



FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 5th day of May and the 10th day of June 2022, by the Coroner's Court of the said State, constituted of Naomi Mary Kereru, Coroner, into the death of Daniel Sergio Petruzzella.

The said Court finds that Daniel Sergio Petruzzella aged 34 years, late of 45 White Avenue, Lockleys, South Australia died at Lockleys, South Australia on the 31st day of October 2019 as a result of hanging. The said Court finds that the circumstances of his death were as follows:

1. Introduction and cause of death

- 1.1. Daniel Sergio Petruzzella was 34 years old when he died on 31 October 2019 at his home address. He was a father of two children and awaiting the birth of his third child with his estranged wife.
- 1.2. A post-mortem examination of Mr Petruzzella's remains was conducted on 4 November 2019 by Dr Stephen Wills who is a forensic pathologist at Forensic Science South Australia (FSSA). Dr Wills reported that the cause of death of Mr Petruzzella was 'hanging', with ligature marks present upon the neck.¹
- 1.3. Post-mortem toxicology demonstrated a reading of 0.083% alcohol in the blood, 0.091% alcohol in the urine, and 0.060% alcohol in the vitreous humour.
- 1.4. I accept Dr Wills' evidence and find that the cause of Mr Petruzzella's death was hanging.

¹ Exhibit C2a

2. Reason for Inquest

- 2.1. On Friday 9 August 2019 Mr Petruzzella was arrested. He was refused bail and remanded in the Port Adelaide Cells over the weekend.² On 21 August 2019 Mr Petruzzella was released from custody and into the care of Edwardstown Community Corrections on home detention bail with electronic monitoring. He was to reside at his home address in the suburb of Lockleys.³
- 2.2. As Mr Petruzzella was the subject of a home detention bail agreement with electronic monitoring at the time of his death, his death was a death in custody for which an inquest was mandatory.
- 2.3. In law this meant that Mr Petruzzella's death was a death in custody within the meaning of that expression in the Coroners Act 2003 and this inquest was held as required by section 21(1)(a) of that Act.

3. Background and the events leading to Mr Petruzzella's death

- 3.1. Mr Petruzzella was married to Julia. Together they had two children, a son and daughter. Ms Petruzzella was pregnant with the pair's third child in 2019. Mr Petruzzella was an electrician by trade and was employed by an electrical company to work on commercial businesses.
- 3.2. On 9 August 2019 Mr Petruzzella was arrested for allegations of family violence against his partner and child.⁴ Mr Petruzzella spent a period of twelve days on remand after being refused police bail. On 21 August 2019 he was released on home detention bail into the care of Edwardstown Community Corrections. Mr Petruzzella had ongoing Community Correction appointments in September and October 2019 to monitor his compliance with his bail conditions.
- 3.3. Ms Deanne Radford was Mr Petruzzella's Community Corrections case officer. In her witness statement tendered to the Court,⁵ Ms Radford described the contact she had with Mr Petruzzella between 23 August 2019 and 31 October 2019. On one particular occasion, being 17 October 2019, Mr Petruzzella told Ms Radford that he '*was coping ok and had family support*'.⁶

² Exhibit C12, page 4

³ Exhibit C12a, Bail Agreement

⁴ Exhibit C12a, Bail Agreement

⁵ Exhibit C4

⁶ Exhibit C4, page 3 at paragraph 8

- 3.4. Mr Petruzzella had been a patient of the Galway Medical Centre in Marlestone since 2003. Contained within their records is no evidence of a history of psychological involvement prior to September 2019.⁷
- 3.5. On 16 September 2019, Mr Petruzzella attended the Galway Medical Centre where he saw General Practitioner, Dr Christopher Mkandala. Dr Mkandala described this consultation in his witness statement tendered to the Court,⁸ namely that Mr Petruzzella was seeking a Mental Health Care Plan referral to see a psychologist.⁹ This was on a background of being arrested and charged with offences against his partner and children. Dr Mkandala did not prescribe any medication at the consultation as Mr Petruzzella stated he had no suicidal ideation and had no such plans.¹⁰
- 3.6. In his evidence Dr Mkandala outlined that on 7 October 2019 he sent the Mental Health Care Plan referral to Engaging Minds Clinical Psychology.¹¹ The Investigating Officer, Brevet Sergeant Aaron Yeoward, stated in his report that Mr Petruzzella had his first scheduled appointment with Engaging Minds on 12 November 2019.¹²
- 3.7. At about 3:45pm on 31 October 2019, Mr Petruzzella's mother dropped some food around to her son at his home address. She thought he appeared happy and his normal self.¹³
- 3.8. Shortly after this contact with his mother, Mr Petruzzella met with Ms Radford at Community Corrections. This was at approximately 5pm. During the meeting Mr Petruzzella enquired about the removal of his electronic home detention bracelet. Mr Petruzzella was apparently under the impression that at his court appearance in the coming weeks, the home detention conditions would be lifted.
- 3.9. In her evidence Ms Radford described cautioning Mr Petruzzella about this expectation, telling him that it was only the first court date and he should discuss the matter with his lawyer.¹⁴
- 3.10. In his statement tendered to the Court, Sergio Petruzzella, the deceased's father, described receiving a phone call from his son after his meeting with Ms Radford on 31 October 2019 and a subsequent conversation with his lawyer. He described his son

