

**REVIEW OF AN UNSOLVED HOMICIDE
CASE SCREENING FORM**

1. Location of Brief of Evidence.

Victim:

Name:	Ross Bradley WARREN		
Gender	Male	D.OB	26/10/1964
Relative contact (if known)	(Mother & father) Kaye and Alan Warren [REDACTED], [REDACTED] Mobile number [REDACTED].		

Name:	John Allan RUSSELL		
Gender	Male	D.OB	28/11/1957
Relative contact (if known)	(Brother) Peter Russell [REDACTED]		

Name:	Giles MATTAINI		
Gender	Male	D.OB	25/10/1958
Relative contact (if known)	(Partner) Jacques MUSSY [REDACTED]		

Homicide Details: Ross WARREN

Time & Date	22 July 1989		
Location:	Last seen Oxford Street, Sydney, keys and vehicle located at Tamarama		
COPS Event/P40 No.	E 904460005414	Attached	Y

Previous Investigation Name: Strike Force	S/F Taradale
Command in charge:	Rose Bay

Homicide Details: John RUSSELL

Time & Date	22 or 23 November 1989		
Location:	South Bondi		
COPS Event/P40 No.	E 12717962	Attached	Y
Previous Investigation Name: (Strike Force/Task Force/Operation)	S/F Taradale		
Command in charge:	Rose Bay		

Homicide Details: Giles MATTAINI

Time & Date	15 September 1985		
Location:	Bondi		
COPS Event/P40 No.	E 14960947	Attached	Y
Previous Investigation Name: (Strike Force/Task Force/Operation)	S/F Taradale		
Command in charge:	Rose Bay		

2(a) Cause of death – Ross WARREN

Post Mortem Results:	N		
Exhibits Retained:	N	Location:	
Further Examination:	N		
Comment: Body not recovered. The manner and cause of death are unknown.			

2(b) Cause of death – John RUSSELL

Post Mortem Results:	Y		
Exhibits Retained:	Y	Location:	Rose Bay
Further Examination:	Y	Exhibits re-examined in 2001 01/1971 FS, 89/2332,	
Comment: Cause of death determined as multiple injuries sustained when he was thrown from the cliff onto rocks.			

2(c) Cause of death - Giles MATTAINI

Post Mortem Results:	N		
Exhibits Retained:	N	Location:	Rose Bay
Further Examination:	N		
Comment: Giles Mattaini went missing on or about 15 September 1985 in Sydney. The manner and cause of his death remain undetermined.			

3. Investigation Records

Investigation Records Located:	Y	Viclas Ref.	18145901
Comment: Documents sourced from Police archives, Stanmore; State Coroners Court documents. Viclas documents were completed and are uploaded to e@gle.i Warren Viclas reference OD 27, Russell Viclas reference OD 40.			

Investigation Resume:	N		
Comment:			

Progress Reports:	N		
Comment:			

Post Operational Assessment:	N
Comment:	

4(a) Coroner's Inquest – John RUSSELL 2 July 1990 Glebe

Coroner's Inquest Held:	Y	Date: 2 July 1990
Court: Glebe	Coroner: State Coroner Derrick Hand	
Inquest Brief Located	N – Determined documents and transcripts destroyed (Sgt Ed Radzaetia Prosecutor Coroners Court 2001)	
Findings: <i>"The effects of multiple injuries sustained then and there when he fell from a cliff to the rocks below, but whether he fell accidentally or otherwise, the evidence does not enable me to say."</i>		
National Coroners Information System (NCIS):	Y/N	NSW.2003.1046

4(b) Coroner's Inquest – John RUSSELL, Ross WARREN and Giles Jacques MATTAINI 9 March 2005

Coroner's Inquest Held:	Y	Date: 9 March 2005
Court: Glebe	Coroner: Deputy State Coroner Jacqueline Milledge	
Inquest Brief Located	Y	
Findings: Ross Bradley Warren died in Sydney on or about 22 July 1989, <i>"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> John Allan Russell died at Marks Park, North Bondi between the 22 or 23 November 1989, <i>"the cause of death is multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown."</i> Giles Jacques Mattaini died on or about 15 September 1985 in Sydney, <i>"the cause and manner of his death are undetermined as the evidence before me does not enable me to say."</i>		

National Coroners Information System (NCIS):	NSW.2000.8147 NSW.2003.1046
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5. Original Case Officer – Ross WARREN and John RUSSELL

OIC Name:	Detective Sergeant BOWDITCH	Interviewed:	N
Serving Member:	N	Location: Terminated 30/08/1996	
<p>Comment:</p> <p style="text-align: center;">Ross Warren</p> <p>Originally investigated by former Detective Sergeant Bowditch however was closed within a week concluding Mr Warren died of misadventure. At the inquest in 2005, Detective Bowditch submitted, "investigating police were of the opinion that the missing person had fallen into the ocean in some manner and it is anticipated that his body will surface and be recovered. I am not able to offer any explanation as to how he would have fallen into the water, only that the area near where the keys were located is a treacherous rock formation which at present time is secreting a lot of water and moisture from recent rains. There is extensive moss and slippery sections, from where experience, would not be difficult to envisage slipping onto the rocks, particularly after 2am on the morning of 22 July."</p> <p>On 24 July 1989 friends of Warren, Craig Ellis and Paul Saucis made a search of Marks Park and located the car keys on a rock ledge adjacent to the water at Marks Park. The vehicle of Warren was located parked at Tamarama opposite Marks Park. It is not clear from the brief documents if the vehicle was locked when recovered. Inside the vehicle the wallet of Warren was recovered which included a bank card, and drivers licence.</p> <p>No report of death was made to the Coroner by Detective Bowditch. No brief of evidence was located in respect to the investigation. Occurrence Pad entry 7/149 (1989) Paddington Police Station located. No other investigation entries, notebooks or duty books were located (IN-94 Page). No Crime Scene photographs were available of the scene. Property recovered was returned to the family on 26 July 1989 by Constable Ellenberger (MPB entry A150422). Property included a motor vehicle, set of keys, bank cards and a NSW Driver Licence recovered from Marks Park.</p>			
OIC Name:	Sergeant Adrian Ingelby	Interviewed:	N
Serving Member:	N	Location: Terminated 31/01/2008	

Comment:

John Russell

Original investigation and inquest was conducted by Sergeant Ingelby. In relation to the investigation Sergeant Ingelby stated, "*During patrols of the area I noted that even at night the area of the footpath above where the deceased was found that is near the Fletcher Street steps has good light...I already knew from previous local knowledge that the area was frequented by the homosexual element and on the patrols I could see many men in the area sitting or walking or 'cruising' as is known.*

From observations and local knowledge, contact between homosexuals was not verbal, but was by "body language", and eye contact. I had received information from a Constable at Bondi that one method used for contact between the 'gays' was by rattling coins. (ST 22 Ingelby, paragraph 11).

From enquiries so far I am unable to say what caused Mr Russell to fall from the cliff top. It is known that he had consumed alcohol on the night before the body was located. Some of the homosexuals who frequent the area sit near the edge of the cliff top; but it is not known if Mr Russell did so. It appears Russell was in a normal state of mind which would rule out suicide. Crimes of violence on the homosexual element in the area are prevalent, as it is in many other areas of Sydney frequented by the homosexual community. I believe there would be a great number of unreported crimes of violence in this area. There is no direct evidence available at this stage proving foul play. The possibility of a dispute between Mr Russell and another homosexual person is another potential hypotheses." (ST 22 Ingelby, Paragraph 17).

The post mortem report for John Russell indicated he died as a result of multiple injuries. Toxicology screening tests indicated a blood alcohol concentration of 0.255g per 100ml of blood.

Crime Scene examination and photographs of the scene were taken by Sergeant Carlton Cameron and Senior Constable Emmanuel Rivera at 11:15am on 23 November 1989. Sergeant Cameron indicated the items that were collected included "*strands of hair adhering to the deceased left hand, a packet containing 14 cigarettes and a number of coins located around the deceased body*". There was no record of forensic examinations performed on any of the exhibits retained from Russell. The whereabouts of the abovementioned exhibits at the time of inquest in 2005 was unknown and were assumed to have be destroyed (ST 403 Page).

OIC Name:	Stephen John PAGE	Interviewed:	Y
Serving Member:	N	Location: Terminated 3/12/2004	

Comment:

Detective Sergeant Page was handed the investigation of Warren and Russell on 9 May 2000 which commenced Strike Force Taradale. He identified the matter of Warren had not been reported to the Coroner and he made significant links between the death of Russell and Warren to conclude they were both victims of a homosexual hate crime. The inquest in relation to Russell was reopened, pursuant to s 23A of the *Coroners Act* 1980. An initial P79A report was subsequently made of Warren's death.

The death of Giles Mattaini was reported to Police on 3 August 2002 following the media attention for Strike Force Taradale. As a result the former partner of Mattaini, Jaques Musy made a missing person report. The circumstances of Mattaini's disappearance together with the violence against homosexuals around Marks Park in the 1980's led Detective Page to believe Mattaini was also a homicide victim.

