

**ANNEXURE 7**

POA  
S/F NEIWAND  
2/2018/60693



**NSW POLICE  
STATE CRIME COMMAND**

**CRIME OPERATIONS SUPPORT**

**MEMORANDUM**

**TO:** Commander, State Crime Command  
**FROM:** Director, Crime Operations Support  
**RE:** Post Operational Assessment – SF NEIWAND 2016-0306

Please find attached a copy of the subject Post Operational Assessment.

The following recommendation/s were/was raised in the Post Operational Assessment;

NIL.

The following action was taken in respect of those recommendation/s;

NIL.

D. Wallace  
 Detective Acting Chief Superintendent  
 Director, Crime Operations  
 Date 22/2/2018

M. Lanyon  
 Assistant Commissioner  
 Commander, State Crime Command  
 Date 01/03/2018

## Post Operational Assessment Review

Strike Force Name	NEIWAND
Squad	HOMICIDE
Start & Finish dates	11/6/2016 to 30/11/2017
POA reviewed by	DCI Skuratowski
Review date	22/2/2018
Case closed on database	23/1/2018

### 1. Eagle.i

Nil.

### 2. Controversial Issues

Nil

### 3. Recommendations

Nil

### 4. Action taken by squad to address recommendations

N/A

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**POST OPERATIONAL ASSESSMENT**

(V9-16)



**Homicide Squad – Unsolved Homicide team**



**Strike Force Neiwand**

2016 - 0306


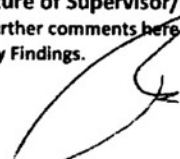

SCC Ref No 01.02362

Start date of operation -11/06/2016

Finish date of operation – 30/11/2017

Prepared by: Detective Senior Constable Michael CHEBL

Publication date:

<p><b>For further information on this operation please contact [Director/Superintendent/Case Officer/Investigator/Intelligence Analyst/Crime Directorate Support Unit].</b></p>	
<p><b>Signature of person preparing report:</b> (add further comments here if required)</p> 	<p><b>Signature of Supervisor/Investigation Coordinator:</b> (add further comments here if required) See Key Findings.</p> 
<p><b>Signature of Commander:</b> (add further comments here if required)</p>  <p><b>Scott Cook</b> Detective Superintendent</p>	<p><b>Signature of Director:</b> (add further comments here if required)</p>
<p><b>Notation by Commander, State Crime Command:</b></p>	
<p><b>Handling Instructions</b></p> <p><i>This document is not to be disseminated or copied without prior authorisation from the Commander, State Crime Command NSW Police. It must be handled, stored and transferred in accordance with the security procedures applicable to the appropriate security classification as laid down in the Information Technologies Policies &amp; Procedures, Code of Best Practice for Information Management 2004, located on the NSW Police Intranet and any other relevant guidance.</i></p>	

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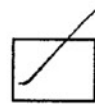
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**Superintendent Certification & Comment:**

(In particular include comment about any matters raised in 'Investigative Opportunities' and 'Recommendations' with reference to what has been instigated to address the recommendation and by whom)

*I hereby certify as to the completeness of this investigation:*



*I hereby certify that the Computerised Operational Policing System (COPS) has been completed in respect to charges, Intelligence Reports and the dissemination of such Intelligence Reports, as relevant to this investigation.*



*I hereby certify that the e@gle.i Investigative Management System is up to date as is relevant to the investigation at this time. (It is acknowledged that not all tasks may be completed and that additional task will/may be created in the future as this matter proceeds through the Courts.)*



**General Comment:**

(Please provide comment on the general nature of the investigation, i.e. the success/or otherwise, good Policing, investigative opportunities etc.)

N/A

**Action taken in respect of Recommendation/s:**

(Please comment on any/all recommendations raised in the POA and provide detail of what action/s you have taken, or caused to be undertaken in respect of these and what the current status may be of the action so taken.)

