



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: COR 2011 4654

FINDING INTO DEATH WITHOUT INQUEST

Form 38 Rule 60(2)

Section 67 of the Coroners Act 2008

Findings of:	JUDGE SARA HINCHEY, STATE CORONER
Deceased:	LINDA PARKER
Date of birth:	17 April 1958
Date of death:	11 December 2011
Cause of death:	Multiple stab wounds
Place of death:	13 Kanooka Grove, Doveton, Victoria

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HER HONOUR:

BACKGROUND

1. Linda Parker was a 53-year-old woman who lived in Doveton with her 16-year-old daughter, Nicky Sweet, at the time of her death.
2. Ms Parker also had a son, Joey Ronke, who lived with his father from about 1992, when Joey was the age of 10. Ms Parker had little contact with Joey over the following ten-year period, when Joey reconnected with her. They maintained contact after this time with telephone calls and visits to each other.
3. Ms Parker was in a relationship with Warren Cameron at the time of her death, but they did not live together. They reportedly had difficulties in their relationship due to Ms Sweet's behaviour and the way she treated Ms Parker.
4. Ms Parker had a history of illicit substance abuse. In 2003, Ms Parker obtained employment at the Dandenong Plaza and at that time she ceased illicit substance use, except marijuana.
5. Ms Parker and Ms Sweet's relationship was characterised by family violence. There was significant conflict between them regarding Ms Sweet's sexual activity and abusive behaviour and the overall effect it was having on Ms Parker's relationship with Mr Cameron.
6. Ms Sweet, who reportedly was quick to anger and had difficulty regulating her emotions, was reportedly physically and verbally abusive and threatening toward Ms Parker. A number of friends and family members and school support and social workers were aware Ms Sweet was physically and verbally abusive toward Ms Parker. Ms Sweet was described as "*very threatening*" by student support workers at her school. The family's general practitioner had also witnessed Ms Sweet being verbally abusive toward Ms Parker.
7. Friends of Ms Parker reported her telling them that Ms Sweet had physically assaulted her on a number of occasions before her death. Multiple friends and family members had witnessed Ms Sweet perpetrating violence against Ms Parker and reported seeing bruises on Ms Parker. Ms Parker had reported to a number of people that Ms Sweet had threatened her

with a knife and threatened to stab her as she slept. One of Ms Parker's friends reported that Ms Parker told her that Ms Sweet had held a knife to her throat.

8. In response to these threats, Ms Parker had stated that she was frightened of Ms Sweet and was too scared to sleep. On a colleague's advice, Ms Parker had a lock installed on the inside of her bedroom door. After the lock was installed, Ms Parker reported having had to lock herself in the bedroom to escape a physical attack by Ms Sweet.
9. In the months leading to her death, Ms Parker was advised by friends, colleagues and Ms Sweet's school to telephone the police if Ms Sweet threatened her. Ms Parker told at least one person "*what are the police going to do about it?*" Ms Parker did not report the family violence to the police and there are no records of prior police intervention in relation to family violence matters between Ms Sweet and Ms Parker.

THE PURPOSE OF A CORONIAL INVESTIGATION

10. Ms Parker's death constituted a '*reportable death*' under the *Coroners Act 2008* (Vic) (**the Act**), as her death occurred in Victoria, and was unexpected, violent and not due to natural causes.¹
11. The jurisdiction of the Coroners Court of Victoria is inquisitorial.² The Act provides for a system whereby reportable deaths are independently investigated to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which death occurred.³
12. It is not the role of the coroner to lay or apportion blame, but to establish the facts.⁴ It is not the coroner's role to determine criminal or civil liability arising from the death under investigation, or to determine disciplinary matters.
13. The expression '*cause of death*' refers to the medical cause of death, incorporating where possible, the mode or mechanism of death.
14. For coronial purposes, the circumstances in which death occurred refers to the context or background and surrounding circumstances of the death. Rather than being a consideration of all circumstances which might form part of a narrative culminating in the death, it is

¹ Section 3, definition of 'Reportable death', *Coroners Act 1985*.

² Section 89(4) *Coroners Act 2008*.

³ See Preamble and s 67, *Coroners Act 2008*.

⁴ *Keown v Khan* (1999) 1 VR 69.

confined to those circumstances which are sufficiently proximate to be considered relevant to the death.

