

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

**COR 2019 005134**

**FINDING INTO DEATH WITHOUT INQUEST**

*Form 38 Rule 63(2)*

*Section 67 of the Coroners Act 2008*

Findings of:	Judge John Cain, State Coroner
Deceased:	Marcus Lloyd Adams
Date of birth:	20 January 1975
Date of death:	20 September 2019
Cause of death:	1(a) STAB WOUND TO CHEST
Place of death:	Catalina Caravan Park, 531 Princes Highway, Port Fairy, Victoria, 3284
Catchwords:	Family violence; intimate partner homicide

## **INTRODUCTION**

1. On 20 September 2019, Marcus Lloyd Adams was 44 years old when he was pronounced deceased by emergency services at Catalina Caravan Park. At the time of his death, Mr Adams lived at Catalina Caravan Park with his partner, Ms Jessica Wilson.
2. Mr Adams had two brothers. Prior to meeting Ms Wilson, he was in a 12 year relationship with a former partner with whom he had two young children. Around mid-2016, Mr Adams separated with his former partner who retained care of the children. Mr Adams would visit them occasionally on weekends.
3. Mr Adams and Ms Wilson had been in a relationship since the beginning of 2019 and had lived with Mr Adams's family in Geelong for several months prior to moving to Warrnambool with one of Mr Adams's friends. This arrangement continued until approximately five to six weeks prior to the fatal incident, when the couple were offered housing assistance to move into Catalina Caravan Park.
4. There were no reported incidents regarding the couple from the time of their arrival at Catalina Caravan Park until the fatal incident.
5. On 24 August 2019, Ms Wilson was involved in a serious motor vehicle incident on the Princes Highway in Port Fairy. She was airlifted to Melbourne for emergency treatment. Mr Adams regularly visited and cared for Ms Wilson whilst she recovered in hospital. Ms Wilson was discharged from hospital on 19 September 2019.

## **THE CORONIAL INVESTIGATION**

6. Mr Adams' death was reported to the Coroner as it fell within the definition of a reportable death in the *Coroners Act 2008* (the Act). Reportable deaths include deaths that are unexpected, unnatural or violent or result from accident or injury.
7. The role of a coroner is to independently investigate reportable deaths to establish, if possible, identity, medical cause of death, and surrounding circumstances. Surrounding circumstances are limited to events which are sufficiently proximate and causally related to the death. The purpose of a coronial investigation is to establish the facts, not to cast blame or determine criminal or civil liability.
8. Under the Act, coroners also have the important functions of helping to prevent deaths and promoting public health and safety and the administration of justice through the making of

comments or recommendations in appropriate cases about any matter connected to the death under investigation.

9. Victoria Police assigned an officer to be the Coroner's Investigator for the investigation of Mr Adams's death. The Coroner's Investigator conducted inquiries on my behalf, including taking statements from witnesses – such as family, the forensic pathologist, treating clinicians and investigating officers – and submitted a coronial brief of evidence.
10. This finding draws on the totality of the coronial investigation into the death of Marcus Lloyd Adams including evidence contained in the coronial brief. Whilst I have reviewed all the material, I will only refer to that which is directly relevant to my findings or necessary for narrative clarity. In the coronial jurisdiction, facts must be established on the balance of probabilities.<sup>1</sup>

## **MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE**

### **Circumstances in which the death occurred**

11. There is no evidence in the available material of a history of family violence between Ms Wilson and Mr Adams prior to the fatal incident. The day prior to the fatal incident Mr Adams and Ms Wilson reportedly appeared happy in each other's company.<sup>2</sup>
12. Between approximately 12.30am and 3.00am on 20 September 2019 several of Ms Wilson and Mr Adams' neighbours heard an altercation within the caravan park. Neighbours heard banging and crashing,<sup>3</sup> yelling,<sup>4</sup> Ms Wilson screaming,<sup>5</sup> a female voice yelling obscenities<sup>6</sup> three to four times within an hour<sup>7</sup> and saying, '*leave me alone*'.<sup>8</sup>
13. Neighbours also reportedly heard a female voice saying '*[g]et up Marcus, get up*',<sup>9</sup> and saw a female running across the road saying 'help, help, help'.<sup>10</sup> It is unclear from the available

---

<sup>1</sup> Subject to the principles enunciated in *Briginshaw v Briginshaw* (1938) 60 CLR 336. The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals unless the evidence provides a comfortable level of satisfaction as to those matters taking into account the consequences of such findings or comments.

