

# CORONERS COURT OF SOUTH AUSTRALIA

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## INQUEST INTO THE DEATHS OF KOBI ANASTASIA ISOBEL SHEPHERDSON AND HENRY DAVID SHEPHERDSON

[2026] SACC 19

Inquest Findings of his Honour Deputy State Coroner White

24 June 2026

### CORONIAL INQUEST

Examination of the cause and circumstances of the deaths of an infant and her father in the hours following permission of the Court being granted for the two to have contact. The Inquest explored the circumstances leading to the granting of that permission, whether there were safety issues identifiable beforehand and whether there was undue pressure between the parties involved which facilitated that outcome.

Held:

1. Kobi Anastasia Isobel Shepherdson, aged 9 months of Largs North, died at the Whispering Wall, Williamstown on 21 April 2021 as a result of head injuries.
2. Henry David Shepherdson, aged 38 years of Woodville North, died at the Whispering Wall, Williamstown on 21 April 2021 as a result of multiple injuries.
3. Circumstances of death as set out in these findings.

Recommendations made.

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**Interested Party: SERCO AUSTRALIA**

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**Witness: DR M MONIRUZZAMAN**

**Counsel: MR J HOMBURG - Solicitor: GILCHRIST CONNELL**

**Witness: S/CONST L HARRIS, MS T WHYBROW, MR J CROCKER, MR D SHEPHARD-BAYLY, MS I PETRACCARO, MS S STOLINSKI & A/COMM G VENDITTO**

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**Inquest No: 45/2024**

**File No/s: 0795/2021 & 0794/2021**



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**INQUEST INTO THE DEATHS OF  
KOBI ANASTASIA ISOBEL SHEPHERDSON  
AND HENRY DAVID SHEPHERDSON  
[2026] SACC 19**

**Introduction**

- 1 On 16 December 2020 Henry David Shepherdson made a threat to kill his infant daughter, Kobi Anastasia Isobel Shepherdson, and her mother. He carried out this threat against Kobi only four months later on the afternoon of Wednesday, 21 April 2021. By that time, she was only nine months old. He died at the same time as he was carrying her in an infant harness when he deliberately let them both fall from the top of the dam wall at a popular tourist site in the Barossa Valley known as the Whispering Wall. That day was the first occasion since 16 December 2020 on which he was permitted to have contact with Kobi. It was a murder-suicide in public.
- 2 He and Kobi fell to their death from a height of approximately 36 metres, witnessed by many of the visitors that day to that site. Kobi's mother was not present, but had received disturbing messages from him earlier that day. She was stranded elsewhere and despite alerting South Australia Police (SAPOL) there was nothing anyone could have done at that point to save Kobi. Both he and Kobi were subject to post-mortem examinations at Forensic Science SA. The cause of death for Kobi was head injuries. The cause of death for Mr Shepherdson was multiple injuries. Their deaths were instant on impact. I make a finding on the cause of death for each of them accordingly.
- 3 Mr Shepherdson had been contacting, and later seeing, Kobi and Kobi's mother continuously in the preceding months. This was illegal, due to him breaching terms of an Interim Intervention Order (IIO) issued by SAPOL pursuant to s 18 of the *Intervention Orders (Prevention of Abuse) Act 2009* (I/O Act) naming Kobi and her mother as protected persons. This IIO prevented any form of contact, whether direct or indirect with Kobi and her mother.
- 4 The IIO was issued at the same time he was charged with violent offending against Kobi and her mother.<sup>1</sup> I insert the IIO below for convenience.<sup>2</sup> I have edited out Kobi's mother's name.

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<sup>1</sup> Exhibit C41y, it was served on him in SAPOL custody that evening

<sup>2</sup> Copy of Exhibit C41y with redactions and emphasis



Order: SAPOL-21-123961  
AP No: 21/F94924

**INTERIM INTERVENTION ORDER**  
Intervention Orders (Prevention of Abuse) Act 2009  
Division 2 - Police Orders

Nationally Recognised DVO (MY EMPHASIS)

(Domestic)

**DEFENDANT:**

Henry David SHEPERDSON (Male) DOB: 09/04/1983

For the purpose of this order 'the protected person(s)' means the following person or any one or more of the following people:

[REDACTED] (Female) DOB: [REDACTED] - Partner Opposite Sex  
Kobi Anastasia SHEPERDSON (Female) DOB: 14/07/2020 - Parent / Guardian

INTERIM INTERVENTION ORDER made:

The DEFENDANT must not:

1. assault, threaten, harass or intimidate the protected person(s).
2. follow or keep the protected person(s) under surveillance including tracking by GPS or otherwise.
3. approach within 200 metres of the protected person(s) unless permitted by other conditions of this order.
4. contact or communicate with the protected person(s) either directly, or indirectly in any way (including telephone, SMS messages, in writing, e-mail or any other social media, etc);  
BUT contact is permitted;
  - a) at any court or tribunal hearing where the defendant is a party to or a witness;
  - b) through a solicitor or police;
  - c) in accordance with an order of a court exercising jurisdiction under the Family Law Act 1975;
  - d) at a family dispute resolution conference or family counselling under the Family Law Act 1975, a family conference under the Young Offenders Act 1993, or at a mediation;
  - e) in accordance with a Parenting Plan under s63c of the Family Law Act 1975 consented to by the protected person after this order;
  - f) notwithstanding the other terms of this order contact is permitted by SMS and/or email or to facilitate access to child(ren) and to exchange information as to the welfare of the child(ren);
5. enter or remain within 200 metres of any boundary of where the protected person(s) stays, resides or works.
11. publish on the internet or by any electronic means any material about the protected person(s).
12. cause, allow or encourage another person to do anything forbidden by this order.

And further, subject to the provisions of Section 14 of the Intervention Orders (Prevention of Abuse) Act 2009

16. Any firearm, ammunition or part of a firearm in the possession of the defendant and any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm must be surrendered to the Registrar of Firearms forthwith;
17. For so long as this intervention order remains in force, any licence or permit held by the defendant authorising possession of a firearm, ammunition or part of a firearm is suspended and the defendant is disqualified from holding or obtaining a licence or permit authorising possession of a firearm, ammunition or part of a firearm. The defendant is prohibited from possessing a firearm, ammunition or part of a firearm in the course of his or her employment.

**Important Information for the DEFENDANT**

I believe that these are the grounds for issuing this order because it is reasonable to suspect that the DEFENDANT will, without intervention, commit an act of abuse against the PROTECTED PERSON(S) and that the order is appropriate in the circumstances.

GROUNDS:





Order: SAPOL-21-123961  
AP No: 21/F94924

**INTERIM INTERVENTION ORDER**  
Intervention Orders (Prevention of Abuse) Act 2009  
Division 2 - Police Orders

It is reasonable to suspect that the DEFENDANT will without intervention commit an act of abuse against the PROTECTED PERSON(S) and that the order is appropriate in the circumstance

**GROUNDS**

The PROTECTED PERSON alleges that the DEFENDANT committed assault at about 11:30 am on Wednesday 16th December 2020, SAP2000280758 refers.

It is alleged that the defendant threatened the protected persons by yelling and stating that if the DEFENDANT could not take the child he would kill himself and both PROTECTED PERSONS. Police suspect on reasonable grounds that without intervention, further abuse may occur.

DEFENDANT must be present at:

**MAGISTRATES COURT OF SOUTH AUSTRALIA  
SITTING AT PORT ADELAIDE at 260 ST VINCENT STREET PORT ADELAIDE SA 5015  
on 23 December 2020 at 10:00 am**

.....  
Signature of Issuing Officer:

Probationary Constable Wd Response Teams Port  
06:45 pm on 16 December 2020

Authorising Officer:

Sergeant Wd Custody Port  
06:40 pm on 16 December 2020

**Notes:**

**THIS INTERVENTION ORDER PROHIBITS YOU FROM COMMITTING AN ACT OF ABUSE AGAINST THE PROTECTED PERSON(S) NAMED IN THE ORDER.**

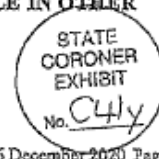
**IT IS AN OFFENCE TO DISOBEY ANY TERM OF AN INTERVENTION ORDER.**

**THE PENALTY FOR DISOBEYING THE ORDER CAN BE IMPRISONMENT.**

**A PROTECTED PERSON CANNOT GIVE PERMISSION TO DISOBEY THE ORDER. (MY EMPHASIS)**

**IF THIS IS A NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER, IT APPLIES AND IS ENFORCEABLE IN ALL STATES AND TERRITORIES.**

**IF THIS ORDER IS NOT A NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER, UPON REGISTRATION THIS ORDER IS ENFORCEABLE IN OTHER STATES AND TERRITORIES.**



- 5 I have emphasised two parts of this Order.
1. First, it embraces the coordinated approach of all jurisdictions to recognise the legal effect of the order in Australia.
  2. The order is also emphasised by the title in bold.

**A PROTECTED PERSON CANNOT GIVE PERMISSION TO  
DISOBEY THE ORDER**

- 6 This means even if he placed no pressure on Kobi's mother to have contact with her and/or Kobi and she agreed to do so, he would still be in breach of the IIO and committing a criminal offence.
- 7 From that point, despite being remanded in custody almost continually since 16 December 2020, he was able to engage in extremely manipulative and coercive behaviour through phone calls from prison against Kobi's mother. This behaviour was pivotal to his success to orchestrate a situation that led him to have the significant criminal charges laid against him of threatening to kill Kobi and her mother and unlawful imprisonment and assault of them, discontinued in early March 2021. On 21 April 2021, changes to the IIO were made in his favour at the Adelaide Magistrates Court (AMC) with the consent of the SAPOL Prosecution Branch.
- 8 At the AMC hearing on 21 April 2021, the non-contact conditions of the IIO concerning Kobi and her mother were discontinued. There were no Family Court orders concerning the custody or welfare of Kobi. There was one prohibited form of contact that remained, namely the places where Kobi's mother lived and worked. This condition was agreed to by Mr Shepherdson who was represented by his solicitor at this hearing.
- 9 His relentless contact of Kobi's mother from custody through the prison telephone system (PTS) that was allowed to proceed unchecked for months, since 16 December 2020, was not known to SAPOL and the Courts. There were also two letters intercepted at the Adelaide Remand Centre (ARC) that he had written to Kobi's mother, in breach of the IIO. SERCO, the private corporation who was in charge of the ARC, admitted that these letters were not forwarded to SAPOL as required by policy. SERCO adopts all relevant policies and guidelines for the administration of the ARC from the Department for Correctional Services (DCS).
- 10 Further complicating the effects of his behaviour was the mistaken status given by SAPOL to Kobi and her mother as being either standard or medium-risk victims of his behaviour. By SAPOL standards and protocols, both Kobi and her mother were high-risk victims and should have always been classified with that status. Had this been done, then many different procedures and protocols would have been enacted by SAPOL to include other government agencies so that his illegal and manipulative behaviour would have had a significantly higher chance of being detected and prosecuted successfully. If he was successfully prosecuted for the illegal contact with Kobi's mother and his successful attempt to pervert the course of justice, he would have undoubtedly received a substantial sentence of immediate imprisonment.
- 11 The ultimate effect of his behaviour was that he regained his legal right to have contact with Kobi on 21 April 2021. This was the first time since the IIO began, and the day he murdered her so brutally. These significant errors by SERCO, SAPOL and DCS cannot

be ignored in the proper consideration of the circumstances of Kobi's death as demanded by law in conducting this Inquest pursuant to s 25 of the *Coroners Act 2003*.<sup>3</sup>

### **History of the relationship between Kobi's mother and Mr Shepherdson**

- 12 They met on an internet dating site in about November 2019 after she moved to Adelaide from interstate for employment in May 2019. Soon after they met, she became pregnant by him with Kobi, who was born on 14 July 2020. During her unplanned pregnancy she was very affected by 'morning sickness'. Mr Shepherdson moved in with her to support her in late 2019. She initially found him to be helpful and supportive.
- 13 I have no doubt, based on the phone calls he made from custody that I have listened to and studied, Kobi was named after his favourite sporting hero, the late Kobe Bryant, who played basketball for the Los Angeles Lakers. His comments in the recorded phone calls support this finding beyond any reasonable doubt.
- 14 His helpful behaviour deteriorated from February 2020 when their lives were subject to the restrictions that were imposed on all South Australians due to the COVID-19 pandemic. He began to use heavy doses of tramadol prescribed by his general practitioner and smoked cannabis. Tramadol is a pain medication known as a mild opioid with both fast and slow-release versions. By his own admission in recordings tendered at the Inquest, he was abusing that drug including whilst in custody. He made promises to friends to withdraw from it. It is unnecessary to elaborate on the well-known adverse effects of opioid addiction, especially the spectre of paranoid thinking and unpredictable erratic behaviour. The tramadol had been prescribed for pain.
- 15 The consequences of this combination of events caused her isolation from her family, friends and work colleagues. She was also working from home from March 2020 up to May 2020. As she described to SAPOL, 'Henry was bouncing from job to job and never had any structure in his life or stability'. Without giving any notice to her, he rearranged the shed area by erecting an enclosure and moving a television and bed there to be basically living separately in the same house.
- 16 Unsurprisingly, he became more distant. As said, he consumed a considerable amount of tramadol and cannabis. His only predictable routine was a fortnightly visit to his general practitioner, Dr Md Moniruzzaman,<sup>4</sup> at the Prospect Medical Centre. This was for his tramadol prescription to be filled for his reported back pain. On occasions, Kobi's mother would accompany him. After Kobi was born, his behaviour generally did not improve. In fact, it got worse, including an increased use of tramadol and cannabis. This was extremely hard for her, as she was basically housebound with him whilst caring for Kobi post birth.

