



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

COR 2023 005745

FINDING INTO DEATH WITH INQUEST

Form 37 Rule 63(1)

*Section 67 of the **Coroners Act 2008***

Inquest into the Death of Kon Maximos

Deceased:	Kon Maximos
Delivered on:	4 November 2025
Delivered at:	Coroners Court of Victoria, 65 Kavanagh Street, Southbank
Hearing date:	12 March 2025
Findings of:	Coroner Leveasque Peterson
Counsel assisting the coroner:	Ms Courtney Davies, Coroner's Solicitor
Key words:	Death in custody, Victoria Police arrest, suicide, gunshot, family violence, intervention order, access to firearms

INTRODUCTION

1. On 15 October 2023, Kon Maximos was 62 years old when he died from a self-inflicted gunshot wound.
2. Kon is the eldest son of Nicholas and Irene Maximos, who migrated to Australia from Greece in the late 1950s. Kon grew up in the Burnley area, before moving to Lalor, where his parents purchased the family home. His younger brother, Manny, describes their childhood as growing up in a happy household.
3. Kon attended Thomastown Secondary College and completed a motor mechanic apprenticeship in 1981. He married his first wife in 1987; however, the relationship ended in 1990. They had one daughter together in 1998, who lived with Kon and his parents after the divorce. Kon married his second wife, Tina, and they had one daughter together, born in 1992.
4. In January 2000, Tina sadly passed away unexpectedly. Kon was extremely upset and was supported by his family.

INVESTIGATION AND SOURCES OF EVIDENCE

5. This finding draws on the totality of the coronial investigation into the death of Kon Maximos including evidence contained in the coronial brief as prepared by Coroner's Investigator, Senior Sergeant Darren Gilmartin and the report from the Victorian Institute of Forensic Medicine.
6. All of this material, together with the inquest transcript, will remain on the coronial file.¹ In writing this finding, I do not purport to summarise all the material and evidence but will only refer to it in such detail as is warranted by its forensic significance and the interests of narrative clarity.

¹ From the commencement of the *Coroners Act 2008*, that is 1 November 2009, access to documents held by the Coroners Court of Victoria is governed by section 115 of the Act. Unless otherwise stipulated, all references to legislation that follow are to provisions of the Act.

PURPOSE OF A CORONIAL INVESTIGATION

7. The purpose of a coronial investigation of a '*reportable death*'² is to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which death occurred.³
8. Kon's death falls within the definition of reportable death, specifically section 4(2)(a) of the *Coroners Act 2008* (Vic) (**the Act**) which includes an unexpected or (relevantly) unnatural death and section 4(2)(d).
9. Kon was, at the time of his death, a person '*placed in custody or care*' given that he was a person who a police officer was attempting to take into custody according to section 3(1)(j) of the Act. Consequently, section 52(2)(b) required that an inquest be held into his death.
10. The '*cause*' of death refers to the '*medical*' cause of death, incorporating where possible the mode or mechanism of death. For coronial purposes, the '*circumstances*' in which death occurred refers to the context or background and surrounding circumstances but is confined to those circumstances sufficiently proximate and causally relevant to the death, and not all those circumstances which might form part of a narrative culminating in death.⁴
11. The broader purpose of any coronial investigations is to contribute to the reduction of the number of preventable deaths through the findings of the investigation and the making of recommendations by coroners, generally referred to as the 'prevention' role.⁵
12. Coroners are empowered to report to the Attorney-General in relation to a death; 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 to make recommendations to any Minister or public statutory authority on any matter connected with the death, including public health or

² The term is exhaustively defined in section 4 of the Act. Apart from a jurisdictional nexus with the State of Victoria a reportable death includes deaths that appear to have been unexpected, unnatural or violent or to have resulted, directly or indirectly, from an accident or injury; and, deaths that occur during or following a medical procedure where the death is or may be causally related to the medical procedure and a registered medical practitioner would not, immediately before the procedure, have reasonably expected the death (section 4(2)(a) and (b) of the Act). Some deaths fall within the definition irrespective of the section 4(2)(a) characterisation of the 'type of death' and turn solely on the status of the deceased immediately before they died – section 4(2)(c) to (f) inclusive.

³ Section 67(1).

⁴ This is the effect of the authorities – see for example *Harmsworth v The State Coroner* [1989] VR 989; *Clancy v West* (Unreported 17/08/1994, Supreme Court of Victoria, Harper J.)

