

18 November 2021

Detective Inspector Lewis Warner  
Crime Manager  
Bay of Plenty DISTRICT CIB

Simon Sinclair  
Senior Sergeant  
Family Harm Coordinator  
Bay of Plenty District

**RE: Police Family Violence Death Review (PFVDR) – Malachi Rain SUBECZ**

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**1. INTRODUCTION**

The Police Family Violence Death Review (PFVDR) into Malachi's SUBECZ's death was commenced on 18 November 2021. As District Family Harm Coordinator, I will lead the PFVDR, further assistance of the report will be provided by Detective Sergeant Natalie FLOWERDEW-BROWN, O/C investigation and Detective Constable Rebekka Still, Homicide file manager.

Police policy specify the PFVDR is to be completed within 120 days from date of death, due date for this report is 28 February 2022.

The victim in this matter is Malachi SUBECZ, a male born on 28 September 2016, he was 5 years old at the time of his death. The accused is Michaela BARRIBALL, Malachi's legal caregiver at the time.

Malachi died in Starship hospital on 12 November 2021 as a result of injuries inflicted on him by Michaela. The autopsy stated the preliminary cause of death was blunt force trauma to the head. The circumstances surrounding this will be detailed in section five of this report.

A homicide investigation into Malachi's death was commenced on the date of his death, 12 November 2021, it is currently on going, but to date it has resulted in the charges of Ill-treatment/Neglect Child under 18 years, Injuries Intent to Injure, Wounds Intent to Injure and Murder being laid against Michaela BARRIBALL.

Michaela BARRIBALL is currently on remand at Christchurch Women's Prison, her next Court appearance is for a Case Review Hearing on 6 April 2022.

Recommendations that arise from this report will be addressed in sections seven and eight.

**2. REVIEW PURPOSE**

The purpose of this report is to:

*To assist in the prevention of future family violence [deaths] by constructively analysing the family violence history of the victim, the offender and their families as known by Police and identifying and assessing*

*any omissions, actions and/or interventions taken to address any family violence related concerns.*

*The analysis of this information is so that we can identify any omissions, actions or processes that could have prevented the death so that any improvements to practices and procedures, including those agreed with other agencies can be identified and considered for implementation:*

*Benefit points of this review is:*

- **Learning:** systems approach to review that encourages a learning environment
- **Safety:** a quality process that reviews Police responsiveness to victims and the ongoing safety of victims (current and future)
- **Evidence:** contributes to evidenced based family violence policing
- **Prevention:** informs District and National family violence prevention strategies

This PFVDR will be disclosed to the Family Violence Death Review Committee (FVDR) for the purposes of sharing and analysis of death review information and to assist their review processes into the same death(s).

### **3. REVIEW METHODOLOGY**

I will review the New Zealand Police and supporting agencies involvement with the victim, Malachi, the victim's biological mother, Jasmine COTTER, and his caregiver at the time of his death, Michaela BARRIBALL.

This will include a review of the Family Violence History, Police involvement with either of the parties and any other information held by police relevant to the review process.

Meetings will be arranged with parties involved in the review process and will be conducted as required. Detective Sergeant Natalie FLOWERDEW-BROWN and I will review the final report and agree on any recommendations prior to forwarding to the Bay of Plenty Crime Manager.

The final report will be forwarded to District Crime Manager for review and forwarding to Regional Detective Superintendent, District Commander and Family Violence Coordinator National Prevention Centre at PNHQ.

Participants, District and Family Violence Death Review Committee advised of outcomes and actions (post submission).