N/A

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<b>ORGANISED CRIME STRIKE FORCE RESULT GRADING – IMPACT VALUE</b>							
<b>CRITERIA</b>							
<b>TERMS OF REFERENCE</b>	Achieved & greatly exceeded	Achieved & somewhat exceeded	Achieved	Partially achieved	Not achieved due to other factors	Investigation did not proceed	<b>2</b>
<b>TARGETS &amp; ASSOCIATES CHARGED</b>	All POIs & some associates charged with serious offences	All POIs charged with serious offences	Some POIs charged with serious offences	All POIs & some associates charged with minor offences	Associates charged. Original POIs not charged	No prosecutions	<b>0</b>
<b>COST (RESOURCE) EFFECTIVENESS</b>	High level results achieved with minimal cost	Good results with moderate cost incurred	Cost neutral result	Poor result with large cost	Nil results with large amount of costs	Nil results with nil costs	<b>3</b>
<b>CALIBRE OF CRIMINAL &amp; GROUPS ARRESTED</b>	Major large organised criminal group	Large criminal group only	Medium criminal group only	Small criminal group only	Minor/petty individuals only	Nil arrests	<b>0</b>
<b>IMPACT TO CRIMINAL NETWORK</b>	All criminal operations ceased by the network	Majority of criminal operations ceased	Some criminal operations ceased	Minimal impact to criminal network	Minimal impact to individuals only	Nil impact to criminal network	<b>0</b>
<b>SEIZURES (PROHIBITED DRUGS / STOLEN PROPERTY ETC)</b>	Large seizure of various items & types	Large seizure of a single type only	Medium seizure of various items & types	Medium seizure of a single type only	Minor seizure of items	Nil seizures	<b>0</b>
<b>ASSETS CONFISCATION</b>	Large value confiscation from multiple POIs	Large value confiscation	Medium value confiscation from multiple POIs	Medium value confiscation	Minor value confiscation	Nil confiscations	<b>0</b>
<b>INTELL GATHERED</b>	Large amount of high value intell gathered & actioned	High value intell gathered & actioned	Medium amount of intell gathered & actioned	Small amount of intell gathered & actioned	Minor intell gathered	Nil Intell	<b>1</b>
<b>EMERGENT MAJOR CRIME TYPES,</b>	ID of new crime methods &	ID of new crime syndicates	ID of new crime methods	New individual identified	Some change in methodology	Nil identified	<b>0</b>

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<b>METHODS &amp; GROUPS</b>	syndicates	only	only	only	y identified		
<b>CROSS BOUNDARY IMPACT</b>	Impact LAC, Region interstate & international	Impact across LAC, region & interstate	Impact across multiple LACs & Regions	Some impact LACs & single Region	LAC impact only	Nil impact	<b>2</b>
<b>TOTAL (out of 100)</b>							<b>8</b>

**POST OPERATIONAL ASSESSMENT**

**STRIKE FORCE Neiwand**  
**SCC 01.02362**

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*A standardised format for all operational assessments has been developed. The detail reported in any one area will be determined on a case by case basis. A minimum endorsement of 'not applicable' is required.*

**1. Terms of Reference:**

To re-investigate the suspicious disappearance and death of Giles MATTAINI from Bondi on 15/09/1985; the suspicious disappearance and death of Ross Bradley WARREN from Bondi on 22/07/1989 and; the suspected murder of John Alan RUSSELL at Bondi on 23/11/1989.

**2. Investigation Summary:**

In 2001, Operation TARADALE was established to investigate the death of John Alan RUSSELL and the disappearance of Ross Bradley WARREN, which were linked to Marks Park at McKenzie's Point, Bondi. It later incorporated the suspicious disappearance and death of Gillies MATTAINI. TARADALE established that Mackenzie's Point was known to be a 'gay beat', frequented by men engaging in anonymous sexual encounters with other men. Investigators also established that there were incidents of assault and robbery targeting gay men in that area and on one occasion a murder in 1990.

In May 2016, Strike Force NEIWAND was established to reinvestigate these matters. Investigators reviewed case file items from: -

- The missing persons investigation relating to Warren [1989] and coronial investigation for Russell [1989];
- The Homicide Squad – South [1989/1990]; and
- Operation TARADALE and subsequent Inquest.

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**SENSITIVE: LAW ENFORCEMENT****The suspicious disappearance and death of Gillies MATTAINI from Bondi on the 15/09/1985**

On 15/09/1985 the missing person, now presumed deceased Gilles Jacques MATTAINI (DOB: 25/10/1958), was last seen walking along a track around McKenzie's Point, Bondi.

At the time of his disappearance, MATTAINI overstayed his visa and expressed concerns about the status of his residency. MATTAINI's disappearance was not reported to or investigated by police.

In 2002, MATTAINI's former partner Jacques MUSY contacted Operation TARADALE investigators. At the time of MATTAINI's disappearance in 1985 MUSY was in France. Upon his return to Australia, he commenced a search, with other friends for MATTAINI. This was to no avail. Although MATTAINI was not known to frequent the McKenzie's Point area for male companionship, he did take long walks in that area. An unidentified person claimed to have seen MATTAINI walking along a track at Bondi on 15/09/1985.

Operation TARADALE investigators obtained statements from MATTAINI's associates that disclosed he was a shy and conservative person who did not frequent gay beats or venture out at night. One associate described MATTAINI as being anxious in the days leading up to his disappearance.

On the 9/03/2005, following an Inquest into MATTAINI's disappearance, the NSW State Coroner delivered an open finding.

In May 2016, SF NEIWAND investigators commenced a review of the Operation TARADALE investigation into MATTAINI's disappearance and identified areas previously not explored.

