



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

COR 2019 001360

FINDING INTO DEATH WITH INQUEST OF STEVEN WILLIAM JUDGE

Form 37 Rule 63(1)

Section 67 of the Coroners Act 2008

Findings of: Jacqui Hawkins, Deputy State Coroner

Delivered on: 28 October 2022

Delivered at: Coroners Court of Victoria
65 Kavanagh Street, Southbank, Victoria, 3006

Inquest hearing date: 6 October 2022

Counsel Assisting the Coroner: Mr Lindsay Spence, Principal In House Solicitor
instructed by Ms George Carrington, Coroner's
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Chief Commissioner of Victoria Police: Ms Jade Ryan of counsel, instructed by Mr Michael
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Keywords: ASSAULT AND KIDNAPPING, UNCHARGED
HOMICIDE, LAWFUL SELF DEFENCE,
ABSOLUTE DEFENCE

BACKGROUND

1. Steven William Judge was 24 years of age when he passed away on 15 March 2019 at One Tree Hill Lookout, Spring Gully. His parents Wendy Humphrey and Paul Judge were separated. At the time of his passing, Steven lived with his father, older brother Benjamin (Ben) Judge and step-mother Sharna Keiterer in Long Gully. Also living with them at the time was Jara Dix, a close friend of Ben.
2. Steven was described by family members as a well-mannered, intelligent, young man who would light up a room when he entered it. He had an excellent work ethic and owned his own cleaning and maintenance business with his brother, 'JJ's Mowing and More'.
3. On 15 March 2019 there was an altercation between Anthony Brown, Ben, Jara, and Steven. Steven was stabbed three times and died shortly after.

CORONIAL INVESTIGATION

4. Steven's death constituted a '*reportable death*' pursuant to section 4(2)(a) of the *Coroners Act 2008* (Vic) (**Coroners Act**), as his death occurred in Victoria and appears to have been unexpected, unnatural or violent or to have resulted, directly or indirectly, from an accident or injury.
5. The jurisdiction of the Coroners Court of Victoria (**Coroners Court**) is inquisitorial.¹ The purpose of a coronial investigation is to independently investigate a reportable death to ascertain, if possible, the identity of the deceased person, the cause of death and the circumstances in which the death occurred.
6. The cause of death refers to the medical cause of death, incorporating where possible, the mode or mechanism of death.
7. The circumstances in which the death occurred refers to the context or background and surrounding circumstances of the death. It is confined to those circumstances that are sufficiently proximate and causally relevant to the death.

¹ Section 89(4) *Coroners Act 2008*.

8. Coroners are not empowered to determine civil or criminal liability arising from the investigation of a reportable death and are specifically prohibited from including a finding or comment or any statement that a person is, or may be, guilty of an offence.² It is not the role of the coroner to lay or apportion blame, but to establish the facts.³

CORONIAL INQUEST

9. The coronial investigation was in abeyance pending the finalisation of criminal charges. Harley Dix, Jara Dix, Benjamin Judge, and Bo Valli were convicted and sentenced in the County Court in respect of kidnapping and intentionally causing injury to Anthony Brown in relation to the incident that occurred 15 March 2019. All criminal and appellate proceedings have now concluded, and it is appropriate to finalise the coronial investigation.
10. A coronial inquest is mandatory in relation to Steven's death Coroners Act where the coroner suspects that the death was the result of homicide⁴. The coronial inquest was held on 6 October 2022.
11. Paul Judge and Wendy Humphrey made coronial impact statements that were read out in Court during the Inquest. I acknowledge and thank Mr Judge and Ms Humphrey for their assistance and contribution to the inquest in what was not doubt challenging and difficult circumstances.

Standard of Proof

12. All coronial findings must be made based on proof of relevant facts on the balance of probabilities.⁵ The strength of evidence necessary to prove relevant facts varies according to the nature of the facts and the circumstances in which they are sought to be proved.⁶

² Section 69(1). However, a coroner may include a statement relating to a notification to the Director of Public Prosecutions if they believe an indictable offence may have been committed in connection with the death. See sections 69(2) and 49(1) of the Act.

³ *Keown v Khan* (1999) 1 VR 69.

⁴ Coroners Act 2008 (Vic) s52(2)(a) The exclusion provided by s52(3)(b) does not apply in the current circumstances, given no person has been charged with an indictable offence in respect of Steven's death.

⁵ *Re State Coroner; ex parte Minister for Health* (2009) 261 ALR 152.

