

## CORONERS COURT OF THE AUSTRALIAN CAPITAL TERRITORY

**Case Title:** AN INQUEST INTO THE DEATH OF  
TARA MAREE COSTIGAN

**Citation:** [2018] ACTCD 4

**Date of Findings:** 28 February 2018

**Before:** Coroner P. J. Morrison

**Decision:**

1. Tara Maree Costigan died on 28 February 2015 at Unit 38, 12 Duggan Street, Calwell, in the Australian Capital Territory;
2. The manner and cause of death of Ms Costigan are sufficiently disclosed and a hearing is unnecessary;
3. The manner and cause of Ms Costigan's death are incised wounds to the neck and chest which were intentionally inflicted upon her by Marcus Rappell, her ex-partner; and
4. Pursuant to s 52(4)(a)(i) of the *Coroners Act 1997*, no matter of public safety is found to arise in connection with this inquest.

**Legislation Cited:** *Coroners Act 1997* (ACT)

**Cases Cited:** *R v Rappell* [2017] ACTSC 38

**File Number:** CD 45 of 2015

1. The circumstances surrounding the death of Tara Maree Costigan are sadly well known to the ACT community. Those circumstances were examined closely by Burns J in the ACT Supreme Court when sentencing Ms Costigan's ex-partner, Marcus Rappell, for her murder ([2017] ACTSC 38).
2. My coronial inquest into Ms Costigan's death was suspended while the related criminal proceedings were on foot. Given that Mr Rappell has been sentenced for Ms Costigan's murder, it falls to me to discharge my obligations under the *Coroners Act 1997* ("the Act").
3. Section 52 of the Act requires me to find, if possible:
  - a. The identity of the deceased;
  - b. When and where the death happened; and
  - c. The manner and cause of death.

4. I am satisfied that I have sufficient evidence to make those findings on the documentary material already before me and that the manner and cause of Ms Costigan's death is sufficiently disclosed. Accordingly, I find as follows:
  - a. Tara Maree Costigan died on 28 February 2015 at Unit 38, 12 Duggan Street, Calwell, in the Australian Capital Territory; and
  - b. The manner and cause of Ms Costigan's death are incised wounds to the neck and chest which were intentionally inflicted upon her by Marcus Rappell, her ex-partner.
5. In all the circumstances it is not necessary to hold a public hearing in relation to Ms Costigan's death.
6. I am also required by section 52(4)(a) of the Act to state whether a matter of public safety is found to arise in connection with an inquest, and if so, I must comment on that matter.
7. In this case, it is clear that Ms Costigan's death resulted from the deliberate criminal conduct of Mr Rappell. I am satisfied that no other person or entity bears any responsibility for Ms Costigan's death, or that any failure by any person or entity contributed in a causal way to Ms Costigan's death. No matter of public safety arises in connection with Ms Costigan's death.
8. Despite that conclusion, the objects of the Act allow a Coroner to make recommendations about the promotion of general public health and safety. I am conscious that much has already happened in the time since Ms Costigan's death, including:
  - a. Significant public outcry occurred in the immediate aftermath of Ms Costigan's death, both within the ACT but also nationally, due in no small part to the tragic events of Ms Costigan's death but due also to other deaths in circumstances of family and domestic violence occurring around the same time;
  - b. In the month after Ms Costigan's death, a crowd of about 4,000 people walked Lake Burley Griffin in a show of support for Ms Costigan's family and to demonstrate the community's abhorrence of domestic violence – this "Tara's Walk for Change" is now an annual event raising funds to combat domestic violence;
  - c. The ACT Policing arm of the Australian Federal Police has implemented a Family Violence Coordination Unit ("FVCU") and changes to process and support for victims of family violence – most significantly, victims of family violence who report family violence to police are assisted to make application to the Magistrates Court for interim family violence orders, rather than being referred directly to the Court to seek their own order as Ms Costigan was;
  - d. The ACT Government has enacted changes to family violence and justice legislation which were informed, at least in part, by Ms Costigan's death;
  - e. The ACT Government has also created programs, key of which is the Safer Families package, and provided funding to community agencies to help address issues of family violence in the community and provide support to victims – this work is I understand ongoing; and

- f. Ms Costigan's family have created the "Tara Costigan Foundation" as a lasting legacy for Ms Costigan, which is an important advocacy organisation on issues of family violence, and most recently also provides practical support to victims of family violence via "Tara's Angels".
9. I acknowledge the actions already undertaken by the ACT Government and the Australian Federal Police to address the issue of family violence in the ACT and to support victims of this conduct in the aftermath of Ms Costigan's death.
10. I have identified two areas where processes could be improved.
  - a. Ms Costigan was advised by Police to apply for a protection order in person at the ACT Magistrates Court. Since the introduction of the FVCU after Ms Costigan's death, the involvement of that unit would be triggered and Police would assist applicants to obtain orders. In addition, the FVCU would assist and support the applicant in various ways, including in considering an immediate family violence safety plan and risk assessment. As arrangements presently stand, the involvement of the FVCU is triggered only by a victim presenting to Police, and not when a victim makes a direct application to the Court for a protection order.
  - b. Service of a protection order on a respondent is recognised as a potential trigger for family violence, as it was in Ms Costigan's case. At present an applicant is not routinely informed of the fact of service and this information may be of assistance to other applicants in the future.
11. I recommend a review of court and police processes and practices with a view to:
  - a. The possible involvement of FVCU in all family violence order applications, not only those brought by Police; and
  - b. Timely notification to affected persons when service of an order on a respondent has taken place.
12. I will forward a copy of my findings, comments and recommendation as a report to the Principal Registrar of the ACT Courts and Tribunal and the ACT Chief Police Officer for their information and consideration of my recommendation. I will also forward a copy of my findings, comments and recommendation as a report to the Attorney-General and the Minister for the Prevention of Domestic and Family Violence for their information. My findings, comments and recommendation will be published on the ACT Coroners Court website.
13. I convey my deepest sympathies to Ms Costigan's family and friends.

**P.J. MORRISON**  
Coroner