In August 2016, INTERPOL located MATTAINI's mother Renee MATTAINI (DOB: [REDACTED]) at a retirement home "Mont Soleil" path of the Boat 05190 ESPINASSES in France.

On the 28/08/2016, a Mutual Assistance Request was forwarded by UHT via the Australian Attorney General's Office to request assistance from French Authorities to obtain a DNA sample from Renee MATTAINI, source MATTAINI's medical and military records and locate Jacques MUSY.

On the 19/11/2016, Magali EYRAUD, of the French Judicial Police notified investigators that MUSY was willing to speak about MATTAINI's disappearance. MUSY advised EYRAUD that he was surprised about the TARADALE homicide conclusion as MATTAINI told him "*he wanted to die and nobody would find his body*". MUSY stated MATTAINI attempted suicide before he went missing and because of this MATTAINI's relatives weren't surprised by his disappearance.

On 08/12/2016, investigators spoke with MUSY about MATTAINI. MUSY described MATTAINI as a shy, easily scared and private person who didn't socialise outside his circle of friends (his work colleagues at the Menzies Hotel). The only time MATTAINI went out would be for a walk around Bondi. MATTAINI did not go out at night and never went to a 'Gay Beat' as he was too afraid and shy to do such a thing. MATTAINI did not to engage in water activities such as snorkelling or scuba diving as he

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feared the ocean. This is contrary to the information provided by INTERPOL France in 2002, which stated that MATTAINI was an amateur scuba diver.

MATTAINI's first suicide attempt occurred [in France] prior to his relationship with MUSY when he 'slashed his wrists' and was later treated for his injuries. MUSY's opinion was that MATTAINI attempted suicide on this occasion was due to pressures from his father due to his sexuality. The second suicide attempt occurred while MATTAINI was serving in the French Army. On that occasion MATTAINI took pills and 'went to sleep'. MUSY explained that MATTAINI was treated 'mentally' and discharged from the Army. MUSY believed this suicide attempt was due to MATTAINI not being able to cope with the pressures of being a homosexual and serving in the military. MUSY stated throughout his relationship with MATTAINI he found him to be comfortable with death and would speak openly about dying on his own accord rather than naturally. MUSY elaborated on this by saying, following MATTAINI's discharge from the army and prior to the pair moving to Australia MATTAINI would make comments about taking his own life. MUSY explained this by stating "*He (MATTAINI) spoke of death as being a release for him from this life. He believed death was more attractive than life, he believed he would be happier dead.*" MUSY confirmed that MATTAINI had stated, "*he wanted to die and nobody would find his body*". MUSY quoted MATTAINI, "*If I die I will do it so no one finds my corpse, it would cause less pain and grief for my mother.*" MUSY stated that this information was provided to Detective Sergeant PAGE the OIC of Operation TARADALE in 2002, "*Of course I told Stephen Page of this, of course, in 2002 I said this. I said Gilles was comfortable with dying and he would do it so his body is not found, but this did not happen*". Despite MATTAINI's suicide attempt history, Detective Sergeant PAGE convinced MUSY that MATTAINI was most likely murdered. MUSY believed "*Gilles was too scared, he would be too afraid to stand on the edge of a cliff and jump, I don't believe he did this.*" A mutual assistance request via Interpol was forwarded to the French authorities who obtained a statement from MUSY confirming this information.

On the 8/04/2017, French authorities informed NSW Police that Mrs. Renee MATTAINI had died on 9/03/2017 at the age of 82, that her body had been cremated and it was no longer possible for authorities to obtain a DNA sample.

**The suspicious disappearance and death of Ross Bradley WARREN on the 22/07/1989**

On the evening of Friday, the 21/07/1989 the missing person, now presumed deceased Ross Bradley WARREN (DOB: 26/10/1964), left his workplace at WIN4, Wollongong after reading the weather at the end of the 6:00pm news. WARREN drove to Sydney in his brown Nissan Pulsar NSW registration NZC783. Sometime between 8:00pm and 9:00pm he arrived at his friend Craig ELLIS' home at [REDACTED] Albert Street Redfern.

About 10:30pm WARREN left's ELLIS' home and drove to Oxford Street in Darlinghurst where he met with a WIN4 colleague, Phillip ROSSINI. WARREN and ROSSINI visited several bars and nightclubs along the Oxford Street strip, before going their separate ways around 2.00am on Saturday the 22/07/1989. ROSSINI last saw WARREN driving his vehicle on Oxford Street in an easterly direction towards Paddington. This was the last known sighting of WARREN.

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On the morning of Saturday, the 22/07/1989, ELLIS awoke to find that WARREN hadn't returned home. Mildly concerned ELLIS and his then partner, Pavlos 'Paul' SAUCIS commenced a preliminary search for WARREN, with no success.