### **Toxicology report findings**

- 17 Mr Shepherdson's post-mortem blood sample, which was analysed by Forensic Science SA, revealed a toxicology finding as follows:
  - 0.018 mg of amitriptyline per litre, and
  - 0.026 mg of nortriptyline per litre.

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<sup>3</sup> The Act

<sup>4</sup> Often referred to by Mr Shepherdson as Dr 'Moni'

- 18 Both results are consistent with non-toxic concentrations. I also note that nortriptyline is an active metabolite of amitriptyline as well as being capable of being prescribed in its own right. These drugs are used for the treatment of anxiety and depression.
- 19 The toxicology analysis also found 2 mcg of Delta-9 Tetrahydrocannabinol per litre. This is related to cannabis use. It is not possible to say when the cannabis was ingested based on this result.<sup>5</sup>

### **Report of domestic violence by Kobi's mother to SAPOL on 15 October 2020**

- 20 On the background of sustained verbal abuse for several months, Kobi's mother contacted SAPOL at 5:12 pm on 15 October 2020 to seek their attendance at her home in his absence. She feared his return. She reported that he was 'verbally abusive' on a regular basis. She also outlined her knowledge of a past relationship of his where he was abusive. She wanted to tell him in the presence of SAPOL to collect his property and to move out. SAPOL Patrols did attend but he did not arrive as expected by her. The SAPOL officers had to leave for other duties.
- 21 Later that evening, a Domestic Abuse Risk Assessment (DAR Assessment or DARA) was made by SAPOL concerning Kobi and her mother. This resulted in the incorrect classification of 'medium-risk'. This was the first of three mistaken DARAs by SAPOL for Kobi and her mother. That day, she and Kobi should have been classified as 'high-risk'.
- 22 This attendance by SAPOL did not result in any charges or follow up with Mr Shepherdson. However, attempts to follow up contact by Western District Child and Family Investigation Section failed. This included leaving a card at the front door of the home which he discovered. This discovery angered him. It also put Kobi and her mother at more risk of harm. He did not like police at all, thus making it problematic for Kobi's mother if it was discovered by him that she engaged with SAPOL.

### **SAPOL attendance on Kobi's mother and Kobi on 16 December 2020**

- 23 This was a very serious criminal incident of domestic violence where SAPOL was contacted in unusual circumstances. At 4:52 pm a friend of Kobi's mother in Queensland rang '000'. This friend had received an SMS from Kobi's mother sent on her iPad that stated as follows:

Call 000 tell them my 'psych' has called police to do a welfare check. He has my phone and has locked us in the house with him. He can't know I initiated this.

[my emphasis]

- 24 SAPOL responded promptly. A patrol was sent to the house, arriving at 5:05 pm. The two attending SAPOL officers activated their body worn video devices (BWV). I have viewed this video footage. It showed the officers knocked on the front door and identified themselves as 'police'.

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<sup>5</sup> Exhibit C3, toxicology report

- 25 When the door was not answered they walked around the perimeter of the house but did not see anyone or hear anything inside. They returned to the patrol car and reported back to SAPOL as well as contacting the friend who alerted SAPOL.
- 26 At 5:16 pm they returned to the front door and called out 'Henry'. He answered the door and opened it. Almost immediately, Kobi's mother walked out quickly carrying Kobi. She looked stressed and frightened. She was immediately taken to the patrol car around the corner and was put in the back seat.
- 27 One officer returned to the house and arrested him. He was taken to a patrol car after Kobi's mother agreed to wait out of sight. SAPOL went to her nearby and indicated it was safe for her to return. This was after the patrol car had left. I have seen the BWV footage of this scene in the patrol car. Mr Shepherdson talked about his tramadol addiction and generally sought to engage with the SAPOL officer in an attempt no doubt to better his legal position all round, but primarily to improve his chances of bail being granted by SAPOL. It was a pertinent and permanently recorded example of his great ability to ingratiate himself with people to suit his own ends and his constant quest to manipulate others for his selfish benefit.

### **Arrest and remand in custody**

- 28 Mr Shepherdson was charged and remanded in police custody. He was again remanded in DCS custody after his first appearance in the Magistrates Court.
- 29 The initial part of the remand was in the ARC, then Yatala Labour Prison before being transferred to the Mount Gambier Prison (MGP). At the ARC he tried to contact Kobi's mother by letters that were intercepted before they could be sent or given to her.

### **31 January 2021**

- 30 Mr Shepherdson contacted Kobi's mother from MGP via the PTS. This was the first of 149 calls to her on the PTS up to his release on 4 March 2021.

### **16 February 2021**

- 31 Kobi's mother completed a SAPOL form<sup>6</sup> on this day requesting they take no further action to prosecute Mr Shepherdson. As a result, serious charges against him were not pursued. The fact that SAPOL had compelling evidence of a significant breach of the IIO via the BWV of the attending police officers on 16 December 2020 did not, at least for those charges, cause police to continue independently of Kobi's mother's attitude or cooperation.
- 32 Of course, by this time, she had been subject to his unrelenting pressure via illegal phone calls for her to do what she could to cause the charges to be withdrawn. As the investigating SAPOL officer noted in his report to the State Coroner,<sup>7</sup> she described herself as being 'sucked into his vortex again'.

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<sup>6</sup> PD 207B

<sup>7</sup> Exhibit C41a

#### 4 March 2021

- 33 Mr Shepherdson was released from MGP after all the charges were discontinued in court. The IIO still operated in its full terms, prohibiting direct and indirect contact with Kobi and her mother. He continued to ignore these terms on release. I find Kobi's mother had little choice to stop it based on his behaviour and her circumstances that I will elaborate on in detail later in this Finding.

#### 12 March 2021

- 34 After his release from MGP, he was back at Kobi's mother's house. He was upset that the IIO had not been discontinued completely after she signed the requisite SAPOL form. An argument occurred about his sneakers not being packaged in 'show boxes' which had been discarded. When he discovered this, Kobi's mother described him as going 'off his nut'. This is another example of his behaviour in this relationship and highlighted the volatility and dangerous unpredictability of his behaviour.
- 35 Mr Shepherdson was re-arrested at Kobi's mother's house for breaching the IIO. SAPOL was given a recording by Kobi's mother's sister who was accidentally called from Kobi's mother's phone. This was due to Mr Shepherdson taking possession of her phone and somehow causing it to make the call. It went through to voicemail but he was clearly heard in it.
- 36 Kobi's mother's sister referred the matter to SAPOL which directly led to his arrest. He spent that week in custody and did not contact Kobi's mother at all. I find this lack of contact must have been on the basis he knew or believed further breaches would be treated very seriously by SAPOL and may have resulted in the discovery of his previous 149 calls from MGP.

#### Kobi's mother's legal status due to his breaches of the IIO

- 37 I refer back to the *Intervention Orders (Prevention of Abuse) Act* at this point. I set out s 31(3) of that Act.
- (3) A person is not guilty of an offence of aiding, abetting, counselling or procuring the commission of an offence against this section if—
- (a) the person is a person protected by the intervention order that has been contravened; and
  - (b) the conduct constituting contravention of the intervention order did not constitute contravention of the order in respect of another person protected by the order or of any other intervention order (of which the person was or ought reasonably to have been aware) in force against the defendant and protecting another person.
- 38 This section emphasises the legal protection of protected persons from being prosecuted for aiding, abetting, counselling or procuring a breach of the order by a defendant. However, a complication occurs concerning that protection against a protected person such as Kobi's mother when a dependant child is also named as a protected person.
- 39 As the narrative of events will reveal, that protection could be arguably lost by people in Kobi's mother's situation. That was not a just situation for Kobi's mother.
- 40 It is now not relevant with respect to Kobi's mother as the statutory time limit to enforce against her has expired. However, in other cases, it may be unfairly enforced against a

coerced protected person who has succumbed to a defendant's demands and/or behaviour to have contact with the dependant protected person.

### **15 March 2021**

- 41 Mr Shepherdson was admitted to the ARC.

### **19 March 2021**

- 42 Mr Shepherdson was released from the ARC having pleaded guilty to two counts of breaching the IIO. He was released on the basis that the time served on remand matched the length of his sentence imposed by the Port Adelaide Magistrates Court.

### **Variation of Order**

- 43 On 19 April 2021 Kobi's mother signed another PD 207B requesting that the IIO be varied to allow Mr Shepherdson to have contact with her and Kobi.

### **20 April 2021**

- 44 Mr Shepherdson announced to Kobi's mother that 'the relationship was not going to work' and he would be moving out to his friend's place.

### **21 April 2021**

- 45 As already mentioned, the AMC allowed the variation of the IIO on the basis presented to the Court in an agreed format from SAPOL Prosecutions and his solicitor. The presiding court is not at fault in any way for the events that were to follow. All Magistrates Courts must be able to rely on the basis that SAPOL have made a well-considered decision to agree to any variation. The fact that SAPOL had erred in the risk assessment for Kobi and her mother caused this matter never to be on the path necessary to follow for high-risk victims of domestic violence. The matter was never able to be considered by SAPOL Prosecutions in that background therefore, nor by the AMC.
- 46 Mr Shepherdson attended alone despite his demands for Kobi's mother and Kobi to go with him. That morning, he had been 'relentless' in imploring Kobi's mother to have the IIO removed.
- 47 The dreadful events of this day after the hearing were summarised by SAPOL in the Report to the State Coroner regarding the death of Kobi and Mr Shepherdson as follows:

They had lunch and then Kobi's mother had to leave to pick up her new car. Henry drove her to the bank at Port Adelaide to collect a bank cheque then she would catch a taxi to Reynella. It was about 1:30pm to 2:00pm when Henry dropped her off. Henry told her he wanted to spend some time with Kobi and she was only going to be gone for 2 to 3 hours. Everything seemed fine with Henry, he said he was going to take Kobi to the park.

During the taxi ride to Reynella Mazda, Henry called her twice. The first time he rang she told him she waited for almost an hour for a taxi. Henry said she should have rung him and he would have picked her up. Kobi's mother said she didn't want to rely on him because they were separating.

Henry told her he had taken Kobi to the park and she had some food. Kobi's mother could hear Kobi in the background during the call. The call lasted about 2 to 3 minutes. Henry didn't say what park he had gone too and she assumed it was one near their house.

Kobi's mother then called her mum and told her she was going to pick up her new car. While she was talking to her mum, Henry tried calling her. Kobi's mother called Henry back and that's when he said 'he and Kobi would not be home when she gets home'. Kobi's mother knew what he meant and said 'please don't do this', 'she is just nine months old you can't do this'.

Kobi's mother knew from a previous conversation she had with Henry, she asked him if he was at the Whispering Wall. Henry didn't answer. Kobi's mother said 'please don't do this, not my baby girl'. Henry said 'this is the way it has to be' and hung up.

