

D/2014/7720

ISSUE:

Correspondence received from the Department of Premier and Cabinet (DPC) relating to 'Alleged Gay Hate Killings in Sydney 1980's onwards.'

BACKGROUND:

Correspondence has been received by the Office of the Commissioner via the Ministry for Police and Emergency Services, from the Department of Premier and Cabinet (DPC) relating to 'Alleged Gay Hate Killings in Sydney 1980's onwards.'

The correspondence, following Mr Alex Greenwich MP writing to the Premier, seeks advice and "additional investigation into a number of deaths and disappearances of men in Sydney since the 1980's which are all alleged to be gay hate killings." A list from the DPC of matters alleged to have been 'gay-hate' killings between the years 1985 to 1999 (totalling 31 cases) is attached.

The following advice is requested;

- *What is the current status of investigations into each death/disappearance on the attached list?*
- *Is it the view of NSWPF that all of these matters can be characterised as gay hate crimes?*
- *Have rewards ever been offered for information on any of these matters? If so, which?*

COMMENT:

In relation to the information requested I can advise the following;

*What is the current status of investigations into each death/disappearance on the attached list?
Is it the view of NSWPF that all of these matters can be characterised as gay hate crimes?*

On 25 September 2013 the Homicide Squad forwarded a report to the Deputy Commissioner Field Operations outlining the results of a comprehensive assessment of 30 alleged unsolved 'gay hate' homicides to determine if any bias motivation existed in those cases.

That assessment followed the publishing of a number of articles in the Sydney Morning Herald newspaper in early August 2013 containing claims that there were approximately 30 unsolved 'gay hate' murders dating from the 1970's to the 1990's.

The basis of those claims was information supplied by former NSW Police Force Gay Liaison officer Sue Thompson, including a list of 30 matters, and claims by members of the family of Scott Johnson who have used a deliberate strategic campaign of lobbying various persons and media outlets to support their claims surrounding Scott Johnson's death and demands for further investigations.

Following liaison with Sue Thompson she provided members of the Homicide Squad Unsolved Homicide Team her list of 30 alleged 'gay hate' murders which were assessed by Detective Chief Inspector's John Lehmann and Pamela Young utilising case files from the State Coroners Court Registry, archives and material on hand within the Unsolved Homicide Team.

The assessment revealed that the suggestion of 30 unsolved 'gay hate' related murders was and is gross exaggeration. A total of only 8 cases of the 30 were assessed as 'probable' or 'possible' 'gay-hate' motivated homicides and those 8 cases were already on file at the Unsolved Homicide Team for consideration for further investigation. Sue Thompson and members of the Johnson family have been advised of the results of that assessment.

The assessment report (Attached for information) provides status of investigation details and likelihood of 'gay hate' motivation and includes a total of 13 cases from the list supplied by the DPC being;

- Death of Gilles Mattiani in 1985
- Death of Scott Johnson in 1988
- Death of Ross Warren in 1989
- Death of John Russell in 1989
- Death of William Allen in 1988
- Death of Raymond Keam in 1987
- Death of Michael Swaczak in 1990
- Death of Cyril Olsen in 1992
- Death of Crispin Dye in 1993
- Death of Kenneth Brennan in 1995
- Death of John Hughes in 1989 (note – DPC lists date of death as 1996).
- Death of Scott Miller in 1997
- Deaths of Jamie Creighton and Ali Mokdad in 1999

The remaining 18 cases on the list supplied by the DPC list are in fact solved cases by virtue of a person or persons being charged with murder or manslaughter. They are;

- Death of Richard Johnson in 1990
- Death of Kritchikorn Rattanajuathaporn in 1990
- Death of Wayne Tonks in 1990
- Death of Maurice McCarty in 1991
- Death of John Cranfield in 1991
- Death of Felipe Flores in 1991
- Death of Brian Travers in 1992
- Death of Don Gillies in 1993
- Death of Gordon Tuckey in 1993
- Death of John Milicevic in 1993
- Death of Gordon Mills in 1994
- Death of Stephen Dempsey in 1994
- Death of James Meek in 1995 (note: person charged acquitted – case remains unsolved to be reviewed by Unsolved Homicide Team)
- Death of Wendy Bell in 1995
- Death of Christopher Smith in 1996
- Death of Paul Harris in 1998
- Death of David O’Hearn in 1998
- Death of Harry Janson in 1999

Have rewards ever been offered for information on any of these matters? If so, which?