Contact was made with former Detective Sergeant Page on 28 September 2011. Detective Page nominated numerous persons of interest including NP54, NP22, NP23 and NP43. The evidence obtained was insufficient to support a charge in relation to the homicide of either Warren or Russell.

Assistance was provided to S/F Taradale by the New South Wales Crime Commission who were involved as investigative support and operated under Strike Force Wellington.

During the phases of the investigation, searches were conducted for original documents pertaining to Russell and Warren however only minimal evidence was recovered. Exhibits pertaining to Warren were examined. There was no fingerprint or forensic evidence recovered to assist the investigation.

Throughout the investigation Sergeant Page made a submission of significant links between other violent assaults, murders and robberies around Marks Park including the death of Warren and Russell. The matters primarily involved homosexual males as a target for the assaults. The other matters considered as part of Strike Force Taradale were;

- 1985 missing person Giles Mattaini, Marks Park(unsolved)
- [REDACTED];
- 21 December 1989 GBH and attempted sexual assault of David McMahon Marks Park;
- December 1989 violent assault on [REDACTED] 190, Marks Park;
- January 1990, violent sexual assault by three persons of interest on [REDACTED] 134, Marks Park;
- 24 January 1990, murder of Richard Norman, Alexandra (eight persons convicted in total three persons charged with murder);
- 19 May 1990 murder of Wayne Tonks at Artarmon (teacher of student at Cleveland High school which links to suspects for other gay related murders) and;
- 21 July 1990, murders of Thai national Kritchikorn Rattanajurathaporn at Marks Park, three offenders were subsequently convicted of the murder.

Strike Force Taradale identified a number of youth gangs were prolific in their involvement in assault and rob offences around Marks Park and Tamarama in the period 1989 till 1990 targeting homosexuals. The 'tags' linked with some of the groups were identified as "Park Side Killer" (PSK) and "Prime Time Kings" (PTK).

In relation to the murder of Russell, Dr Alan Cala provided expert evidence related to the position of the body, that there was a probability that Mr Russell was thrown from the cliff. Dr Cala concluded the injuries sustained were unsurvivable and Russell would have been immediately incapacitated.

At inquest the conclusions made by former Detective Sergeant Page indicated "*I believe Warren is deceased and his body entered the water surrounding Marks Park. I believe it is likely that the placing of keys belonging to Warren on the rock shelf may have been done by Warren after being lured to that location, or alternatively, by a finder. I do not believe they were thrown into the position they were found. Taking into account violence that was detected at the Park against members of the gay community which includes the Boxsell and McMahon assaults in December 1989, the Frew Sexual assault about January 1990 and the homicide of Rattanajurathaporn in July 1990 I believe it is likely that both men (Russell and Warren) met their deaths at the location as a result of violence.* (ST 403 Page, Paragraph 792-794).

No person(s) have been charged in respect of the matters of Warren or Russell. The findings in relation to Mattaini failed to identify sufficient evidence to determine a manner and cause of death.

Detective Page stated all available techniques available to him including covert devices, telephone interceptions, undercover operations were used throughout the investigation of Strike force Taradale. Sergeant Page concluded there was insufficient evidence to charge any person for the murder of Warren or Russell.

6. Suspect/s

Suspect Identified	Y	Profile attached:	Y
Name: NP22	DOB: [REDACTED]	CNI: [REDACTED]	Status: Current
<p>[REDACTED] of NP23 convicted for the murder of Thai national, Kritchikon RATTANAJURATHAPORN which involved an assault and robbery motive targeting homosexuals. The victim in this case was thrown from the cliff top at Tamarama on 20 July 1990 following a violent assault.</p> <p>NP22 was known in Bondi for his involvement in street crime and was specifically linked to anti social behaviour behind the Pavilion area at Tamarama headland in 1989 till his arrest in 1990.</p> <p>On 22 February 2002, NP22 was interviewed in relation to the murder of Russell and Warren. He denied involvement and refused to be further interviewed. While scheduling the interviews, attempts were made to implement a covert listening device while NP22 and [REDACTED] NP23 were in Corrective Services custody. No product of interest was obtained. Due to his propensity for violent offences and involvement in the murder of Rattanajurathaporn, NP22 remains a main suspect for involvement in the murder of Warren and Russell. NP22 is currently on bail until 11/12/2012 for the murder of Rattanajurathaporn.</p> <p>There has been no police intelligence to indicate any contact between NP22, NP23 or former associates since the conclusion of S/F Taradale (2005).</p>			

Suspect Identified	Y	Profile attached:	Y
Name: NP23	DOB: [REDACTED]	CNI: [REDACTED]	Status: Current
<p>[REDACTED] of NP22. Convicted for the murder of Thai national, Kritchikon Rattanjurathaporn which involved an assault and robbery motive targeting homosexuals. The victim in this case was thrown from the cliff top at Tamarama on 20 July 1990 following an assault.</p> <p>NP23 was known in Bondi for his involvement in street crime and was specifically linked to anti social behaviour behind the Pavilion area at Tamarama headland in 1989 till his arrest in 1990.</p> <p>Identified by the victim I90 for a serious assault and robbery offence while in company of NP43 at Marks Park Bondi on 18 December 1989. During the offence I90 had his car keys thrown into the water. No charges were preferred as the victim declined to proceed.</p> <p>On 22 February 2002 NP23 was interviewed in relation to the murder of Russell and Warren. He denied involvement and refused to be further interviewed. While scheduling the interviews attempts were made to implement a covert listening device while NP22 and NP23 were in Corrective Services custody. No product of interest was obtained. Due to his propensity for violent offences and involvement in the murder of Rattanjurathaporn, NP23 remains a main suspect for involvement in the murder of Warren and Russell. NP23 is not currently in custody or subject to any bail conditions.</p> <p>There has been no police intelligence to indicate any contact between NP23 and NP22 or former associates since the conclusion of S/F Taradale (2005).</p>			

Suspect Identified:	Y	Profile attached:	N
Name: NP24	DOB: [REDACTED]	CNI: [REDACTED]	Status: Current
<p>Comment:</p> <p>Convicted of murder (joint criminal enterprise) in relation to the death of Thai national Kritchikon Rattanjurathaporn with NP22 and NP23 which involved an assault and robbery motive targeting homosexuals. The victim in this case was thrown from the cliff top at Tamarama on 20 July 1990 following an assault. NP24 was also nominated for a serious assault on the second victim Geoffrey Sullivan who was with Rattanjurathaporn at the time of his murder.</p> <p>NP24 was identified with NP43 as suspects for a serious assault, attempted sexual assault and robbery of the victim McMahon at Marks Park on 21 December 1989. The attack involved three persons however the third person was not identified in the investigation. The victim, McMahon, was threatened with being thrown over the cliff during the assault. NP24 was subsequently interviewed in relation to the assault however was unable to recall his movements and no arrest was made for this offence.</p> <p>NP24 was interviewed by S/F Taradale detectives on 22 February 2002. He denied any knowledge in relation to the murder of Warren or Russell. During the interview NP24 spoke of his involvement in the robbery of Rattanjurathaporn, stating he had been in the car smoking and drinking alcohol with NP22 and NP23 when they decided to rob a gay male who was in the vicinity. During the assault the victim was backing away from the offenders and went off the cliff. NP24 stated NP22 was carrying a claw hammer during the assault. He disclosed during his association with NP22 and NP23 they had had conversations about committing an assault and rob in the week prior to the death of Rattanjurathaporn at Bondi.</p> <p>Given the association of NP24 with NP22 and NP23 and his involvement in the murder of Rattanjurathaporn at Marks Park, NP24 remains a suspect for the murder of Warren and Russell. Furthermore the possible involvement of NP24 in a similar assault and rob offence involving McMahon is proximate to the murder of Russell. NP24 is currently in custody for maliciously inflicting grievous bodily harm to his defacto [REDACTED] at Campbelltown on 12 October 2003. NP24 earliest release date is 15/10/2015.</p>			