<sup>2</sup> *Ibid*, 35; Coronial brief, Statement of A Walker, 51.

<sup>3</sup> Coronial brief, Statement of E Roche, 39; Coronial brief, Statement of B Wallace, 59; Coronial brief, Statement of B Ebbott, 64.

<sup>4</sup> Coronial brief, Statement of A Stewart, 46; Coronial brief, Statement of B Wallace, 59.

<sup>5</sup> Coronial brief, Statement of E Roche, 39; Coronial brief, Statement of A Walker, 52.

<sup>6</sup> Coronial brief, Statement of P Smorthwaite, 43.

<sup>7</sup> *Ibid*.

<sup>8</sup> Coronial brief, Statement of B Ebbott, 64.

<sup>9</sup> Coronial brief, Statement of B Wallace, 59.

<sup>10</sup> Coronial brief, Statement of P Smorthwaite, 43.

evidence whether these events occurred before or after Ms Wilson stabbed Mr Adams. None of the neighbours who overheard this altercation contacted police.

14. At 2.31am on 20 September 2019, Ms Wilson contacted emergency services.<sup>11</sup> She stated that Mr Adams had fallen on a knife that she had been holding to protect herself during an altercation.<sup>12</sup> Ms Wilson said Mr Adams was breathing but unresponsive.<sup>13</sup>
15. Police arrived at the scene at approximately 2.35am. At this time Ms Wilson said to attending police members that she and Mr Adams had been involved in a physical altercation during which she made a number of claims against Mr Adams that were not substantiated.<sup>14</sup> During interactions with attending police members at the scene, Ms Wilson stated that Mr Adams had never perpetrated family violence against her before this night.<sup>15</sup> Ms Wilson also stated that Mr Adams had been taking illegally obtained anabolic steroids, and had told her they were making him angry.<sup>16</sup>
16. Attending Ambulance paramedics arrived at 3:00am and worked on Mr Adams in an attempt to resuscitate him but he was ultimately declared deceased at 3.30am.<sup>17</sup> Ms Wilson was arrested for Mr Adams murder on the same day.
17. On 10 December 2021, Ms Wilson was found not guilty of Mr Adams's murder by a jury of the Supreme Court of Victoria.<sup>18</sup>

### **Identity of the deceased**

18. On 22 September 2019, Marcus Lloyd Adams, born 20 January 1975, was identified via fingerprint record comparisons completed by the Victoria Police Forensic Services Department.
19. Identity is not in dispute and requires no further investigation.

---

<sup>11</sup> Coronial brief, Statement of Material Facts, 2.

<sup>12</sup> Coronial brief, Exhibit 29 – Transcript of 000 Call 1, 185-6.

<sup>13</sup> Ibid, 187-8.

<sup>14</sup> *Coronial Brief*, Statement of Sergeant Craig Jenkins dated 24 September 2019, 73-75

<sup>15</sup> Coronial brief, Statement of R Wass, 86; Coronial brief, Exhibit 28 – Transcript of record of Interview, 179.

<sup>16</sup> Coronial brief, VIFM Clinical Forensic Medicine Confidential Forensic Medical Report, 106; Coronial brief, Exhibit 28 – Transcript of record of Interview, 179.

<sup>17</sup> *Coronial Brief*, Statement of James Stephen O'Connor dated 20 September 2019, 96-97