Of the matters on the list supplied by the DPC that have not been solved the following rewards have been offered;

- A reward of \$50,000 was offered for information relating to the death of Raymond Keam in 1987.
- A reward of \$100,000 was offered for information relating to the death of Michael Swaczak in 1996.

- A reward of \$100,000 was offered for information relating to the 1988 death of Scott Johnson in 2013.

Applications for government rewards relating to the following matters are currently before the Reward Evaluation Advisory Committee (REAC);

- The 1985 death of Gilles Mattiani.
- The 1989 death of Ross Warren.
- The 1989 death of John Russell.
- The 1993 death of Crispin Dye.

FURTHER COMMENT:

Information following the Sydney Morning Herald articles

In an article appearing in the Sydney Morning Herald on 9 August 2013 about the claims that there were approximately 30 unsolved 'gay hate' murders dating from the 1970's to the 1990's I strongly urged people with evidence relating to any of the matters to come forward to the police. To this date no person has come forward with new evidence or information relating to any of the matters in question.


Death of Scott Johnson

The Homicide Squad Unsolved Homicide Team established Strike Force *Macnamir* in February 2013 to investigate the circumstances surrounding the death of Scott Johnson in 1988 at Manly following intense lobbying by members of the Johnson family of various persons and media outlets to support their claims surrounding his death and demands for further investigations.

Following extensive investigation for almost a year where Strike Force *Macnamir* investigators, who had been diverted from other unsolved matters, have finalised inquiries (pending the completion of a final report and a review by the New South Wales Crime Commission) and have not discovered any evidence at all to confirm that Scott Johnson was the victim of a homicide let alone a 'gay-hate' murder. Member of the Johnson family have been advised and invited to review the work conducted by Strike Force *Macnamir* but to this point have not replied to email correspondence forwarded in early December 2013.

RECOMMENDATION:

Forwarded for the information of the DPC as requested.



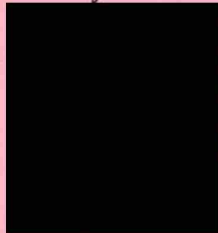
Michael Willing
Detective Superintendent
Commander
Homicide Squad
NSW Police Force
10 January 2014

- 1. Director – Serious Crime Directorate, State Crime Command.

The attached report by Det Supt Willing provides details that negate the assertions of 30 gay hate murders and also inaction by Police. Of the list provided 8 out of 30 fall into this category. Additionally 18 of the 30 have been solved through arrest of the Pops involved. Forwarded for information *Relib* 15-1-14

- 2. Commander, State Crime Command.

noted - for information.



John KERLATEC
Detective Superintendent

*SI,
A/c*

- 3. Deputy Commissioner, Field Operations.

- 4. Commissioner.

- 5. Ministry for Police and Emergency Services.

V/2013/179784

ISSUE:

Assessment of 30 potential 'gay hate' unsolved homicides by the Unsolved Homicide Team (UHT) to determine if any bias motivation existed.

BACKGROUND:

On 26 and 27 July 2013 a series of articles written by journalist Rick Feneley appeared in the Sydney Morning Herald/Sunday Herald concerning alleged 'gay hate' homicides that were allegedly committed in Sydney in the 1980's and 1990's some of which were investigated under Strike Force *Taradale* and the subject of a coronial inquest before former Deputy State Coroner Jacqueline Milledge in 2005. The articles quoted a number of persons including former NSW Police Force Gay and Lesbian liaison officer Sue Thompson who claims that up to 30 matters could be unsolved homicides.

On 26 July 2013 I contacted Sue Thompson and requested that she provide the UHT with any information she had relating to the alleged 'gay-hate' homicides mentioned in the articles. As a result, Ms Thompson forwarded me a list of 80 cases titled; '*Likely NSW Gay Hate Murders from Late 70's To Late 90's*', 30 of which she claims remain unsolved.

Since that time I have conducted an assessment of the 30 'unsolved' cases listed by Ms Thompson to determine the veracity of her information. In doing so, I have researched the records of this command, wider archived records of the NSWPF and the Coroner's Office. This research was done in conjunction with a project being conducted by the Bias Crimes Coordinator (Sergeant Geoff Steer) and the Gay, Lesbian, Bisexual, Transgender and Intersex (GLIBTI) project officer (Senior Sergeant Jo Kenworthy), to assess the prevalence of 'gay hate' bias murders. Of particular note, part of their project involves an assessment of deaths at the Manly and North Head locations to ascertain any correlation or links between these deaths and the death of Scott Johnson, currently being investigated by the UHT under the reference of Strike Force *Macnamir*.