Suspect Identified:	Y	Profile attached:	Y
Name: Sean CUSHMAN	DOB: [REDACTED]	CNI: [REDACTED]	Status: Current
<p>Sean Cushman was a member a Bondi gang named "Park Street Killers" between 1987-2002 known as "Cushy". On 24 July 1989 (two days following the murder of Warren), [REDACTED]. Cushman was also a well known suspect for assault and robbery offences committed in the Bondi Patrol in 1989. An intelligence report submitted by Constable Robert Wood on 30 September 1989 indicated a group of persons, including Cushman, were frequently loitering in Bondi Park at the pavilion around the time periods Warren and Russell were murdered. Cushman was 16 years of age at that time.</p> <p>[REDACTED]</p> <p>In 1996 Cushman (aged 23) was charged with murder of <u>Brian Hagland</u>. Cushman in company of [REDACTED] NP56 attempted to rob the victim at Waiora Avenue and Warners Road, Bondi. During the assault, Cushman hit and kicked the victim to the head and body, as a result of the assault Cushman and the victim fell onto the roadway where they collided with a state transit bus causing fatal injuries to Hagland. There was no underlying reason precipitating the assault on Hagland.</p> <p>Strike Force Taradale utilised a covert telephone interception strategy with Cushman in an attempt to gather further evidence of his involvement in the matter of Warren and Russell. Material gathered by S/F Taradale implicated Cushman for conspiracy to supply and import prohibited drugs however failed to obtain any material relevant to the murder of Warren or Russell.</p> <p>On 7 December 2002, Cushman declined to be interviewed in relation to any matters following legal advice. [REDACTED] Cushman fled Sydney unexpectedly to Byron Bay claiming to be under duress from an associate (identity unknown). [REDACTED]</p> <p>Sean Cushman is currently residing in Paddington, Sydney and is involved in low level criminal activity including stealing, drug use, altered prescriptions and break and enter offences. Due to his history, associates and propensity for involvement in violent offences Cushman is considered by Stephen Page as the main suspect involved in the murder of Russell. Cushman is not currently in custody or subject to any bail conditions.</p> <p>There has been no police intelligence to indicate any contact between Cushman and his former associates since the conclusion of S/F Taradale (2005).</p>			

Suspect Identified:	Y	Profile attached:	Y
Name: NP21	DOB: [REDACTED]	CNI: [REDACTED]	Status: Current
<p>NP21 was associated with the gang known as the "Alexandria 8". He was charged with the murder of <u>Richard Johnson</u> in company of NP16 and associates at Alexandria Park on 24 January 1990. The underlying motive for the murder was a hatred for homosexuals.</p> <p>Police investigating the Warren and Russell matters utilised NP21 as part of a listening device operation to approach associate NP16. When they engaged in conversation in relation to Warren and Russell, NP16 failed to provide any admissions specific to the offences.</p> <p>NP16 disclosed he had targeted homosexuals in the Mark Park area and would commit assault and rob offences. NP16 admitted during the robberies, he would take the victims keys then conduct a search of their vehicle parked nearby before throwing the keys into the water for "amusement". During the course of the operation NP21 removed the body wire device and declined to assist further with the investigation. Currently NP21 is not in custody or subject to any bail conditions.</p> <p>Due to his associations and prior modis operandi for assault and robbery offences, NP21 is considered a suspect for involvement in, or knowledge of the murder of Warren and Russell.</p>			

Suspect Identified:	Y	Profile attached:	Y
Name: NP16	DOB: [REDACTED]	CNI: [REDACTED]	Status: Current
<p>NP16 was convicted of the murder of <u>Richard Johnson</u> at Alexandria Park on 24 January 1990 following the violent assault and robbery targeting homosexuals in the area. While in detention, NP16 made disclosures to a worker, 187, of his knowledge of a "Gay" bashing murder that happened at Marks Park, a year prior to his conviction (within the time frame of Warren and Russell murders). NP16 did not elaborate with further details. Information was obtained by covert listening devices (using NP21) where NP16 disclosed it was common practice to rob victims, taking their car keys then conducting a search of their car. The keys of the victim would then be thrown into the water (at Marks Park) for amusement.</p> <p>There were limited disclosures of NP16 in relation to the Bondi murders. However due to the level of violence in targeting <u>Richard Johnson</u> as a homosexual and his disclosure of a bashing murder at Marks Park around the time of Russel and Warren's murders he was considered a possible suspect. Currently NP16 is not in custody or subject to any bail conditions. He resides at Dapto and is the subject of an AVO from his former defacto.</p>			

Suspect Identified:	Y	Profile attached:	Y
Name: NP18	DOB: ████████	CNI: ████████	Status: Current
<p>Convicted for the murder of <u>Richard Johnson</u> which occurred at Alexandra on 24 January 1990. Around the period of the murder of Warren and Russell, NP18 had associations with the group known as PSK (Park Side Killers – NP23, NP22)</p> <p>When NP18 was interviewed he disclosed the motive for the homicide of Johnson was primarily a hatred for homosexuals. NP18 detailed the victim Johnson was selected by the group who telephoned him from a number recorded on a toilet wall within Alexandra Park.</p> <p>The victim made his way to the park where the group, including NP18, set upon him. The group then violently assaulted Johnson leaving him unconscious within the confines of the toilet block. Johnson later awoke, and then returned to his residence a short distance away. Johnson died at home as a result of his injuries. On 11/10/1991 there was one attempt made to gather covert evidence of admissions from NP18 while in custody with NP21 NP21 at the Minda detention centre. No evidence of interest was obtained. Currently NP18 is not in custody or subject to any bail conditions.</p>			

7. Synopsis:

WARREN INVESTIGATION

Background

Ross Warren was adopted by Kaye and Alan Warren when he was 6 weeks of age. The identity of his natural mother is Margaret Corkill (nee Rhodes) of Urangan QLD. The identity of Warren's natural father is unknown and his whereabouts have not been located to date. On 6 July 2011 a forensic sample was obtained from the birth mother of Warren and retained by the NSW Police Missing Persons Unit.

Ross Warren was a News Presenter for Win4 Wollongong. On the evening of 21 July 1989, he travelled from Wollongong to Redfern where he met with friends Craig Ellis and Paul Saucis who declined to join him for drinks in the city. Later in the evening Warren went to Oxford Street, Taylor Square Sydney where he met with a friend Phillip Rossini. During the course of the evening Rossini and Warren have visited several gay bars in the city (not further described).

In a statement provided from Peter Andrea, a work colleague of Warren, he stated in the two weeks prior to his disappearance Warren disclosed a sexual relationship with a female (unknown) from the Liverpool area. Further details of Warren's sexual promiscuity were obtained from previous partners Kingi Marsh and Michael Matheson who had been involved with Warren at different times in the year prior to his death. There were no indications identified in the brief of any conflict in Warren's former relationships which would impact on his disappearance.

In early 1989 Warren commenced a six week relationship with Gregory Ferguson who was employed with Qantas. They dated for six weeks then separated. Warren had described Ferguson to friends as "clingy". Ferguson disclosed he and Warren would snort Amyl nitrate at night clubs and also during sexual activity. Ferguson and Warren had been to Marks Park Tamarama on a few occasions and would sit beneath the lookout and talk. Ferguson was not considered a suspect as he was out of the country in July, returning July 24 1989, after the period Warren disappeared.

At the time of the original investigation there was no further information available to

determine links between Warren's disappearance and a series of homosexual hate crimes around Marks Park. Subsequently in 1989 the investigation of Warren consisted of an entry made on the Bondi Police occurrence pad and the matter filed with Missing Persons. Source document E@gle.i Item IN-20- NSWCC Referral Document prepared by Detective Sergeant Steven Page.

Investigation

The last person to see Warren alive was Phillip Rossini at Taylor Square. At the time of his disappearance Warren was wearing a Felix t-shirt a black sports coat and blue jeans. Rossini left Warren at midnight on 22 July 1989 at Taylor Square and last saw him driving his vehicle east on Oxford Street, towards Paddington. Warren was not affected by alcohol at the time of his departure. Warren was driving his motor vehicle registration NZC783, a brown coloured Nissan Pulsar sedan.

Craig Ellis and Paul Saucis made a search of the rock ledge below Marks Park on 24 July 1989 and located the keys to Warren's vehicle. The keys had been placed in a section of 'honeycombing' on a sandstone rock shelf which was easily accessible. The position of the keys was hypothesized by Sergeant Page suggesting Warren could have been lured to the location and placed the keys voluntarily. Alternatively, the keys may have been thrown from the park above and could have been found and placed into the position by a good Samaritan.

On 24 July 1989 Craig Ellis and Paul Saucis made attempts to locate Warren and located the vehicle. It was found parked and secured at Tamarama, opposite Marks Park. Inside the vehicle police located Warren's wallet with personal papers and cash (booked in as item C 607380 Bondi).

On 26 July 1989 Inspector Green of Wollongong LAC gained entry to the premises of Warren and conducted a search however nothing was found which suggested suicide or was of further assistance in determining the circumstances of Warren's disappearance. Fingerprints located inside Warren's unit and vehicle failed to locate any forensic evidence which would assist in the investigation.

Warren was known (by his friends) to frequent the Tamarama "beat" for the purpose of clandestine sex with other males. There have been several anonymous reports of sightings of Warren since his disappearance, all of which have proven false. Checks were made of accountable records including COPS, electoral rolls, centre link and Medicare have failed to locate any trace of Warren since 22 July 1989.

The initial investigation of Warren was commenced on 24 July 1989 following the missing person report from Ellis and Saucis. An intelligence report was submitted by Constable Boeg on 29 August 1989 (ST23) which related to a suspect NP57 (DOB:). This information was disseminated to the investigator Detective Sergeant Bowditch which stated, "Information received that NP57 and associates with several Lebanese persons regularly assault homosexuals. It is thought that NP57 and her associates have assaulted the missing persons Ross Warren." During S/F Taradale, NP57 was interviewed and denied any involvement in the bashing of homosexuals. NP57 did state she frequented the Bondi area on a Friday and Saturday night during 1989 and 1990.