At this time Kobi's mother was at the Mazda dealership when the call with Henry ended at the front of the dealership. Kobi's mother immediately called 000. Kobi's mother went into the dealership to sort the car out as quickly as possible. She tried calling Henry back but got no answer.<sup>8</sup>

[footnote omitted]

- 48 Exchanges between them on that day by SMS seemed to confirm that the likely future of the co-parenting relationship was that Kobi and her mother would live separately from him.<sup>9</sup>

### **Mr Shepherdson's upbringing and criminal history**

- 49 Mr Shepherdson had a difficult upbringing after his birth on 9 April 1983. I hasten to make clear that none of the circumstances of his upbringing justify the murder of his own daughter in any way.
- 50 The majority of his personal history is taken from his mother's statement to SAPOL. Mr Shepherdson's mother and father were heroin addicts and lived in Perth. The household he grew up in was violent. His father went to gaol. This effectively ended his parents' relationship from that point. His mother, Mr Shepherdson and his sister relocated to Kalgoorlie, where he fell into a bad peer group of other boys. He began smoking cannabis, drinking alcohol and being disrespectful.
- 51 He moved back to Perth when he was 16 with his mother and sister. He had a poor attendance at high school. He also began to abuse prescription medication and be involved with police.
- 52 In early 2000 he, his mother and sister moved to Adelaide where his mother re-partnered. She began to abuse amphetamines. Mr Shepherdson commenced a relationship but it deteriorated when he began to use verbal and physical violence against his then partner.
- 53 Due to a particular incident against her, he served a prison sentence. When released, he formed another relationship with a woman who had a son by him. She left the region and avoided all contact with him.
- 54 In 2016, he moved back to Perth following the murder of a good friend. He committed an armed robbery causing him to be gaoled for two and a half years. Upon release, he moved back to Adelaide and lived with his mother.

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<sup>8</sup> See Exhibit C41a

<sup>9</sup> Exhibit C41j

55 At the time of his death, he was a physically imposing man of 185 centimetres in height and weighing 115 kilograms.<sup>10</sup>

### *Criminal history*

56 Mr Shepherdson was imprisoned five times between 2003 and 2014. The longest period of imprisonment was in Western Australia for the armed robbery as already mentioned.

57 He also had other matters upon which he was charged that did proceed to be prosecuted.<sup>11</sup>

58 Disturbingly, he had many offences related to his personal relationships including assault (2001) (two charges), assault and false imprisonment (2003), breach of restraining order in Western Australia (2014) (three charges), breach of National Domestic Violence Order (NDVO) (2018) and blackmail (2019) (discontinued). The IIO set out in this Finding clearly displays it is an NDVO.

59 On top of this, he was addicted to tramadol having first been prescribed it in 2017 and he suffered depression. This prescription continued until his death.

### **Kobi's mother's dealings with SAPOL**

60 As stated earlier, Kobi's mother and Kobi were unarguably high-risk victims by SAPOL standards. Detective Dawson, in his thorough and thoughtful report to the State Coroner,<sup>12</sup> specifically analysed the risk assessments of Kobi and her mother and found all omitted significant factors.

### *DAR Assessment on 15 October 2020*

61 His analysis, which was undisputed, found that the following matters had been overlooked, namely:

1. Mr Shepherdson had previously breached an Intervention Order.
2. He had used violence, or threats of violence, against non-family members in the past.
3. He had threatened or attempted suicide within the past 14 days.
4. He had depression or mental health issues within 14 days.
5. He had recently been denied or restricted contact or access with Kobi within 14 days.

62 Had those factors been considered, the numerical assignment of his risk to them would have been 50 by SAPOL standards. The minimum high-risk score is 45.

63 Further, the following day on 16 October 2020, the risk assessment was transferred from medium to standard without any explanation being recorded.

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<sup>10</sup> Exhibit C2a, post-mortem report of Associate Professor Langlois

<sup>11</sup> Exhibit C41a at 59-61, list of convictions and/or arrest/police investigations

<sup>12</sup> Exhibit C41a

*DAR Assessment on 16 December 2020*

- 64 SAPOL again assessed Kobi and her mother as a medium-risk with a score of 43.
- 65 The following factors were not considered in the assessment, as they should have been, namely:
1. Mr Shepherdson had breached an Intervention Order in the past.
  2. He had used violence, or threats of violence, against non-family members in the past.
  3. He displayed highly controlling and/or manipulative behaviour within the past 14 days.
  4. He had misused drug or alcohol in the past 14 days.
  5. He had witnessed violence in his family as a child.
  6. Kobi's mother reported an escalation in the seriousness or frequency of his violence within the past 14 days.
  7. Kobi's mother was isolated within the past 14 days.
  8. Kobi is the subject of threats to kill from Mr Shepherdson within the past 14 days.

66 If these factors had been included, as they should have been, the DAR Assessment score would have been 63, placing Kobi and her mother at 'high risk of serious harm and/or death'.<sup>13</sup>

67 These assessments were undertaken by the attending SAPOL officers at the scenes and were never properly reviewed. These officers handled the attendance very well based on what I saw on their BWV. This aspect however was a very unfortunate error that was never corrected.

*DAR Assessment on 12 March 2021*

- 68 On this occasion, the risk assessment score was 27. It should have been 57, based on the following omitted factors, namely:
1. Mr Shepherdson had threatened to kill Kobi's mother in the past.
  2. He had used violence, or threats of violence, against non-family members in the past.
  3. He had threatened or attempted suicide within 14 days.
  4. He had misused drug or alcohol within 14 days.
  5. He had witnessed violence in his family as a child.
  6. Kobi and her mother were isolated within the past 14 days.
  7. Kobi had been the subject of threats to kill by him in the past.
  8. There had been a recent separation, or Kobi's mother wished to separate from him.

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<sup>13</sup> Exhibit C41a at 63

- 69 As with the 16 December 2020 assessment, Kobi and her mother should have been classified as high risk of serious harm and/or death.
- 70 Detective Dawson outlined what would have happened as far as SAPOL's action had Kobi and her mother been nominated as high-risk victims.
- 71 In particular, a multi-agency protection service scheme (MAPS) would have been enacted. MAPS involves information sharing between SAPOL, SA Housing Authority, Department for Education, Department for Child Protection, SA Health, DCS and Women's Safety Services SA.
- 72 Detective Dawson concisely summarised how MAPS operates, namely:

The MAPS provides a facility for participating agencies to refer incidents involving domestic abuse and related child protection matters. Services are co-located and undertake a timely information sharing process with respect to each referral. Relevant information holdings from each agency are collated into a summary document and discussed by participating agency leaders in a collaborative environment. The collation of all known, relevant information may result in a revised risk assessment of the victim's safety and vulnerability. The summary document is disseminated to agencies, including actions for follow-up.

The MAPS process value-adds to existing SAPOL processes and practices by providing a more holistic picture of a family's circumstances relevant to domestic violence and/or child protection, which allows a response which supports the safety of the victim and children, and ensures offender accountability and reduces the likelihood of recurrent incidents.<sup>14</sup>

- 73 Kobi and her mother did not ever receive the benefit of this service. Even a reluctance or lack of engagement by Kobi's mother would not have affected SAPOL's ability to gather more vital information about this man who had repeatedly come to their attention in circumstances of dangerous domestic violence situations in the recent past from September 2020 to February 2021.

#### *Summary of DAR Assessment evidence*

- 74 Mistakes were made by SAPOL officers. Those that gave oral evidence admitted them.
- 75 It is difficult to accept that this occurred on three consecutive occasions concerning Kobi and her mother.
- 76 The result of these assessments produced the effect of MAPS being excluded from contributing to Kobi's and her mother's safety. An endless number of possibilities might have occurred to expose Mr Shepherdson's behaviour, such as his numerous contacts with Kobi's mother from custody. That would have led to consideration of charges that would have been supported by incontrovertible evidence of his sustained breaches of the IIO and perhaps even further, a basis to charge him with serious major indictable offences of attempting to pervert the course of justice and/or dissuading a witness from giving evidence.

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<sup>14</sup> Exhibit C41a

- 77 In turn, that would have made any application for bail by him on any basis very difficult to succeed.
- 78 It also may have released Kobi's mother from some or all of the intense pressure being put on her and allowed her to calmly consider her future and that of Kobi's, independent of or less influenced by him.
- 79 In reviewing this evidence of Kobi's mother's relationship with SAPOL I accept that, like many women in her position, she was under stress and turmoil due to his constant pressure, abuse and manipulation. She described herself as being in his 'vortex'. This 'vortex' included her knowledge of his hatred for police.
- 80 I also accept that those officers that dealt with her<sup>15</sup> were working in the domestic violence area which is highly demanding and was clearly under-resourced for the amount of work to be done.
- 81 Some attempts were made to help Kobi's mother, who at that stage was seeking assistance from other legitimate organisations.
- 82 These interactions were happening whilst Mr Shepherdson was constantly contacting Kobi's mother illegally from MGP. The effect of these phone calls on Kobi's mother can be assessed from the audio recordings of these calls. They are an enormous factor in this situation, which unfortunately happens to a large number of other women in similar circumstances.

### **Kobi's mother**

- 83 In the following paragraphs I set out her words to SAPOL which explain why she persisted with this relationship. It is important to do so because she was criticised strongly by the Commissioner of Police in submissions concerning her behaviour. For reasons which I will explain, this criticism was totally unwarranted and failed to truly comprehend her circumstances.
- 84 She provided a detailed statement to SAPOL to assist with the coronial investigation. This was on 19 May 2021, only 29 days after her daughter was murdered.
- 85 The statement of 18 pages covered in detail the aspects of their relationship. I set out a brief extract from it about the key aspects of evidence in this Inquest.
22. On the 15<sup>th</sup> October 2020, I made a report to police about Henry. I had an appointment for Kobi in the city and I wanted to use the car to take her. Henry told me I couldn't and said I could catch the train, which I did. I knew there was going to be an argument over this so I was dreading coming home. When I got home Henry wasn't there. Henry had sent me a text message about wanting money from Centrelink but they hadn't paid him. I had called the police and they were present for about 30 minutes, but they couldn't wait any longer because they said they had other things they needed to do. About 10 or 15 minutes after police left, Henry came home so I locked him out of the house for the weekend and I told him I can't do this anymore, so he just stayed in the backyard for two days.

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<sup>15</sup> Brevet Sergeant Stolinski, Senior Constable Harris

23. After that incident on the 15<sup>th</sup> October 2020, I wasn't contacted by anybody from the domestic violence section. But somebody must have come to our house and left a card and that made things difficult because Henry found the card a couple of days later. Henry didn't like police because of his past history.  
[my emphasis]
24. I kept the card but I didn't do anything more than that because I knew it was going to cause issues if I got the police involved. Henry was such a confident person and I had nobody for support. I started seeing a psychologist through work around October 2020 this was because I was struggling and felt so isolated. I also discussed our relationship but maybe I should have gone into more detail but didn't. Henry would have been able to access counselling through [her employment]<sup>16</sup> and we could have done this together.  
[my emphasis]
25. The domestic abuse was verbal at this time, but I had told Henry that he couldn't keep doing this in front of Kobi. I had told him Kobi deserved better than this and I would put my hands over her ears when Henry would raise his voice. He would go outside to cool down but then when he came back in he would blame me for his demeanour. He would do this so often that I started to doubt myself. He was so convincing it was like I was the issue and not him. If I got the police involved it would have just escalate (sic) things.  
[my emphasis]
26. Not long after this Henry was arrested. It had all started because I was not far from going back to work. So because of this we needed a second car because we only had the one car. Henry had found a small runabout cheap car that I was going to buy. We were on our way when Henry got frustrated because you just can't go to an automatic teller machine (ATM) and take out a couple of thousand dollars in one transaction. Henry then started getting frustrated and angry, so I told him I needed to go home because I can't do this.
27. I can't remember the exact date but it was in December 2020. On the drive back home I didn't think we were going to get home alive. Henry was really angry and took my phone off me. Henry said he was going to kill us all. He was driving fast and erratically with Kobi in the back seat. The drive took about 30 to 45 minutes.
28. When we got home I didn't have my phone so I was just thinking how I was going to get out of this situation. The house we lived in had 8 foot fences around the yard and the side gate was locked by a padlock. When we got inside the house he dead bolted the front door with a key. All the windows of the house had security screens. The only way I could have got out the house with Kobi would have been through the garage door.
29. Henry took my laptop and my old iPad but somehow he missed my new iPad. So I hid it behind the cushion on the couch. I then messaged my friend and asked her to call the police. He had come in and out the house from outside, he was smoking weed. He would then be watching TV, but as soon as I moved he would have been able to hear me.
30. Henry was saying I wasn't allowed to leave without his permission. He said he would tie me to a chair. He said don't try anything because he had thought of everything. I didn't respond to him, in my mind I was trying to think how I was going to get out alive with Kobi. I had told my friend in the message to wait until after my psychologist appointment that was booked for about 4:00pm. That way I could tell Henry that it was my psychologist had called police to check on my welfare.
31. Initially when the police came to our house, because it is so private they were going to leave but they rang my friend and she told them they can't leave because I was still inside.

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<sup>16</sup> Reference to employer removed

Then one of the police officers looked over the fence and Henry saw him. I told Henry he needed to open the door and let the police in. I stood behind Henry while he unlocked the dead bolts and as soon as he opened the door I ran outside with Kobi.

