

Statement of Det Sgt PAGE

Product Type: TEXT DOCUMENTS:Statement

Completed Date: 25 Jul 2002

Brief Description: Attached to this product is the statement of Detective Sergeant PAGE which provides an overview of the investigations surrounding the suspected death of Ross WARREN, the suspicious death of John RUSSELL and the attempted murder of David McMAHON.

Summary:

- Para 3 - 34:** Investigation creation.
- Para 35:** Topography.
- Para 36 - 39:** Culture of gay-hate crime.
- Para 40 - 58:** Warren initial investigation.
- Para 59 - 86:** Russell initial investigation.
- Para 87 - 92:** McMahon initial investigation.
- Para 93 - 168:** MCSS Homicide Unit investigation.
- Para 169 - 274:** Op TARADALE - Warren subsequent.
- Para 275 - 323:** Op TARADALE - Russell subsequent.
- Para 324 - 348:** Op TARADALE - McMahon subsequent.
- Para 349 - 396:** Op TARADALE - Combined enquiries.
- Para 397 - 404:** Tamarama Three background.
- Para 405 - 425:** Bondi Boys background.
- Para 426 - 433:** Telephone Surveillance.
- Para 434 - 464:** Information from external sources.
- Para 465 - 472:** Cleveland Street High School information.
- Para 473:** Health Insurance Commission
- Para 474 - 484:** Published information.
- Para 485 - 494:** Tamarama Three interviews.
- Para 495 - 549:** Tamarama Three LD product
- Para 550 - 586:** Alexandria Eight interviews.
- Para 587 - 611:** Alexandria Eight TI product.
- Para 612 - 654:** Bondi Boys interviews.
- Para 655 - 752:** Bondi Boys TI product.
- Para 753 - 768:** **NP57** interviews
- Para 769 - 790:** **NP57** TI product.
- Para 791 - 799:** Conclusions.

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New South Wales Police

P.190

v4.0

STATEMENT in the matter of:
WARREN/RUSSELL inquest

Place: Paddington
Police Station
Date : 11 July 2002

25th 88

Name: Stephen John PAGE
Address: Rose Bay LAC
Occupation: Detective Sergeant of Police

Tel. No.: [REDACTED]

STATES:-

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness.

The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

2. I am 35 years of age.

INVESTIGATION ALLOCATION

3. About the 9th of May 2000 I received a file in relation to the disappearance of Ross Bradley WARREN ("WARREN"). I noted the file contained a letter from Mrs Kay WARREN dated 26/04/2000 who requested that inquiries be made to cause a "death certificate to be issued" relative to her son. As a result of this request, Case C18145901 was created and I began to examine documents associated with the investigation. Attached to this statement is a report submitted by Detective Sergeant BROWN ("BROWN") dated 8 May 2000 requesting I allocate resources to investigate the matter.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 1

Witness:

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Signature:

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4. Attached to this statement is this and other correspondence submitted to the Police Service by Mrs WARREN dated 07/12/1999, 26/05/1999, 01/12/1998, 05/09/1998 AND 15/07/1998.

EXHIBIT I PRODUCE THAT CORRESPONDENCE-ANNEXURE 2

5. I noted attached to the file was a letter forwarded to Mrs WARREN signed by BROWN dated 17/12/1999 informing her that the investigation was "being attended to". I noted that an acknowledgment of this reply was forwarded to BROWN on or about the 05/01/2000 by Mrs WARREN.

EXHIBIT I PRODUCE THAT CORRESPONDENCE-ANNEXURE 3

6. I noted attached to the file was a report created by Senior Constable HILL of the Missing Persons Unit requesting that the Crime Manager "allocate resources to review the case with a view to submitting a brief to the coroner." This report was dated the 01/06/1999 and was apparently forwarded through ordinary channels to the Crime Manager, Rose Bay Local Area Command. It appears that this request was not acted on.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 4

7. On further examination of the file, I noted that there was a copy of AMSM4 of 24/07/1989 submitted by Constable ROBINSON ("ROBINSON") regarding the disappearance of WARREN.

EXHIBIT I PRODUCE A COPY OF THAT MESSAGE-ANNEXURE 5

8. On further examination of the file, I noted that there was a copy of the Police Incident Report submitted by ROBINSON regarding the disappearance of WARREN.

EXHIBIT I PRODUCE A COPY OF THAT REPORT-ANNEXURE 6

Witness: _____

Signature: _____

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9. On further examination of the file, I noted that there was a copy of the Police Occurrence Pad entry created by Detective Sergeant BOWDITCH ("BOWDITCH") regarding the disappearance of WARREN dated the 28/07/1989 (4 days after disappearance).

EXHIBIT I PRODUCE A COPY OF THAT REPORT-ANNEXURE 7

10. On further examination of the file, I noted that there was a report created by ROBINSON dated the 05/07/1991. This report outlined subsequent inquiries that had been conducted in relation to the disappearance. The report states that anonymous information was received that WARREN was alive and well, residing in South Australia with a male by the name of [188] [188]. The report states that inquiries were conducted with Western Australian Police who interviewed [188] and disproved the claim. The report appears to be in error and in fact it was South Australian Police who conducted those inquiries.

EXHIBIT I PRODUCE A COPY OF THAT REPORT-ANNEXURE 8

11. On further examination of the file, I noted that there was a copy of an Occurrence Pad entry 7/100 dated 21/07/1990 (at 11.20am) and submitted by Plain Clothes Constable CHOCK ("CHOCK") as a result of a conversation with Constable David WICKS ("WICKS") of Wollongong Police Station. WICKS reported about 11am that date he received information from an anonymous male that WARREN was at the time in South Australia with [188]. It was alleged WARREN staged his disappearance as a result of money owed for drugs. An Intelligence report was also submitted with this information outlined, however, the photocopied document has been "clipped" and the author is not known.

EXHIBIT I PRODUCE A COPY OF THOSE REPORTS-ANNEXURE 9

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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12. Further, attached to this report I noted that Senior Constable REES ("REES") on the 18/03/1991 has submitted an Intelligence Report after speaking with Arthur PILLON ("PILLON"). The report states that PILLON was "doing a payroll escort to a Sydney address when he stopped off at Bondi. He allegedly saw the M.P. in a Homosexual Strip Joint or pick up point somewhere in the Bondi area." PILLON is alleged to have had a conversation with WARREN, who states "I have my reasons for disappearing now get out". REES makes the comment that he knows PILLON from other matters and that he was "prone to big noting himself" and when questioned further became "vague and elusive". REES states that he does not "feel the informant to be trustworthy". Attached to this statement is a copy of that Intelligence Report.

EXHIBIT I PRODUCE A COPY OF THAT REPORT-ANNEXURE 10

13. Further, attached to this report I noted that Detective Senior Constable MARTIN ("MARTIN") has submitted a "running sheet" on 1st of June 1994 in relation to information received from [198] which nominated Greg FERGUSON ("FERGUSON") as possibly having involvement in the disappearance. [198] stated he was a friend of WARREN's as they had mutual homosexual friends. [198] states that at the time of WARREN's disappearance he was ending a three month relationship with FERGUSON who works as flight crew for Qantas Airways Ltd. FERGUSON is alleged to have made it obvious he did not want the relationship to end. Attached to this statement is a copy of this running sheet.

EXHIBIT I PRODUCE A COPY OF THAT REPORT-ANNEXURE 11

Witness: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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14. Further, attached to this report I noted that Detective Sergeant MURDOCH ("MURDOCH") has submitted a "running sheet" on 17th of April 1996 in relation to information received from William DAVENPORT ("DAVENPORT"), a security manager at Qantas Airways. Inquiries revealed that FERGUSON left Australia on a flight through Asia on the morning of 20/07/1989 and returned 24/07/1989 (which is the period in which WARREN disappeared). FERGUSON was then eliminated as having physical involvement in the disappearance. MURDOCH that date has also submitted a report to the Community Tracing Section outlining the results of those inquiries.

EXHIBIT I PRODUCE A COPY OF THOSE REPORTS-ANNEXURE 12

15. After examination of the documents, it was apparent the original investigation was conducted by BOWDITCH assisted by Detective Senior Constable SHARROCK ("SHARROCK") - according to the Occurrence Pad entry. I made inquiries and established that BOWDITCH left the NSW Police Service on 30/08/1996, and that SHARROCK was now stationed at the City Central LAC.

16. On the 11 May 2000 I forwarded the file to SHARROCK to conduct the investigation as there were no staff at the Rose Bay LAC at that time who had any knowledge of the investigation.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 13

17. On the 14 June 2000 SHARROCK completed a report which was attached to the file and stated he "did not investigate this matter" and the only knowledge he had was what BOWDITCH had told him in the preceding 7 days. SHARROCK forwarded the file to the Sergeant Assisting the Coroner, Glebe Coroners Court.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 14

Witness: _____

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18. The file has subsequently been returned to the Rose Bay LAC for attention.

19. As SHARROCK had no knowledge of the matter, I forwarded the report to ROBINSON of Crime Agencies who had initial carriage of the matter on 10/07/2000 by way of covering report.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 15

20. ROBINSON received the file and on 24 July 2000 submitted a covering report. He stated his involvement was "receiving the initial missing persons report...and later causing inquiries to be made on behalf of detectives conducting the investigation." ROBINSON states he has been non-operational for 8 years and does not have the investigative capacity to undertake such a coronial investigation. The file was again returned to the Rose Bay LAC.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 16

21. BROWN has later received the file, and placed comments on it on 28 July 2000, and it was forwarded to myself for allocation to an investigator. I saw the investigation was complex and I took the responsibility as case officer.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 17

22. Initially, and subsequently, I have maintained contacted with Mrs Kay WARREN the natural mother of WARREN. She informed me that investigations were initially conducted by BOWDITCH of the Paddington Patrol and later by Detective Sergeant MCCANN ("McCANN") of the Homicide Squad.

Witness: _____

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23. Subsequent inquiries revealed that there were other deaths involving members of the gay community at Marks Park, which included John RUSSELL (23 November 1989) and Kritchikorn RATTANAJURATHAPORN (21 July 1990).

24. On the 5th of March, 2001, I submitted a situation report which outlined the investigation I was undertaking. During the course of the investigation I have submitted follow-up situation reports which have outlined milestones of the investigations. Those situation reports are attached to this statement.


EXHIBIT I PRODUCE THOSE SITUATION REPORTS-ANNEXURE 18

25. On the 18th of April, 2001, I had a conference at the Rose Bay Police Station with Superintendent CHAPLIN (Rose Bay LAC), Superintendent MAY (Eastern Suburbs LAC) and Superintendent HARTLEY (City East Region). I outlined the investigation and it was agreed that the required investigative support for the tasks was six persons, with two to be provided from Rose Bay LAC, two from Eastern Suburbs LAC (where the incident occurred) and two from elsewhere within region resources. In addition, analytical support was to be provided.

26. On the 23rd of April, 2001, I made application for an Operation name through the Field Services Command, and I was allocated the Operation name of TARADALE. A copy of that request is attached to this statement.

EXHIBIT I PRODUCE THAT OPERATION NAME REQUEST-ANNEXURE 19

Witness: _____



Signature: _____



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27. On the 24th of April, 2001, I made application through the Crime Agencies command for specialist consultancy advice, short term investigative support and analytical support. Ultimately, I was afforded specialist consultancy advice through Detective Inspector MAYGER ("MAYGER").

EXHIBIT I PRODUCE A COPY OF THAT REQUEST-ANNEXURE 20

28. On the 12th of June, 2001, I acknowledged Terms of Reference for Operation TARADALE which were co-signed by Superintendent's CHAPLIN and MAY (Rose Bay and Eastern Suburbs Commands). A copy of those terms of reference are attached as an annexure to this statement.

EXHIBIT I PRODUCE THOSE TERMS OF REFERENCE-ANNEXURE 21

29. I have subsequently prepared an investigation plan in relation to the likely direction of travel of this investigation. Attached as an annexure to this statement is a copy of that proposed investigation plan.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 22

30. On the 18th of June, 2001, I had a conversation with Tim O'CONNOR ("O'CONNOR"), Assistant Director of Investigations, New South Wales Crime Commission ("NSWCC") and canvassed the possibility of obtaining a reference from the NSWCC. I subsequently forwarded by facsimile to O'CONNOR Sitreps numbers 2001/5/1 and 2001/5/2.

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31. On the 21 June 2001 I received a facsimile from O'CONNOR stating that assistance may be provided if the Police Service guarantees investigative support of not less than six staff for six months for this matter.

EXHIBIT I PRODUCE THIS RESPONSE-ANNEXURE 23

32. After discussions with my commanders, I completed a document guaranteeing investigative support to the NSWCC, and this document was authorised by Superintendent CHAPLIN ("CHAPLIN") on 27 June 2001.

EXHIBIT I PRODUCE THIS RESPONSE-ANNEXURE 24

33. I have subsequently prepared a document outlining the known information and entity links regarding the deaths of WARREN and RUSSELL. This report was provided to O'CONNOR for the information of the Management Committee of the NSWCC. A copy of that report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 25

34. The management committee have subsequently granted a reference to the NSWCC for gay-hate homicides under the specifically created "Wellington" reference.

Witness: _____

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TOPOGRAPHY

35. Marks Park at Tamarama is situated on a headland between Bondi Beach and Tamarama Beach. The park is predominantly open space, with a walkway on its eastern side travelling adjacent to the oceanfront. The park is bordered by Marks Lane to the west, and the area is residential with a mix of detached dwellings and unit blocks. The park itself is somewhat elevated, however, there are several locations where steps have been created for easy access to the coastal walkway.

CULTURE OF GAY-HATE CRIME

36. In a statement obtained from Sue THOMPSON ("THOMPSON"), Gay and Lesbian Projects Officer with the NSW Police Service dated 31 July 2001 she has researched gay-hate crimes and based on her specialised knowledge she is able to say:

- (a) 22% of gay hate homicides between 1989 and 1999 (in NSW) occurred at "beats",
- (b) Homosexuals in that era were more likely to not report crimes of violence against them,
- (c) There is a disproportionate level of gay hate homicides perpetrated by teenagers, with their predominant characteristics being white Caucasian single and unemployed. The most common cause of death was beating.
- (d) The involvement of strangers as offenders in gay-hate crime is significantly higher when compared to other male homicides.

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- (e) Offenders involved in gay-hate crimes often admit to a long prior history of violent attacks against gay men.
- (f) Gay men are more likely to be victims of violence than other male members of the community
- (g) Motives established through de-briefs include prejudice and homophobia, group initiation, proving masculinity, proving they are not gay, entertainment, robbery, alpha male syndrome, a belief that gay men are soft targets (who will not fight back or complain to authorities), and increasing standing by attacking those viewed as less legitimate.
- (h) Gay men (as well as "men who have sex with men") frequent beats because they are seeking quick anonymous free sex. THOMPSON suggests there are different types of beats which suit the different wants/needs of men who frequent them.
- (i) Marks Park at Tamarama was known to be a night time beat and was very busy and popular. She states that in Marks Park there are certain vegetation points known for sexual activity, and gay men will seek out each other by cruising the footpath (coastal walkway). They will attract each other by some form of signal, which may include movement of the eyes or the rattle of keys and coins. They will then move off for a sexual encounter.

A copy of the statement of THOMPSON is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 26

Witness: _____

Signature: _____

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37. Further, attached as an annexure to this statement is a published article co-authored by THOMPSON and Jenny MOUZOS (Research Analyst, Australian Institute of Criminology). The document is titled "Comparison between Gay Hate-Related Homicides of Men and Other Male Homicides in New South Wales 1989 - 1999."

EXHIBIT I PRODUCE THAT PUBLISHED DOCUMENT-ANNEXURE 27

38. Evidence obtained in this investigation suggests that there were a reluctance by members of the gay community to report offences (the "Sullivan" statement) and a bias from other members of the community towards helping members of the gay community (the "McMahon" statement).

39. A further statement provided by THOMPSON dated the 6th of August, 2001, she outlines a presentation she made at the Cleveland Street High School and discusses seven photographs taken during the day. Depicted in the photographs are drawings made by students with the tag "PSK" put on the drawing. Attached to this statement is a copy of the statement of THOMPSON.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 28

ORIGINAL WARREN INVESTIGATION

40. A statement was located (archived in the subsequent McCANN investigations) which was prepared by ROBINSON on 16 July 1991. In that statement, ROBINSON states that he took the initial report of the disappearance of WARREN about 8.15pm on 23 July 1989 from ELLIS.

Witness: 

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41. He states the following day he had a further conversation with ELLIS and ELLIS handed him a set of keys. ROBINSON states he has then contacted Bondi Police, in addition to the Police Air Wing and Water Police and requested a search be conducted of the area around Marks Park at Tamarama.

42. The statement continues that WARREN's vehicle was located outside ■ Fenneck Street Bondi near Fletcher Street. I believe this to be in error, and believe the correct location to be ■ Kenneth Street Bondi as a result of information I have received from ELLIS. In fact, Kenneth Street and Fletcher Street do not intersect and there is no Fenneck Street in the Bondi and Tamarama areas.

43. ROBINSON further states there was a number of keys on the key ring, with the vehicle key being silver with several other bronze and silver keys. ROBINSON has then attended the vicinity of Marks Park and was then shown by ELLIS "exactly" where the keys were found. ROBINSON states he then returned to WARREN's vehicle and searched it. In the glove box he found the wallet of WARREN.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 29

Witness: _____

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44. I was able to locate a statement (archived in the subsequent McCANN investigations) made by Phillip ROSSINI ("ROSSINI") which was made on the 26th of July, 1989 at the Wollongong Police Station and taken by Detective Sergeant GREEN ("GREEN"). ROSSINI states that as a result of a previous conversation, he contacted WARREN on landline [REDACTED] (the ELLIS residence) on the 21st of July 1989, and met WARREN at the Gilligans bar on Oxford Street Surry Hills about 11.45pm that evening.

45. ROSSINI states they drank mineral water, and the only other person they spoke to was the barman who was a large man, with a big earring and possibly of Pacific Islander background. After the closure of Gilligans, they went to the Vault which is a bar in the Exchange Hotel and stayed about half an hour. At the hotel WARREN spoke briefly to several men who were introduced to ROSSINI but he does not recall their names. They stayed at that bar for about 45 minutes and left going to the Midnight Shift.

46. At that club, they stayed there for about an hour, and WARREN spoke to five different men. These men were introduced to ROSSINI but he does not recall their names, and whilst there they drank ice water.

47. ROSSINI and WARREN left about 2am and walked to ROSSINI's car because WARREN wanted to look at it. They later parted company and ROSSINI saw WARREN drive east along Oxford Street at Taylor Square. At the time they went their separate ways, WARREN was not effected by liquor and in good spirits.

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48. ROSSINI states that a fortnight prior to his disappearance, he had a general conversation with WARREN and WARREN said, "I'm feeling a bit depressed, I could slash my wrists." He then laughed. ROSSINI states that whilst at Gilligans WARREN said, "I hope I don't run into Ken." ROSSINI states he believes Ken to be Maori.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 30

49. Also located amongst the archived McCANN investigation documents was a statement made by Christine JONES ("JONES") on the 26th of July, 1989. She states she became familiar with WARREN through her employment as a make-up artist with the WIN network. She says that WARREN said to her "You know about me?" and JONES took this to mean WARREN being gay and she replied, "Yes." WARREN said, "I got together with a guy that I've been wanting to get together with for a while. The only problem is that this guy has a partner and I can only see him Saturdays because the partner works Saturdays." JONES said, "How long has he been with him for?" to which WARREN replied, "He's been living with him for three to four months." WARREN later informed JONES the males name was "Ken" and JONES believed him to be of Maori background and trained in gymnasiums. WARREN told JONES he had a photograph of Ken in his wallet, and that WARREN had been to the movies with both Ken and his partner. A copy of the statement of JONES is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 31

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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50. Located amongst holdings at the Information and Intelligence Centre was a photocopy of Miscellaneous Property reference A150422, surrendered by Constable BOURIS and released by Constable ELLENBERGER. The property relates to WARREN and a copy of the Miscellaneous Property receipt is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT PROPERTY RECEIPT-ANNEXURE 32

51. In a statement made by Detective Senior Constable BOURIS ("BOURIS"), he states he recalls attending Kenneth Street at Bondi where he saw motor vehicle NZC783 (NSW registration). BOURIS recalls speaking to persons at that scene, and attending an area of bushes and rocks on the southern side of Kenneth Street. BOURIS recalls being shown a set of eight keys on a rock platform at the base of the cliff and taking possession of those keys. BOURIS states he later took possession of the vehicle and keys, and entered certain property into a miscellaneous property book. This included (in the name of Ross WARREN) a grey leather wallet, ANZ keycard, MADD card, Wollongong Library Card, Radio Rentals receipts, NSW Drivers License 6814DU, ANZ transaction card, one pair of Bolle sunglasses, photograph, personal letters, keyring with eight keys, vehicle registration NZC783 a Nissan Pulsar brown in colour, the sum of \$77.31. A copy of the statement of BOURIS is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 33

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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52. Having knowledge of the investigation brief and what witnesses have to offer, I believe the "persons" that BOURIS would have spoken to at Tamarama would likely have been Craig ELLIS and Paul SAUCIS.

53. In a statement made by Senior Constable ELLENBERGER ("ELLENBERGER"), he states he returned all property listed on entry A150422 to Mrs WARREN on 26 July, 1989. A copy of the statement of ELLENBERGER is attached as an annexure to this statement.

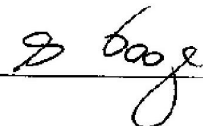
EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 34

54. In a statement made by FITZPATRICK on 5 October 1989, she states she was working as a receptionist at the SBS network, monitoring their switchboard. She states that between 8pm and 9pm on 21 September 1989 she spoke with a male caller who said words similar to, "Hi, this is Ross WARREN, I just want to let you know that I'm alive, and to say hello to all my friends at WIN TV." FITZPATRICK asked, "Why are you calling here?" He said, "To let you know that everything was printed about me was rubbish." FITZPATRICK asked, "Where are you calling from?" He said, "Central Australia." Shortly thereafter the caller ended the call. A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 35

Witness: _____

Signature: _____



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55. Initially, and subsequently, I have maintained contacted with Mrs Kay WARREN the natural mother of WARREN. She informed me that investigations were initially conducted by BOWDITCH of the Paddington Patrol and later by Detective Sergeant McCANN ("McCANN") of the Homicide Squad.

56. Subsequent inquiries revealed that there were other deaths involving members of the gay community at Marks Park, which included:

- the death of John RUSSELL (23/11/1989)
- the robbery of David McMAHON (21/12/1989)
- the death of Kritchikorn RATTANAJURATHAPORN (20/07/1990)

57. I have subsequently obtained a microfilm copy of the Crime Information Report submitted by ROBINSON on 23 July 1989 in relation to the disappearance of WARREN. A copy of the incident report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 36

INVESTIGATION ANALYSIS

58. As a result of matters outlined in this report, I decided that to finalise investigations surrounding the suspected death of Ross WARREN and to form an opinion as to whether that death was caused by accident, suicide or homicide it was necessary to examine incidents which occurred in the vicinity of Marks Park around that time. As a result of the analysis, I found it necessary to review the deaths of RUSSELL and RATTANAJURATHAPORN to establish what links, if any, there were with the disappearance of WARREN together with the assault upon McMAHON.

Witness: _____

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ORIGINAL INVESTIGATIONS - JOHN RUSSELL

59. From archived briefs at the Glebe Coroners Court I was able to obtain a copy of the brief of evidence presented in the matter of John RUSSELL at inquest.

60. Constable DUNBAR ("DUNBAR") in a statement dated 16 February 1990 states that about 10.30am on Thursday 23 November 1989 with Detective OWENS she attends "an area situate on rocks to the south of Bondi beach". She states the area lay between Fletcher Street and Wilga Street at Bondi. At that location she speaks with Sergeant INGLEBY ("INGLEBY") and Constable BARRETT ("BARRETT") and sees the body of RUSSELL and describes his clothing. She states there was a sum of money located near the deceased, with a 50c and \$1 coin to the right side of the body and a further 50c coin a short distance from the top of the body.

61. DUNBAR arranges articles to be published in local newspapers, and later obtains typewritten statements from Michael McMAHON ("Michael McMAHON") and Peter REDMILE ("REDMILE"). Michael McMAHON was the only person to come forward as a result of the media release and Peter REDMILE was in the company of the deceased on the night of his demise.

62. DUNBAR states her inquiries led her to believe RUSSELL was in good spirits and may have been intoxicated at the time he leaves the Bondi Hotel after drinking with REDMILE.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

63. DUNBAR states there is "no evidence to suggest the deceased committed suicide or there were any suspicious circumstances surrounding his death. There were no signs of violence on the body and personal property was located on his person." DUNBAR concludes that RUSSELL "fell from the cliff top edge". Attached as an annexure to this statement is the statement of DUNBAR.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 37

64. BARRETT in a statement dated 1 December 1989 states he attended Fletcher Street near Marks Lane at Tamarama about 10.15am on Thursday 23 November 1989, and at that location he had conversations with Constable SCANLAN ("SCANLAN") and INGLEBY. At that location he saw witness Neville SMITH ("SMITH") and Rick SAXBY ("SAXBY"). He later meets ambulance officers Dennis KEEGAN and Lyn RICHARDS.

65. BARRETT with SCANLAN, INGLEBY, KEEGAN and RICHARDS later approach the body of RUSSELL on the nearby rockshelf at the shoreline. Constable BARRETT notices rigor mortis present in the deceased. BARRETT states a total of \$4.60 in mixed coin was found near the body. BARRETT states there was also a packet of Peter Stuyvestant filter cigarettes near the body, as was an empty bottle of Coca Cola.

66. BARRETT states that a short time later investigators Constable DUNBAR and Detective OWENS ("OWENS") attended the scene as did forensic investigators Sergeant CAMERON ("CAMERON") and Constable RIVERA ("RIVERA"). An estimate of the fall was 11.6 metres. BARRETT states the body was removed by contractors, and he later attended Glebe Morgue where the body was entered under number E35395.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

67. BARRETT states he later has a conversation with Peter RUSSELL, brother of the deceased and discusses the last known movements. BARRETT later has Peter RUSSELL identify the deceased as John RUSSELL, and a signed statement was obtained. Peter RUSSELL informed BARRETT that RUSSELL was happy-go-lucky, and lost his wallet in the days prior to his death. BARRETT then outlines the statements of Peter RUSSELL and REDMILE.

68. BARRETT states that the area between Bondi baths and McKenzies Bay is frequented by homosexuals. BARRETT states there is "no evidence to indicate one way or the other whether the deceased slipped from the edge or was pushed." A copy of the statement of BARRETT is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 38

69. BARRETT makes a further statement on 5 January 1990 that on the 24 November 1989 he attended the City Morgue at Glebe and identified the body of John Alan RUSSELL to Doctor SCHWARTZ, SURVELA and LAWRENCE. A copy of the statement of BARRETT is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 39

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

70. INGLEBY makes a statement dated 26 February 1990, and states about 10.10am on 23 November 1989 he went to Fletcher Street, Bondi at the intersection of Marks Lane and Marks Park. At that location he speaks with SMITH and SAXBY, and later meets with BARRETT, SCANLAN, KEEGAN and RICHARDS. He later views the body of the deceased, notices coin around the body and hair adhering to the left hand. He also notices the packet of Peter Stuyvestant Filter 20 cigarettes and the empty bottle of Coca Cola. He later sees DUNBAR and OWENS arrive at the scene.

71. INGLEBY states he later obtains a statement from STINSON, and later goes with STINSON to Marks Park on a number of occasions to locate the male STINSON referred to in his statement as "[NP87]". INGLEBY states he received information that gay men would rattle coins in the hand as a method of non verbal body language.

72. INGLEBY states he later obtains a statement from David McMAHON ("McMAHON") in relation to an assault upon him at Marks Park on 21 December 1989. INGLEBY states from his experiences, most crimes against members of the gay community went unreported and that he believes that the level of assaults and associated offences on the "homosexual element" (in Marks Park and elsewhere) would be extremely high. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 40

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

73. Peter RUSSELL in a statement dated 24 November 1989 states he was living with RUSSELL at [REDACTED] Oakley Road at Bondi. He states RUSSELL was in the habit of going out socially and on Wednesday the 22 November 1989 REDMILE and RUSSELL paired up at that address between 6pm and 6.30pm. He states they left with a stated intention of going to the Bondi Hotel.

74. Peter RUSSELL states that RUSSELL was in good spirits and was looking forward to building a new house. Peter RUSSELL states he was aware his brother was homosexual, was not a heavy drinker and did not use drugs. He states that RUSSELL lost his wallet the previous Friday.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 41

75. REDMILE in a statement dated 24 November 1989 states that he was friends with RUSSELL for about 13 years, and remained friends after a brief homosexual relationship. REDMILE states he would see RUSSELL twice a week, meeting him on Wednesday 22 November 1989 and arriving at the Bondi Hotel about 7pm or 7.15pm that night. They had discussions in relation to RUSSELL moving to Wollombi, and his recent inheritance of \$100,000.

76. REDMILE states that they were drinking Powers beer in middies, and he left about 11pm. REDMILE states they would have had about three an hour, and believes between 12 and 15 altogether.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

77. REDMILE stated that the attendance of RUSSELL at a gay beat was not his usual behaviour, because of possible bashings and health factors. REDMILE believes that RUSSELL would not have had more than ten or fifteen dollars on him at the time they parted ways. A copy of the statement of REDMILE is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 42

78. SMITH in a statement dated 24 December 1989 says that about 10am on Thursday 23 November 1989 he was walking along the coastal walkway between Notts Avenue and McKenzies Bay. He states he walked onto a rock shelf near the Fletcher Street steps he saw a body lying on an "indentation" of the rock floor which formed a small pool of water, and noticed what appeared to be blood in the water. SMITH states he saw coins around the body. He checks for a pulse and does not find one and forms the opinion the person was deceased. He then ran back up towards Fletcher Street and approaches SAXBY who is working nearby as a builder. He speaks with SAXBY and SAXBY uses a car phone to call authorities. A copy of the statement of SAXBY is attached to this statement as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 43

79. Deborah EGAN ("EGAN") in a statement dated 23 December 1989 states on the 22 November 1989 she worked in the Emerald Wave bar of the Bondi Hotel between 7pm and 12am/1am. She comments after being shown a photograph of RUSSELL that he is "semi-familiar", however, has no memory of him being in the bar on the evening of 22 November 1989. A copy of the statement of EGAN is attached to this statement as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 44

Witness: 

Signature: 

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

80. Rodney STINSON ("STINSON") in a statement dated 26 December 1989 states he has for the "last two years" gone to the area south of Notts Avenue and around to McKenzies Bay to train and mix with other gay persons. He states that "approximately 3 weeks ago" he saw a male person he knew who stated "...there was a lot of shouting going on a few days ago, probably a bashing but I don't know".

81. STINSON states he had an earlier conversation about two months previously with the same man, who said a middle aged man (who was crazy or looney) had tried to push him off the path and over the cliff near Fletcher Street stairs. The "guy apparently wouldn't take 'no' for an answer and got violent". A copy of this statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 45

82. Also attached to the coroners brief was a copy of life pronounced extinct certificate for "unknown Jason" with a medical practitioners name that is not legible. This was also with a report of death to the coroner relative to RUSSELL prepared by BARRETT. This document states that "examination of area revealed no signs of struggle or violence". A copy of the life pronounced extinct certificate together with the report of death to the coroner is attached as an annexure to this statement.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 46

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

83. Michael McMAHON in a statement dated 17 January 1990 states that about 11.45pm on 22 November 1989 he was walking near Marks Park at South Bondi and saw a male shorter than himself (5'7") and of slim build, wearing clothing similar to that found on RUSSELL. Michael McMAHON states he did not notice any disturbance or anything which would cause him concern. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 47

84. The positioning of coin around the body of RUSSELL may indicate the coin was out of the pockets of RUSSELL and that he may have been using the rattle of coin as an indicator to other gay males prior to his death. I base this on the opinion evidence of THOMPSON (para 9, annex 18) and INGLEBY (para 11, annex 25)

85. A report on the examination of the dead body of John RUSSELL conducted by Sylvia HOLLINGER ("HOLLINGER"), medical practitioner, states that on the 29 November 1989 she conducted a three cavity post mortem examination and numerous bruises, lacerations and fractures were located. Direct cause of death was stated as "multiple injuries". A copy of the report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 48

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

86. A report on the examination of the liver, stomach, blood, urine and bile of John RUSSELL conducted by Keith LEWIS ("LEWIS"), toxicology examiner, states that tests conducted after the 01/12/1989 showed that screening tests were conducted for cannabinoids, amphetamines, tricyclic antidepress, methadone, trichlorethanol, opiates, benzodiazepines, barbituates and cocaine with "not detected" endorsed against each category. A blood alcohol concentration of 0.255g per 100mL of blood (preserved) was detected. A copy of the report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 49

THE McMAHON ROBBERY

87. Submitted with the RUSSELL coronial brief of evidence was a statement made by David McMAHON on the 3 January 1990. In that document he states that about 10.30pm on Thursday 21st December 1989 he went for a "run" along Bondi Beach promenade to North Bondi, and ran back to Notts Avenue. He then continued on the Bondi/Bronte walkway, around a bay to a set of steps and as he got to the top of the steps he was met by 10 - 12 young persons. The group consisted of male one who was Caucasian, 15 - 18 years, 168 - 172cm tall, of slim build and short cropped blonde hair. The remainder of the group was a mixture of caucasian and pacific islanders, with several females in the group. McMAHON was asked by a male one said "What are you doing here?" to which he replied "I'm going for a run." and subsequently male two has asked for either a cigarette or two dollars.

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

88. McMAHON states he kept going to McKenzies Bay and returned to the observation platform at McKenzies Point. McMAHON has then cut across Marks Park and run through suburban streets and re-entered the Bondi/Bronte walkway through Hunter Park where he has continued to travel north. As he was approaching Notts Avenue, he was thrown onto a grassed verge and saw the persons previously described as male one and male two.

89. McMAHON heard a person saying "poofter" while male one repeatedly said "You're gay". Male two has punched McMAHON repeatedly about five or six times, and he has closed his eyes. During this time he was punched to the stomach about three or four occasions. During this assault, male one has said, "Don't let him look at us, he knows me." McMAHON called for assistance.

90. McMAHON was continued to be punched to the face and kicked to the rib cage. He then had his shoes taken from him and demands were made for money. McMAHON was then grabbed by male one and dragged towards some steps, and the male kept saying, "I'm gonna throw you over the side." He was being manhandled along the pathway, broke free, and ran away making his escape.

91. During the offence, McMAHON has called out "Help" and a nearby resident has yelled back "I'm not going to help you poofta." A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 50

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

92. The age, race and sex of group members is identical to the gang which assaults [191] which is discussed later in this statement. The descriptions of males one and two is consistent with those of [NP43] and his associate [NP92] at that time.

INITIAL M.C.S.S INVESTIGATION

93. I have later contacted McCANN and endeavoured to obtain a statement from him. I established he was still a member of the Police Service, [REDACTED] McCANN declined to provide a statement [REDACTED]

94. McCANN indicated to me he had carriage of two investigations previously, which led him to investigate the WARREN matter. He stated he was in charge of:

- The murder of Richard JOHNSON ("JOHNSON") at Alexandria Park on 24 January 1990. It is believed that JOHNSON was homosexual. Prosecuted for this offence was [NP21] [NP21], [NP15], [NP16], [NP16], [NP17], [NP18], [NP19], [NP20] and [NP41] [NP41]. For simplicity, I later referred to this group as the "Alexandria 8".

Witness: [Signature] Signature: [Signature]

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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- The murder of Kritchikorn RATTANAJURATHAPORN ("RATTANAJURATHAPORN") at Marks Park on 21 July 1990. Prosecuted for this offence was [NP23] his [redacted] [NP22] together with [NP24] [NP24]. For simplicity, I later referred to this group as the "Tamarama 3".

- The suspicious death of John RUSSELL ("RUSSELL") at Tamarama on the 23 November, 1989.