Medical records of Warren indicated his last medical appointment was on 21/04/1987 at Randwick and 9/05/1987 at Wagga. No further original medical records were located for Warren and there was no suggestion Warren was suffering an incurable disease or suicidal ideation which would be attributable to his death.

The availability of original investigation records from 1989 was limited. Furthermore, a search for duty books for investigators Detectives Ryan, Sharrock, Glascook and Bowditch were not located. The records for the original missing person report of Warren were destroyed in accordance with destruction of archived records from 1989 (State archives search conducted April 2012).

The body of Warren was never recovered. No report was made to the Coroner of Warrens death until Strike Force Taradale commenced on 20 August 2000. Strike Force Taradale linked a series of murders and assaults of gay males around Marks Park and Tamarama between 1989 and 1990.

Initial investigations by Detective Sergeant Bowditch concluded Warren had fallen into the waters surrounding Marks Park. An expert opinion was obtained in 2001 from Dr Robert Brander (University of New South Wales) in relation to the geographical phenomenon of waters surrounding Marks Park. Dr Brander, examined and researched coastal geomorphology in respect to a body in the water. In his opinion, *"it was unlikely that a body in the water off the shore platforms on the rock bed would move landward in the relevant time period (as in the Warren case) as there is a rip flow off shore and an undertow which is gentle seaward return. It was therefore unlikely if the body of Warren were to enter the water it was more likely to be retained in the sea."*

Dr Alan Carla, Forensic Pathologist Institute of Forensic Services, Glebe was of the opinion a *"deceased body immersed in a large body of water will initially sink. With the effects of decomposition the body will rise subsequent to condition of sea creatures, rocks waves, and depth of the water. Is variable but bodies do not always rise and there are instances of persons entering the water whose bodies are never recovered."* Therefore it was possible the body of Warren may never have been recovered.

A Coronial inquest for Warren was conducted in conjunction with the murder of John Russell and Giles Mattaini at the State Coroners Court on 9 March 2005. In the matter of Warren, the Coroner concluded that on 22 July 1989, Warren had been the victim of a homicide committed by unknown persons.

RUSSELL INVESTIGATION

Background

On the evening of 23 November 1989, John Russell was drinking with a friend Peter Redmile at the Bondi Hotel, Sydney. Russell was reportedly *"in good spirits"*. The following evening he was to attend a send off function which he arranged at the Legion Club, Sydney. Redmile left the venue at 11pm when he reported last seeing Russell alive. He described Russell as moderately affected by alcohol but not drunk and was running *"short of money"*. At the time of his death, Russell was employed as a barman at a bowling club in the eastern suburbs and was single.

At 10:30am on 24 November 1989 Russell was found deceased on a rock shelf below Marks Park by a passer-by. Russell had been an infrequent visitor to Marks Park for the purposes of casual sexual encounters (ST 12 - Peter Russell) however it is not known if he met with any other person just prior to his death.

Peter Russell, the brother of Russell, reviewed the crime scene photographs and identified the packet of Peter Stuyvesant cigarettes at the location were *"most likely"* related to Russell. The cigarette packet was not retained for fingerprinting during the crime scene examination.

Crime Scene

The Crime Scene examination identified the body of Russell located on a tidal rock shelf at Marks Park. Russell was wearing a red sloppy joe (the waist band was lifted above the abdomen), jeans and boots. A number of coins were located on the rocks around the body (*shaking of coins were considered a signal to other homosexuals of availability - ST45 Thompson*).

Also located at the crime scene was a clump of hair (clearly depicted in the photographs) adhering to the left hand of Russell. On 11 July 2001, Dr Cala provided an opinion on the colour of the hair located with Russell which he described as "blonde, or "light brown" as distinct from Russell's hair colour which was brown. Dr Cala based his expert opinion from

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 photographs only as the exhibit as unable to be located.

Crime Scene examiners Detective Sergeant Carlton Cameron and Detective Constable Emmanuel Rivera attended the scene. The height of the rock cliff above the location was measured at 12.75m. It was noted a small amount of disturbance in the vegetation growing on the rocks above where Russell was located was consistent with a person(s) moving through the growth.

Following collection of the exhibits from the Crime Scene on 24/11/1989 there was no recorded exhibit entry or examination performed on the hairs collected from the hand of Russell. On 2/4/1991 Detective McCann and Emmett made inquiries with Detective Cameron as to the whereabouts of exhibits from the Crime Scene however it was noted the hairs were missing and no exhibit entries were made of the exhibit. A search was conducted for investigation notes at Sydney Crime Scene, the original folder SCS reference 89/2332 was located with a miscellaneous property reference of 13/A150857 Bondi (1989). Subsequent searches of this reference failed to locate any of the Crime Scene exhibits.

On 14 June 2001, Edwin Russell (father of John Russell) handed police a number of exhibit items which had previously been located at the Crime Scene and subsequently returned to the family. The items included a pair of lyrebird brand gym shoes, a bone coloured Levi jeans a red sloppy joe and \$4.60 in coin. These items were booked in as exhibits 19/C507290 at Paddington Police Station and forwarded to Crime Scene job reference FS01/1971.

On 11/01/2003 forensic biologist Vivien Bilby provided an examination report which identified blood was detected on the shoes, jeans and sloppy joe of Russell however DNA testing was unsuccessful. On 13 June 2012, in consultation with DAL (David Bruce) suggested further testing of existing samples can be made to ascertain if current testing procedures can extract a sample of DNA for comparison against known suspects.

Former Detective Cameron attended the Unsolved Homicide Office in December 2011 and supplied original crime scene brief documents. Among these documents there were notations made by Cameron of collecting the hairs which were "*taken to Bondi*" no further reference was made. Detective Cameron could no account for the whereabouts of the collected hairs. There was no corresponding reference made at Bondi Police Station of an exhibit entry in relation to Russell (ST McCann and Emmett).

Post Mortem

The post mortem of John Russell was conducted at Department of Forensic Science Glebe by Dr Sylvia Hollinger. During post mortem numerous bruises, lacerations and fractures were identified over the body, the cause of death was "*multiple injuries linked to a fall from the rock platform above where Russell was located.*"

Toxicology confirmed blood alcohol levels of 0.255g per 100ml were detected, no drugs were present. In the opinion of Dr Moynan of Police Clinical Services, he commented on the variability of toxicology as the records did not indicate if purification of the body was determined. He stated, (assuming no purification had occurred) the toxicology reading of 0.255 grams of alcohol per 100 millilitres of blood would indicate a significantly impaired ability to function.

Investigation

Detective Senior Constable Bishop, (worked at the Bondi patrol between 1987 and November 1995) recorded an information report following a conversation with NP46 in January 1990. NP46 was at the time a member of a local gang, Park Side Killers PSK who told him "*The Bondi boys threw a poofter off the cliff at South Bondi*" no further details were provided (ST 403 Page, Annexure 184). There was no further action taken in relation to this information. Former Detective Ingelby (the initial OIC of the investigation) closed the investigation of Russell as there was '*no direct evidence available proving foul play*' (ST Ingelby).

Strike Force Taradale was commenced by D/Sgt Stephen Page of Rose Bay in 2001. The terms of reference included investigation of the homicide of Ross Warren, John Russell and missing person Giles Mattaini in Tamarama/ Marks Park in 1989 and 1985 respectively.

On 8 December 2001, as part of S/F Taradale, [NP46] was interviewed in relation to his previous disclosures. During the interview with Police he denied making a disclosure to Detective Bishop or having any association with the Bondi Boys. No names of persons associating with the gang were identified to Police at this time.

On 9 December 2001, a media release was conducted at Marks Park and Tamarama which urged witnesses to come forward with information. A re-enactment of the crime scene for Russell was conducted in conjunction with further media releases. No further information was forthcoming.

Detective Sergeant Page spoke with members of the Russell family and ascertained the clothing worn by Russell was returned to the family following the death. The items were later collected and secured as exhibits at Paddington and transferred to DAL on 18 June 2001. No further forensic results were obtained (ST 403 Page, annexure 156).

Following his murder, Russell was cremated and therefore there were no further lines of inquiry for forensic evidence (ST 403 Page, annexure 155). The area of Marks Park below water level was searched by Police diving unit. No items of interest were located in relation to Russell or Warren.

Taking into consideration Cushman was nominated for involvement in the McMahon and Tate assaults in Marks Park a decision was made to interview Cushman and all his associates. Examination of intelligence holdings of Cushman revealed he came under notice of Police on 32 occasions between 28 March 1987 and 1 May 1992 (IN - 704). Telephone interception was used to target Cushman and as a result, information was received which implicated his involvement in drug import and distribution of illegal drugs. Cushman denied any involvement in the murder of Russell and Warren, he also denied committing other personal violence offences around Marks Park.