32. That night I stayed in a motel in the city that was arranged through work. I didn't know if Henry had got bail. I tried ringing the police but they wouldn't tell me anything over the phone. I had to go to the police station. I just thought he is going to be so angry because the police had arrested him and he would kill us all. I was relieved once I knew he didn't get bail.

[my emphasis]

33. So I packed up my car drove [interstate] to see my family I stayed with my family until about mid-January 2021. I then came back to Adelaide.
34. Not long after arriving in Adelaide, Henry rang me from prison. He must have lied on his prison paperwork. He told me during the calls he was not on drugs anymore, he had changed and didn't want to get back on drugs. He said he wanted his girls back.
35. Because I had grown up in a broken family I didn't want that for Kobi. I thought if there was a chance it may work then at least give it a shot. Henry rang me multiple times a day from prison. I don't know how the prison didn't pick it up because they say the calls are recorded but maybe they don't check them.

[my emphasis]

86 This evidence, emphasised in parts by me, revealed major issues of:

1. The difficulty of her engaging with SAPOL given his attitude to them and her fear of repercussions from him.
2. Her feeling of intense isolation and lack of support. These are all too common effects of domestic violence on victims.
3. His intense anger and powerful words and actions that frightened Kobi's mother to the point she thought at times he would kill her and Kobi.
4. His volatile and dangerous unpredictable reactions to situations.
5. The sustained nature of his behaviour causing her exhaustion, in addition to the difficulties of being a mother to a newly-born daughter.
6. The description of the crimes he committed on them on 16 December 2020.

87 These matters listed immediately above are unfortunately common and classic byproducts endured by domestic violence victims. It usually makes life for them exhausting, frightening and lonely. Her strong desire for Kobi not to be raised in a 'broken family' cannot be ignored either. Kobi's mother was truly a domestic violence victim.

### **Relationship between Kobi's mother and SAPOL Family Violence Section**

88 This was also detailed in her statement. In short, Kobi's mother was critical of the contact with this section. As previously indicated, I received evidence from the hard-working officers involved and accept that it was not an easy situation for them to try and control.

89 However, to me, this brings us back to the issue that the three assessments concerning her danger were significantly in error, as they failed to recognise her and Kobi as high-risk victims.

90 Had Kobi's mother been offered the benefit of MAPS, then a myriad of opportunities would have opened up for her to consider, thereby enhancing the chances for her to more meaningfully engage with those agencies.

91 It is impossible to predict what would have happened, but it certainly would have enhanced the prospects of her and Kobi's safety and preventing Kobi's death.

### **No further evidence from Kobi's mother**

92 Kobi's mother was not asked to give oral evidence or provide a further statement in writing given the circumstances of her daughter's death. She was in contact with the Coroner's Office and kept informed of the progress of the Inquest in the details that she desired. This was often done through an intermediary.

93 I totally understand Kobi's mother's wish not to be present for the Inquest and thank her for her willingness to provide her detailed statement to the coronial investigation so soon after Kobi's murder.<sup>17</sup>

94 I have also been mindful not to allow any scope for her to be identifiable to the public via any media reports concerning the Inquest.

95 The media has continued to refer to her without any factors of identification. Under the I/O Act, protected persons are entitled to anonymity. This must continue as long as she wishes.

96 The excerpt from her statement in this Finding shows the manner in which she was living in the relevant time period. I particularly emphasise the following paragraphs of this statement namely:

- (i) Paragraph 24 - where she expressed her struggle and isolation.
- (ii) Paragraph 25 - self-doubt and him blaming her for his demeanour.
- (iii) Paragraphs 26-32 - the description of the crimes he committed on her and Kobi on 16 December 2020.
- (iv) Paragraph 35 - her wishes for Kobi not to be raised in a broken family.

97 I further highlight some additional quotes from her statement to convey the danger she and Kobi were in, together with her basic wish that somehow the relationship with him could work:

- She was 'trying to think how I was going to get out alive with Kobi'.<sup>18</sup>
- After his arrest and remand in police custody on 16 December 2020, she thought that he was 'going to be so angry because police had arrested him and he would kill us all. I was relieved once I knew he didn't get bail'.<sup>19</sup>

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<sup>17</sup> Exhibit C1

<sup>18</sup> Paragraph 30 of her statement

<sup>19</sup> Paragraph 32 of her statement

- A further concern was his ability to call her from custody and questioning how he was not detected.
- She explained that her upbringing in a ‘broken family’<sup>20</sup> was a motivating factor for that not to happen to Kobi. She explained ‘if there was a chance it may work then at least give it a shot’.<sup>21</sup>

### **Phone calls by Mr Shepherdson while in custody to Kobi’s mother**

98 I received a spreadsheet of these calls in the Inquest.<sup>22</sup>

99 Mr Shepherdson, in utilising the PTS, had listed Kobi’s mother’s number under false names of ‘Mel Pritchard’ and ‘Anna Shepherdson’.<sup>23</sup>

100 I listened to 16 of these phone calls in open court through Detective Dawson’s evidence as a representative sample of the 149 calls he made to her from 24 December 2020 to 4 March 2021.

101 I make the following observations about these calls. It is important that some detail be given of them, especially my assessment of his words and his attitude conveyed in the calls, and just as importantly the effect it had, by my assessment, on the state of mind of Kobi’s mother. I realise it may revive unwanted memories for Kobi’s mother if she chooses to read this Finding, but the public should understand the intensity of his behaviour which she bore.

102 They provide further irrefutable evidence of domestic violence that can happen other than by physical harm.

#### *Call 8945882 from ARC – 24 December 2020*

103 Mr Shepherdson calls a friend admitting he wrote a letter to Kobi’s mother and asking the friend if he could use his address for bail. This is an admission to breaching the IIO.

#### *Call 9231497 from MGP to Mr Shepherdson’s sister – 26 January 2021*

104 Mr Shepherdson asked his sister if Kobi’s mother would be willing to do a three-way ‘chat’ on the phone.

105 In this 10-minute phone call, he was agitated, admitted ‘nine months of solid abuse’ of tramadol and noted he was not sure if he wanted to be with someone who will ‘make me do jail’. To her credit, his sister told him to stop thinking about himself and start thinking about Kobi and her mother.

106 He mentioned Kobi and confirmed that he did ‘name my kid after my idol’.

#### *Call 9266264 from MGP to ‘Mel Pritchard’ – 31 January 2021*

107 This was his first call to her and the first of 14 calls that day from 8:14 am to 5:20 pm.

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<sup>20</sup> Paragraph 35 of her statement

<sup>21</sup> Paragraph 35

<sup>22</sup> Exhibit C41be(a); T315

<sup>23</sup> T319

- 108 In listening to this call, I classified his words and behaviour as highly manipulative. In this call, whilst apologising and expressing sorrow for his actions, he also told her that he will 'fight the charges' as he may have to face five to six years in gaol.
- 109 Other comments were made such as 'if we continue with this court process I have to proceed in a way that's best for me and Kobi'. In this same explanation he justified it by saying that it could happen on the basis that you 'don't forgive me'. Further, he said 'I can't be the dad I want to be with these charges'.
- 110 The self-centred and manipulative comments designed to force her to cooperate with his plan are obvious. It cannot be discounted that he was feigning brief moments of emotional vulnerability to garner her sympathy for himself.
- 111 The next 13 calls continue with those same basic themes. Under the PTS at MGP, the maximum length of a call is 10 minutes and he must wait a further 10 minutes before calling the same number again.

*Call 9274100 – 31 January 2021 4:29 pm*

- 112 This was the thirteenth of 14 calls, the last being at 5:20 pm.<sup>24</sup>
- 113 On this call, remembering that it is the very first day of direct contact with her since his arrest, he told her he wanted to vary the IIO or 'drop it'. In this totally one-sided conversation, he explained his past including the armed robbery conviction in Western Australia. Chillingly, Kobi's mother commented that she was scared that he will get so low to the point of taking his own life and in doing so hers and Kobi's. That was particularly difficult to hear.
- 114 In his final call that day, about 40 minutes later, he continued to talk about the charges and said that he wanted to be the man she wanted him to be.

*Calls on 1 February 2021*

- 115 He called her from 8 am until 6 pm for a total of six calls. He again mentioned he wished to have the IIO revoked.

*Call 9286521 to 'Mel Pritchard' – 2 February 2021*

- 116 This call was at 10:47 am. It was the third of six calls that morning and a total of 12 calls that day.
- 117 I note that Kobi can be heard briefly in the background at the beginning of the call. Further, I wish to emphasise that Kobi's mother sounds exhausted. This, in my view, can be directly linked to the intensity and number of phone calls made by him in the preceding 48 hours, on top of her care of Kobi.
- 118 He projected that if the matter went to trial, he would 'drop Dr Moni in it' regarding the long-term tramadol prescription and that his lawyer will 'make you look like a liar'. A further comment was that it was a 'he said / she said' issue.

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<sup>24</sup> Call 9274287

- 119 He justified these threats by saying he had to do what was ‘best for me and my daughter’.
- 120 He reasoned to her that the best thing to do would be to ‘revoke everything’ with the threat that he had to do whatever is required to avoid gaol and protect Kobi.

*Call 9291478 – 2 February 2021*

- 121 This was a one-minute call at 1:29 pm in which he left a voicemail message. He instructed her that someone from prosecution will be in contact to ascertain if she wished to proceed. He counselled her not to reveal he had spoken to her and was ‘concerned’ she did not answer the call.

*Call 9291646 – 2 February 2021*

- 122 This call was at 6:23 pm and was the eleventh of 12 calls that day and lasted 10 minutes.
- 123 Further disturbing comments emerged from him in his emotional state. As usual, the phone call was dominated by him either instructing her how to stop cooperating with the prosecuting authorities or telling her that he would do anything that she wished upon his release with respect to how their relationship would continue.
- 124 Further, he acknowledged that his numerous breaches of the IIO, if detected, would lead to a further sentence of imprisonment.
- 125 Kobi can be heard in the background in the car seat as this call was accepted by Kobi’s mother driving back from shopping.
- 126 It was difficult to hear Kobi given the knowledge of what was to happen in the future. Disturbingly, he stated that he was ‘not going to lose my little girl or disappoint my little girl’.<sup>25</sup>
- 127 He called again at 6:54 pm.

*Call 9304462 – 4 February 2021 at 12:21 pm*

- 128 This was the fourth of nine calls made by him to Kobi’s mother that day, the first of which was at 8:01 am.
- 129 This call followed the same pattern and theme of the previous calls, namely his instructions to her to have the IIO removed. The instructions included her going to Port Adelaide Magistrates Court and SAPOL to inform them both that she did not wish to pursue the charges. He re-emphasised, as he did in previous calls, it is ‘all in your power’.

*Call 9308021 – 4 February 2021 at 4:09 pm*

- 130 In the preceding call to her at 3:25 pm<sup>26</sup> she informed him she had been to court as he instructed. She informed him the Court told her to go to SAPOL and she was waiting for a call back.

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<sup>25</sup> My emphasis

<sup>26</sup> Call 9307237

131 Despite this information, he was highly stressed and agitated and giving her further instructions.

132 I would describe the tone of voice as menacing and his mood dark.

133 He demanded to know what she was doing the following day. She informed him it was Kobi's first swimming lesson. He instructed her strongly to get the SAPOL 207B form executed and told her what she should say in that document.

134 He further told her he expected her to be in court and stand up and address the court when his matter was called on.

*Calls on 5 February 2021 – General summary of content of calls*

135 Mr Shepherdson called Kobi's mother 12 times from 7:58 am to 6:55 pm. A major issue discussed was trying to get her a new SIM card and phone number, presumably to reduce the chance of being detected. The theme of her indicating to SAPOL and the Courts that she does not wish to proceed was also a dominant topic, together with further admissions of abusing tramadol for 'years'.

*Call 9328725 – 6 February 2021 at 4:17 pm*

136 This was the fifth of 11 calls to Kobi's mother which began at 7:59 am up to 7:04 pm.

137 This call was at 4:17 pm. In this conversation he questioned her commitment to having the charges dropped.

138 I found this 10-minute call very disturbing. He offered her to 'leave for you for a few days or something'. As soon as she agreed that was a good idea, he relentlessly questioned her as to why she would say that.

139 She explained that she found this situation intimidating with respect to dealing with SAPOL and the courts. He immediately questioned how she could be in that mindset.

140 This call emphasised to me the lonely position she was in of being a single mother of a newly-born child, a victim of previous terrifying violence and coercive control, together with his relentless pursuit of her by phone. In other words, she was still a true victim of his domestic violence and abuse that was still occurring, even though he was in custody.

141 His callous reaction to her being intimidated was to get her to imagine being in court and 'grilled' by a defence lawyer.

