



## **FINDING OF INQUEST**

*An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 28<sup>th</sup> day of May and the 9<sup>th</sup> day of July 2020, by the Coroner's Court of the said State, constituted of Simon James Smart, Deputy State Coroner, into the death of Fiona Joy Hales.*

*The said Court finds that Fiona Joy Hales aged 33 years, late of 19 Croker Road, Morphettville, South Australia died at Morphettville, South Australia on the 27<sup>th</sup> day of October 2017 as a result of hanging. The said Court finds that the circumstances of her death were as follows:*

### **1. Introduction and cause of death**

1.1. Fiona Joy Hales was born on 10 August 1984 and died on 27 October 2017 at her home address in Morphettville. She was 33 years of age. Ms Hales' body was identified by her friend, Ellen Sprigg<sup>1</sup>.

1.2. Dr Stephen Wills, a forensic pathologist at Forensic Science South Australia, conducted a post mortem examination in respect of Ms Hales' remains. Dr Wills' report expressed the cause of Ms Hales' death as hanging.<sup>2</sup> The following major pathological findings were noted at autopsy:

- Ligature submitted with the body;
- Corresponding rising ligature mark present upon the neck;
- Old right frontotemporal craniotomy;
- Fracture of right superior horn of thyroid cartilage without associated bruising;

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<sup>1</sup> Exhibit C1

<sup>2</sup> Exhibit C2a

- Well defined haemorrhagic lesion, likely haemangioma, in left lobe liver; and
  - A high concentration of methylamphetamine was detected in the blood.<sup>3</sup>
- 1.3. There was nothing noted at autopsy to give rise to concerns that foul play may have been involved and the post mortem findings were consistent with Ms Hales having hanged herself. I find the cause of Ms Hales' death to be hanging.
- 1.4. It is not clear where Ms Hales obtained the amphetamines that were detected in her system, nor when she consumed them. In statements tendered to the Court both Ms Hales' former partner and her mother identified a man known as Simon Wickham having been responsible for providing drugs to Ms Hales in the past.<sup>4</sup> There is no evidence as to where Ms Hales obtained the drugs found in her system at post mortem.
- 1.5. Ms Hales had a long standing drug addiction and recent observations of her former partner, Mr Scali, in conjunction with a failed drug test recorded on 17 October 2017 indicate that she had resumed drug use.

## **2. Reason for inquest**

- 2.1. The Court was required to hold a mandatory inquest pursuant to section 21(1)(a) of the Coroners Act 2003 as Ms Hales was subject to a court ordered home detention sentence and bail agreement with home detention conditions at the time of her death.
- 2.2. On 20 June 2017 Ms Hales was sentenced in the District Court of South Australia to a home detention sentence of 13 months, 3 weeks and 3 days for the offence of theft and in relation to a breach of bond.<sup>5</sup> The relevant address of the home detention order was varied on a number of occasions. On 29 August 2017 it was varied to 19 Croker Road, Morphettville. The sentence was not due to expire until August 2018.
- 2.3. In addition to the home detention sentence, Ms Hales also entered into a bail agreement with home detention conditions in the District Court on 6 July 2017. That bail agreement was varied to the address of 19 Croker Road, Morphettville on 29 August 2017.

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<sup>3</sup> Exhibit C3a

<sup>4</sup> Exhibits C8 and C9

<sup>5</sup> Exhibit C14

2.4. Ms Hales died on 27 October 2017. At that time both the home detention sentence and the bail agreement with home detention conditions were in force. Accordingly, Ms Hales was in the custody of the Department for Correctional Services at the time of her death.