### **4. VICTIM AND OFFENDER DETAILS**

**Victim:**

**Full name:** Malachi Rain SUBECZ

**DOB:** 28 September 2016

**DOD:** 12 November 2021

**Address:** Redacted to protect privacy

**Ethnicity:** Redacted to protect privacy

**Place of Birth:** Waikato Hospital, Hamilton

**Offender:**

**Full name:** Michaela BARRIBALL

**DOB:** Redacted to protect privacy

**Address:** Redacted to protect privacy

**Ethnicity:** Redacted to protect privacy

**Employment:** Redacted to protect privacy

Redacted to protect privacy

Redacted to protect privacy

## 5. OC HOMICIDE INFORMATION

On 22 June 2021, Malachi's biological mother, Jasmine COTTER was charged Redacted to protect privacy

On 5 August 2021, Jasmine was sentenced to Redacted to protect privacy. This is Jasmine's only criminal offending, she had no previous history prior to this.

Redacted to protect privacy

At the time of Jasmine's arrest, and at the request of Michaela BARRIBALL, Malachi was placed in the care of the Michaela.

On 13 September 2021, Malachi's care arrangements were formalised in the Tauranga Family Court, with Michaela being temporarily appointed as Additional Guardian, until a full hearing was to be held on 1 November 2021.

Michaela was resisting applications being made by Malachi's biological family, who predominately resided in Wellington, to care for him.

On 3 September 2021, a portable cabin was placed at the rear of Michaela's family address on Redacted to protect privacy. This is where Michaela and Malachi resided together.

At the time, Michaela was in a volatile relationship with her partner, Redacted to protect privacy

Although Redacted to protect privacy, prohibited Redacted to protect privacy from staying at the property, he would frequently park his car nearby and stay the night with Michaela.

Redacted to protect privacy, also resided in a caravan at the family address while his three children, aged 5 to 10, who resided in the main house with Redacted to protect privacy.

The cabin had power, but no running water so Michaela and Malachi showered and ate in the main house.

Michaela was unemployed, she was receiving money each week from the Ministry of Social Development for taking care of the Malachi.

Michaela enrolled Malachi at Te Puna Primary School with a start date of Term Three of the school year. On 24 September 2021, Michaela took Malachi for a scheduled before-school visit to the school. He was scheduled to have one further visit but never attended. This is the only time he was ever at the school. He wasn't brought back when he was due to start his schooling.

### **Injuries – 24 September 2021**

At the visit on 24 September at Te Puna School, a teacher aide [Redacted to protect privacy] was present in the classroom where Malachi was completing his visit. In that visit she observed the slimness of Malachi and bruising around his eye and on his forehead.

On 27 September 2021, Michaela dropped Malachi at his day care facility situated in Brookfield, Tauranga. Malachi's hairstyle had been changed, with his fringe pulled over his forehead.

He had a cluster of bruises under his chin, a scratch on his left mandible, a large swelling on his forehead (which his hair had been pulled over), and a progressively blackening left eye.

Michaela was spoken to by the day care staff, she told them Malachi had fallen off his bike and had also fallen during the weekend. The staff asked him if he had fallen off his bike, to which he replied "No".

Twice, while day care staff were attending to his injuries, he told them that Michaela was going to be mad at him.

On 28 September 2021, Malachi's 5<sup>th</sup> birthday, Michaela dropped him off at his day care. The following day (29 September), she delivered him to the day care for the final time even though he had been booked to attend until 15 October 2021, the Friday before the new term started, but never returned. The day care assumed he had started school.

When spoken to later as part of the investigation into Malachi's death, day care staff reported he was a normal child, not accident prone, and was toilet trained.

[Redacted to protect privacy]

[Redacted to protect privacy]

### **Text messaging – 12 October 2021**

On 12 October 2021, Michaela sent [Redacted to protect privacy] a series of messages summarised as follows:

