

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 5426/09

Inquest into the Death of LYNETTE ANN KENT

Delivered On: October 18, 2011

Delivered At: Coroners Court of Victoria
Level 11, 222 Exhibition Street
Melbourne 3000

Hearing Dates: October 18, 2011

Findings of: JUDGE JENNIFER COATE

Place of death: 1 Winter Court, Mill Park, Victoria 3082

Police Coronial
Support Unit (PCSU): Sergeant Tracy Weir

FORM 37

Rule 60(1)

FINDING INTO DEATH WITH INQUEST

Section 67 of the Coroners Act 2008

Court reference: 5426/09

In the Coroners Court of Victoria at Melbourne

I, JUDGE JENNIFER COATE, State Coroner

having investigated the death of:

Details of deceased:

Surname: KENT

First name: LYNETTE

Address: 1 Winter Court, Mill Park, Victoria 3082

AND having held an inquest in relation to this death on October 18, 2011
at Melbourne

find that the identity of the deceased was LYNETTE ANN KENT¹
and death occurred on 19th November, 2009

at 1 Winter Court, Mill Park, Victoria 3082

from

1a. MULTIPLE STAB INJURIES²

in the following circumstances:

1. Lynette Ann Kent ("Lyn")³ was 52 years old at the time of her death. She was the mother of three adult children, with whom she had a warm and close relationship. Lyn was generally described as a friendly and fun loving person who enjoyed contact with her family and friends.
2. At the time of her death, Lyn had been in a 10 year relationship with Peter Griffin (herein referred to as Peter). The couple met in 1999 and approximately 12 months into their relationship, Peter moved into Lyn's home at 1 Winter Court, Mill Park.
3. The relationship between Peter and Lyn reportedly commenced well. However, over the years that the couple were together, those closest to Lyn stated that a number of issues and problems began to emerge. Whilst some witness statements provided in the Inquest Brief did not

¹ Identified visually by Sharon Hughes on November 19 2009

² Autopsy report of forensic pathologist Dr Michael Burke acknowledged March 30 2010

³ Advice and permission was sought from the family in attendance at the inquest as to how to refer to Lynette Ann Kent and this form of address was their wish.

record anything untoward, others described Peter's behaviour towards Lyn as being nasty and belittling. The material also outlines observations of physical violence perpetrated by Peter toward Lyn.

4. The Inquest Brief described a history of Peter's former relationships, including his previous marriage. In addition, Peter's records held by Corrections Victoria⁴ were obtained and tendered into evidence at inquest. This material indicates that Peter was a possessive and controlling person in his intimate partner relationships, with a documented history of family violence recorded.

5. Peter had a criminal history for assault, stalking and breach of intervention order in his previous relationship. This included the serious physical assault of the new partner of his former girlfriend which resulted in the victim being hospitalised. His Corrections Victoria file contained a history of stalking behaviour in at least two previous intimate partner relationships. This file also notes Peter previously threatened suicide in the context of a relationship breakdown, resulting in his overnight hospitalisation. This had occurred approximately a decade prior to his death.

6. The evidence collected during this investigation also documented a pattern of behaviour demonstrated by Peter in the wake of relationship breakdown. This included stalking, threats, violence and unpredictable behaviour toward his former partners.

7. Throughout his relationship with Lyn, Peter was at times overheard yelling at her, as well as making belittling and derogatory remarks about her in front of others. Lyn's neighbour and close friend, Sharon Hughes, stated that she had twice observed Peter being physically violent toward Lyn, once pushing her and once throwing something at her. Ms Hughes stated that she had also seen Lyn with bruising, although Lyn had not attributed this to physical violence perpetrated by Peter.⁵

8. Physical violence was observed by Lyn's daughter Lauren. Her statement indicates that when she was about 16 or 17 years of age, she had witnessed an incident wherein Peter had punched Lyn in the face. Lauren stated that her mother would not let her ring the police at the time and that, further, Lyn had made her promise not to tell anyone that this had occurred.

9. The evidence was that money was a constant source of tension between Lyn and Peter. There is considerable evidence that Peter had a chronic gambling habit and consequently had little in the way of assets or financial reserves.

