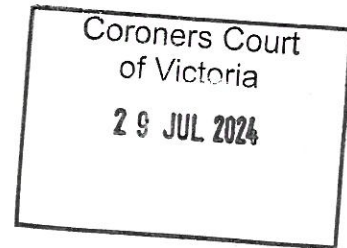




VICTORIA POLICE



Assistant Commissioner Libby Murphy APM  
Crime Command, Victoria Police  
Level 6, Tower 2, 311 Spencer Street  
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23 July 2024

State Coroner Judge John Cain  
Coroners Court of Victoria  
65 Kavanagh Street  
Southbank Victoria 3006

Dear State Coroner John Cain,

I am writing to provide an update regarding Victoria Police's implementation of Victoria Coronial recommendations relating to the death of Mrs Maria Theresa James. Mrs James was killed on Tuesday 17 June 1980, in her home in Thornbury, Victoria. Her assailant has never been identified or charged by Victoria Police. A coronial inquest was held into her death on 25 November 1982, which found she died from the effects of multiple stab wounds committed by a person unknown.

On 30 November 2018, Acting State Coroner Iain West ordered the 1982 findings be set aside and the investigation into the death of Mrs James be re-opened. A further inquest was held on 31 March 2022, and the Coroners Court Victoria made three recommendations to Victoria Police resulting from findings from this inquest.

**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 has now completed searches within a number of police property storage facilities including a search of the Collingwood Warehouse and Distribution Unit (long term and bulk property storage), an audit of all property holdings at the Victoria Police Forensic Science Centre in Macleod and a full audit of property holdings within the Spencer Street Property Office at the Victoria Police Centre.

In addition to these searches, Crime Command continues to physically audit every document storage box held at the Victoria Police Archive Services Centre to ensure correct recording practices have been applied, and if not, to rectify any identified issues. Although these archives are for documents only and the missing exhibits are not likely to be located in the archive boxes, members have been reminded to keep this in mind while conducting the audit.

### **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 decisions 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.*

Recommendation two has been completed and Victoria Police considers all relevant work has been acquitted. To acquit this recommendation, Victoria Police's Homicide Squad has amended the Victoria Police Crime Investigative Guidelines – Suspicious Deaths and the Homicide Squad's Standard Operating Procedures to include the following information:

- *The Critical decision Log has been implemented in response to a Coroner's recommendation and in agreement with the Chief Commissioner. The Critical Decision Log must be used to record decisions that are likely to have a significant impact on the investigation direction or progress. This may be considered, but not limited to, Investigation Management, Media Strategies, Intelligence and Covert Support Assistance, Witness/Offender Management, etc. The decision maker should be a Detective Sergeant or above and the log entry must be authorised by a Detective Senior Sergeant or above prior to uploading into Interpose.*
- *A separate log entry must be created for each critical decision recorded. These logs are designed to provide context to decisions made during the course of an investigation should there be a need to review decisions in years to come. A copy of the Critical Decision log can be found on the Intranet in the Suspicious Death Guidelines.*

These updates became effective as of 6 July 2022 and are now standard unit policy at the Homicide Squad.

### **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.*

Recommendation three has been completed. Crime Command has reviewed and amended section 2.4 of the *Victoria Police Manual Crime investigation – Case management* to include a requirement for investigators to record all major decisions within Interpose, including the reasoning behind the decision-making process and endorsement by the investigator's supervisor. These updates are pending publication and are anticipated to be in effect by September 2024.

Victoria Police consider that all three recommendations relating to the death of Mrs James have now been acquitted.

Yours sincerely,



Libby Murphy APM  
Assistant Commissioner, Crime Command