142 Sadly, at the end of the phone call, she apologised to him for her failed attempt to have the form signed and processed by SAPOL.

143 I note in a 10-minute phone call beginning at 4:41 pm,<sup>27</sup> he described her as 'wishy-washy' and said he wanted a decisive woman. This belittling comment must have been aimed to weaken her self-esteem for him to further exploit her.

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<sup>27</sup> Call 9328935

- 144 I further note that he had yet to thank her in any way for her efforts to act in his interest to avoid facing serious charges and immediate imprisonment for a lengthy sentence.

*Call 9368582 – 11 February 2021 at 12:50 pm*

- 145 This is the sixth of 11 calls to her that day from 8:09 am to 6:55 pm. By this time, the PTS had been further abused by him as her contact was under a second false identity, namely Anna Shepherdson. In this 10-minute phone call she sounded exhausted and was teary.
- 146 He verbally abused her, accusing her of ‘trying to fuck me over’. This comment was in response to her revealing to him that one of the young male SAPOL officers had spoken with her early the week before. He was incensed that she had not told him.
- 147 He made it clear he wanted the IIO ‘abolished’ and that he had to put ‘him and Kobi first’. Further, he told her, ‘my love for you is number two’.

*Call 9420529 from MGP – 17 February 2021 at 7:57 am*

- 148 This is the second call to her that day after minutes before she missed the first call. It is also on the background of 15 calls to her the previous day.
- 149 This call started pleasantly. They both seemed to be in good spirits. She had to account for her movements the previous day as a number of phone calls from him that afternoon went unanswered.
- 150 It did not take long for him to descend into an emotional state pleading to see Kobi and her together. As usual, he talked about the IIO variation and requested that she call SAPOL today. He again expressed his concern about being detected for breaching the terms of the IIO.

*Call 9449007 from MGP – 20 February 2021 at 8:47 am*

- 151 This call had a disturbing element to it. By this time, she has made it clear that upon his intended release she does not want him living with her but did not object to him seeing Kobi. She was teary and sounded exhausted.
- 152 He claimed to be ‘ok with it’ but found the situation ‘confusing and disappointing to me’.
- 153 He asked what she had planned for that day to which she responded that she intended going for a drive and taking her mother to the Barossa. He raised whether her mother had seen the Whispering Wall. She politely enquired whether they should go there. Despite claiming it was up to her, he immediately followed with ‘no, I want to go there with Kobi’. Finally, he asked her if she could send more money to him to which she agreed.

*Call 9485462 from MGP - 24 February 2021 at 8:35 am*

- 154 He was very aggressive in this phone call, asking her, ‘why do I have to ring a hundred times before you answer?’ and ‘that’s not going to work for me’. He told her ‘I still have a right to call you ... it’s not ok you don’t want to answer my calls’.<sup>28</sup>

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<sup>28</sup> My emphasis

- 155 Towards the end of the call he started crying and was emotional, claiming he just wanted to know his daughter was safe. It was clear unanswered calls occurred because she was out with her mother who disapproved of the relationship. It was a protective piece of behaviour by her to avoid him being detected breaching the IIO.
- 156 I emphasise again, this call was highly demonstrative of his volatility. It further demonstrated his effect on her, despite being in custody, and with the protection of the IIO that she had.

*Call 9553139 from MGP – 3 March 2021 at 6:15 pm*

- 157 This was the sixteenth and final call of the day. His court hearing was the next day. Therefore he gave her detailed instructions on how to get to court, to be visible to his lawyer and the prosecutor. He told her what to say to them. She informed him that she was not comfortable about the IIO being removed which seemed to mildly shock him. This did not prevent him, however, directing her about the fact she needed to ‘just do what you need to do’.
- 158 He was disappointed by her decision as it meant he had to wait longer to see her and Kobi.
- 159 She again cautiously but bravely raised the fact that she needed to be certain that his old behaviour was not going to re-occur to which he responded that ‘will be a long time’.
- 160 He made it clear that he was not going to ‘wait years to see my daughter ... I want to see her ASAP’.

*Call 9556498 – 4 March 2021 at 11:10 am*

- 161 This call occurs after his court appearance to which he was linked in from the prison by an audio-visual link.<sup>29</sup> AVL from custody is a common form of attendance by defendants to court hearings.
- 162 It was also the final call presented in evidence at the Inquest.
- 163 This call was made just prior to his release from the MGP. He categorised himself as a ‘free man’. It is obvious that having achieved this major benefit of these serious charges being discontinued due to her actions, that whatever power imbalance he might have felt with Kobi’s mother had substantially changed. He was angry that she did not attend at court as he planned. He told her he was ‘blown away’.
- 164 He further criticised her on the basis that he rang her every day and ‘poured my heart out 150 times’.
- 165 In a courageous verbal stand, she told him she was not going to speak with him if he was going to behave in this way.
- 166 She further told him that he had the ability to ‘do that really well, making someone feel like a piece of shit when you don’t agree with it’.<sup>30</sup>

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<sup>29</sup> AVL

<sup>30</sup> My emphasis

- 167 This comment by her at the end of this long period of dealing with him from custody, provided me with clear evidence of the effect of his behaviour on her on such a continual basis.
- 168 In other words, he had a great ability to make her feel worthless, self-loathing and generally unwell.
- 169 Finally, he told her that he put his trust in her. He became paranoid about being detected for the multiple breaches of the IIO.
- 170 As a final insult he called her ‘wishy-washy’ again. He was disappointed that they were going their separate ways.
- 171 I note that less than three hours earlier he told her in the first of the calls that day<sup>31</sup> that he wanted Kobi taken off the IIO and that she was his biggest motivation.
- 172 Tellingly, he told her that the longer he did not see Kobi, the more risk he was of making bad decisions.
- 173 Finally, instead of being grateful for the privilege of her deciding not to press charges, he abused her and failed to thank her, even in the most perfunctory way. It is logical to believe she must have been apprehensive, to say the least, about what would happen on his release.

### **Summary of phone calls**

- 174 I confirm I have gone into detail of 16 phone calls played in the Inquest to highlight the insidious and pervasive nature of his words and behaviour whilst in custody. Fifteen of those calls were to Kobi’s mother and one to his sister.
- 175 Even the summary of these calls in this Finding does not compare at all with the severity of the impact of his words being heard in the Inquest. It provided a cogent and reasonable explanation to me why she did not cooperate with SAPOL as they would have desired.

### **Submissions on behalf of the Commissioner of Police concerning Kobi’s mother and the phone calls**

- 176 I was extremely disappointed by the submissions on behalf of the Commissioner of Police, both in writing and orally, that Kobi’s mother could have simply refused to answer calls from him. I challenged these submissions in court as being totally inappropriate considering what was heard in these samples of calls. I set out the written submissions on behalf of the Commissioner of Police regarding Kobi’s mother. As I summarised earlier, criticism of her was totally unwarranted and was in the nature of victim blaming.
- 177 I first set out the relevant portion of the written submissions:

46. [Kobi’s mother] picked up 149 phone calls made by Mr Shepherdson between January 2021 and March 2021 whilst he was in prison and in breach of the Intervention Order.
47. [Kobi’s mother] did not need to pick up any of his calls or speak with him, particularly in circumstances where she was safe and Mr Shepherdson was in custody. When she

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<sup>31</sup> Call 9554239 at 8:33 am

- received each call she was clearly alerted to the fact that the calls were coming from a person in custody.
48. [Kobi's mother] chose to engage in conversation with Mr Shepherdson who was communicating with her in contravention of the Intervention Order because, on her own evidence, she had grown up in a broken family and she did not want this for Kobi, and that in her own words (sic) 'if there is a chance it may work then at least give it a shot'.
  49. Whilst it is accepted that Mr Shepherdson was clearly engaged in coercing [Kobi's mother] into dropping the charges against him during some conversations, [Kobi's mother] chose to never tell the police about these calls.<sup>32</sup> Along with those calls that indicated coercive behaviour of Mr Shepherdson there were a number of other calls where [Kobi's mother] and Mr Shepherdson engaged in general, apparently relaxed and friendly conversations absent any duress. Police officers (including S/C Harris and B/Sgt Stolinski) were shocked to learn of this information (after the fact) given their own assessment as to her credibility at the relevant times.
  50. [Kobi's mother] allowed Mr Shepherdson to stay at her property between 5 March 2021 and 12 March 2021. Again, this was not known to police at the time, nor was [Kobi's mother] ever forthcoming with this information to police until after the fact.
  51. Mr Shepherdson was again released on 19 March 2021 as a result of the Magistrates' decision for him to serve only 7 days imprisonment for the two breaches of Intervention Order (give the time he had already served in custody).
  52. Whilst the precise details as to what occurred between 19 March 2021 and 21 April 2021 are somewhat unclear, the evidence clearly establishes that again [Kobi's mother] was allowing Mr Shepherdson to stay at her property (albeit not for the 6 days when Ms M was residing with her) in breach of the Intervention Order. The text messages and other statements clearly establish that [Kobi's mother] was allowing him contact with her and Kobi despite the steps taken by Police to protect them.
  53. For example, [Kobi's mother] and Mr Shepherdson were expressing their love for each other during this time, him doing favours for her and Kobi including helping her move house and picking up various items for Kobi. The text messages also establish that Mr Shepherdson was seeing Kobi and residing with her from time-to-time during that period and, possibly, that a sexual relationship was occurring between [Kobi's mother] and Mr Shepherdson at that time.
  54. Again, none of this information was known to police, nor was [Kobi's mother] forthcoming with this information to police.
  55. [Kobi's mother] called 000 on 21 April 2021 in respect of the conversation she had with Mr Shepherdson on this day. [Kobi's mother] knew that Mr Shepherdson had previously told her that if he were to commit suicide, he would do it at the Whispering Wall. Again, none of this information was relayed to police by [Kobi's mother] during any previous interaction she had with them.
  56. It is open for the Court to find that despite the constant efforts of police to protect [Kobi's mother], she held hope that she could rekindle her relationship with Mr Shepherdson and for him to be the father she had always wanted him to be.
  57. It is difficult to see what police could have done over and above what they did do, absent [Kobi's mother] cooperating in the circumstances.

[footnotes omitted]

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<sup>32</sup> My emphasis

- 178 The short, medium and long-term consequences of refusing to answer his calls would undoubtedly have found him to be dangerously angry and caused many thoughts of revenge and/or harm to Kobi's mother herself. I have already emphasised his very poor reaction to calls not being answered and always demanding an explanation for that situation.
- 179 It should not be forgotten that he was a dangerous man with a bad criminal record who had a constant focus on Kobi's mother doing everything for his own selfish benefit.
- 180 The pressure on her must have been almost unbearable at times. She was highly damaged by his treatment of her, whether in custody or not. He exploited her willingness to be generous to him despite all he had done to her, including threatening to kill her.
- 181 I have already set out in full the compelling evidence of the phone calls that allows me to objectively assess the true depth and circumstances of Kobi's mother's mindset during this period as a single mother originally from interstate, and under the isolation of COVID-19.
- 182 I have already indicated my initial reaction to the written submissions on behalf of the Commissioner of Police. I spoke frankly to counsel for the Commissioner about how the written submissions concerning Kobi's mother, that I set out earlier, were capable of being read as 'victim blaming'. That is how I interpreted them. I set out the transcript of this exchange:

CORONER: The submissions, particularly on the part of the Commissioner of Police, in particular commenting on Kobi's mother, forced me to have a very bad reaction to it. They seem to not acknowledge the coercive pressure she was under at all.

You and everyone else here heard him in 15 gruelling calls that we played in open court, and it seems that the Commissioner's submissions don't acknowledge that. Do you really believe that once he was released from custody his coercive behaviour would have improved or got worse?

COUNSEL: Can I first address the first point you've raised. We do acknowledge there was a level of coercive control, that is -

CORONER: Not in these submissions.

COUNSEL: Yes. Yes, they are, your Honour.

CORONER: Not the way I'm reading them.

COUNSEL: I'll find precisely where it is. It's at para 49 of the submissions where we specifically accept Mr Shepherdson was clearly engaging in coercing [Kobi's mother].

CORONER: 'And she chose to never tell police about these calls', seems to be a blaming statement.

COUNSEL: Absolutely not, it's a factual statement. She didn't tell police about the calls.

CORONER: What happened in para 49, as you summarised, is exactly what happens when someone is coerced to the extreme amount she was.

COUNSEL: We're not suggesting she wasn't coerced. I wish to make that plain. We're simply speaking factually.

CORONER: Yes, without any proper background acknowledgement in full of what his behaviour was like, because we have perfect examples in those phone calls. Do you really believe that he would have been less coercive once he was free from police bail and subject only to that order, to become less coercive?

Does the Commissioner submit that?