⁷ Exhibit C15

⁸ Exhibit C8

⁹ Exhibit C8, paragraph 5

¹⁰ Exhibit C8, paragraph 8

¹¹ Exhibit C8, paragraph 7

¹² Exhibit C12, page 5

¹³ Exhibit C6, paragraphs 8-9

¹⁴ Exhibit C4, page 3 at paragraph 9

sounding ‘*agitated and upset*’ after this meeting at the prospect of his home detention conditions not being lifted at the next court appearance.¹⁵ Sergio Petruzzella’s evidence reflects he attempted to calm his son by reassuring him that it was not for Ms Radford or his lawyer to make that decision about his home detention bail conditions.¹⁶

- 3.11. Ms Petruzzella’s sister, Laura Petruzzella, recalled a similar conversation with her brother about his meeting with Ms Radford, in her statement tendered to the Court.¹⁷ This occurred at 6:18pm on 31 October 2019. Towards the end of their conversation, Mr Petruzzella asked his sister to explain his situation to his son one day, alluding to the possibility that he might not be around. Ms Petruzzella directly asked him if he was considering taking his own life, to which he replied ‘*no*’. Ms Petruzzella indicated her wish to visit him. Mr Petruzzella told her he did not want anyone to come.

4. Circumstances of Mr Petruzzella’s death

- 4.1. On 1 November 2019 at about 1pm, Ms Radford became aware that Mr Petruzzella’s home detention bracelet was running low on power.¹⁸ Contact was attempted with Mr Petruzzella, however he did not answer his mobile phone. Ms Radford considered this was strange as Mr Petruzzella was ‘*diligent with his charging of his bracelet and contacting me with his whereabouts*’.¹⁹
- 4.2. At about 2:30pm Ms Radford received an email that indicated Mr Petruzzella had not left his home address all day. Ms Radford was aware that Mr Petruzzella had a pass to attend at a tyre shop. At that point Ms Radford contacted Sergio Petruzzella (Mr Petruzzella’s emergency contact) who stated he was just around the corner from his son’s house and would attend.
- 4.3. Sergio Petruzzella attended the Lockley’s home address of his son at about 3:30pm on 1 November 2019, noting that his son’s car was in the driveway. After entering the property by jumping the fence, his father found Mr Petruzzella in the shed hanging from a beam with a nylon rope tied around his neck. Sergio Petruzzella cut his son down with a hacksaw and dialled the police on 000.
- 4.4. Both police and the South Australian Ambulance Service arrived on scene and Mr Petruzzella was pronounced life extinct at 4:04pm. No suicide note was found.

¹⁵ Exhibit C1b, page 5 at paragraph 16

¹⁶ Exhibit C1b, page 5 at paragraph 16

¹⁷ Exhibit C5

¹⁸ Exhibit C4, page 4 at paragraph 11

¹⁹ Exhibit C4, page 4 at paragraph 11

- 4.5. The phone calls between Mr Petruzella and his father and sister do provide insight for what might have motivated Mr Petruzella to take his own life. These calls appear to be reflective of a level of despondence at the continuation of the home detention bail and perhaps the upcoming court proceedings generally.
- 4.6. These calls took place approximately 21 hours before Mr Petruzzella's body was found. Prior to that, there had been no indication that Mr Petruzzella was expressing any thoughts of self-harm.

5. Conclusions and recommendations

- 5.1. I find that Mr Petruzzella was responsible for his own death.
- 5.2. I do not believe that Mr Petruzella's death was preventable. Mr Petruzzella took his own life less than 24 hours after expressing concern about the continuing home detention bail conditions. This concern was only expressed to family members and when directly asked by his sister, he denied having a plan to end his life. Prior to that, Mr Petruzzella's compliance with his home detention bail conditions had been exemplary, he continued with his employment and had good family support.
- 5.3. Consistent with the conclusions in the report of the investigating officer, I find Mr Petruzzella was in lawful custody at the time of his death. The circumstances surrounding his death are not suspicious.
- 5.4. I make no recommendations.

Key Words: Death in Custody; Home Detention; Suicide

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

Seal the 10th day of June, 2022.

Coroner