### 3. **Background**

- 3.1. Ms Hales was born in Mount Gambier where she lived until she was two years of age.<sup>6</sup> She was the middle child of three siblings, two girls and a boy. Her mother is Mrs Gaye Hales. Upon leaving Mount Gambier the family moved to a small town about half an hour from Mount Gambier called Nangwarry. In 1995 the family moved to the Flinders Ranges and Ms Hales attended the Hawker Area School until Year 10. Upon leaving school Ms Hales found employment as a cleaner at Wilpena Pound, where she worked for about two years.
- 3.2. In 2003 she was in a relationship with a man named Jonathon Osborne. They had a daughter together, however tragically she was born prematurely and died two months later. Following this Mr Hales and Mr Osborne moved to Port Lincoln where they lived for about three years until that relationship ended and Ms Hales moved to Adelaide.
- 3.3. Ms Hales commenced a relationship with Stephen Scali in around 2007. They have two children together, Nikolas and Ethan Scali. Their relationship ended in around 2014 as a result of Ms Hales' excessive drug habit. She was using drugs, in particular methylamphetamine, on a daily basis.<sup>7</sup> Ms Hales' drug habit including intravenous use and smoking.<sup>8</sup> Ms Hales' had been introduced to amphetamines at Mr Scali's 40<sup>th</sup> birthday party in 2012. It was a drug habit that Ms Hales battled with for the remainder of her life.<sup>9</sup>
- 3.4. Mr Scali took full custody of the children following the breakdown of their relationship.<sup>10</sup> The associated restraining orders and custody disputes were a source of considerable stress for Ms Hales. This, along with Ms Hales' drug use, resulted in her coming into conflict with the law and her imprisonment on a number of occasions.<sup>11</sup>

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<sup>6</sup> Exhibit C9

<sup>7</sup> Exhibit C8

<sup>8</sup> Exhibit C5

<sup>9</sup> Exhibit C9

<sup>10</sup> Exhibit C8

<sup>11</sup> Exhibit C9

3.5. In 2017, approximately five or six months prior to her death, Ms Hales had been able to see her children, in the presence of their father, every four to five weeks. Mr Scali stated that he did not believe Ms Hales was using drugs during that period. However, the week prior to her death Ms Hales had rung Mr Scali to arrange a visit with the children for Sunday 22 October 2017, but he declined as he had other plans. Ms Hales responded very aggressively and Mr Scali thought Ms Hales was using amphetamines again. He had noticed Ms Hales' behaviour had negatively changed in the two weeks prior to her death.<sup>12</sup>

#### **4. Previous attempts at self-harm**

4.1. Ms Hales had a history of attempted self-harm. Mr Scali stated that she had been 'suicidal' when 'coming down' from drugs previously.<sup>13</sup>

4.2. In around 2007 or 2008 Ms Hales was in a relationship with a man by the name of Damien Dobson. At that time the couple were staying at an address in Morphett Vale when one evening Mr Dobson woke to find Ms Hales had a drawstring around her neck. She had written a suicide note. Mr Dobson was able to remove the drawstring and Ms Hales recovered immediately. Ms Hales was using drugs at the time and her relationship with Mr Dobson ended.<sup>14</sup>

4.3. Ms Hales attempted self-harm by hanging herself in December 2016 following the loss of custody of her children. Ms Hales was living in Tailem Bend.<sup>15</sup> Her friend Adam Matthews discovered her with a noose in a shack next to his. He confronted Ms Hales but she attempted to pass it off as a joke.<sup>16</sup>

4.4. At around that time Mr Dobson attended Tailem Bend to assist Ms Hales with moving house. They had an argument and Ms Hales went into her room alone. About an hour later Mr Dobson found Ms Hales attempting to hang herself. She had also taken a quantity of medication. An ambulance was called and Ms Hales was taken to the Murray Bridge Hospital prior to transfer to the Intensive Care Unit of the Royal Adelaide Hospital.<sup>17</sup>

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<sup>12</sup> Exhibit C8

<sup>13</sup> Exhibit C8

<sup>14</sup> Exhibit C7

<sup>15</sup> Exhibit C5

<sup>16</sup> Exhibit C6

<sup>17</sup> Exhibits C5 and C7

## **5. Home detention**

- 5.1. Ms Hales was assigned to community corrections case manager, Donna Carlin.<sup>18</sup> Ms Hales' case manager maintained regular contact with Ms Hales including fortnightly personal meetings.
- 5.2. Assistance was provided to Ms Hales in relation to a variety of matters including ensuring sufficient groceries that were sustainable in her financial situation. Ms Hales was prescribed anti-depressant medication and steps were taken to impose a mental health plan, taking into account concerns about access to her children and her custody status. Discussions and plans had also been put in place to help Ms Hales overcome her drug use. There were a number of home visits conducted with Ms Hales and no issues of concern were noted.
- 5.3. Generally speaking, Ms Hales was compliant with her home detention conditions. She was subject to regular drug testing by urine samples from May 2017. Her results were consistently negative, however her last test on 17 October 2017 showed a positive result for methamphetamine. Because of her otherwise positive compliance, the decision was made not to breach Ms Hales for this result. Instead, it was deemed a more supportive and therapeutic approach would be of greater benefit to Ms Hales. The intended plan included enrolment in relevant programs and medical assistance. Ms Hales died before those arrangements could be put in place.