15. The broader purpose of a coronial investigation is to contribute to a reduction in the number of preventable deaths, both through the observations made in the investigation findings and by the making of recommendations by coroners. This is generally referred to as the 'prevention' role.
16. Coroners are also empowered:
 - (a) to report to the Attorney-General on a death;
 - (b) to comment on any matter connected with the death they have investigated, including matters of public health or safety and the administration of justice; and
 - (c) to make recommendations to any Minister or public statutory authority on any matter connected with the death, including public health or safety or the administration of justice. These powers are the vehicles by which the prevention role may be advanced.
17. All coronial findings must be made based on proof of relevant facts on the balance of probabilities. In determining these matters, I am guided by the principles enunciated in *Briginshaw v Briginshaw*.⁵ The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about individuals, unless the evidence provides a comfortable level of satisfaction that they caused or contributed to the death.
18. In conducting this investigation, I have made a thorough forensic examination of the evidence including reading and considering the witness statements and other documents in the coronial brief.

MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE

Identity of the deceased, pursuant to section 67(1)(a) of the Act

19. On 12 December 2011, Ms Parker was visually identified by her friend, Trudy Lammeretz, as being Linda Parker, born 17 April 1958.
20. Identity is not in dispute and requires no further investigation.

⁵ (1938) 60 CLR 336.

Medical cause of death, pursuant to section 67(1)(b) of the Act

21. Dr Linda Iles, a Forensic Pathologist practising at the Victorian Institute of Forensic Medicine, conducted an autopsy on Ms Parker's body. In a written report dated 21 February 2012, Dr Iles concluded a reasonable cause of death could be stated as '*Multiple stab wounds*'. I accept Dr Iles' opinion as to the medical cause of death.
22. Dr Iles commented that the stab wounds were associated with both internal and external blood loss with injuries to the liver, right kidney, heart and lung. She stated that there were incised defensive wounds to the right hand and on a scale of '*mild to moderate*' to '*severe to extreme*', her opinion was that at least '*severe*' force was required to inflict the injuries.
23. Toxicological analysis of the post mortem samples taken from Ms Parker identified the presence of citalopram, propoxyphene, diazepam and delta-9-tetrahydrocannabinol.

Circumstances in which the death occurred, pursuant to section 67(1)(c) of the Act

24. At around 2.00am on 11 December 2011, Mr Cameron and Ms Parker had a heated discussion with Ms Sweet regarding her having a party at the house while Ms Parker was out. During the discussion, Ms Sweet pushed Ms Parker. Following the discussion, Mr Cameron advised Ms Parker that they could not continue their relationship until Ms Parker "*figure(d) Nicky out*".⁶ Mr Cameron left the house and Ms Parker and Ms Sweet argued about the way Mr Cameron had addressed Ms Sweet. Ms Parker then went to her room and telephoned Mr Cameron.
25. At around 4.00pm on 11 December 2011, Ms Parker and Mr Cameron spoke on the telephone. After the call, Ms Parker went to see two friends, Wendy Mayman and Ian Kirkpatrick, at their home and smoked cannabis. She discussed with them her difficulties with Ms Sweet.
26. Ms Parker left her friends' home at around 6.45pm. At around the same time, Mr Cameron arrived at Ms Parker's home, followed by two family friends, Trudy Lammeretz and Brad Hogben.

⁶ Statement of Warren Cameron, dated 12 December 2011, Coronial brief, p 175.

