



Thursday 18 July 2019

FAMILY VIOLENCE RESPONSES REVIEWED AFTER 2014 DEATH

Changes arising from the Royal Commission into Family Violence (RCFV) have been recognised by Victorian Coroner Audrey Jamieson for addressing missed opportunities that lead to the murder of a mother by her de facto partner.

Craig McDermott was sentenced to 25 years jail after he fatally stabbed the mother of his four children, Fiona Warzywoda, 33, outside her solicitor's Sunshine office on 16 April 2014. Ms Warzywoda had finalised a family violence intervention order against Mr McDermott earlier that day.

Coroner Jamieson found that Ms Warzywoda had been the victim of substantial abuse throughout her relationship with Mr McDermott and that numerous risk indicators were apparent before her death, including a recent escalation in the severity of the family violence.

In the months prior to her death, Ms Warzywoda had been in contact with a number of services who held key information on the significant threat Mr McDermott posed.

Her Honour identified several lost opportunities for intervention, with services failing to make proper enquiries, adequately assess risks of family violence and share information concerning serious risk factors before closing their investigations or discontinuing support.

Coroner Jamieson held a directions hearing on 21 May 2019, to address these issues, including:

- Victoria Police's handling of family violence reports on four occasions, including a death threat made by Mr McDermott and a report of his threatening behavior at the Sunshine Magistrates Court on the day of the murder.
- Child Protection Services' failure to assist Ms Warzywoda following the death threat, including failure to undertake safety planning and risk assessments.

At the hearing Child Protection Services reported on significant changes to their processes for managing family violence cases since recommendations were made by the RCFV. Victoria Police submitted that issues with the police response prior to Ms Warzywoda's death had also been addressed by RCFV recommendations, as well as previous coronial matters ([L.Batty](#), [J.Rowley](#) and [K.Thompson](#)).

Her Honour determined not to hold an inquest as the submissions had adequately canvassed the concerns raised by the investigation.

In the finding, Her Honour acknowledged the important changes that had resulted from the RCFV and the efforts of the agencies to address issues in the years following Ms Warzywoda's death.

With the aim of improving public health and safety and preventing similar deaths, Her Honour has recommended updates to Victoria Police, Federal Court of Australia and No to Violence/Men's Referral Service policies for the identification, recording and monitoring of family violence cases.

A copy of the finding can be found at:

https://www.coronerscourt.vic.gov.au/sites/default/files/2019-07/Warzywoda_196214.pdf