COMMENT:

The following is a summary of the assessment done on each of the 30 'gay-hate' related unsolved homicide cases from Ms Thompson's list: Some of the dates of death on this list are incorrect.

1. Death of Mark Spanswick on 11.5.1977. Enquiries revealed the actual date of death was 11.5.1976. The Deceased was 18 years old at the time of death. He was found on the rocks at Fairy Bower near Manly having suffered multiple injuries having apparently fallen from the cliff top above. The area where he was believed to have fallen from was dense bushland described as having small rocky tracks with no guard railing. The deceased did not live with his family having left home to join the New Zealand Navy in 1972 after which he apparently deserted in 1974. In letters to his family he indicated he was 'disenchanted with

his life'. The deceased booked into the Chevron Hotel Sydney from 9-11 May 1976. At the Coronial Inquest in July 1976 the deceased's father gave evidence that the deceased had loved walking and climbing and was familiar with the Fairy Bower area as the family had holidayed there. An open finding was given with the Coroner stating, "*I am satisfied there are no circumstances giving rise to suspicion of foul play but whether or not the fall which caused the death was accidental or intended by the deceased, I am not able to determine on the evidence*". There is no indication the deceased was gay and nothing located in the case file that this matter was a 'gay hate' motivated crime.

2. Death of Paul Rath on 14.6.77. Enquiries revealed the actual date of death was 15/16 June 1977. The deceased, 27 old, was located on the rocks at Fairy Bower near Manly having sustained multiple injuries apparently as a result of a fall from the cliff top above. At the time he was dressed in a suit. The deceased lived at home with his family and was receiving a disability pension. At the Coronial Inquest at Glebe CC in July 1977 evidence was given that there was no sign of a struggle from the area where he was believed to have fallen from. The deceased was being treated for a 'nervous' condition for which he was receiving a daily prescription of moderate tranquillisers. Dr Reichard gave evidence there was no indication of suicidal tendencies by the deceased. The deceased's father gave evidence that the deceased was deeply religious, loved to walk at Fairy Bower often sitting on the cliff top to relax, but was a clumsy person which wasn't assisted by the medication he was taking. An Inquest was held at Glebe Coroners Court when on 16.9.77 Coroner Henry found the deceased "*died of the effects of multiple injuries...when he fell accidentally onto rocks at the foot of a cliff*". There is no indication the deceased was gay and nothing located in the case file that this matter was a 'gay hate' motivated crime.

3. Death of David Williams 1979. Records were unable to be located regarding this case.

4. Death of Walter Bedser on 2.12.1980. This matter is an unsolved homicide on file at the UHT. It is not subject to a current investigation at this time. The deceased was stabbed to death in his antiques shop at Parramatta by one male offender in what appears to have been a targeted attack. The motive for the murder is unknown

There was no pattern of similar offences in the area at that time. There is no evidence of this offence being a random type of 'gay hate' related killing.

5. Death of Richard Slater, 19.12.1980. Investigation records for this matter were recovered from the Police Archives Repository. The deceased was a 69 year old male, married with children and grandchildren. He was found in a semi conscious state in a toilet block at Birdwood Park, Newcastle West suffering a number of head injuries after having been assaulted. A wallet he was known to carry with about \$30 in cash was missing. The deceased had attended the area to go shopping and purchase lottery tickets and his family report that it was his usual practise to use public toilets to urinate when he was out as he suffered from a prostate condition that caused him to urinate frequently. The deceased was not known to be involved in homosexual activities however a number of factors tend to contradict this: The location was a known 'gay beat';

The deceased was treated at hospital but died from his injuries on 22.12.1980. A coronial inquest was held at Newcastle before Coroner Meehan

on 18.6.1981 resulting in an 'open' finding. In 1982 police received information that led to the arrest and charging of Jeffrey Miller d.o.b 19.11.1960, for murder however the charge was later 'no billed'. Witnesses associated with Miller at the time gave evidence that Miller entered the toilet block with the intention of 'cracking it with a poofter' meaning to have sex with another male. They also gave evidence about Miller's homosexual activities along with him having a penchant for bashing homosexuals and assaulting and robbing people in general. This case remains as an unsolved homicide involving probable 'gay hate' motivation.