95. On the 12th of September, 2001, a statement was obtained from former police officer Susan EMMETT who states that she was a member of the Major Crime Squad South Region Homicide Unit which investigated the death of Richard JOHNSON. EMMETT examines affidavits she has previously prepared and states the information in them is correct. EMMETT further states she recalls that hair was found initially on the hand of RUSSELL but her inquiries were unable to locate it. Attached as an annexure to this statement is the statement of EMMETT.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 51

96. On the 17th of August, 2001, a statement was obtained from Senior Constable BIGNELL who states he started in the Homicide Unit, M.C.S.S on the 28 October, 1990, and had no involvement in the original investigations of JOHNSON and RATTANAJURATHAPORN. BIGNELL outlines his involvement in the preparation of affidavits for the usage of listening devices and obtained statements from [Miss M] and [Miss X].

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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97. BIGNELL states the investigation was suspended due to the absence of admissible evidence to support prosecution. BIGNELL states that original investigations established that members of the homosexual community with the Bondi beat areas were subjected to serious assault and robbery offences by predatory groups of juveniles who were prolific in their violent offences against members of the gay community. Attached as an annexure to this statement is the statement of BIGNALL.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 52

98. I have later contacted Patricia BREE, Archives Officer, at Crime Agencies and requested access to archived documents relative to the investigations surrounding the deaths of JOHNSON and RATTANAJURATHAPORN. I later examined documents provided by Ms BREE and found those to relate only to the JOHNSON and RATTANAJURATHAPORN matters, with nothing of relevance to the suspected death of WARREN and suspicious death of RUSSELL.

99. Similarly, I have later contacted Vanessa MILBURN, Librarian, Information and Intelligence Centre and requested access to archived documents relative to the investigations surrounding the deaths of JOHNSON and RATTANAJURATHAPORN.

100. Located at the Information and Intelligence Centre was two reports submitted by Detective Sergeant McCANN which were titled as follows:-

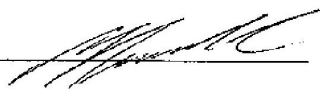
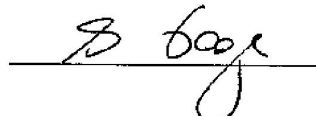
Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

- (a) Overview of reported crime and its possible connection, involving victims of the homosexual community primarily in the Alexandria and South Bondi areas, submitted to the Director of Operations at State Command and dated 15/04/1991, and,
- (b) Overview of homosexual murders and incidents within the inner city area, submitted to the Modus Operandi Section and dated 10/08/1991.
- (c) Statement of Philip ROSSINI (previously mentioned)
- (d) Statement of NP38 (previously mentioned)
- (e) Statement of FITZPATRICK (previously mentioned)
- (f) Statements of 187
- (g) Statement of 186
- (h) Statement of Miss X
- (i) Statement of Miss M
- (j) Subsequent statement of David McMAHON ("McMAHON")
- (k) Running sheets relevant to David MOON ("MOON") and Trish HEIDBERGER ("HEIDBERGER")
- (l) Affidavits and reports relative to LAPS - listening device applications - 91/47, 91/49, 91/51, 91/52, and 91/94.

101. In relation to the document "Overview of reported crime and its possible connection, involving victims of the homosexual community primarily in the Alexandria and South Bondi areas" submitted to the Director of Operations at State Command and dated 15/04/1991 it outlines:

Witness:  Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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- The JOHNSON murder.
- The RATTANAJURATHAPORN murder.
- That **NP24** stated the **NP22, NP23** were involved in weekend attacks on gays in the Bondi, Centennial Park and Kings Cross areas,
- **NP23** when arrested had in his possession a pawn slip in the name of **NP18** and it was alleged that **NP18** was one of the "Alexandria 8", showing an association link between the groups,
- The disappearance of WARREN,
- The suspicious death of RUSSELL,
- The assault on **I90** at South Bondi on 18 December 1989 by **NP23**, **NP43** and another male.
- The assault on David McMAHON ("McMAHON") at South Bondi on 21 December 1989 by **NP43** and others, where an intention to throw McMAHON off a nearby cliff was stated.
- The death of William ALLEN ("ALLEN") as a result of an assault at Alexandria Park on 28 December 1988.
- The fact that **NP16** admitted throwing a homosexual of the Bondi Cliffs and thrown his keys into the ocean.
- The death of Wayne TONKS ("TONKS") at Artarmon on 19 May 1990, with TONKS being a school teacher to the majority of the "Alexandria 8" at the Cleveland Street High School.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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102. In relation to this report, I have conducted further inquiries and prison visits to [NP22 and NP23] show they have in fact been visited by [NP18], however, it is not the [NP18] of the "Alexandria 8". The pawn slip has not been located by my inquiries, and, I believe this nexus between the two groups based on this assumption is now doubtful.

103. In relation to this report, I have conducted further inquiries and the homicide of TONKS was cleared with the charging of [NP27] and [NP26]. On the 14 February 2002 I consulted with Detective Sergeant PERRY of the Homicide & Serial Violent Crime Agency who was an investigator in this matter. He stated there was no links between [NP27] [NP26] and the Cleveland Street High School. A copy of this report is attached to this statement.

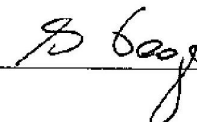
EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 53

104. In relation to the document "Overview of homosexual murders and incidents within the inner city area" submitted to the Modus Operandi Section and dated 10/08/1991 it includes:

- The JOHNSON murder.
- The RATTANAJURATHAPORN murder.
- The fact that [NP23] was charged with the robbery of [190] on the coastal walkway at South Bondi.
- The death of ALLEN as a result of an assault at Alexandria Park.
- The disappearance of WARREN,
- The suspicious death of RUSSELL, and that an open finding had been delivered at inquest. It is stated that hair found on the hand of RUSSELL had not been located.

Witness: _____

Signature: _____

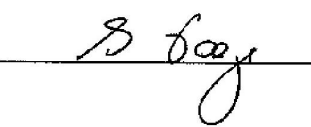


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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

- The assault of McMAHON on the coastal walkway at South Bondi on 21 December 1989, with the identification by photograph of NP43. It is stated that McMAHON has shown a complete unwillingness to pursue or assist police with this matter.
- NP43 is also identified by way of photograph in relation to the assault on 190.
- The murder of TONKS.
-
- The lawful recording of private conversations between NP21 and NP19, NP18, NP15, NP42 and NP42 and NP16. The recordings of NP16 included admissions about the pushing of a gay male off a cliff at South Bondi, searching his nearby brown motor vehicle and throwing the keys into the ocean. Certain circumstances of this statement are in conflict with the known information regarding WARREN and RUSSELL and will be canvassed later in this statement. NP42 was an associate of members of the "Alexandria 8".
- The fact NP16 admits to involvement in about one hundred gang assaults on gay men, with NP21 admitting involvement in about fifteen.
- The admissions made by NP57 to two witnesses that she was involved in the killing of Ross WARREN.

Witness: Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

-

[REDACTED]

This statement may relate to the deaths of [REDACTED] together with WARREN and/or RUSSELL. A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 54

105. Also located was a Queensland Police Service Statement dated the 15th of July, 1991, and made by Kay WARREN, mother of Ross WARREN. States he was born 26/10/1964 and that in 1989 he was living in Wollongong and working as a news presenter. She states she first became aware of Ross's disappearance after his workplace contacted her, and she later contacted Detective BOWDITCH who informed her that WARREN's car and keys had been found. She states she later attended Sydney and met BOWDITCH, and later went to Bondi Police Station where she was given custody of WARREN's car and keys. She states there could have been six keys on the one keyring in a rusty condition, and believes possibly two keys were for his unit, possibly two keys for his car, and two further keys which were for his work and P.O. box. Mrs WARREN describes the car as a Nissan Pulsar sedan, 4 door, light bronze in colour and was then registered with Qld registration 767AXX. Mrs WARREN then states there is no information she can supply as to the disappearance of her son Ross WARREN. A copy of this statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 55

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

106. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the disappearance of WARREN, discusses circumstances of the disappearance (outlined previously). A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 56

107. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the death of RUSSELL (outlined previously). A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 57

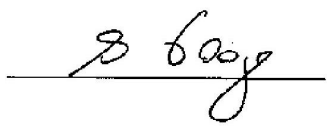
108. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the robbery of McMAHON (outlined previously). Outlines that McMAHON is showing an "unwillingness to pursue the matter" and that NP43 was identified from a series of photographs. A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 58

109. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the robbery of 190 on 18/12/1989 at McKenzies Point by NP22 and NP43 - both being identified from photographs. During the offence his keys were thrown over a cliff. A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 59

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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110. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the murder of RATTANAJURATHAPORN. Outlines that RATTANAJURATHAPORN was in the company of Geoffrey SULLIVAN ("SULLIVAN") at McKenzies Point when both were savagely assaulted by three youths, with NP23 and NP22 together with NP24 being charged with this offence. A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 60

111. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the murder of JOHNSON at Alexandria Park on 24 January 1990. Outlines that bashing of JOHNSON by NP19, NP41, NP21, NP17, NP20, NP15, NP18 and NP16. A copy of this report is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 61

112. An investigation summary document prepared by McCANN and dated the 15 April 1991 relative to the murder of ALLAN at Alexandria Park on 28 December 1988. Outlines that the bashing of ALLAN took place at the same location as that of JOHNSON and that he later died at his residence.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 62

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

113. In a statement made by Miss X on 25 April 1991, she states that about three weeks after WARREN went missing, she was having conversations with NP57 at her house. WARREN came up in conversations, and NP57 stated "You know the guy that reads the news and weather on TV...There was a group of about eight of us, a Lebanese gang from the Cross. We got him and threw him off the rocks. We go poofter bashing all the time...we bashed and killed him." A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 63

114. In a statement made by Miss M (daughter of Miss X) on 25 April 1991, she states she is a long term friend of NP57 and says (no time period) that NP57 was previously at her house and said, "Me and my friends go out poofter bashing...Do you know that guy off the news that does the weather report, the good looking one...we happened to find him and his boyfriend. We got him, took him somewhere and bashed him." A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 64

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

115. In a statement made by [187] on 25 March 1991, she states she was at a table with [NP16], [186] and [1157] at the Keelong Detention Centre and the topic of homosexuality arose. [NP16] stated, "I pushed a poof off a cliff at Bondi. I hate poofsters." [186] said "What, into the water?" [NP16] said, "Nah, onto the fucking rocks." [187] then asked, "Why do you hate poofs, it's not as if they have sex in front of you?" to which [NP16] replied, "They do, they do it in the park, at school and in the Cross." [187] supplied during this statement another document prepared by her on 21 March 1991 which outlines this conversation in her own terms. A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 65

116. In a statement made by [187] on 27 June 1991, she states she was at the Keelong Detention Centre on 14 June 1991 and had a conversation with [NP16] and discuss Police interviewing [NP16] about "other murders". [NP16] states, "You know the poof that was killed a year before I was arrested, him." [187] stated "Did you have anything to do with it?" [NP16] smiled and said, "No." [187] said, "Are you sure?" He said, "Yeah, I know but I'm not telling." Further discussions are then had about [NP16] providing information to investigators, which he declines. [187] supplied during this statement another document prepared by her which outlines this conversation in her own terms. A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 66

Witness: 

Signature: 

Page No: 41

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

117. In a statement made by [186] on 2 April 1990, he states he was at the Keelong Detention Centre about a week earlier and heard a radio report about "a fag being pushed off the cliff and about general attacks on fags in the Sydney area." He later informs [NP16] of this media article and [NP16] says, "I threw a fag off the cliff at Bondi...I've jumped on blokes heads you wouldn't believe. We're always going out bashing fags." A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 67

118. In a further statement made by McMAHON on 1 August 1990, he states that 30 July 1990 he was shown photographs by Detective Sergeants McCANN and GILROY and recognised the person who assaulted him and had a conversation with the police officers.

119. McMAHON states he attended Waverley Police Station on 1 August 1990 and had a further look at the photographs and again recognised the person who assaulted him. He then signed the back of the photograph which was marked eleven. A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 68

120. The McCANN document titled "Overview of homosexual murders and incidents within the inner city area" submitted to the Modus Operandi Section and dated 10/08/1991 at Para 11 states that McMAHON "initially identified [NP43] a seventeen year old local assailant, as being the leader of this group but has since shown a complete unwillingness to pursue or assist police with this matter."

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

121. On the 21st of May, 2002, Detective GILROY ("GILROY") states that on the 30th of July, 1990, with Detective McCANN he showed McMAHON a number of photographs and McMAHON did not "indicate" any person at that time. He states McMAHON did indicate the photograph of [NP43] as being "similar in his opinion to one of the offenders who assaulted and robbed him."

122. McMAHON would not sign the photograph or commit (a statement). GILROY states that on 01/08/1990 he spoke with McMAHON further and at his request showed him the photographs. McMAHON identified [NP43], signed the back of the photograph together with the date. GILROY took a statement from McMAHON and that statement and those photographs were attached to an investigation running sheet. Attached as an annexure to this statement is a copy of the statement of Detective GILROY.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 69

123. In a running sheet submitted by Detective EMMETT ("EMMETT") on 31 May 1991, she states she made inquiries with HEIDBERGER who was nominated in the [188] interview as being a person who could verify part of his story. HEIDBERGER states she knows [188] but not WARREN, and that [188] was a "well known liar and would make up stories to gain attention". A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT RUNNING SHEET-ANNEXURE 70

124. In a running sheet submitted by EMMETT on 2 June 1991, she states she made inquiries with MOON who was a former boyfriend of [188]. He stated he had never heard of WARREN, and that [188] would have "made the story up for a bit of drama". A copy of the statement is attached as an annexure.

EXHIBIT I PRODUCE THAT RUNNING SHEET-ANNEXURE 71

Witness: _____

Signature: _____

Page No: 43

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

125. In a sworn affidavit pursuant to the listening devices act (No. 16 of 1984), EMMETT on 8 April 1991 seeks the use of devices to record the private conversations of **NP19**, **NP15**, **NP21** and any other persons whose conversations may be recorded. The grounds related to the death of ALLEN, and the warrant reference number was LAPS 91/47. A copy of the affidavit is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT AFFIDAVIT-ANNEXURE 72

126. In a report in accordance with Section 19 (1) of that act, EMMETT states that conversations were had between **NP21** and **NP15** on the 11 April, 1991, and recorded. A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 73

127. A copy of the transcript (prepared by this investigation) relevant to this warrant, is attached to this statement.

EXHIBIT I PRODUCE THOSE TRANSCRIPTS-ANNEXURE 74

128. In accordance with that warrant, on the 10th of April, 1991, conversations between **NP19** and **NP21** were lawfully captured by way of listening device. The transcript for this product is recorded with the identifying document numbers 7167 - 01/2222 (29272.5).

Witness: _____

Signature: _____

Page No: 44

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

129. **NP19** (p15) says, "...You know MacKenzie's Point, that walkway...we used to do training there...I made the training squad...but they showed you that cliff where he fell and that -- - with all the condom packets and that, they used to get in the bushes, fuckin' I've caught heaps of 'em in there banging one another...walk along the cliff top, like in front of ... dickhead **NP41** and all them used to make me start it all the time, .. **NP51** and **NP23** and that, we were walking, jump up and look in the bushes, just see 'em going for it. Oh, you dirty man."

130. **NP19** continues, "And they would just keep goin'. I went, Oooh, screamed at them. They just have been that involved in it, they blocked out all the noise. The waves were heaps big and it was freezing... I had me new Boks from America on that day too, I had blood all over 'em...Went up and I go, Oooo. [REDACTED] and **NP20** come out ... come up and grabbed a handful of hair and went, Dirty fuckin' maggot...He should have gone went off the cliff that night but he didn't...only about fuckin' that high where we ...And he just went, Oooo, we went down and put a cigarette butt out on his head." I am not able to identify the victim in this matter.

Witness: Signature: 

Page No: 45

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

131. In a sworn affidavit pursuant to the listening devices act (No. 16 of 1984), EMMETT on 9 April 1991 seeks the use of devices to record the private conversations of [NP16] and [186] and any other persons whose conversations may be recorded. The grounds related to the death of JOHNSON and charging of the Tamarama 8, the death of RATTANAJURATHAPORN and the Tamarama 3, and the statements provided by [187] and [186] in relation to admissions by [NP16]. Covered in the document is also the robbery of [190] by [NP23] and [NP43], together with [NP43] and others robbery of McMAHON. The warrant reference number was LAPS 91/49. A copy of the affidavit is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT AFFIDAVIT-ANNEXURE 75

132. In a report in accordance with Section 19 (1) of that act, EMMETT states that conversations were had between [186] and [NP16] on the 11th of April 1991 and recorded. A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 76

133. A copy of the transcript (prepared by this investigation) relevant to this warrant, is attached to this statement.

EXHIBIT I PRODUCE THOSE TRANSCRIPTS-ANNEXURE 77

134. In accordance with that warrant, on the 12th of April, 1991, conversations between [NP16] and [186] were lawfully captured by way of listening device. The transcript for this product is recorded with the identifying document numbers 7167 - 01/2222 (29272.3).

Witness: _____

Signature: _____

Page No: 46

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

135. [186] (p9) says "You can't go down to fuckin' Bondi." [NP16] replies, "Can't go no cliff jumping." [186] subsequently states, "Why be a fag basher for?" and [NP16] replies, "Something to do, mate. Mate, I made fuckin', one, one guy I bashed I got fuckin' 1300...he was doing a bank run, bank run, taking money to the bank. Stopped him, smashed him, fuckin' jumped on his head, went out to his car, looked at his briefcase...Do it for the fuckin' money, mate. It's not fun, it's a sport in Redfern...Oh, it's a fuckin' hobby mate. What are you doin' tonight, boys? Oh, just goin' fag bashin'." I am not able to identify the victim in this matter.

136. [NP16] (p11) tells of an incident of "fag bashing", stating "...The first time I went, mate. No, it wasn't the first time, the second time. It was in a fucking toilet block...there was a window, O.K. And the toilet's just inside the window, and my mate, the same guys that I was with this time, they were inside punchin' the cunt out when he was standing on the toilet bowl, standin' up, and the window was smashed and I was leaning through the window...It was heaps, fun, you know, you know how it started?"...There was fuckin' one in each, chucked a golf ball in there, went ding, ding, ding, and you heard, Oh, Aaah...Then he come outside and he goes, 'Who done that?' Some fuckin' boong. Crunch." I am not able to identify the victim in this matter.

Witness: _____

Signature: _____

Page No: 47

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

137. **NP16** (p12) discusses another incident stating, "...in the fuckin' football grandstand. Heaps sick, man. Them cunts copped a bad hiding, two of 'em did anyway..We were jumpin' off the roof of his car...onto his head, mate. His head was on the gutter...." I am not able to identify the victim in this matter.

138. **NP16** (p16) continues with another incident, saying "Man, I've, I've belted heaps, I've belted one cunt three times, mate, three different times... I swear to God, mate, he had a wig...The last time I belted him, mate, I took his wig off and I chucked it in a tree...heaps way up high, chucked it in there, and before I took his wig off I pissed on his wig. I picked it up with a stick and I put it on his head...he was down on his knees, 'Don't hit me any more'. Took off his wig and pissed in it. Done heaps of fuckin' sick things, man, heaps bad...I'm not doing nothin' sick, mate, it's a sport, it's fuckin' funny." I am not able to identify the victim in this matter.

139. **NP16** (p18) discusses an incident, saying "Tied a cunt up one night with fuckin' telecom wire...and we come back and about three quarters of an hour later he was still there, so we belted him again...We said, 'You move, cunt, we'll find ya'. Never fuckin' moved, mate. We said, 'You should have fuckin' gone, you dickhead, how could we find ya.' Heaps bad. There was a write up in one of the papers, there was, up the Cross...we nearly killed a bloke, mate...We walked across the, the lights, and when he got to the other side he blew a kiss at me...nearly got hit by a car...I chased him fuckin' up the street, and I ankle tapped him and he landed and he just fuckin' hit the, you know the light pole...we just jumped on his head and just fuckin' chucked him on the road on his head..." The victim discussed is not known.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

140. **NP16** (p21) discusses a further incident, saying "This cunt, we got him, O.K. We didn't hit him, we got him on the ground and we said, 'What are you?' And first he said he was a copper. We said, 'Show us your badge cunt.' And he goes, 'Oh, I haven't got it, it's at home. I went fucking whack, 'What are you, cunt?' Said, 'An ambulance driver'...So I fuckin' cracked him again. And I said, 'What are you cunt? What are you?' And he goes, 'I'm a taxi driver'. I said, 'Fuckin', bang, bang, bang, you lied to me three times, cunt. What are you?' And he goes, 'I'm a homosexual. Fuck...boot. Oh, heaps bad, mate...Stresses me out how they lie to me all the time. Can't handle it." I believe the ambulance officer in this matter may be the victim

1158

141. **NP16** (p26) discusses another incident, "...I bashed fuckin' six guys one night...one, two, three, four places in, around my area, five minutes from my area...And there's Bondi...Centennial Park... You go in there, mate, and you go up this fuckin', they've got a hockey field up the top and you go around there, mate, and you'll see fuckin' hundreds of fags, man. We used to go in there at night. Heaps spooky, man, bats fly over you, fucking everything...You can't see fuckin' two foot in front of you but...You go for a fuckin' walk, mate, and they come up to you. We all walked by ourselves, about 15 - 20 metres apart, and they go, 'Hi'. And you just go the little boy used to go ... Heaps fun, mate."

Witness: _____

Signature: _____

Page No: 49

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

142. In a sworn affidavit pursuant to the listening devices act (No. 16 of 1984), BIGNALL on 10 April 1991 seeks the use of devices to record the private conversations of [NP21] and [NP18] and any other persons whose conversations may be recorded. The grounds related to the death of ALLEN, and the warrant reference number was LAPS 91/51. A copy of the affidavit is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT AFFIDAVIT-ANNEXURE 78

143. In a report in accordance with Section 19 (1) of that act, EMMETT states that conversations were had between [NP21] and [NP18] on the 11th of April, 1991, and recorded. A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 79

144. A copy of the transcript (prepared by this investigation) relevant to this warrant, is attached to this statement.

EXHIBIT I PRODUCE THOSE TRANSCRIPTS-ANNEXURE 80

145. In a sworn affidavit pursuant to the listening devices act (No. 16 of 1984), BIGNALL on 15 April 1991 seeks the use of devices to record the private conversations of [NP21], [NP19], [NP15] [NP18] and any other persons whose conversations may be recorded. The grounds related to the death of ALLEN and a "series of attacks upon members of the homosexual community at Alexandria Park, Mackenzies Point, Bondi and possibly other locations. The warrant reference number was LAPS 91/52. A copy of the affidavit is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT AFFIDAVIT-ANNEXURE 81

Witness: _____

Signature: _____

Page No: 50

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

146. In a report in accordance with Section 19 (1) of that act, EMMETT states that conversations were had between [NP21] and [NP42] on the 24th of April, 1991, and recorded. A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 82

147. A copy of the transcript (prepared by this investigation) relevant to this warrant, is attached to this statement.

EXHIBIT I PRODUCE THOSE TRANSCRIPTS-ANNEXURE 83

148. In a sworn affidavit pursuant to the listening devices act (No. 16 of 1984), McCANN on 3 July 1991 seeks the use of devices to record the private conversations of [NP21] and [NP16] and any other persons whose conversations may be recorded. In the affidavit, the offences disclosed include the deaths of JOHNSON, RATTANAJURATHAPORN, RUSSELL, WARREN and ALLEN. In the affidavit McCANN states he is "investigating the deaths of a number of male persons who are believed to be homosexuals. These murders are being treated by police as related inquiries and are believed to have been committed by groups of juvenile persons." The affidavit outlines the admissions by [NP16] to [187] and [186] and the warrant reference number was LAPS 91/94. A copy of the affidavit is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT AFFIDAVIT-ANNEXURE 84

149. In a report in accordance with Section 19 (1) of that act, BIGNELL states that conversations were had between [NP21] and [NP16] on the 5th, 7th and 15th of July, 1991, and recorded. A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 85

Witness: _____

Signature: _____

Page No: 51

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

150. A copy of the transcript (prepared by this investigation) relevant to this warrant, is attached to this statement.

EXHIBIT I PRODUCE THOSE TRANSCRIPTS-ANNEXURE 86

151. In accordance with that warrant, on the 5th of July, 1991, conversations between **NP16** and **NP21** were lawfully captured by way of listening device. The transcript for this product is recorded with the identifying document numbers 7167 - 01/2222 (29272.8).

152. **NP16** (p27) says, "I reckon there's a few of those, few other ones that we gotta hide too man...I reckon well... at Bondi...Smashed a guy mate. There was me, [REDACTED] **NP51** someone. Police have brought someone in with his skateboard, tossed him off a cliff, only small about five, five or six foot..tossed him off. Oh, mate. Took his car keys, tossed right out on the point, tossed his keys..Tossed 'em out into the ocean..Oh, man. We left."

153. In accordance with this warrant, on the 7th of July, 1991, conversations between **NP16** and **NP21** were lawfully captured by way of listening device. The transcript for this product is recorded with the identifying document numbers 7167 - 01/2222 (29272.9).

Witness: Signature: 

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

154. [NP16] (p3) says "We've been out there heaps of times, we went to Centennial, eh. You were there when we got the guy with the wig..There was [NP75], me, [NP51], [NP15]. We were just gunna walk by him and [NP51] goes, "I know that poofter, man, I've seen him before, I've belted him before. They'd belted him at Moore Park, when they was up the Cross before and took his wig. [NP75] pissed in it and they chucked it in a hollow tree. Just knockin' him around, man, slapped on the ...That was one of the funniest days, man." I am not able to identify the victim in this matter. I believe [NP75] to be [NP75], I believe [NP51] to be [NP51], and I believe [NP15] to be [NP15]. [NP15].

155. [NP16] (p5) continues "Bondi, man, that was like Moore Park. You know the walkway that goes around...that goes, when you go from Bondi to Tamarama...There's all fuckin' tunnels, mate, and it lead up, lead up in the bushes ...There's all poofsters up in there, heaps of them..I don't know who was there, man, but they hit him with this skateboard...Cracked him...He just fuckin screamed like they all do. 'Oh, let me go'. Just kept crackin' him. Someone pushed him over the thing about, like, 3 - 4 foot drop, something like that." [NP21] interjects and says, "Who pushed him, you?" [NP16] replies, "No, not me. I was going over to pick up his skateboard, I was gunna hit him again. 'Ah, help, help' Heaps funny. Used to love how they scream."

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

156. NP21 asks, "What did you say when you first seen him?" NP16 replies, "Oh, well, I wasn't, I wasn't there when they said something to him first off. I was comin' down from the top, from where the lookout is. One of the boys said, 'You're a poof, eh.' And I've come running down the stairs, and I just looked around, mate. They were punchin' into him. NP21 asks, "Who was that?" and NP16 replies, "... NP163, NP51, NP20, NP17 who else was there?. I think little NP51 was down too, NP134 Beat him, fuckin' grabbed his keys, ran back up to the car, searched his car...I think it was a Camry...Three keys, front door key and two car keys. Just went down there, couldn't find nothin' in the car, found about \$3.00. 'See these, cunt?' Just tossed them...in the sea...we've done a bolt, left him, went around to Tama, caught the bus home."

157. I am not able to identify the victim in this matter, but I do not believe it to be WARREN for the following reasons: WARREN's keys were not in the ocean but on the rock shelf, whomever suffered the fall survived as evidenced by their protests, and WARREN's vehicle showed no signs of being searched, WARREN's key ring had 8 keys on it and the vehicle was not a Camry. I believe NP75 to be NP75, I believe NP51 to be NP51, I believe NP134 to be the cousin of NP51, I believe NP17 to be NP17, I believe NP20 to be NP20 and I do not know who NP163 was likely to be.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

158. NP16 (p8) continues at "I remember we got one out there, NP50 was out there telling him to drop his pants and gave him a cigarette, said, 'Burn your dick..." NP21 asks "What, where was that?" NP16 replies, "Bondi...Burn your dick, man." NP21 asks, "Did he?" and NP16 states, "Yes, fair dinkum. Sick cunts, man." NP21 asks, "Who done that?" NP16 replies "NP50" "NP50 was a known associate of the group I know as the Alexandria 8.

159. NP16 (p9) discussing Bondi says, "Only went out there about three times." NP21 says, "Did you shit when you pushed him off the cliff?" and NP16 replied, "It was only small, probably about this high. Just dropped...someone pushed him. Just got up and started screaming." NP16 goes on to describe him as a "pretty big" lad. I believe WARREN at the time of his disappearance to be of slight to medium stature.

160. On the 15th of July, 1991, conversations between NP16 NP16 and NP21 were lawfully captured by way of listening device. The transcript for this product is recorded with the identifying document numbers 7167 - 01/2222 (29272.10).

161. NP21 (at p4) asks, "Did you go all the time to Bondi?" and NP16 replies "...No, I've been there a couple of times about 3 or 4 times." NP21 later (p6) says, "I was talking about the one at Bondi...when you got that cunt and you got that car with the keys and that." NP16 replies, "Yeah, oh, well, Bondi Junction, oh, Bondi Beach where it's got that pool...just up the top there, that road comes in, it's a dead end." NP16 (at p7) when questioned says it was "Unlocked", and NP21 asks "Did you search it by yourself?" to which NP16 replies, "Yes."

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

162. [NP21] says, "Yeah, you should have took that car. Fuck. It would have been mad. Should have come around and picked us up in it. Wrapped it." [NP16] says, "Can't drive. Never driven before in me life, mate... [NP51] could, but I wouldn't get in a car with him, you know...he's fucked." [NP16] then says, "It was dry, I wouldn't go out there if it was rainin'. Don't go nowhere if it rains in case..." [NP21] asks "Was it night time or - - ?" and [NP16] replies, "Yeah, at night...about 11, 11-30."

163. I am not able to identify the victim in this matter. The time suggested by [NP16] is somewhat earlier than the time WARREN would have arrived at Marks Park. I believe the location described by [NP16] where the subject vehicle was parked was Notts Avenue at Bondi, which ends in a cul-de-sac and is adjacent to the swimming pool home of the Bondi Icebergs.

164. [NP21] (p9) says, "Did you hear about that fag that [NP19] and that got? And [NP19] hit him across the head with a sledgehammer in the mouth..They went up to him and go, 'What are you gay for?' And the bloke went to say something and [NP19] says, 'Don't talk, 'cause you're dead.' Hit him across the mouth with the sledgehammer, it's only a little one..." [NP21] then says, "I suppose [NP19] done heaps of them. He used to go every day." [NP16] replied, "Yeah, him and [NP77], mate, they used to go every day."

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

165. Further to the sworn affidavit pursuant to the listening devices act (No. 16 of 1984), by McCANN of 3 July 1991 he states in Para 21 that "On 12 June, 1991, [NP16] was interviewed by Sergeants SAUNDERS and PHILLIPS of Redfern Police about his possible involvement in homosexual bashings. He has denied his involvement to them." In a statement obtained from Detective Sergeant PHILLIPS on 14 August, 2001, he states he recalls with Detective Sergeant SAUNDERS attending the Keelong Detention Centre to interview [NP16] in relation to other robbery offences on gay males. PHILLIPS says that [NP16] either declined to be interviewed or denied any involvement in those offences, and due to the passage of time he does not recall the specifics or exact conversation. PHILLIPS says that to the best of his recollection, he did not interview [NP16] in relation to the deaths of WARREN and RUSSELL. PHILLIPS says he is not able to state the date he interviewed [NP16], but he has no reason to believe the date suggested by McCANN to be incorrect. A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 87

166. Located in archived documents at the Information and Intelligence Centre were 21 audio tape copies (presumably of Nagra original tapes) utilised to prepare the transcripts before the court. Those tapes were transcribed by this re-investigation. To locate the original tapes inquiries have been made at the State Technical Surveillance Branch and the Homicide and Serial Violent Crime Agency. The location of the original tapes is not known.

Witness: _____

Signature: _____

Page No: 57

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

167. Located in archived documents at the Information and Intelligence Centre was a copy of an undated report submitted by (then Detective Senior Constable) Mark WINTERFLOOD outlining that he had received informed from Miss X (believed to be Miss X) that NP57 was "...into poofter bashing...and boasted to her that she was present while Warren was bashed and killed by this group and then thrown off some rocks into the sea." A copy of this report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 88

168. On the 3rd of April 1991 under the heading of "Crime Information Unit to investigate spate of murders and bashings" a media release was published by the Police Service. The release only disclosed information regarding the deaths of TONKS and ALLEN. A copy of the document is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT MEDIA RELEASE-ANNEXURE 89

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

WARREN INVESTIGATION

169. On the 23rd of August, 2000, I submitted a report to the Coroner in relation to the suspected death of WARREN. A copy of that report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 90

170. ROBINSON provided a statement dated 24 July 2000 that about 8.15pm on 23 July 1989 he spoke with Craig ELLIS ("ELLIS") and Paul SAUCIS ("SAUCIS") at the Paddington Police Station and they say they believed WARREN had gone missing. ROBINSON completed a report of the disappearance, and the following day has circulated a statewide "wireless message" of the disappearance.

171. ROBINSON then states that the following morning ELLIS and SAUCIS have conducted a search of Marks Park at Tamarama and located the vehicle owned by Ross WARREN. Sergeant ROBINSON states that later that day ELLIS and SAUCIS returned and informed him that keys to WARREN's vehicle was located at the waters edge near the headland. ROBINSON stated that subsequently a canvass was organised by detectives, together with a search of the area by the water police and air wing.

172. ROBINSON states that on 24 August 1989 he has arranged approval of Mrs Kay WARREN for publishing of a photograph of WARREN. ROBINSON states that in 1990 (about the anniversary of the disappearance) he assisted Detectives with information received that WARREN living in South Australia with a man by the name of [188]. [188] was subsequently interviewed and indicated he had "no knowledge regarding a Ross Bradley WARREN".

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 91

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

173. On the 14 August 2001 I obtained a further statement from ROBINSON in relation to this matter. ROBINSON acknowledges that the wireless message of the disappearance of WARREN was not broadcast until 8.59am on 24 July 1989, and that his statement of 16 July 1991 was in error and that WARREN's vehicle was located outside [REDACTED] Kenneth Street at Tamarama, not Fenneck Street as documented. ROBINSON says he is not able to describe the position or condition of the vehicle any further, and he has no clear recollection of the finding of the keys. He does not recall how many keys were on the key ring and is not able to comment why the positioning of the vehicle and keys were not recorded by way of photograph.

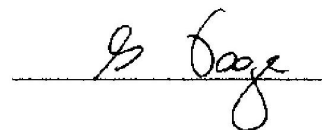
EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 92

174. On the 25th of September 2000 I obtained a typewritten statement from ELLIS. He stated that he was gay and met WARREN at Marks Park at Tamarama about April 1988 and after a brief relationship maintained a friendship with him. He stated that in July 1989 he was living at [REDACTED] Albert Street at Redfern and WARREN was living in a unit in Wollongong by himself. He states WARREN was a kind, well-spoken, considerate person and fairly reserved. He states he did not see WARREN have mood swings or signs of depression, however, he was not totally happy with living in the Wollongong area.

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

175. He states that the time he knew WARREN, he was a presenter on the local TV station Win4 and trying to get a start as a presenter on a Sydney station. He states that on Friday the 21st of July 1989 WARREN arrived at ELLIS's home address about 7 or 8pm, behaved normally and was in good spirits. Also present was SAUCIS and ELLIS's flatmate Amanda. WARREN invited ELLIS and SAUCIS out for drinks with a workmate Phillip, to which they declined, and, discussed going to a movie the following day. ELLIS does not recall if WARREN had a meal with them, but recalls him making a few telephone calls from the house. WARREN left the house about 11pm, and drove away in his brown Nissan Pulsar sedan. WARREN was to stay at that house for the weekend. He did not return.

176. Early the following evening, SAUCIS and ELLIS became concerned that WARREN did not return, and on the Sunday ELLIS contacted Win4 and established that WARREN did not turn up for work. ELLIS and SAUCIS then attended Paddington Police Station and spoke with ROBINSON, to whom they reported him missing.

177. ELLIS and SAUCIS began to think of places that WARREN may be, and that evening they went to Marks Park at Tamarama (where ELLIS and WARREN first met) and located WARREN's vehicle nearby. They then returned to Paddington Police Station and had a further conversation with ROBINSON. They were informed of the recovery of a male body which was later established not to be WARREN.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

178. ELLIS states the following morning he went with SAUCIS to Marks Park and conducted a search, walking around the park, the walkway and rockshelf. He states he found WARREN's keys at the base of the rockface, on a shelf in a section of honeycombing of the sandstone.