27. When Ms Parker arrived home, she began smoking cannabis with her friends and was reportedly visibly upset when discussing the difficulties in hers and Mr Cameron's relationship, which she identified as being related to Ms Sweet's behaviour.
28. At around 7.30pm, at Ms Sweet's request, Mr Cameron spoke with Ms Sweet's father on the telephone. They discussed Ms Sweet's behaviour. At the same time, Ms Sweet advised Ms Parker that she was going to have friends over later that evening, but Ms Parker refused to allow Ms Sweet's male friends at the home. Ms Lammeretz agreed to let Ms Sweet's friends over at her home, which is one street away from Ms Parker's.
29. At about 8.00pm, Mr Cameron left Ms Parker's home. Shortly afterwards, Mr Hogben, Ms Lammeretz and Ms Sweet left the house together.
30. At 8.40pm, Ms Sweet sent a text message to her friend Samantha Kirkpatrick, stating "*I got my period*".⁷ Sometime between 9.00 and 9.30pm, Ms Sweet left Ms Lammeretz's house and returned home. The reason for this was unknown but is believed to be related to Ms Sweet having gotten her menstrual period.
31. On her return to Ms Lammeretz's house approximately half an hour later, Mr Hogben observed Ms Sweet to have changed her clothing. Ms Lammeretz told police that she did not recall Ms Sweet leaving the house, but she could not confirm Ms Sweet's whereabouts during that time period. In his initial statement to police, Mr Hogben stated that, at about 9.30pm, Ms Lammeretz told him, "*(Ms Sweet has) gone home but will be back soon*".
32. At around 10.00-10.30pm, Mr Cameron telephoned Ms Parker twice, as Ms Parker was in the habit of telephoning him most nights at that time and had not done so. Ms Parker did not answer her telephone. Mr Cameron subsequently fell asleep.
33. Also at around 10.00pm, Ms Sweet left Ms Lammeretz's house in the company of three male friends. Shortly before she left, Ms Lammeretz asked Ms Sweet why she was so dressed up, Ms Sweet replied "*I'm not. I just like to look nice*". They drove to the Dandenong Drive-In and spent some time there before going to Narre Warren to meet two friends of Ms Sweet's. Ms Sweet was dropped at her home at approximately 12.30am.
34. According to Ms Sweet's initial version of events:

⁷ ACESO (Radio Tactics Ltd) mobile telephone analysis software program download and Statement of Samantha Kirkpatrick dated 15 January 2011, Coronial Brief, pp 16, 332, 447.

- (a) when she arrived home, she unlocked the front door and went inside;
 - (b) she looked in on her mother, who was lying on her bed. Ms Sweet stated that her mother would often “*play dead*” and she believed her mother was playing a trick on her;
 - (c) Ms Sweet then readied herself for bed before again checking on her mother;
 - (d) at that time, she noticed her mother’s bracelet was on the floor and that there was blood on the bed; and
 - (e) Ms Sweet, believing Ms Parker to have been injured, telephoned her friend Samantha Kirkpatrick before telephoning Ms Lammeretz and asking her to come over.
35. At approximately 12.48am on 12 December 2011, Ms Sweet telephoned emergency services. The operator attempted to direct Ms Sweet to roll her mother onto her back in preparation for CPR, asking her if she wanted to help her mother. Ms Sweet declined, saying “*Alright, I’m not doing that, I can’t do that ... No please, please. I can’t touch her, I’m scared*”. When Ms Lammeretz arrived, she spoke to the operator and rolled Ms Parker onto her back. Ms Sweet went to her neighbours’ unit and they returned to the home with her.
36. When police arrived at the residence, they located the deceased Ms Parker on her bed with a number of stab wounds to her abdomen, neck and arm. Ambulance Victoria officers attended and confirmed that Ms Parker was deceased; they observed Ms Parker’s stab wounds and that there was evidence of lividity.⁸
37. Police officers searched the premises and identified that there were no signs of forced entry.
38. Shortly after 3.00am on 12 December 2011, Victoria Police forensic investigators identified blood stains in the following locations at Ms Parker’s residence:
- (a) on the carpeted floor leading to the entrance door of Ms Parker’s bedroom;
 - (b) on Ms Parker’s body and the doona blanket she was lying on when she was found; and
 - (c) in the centre of Ms Sweet’s bedroom.

⁸ Lividity is a discolouration of the body of a deceased person, occurring 30 minutes – two hours after death when the blood is no longer circulating and settles as a result of gravity.