- *Malachi had almost urinated himself*
- *She hated his guts*

- 'I'm more scared I'm gonna kill him if he don't watch it seriously'
- 'This is why I don't have any kids yar I'm thinking too much but it's the truth'
- 'I'll never be a good mum'
- 'Yea everyone always sorry for him but not for me. I'm gonna fuck him up badly ugly cunt taking my all everyone from my life g'
- 'You like him more then me yar that's not fair he's taking everyone from me the ugly fucker'
- 'I'm dropping this nigga too you'
- 'I don't want him here or near me'
- 'He's again piss and shit himself'
- 'I can't handle him seriously'
- 'I think I kill him yar'
- 'He not breathing'
- 'Yaaaar fuck he's not breathing yar'
- 'I'm being honest it's not a joke'
- 'Ambulance coming'
- 'And Police'
- 'I hope you find someone who will be good for your life'
- 'I'm fucked now'

**Redacted to protect privacy** replies:

- 'He will help us to u Our life honey'
- 'We get meri residency behafe or him'

As part of the subsequent investigation into Malachi's death it was determined no calls were made to Police or Ambulance from the address that day.

**Redacted to protect privacy**

[REDACTED]

Between 16 and 25 October 2021, **Redacted to protect privacy** was away from Tauranga with her brother's youngest child. Michaela's brother was working, so care of his other two boys, aged 9 and 10, outside of school hours, was left to her.

In an evidential interview conducted with **Redacted to protect privacy**, on 22 December 2021, he stated to Oranga Tamariki interviewer that during that time he observed Michaela bathing Malachi and during that bath, grabbing the back of his hair and holding his face and head under the water.

### **Injuries – 18 October 2021**

On 18 October 2021 the school term started, that day Malachi and both the other children that had been left in Michaela's care were absent from school.

Sometime before 9.40am Malachi soiled himself and was given a 'growling' by Michaela. She moved Malachi into the shower in the main house and the hot water was left running.

The hot water at the showerhead has since been measured at 73 degrees centigrade. The showerhead itself was plastic coated with chrome plating and able to detach from the holder. When the hot water is left running the showerhead itself has been measured to reach 73 degrees centigrade.

During the shower Malachi's forehead and abdomen were burned. The forehead burn has been described as about the size of an adult finger near his hairline and the abdomen burn was an irregularly shaped, large, deep, and blackened injury about 13cm across over a large part of his abdomen.

Michaela carried Malachi from the shower and left him screaming on a sheet in the house. Later that day Michaela sent [redacted to protect privacy] a series of messages summarised as follows:

- *'I don't know what to do for this boy yar'*
- *'He's in to much pain and can't take him to hospital'*
- *'I can't take him hospital they gonna think I beat him and I don't even touch him'*
- *'I don't know what I should do yar buggi'*
- *'I'm so fucked if at him yaar'*
- *'He should be in hospital'*
- *'Nhi he just quiet on the couch'*
- *'But looks soo sad'*
- *'Aho I'm ok his mum asking for video call but when she ring then I'll say her no data'*
- *'2 weeks then final hearing'*

Michaela told [redacted to protect privacy] she had given Malachi paracetamol and asked for him to buy arnica cream. She said she was going to put the victim on cool water with cling wrap on him.

On 19 October 2021, Michaela sent [redacted to protect privacy] a series of messages summarised as follows:

- *'Fuck man I'm not much anger on this boy and I can't calm myself but I'm trying I just wanna take him hospital I don't care if I go jail yar I deserve to'*
- *'Yeah I'm just trying to do his sores yar'*
- *'I'm gonna kill that cunt if I ever see his ugly duckling face again'*
- *'Winz give me money for gas I'm taking this fucker back to Wellington today. And you can leave me alone as well. You telling me go a ring the cops on me?'*

She messaged her sister:

- *'I wanna take him to hospital but I'm fucking scared asf man'*

On 20 October 2021, Michaela sent her father messages that included:

- *'aven't taken him to hospital cause [redacted to protect privacy] told me not to cause of the bruises on his face from bumping into shit would make it look bad for me'*
- *'I just don't wanna get in trouble that's all'*

Her father messaged for her to take him to the doctors, she replied:

- *'Yeah I'm waiting for his bruises to go away from his face cause they not gonna believe me if I tell them he walks into stuff'*

Her father suggested that she use Aloe Vera on Malachi's burns but did not call for medical assistance.