⁴ Exhibit 3

⁵ Inquest Brief; Exhibit 1

10. Lyn had previously been in receipt of a pension, but in the earlier part of 2009, she commenced some casual part-time work with a firm of undertakers to supplement the household income. She had taken up this employment in about July 2009. This job was a source of tension between Peter and Lyn, both the nature of it and the fact of it.

11. In the course of her employment, Lyn met a man called Brian Lloyd, with whom she developed a close friendship. This was reportedly a very positive situation for Lyn, with Lyn's daughter Kristy describing her mother as 'over the moon' about Brian. The evidence is that about six weeks before her death, Lyn's friendship with Brian grew into a relationship. Around this time, Lyn told Peter that their relationship was coming to an end and she asked him to make arrangements to move out of the house in Winter Court, Mill Park.

12. Knowing that Peter had nowhere to go and little in the way of financial reserves, Lyn agreed for him to stay in the spare room in her home for a few weeks. The evidence is that Lyn eventually told Peter he could have until Christmas to find somewhere else to live.

13. Lyn did not directly disclose her new relationship with Brian to Peter and, in fact, she made efforts to ensure that their contact was discreet. To this end, she had taken the precaution of recording Brian in her mobile telephone under the female name of 'Deb.' However, it would appear that Peter had begun checking Lyn's mobile phone and following her, seemingly based upon his suspicions that she was involved in another relationship. At one stage he had attempted to borrow money in order to purchase a listening device to further these efforts.

14. Brian stated to police that Lyn had told him she was having considerable difficulty with Peter during the weeks preceding her death. She indicated that she was receiving distressing phone calls from Peter in which he was threatening to hang her and himself. Brian's statement also reveals that Lyn would sometimes put her phone on loud speaker so that he could hear what Peter was saying. His assessment was that Peter seemed 'obsessed' with Lyn.

15. Brian described an incident that occurred on the Saturday before Lyn's death. He and Lyn were leaving work and travelling in separate cars behind each other. Brian observed Lyn pull over in her car and, assuming she must have forgotten to tell him something, Brian also pulled over. According to Brian, the next thing he saw was a man stop his car in the middle of the road and hurriedly approach him in a highly agitated state. That man was Peter. Brian described Peter as acting 'like a mad man' and being out of control. He was insistently demanding to know who Brian was. Appraising the volatility of the situation, Brian did not state his correct name, but instead managed to persuade Peter that he was someone else and denied any personal involvement with Lyn. Peter was seemingly convinced and allowed Brian to leave. Clearly, by the time this incident had occurred, Peter had enough information to know that Lyn was involved with another man.

16. The day after the abovementioned event, Lyn received a phone call from Peter who was in a highly agitated state. During the call, Peter stated that he was going to kill Brian, Lyn and then himself. He told Lyn he had already made a noose and that it was located in the shed. This exchange was overheard by Sharon Hughes who described Peter's tone as 'hysterical and extremely angry.'

17. After this conversation had ended, Ms Hughes and Lyn looked in the shed and found a noose which they removed and hid in Ms Hughes' home. Ms Hughes stated that at this time she encouraged Lyn to contact the police, but Lyn told her she could handle Peter. However, it appears that Lyn had previously given some consideration to police involvement in the situation. Specifically, Lyn's daughter Kristy stated that her mother had told her she had contemplated obtaining a 'restraining order' against Peter, but that he had cried and had begged her not to and, thus, no further action was taken.

18. In the days leading up to 19 November 2009, Peter informed Lyn that he was depressed and stated that he was going to the doctor to get some medication. He gave no indication that he had accepted the end of their relationship, but instead expressed his wish to reconcile and marry.

The last night

19. On the evening of 18 November 2009, Lyn attended a social function with Brian. She had taken the precaution of having her neighbour drive her away from the house in order to meet with Brian. The evidence is that during that evening, Peter repeatedly contacted Lyn, wanting to know when she was coming home. Brian heard some of these calls and described Peter's tone as aggressive. Brian recalled that Lyn believed Peter had been drinking.⁶

20. At approximately 11pm on 18 November 2009, Brian dropped Lyn near her home. He later sent a number of text messages to her, but did not receive an immediate reply. This was said to be unusual. Brian informed police that he did get a response at around 11.50pm, but he did not believe it was from Lyn as it contained none of her characteristic responses. Lyn made no further contact with Brian or any friends or family members after this time.