On 7 February 2002 Cushman was arrested for drug related matters and at that time Detective Page used the opportunity to speak with Cushman in relation to the deaths of Russell and Warren. Cushman refused to be interviewed and was charged with supply and conspiracy to supply prohibited drugs.

The associates of Cushman in the period 1987 to 1992 included a list of 17 people (outlined at paragraph 618 in the statement of Stephen Page). All associates were approached for interview. On each occasion the person of interest either declined to be interviewed or denied any knowledge of the murder of Russell or Warren. No significant information was obtained as a result of the interviews.

As part of S/F Taradale [REDACTED]. No further covert opportunities were undertaken.

Covert listening devices were utilised in conjunction with proposed interviews with the [NP22 and NP23] while in Corrective Services Custody. No relevant information was obtained. [NP22 and NP23] refused to converse with police or each other. They openly stated their suspicion of devices installed by Police and knowledge of covert strategies.

A covert listening device was used to target the suspect [NP18] while he was in detention. [NP18] had previously disclosed he assisted in "bashings" of homosexual males in the Tamarama area including where the victim Russell had been thrown over a cliff. During the covert phase the device was compromised and subsequently removed. No significant evidence was obtained.

Inquest of John Russell

The first Coronial inquest into the death of John Russell was held at State Coroners Court, Glebe on 2 July 1990. The State Coroner Derrick Hand determined, "*the evidence did not enable to determine if the death of Russell was as a result of an accidental fall or otherwise.*"

Given the new material unearthed by Detective Page, the inquest into the death of Mr Russell was re-opened on 9 March 2005 pursuant to Section 23A of the Coroners Act 1980. The matters of Ross Warren and Giles Mattaini were also listed as the deaths were considered in similar circumstances.

In her summary of the evidence Coroner Milledge suggested, "*many of the witnesses were 'persons of interest' most denying involvement in violence against homosexual men. The evidence they gave was completely at odds with police intelligence gathered during the course of the investigation and whilst it possible that some were involved in the deaths of Mr Russell and Mr Warren the weight of evidence was not there to support any finding in that regard.*"

From the commencement of S/F Taradale in 2001 a search was conducted by Detective Sergeant Forbes attached to Sydney Crime Scene for all exhibits pertaining to the Russell matter. At the inquest of Russell in 2005, former Detective Carlton Cameron provided his evidence in relation to the Crime Scene. He recalled collecting the exhibits at the crime scene of Russell however their whereabouts following the collection was not recorded and subsequently they have not been located. No further records exist in relation to exhibits retained from the Russell crime scene.

SIMILAR INCIDENTS AROUND MARKS PARK BETWEEN JUNE 1989 AND JULY 1990

On **12 November 1989**, I91 was assaulted in Marks Park by a group of youths which included suspects: NP43, NP47, NP48 and NP49. Those four persons were later charged with this offence. I91 stated that the group contained approximately ten people and was a mixture of persons of Caucasian and Pacific Islander background, predominantly male with several females. The racial and sexual mix of the group is similar to the description of offenders described in the McMahon assault on 21 December 1989. NP48 was also known to police as being a member of the 'PSK' or Bondi Boys' gang.

At 10.40pm on **18 December 1989**, I90 was walking on the pathway area near Marks Park, Tamarama. He was assaulted and robbed by NP23, NP43 and another unidentified male. I90 positively identified NP23 and also NP43 by photographs. NP23 was later charged with the robbery, but no action was taken against NP43 as the identification evidence was weak.

About **10.30pm on 21 December 1989**, McMahon was assaulted and robbed by a group of about 10 people in Marks Park, Tamarama. During the course of the attack McMahon was physically assaulted and man handled several hundred metres along the coastal walkway at Marks Park. At the time of the incident one of the assailants said to him words similar to, "*We'll throw him off the cliff where we threw off the other one.*" McMahon managed to escape as the group pushed him toward the cliff edge. Sergeant Page assumed the "other one" described by the offenders may be in reference to Russell.

The distance between the point where the group endeavoured to throw McMahon off the cliff and the point where it is believed Russell would have been thrown from is approximately 6 metres.

McMahon was uncertain when he made a photograph identification nominating the principal offender and leader of the PSK group, NP43. The description of a second offender was consistent with the description of NP47. Neither NP43 nor NP47 were interviewed or charged in relation to the McMahon assault as the identification at the time of McMahon's statement was ambiguous (ST Ingleby paragraph 15).

McMahon stated the group who assaulted him contained approximately ten people and consisted of a mixture of males and females of Caucasian and Pacific Islander background. McMahon had been a long term Bondi resident and knew the group as the "PSK gang" as he had seen members on numerous occasions in the area previously.

In **February or March 1990**, [I34] was a victim of a violent sexual assault which occurred at Marks Park. During the assault, [I34] met with a single male suspect for consensual sex. Following oral sex with the first male he was joined by two further males suspects who had been secreted behind the shrubs.

The three males engaged in a violent sexual assault [REDACTED]. During the assault the three suspects made comments calling [I34] a "slut" and "all poofers should be exterminated." No person was charged in respect to the offences committed upon [I34] however he believed the motive attack was to target homosexuals due to the abuse during the assault.

[I34] could only describe the suspects as young "white aussie boys" specifically one of the males had a tattoo (not further described) on his left calf. None of the main suspects identified in S/F Taradale have a tattoo on their calf as a physical feature.

When Strike Force Taradale was initiated in 2001, local information was supplied by a witness [I34] who was also a resident of Bondi between 1988 and 1990. [I34] attended the Bondi "beat" each night describing the area surrounding Marks Park (including the honeycombing section where Warren's keys were located) was an area typically used by homosexuals as a meeting point for sex.

At **3am on 21 July 1990** Krichakorn Rattanjurathaporn and his associate Geoffrey Sullivan were seriously assaulted and robbed at Marks Park. Sullivan escaped; Rattanjurathaporn was murdered when he was thrown from the rock ledge and entered the water from the cliffs at Marks Park. [NP24] [NP22] and [NP23] were convicted of murder.

MATTAINI INVESTIGATION

Giles Mattaini was a French National who came to Australia in September 1983 on a visitors visa. During this time he resided with his partner Jacques Musy in a two bedroom unit at [REDACTED] Ramsgate Avenue, Bondi. In August 1985 (exact date unknown) Musy left Australia and travelled to France on holidays. During this time Mattaini remained living in the flat and was employed as a barman at the Menzies Hotel Sydney.

Prior to Mattaini disappearing he had overstayed his tourist visa and told friends he was concerned about his residency. Mattaini told his associates he was excited about a pending visit by a friend Antony Wyszynski from France. Mattaini had purchased new furnishings for his apartment and spoken with his partner Musy via phone. Musy had remained in phone contact with Mattaini during his absence.

After 15 September 1985, Musy was contacted in France by a concerned friend Vincent Ottaviani (now deceased) and was told Mattaini was absent from work. In the statement of Musy he states "a few days after I was told of Giles disappearance I returned to Australia on a pre booked flight" (exact date unknown).

Upon Musy's return home to Australia he did not find any signs of forced entry to the flat however Mattaini's walkman, keys and yellow spray jacket were missing. Ottaviani made a search of local hospitals, psychiatric hospitals and police stations but failed to locate Mattaini.

In relation to the habits and localities in which Mattaini visited, he was known to take walks along the Marks Park walking track wearing headphones. According to information supplied by Musy, Mattaini would not frequent the Marks Park area for male companionship and was said to be 'shy' (ST-412 Musy). The last known person to speak with Mattaini was Antony Wyszynski on the phone where they discussed his pending visit at the end of September 1985.

Mattaini was last seen on the walking track at Marks Park Bondi on or about 15 September 1985 by a neighbour (details extracted from the Coroners findings – original source document not located).

No initial missing persons report or investigation was made in relation to Mattaini as his partner (Musy) was of the belief a report had been made by associate Ottavaini prior to his return to Australia.

On 3 August 2002, a missing person report was made of the disappearance of Mattaini by Jaques Mussy following the media coverage of S/F Taradale and links to violent offences against homosexuals in Marks Park. The investigation was conducted in line with the terms of reference for S/F Taradale. There were no DNA samples available for comparison from the victim Mattaini.

During the inquest the Coroner suggested *“there is no doubt that at the time of Mr Warrens’ and Mr Mattaini’s disappearance and Mr Russell’s death there was a modus operandi of some gay hate assailants. This strongly supports the probability that Mr Warren, Mr Mattaini and Mr Russell met their deaths in this way. I am unable to make a finding of foul play in relation to Mr Mattaini if he met his death at the hands of another person or persons. The persons of interest that may have been responsible for the deaths of Mr Warren and Mr Russell would have been far too young at the time of Mr Mattaini’s disappearance in August 1985. In the finding of death, but where and how he died remains unknown although there is a strong possibility that he died in similar circumstances to the other men.”*

The estranged family of Mattaini were informed of his disappearance in 1985 by Musy (date unknown). Since the time of Mattaini’s disappearance there have been no further lines of inquiry available to determine a cause of death.

