

Original article - www.sbs.com.au/gayhatedecades

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The NSW Police Force has admitted its officers may have made serious mistakes while re-examining potential gay-hate murders among a list of 30 unsolved deaths.

An SBS investigation has uncovered a failure by police to check even basic details for some of the men, resulting in an erroneous assessment being provided to NSW State Coroner Michael Barnes.

For the first time, each of the 30 cases is explained in detail in this SBS interactive. But some of the cases would have amounted to a few lines if SBS had relied on what police managed to uncover.

They dismissed the 1986 death of a "William Rudney" with the declaration: "There are no coronial records of a death of a person of this name."

But that is because the dead man's name was not Rudney. It was Rooney – and there are indeed coronial records for a William Rooney.

If police reviewing the cases had discovered the spelling error, they might also have learned that some diligent detectives in the 1980s came to doubt Bill Rooney died because of a drunken fall in a Wollongong lane, as proposed by their police colleagues.

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Rather, the detectives suspected Rooney was murdered by a notorious sexual sadist who they went on to charge with bashing and raping 12 other gay and straight men, including a homosexual victim who recalled his attacker saying: "I'll kill you like I did the other pofter in the laneway."

Thirty years later, the blunder is galling for Rooney's partner, former TAFE teacher Wayne Davis, who always insisted Bill was murdered because he was gay. Davis told SBS: "They're saying Bill's case didn't exist."

He maintains his belief that police "didn't treat all human life equally", and that his concerns – along with Rooney's death – were dismissed because they were gay men in an era of widespread homophobia. It astounds Davis that even current-day police couldn't find Rooney's case. "It was all over the newspapers."

The bungle also shocks Superintendent Tony Crandell, police commander at Surry Hills and the force's spokesman for sexuality and gender diversity.

"Of course it alarms me," Crandell told SBS's The Feed. "We're talking about the death of a human being. That in itself lends a great deal of gravity to the investigator, and a great deal of responsibility to make sure that there's thorough investigations conducted."

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Crandell is overseeing Operation Parrabell, in which nine detectives have been reviewing 88 deaths from the 1970s, 80s and 90s to assess how many might fit the gay-hate category, and whether or not a homophobic police culture may have hindered any of the original investigations.

But most of those deaths were solved, or at least brought to some conclusion. The errors SBS has discovered concern a subset of the 88 deaths: 30 cases that remain unsolved. The mistakes were made not by Opeartion Parrabell but by the Unsolved Homicide Team.

Crandell said he was aware there were "two names on a file", Rudney and Rooney. But he did not know police had written off Rooney's case because of the slip of a pen – the spelling error – until he was informed by SBS. "I wasn't aware of that, no."

This is extraordinary for two reasons. At the time SBS spoke to Crandell in early September, Operation Parrabell – established quietly in 2013 and only publicised in May this year – had just six weeks remaining to complete its review of the 88 deaths.

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More significantly, the Homicide Squad and its Unsolved Homicide Team had been alerted to the Rooney case in late May this year by former police detective and crime writer Duncan McNab.

McNab, who has been investigating the "Rudney" affair for months alongside SBS, sent Rooney's coronial file and details of the potential suspect to the Homicide Squad and its Unsolved Homicide Team. He handed them further documents in July. It seems the message did not get through to Crandell.

Told a coroner's report on Rooney did exist, Crandell responded: "I can't tell you that. I don't know that. However, with that information we will obviously look into both matters, both names, and make thorough inquiries."

But the NSW Police Force was alerted to the spelling mix-up even earlier – late last year. And Rooney's case was among four dismissed with the same explanation in a few lines, raising broader questions about the lack of police curiosity and effort in at least some of the unsolved cases.

A police summary of each of the 30 unsolved cases was contained in a 439-page report on the death of one of the men, Scott Johnson, delivered last year to State Coroner Barnes.

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Its author, Detective Chief Inspector Pamela Young of the Unsolved Homicide Team, led Strike Force Macnamir, a two-year re-investigation of the death of Johnson. The 27-year-old American gay man and mathematics prodigy was found naked at the base of a cliff at North Head, near Manly, in December 1988.

Barnes will begin hearing an extraordinary third inquest into the Johnson case in December this year. It follows a \$1 million private investigation launched by Steve Johnson, the Boston-

based brother of Scott, who is convinced he was pushed, chased or frightened off the cliff amid a succession of "poofster bashings" and murders in the late 1980s and early 1990s.

Police now accept the area where Johnson died was a gay beat, a place where men met for casual sex, although a senior officer advised the first inquest to the contrary.

Detective Chief Inspector Young's report, however, gave most weight to the original theory proposed by police in December 1988 and accepted three months later by the first Coroner, Derrick Hand: that Scott Johnson committed suicide.

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The Young report also rejected the classification of most of the 30 unsolved cases as potential gay-hate crimes. It listed just eight that police concluded were "probable" or "possible", and suggested various likely causes of death for the remaining cases, including suicide, accident, misadventure and murder with no gay-hate motive.

Young criticised the work of the original authors of the list of 30 cases: Sue Thompson, a lawyer who was the police force's gay liaison co-ordinator between 1990 and 2002, and Stephen Tomsen, a professor of criminology at Western Sydney University.

Thompson and Tomsen have returned fire at the Young report's treatment of the unsolved cases. They say there was an "epidemic" of gay-hate killings. Between them, they compiled most of the 88 cases now under review by Operation Parrabell.

When it comes to the misnamed William Rudney, Young's report said a spreadsheet compiled by Thompson indicated the "academic" Tomsen as the source of the information on this death. "It is unable to be verified," according to the police report.

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But Tomsen told SBS: "Police never did contact me to verify anything about this case."

Had they called Tomsen, police would have discovered the spelling error. It resulted from an "unfortunate misreading of my own pencil-written notes" on a years-old document, Tomsen confirmed. He said he contacted police late last year to alert them to the mistake.

"I've heard nothing more from them," he said, other than an email confirming receipt.

SBS asked Crandell whether checking with Tomsen to confirm he was the source or to inquire about the mysterious William Rudney would be considered basic police work.

"Well," he said, "I would think so."

"Will that be rectified through our process? Yes."

But nobody even picked up a phone to inquire?

"Of course, you won't get any disagreement from me there. I would like to get all the facts together. I'm quite happy to come back to you when I have all those facts together, but certainly I won't sit here and defend an investigation if that investigation has not been done thoroughly."

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But "Rudney" is not the only case in which the source of the information nominated was "unable to be verified". This refrain was the police response to another three of the 30 cases in the report to the State Coroner. And yet, police contacted none of the sources listed for these three, either, to seek verification.

Peter Sheil's body was found – with the fly of his trousers undone – at the base of small cliff at Sydney's Gordons Bay in April 1983. As with "Rudney", the police report to the State Coroner stated: "There are no coronial records of a death of a person of this name." The three-line entry continued: "The source details of Ms Thompson's spreadsheet indicate that the information is [from] a sibling of [the victim]. This is unable to be verified."

Peter's brother Christopher Sheil told SBS: "Police have never contacted us to verify anything."

The concerns of Christopher, and other siblings Hugh and Margaret, were easily verified three years ago by SBS reporter Rick Feneley, author of this story, in a report for Fairfax's Good Weekend magazine. Peter Sheil was not gay, his siblings stress, but he was mentally ill and could be gregarious and "reckless". They believe it is plausible that he was mistaken as being gay as he wandered through a cliff-top beat after leaving the Coogee Bay Hotel.

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The police report to the State Coroner dispensed with the deaths of David Williams in 1979 and Russell Payne 10 years later with the same three-line entry afforded to Sheil. No coronial records existed, it said. Sue Thompson identified the source of the information on Williams as a friend of the dead man, but this was "unable to be verified" by police. And Thompson's spreadsheet identified Tomsen as the source for Payne. "Unable to verify," the report declared.

Yet again, SBS inquired with the sources identified by police. Thompson and Tomsen said police had never asked them about either case. While Payne's death is not among the cases they regard as the most compelling when it comes to evidence of a potential gay-hate crime, they still expected the police effort to assess it might amount to more than these three lines.

Police have now told SBS that records for these four cases have been found since the report was handed to the State Coroner early last year. The Unsolved Homicide Team has sent updated information on Sheil, Williams and Payne to the State Coroner. More detail on Rooney will follow once the case has been reviewed by Operation Parrabell.

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SBS asked when the police force updated this information but received no answer. Instead, police issued a formal statement saying SBS had overlooked "critical points". It stressed that "evidence released to date in connection with the Scott Johnson inquest does not provide a complete picture of investigations in relation to Operation Parrabell".

Since the Young report was handed to the State Coroner last year, "further investigations have been conducted and further evidence has been provided to the coroner".

"Thus, it's not possible to draw conclusions about the outcome of those investigations or whether or not police have identified people based on DCI Young's statement alone."

However, these police lapses will embarrass the force at a time when it has been at pains to build bridges with the LGBTI community, in no small part by re-examining the potential gay-hate cases.

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Crandell has been at the forefront of that effort and he told SBS that Operation Parrabell was a symbol of the strides the force had made in its relationship with the community. Crandell won plaudits from the community this year when he apologised on behalf of the police force for its treatment of people who were arrested and bashed while marching in Sydney's first Gay Mardi Gras in 1978.

In 2005, then Deputy State Coroner Jacqueline Milledge condemned police for their "lacklustre" and "shameful" investigations into missing television newsreader Ross Warren and barman John Russell, who both died on the Bondi-Tamarama cliffs in 1989.

Police originally dismissed their deaths as accidental falls, but Milledge – armed with Operation Taradale, a three-year investigation into possible gay-hate crimes led by then homicide detective Steve Page – found they were murdered amid a spate of attacks on homosexual men.

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Warren and Russell are among the list of 30 unsolved cases. Police now count them among the eight they accept were likely gay-hate crimes, labelling their deaths "probable".

Steve Page left the force before the conclusion of the Taradale inquest, during which he told a news crew: "If we managed it a lot better back then [at the time of the murders], we wouldn't have been giving evidence before a coroner. It would have been before a jury."

Page was not involved in the Rooney case, but he told SBS: "It's an indication of the sloppy work that's still being done."

Page, like Sue Thompson, has offered advice to the Johnson family and he has read the police report to the State Coroner on Scott's death. "I'm aware of several other examples of breathtakingly sloppy police work that's contributed to this report."

Detective chief inspector Young was dumped from the Johnson investigation in April last year at the request of the State Coroner. Barnes was worried she undermined public confidence in her impartiality when she gave an interview to the ABC's Lateline on the same day he announced the third Johnson inquest.

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In that interview, Young vouched for the 1988 police investigation and accused former NSW police minister Mike Gallacher of "kowtowing" to the Johnson family and putting improper pressure on police to give priority to their case over hundreds of other unsolved deaths. Gallacher, a former policeman, vehemently denied the accusation and said there was never any direction given to police.

Young's report to the State Coroner redacted the names of 26 of the 30 unsolved cases in the version of the document released by the court in April last year, even though all the cases had long been on the public record and involved men who had died two decades ago and more.

SBS applied for permission to publish all of the 30 names in the context of the police summaries – to ensure thorough coverage of what police and others say about each case.

Thompson and Tomsen, meanwhile, have honed their original list of 30 unsolved cases to 22 which they believe are the most compelling and deserve the most police attention as potential gay-hate murders. These include the eight cases already accepted by police.

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They conducted their "conservative" review of the 30 cases last year with the help of Peter Rolfe, founder of the group Support After Murder, and representatives of ACON, the organisation that deals with the health concerns of the LGBTI community and has long campaigned against hate crimes.

They agreed to set aside cases in which the evidence of potential anti-gay bias was less compelling. They are not ruling them out – except for the killing of a gay couple, which they now accept had nothing to do with gay hatred.

The SBS interactive covers all 30 unsolved cases, highlighting them according to four categories: the eight agreed by police; 13 more deaths that remain in contention but which Thompson and Tomsen believe to be likely or possible gay-hate murders; one they say needs further investigation; and the eight less compelling cases that Thompson and Tomsen have set aside.