179. ELLIS states that prior to the finding of the keys, he did a door knock of local houses and spoke to residents and gained no relevant information. ELLIS does not believe that WARREN would have committed suicide, based on his knowledge of WARREN's personality and outlook on life. ELLIS has not seen WARREN since, and is not aware of the names of any of WARREN's associates.

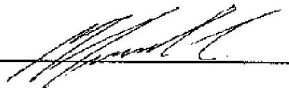
EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 93

180. On the 25th of September 2000 I also obtained a typewritten statement from SAUCIS which corroborated the statement of ELLIS.

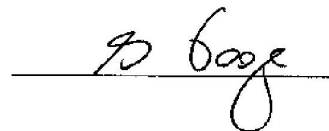
EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 94

181. Later that date, with ELLIS and SAUCIS I attended Marks Park and ELLIS identified generally the areas where he believed the keys and car were located, but he could not recall exactly. This aspect was later completed thoroughly with a video run-through.

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

182. On the 2nd of August, 2001, a further statement was obtained from Craig ELLIS. He adopts the first statement as being true and correct, and that he now believes the telephone number for Albert Street Redfern was possibly [REDACTED], and comments that he does not recall previously speaking with Philip ROSSINI regarding WARREN. ELLIS then states that earlier that date he participated in a run-a-round with investigators at Marks Park, during which he was asked a number of questions. Those questions together with his answers were electronically recorded as the process took place. During the conduct of the interview, ELLIS indicates the location of where he recalls he found WARREN's vehicle, together with the location of where he recalls he found WARREN's keys. Attached as an annexure to this statement is this supplementary statement of ELLIS.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 95

183. The conduct of the run-a-round commences at 11.38am on the 2nd of August, 2001, at Marks Park. I was present, as was Senior Constable TASESKI (Video Operator), Detective DAGG (Interviewer) and Detective INGRAM (Assistant-Observer). ELLIS (P2) adopts the durat and agrees to be electronically recorded and outlines the location of the finding of WARREN's vehicle (P2), examines a photograph and agrees it depicts WARREN's vehicle but not the location he found it (P4), the vehicle was locked with no sign of disturbance (P4).

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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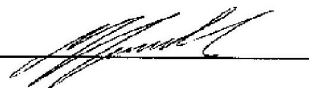
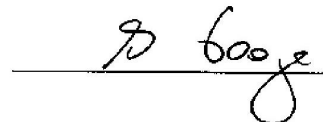
184. ELLIS continues and says he and SAUCIS went for a walk into the park as they believe the reason the vehicle was parked where it was is due to him attending that park (P5). ELLIS states they walked down steps, and walked towards the north to see if there was any sign of WARREN, returned and walked to the south. Having found nothing, ELLIS has come down the cliffs to see if there was anything at the base of the cliffs (P6). ELLIS walks down a "fairly easy to walk down" path to the rockshelf at the bottom of the cliffs by himself, and says that it was either calm seas or a lower tide. He "happened upon" WARREN's keys sitting in a pocket on one of the ledges (P8). ELLIS states he doubts the keys could be washed up into that position, and recognises them from the keyring.

185. ELLIS is unable to identify the exact location where the keys were found but indicates the general area (P8). ELLIS states he was "pretty scared, shocked horrified" when he found the keys. ELLIS then states he speaks with SAUCIS and they contact police (P9). ELLIS indicates that he met WARREN at Marks Park and indicates the general area where they met, and the signal sent was eye contact (not usage of keys). They had a chat and went elsewhere.

186. ELLIS states he met him at night time, between 9pm and 12 midnight. ELLIS states he was in a relationship with WARREN for 3 or so months, then became quite good friends. ELLIS states that in the 15 months or so he knew WARREN, he was aware on about two or three occasions when WARREN indicated he was going to the Marks Park beat (P11).

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

187. ELLIS states that WARREN was conservative and would have preferred to participate in sex elsewhere but it would not have been unheard of for him to have sex in a public place (P11). ELLIS adopts the interview as being true and correct (P12) and the interview is concluded at 12.02pm. A copy of the transcript of the run-a-round is attached as an annexure to this statement.
EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 96

188. I have later established that Phillip ROSSINI ("ROSSINI") was the male who WARREN socialised with prior to his disappearance. ROSSINI now resides in New York, and I was able to communicate with him by the e-mail address of [REDACTED]. Through that telecommunication services I received an e-mail from ROSSINI.

189. In that document, he stated in July 1989 he spent a few hours having drinks with WARREN in Sydney, and says he was wearing a white 'T' shirt with "Felix" printed around the neck, a black sports coat and blue jeans. He states WARREN was in high spirits and not depressed. During the evening they had small talk, and they were not drinking excessively - if at all.

190. ROSSINI states he left WARREN at Taylor Square and WARREN indicated he was returning to his friends house. He later saw WARREN drive in his car east along Oxford Street at Taylor Square, and has not seen him since.
EXHIBIT I PRODUCE THAT E-MAIL - ANNEXURE 97

Witness: _____

Signature: _____

Page No: 65

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

191. In an effort to locate police who had involvement in the original investigation, I contacted Detective Sergeants RYAN ("RYAN") and GLASCOCK ("GLASCOCK"). These police were recorded as assisting BOWDITCH, in a similar manner to SHARROCK. Attached to this statement is statements supplied by RYAN, GLASCOCK and SHARROCK who had no involvement in this investigation - in conflict to the document submitted by BOWDITCH.

EXHIBIT I PRODUCE THOSE STATEMENTS-ANNEXURES 98, 99 AND 100

192. On the 19th of February 2001 I obtained a statement from BOWDITCH. He stated he became involved in the investigation of the disappearance of WARREN on or about the 24th of July 1989 and had carriage of the investigation. He stated he met with SAUCIS and ELLIS and it became apparent that WARREN was a reliable person. He further says that formal statements were obtained from SAUCIS and ELLIS, and this at odds with what SAUCIS and ELLIS have previously told me at the time I took typewritten statements from them.

193. He outlines information previously established by ROBINSON, and that the wallet of WARREN was found to contain \$70 in the glovebox. He states that no items of significance were found in the search of the Marks Park area by the Water Police and Air Wing - which was organised by ROBINSON. BOWDITCH states he later organised Detective Sergeant GREEN ("GREEN") to search the residential unit of WARREN at Wollongong and no items relevant to the investigation were found. He later obtained health and dental records of WARREN, together with recent photographs. My inquiries have been unable to locate those medical records.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

194. BOWDITCH states that there is nothing to suggest WARREN's disappearance was the result of foul play or a deliberate ploy to disappear. He says the area where WARREN is believed to disappear is a gay beat, but there is nothing to suggest his disappearance was gay related.

195. BOWDITCH says that the area where WARREN disappeared was particularly slippery due to recent rains, and the recent weather conditions included rain with a full moon. BOWDITCH states that there is a distinct possibility that WARREN may have slipped on the rock ledge overlooking McKenzie's Bay. BOWDITCH states a brief of evidence was created and forwarded to the Missing Persons Unit in addition to being filed at the Paddington Police Station. I am able to say that a search was conducted of the Paddington Police Station and Missing Persons Unit and no brief of evidence is on hand in relation to this matter.

196. BOWDITCH stated he created Occurrence Pad entry 7/149 (of 1989) at Paddington Police Station in relation to this matter.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 101

197. Attached to the missing persons unit file that I received to initiate this investigation, was a copy of Occurrence Pad entry.. ~~At a~~ search of the Paddington Police Station revealed the original (or others of 1989) were not on hand and likely to have been destroyed. This Occurrence Pad entry has been previously introduced and is attached as Annexure 7.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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198. The occurrence pad entry shows that a canvass was conducted by ELLIS and SAUCIS, together with police. It does not show the extent of the canvass, nor does it identify which police assisted with this function. The document outlines the circumstances surrounding the disappearance of WARREN which was established from witnesses, together with a search of WARREN's flat. The report indicates that a headline article in the Daily Telegraph of 26 July 1989 suggested that police were of the view that WARREN had been murdered, and that this is not the view of investigating police. In my experience it is usual to record incidents of significance on the Occurrence Pad around the time of the occurrence, not several days later.

199. A report provided by Laraine TATE of the Police Service Corporate Archives Section dated the 10th of January, 2001, states she was an occurrence pad entry relating to the reported disappearance of WARREN which was created by ROBINSON on the 24th of July, 1989. TATE further states that there are no other records on hand at Corporate Archives relative to WARREN. Attached as an annexure to this statement is a copy of those documents.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 102

200. On the 31st of July, 2001, with Detective DAGG I attended the Information and Intelligence Centre at Strawberry Hills. We spoke with Vanessa MILBURN ("MILBURN") and discussed archived investigations submitted by Detective Sergeant McCANN through the now closed Modus Operandi Unit. Whilst examining the holdings, MILBURN showed us several items of a personal nature relevant to Ross WARREN. Those items were subsequently subject to fingerprint examination and no information of interest was located.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

201. These included:

- One MADD card (no further markings).
- One Wollongong Library Card in the name of WARREN.
- Two payments to Radio Rentals dated 26/05 and 07/07/1989.
- Drivers license in the name of WARREN, paid 13/07/1989.
- ANZ night and day transaction record (indecipherable).
- Let's Go Video (of Wollongong) card, account [REDACTED].
- Wollongong City Library card in the name of WARREN.
- ANZ Visa [REDACTED] (name of WARREN) issued 07/89.
- Written paper "Derrick [REDACTED] Ruthven St Bondi Jnct 3876730"

Copies of the items are attached as annexures to this statement.

EXHIBIT I PRODUCE THAT DOCUMENT COPY-ANNEXURE 103

202. Outlining the finding of these documents is a statement from MILBURN, and a copy is attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 104

203. The documents I have just outlined were secured as exhibit C607380 and conveyed to the Fingerprint Section on the 3rd of August, 2001, by Detective DAGG.

204. In relation to the Visa account held by WARREN (previously mentioned) an affidavit was obtained from Deborah Margaret DIMMOCK ("DIMMOCK") an authorised officer of the Australia and New Zealand Banking Group Limited ("the organisation"). In that document DIMMOCK states that she is unable to locate any accounts in the name of WARREN and account number [REDACTED] [REDACTED] is not on file. The affidavit was prepared in response to an Order under Section 14F of the Coroners Act. Attached as an annexure to this statement is the affidavit of DIMMOCK, together with a copy of that order.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 105

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

205. In relation to the drivers license held by WARREN (previously mentioned) a certificate was obtained from the Senior Clerk in charge of records at the Roads and Traffic Authority ("RTA"). The certificate shows that WARREN's license with the RTA lapsed on the 13th of May, 1990 and his last transaction with the RTA was in 1987. Attached as an annexure to this statement is the RTA certificate.

EXHIBIT I PRODUCE THAT CERTIFICATE-ANNEXURE 106

206. As a result of a request, Detective LIDDLE of the Fingerprint Section examined holdings of that branch in relation to these, and other, exhibits relative to WARREN. Fingerprint case numbers are [REDACTED], [REDACTED] and [REDACTED]. Detective LIDDLE examined photographs and fingerprint files relative to fingerprints developed on a brown paper bag, Grace Brothers bag, audio cassette case, Jeans movement bag, drivers license and Radio Rentals receipt. It appears the other exhibits may have been located in WARREN's vehicle initially. LIDDLE is an expert in the Science of Fingerprints, and states fingerprints developed and identified belonged to WARREN.

207. LIDDLE conducted a search of records maintained by that section, and it appears that no fingerprints were developed on WARREN's vehicle NZC783. Attached as an annexure to this statement, is a copy of the statement of Detective LIDDLE.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 107

208. A further statement was obtained from Detective LIDDLE where he states he examined records relating to the examination of vehicle NZC783 and as far can be ascertained, no fingerprints were developed on that vehicle.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 108

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

209. Amongst the notes produced by MILBURN was a document with the name of Peter ANDREA of Win4. The notes appeared to have been made by an investigator. I subsequently contacted ANDREA and a statement was obtained from him. ANDREA knew WARREN through the WIN network, and for about a year prior to him going missing.

210. ANDREA recalls a conversation where WARREN states he is "keeping a low profile" as he was caught having a sexual relationship with a lady and she was involved in a relationship with another man. WARREN has stated he had sex with the woman on a lounge and at Liverpool. WARREN apparently was not too concerned about the females male partner, and he did not state the individuals names. ANDREA states the conversation took place no longer than a fortnight prior to WARREN disappearing.

211. As outlined elsewhere in this statement, call charge records are not available to assist with WARREN's associates prior to his disappearance. There is no further information available which could confirm or deny WARREN's involvement with a female. I know of no links between WARREN and the Liverpool area. I see there some correlation between this story, and the love triangle WARREN was apparently involved in, including Michael MATHISON and Ken MARSH. The statement of ANDREA suggests he was not aware WARREN was gay prior to his disappearance, so ANDREA was not in a position to judge whether this stated relationship was out of character for WARREN.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

212. ANDREA states that WARREN was conservative, and may well have changed the facts slightly. ANDREA nominated Andrew BELL who was a close colleague of WARREN. BELL was contacted by Detective Sergeant NUTTALL and could offer no information to assist this investigation. BELL stated he was in the U.K. at the time of the disappearance and has no knowledge of WARREN's associates at that time. Attached as an annexure to this statement is a copy of the statement of ANDREA.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 109

213. In relation to the document "Derrick, [REDACTED] Ruthven St, Bondi Jnct, [REDACTED]." inquiries with Telstra reveal that the subscriber details of that service are no longer available. The owner of the premises, Mrs TAN was spoken to on 20 November 2001 and stated she owned those premises, at least as far back as 1986. She stated that she did not know the name "Derrick" and had no records to assist her.

214. Ms TAN stated the property was managed during 1989 by the real estate business of Richardson and Wrench at Randwick which later became Remax Gold at Bondi Junction. David PALMA, Property Manager, Remax Gold at Bondi Junction was spoken with, and stated that the property was previously managed by George SAVVA Pty Ltd and that records of tenancies were no longer available. Correspondence confirming this advice was placed into letter format and is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT LETTER-ANNEXURE 110

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

215. As a result of a subsequent media release which will be discussed later, a statement made by Derrick HUTCHINSON ("HUTCHINSON") dated the 23 April 2002, he states that in 1989 he resided at [REDACTED] Ruthven Street at Bondi Junction. He met WARREN at a gay beat on the Gold Coast about 1983 or 1984 and afterwards remained friends with him. Later when WARREN move to Wollongong and HUTCHINSON moved to Sydney they would catch up socially. HUTCHINSON believed that WARREN continued to visit "beats", but did not visit them with him. HUTCHINSON himself has visited the Marks Park beat on about five or ten occasions, and can not disclose violence as a result of those visits.

216. HUTCHINSON believes that WARREN was not in a relationship at the time of his disappearance. HUTCHINSON has no knowledge as to how WARREN may have met his death. A copy of the statement of HUTCHINSON is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 111

217. In a statement dated the 24th of January, 2001, Kerry KINGSTON states he is the Managing Director of the Win network and first met Ross WARREN in May 1987 after he commenced work with the organisation. He stated WARREN appeared happy at work and was well liked by staff. WARREN declared his homosexuality to KINGSTON. He states that he noticed no changes in his behaviour leading up to his disappearance. He has not seen or heard from WARREN since his disappearance. A copy of that statement of KINGSTON is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 112

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

218. In a statement prepared on the 25 March 2001, by Inspector Mark MURDOCH he states that on the 1st of June, 1994, he met with [198] and discussed the disappearance of WARREN. [198] stated that he knew WARREN for about 12 months prior to his disappearance, and introduced WARREN to Gregory FERGUSON ("FERGUSON"), who was employed as a Flight Service Director with Qantas. [198] states this occurred about 3 months prior to WARREN's disappearance, and they later became intimate. [198] alleges that at the time of his disappearance, WARREN was in the process of ending the relationship with FERGUSON and FERGUSON was opposed to ending it.

219. [198] stated that FERGUSON may have been motivated to kill WARREN for ending their relationship. [198] described FERGUSON's re-action to WARREN's disappearance as being "under-stated" which he considered to be unusual. [198] stated that FERGUSON became panicky about the possibility of being interviewed by police.

220. MURDOCH states that he later made inquiries with William DAVENPORT of Qantas Airways Ltd, who stated that FERGUSON departed Australia on 20 July, 1989, and returned on 24 July, 1989. A copy of the statement of MURDOCH is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 113

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

221. On the 20th of June, 2001, a statement was obtained from FERGUSON. He stated he met WARREN in early 1988 at a function at Channel 7 studios, and knew at the time he worked for the WIN network. He stated that he kept in touch with WARREN and they would go out socially. He states about a month after meeting WARREN he went to a party hosted by [198], and saw WARREN at the party and felt relieved there was someone there he knew. [198] states he later developed feelings for WARREN, and later "dated" for six weeks. FERGUSON states he went to Marks Park at Tamarama with WARREN on about 3 or 4 occasions and would sit and talk beneath the lookout. FERGUSON states WARREN broken off their relationship in early 1989, describing FERGUSON as "clingy". FERGUSON states he was "upset" at the relationship ending, and later saw WARREN out socially where they would only nod as acknowledgment.

222. FERGUSON states the only friends of WARREN's he knew were Derek (believed to be Derrick HUTCHINSON), [198] and another male who's name he could not recall. He stated this male was employed as a Qantas flight attendant and was a former police officer. FERGUSON describes WARREN as cool, calm and collected and not prone to depression. [REDACTED]

FERGUSON later states he has no knowledge as to what happened to WARREN. A copy of the statement of FERGUSON is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 114

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

223. On the 15th of February, 2001, Chief Inspector GREEN ("GREEN") prepared a statement, and said that on the 26th of July, 1989, whilst on duty at Wollongong Police Station he received a telephone call from BOWDITCH and they discussed the disappearance of WARREN. GREEN recalls access to the unit being gained with keys in the possession of Mr and Mrs WARREN which were found at Bondi. GREEN states with other police he went to [REDACTED] Smith Street at Wollongong with the WARREN's, and examined the unit. The unit was found to be in an untidy state, and a number of photographs are available which depict the condition of the premises. No evidence was gathered that would support a possibility of suicide. A copy of the statement of GREEN is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 115

224. On the 24th of April, 2002, a further statement was taken from Christine JONES ("JONES"). She states that whilst doing on-air make-up for WARREN she became friendly with him. JONES refers to her previous statement and focuses on WARREN's male friend "Ken". WARREN informed JONES he broke off a love triangle with "Ken" at least a month prior to his disappearance. JONES states that WARREN was an up-beat presenter, and personally was very jovial. JONES also states that WARREN was "tight" with his money, and in the weeks leading up to his disappearance was complaining of having to spend \$38 to replace a side mirror to register to his car. JONES states he was close to his family, and does not believe suicide to be a likely explanation for his suspected death. JONES also states because of the closeness with his family, it is unlikely that WARREN would disappear and not contact them. A copy of the statement of JONES is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 116

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

225. On the 9th of July, 2001 a statement was obtained from Margaret PILLON in relation to her now deceased husband Arthur PILLON ("PILLON") She states that her husband Arthur PILLON passed away on the 4th of June, 1993. She states her son Klaus PILLON owned the security business "K.P. Security Services" and PILLON use to work for his son. Primarily they would do payroll banking for several companies. Margaret PILLON states both she and PILLON had security licenses and she would always travel with her husband to Sydney to do payroll runs. She states that in 1990 her husband had a heart by-pass operation, so she would always assist her husband with her duties.

226. She states they never did payroll deliveries to "homosexual strip joints", and that her husband did tell lies. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 117

227. On the 9th of July, 2001, a statement was prepared by Sergeant REES ("REES") in relation to PILLON. He states on the 18th of March, 1991, he spoke with PILLON and they had discussions in relation to WARREN. REES subsequently put this information into an Intelligence Report, and it stated generally that PILLON about three weeks earlier saw WARREN whilst doing a pay-roll delivery at a homosexual strip joint at Bondi. PILLON alleges he said, "I know you. You are the fellow off Channel 4 who has gone missing." It is alleged WARREN replied, "Get lost. I have my reasons for disappearing, now get out." REES reports initially that PILLON is not trustworthy, and in the statement suggests PILLON was a person of doubtful character and was not held in high regard locally. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 118

Witness: _____

Signature: _____

Page No: 77

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

228. In a statement which is covered more comprehensively elsewhere in this statement, Constable SCANLAN, a Gay/Lesbian Liaison Officer and Intelligence Officer at the Bondi Patrol, states to his knowledge there are no "gay strip joints" in that area.

229. On the 19th of June, 2001, a statement was prepared by Constable WILLIAMS ("WILLIAMS") who was attached to the Missing Persons Unit. She states that inquiries were conducted in relation to WARREN (which may suggest he was alive) and organisations canvassed were Australian Police Services, Centrelink, Department of Immigration and Multicultural Affairs, Australian Taxation Office, Births Deaths and Marriages. No evidence of WARREN surviving after his disappearance was located. Investigations were conducted in relation to all unidentified bodies, and no bodies appeared to have a similar appearance to WARREN. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 119

230. On the 30th of August, 2001, a statement was prepared by Senior Constable WICKS ("WICKS"). WICKS states that on the 21st of July, 1990, he was working at the Wollongong Police Station and about 11am that day he received a telephone call from an male person who remained anonymous. The caller stated that WARREN was currently living in South Australia with [188] (" [188] "), and that [188] was his former boyfriend. The caller stated that he spoke to WARREN who stated he staged his disappearance because he owed money in Sydney for drugs. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 120

Witness: _____

Signature: _____

Page No: 78

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

231. On the 21st of August, 2001 a statement was prepared by Constable CHOCK ("CHOCK") who states that on the 21st of July, 1990, he received a telephone call from WICKS and as a result he prepared an occurrence pad entry for the attention of Detective BOWDITCH outlining the [188] information. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 121

232. On the 13th of March, 2002, a statement was prepared by Inspector HOFF ("HOFF") who states that on the 3rd of October, 1990, he was contacted by Detective BIGNELL ("BIGNELL") and as a result went to premises at Kent Town and spoke with [188]. [188] He states [188] later accompanied him to Adelaide CIB interview room and an interview was conducted on both audio and video. HOFF states that his impression of [188] at the time was not good, and he appeared to be affected by alcohol or drugs. HOFF states that [188]'s answers were not consistent to the questions put to him. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 122

233. An audio tape copy of the interview between HOFF and [188] was transcribed. [188] was interviewed on the 3rd of October, 1990, and stated that he started going out with WARREN in "November last year" (p2). [188] said he met WARREN in a gay night-club in Wollongong, called "Hot Gossip" and previously "Signals". [188] said he would see WARREN about three days per week. [188] said WARREN was in financial difficulty, dealing with certain people in the drug business (p4).

Witness: _____

Signature: _____

Page No: 79

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

234. [188] says that WARREN went 'off-air' because WIN TV were not happy with his work performance, and went off on a Friday night. [188] said he came to Sydney for the Mardi Gras (apparently also known as "Rats") party at the Hordern Pavilion and met WARREN there about 11pm. [188] says WARREN left before 3am with a boy. WARREN said he was going for a drive to the beach, and return in an hour and did not do so.

235. [188] says he was not a "very liked person" (p5), and WARREN was outcast because he was going out with [188]. [188] suggests (p6) that WARREN's disappearance was planned, having been informed by two people close to him. [159] and [177]. [188] (p7) suggests that WARREN disappeared to his associates about December, but that [188] saw him in January at the "Rats party" at the Hordern Pavilion.

236. [188] says he does not know the name of the young male he left with, and believes that WARREN is alive (p8). [188] suggests that WARREN previously acted out his death (p9) about three or four years ago. [188] is not able to give the age of WARREN, only describe him as being in his twenties.

237. It is suggested by HOFF that [188]'s answers are not making sense, and [188] states he is on three doses of valium a day.

238. [188] (p12) says he spoke to Trish HEIDBERGER about a month ago, and she believed WARREN to be in the Northern Territory, and gives varying versions of her working for Qantas and Ansett.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

239. [188] (p16) says that [177] previously was in a relationship with WARREN, and WARREN was friends with the "Jerome" brothers who owned an organ shop in Crown Lane, Wollongong.

240. [188] (P16) says that he last saw WARREN on January 1st that year. [188] (p21) says the disappearance was "framed up" and that he was staying in Sydney at Panorama (possibly TAMARAMA) and discusses seeing WARREN's car, with the doors open and keys, but with no one inside. [188] says the car was brown and may have been a Ford Laser. [188] says the car had Win TV symbols on it.

241. [188] continues (P24) and names the person WARREN was staying with as Stephen KING, and KING is a friend of [159] [159] KING is apparently associated with "the family". He continues (p28) saying WARREN owed money for drugs to Rod STRINGER, a business partner of [159] in the nightclub.

242. [188] (p29) says WARREN also owed money to a "Steve" whom he lived with at Redfern for a few weeks, and Steve lived with another male and a female. This was apparently a dwelling on the "main street" of Redfern. [188] says (p30) that WARREN owed about five or six thousand dollars, and dealt with "some boys" in prostitution.

243. [188] (p30) says WARREN took out a loan for his car and was contemplating buying a unit in Corrimal St - WARREN in fact lived in Smith Street. He further states that WARREN previously went missing in Perth (p32). [188] (p34) has the proposition put to him that WARREN may have been killed or injured, and replies, "Well, they would have found his remains by now."

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

244. [188] says he spoke with Peter ANDRE (believed to be ANDREA), and he was informed WARREN was seen in the Northern Territory.

245. [188] (p38) when questioned further, states that it was January 1989, not 1990, that he was with WARREN at the Rats party and says he did not go to any parties in July of 1989. [188] then suggests that the Rats party was a Saturday night, and it was the following day (Sunday) he saw WARREN's car with doors open and key inside.

246. [188] (p45) in clarification changes the last occasion he saw WARREN, and says it was the end of December, 1989. He continues and states that WARREN could be in the Northern Territory, but not with his parents. [188] says he could be with his two brothers (he has one). A copy of the transcript is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 123

247. Interestingly, STRINGER is linked to RUSSELL through the statement of REDMILE, who states he owned the Farm "Tara" in the Berry region, which may have been known as the Woodhill Duck and Poultry farm. Inquiries reveal that STRINGER now resides in Queensland and I have been informed a response to the allegation that he was owed drug money by WARREN will be provided in writing by his legal representative Wayne FLYNN, Barrister.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

248. I have been informed by [1177] that he has no knowledge of the pre-planned disappearance of WARREN and that he was never intimate with WARREN. I have been informed that a separate submission will be organised through his management company Stacey Testro International. As [1177] is a media personality, I would ask that to protect his interests a non-publication order on his identity be made to protect his character and livelihood.

249. On the 18th of December, 2001, a statement was obtained from Sara O'BRIEN. O'BRIEN contacted investigators after a media release which will be canvassed later. She states that she was a member of the Police Service stationed at Nowra, and shared accommodation with Jeanette PRADOVANIC. She states PRADOVANIC became friends with [NP57], and [NP57] would visit their residence. She alleges [NP57] stated, "I saw these blokes in Sydney flog some fella for being a poof. What do you reckon I should do?...I was in Sydney with a car full of mates and we would just drive along and they would just pick out blokes and flog them...just roll them and teach them not to be fucken poofers..I think one of them might have died."

250. O'BRIEN continues, "I think one of them may have been that TV guy...That WARREN guy. They robbed him and bashed him...near some cliffs." A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 124

251. On the 17th of December, 2001, I spoke with PREDOVNICK and she stated that she did live in Nowra with Sarah O'BRIEN, and that the name [NP57] is familiar to her. PREDOVNICK stated, however, she can not put a name to that face and has no knowledge of the death of WARREN.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

252. As a result of a profile of holdings relative to [NP57] [NP57], an Intelligence report submitted by Constable BOEG on 29 August, 1989, was located. BOEG states "information received is that [NP57] associates with several Lebanese persons who regularly assault homosexuals. It is thought that [NP57] and her associates have assaulted the missing persons Ross Warren a channel 10 (sic) newsreader." BOEG continues with "The information came from a friend of [NP57] who had been in Sydney with her when she was bragging about the incident." Notation on the document suggests a copy was forwarded to Detective BOWDITCH at Paddington together with The Missing Persons Unit. A copy of the document is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 125

253. In a statement provided by Sergeant BOEG, he states he has examined the subject Intelligence Report relative to [NP57] [NP57] and has conducted searches for documents to assist him.

254. BOEG says he is unable to locate anything to assist his memory as to the source of the information. A copy of the statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 126

255. As a result of WARREN indicating on the night of his disappearance indicating to ROSSINI he did not wish to see "Ken", and subsequent M.C.S.S inquiries that showed "Ken" to be Ken MARSH, efforts were made to locate him.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

256. As a result of investigations, Ken MARSH was identified as Kingi MARSH and he was spoken to at 10.15am on the 27th of March, 2002. With Detective MORIESON I met MARSH ("MARSH") at the Waverley Police Station. MORIESON, MARSH and I went to a nearby interview room. I asked MARSH a number of questions. My questions together with MARSH's answers were electronically recorded both on audio and video as the interview took place. At the conclusion of the interview, Sergeant BOND was introduced to MARSH and an adoption process took place. The interview was then concluded.

257. MARSH stated he has walked the coastal walkway, but never been to Marks Park during the hours of darkness. MARSH states he was not previously aware Marks Park was a gay beat. MARSH states he knew WARREN and believes they met in a club in the Sydney area, possibly around the Oxford Street area, and, about 12 months prior to WARREN disappearing. MARSH states they were "close" friends, but denies being in a sexual relationship with him. In relation to the disappearance of WARREN, MARSH states WARREN would often stay with him and his then partner Michael MATHISON ("MATHISON") at Potts Point.

258. MARSH is shown newspaper clippings to assist him, and recalls that on the evening of Friday the 21st of July, 1989, he was out on Oxford Street bars at the Albury Hotel, the Midnight Shift and Gilligans with MATHISON. MARSH states they did not see WARREN that night. MARSH stated he did not believe WARREN to be in a relationship at the time of his disappearance and knew of no person who had malice towards him and has no knowledge of how WARREN may have met his death. A copy of the transcript of this interview is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 127

Witness: _____

Signature: _____

Page No: 85

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

259. At 4.45pm on 23 April, 2002, I spoke with Michael MATHISON (now residing in Cairns) by telephone. He stated that he was previously in a relationship with Kingi MARSH, and he knew WARREN for about 12 months prior to his disappearance. He recalls that WARREN resided in Wollongong, and often stayed with two gay friends in Sydney (I believe this to be SAUCIS and ELLIS). MATHISON recalls receiving a telephone call from those friends after WARREN disappeared inquiring about his whereabouts, and does not recall his movements on the weekend that WARREN disappeared. MATHISON stated he no longer keeps in touch with MARSH, and believes that MARSH and WARREN had previously been in an intimate relationship.

260. On the 14th of June, 2002, a statement was taken from Michael MATHISON by Detective Sergeant HEATON of the Queensland Police Service. He states that in late 1988 or early 1989 he began a relationship with Kingi Tyrone MARSH, also known as Ken.

261. He states that prior to the relationship, MARSH was friends with WARREN. MATHISON states that about every fortnight WARREN would come to Sydney and stay with friends. MATHISON states it was usual for WARREN to contact himself and MARSH, and he would either visit or they would go to gay venues at Darlinghurst.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

262. MATHISON recalls receiving phone calls from WARREN's friends, inquiring of his whereabouts, at the time of the disappearance. MATHISON states that in August, 1990, he and MARSH went to Malta to reside and the relationship ended. MATHISON thought that MARSH and WARREN may have been lovers prior to his relationship with MARSH, but states he did not have any suspicion of this continuing and would be surprised if this was the case. MATHISON states that WARREN was often depressed about not being in a relationship, and his first impressions of the disappearance was that this may have been a case of suicide. Attached as an annexure to this statement is a copy of the statement of MATHISON.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 128

263. In a statement obtained from Susie ELELMAN ("ELELMAN") on the 17th of April, 2002, she states she worked with WARREN at the WIN network prior to her move the Seven network in 1988. She states she maintained contact with WARREN, and he was keen to move to Sydney to advance his career. She states she spoke to WARREN two or three months prior to his disappearance, and discussed WARREN compiling a "showreel" of his best work for job applications. ELELMAN states that WARREN was career orientated and full of life, and did not strike her as a person likely to take his life. ELELMAN states she was informed WARREN had disappeared and formed the opinion "there must be more to it." A copy of the statement of ELELMAN is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 129

Witness: _____

Signature: _____

Page No: 87

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

264. In a further statement provided by Kay WARREN on 30 August, 2001, she identifies WARREN's vehicle as being 767AXX (Queensland registration) depicted in photographs shown to her. Kay WARREN recalls going to WARREN's Wollongong unit and it was in an untidy condition, but there was fresh vegetables in the fridge. She states there was nothing to suggest any person had been in the unit, or anything else suspicious. Kay WARREN states she was supplied with WARREN's telephone diary, but has since misplaced it. Kay WARREN refused to believe her son would have committed suicide, and was never depressed. She states her son would call her every Sunday, and has never gone missing before. Kay WARREN says she last spoke to her son on Sunday the 16th of July, 1989. She says she never discussed intimate relationships that WARREN was having and has no knowledge as to any persons he may have been seeing socially. Kay WARREN says she desires an inquest into the death of her son to give the matter some closure. A copy of the statement of Kay WARREN is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 130

265. In a statement provided by Dr Robert BRANDER ("BRANDER") dated the 1st of August, 2001, he provides professional opinion in relation to current action, particularly around Marks Park - McKenzies Point at Tamarama. BRANDER is a lecturer at the School of Geography at the University of New South Wales, and has a research specialty in coastal geomorphology. He has conducted studies of currents in the Tamarama area, and says that waves physically transport water towards shore and for a balance to be maintained an equal amount of water is returned seaward through rip currents and undertow.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

266. BRANDER says the three dominant processes along the McKenzies Point rock platform is wave reflection, rip currents and undertow. BRANDER states wave reflection (such as wave hitting a cliff/shore platform) will cause turbidity, with incoming waves interacting with the reflected wave. BRANDER further states rip flow is a fast flow which is virtually always off shore, and undertow is a gentle seaward return flow. A copy of the statement of BRANDER is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 131

267. In a further statement provided by Dr Robert BRANDER ("BRANDER") dated the 11th of April, 2002, he has examined wave measurement data, synoptic charts, tidal charts and synoptic observations. In furtherance to the original statement, it is the opinion of BRANDER that it is unlikely that a body in the water off the shore platforms (or on the bed) would move landward in the relevant time period. A copy of the additional statement of BRANDER is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 132

268. On the 19th of September, 2001, expert medical opinion was sought from Dr CALA in relation to bodies immersed in large bodies of water. He states that when a deceased body is immersed in a large body of water (such as the ocean), the body will initially sink. Dr CALA states that what happens subsequently depends on a number of variables including rocks, waves, depth of water, temperature of water, and presence of marine creatures in the vicinity of the body.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

269. Dr CALA states that after sinking, a body may (but not always) rise to the surface to the effects of decomposition. This occurs due to gas formation in the body, which provides a degree of buoyancy to the body. This is variable but may occur after several days, and is associated with skin slippage, some bloating of the body, marbling, wrinkling of the skin (especially around the hands and feet) and some associated predatory marine activity. Dr CALA states that bodies do not always rise and there are instances of persons entering the ocean whose bodies are never recovered. A copy of the report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 133

270. Information was sought from the Health Insurance Commission in relation to bulk-billed medical services of WARREN. The purpose of that was to establish whether WARREN had sought medical treatment after his reported time of disappearance, and, to establish if he was suffering an illness that may cause suicidal thoughts.

271. A report provided by the HIC dated 14 December, 2001, shows that WARREN's last two medical examinations were in 1987 with medicare benefits being paid to :

(a) 21/04/1987, by Dr SLEEP of [REDACTED] Alison Road at Randwick.

(b) 09/05/1987, by Dr CRAGO of [REDACTED] Wooden Street at Wagga.

A copy of the report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 134

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

272. Inquiries revealed that Dr SLEEP is now deceased, and his practice was taken over by Dr BENNETT, who sold it to the taken Edgecliff Medical Centre prior to his departure to the U.K. Dr BENNETT has not been interviewed, and inquiries with the Edgecliff Medical Centre show they have no records in the name of WARREN. Further, Dr CRAGO was contacted and informs police he retired some years prior and converted all his manual files onto computer data. Dr CRAGO stated he had no records or recollection of the treatment of WARREN.

