Introduction

When a family member or friend is killed by another person, or suspected of being killed, the emotional and physical devastation is immeasurable; the consequences unimaginable, far reaching and overwhelming. Nothing can prepare you for this and your life is never the same after the homicide of a loved one.

Homicide is the unlawful killing of a person, including murder, manslaughter and criminal neglect resulting in death.

Those living through the trauma of homicide want a timely outcome; they want to see the person responsible for the death of their loved one apprehended, prosecuted, found guilty and adequately punished.

Sadly this does not always happen and some homicides remain unsolved for many years while some are never solved.

When a homicide remains unsolved for a year or longer, survivors face additional psychological stress and challenges. Feelings of shock, loss, anger, denial, helplessness and guilt are intensified. Furthermore, survivors begin to fear that they will never know what happened and wonder if their loved one will ever receive justice. Many survivors have trouble believing in the justice system and trusting that the investigation is ongoing. These feelings often worsen when a body is not recovered as the family is unable to bury their loved one.

Please know that the South Australia Police, like you, have not forgotten about the killing of your loved one and are committed to doing everything possible to solve every homicide.

What is being done?

Most homicides are solved, but unfortunately not all. The South Australia Police is strongly committed to solving all homicides. The South Australia Police Major Crime Investigation Branch has responsibility for ensuring that all homicides are properly investigated.
Major Crime Investigation Branch has very experienced investigators drawn from diverse backgrounds, is well resourced and is always provided with additional resources when required.

During 2014 the Major Crime Investigation Branch conducted research worldwide and drew on the experience of past and present specialist investigators to identify ways to enhance the investigation of homicides. In accordance with what is considered to be best practice throughout the developed world, the Major Crime Investigation Branch has adopted a structured process of reviewing all unsolved homicides.

If a homicide remains unsolved after 12 months, senior officers in Major Crime Investigation Branch will direct that a case evaluation report be completed by a member of the investigation team. In short this report provides a comprehensive overview and analysis of all evidence gathered. A team of police officers from Major Crime Investigation Branch will then review the report and ask questions as they seek to identify whether further investigation should happen.

Why is it called a cold case homicide (CCH)?

Homicides that are unsolved for more than 12 months are often called ‘cold case homicides’ (CCH). This term refers to the fact that all reasonable lines of inquiry have been exhausted without resolution or the case has gone ‘cold’. It does not mean that the case has been filed or forgotten. CCH investigations remain allocated to one of the experienced investigators until they are solved.

What has changed?

The passage of time, while painful and frustrating for survivors, can sometimes assist in solving crimes. Over time there are improvements in policing methods, advances in technology and changes in circumstances that may increase the evidence available to police and therefore the likelihood that the killer or killers will be identified.
Technological advances

Ongoing advances in forensic science such as DNA and fingerprint analysis and firearms comparison may provide police with fresh evidence to help their investigations. In recent years these scientific advances have assisted police to solve homicides.

Forensic Science SA provides a very high quality forensic service in South Australia; however, if necessary, scientists will refer cases to overseas laboratories with specialist capabilities that are not available in Australia.

Relationships

Over time the relationships and alliances between suspects, friends and witnesses may have changed. Some people may be more inclined to speak to police about what they know regarding a homicide. They may, for instance, be prepared to incriminate the killer.
Why is nothing happening?

At times you may wonder why other homicides are getting publicity and being solved when the murder of your loved one remains unsolved.

It is important to remember that every case is different. Information, leads and forensic results can become available to police at any time. Sometimes police must act quickly. Experience has taught police, for example, that giving priority to the gathering of evidence and preliminary investigation shortly after a homicide has happened increases the likelihood of a successful outcome.

As police tackle other homicides it might seem to you that they have forgotten about your loved one and the need to hold someone to account for their death. This is not true. The police will pursue every opportunity to investigate new evidence or fresh leads as they become available.

When a matter gets old you may wonder and question whether police have done everything possible and done it to the best of their ability. If you ever have any concerns please do not hesitate to speak with the investigator and or the Detective Senior Sergeant.

How can I get information?