39. Neighbours advised police officers that there was a history of family violence perpetrated by Ms Sweet against the deceased and that Ms Sweet was known to assault Ms Parker.
40. Police seized a number of items from the scene, including clothing worn by Ms Sweet when she went over to Ms Lammeretz's house shortly after 8.00pm and before returning to her home at around 9-9.30pm, when she changed her clothes.
41. The murder weapon was not located and has not been found at the time of writing this finding.
42. Ms Sweet was arrested at the scene and conveyed to the Dandenong Police Station, where she was interviewed. Ms Sweet denied involvement in her mother's death.
43. In her initial interview on 12 December 2011, Ms Sweet stated that she believed Ms Parker had killed herself. She stated that she heard that Ms Parker had "*stabbed herself here*", pointing to her right side. Ms Sweet also suggested that a male person, unknown to her had attended at their home prior to Ms Parker's death. On 27 December 2011, Ms Sweet assisted police to compile an image of that person.
44. Ms Sweet was subsequently released without being charged in relation to Ms Parker's death. However, Police monitored Ms Sweet's telephone over the following days and continued investigations into Ms Parker's death.
45. On 28 December 2011, Ms Sweet was arrested and conveyed to the St Kilda Police Complex, where she was further interviewed. During the interview, Ms Sweet:
 - (a) denied having left Ms Lammeretz's house on the night of 11 December 2011 to return to her home; and
 - (b) stated that Ms Lammeretz had told her about the location of Ms Parker's stab injuries after Ms Parker's funeral, which was held on 21 December 2011.
46. Ms Lammeretz denied having told Ms Sweet the location of Ms Parker's wounds. I also note that lawfully obtained telephone intercept material revealed Ms Sweet describing the location of Ms Parker's wounds prior to the funeral.
47. On 13 December 2011, Ms Sweet told two friends, "*you know how when you go, you go to block, if someone goes to hit you. My mum blocked herself with her arm. So he stabbed her in the arm and when they stabbed her in the arm, they stabbed her in the side 'cause she*

didn't have much chance to get put back down and they just stabbed her in the stomach and she face-planted on the bed" and "she blocked, when they - apparently she blocked, she put her arm up ... and when she done (sic) that, they stabbed her in the side quicker than in her tummy".⁹

48. Other telecommunications intercepts revealed Ms Sweet stating that she has an alibi and asking if it is easy to frame someone for murder.
49. Ms Sweet was subsequently charged with Ms Parker's murder.
50. On 27 January 2012, a review of Ms Sweet's telephone calls at the Melbourne Youth Justice Centre revealed Ms Sweet asking her father on 31 December 2011 to contact Tammy Wilsons and *"get her to tell Trudy, 'remember how Nicky was wearing her - see - the black top she gave me and it was see-through, from ages ago, she gave me'. I was wearing that the night and ... that night I was at Trudy's house, I was wearing her black see-through top she gave me ages ago".¹⁰*
51. A committal hearing was held at the Melbourne Children's Court between 13 and 23 August 2012. During the hearing, Mr Hogben, Ms Lammeretz, Nicole and Mary Anne Lammeretz did not adopt the evidence given in their original statements. Instead the evidence given tended to exculpate Ms Sweet, including by stating that Ms Sweet had been told of Ms Parker's injuries in the days after her death.
52. At the conclusion of the committal hearing, on 23 August 2012, Ms Sweet was discharged and released. No other suspects were identified in relation to Ms Parker's death.

FINDINGS AND CONCLUSION

53. Where a person has been charged with an indictable offence in respect of a death being investigated by the Coroner, section 53(2)(b) of the Act provides that the Coroner is not required to hold an inquest.
54. Having considered the exhaustive nature of the Police Investigation into this matter, and having considered all of the available evidence, I am satisfied that no investigation I could undertake would reveal any further evidence as to the identity of Ms Parker's killer. As such, I determined not to hold an inquest as part of my investigation into Ms Parker's death.

⁹ Transcript of telephone call between Ms Sweet and Shannon Desmond at 8.18pm on 13 December 2011.

¹⁰ Transcript of ARUNTA call, 21 December 2011 at 5.52pm.

55. In the result, I make the following findings, pursuant to section 67(1) of the Act:

- (a) the identity of the deceased was Linda Parker, born 17 April 1958;
- (b) Ms Parker died on 11 December 2011, at 13 Kanooka Grove, Doveton, from multiple stab wounds inflicted by an unknown assailant; and
- (c) the death occurred in the circumstances described above.

56. I convey my sincerest sympathy to Ms Parker's family and friends.

57. Pursuant to section 73(1) of the *Coroners Act 2008*, I order that this finding be published on the internet.

58. I direct that a copy of this finding be provided to the following:

- (a) Joey Ronke, senior next of kin.
- (b) Sergeant Tamara Chippindall, Coroner's Investigator, Victoria Police

Signature:



JUDGE SARA HINCHEY
STATE CORONER

Date: 30 August 2016