273. WARREN was previously known for the offence of Gross Indecency, for which he appeared at Southport District Court on 13 June, 1985. WARREN was placed on probation for 2 years with a direction he receive psychiatric treatment as directed. This conviction resulted out of WARREN's attendance at a gay beat of his own volition. The relevance of this information to this investigation is that WARREN attended gay beats for sexual liasion, as opposed to suicidal motives. Attached to this statement is a copy of the fact sheet.

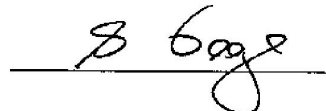
EXHIBIT I PRODUCE THAT FACT SHEET-ANNEXURE 135

274. On the 31st of July, 2001, I conducted a search of the Rose Bay Local Area Command and was unable to locate notebooks or duty books of Detective RYAN, SHARROCK, GLASCOCK and BOWDITCH for the period 1989 (and elsewhere).

Witness:



Signature:



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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

RUSSELL INVESTIGATION

275. To commence the RUSSELL investigation, a copy of the death certificate of RUSSELL is attached as an annexure to this document. The death certificate outlines RUSSELL's particulars, with the cause of death as "Effects of multiple injuries sustained then and there when he fell from a cliff to the rocks below, but whether he fell accidentally or otherwise the evidence does not enable me to say." The document is certified by D.W. RUSSELL, Coroner, with an inquest dispensed with at Glebe.

EXHIBIT I PRODUCE THAT DEATH CERTIFICATE-ANNEXURE 136

276. In a further statement by REDMILE dated 31 May 2001, he states the night after he was drinking with RUSSELL at the Bondi Hotel, there was to be a send off for RUSSELL at the Legion Club at Charing Cross. RUSSELL was helping to organise the function and was in good spirits, looking forward to the event. REDMILE is not able to estimate how much money RUSSELL would have had on him when REDMILE left the hotel. REDMILE in his first statement discusses a barmaid, and he is now not able to describe her and nor does he know her name.

277. REDMILE further states he is a member of the gay community and has no knowledge of anyone being assaulted at the Marks Park gay beat. REDMILE describes RUSSELL at the time they parted company as being moderately effected by alcohol, but not drunk.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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278. REDMILE states he was in control of his physical actions. REDMILE recalls RUSSELL saying prior to them parting ways saying, "I can't stay much longer because of the money." and REDMILE believed this to mean he was running out of money. A copy of the statement of REDMILE is attached to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 137

279. In an additional statement by Peter RUSSELL dated 15 June 2001, he states he is the natural brother of John RUSSELL and that in 1989 they lived together at [REDACTED] Oakley Road at Bondi. Peter RUSSELL states that he became aware RUSSELL was homosexual about the age of 18 or 19. He states that John worked at various bars in Sydney, and would on occasion be required to remove disorderly patrons and taking into account his stature he could look after himself quite well. He states RUSSELL had studied both Judo and Boxing. Peter RUSSELL states that he would drink alcohol regularly with his brother, and outlines a tolerance to alcohol. Peter RUSSELL states that his brother was well known in the gay community and was one of the founding members of the "Sisters of Perpetual Indulgence" float.

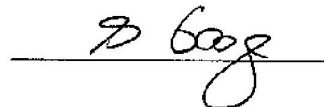
280. Peter RUSSELL states that RUSSELL also associated with Robert "Dolly" DUNN ("DUNN") who owned the Woodhill Mountain Duck and Poultry Farm. He believes RUSSELL met DUNN through REDMILE. Peter RUSSELL stated that he believed his brother had frequented Marks Park previously and he referred to it as "the beat". A copy of the statement of RUSSELL is attached to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 138

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

281. In an additional statement by Peter RUSSELL dated 30 July 2001, he states his brother smoked cigarettes, and his cigarette of preference was the Peter Stuyvestant "Soft Pack", which were full strength (described as 12mg) and sold in packs of 20. Peter RUSSELL states that his brother would not drink coca cola after drinking alcohol, however, he may take it the next day as a form of hang over relief. Peter RUSSELL viewed crime scene photographs, and stated he believed the cigarette packet found near the body of his brother was likely to belong to his brother, and further, he did not believe the Coca Cola bottle was likely to have been consumed by his brother. A copy of the statement of RUSSELL is attached to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 139

282. On the 19th of March 2002 I interviewed Robert ("Dolly") DUNN at the Sydney Police Centre. DUNN viewed a photograph of RUSSELL and stated that his face and the name John RUSSELL is not familiar to him. DUNN also states he is not familiar with the name Peter REDMILE and to his knowledge he has never been to Marks Park at Tamarama. DUNN further states he has never had an association with poultry farms. A copy of the ERISP transcript is attached to this statement.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 140

283. On the 26 March 2002 a further statement was obtained from REDMILE. He states that he has never met DUNN, and does not believe that RUSSELL had any association with him. REDMILE states that he introduced RUSSELL to Rod STRINGER who was the publisher of Sydney's first Gay magazine "Campaign" and in fact STRINGER owned the Woodhill Duck and Poultry Farm at Berry.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

284. REDMILE states that he went to the first Gay Mardi Gras in 1978 and is "pretty sure" RUSSELL was there also. He has no memory of RUSSELL being involved in the Gay Mardi Gras organisation or any of the floats.

285. On the 2nd of May, 2002, I spoke with the current spokesman of the organisation known as the "Sisters of Perpetual Indulgence." The spokesman (whose identity is known) would rather protect his identity and be known by his organisational name Sister Salome stated that longer term members of the group including Sister 3rd Secret and Mother Abyss (co-founder in 1981) had been consulted and John RUSSELL was not known to them.

286. On the 3rd of April, 2001, Inspector OWENS ("OWENS") prepared a statement in relation to the death of RUSSELL. He states that about 10.30am on 23 November 1989 with DUNBAR he attended an area of rocks at South Bondi. At that location he met with INGLEBY and BARRETT, and saw the body of a deceased male lying face down on the rocks. From examining crime scene photographs and crime scene notes, he says he notices the deceased was in a position with the head facing towards the rocks and feet pointing towards the water, and there was an amount of blood under the upper torso of the body. There was a quantity of money located in the vicinity of the deceased. OWENS states that on the 24th of November, 1989 he obtained a statement from Peter RUSSELL and a short time later he was transferred to another command. A copy of the statement of OWENS is attached to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 141

Witness: _____

Signature: _____

Page No: 95

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

287. Examination of the toxicology report prepared by Keith LEWIS in relation to RUSSELL's death showed that screening tests for drugs shows none were detected, however, he had a blood alcohol concentration of 0.255g per 100mL of blood (preserved). A report was submitted to the Police Service Clinical Forensic Services Unit requesting an opinion as to intoxication. A copy of this report was introduced previously at Annexure 49.

288. On the 20th of July, 2001, Doctor MOYNHAM ("MOYNHAM") prepared a statement in relation to the death of RUSSELL. He states that the post mortem report does not clearly state whether putrefication was taking place in the body of RUSSELL. He further states that blood of RUSSELL indicated a reading of 0.255 grams of alcohol in 100 millilitres of blood. MOYNHAM states if there was no putrefication in the deceased, then the sample reading would have been the blood alcohol concentration at the time of death. MOYNHAM believes RUSSELL would, at that level, have been displaying signs of marked intoxication. This would have included impaired balance, co-ordination and impaired spatial orientation. MOYNHAM believes RUSSELL would have had a diminished capacity to protect himself from danger. MOYNHAM states if putrefaction had been occurring, then it is not possible to comment on the blood alcohol concentration. A copy of the statement of MOYNHAM is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 142

Witness: _____

Signature: _____

Page No: 96

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

289. In a statement prepared by Senior Constable RIVERA ("RIVERA") dated the 5th of March, 2002, he states that on the 23rd of November, 1989, with Detective Sergeant CAMERON he attended Marks Park at Tamarama near Fletcher Street about 11.25am. He states they went to rocks on the northern side of Marks Park between Hunter Park (to the north) and McKenzies Point. RIVERA states he took a number of photographs under the instructions of CAMERON. RIVERA states that above the deceased position there was damage to vegetation on the seaward side of a concrete walkway, and beneath the vegetation was a drop of 12.1 metres. RIVERA outlines the clothing and obvious injuries to the deceased and states that adhering to the hand of the deceased were strands of hair which were collected.

290. RIVERA states that on the rocks were a packet of cigarettes with 14 cigarettes remaining, a green disposable lighter and a quantity of coins around the deceased. These items were collected. RIVERA states that CAMERON continued further investigations into this matter and that RIVERA had no further involvement after departing the scene. RIVERA further states he has no knowledge as to the whereabouts of exhibits. RIVERA introduces 30 colour photographs which depict the positioning of the body of RUSSELL together with the surrounding crime scene. A copy of the statement of RIVERA is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 143

Witness: _____

Signature: _____

Page No: 97

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

291. On the 29th of May, 2002, former Detective Sergeant CAMERON ("CAMERON") provides a statement in relation to his examination of the scene. He states that about 11.15am on 23 November, 1989, he attended the Marks Park area and speaks with Constable BARRETT. He has subsequently gone to the rock platform and seen the body of RUSSELL. CAMERON states that RUSSELL was lying face down with most of his body in a depression on the rock surface, with the body fully clothed wearing footwear. CAMERON says there were no signs of trauma to the body apart from those inflicted in the fall. CAMERON states the left arm of the deceased was straight and under the body at chest height, with the right arm extended straight out from the shoulder and bent at the elbow with the hand pointing in the same direction as the head. Both legs were together and straight out and pointed away from the body in a northerly direction. CAMERON notes there was no watch or rings on RUSSELL.

292. CAMERON continues and says that around the body was five coins, a blue cigarette lighter(9.9 metres away), a cigarette packet (7.6m away) and a Coca Cola bottle (2.64 metres away). CAMERON notes the head was about 1.34m away from the prolongation of the northern most edge of the cliff face immediately above the rock shelf. CAMERON notes that on the top surface of the left hand was small hairs adhering to the skin. All exhibits were photographed and collected.

Witness: _____

Signature: _____

Page No: 98

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

293. CAMERON continues and states that on the walkway above where the deceased was found there was no sign of disturbance, interference of trauma in this area - 25 metres either side of vertical. CAMERON notes there are no scratch marks, shoe sole marks or scuff marks to the concrete surface of the walkway or exposed rock surfaces of the rock ledge. CAMERON states that in one area where there was vegetation growing, there was a small amount of damage to the vegetation consistent with a person walking on it. CAMERON estimates the total fall at 12.75 metres.

294. CAMERON continues and says that there was nothing in the area of the walkway above the location of RUSSELL to indicate how, why or by what means the deceased left the walkway. CAMERON says it could be possible for a person to be disorientated, chased or sky-larking at night and walk or run off the walkway. Attached as an annexure to this statement is a copy of the statement of Detective CAMERON.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 144

295. On the 19th of December, 2001, Detective Senior Sergeant FORBES ("FORBES") prepared a statement in relation to the death of RUSSELL. He is attached to the Sydney Crime Scene Section and the Zone Supervisor of the Sydney Zone. He states he was requested to conduct a search of exhibits on hand in an effort to locate a hair sample collected from the body of RUSSELL. He states the hair is not on hand at the section, nor is there any record in relation to the hair.

Witness: _____

Signature: _____

Page No: 99

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

296. FORBES states that in 1989 there was no formal procedure for the receipt of exhibits at a Crime Scene Section, with continuity records mainly consisting of notes in the relevant brief. FORBES states that now an accountable procedure is used when receiving and recording exhibits, with the exhibit firstly recorded in an exhibit book at a Local Area Command and transferred to the relevant Crime Scene Section and recorded in a Specimen/Item register. Typically, exhibits are returned to the Local Area Command exhibit system at the conclusion of inquiries. A copy of the statement of FORBES is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 145

297. A report provided by Virginia FRIEDMAN, Forensic Biologist, of the Institute of Clinical Pathology and Medical Research states that laboratory did not receive any items for examination in the matter of RUSSELL. A copy of that report is attached as an annexure to this statement.

EXHIBIT I PRODUCE A COPY OF THAT REPORT-ANNEXURE 146

298. Prior to the accepted practice of using D.N.A testing by the Division of Analytical Laboratories, there was forensic testing conducted upon hairs by staff working at the Lucas Heights Atomic Facility. My inquiries revealed that this part of the facility had since closed, but staff previously employed were Doctors James ROBERTSON ("ROBERTSON") and John GOULDING ("GOULDING"). I contacted ROBERTSON who now works for the Australian Federal Police Forensic Services, and he stated if received, it would have been received by GOULDING.

Witness: _____

Signature: _____

Page No: 100

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

299. GOULDING (since retired) communicated with ROBERTSON by way of e-mail, and stated that no specimens were received in the matter of RUSSELL for testing. Copies of the e-mail correspondence are attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT CORRESPONDENCE-ANNEXURE 147

300. A search for the notebook of Constable DUNBAR was carried out by Detective DAGG, and notebook F63069 was located at the Eastern Suburbs LAC. The notebook at Page 16 refers to an event reported 14 November, 1989, with Page 17 referring to an event reported on 11 January, 1990. There is no entry with respect to the death of RUSSELL in that notebook. A copy of the notebook entries is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT NOTEBOOK ENTRY-ANNEXURE 148

301. In a further statement by Sergeant INGLEBY ("INGLEBY") obtained on the 14th December, 2001 he states that further to his previous statement he recalls noting hair on the hand of RUSSELL and the exhibit being placed into a bag by police from the Scientific Section. INGLEBY states he did not attend the inquest, but became aware at the time of inquest that the hair was missing. INGLEBY states he obtained a statement from David McMAHON in relation to his incident, and possibly on the 24th of February 1990, with McMAHON and Constable Patrick GLEESON he attended the beachfront park. He states most of the "Bondi Boys" were present (he is not sure exactly which group members were present) and McMAHON was put in a position where he could view the group. INGLEBY states McMAHON appeared nervous and did not identify his attackers.

Witness: _____

Signature: _____

Page No: 101

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

302. INGLEBY further states that McMAHON on 30th of August, 1990, viewed a photograph folder at the Bondi Police Station. He stated that [NP96] was "very similar" to suspect two, and [NP48] had "similar hair" to another offender. A copy of the statement of INGLEBY is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT NOTEBOOK ENTRY-ANNEXURE 149

303. INGLEBY provides a copy of notebook entries in relation to his involvement in reported gay-hate crimes in the Tamarama area. A summary is as follows:

23/11/1989 - Attends RUSSELL death scene.
24/12/1989 - Receives information from STINSON about "RED".
26/12/1989 - Obtains statement from STINSON.
03/01/1990 - Obtains statement from McMAHON.
26/02/1990 - Prepares RUSSELL coronial statement.
27/02/1990 - Canvass of Marks Park for "RED", not found.
01/03/1990 - Canvass of Marks Park for "RED". not found.
22/07/1990 - Attends RATTANAJURATHAPORN death scene.
30/08/1990 - Shows offender photographs to McMAHON, who says that [NP96] is "very similar" to POI2, and [NP48] has "hair similar".

Attached as an annexure to this statement is a copy of those notebook entries. It should be noted that INGLEBY has retained himself those notebooks, which are available. It appears almost all other notebooks and duty books relevant to this inquiry have been destroyed through compliance with policy.

Witness: _____

Signature: _____

Page No: 102

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

304. In a report prepared by Dr Allan CALA ("CALA") dated the 14th of August, 2001, he provides professional opinion after being able to review crime scene photographs and the post mortem examination report relevant to RUSSELL. He states the injuries obtained by RUSSELL were unsurvivable, and he would have immediately lost consciousness. CALA notes there are injuries to the left eyebrow, nose and lower lip which may have occurred due to the fall, and no other injuries which are more likely to be assault related.

305. In CALA's opinion, the position of RUSSELL's body is unusual in a case of jumping or falling from a height. The body is facing towards the base of the cliff, which is unusual given the small height of the cliff, implying if the deceased acted alone, he has been able to twist his body 180 degrees to rest in the position depicted. CALA believes RUSSELL would not have been able to move at all following the fall. CALA notes the red jersey worn by RUSSELL is creased to expose the back and lower abdomen, suggesting it had been pulled up prior to the fall. Dr CALA notes there are some head hairs on the left hand near the left index finger, and states it would be unusual to find hairs on the hands of a person who has jumped. Dr CALA raises the possibility of foul play in relation to the death. A copy of the report of CALA is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 150

Witness: _____

Signature: _____

Page No: 103

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

306. A report provided by Laraine TATE of the Police Service Corporate Archives Section dated the 6th of July, 2001, showed there were no Bondi Occurrence Pad entries for 1989. Attached as an annexure to this statement is a copy of that report.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 151

307. In a statement made on the 27th of August, 2001, Rick SAXBY ("SAXBY") states that on the 24th of November, 1989, he was working on a building site at Tamarama when approached by Neville SMITH ("SMITH"). SMITH stated, "There is a guy down at the bottom of the rocks who has fallen. I think he is dead, can you call an ambulance." SAXBY then made a telephone call, and went with SMITH to the body of RUSSELL. SAXBY is shown colour photographs of RUSSELL's body and says that these accurately reflect the scene as he observed it. SAXBY states he checked RUSSELL for a pulse which was absent, and awaited police arrival. A copy of the statement of SAXBY is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 152

308. In a statement made on the 11th of September, 2001, Dennis KEEGAN ("KEEGAN"), states he was an ambulance officer tasked with responding to the RUSSELL scene with ambulance officer Lyn RICHARDS. He is able to say he did attend this incident, and after viewing photographs says he only has a vague recollection of the incident. He says that after checking for vital signs, RUSSELL was found to be deceased and he left the scene. A copy of the statement of KEEGAN is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 153

Witness: _____

Signature: _____

Page No: 104

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

309. In a statement by Senior Constable DUIGNAN ("DUIGNAN") of the Sydney Communications Centre dated 2nd of August, 2001, she states '000' calls are tape recorded and kept in secure storage for 90 days and then recycled for further use. DUIGNAN provides copies of departmental guidelines that provide this direction. A copy of the statement of DUIGNAN is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 154

310. During conversations with the family of RUSSELL, I established that he was in fact cremated and therefore no opportunity for a second post mortem to examine such things as fingernail scrapings which (from documentary evidence) were not obtained in the first instance. I was able to establish that the clothing of RUSSELL was returned by police to the family, and the family in the belief that his death was homicide have secured and retained those items.

311. On the 14th of June, 2001, Detective DENNIS attended the Wollombi area and collected RUSSELL's shoes, jeans, sloppy joe, jeans and coins and returned them to the Paddington Police Station where they were secured in the exhibit system. Attached as annexures to this statement is the statements of Detective DENNIS.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 155

Witness: _____

Signature: _____

Page No: 105

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

312. On the 18th of June, 2001, those exhibits were conveyed by Detective HARRISON to the Division of Analytical Laboratories for DNA testing, comparison and cross matching. Attached as annexures to this statement is the statements of Detective HARRISON.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 156

313. Difficulties were presented in obtaining a DNA sample of the deceased as all other personal items appear to have been destroyed. Inquiries with the Department of Health reveal that RUSSELL's birth pre-dated the collection of blood spot data known commonly as the Guthrie system. At present testing is being conducted to establish if there is any D.N.A material on the clothing before investigations are being taken further.

314. Examination of the antecedents of RUSSELL revealed no convictions of relevance to this investigation, with priors for minor offences including drink driving and larceny (as a child).

315. On the 14th of September, 2001, Rodney STINSON ("STINSON") was interviewed by Detective INGRAM at the Waverley Police Station by E.R.I.S.P.

316. A transcript of the ERISP interview of STINSON was obtained. STINSON stated (P2) that in 1989 he started running regularly at Bondi rocks and occasionally would hang round in the hope of meeting someone for casual gay sex. He continues he met a man by the name of Red ("RED") who was also gay and went to the rocks area regularly. STINSON continues and states that at the end of 1989 RED mentioned he heard sounds of bashing, what he brought was a bashing.

Witness: _____

Signature: _____

Page No: 106 P.190A.
 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

317. STINSON says (P4) the cruising area goes from the cul-de-sac near the icebergs swimming club through to Tamarama and that is the area he refers to as Bondi rocks. STINSON says (P5) he met RED about 1987 at Moore Park. He stated RED weighed about 65 kg, was olive complexion, about 5-8 years younger than STINSON and had a twin brother (who was gay) in the Navy. STINSON states (P7) RED had "Henna red" coloured hair. RED had apparently been assaulted at Moore Park where he was stabbed. STINSON describes further the information from RED and states (P8) that RED was talking to someone and they heard the sounds of a bashing going on, hearing shouting and a number of voices.

318. STINSON says the bashing would have occurred late November or early December, 1989. STINSON says (P12) that RED was asked to speak to police and he said he was not. STINSON discusses (P13) the prior conversation recorded in his initial statement in relation to the "crazy or loony" man who tried to push RED over the cliff near the Fletcher Street stairs. STINSON states he does not recall the conversation.

319. STINSON states (P13) the last time he saw RED was about February 1990. STINSON states (P17) he is not sure what employment RED had at the time. STINSON states (P20) that he was informed by Greg DEVINE (DEVINE) that RUSSELL had died. DEVINE knew RUSSELL and believed "that John had been murdered...You know... pushed off, I guess." STINSON was not able to say how he drew that conclusion.

Witness: _____

Signature: _____

Page No: 107

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

320. STINSON states (P29) he has no knowledge of any violence in the vicinity of Marks Park, although he was getting "messages" from a Mediterranean youth that something was "not right" '89 . STINSON later saw he had a baton in his pocket. STINSON discusses two other occasions when he suspected males were out of sorts at that location. STINSON states the male with the baton occurred after 1989 (P33). STINSON believed the male was trying to lure him off the path.

321. STINSON states (P33) he has not been to Marks Park since about 1993. STINSON states (P38) on quiet times you could be there on your own, other nights there could be 15 gay men. STINSON discusses (P57) meeting a man at a gay beat in a park near Randwick Shopping Centre (which I believe to be Allison Park) when he saw three mediterranean teenage males about 1986. One of the males moved away from the group and asked for sex to which STINSON declined. The male followed STINSON and STINSON agreed to sex and went into bushes. The male then pulled a knife on STINSON, and STINSON was able to disarm him. The other two males have joined in, and tried to control STINSON. STINSON has made good his escape and later reported the incident at Coogee Police Station. STINSON then discusses another incident which is some time later and not canvassed in this statement. Attached as an annexure to this statement is a copy of the statement and interview transcript of STINSON.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 157

Witness: _____

Signature: _____

Page No: 108 P.190A.
 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

322. Examination of holdings at the Coroners Court, Glebe, reveal the following:

Form 1 : Information and Depositions of witnesses.

The matter was heard before Derrick Windsor HAND ("HAND") at the Glebe Coroners Court on the 2nd of July, 1990, with Sergeant ASTLEY ("ASTLEY") by leave assisting the Coroner. Sound recording details show a duration of 30 minutes. Subsequent inquiries reveal that the audio tape recording of the inquest is not available. The attached Master Tape History sheet shows that the witnesses called were Constables BARRETT and DUNBAR, Doctor HOLLINGER, Neville SMITH, Peter REDMILE, and, Rodney STINSON.

Form 2 : Inquest before Coroner sitting alone.

The findings were that RUSSELL on or about the 22nd of November, 1989, at Bondi Beach South "died of the effects of multiple injuries sustained then and there when he fell from a cliff to the rocks below, but whether he fell accidentally or otherwise the evidence does not enable me to say." The attached exhibits register shows a brief of evidence, note of death, identification statement, post mortem, analyst's certificate, photographs and plan of the area. A copy of the Form 1 and Form 2 is attached as an annexure to this statement.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 158

323. I have spoken with Senior Constable ASTLEY and he does not recall what evidence, if any, was offered at inquest in relation to the hair adhering to the hand of RUSSELL.

Witness: _____

Signature: _____

Page No: 109 P.190A.
 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

THE MCMAHON INVESTIGATION

324. I have read the original McMAHON statement, in particular, his descriptions of "Offender 1" and "Offender 2". I have then examined photographs of NP43 and NP47. I believe that Offender 1 described by McMAHON is consistent with the description of NP43 at that time, and that Offender 2 described by McMAHON is consistent with NP47 at that time.

325. At 2.15pm on the 31st of August, 2001, with Detective DAGG ("DAGG") and Senior Constable MILLER of the Video Operations Unit I spoke with McMAHON at Marks Park at Tamarama. The purpose of the meeting was to conduct a video run-a-round.

326. At that time, DAGG informed McMAHON that his questions together with any answers that McMAHON may give would be electronically recorded as the interview took place (P1), McMAHON reads a jurat onto the record (P2), adopts the previous statements to INGLEBY and GILROY as correct (P2). McMAHON indicates the area where he was first assaulted, being grabbed by surprise (P3), states that the group has kicked and punched him, called him a poofter and said they were "gunna do what we done to everyone else (P4)." McMAHON states the group took from him a shoe (throwing it towards the ocean), signet ring, and one offender had a stick and endeavoured to 'ram it up my arse' (P5). McMAHON hears a resident call out, "I'm not gunna help no poofter (P5)" . McMAHON describes seeing the group earlier at another point in the park where he was asked for cigarettes and money (P6), and describes avoiding this spot when he was returning through the park.

Witness: _____

Signature: _____

Page No: 110

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

327. At 2.24pm with McMAHON and those others I moved to a nearby rock overhang and McMAHON describes this area as where the group who assaulted him were lying in wait (P8).

328. At 2.27pm with McMAHON and those others I moved to a nearby set of stairs and McMAHON identified the unit he believed the occupant who stated "I'm not gunna help no poofers." was standing. McMAHON states that when he broke free from this group he was chased along the walkway, up those stairs, and to Campbell Parade (P10).

329. At 2.33pm with McMAHON and those others I moved to another set of stairs, and McMAHON states that it was those steps where he first encountered the group. McMAHON says that his memory is that the steps had changed in appearance and it is obvious that work had previously been done to those stairs. McMAHON states that when he was grabbed near the rock overhang, members of the group stated, "We'll take you where the other guy was (P12)."

330. At 2.37pm with McMAHON and those others I moved to a point on the walkway near a set of stairs leading to Fletcher Street. McMAHON states he has no recollection of how the group got him there, but believes he was dragged (P13). McMAHON states that he got frightened, "seen a break, and that's, I just ran, and ran that way." McMAHON then outlines his escape route to Campbell Parade with group members chasing him (P14). McMAHON states that he believed the group was going to "throw me over" (P15) and was "frightened for my life" (P16). The interview concluded at 2.40pm. Attached as an annexure to this statement is a transcript of the video run-a-round conducted with McMAHON.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 159

Witness: _____

Signature: _____

Page No: 111 P.190A.
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

331. Later that date (31st of August, 2001), a further statement is obtained from David McMAHON. He states earlier that date, with myself and Detective DAGG he attended Marks Park at Tamarama. At that location he participated in a video run-a-round, where investigators questions together with his answers were electronically recorded both on audio and video as the interview took place.

332. He informed investigators that what he did not disclose previously was that offenders endeavoured to sexually assault him with a stick. He states that Marks Park is a gay beat, and well known in the gay community for this fact. He states that on the night of his attack there were not too many people about, but states it would be normal to see between eighty and a hundred men.

333. McMAHON states that at the conclusion of the run-a-round he attended the Paddington Police Station and he was shown a picture identification process by Inspector DUCLOS, and this process was also video taped. He states that he saw a number of photographs of males, and after one version he wrote down the numbers 2, 6, 9 and 12 on a piece of paper. McMAHON was shown two picture identification processes.

334. In a statement prepared by Inspector DUCLOS ("DUCLOS") on the 15th of April, 2002, he states that about 3.20pm on the 31st of August, 2001, David McMAHON was taken to an interview room at the Paddington Police Station. DUCLOS states his questions together with McMAHON's answers were electronically recorded as the interview took place.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

335. DUCLOS states that a compact disc was placed into the computer and an identification process conducted with McMAHON. DUCLOS states there was seven pages of instructions together with twenty photographs of male persons. DUCLOS states that notes were made during the process. Attached as an annexure to this statement is a copy of the statement of DUCLOS.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 160

336. A transcript was obtained of the identification process. Inspector DUCLOS commences (P1) at 3.20pm on the 31st of August, 2001, and introduces McMAHON. He explains to McMAHON that persons depicted may not have in fact committed this offence, and asks McMAHON if he identifies the person who committed the offence to note the number appearing with the photograph on a piece of paper. A preamble commences of the identification process and McMAHON reads the preamble stating that he will view a number of photographs of persons with each photograph identified by number.

337. McMAHON (P2) views the photographs and states that "there's four people that trigger in my mind." McMAHON is subsequently shown (P4) a second series of photographs and says nothing in relation to viewing these.

Witness: _____

Signature: _____

Page No: 113

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

338. At 3.36pm (P4) I asked McMAHON questions in relation to the four persons he noted from the first identification process, being numbers two, six, nine and twelve. In relation to photograph two, McMAHON states "I've seen the person before." In relation to photograph six, McMAHON states "The same. It's the look that they have, it just triggers something in my mind." In relation to photograph nine, McMAHON states, "It's the same again, but not as much as the other one and the last one in the series that I picked was more so, it was the strongest trigger of all." In relation to photograph twelve, McMAHON states, "I don't know, it's something that really, I don't know whether it's the arrogance in his face or what it is but, yeah." I then said, "Of the photographs numbers two, six, nine and twelve, who most resembled the offender in this matter?" McMAHON said, "Twelve". The interview was then concluded at 3.39pm. Attached as an annexure to this statement is a copy of that transcript.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 161

339. Photograph 12 depicted CUSHMAN.

340. In a statement prepared by Dr PETERS ("PETERS") dated 12 July 2001, he states he is employed by the Facilities of South Eastern Sydney Health Service and that from available medical records McMAHON attended the casualty department of the Prince of Wales Hospital on 22 December, 1989. He states the reason for attendance was head injury and loss of consciousness.

Witness: _____

Signature: _____

Page No: 114

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

341. PETERS states that casualty records were destroyed after 7 years in accordance with departmental guidelines, and the details of the treating medical practitioner are not known. PETERS states that McMAHON was not admitted because of his injuries. A copy of the statement of PETERS is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 162

342. The presentation was recorded on both audio and video with questions asked by DUCLOS together with the answers of McMAHON being recorded both on audio and video.

343. On the 24th of March, 2002, a statement was prepared by Sergeant TOOVEY ("TOOVEY"). He states he recalls attending the home residence of McMAHON and speaking with him, however, other than that has little recollection of the complaint by McMAHON. TOOVEY states he submitted an incident report in relation to the matter. A copy of the statement of TOOVEY is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 163

344. Also attached is a copy of the Police Incident Report created by TOOVEY on the 25th of December, 1989, in relation to the robbery of McMAHON.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 164

Witness: _____

Signature: _____

Page No: 115 P.190A.
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

345. During the walk through of the Crime Scene, McMAHON identified the unit where he believes the male person was standing who abused him. The unit block was identified as ■ Wilga Street, at Bondi, and McMAHON stated the unit occupied the bottom floor on the north east corner. The unit was identified as being number ■ and the occupant at the time was identified as being Harry LESLEY ("LESLEY"). LESLEY was located, and it was found he was an 82 year old man now residing in a retirement home.

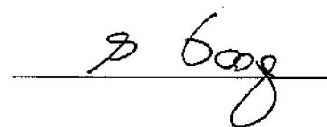
346. A statement was obtained from LESLEY on the 7th of March, 2002. He states he resided at the subject unit from 1988 until 2000. In relation to the allegation that a male from that unit called out "I'm not going to help you, you poofta" LESLEY is adamant those words were not his. LESLEY states he would have been likely to go to his balcony to make observations if he heard screaming.

347. LESLEY is a widower, whose only child has pre-deceased him. He is almost blind, of Jewish background, and survived as a Japanese prisoner-of-war at Changi and elsewhere. LESLEY states he has been victimised himself through life and was not the kind of person to victimise others.

348. I believe that LESLEY may well have been on the balcony at the relevant time, however, I believe that the offensive taunt would have come from elsewhere. Attached as an annexure is a copy of the statement of LESLEY.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 165

Witness: 

Signature: 

Page No: 116

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

COMBINED AND SUBSEQUENT

349. During the conduct of the investigation, contact was maintained with the family of WARREN and RUSSELL and they were kept abreast of developments, together with details of pending media releases. To minimise trauma to related victims, the family of JOHNSON were informed personally by staff of this investigation, and the Thai consulate was formally asked to locate the family of RATTANAJURATHAPORN and inform them of potential media interest.

350. A statement obtained from Megan Jane FOSTER, of the Law Enforcement Liaison Section with Telstra reveals that call charge and reverse call charge records were not available for service numbers

- (a) [REDACTED] on 21 July, 1990 which was a Wollongong police station relative to the [188] information,
- (b) [REDACTED] between 14-28 July 1989 being WARREN's residence,
- (c) [REDACTED] on 21 September 1989, which was the SBS switch in relation to the information WARREN was in central Australia.

Attached as an annexure to this statement is a copy of that statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 166

351. Inquiries with Crime Agencies command revealed that no duty books or note books were on hand previously issued to Detectives McCANN, EMMETT or BIGNALL.

Witness: _____

Signature: _____

Page No: 117

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

352. On the 6th of August, 2001, I submitted a request to the Special Services Group for the Police Diving Unit to conduct a search of the waters surrounding Marks Park for exhibits and property connected with this matter. A copy of that request is attached to this statement.

EXHIBIT I PRODUCE THAT REQUEST-EXHIBIT 167

353. On the 16th of April, 2001, a statement was prepared by Senior Constable BARRELL ("BARRELL") of the Police Diving Unit. He states he is a qualified police diver and he states on the 8th of August, 2001 (at 8.55am) he participated in a search on the south western side of McKenzies Point in line with Marks Lane. The search was to be conducted below the waterline of the rock face and sea bed. He states that at 9.05am Constable MORRIS ("MORRIS") returned to the police launch with one section of corroded pipe, and returned again at 9.15am with another. Those items were later conveyed to the Police Diving Unit.

354. The search recommenced on 16th of August, 2001, with MORRIS returning to the police launch at 10.40am with a silver coloured bracelet.

355. Further searches were conducted on 15th of August, 18th of August, and 17th of September 2001, together with the 17th of January, 2002 and no items of significance found. There was one section of the search area which was not covered due to diver safety, but this area had previously been searched by BARRELL and others on the 8th of July, 1999, with no items of significance found.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

356. The search area started on the south side of McKenzies Point (in line with Marks Lane, to the north side of McKenzies Point (again in line with Marks Lane) and to a distance of 30 metres from the rock shelf. Attached as an annexure to this statement is the statement of Constable BARRELL.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 168

357. A search of occurrence pad entries by Detective DAGG on the 2nd of July, 2001, at the Bondi Police Station failed to locate an entry in relation to the death of RUSSELL. However, one incident was located where [156] was assaulted with a water pipe at Centennial Park on 21 December, 1989 by [NP135] and [NP136]. Attached as an annexure to this statement is a copy of that occurrence pad entry.

EXHIBIT I PRODUCE THAT OCCURRENCE PAD-ANNEXURE 169

358. The existence of the water pipe located at McKenzies Bay together with usage of water pipe in the assault of [156] is significant in that [156] was a gay man at a gay beat at a time that was significant to this investigation. The significance is increased in that the offenders subsequently arrested for this offence were at the time in company with [NP75] who is alleged by [NP16] to be involved in gay-hate crimes at Tamarama.

Witness: _____

Signature: _____

Page No: 119

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

359. The officer in charge of this investigation was Senior Constable BAILEY ("BAILEY") and he was spoken with. In relation to this matter, he provided me with a copy of his statement, the statement of [1156] and Doctor FURBER, together with fact sheets relative to the arrest of [NP16] [NP135] and [NP136]. Also provided was a photograph of the water pipe.

360. A statement of [1156] made on the 28th of December, 1989 was examined. [1156] states he was at the viewing dais of Centennial Park on the 21st of December, 1989, and he was approached by a group of seven youths. [NP136] and another approached him and he was shoulder charged, and forced to the ground. He was then kicked to the face by [NP135] and [NP136] with another male striking him with the water pipe to the head and left arm. One of the youths was heard to say, "Don't hurt him, just take his money." [1156] was subsequently knocked unconscious.

