



STATEMENT OF A WITNESS

In the matter: Special Commission of Inquiry into LGBTIQ Hate Crimes.
Place: Unsolved Homicide Team, Homicide Squad, Parramatta.
Date: 31 October 2022

Name: Steven MORGAN **Tel. No:** [REDACTED]
Rank: Detective Sergeant of Police
Station/Unit: Unsolved Homicide Team, Homicide Squad.

STATES:

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
2. I am 59 years of age.

Policing experience

3. I have been a sworn officer of the New South Wales Police Force (**NSWPF**) since attesting from the Police Academy on 7 November 1986.
4. From November 1986 to April 1990, for around three and a half years, I performed General Duties in both Regional locations, at Albury and Moulamein, and in the Metropolitan area at Maroubra. Shortly after performing General Duties at Maroubra, I commenced Criminal Investigation duties at

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Nigel Warren
Detective Inspector
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5. Maroubra Police Station. On 5 August 1994, I successfully completed the Detectives Education Program, which was a two to three year-long intensive program and I was formally designated a Detective.
6. From May 1995 to 1996, I worked as an investigator at the Organised Crime Branch, State Major Incident Group.
7. From 1996 until 24 October 1997, I performed criminal investigation duties at the former Task Force Bax that investigated organised crime in Kings Cross.
8. From October 1997 until April 1998, I undertook criminal investigation duties at Crime Agencies, including a joint investigation with the Australia Federal Police involving a drug importation investigation.
9. During 1998 and 1999, I was a member of Strike Force FENWICK (**S/F FENWICK**), which involved several simultaneous investigations into the disappearance and suspected deaths of several young women and one man in the Newcastle/Hunter area over a two-decade period. I predominantly worked on the suspected homicides of Amanda ROBINSON and Debbie Rae PRITCHARD during that investigation, although at times also assisted Police involved in other S/F FENWICK investigations.
10. After S/F FENWICK, from mid-1999 to July 2000, I was attached to the Violence and Major Offenders Unit at Crime Agencies.
11. From July 2000 to 2004, I worked as an investigator at the Homicide and Serial Violent Crime Agency (now known as the Homicide Squad). During this time in 2000, I also completed the Homicide Investigation Program as part of the required additional training for these duties.

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12. During 2002 and 2003, then as a member of the Homicide Squad, I was responsible for presenting the suspected homicides investigated by S/F FENWICK at the Coronial Inquest before then NSW State Coroner John ABERNETHY, involving the ROBINSON and PRITCHARD matters. The recommendations by NSW State Coroner ABERNETHY at the conclusion of those Coronial Inquests resulted in the formation in 2004 of the Unsolved Homicide Unit as part of the Homicide Squad, as it exists to the current day.
13. On 29 August 2004, I was promoted to the rank of Detective Sergeant at Lake Illawarra Command.
14. Then in June 2008, I successfully applied for the position of Team Leader of the then Southern Region Unsolved Homicide Team.
15. In 2015, the Region Unsolved Homicide Teams were absorbed into the centralised Unsolved Homicide Team at the Homicide Squad, State Crime Command. From June 2008 until the current day, I have remained in the Unsolved Homicide Team or Unit for over 14 years.
16. In my NSWPF career spanning nearly 36 years, I have spent a total of over 18 years as a Homicide investigator. As a result of my policing experience as outlined above, I have gained significant practical skills over many years in the investigation of suspicious missing persons and unsolved homicide cases.

Qualifications

17. During 1998, I completed the mandatory training package 'Victim's Rights'.
18. Following an intensive course over a three-year period, I successfully completed the Police Negotiators Course and became an accredited metropolitan Negotiator in August 1999. As part of my duties as a Negotiator, I have attended

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numerous high-risk incidents and occurrences where people have threatened self-harm or suicide.

19. In 2000, I completed a 'Bachelor of Policing-Investigations' degree through Charles STURT University.
20. In July 2004 I completed the Counter-Terrorist Negotiator Course in Darwin and became qualified to that level. I subsequently became a Region-based Negotiator and continue duties in this role on a part-time basis.
21. In 2010, I completed the Senior Detective's Course whilst attached to the Unsolved Homicide Team.
22. I completed the mandatory LGBTIQ Awareness and Inclusion program on 17 October 2019.
23. I do not possess a curriculum vitae. My policing experience and qualifications is outlined in this statement.

