

TRIM

REF No: NSWP/ D 105/129155

Issue: Comment sought by Professional Standards Command from State Crime Command regarding a series of recommendations made by the Senior Deputy State Coroner arising from the inquest into the death of Mattaini, Russell and Warren.

Background: On 9 March 2005 Magistrate Milledge completed the inquest into the above deaths. During the inquest there was criticism of the original police investigation. A series of recommendations were made at the conclusion of the inquest and feedback from the NSW Police is sought regarding outcomes.

Comment: A number of the recommendations are the responsibility of other Commands and hence no comment is made in respect of those recommendations. It appears that the recommendations made by the Senior Deputy State Coroner arise from the inadequacies of the original investigation. It is important to note that these investigations took place approximately fifteen years ago and since that time there have been many changes to investigative and supervisory practices.

Recommendation Four:

"Undertake a review of the current case management and monitoring systems to ensure that all investigations are pursued with due diligence."

Major investigations are now managed within the 'e@glei' information management system. This permits greater accountability and allows for easier supervision via the system's reporting components. Further, the COPS case management system is overseen by new Crime Management Units and Crime Managers within the Local Area Command environment. State Crime Command also has a strict review process which is applied to all major investigation lead by this Command.

* **Recommendation Five:**

"Review procedures in relation to the collection and retention of physical evidence and exhibits relating to unsolved homicides and any deaths reportable to the coroner."

Whilst responsibility for the collection and retention of exhibits falls to the Forensic Services Group and Local Area Commands respectively, this Command has observed the strict collection and recording processes that are in place for the management of exhibits. The Command Management Framework which is a comprehensive audit and compliance process also requires the regular auditing of exhibits held by police.

Recommendation Eight:

"Review procedures in relation to the recording of possible causes of death at early stages of any investigation in order to minimise erroneous or lazy conclusions based on incomplete information."

The NSW Police has a process which requires a mandatory notification to the Homicide Squad, State Crime Command of all possibly suspicious deaths and instances of persons injured who may die. These notifications are reviewed by an experienced Detective Inspector who provides advice and in most cases arranges the attendance at the scene of the death by experienced homicide investigators who are available 24 hours a day, seven days a week.

Recommendation Ten:

"Audit outstanding homicide and suspected deaths to ensure investigations are active and ongoing. Where investigations have stalled these matters are to be referred to the State Coroner for his consideration."

The Unsolved Homicide Team within the Homicide Squad, are currently reviewing unsolved homicides that occurred between, approximately 1970 – 2000. A number of these investigations have been confirmed as ongoing. The Homicide Squad has also commenced a process of identifying all homicide investigations that are unsolved from the year 2000 to current. Subject to their status a formal review of that investigation will be offered to the Local Area Command who has responsibility for that investigation. This review process is regularly applied to other current homicide investigations so that the expertise held within the Homicide Squad can be applied to an ongoing investigation.

Recommendation:

That this advice be forwarded to the Professional Standards Command.



Paul Jones
Detective Superintendent
Commander Homicide Squad
9 August 2005

- 1. Manager Operations State Crime Command

Forward to Prof. Stands. Cmd.



Peter Dein
Detective Chief Superintendent
10/8

- 2. Commander State Crime Command

I support D/Supt Jones' comments, though I would recommend the Service ensure its satisfaction with physical exhibit retention facilities & procedures are adequate across all Cmds.



- 3. Commander Professional Standards Command

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