361. [1156] was in Centennial Park on the 28th of December, 1989, and saw [NP135] and [NP136] with police officers. [1156] has identified those offenders to police. [1156] retained the pipe after the assault and later provided it to police. Attached as an annexure to this statement is the statement of [1156].

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 170

Witness: _____

Signature: _____

Page No: 120

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

362. Before this statement was located, a further statement was taken from [156] on the 18th of April, 2002. He stated that he was talking to a male friend in Centennial Park who was on a bicycle, and they saw the group of youths. The friend has tried to escape, and he was pursued and caught by the group. [156] escaped and left the area, returning later to check on his friend who he knew was assaulted. When he returned to the area, he saw his friend laying on grass in the amphitheatre and it was at this stage he was approached and assaulted by the group. Attached to this statement is a copy of the further statement of [156].

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 171

363. In the statement prepared by BAILEY dated the 17th of January, 1990, he says that on the 28 December, 1989, he was patrolling Centennial Park with Constable THOMAS and responded to a radio message. As a result of speaking with witnesses, he has spoken with four male persons which included [NP135] and [NP136] in relation to another matter. Whilst speaking with them, he was approached by [156] and those persons were identified for the robbery offence. [NP135] and [NP136] were subsequently conveyed to Waverley Police Station where they denied involvement and were charged. Attached to this statement is a copy of the statement of BAILEY, together with fact sheets he prepared in relation to the prosecution of [NP135] and [NP136].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 172

Witness: _____

Signature: _____

Page No: 121

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

364. In a statement made by Simon FURBER ("FURBER") he states he is a qualified medical practitioner and on the 21st of December, 1989, he saw [I156] at St Vincents Hospital. He states that [I156] received sutures for a laceration to the left elbow and had neurological observations for 4 hours. [I156] was also suffering head injuries, bruising to the chest, facial abrasions and contusions. [I156] was then discharged. A copy of the statement of FURBER is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 173

365. Present with [NP135] and [NP136] at the time of their arrest was [NP75] who was in custody for spitting on a car and trying to engage the driver into a fight. Attached is a copy of the fact and charge sheets relative to the arrest of [NP75].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 174

366. BAILEY informs me that they [NP135] and [NP136] went before a jury trial but were acquitted after alibi evidence was given. Those giving alibi evidence were Dianne CUNNINGHAM, Judy CUNNINGHAM and Narelle CAPTAIN. Interestingly, CAPTAIN was living with [NP18] (of the Alexandria 8) at the time of his arrest for the JOHNSON murder.

367. Examination of the pipe was conducted by Associate Professor Peter STEINBERG ("STEINBERG") of the Centre for Marine Biofouling and Bio-Innovation. He has supplied a report dated the 16th of May, 2002, and he states that the extent of corrosion suggests immersion for a significant period of time.

Witness: _____

Signature: _____

Page No: 122 P.190A.
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

368. STEINBERG is not able to give an estimate based on the organisms fouling the pipes. He states the organisms are subtidal colonisers of hard surfaces, and they included barnacles, tube worms, corraline algae, encrusting bryozoans and a few oyster shells. STEINBERG suggests that a community such as this could be established in 12-18 months, however, taking into account the corrosion he believes the pipe to have been immersed for 5 - 15 years. A copy of the report is attached as an annexure to this document.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 175

369. Further examination of the pipe was conducted by Jeffrey GUDMANN, a metallurgist. At the time of preparation of this statement the results of that further testing is not known. When available, this report will be attached to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 176

370. A search of retained occurrence pad entries at the Sydney Water Police by Senior Constable JEFFPS located three incidents where that section was involved in searches for bodies around the Bondi area. They are:

- (a) On the 23rd of July, 1989, the recovery of the body of Clayton BEACKON in water off Dover Heights.
- (b) On the 22nd of July, 1990, the recovery of the body of Kritchikorn RATTANAJURATHAPORN in water off Marks Park.
- (c) On the 1st of December, 1990, the search for body seen floating in water at McKenzies Point, and the body was not recovered.

Attached as an annexure to this statement is a copy of that occurrence pad entry.

EXHIBIT I PRODUCE THAT OCCURRENCE PAD ENTRY-ANNEXURE 177

Witness: _____

Signature: _____

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

371. [REDACTED]

372. Through investigative means, it was established that CUSHMAN was residing at [REDACTED] Martins Avenue at Bondi and was in a de-facto relationship with [REDACTED] 1169. Through evidence gathering means, it was established that CUSHMAN and [REDACTED] 1169 frequented the Royal Hotel at Bondi during 2001 on the 7th of September, 19th of September, 20th of September, 23rd of September, 27th of September and the 5th of October.

373. [REDACTED]

374. In the interim period, information was received that CUSHMAN had become concerned that he was to be assaulted by [REDACTED] NP56, had left Sydney (long term) and moved to Byron Bay. [REDACTED]

Witness: [Signature] Signature: [Signature]

Page No: 124

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

375. On the 23 May, 2001, Detective Sergeant NICHOLAS forwarded a request to the Missing Persons Unit asking that an assessment be carried out on long term missing persons, to establish if there were any similarities to the disappearance of WARREN. Attached as an annexure to this statement, is a copy of that report.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 178

376. Copies of files provided by the Missing Persons Unit relate to the disappearances of William DAY, Koji SHIRAISHI, Albert MAGUGULA, James O'RIORDAN, Carol ABRAHAMS, George BROOK, John DOYLE, Derek FORREST, Habtom GHILAGABER, Leslie HEDGER, Howard ISRAEL, Christopher LANE, Dane McFARLAND, Kioji MISUNO, Bernard REARDON, Charles SPEIRS, Paul NORTON, Lazaro ROIG, Manh Van LE.

377. These files were examined by Detective MORIESON, and there is no information to suggest that these missing persons were either members of the gay community or that their disappearance was linked to the Tamarama area. I am not able to comment as to whether briefs of evidence have been prepared in relation to their suspected deaths. Attached as an annexure to this statement is a copy of the statement of Constable MORIESON in relation to this inquiry.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 179

Witness: _____

Signature: _____

Page No: 125 P.190A.
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

378. In a statement prepared by Detective DAGG ("DAGG") on the 30th of April, 2002, he outlines a canvass he conducted of Fletcher and Kenneth Streets at Tamarama. In relation to Marks Lane that joins the two carriageways, no premises use this as their street address. DAGG outlines he locates three original residents, however, due to the passage of time the other residents no longer reside there due to a number of factors. DAGG states to locate other residents he examined the electoral roll (microfiche copies) and spoke to other residents. No relevant information was gained as a result of the canvass. Attached as an annexure to the statement is a copy of the statement of DAGG.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 180

379. As a result of a meeting with Sergeant EMERY ("EMERY") of the Missing Persons Unit, the information required in analysis of each missing person report will now include whether the person was homosexual. This may assist in identifying any future crime trends should they occur.

380. In a statement prepared on the 12th of February, 2002, by EMERY, he states that after generations of variations the Missing Persons Unit was formed in 1987. EMERY states that in 1988/89 during a review there was an average of 3000 persons reported missing each year, with investigation of each report a matter for the officer in charge. Sergeant EMERY stated that policy regarding missing persons was published in the Police Issues and Practices Journal, with the guidelines that a report can be taken at any station. Attached as an annexure is a copy of the statement of EMERY.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 181

Witness: _____

Signature: _____

Page No: 126 P.190A.
 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

381. Examination of missing persons policy on the Police Service Intranet sets out the responsibility of the "Officer Taking Report" as:

- You are responsible for the ongoing investigation unless it is allocated to another officer through the case management system. Immediately assess the risk to the person (eg: need for medication) and to the community. Ensure you tell your supervisor of the report. Have it verified as soon as possible.
- Send a ViCLAS form to the Missing Persons Unit when you suspect foul play and in cases where you have not found the missing person in 60 days.

382. The role of the supervisor is to:

- Assess the matter and, if appropriate, disseminate relevant information to the local area command nearest to where the persons was last seen or by general broadcast.

383. In relation to unresolved cases, the guidelines are:

- Where your missing person's case remains unresolved for two years send the original brief to the Missing Persons Unit.
- Where you suspect a missing person might be dead, contact the Missing Persons Unit and the State Coroner to discuss the need for an inquest.

Witness: _____

Signature: _____

Page No: 127

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

384. It appears that improvements could be made in missing persons policy with the following:

- The investigation should be conducted where the effect is felt, not where the report is taken.
- In all cases where voluntary departure can not be proven, statements should be taken from all witnesses at the first available opportunity.
- Cases where it appears the missing person is suspected to be deceased should be reported to the Coroner.

Attached as an annexure to this statement is a copy of the intranet guidelines for Missing Person investigations, correct as at the 8th of July, 2002.

EXHIBIT I PRODUCE THOSE GUIDELINES-ANNEXURE 182

385. As an example of the current status of long term missing persons, there are currently 24 cases for which the Rose Bay LAC is responsible. Without "drilling down" each case, it is impossible to establish whether the cases have been reported to the coroner. Of those cases, only two came to be after the 1st of January, 2000. It would be beneficial if "at-a-glance" information was available to show what cases had been resolved by inquest so that "live" cases could be monitored.

386. In a statement prepared by Senior Constable PALMER ("PALMER") of the Communications Group, he states that there are no records maintained by the Police Service in relation to Computerised Incident Dispatch System (CIDS) prior to 1990. A copy of the statement of PALMER is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 183

Witness: _____

Signature: _____

Page No: 128

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

387. On the 26th of July, 2001 a statement was prepared by Detective Senior Constable BISHOP ("BISHOP) who states that May 1987 and November 1989 he performed General Duties at Bondi Patrol, and at the same location Criminal Investigation Duties between November 1989 and 1995. He states from his specialist knowledge of events and associations at that time in that area, members of the Bondi Boys gang (who also identified themselves as the Park Side Killers) included NP54, NP113, NP111, NP112, NP107, NP91, NP48, NP47, NP104, NP176, NP96, NP100, and NP55. BISHOP recalls youths who came to associate with the Bondi Boys in late 1989 and 1990 including NP46 and NP137. BISHOP recalls speaking with NP46 in January 1990 at a unit in Moore Street at Bondi, and NP46 stating "The Bondi boys threw a poofter off the cliff at South Bondi." BISHOP recalls the described area being Marks Park. BISHOP states he has the impression that NP46 saw the event, and would not give any further information. BISHOP states he subsequently submitted an Information Report in relation to this statement. BISHOP later states that he believes that NP43 and NP46 were living in the same premises in late 1989 or 1990. A copy of the statement of BISHOP is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 184

Witness: _____

Signature: _____

Page No: 129

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

388. On the 8th of December, 2001 a statement was obtained from [NP46] by Detective HOOPER and PINCHAM. [NP46] states that in 1989 and 1990 he was living in Sydney and would visit the Bondi-Coogee area. [NP46] states he became aware of a group known as the Bondi Boys, but never knew any of them or mixed with them. [NP46] states he does not remember a police officer by the name of BISHOP, and does not remember ever saying to a police officer, "The Bondi Boys threw a poofter off the cliff at Bondi." [NP46] is shown photographs of WARREN and RUSSELL, and states he has never seen or heard of these people before. [NP46] then states he has no knowledge of any of the circumstances surrounding the death of WARREN and RUSSELL. A copy of the statement of [NP46] is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 185

389. In a statement obtained from Constable Brad SCANLAN ("SCANLAN") on 29 August, 2001, he states that he attended the scene of death of John RUSSELL and crime scene photographs accurately depict the position of the body as he saw it. SCANLAN was later the Gay Liaison Officer for the Bondi Patrol and became aware of gay-hate crime at Marks Park. SCANLAN states he later submitted an assignment as part of his Police Recruit Education Program in relation to youth crime at Bondi, and part of the assignment included the death of RUSSELL. Particularly relevant to the PILLON information, SCANLAN states that there was no gay strip club in the area of Bondi between 1989 and the time of making the statement. A copy of the statement of SCANLAN is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 186

Witness: _____

Signature: _____

Page No: 130

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

OTHER SIMILAR OFFENCES - ALEXANDRIA EIGHT

390. In relation to the murder of JOHNSON, it occurred on Wednesday, the 24th of January, 1990. Circumstances leading up to the incident were the youth involved were playing basketball at the Cleveland Street High School at Alexandria. After the game, [NP15], [NP41] and [NP19] entered a public toilet situated in Park Street, Alexandria where they obtained a telephone number from the wall.

391. [NP41] has then called the telephone number and spoken with JOHNSON, arranging for JOHNSON to attend that toilet block. Shortly after 10pm that night, JOHNSON has arrived with the Alexandria eight lying in wait. As JOHNSON approached the toilet block, he was set up with punches and kicks and forced to the ground.

392. During the offence he was searched for money. Attached as an annexure to this statement is a copy of an Occurrence Pad entry which outlines the investigation of the death of JOHNSON together with the arrest of the Alexandria 8.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 187

393. Analysis of holdings of [NP16] showed a prior conviction for the assault of [I158]. On the 20th of March, 2002, a statement was obtained from [I158]. He states that in 1988 he was driving near Moore Park and felt the need to go to the toilet.

Witness: _____

Signature: _____


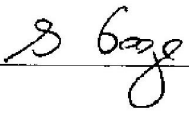
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

394. [158] states he parked his car on Moore Park Road and went to nearby bushes and began to urinate. He states he was then surrounded by six or eight teenage males and was punched and kicked by the group. [158] states that one offender was armed with a small bat, and one of the group said, "We'll get rid off all you poofers."

395. [158] states he identified group members were identified to police and he was treated at St Vincents Hospital. [158] states he is a gay male and was not at the park for sexual purposes and was running late to a dinner appointment. Those charged with [NP16] were [NP42], [NP138], [NP139], [NP140] and [NP141]

396. [NP139] is one of the four youths identified by THOMPSON as being disruptive during a presentation on anti-gay violence at the Cleveland Street High School. Attached as an annexure is a copy of the police incident report and the statement of [158].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 188

Witness:  Signature: 

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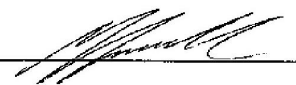
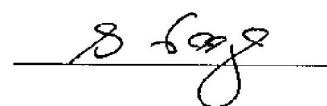
P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

OTHER SIMILAR OFFENCES - TAMARAMA THREE

397. The NP22 & NP23 prosecution is a stated case on joint criminal enterprise and the common purpose doctrine, is reported as NP22 & NP23 (1995) 130 ALR 26 and best describes this episode. The appeal went before the full bench of the High Court on the 9 May 1995 (Canberra) and 28 June 1995 (Sydney). Presiding was BRENNAN CJ and Justices DEANE, DAWSON, TOOHEY and GUMMOW.

398. The document states: " The appellants, S and D (who were brothers), were convicted of the murder of R. both were convicted of offences in relation to a second victim, V - S of robbery with striking and wounding and D of malicious wounding with intent to do grievous bodily harm. On 20 July 1990 S, D and a third offender, M, decided to "roll", "rob" or "bash" someone. S was armed with a hammer and M was armed with a baton or stick. S was aware M had the stick but there was no direct evidence that D was aware of M's weapon or that D and M knew S was armed. S attacked V. At about the same time R was punched and kicked by D and beaten with a stick by M. M chased R to an area near the edge of a cliff and continued to assault him. S side kicked R in the chest, causing him to fall a short distance. R was left 3-5 metres from the edge of the cliff, covered in blood. M then assaulted V again. S and D left the scene. M joined them a minute or two later, at which time he had a lot of blood on him. R was found the next day in the sea at the bottom of the cliff. The evidence was consistent with R having fallen onto a ledge and after a period of time into the sea. R's direct cause of death was the fall from the cliff and drowning. He had suffered injuries prior to the fall, some of which were consistent with the use of a blunt instrument and others with blows from fists."

Witness: Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

399. S is [NP22], D is [NP23], M is [NP24]
[NP24], R is Kritchikorn RATTANAJURATHAPORN and V is Jeffrey SULLIVAN. Attached as an annexure to this document is a copy of this reported case.

ANNEXURE I PRODUCE THAT DOCUMENT-ANNEXURE 189

400. [190] in a statement dated the 12th of September, 1990, examines photographs and identifies two offenders who robbed him, and states that on the 18th of December, 1989, he parked his car in Notts Avenue at Bondi and intended on checking the vehicle mechanically. He states he recalls being on the ground with three persons kicking him. [190] states he got to his feet and ran a short distance before he was confronted again. One of the group said, "Are you gay?" and a demand was made for [190]'s wallet.

401. [190] has surrendered his car keys, his car was searched and the keys thrown towards the ocean. A demand was then made for his watch. [190] was then struck to the chest with a skateboard. [190] has then tried to run again and was punched to the face. He was thrown to the ground and again kicked repeatedly. The offenders have shortly after left the area and [190] later sought treatment at the St George Hospital. Attached as an annexure to this statement is a copy of the statement of BOXSELL.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 190

402. The investigation summary document of McCANN (mentioned previously) outlines that [190] identified [NP23] and [NP22] as his attackers.

Witness: _____

Signature: _____

Page No: 134

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

403. Dr Terrence O'CONNOR (O'CONNOR) in a statement dated the 15th of October, 1990, states that [190] presented himself to the St George Hospital on the 19th of December, 1989. His injuries were fracture of nasal bones, fracture of the 6th to 11th ribs on the right side of chest, swelling over left cheek, abrasions to both arms, bilateral soft tissue swelling of the lower back. Attached as an annexure to this statement is a copy of the statement of O'CONNOR.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 191

404. In a fact sheet prepared by McCANN in relation to [NP23] [NP23] being prosecuted for the [190] robbery, the document states (Para 1) "a witness has indicated that [NP23] and another male commented about a year ago, 'We bashed poofers before. We rolled them.' This aspect has been reinforced by the co-accused [NP24] in a singed (sic) record of interview." I have been unable to locate any documents in which this information. Attached as an annexure to this statement is a copy of that fact sheet.

EXHIBIT I PRODUCE THAT FACT SHEET-ANNEXURE 192

Witness: _____

Signature: _____

Page No: 135 P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

GROUP PROFILE - THE BONDI BOYS

405. To establish who was associating with whom, a request was forwarded to the Intelligence and Analysis Section, of the Information and Intelligence Centre. The request sought details of membership of the PSK and PTK. On the 25th of September, 2001, a statement was prepared by Inspector RYAN of that centre and he outlined searches he had done for the gangs PTK and PSK. Examination of the document revealed no information that could be of assistance to this investigation. Attached as an annexure to this statement is a copy of the statement of RYAN.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 193

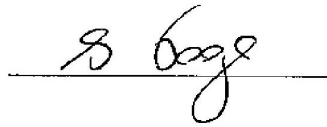
406. After the initial identification of NP43 by McMAHON, and the subsequent information from NP46, analysis was done of NP43's associates. This included an assessment of all pre-COPS intelligence holdings for the person NP43. This included microfiche intelligence and incident reports submitted between 28/03/1987 and 01/05/1992 (the chosen period). Attached to this statement is 32 intelligence reports outlining the activities of NP43 during the chosen period.

EXHIBIT I PRODUCE THOSE INTELLIGENCE REPORTS.

407. My approach to the group interview was this:

- Interview those who have previously assisted police, then,
- Female group members, then,
- Male group members with little antecedents and firm ties,
- Male group members not so likely to assist, then
- Core group of targets.

Witness: 

Signature: 

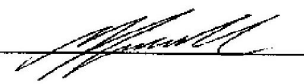

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

408. Those persons who had multiple contacts with NP43 between the dates of the chosen period were recorded and profiled for later interview. These persons included NP54, NP90, NP93, NP93, NP102, NP142, NP142, NP98, NP113, NP113, NP48, NP76, NP91, NP91, NP104, NP92, NP92, NP107, NP89, NP89, NP88, NP103, NP87, NP112, NP117, NP53, NP108, NP108, NP143, NP109, NP109. A matrix of the persons selected is attached as an annexure to those statement.

EXHIBIT I PRODUCE THAT MATRIX - ANNEXURE 194

409. Those persons who had single contacts with NP43 between the dates of the relevant period between 01/09/1989 and 16/03/1990 were recorded and profiled for later interview. These persons included NP144, NP35, NP35, NP145, NP100, NP100, NP146, NP116, NP116, NP95, NP94, NP94, NP86, NP111, NP147, NP148, NP110, NP110, NP105, NP149, NP79, NP150. A matrix of the persons selected is attached as an annexure to those statement.

EXHIBIT I PRODUCE THAT MATRIX - ANNEXURE 195

Witness:  Signature: 

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

412. [1160] was then assaulted by this male and two others, and during the offence he was repeatedly punched and kicked. These offenders tried to steal [1160]'s jacket. Police driving past arrested [NP92] and the other two males escaped. During the offence, words said repeatedly to [1160] were "you poofta bastard..and faggot". The description of one of the offenders who escaped is consistent with [NP43] at that time, and I believe this offender to be [NP43]. This opinion is bolstered by the racial background of group members (typical of [NP43]'s associates), [NP43]'s then appearance and hair style, together with the close association between [NP43] and [NP92] at that time. Attached as an annexure to this statement is a copy of the statement of [1160].

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 197

413. A statement was obtained from former Constable Glenn MASON ("MASON") who stated that he and Constable REID were involved in the arrest of [NP92]. MASON recalls that [1160]'s nose was bleeding and he had injuries to his upper torso. MASON recalls arriving, seeing [1160] trying to get into a taxi and being punched to the back of the head by [NP92]. A copy of the statement of MASON, together with a copy of a fact sheet and police incident report relevant to this arrest, are attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 198

Witness: 

Signature: 

Page No: 139

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

414. Analysis of holdings of [NP92], showed a prior conviction for the assault of [I131]. A statement was obtained from [I131] on the 18th of March, 2002. He states that after attending a race meeting at Randwick on the Australia Day long weekend in 1990, he drank with friends at the Cock and Bull Hotel at Bondi Junction and later went to Bondi to meet a friend. He states that he did not meet this friend, and purchased a pizza and went to the beach front park to eat. He states he was sitting on a bench and felt something touch his back pocket and turned around to see a young female of Pacific Islander background. She left and he was surrounded a few minutes later by about a dozen youths, predominantly of Pacific Islander background with one Caucasian male. [I131] was then assaulted with punches and kicks, and had his wallet taken. [I131] is a male heterosexual and those charged with [NP92] were [NP100] and [NP99]. Attached as an annexure to this statement is a copy of the statement of [I131].

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 199

415. The next incident to be discussed is the assault of [I91] [I91] at Bondi, and is relevant to the matter before the court because it confirms group associations and accurately describes the racial background of the "Bondi Boys" gang in late 1989. The description of the assailant group (age, sex, racial background) in the McMAHON and [I91] offences could be said to be strikingly similar.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

416. Analysis of holdings of [NP43] and [NP47], showed a prior conviction for the assault of [I91]. A statement was obtained from court records made by [I91] on 17 November, 1989 and he states about 6.40pm on Sunday 12 November, 1989, he was walking from Bondi Surf Club to his car which was parked nearby and as he walked along a tree lined path near the Bondi Pavilion he saw numerous people on the path and amongst the trees. [I91] was not able to walk through the group and said, "Come on fellows, let a bloke through." [I91] received abuse and moved on, and had bottles thrown at him. As this was happening, he heard someone within the group yell, "Fight, fight..the guy in the yellow jacket." [I91] was wearing a yellow jacket. As [I91] approached Campbell Parade, he knew the group to be running towards him but thought they would stop because of the numbers of other people about. One of the group has jumped in the air and kicked [I91] to the chest, and other group members have then assaulted [I91] with a barrage of punches and kicks. [I91] made a complaint to Bondi Police who returned to the park and arrested [NP43], [NP47], [NP48] and later [NP49]. [I91] describes his injuries which consist of bruising to his legs, arms, back and head. From examination of documents available, [NP43] and [NP47] appeared to be the main instigators of the assault. The group make up as given by [I91], with respect to age, racial background and sex is consistent with the group described by McMAHON. A copy of the statement of [I91] is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 200

Witness: _____

Signature: _____

Page No: 141

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

417. Other statements relevant to the [191] assault obtained from court records include those by Senior Constable CLARK ("CLARK") who prepared one 22 February, 1990. He states about 6.55pm that date, with [191] and other police he saw a group of about 20 young persons. [191] indicated [NP43], [NP47] and [NP48] to CLARK as being the youths involved in the assault. CLARK later interviews [NP43] who admits seeing the assault but denies any involvement. A copy of the statement of CLARK (together with ELLENBERGER who corroborates him) is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 201

418. Other statements relevant to the [191] assault obtained from court records include a fact sheet prepared by Constables ELLENBERGER and HICKEY regarding the youths [NP47], [NP43], [NP48] and [NP49]. A copy of the fact sheet is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 202

419. Examination of a profile prepared relative to [NP119] [NP119] showed him to frequent the Bondi area on 22 October, 1989, 11 December, 1989 and 28 January, 1990. [NP119] was noted to be in company with members of the Bondi Boys gang whilst at Bondi. Intelligence holdings relative to [NP119] show that on 12 July, 1988, [NP119] was in custody on robbery matters and was debriefed by Detective Senior Constable BROWN ("BROWN") at Maitland.

Witness: _____

Signature: _____

Page No: 142 P.190A.
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

420. [NP119] told BROWN he was a member of a gang who identified themselves as BHS ("Blacks Have Style") and they were responsible for robbery offences (whilst armed with knives) where they targeted members of the homosexual community in the Fitzroy Gardens park at Kings Cross. A statement was obtained from former Detective BROWN on the 15 November, 2001, where he outlined receipt of the information from [NP119]. BROWN states he subsequently submitted an Intelligence Report upon receipt of the information. A copy of the statement of BROWN, together with a copy of the Intelligence report is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 203

421. Analysis of holdings of [NP113], shows during the relevant time period for the matters before the court she was arrested for Offensive Conduct. A statement was obtained from Senior Constable McCARTHY who states that about 12.15am on 2 December, 1989, he was travelling with Constable COLE in a marked police vehicle along Campbell Parade at Bondi. He states he saw [NP113] yell obscenities at the vehicle and she was approached. She stated, "You don't own this footpath, fuck off you arseholes." The incident is significant as [NP113] was one of the more frequent members noted in the Bondi Boys, and this behaviour could be seen as territorial. A copy of the statement of McCARTHY, together with a copy of the Police Incident report and fact sheet is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 204

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

422. Analysis of holdings of [NP54], showed that he was arrested with [NP55] for a robbery offence in the relevant period. A statement was obtained from former Constable Michael TODD who states that about 5.45pm on 12 November, 1989 he was involved in the search of [NP55] and [NP54] where jewellery was found in the underpants of [NP55] and a necklace was around the neck of [NP54]. [NP55] and [NP54] were subsequently charged with Stealing from the person of [I92]. [I92] recalls [NP54], [NP55], [NP113] and [NP43] were members of a group known as the "PTK" which stood for "Part Time Kids" or "Part Time Killers." A search for fact sheets or [I92]'s statements through court records proved fruitless. A search for the [I92] revealed him to be deceased. A copy of the statement of TODD, together with the Police Incident report and [I92]'s death certificate are attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 205

423. Further analysis of holdings of [NP54], showed that he was arrested with [NP52] and [NP48] for a robbery offence upon [I89] in the relevant period. Between 10pm and 11.30pm on the 14th of April, 1990, [I89] was in Bondi Park at Bondi Beach and approached by a gang of youths who demanded money, and subsequently a watch. [I89] refused and after endeavouring to leave he was assaulted with punches and kicks. [NP52], [NP48] and [NP54] were subsequently identified as being involved and were charged with this offence.

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

424. No statement is available from [189], as his current whereabouts are not known. A check of court papers for [NP52], [NP48] and [NP54] failed to locate a statement from [189]. Inquiries revealed that [189] was a British tourist and departed Australia on 24 July 1990. Attached as an annexure to this statement is the Police Incident Report of this event.

EXHIBIT I PRODUCE THIS INCIDENT REPORT-ANNEXURE 206

425. Evidence available suggests that some youth who are involved in gay bashings have a hatred of the gay community because of previous exposures to deviance. I am able to say that [NP43]'s father, [1161] (born [REDACTED] was convicted in Central Petty Sessions on the 14th of January, 1974, for the offence of "Offensive Conduct - Masturbate in Toilet". He was subsequently fined \$50 or 10 days hard labour.

ELECTRONIC SURVEILLANCE - TELEPHONE INTERCEPTION

426. To assist with evidence gathering, electronic surveillance of communication services used by [NP43], [NP54], [NP16], [NP19], [NP57], [NP143] and [NP113] was conducted.

427. [NP43], [NP16], [NP19] and [NP57] were selected because there was direct evidence they were involved in gay-hate crimes at Tamarama. [NP54] was selected as he appeared to be [NP43]'s closest associate during the relevant period and was likely to be a co-offender. [NP143] and [NP113] were selected because they were the females who appeared to be most frequently in the company of [NP43] and females were present when the offence against McMAHON was committed.

Witness: _____

Signature: _____

Page No: 145 P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

428. I have on the 21st of February, 2002, submitted a report to the New South Wales Crime Commission requesting evidentiary certificates from the relevant bodies in accordance with Section 61 of the Telecommunications Act. To date, those certificates have not been received by this investigation. A copy of that report is attached as an annexure to this document.

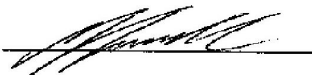
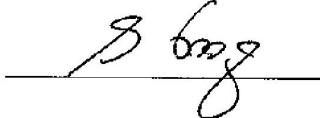
EXHIBIT I PRODUCE THAT REQUEST-ANNEXURE 207

429. On the 17th of September, 2001, warrant number EO1224/1 was issued for mobile telecommunication service [REDACTED] used by CUSHMAN was authorised by Justice ALLEN in response to an affidavit supplied by Detective HARRISON. This warrant was granted for a period of 90 days. At the expiry of this warrant, on 14th of December, 2001, (rollover) warrant number EO1224/2 was issued for this service by Justice BELL in response to an affidavit supplied by Detective HOOPER. This warrant was granted for a further period of 90 days.

430. On the 5th of December, 2001, the following warrant numbers were issued for the listed services used by the nominated persons;

- | | | |
|----------|------------|-------|
| EO1367 : | [REDACTED] | NP143 |
| EO1368 : | [REDACTED] | NP113 |
| EO1369 : | [REDACTED] | NP57 |
| EO1370 : | [REDACTED] | NP57 |
| EO1371 : | [REDACTED] | NP16 |
| EO1372 : | [REDACTED] | NP19 |
| EO1373 : | [REDACTED] | NP19 |
| EO1374 : | [REDACTED] | NP54 |
| EO1375 : | [REDACTED] | NP54 |

The warrants were issued by Justice HANDLEY in response to an affidavit I submitted. This warrant was valid for 90 days.

Witness:  Signature: 

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

431. The manner in which the telephone numbers were obtained would tend to indicate police methodology, however, that information is available if necessary.

432. I have since examined relevant calls from the batch of communication devices monitored, and on the 14th of May, 2002, I submitted a request for relevant calls to be transcribed to the New South Wales Crime Commission. A copy of that report is attached as an annexure to this document.

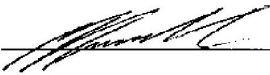
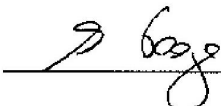
EXHIBIT I PRODUCE THAT REQUEST-ANNEXURE 208

433. In total, there was 17,022 calls monitored by investigators from this operation. Calls presented in this brief are those calls marked by investigators as relevant during the monitoring process.

INFORMATION FROM EXTERNAL SOURCES

434. In the original coronial brief of RUSSELL, was details of [134] as a gay victim of assault in the Bondi area.

435. [134] was spoken with and disclosed that between 1988 and 1990 he was living at both Forbes and Bondi, and that when in Bondi almost every night he went to the Marks Park beat. [134] states that he knew Ross WARREN and [177] as "gay...in the closet". [134] states that gay and bisexual men were known to have sex in the honeycomb caverns and bushes surrounding the walkway, and this beat was typically where you would go to pick up bisexual or closet homosexuals.

Witness:  Signature: 

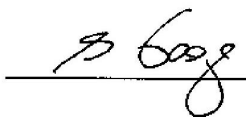
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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

436. [134] states that about four weeks prior to Mardi Gras 1990 (Mardi Gras is held in 1st week of March) he went to Tamarama (Marks) Park. [134] weighed in about 46kg at the time, and was a female impersonator with long blonde hair. [134] states he sat on a chair and another male (20-25 years old) sat next to him. [134] was aged 35 and believed the male to be about 10 years younger. [134] describes him as a "white boy...aussie". Signals were sent, and [134] went with the man to have consensual sex in nearby vegetation. [134] began to perform oral sex on this man, and noticed he had a tattoo on his left outer calf. [134] states whilst this occurred, two other males (who were naked) approached him. [134] was forced to the ground, [REDACTED]

437 [REDACTED]

[REDACTED] During the offence, [134] was called a "slut" and members of the group were saying, "All poofers should be exterminated." At the conclusion, [134] was punched and kicked by the group.

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

438. [134] was subsequently treated at St Vincents Hospital for four broken ribs, a green stick fracture of his forearm, two cracked vertebrae in the back of his neck and a laceration to the back of the head which required sutures. A copy of the statement of [134] is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 209

439. [134] is adamant on the ages of the offenders in this incident and this almost excludes the groups known as the Bondi Boys, Tamarama Three and Alexandria Eight.

440. A service wide e-mail was sent 21 May, 2001, seeking information from any members of the service who had knowledge of similar offences in the Eastern Suburbs in that era. Other offences were identified, but none were similar enough in conduct and location to suggest a link. Attached as an annexure to this statement is a copy of the memorandum.

EXHIBIT I PRODUCE A COPY OF THAT E-MAIL-ANNEXURE 210

441. The assault of [134] appears to be controlled and practiced and may well have been an act learned whilst in custody. A request was forwarded to the Corrective Services Department through the Police Corrections Intelligence Unit for information on predators within the gaol system who have a history of similar offences. I later received a reply from the Police Corrections Intelligence Unit that no information was forthcoming.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

442. A C.O.P.S search of male sex offenders with a tattoo on their outside left leg (in the supplied age group) revealed there were numerous persons of interest in the City East Region alone. None of those persons of interest were previously known to this investigation. Without further information available to assist, this line of inquiry was not pursued.

443. The report submitted by DUNBAR (dated 14th January 1990) suggests [134] was assaulted on the 12th of January, 1990. In the document, [134] is alleged to have stated he received injuries as a result of a "poofter bashing" and was 'not forthcoming of any other details'.

444. The injuries as documented in the report appear to be similar to the injuries received during the sexual assault, being four broken ribs, a green-tree fracture of the upper left arm and a large indentation to the back of the skull. Attached as an annexure is a copy of that report.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 211

445. On the 4th of July, 2002, I served upon the medical records supervisor at the St Vincents Hospital at Darlinghurst an order under the Coroners Act to supply all medical reports, statements, writings and records of [134]. Attached as an exhibit to this statement is a copy of that request.

EXHIBIT I PRODUCE THAT ORDER-ANNEXURE 212

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

446. This investigation was contacted by [1130] and a statement was obtained from him on the 23rd of May, 2002. He states that in October 1987, he went to the area of Marks Park with his then boyfriend [1162]. They have met a man who offered them a "smoke" and [1130] knew this to be cannabis. [1130] and [1162] have then followed this male and another to underneath a cliff ledge where they were assaulted with punches and kicks. [1130] had his head stomped on, and recalls at one stage his head was over the edge of the cliff. [1130] was then robbed of money. [1130] describes the main offender being 30 to 35 years old with the other offender slightly younger. Attached as an annexure to this statement is the statement of [1130].

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 213

447. Although this offence pre-dates the incidents involving WARREN and RUSSELL, it was included because homosexual men were violently attacked at Marks Park with the victim [1130] being at risk during the assault of being forced off a cliff.