⁵ The 'prevention' role is now explicitly articulated in the Preamble and purposes of the Act, compared with the *Coroners Act 1985* where this role was generally accepted as 'implicit'.

safety or the administration of justice.⁶ These are effectively the vehicles by which the coroner's prevention role can be advanced.⁷

13. Coroners are not empowered to determine the civil or criminal liability arising from the investigation of a reportable death and are specifically prohibited from including in a finding or comment any statement that a person is, or may be, guilty of an offence.⁸

BACKGROUND

14. Kon married his third wife, Georgia, in 2002. Georgia had one son, Eric, from a previous relationship. Kon, Georgia and their children lived together in Kealba whilst they were building a house in Hillside. Georgia was a full-time mother and raised their children while Kon worked at his father's trucking business with Manny.
15. The brothers eventually became directors of the company which Manny described as being very successful, and enabled Kon to provide for his family financially. Kon never abused drugs and was a social drinker, according to Manny. However, Georgia described him as being a *'heavy drinker of spirits'*. Family members reported that Kon was often bad tempered, when he arrived home from work, which caused his family to become anxious, and as if they were *'walking on egg shells'*.
16. Kon became increasingly withdrawn, and at times did not interact with his children. In the final years of their marriage, Kon and Georgia had become estranged due to an infidelity. When Georgia discovered Kon's affair, she confronted him and offered him the opportunity to separate or stay together.
17. Members of Kon's family were upset with him about the affair. Kon initially moved back to his parents' house in Lalor, however he later returned to the Hillside family home, sleeping in a spare bedroom. Kon attended counselling in Preston and spoke with a counsellor about his regret of the affair, however Kon discontinued the counselling after two sessions and believed that Georgia had made up her mind to separate.

⁶ See sections 72(1), 67(3) and 72(2) regarding reports, comments, and recommendations respectively.

⁷ See also sections 73(1) and 72(5) which requires publication of coronial findings, comments and recommendations and responses respectively; section 72(3) and (4) which oblige the recipient of a coronial recommendation to respond within three months, specifying a statement of action which has or will be taken in relation to the recommendation.

⁸ Section 69(1). However, a coroner may include a statement relating to a notification to the Director of Public Prosecutions if they believe an indictable offence may have been committed in connection with the death. See sections 69 (2) and 49(1).

Kon's Interactions with Victoria Police

18. Throughout October 2023, Kon had several interactions with Victoria Police.
19. On 6 October 2023, Kon and Georgia had argued over their relationship and finances. Kon controlled the finances which made it difficult for Georgia to initiate their separation. However, on this occasion, Georgia was considering moving to another address out of fear for her safety.
20. Kon held a firearms licence and owned a .22 Rimfire rifle, which often used to shoot birds in the backyard. He would leave the rifle unsecured around the house, which would make Georgia feel unsafe, and on this particular day he told her, *'I'm going to kill myself'*.
21. Victoria Police was contacted to conduct a welfare check and arrived at approximately 2:32 pm on 6 October 2023. After members of the Melton Police Station spoke with Kon, they formed the opinion that Kon was not threatening self-harm, however as they were leaving the address, they were waved down to stop by Georgia, Eric and Irene, who arrived in a separate vehicle.
22. Georgia provided further information to police members that Kon had an unsecured firearm inside the address, which prompted them to return to the house and issue a Family Violence Safety Notice, with limited conditions not to commit family violence. There was no exclusion conditions sought, which ultimately allowed Kon to remain at the Hillside address.
23. The Family Violence Safety Notice was to be heard at the Sunshine Magistrates' Court on 16 October 2023. Police members also seized the .22 Rimfire rifle after locating it, unsecured, in the lounge room. Two other firearms were located, secured, in a gun safe in the garage which were registered to Kon's father, Nicholaos.⁹ All firearms (and ammunition) were seized in accordance with section 158 of the *Family Violence Protection Act 2008* (Vic).
24. Kon's firearm licence was seized, and he was served with an immediate suspension notice. After seizing the firearms, members contacted Manny and requested he attend the Caroline Springs Police Station to collect the firearms registered to his father.

⁹ A Beretta Shotgun and a CZ classic longarm.