You can contact the investigator or the Victim Contact Officer if you have any questions, concerns or simply wish to talk. You are entitled to ask for information about the investigation and police will keep you informed of significant events. Sometimes however, police may not tell you everything they know or suspect. While this is understandably frustrating for you, police will not give you information that might jeopardise the investigation of an offence. Furthermore, police may wait until they assess whether information they have received will be useful as they do not want to raise your expectations unnecessarily.
or give you false hope. You may find it helpful to talk to the investigator or Victim Contact Officer about your expectations and what is possible.

You can contact the Investigators and Victim Contact Officers at the Major Crime Investigation Branch on (08) 8172 5439 or (08) 8172 5344.

If either the investigator or Victim Contact Officers are unavailable, please leave a message and your call will be returned as soon as possible. Remember the investigator may, at the time of your call, be working on another case or committed to a court trial. They will however, return your call as soon as possible.

Surviving family members may wish to consider nominating a primary contact/spokesperson. In some cases there may need to be more than one primary contact depending on the relationships and communication levels among survivors, both family and friends.

Investigators

All long term cold case investigations will have an investigator assigned to them working under a Detective Senior Sergeant along with a Victim Contact Officer.

It is the investigator’s role to actively seek information to help solve homicides. This includes responding to any new information that is provided, whether through police initiated actions, Crime Stoppers, or other contacts with police.

Over time, it is possible that the investigation file will be handed over to another investigator due to the natural movement of officers within the South Australia Police or when Major Crime management reallocate an investigation. The reallocation of a file has some benefits as it allows ‘fresh eyes’ to critically examine the case.

It is the role of the Detective Senior Sergeant to have oversight of the investigation and to provide guidance, leadership and direction to ensure every line of inquiry and every possible lead is completely exhausted.
Victim Contact Officers (VCOs)

Victim Contact Officers (VCOs) are police officers who provide information on support services and resources available to the victim’s family and friends. VCOs also provide referrals to professional counselling services, information about compensation and support through the identification process of the victim’s body if required.

How do I deal with the media attention?

This can be a difficult issue. Some victims want to tell their story and welcome publicity. Others prefer to maintain their privacy. The media can however play a significant role in helping police to solve CCHs. If you are thinking of giving any information to the media about what has happened, bear in mind the following:

- **You should not speak to the media about the case if someone has been arrested or if there are any legal proceedings in progress. It could prejudice the case.** If police are still investigating, media publicity could negatively affect their enquiries. **You should always discuss this with police before speaking to the media.** If in doubt about the legal position, check first before giving any information to the media.

- **The media report may be different from what you expect.** The media will gather information from many sources and your case may be presented in a way you do not agree with. This can be upsetting.

- **Once the matter becomes public through the media, you or your family may encounter unwanted attention.** Be aware, for example, that media publicity might mean that your children are the subject of comment or gossip at school. Be careful about exposing children to the media. It is important that you or your family suffer no adverse effects by talking to the media, so consider carefully the possible effects on everyone beforehand.
• **Remember that you do not have to speak to the media, even if they are very persistent.** Your first contact with the media might occur while you are feeling confused and disorientated, common reactions after a crime.

You are entitled to:

• say “no” to an interview;
• require anyone who visits your home uninvited to leave, and call the police if they refuse to do so;
• refuse an interview with a specific reporter even though you may have granted interviews to other reporters;
• say “no” to an interview even though you have previously granted interviews;
• choose the time and place for interviews;
• exclude children from interviews; children find it hard to make an informed decision about public exposure so it is better to let adults handle this;
• refuse to answer any question you do not wish to answer;
• speak with one reporter at a time;
• request a correction if a report is inaccurate;
• ask that offensive photographs or visuals not be used;
• set conditions to protect your privacy or safety. For instance, you could give an interview on condition that your face be obscured, your name not used or your voice altered, or you could stipulate no photographs in a newspaper interview.

If you choose to speak with the media, consider whether you wish to give an interview, read out a statement, or simply release a written statement. Consider also whether you wish to deal with the media yourself, or use someone else as a spokesperson, perhaps someone experienced in dealing with the media, as a go-between. If you do decide on an interview, decide in advance what you want to say and what you do not wish to comment on. Be cautious about what is recorded or filmed. Once an interview is recorded, a photograph is taken or an event filmed you have little control over how it is used.
You may decide to wait until you are emotionally ready to deal with the media. This could take up to the end of the criminal process. Ensure at court appearances that the media are aware beforehand if you do not wish to give a statement. This can be relayed to the media by the DPP Prosecutor, Witness Assistance Officer, a police officer or your own spokesperson.