448. A statement dated the 17th of December, 2001, was obtained from Doctor PETERS of the Prince of Wales Hospital in relation to the treatment of [1130]. He states that (from medical records) [1130] was treated at the P.O.W Hospital on 26 October, 1987 and was treated for a ligamentous injury to the right knee for which a bandage was applied and crutches were supplied. [1130] was then discharged. [1130] complained of receiving multiple blows to the face and to the bent knee which was jumped upon. A copy of the statement of Doctor PETERS is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 214

Witness: _____

Signature: _____

Page No: 151

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

449. At 9am on 10th of December, 2001, I was contacted by former Police Officer Glenn GORICK in relation to the death of Douglas JOHNSTONE whose body was found on a rockshelf below Ben Buckler Point at North Bondi on 25 December, 1988. This incident was outside the terms of reference of this investigation and I created Intelligence Report [REDACTED] and transferred it to Eastern Suburbs LAC for further investigation. In the hours prior to JOHNSTONE's death, he was drinking alcohol (BAC 0.149), and had an argument with his female de-facto.

450. On the 10th of December, 2001, Information Report [REDACTED] was created after an anonymous person contacted Crimestoppers. The caller stated that Clayton BEACKON (a bi-sexual man who was a good swimmer) drowned near Marks Park in 1989. Josephine HOGAN ("HOGAN"), the mother of BEACKON was spoken with, and stated that she was in possession of a note suggesting suicide. The note read "Jose, Your my best friend! Wish we could have talked more. Clay XXXX PS I hope this doesn't happen to Zoey!."

451. HOGAN further stated he was in poor health [REDACTED] [REDACTED] A copy of the coroners file and the note was obtained and no information was gained which would suggest this incident was linked to this investigation. Taking into account the existence of the note and factors which may have led to suicide, this information was not taken further.

Witness: _____

Signature: _____

Page No: 152

P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

452. Information was received from Detective Sergeant SPENCER that he recalled that [NP151 & NP152] were responsible for pushing a gay man off a cliff in the Eastern Suburbs. Detective SPENCER said he had no involvement, but believed that Detective Inspector Peter MILLER may have had some involvement. Detective Inspector MILLER was consulted and stated he had no knowledge of [NP151 & NP152] being involved in any such offence. Examination of C.O.P.S holdings showed [NP151 & NP152] had no reported intelligence of such an incident. It may well be the case that SPENCER has in error confused [NP151 & NP152] with [NP22 & NP 23]

453. Constable PARTRIDGE ("PARTRIDGE" - a G.L.L.O) submitted Intelligence Report [REDACTED] in relation to a telephone conversation he had with Gary BURNS ("BURNS") about 7.30am on the 10th of December, 2001. In that document, PARTRIDGE says BURNS alleges he was "chased" in Marks Park at Tamarama "sometime during 1988/1989" and could only describe the persons who chased him as "young and males". PARTRIDGE in the document states BURNS was "highly critical of why the cops would care about a 'couple of poofs' being murdered" Attached as an annexure to this document is a copy of that intelligence report.

EXHIBIT I PRODUCE THAT DOCUMENT-ANNEXURE 215

454. At 1pm on 13 December, 2001 I was contacted by Senior Constable HIGGINS ("HIGGINS") of the Crime Stoppers Unit. He stated he was contacted by Gary BURN, who complained of being chased out of Marks Park around 1989 by a "fat old sergeant". As this may well have been legitimate and the identity of the police officer is not known, no further action was taken.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

455. At 1.41pm on the 16th of April, 2002, I contacted BURNS who was condescending and offensive. What was established during a telephone call was BURNS stating that:

- In the late 1980's BURNS was in the middle of Marks Park.
- He was approached by a group of about 5 Caucasian males who were 16 to 19 years of age.
- One said, "Are you a faggot?"
- BURNS turned and ran away from the group.
- This incident occurred between 12 midnight and 1am.
- BURNS does not recall the exact location of the incident but it was on the south side of the park.
- BURNS states he went to Bondi Police Station to report it and alleges he was told by police, "We don't get involved in poofster domestics."

456. All this information was created contemporaneously and electronically on Investigators Note IN575. BURNS declined an offer to make a statement in relation to the matter, justifying by saying that he was hopeful of representing The Greens at the next State General Election and running against Clover Moore. He stated "I don't just want the poofsters votes, but the votes of Mums and Dads. I don't want to be seen as a faggot giving headjobs at a gay beat."

457. The following day, the 17th of April, 2002, BURNS has apparently attended Paddington Police Station without prior arrangement with a view of making a statement. No investigators were available to see BURNS at this time. BURNS has subsequently forwarded correspondence to the office of Coroner and Police Minister with allegations of historical and contemporary culture problems between the Police Service and the Gay Community.

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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458. As BURNS apparently now wished to make a statement, I made available the opportunity of him making one to Senior Constable O'NEILL - the only full time G.L.L.O in the service. BURNS was contacted by O'NEILL and again declined.

459. BURNS has provided information to the Sydney Star Observer, and in an article penned by David MILLS and published on the 9th of May, 2002, BURNS states he was turned away from Bondi Police Station after an officer said, "We're not interested in gay domestics." BURNS alleges the youth said to him, "Faggot we're going to get you." BURNS has attributed to him the statement, "Those men could still be here today if police took my complaint seriously in '88."

460. In correspondence addressed to the Coroner of N.S.W BURNS states in November 1988 that he was approached by the youths with one saying "We're going to get kill (sic) you, you faggot." BURNS on reporting this incident at Bondi Police Station, states the officer told him, "We're not interested in homosexual domestics. You homosexuals deserve what you get, now get out of the Police Station."

461. In the various versions supplied by BURNS, there are inconsistencies in the statements attributed to the youths, being "Are you a faggot?", "Faggot we're going to get you.", and, "We're going to get kill (sic) you, you faggot." In my conversations with BURNS I noted he tended to use the word "faggot" to describe gay males.

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462. In the various versions supplied by BURNS, there are inconsistencies in the statement attributed to the Bondi police officer, being "We don't get involved in poofster domestics." "We're not interested in gay domestics." "We're not interested in homosexual domestics. You homosexuals deserve what you get, now get out of the Police Station."

463. In the various versions supplied by BURNS, there are inconsistencies in the time period with "1988/89", "late 1980's", "1988" and the more precise "November 1988."

464. BURNS has over 70 separate holdings of intelligence with the Police Service, a large proportion relating to intimidation of law enforcement officers. I note that police who have had dealings with BURNS suggest he may suffer a psychiatric disorder, is aggressive and a vexatious complainant. As BURNS's nuisance value outweighed his witness value, I discontinued further contact with him. It may well be the case he is grand-standing for his own political means. Attached as an annexure is copies of correspondence and records relating to BURNS.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 216

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

THE THOMPSON INFORMATION - CLEVELAND STREET HIGH SCHOOL

465. THOMPSON in her statement says that there were four males of aboriginal background who appeared to have some knowledge of the PSK gang and showed anti-gay attitudes. On the 6 September, 2001, a teacher (known to me) at the Cleveland Street High School was able to confirm the youths (depicted in photo) were NP153, NP139, NP101 and NP154

466. THOMPSON in her statement indicated that in 1990 she conducted a seminar to educate youths about gay-hate crime at the Cleveland St High School. THOMPSON indicated that she had photographs of four males who were disruptive to the lecture and marked associated paperwork with the letters "P.S.K."

467. The photographs were examined by persons known to this investigation, and the four youths were identified as NP139, NP139, NP101, NP154 and, NP153

468. NP139 provided a statement on the 6th of May, 2002, and stated that "PSK" stood for Park Side Killers, and he heard that name after NP20, NP15 and others were charged with murder. NP139 states he knew those youths. NP139 stated he did not get involved in anything like that, and did not have a problem with gay guys.

Witness: _____

Signature: _____

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469. NP139 states it was an "easy-earn", as a gay-guy would not report being rolled in toilets. A copy of that statement is attached as an annexure to this statement. Interestingly, NP139 is one of the co-accused of NP16 in the assault of 1158

EXHIBIT I PRODUCE THAT STATEMENT - ANNEXURE 217

470. NP154 provided a statement on the 6th of May, 2002, and stated that the "P.S.K" was a group from Randwick/Coogee, and that he has no knowledge of gay-hate crimes. A copy of that statement is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT STATEMENT - ANNEXURE 218

471. NP101 and NP153 were not located.

472. THOMPSON further stated that there was a female prefect at that school presentation who disclosed she had a dilemma of a boyfriend involved in gay-hate crimes. Inquiries were made and she was not able to be identified.

Witness: _____

Signature: _____

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HEALTH INSURANCE COMMISSION

473. Information was sought from the Health Insurance Commission in relation to bulk-billed medical services of **NP43**, **NP47**, **NP57**, the Tamarama Three and the Alexandria Eight. The purpose of that was to establish whether persons of interest to this inquiry sought treatment for any injuries around the time of the suspected deaths. In relation to the persons of interest, there was no examinations which appeared to be of interest to this investigation except for **NP43**. HIC records show that for his treatment the following medical practitioners received a medicare benefit:

- (a) 25/07/1989 - Dr SENNETT of Bondi.
- (b) 23/11/1989 - Dr SODEN of Woollahra.
- (c) 23/11/1989 - Dr CASTRONOVA of Ryde.

Inquiries at Dr SENNETT's practise revealed that it had for several years been owned and operated by Dr RENTOUL. There were no records of a consultation with **NP43** prior to a consultation on 24/02/1994. Inquiries at Dr SODEN's practise revealed that there were no medical files for the period 1989, and Dr SODEN (now of Queensland) stated she has no records or recollection of the treatment of **NP43**. Inquiries with the practice of Dr CASTRONOVA show that he operated under the trading name of Douglas Labs which was taken over by Douglas Hanly Moir Pathology. Dr CASTRONOVA is no longer in employment with the business, and the business holds no records of the treatment of **NP43**. Attached as an annexure to this statement is a copy of that report.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 219

Witness: _____

Signature: _____

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PUBLISHED INFORMATION

474. About 10am on the 9th of December, 2001, a media conference was had at Marks Park at Tamarama and was conducted by Superintendent CHAPLIN and Inspector DALTON, with Norris SMITH of the Police Media Unit. Members of the public who had any knowledge of the death of RUSSELL and the disappearance of WARREN were urged to contact investigators. Attached as an annexure to this statement is a copy of the media release of 8 December, 2001.

EXHIBIT I PRODUCE THAT MEDIA RELEASE-ANNEXURE 220

475. As a strategy to gain public interest, I implemented a reconstruction of the fall of RUSSELL. The aim was to either bring witnesses forward or generate conversation amongst the target group. This episode was co-ordinated by myself, with Detectives HOOPER and PINCHAM.

476. A dummy was obtained for this purpose and dressed in clothing similar to RUSSELL. It was never envisaged that these tests would have any forensic value as the dummy was rigid and could not replicate the mechanics of a fall, together with the fact it only weighed 4.9kg. The dummy was pushed both forwards and backwards by Senior Constable GEDDES of the Rescue Squad from the coastal walkway near to where RUSSELL would have fallen. The positioning of the fall was measured and photographed by Senior Constable BRADY of the Physical Evidence Section.

Witness: _____

Signature: _____

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477. A subsequent media release was drafted and released on the 3rd of April, 2002, to locate "Derrick" (WARREN's wallet") and "Red" (nominated by STINSON). Attached as an annexure to this statement is a copy of this media release.

EXHIBIT I PRODUCE THAT MEDIA RELEASE-ANNEXURE 221

478. Information was received from David MILLS, Journalist, of the Sydney Star Observer that Derrick may in fact be Derrick HUTCHINSON ("HUTCHINSON").

479. No information about "Red" was received by this investigation and to date, his identify is not known and his existence can not be corroborated. On the 3rd of September, 2001, I conducted a search through the COPS system of:

- (a) males,
- (b) red/ginger hair,
- (c) known as Red,
- (d) associated with Dubbo.

480. Five entities were identified and they were eliminated as being our potential witness.

481. A subsequent media release was drafted and released on the 9th of May, 2002, to establish if any persons recognised the jewellery located by the Constable BARRELL and others during the underwater search around Marks Park. I received no response from this release. Attached as an annexure to this statement is a copy of this media release.

EXHIBIT I PRODUCE THAT MEDIA RELEASE-ANNEXURE 222

Witness: _____

Signature: _____

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482. Further, I have obtained print media articles relevant to information published during the lifetime of this investigation. Attached as an annexure to this statement is copies of those media articles.

EXHIBIT I PRODUCE THOSE MEDIA ARTICLES-ANNEXURE 223

483. Further, I have used the library services at Australian Consolidated Press and the Illawarra Mercury to gain historical articles published in relation to WARREN and RUSSELL. I was not able to locate any new witnesses from this canvass. Attached as an annexure to this statement is copies of media articles provided.

EXHIBIT I PRODUCE THOSE MEDIA ARTICLES-ANNEXURE 224

484. On the 14th of December, 2001, I was advised by Constable PARTRIDGE (G.L.L.O) that he delivered copies of the media release to numerous premises associated with the gay community. Around the Oxford Street strip businesses were asked to retain and prominently display that media release. They included King Cafe, Midnight Shift, Thai Panic, The Barracks, Cafe Comity, Gobungi Restaurant, Stonewall Hotel, California Cafe, Battuta Cafe, Oxford Hotel, Taxi Club and Body Line Sauna. A copy of the report of Constable PARTRIDGE is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 225

Witness: _____

Signature: _____

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INTERVIEWS SURROUNDING THE "TAMARAMA THREE"

485. As a result of the prior convictions of [NP23] and [NP22] together with [NP24] for the gay-hate murder (robbery motive) of Kritchikorn RATTANAJURATHAPORN a decision was made to interview them.

486. On the 22nd of February, 2002, with Detective FOSTER I interviewed [NP24] at Campbelltown Police Station by way of ERISP. [NP24] is shown photographs of WARREN and RUSSELL and states he has not previously seen these persons, and has no knowledge of their deaths. [NP24] is not able to recall his movements for the 21st and 22nd of July, 1989, . [NP24] states that in 1989 he was residing at Campbelltown and attending Airds High School. [NP24] states he previously resided at Clovelly and met [NP22 & NP23] whilst attending Randwick North school. [NP24] states that in 1989 he had a strong loathing for gays [REDACTED] [NP24] states he did not frequent Marks Park at Tamarama during 1989. [NP24] describes the death of Kritchikorn RATTANAJURATHAPORN and the events surrounding it, saying prior to the incident he was drinking and smoking cannabis and went for a drive with [NP22 & NP23]. He says they stopped at Marks Park and saw two gays and "took it upon ourselves to rob them...He was backing away and was, like he's gone, there's the cliff face there like that and as he's backing away he's fallen off the edge of the cliff... [NP22] was found to be carrying a claw hammer, he had a claw hammer on him."

Witness: _____

Signature: _____

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487. NP24 on discussing NP22 & NP23's attitude towards gay's says, "I suppose we were of the same, you know, opinion. I suppose back then, otherwise we wouldn't have went out and decided to, you know, do a roll that night, you know, on a gay person." The McCANN report suggested that NP24 nominated the NP22 & NP23 in committing other gay-hate robberies at Marks Park, and NP24 was questioned in relation to this. NP24 states he can't remember whether NP23 or NP22 told him, however, one of them said "We did a roll the other week" at Bondi.

488. A copy of the statement of Detective FOSTER together with a transcript of the NP24 interview is attached as an annexure to this statement.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 226

489. About 12 midday on Tuesday 11 December, 2001, with Detective Sergeant NUTTALL and Detective PINCHAM I entered the reception area of the Corrective Services Complex within the Sydney Police Centre. Also present was I163, the mother of NP23 and NP22, and Detective Sergeant NUTTALL and I had a brief conversation with her.

490. NP22 was then brought from the cell complex to the reception area. Detective Sergeant NUTTALL then said to NP22, NP22, my name is Detective Sergeant NUTTALL, this is Detective Sergeant PAGE and Detective PINCHAM. We have been instructed by your mother that you refuse to speak with Police. Is that correct?" He said, "That is correct." NUTTALL said, "Is there anything you wish to say to us?" NP22 said, "No, I don't."

Witness: _____

Signature: _____

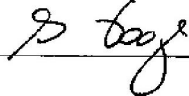
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491. NUTTALL said, "Do you wish to assist Police in any way regarding the disappearance of Mr WARREN in 1989?" He said, "No. I'm not speaking any more. I've said my piece." NUTTALL said, "Do you wish to read this notebook entry as to its correctness?" He said, "Yeah, actually, yeah." NP22 then examined the entry and it was read aloud to him by NUTTALL.

492. NUTTALL then said, "Do you wish to assist Police regarding the murder of Mr RUSSELL?" NP22 said "No. I don't want to speak to you any more." NUTTALL said, "Do you wish to sign this notebook entry as to its correctness?" NP22 said, "Yes." NP22 then examined the entry and signed the notebook. I163 then also examined the notebook entry and signed it, and NP22 was returned to the cell complex.

493. About 12.15pm NP23 was brought to the reception area, and in the presence of myself, Detective PINCHAM and I163 I163 Detective Sergeant NUTTALL said, NP23 my name is Detective Sergeant NUTTALL and this is Detective Sergeant PAGE and Detective PINCHAM. We have been instructed by your mother that you do not wish to speak with Police. Is that correct?" He said, "Yes." NUTTALL said, "Is there anything you wish to say to us regarding the disappearance of Mr WARREN in 1989?" He said, "No." NUTTALL said, "Is there anything you wish to say to us about the murder of Mr RUSSELL in 1989?" He said, "No." NUTTALL then said, "Do you wish to read through this notebook entry?" He said, "Yes." Detective Sergeant NUTTALL showed NP23 the notebook entry and read the notes aloud.


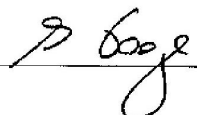
Witness: 

Signature: 

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494. Detective Sergeant NUTTALL said, "Do you wish to sign this notebook entry as to its correctness?" NP23 then said, "Not particularly, no. I don't wish to sign anything." NP23 was then returned to the cell complex. 1163 1163 then examined the notebook entry, and signed the notebook. Both myself and Detective PINCHAM then examined the notebook, and I noted it to be a correct record of the conversation with NP23 and NP22. Both myself and Detective PINCHAM then signed that notebook. Attached as an annexure to this statement is a copy of the statement of Detective Sergeant NUTTALL, together with a copy of notebook F283832.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 227

Witness:  Signature: 

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

LD OPERATION - NP22 & NP23

495. To assist with the evidence gathering phase of this investigation, the use of electronic surveillance (listening devices) were utilised. A strategy was developed to bring NP22 & NP23 to the Sydney Police Centre for interview, and to utilise [REDACTED]

496. On the 6th of December, 2001, Justice DOWD issued a warrant (ST01/326 A&B) in accordance with the Listening Devices Act as a result of a sworn affidavit by Detective FOSTER. That warrant allowed a listening device to be installed in [REDACTED] together with [REDACTED]

497. On the 11 December, 2001, NP22 & NP23 were brought to the complex by the vehicle, and the operation was conducted.

498. [REDACTED]

499. NP22 & NP23 were subsequently spoken to with regard to this matters by Detective Sergeant NUTTALL, in the presence of Detective PINCHAM and myself.

Witness: [REDACTED]

Signature: [REDACTED]

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500. On 10 December, 2001 Senior Sergeant STERCHOW ("STERCHOW") and Constable FLETCHER ("FLETCHER") of the State Technical Investigation Branch [REDACTED]

[REDACTED]

501. On 11 December, 2001, FLETCHER removed tape number 135687 from [REDACTED] and inserted tape number 135683 into the recorder. FLETCHER has subsequently created audio tape copies of that recording.

502. On 11 December, 2001 Senior Constable FLEETWOOD ("FLEETWOOD") and Constable CLARK ("CLARK") of the State Technical Investigation Branch activated a listening device in [REDACTED] and have then travelled to the [REDACTED] where FLEETWOOD removed tape 135683 from the recorder. FLEETWOOD has subsequently created audio tape copies of that recording. Attached as annexures to this statement are the statements of STERCHOW, FLETCHER, FLEETWOOD and CLARK.

EXHIBIT I PRODUCE THOSE STATEMENTS-ANNEXURE 228

503. Constable BROWN ("BROWN") states that on the 11th of December, 2001, with other police she went to the Sydney Police Centre where she spoke with myself and STERCHOW. She states she examined recording equipment and at 9.26am inserted a Master VHS and highlight audio tape. BROWN states she subsequently heard voices and commenced to make notes on a monitoring log as those conversations took place.

Witness: _____

Signature: _____

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504. BROWN states that at 1.37pm recording concluding and the master VHS and audio tapes were removed and secured. Constable BROWN then examined audio tape cassettes which were copies of original tape numbers 135683 and 135687. The recording quality was poor and no audible conversations were heard. Attached as an annexure to this statement is the statement of BROWN.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 229

505. Attached as annexure to this statement is a copy of the audio monitors log of that operation.

EXHIBIT I PRODUCE THAT LOG-ANNEXURE 230

506. I caused a transcript to be done of that audio recording. Attached as an annexure to this statement is a copy of that transcript.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 231

507. The transcript of the [NP22 & NP23] tapes has many gaps and holes due to recording difficulties and there is an inability to attribute comments captured to either [NP23] or [NP22]. A summary of the highlights is as follows:

508. Comments captured where there is difficulty identify the voice are : [NP22 or NP23] states (p2/3) "Yeah, but much better.... I'm telling you right now, it's fucking shit."

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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509. [NP22 or NP23] states (p4) "It's bad enough, bad enough us being'.... complain to fuckin'..... justice, fuckin' the bloke comes up and charges me with murder" A reply of "That's their job" is heard and the original voice states, ".....should be charged...."

510. [NP22 or NP23] states (p5) "this is just a shit mind game, fuckin' shit..."

511. [NP22 or NP23] states (p6) "In Sydney...here, Oberon...Parramatta...It's like some of the first and second....convictions....anywhere, fuckin' who gives a shit. In civilised suits....How are you goin' mate? How are you goin, buddy? Fuckin'...what do you want, mate?...It's cynicism and sarcasm."

512. [NP22 or NP23] states (p7) "Let's fuckin' stop the bullshit...police harassment...charge me....DNA fuckwits respectful....they're rude, very rude people. You know what I mean....Operation Witchhunt"

513. [NP22 or NP23] states (p8) "I don't trust these people whatsoever....You know what I mean....go for justice....Do it right now. I'm fucked if I know how it works, I don't know....This is fuckin' scary, mate. Arsehole treated exactly the same as if you just did it....Fuck off you cunt...You worry too much about"

514. At page 9, [163] is introduced to her sons, and speaks through an open door.

Witness: _____

Signature: _____

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515. [163] states, "Well, they took me into this house thing coming in ask to come in um wanted to come and he had to tell his boss where he was going but I said don't ... he just felt that he'd like to help so I these three detectives they're after you for these two unsolved murders and um, you that also ... That also was mentioned so"

516. [NP22 or NP23] makes replies, [190], yeah, [190] [190], yeah." She states, "And... this detective and I said, Well, why didn't you charge him?" [NP22 or NP23] replies, "They did charge me for that [190]" She later states, "And he said, Well,.... I said, Look, I said, You already have him found guilty. I said, Give him He said, Well, you want to tell your sons that should feel remorse for what they've done." Laughter is then heard. [NP22 or NP23] replies, "What? For this thing?" She replies, "Oh, for for what you've done....because that way if you do you can serve them concurrently."

517. Further laughter is then heard, and [NP22 or NP23] replies, "We have the answer. Praise the Lord, we have the answer. Plead guilty to two murders...."

Witness: _____

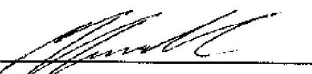
Signature: _____

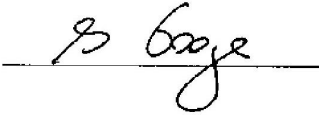
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518. The conversation continues (p11) with I163 saying, "Yes, and got heaps of witnesses. Look, I said, Look, I know what they've done, I said, And they can show remorse. I said, You don't think my boys I said, Go and ring the police, and I said, they didn't murder anybody. I said this makes me feel sick. That's probably why And I said... they didn't do it by drowning him ... I said, his injuries were from being wedged in the rocks oh, the medical, the medical officers always say, never determine the time of death, they always say"

519. I163 continues, "And he said, You know, they have to show remorse, they have to admit what they've done. I said, You don't think that they have remorse? I said, I remember Oh, you know, we know what they used to get up to, and their friends. I said, well, actually, I said, NP23 might have been 15 then. I said,.... run around, and I said, If they were committing all these crimes, I said...I have to say my boys were lazy ... I said, they took their clothes off, they'd end up on the floor. I said, And I'd pick them up every morning, and I said, I never just threw them in the washing machine, I checked for stains. I said, I think if they were doing that I would have found blood on I said, Yes, I have spoken to never even asked them..Oh, have you spoken to, to, to your sons ... and I said, Yes, well, that was on all the news on channel nine... channel two.

520. The conversation continues at (p12) when I163 continues, "And anyway, I said, You've got DNA, that's better..." NP22 or NP23 replies, "Bloody oath it is."

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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521. [I163] continues (P13), "...I can't tell them, see he told ... to say to you, Admit it, confess, and you'll serve it concurrently...he said, I'm not allowed to say that, but he said, you know ... so I said, I'll tell them exactly what you told me." Laughter is then heard. [I163] continues "You're going back thirteen years. I can't even, thirteen years ago that means I can't even say ... or they were out. How can anyone remember thirteen years ago?"

522. [I163] continues (P14), "..Look, I can understand how ... missing man. I can understand but, I said, I also understand too that you would like to put this on my boys so you can wrap this case up." [NP22 or NP23] replies, "Oh bloody oath." [I163] continues "That's what I said, ...I know what my boys have done. I said, O.K. 16 I go to their friend, I said, they weren't I said, [NP23]'s only 15 years of age."

523. [NP22 or NP23] replies, "Well, see, you know, this is how ridiculous this sounds. What they're saying....I was a serial killer at 15... and you were a serial killer at 16."

524. [NP22 or NP23] states (p15), "I'm not speaking to 'em." A further comment is then captured by [NP22 or NP23] who states, "Whether they actually want to question us, actually believe we did this or whether they think we know somebody who may have done it." [I163] replies, "No, they think it's you."

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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525. [NP22 or NP23] states (p16), "Slimy little bastards, they'll do it behind your back and contact welfare." [I163] (p16) discussed calling a legal services hotline and was given advice not to say anything, not to make a statement. If anything goes bad, get in touch with us."

526. [NP22 or NP23] states (p18), "The only thing that could be on my side is if they try and charge us ... they might try and ... some shithouse charges...not a murder charge...to keep us... to keep us in secure lockup." [I163]

[I163] replies, "And they have witnesses, they have witnesses to come forward...And I said, Why wasn't it brought up then...Why are you sitting her now telling me, ... and they can't defend themselves. Well, we know they did it. I said, Oh, ... believe you. Have you spoken to them? I said, I have spoken to my sons ... And I said, If you've got DNA and witnesses.... Oh, we've not only got DNA, we have got witnesses and we have got this." [NP22 or NP23] replies, "Bullshit." [I163]

[I163] continues, "They just want to get you for these two murders and ...

527. [NP22 or NP23] replies, "If they think they're gunna get us, they wouldn't talk to you and verbal you to verbal us, they'd just walk straight in here and say, We've got you ... see you later." [NP22 or NP23] then states, "They've got the DNA."

528. [I163] continues, "I said, And you know how I'd like to ... I said, friends, which of the boys ... you know, and I said, If they plead innocent, that's what they are, you know."

Witness: _____

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529. [I163] continues, "Anyway when I went outside ... I went outside for a cigarette because I had, I had to wait ... for them ... down here and um, so I introduced them, I said, This is ... upstairs.... He said, you know, and I said, And the boys think the world of him... So, you know, this being a gay ... murders."

530. [I163] is making reference to the introduction to investigators of a gay-male friend she brought with her to the station.

531. [NP22 or NP23] replies, "The fisherman, yeah, the fishermen have got nothing... They say, ... we've got you anyway....conspiracy."

532. [NP22 or NP23] continue (p21), "Read my files...Tell 'em to come and ask ... charge you for murder anyway. I verbals verbal. It's all bullshit. It's all a piece of shit, they're tryin' to verbal the hell out of you."

533. [NP22 or NP23] continue (p22), "Charge me for something small.....bullshit...It's a bullshit investigation."

534. [I163] continues (p23), "Because they haven't got anyone else and they want you two.." [NP22 or NP23] subsequently replies, "We can wait for this DNA." [I163] states, "They want you to admit to murder...They can't charge you." [NP22 or NP23] replies, "...bullshit. They'd be sayin', I have you, if they had something big, they wouldn't..."

Witness: _____

Signature: _____

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535. I163 continues (P24), "But these cops are The big article and, the investigation is being re-opened even though three years ...and that case is to be re-opened as well for further investigation." NP22 or NP23 replies, "Congratulations....bullshit."

536. NP22 or NP23 (p25) states, I'm not speakin' to em... I've already said. Oh they're so fuckin' these people, they're evil, evil bloody people, you don't trust these people." I163 replies, "They cannot have remorse over something they never did."

537. Further conversations are had about NP22 & NP23 not speaking with investigators. NP22 or NP23 (p28) says, "Wankers..I know that psychologically...They're actually trying to verbal us." I163 says, "...They're probably listening to us now." Further conversations are then had about the intention of NP22 or NP23 refusing to participate in an interview.

538. NP22 or NP23 (p29) states, "...That's why it's putrid...murder anyone....I thought that was, that was disgraceful but this is just despicable. So ah, you know...this is ridiculous."

539. Conversations continue about the intention of NP22 & NP23 refusing to participate in an interview.

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540. [NP22 or NP23] (p37) states, "It's, it's scary, you know, people are trying to, to, to kill your bloody life ... it's scary...They're, they're like predators, these detectives... the only concern I have got is the fabrication of evidence...They are that desperate for a pinch. If they believe you did it, you did it and they will do anything to get you."

541. [1163] leaves the cell area, and [NP22 or NP23] (p39) states, "Can you believe that? Huh? They try and verbal her so she verbals us ... they've got no other play." The other replies, "I know ... I'm gunna give 'em a filthy fuckin' look. You try and ... mate, it's just fuckin' cocksuckers ... It's not gunna make a pissin' fuckin' difference mate, he's tryin' to kill us...you know what I mean ... they got someone to load up...They've probably got a pretty good idea who it fuckin' is...You and me didn't even fuckin' associate with each other in 1989...You and me...like we never went anywhere."

542. [NP22 & NP23] are then taken separately out of the cells for interview. Both refuse to be interviewed.

543. Afterwards, I approach [NP22 & NP23] in that cell complex and they are asked to considering contacting me at a later stage if they have any knowledge as to who may be responsible for the deaths of WARREN and RUSSELL.

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544. I outline that they are suspects because of their involvement in the RATTANAJURATHAPORN death which has similarities to the deaths of WARREN and RUSSELL. I then leave the cell complex and they are allowed to talk further amongst themselves.

545. [NP22 or NP23] (p47) states, "This is ludicrous, absolutely fuckin' ludicrous. Fuck me dead ... there was nothin' there. basically we're saying, because you were in the same area at the same, youse are suspects..." The other male says, "I could speak about the fuckin' um, I heard about them doin' the Alexandria on the news, if they want, will that help them? What the fuck ...photographs, he was knocked unconscious. He was knocked unconscious, his jaw's broken, a set of ribs were broken....you've got to be a very sick man..."

546. [NP22 or NP23] (p48) states, "They know, mate, the fuckin' truth ... of course they're not fuckin' stupid...they want fuckin' scalps." One of the males continues, "That's the other thing ... see, that's fuckin' shit, you know we don't fuckin' ... all those cunts. We don't know 'em well, we're from the same fuckin' area..." I believe this to be a reference to the Alexandria 8.

547. [NP22 or NP23] (p49) states, "They're fuckin', you know, stupid those cunts. They're just fishin', they're fucking fishin' mate." The other replies, "Fuck, I'm never ever again. I'm never gunna any of this fuckin' shit....fuckin stressed."

Witness: _____

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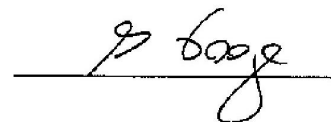
548. NP22 or NP23 continues, "They know, they know...those cunts, man, they fuckin' know those cunts. Those cunts have been fuckin' pigs for fuckin fifteen to fuckin' twenty fuckin' years and they know when some cunts fuckin'.... Fuck them. Operation Witchhunt. Fuckin', Fuckin' Operation Taradale."

549. Further conversations are had which are not of relevance to this investigation and NP22 & NP23 are removed from the cell complex (p53).

Witness: _____



Signature: _____



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INTERVIEWS SURROUNDING THE "ALEXANDRIA EIGHT"

550. As a result of information previously outlined that members of the Alexandria 8 were involved in gay-hate offences at Marks Park at Tamarama, a decision was made to interview all members.

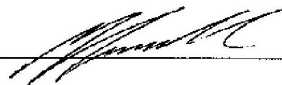
551. Inquiries were conducted and [NP18] was not able to be located.

552. On the 10th of January, 2002, with Detective Sergeant NUTTALL I interviewed [NP16] at Port Kembla Police Station by way of ERISP. [NP16] is shown a picture identification book and acknowledges he knows the other members of the Alexandria 8, together with [NP75] and [NP51] (who he also knows as [NP51]).

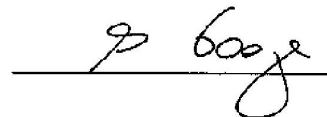
553. [NP16] initially states that prior to 1990 he never attended Marks Park at Tamarama, and that other than the matters for which he has been before the courts he has not committed any other gay-hate offences of violence.

554. [NP16] is shown photographs of WARREN and RUSSELL, and states he has not seen these men before, and has no knowledge of their deaths. Similarly, he has no knowledge of the robbery of McMAHON.

Witness: _____



Signature: _____



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555. [NP16] discussing his thoughts towards gay males in 1989 says, "...so long as they kept to themselves and you know, out of the public eye and they done their own thing that was fine. I obviously got into a bit of trouble for bashing one so, you know, if it was in public and I'd seen it, I think once I gave a guy a bit of a hiding and as a result I ended up in a lot of trouble but at the moment I don't, you know, I don't care what they do basically...it was an assault that went pretty wrong and it ended up as a death." [NP16] says he is referring to the death of JOHNSON.

556. [NP16] is then played listening device ("LD") product where he discussing bashing a gay man at Bondi. [NP16] then admits that prior to 1990 he was aware that Bondi was a gay beat. [NP16] previously in the interviewed stated that other than the offences of JOHNSON and [1158] he was not involved in any other gay-hate crimes.

557. [NP16] then stated that in fact he used to go to Bondi a "fair bit" and a couple of times on the way home stopped at the toilets at South Bondi and "had a run-in". [NP16] elaborated and said he meant "assaulted a man there." [NP16] stated his assaults occurred at South Bondi and not Marks Park, and describes the area around Notts Avenue near the ocean swimming pool.

Witness: _____

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558. In relation to the incident discussed on the LD product [NP16] states he has no recollection about the victim being assaulted by a skateboard, and is not able to describe the victim. [NP16] states the victim was not Ross WARREN or John RUSSELL. [NP16] after hearing the LD product says he committed the offence with [NP51], [NP20], [NP17] and another male he only knew as "Kiri". [NP16] then says he took keys from the victim and "went through a car and didn't really get anything so tossed the keys into the water." [NP16] says the keys were thrown into the water near the swimming pool, and is not able to describe the cliff the victim was pushed off. [NP16] is questioned further, and it is suggested to him that the deaths of WARREN and RUSSELL had similarities to the gay male victim pushed off the cliff by [NP16] and his associates. He says, "I'm sure we never pushed anyone off a cliff that didn't get back up, that, that cliff there wasn't high. Like I said, like it says the guy's got up screamin', but yeah, there was, no one went off any high cliff or entered any water, anything like that." In relation to the keys thrown into the ocean, [NP16] says these were "Just a handful of car keys." and is not able to describe the victim by age, build, or racial background, only that the victim was male.

559. [NP16] states that it was common practice to "beat him, fuckin' grabbed his keys, run back up the car, searched his car" looking mainly for money. [NP16] on the LD product states he kept news clippings of incidents he was involved in and states he no longer has those clippings. [NP16] states he took the keys from the victim during darkness, it was not raining, and he can not recall what season of the year it was. [NP16] says he would not be at Marks Park after 10pm at night.