COUNSEL: No, your Honour, that's not in our submissions.

CORONER: I would hope not, but it reads it perfectly as if she is substantially to blame by taking his calls, doing what he wants, and suggesting that she had a choice. Do you really think - does the Commissioner really submit, in light of what we heard in those PTS calls, that she had a realistic choice other than to do whatever he wanted?

I mean, for instance he could not ever thank her in these phone calls, even the very last one, for dropping the charges. He just assumed that was going to happen, and that's what she had to do.

COUNSEL: And we've listened to some of the calls, your Honour, I understand that. But there are other calls where it was friendly and general conversation.

CORONER: Yeah, because she never knew how he was going to be. He could ring up in a rage; he could ring up all very happy to be with her, and she said something that he didn't agree with, then off he goes. We heard that in the PTS calls. This man was a very bad offender, as we know through his police records, and his behaviour to her was relentless.

...

So as you can tell, I believe these submissions on behalf of the Commissioner are capable of being read as victim blaming.

COUNSEL: I completely disagree with you and that is not the Commissioner's position in any way, shape or form.

CORONER: I didn't assume the Commissioner would take that stance but that's how it's publicly going to be recorded, if they remain as they are. (my emphasis)

COUNSEL: It's factual, in my submission, and it is emphasising what can SAPOL do in circumstances where a victim is not cooperating or coming forward with information, it's not about victim blaming. We accept that she was under a level of coercive control, absolutely, it's the difficult balance, as is in any domestic violence setting.

CORONER: Well there's a big answer to that question. I mean, SAPOL could have in one of the three occasions they had the chance to, correctly put her and Kobi as a high-risk victim, thus engaging MAPS. SAPOL may have, for instance, been less cooperative with him at the prosecution level. Now we've heard from Ms Whybrow about that and I understand her determination not to allow him to live with her, and I accept her evidence on that totally. But he went, for instance, and it was all rushed on SAPOL at that time, arriving for a hearing that ended up being totally everything that he wanted. Except, perhaps, the abuse prevention program because I have grave doubts he was genuine about seeking to reform himself under that program. It was just a means to an end to get what he wants.

So, much like Serco, a mistake has been made in the classifications about her and Kobi on three occasions. So SAPOL did make mistakes, they weren't through flippancy, it was just important documents weren't filled in which would have highlighted three times that they were high risk victims.

And I'm really troubled by para 47, where [Kobi's mother] did not need to pick up any of his calls or speak with him. Can you imagine his mindset had she not? I think a couple of occasions he asked her where she was and why she didn't pick up earlier, and she might have been out for a walk with the baby or something as innocuous as that. So I feel that Kobi's mother had no choice other than to accept every single one of those calls, do you submit otherwise?

COUNSEL: I do not necessarily agree with that. I'm speculating as to the mindframe of the deceased and [Kobi's mother] -

CORONER: We know it, it's in the calls. We heard them.

COUNSEL: We've only heard limited -

CORONER: 15, I can play all of them, if you want. But I thought that was a critical mass of his character being absolutely demonstrated through those calls.

COUNSEL: I don't disagree with your Honour on those calls at all.

CORONER: It's an extremely - it's a wrong submission to say she had no choice to pick up those calls, in my view, in what we know.

COUNSEL: Well the submission is she didn't need to pick up the calls in circumstances where -

CORONER: No, but what would follow if she didn't?

COUNSEL: - she was alerted to the fact they were coming from prison, that's the submission.

CORONER: Yes, and what if she didn't?

COUNSEL: Well, I can't speculate as to what if she didn't.

CORONER: But you're criticising her for not doing it?

COUNSEL: We're absolutely not criticising [Kobi's mother] in any way -

CORONER: You are.

COUNSEL: - and I wish to make that plain.

CORONER: 'Kobi's mother did not need to pick up any of the calls ... she was safe and he was in custody'. Now, is that really the summary of what we heard?

COUNSEL: It's two separate issues.

CORONER: They're not, they're not. Do you want me to play a call now? Just to emphasise.

COUNSEL: No, I've heard the calls. There's no need for that.

CORONER: Well, I'm not accepting that submission.

COUNSEL: And that's a matter for your Honour.

CORONER: Of course it is, but it shouldn't be made, is what I'm saying.

...

CORONER: What's forgotten in my comments about Kobi's mother is that she also had his child to consider all the time, whilst she was being coerced. And that's a huge, huge thing that's played on her mind because she indicated that she wanted the best for her child in terms of parenting. So that's a factor that can't be ignored and why, in my belief, that she needed to answer his calls.

Now we know there's lots of text messages, and I'll go through them in my own time, between them once she left and texts, I'm including Facebook Messengers but they're clearly consistent with his behaviour and deceit, deceiving Kobi's grandmother that he lived there against the order and lots of other issues.

I mean, also, he went berserk over an issue about the wrong type of shoes being available for him once he got out of custody. That's the sort of behaviour she was putting up with.<sup>33</sup>

### **Adelaide Magistrates Court hearing 21 April 2021**

183 Mr Shepherdson's IIO was listed in the AMC dealing exclusively with family violence matters. Mr Shepherdson appeared in person but Kobi's mother chose not to attend.

184 Mr Shepherdson was represented by his solicitor who also had conduct of the discontinued criminal charges from December 2020. She has provided an affidavit to the Inquest and was not called to give further evidence.<sup>34</sup>

185 Ms Whybrow appeared for SAPOL for its matters in that court that day.

186 At that stage, the IIO from 16 December 2020 was still in full force, namely that Mr Shepherdson was not to communicate, either directly or indirectly, with Kobi or Kobi's mother. He was still not permitted to approach within 200 metres of them, nor was he permitted to be within 200 metres of any place where they resided, stayed or worked.

187 As is common, just before the hearing convened, Ms Whybrow and Mr Shepherdson's solicitor had brief discussions including whether the IIO was being withdrawn on the basis of the Form 207B being filed by Kobi's mother.

188 Ms Whybrow informed the solicitor that she did not have authority to withdraw the IIO and therefore it would not be occurring that day.<sup>35</sup>

189 This was accepted by Mr Shepherdson's solicitor. She further requested as to whether the Order could be reduced to a 'basic order'. A basic order allows contact between a defendant and a protected person under an order whether freely with restrictions imposed.

190 At that stage, Ms Whybrow had not seen this document. She therefore went back to the police computer records to check. She saw both 207B forms concerning the charges and the IIO.

191 The form with respect to the charges mentioned the IIO and Kobi's mother's wish to keep its current terms in place.

192 The second 207B signed on 19 April 2021 outlined Kobi's mother's wish to have a basic order so as to 'facilitate a reconciliation of the relationship and contact with Kobi'.<sup>36</sup>

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<sup>33</sup> T585-591; another brief issue mentioned in this exchange has been deleted for ease of reference to this topic

<sup>34</sup> Exhibit C16

<sup>35</sup> Exhibit C52, Affidavit of Ms Whybrow sworn 7 October 2022 at [8]

<sup>36</sup> See Exhibit C52 at [13]

- 193 As the short timeframe only allowed, she had to make a quick decision as to what she was prepared to do on behalf of SAPOL at the hearing.
- 194 I give her credit for coming to the decision to agree to remove the prohibited contact condition concerning Kobi and her mother, but maintaining the prohibition of Mr Shepherdson being allowed within 200 metres of any residence where they lived, resided, stayed or worked.
- 195 She further insisted that Mr Shepherdson agree to be referred to the Abuse Prevention Program that would be conducted from the Port Adelaide Magistrates Court.
- 196 Ms Whybrow explained her decision on the basis that reconciliation could occur if Mr Shepherdson lived separately from Kobi and her mother, together with providing them with a safe haven from him.<sup>37</sup>
- 197 This was ultimately accepted by Mr Shepherdson just prior to the hearing. Therefore the hearing was a very brief one in which orders by consent were made for the IIO to be amended based on the agreement. I have heard the audio recording of this hearing.
- 198 The matter was referred back to the Port Adelaide Magistrates Court, which was the originating jurisdiction, with Mr Shepherdson to enter the Abuse Prevention Program administered by the Courts Administration Authority (CAA).
- 199 The court hearing the matter that day was a specialist domestic violence court. Like all courts, it relies significantly on the presentation of matters by counsel. Like all courts, it is entitled to rely on an agreed position between parties on the basis that each party is satisfied that it is a position well-considered and accepted as reasonable. That is what happened here.
- 200 The Court is in no way to blame for the subsequent actions and events by Mr Shepherdson that day. As is obvious, the Court was unaware of his substantial and voluminous breaches of the IIO whilst in custody and had no information about the risk category of Kobi or her mother. Indeed, his behaviour that day was outside the contemplation of Kobi's mother. It should also be remembered that this amended IIO was very favourable to Mr Shepherdson, allowing his desired contact with Kobi. The court was entitled to assume he would be happy with the outcome of the hearing as it was extremely favourable to him.
- 201 I wish to address some basic issues about what is presented on the court documents that may be of assistance to a court during a hearing and easily found on the order itself that is under consideration.
- 202 It is my belief that had a small but easily identifiable section been part of the order that dealt with previous convictions for violence, previous breaches of court orders, including IIOs, and the risk category of the protected persons, then the Court could, if it is felt appropriate, query the parties about an agreed position based on this basic information alone.

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<sup>37</sup> Exhibit C52 at [15]

203 On this occasion, the Court had no such information to consider.

**Tahni Whybrow**

204 Ms Whybrow gave evidence at the Inquest.

205 In her evidence she confirmed the following further information about that day namely:

1. The list before the Court that day was reserved for private Intervention Order applications. This matter was placed into that list rather than police-initiated orders for prosecution and IIOs on the remaining days of the working week.<sup>38</sup>
2. She was unable to recall whether she looked at various documents within the police computer system prior to the hearing.
3. She further clarified that operational documents of SAPOL, in particular SACAT records, were not accessible by prosecution unless specifically placed on the SAPOL prosecution brief.
4. She had no notice of any application to vary or revoke the IIO prior to going to court and being approached by his solicitor.<sup>39</sup>
5. There was no policy at the time concerning substantial variations of an order such as the removal of prohibited contact conditions.<sup>40</sup>
6. Predictably, she said she would have had a ‘slower’ preparation rather than a ‘speedy’ one concerning a variation application if one was foreshadowed prior to the day of the hearing.<sup>41</sup>
7. She was unaware of Mr Shepherdson breaching the order by contacting Kobi’s mother from prison.<sup>42</sup>
8. She thought it was ‘abundantly important to keep him out of the house where she was living. That’s where the major indictable offences were alleged to have occurred’.<sup>43</sup> That was a very good decision under the time pressure she faced.
9. Had she known that Kobi’s mother was a high-risk victim ‘it certainly would have thrown up more red flags, it might have made me more hesitant to remove the proximity breach – the proximity condition certainly’<sup>44</sup> and forced her to consider allowable contact other than by physical presence.<sup>45</sup>
10. It was her intention simply to adjourn the order to the Port Adelaide Magistrates Court but accepted that ad hoc applications to vary orders are common.<sup>46</sup>

206 Given the nature of her involvement with this IIO for the first time, and the need to make a quick decision consistent with the limited information that she had which was

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<sup>38</sup> T216-217  
<sup>39</sup> T219  
<sup>40</sup> T219  
<sup>41</sup> T225  
<sup>42</sup> T228  
<sup>43</sup> T229  
<sup>44</sup> T231  
<sup>45</sup> T231-232  
<sup>46</sup> T232-233

favourable to Mr Shepherdson, she was asked about what difference further information available to her would have had on her decisions that day.

207 I set out a brief passage below noting that she had no independent evidence about him. Often, other information is available such as progress reports from an Abuse Prevention Program manager as to whether there was an assessment that a defendant was making progress to eliminate his abusive behaviour.

Q. But here I again understand you had to react quickly or you decided to react quickly, a substantial term of the order was agreed to by SAPOL before any progress could be monitored on the abuse intervention program.

A. Yes.

Q. And you had no chance to have a considered out of court discussion with your colleagues and/or superior back in the office about how to best deal with the application and the future of the order.

A. No.

Q. And if you had known that she was at high risk from the offender and Baby Kobi was as well, that would cause you to pause at the very least wouldn't it, about quickly agreeing to an application to remove non-contact clauses.

A. Yes.

Q. I understand from what your notes were made contemporaneously - sorry not contemporaneously, but whilst events were very fresh in your memory, that your real memory is only really looking at the 207B forms and no other documents.

A. Yes, that's my only real memory.

Q. Positive memory.

A. Positive memory, and also knowing that the charges had not proceeded, because she had signed that 207B and that there had been the change in her view around what she wanted moving forward and I guess the close communication with her to the next in court date.