25. Manny attended the police station that afternoon, collected the firearms and returned them to his parents' address in Lalor. At approximately 4.47 am on 7 October 2023 Kon sent Georgia a text message, which she interpreted as a threat of self-harm. The text message read: *'I would have given you the world. You choose no. I never got along with Eric and now it's too late. I won't live without you. Goodbye. Wanted to prove that to you. Come home and clean up the mess'.*
26. Victoria Police members were dispatched to conduct a welfare check and arrived at the residence at 9:21 am. Kon spoke with members in Georgia's presence and said that he was trying to resolve his differences with his wife. When asked by police, *'Are you suicidal?'*, he replied, *'Oh, of course not, everything is under control and I'm not suicidal'.*
27. Members spoke with Kon in private. Kon disclosed that he was remorseful of his affair, but not suicidal and had nothing to stress about. Georgia spoke to the same police member and showed him the text message that was sent by Kon. Georgia subsequently left the home to stay with friends.
28. Members conducted a walk-through of the house and observed a broken closed circuit television (CCTV) screen. Kon advised members that the CCTV monitor broke from falling on the ground.
29. Later that day, Kon and his father removed the gun safe from the garage at the Hillside property and moved it to the locked garage at Kon's parents' Lalor address. The two firearms registered to Kon's father were placed in that safe. Kon's father stored the gun safe key in a cabinet in the lounge room, and the key to unlock the garage was located in the carport area. Both of Kon's parents were elderly, and it is understood that Kon knew where the keys were kept or owned a spare.
30. On 9 October 2023, Victoria Police issued Kon with an infringement notice for failing to store a category A or B longarm and posted it to the family address in Hillside. At approximately 1:16 pm the same day, Georgia attended the Caroline Springs Police Station to report damage to a pool pump filter and a coffee machine at her home. Georgia advised police that she had reviewed CCTV footage from two days earlier (7 October 2023), which captured Kon walking around with a hammer. She explained to police that she had concerns for her safety and for Kon's welfare.

31. Georgia shared images of the damage and CCTV stills of Kon walking around with a hammer. At approximately 6:14 pm Kon contacted the Victoria Police Assistance Line, an online reporting contact centre, to advise his rear vehicle registration plate was missing. He said that the plate may have fallen off or was stolen from his vehicle whilst in the garage at his address in Hillside.
32. A crime report was generated for the incident. Kon then spoke to the Sunshine Crime Scene Services and confirmed that there was no burglary at the address and reiterated that he was unable to determine if the registration plate had fallen off or was stolen. On 12 October 2023 Sergeant Fraser King, who was the Caroline Springs Family Violence Liaison Officer, reviewed the incidents involving Kon, and instructed members to make a variation to the intervention order for no contact, and exclusion from the Hillside address due to the risk Kon posed to Georgia.
33. An application and warrant with these changes and exclusions was applied for and authorised by the Sunshine Magistrates' Court. Kon was later contacted by phone and requested to attend the Caroline Springs Police Station, and he did so. Kon was arrested and interviewed in relation to criminal damage, as well as a contravention of a Family Violence Safety Notice.
34. Kon was released pending summons for these criminal charges. During the interview, Kon stated that the CCTV monitor screen broke when he *'tapped it'* with a remote. He further stated that he thought the Family Violence Safety Notice was a *'warning'* in relation to the gun being out of the safe. In relation to the text messages he sent Georgia, Kon admitted to doing so out of desperation to get the relationship back together.
35. In relation to the record of interview, Kon stated: *'I honestly thought it was because the gun was out of the safe. I had an old coffee machine there that I wanted to get rid of so I disposed of it. I hadn't touched anything of Georgia's. I wasn't thinking. I tapped the monitor. I'll get a new one'*.
36. When asked about the damage to the pool pump display, Kon stated in the record of interview, *'It wasn't me. Don't know anything about it'*. Kon was shown an image of him on CCTV footage with a hammer but could not explain why he had it. When asked, *'What is your reason for contravening the Family Violence [Safety Notice]?'*, Kon said in reply, *'No reason. Oh, like I said, I honestly assumed the notice was for the firearms, and my wife was not home. Georgia wasn't there and I was feeling sorry for myself'*.

37. When asked, *'What's your reason for damaging the TV?'*, Kon said, *'I still don't think I did, I only just tapped it'*. The application and warrant were executed and Kon was bailed to appear at the Sunshine Magistrates' Court on 16 October 2023 with conditions not to contact Georgia, and he was excluded from the family home in Hillside. After being released from the Caroline Springs Police Station, Kon was accompanied to the Hillside address so that he could collect some belongings.
38. Kon subsequently stayed at his parents' house in Lalor. Later that day, Kon and Manny attended the Francis Perry Hospital in Parkville to visit his daughter, Irene, and his newborn grandson, Raphael. Family report that Kon appeared to be disconnected and checked out from reality. Kon is also reported to have said to Raphael, *'I wish we'd meet in better circumstances'*.
39. Irene's husband, Mark, was encouraging Kon, calling him *'Papou'* (Greek for *'grandfather'*), but he was not himself. Kon and Irene spoke on the phone in the days after and his voice, according to Irene, sounded different, like he was shaking. When Irene asked, *'Are you all right?'*, he said *'No'*. Irene then said words to the effect that, *'You should get some help'*, and Kon said, *'It's too late'*.
40. Kon had contacted Victoria Police to arrange a property collection so that he could collect some medications for blood pressure and cholesterol. Members contacted Georgia and arranged for the medications to be left outside, which Kon subsequently collected.