6. Death of Gerald Cuthbert on 17.10.1981. This matter is an unsolved homicide on file at the UHT. It is not subject to a current investigation at this time. The deceased was stabbed to death at a friend's home and it appears he may have had sex with his killer prior to the murder. It appears as though a small amount of cash may have been stolen and there were are no strong suspects. [REDACTED]

[REDACTED] There is no evidence of this being a 'gay hate' motivated crime. The offender may well have been an opportunistic 'thrill' or psychopathic serial killer who fled overseas.

7. Death of Peter Shiel 1983. Records were unable to be located regarding this case.

8. Death of Wayne (Wendy) Brennan on 31.4.1985. This matter is an unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased was a transvestite prostitute who lived a 'high risk' lifestyle. He was possibly murdered by a 'client', the cause of death being a single gunshot wound to the head. [REDACTED]

[REDACTED] There is no evidence that this is a 'gay hate' motivated murder.

9. Death of Giles Mattaini on 5.9.1985. This matter is a suspected unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased, a gay male, left his home at Tamarama on 5.9.1985 and was possibly sighted walking on the pathway at the South Bondi cliff tops and was never seen again. An Inquest was held at Glebe CC before Deputy Coroner Milledge in 2005 who was unable to determine the manner and cause of death due to a lack of evidence. This matter has previously been investigated by Strike Force *Taradale* in conjunction with the suspected murders of Ross Warren and John Russell in 1989 where the victims were targeted by gangs of marauding youth intent on killing or causing serious harm to homosexual men. It should be noted though that the Mattaini case occurred 4 years before Warren and Russell. It is believed that Mattaini is a possible victim of 'gay hate' motivated crime.

10. Death of William Rudney on 1.2.1986. Records were unable to be located regarding this case.

11. Death of Raymond Keam on 13.1.1987. This matter is a suspected unsolved homicide on file at the UHT not subject to a current investigation at this time. [REDACTED]

12. Death of Scott Johnson on 9.12.1988. This matter is currently being investigated by the UHT under the reference of Strike Force *Macnamir*. The deceased, a gay male, was found on rocks at Bluefish Point, North Head with his clothes and belongings located at the cliff top above. He had sustained massive injuries. An Inquest was held in 1990 with the Coroner returning a finding of 'suicide' however a second Inquest was held in 2012 when Deputy State Coroner Forbes found that the original finding of 'suicide' could not be sustained and gave an 'open finding'. Strike Force *Macnamir* is nearing finality and a comprehensive report will be submitted by Detective Chief Inspector Young when it is completed however, at this late stage of the investigation there is no indication that the deceased was subjected to 'gay hate' motivated violence causing his death or in any case, that he was murdered.

13. Death of William Allen – assaulted on 28.12.1988. This matter is a suspected unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased was a gay male who was assaulted during the evening of 28.12.1988. At the time he told a witness that he had been 'bashed and robbed' [REDACTED] whilst attending the toilet block to urinate. The deceased died at his home as a result of the injuries he sustained from the assault. Alexandria Park was known as a dangerous location particularly at night. It was also known as a 'gay beat'. An Inquest was held at Glebe CC in July 1989 before Coroner Waller. A witness gave evidence that the deceased was not interested in casual sex because of the AIDS scare. No suspects were identified. This may have been an opportunistic crime with robbery as the main motive however it is also possible that it was 'gay hate' motivated. In 1990, Richard Johnson, a gay male, was bashed to death in Alexandria Park by a gang of 'gay hate' motivated youth of which a number were charged and convicted of murder and manslaughter.

14. Death of Russell Payne on 3.2.1989. Records were unable to be located regarding this case.

15. Death of Samantha Raye about 20.3.1989. The deceased was a 30 year old hermaphrodite who had recently undergone a sex change operation to become female. She suffered numerous health problems including Asthma and Diabetes. The deceased was found in a cave near the water's edge at the lighthouse at South Head. This area was accessible to fisherman and walkers. There were no injuries on the body consistent with a fall or caused from violence. An empty vial of insulin, a needle and syringe were found next to the body along with a blister pack of valium tablets with 2 tablets missing. The deceased had a book of love poems on her person and there were 'love messages' written on the cave walls in charcoal or chalk. A note was found in the deceased's home that read, "At lighthouse, will be back?" A brief of evidence was prepared which included a statement by Dr Grieve who stated that the deceased "...was very unstable psychologically. I have no

doubt that Samantha Raye would take her own life". On 30.6.89 Coroner Waller dispensed with holding an inquest. There is no evidence to suggest that this death was 'gay hate' related but rather, this was suicide by drug overdose.