Bill Rooney's case is among those they count as possible gay-hate murders. His partner Wayne Davis hopes it will finally get the attention it deserves.

"I believe that had the police got onto Bill's case from the word go, and treated it seriously, then they may well have actually found the assailant... Because they didn't, the trail went cold."

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Asked if police would apologise to Davis and the Sheil family, Crandell was reluctant to discuss specific cases, but he did say Operation Parrabell would look again at both deaths and make apologies where appropriate.

He confirmed that Parrabell has found some lapses in the original inquiries into some of the 88 cases and it would send them back to the Unsolved Homicide Team for re-investigation. He expected some cases would be reclassified.

"My sense is that, yes, they will be reclassified. If there are mistakes that have been made, then from right now, from this point in history, we can correct that. If we can't then we need to acknowledge what's occurred and hopefully at least give some sense of satisfaction to the community that at least we've done what we can."

Operation Parrabell does not carry out individual investigations but reviews the inquiries that took place at the time of the deaths. It will refer for further investigation any case it finds may have been motivated by anti-gay bias.

Crandell also told SBS that independent academics will be recruited to conduct a review of Parrabell to ensure it is scrutinised and that its final recommendations are carefully considered.

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Of Bill Rooney, Crandell said: "Well, if that is blatant police error, then I think Parrabell is the opportunity to correct that record."

He added: "Given you yourself have identified deficiencies, I would think that that would be... an appropriate case for referral [to Unsolved Homicide]."What message would he give Wayne Davis?

"I would say to Wayne, it is perfectly natural and acceptable to have those expectations – to be given answers.

"I think that Wayne has probably waited far too long for those answers. It is the job of Operation Parrabell to have a look at the extent of whether the bias crime has occurred, and to have a look at whether or not that investigation is important or flawed in some way; if that's the case, then to get that investigation re-investigated.

"So for me, Wayne's expectations are appropriate and whatever we can do to make his expectations come to fruition, we ought to do."

Do you know more? rickfeneley@gmail.com



There has been no trace of Gilles Mattaini, a French gay man who was living in Bondi, since a neighbour saw him walking on the coastal path that follows the cliffs between Bondi and Tamarama on September 15, 1985. The path skirts Marks Park, a gay beat which Mattaini frequented. But he was not reported missing until 2002. "It appears that some miscommunication between his friends led to a mistaken belief that he had been reported missing," police say in their review of the case. Mattaini's partner was out of the country and believed another friend had filed a missing person's report with Bondi police, but it was never found.

In 2005, the then Deputy State Coroner Jacqueline Milledge ruled Mattaini was dead. She could not determine how but said he likely met a similar fate to Ross Warren and John Russell who, she found at the same inquest, were murdered at the same gay beat four years later.

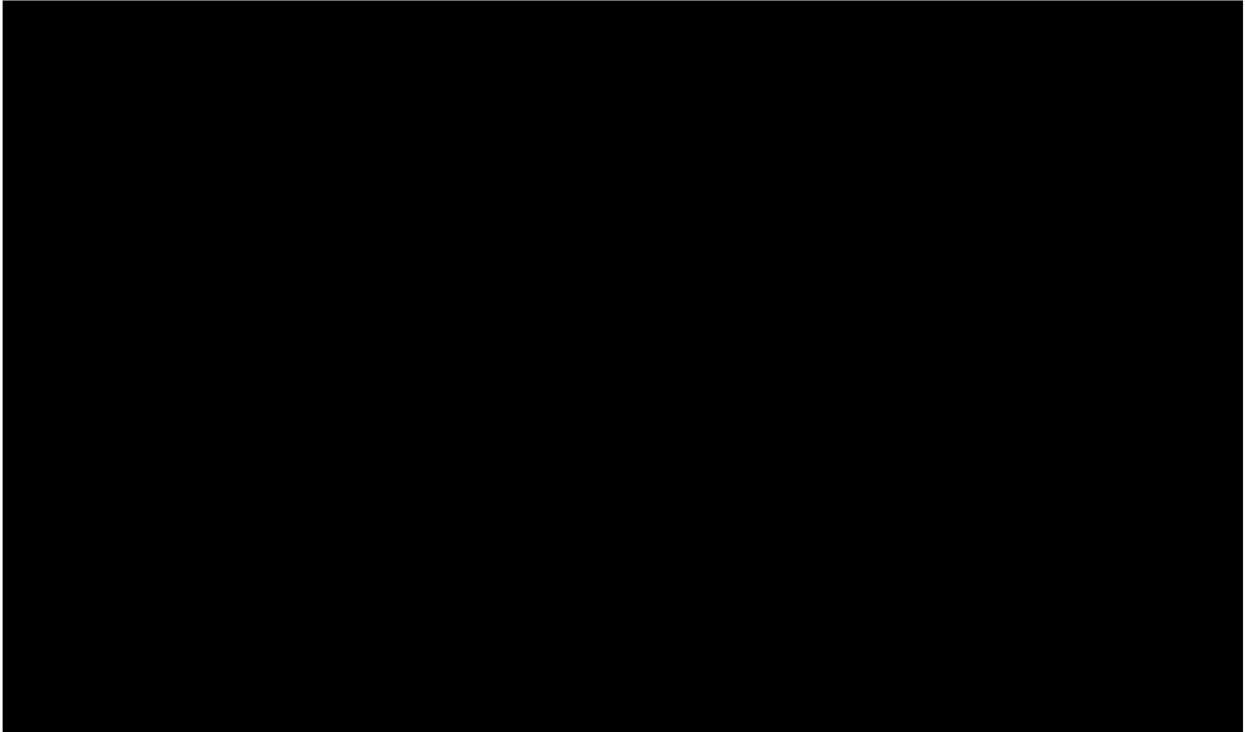
Police now say: "Based on the associated location, this is possibly a gay-hate crime." Mattaini had been estranged from his father and his mother told police he had attempted suicide previously in France. But friends believed he had a positive outlook at the time he disappeared, according to police. They announced a \$100,000 reward last year – 10 years after it was recommended by Milledge – for information leading to the arrest and conviction of a person or people responsible for Mattaini's death.

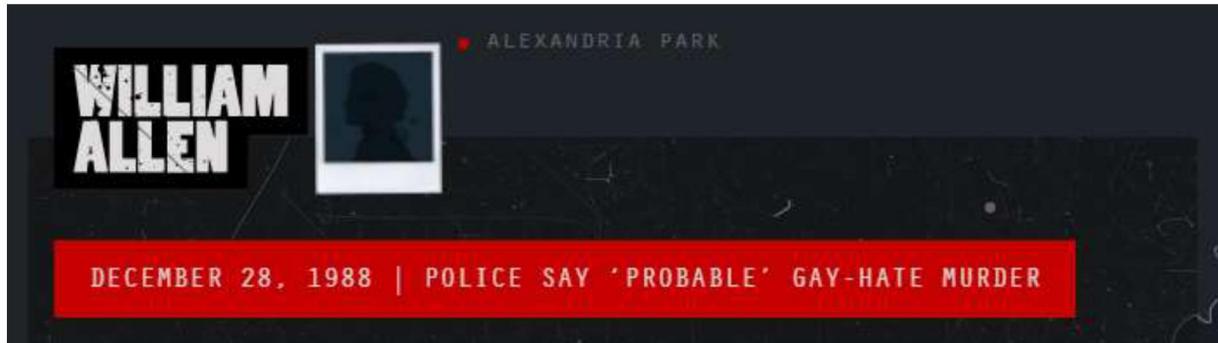
**RAYMOND
KEAM**



ALISON PARK
RANDWICK

JANUARY 13, 1987 | [REDACTED]





William Allen, a retired teacher who had worked at Newington College, staggered home to die after he was bashed near the gay-beat toilets in Alexandria Park, Alexandria, on December 28, 1988. This is the same beat where a gang of eight teenagers killed Richard Johnson, 33, a little over a year later, in January 1990. The youths called Johnson's number, which he had left on the toilet wall. These youths, most from the adjacent Cleveland Street High, were jailed for murder and manslaughter. Allen's killers were never found, although secret police recordings of members of the so-called "Alexandria Eight" – Richard Johnson's killers – suggested two of them and other locals were involved in bashing Allen.

The recordings captured the youths talking about a "screwie" used in an attack. Police believed a screwdriver might have explained a wound on William Allen's hand. But the secret recordings included contradictory and unreliable evidence, and police did not have enough evidence to charge anyone with Allen's murder. In his book *Bondi Badlands*, journalist Greg Callaghan wrote that Allen, at the time of his murder, was under investigation for having sex with an under-age boy. Police now say Allen's death was "probably a gay-hate motivated crime".



Ross Warren, a television newsreader with WIN Television in Wollongong, vanished from the Marks Park gay beat at Tamarama. He was last seen driving along Oxford Street, Darlinghurst, on the night of July 22, 1989, after he had been drinking with friends. A friend found his car keys two days later on the rocks beneath the cliffs on the Tamarama side of Marks Park. His car had already been found nearby. Police took four days to conclude Warren fell accidentally into the sea. His body was never recovered.

In 2005, Coroner Jacqueline Milledge called that investigation “grossly inadequate and shameful” and concluded Warren was murdered. Police now call it a “probable gay-hate crime”. In June last year – 10 years after Milledge recommended a reward – police offered \$100,000 for information leading to Warren’s killer or killers.

Kay Warren had made multiple pleas to police for help to explain the disappearance of her son, but to no avail. Former homicide detective Steve Page recalls a quiet day at Paddington Police Station, in September 2000, when he was the one to pick up a letter from Kay Warren. He was deeply moved by her humble request.

Page started digging. It led to Operation Taradale, the investigation he ran into the disappearance of Ross Warren, the death of John Russell and the gang-bashing of David McMahon – all linked to Marks Park, then an active gay beat on the headland between Bondi and Tamarama. Page found big holes in the original police investigations of Warren and Russell’s cases. He built on the work of former homicide detective Steve McCann, who in the early 1990s did pioneering police work that sought to uncover links between gangs of gay-bashing youths, including the Alexandria Eight and groups operating around Tamarama and Bondi, Centennial Park and other locations.

Steve McCann’s close colleagues called him “the gay avenger”. It was meant kindly. But McCann did not get the support he wanted, and he left the force. However, Steve Page’s Taradale investigation became the foundation of the inquest launched in 2003 by the then Deputy State Coroner, Jacqueline Milledge.

While Warren’s body was never found, in 2005 Milledge concluded he had been murdered. It was not, as police had suggested, an accidental fall. Nor did John Russell fall to his death, as police had claimed, she found. Milledge ruled that Russell, who died less than four months after Warren, was thrown to his death from a cliff on the Bondi side of Marks Park.

While there had been people of interest, Milledge found insufficient evidence to charge anyone with the murders. But her findings gave some relief to the families, who wanted the truth.

Frenchman Gilles Mattaini had vanished from the same area four years earlier, his body never found. Milledge ruled he had died. While she could not be sure how, she said it was likely he met a similar fate to Warren and Russell.

Last year – 10 years after Milledge had recommended it – police announced rewards of up to \$100,000 for information leading to the arrest and conviction of the people responsible for each of the three deaths, Warren, Russell and Mattaini. At that announcement, Peter Rolfe, from the Survivors After Murder support group, spoke on behalf of the Warren and Russell families. He said: “For the past 26 years we have been haunted by the deaths of Ross, John and Gilles, and suspect there are witnesses or others who have information about these matters that are similarly haunted by the knowledge that they hold.

“We would implore you to take advantage of the rewards being offered, so that not only may our haunting be resolved but in some small way, your haunting may also be relieved.”



The gay barman was found at the base of a cliff on the Bondi side of Marks Park on November 24, 1989. John Russell had a high concentration of alcohol in his blood and police concluded he fell accidentally – “no suspicious circumstances”. Coroner Jacqueline Milledge called that a “lacklustre” investigation and ruled Russell was thrown to his death by a person or persons unknown. Police came to suspect members of a local gang called the Bondi Boys, one of whom was identified by two men who were bashed in separate nearby assaults less than a month after Russell was killed.

Police now call Russell’s death “a probable gay-hate crime”. They announced a \$100,000 reward for information in 2015, almost 26 years after the murder.