On Sunday night, the 23/07/1989, ELLIS and SAUCIS attended Paddington Police Station to report WARREN missing. Following this report, the pair attended Mackenzie's Point, Bondi where they located WARREN's vehicle in Kenneth Street, Tamarama. Their concerns for Warren's welfare increased and they returned to Paddington Police Station to tell police of their discovery.

The following morning, the 24/07/1989, ELLIS located WARREN's keys at the base of the cliffs on the southern side of Mackenzie's Point. WARREN's disappearance was originally investigated by Detective Sergeant Kenneth BOWDITCH of Paddington Detectives. BOWDITCH surmised that WARREN slipped off the rocks at Mackenzie's Point, fell into the water and drowned.

In 2001, Operation TARADALE focussed on WARREN's disappearance and RUSSELL's death.

On the 09/03/2005, following an Inquest the NSW Senior Deputy State Coroner Milledge found *"That Ross Bradley WARREN died in Sydney on or about 22 July 1989. Whilst the cause and manner of death are unknown, I am satisfied that the deceased was a victim of homicide perpetrated by person or persons unknown."*

In May 2016, SF NEIWAND commenced a reinvestigation into this matter. A review of the investigation undertaken by Operation TARADALE revealed several areas that had not been explored.

In May 2016, exhibits related to WARREN's disappearance were located at Potts Hill, Long Term Exhibits. These exhibits were photographed and booked onto EFIMS, with the intention of conducting additional analysis.

In July 2016, a request was sent to Sergeant Fiona WEST from Major Crime to re-examine the fingerprints on file which were found in WARREN's vehicle in 1989. Those fingerprints were compared with [188 Alias 1] (aka [188 Alias 2]), DOB [REDACTED], CNI [REDACTED] with a negative result.

[188 Alias 1] had previously claimed to have been in a relationship with WARREN prior to his disappearance.

WARREN's DNA was not on file and a DNA sample was obtained by the Missing Person Unit [REDACTED] this allowed investigators to request a comparison of unidentified remains with mitochondrial DNA. Sergeant Chris ORNATOWSKI from FSG (FIRM, Identification Services Branch) advised [28/11/2016] mitochondrial DNA testing of Ross WARREN's mother's DNA to compare against all unidentified remains would be carried out. That comparison came back with a negative result [April 2017].

In October 2016, a list of WARREN's known associates was compiled and background checks conducted. These persons are - Kingi Tyron MARSH aka Ken MARSH, Phillip ROSSINI, Greg FERGUSON, Craig ELLIS, [198] and Darran CHADWICK. Inquiries were also conducted into [188 Alias 1] aka [188] and [NP57] who claimed a link to WARREN. There was no evidence

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available to support their claim and they would later be eliminated as persons of interest by investigators.

In January 2017, the analysis of exhibits resulted in a mixed DNA profile on WARREN's licence, further analysis was requested. The results were negative.

On the 31/01/2017 a further statement was obtained from Dr Rob BRANDER, expert in coastal geomorphology and he provided an additional opinion in relation to bodies being submerged in water and the impact tidal behaviours have on the water flow around Mackenzie's Point. In his opinion, a body submerged in water is likely to be swept out to sea rather than towards land.

In March 2017, contact was made with Phillip ROSSINI, DOB: [REDACTED]. ROSSINI currently resides between Los Angeles and New York. ROSSINI was unable to provide any additional information to what he already had in 1989.

On the 02/05/2017 a statement was obtained from [REDACTED] 198 [REDACTED] 198 also participated in a walkthrough around Mackenzie's Point as he frequented the gay beat in 1989 and 1990. [REDACTED] 198 had no information about WARREN's disappearance.

Investigators conducted inquiries to locate Amanda EVANS. EVANS was a close friend and housemate of Craig ELLIS. EVANS was also an acquaintance of WARREN. When contacted by Investigators EVANS stated she was present at the time of WARREN's disappearance and provided an alternative timeline to what was previously known by police. On 02/06/2017 investigators travelled to Auckland, New Zealand and obtained a statement from Amanda EVANS. The information provided by EVANS was inaccurate, as her time line of events surrounding WARREN's disappearance appeared confused and not supported by confirmed known facts. The inconsistencies related to the time and days surrounding WARREN's attendance at the Redfern address. EVAN's had no relevant information about WARREN's disappearance.

On 16/06/2017, investigators obtained a statement from Derek HUTCHINSON. HUTCHINSON was a former associate of WARREN who he met at a gay beat. The pair maintained a friendship following this meeting. HUTCHINSON had no information about WARREN's disappearance.

On 23/06/2017, Investigators met Darren CHADWICK at Surry Hills Police Station. CHADWICK was a former lover of WARREN. [REDACTED]

[REDACTED] CHADWICK also stated despite the break up being mutual, WARREN wasn't happy as it wasn't on his terms. Following the break up CHADWICK did not see WARREN. CHADWICK concluded he had no information about WARREN's disappearance.

