



SUMMARY OF OUTCOMES

POLICE RESPONSE REVIEW

FLOREAT – MURDER / SUICIDE

Report Date: 31 January 2025

BACKGROUND

On Friday 24 May 2024, Mark James BOMBARA murdered Jennifer PETELCZYC and her daughter Gretl PETELCZYC before taking his own life.

Jennifer was the best friend of Mark's wife, Rowena BOMBARA.

This incident is being investigated by the Homicide Squad, and a separate report will be prepared for the State Coroner.

Prior to the murders, Rowena and her daughter Ariel BOMBARA left the family home as they feared for their safety due to Mark's escalating behaviour and his access to firearms. This marked the beginning of Rowena's separation from Mark.

In the early hours of Sunday 31 March 2024, Rowena and Ariel attended the Mirrabooka Police Station to seek police assistance.

During Sunday 31 March 2024, Ariel had two subsequent telephone conversations with police.

On Monday 1 April 2024, officers attended at the BOMBARA marital home to assist Rowena and Ariel in retrieving some of their personal items.

Their contact with police over this period was the subject of the internal investigation.

TERMS OF REFERENCE

The intent of the investigation was to determine:

- What information was known to police, and when.
- Whether police actions complied with legislation, policy, and procedures.
- Whether the actions and decisions made by police were appropriate in the circumstances.

POLICE INVESTIGATION REPORT

This Summary of Outcomes is provided for public release.

The investigation report remains confidential as it contains sensitive and third-party information.

The investigation report has been provided to the Corruption and Crime Commission and to the WA Ombudsman, for them to carry out their oversight functions.

The report has also been provided to the Deputy State Coroner, who may choose to exercise her authority to convene an inquest into this matter.

Additionally, the investigation report has been presented to and discussed with the PETELCZYC and BOMBARA families.

EXECUTIVE SUMMARY

This was a complex matter with six distinct contact points;

- The initial attendance at Mirrabooka Police Station by Rowena and Ariel.
- A telephone call from Ariel to Perth Police Station, whilst she was still at Mirrabooka Police Station.
- A subsequent telephone call from Ariel to the Perth Family Violence Team.
- The triage process by the Fremantle Family Violence Team.
- The police attendance at the BOMBARA family home, to allow Rowena and Ariel to retrieve personal items.
- The inability of support services to contact the BOMBARA family to provide follow-up support.

The investigation team interviewed fifteen (15) officers who were involved in this matter.

A total of eight (8) officers have been found to have not performed their duty in accordance with policy or procedures, to varying degrees of seriousness.

These officers have all been subject to internal disciplinary action.

The investigation found that WA Police were warned on multiple occasions about the risk posed by Mark BOMBARA, and those warnings were legitimate.

The communicated risk factors included:

- The recent marriage separation.
- A fear that Mark was capable of murdering them.
- Mark's long history of perpetrating abusive, controlling and coercive behaviour, which was escalating.
- Mark's access to licenced firearms.
- Mark's history of not securing them appropriately.
- Concerns that one firearm could not be accounted for.
- That Mark's mental state was deteriorating, partly due to a recent minor stroke.

Furthermore, the attending officers at the Bombara family home failed to properly recognise and act upon additional risk factors.

The first key finding of the investigation is that officers did not correctly assess the risk therefore available powers under the *Restraining Orders Act 1997* and the *Firearms Act 1973* were not exercised appropriately.

A correct risk assessment by the involved officers would have provided sufficient grounds to issue a 72hr protective *Police Order* to Mark BOMBARA. This power extended to seizing his firearms pursuant to powers in the *Firearms Act 1973*.

The second key finding is that insufficient action was taken by police to explore whether Mark BOMBARA was a *fit and proper person* to hold a firearms licence or to continue to possess firearms based on medical grounds, despite police being advised of his deteriorating medical condition by the family.

The third key finding is that insufficient action was taken by police to identify and investigate alleged firearms offences, which included a report of an unsecure firearm.