The night before his body was found, John Russell was out drinking in Bondi, celebrating with friends. He was bidding them farewell. The next morning, November 24, 1989, he would be leaving Sydney to start a new life in the Hunter Valley. He was planning to use part of a \$100,000 inheritance to build himself a home on his father Ted’s property near Wollombi.

Ted travelled to Sydney that morning to collect John. He was confronted instead by the ashen face of his other son, Peter. “You’d better come inside and sit down,” Peter told his father at the door of his Bondi home. “I’ve got terrible news.” Peter had just returned from the morgue, where police had asked him to identify John. His brother had been found dead that morning on the rocks beneath the sea cliff on the Bondi side of Marks Park.

In 2005, the then Deputy State Coroner, Jacqueline Milledge, was particularly critical of the police force’s “disgraceful” loss of what may have been an important piece of evidence: strands of hair found on John Russell’s hand. Peter Russell described the blond hair as being clutched in John’s fist, suggesting his brother had fought his attackers and pulled the hair from one of their heads as they pushed him over the cliff.

Detective Chief Inspector Pamela Young, in her report re-examining the 1988 cliff-fall death of American Scott Johnson at North Head, criticises reporting on the hair strands in John Russell’s case. In her summary of 30 unsolved cases, Young advises State Coroner Michael Barnes that the former police gay liaison state co-ordinator Sue Thompson – in a report she wrote for Scott Johnson’s family – also “misrepresents” that John Russell was clutched the hair. Rather, Young says, strands of hair were found on the back of Russell’s hand.

The Young report, drafted in 2014 and signed off in March 2015, raises further questions about the Milledge inquest. It notes that Russell had a post-mortem alcohol concentration of 0.255 “which supported the proposition of misadventure”. At the inquest, Young wrote, “there was new conjecture, apparently accepted by the coroner, as to putrefaction effects on that high reading”. Nevertheless, the Young report concludes that Russell’s death is a “probable gay-hate crime”.

Criminologist Stephen Tomsen finds it curious that Young devotes so much energy to the matter of the hair, and he questions why police recruited new forensic evidence while

reviewing a case that a coroner had already deemed to be a murder. Whether or not the hair was Russell's or somebody else's, Tomsen says, "He was evidently killed and the public would like to know by whom and how?"

Less than a month after Russell's death, on December 18, 1988, three youths attacked another gay man near the Bondi Icebergs club, on the road that links to the coastal walk where the barman had died. "Are you gay," they asked. When the man confirmed he was, they kicked him and bashed him with a skateboard, breaking six of his ribs. The Milledge inquest heard that the victim identified two of his teenaged assailants as **NP23**, 16, and **NP43** **NP43** 17.

The inquest was told **NP43** was the reputed leader of the Bondi Boys. Police did not charge him in relation to the Icebergs attack, but they did charge **NP23** with a robbery offence. **NP23** would go on to murder another gay man, 34-year-old Thai national Kritchikorn Rattanajurathaporn, seven months later, on July 21, 1990. **NP23** and his fellow killers in that crime, his brother **NP22** who was armed with a claw hammer, and **NP24** **NP24** became known as the Tamarama Three. They were convicted of this murder but no other bashings.

On December 21, 1989 – three days after the skateboard assault near the Icebergs – a 24-year-old gay man called David McMahon was seized only metres away, at the start of the coastal path. McMahon recalls about 18 youths, including girls cheering on the boys. "Let's throw him off where we threw the other one off," he remembers the gang leader saying. Somehow McMahon broke free, ran for his life and survived. In his first police interview, he claims he was treated as if he was the criminal. Shown pictures of potential suspects, he could not be sure. When he arrived for a second meeting with Bondi police, he says, they placed him in a cell while he was waiting. He recalls hearing officers laughing.

McMahon eventually identified **NP43** as the main assailant, the inquest heard. But it was not enough for police to lay charges. **NP43** among eight people of interest at the Milledge inquest, denied any involvement with murders or gay bashing. Milledge concluded there was insufficient evidence to charge anyone with the murders of John Russell or the Wollongong television news reader Ross Warren. In the courtroom, Peter Russell says, he looked one of the eight people of interest in the eye. "I have little doubt he was present at my brother's death."

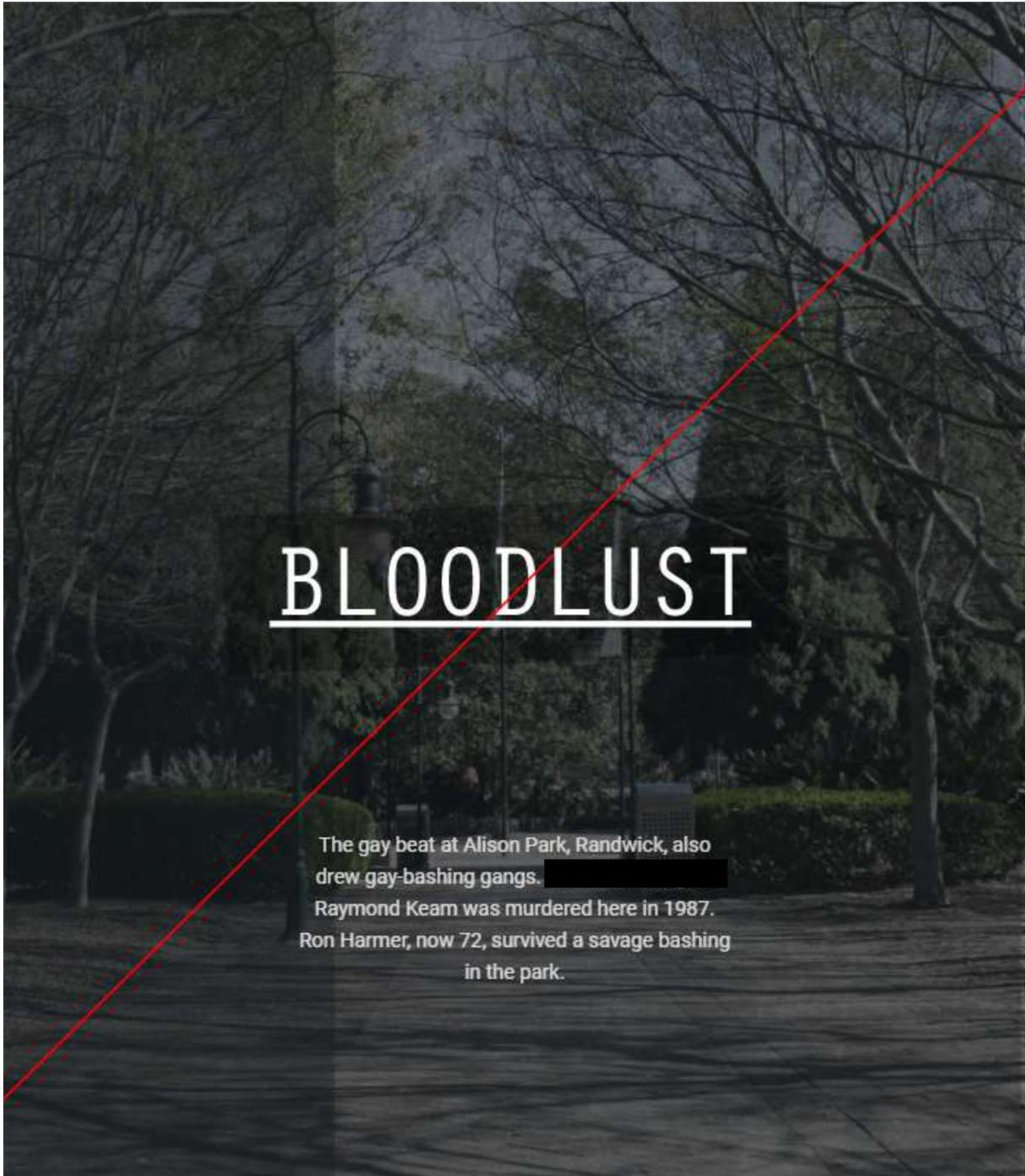


Cyril Olsen was bashed before he fell off the Rushcutters Bay marina into Sydney Harbour on August 22, 1992. Police immediately identified it as a gay bashing and advised the inquest that such an attack preceded Olsen falling into the harbour and drowning. The coroner, however, concluded Olsen drowned after an accidental fall. Olsen's body was found without pants or shoes. His trousers were recovered from the water.

He had been drinking heavily before he was bashed. Olsen's friend Brian Stewart recalls: "A taxi driver saw him, bare-chested and bleeding, and asked if he needed any help. He said, 'I'm perfectly all right, thank you.'" An anonymous caller to police named a man who was heard saying on the day of Olsen's death: "Let's roll a poof tonight."

This man allegedly told a prison cellmate he had bashed a gay man who then died, but he denied this when police questioned him. In their summary of the 30 unsolved cases given to the State Coroner, police now note: "Interestingly the local police gave an opinion at inquest that the deceased was 'the victim of a gay bashing... and due to his injuries and level of intoxication, was disoriented resulting in him falling from the wharf and drowning'."

Former homicide detective Steve Page – who headed the Taradale investigation that led to Coroner Milledge's damning findings in the cases of Ross Warren and John Russell – questions whether a coroner would have arrived at a conclusion of accidental fall had it been a woman or child, rather than a gay man, who was bashed then fell into the harbour. Police now say Olsen's death was a "possible gay-hate crime".



*The gay beat at Alison Park, Randwick, also drew gay-bashing gangs. [REDACTED]
[REDACTED] Raymond Keam was murdered here in 1987. Ron Harmer, now 72, survived a savage bashing in the park.*



Crispin Dye, a long-time road manager for AC/DC, was found bashed and robbed in Little Oxford Street, Surry Hills, a lane off Taylor Square, on December 23, 1993, and he died on Christmas Day. Police say it is a "possible gay-hate crime" and in 2014 issued a \$100,000 reward for information leading to his killers. Dye had also worked for Rose Tattoo and the Easybeats and he was a singer-songwriter.

On the night he was attacked, he and friends had been celebrating the release of his first CD, *A Heart Like Mine*. A witness described three men of Pacific Islander appearance going through Dye's wallet. Police files at the time listed it as a possible gay-hate crime following a spate of attacks on homosexual men. However, when announcing the reward in 2014 – 21 years after the attack – Detective Superintendent Mick Willing, the commander of the Homicide Squad, said "all the circumstances" had pointed to robbery as the motive.

After a 1994 inquest, a policeman told Crispin's mother, Jean, that a prisoner had been captured in a secret recording saying he had "knocked off" Dye, but this led nowhere. Crispin had some beautiful girlfriends, according to his mother, but he also told her: "People say I'm gay, Mum, but I don't know what I am." She says it is possible that his killers believed he was gay, although she is not convinced this was necessarily the motive. Police now say: "Based on perceived homosexuality and the incident location, this is a possible gay-hate crime."



The teenager's body was found on rocks at the north end of North Head at Manly in 1976. He had left Australia to join the navy in Auckland, New Zealand, for a short time before he deserted in 1974 – after bullying, according to a family member. She contacted Steve Johnson soon after the ABC's Australian Story aired a story in February 2013 about the 1988 death of his brother, Scott Johnson, at nearby North Head.

Mark Spanswick booked into a Sydney hotel on May 9, 1976, and out on May 11, the day his body was discovered. His father told the coroner Mark was "disenchanted with his life" and that he was familiar with Manly's Fairy Bower area, where the family had holidayed. The family member who contacted Johnson was inclined to believe it was suicide or an accident. The coroner agreed. He made an open finding, satisfied it was not foul play but unable to determine whether it was an accidental fall or suicide. Police now say: "There is no indication the deceased was gay and nothing located in the case file that this matter was a gay-hate motivated crime. Probable misadventure/suicide."

Police acknowledge that a victim does not need to be gay for the crime to fit the gay-hate category – only that his attackers perceive him to be gay. The Spanswick family member who spoke with Johnson's family was unsure whether Mark was gay. If not, criminologist Stephen Tomsen says, Mark Spanswick still died in a gay beat area and "he may have been targeted with the assumption he was gay".