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560. The interview continues with [NP16] being questioned in relation to a male victim being burnt on the penis with a cigarette, and [NP16] says he "can't really remember what happened", although he says it occurred also in the area of Notts Avenue at Bondi. [NP16] is questioned as to whether [NP50] [NP50] burnt this victim, and asked whether the it was factual and says, "I don't know to tell you the truth." [NP16] is then questioned as to what information on the LD product was truthful, and he says, "I assaulted a few guys out there, that's true, but as for the particulars and what happened and that I can't give details."

561. [NP16] is interviewed further and says that [NP51] and [NP17] both were friends and often went gay bashing. [NP16] says he did not often travel in that era by skateboard. [NP16] is questioned in relation to the gay-bashing of a male who has his wig urinated upon and states this was done by [NP75] (who he also knows as "[NP75]") [NP75].

562. [NP16] says that of his associates the persons who committed the most gay-bashings were [NP15], [NP19], [NP77] and [NP51] and [NP155]. Inquiries have failed to locate [NP155]. Attached as an annexure to this statement is the statement of Detective Sergeant NUTTALL and the transcript of the interview with [NP16].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 232

Witness: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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563. On the 17th of December, 2001, Detectives DAGG and FOUNTAIN met with [NP19] at the Entrance Police Station. DAGG said to [NP19], "O.K. [NP19] Detective FOUNTAIN and I are working on Strike Force TARADALE looking into the suspicious death of John RUSSELL, the disappearance of Ross WARREN and the attempted murder of David McMAHON in 1989. We have asked you to come here today to ask if you are willing to be interviewed to assist us in these matters. We are interviewing numerous persons that are linked from police intelligence as being associated to the Bondi area in 1989." [NP19] said, "Right."

564. DAGG has subsequently interviewed [NP19] electronically by ERISP. [NP19] states he only went to Bondi during daylight hours, and did not know that Marks Park was a gay area. [NP19] states he has no knowledge as to who killed or assaulted WARREN, RUSSELL and McMAHON.

565. After LD product is played to [NP19], he initially says he does not recall the conversations that are recorded and subsequently does not acknowledge that it is his voice that is recorded. [NP19] states he never threw anyone off a cliff. [NP19] further states he does not see any of his old associates. [NP19] admits knowing [NP22] and [NP23] from both gaol and associating with them whilst growing up in the area of Waterloo. Attached as an annexure to this statement is the statement of Detective DAGG, together with the transcript of the interview with [NP19].

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

566. On the 18th of December, 2001, [NP21] was interviewed by Detectives HOOPER and FOSTER at the Maroubra Police Station. [NP21] did not participate in an electronically recorded interview, and he was not prepared to supply a typewritten statement about this matter. [NP21] was questioned in relation to the deaths of WARREN and RUSSELL and stated, "I don't know anything about them." [NP21] has then refused to answer any further questions. Attached to this statement is a copy of the statement of Detective HOOPER in relation to this interview.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 234

567. On the 18th of December, 2001, [NP20] was interviewed by Detectives COFFEY and MORIESON at the Waverley Police Station. [NP20] examines a photograph of WARREN and RUSSELL and states he does not recognise them, and was not present when they met their demise. [NP20] states that in 1989 he was uneducated and was anti gay but now has a lot of gay friends. [NP20] states he has no knowledge of gay related offences other than the JOHNSON matter for which he was arrested. [NP20] states he was not aware that Marks Park was a gay beat. [NP20] states in 1989 he did frequent the Bondi area, but not at night. Attached to this statement is a copy of the statement of Detective COFFEY, together with a copy of the transcript of the interview of [NP20].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 235

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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568. On the 10th of January, 2002, Detective Sergeant NUTTALL and Detective FOSTER met with [NP17] at the Rocks Police Station. [NP17] stated he had legal advise was not prepared to be interviewed and have the interview recorded electronically, nor was he prepared to provide a statement in relation to the matter. Attached to this statement is a copy of the statement of Detective Sergeant NUTTALL in relation to this interview.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 236

569. On the 17th of December, 2001, Detectives PINCHAM and BROWN interviewed [NP41] at the Redfern Police Station. PINCHAM has subsequently interviewed [NP41] electronically by ERISP. [NP41] states he has not been to Marks Park, and after being shown photographs does not recognise WARREN and RUSSELL. [NP41] states he has no knowledge or involvement in the deaths of WARREN and RUSSELL. Attached as an annexure to this statement is a copy of the statement of Detective PINCHAM, together with a copy of the transcript of the interview of [NP41].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 237

570. On the 29th of January, 2001, Detectives PINCHAM and MORIESON interviewed [NP15] at the Redfern Police Station. PINCHAM has subsequently interviewed [NP15] electronically by ERISP (audio only). [NP15] is shown a photograph of Marks Park, states he does not recognise it and has not been there. [NP15] further states he was not aware it was a gay beat. [NP15] is shown photographs of WARREN and RUSSELL and states he has no knowledge of involvement in their deaths.

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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571. [NP15] further states that other than the JOHNSON incident, he has not been involved in gay-hate crimes. Attached as an annexure to this statement is a copy of the statement of Detective PINCHAM, together with a copy of the transcript of the interview of [NP15].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 238

572. As a result of [NP51] being mentioned in gay-hate crimes in the [NP16] LD product, and [NP51] being subsequently identified as [NP51], [NP51] was interviewed by myself and Detective PINCHAM at the Waverley Police Station on the 14th of December, 2001. The interview with [NP51] was recorded electronically by ERISP. After being shown photographs, [NP51] states he is not familiar with the Marks Park area, and was first there about four years ago to play cricket. [NP51] states he was not aware Marks Park was a gay beat. [NP51] is shown photographs of WARREN and RUSSELL and states he has no involvement or knowledge in relation to their deaths. [NP51] states he was known as [NP51] by his group of friends as he was the only one who surfed. Attached as an annexure to this statement is a copy of the statement of Detective PINCHAM, together with a copy of the transcript of the interview of [NP51].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 239

573. As a result of [NP50] being mentioned in gay-hate crimes in the [NP16] LD product, [NP50] was spoken to by myself and Detective Sergeant NUTTALL at the Paddington Police Station on the 14th of December, 2001.

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574. I said, "I am investigating the disappearance of Ross WARREN and the suspicious death of John RUSSELL at Tamarama in 1989. I intend to ask you further questions in relation to this." [NP16] said, "I don't know anything about this." I said, "Are you prepared to make a statement which outlines your denial?" He said, "I am not making a statement without legal advice." I said, "Do you wish to ring a solicitor?" He said, "My brother is a solicitor, I'll call him." A telephone call was then made. I then said, "I also want to interview you in relation to a lawfully obtained listening device product which suggests you were involved in the serious assault of a gay male where he was made to extinguish a cigarette on his penis." [NP16] said, "I have nothing to say."

575. A short time later, Harry [REDACTED] (solicitor, brother of [NP16]) arrived at the Police Station and I spoke with him in private. [NP16] has then received certain advice and declined to comment in relation to these allegations. Notes were then made of these conversations, and [NP16] declined to read the entry and sign the notebook. Attached as an annexure to this statement is a copy of the statement of Detective Sergeant NUTTALL, together with a copy of notebook F283832 which recorded this conversation.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 240

576. As a result of [NP134] being mentioned in gay-hate crimes in the [NP16] LD product, [NP134] was interviewed by Detective PINCHAM and HOOPER at the Nambucca Heads Police Station on the 14th of May, 2002. During the conduct of the interview [NP134] was played LD product where he is mentioned and a typewritten statement was obtained from him.

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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577. [NP134] states he does not know WARREN, RUSSELL or McMAHON. After listening to the LD product, he states he does not recognise the voices and has no knowledge of the incident they discuss. [NP134] further states he has not been involved in any incident where a victim has been struck with a skateboard or pushed off a ledge.

578. [NP134] states that from the age of ten, he lived in Nambucca Heads, however, about every second set of school holidays he would live in Sydney with his mother. [NP134] states he knew [NP51] (to whom he is not related) and [NP16]. [NP134] states he has not heard of the PTK or PSK.

579. [NP134] states he has been to the Bondi and Tamarama areas to surf, however, he has never been to Marks Park. [NP134] states he was not aware that this park was an area homosexuals frequented. [NP134] states he has never been involved in attacks on persons in the Marks Park area and has no knowledge of any murders at all. Attached as an annexure to this statement is a copy of the statements of Detective PINCHAM and [NP134].

EXHIBIT I PRODUCE THOSE STATEMENTS-ANNEXURE 241

580. As a result of [NP75] being mentioned in gay-hate crimes in the [NP16] LD product, and [NP16] subsequently on interview stating that this was in fact [NP75] [NP75], [NP75] was spoken to by Detectives HARRISON and DAGG at the Mascot Police Station on 13 December, 2001. Detective HARRISON has subsequently interviewed [NP75] electronically by ERISP (audio only).

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581. [NP75] states he has never been to Marks Park, and did not know it was a gay beat. [NP75] states he has used to coastal walkway which goes from Bondi to Coogee during football training. [NP75] is shown photographs of WARREN and RUSSELL, and states he has no involvement or knowledge in relation to their deaths. [NP75] acknowledges knowing [NP16] and states he has been known as "[NP75]".

582. In relation to the incident that [NP16] discusses on the LD product, where he alleges [NP75] assaulted a gay male at Centennial Park, [NP75] says, "The first I've thought... heard about that and I don't know where that would've come from." [NP75] says that in that era, "...probably being young hoods, sort of hanging around together...but I never went and frequented the gay places." Attached as an annexure to this statement is a copy of the statement of Detective HARRISON, together with a copy of the transcript of the interview of [NP75].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 242

583. As a result of [NP42] being mentioned in gay-hate crimes in the [NP16] LD product, in addition to [NP42] being a co-offender with [NP16] in the assault of [I158], [NP42] was spoken to by Detective Sergeant NUTTALL and MORIESON at the Surry Hills Police Station on 31 January, 2002. The proposed interview with [NP42] was recorded electronically by ERISP, and [NP42] refuses to comment. Attached as an annexure to this statement is the statement of Detective MORIESON, together with a copy of the transcript of the interview of [NP42].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 243

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

584. As a result of [I196] being mentioned in the McCANN reports as receiving information from [NP77] that [NP19] was involved in a gay-hate murder at Tamarama, [I196] was interviewed by Detective PINCHAM and HOOPER at the Randwick Police Station on the 7TH of May, 2002. [I196] refused to participate in an electronically recorded interview, and declined to provide a typewritten statement. Attached as an annexure to this statement is a copy of the statement of Detective PINCHAM in relation to conversations with [I196].

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 244

585. As a result of [NP77] being mentioned in the McCANN reports as providing information to [I196] that [NP19] was involved in a gay-hate murder at Tamarama, [NP77] was interviewed by Detective PINCHAM and HOOPER at the Auburn Police Station on the 7 May, 2002 where a typewritten statement is obtained. [NP77] states he knows no person by the name of [I196], and has no recollection of her being his former teacher, and further, he does not recall having a girlfriend by the name of "Olivia". [NP77] states he knew [NP19] from playing football, but did not socialise with him. [NP77] states he never told any person that [NP19] was involved in a murder at Randwick or Tamarama, and further, that he has never received that information from any person. Attached as an annexure to this statement is the statements of Detective PINCHAM together with the statement of [NP77] in relation to this interview.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 245

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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586. As a result of [I157] being mentioned in the [I87] statement as being present with [I86] and [NP16] at the Keelong Detention Centre when [NP16] is alleged to have stated he pushed a gay man off a cliff at Bondi, [I157] was located. [I157] resides in Cairns, and particulars were obtained over-the-telephone by Detective MORIESON. MORIESON said, "We are conducting an investigation into some matters that occurred about 13 years ago. The information that I have received is that you may have overheard some conversations between [NP16] and [I86] in which [NP16] brags about gay bashings that he was involved in." [I157] said, "I actually knew him quite well. I shared a flat type of thing with him in the committal unit. He was not a bragging type of person at all, actually the opposite. He always seemed to me to be a follower not a leader. He struck me as the sort of person that would never act on his own. I stayed in contact with him after his release and he was not a hostile person toward me or anyone else I saw." MORIESON said, "The information we have is that he was talking about beating up gays particularly in the Bondi area." [I157] said, "He didn't even really talk about what he was in there for, except when his co-offender came, and then people found out more. I do remember a conversation that I think you are talking about where he says he knew about bashings that other people were involved in but that he wasn't actually involved in. I played football with him after his release and he was a very low key person who didn't like the spotlight at all." Due to the limited information from [I157] a statement was not obtained from him - primarily for logistical reasons. Attached as an annexure to this statement is the statement of Detective MORIESON which outlines this conversation.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 246

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE


TI PRODUCT - ALEXANDRIA EIGHT

587. WARRANT EO1371/00/00 TIME/DATE 14:21 ON 19/12/2001
 NP16 contacts a female believed to be his grand-mother ("GRANDMOTHER") and says (P1), "Hey um while I was at work yesterday...I got a phone call friggin' two detectives from Sydney...About all this crap that..." She interjects and says, "Yeah, I was expecting it. Yeah, I, when I saw it on the news, it's been in the paper for about two weeks...Yeah, about this bloke from Wollongong and another bloke at Taramara, Tamarama. Is that what it was all about?" NP16 replies, "Yeah, well.."

588. GRANDMOTHER says (P2), "...As soon as it hit the paper, I, I thought of it. Yeah...Yeah, and it's been on the news nearly every night." NP16 says, "I haven't been readin' the paper so I haven't seen anything."

589. NP16 says (P3), "...It was at Bondi and stuff like that." GRANDMOTHER says, "Yeah, well there was one at, at, uh, the bloke from here, he was a news reporter or something, they've never found his body...And then the other bloke, he's grabbed a handful of hair of somebody. Actually when you were going through that thing at uh, in Sydney...One of the detectives said then oh well they've got a handful of hair, he's grabbed somebody's hair...yeah, that's the bloke that went over at Tamarama"

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

590. NP16 says "...But Christ, you know, he said, oh we've got some new, new information. Like well how can they get new information eleven years down the track? GRANDMOTHER says, "It's, it, it's DNA. This is what they're goin' on...Yeah. They haven't got any new information at all. But they're just tryin' to match things up...So they might ask for a sample or something I don't know."

591. GRANDMOTHER then says, "Do you think you better see a solicitor?" NP16 replies, "Well I, I don't know. I don't, I don't think I have to." GRANDMOTHER says, "Well you weren't there, you weren't there were you?" He said, "No, that's right. Yeah."

592. WARRANT EO1371/00/00 TIME/DATE 14:33 ON 19/12/2001
GRANDMOTHER says (P1), "Have you got that diary there?"...I can remember writing something in there...one, some detective, uh, I've probably got his name in there where he said um even if it's ten, ten years down the track we'll get you for it."

593. WARRANT EO1372/00/00 TIME/DATE 13:59 ON 14/12/2002
NP19 contacts his parole officer, I164 and I164 says, "Good. I, I've been wanting' to talk to ya. I'm just really concerned that the coppers weren't gonna, what were they, what were they wantin you about?" NP19 replies, Uh, they were just here and I missed them by about ten minutes. Um, something to do with an incident that happened twelve years ago or something, uh, in the Moore Park area in Sydney. So I don't know what they're up to but they want to talk to every one of us that was involved with our incident, so..."

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

594. [164] interjects, "Oh, they're goin' back over old ground are they?" [NP19] says, Yeah, I'd imagine that's what they're doing." [164] says, "mate, you, you've got no probs though?" [NP19] says, Nah...I don't even remember it...No, I've got nothing' to tell 'em [164]. I'll just say look I don't even know what youse are on about. I don't remember the incident. I did my time, basically...And boot off back to Sydney boys, 'cause you've got no, you'll get no help from me...I've got nothing to tell 'em."

595. [164] says (P2), "...just goin' back tryin' to clear, clean up a few old cases or somethin' are they?" [NP19] replies, "...that's what I think they're doin' but uh everyone of us when we were you know out we all said to each other look you know they're gonna come and ask us questions even in forty years friggin' time. I said it's just the way it's gonna be...Just prepare, you know, and we all sort knew that. that's why it's not botherin' me. It's just old ground and I knew that's what they'd be doin'.

596. WARRANT EO1372/00/00 TIME/DATE 12:46 ON 16/12/2002

[NP19] discusses with [NP51] police conducting interviews, and [NP51] says, "Yeah, yeah, it's just um they're investigating um two unsolves and one attempted at um, um, some um park at um Tamarama...It's like the south of Bondi, sort of headland. It's a massive park up there...Yeah, they're just clutching at straws you know what I mean...Just draggin' everyone up from that era."

Witness: _____

Signature: _____

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597. **NP51** continues (P2), and says "I think they think, I think they know who it is, I think it's the boys from Maroubra or something, TSK or somethin'?" **NP19** says, "Nothin' about tape recorded messages was there?" **NP51** replies, "Oh yeah it's all, it's all tape recorded. It's all um videoed. Yeah, it's a full on interview. A full on serious interview, so."

598. **NP51** says (P3), "No, um, well apparently they, they've grabbed someone. See, I don't know who else is fuckin', someone's dropped all our names in it, you know, and it's not even us, you know."

599. **NP51** discusses others likely to be interviewed and says (P4), "Yeah, so that's alright mate. Nothing to do with us, so..."

600. WARRANT EO1373/00/00 TIME/DATE 18:55 ON 14/12/2002

NP19 speaks to a male by the name of Vance - surname not known ("VANCE"). **NP19** says (P4), "Guess who shows up on the fuckin' door today when I went down to Lakehaven, two Ds, two detectives...Oh yeah, wantin' to ask me a question, just one, one single question, they drove all the way from Sydney...to ask me one single question of something that happened 13 fuckin' years ago....And, um, but see I didn't talk to 'em, they can go and get fucked, mate, if they want me they can chase me."

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

601. WARRANT EO1373/00/00 TIME/DATE 21:01 ON 14/12/2002
 A male voice leaves a message on the voicemail service of [NP19] saying, "Eh [NP19]. Give us a call mate. Uh ... no, it's a message. No, give us a call um, there's a ..., there's a fuckin' uh investigation going on, give me a ring back, I'll let you know." A further male voice says, "Eh [NP19] you're a pirate. you're a Captain Feathersword, and I caught ya. At Moore Park toilets with [NP41] and [NP51] "

602. WARRANT EO1373/00/00 TIME/DATE 21:01 ON 14/12/2002
 [NP41] speaks with [NP19] and says (P1), "There's a fuckin' thing goin' on now man." [NP41] says, "Yeah I don't care. Yeah, I ... well I couldn't care less."

603. [NP41] says (P2), "They ... I think they're gonna round up everyone, just like we never seen her (sic) anyway, so it doesn't ... there's nothing to worry about." [NP19] says, "Yeah, well twelve years ago, who knows."

604. WARRANT EO1373/00/00 TIME/DATE 12:58 ON 17/12/2002
 [NP19] speaks to a male by the name of Tai - surname not known ("TAI"). TAI says (P1), "Well, what happened?" and [NP19] replies, "Oh they got nothing. They've got jack shit...They've got a pre-recorded tape of supposed to be me, like it sounds fuckin' nothing like me, not even close...right? And this other putrid dog that give us up, it's all them. Been them two again. They um, done an interview with them two. these other two, two give us up for our things."

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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605. WARRANT EO1373/00/00 TIME/DATE 22:57 ON 17/12/2002
 [NP41] speaks with [NP19], and says (P1), "Oh they seen me today...Nothing, fucking shit." [NP19] discussed the conduct of the interview, and [NP19] says (P5), "Oh I said to him off the record mate, I said you ... you've got nothing. I said you have nothing...I said you were grabbing at straws." [NP41] says, "See I've (sic) don't even remember them." [NP19] replies, "No, that's what I told him. Said I honestly just don't even remember him. I said there's certain ones that I remember, because they happened after our case...and he goes yeah, that's understandable." [NP41] later states, "...So...fuck I know I've never even heard of them." [NP19] replies, "No, neither have I."

606. WARRANT EO1373/00/00 TIME/DATE 15:07 ON 18/12/2002
 [NP19] talks to [NP51] and says (P1), "...Well I went in and seen 'em in at the entrance. And they've got this fuckin' most pathetic fuckin' tape recording, suppose to have taken place between me and that dog [NP21], right...fuckin' [NP21], yeah. Right? during the period that we were locked up, right? And um, at no stage did [NP21] and I cross paths inside, right..."

607. [NP19] continues (P1), "...And then there's a pre-recorded tape of [NP16] and fuckin' [NP21] having a chat about one that we, me, you [NP41] and someone else got in. [NP41] is supposed to have smacked him with a sledge hammer or something." [NP51] replies, "That's a load of shit, eh."

Witness: _____

Signature: _____

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608. NP19 continues (P2), "....I said fuck I'd give ... I said I'd give 'em DNA, I said let's go with the DNA. Let's go for it..." NP51 replies, "...nothing to do with us. And these dickheads just keep fuckin' Maroubra boys, know what I mean?"

609. NP19 says (P5) "Well that's that's what Jack said. He said if they had any fuckin' sort of evidence on you guys, he said even small, he said youse would have been pulled outta your gaols, right...Yeah, years ago, and fuckin' back into Court and whacked another sentence on top of what ever you had left. he said there's no way they would have fuckin' let it go for years, no way."

610. NP51 says later, "Yeah, don't let it worry ya mate. You know it's nothing to do with you. Fuckin' me and NP41 know, and NP15 knows it's got nothing to do with us, you know."

611. Due to current requirements of security and continuity of transcripts associated with calls captured lawfully in accordance with the Telecommunications Act, these transcripts will be available separately to annexed documents.

Witness: _____

Signature: _____

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INTERVIEWS SURROUNDING THE "BONDI BOYS"

612. Information from Detective Inspector MAYGER was that he had previously spoken with [I165], mother of [NP43] associate [NP91], was that she previously informed him that she had heard [NP43] (in addition to [I166]) was involved in another murder. On the 7th of June, 2001, I spoke with [I165] and arrangements were made to meet with her in the presence of MAYGER on the 13th of June, 2001. On the 11th of June, 2001, [I165] contacted me and cancelled this appointment and appeared to be a hostile witness. [I165] was canvassed in relation to the [NP43] information, and denied this. She stated she previously was speaking with the mother of a girlfriend of [NP56] ([NP43]'s co-accused in the [I166] matter) and was informed [NP56] was involved in a murder in the Coogee area. [REDACTED]

613. As a result of the identification by McMAHON of [NP43] for his incident, a decision was made to interview [NP43] and all his associates in that era. Archived microfiche intelligence holdings on [NP43] were gathered, examined, and a matrix of his associates was created.

614. Taking into account the information by McMAHON and [I91] in relation to the make-up of the group that assaulted them, their were parallels, in that, the group leader was a [REDACTED] Caucasian youth with short cropped blonde hair, he was supported by [REDACTED] of [REDACTED] background, the group numbered (give or take) about ten, and the group had [REDACTED] members present who played an active role.

Witness: _____

Signature: _____

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615. Examination of intelligence holdings of NP43 revealed he had come under notice of Police on 32 occasions between 28 March 1987 and 1 May, 1992.

616. In an effort to locate persons who may have knowledge of the deaths of WARREN and RUSSELL, it was decided to interview associates of NP43 who;

- (a) Between 28/03/1987 and 01/05/1992 had multiple contacts.
- (b) Between 03/02/1989 and 16/03/1990 had single contacts.

617. Attached as an annexure to this statement is the profile of NP43, which outlines incidents he was involved in, together with associates, including the relevant time period.

EXHIBIT I PRODUCE THAT PROFILE-ANNEXURE 247

Witness: _____

Signature: _____

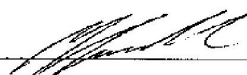
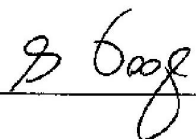
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618. Persons who were found between 28/03/1987 and 01/05/1992 to have multiple contacts with **NP43** were:

- **NP54** - 14 occasions,
- **NP90** - 2 occasions,
- **NP93** - 2 occasions,
- **NP102** - 2 occasions,
- **NP142** - 2 occasions,
- **NP98** - 2 occasions,
- **NP113** - 4 occasions,
- **NP48** - 4 occasions,
- **NP76** - 7 occasions,
- **NP91** - 2 occasions,
- **NP104** - 7 occasions,
- **NP92** - 5 occasions,
- **NP107** - 2 occasions,
- **NP89** - 8 occasions,
- **NP88** - 6 occasions,
- **NP103** - 2 occasions,
- **NP87** - 2 occasions,
- **NP112** - 2 occasions,
- **NP117** - 2 occasions,
- **NP53** - 1 occasion,
- **NP108** - 2 occasions,
- **NP143** - 2 occasions,
- **NP109** - 2 occasions.

619. **NP102** (wanted by warrants), **NP48** (in NZ), **NP89** and **NP88**, **NP88**, **NP108**, **NP109** and **NP76** (all N.F.P.A) were not interviewed, however, interviews were conducted on the other 17 persons in this list.

Witness:  Signature: 



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620. Assessment of this group showed that [NP43]'s closest known associate was [NP54], and the females who associated most with him in the latter part of 1989 were [NP113] and [NP143].

621. [NP43], [NP54], [NP113] and [NP143] later became the primary focus of this investigation.

622. The males of Pacific Islander background who were thought to be closest to [NP43] in the latter part of 1989 were [NP48] and [NP92]. At the time of commencement of the interview phase, the whereabouts of [NP92] was not known (he was subsequently located and interviewed) and [NP48] was believed to be in a New Zealand gaol.

623. The circumstances surrounding the whereabouts of [NP48] and [NP92] prevented investigators from targeting them with electronic surveillance. [NP104] during the relevant period was also frequently in company with [NP43] however, there was insufficient information available to justify the issue of a warrant to conduct electronic surveillance on this person. It should be noted that [NP104] was captured through the subsequent electronic surveillance of [NP54], [NP113] and [NP43].

Witness:  Signature: 

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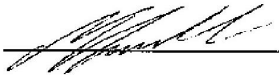
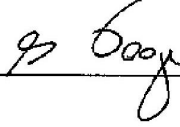
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

624. Persons who were found between 03/02/1989 and 16/03/1990 to have single contacts with NP43 were:

- | | |
|---|--|
| <ul style="list-style-type: none"> - NP144 - NP145 - NP146 - NP95 - NP86 - NP147 - NP105 - NP79 | <ul style="list-style-type: none"> - NP35 - NP100 - NP119 - NP94 - NP111 - NP148 - NP115 - NP150 |
|---|--|

625. NP35 (since left Australia), NP145 (wanted by warrants), NP79, NP116, NP95 and NP150 (all N.F.P.A) were not able to be located by this investigation, however, the other 10 persons were located and interviewed.

626. On the 7th of February, 2002, with Detectives PINCHAM, HOOPER and MORIESON I attended ██████████ Anzac Parade at Maroubra where CUSHMAN was arrested. HOOPER said, "...You will be taken back to Waverley Police Station where I intend to interview you in relation to drug matters. Detective Sergeant PAGE also wishes to speak to you in relation to the suspicious deaths of two men and the attempted murder of another in Bondi in 1989. Do you understand that?" CUSHMAN said, "Yeah."

Witness:  Signature: 

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627. CUSHMAN was subsequently conveyed to the Waverley Police Station and at that location I had a telephone conversation with solicitor Rosemary FREEMAN ("FREEMAN"). CUSHMAN then also had a telephone conversation with FREEMAN. At the conclusion in the presence of Constable MORIESON I said, "Sean, as you are aware, I am Detective Sergeant PAGE and I wish to interview you in relation to the suspicious deaths of Ross WARREN and John RUSSELL, together with the attempted murder of David McMAHON, all of which occurred at Tamarama in 1989." CUSHMAN said, "I have had legal advice. I want to talk, but I don't want to be interviewed at the moment until I can speak with my solicitor."

628. CUSHMAN was then subsequently interviewed by Detectives HOOPER and PINCHAM in relation to another matter.

629. On the 11th of April, 2002, I met with FREEMAN at Central Local Court and she informed me that CUSHMAN would not participate in an interview regarding the deaths of WARREN and RUSSELL, or the attempted murder of McMAHON. I have previously prepared a statement discussing as a singular issue the interview of CUSHMAN, and the all relevant information from that document has been transported into this statement. A copy of that statement is available if required.

630. On the 23rd of January, 2002, Detectives NUTTALL and PINCHAM interviewed NP92 at the Mt Druitt Police Station and this interview was electronically by ERISP. NP92 stated he used the walkway around Marks Park around 1987, and says that he was a graffiti artist and part of a gang that identified itself as the "PTK" which he asserts stands for "Prime Time Kings".

Witness: _____

Signature: _____

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631. [NP92] states he has no knowledge or involvement in the deaths of WARREN and RUSSELL. [NP92] states he was not aware that Marks Park was a gay beat, and states (Q189), "I don't mind gays. They never hassled me so I never hassled them...I mean that was their, their own problem what they wanted to be." Attached as an annexure to this statement is a copy of the statement of Detective Sergeant NUTTALL, together with a copy of the transcript of the interview of [NP92].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 248

632. On the 13th of December, 2001 with Detective NUTTALL I interviewed [NP143] at the Waverley Police Station and this interview was electronically by ERISP. [NP143] states she has done the coastal walk, but never frequented Marks Park, and was not aware it was a gay beat. [NP143] states she associated with "The Bondi Boys", and identifies group members including [NP92], [NP54], [NP104]. [NP143] that she does not have problem with gays. [NP143] states she has no involvement or knowledge in relation to the offences involving WARREN, RUSSELL and McMAHON. Attached as an annexure to this statement is a copy of the statement of Detective NUTTALL, together with a copy of the transcript of the interview of [NP143].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 249

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

633. On the 9th of January, 2002, Detective PINCHAM and MORIESON interviewed [NP113] at the Bankstown Police Station and this interview was electronically by ERISP. [NP113] is familiar with McKenzies Point, and says she use to hang out at the Bondi Youth Centre, and drink alcohol in the huts in the middle of Bondi beach. [NP113] says she (and others) would steal things and sell them for money to buy alcohol. [NP113] discusses the "Bondi Boys" and says she heard stories about [NP93] and [NP107] going to Kings Cross and bash gays. [NP113] states she was not aware Marks Park was a gay beat, only knew of "the Wall" at Kings Cross.

634. [NP113] later describes a story she recalls getting from [NP111], where [NP94] and [NP107] were boasting of burning a person in an incinerator at either Kingsgrove or Kensington. This aspect has been investigated further, with [NP111] interviewed. [NP111] did not recall the conversation, and states if it was said it would have been big noting rather than factual. Attached as an annexure to this statement is a copy of the statement of Detective PINCHAM, together with a copy of the transcript of the interview of [NP113].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 250

635. On the 13th of December, 2001, Detective COFFEY and REID-FROST interviewed [NP117] at her home address at Redfern and a statement was obtained from her. [NP117] states she knew [NP43], went to school with him at Dover Heights, he had a temper and was a member of a group known as the "Bondi Boys." [NP117] states that other group members include [NP54], [NP103], [NP103], [NP89], [NP76], and [NP88].

Witness: _____

Signature: _____

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636. NP117 states she has no involvement or knowledge of the incidents involving WARREN, RUSSELL and McMAHON. NP117 states that older group members may have been involved in the bashing and robbing of people, but was not present. Attached as an annexure to this statement is a copy of the statement of Detective REID-FROST, together with a copy of the statement of NP117.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 251

637. On the 13th of December, 2001, Detective PINCHAM interviewed NP53 at Redfern Police Station and a typewritten statement was obtained from him. He stated that in 1989 he would frequent the southern end of Bondi Beach and hang out with NP43, NP54, NP104 and would drink at night with NP43 and others "taking off" from the group. NP53 states that the other boys would come back with property they had "stolen from someone."

638. NP53 recalls going for a walk towards Marks Park on the walkway and speaking with NP52 who showed a wallet, chain, rings and glasses and stated "I just rolled someone."

639. NP53 recalls being with NP112 and seeing NP52 outside a shop called '32 flavours'. NP52 has kicked a man, karate style, and kicked him to the head when he was on the ground until he was unconscious. NP112 has then taken glasses, cigarettes and a bumbag. NP53 says the victim was gay.

Witness: 

Signature: 

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 Name: Stephen John PAGE

640. [NP53] states all his associates knew Marks Park to be a gay beat, and group members (especially [NP43] and [NP104]) wanted to "pick on the gay people" because they hated them.

641. [NP53] states group members used to use the graffiti tag "PTK" which stood for "Part time killers". [NP53] also remembers seeing the tag "PSK" around Bondi at the same time but does not know who used that tag.

642. [NP53] says he has no knowledge or involvement in the incidents involving WARREN, RUSSELL and McMAHON. [NP53] is also gay.

643. [NP53] says that his sister [NP117] informed him that during 1989 she saw [NP43] and [NP104] near Marks Park with blood on their clothes, and that they had stolen property from people they had just "rolled". [NP53] states that [NP43] and [NP104] were "crying" and had scratches on them from being in a fight with the person they rolled. Attached as an annexure to this statement is a copy of the statement of Detective PINCHAM, together with a copy of the copy of the statement of [NP53].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 252

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

644. On the 22nd of May, 2002, with Detective MORIESON I further interviewed [NP117] at her home address at Redfern and another statement was obtained from her. Prior to the statement being obtained [NP117] was informed that her brother [NP53] [NP53] in his statement suggested that during 1989 she saw [NP43] and [NP104] near Marks Park with blood on their clothes, and that they had stolen property from people they had just "rolled", and they had scratches and were crying. [NP117] denied telling [NP53] this, and stated she did not witness such an event. Attached as an annexure to this statement is a copy of the statement of Detective MORIESON, together with a copy of the notebook statement of [NP117].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 253

645. On the 3rd of April, 2002, Detectives FOSTER and HOOPER interviewed [NP104] at the Hurstville Police Station and this interview was recorded electronically by ERISP. [NP104] states he was familiar with Marks Park and knew it was a gay beat. [NP104] states he "hung out" with one of several groups that frequented the Bondi area, and that he heard of "people gettin' beat up and rollin' people" but believes the "older boys" were responsible. [NP104] states he was a member of a group that identified itself as the Bondi Boys, and states [NP43], [NP54], [NP92], and [NP48] identified themselves as either PTK or PSK, which stood for "Park Side Killers" or "Park Time Killers". [NP104] stated he had no ill feelings towards gay men in 1989, and has gay friends now.

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

646. [NP104] is unable to say whether he heard of offences of violence involving gay men in 1989, but did see a few people get beat up out the front of the pub and the bridge. [NP104] states that [NP43], [NP54], [NP92] and [NP48] were "part of the younger boys", and denies he had any involvement in robberies, and finishes with the statement, "...maybe like the younger boys but ...". [NP104] denies any knowledge or involvement in the offences involving WARREN, RUSSELL and McMAHON. Attached as an annexure to this statement is a copy of the statement of Detective FOSTER, together with a copy of the transcript of the interview of [NP104].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 254

647. On the 7th of February, 2002, I was at the Miranda Police Station with Detectives PINCHAM and MORIESON, and in the chargerroom I saw [NP54] who was in custody in relation to another matter.

648. In the presence of Detective MORIESON I said, "[NP54] I am Detective Sergeant PAGE and this is Detective MORIESON. We wish to interview you about the suspicious deaths of John RUSSELL and Ross WARREN at Tamarama in 1989. Do you understand that?" He said, "Yes." I said, "You are not obliged to say anything unless you wish to do so, as anything you say or do will be recorded and may later be given in evidence. Do you understand that?" He said, "Yes." I said, "Are you prepared to be interviewed about this matter?" He said, "No."

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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649. I said, "I will make notes of our conversation. If the notes are correctly recorded will you sign the notebook entry?" He said, "No, I am not signing anything. I haven't done anything wrong. I don't know about these poofter bashings. I will get a good lawyer and fight it in court." A copy of my statement together with a copy of notebook F292945 is attached as an annexure to this statement.

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 255

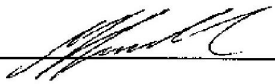
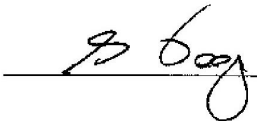
650. On the 11th of April, 2002, Detective FOSTER and I interviewed [NP161] at the Surry Hills Police Station and this interview was electronically by ERISP. [NP161] had previously come under notice in TI product discussing that those responsible (for WARREN/RUSSELL deaths) were:

- [NP156] [NP158] [NP158] [NP159] and [NP160]

(Warrant EO/1224 of 27/12/2001).

