

IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: 3999/09

FINDING INTO DEATH WITH INQUEST

*Form 37 Rule 60(1)
Section 67 of the Coroners Act 2008*

Inquest into the Death of DAVID TRAVAGLIA

Delivered On: 14 February 2012

Delivered At: Coroners Court of Victoria
Level 11, 222 Exhibition Street
Melbourne Victoria 3000

Hearing Dates: 14 February 2012

Findings of: IAIN TRELOAR WEST

Police Coronial Support Unit: Leading Senior Constable G McFarlane

I, IAIN TRELOAR WEST, Deputy State Coroner having investigated the death of DAVID TRAVAGLIA

AND having held an inquest in relation to this death on 14 February 2012 at Melbourne

find that the identity of the deceased was DAVID TRAVAGLIA

born on 28 February 1982

and the death occurred on or about 16 August 2009

at 46 Kennington Road, Rosebud, Victoria 3939

from:

1a. CARBON MONOXIDE POISONING

in the following circumstances:

1. David Travaglia was a 27 year old male at the time of his death and resided with his brother Leigh (3998/2009) at Department of Human Services Residential Care Unit, located at 76A Bungower Road, Mornington. Both David and his brother suffered disabilities from birth and required full time care at the residential unit. His parents, Edo and Kristina Travaglia had cared for their sons until approximately 2003, when both boys went into their residential care unit.

2. In 1977 Mr Travaglia married Kristina Blake and in 1978 their first son, Leigh, was born and in 1982, a second son, David, was born. Both Leigh and David were born with cerebral palsy and throughout their lives could not walk or talk. The boys were also profoundly deaf and initially communicated using Signed English and later by the use of Auslan. In 1990 Mr and Mrs Travaglia separated, with Mr Travaglia going to Queensland, leaving his wife to look after the boys. Mr Travaglia subsequently returned to Victoria in 1997 and purchased a house shortly thereafter, in the same street as his ex-wife. Mr Travaglia then devoted his time to looking after the boys as he was not working.

3. It appears that Mr Travaglia's life revolved around the boys who required 24 hour care, with him doing everything for them. Katrina Blake subsequently told investigating police:

"He did it with love, compassion and empathy."

4. In approximately 2003, accommodation was found for the boys in Department of Human Services Housing, located at 76 Bungower Road, Mornington. The accommodation facility was managed by Focus, a private organisation providing services for people with disabilities. It appears that for the first couple of years, both parents were reasonably happy with the care provided by Focus at the facility, however, they subsequently perceived a reduced level of care which they attributed to a decrease in staff levels, due to cost cutting. This perceived lack of care greatly concerned Mr Travaglia, resulting in him raising numerous issues with the Department of Human Services and Focus which, in turn, he believed led to his boys being discriminated against at the facility. Compounding this issue was a decline in Leigh Travaglia's health, with the medication he was on impacting on his liver and with

him suffering an eye problem, with deteriorating vision. In addition, he suffered from a very high degree of inflammatory arthritis, with this becoming a chronic condition in his knee. Mr Travaglia felt he had failed as a father, blaming himself for the boys perceived lack of care. Following continued complaints to the Department of Human Services and Focus, another care provider was found, with Able Australia taking over in February 2009. Thereafter, specialised communicators were engaged and the boys were taken on many more outings, resulting in them being the happiest they had been for a long time. Mr Travaglia suffered remorse at not acting earlier to change carers and felt that he had let the boys down in this respect. In a note written by him in June 2009, he stated "all is finally good" and although he added that things were not perfect, he nevertheless believed the boys were being well looked after and as a result, he was happy and content. However, he further stated in the same note, that he felt his time was up, that there was no use in being around anymore and that "it was time to move on".