SUSPECTS

Throughout Strike Force Taradale Detective Sergeant Page targeted four main groups of offenders. For ease of investigation strategy he nominated the following groups.

Tamarama Three - **NP22**, **NP23** and **NP24**
NP23 and **NP43** were identified by photographs as the offenders who assaulted and robbed **190** at South Bondi on **18 December 1989**. During the assault, **190** was taunted with being a “poofter” while being hit with a skateboard to the chest and kicked in the face causing a fracture of the nasal bone, ribs and abrasions. No arrests were made for the assault of **190** as he declined further involvement of Police.

NP22 and NP23 with **NP24** were charged with the murder of Krichakorn Rattanajurathaporn at McKenzies Point (adjacent to Marks Park) on **21 July 1990** and the assault and robbery of Geoffrey Sullivan. The homicide was committed specifically targeting gay males who attended the location; the victim was robbed then thrown from the cliff face sustaining severe injuries before drowning in the water below. Sullivan later identified **NP22**, **NP22** and **NP24** as the offenders. All three were convicted of murder involved in a joint criminal enterprise. At the time of his arrest **NP23** was found in possession of a jacket stolen from Sullivan at the time of the robbery.

On **22nd February 2002** during S/F Taradale, covert electronic surveillance was utilised in the cell complex and in transport of **NP22 and NP23** prior to their police interview. Police allowed the visitation by their mother into the complex in an attempt to generate conversation in relation to the deaths of Warren and Russell. During the covertly recorded conversations, the pair denied any knowledge of the murders and refused to be interviewed about the matters. No further covert strategies were implemented.

“Alexandra Eight”

NP21, **NP15**, **NP16**, **NP17**, **NP18**, **NP19**, **NP20** and **NP41**. The group also included frequent associates **NP50**, **NP50** and **NP42**.

The Alexandra eight were identified as a group involved in assault and robbery offences around Alexandra, Bondi and Tamarama in 1989. The Alexandra eight were charged with the homicide of **Richard Norman Johnson** at Alexandra Park on **24 January 1990**.

Covert listening devices captured conversation of the leader of the group, **NP16** discussing "gay bashings". **NP16** disclosed it was common practice to assault a victim, rob him of car keys and return to the car of the victim to search it and steal any items before throwing the keys into the water (off Marks Park). **NP16** described his involvement in the murder of Johnson was a "robbery gone wrong" and nominated further offences committed around South Bondi and Coogee in company of **NP15**. These offences would involve assault and rob offences targeting homosexuals.

NP16 made admissions to committing offences at Marks Park with **NP51**, **NP20**, **NP20**, **NP17** and another male (unknown). **NP16** disclosed on one occasion (date and victim unknown) he had gone through a victim's car then threw the keys into the water. He nominated other associates in conversation with whom he had knowledge of their involvement in gay hate crimes in the Bondi area (ST 403 Page, Annexure 232).

During an interview with Detective Page, **NP16** denied involvement in the murder of Warren or Russell and claimed he had not participated in any "bashings" around Bondi prior to 1990. There was insufficient information obtained to proceed with criminal charges against **NP16** for involvement in the murder of Warren or Russell.

NP17 and **NP21** declined to be interviewed in relation to the death of Warren or Russell. No further attempts were made to gather information from either **NP17** or **NP21**.

NP19 was interviewed on 17 December 2001. He disclosed he only went to Bondi during daylight hours and was not aware Marks Park was used as a meeting place for homosexuals. He further denied any knowledge or involvement in the murder of Warren or Russell. Listening device products were played to **NP19** during his interview where he discussed various assaults on gay men in Bondi. **NP19** denied his voice had been recorded discussing various assaults on gay men at Bondi and concluded the interview. No further product was obtained in relation to **NP19**'s involvement in the murder of Warren or Russell.

NP20 participated in an electronic recorded interview with Police however did not recall any information in relation to Warren or Russell. He stated he was not aware Marks Park was an area frequented by homosexuals and furthermore, only attended Bondi during daylight hours.

NP15 participated in an audio recorded interview on 29 January 2001. **NP15** described his involvement in the Johnson incident was his only involvement in gay related crime. He further stated he did not recognise either Russell or Warren.

Covert listening devices were used to record conversations between **NP18** and **NP21** on 11/4/1991 in relation to the murder of Johnson. No information was forthcoming in relation to the homicide of Russell or Warren. Various checks of COPS, electoral rolls, centre link, rental bond board, the Department of Immigration and phone subscribers have been made to locate **NP18** as part of S/F Taradale however no records were found to exist for **NP18** since 1998.

A COPS search revealed **NP18** CNI: [REDACTED] was arrested and charged by police on 6/7/2011 for drug related offences (E 45188066). **NP18** currently resides at [REDACTED].

Following the covert operations **NP50** was interviewed in relation to Russell and Warren and a further robbery on a male (unknown) at Tamarama. **NP50** had disclosed on listening device he had extinguished a cigarette on the genitals of a male however the victim for this assault was not identified.

NP42 was targeted as part of a covert operation to record conversations with **NP21** at the Minda detention Centre on 24/04/2001. During the conversations no material was obtained in relation to Russell or Warren. **NP42** declined to participate in a formal Police interview.

“Bondi Boys”

Information was gathered from intelligence holdings and local knowledge of police attached to the Bondi Patrol between 1985 and 1992. Detective Senior Constable Bishop performed general and investigation duties at the Bondi patrol between May 1987 and November 1995. He identified members of the Bondi gang also known as “Park Side Killers” who were responsible for several violent assault and robbery offences in the Bondi Patrol over this time.

The members of the Park Side Killers (PSK) gang were identified as **NP43**, **NP54** and **NP47**. Associates of the gang were identified as **NP52**, **NP48** and **NP53**.

At 6.40pm on **Sunday 12 November 1989**, **NP43**, **NP47**, **NP49** and **NP48** were arrested following a violent assault upon **I91** at Bondi. The victim **I91** was walking from the Bondi Surf Club to his vehicle parked nearby. **I91** was stopped by the group who assaulted him and attacked him with glass bottles. As a result of the assault, **I91** suffered abrasions and bruising. **NP43** and **NP47** were charged with assault occasioning actual bodily harm and violent disorder. They were bailed to appear at Bidura Children’s Court on 7 December 1989 (Annexure A – Facts Sheet). **NP43** and **NP47** received a \$400 fine and a good behaviour bond for 12 months.

On **12 November 1989** **NP54** and **NP55** (associates of the PSK gang) were involved in an assault and robbery of **I92** in Bondi Park at Bondi Beach. There are limited details available of the robbery, the statement of **I92** has not been located in the brief. **NP54** and **NP55** were charged with steal from person (Annexure B - Crime reports 89/3027/28 and 89/3020/20 Bondi Police). **NP54** and **NP55** were given a good behaviour bond for 6 months. **I92** was deceased in 2000 (unrelated to the robbery).

Around the **9 December 1989** Senior Sergeant Adrian Ingelby was patrolling the footbridge which runs from Campbell Parade into Bondi Park. Between 12:17am and 4:45am details were recorded of at least 10 persons loitering in the area which included **NP43** with other “associates” involved with the PSK gang (ST Ingelby).

About 3am on **9 December 1989** **I54** was assaulted and robbed on Campbell Parade by four people within a group of approximately 20 youths. **I54** described to Police the main offender who had a strikingly similar appearance to **NP43**. No arrest was made in relation to the assault of **I54** (Bondi Crime Report 89/299).

About 10.30pm on Thursday **21 December 1989** David McMahon was assaulted and robbed by a group of 15 youths in the vicinity of Nott’s Avenue at Bondi (location is adjacent to Marks Park). McMahon was taunted by the group as a homosexual before being pushed to the ground, kicked and punched repeatedly by at least two males. An attempt was also made to sexually assault McMahon with a stick. During the assault McMahon was forced towards the cliff face area, threats were made to push him off the edge and his car keys were thrown into the water (Crime report 90/120-123 Annexure C). No person was charged with an offence against McMahon due to the ambiguous description supplied following the offence (ST Ingelby).

McMahon was interviewed in August 2001 (S/F Taradale) and later positively identified **NP43** from photographs as being the leader of the group and main offender for the assault.

On **14 April 1990** **I89** was assaulted and robbed between 10pm and 11.30pm at Bondi Park, Bondi Beach by **NP52** and **NP48** (members of the PSK gang). When **I89** refused to hand over a watch and money, he was subsequently kicked and punched. **NP52** and **NP48** were convicted of the assault and robbery offence. Due to the

modus operandi of the assault upon the gay community in the Bondi area investigators were of the belief this was a gay hate related crime.

On **7 September 1996**, Sean Cushman was involved in the death of Brian Hagland at Bondi. Hagland had been at Bondi Park with his girlfriend when Cushman and associate **NP56** attempted a robbery. A fight ensued between Hagland and Cushman which led onto Coogee Road. Hagland was hit by a bus, receiving fatal injuries. Cushman was subsequently charged with manslaughter.