On 21 October 2021, Michaela sent [redacted to protect privacy] a series of messages summarised as follows:

- *'I think it's getting worse bub'*
- *'I just wanna kill myself to see him like this'*
- *'Baby he crying too much yar'*

She messaged her sister:

- *'Naah nothing much just chilling lol. Fuck I'm worried about this boy man.'*
- *'I seriously have no clue what to do?'*

She messaged her father:

- *'How do you apply the aloe vera dad?'*
- *'His head is turning into a scab do I have to clean it?'*

On 22 October 2021, Michaela sent [redacted to protect privacy] a series of messages summarised as follows:

- *'Aho dumb cunt piss on the floor by the fridge dumb cunt'*

On 23 October 2021, Michaela took Malachi to a family function at a restaurant in Mount Maunganui, he was in obvious pain. Michaela is recorded on CCTV carrying him into the restaurant with the hood of a sweatshirt pulled over his head and the fringe of his hair pulled forwards over his forehead. When he walked out of the restaurant he was hunched over and walking slowly.

Several family members saw the now scabbed over burn on Malachi's forehead and became concerned that he was being abused, Michaela assured them he had just burnt himself in the shower and he had already been seen by a doctor.

At no stage did Michaela take Malachi for any medical assistance.

During October 2021, other than a brief trip to Whakatane, Michaela did not leave Western Bay of Plenty. She told her lawyer (who told the lawyer for child) that she was locked down in Hamilton.

She told Malachi's mother, during a conversation with her, she had no data or Wi-Fi and was not able to make video calls. She also told her they had been locked down in Hamilton, and that a car had run over the fibre box outside her address.

Malachi's mother was only able to make voice calls to him and was being told he was still attending day care, and everything was going well.

Michaela also emailed Malachi's school telling them they were in lockdown in Hamilton.

Michaela and Malachi continued to occupy the cabin at the family address, with [redacted to protect privacy] continuing to live out of his car, periodically staying with her.

The relationship between Michaela and [redacted to protect privacy] continued to be volatile, with the Michaela [redacted to protect privacy]  
When not arguing, they were unsuccessfully looking for a house to live in together with Malachi.

Michaela continued to message [redacted to protect privacy] deriding Malachi, including on 25 October 2021:

- *'Yaar this boy dumb ass'*
- *'I take him inside the bathroom cause he need to go toilet'*
- *'He was there like half hour. Then I go look him his all shit in his hands and legs what should I do to keep myself calm from that tell me give me any solution I need help yar'*

On 28 October 2021, Michaela and her father took Malachi into a local hauora asking for them to obtain a letter from a medical doctor that stipulated Malachi did not have autism. This was to help Michaela's application in the Family Court by producing evidence that Malachi was not in need of any special care and could therefore be cared for by Michaela.

At no time during this appointment did Michaela or her father mention the extensive burn that was only partly healed on Malachi's abdomen.

When Malachi was taken to hospital on 1 November 2021, two weeks after the injury occurred, it was still only partly healed, very visible, and in some places deep and puckered.

Throughout October Michaela frequently went out at night, leaving Malachi alone in the cabin until the early hours of the morning.

### **Injuries – 1 November 2021**

On 31 October 2021, Michaela took Malachi and her brother's three children trick or treating in Welcome Bay. Malachi was wearing a pirate hat that covered his forehead. Afterwards she brought him back to the house where he was described as behaving normally, including eating dinner before going to bed in the cabin.

At about 10pm that night [redacted to protect privacy] parked his car nearby to the cabin and stayed the night with her. Sometime before 6.40am on 1 November 2021 he left the cabin before Michaela's family awoke, picked up a colleague from a nearby address, and went to work [redacted to protect privacy], leaving only Michaela and Malachi alone in the cabin.

Michaela messaged [redacted to protect privacy] saying she would try to find accommodation for them to live in. She contacted multiple landlords asking if the accommodation was suitable for two adults and one child and telling them that she was 'desperately needing something'.