⁶ *Qantas Airways Limited v Gama* (2008) 167 FCR 537 at [139] per Branson J (noting that His Honour was referring to the correct approach to the standard of proof in a civil proceeding in the Federal Court with reference to section 140 of the *Evidence Act 1995* (Cth); *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 67 ALJR 170 at 170-171 per Mason CJ, Brennan, Deane and Gaudron JJ.

13. In determining these matters, I am guided by the principles enunciated in *Briginshaw v Briginshaw*.⁷ The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals or entities, unless the evidence provides a comfortable level of satisfaction that they caused or contributed to the death.
14. Proof of facts underpinning a finding that would, or may, have a deleterious effect on a party's character, reputation or employment prospects demands a weight of evidence commensurate with the gravity of the facts sought to be proved.⁸ Facts should not be considered to have been proven on the balance of probabilities by inexact proofs, indefinite testimony or indirect inferences. Rather, such proof should be the result of clear, cogent or strict proof in the context of a presumption of innocence.⁹

Sources of evidence

15. This finding draws on the totality of the material obtained in the coronial investigation of Steven's passing. That is, the court file, the Coronial Brief and any further material obtained by the Coroners Court, together with the transcript of the evidence adduced at Inquest and any submissions.
16. In writing this finding, I do not purport to summarise all the material evidence but refer to it only in such detail warranted by its forensic significance and the interests of narrative clarity. The absence of reference to any particular aspect of the evidence should not lead to the inference that it has not been considered.

BACKGROUND

17. Jara's nephew, Harley Dix, lived in a unit in Flora Hill with his cousin, Bo Valli, and other occupants.¹⁰ In February 2019, Anthony Brown moved into the residence and commenced a relationship with Harley's sister, Starr Dix.¹¹
18. Harley began to have issues with Anthony in relation to his behaviour around the house and his perceived treatment of Starr. Harley believed that Anthony was "messing with her

⁷ (1938) 60 CLR 336.

⁸ *Anderson v Blashki* [1993] 2 VR 89, following *Briginshaw v Briginshaw* (1938) 60 CLR 336.

⁹ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at pp 362-3 per Dixon J.

¹⁰ Coronial Brief, Statement of Bo Valli dated 17 March 2019, p74.

¹¹ *Ibid.*

head”¹² and needed to be “punished”.¹³ Bo also had issues with Anthony’s behaviour around the house.¹⁴

19. On 12 March 2019, Harley and Anthony had an argument at the house and Harley kned Anthony in the head.¹⁵ Starr intervened, and she and Anthony left the house and went to a family celebration. Anthony had taken a pair of Bo’s shoes, so Bo and Harley followed them to that house and confronted Anthony.¹⁶ Anthony was evicted from the unit by Harley.¹⁷ Jara became upset after this incident.¹⁸
20. On 13 March 2019, Harley spoke with Jara regarding his issues with Anthony’s behaviour. They both developed a plan for Jara to invite Anthony to a location with the intention to physically assault him.¹⁹
21. During that week, Jara and Bo agreed to use Bo’s car and take Anthony out for a drive and “bash him a bit”.²⁰ Bo stated he knew Jara was a good fighter and believed that Anthony needed to be taught a lesson.²¹ There was no discussion between Jara and Bo as to when this would occur, however Bo was aware that Anthony needed to report to police as per his bail conditions and would need a ride to the station one night.²²
22. On 15 March 2019, Ben messaged Harley and stated “This shit will get sorted today I m letting Jara do it her way ATM as I respect she wonts to get to the bottom of it,, I honestly don’t give a fuck about Y”.²³

CIRCUMSTANCES OF DEATH

23. Anthony and Starr spent the day of 15 March 2019 together. At 7:45pm, Starr contacted Ben and asked if he could take herself and Anthony to the Bendigo Police Station for Anthony to

¹² Coronial Brief, Statement of Harley Dix, dated 17 March 2019, p82.

¹³ Ibid.

¹⁴ Coronial Brief, Statement of Bo Valli dated 17 March 2019, p75.

¹⁵ Coronial Brief, Statement of Harley Dix dated 17 March 2019, p82.

¹⁶ Coronial Brief, Statement of Bo Valli, dated 17 March 2019, p76.

¹⁷ Coronial Brief, Statement of Bo Valli, dated 17 March 2019, p76.

¹⁸ Coronial Brief, Data extracted from Harley Dix’s mobile phone, pp485-7.

¹⁹ Coronial Brief, Record of Interview Harley Dix, dated 16 March 2019, pp679-82, 684; Statement of Harley Dix, dated 17 March 2019, p82-3.