Q. Sorry, there's one final topic as Mr Kirby has put to you, had you known there'd been 149 calls in about three weeks whilst he's in custody, about a month before this application, that would have caused you to reject supporting it wouldn't it.

A. Yes. Almost. I can almost 100% say that had I known that there had been contact particularly from prison, and the extent of that contact that would have been enough of a flag for me to say I don't think - I think there's been some level of pressure being applied here.<sup>47</sup>

208 I found Ms Whybrow to be a good witness. She relayed to the Inquest the realities of her professional life at that time in dealing with IIOs and domestic violence charges.

209 I do not suggest at all that she was reckless or negligent in any way in her handling of this matter. She was hampered by time, lack of information and the expressed desire of Kobi's mother for the IIO to be altered as found in the SAPOL PD270B form.

210 Nor do I suggest that Mr Shepherdson's solicitor acted in any other way other than seeking the best for her client in a way permitted by the Rules of Court.

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<sup>47</sup> T235-236

## **SA Water**

- 211 SA Water became an interested party in this Inquest based on the safety issues identified concerning the Whispering Wall.
- 212 I received cogent and logical submissions from SA Water, and updates after the Inquest had adjourned for this Finding, that a comprehensive review had occurred with changes to be implemented as mentioned in the Inquest.
- 213 In short, I am satisfied that SA Water's response to this situation has been prompt and professional.
- 214 I am satisfied that the changes made, or to be further made, minimise the likelihood of a recurrence of the events of this day at that site.
- 215 I will not expand on this matter further due to requests not to advertise or highlight these changes for legitimate public policy reasons.
- 216 I will therefore not make any comment in this Finding on that evidence and will not permit inspection of these documents and/or evidence by anyone unless permission is granted by the State Coroner.
- 217 Detective Inspector King played a significant role in liaising with SA Water to address safety issues at the Whispering Wall site.<sup>48</sup>
- 218 At the time of giving evidence, Detective Inspector King indicated that this working group was still actively meeting and assessing changes done and further changes to be implemented concerning construction and safe access of the site for the public.<sup>49</sup>

## **Department for Correctional Services – PTS**

- 219 Ms Ida Petraccaro appeared on behalf of the DCS as Director, Operational Support and Performance Branch in the Statewide Operations Directorate.
- 220 She was also the General Manger of the Adelaide Women's Prison and Pre-Release Centre at the time of giving evidence. She provided a nine-page affidavit<sup>50</sup> and gave oral evidence concentrating on the PTS and its related issues.
- 221 Her affidavit outlined the basic fact that two million calls were made from prisons in South Australia in the financial year 2020/2021.
- 222 If a call to a person prohibited by law from being contacted was detected, that number is blocked for the entirety of use by all prisoners.
- 223 A significant factor in identifying that a prisoner is contacting a protected person in breach of the order is the cooperation of that protected person in notifying DCS or SAPOL, either

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<sup>48</sup> See PowerPoint presentation notes displayed in evidence, Exhibit C53; T295-302

<sup>49</sup> T301-302

<sup>50</sup> Exhibit C56 sworn 21 November 2024

directly or indirectly. Although that is simple and easy to respond to, it is too demanding and unreliable for protecting persons who are being coerced and/or threatened.

- 224 If DCS becomes aware of an alleged breach of an IIO by use of the PTS or mail, DCS policy is to report it to SAPOL.
- 225 In this case, she was unaware of the attempted prohibited contact by mail by Mr Shepherdson during his time at the ARC.
- 226 That should have been brought to the attention of DCS through its Terms of Agreement with SERCO.
- 227 She expressed the difficulty in monitoring calls and trying to negate methods to subvert the system.
- 228 I accept there is no easy way to control the receiver of an outgoing call from the PTS. It is also impossible to resource the DCS to monitor the PTS calls by way of personnel. Technology is an ever-developing feature of life and the ability of computer programs to perform functions reliably and efficiently is well-known. DCS should be resourced to investigate and find the best possible technology to detect abuses of the PTS.
- 229 For example, it is well-known that a development of voice recognition for telephone calls by technology does occur in other major institutional phone systems such as the Australian Taxation Office.
- 230 I would hope such developments could be utilised in the PTS so that investigations or monitoring of calls of prisoners on a deliberate or random basis could be instrumental in seeking to reduce prohibited contact with victims and/or protected persons. These are just ideas of mine in response to the PTS calls I heard in the evidence.
- 231 For prisoners on remand like Mr Shepherdson, they should be identified as at risk of seeking prohibited contact with protected persons/victims, especially when heavy, if not total, reliance is placed by the prosecution on the protected person's or alleged victim's cooperation. Such people are obviously easily identifiable potential targets for prisoners to seek to persuade to withdraw cooperation with SAPOL and prosecution authorities. In such situations, serious crimes by prisoners are committed on the PTS. Valuable, reliable and independent evidence can be relied upon by SAPOL to support investigations at an early stage to make sure these crimes are successfully detected and prosecuted.
- 232 On admission to custody, it should be well-highlighted to DCS/SERCO that an alleged victim/protected person is considered to be in the high-risk category according to a DAR Assessment.
- 233 Further, DCS should also be on high alert for any prisoner that has had previous convictions for breaching the I/O Act and/or domestic violence offences.
- 234 Those matters should be identified at admission from when SAPOL transfer the prisoner from police custody to DCS/SERCO custody.

**Detective Dawson's coronial investigation**

- 235 As earlier indicated, Detective Dawson was the primary investigator concerning these deaths.
- 236 At the time he was stationed at the Barossa Criminal Investigation Branch. SAPOL officers located at the Barossa Local Service Area were the first to attend the scene, followed by Major Crime detectives and the Forensic Response Section.
- 237 There was no criticism of the immediate response and initial investigations conducted by SAPOL.
- 238 Detective Dawson described the coronial investigation as 'complex'<sup>51</sup> requiring him to deal with the gathering of evidence and statements from a significantly wide range of people and institutions, including government departments.
- 239 I was very impressed with his report to the State Coroner.<sup>52</sup>
- 240 I thank Detective Dawson for his report and the uncontested evidence that he gave.<sup>53</sup>
- 241 I also acknowledge Detective Dawson's officer in charge at the Barossa Criminal Investigation Branch, namely Detective Senior Sergeant King, now Detective Inspector King, who allocated Detective Dawson this murder-suicide coronial investigation. He assisted with respect to reviewing the Coroner's Report and liaising with Detective Dawson.
- 242 He also liaised with Major Crime concerning the report and it was evident it was 'vetted and endorsed' by the Detective Inspector of that Branch before being returned to Detective Brevet Sergeant Dawson.<sup>54</sup>
- 243 It was a logically compiled report that dealt in detail with the long-term and immediate circumstances concerning Mr Shepherdson, Kobi and Kobi's mother.
- 244 In addition, Detective Dawson listened to all calls from Mr Shepherdson made in custody and provided detailed and accurate summaries of their content.
- 245 He concluded that the death of Kobi was due to 'injuries sustained as a direct result by the actions of ... Henry David Shepherdson'.
- 246 His report identified the issues of SAPOL with respect to Kobi's murder including the DAR Assessments that were 'flawed, with several factors not selected'.<sup>55</sup>
- 247 Further, he found that Mr Shepherdson 'coerced, manipulated and pressured Kobi's mother to drop all criminal charges against him'.<sup>56</sup>

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<sup>51</sup> T308

<sup>52</sup> Exhibit C41a

<sup>53</sup> T363

<sup>54</sup> T266-267

<sup>55</sup> Exhibit C41a at 67

<sup>56</sup> Exhibit C41a at 67

248 He concluded that Kobi's mother was:<sup>57</sup>

... completely manipulated by Shepherdson that when asked by police if she had been in contact with Shepherdson, she denied this had occurred. She was convinced that Shepherdson would change his behaviour and there was a chance he could be a father for Kobi.

249 In hindsight, her genuine belief about this was generous and inherently unlikely to be realised. It was formed whilst she was a victim of his intense verbal and physical violence, together with his coercion.

250 Detective Dawson correctly recognised that she was truly an innocent domestic violence victim subject to extreme coercion by Mr Shepherdson.

251 He acknowledged that Kobi's mother was subject to a gross imbalance of knowledge of court procedures concerning domestic violence charges and IIOs compared with Mr Shepherdson.<sup>58</sup> It is obvious from the phone calls that he used this to his advantage against her when it suited him.

252 I had expected Detective Dawson's evidence to be emphasised in submissions on behalf of the Commissioner of Police, especially as the entirety of his evidence was not challenged by anyone.

*Detective Dawson's recommendations*

253 In short, he recommended four matters, namely:

1. A review of the suitability of format and criteria of the DAR Assessment tool, including a consideration that a domestic violence victim has the free choice whether to sign such an assessment to confirm correct factors have been selected. His reason for this proposed review was to 'assist to ensure that an accurate risk assessment is completed and the investigation strategy managed accordingly'.<sup>59</sup>
2. That a review be conducted to add a further check in a DAR Assessment concerning a suspect or offender's criminal history has been reviewed.
3. SAPOL liaise with DCS to review the processes and practices for domestic violence alleged offenders or proven offenders in custody with respect to phone access and ability to call a domestic violence alleged victim or victim in the high-risk category.
4. That improvements be made to the safety aspects of the dam of the Whispering Wall site to prevent persons having the ability to commit suicide by falling from the top of the wall.<sup>60</sup>

254 He noted that SA Water had advised him that a review would be conducted into that safety aspect. The Commissioner of Police did not support his recommendations, save for the one concerning SA Water.<sup>61</sup>

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<sup>57</sup> Exhibit C41a at 67

<sup>58</sup> T334

<sup>59</sup> Exhibit C41a at 68

<sup>60</sup> Exhibit C41a at 68

<sup>61</sup> See written submission of SAPOL

### **Attorney-General of South Australia**

- 255 The Attorney-General of South Australia, the Honourable Kyam Maher MLC, was invited to put forward any submissions concerning recommendations for law reform of IIOs under the I/O Act.
- 256 He specifically addressed two issues raised during the Inquest, namely, a period in which a defendant is prevented from seeking to vary an intervention order if that defendant had been convicted of breaching that order.
- 257 The Attorney considered that there was ‘a risk in reducing judicial flexibility and discretion in being able to vary intervention orders’<sup>62</sup> on the basis that there could be unintended consequences for protected persons.
- 258 That was a valid submission made prior to the release of the Report from the Royal Commission. I believe I need not develop any further consideration on this issue.
- 259 The Attorney also commented on the proposal that a defendant undergo a psychiatric or psychological evaluation prior to any amendment to an order. Such an application would involve an enormous resource need and personnel need which would cause inevitable delay and again possibly unintended consequences for a protected person. The suggestion for such an assessment was made by Assistant Commissioner of SAPOL, Mr Giovanni Venditto, in his evidence. It was made with good intentions. I also note that he was keen to foster as much trust as possible between a protected person/victim of domestic violence and SAPOL.
- 260 Finally, the Attorney referred to interstate law as it then was concerning IIOs in order to assist me to understand the legislative approaches in other jurisdictions.
- 261 In light of the Report from the Royal Commission being such a comprehensive review of laws and relevant agencies concerning domestic violence, I will not comment further as the entirety of this area will be considered by the Government and Parliament in response to the Report.

### **Royal Commission into Domestic, Family and Sexual Violence**

- 262 The South Australian Government issued a commission to enquire and report to the Governor on five areas aligned with the National Plan to End Violence Against Women and Children 2022-32.
- 263 The Commissioner that conducted this enquiry was the Honourable Natasha Stott Despoja AC.<sup>63</sup>
- 264 As authorised, Ms Despoja AC convened the Royal Commission into Domestic, Family and Sexual Violence.

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<sup>62</sup> Written submissions at [135]

<sup>63</sup> Ms Despoja AC or the Royal Commissioner

- 265 On 14 August 2025 the Commissioner delivered her report to the Governor titled ‘With Courage; South Australia’s Vision Beyond Violence’.<sup>64</sup>
- 266 Kobi’s death and this Inquest was specifically acknowledged by Ms Despoja AC in the following manner:

Contact from custody

The issue of people who use violence contacting victim-survivors from custody, usually in contravention of intervention orders or bail agreements, was raised in several listening sessions. Significantly, this contact often involves continued emotional or psychological abuse and coercive control, with pressure being exerted on victim-survivors to withdraw criminal charges and intervention orders.

This was an important topic under consideration by the South Australian Coroner in the Inquest into the death of Henry Shepherdson and Kobi Shepherdson. In that matter, Mr Shepherdson called his partner 149 times from custody, exerting pressure on her to withdraw the criminal charges against him. These calls were in contravention of an intervention order in place against him. He also attempted to send letters to her, which were intercepted. SAPOL was not aware of either the phone calls or the letters.