Over the course of June and July 2017 investigators obtained statements from former and current WIN4 TV employees who knew WARREN. These witnesses were, Mary PAPAKOSMAS nee FRANKS, Kerry KINGSTON, Peter ANDREA, Danny MITROVIC, Michael REDMAN and Priscilla ASLANIDIS.

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Between 27/06/2017 and 29/6/2017, investigators travelled to Queensland and obtained statements from Michael MATHESON (former partner of MARSH), Terry MOORE (Former Manager at WIN4) and members of WARREN's family - Kelly CHUTER (nee WARREN), Craig WARREN and Kay WARREN. Kelly CHUTER, WARREN's sister stated she learnt that prior to WARREN's disappearance he had been attempting to gain employment with one of the major television networks but was unsure of the outcome. Kay WARREN stated that Ross may have been unsuccessful in obtaining employment with one of the bigger television networks. WARREN's inability to secure a contract with a metropolitan television network would have been a significant impediment to his career. These witnesses were unable to provide information about WARREN's disappearance.

On the 05/07/2017, investigators met with Craig ELLIS and obtained a statement which was completed on 13/07/2017. ELLIS was unable to provide any further information about WARREN's disappearance.

On the 12/09/2017 investigators travelled to Melbourne and obtained a statement from Kingi 'Ken' MARSH. MARSH stated he met WARREN in 1988 and from that time they would meet once or twice a month and attend gay bars and clubs. [REDACTED]

[REDACTED] MARSH stated that WARREN pursued a relationship with him on several occasions, but MARSH declined WARREN's advances. The last occasion WARREN attempted to pursue a relationship with MARSH was approximately a week prior to WARREN's disappearance, MARSH stated that following him rejecting WARREN's advances he didn't cope well and it took time for him to compose himself before leaving MARSH's residence. MARSH emphasised that he and WARREN were not in a relationship but were friends, this is despite WARREN telling people they were. MARSH states he did not see WARREN over the weekend of this disappearance and had no information into his disappearance.

**The death of John Alan RUSSELL on the 23/11/1989**

On the evening of Wednesday 22/11/1989, John Alan RUSSELL attended the Bondi Hotel for a night of drinking and socialising with a friend, Peter REDMILE. Around 11:00pm REDMILE parted company with RUSSELL and left the Bondi Hotel, RUSSELL remained at the hotel. RUSSELL left the hotel shortly thereafter and went to Mackenzie's Point.

About 10:30am on Thursday 23/11/1989, RUSSELL's body was discovered at the base of a cliff below the walkway of Mackenzie's Point between Bondi and Tamarama. The initial Police investigation into RUSSELL's death and Inquest deemed the cause and manner of death as 'accidental'. Crime Scene officers noted that there was vegetation on the cliff edge above where RUSSELL's body had been located. It was noted the vegetation was damaged and could have only been done by one person.

In 2001, Operation TARADALE also focussed on the death of John Alan RUSSELL. TARADALE established that Mackenzie's Point was known to be a 'gay beat', frequented by men engaging in anonymous sexual encounters with other men.

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Operation Taradale placed emphasis on the opinion of Dr CALA, that RUSSELL had been thrown from the Mackenzie's Point cliffs by his attackers. Dr CALA based this opinion on the fact that RUSSELL's jumper was lifted exposing his torso, his head was positioned towards the cliff face and this was consistent with the modus operandi of youth gang members throwing their victims off a cliffs edge.

On 09/03/2005, during the inquest into RUSSELL's death, the NSW State Coroner found that RUSSELL was a '*victim of homicide perpetrated by person or persons unknown.*'

In May 2016, SF NEIWAND commenced its reinvestigation.

In May 2016, exhibits relating to RUSSELL's death were located at Potts Hill, Long Term Exhibits, photographed and booked onto EFIMS.

Arrangements were made with the Senior Forensic Scientist of the AFP to re-examine the negatives of the crime scene photographs depicting a clump of hair on the back of RUSSELL's hand.

In October 2016, inquiries were made with Forensic Medicine Archives in relation to post mortem photographs. It was determined that the coroners brief and post mortem photographs had not been retained. A request was made to have a Forensic Pathologist assigned to this case to conduct a review of the post mortem material.

On the 30/11/2016, NEIWAND investigators went to the Australian Federal Police office in Majura [ACT] and met with Dr Adine BOEHME, Biology & Forensics. BOHEME stated that due to the quality of the crime scene photographs she was unable to provide an opinion in relation to the hairs depicted in a photograph of RUSSELL's hand - to determine whether they were consistent with the hair on RUSSELL's head.