²⁰ Coronial Brief, Statement of Bo Valli, dated 17 March 2019, p77.

²¹ Ibid.

²² Ibid.

²³ Coronial Brief, Data extracted from Benjamin Judge’s mobile phone, p451.

report for his bail.²⁴ Jara contacted Harley and asked to borrow a car.²⁵ Harley arrived at the Judge household with his girlfriend. They stayed there while Ben and Jara left to collect Starr and Anthony.²⁶

24. At about 9:15pm, Ben, Anthony, Starr, and Jara arrived at Bendigo Police Station. Anthony reported on his bail and they returned to the Judge residence.²⁷ They collected Harley and his girlfriend and returned them to their residence. The group then drove to Starr's father's house and dropped off Starr.²⁸ Anthony agreed to go with Jara and Ben to One Tree Hill to smoke a bong.²⁹
25. They drove to the Judge residence where Ben and Jara loaded a toolbox, tarp, sledgehammer, a bag of ropes, and a chain into the boot of Bo's car.³⁰ Whilst at the Judge residence, Steven decided he would go with them. It is unclear from the evidence if Steven knew about the plan to assault Anthony.
26. Ben, Jara, Anthony, and Steven arrived at One Tree Hill lookout and shared a bong containing tobacco. Steven and Anthony remained in the car while Jara and Ben got out.³¹ Ben opened the boot of the vehicle and removed the sledgehammer and the bag of ropes and chains. He walked into the bushes, approximately twenty metres from the road, and tied the chain to the tree.³² Jara asked Anthony to get out of the car so she could speak with Steven alone.³³
27. After some time, Steven and Jara got out of the car. While Anthony was standing next to the car, Ben picked up the sledgehammer and came towards him with it raised.³⁴ Anthony attempted to separate himself from Ben with the car door, but he was grabbed from behind

²⁴ Coronial Brief, Statement of Starr Dix, dated 16 March 2019, p85.

²⁵ Coronial Brief, Statement Benjamin Judge, dated 16 March 2019, p544.

²⁶ Ibid, p545.

²⁷ Ibid.

²⁸ Coronial Brief, Statement of Starr Dix, dated 16 March 2019, p86.

²⁹ Ibid.

³⁰ Coronial Brief, Record of Interview Benjamin Judge, dated 17 March 2019, p782-3; Record of Interview Jara Dix, dated 17 March 2019, p715.

³¹ Coronial Brief, Record of Interview Anthony Brown, dated 16 March 2019, pp600-1

³² Coronial Brief, Record of Interview Benjamin Judge, dated 17 March 2019, pp850-1.

³³ Coronial Brief, Record of Interview Anthony Brown, dated 16 March 2019, p602.

³⁴ Ibid, pp603-4.

and dragged to the ground. He was then assaulted by Steven and Ben.³⁵ Anthony was dragged by his hoodie and legs towards the bushes where the chain had been wrapped around the tree. He was continually hit and kicked.³⁶

28. Anthony stated he thought he was hit on the head at least once with a weapon during the assault.³⁷ He tried to run away but Ben dragged him back down and held him in a headlock. During the assault, Jara allegedly yelled to Anthony that he “shouldn’t have fucked with the family”.³⁸
29. Ben was holding Anthony in a chokehold from behind as they were lying on the ground, with Anthony lying awkwardly on top of Ben.³⁹ Steven was on top of Anthony and continuing to assault him.⁴⁰ According to Anthony, he began to lose consciousness and pulled a knife out of his pocket. Anthony stabbed Steven to the left side of his body a few times.⁴¹ Steven backed away and began bleeding heavily. Ben let Anthony go and Anthony escaped into the bushes.⁴²
30. Jara and Ben helped Steven into the car and Jara drove them back towards Edwards Road. However the vehicle stalled and was unable to be restarted.⁴³ Jara and Ben unsuccessfully attempted to carry Steven. Ben ran to seek help and Jara stayed with Steven. Ben spoke to a local resident and asked them to contact emergency services at 11:15pm to request an ambulance to attend the lookout.⁴⁴
31. Ambulance Victoria arrived at the scene at about 11:30pm with members of Victoria Police. They found Steven lying on the road next to the car with Jara sitting with him. Steven was

³⁵ Ibid.

³⁶ Ibid, p605.

³⁷ Ibid, p609-10.

³⁸ Ibid, p598.