Establishment of Strike Force Neiwand

24. To my knowledge, S/F NEIWAND commenced around early 2016, although my involvement in the investigation did not commence until 30 June 2016 as the Supervisor of S/F NEIWAND.
25. I have no particular knowledge or involvement about the reasons for the establishment of Strike Force Neiwand (**S/F NEIWAND**).
26. I believe former Deputy Commissioner Michael Willing, who is no longer a member of the NSWPF, may be able to address the reasons for the establishment of S/F NEIWAND. At the time of the establishment of

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S/F NEIWAND, he was a Detective Superintendent and Commander of the Homicide Squad.

27. According to an Investigation Log entry dated 26 October 2015, the original Supervisor for S/F NEIWAND was Detective Sergeant Penelope BROWN. I subsequently assumed this role from her. I understand that Detective Sergeant BROWN is currently on secondment to the Australian Federal Police. A copy of this document is attached as **Annexure 1**.
28. The Terms of Reference (**TOR**) for S/F NEIWAND dated 30 June 2016 states, *'to re-investigate the suspicious disappearance and death of Giles MATTAINI from Bondi on 01/09/1985: the suspicious disappearance and death of Ross WARREN from Bondi on 22/07/1989 and the suspected murder of John RUSSELL at Bondi on 23/11/1989*. A copy of this document is attached as **Annexure 2**.
29. In making this statement, I have referred to the TOR for S/F NEIWAND and various products on the e@gle.i case management system for S/F NEIWAND, which include and are named:-
- IN-136: S/F NEIWAND – Re-examination of RUSSELL'S clothing unsuccessful. This relates to the unsuccessful re-examination of clothing exhibits from the death of Mr. RUSSELL. On 16 November 2016, NEIWAND investigators were informed that no sufficient DNA profiles for comparison analysis were found during the examination of the clothing worn by John RUSSELL. All such results were either *"Mixed DNA profile, weak/complex"* or *"DNA testing unsuccessful"*. [REDACTED]
 - OD-277: S/F NEIWAND – Summary of investigation – Giles MATTAINI. This is a summary of the investigation into the disappearance and

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suspected death of Giles MATTAINNI. A copy of this document is attached as **Annexure 4**.

- OD-278: S/F NEIWAND – Summary of investigation – John RUSSELL. This is a summary of the investigation into the death of John RUSSELL. A copy of this document is attached as **Annexure 5**.
- OD-279: S/F NEIWAND – Summary of investigation – Ross WARREN. A copy of this document is attached as **Annexure 6**.
- The Post Operational Assessment (**POA**) for S/F NEIWAND, which was completed by then Officer in Charge (**OIC**) Detective Senior Constable Michael CHEBL. A copy of this document is attached as **Annexure 7**.

30. I note that the abbreviations 'IN' and 'OD' used above stands for:
- Investigator Notes (**IN**) are documentation by the submitting Officer in relation to a particular area of the investigation, which is not otherwise a statement, transcript, or other specified document.
 - Other Document (**OD**) is another type of document of possible interest to the investigation which is not a statement, transcript etc.
31. These IN and OD are submitted as a 'product' onto the e@gle.i investigation case management system.
32. The POA is compiled following the conclusion of an investigation and provides an overview of the investigation, strategies undertaken, recommendations and conclusions reached by the investigative team.
33. I have also reviewed various Progress Reports and Investigation Log entries in relation to S/F NEIWAND. Progress Reports are a document submitted, usually by the OIC, listing any progress, anticipated future enquiries and any difficulties encountered in the investigation, for the information of the Commander (Homicide), Director and Assistant Commissioner of State Crime Command.

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Investigation Log entries are made in a chronological order to highlight specific occurrences or issues encountered during the investigation. A copy of all Progress Reports on the e@gle.i case management system for S/F NEIWAND are attached as **Annexure 8**.

Previous re-investigation: Strike Force Taradale

34. I had access to Strike Force Taradale (**S/F TARADALE**) e@gle.i holdings as part of the S/F NEIWAND investigation., It is my understanding from my perusal of such records that S/F TARADALE had previously conducted a re-investigation into several matters, including the suspicious disappearances of Giles MATTAINI and Ross WARREN, and the death of John RUSSELL (being the matters the subject of S/F NEIWAND). I also understand from such records that from 2001, then Detective Sergeant Stephen PAGE (resigned) from Paddington Police Station was the OIC of S/F TARADALE. Sitrep 2001-5-2 refers. A copy of this document is attached as **Annexure 9**.
35. I was not a member of S/F TARADALE at any stage.
36. My understanding from the perusal of the e@gle.i holdings for S/F TARADALE, S/F TARADALE was in existence from sometime between 2001 until 2005, when Deputy State Coroner MILLEDGE provided her findings.
37. The S/F TARADALE investigation included the use of both overt and covert investigative strategies; and was conducted in conjunction with the assistance of the NSW Crime Commission under the WELLINGTON Reference.
38. As a result of the S/F TARADALE investigation, drug-supply charges were laid against several individuals resulting in subsequent convictions being recorded.