<sup>18</sup> *DPP v Jessica Wilson*, SECR 2020/0168, 10 December 2021

## **Medical cause of death**

20. Forensic Pathologist Dr Matthew Lynch from the Victorian Institute of Forensic Medicine (VIFM) conducted an autopsy on 21 September 2019 and provided a written report of his findings dated 3 February 2020.
21. The post-mortem examination revealed the following:
  - a) A single stab wound to the left posterolateral chest wall which passed superior to inferior (above to below), posterior to anterior (back to front) and left to right. The wound passed through skin, fat intercostal muscle (between 11<sup>th</sup> and 12<sup>th</sup> ribs) entering the chest and incising the left lower lung lobe and passing through the left hemidiaphragm to enter the abdominal aorta.
  - b) Significant natural disease was noted in the form of coronary artery atherosclerosis. Given the injury to the chest, this natural disease process is unrelated to Mr Adams's death.
22. Toxicological analysis of post-mortem samples identified the presence of methylamphetamine<sup>19</sup>, methadone<sup>20</sup>, diazepam<sup>21</sup>, nordiazepam, oxazepam and trenbolone<sup>22</sup>. None of identified substances were in concentrations that would affect the cause of death.
23. Dr Lynch provided an opinion that the medical cause of death was 1 (a) STAB WOUND TO CHEST.
24. I accept Dr Lynch's opinion.

## **FURTHER INVESTIGATIONS AND CORONER'S PREVENTION UNIT REVIEW**

25. The unexpected, unnatural and violent death of a person is a devastating event. Violence perpetrated by an intimate partner is particularly shocking, given that all persons have a right to safety, respect and trust in their most intimate relationships.

---

<sup>19</sup> Methylamphetamine (MDMA) is a designer amphetamine also known as 'ecstasy'. The stimulatory effects on the cardiovascular system include increases in heart rate and force of contraction and also an increase in blood pressures.

<sup>20</sup> Diazepam is a benzodiazepine derivative indicated for anxiety, muscle relaxation and seizures and commonly comes in prescription medication under the trade name, "Valium".

<sup>21</sup> Methadone is a synthetic narcotic analgesic available in Australia as Biodone Forte (Oral Liquid), Methadone Syrup or Physeptone (tablets) in 5 mg/mL syrups or 10 mg tablets respectively. It is used in the treatment of opioid dependency.

<sup>22</sup> Trenbolone is an anabolic steroid of the nandrolone group.

26. For the purposes of the *Family Violence Protection Act 2008*, the relationship between Mr Adams and Ms Wilson was one that fell within the definition of ‘*de facto partner*’<sup>23</sup> under that Act. Moreover, Ms Wilson’s actions in fatally assaulting Mr Adams constitutes ‘*family violence*’.<sup>24</sup>
27. In light of Mr Adams’ death occurring under circumstances of family violence, I requested that the Coroners’ Prevention Unit (CPU)<sup>25</sup> examine the circumstances of his death as part of the Victorian Systemic Review of Family Violence Deaths (VSRFVD).<sup>26</sup>
28. The available evidence suggests that there was no history of family violence between Mr Adams and Ms Wilson in the lead up to the fatal incident. The only family violence incident appears to be the events that led to the fatal incident between 19-20 September 2019.

## COMMENTS

Pursuant to section 67(3) of the Act, I make the following comments connected with the death.

29. Whilst this case did not involve a history of family violence between Mr Adams and Ms Wilson, on the evening of the fatal incident, several neighbours in the caravan park heard what they could reasonably have identified as a significant family violence incident and did not contact police to report this.
30. The available evidence indicates that there may have been a delay of 30 minutes to one hour between when Ms Wilson stabbed Mr Adams and when she contacted emergency services.<sup>27</sup> It was noted in the criminal proceedings that more prompt medical assistance may have had an impact on the ultimate outcome in Mr Adams’s case.<sup>28</sup> It is possible, therefore, that had any of the neighbours contacted emergency services upon first hearing the incident, this may have significantly impacted on the circumstances of Mr Adams’s death.
31. One of the neighbours in the caravan park commented in a statement:

---

<sup>23</sup> Family Violence Protection Act 2008, section 9

<sup>24</sup> Family Violence Protection Act 2008, section 8(1)(a)

<sup>25</sup> The Coroners Prevention Unit is a specialist service for Coroners established to strengthen their prevention role and provide them with professional assistance on issues pertaining to public health and safety

<sup>26</sup> The VSRFVD provides assistance to Victorian Coroners to examine the circumstances in which family violence deaths occur. In addition the VSRFVD collects and analyses information on family violence-related deaths.

Together this information assists with the identification of systemic prevention-focused recommendations aimed at reducing the incidence of family violence in the Victorian Community

<sup>27</sup> Transcript of Proceedings, *the Queen v Jessica Anne Wilson* (Supreme Court of Victoria, S ECR 2020 0168, Justice Taylor, 24 November 2021), 683 – 5; 625

<sup>28</sup> *Ibid*, 370-71.