5. In mid July 2009, Kristina Blake went to Queensland to stay with her sister who had been diagnosed with a serious medical condition. During the visit, she was able to maintain regular contact with the boys via computer, using Auslan. On the 15th August, 2009 and whilst Kristina was still in Queensland, Mr Travaglia attended the Bungower Road facility at approximately 5.00pm and informed staff that he would be taking both of his sons home with him for the night. The planned arrangement had been that he would only take David home, as he was to attend a medical appointment the following day, however Mr Travaglia took both sons, leaving at approximately 5.45 pm. It was arranged that he would return them the following afternoon.

6. The exact sequence of events that followed is not clear, however, it appears the three attended at Kristina's house, where they were able to gain access as Mr Travaglia had always had a key. A meal was eaten there before the boys were driven to their father's premises some 40 metres away. At some point Mr Travaglia connected a water hose to the exhaust pipe of his car, with the hose running back into the vehicle via the right rear window. Rags were used to secure the hose in the pipe and to block the gap in window in order to prevent air entry. David Travaglia was placed in the front passenger seat of the vehicle and Leigh Travaglia was placed in the rear left hand side of the vehicle, with Mr Travaglia then sitting in the driver's seat. After the engine was turned on the vehicle filled with carbon monoxide, causing the death of Mr Travaglia and his two sons.

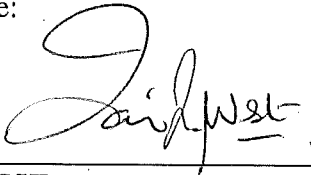
7. At approximately 4.20pm on the 16th August, 2009, friends of Mr Travaglia discovered the three deceased in the vehicle after they attended the premises following his failure to keep a meeting engagement with them. Mr Travaglia's vehicle, a Daihatsu station wagon, was found reversed in under a single carport with the engine still running. A Toyota Hiace van, a specially designed transport vehicle shared by the parents to transport their sons, was parked in front of the Daihatsu in the driveway, concealing the car containing the three deceased from street view. Subsequent paramedic attendance found that all three were deceased. A note was seen to be clearly visible on the dashboard, with the note indicating that Mr Travaglia intended to take his life and that of his sons. Police attendance and examination of the scene and premises found no suspicious circumstances surrounding the deaths. Further notes of a personal nature were located within the house, together with a blister medication pack that had a number of tablets missing.

8. No autopsy was performed in this case as the coroner, on advice from Dr Paul Bedford, a pathologist with the Victorian Institute of Forensic Medicine, directed that no autopsy was required. Dr Bedford performed an external examination of David Travaglia at the mortuary, reviewed the circumstances of his death, the post mortem CT scan and the results of toxicological analysis of body fluid, and provided a written report of his findings. Dr Bedford reported that in all the circumstances a reasonable cause of death appeared to be carbon monoxide poisoning. The toxicology results also showed the presence of Benzodiazepines, Tramadol, Oxycodone and Mirtazapine.

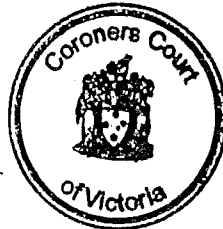
9. It is puzzling to know why Mr Travaglia decided to take his sons' lives when they were finally enjoying the sort of quality of care he had fought so hard for. In a note dated the 15th August 2009, he refers to the boys being used as a "bargaining tool", however, there is evidence from those who knew the boys to indicate that it was the happiest they had been for many years. Those closest to Mr Travaglia stated that he was a devoted father and, hence, a possible reason for his actions was that he couldn't accept the prospect of leaving them behind if he wasn't there to protect them. Whilst it appears he believed that his sons were suffering and that his and their health was deteriorating, police found no medical reports to suggest it. Mr Travaglia indicated in a note in June 2009 that he was prepared to take his own life, knowing his sons were being well cared for. It is unknown what circumstances between June and August caused him to change his mind and take his sons with him.

10. I find that David Travaglia died of carbon monoxide poisoning and that death was caused by the actions of his father.

Signature:



IAIN WEST
DEPUTY STATE CORONER



14 February 2012