On the 14/06/2017, Forensic Pathologist, Professor MOYNHAM provided a report in relation to RUSSELL's post mortem. Some of the documents provided to MOYNHAM to assist him in completing this report were the original post mortem report (completed by Dr HOLLINGER), a copy of the Toxicology report on RUSSELL's blood completed by Keith William LEWIS, Crime scene photographs and crime scene officer notes. MOYNHAM was unable identify evidence that that would assist in determining the manner of RUSSELL's death, concluding that the blood alcohol level of RUSSELL is less likely for putrefaction to occur and the level of intoxication would have impacted on RUSSELL's impairment and capacity to function as well as making him more prone to trauma because of physical impairment, as his capacity to protect or defend himself would be impaired.

On the 16/08/2017, Professor Jon DUFLOU, Forensic Pathologist provided a report commenting on a possible cause/manner of death. In his opinion, it could not be established whether RUSSELL's injuries were sustained from an accidental, intentional or assisted fall. Professor DUFLOU further stated the position of the body would be considered unusual (head facing the cliff face) for an accidental or suicidal fall. [It would be more likely that the body would be positioned faced towards the walkway when he commenced his fall. In relation to the hair found on RUSSELL's hand, Professor DUFLOU

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indicated it was relatively unlikely that it originated from the deceased's head although it could not be excluded given there was a laceration at the back of the scalp. Professor DUFLOU concluded that he was unable to provide an opinion on whether RUSSELL died due to an accident, suicide or homicide, based on the location of the body and injuries. The opinion expressed by Professor DUFLOU contrasts with the opinion of Doctor CALA who stated RUSSELL was thrown from the cliffs off Mackenzie's Point by his attackers.



Michael CHEBL  
Detective Senior Constable.

**3. Key Findings:**

The WARREN matter was re-examined by Homicide investigators in the early 1990's in the context of

- The link between McKenzie's Point and WARREN's disappearance and RUSSELL's death;
- A spate of 'Gay Hate' murders committed in the inner city and the 21/07/1990 murder of Kritchikorn RATTANAJURATHAPORN at McKenzie's Point.

The investigation failed to establish that WARREN had been murdered.

In 2001, Operation TARADALE led by former Detective Sergeant PAGE was established as a coronial investigation to re-examine the WARREN disappearance and the RUSSELL death. In 2002 MATTAINI's disappearance formed part of that re-investigation following contact from his partner. The investigative focus of TARADALE was the possible nexus between youth gangs and suspected homicide. Telephone Intercepts and Listening Devices were deployed on several persons of interest, without success. Strategies during the covert phase of the operation included interviewing POI, their families and associates. On occasion [REDACTED] in an attempt gain evidence from youth gang members. TARADALE investigators also disclosed methodology [telephone intercepts] to persons of interest.

Through the investigation conducted by Operation TARADALE evidence was obtained covertly that resulted in the POI's that formed the youth gangs being charged in drug dealing offences.

On 09/03/2005 Magistrate Jacqueline Milledge [Senior Deputy State Coroner] delivered her findings following an Inquest into these matters, which was premised on the 'gay hate' line of inquiry. TARADALE focused on a 'gay hate' motive and were likely effected by a form of confirmation bias which in turn impacted on the Senior Deputy Stare Coroner's findings. Confirmation bias *'is the tendency to bolster a hypothesis by seeking consistent evidence while disregarding inconsistent evidence. In criminal investigations, preference for hypothesis-consistent information could contribute to false convictions by leading investigators to disregard evidence that challenges their theory of a case.'*

Strike Force NEIWAND investigators focussed on victimology, associates and the last known movements of the three males.

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**SENSITIVE: LAW ENFORCEMENT****The suspicious disappearance and death of Gillies MATTAINI from Bondi on the 15/09/1985**

The Coroner stated that there was no evidence before her to support the finding of suicide and concluded, *"The cause and manner of death remain undetermined as the evidence before me does not enable me to say."*

SF NEIWAND: MATTIANI's partner, Jacque MUSY provided Detective Sergeant PAGE with a statement in 2002. The statement outlined two suicide attempts by MATTIANI whilst he was in France, but failed to outline prior suicidal ideation despite MUSY raising it with PAGE. In 2017, MUSY provided French Police with a statement which clearly outlined MATTIANI's suicidal ideation and multiple attempts at suicide. PAGE's failure to include all the information about MATTIANI's suicidal ideation in MUSY's 2002 statement was a key factor in the Coroner not considering suicide as a possibility in MATTIANI's disappearance. There are no further lines of inquiry for the MATTIANI matter. There is no forensic evidence, no identified suspect and/or witnesses that can provided a time line for his last movements. MATTIANI's disappearance – cause and manner of death remain **'undetermined'**. It is recommended that this investigation be listed as inactive and only reactivated if new and compelling evidence becomes available.