It was about 7.30am on June 16, 1977, when a fisherman found Paul Rath's body at the base of a 50-metre cliff, wedged between rocks and in a sitting position, near the Fairy Bower at Manly. Rath's trousers were down, almost around his knees. The young local had been a devout Catholic who worked as a catechist at public schools. A police officer would find Rath's rosary beads near the body, and his father would tell the coroner that Paul liked to go to the cliffs to pray and calm his nerves. Paul had a nervous breakdown as a teenager. He was on medication for his nerves and this affected his balance, so his parents believed he fell accidentally.

"I firmly believe he wasn't depressed or that anyone pushed him over," his mother, Catherine Rath, now in her 90s, told Fairfax Media in June this year. The coroner agreed almost 40 years ago. In recent years, however, another relative has contacted the family of Scott Johnson, who was found naked at the base of a nearby cliff in 1988, following its public campaign for a re-investigation of the case.

Paul Rath's relative, noting his trousers were down, said police had asked the family if he was gay. They had no indication he was. The relative said police had also told the family the area was a gay beat. If so, this is significant given that police wrongly advised the coroner in early 1989 that the close-by area where Scott Johnson died, near Bluefish Point, was not a meeting place for gay men. If police had known a decade earlier that there was a gay beat in the area, why hadn't this knowledge figured in the investigation of Johnson's death, which was originally ruled a suicide? Scott Johnson is now the subject of an extraordinary third inquest to seek the cause of death.

Police certainly had some knowledge of men meeting for sex in the area. Almost three years before Johnson died, police gathered evidence about the alleged attempted murder of a 45-year-old gay man who was stabbed a few hundred metres away from where Johnson died, in the same part of North Head. The victim said he went to North Head to sunbake and that he had had sex with men there "once or twice previously", The Manly Daily reported on February 15, 1986. But after having sex with a 20-year-old stranger on February 4, the young man stabbed him. The victim fled to Manly Hospital with a knife deeply imbedded in his back. The assailant arrived at the hospital, claiming he was forced into sex and that his victim "bloody well" should be dead, Manly Local Court was told. He was charged with wounding with intent to kill.

Of Paul Rath, however, his mother told Fairfax Media: "I really feel in my heart that someone didn't push him." Police agree. They now say: "There is no indication the deceased was gay and nothing in the case file that this matter was a gay-hate motivated crime." Former police gay liaison co-ordinator Sue Thompson and criminologist Stephen Tomsen question why police dismiss it as possible gay-hate murder, particularly if it was the original investigating police who raised the question of the area being a gay beat.



David Williams' naked body was found in the Manly cliff area in 1979, according to friends, although there is no coronial record of his death. His clothes were left neatly folded, according to the former police gay liaison co-ordinator Sue Thompson. Scott Johnson's clothes were also found neatly folded on the cliff top above where his body was found nearby in December 1988. A three-line police summary on Williams says there is no coronial record for David Williams. It says the spreadsheet of potential gay-hate victims kept by Thompson indicates the information is from a friend of Williams. "This is unable to be verified," police say in their summary.

Sue Thompson replies: "That's because they have never asked me." Yes, she confirms, it was a friend of a friend of Williams. Criminologist Stephen Tomsen says Williams died in the same beat area as Mark Spanswick and Paul Rath, and near Scott Johnson, so his death "merits proper investigation".



Gerald Cuthbert was stabbed 64 times at his friend's Paddington unit on October 17, 1981. Police say he was known to have "multiple short-term sexual partners", and conclude "there is no evidence that the offence is a gay-hate motivated crime". Sue Thompson, the former police gay liaison co-ordinator, says this conflicts with what police told her in 2013 – that "the offender may well have been an opportunistic thrill or psychopathic serial killer". Criminologist Stephen Tomsen says there were suspicions that a US sailor was the killer. He questions whether the case was properly investigated. Tomsen asks why police highlight Cuthbert's "multiple short-term partners" and calls it "ridiculous" to claim this as a reason to discount a gay-hate murder.



Peter Sheil's body was found at the base of a cliff at Gordons Bay, north of Coogee, in April 1983. The fly of his trousers was undone, his brother Christopher says. Their father, now dead, and a police officer arrived at the conclusion of misadventure after an "inquiry" that lasted "all of about a minute", says Christopher. None of this detail is included in the police summary of Sheil's death, contained among the 30 unsolved cases they have reviewed. In less than three lines, police say: "There are no coronial records of a death of a person of this name. The source details of [Sue] Thompson's spreadsheet indicate that the information is a sibling of Mr Sheil. This is unable to be verified." But police made no attempt to verify anything, say brothers Hugh and Christopher. "They've never been in contact," Hugh says.

It is just over three years since this SBS reporter verified the Sheil siblings as the source of this case, quoting Hugh and Christopher in a report for Fairfax Media's Good Weekend magazine in August 2013. The police summary makes no mention of this or the family's concerns.

Peter Sheil suffered from mental illness. However, his mother, now dead, always insisted he was not depressed when he called her about 8pm to say he would walk home from the Coogee Bay Hotel via the sea-cliffs path. He was agitated about getting home to the hostel where he was living by its 9pm curfew, but he was often anxious and his mother was determined that he was not suicidal that night.

This ocean path passed gay beats. His siblings say Peter, 29, was not gay.

Back at the cliffs at Gordons Bay, Christopher remembers his brother.

"He wrote extraordinary poetry. It was a way to attract the girls.

"Peter wasn't gay, but he was mentally ill and he could be very gregarious. And he was reckless. It's plausible that he was mistaken for being gay while walking through a gay beat – that he was attacked for that reason."^[SEP]

The siblings also accept it is possible Peter fell accidentally to his death. Had he stepped off the path to urinate, then fallen from the cliff? Might that explain the open fly on his pants? But the cliff edge he went to, much lower than others nearby, was quite a downhill scramble from the ocean path, and Peter was close to his hostel by that time. The family has corrected an earlier reported recollection that Peter was found with his pants removed.

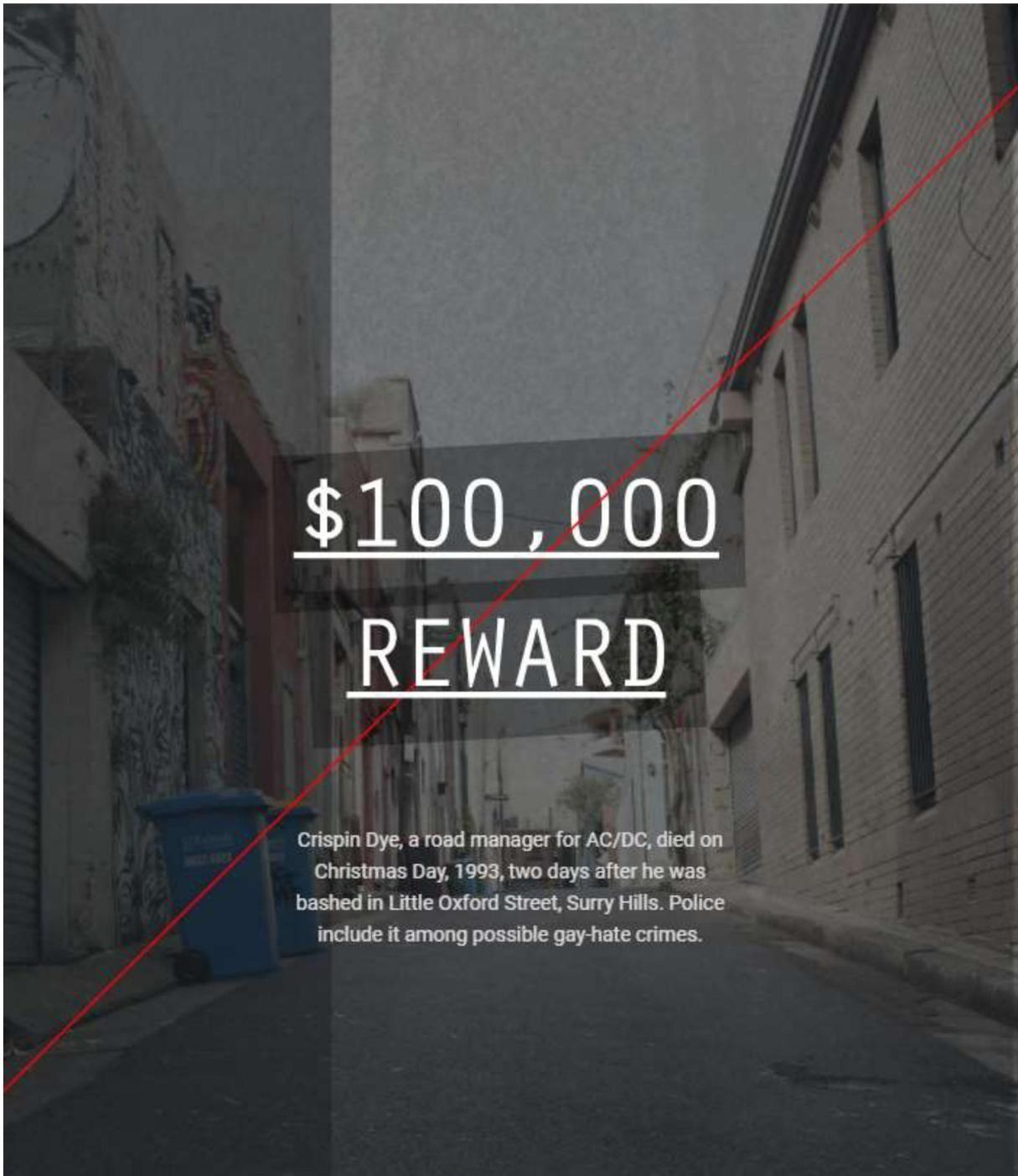
It was more than a day before a fisherman found his body.

Christopher, then 27, vividly remembers being at the police station with his father. He challenged the hasty conclusion of misadventure agreed to by his father and the policeman. "I said, 'We don't know whether he jumped, fell or was pushed.' Dad said, 'Ah, we're not gonna go into any of that.'"

Peter's mother was a devout Catholic and had not wanted to countenance suicide, but Christopher Sheil says: "We can't rule out the possibility that he fell or that he jumped to his death. He was mentally disturbed. ^{SEP}~~SEP~~" But if you consider the lowness of the cliff where his body was found, and the much higher cliffs nearby that he could have chosen if suicide was his intention, we think that's the least likely explanation."

The point, he says, is that police did nothing to establish the facts about Peter's death.

Leaving the cliff where Peter spent his last moments alive, Christopher says: "We want the truth. But what would you prefer to know – that your brother fell, jumped or was pushed to his death? It's hard. What version of the truth do you really want?"



Crispin Dye, a road manager for AC/DC, died on Christmas Day, 1993, two days after he was bashed in Little Oxford Street, Surry Hills. Police include it among possible gay-hate crimes.



Friends said Brennan identified as a woman. A sex worker, she was transgender and a popular drag performer at Pete's Beat, a gay bar in Darlinghurst. She was last seen alive in the open doorway of her bedsit unit in Darlinghurst Road on April 29, 1985. Two days later, when she didn't turn up for work, her manager at Pete's Beat found her naked body face-down in her flat. She had been hit over the head with a heavy object and shot twice in the head with a .45 calibre revolver or pistol. Police now say: "There is no evidence that this is a gay-hate motivated murder."

Almost two months after the murder, police told The Daily Mirror it was "apparently motiveless". But another sex worker told the Mirror that a "sick, perverted maniac" initially tried to pick her up before heading upstairs with Wendy. By December 1985, the Mirror was referring to a "demented homosexual killer".

The talent co-ordinator at Pete's Beat told The Sydney Morning Herald: "[Wendy] held Christmas parties every year for all the people in the area who were down and out."

Former police gay liaison co-ordinator Sue Thompson says: "This was a complex case with a few possible motives." She calls it short-sighted to rule out gay-hate in an era of widespread violence against gay and transgender people, and when there were common misconceptions linking homosexuality with paedophilia.