Her enquiries were rejected each time.

This was the day the final Family Court hearing was due to take place. Michaela had been messaging her sister the night before saying she had no money.

At about 8.27am Michaela carried an unresponsive Malachi from the cabin into the main house. [Redacted to protect privacy] attempted to revive him by splashing him with water in the shower, before lying him on the couch. Ambulance were called, with both Michaela and her father speaking.

Michaela reported Malachi had fallen over while getting changed for school and had a fit. At about 8.45am Ambulance staff arrived and found Malachi flailing on the couch. During the flailing the victim's abdomen became exposed and the abdominal burn could be seen.

When asked, Michaela and her father said he had been clumsy lately and had turned the mixer handle in the shower to hot, burning himself with hot water (this was not a liquid burn).

Malachi's left eye was found to be fixed and dilated, diagnostic of a traumatic brain injury, he was taken to Tauranga Hospital before being airlifted to Starship Hospital in Auckland.

At about 1pm Malachi had emergency surgery, was intubated, and placed into an induced coma.

## **INJURIES TO VICTIM**

The following injuries were found on Malachi by Tauranga and Auckland hospital staff:

- Subdural bleed on the left side of his brain
- An extensive healing burn on his abdomen
- A blackening right eye (with no associated abrasion), indicating direct blunt force trauma
- A cluster of bruises under his chin
- Bruising on his left mandible
- Bruising on his inner and outer left and right elbows
- Bruising on his legs
- A cluster of bruises on his right upper hip
- A linear red mark on his right back
- A cluster of bruises on the back of his left thigh

The observed facial injuries were similar to the injuries found on Malachi after Michaela had delivered him to day care on 27 September 2021.

The Victim was extubated on 10 November and died on 12 November 2021.

An autopsy was performed later that day and the preliminary cause of death was found to be blunt force head injury. Malachi was very skinny and found to weigh 16kg, the same weight recorded at a medical appointment in November 2019, when he was 3 years old.

A homicide investigation was commenced that day and is continuing.

When Michaela was interviewed by the investigation team, she gave the following comments:

She claimed she had a great bond with Malachi, and he had been attending school since his 5<sup>th</sup> birthday (28 September). She went onto describe his daily school routine.

She described both her and Malachi getting up at about 8am to get ready for school. She went into the bathroom in the cabin to get his toothbrush ready when she saw him reaching up with both arms on his tip toes to get something from the top of a set of drawers.

She claims he then fell backwards, landing on his back on the floor with his head landing on the corner of the bed or the floor. He screamed and started shaking his right arm and leg for 'a couple of minutes', when the shaking stopped, she had carried him into the main house.

Michaela stated other than a graze on his forehead was from trick or treating the night before, she hadn't noticed any injuries or scars on him.

Michaela provided the following explanations for Malachi's burns:

- She told Ambulance staff he had been clumsy lately and had turned the mixer handle in the shower to hot, burning himself with hot water.
- She told a Doctor at Tauranga Hospital he burnt himself with the showerhead, by pressing it into his abdomen.
- She told her father he burnt himself in the shower.
- She told [redacted to protect privacy] she left him in the shower, when she had gone back, he had burnt himself and her brother took him out of the shower.
- She told her sister that she had left him in the shower and had been alerted by her 10-year-old nephew that he could hear the victim panting. She went in and found him standing in the water burnt.

In relation to the brain injury, Michaela said:

- During the 111 call to Ambulance she said Malachi had fallen over and started shaking on the floor.
- She stated to Police she had been alone with Malachi in the cabin when he reached up to the top of a set of drawers and lost his balance, falling backwards with his head striking either the corner of the bed or the carpeted floor.
- She told her father, Malachi had tripped over an extension cord and fallen.
- She told [redacted to protect privacy], Malachi had just woken up and was half asleep when he lost his balance and hit his head on the corner of something.
- She told her sister he had a seizure.