It is important to remember that the media will compile and report a story regardless of your wishes or co-operation. Providing the media with the correct information and details is often better than journalists speculating or trying to obtain further information through neighbours or work acquaintances of the victim. Even when the correct information is provided to journalists there are no guarantees that what appears in print or on television will be correct, due to editing processes.

The media have an important job to do. If you are having difficulties dealing with or coping with the media attention, please talk to the police investigator involved in your case who will be able to advise you or suggest with whom you should talk.

If you are not happy with the way a person from the media treats you or any of your family, you can complain to:

- the media organisation concerned, ie the newspaper or television station
- the Australian Press Council (for print media)
- the Australian Communications and Media Authority (for broadcasting-related inquiries).

Keep your complaint specific.

Contact details

Check the White Pages of the phone book for specific publishers or broadcasters.

The Australian Press Council, phone: (02) 9261 1930 or 1800 025 712, or online www.presscouncil.org.au

The Australian Communications and Media Authority, phone: 1800 226 667, or online www.acma.gov.au
Will the homicide be solved?

South Australia Police are committed to solving as many cold case homicides as possible and promise survivors that they will do their best to achieve this. Sadly this will not always happen and many cases will remain unsolved for a variety of reasons. Remember, cold case homicides are extremely difficult to investigate and prosecute.

How will I feel?

With the renewed focus on trying to solve the homicide of your loved one you will likely experience a range of strong physical and emotional reactions. For some survivors the emotions have never lessened. You may, however, feel as though years of emotion suddenly rise to the surface or that a wound has been reopened. The intensity of your thoughts and feelings could surprise you.

You may experience a surge of hopefulness - hope that the crime will finally be solved, the perpetrator located and justice served. Remember these are normal reactions to traumatic events.

Don’t be surprised if you also experience a resurgence of grief. Feelings of anxiety, anger, sadness, frustration and longing may all be rekindled. You may feel confused and unsettled by these feelings particularly if you feel that you had worked through your grief.

Grief is often said to progress through ‘normal stages’ such as denial, anger, bargaining, depression and acceptance. Grief associated with a traumatic loss, such as the loss of a loved one through homicide however, tends to be much more complicated. It is important to remember that the emotional and psychological processes of grief may not follow the traditional or normal stages of grief in such cases, particularly when the homicide remains unsolved.
Remember that everyone experiences grief in his or her own way. You may find your grief has resurfaced and that you are revisiting thoughts, feelings and memories multiple times in a renewed attempt to understand your loss.

If the investigation does not progress, despite the renewed focus, your frustration and grief may be intensified.

**What can I do?**

- Talk to a doctor if you are at all worried or have questions about any of your reactions
- Find someone to talk to, a friend or a professional, about how you are feeling and what you are going through
- Take care of your physical and mental health as much as possible. Rest, sleep, exercise and eat regular, healthy meals
- Avoid misusing prescription or illegal drugs and alcohol as they will likely make stress reactions worse
- Undertake daily tasks with care. Accidents are more likely to happen in times of severe stress
- Try to recall the things that helped you cope in the past
- Re-establish a normal routine as soon as possible.

If at any stage you become concerned or overwhelmed by the way you are feeling you should consult your doctor or a counsellor.
However you are feeling, no matter when the crime took place, you can talk to someone. Do not be afraid to seek help when you need it whether it be from family, friends and/or a professional counsellor.
Where can I get help?

Commissioner for Victims’ Rights

The Commissioner is an independent statutory officer who helps victims in their dealings with the criminal justice system, public officials and public agencies; as well as, consults public officials and public agencies on their treatment of victims. The Commissioner can recommend public officials and public agencies make a written apology if they have not treated victims properly. If you are unsure of your rights you can contact the Commissioner for Victims’ Rights.

• by telephone on (08) 8204 9635
• in writing to GPO Box 464 Adelaide SA 5001
• by email VictimsofCrime@sa.gov.au

See also www.voc.sa.gov.au

Crisis Care

For assistance with after-hours emergencies call the Crisis Care telephone service. The service operates from 4.00 pm to 9.00 am on weekdays and 24 hours on weekends and public holidays. Crisis Care can assist people in crises as a result of personal trauma, suicidal behaviour, child abuse or neglect and homelessness among other things.