³⁹ Coronial Brief, Record of Interview Anthony Brown, dated 16 March 2019, p606.

⁴⁰ Ibid, p607.

⁴¹ Ibid, p579.

⁴² Coronial Brief, Record of Interview Benjamin Judge, dated 17 March 2019, p774.

⁴³ Ibid, p869.

⁴⁴ Coronial Brief, Statement of Wayne Wilson, dated 11 April 2019, p103.

unconscious and observed to have several wounds to his left upper arm and chest. Paramedics attempted to revive him however he was confirmed to be deceased at 11:47pm.⁴⁵

Post-incident movements of Anthony Brown

32. Anthony ran away from the initial incident scene as Ben and Jara helped Steven into the vehicle. At 11:07pm, Anthony used his mobile phone to take photographs of the injuries to his face and head. Data extracted from his phone suggested these were taken about 200 metres north of One Tree Hill.⁴⁶
33. Starr spoke to Anthony at this time over the phone. He also spoke with her father, Lionel Dix, who became concerned that Anthony was concussed and may need to go to hospital.⁴⁷ Lionel Dix offered to pick him up, but Anthony declined because he was concerned about retribution from the Dix family. Anthony wandered around until he found a shed in the backyard of a property in Spring Gully and spent the night.⁴⁸
34. Victoria Police located Anthony at about 10:25am the following morning in Flora Hill. He had dried blood covering his face and clothes and had visible injuries to his head and face. Anthony disposed of a small silver knife which was in his pocket when instructed to by officers.⁴⁹ As he was being arrested Anthony told officers that he had been attacked and denied murdering anyone.⁵⁰ He was arrested and then taken to Bendigo Hospital for treatment.⁵¹

IDENTITY OF THE DECEASED

35. On 19 March 2019, Steven was formally identified by his father, Paul Judge. Steven's identity is not in dispute and requires no further investigation.

⁴⁵ Coronial Brief, Statement of Ambulance Paramedic Sean Kennedy, dated 22 March 2019, p110.

⁴⁶ Coronial Brief, Appendix 11, pp434-41.

⁴⁷ Coronial Brief, Statement of Lionel Dix, dated 16 March 2019, pp88-9.

⁴⁸ Coronial Brief, Statement of Ian Cross, pp159-61; Statement of Malcolm Hall, dated 11 April 2019, pp156-8; Record of Interview Anthony Brown dated 16 March 2019.

⁴⁹ Coronial Brief, Statement of Detective Senior Constable Geoff Webb, dated 20 May 2019, p242.

⁵⁰ Coronial Brief, Body Worn Camera Footage – Schubert (Exhibit 21, Media File 20).

⁵¹ Coronial Brief, Statement of Detective Senior Sergeant Mark Colbert dated 17May 2019, p239.

MEDICAL CAUSE OF DEATH

36. On 16 March 2019, Dr Matthew Lynch, Forensic Pathologist at the Victorian Institute of Forensic Medicine conducted an autopsy on Steven's body.
37. Dr Lynch determined the cause of death to be stab injuries to the chest. Dr Lynch was provided with photographs of the knife suspected to have caused the injuries. He considered that it could cause the observed sharp force injuries. In his opinion *at least* a moderate degree of force would have been required to cause the injuries.
38. Toxicological analysis of post-mortem samples detected cannabinoids.
39. There was no evidence of any natural disease which might have contributed to death.
40. Dr Lynch provided an opinion that the medical cause of death was 1 (a) stab injuries to chest. I accept Dr Lynch's opinion.

HOMICIDE INVESTIGATION

41. Victoria Police Major Crime Scene Unit examined the crime scene and located several relevant exhibits including a rope, a large metal chain with a padlock, a bloodstained sledgehammer, a plastic knife scabbard, and cable ties.⁵²
42. On 18 March 2019, the vehicle at the crime scene was forensically examined.⁵³ An open pack of cable ties, an orange and black backpack containing female clothing, rubber gloves, a torch, scissors, and a black handled knife were located. A set of three silver keys were also found in the front passenger footwell. Two of these keys were later confirmed to fit the padlock found at the scene, one was damaged and could only partially fit.⁵⁴
43. DNA examination and comparison of the exhibits identified throughout the investigation produced the following results:⁵⁵
 - a) Sledgehammer: Blood was confirmed in stain on the head and stains on the handle. All three stains returned a single source DNA profile matched to Anthony Brown (100 billion times more likely);

⁵² Coronial Brief, Statement of Leading Senior Constable Heather Robertson, dated 20 May 2019, pp141-8.