Shortly after Police staff first arrived at Tauranga Hospital, Michaela sent messages to [redacted to protect privacy]:

- *'So bub if I go to prison I'm very sorry for that ok.'*
- *'But you move on okay don't wait for me to come out.'*
- *'I'm sorry if I get locked up baby.'*

Shortly after she learned Malachi had died, she called her partner, father, then her sister, each time telling them that Malachi had died and 'I'll be going down 10 years' or she was 'looking at about 10 years'.

Of note, Michaela's sister, Sharron BARRIBALL has been charged with Attempting to Pervert the Course of Justice.

A summary of the facts are:

Sharron had a close relationship with her sister and was in contact with her most days. On 19 October, Michaela messaged Sharron saying *"I wanna take him to hospital but I'm fucking scared asf man"*.

On 20 October, Michaela sent their father a text message saying *"'avent taken him to hospital because Sharron told me not to cause of the bruises on his face from bumping into shit would make it look bad for me"*.

At about 8:27am on 1 November, Michaela carried an unresponsive Malachi from the cabin to the main house on the property where her father resided.

An Ambulance was called to the address. At the same time Michaela messaged Sharron telling her Malachi had suffered a seizure and an Ambulance was coming.

Sharron arrived at Michaela's address shortly after the Ambulance had departed with Malachi, she then travelled to Tauranga Hospital and was there with her Michaela and [REDACTED] when first spoken to by Police.

While at Tauranga Hospital, shortly after being advised by Police that officers intended to search Michaela's address in relation to Malachi's injuries, Sharron sent the following messages to her teenage daughter:

*"[Daughter's name] you gotta get in the cabin and get everything out even Malachi's dirty washing basket and any of his clothes that are laying around go fast cos the cops are coming at 3.15pm"*

She sent the following messages to her father:

*"[The defendant's sister] wants you to get the stuff out of the cabin fast and Malachi's dirty washing basket and any of his clothes that are laying around cos will be there at 3.15 if we out of here by then"*

*"Let koro know they gonna be there at 3.15 but only if me and Michaela are done here by then. We will text when we leave here k"*

When Police arrived at the cabin that afternoon Sharron's teenage daughter was there, moving in and out of the cabin with a reusable supermarket bag.

In explanation Sharron stated she had originally been messaging for a bong (cannabis utensil) to be removed from the cabin. Her sister had asked for Malachi's clothing to also be removed. She did not know why her sister wanted the clothing removed.

Sharron has been remanded on bail next due to appear on 2 February 2022.

## 6. FAMILY VIOLENCE HISTORY AND ANALYSIS

This section is an analysis of the Family Harm history between those involved in this matter. The purpose of this is to assess responses presented to known information and the identification of any intervention points, processes or actions that may have had an influence on whether or not the death could have been prevented.

I am completing this analysis whilst performing my role as the Bay of Plenty District Family Harm Coordinator. I have completed a search of all records held in the Police National Intelligence Application (NIA). There may be further documentation, which relates to Family Harm histories of both parties, such as Police 258 reports, and paper copies of Family Harm reports attached to files, which I have not accessed for this report.

There are no Legal Orders in force against any party involved with this report.

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I have been unable to find a link between Jasmine COTTER and Malachi's father indicating he hasn't been involved in raising Malachi, therefore I am unable to provide a Family Harm history for the paternal side.

The sole Family Harm record for **Malachi SUBECZ** is the incident that relates to his death.

Redacted to protect privacy

## 7. COMMENTARY AND FINDINGS

The death of any child is a tragedy, Malachi's death appears to be the result of numerous factors that conspired beyond the control of his biological mother, and all of her family members, who were in the midst a custody battle to have him back with them, when he was killed.

Jasmine COTTER was a [Redacted to protect privacy] who got caught up in circumstances beyond her control with [Redacted to protect privacy]. She admitted fault at the earliest opportunity and is currently serving a custodial sentence.