**The suspicious disappearance and death of Ross Bradley WARREN on the 22/07/1989**

The significant inadequacies of the original 1989 investigation undertaken by former Detective Sergeant BOWDITCH are outlined in the 2005 findings by the Coroner. The Coroner commended Operation TARADALE as *'thorough and impeccable'*. The *'Gay Hate'* line of inquiry prioritised by TARADALE was valid and the Coroner was of the view that *"everything that could be done was done"*. TARADALE investigators thoroughly investigated the persons of interest linked to *'gay hate'* gangs using traditional and covert investigative measures. Despite these exhaustive measures TARADALE was unable to link persons of interest to WARREN's disappearance and suspected death.

SF NEIWAND: There was limited scope for identifying potential POI's that may be linked to Warren's disappearance and suspected death. Investigators focussed on victimology, identifying associates, former partners, family and work colleagues. Many of these individuals had previously not been spoken to by police. It was established that WARREN had:

- Potential exposure to HIV [REDACTED]
- Two failed same sex relationship attempts where he was infatuated and the feelings weren't reciprocated - [CHADWICK and MARSH].
- Failure to gain employment with a major television network.

NEIWAND investigators concluded that WARREN's death could be one of several possibilities including; misadventure, suicide or homicide [individual, gang or domestic related]. Unfortunately, a lack of physical evidence, credible suspects and witnesses accounts prevent this investigation from progressing. There are no further lines of inquiry for the WARREN matter. There is no forensic evidence, no identified suspect and/or witnesses. WARREN's disappearance – cause and manner of death remain **'undetermined'** despite the 2005 *'homicide'* findings of the Coroner, which list it as

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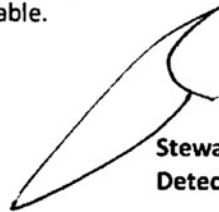
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homicide. It is recommended that this investigation be listed as inactive and only reactivated if new and compelling evidence becomes available.

**The death of John Alan RUSSELL on the 23/11/1989**

The 1989 RUSSELL investigation differed from the previous two in that a crime scene was established and processed and a time line of the victim's movements established. The TARADALE investigation focussed on the "gay hate" line of inquiry, which was supplement by the opinion of pathologist Doctor CALA. The Coroner in her 2005 findings placed considerable weight on Doctor CALA's opinion. That opinion was based on a review of crime scene photographs. One of the photographs depicted loose hairs on the rear of RUSSELL's hand, which Doctor CALA claimed were not his. Doctor CALA also stated that the position of RUSSELL's body at the base of the cliff was consistent with him being '*deliberately thrown off the cliff perhaps*'.

**NEIWAND:** In 2017, pathologist Professor DUFLOU was unable to provide an opinion on whether RUSSELL died due to an accident, suicide or homicide, based on the location of the body and injuries, which contrasts with that provided by Doctor CALA. Dr Adine BOEHME, Biology & Forensics was unable to provide an opinion in relation to the origins of the hairs depicted in the crime scene photographs. RUSSELL's level of intoxication and related impairment may have also led to him falling from the cliff. The walk way at Marks Park (slight incline/decline) had no barriers and there was a steep drop from the cliffs edge. The available facts could support death by misadventure and/or homicide. There are no identified suspect/s and/or witnesses and no forensic evidence. The manner of RUSSELL's death should be reclassified as '*undetermined*' despite the 2005 '*homicide*' findings of the Coroner. It is recommended that this investigation be listed as inactive and only reactivated if new and compelling evidence becomes available.



Stewart LEGGAT  
Detective Inspector

***Operational Management and Practice***

- ***The handling of sources***  
Not applicable to this investigation
- ***The application for and execution of search warrants***  
Not applicable to this investigation
- ***Exhibit handling***

**Gilles MATTAINI**

The MATTAINI disappearance was not documented by NSWPF 1985 and there was not an investigation until 2002. All MATTAINI's personal property was returned to France prior to the police investigation and anything remaining in Sydney was destroyed.

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**SENSITIVE: LAW ENFORCEMENT****Ross WARREN**

On 13/05/2016 investigators liaised with the Forensic Analytical Science Services (FASS) in relation to exhibits from the WARREN investigation. Inquiries into the whereabouts of these exhibits established that they had been booked up with other exhibits under Operation Taradale in the long-term Exhibit book on 02/08/2011 as D685416. These exhibits were stored at the Metropolitan Exhibits & Property Centre (MEPC), Potts Hill.

On 20/12/2016 Strike Force NEIWAND investigators took these exhibits to FASS, for DNA analysis. DNA testing was unsuccessful on all items except one. A mixed DNA profile, weak/complex result was found on WARREN's NSW Drivers Licence. This profile remains unidentified.

**John RUSSELL**

On 13/05/2016 SF NEIWAND investigators liaised with Forensic Analytical Science Services (FASS) in relation to exhibits from the RUSSELL investigation. FASS records indicated the exhibits were "Sent out" and returned on 27/03/2007. Following further inquiries these exhibits were located. They had been booked up with other exhibits under Operation TARADALE in the long-term Exhibit book on the 2/08/2011 as D685416, items 1, 2 and 3. These exhibits were at the Metropolitan Exhibits & Property Centre (MEPC), Potts Hill.