CIRCUMSTANCES IN WHICH THE DEATH OCCURRED

41. On 15 October 2023 Kon's family planned to celebrate Manny's birthday at the Olympic Hotel, however that morning Kon told his parents that he wasn't feeling well and decided to stay at home. After Kon's parents had left the address Kon used the gun safe keys to gain access to the gun safe, and removed his father's Beretta shotgun, which he loaded with two cartridges. Kon then drove to his family home in Hillside, arriving at approximately 1.50 pm.
42. Kon used a remote to unlock the front gates of the property and parked on the western side of the house, out of view of the CCTV cameras. Georgia was hanging out the washing when Kon arrived. She immediately went inside to alert her son, Eric. At the time Eric was upstairs. He ran down armed with a hockey stick to support his mother, as he felt they were in danger.

43. Kon did not try and knock on the door or speak to Eric or Georgia. At approximately 2.05 pm Eric called Triple 0. At the time, Eric and Georgia were able to safely observe and relay Kon's movements to the operator as Kon could eventually be seen on CCTV. Kon initially stood at the western side of the house towards the back for several minutes, which enabled Eric to take a photo of him.
44. According to Eric, Kon had an angry look on his face. As Kon began to move towards the front of the house, Eric was able to observe Kon carrying a shotgun and a long handed screwdriver. Audio from the Triple 0 call depicts Eric saying, '*He's carrying a gun*', and in a statement he later provided to the Court, Eric thought that they were dead.
45. Police were notified immediately, and the incident was dispatched to the Caroline Springs Police Station. Sergeant James Montgomery had the role of the Police Forward Commander and gave instructions to members to ensure that they were wearing ballistic vests, and to arrange a rendezvous nearby, whilst specialist resources were requested to manage critical incidents, being the K9 unit, Critical Incident Response Team and the airwing (helicopter).
46. Other local units were also enroute to assist, including the Brimbank crime investigation unit. Kon remained near the front steps of the property - which wasn't covered by CCTV. Georgia had, earlier in the day, left Kon's clothing in bags by the front steps. Sergeant King made phone contact with Georgia to establish a safety plan for her and Eric to escape via the back door to a neighbour's house.
47. There had been no further sightings of Kon on the CCTV cameras. At approximately 2:25 pm Detective Senior Constable Allen and Senior Constable Weatherly were requested to conduct a covert drive over the address where they observed Kon sitting on the steps, leaning over and holding something long in his hands that looked metallic.
48. At approximately 2:31 pm the police airwing conducted a fly over of the address, and video recorded Kon sitting on the steps. Moments later, Kon shot himself in the head with the shotgun at close range, killing him instantly. Upon hearing the shotgun, Eric and Georgia fled via the back door to a neighbour's property. Police then moved in and confirmed that Kon was deceased.

IDENTITY OF THE DECEASED

49. On 15 October 2023, Kon Maximos, born 8 September 1962, was visually identified by his brother, Manuel Maximos.
50. Identity is not in dispute and requires no further investigation.

MEDICAL CAUSE OF DEATH

51. Forensic Pathologist Dr Brian Beer of the Victorian Institute of Forensic Medicine (VIFM) conducted an examination on 17 October 2023 and provided a written report of his findings dated 30 October 2023.
52. The post-mortem computed tomography (CT) scan demonstrated extensive facial fractures, bilateral temporoparietal and occipital fractures. There was a broad band of shot gun fragments/pellets at the level of upper cervical vertebrae/lower base of the skull within the skull and soft tissue. There was no exit wound and no injuries below the head and neck.
53. Toxicological analysis of post-mortem samples detected mirtazapine at a concentration of ~ 0.4 mg/L.¹⁰
54. Dr Beer provided an opinion that the medical cause of death was 1(a) *Shotgun injury to the head*.
55. I accept Dr Beer's opinion as to cause of death.