On the face of it, Michaela has gone from one failed relationship to the next, culminating in her most recent, volatile relationship with [Redacted to protect privacy]

[Redacted to protect privacy]

[Redacted to protect privacy]

[Redacted to protect privacy]

The fact [Redacted to protect privacy] had to park his car away from the house and the portable cabin that Malachi lived in, so [Redacted to protect privacy] wouldn't know he was there is evidence of how they manipulated those around them for their own needs.

The burn on Malachi's forehead was photographed by the pre-school he briefly attended. These were kept in a draw with a post-it notes unfortunately no Report of Concern (ROC) was submitted and the photographs were never forwarded on.

Michaela morally knew she should have sought medical attention for Malachi's injuries, but her fear of being identified as the abuser stopped her from taking the right course of action. This is supported by the messages and conversations she had with [Redacted to protect privacy] and her father.

The messages she sent to [Redacted to protect privacy] also speak to her frame of mind, suggesting Malachi was taking away her friends, and that even [Redacted to protect privacy] liked him more than her, [Redacted to protect privacy] that often resulted following a Family Harm episode with [Redacted to protect privacy], show Michaela was not in the right frame of mind to be Malachi's caregiver.

Michaela was temporarily appointed as Additional Guardian of Malachi by the Family Court. This appears to be without a vetting process around her suitability to have Malachi.

Police have learned three Report of Concerns (ROC) were lodged with Oranga Tamariki by Jasmine COTTER's whanau, all were closed at intake without any further examination. At the request of the Coroner, Police have commenced a separate review of the placement of Malachi with Michaela and the agencies that who had involvement with Malachi whilst he was in Michaela's care. This investigation is separate to the Prosecution case. The review is being conducted by Detective Senior Sergeant Paul WILSON, Whakatane CIB.

## 8. LEARNINGS AND RECOMMENDATIONS

Police had limited interaction with all of the parties involved in Malachi and his subsequent death. There had been low level contact with Michaela following the Family Harm episodes she had with her partners, but after she took over full-time care for Malachi Police interaction ceased.

It is therefore hard to make any quantified recommendations that may affect police involvement with similar situations in the future, other than ensuring our frontline continue to conduct 'Eyes Wide Open' relevant investigations when dealing with Family Harm episodes where children are present.

This is another situation where family members have shared concerns about the welfare of a child. At a family outing on 23 October 2021, three weeks prior to his death, Michaela took Malachi to a family outing, they all saw the injuries and were concerned he was being abused but no one took any action to report or resolve the situation.

Police and our partner agencies need to continue to promote the reporting of Family Harm, in all its forms, through media and anti-violence campaigns.

A valuable tool moving forward will be ensuring our pre-schools and schools have proven methods and systems in place to ensure any suspicions or concerns can be raised, in a timely manner, and to the right authorities when they recognise signs or symptoms of abuse, no matter how small or trivial they perceive them to be at the time.

In addition to timely reporting would be facilitating training with early education staff and providers to upskill them on the signs and symptoms of child abuse. By giving them the tools to identify abuse and paths to access the correct reporting avenues may be able to prevent tragedies like this occurring in the future.

On the Friday before the fatal assault on Malachi he was seen by a General Practitioner for an 'autism' assessment, that was to form part of the medical assessment for the Family Court. It is unclear what extent the examination was, however, none of Malachi's previous injuries were noted or examined further.

I am unclear on the current protocol for assessments/examinations but there may have been an opportunity to intervene at this time had the injuries been noted. There needs to be 'no wrong door' policy/process when identifying and reporting potential cases of child abuse to prevent future cases.

By taking a holistic view to Malachi's situation, I feel it is imperative Jasmine COTTER be provided with support and counselling to help her through the loss of her child once she is released from Prison.

Reviewing officer:  
Rebekka Still  
Detective Constable  
Tauranga CIB  
Bay of Plenty District