⁵³ Coronial Brief, Statement of Heather Robertson, p147.

⁵⁴ Coronial Brief, Statement of Heather Robertson, p 147.

⁵⁵ Coronial Brief, Appendix 27, 'Biological Analysis Report'.

- b) Chain links with padlock: Returned a mixed partial DNA profile from two contributors, matched to Benjamin Judge (100 billion times more likely);
- c) D shackle and bolt: Returned a mixed partial DNA profile from three contributors, matched to Benjamin Judge (100 billion times more likely) and matched to Jara Dix (12 million times more likely); and
- d) Fingernail scrapings from Steven Judge: Returned a mixed DNA profile from two contributors including Steven Judge, matched to Anthony Brown (63 billion times more likely left fingernails, 3.2 billion times more likely right fingernails). Of note there was apparent blood detected in samples from left and right hand fingernails.

Witness statements

- 44. After Steven was confirmed to be deceased, police transported Jara and Ben to Bendigo Police Station where they both made sworn statements.
- 45. Jara made a number of false statements in her initial version of events to police, including:
 - a) It was only herself, Ben and Steven who drove the vehicle up to One Tree Hill to smoke.⁵⁶
 - b) They arrived at One Tree Hill and went for a walk. She stated she heard strange sounds like a chain being rattled, as well as a thud, which sounded like a sledgehammer hitting a tree. She also stated she heard male voices but could not understand what they were saying.⁵⁷
 - c) As they were walking back to the vehicle they were “jumped” by three males. She identified that one of them was Anthony, and that he threw a punch at Ben. The other

⁵⁶ Coronial Brief, Statement of Jara Dix, dated 16 March 2019, p536.

⁵⁷ Coronial Brief, Statement of Jara Dix, dated 16 March 2019, p537.

two men reportedly ran away. Anthony, Ben, and Steven then fought which resulted in the fatal injuries to Steven.⁵⁸

- d) She claimed that they saw the sledgehammer on the ground and herself, Ben, and Steven each tried to move it further away to prevent themselves being injured.⁵⁹
46. In Ben's version of events, he told police that Anthony had driven to the lookout with them, but that he had blacked out and could not recall what happened. He only remembered Anthony holding Steven up against the car.⁶⁰
47. Ben and Jara were released pending further investigations.

Anthony Brown's Statement

48. Anthony underwent a medical examination at Bendigo Hospital on 16 March 2019. This located a laceration to the front of his head and a haematoma (bruising). Tenderness was noted over his upper spine. A CT scan confirmed left occipital scalp haematoma. The injury to the right frontal scalp was considered to be traumatic.⁶¹ Anthony was treated and then returned to police custody.
49. Anthony was taken by police to Bendigo Police Station and assessed by Dr Angela Sungaila, Forensic Medical Officer who confirmed his fitness for interview.⁶²
50. Dr Sungaila also conducted a physical examination of Anthony and concluded that the totality of his injuries were consistent with a violent interaction with another individual or individuals rather than an accident.⁶³ Anthony agreed to participate in an electronically recorded interview with Homicide Squad Detectives. His version of events was consistent

⁵⁸ Coronial Brief, Statement of Jara Dix, dated 16 March 2019, pp537-8.

⁵⁹ Coronial Brief, Statement of Jara Dix, dated 16 March 2019, p538.

⁶⁰ Coronial Brief, Statement of Steven Dix, dated 16 March 2019, p546.

⁶¹ Coronial Brief, Appendix 19, Discharge Summary Anthony Brown, pp550-5.

⁶² Coronial Brief, Clinical Forensic Medicine Report of Dr Angela Sungaila, dated 10 April 2019, p211.

⁶³ Coronial Brief, Clinical Forensic Medicine Report of Dr Angela Sungaila, dated 10 April 2019, p211.

with those outlined above. He provided details of the significant and sustained attack which occurred at the lookout.