Scott Johnson's death is the subject of an extraordinary third inquest this year following a \$1 million investigation by his brother, Steve, from the US. Scott plunged to his death near Bluefish Point at North Head, close to Manly. His body was found, naked, on the rocks on December 10, 1988. The original coroner agreed with police and ruled it was a suicide. Johnson's partner had mentioned Scott telling him, about five years earlier, that he had contemplated leaping from the Golden Gate Bridge when he mistakenly feared he was at risk of AIDS following a casual sexual encounter.

But the boyfriend, at the time Scott died, did not believe he had any reason to kill himself. Nor did the Johnson family. Steve Johnson says there is ample evidence of gay-bashing gangs around Manly and the northern beaches at the time.

Scott Johnson's partner, whose name is redacted in the police report delivered to the State Coroner last year, now accepts suicide or an accidental fall as possible explanations. Police announced a \$100,000 reward in 2013 but the report by Detective Chief Inspector Pamela Young, of the unsolved homicide unit, gives most weight to the original suicide theory.

Johnson, a gay 27-year-old American mathematics prodigy, was completing his PhD at the Australian National University. He received good news on the day of his death, according to his brother, Steve. He had been told he would secure his doctorate.

The first Coroner, Derrick Hand, agreed with police and ruled the death was suicide. Detective Sergeant Doreen Cruickshank told Hand that gay men did not frequent the area where Johnson died. If they had, she reasoned, police would have known about it because the area would also be frequented by people who "assault them or rob them or cause them some harm".

Police now accept it was a gay beat, where homosexual men met for casual sex. Other gay beats at the time were, as Cruickshank suggested, frequented by gay bashers. However, Detective Chief Inspector Young – in her report to State Coroner Michael Barnes – suggests no gay bashers were ever active at this North Head beat. She cites the lack of a single report to police or the local hospital of a gay-bashing victim. "Based on these realities," she concludes, "it is not unreasonable to draw an inference that no crimes of personal violence occurred at the North Head gay beat and certainly none that required medical treatment."

However, gay bashing victims in that era commonly refused to report assaults because they did not trust police and feared victimisation, and because many were still struggling with "coming out" and community prejudices, according to former homicide detective Steve Page and former police gay liaison co-ordinator Sue Thompson.

Young was dumped from the Johnson investigation in April last year at the request of the State Coroner. Barnes was worried she had undermined public confidence in her impartiality when

she gave an interview to the ABC's Lateline, on the same day he announced the third Johnson inquest, in which she vouched for the 1988 police investigation.

Young also accused former police minister Mike Gallacher of "kowtowing" to the Johnsons and putting improper pressure on police to give priority to their case over hundreds of other unsolved deaths – a charge that Gallacher, a former policeman, vehemently denied. He said there was never any direction given to police.

The Young report also dismisses the testimony of a man who came forward, at the urging of his wife, to help the Johnson family. He confessed that, as a teenager, he went to the same North Head beat and acted as a "lure" for gay men, so his mates could then bash them. The accomplices he named were convicted of other gay bashings around Manly in the late 1980s, including at nearby Shelly Beach, the car park for which also serves the cliff-top area where the beat operated.

But Young went with the man to the area. She concluded that – for reasons she could not explain – he was lying. The same witness has spoken to this reporter twice. The man says he never witnessed a murder and that he does not believe his friends killed Scott Johnson. However, he insists he is not lying about their gay-bashing at the same beat.

In 2005, Scott's partner alerted Steve Johnson about Coroner Jacqueline Milledge's findings of gay-hate murders on the Bondi-Tamarama cliffs. "Maybe that's what happened to Scottie," Steve Johnson recalls him saying.

Steve launched his own investigation, often at loggerheads with police. It led to a second inquest and, in June 2012, Deputy State Coroner Carmel Forbes threw out the original suicide finding. Scott could have jumped, fallen or been pushed to his death. Detective Tim Wilson, who reviewed the case for that inquest, had discounted suicide as a possible cause of death.

The Johnsons believe they have assembled ample evidence of gay-bashing gangs active on the north side of the harbour at the time, from Manly Hoods to the Narrabeen Skinheads. Scott's partner, however, is no longer talking to the Johnsons. He does not believe Scott was alone at the beat or "walking around naked by himself". It is possible, he says, that Scott was "lured there or he went there intentionally ... and something happened". But he also finds it possible that Scott, full of "remorse" and "disgust" after an act of infidelity, might have committed suicide.

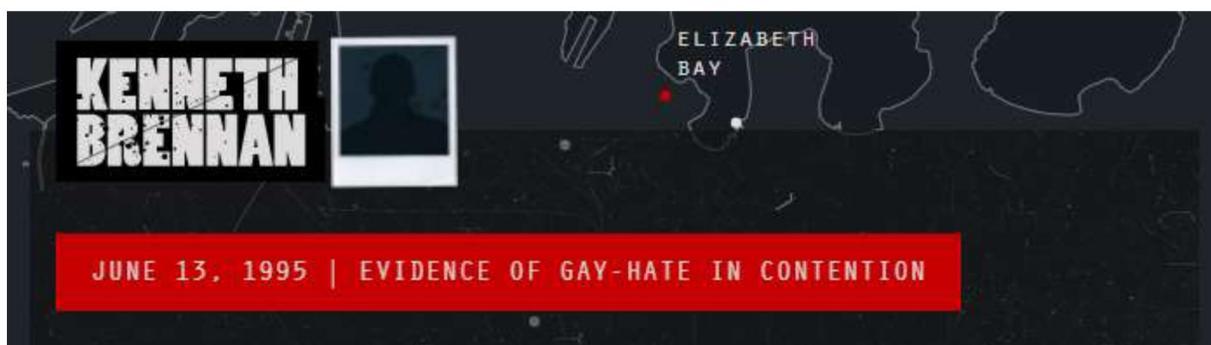
Chief Inspector Young, when asked on the ABC's Lateline last year whether the original police investigation was flawed, said: "Not at all. It was to the standard of the day."



The former jockey's body was found in his Mosman unit on November 20, 1991, after he was murdered with a "blunt force trauma" to the head. He had been bashed at least 12 times on the back of the head with a metal tape dispenser, The Sydney Morning Herald reported. Police now say the main suspect was known to police – and to Dutfield.

They say other suspects included a man who was known for assaulting gay men after "picking them up" for sex. This suspect had been nominated by Sue Thompson, who was the police force's gay liaison co-ordinator at the time of the crime. Thompson says a neighbour saw someone coming in and out of the unit on the night of the murder, but this man was not the suspect police suggest.

Criminologist Stephen Tomsen says Dutfield used the services of male sex workers, one of whom badly bashed him about a month before his death. The Daily Telegraph reported at the time that this attacker was a man who Dutfield had picked up at the Rex Hotel in Kings Cross. Police also say a thief who broke into his flat two weeks before the murder was mentioned as a potential suspect. But their summary of the case says there is no evidence that Dutfield's death was a gay-hate crime.



The gay art and history teacher was found stabbed to death in a security unit at Elizabeth Bay on June 13, 1995. The inquest heard there had been a frenzied struggle as Kenneth Richard Brennan suffered 15 stab wounds to the chest. Brennan was last seen alive about 10pm the previous night at the King Steam Sauna on Oxford Street. "There is evidence that he was involved in a sexual encounter shortly before or at the time he was killed," police now say in their summaries of the 30 unsolved cases. They say the main suspect was known to Brennan. "There is no evidence this crime was a gay-hate crime."

But in 1996, police advised the coroner that the "offender or offenders may be homosexual or homophobic". Criminologist Stephen Tomsen says the original coroner's report accepted Brennan was probably killed by an unknown perpetrator with whom he had had sex. The coroner had considered police evidence about someone well known to Brennan but did not find it likely, Tomsen says. "I can't see how police can now think it's their choice to ignore the coroner's finding."

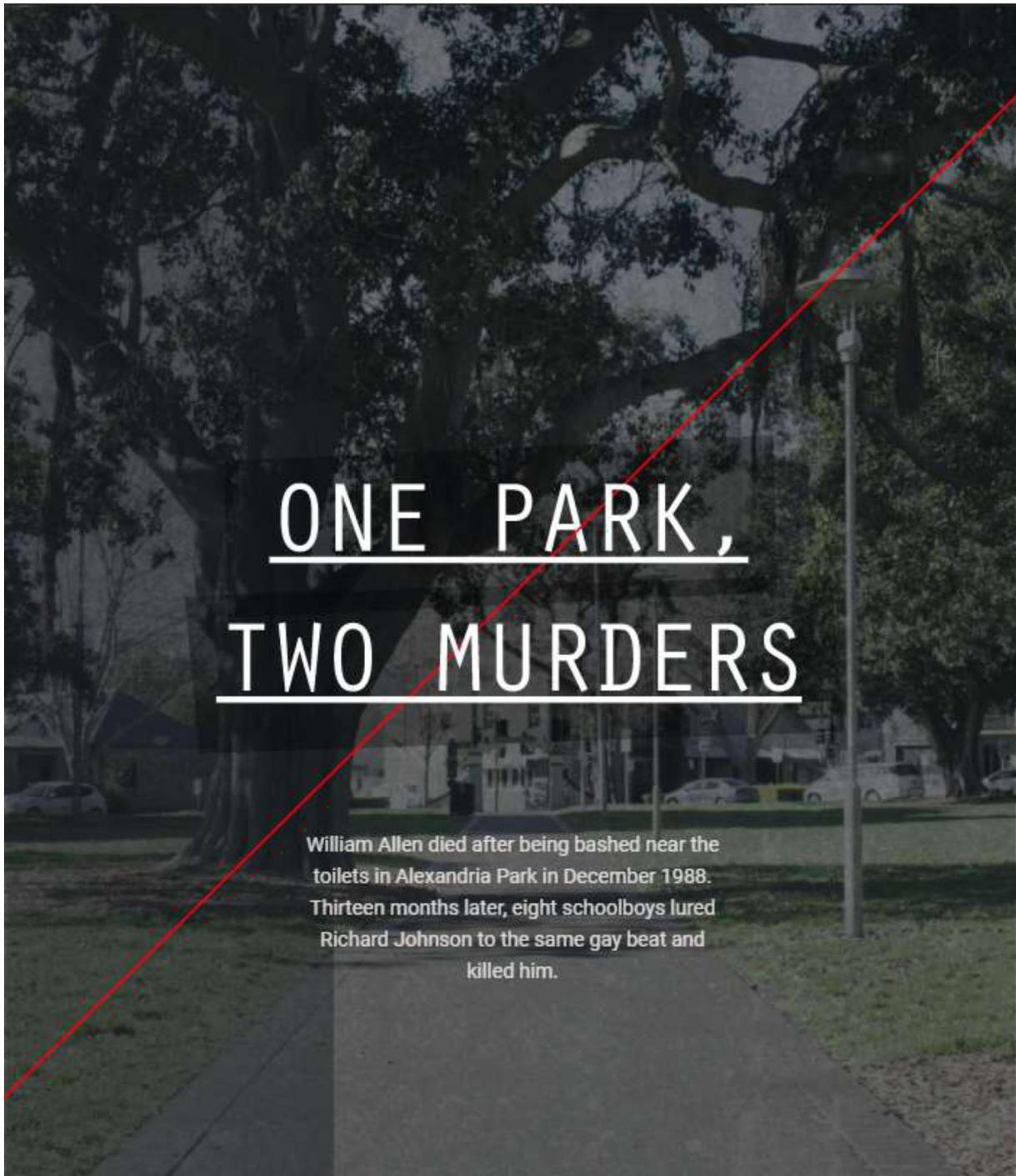


Carl Stockton had been drinking at Bar Cleveland, a gay-friendly pub, on Melbourne Cup Day, November 5, 1996. He was later found with a fractured skull, but still alive, near the intersection of Cleveland and Bourke streets in Surry Hills. Before he died, Stockton told police he was not assaulted or robbed. But the coroner, while making an open finding, believed assault was the most likely cause. In the police summary of their review of the Stockton case, they say medical opinion at Stockton's inquest suggested his injuries could have been sustained by an assault, falling while intoxicated or being hit by a car. "There is no indication in the file that the deceased was gay and there is no evidence that this is a gay-hate crime," the police report says. Without further explanation, it concludes: "It is a probable thrill-robbery murder."

