

Royal Commission into Family Violence

Outline of Submissions of Wendy and John Thompson – the parents of the late Kelly Ann Thompson

Introduction:

We are the parents of Kelly Ann Thompson ('Kelly').

Kelly was murdered on 9th February 2014, almost eighteen months ago to this day.

Kelly was very independent woman who at 43 had everything to live for. She was happy, healthy, fit, a loving sister and daughter, a trusted and loyal friend; Kelly had so many plans for her life and was looking forward to many challenges.

Kelly loved life and just living -- that was taken away from her and us; her family.

Kelly was murdered by her ex-partner Wayne Wood ('Wood') in her own home. Her murder was the culmination of severe assaults including attempts to run her down, physical assaults, imprisonments and an intense regime of highly controlling and coercive behavior and stalking that commenced in 2013 and escalated in January and February of 2014.

In the month prior to her murder Kelly had separated from Wood, fled her own home for some time, sought and obtained an interim and final family violence intervention order, repeatedly reported breaches of these same orders to her local Victoria Police stations at Wyndham ('Wyndham Police').

She rang the Wyndham Police at least thirty eight times seeking police assistance to protect herself, told her friends and neighbors about the family violence and stalking issues and asked them to look out for her.

Kelly did everything (and more) that the police, justice system and community expects and demands of women fleeing family violence.

She shouldered the enormous fear and onus of escaping the violence and protecting herself almost single handedly. She trusted the system and the local police to a point where she may have lost trust in them.

She rightfully expected the system to work in a protective way for and towards her after everything she'd done for herself.

Yet she was still brazenly murdered. Her fears and concerns were not taken seriously by Victoria Police and when her neighbors contacted Wyndham Police with serious and immediate concerns for her safety on the night of her murder; these were not acted upon.

Kelly's body was only discovered three days after her murder when Wyndham Police undertook a welfare check on Wood, her killer.

Wood had, subsequent to Kelly's murder, killed himself and we do not know that if there had been a timely response to the imminent threat to Kelly's life; whether Wood would have been prevented from killing her and or himself.

We believe that had there been consequences for Wayne when he breached the intervention orders this tragedy would never have occurred.

Two lives and two families were failed and ripped apart that night, eighteen months ago.

Our grief and suffering has been deeply compounded by the fact that the very police station that failed Kelly were then authorized by Victoria Police to investigate her death for the Coroner. This conflict of interest that was identified very quickly after Kelly's murder was allowed to continue for six months.

The night after Kelly's murder was discovered, Luke Batty was murdered by his father. Luke, like Kelly, was also 'protected' by a Family Violence Intervention Order. Two months later Fiona Warzywoda was stabbed to death outside her lawyer's office soon after obtaining a Family Violence Intervention Order.

Prevalence, attitudes and culture that contributed to domestic violence:

In our experience the seriousness and impact of family violence is persistently minimized and hidden. Our experience with Kelly's murder leads us to feel that the level of danger and risk she faced in the last months of her life was not properly identified and taken seriously by the many police she contacted to gain assistance and action from.

When police and other justice systems don't respond seriously and pro-actively it sends a powerful message to perpetrators that they are free to do as they wish and that there will be no consequences or accountability for their violence.

It also sends the message that there will be few positive interventions offered to them if they want to stop using violence.

When police don't enforce intervention orders they do literally become "just a piece of paper" which is what police told us after Kelly's murder.

Victoria Police has extensive policy, guidelines and legislation around family violence but we are struggling to see to what extent if at all it was applied to protect Kelly and other women and children?

This failure to take violence seriously – to treat family violence as 'just another domestic' strengthens and reinforces already dominant community and

institutional attitudes that violence and indifference and ignorance to violence is normal and acceptable. These are abhorrent and lethal attitudes of a bygone era that continue to persist.

The State Government's Role in Leading and Challenging Culture, Policy, Resourcing and Practice in Relation to Domestic Violence:

The State Government has the unique standing, resources and opportunity to play a leadership role in addressing family violence.

For our Family and for Kelly this would mean addressing and creating a best practice standard for effective police and justice system responses to family violence and also monitoring and scrutinizing agencies like Victoria Police for their conduct and performance re family violence ie. holding them to account.

For Kelly and for us there was a gross failure of leadership from Victoria Police both before and after her murder and now continuing through her inquest. They permitted a gross conflict of interest to occur in allowing Wyndham Police to investigate themselves in relation to Kelly's death for almost seven months.

National, binding standards could proscribe such conflict of interests in homicide and coronial investigations. Investigators also need to have specialised skills and training in understanding the dynamics and patterns' in family violence.

Coronial investigators, lawyers and Coroners need specialist training and competency in family violence in order to undertaken the most sensitive and effective inquests possible into family violence homicides.

Both the Federal and State Governments, working together, could ensure that at least these standards and monitoring and accountability to these standards occur into the future.

In our private consultation with the Commission on 3rd August 2015 we would also like to speak to what systemic factors contributed to Kelly's murder. What concrete measures and systems would have prevented Kelly's and Wayne's death.

Nothing will bring Kelly back to us. The Commission must search independently, without fear or favour, and ask the hard questions as to why as a society our institutions continue to accept the murder of at least one to two daughters like Kelly every week. Kelly's murder was preventable.

We cannot say that our system is broken and then not hold anyone to account for the administration of a broken system; either in the past or into the future. Our daughters' lives depend on this.

Wendy and John Thompson
2nd July 2015