51. Anthony admitted to police that he stabbed Steven, although he told them it was in self-defence. He stated:

I wish there had of been another way, but I had no choice with two adults continuously jumping on me and with what they had with them like weapons and stuff...If they told me that that was what they were going to do there is no way I would have gone out there. It was just an ambush and I was attacked out of nowhere.⁶⁴

Decision not to charge Anthony Brown

52. No one has been charged criminally for the death of Steven Judge. Detective Senior Sergeant (DSS) Mark Colbert of the Homicide Squad was called to give evidence at the Inquest to explain the decision by Victoria Police not to charge Anthony Brown.
53. DSS Colbert's evidence was that Anthony's claim of the self-defence was valid.⁶⁵ He stated that the Homicide Squad had carefully considered the claim of self-defence and considered his actions were necessary and proportionate to the attack against him.⁶⁶ He stated the charge of self-defence was irrefutable and charging Anthony would have been a futile exercise because the charges would not be sustainable in a court.⁶⁷
54. It is clear that Anthony Brown inflicted multiple stab wounds which caused the death of Steven Judge.
55. I am mindful of the comments made by Ormiston, Callaway and Batt JJ.A. in *Keown v Khan*,⁶⁸:

A person who kills necessarily contributes to the cause of death and that is none the less true where the killing is in lawful self-defence. A coroner is not concerned with the latter question but will ordinarily set out the relevant facts in the course of finding how death occurred and the cause of death. The facts will then speak for themselves,

⁶⁴ Coronial Brief, Statement of Anthony Brown, dated 17 March 2019, p72.

⁶⁵ Transcript of evidence, p37.

⁶⁶ Transcript of evidence, pp48, 50.

⁶⁷ Transcript of evidence, p 48

⁶⁸ *Keown v Khan* (1999) 1 VR 69.

leaving readers of the record of investigation to make up their own minds about lawful self-defence or any similar issue.

Charges and Sentencing

56. As a result of the evidence obtained by police, Bo, Harley, Ben, and Jara were arrested and charged in relation to the kidnapping of Anthony Brown. Anthony Brown's version of events were accepted, and Bo, Harley, Ben, and Jara all pleaded guilty.

57. I note the sentencing remarks of her Honour Judge Riddell in the County Court in respect of Jara Dix,

During your record of interview you were dishonest and made up a story to explain the presence of tools in the car... You repeated the version you had given to police initially, about being ambushed by Brown and others in the bush. You said Mr Brown was a liar and was not acting in self-defence, claiming he only had a bit of blood on his head from the boys defending themselves You denied agreeing with Harley Dix that you would take care of Brown. However, you later admitted that there was a plan to tie Mr Brown to a tree and leave him for a couple of days just to teach him a lesson. You agreed discussing the plan with Ben Judge.⁶⁹

58. Further, in relation to Ben Judge, her Honour Judge Riddell opined:

Initially you were not honest in your interview, saying nothing of the plan to assault Brown. You claimed tools were in the car due to your mowing business. You claimed Brown hit Steven and you intervened but blacked out. You claimed not to remember hitting Brown with the sledgehammer ... you then admitted there was a plan which was to tie Brown up so Jara Dix could 'have a chat with him' ... You said Jara was going to leave him there for a couple of nights... You admitted you and your brother probably hit Brown but you claimed you couldn't recall. You said that you had agreed to tie Brown to a tree, but you had not thought about whether force would have to be used to do this. Once the assault started, you said you just fought Brown off your brother.⁷⁰

59. When sentencing Jara Dix and Benjamin Judge, her Honour Judge Riddell remarked, "by your plea you both now admit the prosecution opening which describes not only the planning of these events, but how they unfolded".⁷¹

⁶⁹ DPP v Judge & Anor [2020] VCC, [38].

⁷⁰ DPP v Judge & Anor [2020] VCC, [34]-[36].

⁷¹ DPP v Judge & Anor [2020] VCC, [40].

FINDINGS

60. Having investigated the death of Steven William Judge, I make the following findings and conclusions, pursuant to section 67(1) of the *Coroners Act 2008*:
- a) that the identity of the deceased was Steven William Judge, born 19 July 1994; and
 - b) that Steven died on 15 March 2019, at One Tree Hill Lookout, Spring Gully, from stab injuries to the chest; and
 - c) the death occurred in the circumstances set out above.
61. I find on the balance of probabilities that during an attack on Anthony Brown, Steven Judge was stabbed several times by Anthony Brown, which caused his death. I note that Anthony Brown was never charged for this offence due to his lawful claim of self-defence.
62. I convey my sincerest sympathy to Steven's family.
63. I order that this finding be published on the internet in accordance with section 73(1) *Coroners Act 2008* and the rules.
64. I direct that a copy of this finding be provided to the following:
- The family of Steven Judge;
 - Mr Shane Patton APM, Chief Commissioner of Police, Victoria Police;
 - Detective Senior Constable Emily Fryters, Coroner's Investigator, Homicide Squad.

Signature:



Jacqui Hawkins, Deputy State Coroner

Date: 28 October 2022