Ph: 131 611

General Practitioner/Family Doctor

Ask your doctor for a 30 minute consultation and a Mental Health Care Plan. General practitioners can refer for up to 12 individual consultations and 12 group sessions with a psychologist, social worker or occupation therapist - all with a MEDICARE rebate - Health Care Card holders will have no gap fees but some providers do charge others a gap. Enquire when making a booking.
Homicide Victim Support Group (HVSG)

The HVSG is a self-help group which comprises individuals and families who have suffered the loss of a family member or a friend through homicide (homicide or manslaughter). Although your healing and coping are a very individual experience, similar feelings and thoughts have been experienced at different times by individuals in the group. Sharing your experience with the HVSG may decrease your sense of isolation and give you access to others who are willing to listen and assist you.

The HVSG meets on the third Wednesday of every month (except December and January) at 7.00pm. One-to-one meetings can be arranged if you prefer, or telephone support with a group member is also available.

For further information on the HVSG please contact the mobile number 0424 628 300 or for after hours emergencies contact Crisis Care on 131 611.

Meeting Place: Anglicare
184 Port Road
Hindmarsh 5007

Ph: 0424 628 300 or for after hours emergencies contact Crisis Care on 131 611.

Major Crime Investigation Branch,
South Australia Police

Adelaide Police Station
60 Wakefield Street
Adelaide SA 5001

Telephone: (08) 8172 5439

Victim Support Service

Victim Support Service (VSS) is a community based not for-profit organisation in South Australia that provides a comprehensive range of services, including counselling, for people who have suffered as a result of a criminal offence. In cases of homicide it includes all those affected: family members, friends, work colleagues of the victim and the wider community or neighbourhood.
All services provided by VSS are confidential and free of charge.

To find out more about VSS services for those affected by homicide, please contact the Helpdesk on 1800 VICTIM (1800 842 846). You can also email: helpdesk@victimsa.org or visit www.victimsa.org.

VSS is located at 11 Halifax Street in Adelaide and has seven regional offices in: Berri, Mt Gambier, Murray Bridge, Pt Augusta, Pt Lincoln, Pt Pirie and Whyalla.

**Declaration of principles governing treatment of victims of crime**

As a victim of crime, you should be treated with courtesy, respect and sympathy; and with regard to any special needs that arise because of your age; sex; race or ethnicity; cultural or linguistic background; or disability.

You should be informed about the health and welfare services that may be available to help you deal with the effects of the crime.

There should be no unnecessary intrusion into your privacy – in particular your residential address should not be disclosed unless necessary for proceedings.

If you ask, you are entitled to information about:

- The progress of investigations (except where giving you information might jeopardise the investigation);
- Details of any charge laid and the name of the person who has been charged (often called the defendant or the accused);

You should tell the police investigator or prosecutor if you are worried about your personal safety. If the person charged with killing your loved one asks to be released on bail, the police or prosecutor should make your worries about your personal safety known to the authority hearing the bail application. After that hearing, the police or the prosecutor should tell you the outcome and in particular tell you any conditions imposed to protect you from the accused person.
You have the right to be protected during proceedings (as far as practicable) from unnecessary contact with the accused person (defendant) and defence witnesses and should only be asked to attend proceedings if it is genuinely necessary.

After criminal proceedings have commenced, if you ask, you are entitled to information about:

- The court proceedings, such as the progress of the prosecution;
- Your role and responsibilities as a witness (including your right to attain independent advice and arrange independent support, such as a court companion);
- The court outcome, such as the sentence imposed on the offender;
- An appeal against conviction, sentence or both, and the results of such an appeal.

You should, if you ask, be told should a decision be made regarding a charge bargain, an amendment to the original charge, or a decision to not proceed with the prosecution (for example, withdraw the charge).

As the family of a victim of a ‘serious offence’, the prosecutor or a person representing the prosecutor, such as the police investigating officer, should consult you before a decision is made regarding a charge bargain, an amendment to the original charge, or not to proceed with the prosecution (for example, withdraw the charge).