16. Death of John Gordon Hughes on 4.5.1989. The deceased was actually murdered between 5 and 6 May 1989. He was found in his unit at Potts Point having been bashed and strangled. The deceased was believed to be homosexual and possibly a paedophile. He was also believed to have sold drugs from his home. Ian Stuart Jones d.o.b. [REDACTED] was charged with his murder but later acquitted at trial. Jones was an associate of the deceased whom he had previously lived with (not in a homosexual relationship). Jones was also a drug addict and was involved in the supply of drugs with the deceased and was thought to be in a dispute with him over monies owed for drugs. After the murder, Jones was found in possession of a bank book belonging to the deceased. This case remains as an unsolved homicide. There is no evidence to indicate this was a 'gay hate' motivated crime.

17. Death of Ross Warren on 22.7.1989. This is an unsolved homicide on file at the UHT. It is not subject of a current investigation at this time. This case was previously investigated under the reference of SF *Taradale* along with the John Russell and Giles Mattaini cases. The deceased is believed to have met the same fate as John Russell, that is, targeted by a gang of young persons intent on causing harm to gay males, assaulted and thrown to his death from the cliff tops at South Bondi. His body was never recovered. This case is probably a 'gay hate' motivated crime.

18. Death of Graham Paynter on 14.10.1989. The actual date of death is 13.10.1989. The deceased was a 36 year old male living in Tathra on the NSW South Coast. The deceased's body was found on rocks at the southern end of Tathra beach below a 50 metre high cliff. Lacerations were observed on the deceased back and head. His pants and underpants were down around his knees and his jumper was pulled over his head with arms still in the sleeves. The deceased had been drinking heavily with a friend, Russell Longmore on the day and evening before his body was discovered and in fact had been arrested at 7.45pm on 12.10.1989 for stealing a bottle of rum from a Bega liquor store. At that stage he was reported to be well under the influence of alcohol. Later, the deceased and Longmore were drinking at the Tathra Hotel. Longmore left about 10.30pm however the deceased continued until the early hours of 13.10.1989. Hotel staff reported that he was 'totally affected' by alcohol when he left the hotel. The details of this death are brief, recovered from police occurrence records. No other details appear available from the Coroner's office. The occurrence entry does not mention suspicious circumstances or any indication of foul play. There is no indication that the deceased was assaulted, murdered or the victim of 'gay hate' related violence.

19. Death of John Russell on 24.11.1989. This is an unsolved homicide case on file at the UHT. It is not subject to a current investigation at this time. It is the third case previously investigated by SF *Taradale* along with the deaths of Warren and Mattaini. Unlike those cases, the body of Russell was discovered below the cliff tops at South Bondi having suffered a number of injuries consistent with having been assaulted then thrown from the cliff. This investigation along with that of Warren's death was the subject of severe criticism at the coronial inquest by Deputy State Coroner Milledge in 2005, particularly as important physical evidence in the Russell case appears to have been lost. It is believed that Russell

was the victim of a gang of marauding youth intent on assaulting and/or killing gay male persons. There are a number of suspects in a case that is probably 'gay hate' motivated.

20. Death of Andrew Currie on 15.12.1989. The correct date of death is 13.12.1988. The deceased, a 29 year male, was found in Nolans Reserve at Manly. A coronial brief of evidence was prepared by the OIC, Constable Greenhalgh of Manly Police. One of the main witnesses was a friend of the deceased – Geoff Blyton who located the body. The deceased was a drug user who admitted to Blyton that he had taken [REDACTED] tablets the night before. The post mortem examination /toxicology report confirmed the presence of drugs in the body. Signs of violence were not detected by the investigating police or the pathologist. It would appear that the cause of death was drug overdose. No mention is made in the brief of evidence that the deceased was gay. There is no evidence of this case being a homicide or 'gay hate' related crime. A coronial Inquest was dispensed with on 23.2.1989.