On 15/05/2016 the exhibits were sent for further analysis (*tape lifts, blood examination and DNA examination*).

On 23/08/2016, Senior Sergeant Matthew SCHIBECI examined the items and sub exhibits. A total of fifteen samples were forwarded to FASS for analysis.

On the 16/11/2016 Strike Neiwand investigators were informed that there were no sufficient DNA profiles found during the examination of the clothing. All results were either "*Mixed DNA profile, weak/complex*" or "*DNA testing unsuccessful*". These profiles were unsuitable for comparison.

An evidence summary for each investigation has been completed, these documents outline the original investigation, the reinvestigation under Operation TARADALE and the reinvestigation under SF NEIWAND.

Despite suggestions by Operation TARADALE that the 3 individuals are linked to gay hate crimes, information obtained over the course of SF NEIWAND suggests that no evidence exists to link the disappearance and deaths linked.

- ***Information recording***

The recording of information relating to this investigation was maintained on E@glei.

- ***Brief preparation***

Not applicable to this investigation

- ***Resource and staffing levels***

5 staff members were involved in this investigation. These officers were attached to the Homicide Squads - Unsolved Homicide Team.

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- **Corruption prevention**

Not applicable to this investigation, as no corruption issues arose. Prevention measures were not implemented as the investigation did not progress into an operational phase.

- **Concurrent related investigations**

Nil

- **Problems encountered in the management of an investigation**

No problems were encountered in the management of this investigation.

- **Difficulties apprehending offenders ie, security leak, intimidation of witnesses**

Not applicable to this investigation. The witnesses that were identified and spoken to were willing to assist in the investigation.

**Impact**

*Was the investigation successful? What was the larger societal / environmental impact?*

Despite no one being charged - the investigation was a success. The detailed review carried out identified fresh lines of inquiries which were followed up and recorded on e@glei.

**Assessment of Future Threat**

Not applicable to this investigation

**Legislation**

Not applicable to this investigation

**Policy**

Not applicable to this investigation

**Performance Review**

Nil Issues

**e@gle.i**

*Confirm that all tasks on e@gle.i have been acquitted and the case placed into the appropriate status (eg. Investigation Complete / Finalised)?*

Completed

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*COPS (Indicate COPS Event and Intelligence Report numbers disseminated)*

*Confirm the following:*

- *All relevant information has been disseminated through Information Reports on COPS (include the COPS reference numbers)*
- *Events are updated*
- *Strike force e@gle.i case is referenced in the COPS case*
- *Status of the COPS case is consistent with the e@gle.i case (eg. closed).*

***Investigative Opportunities***

Not applicable to this investigation

**4. Recommendations:**

Nil

**5. Annexure/s: (only if entirely necessary)**

Nil

**INSTRUCTIONS FOR THE COMPILATION OF POST OPERATIONAL ASSESSMENTS**  
(PLEASE DELETE THIS PAGE PRIOR TO FINALISATION OF POA)

It is essential that POAs are submitted in a timely fashion and preferable that they are submitted within two months of the closure of the Strike Force on the SCC data base. With the exception for Critical Incident investigations there is no need to

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wait until after brief completion or the judicial process as matters arising from those can be reported on separately as they arise.

**NOTE: NSWPF Standing Direction that POA not to be submitted in Critical Incident Investigations until the conclusion of any Coronial hearing.**

- Investigators and supervisors need to put their mind to the preparation of the POA from the commencement of an investigation.
- At the conclusion of the operational phase of the investigation, the Directors of Organised or Serious Crime will review the Strike Force and make a determination if the investigation warrants a POA. A timeline for the preparation of the POA will be identified, usually within two months of closure of the Strike Force on the SCC Database.
- The POA (within the **Operation Summary**) should include the background and reasoning behind the commencement of the Strike Force and what has occurred to date. **Remember, it is a summary of the investigation.** It should be a flowing narrative and not in dot point form.
- It is expected that the Operation Summary should be contained to 2 – 3 pages. The details of previous reports should not be rehashed as they are on record. The investigation summary should provide an overview of the investigation with a focus on the key issues identified.
- A **very important** part of the POA is the '**Key Findings**' section. The POA proforma provides a number of prompts for consideration. These should be addressed **only if they are relevant** to your investigation. They should not be seen as obligatory simply because they are contained in the proforma document.
- Considerable thought should be given to the '**Recommendations**' area of the POA with an aim for improvement in the future. The recommendations put forwarded will be actioned and followed up by you, your commander and/or SCC. You may be called upon to provide greater detail and explanation in support of the recommendations you make.

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