The investigation team have made 18 recommendations aligned to the four (4) Reform Pillars articulated within the Government of Western Australia, Family Violence Taskforce, Family and Domestic Violence System Reform Plan.

CONCLUSION

WA Police attended approximately 60,000 Family and Domestic Violence related matters in 2024, often involving dangerous and complex circumstances. Whilst officers endeavour to make the best decision every time, the consequences of wrong decisions can be catastrophic. Police systems, policies and procedures must provide clarity to officers so they can make the best decision in every circumstance.

WA Police have completed eleven (11) of the recommendations and are progressing well with the remaining seven (7). We are committed to implementing all eighteen (18) recommendations supported by the highly valued input and guidance from specialist women's domestic and family violence services and those with lived experience.

The BOMBARA and PETELCZYC families have met with the Commissioner of Police to discuss the outcomes of this investigation.

The Commissioner has personally apologised to the families for the shortcomings of the police response.

Family and Domestic Violence is a severe and pervasive community issue that affects individuals, families, and our community. Early reporting of Family and Domestic Violence requires confidence in the system. All relevant agencies and services are committed to providing a safe environment for victims to report violence at the earliest opportunity.

Repeat offenders who cannot demonstrate a change in their behaviour have no place in our community and police will always recommend to the courts that they remain in prison.

RECOMMENDATIONS

Context - Recommendation 1: The investigation identified officers did not correctly assess the risk, therefore available powers under the *Restraining Orders Act 1997* and the *Firearms Act 1973* were not exercised appropriately.

Recommendation 1 - Risk Management

This investigation supports the Firearms Act 2024, preventing access to firearms by persons who pose a risk of violence, family violence or intimidating behaviour (anticipated to take effect in March 2025). Agency expectations were detailed in an Internal Broadcast to the workforce.

The new laws will simplify decision making for frontline officers when taking reports of Family Violence, providing greater protection for victims and the community, with particular focus on consideration of risk to maximise *Police Order* use.

STATUS: Complete (new laws to take effect March 2025)

Context - Recommendation 2: A systems issue was identified regarding the format of how WA Police electronically share Family Violence (FV) report information with partner and support agencies. In this instance it resulted in an alternative telephone contact number for a victim not being provided. The provision of all available victim contact details is critical to ensuring victim support is provided in a timely manner.

Recommendation 2 - Information Sharing

The published Family Violence Incident Report (FVIR) - Risk and Behaviour Questions (under “FV Info”) does not include *Parties Involved – Notes* details.

Agency expectations were detailed in an Internal Broadcast to the workforce, ensuring correct contact details for all involved persons are properly recorded.

It is further recommended that WA Police upgrade police systems to include *Parties Involved – Notes* details when publishing incident reports to partner agencies.

STATUS: Complete (system change to take effect mid 2025)

Context - Recommendation 3: This recommendation promotes an increased focus on to how to correctly interpret and use current legislation, and the implementation of a thorough education process for the new legislative amendments, due in March 2025. This is to ensure WA Police are maximising victim and community safety.

Recommendation 3 - Workforce Development

This investigation recommends a greater focus on firearms awareness and the application of current firearms seizure powers until the enactment of legislative amendments.

It further recommends the continued implementation of the Communications and Education Strategy to familiarise officers with the new legislative changes.

STATUS: Complete

Context - Recommendation 4: This recommendation allows frontline officers to obtain specialist FV support and advice on a 24/7 basis from the WA Police State Operations Command Centre (SOCC).

Recommendation 4 - Workforce Development

This investigation supports the initiative announced by Internal Broadcast that a Family Violence (FV) Coordinator will be available in the State Operations Command Centre (SOCC) for frontline officers on a 24/7 basis commencing 2 August 2024.

This investigation also recommends the development and communication of processes that clearly articulate the role and function of the SOCC FV Coordinator, and the circumstances when frontline officers *must* contact this position.