Sue Thompson, who was then the police force's gay liaison co-ordinator, says Surry Hills police told her at the time that patrons at the bar had heard a lot of anti-gay taunts made to Stockton. She asks: "Why is it that police seem so committed to now deciding there are a lack of indicators of gay-hate in so many of these cases, but readily accept so many other possible motives?"



David Rose was a computer programmer and cross-dresser who was found bashed to death in a Kensington unit on December 20, 1997. Nobody was charged but police continue to believe the main suspect was known to Rose. "There is no indication in the file that the deceased was gay and there is no evidence that this is a gay-hate crime," says the summary of the police review of this case. In the absence of a conviction or more detail about the killing, Sue Thompson and Stephen Tomsen say they cannot rule out a hate crime against a cross-dressing man, given the prejudices of the time.



William Allen died after being bashed near the toilets in Alexandria Park in December 1988. Thirteen months later, eight schoolboys lured Richard Johnson to the same gay beat and killed him.



In the 26 years since Simon Blair Wark's body was found in Sydney Harbour, his family has not wavered from this position: that police too readily dismissed the death as a suicide, and too quickly ignored compelling reasons to investigate it as a potential murder. A gay-hate homicide? Not necessarily, according to the family, though they count it among the possibilities.

Blair, always known by his middle name, was a gay man. A doctor reported that he had taken anti-depressants. The family worries that this combination – and the prevailing attitudes about homosexuality and mental illness – led police to a hasty conclusion. They insist depression did not dominate his life and they do not believe he was suicidal.

A Manly ferry passenger caught sight of Blair's body near Dobroyd Head, on the harbour's northern flank, on January 11, 1990. Some of Blair's clothing and possessions were found at The Gap, a cliff on Sydney Harbour's South Head and an infamous suicide spot. Blair's father, however, informed the coroner that his son had said someone was attempting to kill him.

The clothing recovered from The Gap did not match what his son normally wore, Blair's father said. Further, a second autopsy was ordered because of bruising around Blair's neck. The coroner at the time, however, did not believe an inquest necessary. While police believed it was suicide, the coroner made an open finding, calling it "death by multiple injuries" consistent with a fall from a great height.

The police review of the 30 unsolved cases quotes Blair's doctor: "He suffered from depression mainly due to the termination of an eight-year-old homosexual relationship." Further, police say, Blair had a long history of depression. While the coroner was less certain, police continue to conclude it was a probable suicide, with "no evidence" of a gay-hate crime.

But being gay does not equate to being suicidal, Blair's family argues; nor does taking anti-depressants. After Blair's death, the family made inquiries about the weather, tides and currents. The advice was that it was unlikely a body would be carried from outside Sydney Heads, on the south side, to the spot deep inside the northern side of the harbour off Dobroyd Head. Criminologist Stephen Tomsen questions whether police ever sought their own expert advice on this likelihood.

Tomsen also notes how close the body was to Reef Beach, a homosexual beat where gay bashers were active. Tomsen and Sue Thompson, the former police gay liaison co-ordinator, have placed this death in its own category, outside their list of likely gay-hate murders but as a case still requiring more investigation.

The Wark family was heartened in recent weeks to be contacted by detectives from Operation Parrabell, who are re-examining 88 deaths to explore any potential links to gay-hate murders. At last, they hoped, police would look at the case with fresh eyes to find any evidence of a homicide, regardless of whether it had anything to do with gay hatred.



On December 13, 1988, a friend found 29-year-old Andrew Currie dead in Nolans Reserve, Manly. The friend told police that Currie had taken a large quantity of analgesic painkillers the previous night. There was no inquest after toxicology found the presence of drugs in his body. "There were no signs of violence at the scene or on the body," the police review of the 30 cases says. "There is no indication that the deceased was gay and there is no evidence that this is a gay-hate crime. It is a probable misadventure (drug overdose)."

This is among eight of the original 30 unsolved cases that former police gay liaison co-ordinator Sue Thompson and criminologist Stephen Tomsen have set aside as less compelling. With the help of gay community leaders, they conducted a "conservative" review of their 30 cases last year and cut the list to the 22 deaths they believe deserve the most police attention.



A hermaphrodite who had recently undergone a sex change to female, Samantha Raye was found dead in a cave near the water's edge at the lighthouse at South Head on March 20, 1989. A note at her home read: "At lighthouse, will be back?" A brief of evidence included medical advice that Raye was "very unstable psychologically" and "I have no doubt that [she] would take her own life". The coroner dispensed with holding an inquest.

In their summary of the 30 cases, police say of Raye: "There is no indication that the deceased was gay and no evidence that this was a gay-hate crime. It is a probably suicide/misadventure (drugs)." This is among eight of the original 30 unsolved cases that former police gay liaison co-ordinator Sue Thompson and criminologist Stephen Tomsen have set aside as less compelling. With the help of gay community leaders, they conducted a "conservative" review of their 30 cases last year and cut the list to the 22 deaths they believe deserve the most police attention.



John Hughes, believed to be gay, was bashed and strangled in his unit in Greenknowe Avenue, Potts Point, on May 4, 1989. Former police gay-liaison co-ordinator Sue Thompson says Hughes was gagged and bound with electrical wire, a pillow slip over his head, and bashed with a lamp and bowl. His throat was slashed. His flatmate was acquitted at trial of the murder. Police now conclude: "There is no evidence to indicate this was a gay-hate motivated crime."

This is among eight of the original 30 unsolved cases that Thompson and criminologist Stephen Tomsen have set aside as less compelling. With the help of gay community leaders, they conducted a "conservative" review of their 30 cases last year and cut the list to the 22 deaths they believe deserve the most police attention.

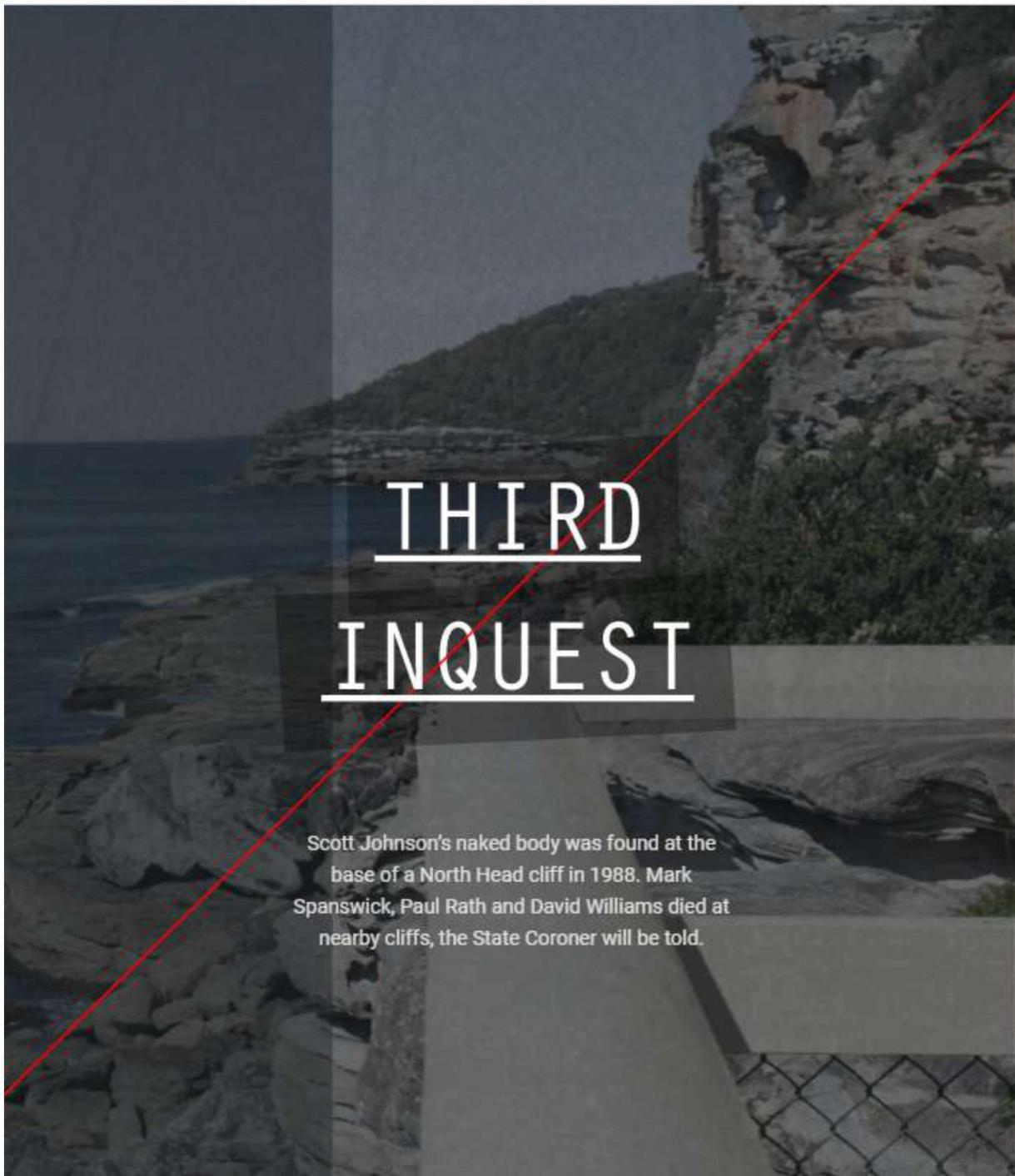


Scott Miller's body was found at the base of a "drop" at Millers Point on Sunday, March 2, 1997, the day after he had watched the Gay Mardi Gras parade with friends. Police say there was evidence he was intoxicated and that he was robbed. They say there was no evidence he was gay or that it was a gay-hate crime. Thompson says it is irrelevant that Miller was not gay and the question is: was he perceived by someone to be gay and attacked for that reason? "It being the night of Mardi Gras, it was always possible," she says. The Millers Point location might make it less likely, she adds.

It is among eight of the original 30 unsolved cases that Thompson and criminologist Stephen Tomsen have set aside as less compelling. With the help of gay community leaders, they conducted a "conservative" review of their 30 cases last year and cut the list to the 22 deaths they believe deserve the most police attention.



Former police gay liaison co-ordinator Sue Thompson and criminologist Stephen Tomsen now accept this was not a gay-hate crime. Jamie Creighton and Ali Mokdad, a gay couple, both 31, were shot dead at their Zetland home on June 22, 1999. Their 34-year-old killer, a hotel manager, claimed he shot them with a handgun after police failed to act upon threats made against him and his wife. Those threats – including a shotgun blast through the window of the Katoomba hotel where the killer lived – followed Ali Mokdad being charged with embezzlement over \$120,000 missing from poker machine profits. Police say there was never any evidence it was a gay-hate crime. “They were financial debt murders,” their summary of the 30 cases concludes. This is not quite correct. The killer was convicted of manslaughter, not murder. He was sentenced to a minimum four and a half years in jail.



Scott Johnson's naked body was found at the base of a North Head cliff in 1988. Mark Spanswick, Paul Rath and David Williams died at nearby cliffs, the State Coroner will be told.

Scott Johnson's naked body was found at the base of a North Head cliff in 1988. Mark Spanswick, Paul Rath and David Williams died at nearby cliffs, the State Coroner will be told.



Richard Slater died on December 22, 1980, three days after he was found semi-conscious in the Birdwood Park toilet block in Newcastle West, a known gay beat. A married man, he had been bashed and robbed of his wallet, containing \$20 to \$30. Slater was not known to be gay. Police say in their report to the State Coroner that, before Slater died, he “provided contradictory evidence of his assault” to police.

Sue Thompson, the former police gay liaison co-ordinator, says Slater’s family told police he had a prostate condition, so it was not unusual for him to visit public toilets. The attack happened almost four years before NSW’s gay law reform, so the act of homosexual sex was still a crime.

A coroner made an open finding on the cause of death. However, in 1982, police received information that led them to charge a man with murder. But prosecutors decided there was not enough evidence to proceed with the case. Nevertheless, police maintain it was a probable gay-hate murder.