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39. S/F TARADALE investigators compiled a Coronial brief of evidence which resulted in the matters of MATTAINI, WARREN and RUSSELL proceeding to further Inquest before Deputy State Coroner Jacqueline MILLEDGE.
40. On 9 March 2005, Deputy State Coroner MILLEDGE provided findings and recommendations into the 'Inquest into the death of John Alan RUSSELL, Inquests into the suspected deaths of Ross Bradley WARREN & Gilles Jacques MATTAINI'. A copy of these Findings is attached as **Annexure 10**. On 9 March 2005, Deputy State Coroner MILLEDGE found:-
- *"I find that Ross Bradley WARREN died in Sydney on or about 22 July 1989. Whilst the cause and manner of death are unknown, I am satisfied that the deceased was a victim of homicide perpetrated by person or persons unknown."*
 - *"I find that John Alan RUSSELL died at Marks Park, North Bondi between the 22 or 23 November 1989. The cause of death is multiple injuries sustained when he was thrown from the cliff onto rock, by a person or persons unknown."*
 - *"I find that Giles Jacques MATTAINI died on or about the 15 September 1985 in Sydney. The cause and manner of his death remain undetermined as the evidence before me does not enable me to say."*
41. Deputy State Coroner MILLEDGE was quite critical of the original Police investigations in relation to the matters of Ross WARREN and John RUSSELL in particular; and made several recommendations to the Commissioner of Police in relation to the future investigation of such matters.
42. From perusal of the S/F TARADALE e@gle.i investigation and subsequent Coronial Court transcripts in relation to the matters of MATTAINI, WARREN and RUSSELL it is apparent to me that enquiries of an overt and covert nature were conducted during the investigation into various Persons of Interest; including

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individuals who had been convicted of serious crimes against homosexual men. Some of these offences committed by persons of interest included the murder of homosexual men. Specifically, inquiries related to the murder of Thai National Mr. Kritchikorn RATTANAJURATHAPORN, whose body was found at the base of cliffs at South Bondi on or shortly after 20/07/1990. A copy of a Statement of Detective Senior Constable James BIGNELL dated 20 August 2001 in relation to this is attached as **Annexure 11**.

43. NP24 NP23 and NP22 were convicted and sentenced for Murder in respect to the death of Mr. RATTANAJURATHAPORN.
44. However, despite the intensive and extended investigations of S/F TARADALE; no evidence emerged which would justify the charging of any individual/s in relation to the death/suspected deaths of either Giles MATTAINI, Ross WARREN, or John RUSSELL.
45. On 23 and 30 March 2017, convicted murderer NP24 was spoken with by investigators from S/F NEIWAND and his information recorded. I am not aware of [REDACTED] NP23 and NP22 being spoken with by S/F NEIWAND investigators as part of the investigation. A copy of this investigator's note is attached as **Annexure 12**.
46. I am aware that the deaths of Giles MATTAINI, Ross WARREN and John RUSSELL were subject of a review compiled by Detective Senior Constable Alicia TAYLOR of the Unsolved Homicide Team on 25 October 2012. I have read that review by Detective Senior Constable Alicia TAYLOR. A copy of this document is attached as **Annexure 13**.
47. On 23 June 2015, a Police media release was publicised to announce government rewards in the amount of \$100,000 each for information in relation to the disappearance and deaths of Giles MATTAINI, Ross WARREN, and John

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RUSSELL. In the accompanying article, then Commander of the Homicide Squad, Detective Superintendent Michael WILLING is quoted as saying: *"the matters had been reviewed based on the coroner's findings that they were suspicious in nature and possibly the result of gay hate-related crimes."* A copy of this media release is attached as **Annexure 14**.