Electronic surveillance was initiated on Cushman and a **female associate** **NP57**. Limited evidence was obtained in relation to assaults upon homosexual males by the PSK gang. There was insufficient evidence obtained to confirm involvement in the Russell or Warren murders.

NP53 was identified as an associate of the group known as PSK. During the course of S/F Taradale, **NP53** provided significant information in relation to the members of group and their usual habits which involved consuming alcohol and committing assault and robbery offences targeting gay homosexuals around Marks Park and Bondi. **NP53** disclosed he witnessed an assault and robbery of a male person (identity not disclosed) by **NP52**.

NP53 also nominated Cushman was central to the PSK group who committed robbery offences in Marks Point. **NP53** described on numerous occasions seeing Cushman leave the group and return to gloat and display the property stolen during the offences. Furthermore, **NP53** stated Cushman disclosed he wanted to "pick on the gay people because he hated them."

During S/F Taradale (2001-2003) Cushman was subjected to covert surveillance. Cushman denied any involvement in the murders of Warren or Russell. During the operation phase of investigation Cushman moved unexpectedly to Byron Bay [REDACTED].

Cushman currently resides at [REDACTED]. A COPS check reveals Cushman is continually approached by Police in the vicinity of Darlinghurst for street related crime and knife searches. The most recent report involving Cushman was for a drug search at Rushcutters Bay on 26/07/2012.

Between 1989 and 1990 there were numerous assault and robbery offences committed in and around Marks Park, Tamarama and Bondi in which members or associates of the PSK gang were involved (ST 43 Bishop). It demonstrates a propensity for violent offences targeting the gay community. At the time of John Russell's murder (24/11/89) there is significant information which specifically identifies **NP43** and **NP47** in and around the Marks Park area. Any further investigation would need to target this group of individuals and obtain admissions or witness accounts of their involvement to advance the investigation.

All records for S/F Taradale have been maintained on e@gle.i. The statement of Stephen Page, the OIC for S/F Taradale, provides the most comprehensive insight into this investigation.

8. Witnesses

Witness:	Location:	How Located:	Relevance
Constable Daniel ROBINSON	Terminated 11/11/2010	COPS 2011	Took initial missing persons report from Ellis in relation to disappearance of Warren at 8:15pm on 23 July 1989. Was handed a set of keys

			from Ellis. Located vehicle in 24 Kenneth Street, Bondi and located wallet in the glove box of Warren. Information report submitted 23 July 1989.
Cst BOURIS	DETECTIVE SENIOR SERGEANT CRIME COMMISSION SURRY HILLS	COPS 2011	Attended Kenneth Street Bondi located Warrens vehicle NZC783 spoke to persons at scene and located a set of keys with eight keys attached on a rock platform at the base of a cliff. Took possession of the keys and property from the car exhibit entered into MPB A 150422 (since returned to NOK).
Constable Robert BOEG	Disengaged NSW Police	Not located	Constable at Bondi. Submitted an intelligence report on 29 August 1989 in relation to a disclosure by NP57 of involvement in assaults of homosexual males at Marks Park possibly linked to Warren.
Phillip ROSSINI		RTA 2010	Friend who met with Warren at the Gilligan's bar on Oxford Street, Surry Hills at 11:45pm on 21 July 1989.
Constable DUNBAR	NO FORWARDING ADDRESS AVAILABLE	DISENGAGED NSWP	Investigator for Russell. At 10:30am on Thursday 23 November 1989 with Det Owens he attended a rock area to the south of Bondi beach saw the body of Russell. Locates numerous coins to the right side of the body. Concludes Russell fell from the cliff edge.
Craig ELLIS		COPS 2009	Friend of Ross Warren who made the MP report to Paddington Police Station. 23/07/1989 Conducted a search of Marks Park on 24/07/99 and located vehicle keys on water edge. Ellis had previously met Warren at Marks Park by eye contact before moving to another area to have sexual intercourse.
Paul SAUCIS		RTA 2011	Friend of Ross Warren. Assists Ellis to conduct a search for Warren around

			Marks Park on 24/07/89.
Peter ANDREA		COPS 2008	Work associate of Warren. Was told by Warren a fortnight prior to his disappearance he had sex with a married female at Liverpool. Names not disclosed. No call charge records.
Derrick HUTCHINSON		COPS 2009	Met Warren on a gay beat in Gold Coast in 83 or 84 remained friends afterwards. Would catch up socially following their move to Sydney and Wollongong respectively. Last saw Warren one month prior to his disappearance. Spoke to Warren via phone about a week prior to his disappearance.
Kerry KINGSTON		RTA 2011	Work associate of Warren and aware of his homosexuality. No noticeable change in Warren's behaviour prior to his disappearance.
198		COPS 2001	Introduced Warren to Gregory Ferguson (Qantas employee). Knew Ferguson and Warren became intimate for a six week period and at the time of his disappearance was in the process of ending the relationship with Ferguson who was opposed to the break up.
Gregory FERGUSON ST 23		COPS 2011	First met Warren in 1988 at a work function for Win 7. Dated Warren for 6 weeks till Warren ended the relationship as Ferguson was "clingy". Ferguson working outside Australia on the date of Warren's disappearance.
Inspector Dennis GREEN	WHEREABOUTS UNKNOWN	WOLLONGONG POLICE TERMINATED 13/04/07.	Conducted a search of Warren's residence on 26/07/1989. No items of interest in relation to suicide were located. Keys used to access the flat were recovered at Marks Park.

Christine JONES		COPS 2011	Associate of Warren at WIN TV 1988-89. Was informed by Warren he was involved in a love triangle with a male "Ken" for at least a month prior to his disappearance. She described Warren was tight with money.
I88		WHEREABOUTS UNKNOWN	Former boyfriend of Ross Warren in 1989 after meeting in a night club in Wollongong. Told investigators Warren was in financial difficulties with drug related business (no supporting evidence available.) Suggested Warren disappeared to friends and family. Interviewer described I88 answers during the interview was unclear and he was drug affected at the time of interview.
Sara O'BRIEN		FORMER POLICE OFFICER. Whereabouts unknown.	Former Police officer at Nowra. Resided with Jeanette PRADOVANIC who was friends with NP57 NP57 spoke in her presence of seeing a male person bashed who was "a poof".
Kingi MARSH		COPS 2008	Friend of Warren not sexual partners. Warren would stay with Marsh and his partner Michael Matheson at Potts Point. Was out in Sydney on 21/07/1989 however did not see Warren.
Michael MATHESON		COPS 2011	Formally in a relationship with Kingi Marsh and resided at Potts Point. Warren would stay with Matheson when in Sydney. Following the disappearance, Matheson received calls from friends of Warren in relation to his whereabouts. Described Warren was depressed about not being in a relationship.
I34		COPS 2009	Victim of serious sexual assault in February or March 1990.
Kay		S/F TARADALE	Identified Warren's

WARREN			vehicle as QLD registration 767AXX. Went to Warren's residence following his disappearance. Nothing unusual was identified. Supplied police with the diary of Warren in 1989 but since misplaced it.
Dr Robert BRANDER P265 Annexure 131,132		Internet search 2011	Expert in coastal geomorphology. In his opinion it is unlikely a body in the water off the shore platforms or on the bed (Marks Park) would move landward in the relevant time period described in the Warren case.
Dr Alan CARLA P268 Annexure 133	Expert Forensic Pathologist Newcastle Forensic Medicine	COPS 2011	Provides an expert opinion in relation to the rising of a decomposed body if submerged will sometimes rise although there have been instances when bodies in ocean areas are never recovered.
RUSSELL WITNESSES			
Peter REDMILE P278 Annexure 137 (Page)		COPS 2011	Friend of Russell. Last person to see Russell at Bondi hotel. Russell left as he was short of money. Was to attend a function the following night to celebrate a farewell.
Peter RUSSELL P280 Annexure 138		S/F TARADALE	Brother and housemate of John Russell. Resided together at [REDACTED] Oakley Road, Bondi. Described John Russell as proficient in judo and boxing and would drink alcohol regularly. Was well known in the gay community.
Inspector David OWENS P286 Annexure 141	RETIRED DEPUTY COMMISSIONER OF POLICE		Attended location at 10:30am on 23 November 1989 with Constable Dunbar. Met with Detectives Ingelby and Barrett and saw the body of Russell lying face down on the rocks. Later took a statement from Peter Russell.
Dr MOYNHAM P288 Annexure 142			Provides a comment on toxicology which was unable to be determined as purification was not ascertained.