21. Death of Michael Swaczak on 1.1.1990. This case is listed by Ms Thompson as 'solved' however it is actually an unsolved homicide on file at the UHT but not subject of a current investigation at this time. The deceased was a 16 year old male who attended a party at the Islington Bowling Club on 31.12.1989 and was last alive in the company of two male persons during the early hours of 1.1.1990. On 15.1.1990 his decomposing remains were found next to the Old Pacific Highway at Twelve Mile Creek. 2 persons were charged with his murder but the charges were later 'no billed' by the DPP. [REDACTED]

[REDACTED] This is not a case of 'gay hate' motivated violence.

22. Death of Blair Wark on 10.1.1990. The actual date of death is 11.1.1990. The deceased was a gay male of 28 years of age. His body was found in Sydney Harbour with no apparent external injuries wearing jeans, shoes and socks. The rest of his clothing and property were found [REDACTED] at the cliff tops at the Gap. This included a shirt, wallet containing cash and identification. The property was found by a local person and handed into Vaucluse Police Station. His treating doctor, Dr Matyuk stated, "*He suffered from depression mainly due to the termination of an 8 year old homosexual relationship*". Further evidence was given by Dr Sleep who stated that the deceased had a long history of depressive illness and was on the anti depressant medication 'Prothiaden' at the time of his death. The deceased's father wrote to the Coroner with concerns that included: The clothing found at the Gap was not consistent with clothing the deceased normally wore and; that prior to his death he had stated that '*someone was trying to kill him*'. Despite this, an Inquest was dispensed with on 30.7.1990. This is a likely case of suicide and not a 'gay hate' motivated crime.

23. Death of William Dutfield on 19.11.1991. This case was investigated by the UHT under the reference of SF *Hamish*. The deceased was a gay man found murdered in his home unit on 20.11.1991 by a long time friend and owner of the unit, Arthur Ashworth, 76 old. Cause of death was blunt force trauma to the head. A number of suspects were considered including: A person nominated by Ms Sue Thompson, known to be involved in assaulting gay males under the pretext of 'picking them up' and taking them to their home for sex; a male prostitute whom the deceased had been a client to and; a person who had

broken into the deceased's unit about two weeks prior to the murder. However, the evidence gathered during the investigation by SF *Hamish* indicates the main suspect is Ashworth (now deceased). This investigation is now closed. There is no evidence indicating this was a 'gay hate' motivated crime.

24. Death of Cyril Olsen on 22.8.1992. This is an unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased was a gay male who had been drinking at a number of bars in the Kings Cross area shortly before his death. He was highly intoxicated and was seen walking along a wharf at Rushcutters Bay with blood on his face. A member of the public enquired with the deceased as to his welfare however the deceased declined assistance. The deceased was then found floating in the water not wearing pants or shoes. His pants were later recovered in the water. The cause of death was given as drowning but there is evidence that he may have been assaulted and robbed shortly before his death. The OIC, Constable Byrnes of Rose Bay Police gave an opinion that the deceased was *"the victim of a gay bashing...and due to his injuries and level of intoxication, was disoriented resulting in him falling from the wharf and drowning"*. There are suspects in this case, one of which was interviewed however no person was charged and the case remains unsolved. At a coronial inquest on 22.8.1994 Coroner Glass found, *"That the deceased on the 22.8.1992 in Rushcutters Bay, Sydney, drowned after accidentally falling from a marina into Rushcutters Bay"*. This case is probably linked to a 'gay hate' motivated crime of violence.

25. Death of Crispin Dye on 25.12.1993. This is an unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased was found in a lane at Surry Hills in the early hours on 23.12.1993 after having been assaulted and robbed. He died in hospital two days later. Some witnesses had reported seeing a number of male persons ■■■■■ standing over the deceased before fleeing the scene. Property from the deceased's wallet was later recovered ■■■■■. A number of suspects were identified, in particular persons who were believed to be involved in similar assaults in the same area. ■■■■■ it is possible that 'gay hate' bias was a motivating factor in this murder.

26. Death of Kenneth Brennan on 13.6.1995. This is an unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased was a gay male stabbed to death in his home unit. There is evidence that he was involved in a sexual encounter shortly before or at the time he was killed. ■■■■■ There is no evidence that 'gay hate' bias was a motivating factor.

27. Death of Scott Miller on 2.3.1997. This is an unsolved homicide on file at the UHT not subject to a current investigation at this time. The victim's body was found at the base of a cliff at Millers Point having suffered a number of injuries. The coroner found that these injuries were inflicted by an unknown person. On the evening before his body was found, the deceased had been watching the Gay Mardi Gras with friends after which he was drinking at the Orient Hotel in The Rocks. He was apparently very intoxicated when he became separated from friends. At this time it appears that he may have been targeted for the purpose of robbery. There is no evidence to suggest this was a 'gay hate' motivated crime.