This was a “probable revenge murder”, says the police summary of the 30 unsolved cases. Walter Bedser, an antique dealer, left a 14-metre trail of blood after he was stabbed five times in his Parramatta shop and chased his attacker through a shopping arcade on December 2, 1980, The Sydney Morning Herald reported at the time. Bedser died after seeking help at a greengrocer’s shop at the end of the arcade. The description of the attacker that police released was of a man aged in his 30s or 40s. He had been seen loitering in the Parramatta arcade before entering the shop.

Police said at the time they suspected the motive was robbery but they were exploring other avenues. Police now say there is no indication Bedser was gay and “nothing located in the case file that this matter was a gay-hate motivated crime”. The police force’s former gay liaison co-ordinator Sue Thompson and criminologist Stephen Tomsen believe there may have been confusion as to Bedser’s sexuality. Thompson also believes there may be confusion about whether killings related to gay hatred are targeted or random. “They can be either,” she says.



It takes police just four lines to dispense with the death of a “William Rudney” in Wollongong in 1986. “There are no coronial records of a death of a person of this name,” begins their summary of this case, one of 30 they have provided to the State Coroner as they reject most of the “purported” unsolved gay-hate killings. But there are no coronial records for Rudney because that was not the dead man’s name. It was Rooney. And there are indeed coronial records for William Rooney, who died six days after he was found unconscious at the rear of a shop, just off a Wollongong laneway, on February 14, 1986.

An SBS investigation has exposed how little police reviewing the old cases have done to check the known facts on Bill Rooney. “They’re saying Bill’s case didn’t exist,” says his partner, Wayne Davis.

[+ read the extended feature](#)



The police review of the 30 cases says of Russell Payne: "There are no coronial records of a person of this name." It also says that Sue Thompson's spreadsheet indicates the source is criminologist Stephen Tomsen, but adds: "Unable to verify." Tomsen says police have never asked him. Payne died at his home at Inverell in northern NSW on February 3, 1989. He reportedly had "bizarre groin injuries". This made the death suspicious, says Tomsen, although the death was not at a gay beat.

Sue Thompson says any case in which there are injuries that might indicate a strong dislike of homosexuality should be investigated as a possible anti-gay killing. She says unusual and severe injuries to the groin, genitals or mouth could be indicators of "some pathology". Nevertheless, this is among eight of the original 30 unsolved cases that Thompson and Tomsen have set aside as less compelling. With the help of gay community leaders, they conducted a "conservative" review of their 30 cases last year and cut the list to the 22 deaths they believe deserve the most police attention.



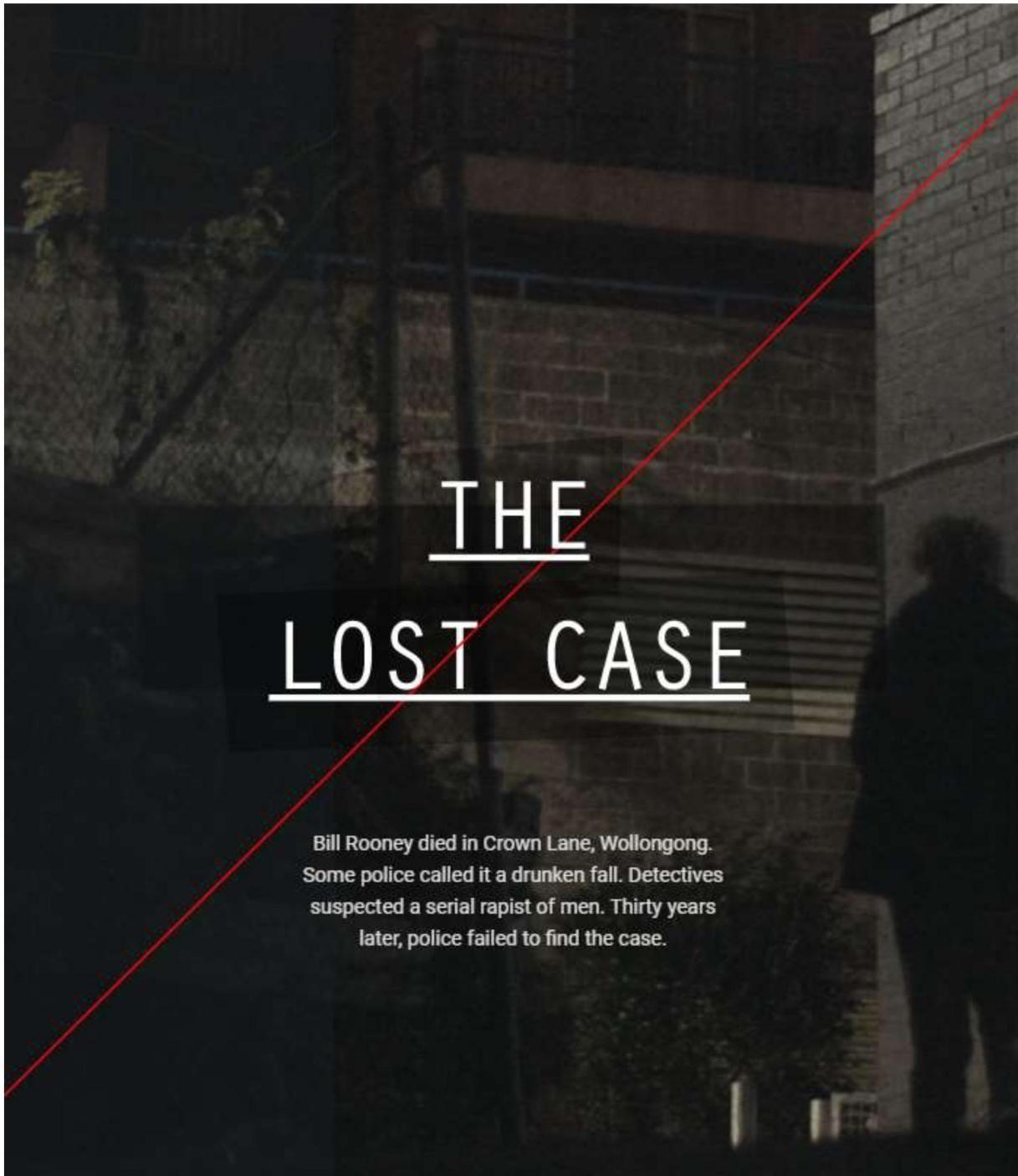
Alan Edge was strangled in his Newcastle flat in October 1977. Sue Thompson and Stephen Tomsen say this case – though outside the 30 unsolved deaths already considered by police – warrants further investigation.

Edge's body was found after he failed to turn up for work as a night messenger at the then Newcastle Morning Herald. Phillip Boyson was convicted of the murder and sentenced to life imprisonment, but he staged a 51-day hunger strike in 1985 to protest his innocence. It is among several other deaths, from 1970 to 1980, identified as potential gay-hate crimes in a 2014 honours thesis by a University of Sydney student, Thomas Poberezny-Lynch.



Graham Paynter's body was found on the rocks beneath a 50-metre cliff at the southern end of Tathra Beach on the NSW far south coast on October 14, 1989. Police say Paynter had been drinking heavily with a friend on the day before his body was found. He had been arrested that day for stealing a bottle of rum from a liquor store. Police say: "There is no indication that the deceased was a gay man or the victim of a gay-hate motivated crime. It is a probable misadventure."

But Thompson says "we would not rule it out except for being conservative" – given the era and the possibility that the area was used as a gay beat, as were many similar beach and cliff locations. Nevertheless, it is among eight of the original 30 unsolved cases that Thompson and criminologist Stephen Tomsen have set aside as less compelling. With the help of gay community leaders, they conducted a "conservative" review of their 30 cases last year and cut the list to the 22 deaths they believe deserve the most police attention.



Bill Rooney died in Crown Lane, Wollongong. Some police called it a drunken fall. Detectives suspected a serial rapist of men. Thirty years later, police failed to find the case.



An SBS investigation has exposed how little police reviewing the old cases have done to check the known facts on Bill Rooney. "They're saying Bill's case didn't exist," says his partner, Wayne Davis.

Had police reviewing the 30 cases checked their own records, they would have found that some officers believed 32-year-old Rooney died after a drunken fall. Had they dug a little deeper, they might have discovered that a few Wollongong detectives did not believe their colleagues – and would come to suspect Rooney was murdered by a sexual sadist who they soon charged with bashing and raping 12 other men, both gay and straight.

One of the 12 men told police his attacker said: "I'll kill you like I did the other poofter in the laneway."

But in the four-line police summary of the Rudney case, delivered to the State Coroner last year as part of a report re-investigating the death of American Scott Johnson, police quote a spreadsheet compiled by Sue Thompson, the force's former gay liaison co-ordinator. They say it indicates the source of this death is the "academic" Stephen Tomsen, but that this "is unable to be verified".

However, Tomsen, a professor of criminology at Western Sydney University, tells SBS: "Police never did contact me to verify anything about this case."

Tomsen, along with Thompson, is the author of the lists of dead men police have been reviewing. Had they called him, police would have discovered the spelling error. It resulted from an "unfortunate misreading of my own pencil-written notes" on a years-old document, Tomsen says.

The failure to find Rooney was a blunder made in the past few years. It was taken up by Strike Force Macnamir, a re-investigation of the 1988 cliff-fall death of Scott Johnson at North Head. The resulting 439-page report, by Detective Chief Inspector Pamela Young of the NSW Police Force's Unsolved Homicide Team, has a nine-page summary of the 30 unsolved deaths, which include Johnson's and Rooney's. Young delivered her report last year to State Coroner Michael Barnes, who in December will begin hearings in an extraordinary third inquest to seek the cause of Johnson's death.

Tomsen says he contacted police in December last year to alert them to the "Rudney" spelling error. "I've heard nothing more from them," he says, other than an email confirming they had received his message.

It is especially galling for Wayne Davis, given his own published statements over the years – which police could have found – that Rooney was murdered because he was gay.

The first time Davis went to the Gay Mardi Gras in Sydney, in 1982, he met a Scotsman. It was Bill Rooney. "He was good looking; he was intelligent; he was fun," Davis tells SBS in an interview at his home in a suburb south of Wollongong.

Rooney moved to the steel city to live with Davis and they were partners for the next four years. "Bill changed my life in a lot of ways in that, whilst I was never closeted as a gay man, he helped me to find my true identity."

On the morning of February 14, 1986, Rooney was found – bloodied and with head injuries, but still alive – just off Crown Lane, Wollongong, at the rear of a shop. Rooney was 32 and Davis was a 31-year-old TAFE teacher.

Davis didn't learn of the emergency until that evening. Bill had been out drinking the previous night and hadn't come home. Davis had gone looking for him that day at their regular bars. He returned home with a couple of beers and sat down in front of the evening news. And there on the screen was Bill, no mistake. He was being taken away in an ambulance.

Davis rushed to Wollongong Hospital. It became clear Bill wasn't going to survive. Apart from his horrific head injuries, Davis observed a bruise on Bill's right chest "with the clear imprint of a fist".

Davis went from the hospital to the police station, where as many as "eight plain-clothes police were squeezed like sardines into a small room. One of them asked, 'Who is Bill's girlfriend? Who is his wife?' I explained he was gay, that I was his partner. Six of the police instantly filed out of the room, shaking their heads."

Why? "You've got to realise that at the time the HIV/AIDS problem had really become quite serious. There were many people who thought you could catch AIDS by just being associated with a gay man."

Six days later, Davis agreed to switch off Bill's life support.

He remembers police at first casting some suspicion on him. While the initial police report to the coroner said there were "suspicious circumstances", an investigating detective would advise that he believed Rooney fell accidentally while intoxicated.

There had been a flight of stairs running to the rear of the shop, but intensive care doctor Mason Ramsay told the local coroner that he did not believe the massive skull fractures, focused on the back of the head, could be easily explained by an accidental fall.

"His cerebellum had started to come away from his cerebral cortex," Davis recalls.

Coroner Warwick Soden made an open finding, concluding: "Whether such injuries were received accidentally or otherwise, the evidence does not allow me to say."