Senior Constable Emmanuel RIVERA P289 Annexure 143	FORENSIC SERVICES NSW POLICE		Crime scene examiner who attended the scene on 23 November 1989 with Detective Cameron. Took a number of photographs under instruction. Examined the vegetation above where the deceased was located and described damage to vegetation. The fall height measured at 12.1 meters. Photographed and collected strands of hair adhering to the hand of Russell. Had no further involvement when departing the scene. Provides no comment with the strands of hair went from the scene.
Detective Sergeant Carlton CAMERON P291 Annexure 144	COLD CASE JUSTICE PROJECT		Retained exhibits and photographs of the body of Russell. Noted small hairs adhered to the top of Russell's left hand. Examined the walkway above location only obvious signs were a small amount of damage to the vegetation consistent with person walking on it. Total fall measured at 12.75m.
Sgt David FORBES Sydney Crime Scene Zone supervisor P296 Annexure 145	SYDNEY CRIME SCENE		Conducted a search of all exhibits in 2001 in relation to Russell matter and was unable to locate any trace of hair exhibits pertaining to the Russell murder. No record located of hair being retained.
Virginia FRIEDMAN P297 Annexure 146	FORENSIC PATHOLOGIST INSTITUTE OF CLINICAL PATHOLOGY AND MEDICAL RESEARCH, SYDNEY		Conducted a search of Forensic Biology/ DAL 2001. No items for Russell were sent for examination.
D/Sgt Adrian INGLEBY	TERMINATED 31/01/2008 WHEREABOUTS UNKNWON		Recalled hair on the hand of Russell which was placed into the exhibit bag by police from the Scientific section (Rivera and Cameron).
S/Cst BARRELL	POLICE DIVING UNIT BALMAIN		Searched below the water level in the area of Marks Park to a distance of 30

			meters from the rock shelf. Located a metal pole.
Susan THOMPSON	FORMER NSW POLICE GAY AND LESBIAN LIAISON COORDINATOR CURRENT ADDRESS UNKNOWN		Barrister and NSW Police Gay and Lesbian Liaison Coordinator for NSW. Provides expert evidence on gay beats and culture of gay hate crime in NSW between period 1989 to 1999. Also provides examples of signals used by homosexuals around gay beat using coins to signal availability.
David McMAHON			Victim of violent assault and robbery at Marks Park on 21/12/89. Threats were made to throw McMahon from the cliff. Positively identified from photographs.
191			Victim of a violent assault and robbery offence at Bondi on 12/11/89. NP43, NP43, NP47 and NP47 charge with offence. Similar modis operandi to Russell murder.
NP53			Was a member of the PSK gang in Bondi around 1989 and 1990 aged 14. Robb witnessed an assault and robbery at Marks Park by other members of the group including NP43.
WITNESSES Giles MATTAINI			
Antony WYSZYNSKI ST 414		RTA 2011	Friend of Mattaini. Last spoke with Mattaini on 15/09/85 by phone about pending visit to Australia in September 1985. Arrives in Australia however Mattaini was not located. Arranged for property of missing person to be returned to parents in France.
Marc HUBERT ST433		COPS 2011	Manager at the Menzies hotel, Wynyard and employed Giles Mattaini. Mattaini was working the evening prior to his disappearance and complained of feeling ill

			and stressed in relation to his visa status. Asked for a cigarette and left the shift around 10pm. Was contacted at home by Hubert in relation to a work question. Last contact with Mattaini and no appearance for his next rostered shift two days following.
Jacques MUSY		COPS 2011	Former de-facto partner of Mattaini. Musy was employed with Menzies Hotel Sydney. Travelled to France in August 1985 and had phone contact with Mattaini on a weekly basis. Musy returned two days following the disappearance of Mattaini. Undertakes a search of the local area upon return to Australia without success.
Vincent OTTAVIANI	DECEASED		Work friend of Mattaini and Musy who informed Mattaini was uncharacteristically absent from work in September 1985.

9. Exhibits located – See attached annexure for original exhibit data document

Exhibit	Location (exhibit No.)	Previous Examinations	Status
<p>MADD card, Wollongong Library card in the name of Warren, Two radio rental payments dated 26/05 and 07/07/89, drivers licence in the name of Warren. ANZ night and day transaction record, lets go video card account 35409, Wollongong City Library card in the name of warren, ANZ visa</p> <p>issued 07/89, written paper "Derrick, "</p>	<p>Collected from Modigliani Unit, Strawberry Hills (Vanessa Milburn)</p> <p>D685416</p>	<p>Fingerprint section</p>	<p>FS 89/2332 Paddington</p>
<p>Identification Parade with McMahan</p>	<p>C607638</p>		<p>Paddington</p>
<p>2 x rusted water pipes</p>	<p>C607389 moved to D685416</p>	<p>Examined by Professor Steinberg meteorologist UNSW who identified the age of the pipes was unknown possibly 5-15 years in water conditions around Mackenzie Point. Not formally linked to the murder of Russell.</p>	<p>Paddington</p>

2 x Audio tapes believed to be listening device of NP19 & NP21 10/04/1991 (Russell). 1 x Audio/Video tapes believed to be ERISP of TRIEU 08/08/1991. 2 x Audio tapes believed to be listening device of NP21 & NP15 on 14/04/1991.	C607320	This document marries up with Physical Objects Audio/Video products REC-5, REC11 and REC- 6.	Paddington
Video and Audio cassette tapes of ERISP interview of NP44 by Investigators BIGNALL and POLITO on 08/08/1991.	C607321 moved to D685416		Paddington
Three audio tapes believed to be listening device recordings of conversation between NP21 and NP42 on 24/04/1991.	C607322 moved to D685416		Paddington
1 x nokia mobile phone, battery and sim	C607875 moved to D685416		Paddington
1 video cassette tape NP57	D685416		Paddington
Pair bone coloured jeans Levi, Pair gym shoes, 1 red sloppy joe 1x\$2 coin, 1x\$1, 3x 20c and 2 x 50c	D685416		Paddington FS 01/1971
1 x cassette tape	C607754 moved to D685416		
1 x silver coloured bracelet	C607626 moved to D685416		Paddington
4 x Cassette tapes dated 11/12/0?	C607755 moved to D685416		Paddington

John Russell's clothes →

10. Weapons

Type:		
Recovered:	N	Location:
Further Examination	N	
Action:		
Comment:		

11. Fingerprints

Fingerprints Available:	Y - ^{Ross} Ray Warren Matter only.
Fingerprint Case Number:	N900130, N140143, N718496
Major Crime Reference Number:	FS 89/2332
Person Identified:	Nil
<p style="text-align: center;">^{Ross}</p> <p>Comment: Items recovered from the motor vehicle of Ray Warren were submitted for fingerprints. Fingerprints recovered were identified as Warren (ST 379 Detective Liddle).</p>	

12. Recommendation:

The investigation into the death of Ross Warren, John Russell and Giles Mattaini was meticulously undertaken by an experienced investigator, Detective Sergeant Stephen Page. It is apparent in the statement from the officer in charge the investigation team was highly motivated and every effort was made to identify the person(s) responsible for the homicides.

In the absence of intelligence, witnesses or forensic evidence there has been no further investigative avenues established for Giles Mattaini. A reward has not been offered for information in relation to the missing person and may be a source to generate further information.

The suspects nominated throughout the investigations of Russell and Warren were subject to covert operations including listening devices, telephone interceptions and also offered the opportunity to be interviewed. All investigative aspects produced limited product and in most cases, the suspects refused to take part in any formal police interviews in relation to the murders.

At the time of the reinvestigation of the homicides of Russell and Warren in 2001, there were significant links between the suspects and their associates who had been involved in numerous assault and robbery offences in Marks Park, Tamarama and in the Bondi area. Unfortunately during the investigation the main suspects Sean Cushman, NP22 and NP23 had refused to offer any further information to Police in respect to the murders of Warren or Russell.

Sean Cushman, NP23 and NP22 who are the main suspects in this case have extensive criminal histories. Their current profile illustrates continued criminal involvement for stealing, street offences and drug activity. There is no information to suggest the three people have contact with each other or other former associates since the conclusion of S/F Taradale.

Due to the loss or destruction of records and exhibits there has been no opportunity to use forensic evidence to assist in the case of Russell, Warren or Mattaini.

It is my recommendation, due to the passage of time, separation of alliances and social isolation of the suspects from each other there exists an opportunity to engage the persons of interest via an undercover operation in relation to the murder

of Russell and Warren.

In the absence of any other forensic evidence or direct admissions from suspects there can be no advancement towards conviction in the matters of Russell, Warren or Mattaini.

No reward has been offered in NSW for information in relation to the murders of Russell, Warren or Mattaini. Consideration of a reward may provide further avenues to generate information in conjunction with an undercover operation.

REVIEWER'S CERTIFICATION

I certify that the review has been conducted thoroughly and I have accessed all available documents and exhibits.

Signature: 

Name: Alicia Taylor
Rank: Detective Senior Constable
Date: 25/10/212

CO-ORDINATOR'S CERTIFICATION

I certify that sufficient time and opportunity has been provided to the case reviewer to conduct the attached review. I am satisfied that the reviewer has accessed available documentation and agree with their recommendations.

Signature: 

Name: JOHN LEHMANN
Rank: O/C/INSPECTOR
Position: INVESTIGATIONS COORDINATOR
Date: 14 AUGUST 2013