## **6. The morning of Ms Hales' death**

- 6.1. Ms Hales was visited by a friend, Charmaine Kember, on the day of her death. Ms Kember attended at Ms Hales' Morphettville address at 9am on 27 October 2017.<sup>19</sup> They spent some time together and, although Ms Hales had previously expressed loneliness and difficulty coping with child custody issues, at the time of the visit Ms Kember found Ms Hales to be in good spirits.
- 6.2. Ms Hales mentioned that Simon Wickham had been at the house earlier that morning and explained how the pair had a verbal argument.<sup>20</sup>

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<sup>18</sup> Exhibit C10

<sup>19</sup> Exhibit C4

<sup>20</sup> Exhibit C4a

- 6.3. They made arrangements to catch up in the afternoon and Ms Kember left at about 11:15am. Ms Kember's last contact was a text message of a positive nature received at 11:18am.
- 6.4. Simon Wickham had known Ms Hales for about two years and for a period of time they were in a romantic relationship.<sup>21</sup> Mr Wickham had stayed at Ms Hales' address on the evening of 26 October 2017. The following morning Ms Hales and Mr Wickham had an argument Mr Wickham was told to leave. Mr Wickham had to make a number of trips to collect items from her property. They exchanged a number of text messages throughout the day. He did not pick up any signs that Ms Hales was contemplating self-harm.
- 6.5. At about 4pm Ms Kember messaged Ms Hales but did not receive a response. At 7:50pm Ms Kember attended at Ms Hales' address with friends. Ms Kember knocked on the front door but received no answer. She went around the back and discovered Ms Hales hanging from the clothes line.<sup>22</sup> Ms Kember first attempted to call Mr Matthews but when he did not answer she contacted triple zero and ambulance and police attended.

## **7. Police investigation**

- 7.1. SAPOL attended the scene at 7:52pm.<sup>23</sup> Ms Hales body remained hanging from the clothes line with a white rope around her neck, connected to the main cross-bar of the clothes line. Police did not discover evidence of violence, trauma or struggle of the body. Further, within the premises there were no signs of struggle or tampering with the scene.
- 7.2. Crime Scene Investigator Brevet Sergeant Ross Davey attended the premises at 8:40pm to obtain photographic evidence. He noted no indications of foul play.<sup>24</sup>

## **8. Coronial investigation**

- 8.1. Detective Brevet Sergeant Daniel Soper from Southern District Criminal Investigation Branch of SAPOL was tasked with investigating Ms Hales' death in custody. Detective

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<sup>21</sup> Exhibit C5

<sup>22</sup> Exhibit C4

<sup>23</sup> Exhibit C11

<sup>24</sup> Exhibit C13

Soper conducted a thorough investigation into this matter and his report was tendered to the inquest.<sup>25</sup> Detective Soper formed the opinion that there was nothing suspicious in Ms Hales' death and concluded it was a result of suicide. The investigating officer did not identify any failings on the part of the Department for Correctional Services that contributed to Ms Hales' death.<sup>26</sup>

## **9. Conclusions and recommendations**

- 9.1. Consistent with the views of Detective Soper I find that Ms Hales' detention was lawful and did not contribute to her death. I find that the Department for Correctional Services' approach to, and treatment of, Ms Hales was appropriate in all of the circumstances.
- 9.2. In her statement to the Court Ms Hales' mother raises concerns in relation to the involvement of another party in her daughter's death.<sup>27</sup> Having considered those concerns I find that nothing has arisen from the police investigation, or the post mortem examination, or from any other circumstance, that gives rise to a concern that any other person was involved in the death of Ms Hales. I find that the evidence directly supports a conclusion that Ms Hales intentionally ended her own life.
- 9.3. I have no recommendations to make in this matter.

*Key Words: Death in Custody; Suicide; Home Detention Bail*

*In witness whereof the said Coroner has hereunto set and subscribed his hand and*

*Seal the 9<sup>th</sup> day of July, 2020.*

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*Deputy State Coroner*

Inquest Number 37/2020 (2199/2017)

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<sup>25</sup> Exhibit C14

<sup>26</sup> Exhibit C14

<sup>27</sup> Exhibit C9.