Personnel involved in S/F Neiwand

48. Staff who were involved in the various stages of the relevant investigation were selected as reflected in the Terms of Reference and Investigation Agreement which were signed by the Commander of the Homicide Squad, comprising Detective Superintendent WILLING APM, with approval by the Director, Serious Crime Directorate, as was normal practice at that time.
49. I was not involved in the selection process, but I am of the understanding that staff were selected by the Commander, Homicide Squad, and the Senior Management Team; comprising the Detective Chief Inspectors who were, at the time, Co-ordinators of the Unsolved Homicide Team. Certainly, former Detective Superintendent WILLING and Detective Chief Inspector OLEN (retired) were two of those involved in the staff selection process. From my personal knowledge of those selected, I am aware that most of the staff were drawn from the Unsolved Homicide Team; and all investigators assigned to S/F NEIWAND were experienced designated Detectives.
50. I am unaware of their individual qualifications and training, but I understand that these records would be maintained by People and Capability Command.
51. Staff who worked as part of S/F NEIWAND at various stages were as follows:-
- Detective Chief Inspector Christopher OLEN APM (now retired).
Investigation Co-ordinator in early stages. This role was subsequently assumed by Detective Chief Inspector Stewart LEGGAT (now retired).

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- Detective Senior Constable Michael CHEBL (resigned). Detective CHEBL was appointed as the Officer in Charge of S/F NEIWAND. In that role he was responsible for the overall investigation. Detective CHEBL also completed the Post-Operational Assessment for S/F NEIWAND
- As Investigation Team Leader for Team 11 of the Unsolved Homicide Team, I was designated the role of Investigation Supervisor for S/F NEIWAND. My duties in that capacity were to oversee the investigation generally, including the supervision of the e@gle.i case investigation system for this investigation. As referred to above in [25], according to Investigation Log entry dated 26/10/2015, the original Supervisor for S/F NEIWAND was Detective Sergeant Penelope BROWN.
- Detective Senior Constable Tamer KILANI
- Detective Senior Constable Paul RULLO
- Detective Senior Constable Jon OLDFIELD
- Detective Senior Constable Katherine TIERNEY (resigned)
- Intelligence analyst Bianca COMINA: a civilian intelligence analyst then attached to the Homicide Squad.
- Senior Constable Craig CROUCH (resigned): an intelligence analyst then attached to the Homicide Squad.
- Sergeant Clint NASR (Solicitor and Legal Consultant attached to Operational Legal Advice). Sergeant NASR was provided access to the e@gle.i as a qualified legal consultant, to provide legal advice to investigators if required.

52. 

The work of S/F NEIWAND

53. As part of the re-investigation by S/F NEIWAND, as noted above, we were provided access to documents and e@gle.i holdings gathered by

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S/F TARADALE. On 1 March 2016, some 42 boxes of documents were received at the Homicide Squad relating to material previously gathered during S/F TARADALE.

54. During the S/F NEIWAND investigation, these documents were uploaded onto the e@gle.i case management system under S/F NEIWAND.
55. As part of S/F NEIWAND, efforts were made to locate any exhibits relating to the disappearance of Ross WARREN and the death of John RUSSELL; and where appropriate, consider any further forensic examination of any such exhibits. By way of background, Giles MATTAINI was last seen in 1985 and only reported missing by his partner Jacques MUSY in 2001, around 16 years later, after media attention around S/F TARADALE. From my perusal of e@gle.i holdings for S/F NEIWAND and S/F TARADALE, I cannot locate any physical exhibits of Giles MATTAINI.
56. On 15 April 2016, several exhibits from the TARADALE investigation relating to the disappearance of Ross WARREN were located amongst long-term exhibit storage at the Metropolitan Exhibit and Property Centre, Potts Hill. These items were photographed by S/F NEIWAND personnel and booked into the EFIMS database for further analysis and review. A copy of Task 68 refers [REDACTED]
57. A number of these exhibits relating to the disappearance of Ross WARREN were subsequently forwarded to Forensic and Analytical Science Service (**FASS**) for analysis. DNA testing on these was unsuccessful on all items except one. A mixed DNA profile, weak/complex result was found on the NSW Driver's Licence belonging to Mr. WARREN. IN-172 refers [REDACTED]
58. On 15 May 2016, identified exhibits (clothing of deceased, John RUSSELL) were sent for further analysis comprising tape lifts, blood examination and DNA

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examination. On 23 August 2016, Sergeant Matthew SCHIBECI arranged for a total of fifteen samples to be forwarded to (**FASS**) for DNA analysis. There were no sufficient DNA profiles found during this examination. IN-118 refers and a copy of this investigator's note is attached as **Annexure 18**.