*If the police come, everyone normally hides. Most people are permanent, and most people wouldn't talk to the police. Pretty much everyone is using drugs, well every second person. A lot of people are injecting ICE [sic] at the caravan park. There is also a lot of people drinking alcohol.*<sup>29</sup>

32. A similar failure to report family violence incidents by third party witnesses who were regular users of illicit substances was also noted in the coronial cases of *Griffiths, Burmeister and Burmeister*.<sup>30</sup> Many of the third-party witnesses in this case were also experiencing homelessness or housing difficulties.
33. Research indicates that negative perceptions of previous interactions with police by people who use illicit substances<sup>31</sup> and those experiencing homelessness<sup>32</sup> may lead to long-term negative views about police, and this may impact on cooperation with police by these groups. Fear of police has also been noted to negatively impact on the willingness of heroin users to report witnessed overdoses.<sup>33</sup> Some research indicates that procedural justice, which is concerned with fair treatment and decision-making during interactions between citizens and the police,<sup>34</sup> may promote perceptions of police legitimacy and therefore increase willingness of marginalised populations to cooperate with police.<sup>35</sup>
34. I note that there appears to be a lack of research in relation to the willingness of regular illicit substance users and those experiencing homelessness/housing issues to report crimes including those related to family violence to police in the Australian context. I support such research being conducted in the future to assist in establishing whether new initiatives could be funded to promote police legitimacy amongst these populations, with the aim of preventing further like deaths and promoting community safety through greater reporting of crimes amongst the specific cohort of individuals identified above.

---

<sup>29</sup> Coronial brief, Statement of A Walker, 50.

<sup>30</sup> COR 2017 1026/1027/1028.

<sup>31</sup> Alissa Greer et al, 'Young People who use drugs views toward the power and authority of police officers' (2021) *Contemporary Drug Problems*, 16-7; E M Leslie et al, 'Willingness to cooperate with police: A population-based study of Australian young adult illicit stimulant users' (Conference Paper, Applied Research in Crime and Justice Conference, February 2016) 24-6.

<sup>32</sup> Yasmeen I Krameddine and Peter H Silverstone, 'Police use of handcuffs in the homeless population leads to long-term negative attitudes within this group' (2015) 44 *International Journal of Law and Psychology* 81, 89.

<sup>33</sup> Torkel Richert, 'Wasted, overdosed, or beyond saving – To act or not to act? Heroin users' views, assessments, and responses to witnessed overdoses in Malmö, Sweden' (2014) 26 *International Journal of Drug Policy* 92, 98.

<sup>34</sup> Ellen M Leslie et al, 'Willingness to cooperate with police: A population-based study of Australian young adult illicit stimulant users' (Conference Paper, Applied Research in Crime and Justice Conference, February 2016), 6.

<sup>35</sup> *Ibid*, 26.

## FINDINGS AND CONCLUSION

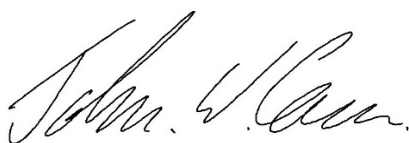
35. Pursuant to section 67(1) of the *Coroners Act 2008* I make the following findings:
- a) the identity of the deceased was Marcus Lloyd Adams, born 20 January 1975;
  - b) the death occurred on 20 September 2019 at Catalina Caravan Park, 531 Princes Highway, Port Fairy, Victoria, 3284, from 1(a) Stab wound to the chest; and
  - c) the death occurred in the circumstances described above.
36. I convey my sincere condolences to Mr Adams's family for their loss.
37. Pursuant to section 73(1A) of the Act, I order that this finding be published on the Coroners Court of Victoria website in accordance with the rules.
38. I direct that a copy of this finding be provided to the following:

Mrs Maree Adams, Senior Next of Kin

Ms Eleri Butler, CEO, Family Safety Victoria

Detective Senior Constable Michael Cashman, Coroner's Investigator

Signature:



---

Judge John Cain  
**STATE CORONER**  
Date : 16 May 2022

---

NOTE: Under section 83 of the *Coroners Act 2008* ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.

---