



VICTORIA POLICE

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Chief Commissioner of Police

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Deputy State Coroner Judge Jacqueline Hawkins
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Subject: Maria Theresa James - Finding into death with inquest
Court Reference: COR 1980 1820
Date of Recommendation: 31 March 2022

Dear Deputy State Coroner Hawkins,

Victoria Police response to recommendations arising from Finding into the death of Maria Theresa James

This document provides the response to the recommendations of Deputy State Coroner English (as her Honour then was) to Victoria Police arising from the Finding into the death of Maria Theresa James, delivered on 31 March 2022.

Victoria Police's response to Recommendations One to Three are set out below.

RECOMMENDATION ONE

Victoria Police should immediately conduct a complete and thorough physical search for the lost exhibits, namely Mrs James' clothing and the pillowslips. This is the minimum Victoria Police should do reflecting the gravity of the consequences of the lost exhibits and the importance of clarifying the factual situation regarding their whereabouts.

Victoria Police supports this recommendation and planning has commenced to its implementation.

A full audit of all Crime Command exhibit holdings was completed in February 2022, which included the verification of Long Term Storage (LTS) bags. The majority of the LTS bags have itemised details of the contents that were verified at the time of sealing. Victoria Police will shortly commence another physical search for the lost exhibits, namely Mrs James' clothing and the pillowslips, which will include physically opening LTS bags where contents were not verified at the time of sealing.

Victoria Police plans to assign three dedicated resources (police officers & VPS Property Officers) to complete a thorough physical search for the lost exhibits. Planning and coordination of this extensive task has commenced. The physical search itself is anticipated to take up to six months.

OFFICIAL: Sensitive

RECOMMENDATION TWO

Victoria Police should review the use of Interpose and, given the evidence Interpose could be used for this purpose, implement a documented process therein for the purposes of recording Major Decisions and the Reasons for those decision in all Homicide investigations. The purpose of this is to enable the progress and trajectory of an investigation to be followed on the basis that it is never known at the outset of an investigation which case will remain unsolved.

In respect of homicide (murder) investigations, Victoria Police supports this recommendation and it will be implemented. We note that for many investigators this is already standard practice, however, there may be some inconsistencies in practice.

Victoria Police confirms that the Crime Command Homicide Squad:

- will implement a process where the Primary Investigator (or their nominee) will record Major Decisions pertinent to all homicide (murder) investigations and the Reasons for those decisions on a decision log, recorded on Interpose;
- as part of the governance activity relating to decision logs which document the Major Decisions and the Reasons for those decisions, the Homicide Squad investigation managers will review Interpose to ensure compliance; and
- consideration will be given to ensure appropriate governance and auditing are available.

It is anticipated the implementation by the Homicide Squad of decision logs for Major Decisions and the Reasons for those decisions related to homicide (murder) investigations will be completed by 4 July 2022.

RECOMMENDATION THREE

Victoria Police should review and, if necessary, amend any Victoria Police Manual policy or guideline relevant to investigation case management, particularly investigations in which Interpose is used, to ensure Major Decisions and the Reasons for those decisions are recorded by the Primary Investigator (or his/her nominee) and compliance with this requirement is monitored and enforced by the Primary Investigator's Supervisor.

In respect of homicide (murder) investigations, Victoria Police supports this recommendation and it will be implemented by the Homicide Squad. Victoria Police will undertake this review in conjunction with implementing actions arising from Recommendation Two. This will include incorporating the requirement to record Major Decisions and the Reasons for those decisions into the Homicide Investigation Guidelines. The Homicide Squad investigation managers will review the decision logs on Interpose to ensure compliance.

In respect of other types of investigations and operations, Victoria Police considers that the organisational use of decision logs on Interpose to record Major Decisions and the Reasons for those decisions in investigations (other than homicide (murder) investigations) has merit. Further research and scoping of this broader work will require extensive stakeholder consultation across the organisation to:

- determine the feasibility of implementing a process relating to recording Major Decisions and the Reasons for those decisions for all investigations; and
- consider how this process would be integrated into governing policy

Once feasibility has been assessed, we will consider any further actions that are required.

Yours sincerely,



Shane Patton APM
Chief Commissioner

30/6/22
