all the joyous happenings." She then said in her letter, "You must consider, I had a man in my life that didn't concern himself with my emotions, only his own, a very self-centered man, only showing sparks of real generosity when it came to truly caring how I felt at any given moment. I actually grasped at anything, Trace. If it wasn't physical, medical or genetic, what was it? I thought I was to blame. I blamed myself. I convinced myself that I'd failed as a mother, a woman even. I was tortured, heart-smashed, no confidence in myself at all. Felt stomped on, torn to pieces and couldn't gain comfort from the people I kept turning to."

Emma: Okay, now I understand about her husband.

Nazia: Yeah. I mean, thank goodness that she has the friends that she had, that she has who supported her through all this, because I don't know, but I can't even imagine what that must be like. As you said, the main person who should be supporting you through all this throws you to the wolves and then continues to deny your innocence. It's just beyond me. So even though Kathy had been pardoned, she hadn't been exonerated, she still had the convictions against her name, which means that she couldn't work, get a loan, and was on a child protection register. In November 2023, Kathy's case was referred to the Court of Criminal Appeal to have her convictions quashed. Kathy was exonerated in December 2023. She had spent more than 20 years in prison for crimes she did not commit.

### **00:36:50.020 Conclusions**

Nazia: At the beginning, I forgot to say the documentaries that we got a lot of information from. So one of the documentaries was Baby Killer Conspiracy Theories. At the beginning of that documentary, Tracy Chapman, she says that Kathy was in Clarence Prison where there were lights 24/7 and constant noise over the loudspeakers. Like Angela Cannings, she had appalling treatment because she was seen as the lowest of the low. At one point, she was beaten up badly by other prisoners in the recreational section because everyone hated her, thinking that she had killed her children. But yeah, this friend Tracy, she had a room ready for her in her house for whenever Kathy was released. And she kept all the letters that they exchanged while Kathy was in prison. And yeah, like thank goodness she had a group of friends continuing to fight for her and like wait for her. And she was labeled as Australia's most hated woman and Australia's worst serial killer. And in another documentary, 60 Minutes, Kathy's lawyer said that the research around SIDS will always need to be conducted and will never be fully understood. And just because her natural death can't be explained, it doesn't mean the default position should be murder, which was what happened in Kathleen's case and all those women in England. But yeah, it's just like, while we were researching this case, I happened to listen to a podcast called What Fresh Hell: Laughing in the Face of Motherhood, and this particular episode was about why mothers always get the blame. And this is like the most severe form of mum blaming you can get, it's just so ridiculous. Like these men get to decide that a mother's guilty for unexplainable deaths.

Emma: Yeah, based on very little evidence.

Nazia: Yeah, exactly. It's just the views that society has of women that's so deeply ingrained that that becomes the default view. And all of these deaths were happening. They happened decades ago. And according to the Lullaby Trust, there has been an 81% reduction in the rate of SIDS in England and Wales since the Back to Sleep message, which was launched in 1991. But as of 2021, 182 babies and young children still die every year of SIDS. So you know, when all these deaths were happening, even though the new guidelines around safe sleeping had been put in place, they were still early days and like in Kathy's case with the third or fourth child, she was going over and above to ensure her child's safety.

Emma: Yeah, she made sure everyone was CPR who looked after her.

Nazia: Yeah, and like she was being vigilant, but that wasn't taken into consideration in court. But yeah, in Australia, figures from 2017, show that SIDs accounted for 3% of all infant deaths. And you know, like sudden infant death is almost every mother's fear because no matter what, it can still happen. And you might not necessarily find out why. And for these mothers who haven't been able to grieve properly and end up in prison where they're treated like the worst members of society is just horrific, especially for Kathy who spent more than two decades knowing that the scientific evidence was out there in her favor and the justice system just didn't wanna admit that they were wrong.

Emma: Mm.

Nazia: And then meanwhile, you've got people like Lucy Letby, who - the most recent case of a neonatal nurse.

Emma: In the UK.

Nazia: Yeah, a slash serial killer. She actually had a colleague raise concerns about her and that colleague was ignored. So she was able to go on and kill multiple children and attempt the murder of others.

Emma: And this Professor Roy Meadow, this whole thing with him just reminds me of the witch trials.

Nazia: Yeah.

Emma: He's just on the hunt for like placing women in prison, it seems. And in 2005, he did some research into non-accidental salt poisoning which led to the conviction of Angela and Ian Gray for the manslaughter of Christian Blewitt. The couple were five weeks into a trial adoption when Christian collapsed and died. A medical examination showed a high level of sodium in his blood. The prosecution believed the couple force fed him salt as a punishment. The trial judge referred to Meadow's Research five times during the summing up in court. The couple spent nearly one and a half years in jail before their conviction was overturned through appeal when Meadow's research was disputed after a further examination showed that Christian had an issue with his kidneys which caused his death and which explained the high level sodium in his blood. So this so-called professor, ruined many people's lives and sent mainly cis-gender women to jail, who had just suffered the most traumatic event a mother could go through. And there are still experts out there who support his theories. But his wife, in 2004, his ex-wife, Gillian Paterson, suggested that he was a misogynist. She said, "I don't think he likes women, although I can't go into details. I'm sure he has a serious problem with women." And that

was in a Guardian article.

Nazia: Yeah, I think I remember a bit later in the article, she said, because they divorced in like the 1970s. So it's not like they were still married when all of this was going on, because she says otherwise I would have said something to him, like hang on a minute.