You are entitled to be present in the courtroom during the criminal proceedings, unless the court orders otherwise. You should speak with the police investigator or prosecutor if you want to be present in the courtroom to ensure that you presence will not adversely affect the criminal proceedings.

You have the right to have information about the effects of the crime (including injury, loss or damage suffered) and your personal circumstances taken into account by the sentencing court. For this purpose, you can make a victim impact statement.
You should, if you ask, be given information about how to obtain restitution or compensation for harm suffered as a result of the crime. If you ask, the prosecutor should ask the court sentencing the offender to consider ordering him or her to return property to you and/or to pay a sum of money.

If you suffer a personal injury, you are also entitled to information about state-funded victim compensation, which is paid from the Victims of Crime Compensation Fund.

If your property is taken for investigation or for use as evidence, that property should be returned to you as soon as practicable after it is no longer required for the purpose it was taken.
If you are dissatisfied with a determination (for example, the sentence imposed on the offender) in relation to criminal proceedings, you may (within 10 days of that determination) request the prosecution to review the matter and consider making an appeal. After the review, you are entitled to know the prosecutor’s decision.

If the offender is imprisoned, you have the right to make a written submission to the Parole Board before the offender is released on parole; and you also have the right to be informed of the outcome of parole proceedings (in particular any conditions imposed to protect you from the offender).

If you ask, you should also be told the date of the release of the offender. Further, you should be told if the offender escapes, and if the offender escapes and is apprehended then returned to custody.

You are entitled to be told how to make a complaint if you believe that a public official (for example, a police officer or prosecutor) has not respected any of your rights as a victim of crime.

Please note that all of these entitlements or rights to the extent practical, apply in cases where the alleged offender is found to be mentally unwell or incompetent to be tried in a criminal court.

If you would like to know more about your rights you can contact the Commissioner for Victims’ Rights on 8204 9635 or visit www.voc.sa.gov.au
Frequently asked questions

Does SAPOL have a “cold case” unit?
SAPOL has a structured process of reviewing all CCH and when opportunities are identified to progress an investigation, a dedicated team is formed. All unsolved cases remain allocated to an investigator under supervision of a Detective Senior Sergeant.

How are “cold cases” allocated?
Typically they remain with the original investigating case officer unless that person transfers out of Major Crime or resigns from SAPOL. On occasions a peer review may see the case allocated to another officer or team at Major Crime to review.

How are CCHs reviewed?
An Evaluation Report is prepared with recommendations on how to progress the investigation if practical. All aspects of CCHs (including documents, exhibits and opportunities for further investigation) are peer reviewed by a panel of experienced homicide detectives. All forensic evidence is considered for re-analysis in light of technological advances.

When are cases filed?
CCHs are never filed. These investigations remain allocated to one of the experienced MCIB investigators until solved and are subject to periodic review.

What success has Major Crime had in solving CCH in recent years?
Between 2012-2013 police charged four persons for committing homicides that happened 10 to 32 years ago.

Is there a time limit on when someone can be prosecuted for homicide?
No.
When are rewards allocated?
Rewards are offered, with approval of the government, where the investigation has remained unsolved for more than 12 months.

Why is the ‘reward’ on offer for my family member only $200K when others have a $1M on offer?
Rewards are required to be applied in a consistent manner based on the following criteria:

- $200,000.00 – for unsolved homicides.
- $500,000.00 – where the homicide relates to Organised Crime, Outlaw Motorcycle Gang crime where there is/was a risk to the public, the offence occurred in a public place with multiple offenders and/or victims.
- $1 million – for crimes against the State and against children under 18 years of age at the time of the homicide.

What happens where the Director of Public Prosecutions (DPP) has withdrawn the case prior to trial?
The DPP may have, based on the available evidence at that time, withdrawn the case as there was not a reasonable prospect of conviction. If further evidence becomes available, the DPP may prosecute the offender. These cases also remain allocated to an investigator.

What about homicides where the person has been found not guilty at trial. Are these considered unsolved and can the offender still be prosecuted?
Yes, they are treated as unsolved. In 2008, the SA Government changed the Criminal Law Consolidation Act and introduced an amendment which now allows for an offender to be charged again with the same homicide if fresh and compelling evidence is located that wasn’t available at the first trial. This legislation applies to all homicides in South Australia regardless of when they were committed.