28. Death of Carl Stockton on 11.11.1996. The deceased was apparently assaulted in a street in Surry Hills on 5.11.1996 after drinking at a local hotel. He was taken to a shelter then became ill and was admitted to hospital but died 6 days later. Police were able to question him prior to his death and he denied that he had been assaulted. His head injuries included a fractured skull. Motive was difficult to establish and it does not appear that he was robbed. A lack of witnesses made the case difficult. There is no mention in the coronial brief of evidence of the deceased being gay. An inquest was held before Coroner Abernathy who commented on the thoroughness of the investigation. Medical evidence was given with opinions given that his injuries could have been sustained from either: Assault; falling over a number of times due to his high level of intoxication or; from being hit by a vehicle however, the Coroner found that it was more likely that the deceased was assaulted. An open finding was delivered on 1.12.1998. There is no evidence that the crime was 'gay hate' motivated.

29. Death of David Rose on 20.12.1997. This is an unsolved homicide on file at the UHT not subject to a current investigation at this time. The deceased was a cross dresser found bashed to death in his home. No motive was established [REDACTED]

There is no evidence that the homicide was 'gay hate' motivated.

30. 31. Deaths of Jamie Creighton and Ali Mokdad on 22.6.1999. This case is in fact solved. The circumstances are: Both victims were gay, living in an open de-facto relationship at their home at [REDACTED] Bourke Street Zetland. About 8.20pm on 22.6.1999, Gordon Scurr, 28 old, was allowed entry into the victim's home to talk to Mokdad about a debt owed. He then produced a handgun and commenced firing numerous times resulting in Creighton and Mokdad being hit, killing them. The following day, Scurr handed himself in at Katoomba Police Station and surrendered the firearm. He was charged and convicted of the crimes. 'Gay hate' bias was not a motivating factor in these crimes.

Summary:

From the list of 30 'Likely NSW Gay Hate Murders' as provided by Ms Thompson the following can be gleaned:

- 27 cases from the list were reviewed.
- 2 cases were in fact found to be solved
- 1 case was reviewed in addition after being identified as 'unsolved' (Swaczak) despite not appearing on the original list of 30 unsolved cases.
- 4 cases (Williams, Shiel, Rodney and Payne) could not be found after searches of police archived records and the records from the Coroner's Court Registry. This would suggest that those cases were probably not homicides or suspicious deaths. Consultation will be made with Ms Thompson to ascertain the origin of her information about these cases.
- 7 cases were found not to be homicides but rather, the probable cause of death was suicide or misadventure or unknown.
- 12 cases were homicides without evidence of 'gay hate' bias but rather, other motives existed for example, robbery or domestic type murders.

- Only 8 cases from 30 were probable or possible 'gay hate' motivated murders and these are on file at the Unsolved Homicide Team with consideration for future investigation.

There is no doubt that anti gay hostility, particularly in the 1980's and 1990's resulted in a number of murders and serious crime of violence in NSW. In my opinion, the suggestion of 30 'gay hate' related unsolved murders is a gross exaggeration. Certainly there was no consultation with this command prior to the Sydney Morning / Sunday Herald articles which I suggest is poor, irresponsible journalism bordering on sensationalism.

As I have indicated, this command continues to work with the GLIBTI Project Team in their project to identify instances and trends in 'gay hate' motivated crime.

RECOMMENDATION:

Forwarded for information.



John Lehmann
 Detective Chief Inspector
 Unsolved Homicide Team
 25 September 2013

1. Commander, Homicide Squad

Forwarded for information

[Redacted]
 A. MEMMOG
 DIA / Spt.
 26/9/2013

2. Director, Serious Crimes Directorate

Noted. For the information of the DCSF Field. Further discussions with the journalist should be considered at an appropriate time (in light of the SIF Macnamara investigation) as previously discussed b/w the Commander Homicide + DCSF.

[Redacted]
 M. J. ...
 28/9/13.

3. Commander, State Crime Command

for ...

[Redacted]
 Y10
 AIC

4. Deputy Commissioner, Field

Noted. I am awaiting progress of SIF McNAMARA, and I propose to wait for that matter, then further discussion with journalist should occur with involvement from this office.