59. Extensive efforts were also made to obtain a DNA sample from Ms. Renee MATTAINI- mother of the missing person Giles MATTAINI for comparison with any human remains that may be located. As Ms. MATTAINI was residing in France, this necessarily involved liaison with French authorities including a Mutual Assistance Request (MAR) being lodged with French authorities. Ultimately, no such DNA sample was obtained, as investigators were advised that Ms. MATTAINI had passed away on 9 March 2017. [REDACTED]
60. As part of the S/F NEIWAND investigation, efforts were also made to locate and interview various former associates of Giles MATTAINI, Ross WARREN, and John RUSSELL. Family members/next of kin of the three men were also spoken to by S/F NEIWAND investigators.
61. Various Persons of Interest (**POI'S**) identified during the investigation were located and further interviewed by members of S/F NEIWAND. None of these further enquiries resulted in further evidence being obtained which could form the basis for any criminal charges being preferred against any individual in relation to these matters.
62. On 31 October 2016, I met with former Senior Sergeant Adrian INGLEBY (retired) and spoke with him regarding the 1989 death of John RUSSELL on 23 November 1989. Mr. INGLEBY had been a General Duties Sergeant and supervisor at Bondi Police Station at the time of Mr. RUSSELL'S death; and he had personally attended the scene on the rocks below Marks Park following the discovery of Mr. RUSSELL'S body. During this meeting, Mr. INGLEBY suggested

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that Interactive Scene Recording and Presentation System (**ISRAPS**) might be considered to obtain a thorough overview of the Marks Park area. A copy of this investigator's note is attached as **Annexure 20**.

63. The ISRAPS is an interactive computer-based system that allows the user to move through a crime scene, from point to point, with 360-degree visualisation. A portable specialised camera and tripod system is used to achieve high resolution 360-degree panoramas at virtually any location. It is an effective visual aid during any stage of an investigation and/or judicial process. [REDACTED]
 [REDACTED]
 [REDACTED]
64. Ultimately, following several re-enactments of Marks Park by S/F NEIWAND investigators, some of these whilst accompanied by various witnesses; ISRAPS was not utilised during the NEIWAND investigation, because after careful consideration it was deemed to be inappropriate as significant changes had been made to the area of Marks Park since 1989. Investigation Log entry dated 08/05/2017 refers and a copy is attached as **Annexure 22**.
65. Most significantly, safety fencing had been erected along the clifftop and also additional concrete paving, including at the point from where the deceased, John RUSSELL, was believed to have left the clifftop.
66. On 16 August 2017, an Expert Certificate was received from Forensic Pathologist Professor Johan DUFLOU in relation to the death of John RUSSELL. A copy of this certificate is attached as **Annexure 23**.
67. The findings of this report differed significantly from the earlier findings by Dr. Alan CALA in 2001. A copy of this earlier report is attached as **Annexure 24**.
68. In addition to an examination of the material gathered previously during S/F TARADALE, on 9 March 2017 transcripts from the 2005 Inquest resulting from

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TARADALE were received by S/F NEIWAND investigators. These were also reviewed and uploaded onto the NEIWAND e@gle.i system.

69. The S/F NEIWAND investigation concluded on 30 November 2017. A copy of IN-238 is attached as **Annexure 25**.

Reports relating to S/F NEIWAND

70. A concise summary of the NEIWAND investigation, including the conclusions reached by the investigation team, is to be found in the POA furnished by the OIC Detective Senior Constable CHEBL. A copy of this report is referred to above and attached as **Annexure 7**.
71. The POA is a final report compiled by the OIC following the conclusion of an investigation. The report is a concise summary of the investigation, documenting any court results (none in the case of S/F NEIWAND) or other key findings which followed from the investigation, and incorporates any difficulties encountered during the investigation. Any recommendations by the OIC are also to be documented in the POA. [REDACTED]
72. The POA, in hardcopy form was reviewed and accepted by the acting Director, Crime Operations Detective A/Chief Superintendent D. WALLACE (retired) on 23 February 2018. Detective A/Chief Superintendent WALLACE signed the POA accordingly. I have read through this document and consider this to be an accurate summary.
73. Summaries of the investigations into the deaths of MATTAINI, RUSSELL and WARREN are referenced above at [27](b), (c) and (d) and annexed as **Annexures 4, 5 and 6**. Progress Reports for S/F NEIWAND are also annexed at **Annexure 8**.

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~~Nigel Warren~~
 Detective Inspector
 31.10.2022

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Nigel WARREN
Detective Inspector
Unsolved Homicide Team
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Steven MORGAN
Detective Sergeant
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