21. The following morning, Lyn's daughters and her employer were unable to raise her by telephone. This was cause for concern and prompted Lyn's daughter Kristy to attend her mother's home at approximately 9.30am. Kristy attended with her partner Aaron Thompson and entered the premises with a key. Here, Kristy found Peter deceased and hanging from a ceiling rafter, and her mother Lyn deceased in her bed.

⁶ On post mortem examination Peter had a Blood Alcohol Content of 0.01 g/100ml, which for the purposes of comparison is twice the legal limit to drive. Reference to his drinking is made in the notes found on police examination of the scene.

22. Ambulance and police were called to attend and did so. Upon arrival it was clear to the paramedics that both Lyn and Peter were deceased and consequently no life saving attempts were made.

23. Upon examination of the crime scene, police found no evidence of any struggle in the house and no signs of forced entry through windows or doors.

24. The police found several notes in the kitchen that had been written by Peter. The content of these notes included an apology to his brother and an expression of love toward him. These notes indicated that Peter had taken his own life.

25. The notes found in the kitchen also referred to Lyn as being with her own mother and resting in peace. There was also a reference made by Peter to him wishing to avoid jail.

26. Upon searching the premises, police located Lyn deceased in bed with a number of observable stab wounds to her body. Police observed writing on her arm made in black permanent marker which read 'Love you always Pete xxx'.

27. The Inquest Brief contains evidence that on the evening of 18 November 2009, neighbours observed Peter on two occasions sitting in the driver's seat of his car staring blankly and unresponsive to their greetings.

28. Also contained in the Inquest Brief is a statement from Peter's former partner, Lisa Russell. She stated that she received a number of telephone calls from Peter in the early hours of 19 November 2009. When she spoke to him, he told her that Lyn was 'out of my life forever now,' that his life was over, and that he was going to end it. Ms Russell stated that she did not contact the police as she did not believe Peter. She advised him to go to bed and call her again the following day. This is the last known contact anyone had with Peter.

29. From an examination of the entirety of the crime scene, police concluded that Peter had fatally stabbed Lyn whilst she was in bed and thereafter took his own life by hanging himself from the ceiling rafters.

Systemic Review of Family Violence Deaths

30. The investigation into the circumstances in which Lyn and Peter's deaths occurred was examined as part of the systemic review of family violence related deaths. This review was assisted by the specialised case investigators in the Coroners Prevention Unit.⁷


31. Consequently, in the course of the coronial investigation, a statement was obtained from the general practitioner who treated both Peter and Lyn.⁸ The doctor supplied a short report in which it was noted that Lyn was always 'a happy and bubbly lady' and never complained of any 'mental stress' or domestic violence. The same report noted that 'Peter came across as a quiet man, who did not speak much.' The report noted that Peter had never reported any mental health issues as far as the doctor was aware.

32. The investigation into the circumstances in which Lyn's death occurred revealed that despite a number of people suggesting to her that she seek the assistance of the police in respect to her exposure to family violence, she did not pursue this option. Lyn had stated on several occasions that she thought she could handle Peter and that going to police would only make things worse for her. The investigation also revealed that Lyn did not make contact with any primary domestic violence crisis service in the state. The investigation did not reveal any evidence that Peter had sought the assistance of any agency or service to assist him.

Conclusion

I find that Lynette Ann Kent died as a result of stab wounds inflicted upon her by Peter John Griffin who thereafter took his own life.

Signature:



Judge Jennifer Coate
State Coroner
Date: October 18, 2011



⁷ Positioned within the Coroners Court of Victoria, the VSRFVD provides assistance to Victorian coroners to investigate the circumstances in which family violence-related deaths occur. Where appropriate, the VSRFVD assists the coroner to make comments and recommendations aimed at preventing and reducing family violence in Victoria.

⁸ Exhibit 2