Findings from the Inquest have not yet been delivered, but this contact from custody was a central issue. For these reasons, the Commission has not made any specific recommendations about it. However, once the Coroner’s findings have been delivered, the Government Steward must be tasked with collaboration with the Department for Correctional Services to ensure that adequate safeguards are in place to restrict people within custody from contacting victim-survivors in contravention of intervention orders or bail agreements.<sup>65</sup>

- 267 I acknowledge her comments and will act accordingly in this Finding.
- 268 The Report was 655 pages. It was a comprehensive examination of the issue as it affects South Australia including the detection and prosecution of domestic violence and the operation of the I/O Act. She also made a significant number of recommendations to the Government.
- 269 I have perused those recommendations which include references specifically to SAPOL, the Courts Administration Authority and sections of the *Evidence Act* and *Criminal Law Consolidation Act* concerning consent and directions about myths and misconceptions of sexual assault victims which should also be adapted in legislation concerning domestic violence victims.
- 270 I acknowledge the comprehensive work of the Commissioner. She has thoroughly considered every aspect of domestic violence as it affects the South Australian community. This has made my duties under the Act concerning recommendations a far less complex duty to perform.
- 271 As far as I see as relevant to this matter, I adopt recommendations 1, 5, 19, 21, 22, 37 to 42 inclusive, 48, 50, 61, 67, 68, 70, 77 and 119.<sup>66</sup>

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<sup>64</sup> The Report

<sup>65</sup> The Report at 640

<sup>66</sup> ‘the adopted recommendations’

272 I make further brief summaries of the adopted recommendations:

- (i) *Recommendation 1* - A stand-alone ministerial portfolio for domestic, family and sexual violence can only be beneficial in the long-term for people in Kobi's mother's situation.
- (ii) *Recommendation 5* - Concerning the Commissioner of Police elevating domestic, family and sexual violence portfolio to 'branch or service' level.
- (iii) *Recommendation 19* - The SA Government resource Family Safety Framework to 'build multi-agency responses to high risk and complex risk matters'.

I certainly believe Kobi's mother and Kobi were high-risk victims and would have been considered an appropriate example for this recommendation.

- (iv) *Recommendation 21* - This concerns enabling MAPS to have a powerful role of triaging cases and being a vital secondary support for local integrated response teams. This is subject to the introduction of a technological solution for information sharing between the agencies.
- (v) *Recommendation 22* - The SA Government develop a 'consistent model for community based, open door, domestic, family and sexual violence service hubs'.
- (vi) *Recommendations 37-39* - These concern recommendations to the Commissioner of Police regarding training programs for all officers (37); intensive ongoing training program for family violence investigators (38); and official recognition in the Annual Report from the Commissioner of Police to the Minister concerning domestic and family violence education and training (39).
- (vii) *Recommendation 40* - Resources for the Commissioner of Police and the DPP to 'collaboratively develop and implement an operating model for the investigation and prosecution of domestic, family and sexual violence offences'. This would be based on the United Kingdom Crown Prosecution Service model in this area.
- (viii) *Recommendation 41* - The Courts Administration Authority 'develop and implement regular and consistent education and training on the nature and dynamics of domestic, family and sexual violence'.
- (ix) *Recommendation 42* - SA Government through the Attorney-General confer regarding mandatory judicial education and training. I note that the State Government increased funding for the Courts Administration Authority in the State Budget delivered in June 2026.
- (x) *Recommendation 48* - Additional resources be given to the Child and Family Support Services. I acknowledge that this was not a specific issue in this Inquest.
- (xi) *Recommendation 50* - The Commissioner of Police be resourced to consider 'alternative help-seeking pathways for victims of family and sexual violence'.
- (xii) *Recommendation 61* - This concerns s 17 of the I/O Act regarding defendants and protected persons needing clear understanding of the terms of any order including its interaction with other orders concerning children made in the Family Court under the *Child Protection Act*.

I note here that Mr Shepherdson understood clearly the nature of his actions breaching the order and that Kobi's mother was clearly not as well-informed regarding court procedures.

- (xiii) *Recommendation 67* - SAPOL amend General Orders and Prosecution Practice Notes to ensure safety of children and their inclusion on IIOs.

I note here that the IIO appropriately named Kobi as a protected person.

- (xiv) *Recommendation 68* - The I/O Act be amended to include 'a rebuttable presumption that children should be included on intervention orders'.
- (xv) *Recommendation 70* - Section 46 of the *Criminal Law Consolidation Act* expand the list of circumstances concerning sexual activity without consent and section 34N of the *Evidence Act* be amended for directions to juries regarding domestic and violence related offences myths and misconceptions.
- (xvi) *Recommendation 77* - SA Government resource the Department for Correctional Services to develop intervention programs for prisoners on remand for domestic and violent offending.

Mr Shepherdson may have had an opportunity to genuinely reform his behaviour to Kobi's mother so that upon release a workable relationship between them concerning Kobi's parenting may have been achievable. I believe that the realistic prospects of that happening were very low given his known behaviour, however not totally implausible.

- (xvii) *Recommendation 119* - The Attorney-General is recommended to consult on reforms to require 'prior written notice of all bail applications'.

In due course I will recommend the same attention be drawn to applications to vary non-contact orders to allowable contact with protected persons.

## Hindsight and Outcome Bias

- 273 It is important to acknowledge hindsight bias and outcome bias. This is applicable for all witnesses and the assessment of decisions made by witnesses at crucial times.

### *Hindsight bias*

- 274 I refer to The Australasian Coroner's Manual for the definition of hindsight bias.

Hindsight bias is the tendency after the event to assume that events are more predictable or foreseeable than they really were. What is clear in hindsight is rarely as clear before the fact. If it were, there would be far fewer mistakes made. It is an obvious point, but one that nonetheless bears repeating, particularly when coroners are considering assigning blame or making adverse comments that may damage a person's reputation.

For example, in medical Inquests doctors are frequently criticised by grieving relatives for misdiagnosing patients whose signs and symptoms were non-specific or ambiguous. In hindsight it may seem obvious that a certain action should have been taken, but at the time it was, in fact, not nearly as clear.

Coroners should attempt first to understand the circumstances as they appeared *at the relevant time* to the people who were there. This is especially so if a coroner is contemplating making adverse comments about people involved in the event in question.

Hindsight, of course, is a very useful tool for learning lessons from an unfortunate event. It is not useful for understanding how the involved people comprehended the situation as it developed. The distinction needs to [be] understood and rigorously applied.<sup>67</sup>

### *Outcome bias*

275 This bias is the error of focusing on the outcome of Kobi's death, in particular as affecting the analysis of the logic and information used at the time a decision under scrutiny was made.

### **Summary of issues at Inquest**

276 In approaching my summary of the issues and the Finding from the Inquest I have been very careful to warn myself about hindsight bias and outcome bias. Kobi's death, in particular, an upsetting and terrible shortening of her life, can and did evoke strong emotions and reactions. It is especially important in these circumstances to acknowledge that and therefore be as diligent as possible in avoiding the pitfalls and unfairness that can be generated by these biases.

277 As I noted at the beginning of this Finding, a series of fundamental errors culminated or followed each other.

278 I simply summarise the issues in chronological order as follows, namely:

1. The erroneous DAR Assessments that never alerted anyone to the fact that Kobi and her mother were high-risk victims of his behaviour.
2. Mr Shepherdson was allowed almost unlimited opportunities to contact Kobi's mother via the PTS and was never detected in doing so.
3. SERCO failed to obey policy and protocols in contacting SAPOL after his attempt to contact her from the ARC by letter.
4. MAPS was never engaged or sought to be engaged on behalf of Kobi or her mother as the DAR Assessments never reflected the true danger that Kobi and her mother were in. Therefore, Kobi and her mother's situation may well have changed if the full explanation of MAPS had been available, including possible other support agencies.
5. The undetected criminal behaviour of breaching the order and committing more serious charges relating to witnesses<sup>68</sup> where the maximum penalty for such an offence is 10 years imprisonment.
6. The culmination of these circumstances allowed him to behave in a coercive and demeaning way to Kobi's mother as described in detail, to the extent of causing her to do everything she could to assist him in the background of her considering what she believed would be the best way for Kobi to be raised in the circumstances.

279 In light of those matters I raised above, I believe that Kobi's death was preventable.

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<sup>67</sup> The Australasian Coroner's Manual at 10

<sup>68</sup> *Criminal Law Consolidation Act 1935*, s 244

## Recommendations

280 I have decided to make my recommendations directly to the Premier and the Attorney-General on the basis that State Coroner Mr Mark Johns did in the Finding he made into the death of the late Zahra Abrahimzadeh due to her murder by her estranged husband in March 2010 in the background of domestic violence being committed by him upon her.

281 As earlier acknowledged, the obligation under the Act to consider recommendations has been made substantially simpler due to the Report.

282 As a matter of formality, I make the following recommendations, that include the adopted recommendations as set out earlier from the Royal Commissioner.

283 To the Premier, I recommend the following:

*One* That he consider the adopted recommendations from the Royal Commissioner namely, recommendations 1, 5, 19, 21, 22, 37 to 42 inclusive, 48, 50, 61, 67, 68, 70, 77 and 119. I recommend that recommendation 119 be applied to applications to vary intervention orders.

*Two* That the use of the prisoner telephone service for persons remanded in immediate custody be reviewed to concentrate on strategies and methods to prevent protected persons and alleged or proven victims of domestic violence from being contacted illegally via that service.

284 To the Attorney-General, I recommend the following:

*Three* That the interim intervention orders initiated by South Australia Police pursuant to s 18 of the *Intervention (Prevention of Abuse) Act 2009* be amended so as to allow the Magistrates Court of South Australia to be able to easily identify and consider any defendant's previous convictions for breaching intervention orders made under the Act or any corresponding Act in other jurisdictions.

*Four* That the DAR Assessment category of any proposed protected person be made easily identifiable to a court in any application for an interim or final intervention order under the *Intervention Orders (Prevention of Abuse) Act 2009*, together with any prior convictions of the defendant for violence.

*Five* A review of s 31(3) of the *Intervention Orders (Prevention of Abuse) Act 2009* to consider the desirability of a person in Kobi's mother's position of being excluded from the protection of that section because of a dependant child being a protected person on the same order. That is, the undesirability of any protected person losing the legal security of the section when the defendant's coercive behaviour causes that protected person to allow the defendant illegal contact with a dependant protected person on the same order.

I realise that this will be a difficult task given the reasonable point of view that the safety of a dependant child or dependant adult should be a high priority under this legislation. I also realise that it should be extremely rare for a protected person in the position of Kobi's mother to be subject to prosecution.

I still maintain that the recommendation is worthy to be considered despite there being no obvious solution that easily stands out to fit all protected persons in these circumstances.

285 To the Commissioner of Police, I recommend the following:

*Six* A review of the suitability of format and criteria of the DAR Assessment tool including a consideration that a domestic violence victim has the free choice whether to sign such an assessment to confirm correct factors have been selected. The reason for this proposed review is to ‘assist to ensure that an accurate risk assessment is completed and the investigation strategy managed accordingly’.<sup>69</sup>

*Seven* That a review be conducted to add a further check in a DAR Assessment concerning a suspect or offender’s criminal history has been reviewed.

*Eight* That SAPOL liaise with DCS to review the processes and practices for domestic violence alleged offenders or proven offenders in custody with respect to phone access and ability to call a domestic violence alleged victim or victim in the high-risk category.

286 To SA Water I recommend the following:

*Nine* That improvements be made to the safety aspects of the dam of the Whispering Wall site to prevent persons having the ability to commit suicide by falling from the top of the Wall. I acknowledge that this issue has been substantially addressed already.

## **Conclusion**

287 This was a difficult, harrowing examination in detail of a mother and child being subject to domestic violence and coercion by a manipulative, self-absorbed and dangerous man that resulted in Kobi’s murder. The deliberate choice to be as detailed as necessary about the relationship was designed to give a clear insight to South Australians of the insidious problem of domestic violence and the often-silent suffering of domestic violence victims.

288 In doing so, I appreciate that this detail could be read by Kobi’s mother and her family and friends and may cause them distress. I also extend my condolences to them, in particular Kobi’s mother.

289 It is sincerely hoped that the recommendations of the Royal Commission can cause substantial assistance to those in the position of Kobi and Kobi’s mother to ensure their safety and to prevent harm or another death to a domestic violence victim.

*Keywords:* Domestic Violence; Homicide; Suicide

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<sup>69</sup> Exhibit C41at 68