STATUS: Complete

Context - Recommendation 5: This recommendation seeks to improve information sharing between WA Police and the Department of Health to assess the suitability of a person to hold a firearms licence (in a similar manner to what is already in place for drivers' licences).

Recommendation 5 - Information Sharing

This investigation recommends the continuation of existing programs (including the creation of a data platform to flag licenced firearms holders) to improve disclosure processes and the sharing of risk related medical information between WA Police and the Department of Health - pursuant to section 23B of the *Firearms Act 1973*.

STATUS: In Progress

Context - Recommendation 6: This recommendation is designed to act as an additional safety net to ensure that all (adverse) police interactions with licenced firearms holders are triaged and assessed for risk by specialist officers.

Recommendation 6 - Risk Management

This investigation supports the initiative by WA Police to undertake daily intelligence searches to identify risk and to triage any police interactions with firearms licence holders.

STATUS: Complete

Context - Recommendation 7: Firearms licencing, including any associated licence restrictions or conditions, is a complex area. This recommendation will allow frontline officers to access specialist advice and assistance on a 24/7 basis.

Recommendation 7 - Workforce Development

This investigation supports the initiative announced by Internal Broadcast which provides for a 24/7 On-Call Officer to provide specialist firearms licencing advice to frontline officers, commencing 14 June 2024.

STATUS: Complete

Context - Recommendation 8: This recommendation seeks to address an identified system issue that allows supervisors to approve their own incident reports. This reinforces the importance of an *independent* quality assurance process.

Recommendation 8 - Risk Management

Independent Supervisor Reviews – it is recommended that all submitted FVIR's are approved by an *independent supervisor* and the WA Police *Supervisor Checklist for FVI* should be updated to reflect this requirement.

Agency expectations were detailed in an Internal Broadcast to the workforce, reminding officers who submit FVIRs to obtain independent review and approval.

It is further recommended that WA Police upgrade police systems to ensure only *independent supervisors* can approve incident reports.

STATUS: Complete (system change to take effect mid 2025)

Context - Recommendation 9: Currently, officers are required to activate their Body Worn Cameras (BWC) when *attending* a Family Violence (FV) complaint. This recommendation expands this requirement to also include BWC use during any *attendance at a police station* to report an FV matter (with victim consent). This is to ensure the capturing of best evidence, to improve quality assurance, and to enhance risk management.

Recommendation 9 - Workforce Development

To capture best evidence and to enable independent review, this investigation recommends a change to the use of Body Worn Camera (BWC) within the FV policy to require the BWC or OneForce phone recording (*by consent*) of all *police station reported* FV incidents, as is currently occurring for *police attended* FV incidents.

Agency expectations were detailed in an Internal Broadcast to the workforce.

STATUS: Complete

Context - Recommendation 10: It is recognised that some victims may be more comfortable reporting FV matters in a non-police setting. This is intended to supplement and not replace traditional reporting methods.

Recommendation 10 - Risk Management

This investigation supports collaboration with partner agencies to develop and implement a Multi-Agency Contact Centre (MACC) capability. This will serve as the ingress into Human Services responses including Family Violence support, to provide appropriate support to victim survivors and an *Alternative Pathway to Reporting Family Violence*.

STATUS: In Progress (Family and Domestic Violence (FDV) Taskforce, Risk Management Working Group)

Context - Recommendation 11: Safety and Support for victims are paramount during 'FV standby tasks'. Proposed changes are designed to provide better guidance to officers and to improve victim safety.

Recommendation 11 - Risk Management

This investigation recommends a review of Standard Operating Procedures (SOP's) for FV standby tasks to better identify and manage risk. This may include a change in terminology. This review should consider standard list actions, so officers respond to evident risk indicators, do not allow victims to enter a premises until it is appropriately secured, and the risk is mitigated to an appropriate level. This review should also consider the issuance of a short duration *Police Order* (where appropriate) and the securing of any licenced firearms.