Emma: Yeah, you're wrong here.

Nazia: Yeah. And like again, the fact that he pretty much got away with it just shows the inequality in society for women. Women have to advocate themselves so much in healthcare, especially as mothers, and SIDS hasn't been the only instance where women have been jailed for the death of their babies. So in another case, Patricia Stallings, an American woman who was wrongfully convicted in 1989 after her son died. She was accused of poisoning him with antifreeze and the prosecution relied heavily on Munchausen Syndrome, Roy Meadow's theory, and while she was in jail awaiting trial, she gave birth to her second baby who was taken away. He showed the same symptoms as the first baby and was diagnosed with methylmalonic acidemia, or MMA, which mimics the symptoms of antifreeze poisoning. Despite this, Patricia was still charged with first-degree murder as the prosecutors refused to connect the two deaths. She was freed after two years when a biochemist saw a documentary, *Unsolved Mysteries*, about her and decided to help her prove her innocence. Again, science had to come along and save the day. And then there's the other case, which we'll probably cover in one of our later episodes of *Lindy Chamberlain-Creighton*, but she was arrested for the murder of her nine-week-old daughter after the parents reported that she had been taken by dingoes during a camping trip. And she was sentenced to life in prison in 1982, but was released five years later.

Emma: Oh, that was in New Zealand, wasn't it?

Nazia: Yeah, yeah, but it's just, yeah, I don't know why science can't be trusted for these cases. Why is it so hard for prosecutors to just admit that they've made a mistake? You know, or they've rushed the verdict?

Emma: I think that's the thing, like, they have so many numbers they have to keep up with, like prosecuting and getting things right, they just cut corners.

Nazia: Yeah.

Emma: And they don't care who gets hurt in the process, as long as they've reached their targets.

Nazia: Yeah.

Emma: It seems okay.

Nazia: And the thing is, it's not just like the whole prosecution process, it's the media as well.

Emma: Yes.

Nazia: Some of those headlines that you see that were written about these mothers. And if you think about it, that's a whole nation reading those newspapers that's labeling you as the middle class mum who didn't want her lifestyle hindered by children or the alcoholic mum, whatever, you know, being labelled a country's worst serial killer. Like, what does that do to you mentally?

Emma: And I can't understand how these people in the court can dismiss scientific evidence, especially when they don't have a scientific background themselves.

Nazia: Yeah.

Emma: What gives them the right to dismiss that?

Nazia: Exactly. Yeah, I don't know. It just seems to me in Kathy's case. Well, at least the other women, the women in England, still not ideal, but at least say any had to only, I say, had to spend a couple of years in jail. However, Sally Clarke did end up passing away because of having to deal with it, the aftermath of it. But for Kathleen, she spent 20 years. I just feel like the Australian Justice System, they just didn't want to admit that they'd fucked up.

Emma: Mm.

Nazia: And I just think what is the point? You've just ruined this whole woman's life. She's hasn't been able to grieve.

Emma: That's it, isn't it? Like now she's released. She has to go through that grieving process all over again.

Nazia: Yeah.

Emma: Because how can you go through that in prison? You know, you're not exactly in privacy? Are you?

Nazia: No. You haven't got a support system in prison.

Emma: Yeah, exactly.

Nazia: And you're being attacked.

Emma: Yeah, everyone thinks you're the worst human being ever.

Nazia: Yeah, exactly.

Emma: Yeah, I hope she is able to come out of this as a fighter for other women who have gone through the same thing or who are tragically going through the same thing.

Nazia: Yeah, I mean, thank goodness that she had the friends that she had, but like in Sally Clark's case, her husband stood by her just like Craig should have done instead of dobbing his wife in. But yeah, like his Sally Clark's husband stood by her and he lost his wife still at the end of it all.

Emma: Mm.

Nazia: But like thank goodness Kathy had her friends who just didn't give up and like had a place for her.

Emma: And I imagine she's got a good defamation case coming up.

Nazia: I hope so.

Emma: Yeah, I hope so as well.

### **00:47:34.040 Next Episode**

Nazia: Yeah, anyway, next week.

Emma: Yeah, so after all that.

Nazia: Yeah. We bring the tone up a little bit.

Emma: Yeah. Next week, we're going to discuss Alphonse Bertillon, who, in the 19th century, contributed to the advancements of forensic science and developed techniques to identify criminals in France. He is also known as the father of the mug shot.

Nazia: Yeah.

Emma: Yeah, he's quite an interesting guy. I'm looking forward to this one.

Nazia: Yeah, me too. We'll be less angry and hopefully... Hopefully my voice will be normal by then.

Emma: Yeah. Hopefully my head will be normal by then I won't have temperature head.

Nazia: Yeah. Ahh.

Emma: Yeah, I hope you are well listeners. And you can check us out every Tuesday for a new episode on Spotify, Apple Podcasts. Ama-amama? Amazon music! Or other platforms that are out there.

**00:48:43.220 Outro**

Nazia: Thank you for listening to the show. We hope you enjoyed this episode. You can find more information about the show on our website at [feloniuspod.com](http://feloniuspod.com) or on our Instagram [@felonius.pod](https://www.instagram.com/felonius.pod).

Emma: Links to our show notes can be found in the episode description as well as through our website and social media. You can visit our contact us page and tell us what you think about the show and if there are any cases you would like us to cover. We hope you join us for the next episode. Goodbye!

Nazia: Bye!

**00:54:50.020 [CLOSING MUSIC]**