Wayne Davis made his own conclusion: murder. "There were a series of attacks on gay men within the area, both before Bill was murdered and after Bill was murdered, so we knew something was going on."

He adds a theory: "Well, in those days relationships were open. Ours was certainly an open relationship I believe it's possible that he met someone who took his fancy and sort of [went] off with them [to] have sex... I believe that he was lured there by someone and they basically assaulted him... and hit him over the back of the head with a heavy blunt object."

Four years later, Davis wrote a letter addressed to Sue Thompson, then fresh in her job as the police force's gay liaison co-ordinator. It was published in the gay newspaper Sydney Star Observer.

"Dear Sue, I wish to express my appreciation of the work undertaken by Detective Sergeant David Ainsworth of Wollongong Detectives in relation to a series of gay bashings that occurred in the Wollongong area over recent years," Davis wrote. "The first victim of the basher (or bashers) was my partner, William (Bill) Antony Rooney."

But his letter said: "The treatment I received from the [other] police during the course of their investigations was, to say the least, far from sympathetic. I was of the impression that as a gay man I was a lesser human being and that Bill's death didn't matter because he was gay.

"In the inquest into Bill's death I was left with the distinct impression that the police were attempting to secure a verdict of 'Death by Misadventure'. Many of Bill's friends resisted this approach.

"In the light of all of this Detective Sergeant Ainsworth continued to investigate ..."

Ainsworth, retired, did not wish to be interviewed for this story. However, former policeman and crime author Duncan McNab, along with SBS, has been delving into the Rooney case.

McNab has established that Ainsworth was among a group of detectives who did not buy the accidental fall theory. Despite instructions from their superiors to drop it – because it was not their case – they kept asking questions.

They were alarmed to discover that the police first on the scene had not secured the area. By the time detectives and scientific investigators arrived less than an hour later, someone had hosed it down. Most of the blood and physical evidence was gone.

Ainsworth and his colleagues also heard from one of the ambulance officers who had helped Rooney. The officer reported the fly to Rooney's trousers was open. But there was no mention of this in the police reports; nor was Rooney examined for evidence of sexual assault.

Less than three weeks after Rooney's death, a 21-year-old man who had been out drinking was found with severe head injuries in Wollongong on March 8, 1986. McNab writes in a forthcoming book, *Getting Away With Murder*: "A medical examination, ordered by a thorough detective, found the man had injuries to his anus 'consistent with a sexual assault'."

This was among 12 assaults on young men, all with similar modus operandi, reported over the next three years. Sometimes the attacker would strike the victim on the back of the head with a rock. Often he ordered the men to pull down their trousers. He would perform oral sex on them or demand it be performed on him. He robbed some of them. In most cases he raped them. He found at least two of his victims at a Wollongong gay beat, MacCabe Park, although he also attacked straight men.

Based on a description from the 12th victim, in September 1989, police arrested 24-year-old Mark Antony Scerri and charged him with 29 offences against all 12 men, though not in connection with Rooney's death. The charges included attempted murder, kidnapping, sexual assault, inflicting grievous bodily harm and robbery.

In 1991, Scerri was found not guilty on two assault and one robbery charges while the prosecution dropped 15 other charges. But the prosecution was narrowed to three victims and – after the first jury failed to reach a verdict – Scerri was convicted on February 20, 1993, seven years to the day after Bill Rooney's life support was switched off.

"Sex monster gets 16 years," cried the front-page headline in The Illawarra Mercury.

Detectives visited Scerri in jail to question him about the death of Rooney. According to their records, he told them: "You can stick it up your arse. Get f---ed. F--- off."

A senior Crown prosecutor told the detectives what they already knew. They didn't have enough evidence to put Scerri in front of a jury for murdering Rooney.

Among the 12 victims associated with Scerri's first trial were the two gay men who had gone to MacCabe Park in 1986 in hope of finding a sexual partner. One of them alleged he agreed to go with Scerri to Stuart Park near the beach at North Wollongong. When the man began to perform oral sex, he claimed, Scerri launched a brutal assault and repeatedly raped him. "He said to me, 'I'll kill you like I did the other poofter in the laneway.'"

The man went to police that night and they told him to go to hospital. When they sent detectives to question him, however, he chose not to give a statement "as I was embarrassed about what happened". It was only when he saw Scerri's picture in the Mercury almost three years later that he came forward to police.

It is important to remember that Scerri was not, in the end, convicted of this alleged beach-side assault or charged over Rooney's death. But it helps explain why he became a person of interest in the Rooney case, at least for the detectives who were convinced the Scotsman was murdered.

Of the three assault victims for whom Scerri was tried and convicted, one had chatted with him outside PIPS International Nightclub in Crown Lane, Wollongong, in September 1989. They walked up the lane together to a car park, where Scerri beat the man over the head with a rock and raped him. It was metres from where Rooney was found in 1986.

Scerri served his time. He was released from jail in November 2001. Within six months, he struck again. He seized a young man leaving another Wollongong nightclub, pinned him to the ground, punched him, pulled his trousers down and performed oral sex. The victim escaped. Police arrested Scerri and found traces of his DNA on the victim.

A sexual sadist, according to one psychiatric report, Scerri pleaded guilty to the attack. He went back to jail and was released in 2011. By now Bill Rooney had been dead 25 years.

Duncan McNab says: "Rooney's case may or may not have been a so-called 'gay-hate' murder. But it begs the question: did police give his death less attention than it deserved because he was gay?"

That remains the bitter memory of Wayne Davis, but he will be forever grateful to the retired detective. "I found David Ainsworth to be exceptionally caring, like he was very professional. He wanted to do his job."

Of other police, Davis believes: "If Bill was a straight man, they would have pulled out all stops to try and find out what happened."

This makes him angry?

"I wouldn't say that I'm angry. I'd say I'm sad... that they don't treat human life equally."

Homicide detective Steve Page was left with similar impressions about lapses in police diligence when he conducted Operation Taradale, a three-year re-investigation of the bashings, deaths and disappearances of gay men around the Bondi-Tamarama cliffs and the Marks Park beat.

Page's operation led to a 2005 coronial finding that condemned the "lacklustre" and "shameful" initial police conclusions that Ross Warren and John Russell fell accidentally to their deaths in 1989 from the cliffs skirting the Marks Park gay beat. Jacqueline Milledge, the Deputy State Coroner in 2005, ruled that Russell was thrown to his death, Warren was murdered and missing gay Frenchman Gilles Mattaini – while she couldn't rule on the cause of death – may have met a similar fate in 1985.

The unsolved deaths of Warren, Russell and Mattaini are now among the eight that police accept as possible gay-hate cases. Each became the subject of a \$100,000 reward for information leading to their killers last year.

At the time, violent gangs of youths were among the culprits of "poofter bashing" sprees. They found easy targets by roaming gay beats, typically parks or public toilets where homosexual men met for casual and anonymous sex.

They regularly bashed with impunity as victims refused to report assaults because they did not want to "come out" as gay, did not want to admit they attended beats, or did not trust police. Homosexual sex was not decriminalised in NSW until 1984.

McNab, himself gay, recalls: "Sydney was a bloody dangerous spot if you happened to be a gay man. There are horror stories of men who'd gone to a police station to report being bashed only to be taken to the cells and be bashed for reporting a bashing. The police culture of that period stank."

He stresses the force was not all bad, and there were many good police who were not homophobic.

Steve Page, who left the force before the conclusion of the Milledge inquest, tells SBS: "You have to ask, would police have been so dismissive of the deaths had the victims been any other group of citizens; let's say doctors, school teachers, women or children?"

McNab says: "What we know is that Bill Rooney was a gay man who died, and that some very conscientious detectives believed – unlike their police colleagues – that he was murdered.

"And what we certainly know is that police, more than three decades later, could not even find a record of Rooney's death – because they were looking for the wrong name.

"Whether or not it was 'gay-hate' murder, it was very possibly a murder. It seems to me that Bill Rooney didn't get justice after his death, and he's not getting it now.

"It's an insult to his memory that police couldn't even be bothered to pick up the phone – not, apparently, to call the criminologist Stephen Tomsen to ask, 'Hey, who is this William Rudney guy? We can't find him.' Or not to call their colleagues in Wollongong and ask, 'Did you have any cases in 1986 that might match this?' I mean, Wollongong is hardly the murder capital of the world. It wouldn't have taken too long to scan through the cases that might fit.

"I can only hope Operation Parrabell finally gets it right."

Parrabell is the current police review of 88 deaths from the 1970s, 80s and 90s to see how many might have gay-hate links, and whether or not a police culture of homophobia might have hindered any of the original investigations.

It astounds Davis that even police couldn't find Rooney's case in the records. "It was all over the newspapers."

The bungle also shocks Superintendent Tony Crandell, police commander at Surry Hills and the force's spokesman for sexuality and gender diversity, who is overseeing Operation Parrabell.

"Of course it alarms me," he says in an interview with SBS. "We're talking about the death of a human being. That in itself lends a great deal of gravity to the investigator, and a great deal of responsibility to make sure that there's thorough investigations conducted... I had some time in the homicide squad. I know the depth of inquiry – what's required."

When first asked if he was aware of the spelling mix-up, Crandell replies: "I'm aware that there were actually two names on a file. But I'm not aware as to why that was, whether that was an alias or an error from the investigator. I wasn't aware of that, no."

Or was he aware that there was a coronial report for Bill Rooney? "I can't tell you that. I don't know that."

If it is a "blatant police error, then I think Parrabell is the opportunity to correct that record".

Asked if Parrabell would re-investigate the case, Crandell says: "Operation Parrabell will review the case. So it reviews the case and then refers the matter for re-investigation to the Unsolved Homicide Team where there are deficiencies identified. Given you yourself have identified deficiencies, I would think that that would be ... an appropriate case for referral."

And his message to Wayne Davis?

"I would say to Wayne, it is perfectly natural and acceptable to have those expectations – to be given answers. I think that Wayne has probably waited far too long for those answers. It is the job of Operation Parrabell to have a look at the extent of whether the bias crime has occurred, and to have a look at whether or not that investigation is important or flawed in some way; if that's the case, then to get that investigation reinvestigated. So for me, Wayne's expectations are appropriate and whatever we can do to make his expectations come to fruition, we will [attempt] to do."

Wayne Davis is resigned: "I will go to my grave with unresolved grief."

But he says: "I'm telling the story now because I don't think we learn our lessons if we forget our past. And I think everyone needs to know about the injustice that was meted out to gay men and I suspect lesbians during that period."



Wayne Davis, who was Bill Rooney's partner.



As police review potential gay-hate murder cases in NSW, police commander Tony Crandell warns any homophobic officers to find another career.

Superintendent Tony Crandell thinks back to a time in our recent past when the physical expression of love between people of the same sex was a crime. Homosexual sex was only decriminalised in NSW in 1984.

"I find that remarkable," says Crandell, the NSW Police Force's spokesman on sexuality and gender diversity, in an interview with SBS.

"Let's be honest and upfront about this. The LGBTI community has been a marginalised, persecuted community for a long period of time."

Crandell acknowledges that police played a significant part in that ill-treatment.

"The NSW Police Force was a part of society. Yes, there was homophobia in society. The conclusion from that is, yes, that there was homophobia in the NSW Police Force.

"Does that subsist today? Probably. Have we got a long way to go? Yes."

But Crandell also insists the force has made huge strides, and that it is a progressive organisation building bridges with the LGBTI community.

Evidence of that, he suggests, is Operation Parrabell, which he is overseeing. It has been a three-year review of 88 deaths to assess how many of them might be gay-hate murders.

"Operation Parrabell, in particular, is a symbol of being able to move together forward, and really make sure that we correct history wherever we can... so that we can engender some sort of trust together."

Confronted with evidence from SBS – which revealed recent mistakes by police reviewing some of the 88 old cases – Crandell admitted he was alarmed. "Well, if that is blatant police error, then I think Parrabell is the opportunity to correct that record."

He poses a tough question to any police officer with "bias in your mind".

"If the answer is that you can't get out of that mindset, then you need to get out of the police – because that's not acceptable today."

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