STATUS: In Progress

Context - Recommendation 12: This recommendation looks at incorporating lessons learned from this matter into police training for both new recruits, and for serving officers. This extends into any linked policies and procedures.

Recommendation 12 - Workforce Development

This investigation recommends that lessons identified from the police attendance at the Bombara home are incorporated into Police Academy Training Packages and used to improve policies and procedures (where applicable).

STATUS: In Progress

Context - Recommendation 13: This recommendation focuses on maximising (wherever possible) the access by junior staff to appropriate supervision and more experienced officers for support and advice.

Recommendation 13 - Workforce Development

WA Police should endeavour (through rostering and deployment practices) to enhance the level of experience and supervision of Primary First Responder vehicles where possible.

STATUS: Complete (Primary First Responder retention initiatives ongoing)

Context - Recommendation 14: The investigation identified that whilst direct threats or the commission of offences (such as breaching protective orders or assaults) were effectively managed by the current FV triage process, improvements can be made to the triage process where there is a strong perceived risk.

Recommendation 14 - Risk Assessment

This investigation recommends a review of the FV risk management process (at the initial triage stage), focussed on category allocation, to ensure that it effectively manages perceived risk, in addition to identified offences and threats.

The investigation supports work of the Family and Domestic Violence (FDV) Taskforce, Risk Assessment Working Group.

STATUS: In Progress (Family and Domestic Violence (FDV) Taskforce, Risk Assessment Working Group)

Context - Recommendation 15: WA Police categorise Family Violence (FV) incidents under a three-tiered system which is managed by the Department of Communities. This recommendation ensures WA Police take proactive investigative action for all firearms related matters throughout an FV incident, regardless of the circumstances, and ensure the FDVRT triage process can provide maximum specialist support to victims in concert with Police. As the current matter involved police officers from three different police districts, this recommendation also formalises responsibility for managing similar matters where multiple districts are involved.

Recommendation 15 - Risk Management

This investigation recommends that all FVIR's involving firearms (licenced or otherwise) must be proactively managed by WA Police. An FVIR involving firearms, is to be allocated a *Category One* status for the purposes of the FDVRT triage process.

The investigation of an FV incident involving firearms will remain with the Police District taking the report, until formal responsibility is accepted by another business area.

STATUS: Complete

Context - Recommendation 16: WA Police attend (approximately) 60,000 FV related matters per year. These are often outside of business hours. This matter was initially reported over the Easter Long Weekend where there was limited access to support services. This recommendation seeks to improve access to these support services, which will improve outcomes for victims.

Recommendation 16 - Workforce Development and Risk Management

It is recommended that WA Police continue to advocate with the Department of Communities (and other external stakeholders), as well as the FDV Taskforce Pillar, Risk Management Working Group to provide FV related coverage and support on a 24-hour, 7 day a week basis.

STATUS: In Progress (From 2 December 2024, Department of Communities (DoC) staff situated with the SOCC FV Coordinator, 7 days per week)

Context - Recommendation 17: This investigation identified that support services were unable to contact the Bombara family. This recommendation relates to improvements in communication and processes (between agencies) to ensure that support services are offered in all instances.

Recommendation 17 - Risk Management

This investigation recommends that when a partner agency's post triage team is unable to contact a family violence victim, the case should be referred back to the FDVRT to take positive action to locate the victim, to enhance victim safety and their access to support services.

STATUS: Complete

Context - Recommendation 18: This recommendation relates to the *Central Triage Model* which is currently being implemented.

Recommendation 18 - Information Sharing

This investigation supports the work of the FDV Taskforce Pillar, Information Sharing Working Group to streamline and improve collaboration and communication between the relevant stakeholders.

This investigation supports the implementation of the *Central Triage Model*, commencing from 3 February 2025.

STATUS: In Progress (Family and Domestic Violence (FDV) Taskforce, Information Sharing Working Group and the Risk Management Group)