VICTORIA POLICE INVESTIGATION

56. Immediately following Kon's death, a crime scene was established and further police resources attended. Members from Sunshine crime scene services, being Leading Senior Constable Madden and Senior Constable McPherson, attended and photographed the scene.
57. No suicide note was located; however, Manny recovered a diary entry Kon made on the day of his death, titled, '*Will and testament*'. On 14 November 2023, investigators spoke to Georgia regarding some items, including a brown leather hunting belt, and 45 rounds of Winchester 12 gauge ammunition rounds, which were seized, as she no longer wanted them in the house.

¹⁰ Mirtazapine is an anti-depressant.

58. Georgia also provided investigators with the small blister pack containing six tablets of mirtazapine that she found in Kon's car. Mirtazapine is indicated for obsessive compulsive disorder and anxiety. It can also be used to promote sleep.
59. Investigators learned that Kon's mother had been prescribed mirtazapine. However, there is no evidence the mirtazapine which Kon consumed (and which was detected on post-mortem toxicology) were those which had been prescribed to his mother. If indeed Kon consumed his mother's mirtazapine, the reason(s) for the same is unclear.

FAMILY CONCERNS

60. In correspondence with the Court, Georgia outlined her concerns regarding the circumstances of Kon's death.

Kon's access to firearms

61. The first point Georgia raised was a suggestion of a '*cooling off*' period between Victoria Police officer seizing an individual's firearms and those firearms being returned to their owner. I acknowledge the benefit underpinning such a process but note that, in this circumstance, Kon's firearm was seized as a consequence of a Family Violence Safety Notice being served however, Nicholaos' firearms were seized because they were being stored at Kon's address.
62. Victoria Police therefore seized Nicholaos' firearms in circumstances where there was no warrant or court order regarding the same. As a result, police officers were not lawfully permitted to retain his property for an extended period of time that would have allowed for a '*cooling off*' period to have been instated.
63. Indeed, Nicholaos' two firearms were returned to his Lalor address and stored in a gun safe on 7 October 2023. It is not my intention to determine whether these firearms were stored in compliance with Nicholaos' Longarm A & B licence. It is apparent though, that the firearms were not stored securely, demonstrated by the ease with which Kon was able to access them with fatal consequence.
64. It would be remiss of me to note that as a condition of Kon's bail, he was permitted to reside at an address where guns were being stored. Recent amendments to bail laws in Victoria have

addressed this issue and I consider have obviated the need for further coronial comment or recommendation.

Kon's retention of the gate key

65. Georgia also identified that Kon was able to retain a copy of his remote to the front gate of the Hillside residence.
66. On 12 October 2023, Sergeant Fraser King, a Family Violence Liaison Officer of the Caroline Springs Police Station reviewed Family Violence Reports made after the Family Violence Safety Notice was issued. Sergeant King formed the view that Kon was a risk to Georgia due to *'escalating reports of family violence including property damage and controlling behaviours'*.
67. Sergeant King instructed a Constable of the same station to *'make an application to vary the Intervention Order to a Full no contact Intervention Order'* with conditions and exclusion. From this date, Kon was prohibited from contacting Georgia and was excluded from the Hillside address.
68. It is unclear what actions Victoria Police officers took to ensure that Kon handed over all of his keys and remotes (etc.) once the conditions of the Intervention Order were expanded. However, it is apparent that Kon kept control of the remote to front gate of the Hillside address, which he used on 15 October 2023 to enter the property with the shotgun.
69. It is also clear that Kon's interactions with Victoria Police were not candid, but self serving. Kon's interactions with police suggest he likely would not have informed them that he retained the remote to the gate.
70. Even if Kon handed over the remote, in the context of his calculated plan of 15 October 2023 (including to access his father's gun safe), I consider it likely that he would have found an alternative means to enter the Hillside property.

FINDINGS AND CONCLUSION

71. Having applied the applicable standard of proof to the available evidence, I find that:
 - a) the identity of the deceased was Kon Maximos, born 8 September 1962;

- b) the death occurred on 15 October 2023 at 8 Rupicola Court, Hillside, Victoria due to 1(a) *Gunshot wound to the head*; and,
- c) the death occurred in the circumstances described above.

72. Having considered the circumstances, I find that Kon intentionally took his own life and that he did so in the context of acute, interpersonal stressors.

73. I convey my sincere condolences to Kon's family for their loss.

ORDERS AND DIRECTIONS

74. Pursuant to section 73(1), this finding is to be published on the Coroners Court of Victoria website in accordance with the rules.

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

Georgia Maximos, Senior Next of Kin

Senior Sergeant Darren Gilmartin, Victoria Police, Coroner's Investigator

Signature:



Coroner Leveasque Peterson

Date: 4 November 2025

NOTE: Under section 83 of the *Coroners Act 2008* ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.