6. Commander Homicide. Noted

1/10/13



Ministry for Police & Emergency Services

D/2014/7720

DOC009923

MEMORANDUM

TO: Secretariat
New South Wales Police Force

FROM: Catherine Allen
A/Executive Director

DATE: 10 January 2014

SUBJECT: Alleged Gay Hate Killings in Sydney 1980s onwards

Mr Alex Greenwich has written to the Premier requesting advice and additional investigation into a number of deaths and disappearances of men in Sydney since the 1980s, which are all alleged to be gay hate killings.

To enable advice to be provided to the Department of Premier and Cabinet by the requested date, the following advice is requested:

- What is the current status of investigations into each death / disappearance on the attached list?
- Have rewards ever been offered for information on any of these matters? If so, which?
- Is it the view of NSWPF that all of these matters can be characterised as gay hate crimes?

Your advice is requested by **cob Friday 17 January 2014**. Apologies for the short timeframe.

If you have any queries please do not hesitate to contact Justine Adkins, Principal Policy Analyst on either 9228 5111 or justine.adkins@mpes.nsw.gov.au.

Kind regards



Catherine Allen
A/Executive Director

Commander State Crime Command

- For attention and direct response O.B.O the Commissioner
- For review and appropriate action O.B.O the Commissioner
- For advice, including draft response, by 15 Jan 14

Return to:
 Chain of Command to Commissioners Office to Minister for Police

Manager Secretariat
Office of the Commissioner
Ext 45442 Fax 45443

CC: Portfolio 1
CC: Operational Programs
Prev' Papers:
cc: Deep Fid Ops

101114

Alleged Homophobic Hate Killings

Gilles Mattaini Frenchman 27 missing since 1985, last seen on walk across Marks Park

Scott Johnson, originally recorded as suicide on a Manly beach in 1988

Ross Warren, WIN Television newsreader disappeared July 1989

John Russell, barman 31 dead at the foot of the Marks Park cliff in November 1989

Richard Johnson, murdered in a toilet block in Alexandria Park January 1990

William Allen

Raymond Keam

Kritchikorn Rattanajurathaporn, 34 bashed to death at the foot of cliff near Tamarama
22 July 1990; solved

Michael John Swaczak, January 1990 body found Pacific Highway Karuah

Wayne Tonks, 35 Cleveland Street High School teacher, bashed and suffocated in
Artarmon home on 19 May 1990; solved

Maurice John Mccarty, 46 Australian Ballet Company employee murdered in Newtown 7
April 1991; 20-year-old man charged.

John Cranfield, 35 Qantas steward, murdered on 20 May 1991 by Darren Scott Oliver

Felipe Marcelo Flores, 27 battered to death at Woolloomooloo September 1991

Cyril Olsen 64, murdered Rushcutters Bay Park 22 August 1992

Brian Travers, 56 bar-manager of the Latrobe RSL Club murdered 1 March 1992 by
Damien Roetz

Don Gillies, murdered by Malcolm Green in May 1993

Gordon Brian Tuckey, 22 murdered 1993 on remote part of cycleway East Woonona by
Thomas Albert Dunn.

John Milicevic, 45 stabbed to death by three men Rushcutters Bay Park 15 August 1993

Crispin Dye, 41 Cairns resident in Sydney to visit his mother 1993/1994 summer holidays,
murdered 23 December 1993, Little Oxford Street laneway

Gordon William Mills, 40 bashed to death West Ryde 15 March 1994 by Kenneth
Stephen Richards

(2)

Stephen Reginald Dempsey, 34 murdered Deep Creek Reserve Narrabeen August 1994; Richard Leonard charged

James William Meek, 51 murdered Surry Hills March 1995; NP134 charged

Wendy Bell, 59 Sydney taxi driver murdered 4 May 1995 by Michael Shand Walker

Kenneth Brennan, 53 teacher murdered Elizabeth Bay 11 June 1995

Christopher John Smith, murdered Gosford 8 April 1996

John Hughes, back lane Elizabeth Bay August 1996

Scott Stuart Miller, 21 Darling Harbour date unknown

Paul Joseph Harris, 47 murdered 20 June 1998 Queanbeyan by Pieter Egbert Helmhout and Mark William Helmhout

David O'hearn, murdered Albion Park Rail 12 June 1998

Jamie Creighton and Ali Mokdad, murdered Alexandria 22 June 1999

Harry Janson, 57 murdered in Cabramatta home July 1999