651. Inquiries with BISHOP revealed these persons to be another Bondi gang of yesteryear with the correct particulars being:

- [NP156],
- [NP157],
- [NP158]
- [NP159] and,
- [NP160]

Witness:  Signature: 

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652. [NP161] states in 1989 he did not go to Marks Park, is shown photographs of WARREN and RUSSELL and states he has no knowledge or involvement in their deaths. In relation to the captured telephone call, [NP161] is played the call and comments, "...After those interviews were saying that the police were saying that it's probably [NP22], or blah, blah, blah. And so they just put in the two look alike together that's, that's the only reason that like my friend, Jason said that it'd probably be them...That was just like rumours that were going around because of the similarities in the , in the looks of those two guys, ...when I spoke to my friend Jason about it again, he said he just made it up, because they look the same." Attached as an annexure to this statement is a copy of the statement of Detective FOSTER together with a copy of the transcript of the interview of [NP161].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 256

653. On the 13th of May, 2002, a typewritten statement was obtained from [NP105]. He views the photographs of WARREN, RUSSELL and states he has no knowledge or involvement in their deaths. [NP105] (para 7) states he was a member of the Bondi Boys, along with others, and states (para 8) that he was also a member of the group that identified itself as the "PTK" which included CUSHMAN, [NP92], [NP104] and others. He states these letters stood for both 'Part Time Killers' and 'Prime Time Kings'. The "PTK" were seen to be the younger members of the Bondi Boys. [NP105] states (para 9) he was aware Marks Park was an area that homosexuals went to for sex.

Witness: _____

Signature: _____

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654. NP105 continues and states he would occasionally drink alcohol with other members of the Bondi Boys at Marks Park if the police had moved them on from the beachfront area. NP105 states he has previously been involved in "poofter bashings" at North Bondi, and witnessed similar bashings in other areas. He states he has never seen such offences in the Marks Park area. Attached as an annexure to this statement is a copy of the statement of NP105.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 257

Witness: _____

Signature: _____


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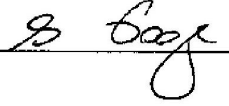
TI PRODUCT SURROUNDING THE BONDI BOYS

655. WARRANT EO1224/00/00 TIME/DATE 16:56 ON 03/12/2001
 CUSHMAN speaks with [NP161] and [NP161] discusses [I167]
 [I167] [NP161] states (P3) "Little faggot...he was tellin' me
 he's a poof, he's sellin' his bum...fuckin little poofa."
 CUSHMAN replies, "Yeah, he's goin' out with a trannie and that."
 [NP161] replies, "Why didn't you hit him and that, just for
 tellin' ya, just for being - just for pretending to be normal
 and being a mate and that."

656. WARRANT EO1224/01/00 TIME/DATE 18:05 & 18:08 ON 17/12/2001
 CUSHMAN speaks with his mother [I168], who says she has had a
 visit from two detectives who want to speak about something that
 happened "way back in 1989". CUSHMAN says, "Yeah, [NP161] was
 tellin' me about this the other day." [I168] says, "There was
 a couple of gay guys killed or pushed off the cliff - cliffs at
 Tamarama...and the dead man had a clump of blonde hair...in his
 hand...and you're a suspect."

657. CUSHMAN laughs (P2) and replies [NP161] was tellin' me
 about this, nuh, I tell you I've got nothin' with this, mate,
 alright." [I168] asks CUSHMAN to swear on [REDACTED] (his son's)
 life and he says, "Yes." [I168] says, "Oh, what a relief." The
 call continues and [I168] says, "You know in that place where
 all the gay guys go meet gay guys you know in that park up
 there between Bondi and Tamarama." CUSHMAN replies, "I
 never used to go and beat gay guys up, mate, I've never done
 that before, there."

Witness: 

Signature: 

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658. [1168] says, "So it's not your hair?" CUSHMAN replies (P3), "Nuh, they can have they can have my DNA, they can do whatever they want with it." [1168] further states (P4), "Because, oh, fuck, you don't know how sick I felt after they left ..." and CUSHMAN replies, "Yeah, I sort of felt the same but then I thought to myself, nuh, that's rubbish, mate, you know what I mean, honest. I'd remember something' like that, I woulda told ya, mate, if I did somethin' like that."

659. Discussions continue and CUSHMAN says (P10), 'Mm, they can do what they want, mate. Fuck ...I didn't do anything."

660. WARRANT EO1224/01/00 TIME/DATE 12:56 ON 18/12/2001
 CUSHMAN speaks with his mother [1168], who says she was "just talking to that detective...I dunno, they've got it fuckin' in for you mate...Somebody has - uh, somebody has said that they witnessed that you were there on both occasions and they're after you for an attempt murder...Some guy called McMann who was there with a group said, they've shown him ...photos, and he - he has identified you as both times as being there and what they're really interested in is that this particular person said he - one guy that was being thrown over or attempted to be thrown over, this guy has identified you as the one who was attempting to throw him over the cliff." CUSHMAN replies, "How can that be, mate?"

661. [1168] outlines a conversation I had with her, where she became heated and I hung up the call. [1168] says (P3), "...you're just wanting to pin this on Sean...at any cast, aren't you, and he hung up on me." CUSHMAN replies, yeah. It's true, mate. It's fair dinkum true, mate...they fuckin' hate me."

Witness: _____

Signature: _____

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662. [168] later says (P5), "...how are we gonna get out of this?" and CUSHMAN replies, "I dunno, man. Like, I dunno, we'll just - huh, I've done nothing wrong, so, I don't know how they..." Later [168] says "Are you sure you haven't been doing - are you sure.." and CUSHMAN replies, "Yeah, I wouldn't lie to you, Mum. I would not lie to you, mate. I'd tell you if I've done it, mate, and I did not do it..." [168] says, "At any time - were you ever at any time doing sort of these things" and CUSHMAN replies, "No, no." [168] says, "You never went up there with a group of people?" and CUSHMAN replies, "No, I never." [168] says, "...you know, giving fags a hard time?" CUSHMAN replies, "Mum, I know, and I'd tell you if I did, you know I would."

663. [168] and CUSHMAN are discussing time periods, and CUSHMAN says (P8), "...Well, I never did anything like that, mate. I never pushed anybody off a cliff, mate...I've never wit - I've never witnessed anyone falling off a cliff, no." [168] says, "...did you ever go up there with a group of friends?" CUSHMAN replies, "No."

664. WARRANT EO1224/01/00 TIME/DATE 13:06 ON 18/12/2001
 This is a continuation of the previous call - cut out due to duration. [168] says, "Oh well, they're looking for this Pacific Islander too but they don't ... he doesn't know his name and there were girls involved to."

Witness: _____

Signature: _____

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665. CUSHMAN replies (P2), "Never fuckin' hung out with girls, mate. Didn't hang up with any girls, mate, and I was always at the beach not up there. And I wouldn't have done that anyway, mate...Why would I do that for, mate? I haven't ... I do have a brain in my head, man, you know. I never fuckin' hurt anybody in my life, mate, I haven't...I've never bashed anyone for no reason, mum, you know, not like .. not pushed somebody off the fuckin' cliff, no way, man...And try and push .. and then go and try and push someone else off, like come on, that's pretty heavy....I'm not worried really 'cause I know I didn't do anything, mate, you know what I mean."

666. WARRANT EO1224/01/00 TIME/DATE 16:33 ON 18/12/2001
 CUSHMAN speaks with NP161 and says (P2) "They reckon I'm a prime suspect in a fuckin' murder and attempted murder, shit like that, eh." NP161 says, "What, for that poofter that got pushed off the cliff?" and CUSHMAN replies, "Yeah, and they reckon they have an eye witness that seen me fuckin' do it, they're sayin'...They're trying to pin it on me, bro, tryin' to fuckin' pin it on me and ... like there was a couple of chicks and a couple of white fellas and a few other Maories and that they were lookin' for." CUSHMAN asks NP161 if he has heard of the person McMANN (P3), and says "I dunno 'cause there's attempted murder and there was a murder and he reckons he's seen me on both occasions, like he pulled me out of the book or something' but why didn't he do that 12 years ago?" NP161 says, "Well, it's a load of shit anyway, I wouldn't worry about it, bro." CUSHMAN says, "Yeah, I shouldn't, eh." CUSHMAN, NP161 and NP54 discuss police interviewing old associates and a photograph book being circulated with associate photographs depicted.

Witness: 

Signature: 

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667. CUSHMAN and NP54 speak, with NP54 saying (P5) "What's this fucking bullshit?" and CUSHMAN replies, "I dunno, mate, they're lookin' for me, they reckon I'm a prime ... prime suspect in a murder and attempted murder, mate." NP54 says, "I dunno, that's bullshit, what the fuck's goin' on?" CUSHMAN says, "I dunno, man, and they reckon the dude that died he had a handful of blond hair on him, in his hand...So that's why they're fuckin' really after me sort of thing." NP54 replies, "Well, just send them one of your fuckin' hairs." NP54 says, "I'm not gonna tell 'em a fuckin' thing, mate." CUSHMAN says, "That's it, NP54...No, don't help 'em at all, bro."

668. CUSHMAN continues (P6) saying "Well, we were never there, eh, we never..." NP54 interjects "Nah, I don't remember any ... I never went to Tamarama ever, let alone bash poofs there, man." CUSHMAN says, "And we didn't throw no one off the fuckin' cliff."

669. WARRANT EO1224/01/00 TIME/DATE 16:46 ON 18/12/2001
 CUSHMAN speaks with his mother I168 and says that he believes McMANN is a former police officer he was charged with bashing at Bondi, and that police are currently interviewing "all the boys". I168 discussed the possibility of her house having a listening device and CUSHMAN dismisses this. He then says (P8), "...they're not gonna bug it but maybe your phone's bugged now, who gives a fuck, right, we've done nothing wrong, we're not doing nothing wrong, so what, ..."

Witness: _____

Signature: _____

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670. WARRANT EO1224/01/00 TIME/DATE 11:26 ON 24/12/2001
 CUSHMAN speaks with [1170], and [1170] informs him that detectives smoke with him. [1170] is the father of CUSHMAN's girlfriend [1169]. [1170] says "And I ... after the shock of it, 'cause he said it was referring to, you know, these three gay guys that were killed...And here in Sydney two weeks ago they did a re-enactment, the police threw dummies off the cliff...And the guy who ran this, his name was, um, Page, Detective Sergeant Page." [1170] advises CUSHMAN that police have the ability to locate him, and discusses the tapping of telephones. CUSHMAN says (P4), "I'm not too worried because I didn't .. I didn't do anything like that, so." [1170] says, "Well, I didn't think you'd throw gay guys off a cliff, mate." [1170] says (P9), "Um, and the bottom line is you've got to get it cleared up because you don't want that kind of shit hang' on ya..Regardless of what you did when you were a kid, um, that kid of stuff is ..." CUSHMAN says, "Nothing like that. Well you've reassured me, son, let me tell ya." CUSHMAN says, "Sixteen years old, I wouldn't be doin' that...I was probably at home doin' my homework or something, huh." [1170] says, "...and this guy talked too much...Good cops don't talk too much. This guy was saying oh your daughter's in bad hands, Mr [1170]...I mean if there's anything such thing as slander...we could ever use we could but you can't....He was trying to spook me."

Witness: _____

Signature: _____

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671. WARRANT EO1224/01/00 TIME/DATE 11:36 ON 24/12/2001
 This is a continuation of the previous call - cut out due to duration. [1170] continues and discusses legal representation, the legitimacy of the re-enactment and independent testing of exhibits. [1170] in conversation previously with investigators was informed the re-construction of the fall was designed to jog memories as opposed to perform a legitimate forensic purpose. [1170] was informed the dummy did not replicate the weight or movement of a human body, and had no evidentiary value. [1170] discusses this with CUSHMAN during this call.

672. WARRANT EO1224/01/00 TIME/DATE 23:27 ON 24/12/2001
 CUSHMAN speaks with his girlfriend [1169], and says (P4) "Hey, the coppers went to your house lookin' for me and that...Maybe I shouldn't have said nothin. Oh your dad rang me and that, man...Yeah, he knows all about it, he knows about the poofs that died and all that shit and that."

673. WARRANT EO1224/01/00 TIME/DATE 12:09 ON 25/12/2001
 CUSHMAN speaks with [1168] and she discusses (P2) contacting Detective PURCELL and inquiring whether CUSHMAN's previous blood sample is still available.

674. WARRANT EO1224/01/00 TIME/DATE 08:31 ON 27/12/2001
 CUSHMAN speaks with [NP161] and informs him (P8) that police went to [1169]'s house, "Lookin' for me and that." [NP161] says, "They are after ya heaps bro, eh...What d'ya reckon it's for the taxi driver, when you threw the money at the taxi driver thing?" CUSHMAN said, "Nah, it's from the fuckin' murders and that. But they're barkin' up the wrong tree, bro."

Witness: _____

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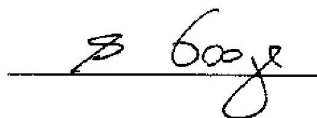
675. [NP161] says, "Oh yeah. I was, um, I was talkin' to Jason about that, eh...The murders and that. He reckons he knows who did it and that...Do you know...Do you know who it ... Who do you reckon it'd be?" CUSHMAN says, "Fuck, I don't know." [NP161] says, "It wasn't one of our crowd...It was fuckin', um, apparently he thinks he heard ... he's pretty sure he heard that it was, er, [NP156] and [NP158] and all them, fuckin' ... all those boys. [REDACTED], [NP159] and [REDACTED] and all them. but the thing about it is that fuckin' [NP158] looks identical to you, bro...So that's probably why they're saying that you, you know what I mean." CUSHMAN says (P10), "...I'll just say go and ask another crowd, bro, fuckin', mate, no good askin' me, mate, fuckin' barkin' up my tree, bro." [NP161] says, "Yeah, but that's probably what they're doin' anyway, probably just barkin' up everyone's tree to try and scare someone into saying something, you know what I mean."

676. WARRANT EO1224/01/00 TIME/DATE 08:41 ON 27/12/2001
This is a continuation of the previous call - cut out due to duration. [NP161] continues (P2) and says, "Funny old life, isn't it, eh...Fuckin' shit." CUSHMAN replies, "Oh that's alright, I know I didn't do nothin', bro, so...They're just tryin' to scare me and scare us and that, you know what I mean, and try and put it on us or somethin'. I'm just gonna ask them, I'm just ...I'm gonna go off, bro." CUSHMAN and [NP161] discuss the likelihood of being prosecuted through noble cause corruption.

Witness: _____



Signature: _____



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677. [NP161] says (P5), "...You can tell who did it but I don't care but you don't ever fuckin tell 'em that you heard from me." CUSHMAN later says, "But it sounds good though, it sounds like them." [NP161] says, "Cause all their crimes, right, were violent crimes...They're fully assaulter and gang bashers...They're psychos." They discuss [NP158] being violent, and [NP161] says, "I mean that's why I just asked around, I really wanted to know who did it for myself just so I could know...Just know who did it, you know, so you know...But, um, yeah so that's what I heard."

678. [NP161] says (P8), "Mate, you know it was them for sure, mate, like as soon as he ... as soon as he said that to me I thought, yeah, already I was thinkin' that." CUSHMAN says, "Yeah, same here, as soon as you told me I went fuck, yeah."

679. WARRANT EO1224/01/00 TIME/DATE 10:54 ON 28/12/2001
 CUSHMAN speaks with his girlfriend [169], and she says (P2) that police keep coming her around and asking her about CUSHMAN. [169] appears to be drugged during the call and no investigators from this investigation in fact spoke with her.

680. WARRANT EO1367/00/00 TIME/DATE 08:19 ON 12/12/2001
 [NP143] speaks to her partner [NP173], about a telephone call she received from her mother. [NP143] is hysterical and says (P1) "I don't know. How ... I don't fucking know. What's she going on about? I didn't kill anybody." Other conversations are had which are not of relevance to this investigation.

Witness: _____

Signature: _____

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681. WARRANT EO1367/00/00 TIME/DATE 08:23 ON 12/12/2001

[NP143] has a further conversation with [NP173], [NP143] says (P1) "...I don't remember anything. Um...I didn't kill anybody. I've never seen anybody die." [NP143] says to [NP173], "Mum just rang me, and the police are there looking for me because twelve years ago I was in a gang and somebody got murdered and now they want me for murder...I don't remember...I'm so scared, they want me at my mum's at twelve o'clock...I didn't kill anybody...I'm shaking really bad...I never killed anybody."

682. [NP143] continues (P4), "...We used to do like naughty stuff but I never fuckin' killed anybody. Never." [NP143] continues to be hysterical.

683. WARRANT EO1367/00/00 TIME/DATE 08:51 ON 12/12/2001

[NP143] speaks with her mother [NP172] who (P1) gives her details of the deaths of WARREN and RUSSELL at Marks Park, Tamarama. [NP172] says that the murders were gay hate bashings, [NP143] then adopts a calm composure and says, "No. I'm not panicking 'cause I know I haven't done anything...I don't even know what they are talking about...I'm sitting here thinking mum and I can only remember once when it was on the beach but they bashed him and they didn't kill him."

684. [NP172] says (P2) "Now we know what they're talkin' about. They're talkin' about these gay bashings and the bodies were found in Bondi and Tamarama and that in 1989." [NP143] says, "I never bashed gays.." [NP172] continues (P3) "Yes, but like even that day down on the beach you've gotta think about [REDACTED] and trust them, alright? Fuck with being a little kid. Right? We, we've gotta tell the truth."

Witness: _____

Signature: _____

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685. [NP143] says, "If somebody did something wrong I'm gonna tell mum. I'm not gonna get fuckin' taken away from my daughter...I didn't even hang, hang out at Tamarama. I don't, I never event went to Tamarama. I don't know, nah, somebody said my name where it's bullshit."

686. [NP143] says (P4), "As if I'd go and bash gays. Oh my god." [NP172] says, "Oh, [NP143], I don't even want to say anything but I just remember some things that you used to tell me...I don't know, about card machines and that?" [NP143] says, "that's the only one I'm thinkin' about but I didn't bash him...That's where we took him to the bloody bank and got money out and the boys rolled him."

687. WARRANT EO1367/00/00 TIME/DATE 09:00 ON 12/12/2001
[NP143] speaks with Shane - Surname not known ("Shane") who is a friend of [NP143] brother [NP171]. [NP143] says (P1), "I'm stressed out...I don't even know what they are on about Shane I'm so scared." Shane says, "I was at Bondi Primary School I think it was when the two faggots got murdered." [NP143] said, "That's what mum said. It's gays at Tamarama. But I never hung out at Tamarama. So I don't know." [NP143] continues, "I'd never, I'd never have killed anyone. I, I would know. I've never like bashed anyone that bad or anything."

688. [NP143] continues (P3), "I didn't kill anyone, eh...I can't believe this is happening now when I've just finally got my baby..If I was gonna have a fight with someone it would be a girl. I don't like goin' punchin' with guys, or especially gays...Because I think that they've got AIDS or something, my God. Oh, I'm so scared."

Witness: _____

Signature: _____

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689. NP143 says that if she is involved, so is NP114 and NP113. NP143 asks Shane to look after her brother.


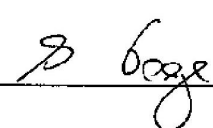
690. WARRANT EO1367/00/00 TIME/DATE 09:17 ON 12/12/2001
 NP172 and NP143 discuss events during 1989, in particular the birthday of NP172 former partner [REDACTED]. NP172 said that one of these offences occurred on his birthday, and NP143 says that she was in a relationship with [REDACTED] at this stage. [REDACTED]
 [REDACTED]

691. WARRANT EO1367/00/00 TIME/DATE 09:49 ON 12/12/2001
 NP172 states (P1) that she has organised a legal representative, and NP143 states, "I don't know if I even witnessed it mum. I don't remember any gays being bashed...Oh. I didn't do anything. I know I haven't done anything."

692. NP143 outlines the robbery she was involved in was in Hall Street, and "They didn't bash him bad, like." NP143 continues (P3), "Why would I bash gays? Oh my god. I don't fuckin' hate them. They can do whatever they want."

693. NP143 later (P5) says, "I don't remember. I swear to God. I don't remember bashing any gays or being with anyone that bashed any gays."

694. NP172 says (P6), "As ..You were lookin' after the boys on [REDACTED]'s birthday. That's the 22nd of July. Had it been the 28th of July, I wouldn't have a clue what you were doin.' But on the 22nd of July I swear blind that you'd have been lookin' after your brothers...You were every other weekend. Why not then?"

Witness:  Signature: 

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695. Inquiries in relation to discussions of [NP143] and [NP172] on TI product revolve around the birth of her [NP143] sister [NP174] [NP174]. C.O.P.S inquiries surrounding a report involving [NP174] [NP174] and [NP143] suggests that [NP172] was born on the [REDACTED].

696. WARRANT EO1367/00/00 TIME/DATE 09:59 ON 12/12/2001
 Continuation of previous call, split due to duration. [NP172] says (P3) "They're gonna want you today. They're gonna want your address. That's why he's coming here to sit here and stand over me." [NP172] discusses arranging legal representation. [NP143] says, " I haven't done anything. I know I haven't. I would know if I've done something bad...I don't even know what to think about. I don't even ... oh my God, I'm stressed. Shit."

697. WARRANT EO1367/00/00 TIME/DATE 10:53 ON 12/12/2001
 [NP143] speaks to [NP173], and says (P1) The, the case has been, it's gay bashing. The case has been opened thanks to DNA...Three people have already served fourteen years, are serving fourteen years...Um, it's been reopened 'cause there's other cases that weren't, um, finalised." [NP173] says, "And you weren't involved in any of these things?...Why would you bash a gay person?" [NP143] replies, "I wouldn't....I don't, I, I don't know anything. I'm so lost."

698. WARRANT EO1367/00/00 TIME/DATE 11:09 ON 12/12/2001
 [NP143] speaks to [NP173] and says (P3), "I am gonna tell the truth...No. I never went around bashing people." [NP143] continues (4) and says "...We used to just like get drunk and you know, we didn't even like to hardly any naughty stuff."

Witness: _____

Signature: _____

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699. WARRANT EO1367/00/00 TIME/DATE 11:18 ON 12/12/2001

[NP143] speaks to a female friend Cathy - surname not known, and says (P1) "I am so freaked out. I'm so shitting my pants...Gay bashings or something. It was all on the news on Sunday night. But I didn't watch it...It had, come at Tamarama, it happened at Tamarama. And I used to hang out at Bondi...Never, I never used to hang at Tama."

700. [NP143] says (P4), "Mum said I hung around in a gang. Yeah, I did. It was like, there was a group of us but we, like we didn't go round murdering people...We were gettin' on it and you know...doin' silly things like that, like kids stuff...But we didn't kill anyone."

701. [NP143] says (P9), "I have never murdered anyone, I have never hit anyone to the point of murder...Oh, my gosh, I can't believe it. I've never even knocked anyone out...Let alone fuckin' murdered somebody."

702. WARRANT EO1367/00/00 TIME/DATE 11:28 ON 12/12/2001

Continuation of previous call, split due to duration. [NP143] states (P5), I remember once that like this guy, [NP113] and I, he went to an ATM and we, we followed him and like watched his pin number...and then the boys bashed him and we stole his key card and then we took off. But that was like right on Bondi Beach...And the guy got up, he was fine." [NP143] says, "If it comes across the papers and the news that I'm, I'm being charged with murder, eh, make sure you tell everyone I'm innocent...So shitting my pants...I am not a murderer."

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

703. WARRANT EO1367/00/00 TIME/DATE 16:42 ON 12/12/2001

[NP143] speaks to her brother [NP171] who she refers to as [REDACTED]. [NP171] says (P3) "...Did you know any gay fellas?" [NP143] replies, "No. I don't think so." [NP171] says, "I dunno because like the feeling, I was just readin' it in the paper then there's like fuckin' five unsolved murders in the Eastern Suburbs with gays." [NP143] says, "Oh, my God. Are you sure you weren't doin' gay bashings?" [NP171] replies, "Nah, it's not me. they grabbed, like they got fuckin' a handful of someone's hair and that's who they reckon ..." [NP143] says, "Yeah, that's what mum said, hair or something. Would they have grabbed my hair? How would they have grabbed my hair if I wasn't there."

704. WARRANT EO1367/00/00 TIME/DATE 14:59 ON 12/12/2001

[NP143] speaks with [NP172], and says (P2), "Oh, my God. I never, [NP171] said their bodies were chucked off...I don't know. I wasn't, I know I didn't do it, I don't know. I wasn't even there when, I've never seen anyone bashed around and I've never seen anyone chucked off the bloody things."

705. WARRANT EO1367/00/00 TIME/DATE 19:35 ON 13/12/2001

[NP143] speaks with female friend Cathy - surname not known ("CATHY"). [NP143] says, "The first, basically the first thing they told me was we know Sean Cushman threw somebody off a cliff...Sean CUSHMAN threw someone off a cliff twelve years ago and I've been named as being there...And, um, I've basically gotta prove that I wasn't...But...but I wasn't. They reckon I was there."

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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706. CATHY said (P2), "Did they have your DNA?...Like they said?" **NP143** replies, "No. And yet, they didn't say they want to test me and that." CATHY said, "Oh, he must've been a fuckwit that detective that rang your mum..." **NP143** replies, "Yeah. It's the same one that I had today. The same detective. And he was so hard. He was so mean." **NP143** continues (P3), "I told them everything. I was honest."

707. WARRANT E01368/00/00 TIME/DATE 18:37 ON 24/12/2001

NP113 speaks with Karen - surname not known ("KAREN") and **NP113** says (P2), "Oh, no, I just was wanting to talk to you about what I was saying out at the car...Yeah..Look, you know what **NP163** did?...Even though they don't want nothin' to do with me but...everyone in the photo she knew. She knew every single one of them...But she only gave my name up." Other conversations are had which are not of significant relevance to this investigation.

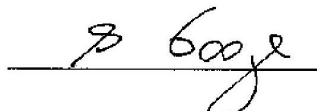
708. **NP113** continues (P3), "I'm not, I'm not impressed, but anyway...Yeah, it's got nothing to do with me. I was pregnant that year...I was nowhere near the place."

709. **NP113** says (P4), "Well like I mean I've hanged out with some naughty boys, eh...And, I mean, they've got themselves in big shit over the years. So maybe they took photos then to keep an eye on them." **NP113** continues, "I think it might be **NP107** **NP107**...Yeah. I can remember something, oh a long time ago..."

Witness: _____



Signature: _____



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710. [NP113] continues (P5), "He got pushed off a cliff mate. Haven't you heard about it. A re, they reopened a case that's been closed for twelve years...Robert remembers it. I don't remember it, eh...And it was supposed to be, from what they've told [NP163]...There's three people, they're three fags, One got, one got um, un, thrown off the cliff...And where they found the body they found another man's set of keys with his car up the road and he's missing, so they don't know where he is...And the third man has identified one of the boys...I just can't remember any of them doin' anything like that."

711. WARRANT EO1368/00/00 TIME/DATE 18:37 ON 02/01/2002
[NP113] speaks with [NP111], and [NP113] says (P6), "The coppers want to talk to you...They want to talk to all of us mate...They went over, they went over to [NP163]'s house the other day...You know that faggot that got pushed off Marks Park cliff?...Remember they've been talking about they've reopened the case and they threw a dummy off the cliff to see if he got pushed off, right?" [NP111] says, "Oh, no not really."

712. [NP113] says, "I knew you wouldn't know, because I didn't know anything about it either. But anyway, they've got a A4 folder, right...and it's got all our photos in it. ...Yeah, and you're in it, I'm in it, [NP162] is in it, [NP112] is in it. They took [NP163] to the police station, right?...She was there for three hours."

Witness: _____

Signature: _____

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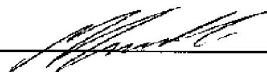
STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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713. [NP113] continues (P7), "And I've gone well fuck I was pregnant, I was giving birth mate in August, well not, I don't know what time what year, August sorry, I don't know what, what month but it was 1989. I said, well I was fuckin' pregnant so I've got nothing to do with it..."

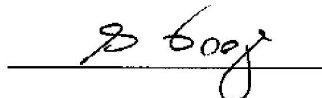
714. [NP111] says, "Oh, no. Who was the guy?" and [NP111] says, "I don't know. He got, he was a poof and he got bashed and he was thrown off a cliff. Now there was three of them." [NP111] says, "We might have been naughty but we were never that bad."

715. WARRANT EO1368/00/00 TIME/DATE 09:53 ON 12/12/2001
Continuation of previous call, split due to duration. [NP113] and [NP111] discuss "PTK" (P1) and [NP113] says it stands for "Prime time kings". [NP111] says, "We were little bloody runabouts, drinking' fuckin' doin' shit." [NP113] later says (P2), "I said, none of us would've killed anybody. I'm tellin' you that now. Maybe [NP107]...You know what I mean...Remember that?...And remember the body that, you know the body that disappeared...Remember the extinguisher (possibly incinerator) ... The fire extinguisher. Didn't me and you go somewhere? [NP107] was, [NP107] was saying somewhere at Kensington that they burnt someone. We thought it was just a joke. What if they were telling the truth and they, and they did do that...Do you remember that [NP111]?" [NP111] says, "I, I do vaguely but it's just like there's so many things that are just..."

Witness: _____



Signature: _____



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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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716. [NP113] then discusses CUSHMAN leaving Sydney saying (P7), "He's done a disappearing act, Sean...Yeah, he's, oh...because [NP56]'s out of gaol..You know [NP56] ...Yeah, he's out of gaol...And he's got a little gang wanting to bash Sean...Yeah, he's done the bolt. He's gone bush. Cause [NP56]'s dealin' the heroin and the people that will do it will do it for him, won't they..."

717. WARRANT EO1368/00/00 TIME/DATE 17:55 ON 04/01/2002
 [NP113] speaks with [NP162], and [NP162] discusses being interviewed by police, a continuation of a call at 17:45.
 [NP162] describes Marks Park (P2) and [NP113] replies "Okay. Yep, nuh, we never went there."

718. WARRANT EO1368/00/00 TIME/DATE 19:03 ON 05/01/2002
 [NP113] speaks with unknown female, and [NP113] discusses the investigation (P3), saying "[NP111] got taken to the police station...So did [NP163]...Um...they're inquiring about, you know they, you know that guy that got pushed off Marks Park Cliff?" UF says, "No." [NP113] says, "The faggot." Unknown female says, "No...What's Marks Park?" [NP113] said, "I don't know. I, they, [NP163], uh [NP163] and [NP111] tried to describe it to me. you know when you're walkin' to South Bondi?...You walk to South Bondi...you go past, you go, you know past, and there's a park up to the top when you keep...Uh...you go up heaps of stairs...You go around past Bondi, like South Bondi and past..." Unknown female interjects and says, "Yeah, and there's a little tiny bay with all like rocks and stuff."

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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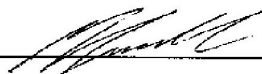
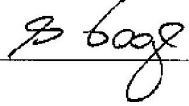
719. NP113 says (P4), "Well, anyway, this guy got pushed off and they threw his body, they threw a dummy. It happened in 1989...And they threw a dummy off the cliff the other week. Can you remember it? they reopened the case." Unknown female says, "No, I haven't heard anything about it."

720. NP113 says (P7), "I don't care if they come to me. I've got nothing to hide...And if any of those boys did something so stupid as to throw someone off a cliff then they deserve whatever that's comin' their way."

721. WARRANT EO1368/00/00 TIME/DATE 19:13 ON 05/01/2002
Continuation of previous call, split due to duration. NP113 says (P2), "...I had nothing to do with no fag bashin's mate."

722. WARRANT EO1368/00/00 TIME/DATE 09:41 ON 08/01/2002
NP113 speaks with NP112 and they discuss pending interviews with police (P4), and NP113 says (P7) "One of the boys has done it." to which NP112 replies "Yeah, that's what I'm thinking." NP113 continues (P8) "One person ...Okay, one person's dead...One person's missin' and the other person's a witness...They're three gay men...Yep. And they got, uh, one got pushed off Marks Park cliff. Remember that a couple of weeks ago? And they threw a dummy off a cliff?" NP112 says, "No."

723. NP113 says, "Okay, well this guy got bashed in 1989 and thrown off a cliff. At first they thought it was suicide ... Well, I don't know who they were. But I know they were all gay men...And one's missing, one's dead and the other one's a witness."

Witness:  Signature: 

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724. WARRANT EO1368/00/00 TIME/DATE 09:52 ON 08/01/2002
 Continuation of previous call, split due to duration. NP113
 says (P2) "...when I was pregnant" and states she had [REDACTED] in
 August, 1989. NP113 and NP112 discuss (P5) the graffiti tag
 "PTK" and say it is "...prime time...kings".

725. NP113 and NP112 discuss NP107 and (P8) that
 incident being over at Kingsford, Kensington, Matrville or
 Maroubra.

726. WARRANT EO1368/00/00 TIME/DATE 14:21 ON 08/01/2002
NP113 speaks with NP111, discusses interview questions and
NP111 (P4) says, "They just, 'cause they asked me, have you ever
 been to this park? I said, no, not that I know, I don't think
 so. then they said, ... did you ever hear of you know, of
 anybody doing these gay bashings? Or whatever. I'm no..." NP113
 interjects and says, "Oh the boys used to do gay bashin's at the
 Cross." NP111 says, "At the Cross, but not at, there."

727. NP113 says, "But then who knows what they did when we
 weren't around." NP111 replies, "I don't know nothing. And I
 said what I said to you on the phone. I said, God, we might have
 been drinking and being stupid but we didn't do anything that
 fucking dramatic."

728. NP113 says (P7), "Oh, Okay. they've probably got the phone
 tapped. Come and see me (laughs). I wanna know too....Oh, well
 we've done nothin' anyway...Fuck you. Not you, if the phone is
 tapped. Well if the phone is tapped they'll know I've spoken to
 you, NP163 and NP112 "

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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729. WARRANT EO1368/00/00 TIME/DATE 14:32 ON 08/01/2002
 Continuation of previous call, split due to duration. [NP113] and
 [NP111] (P2) discuss a photograph book shown during interviews.

730. WARRANT EO1368/00/00 TIME/DATE 14:42 ON 08/01/2002
 [NP113] calls [NP104] and says (P1), "Yeah,
 well I think, from what I know, I just thought I'd ring and let
 you know. You know, something about some guy that got thrown off
 a cliff in 1989." [NP104] says, "Yeah, yeah, I know...I got
 told." [NP113] says, "It's quite fuckin' pathetic. Shari cracked
 up laughin' when they asked her all this. Um, and they were,
 they just want to know everything and anything and they think,
 they wanna know if we hanged at this park, if we drank at this
 park." [NP104] says, "They're fuckin' trippin', eh."

731. [NP104] says (P2), "I got told it's CUSHMAN...No, no,
 what's, that's what uh [NP91] told me. [NP91] told me that
 they grabbed CUSHMAN and that. And they're lookin' for CUSHMAN
 and someone else he said."

732. [NP113] says (P3), "So, I mean I've got, we've got nothing
 to hide, I know that." [NP104] replies, "Yeah, I don't give a
 fuck. Let them come here...If, if they're smart enough they know
 we ain't no fuckin' fag bashers."

733. WARRANT EO1368/00/00 TIME/DATE 14:45 ON 08/01/2002
 [NP113] speaks with [NP111] and informs her (P1) that she has
 spoken to [NP104] and that [NP111] has been interviewed.

Witness: _____

Signature: _____

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734. **NP113** says (P3), "The coppers have probably got my phone tapped goin' this chick's just ringin' everyone...Uhh, let them...That's why they're not comin' to me. They know I've done nothing." **NP111** replies, "Oh, like you just said, they all, they know we, we, none of us fuckin' did nothin' like that."

735. **NP113** says, "Yeah, we're not that fuckin' stupid like, or did we when we were blind or what? Like who knows? No, I'm only jokin'...Nuh, I'm sure, I'm sure we wouldn've known if one of the boys threw someone off a fuckin' cliff mate. Do you know what I mean?" **NP111** says, "Well that's something that you wouldn't forget, eh?"

736. WARRANT EO1368/00/00 TIME/DATE 10:32 ON 09/01/2002
NP113 speaks with **NP112** and they discuss **NP163** lying to police about whom she knows from the photograph book. **NP112** says (P2), "Why lie, eh?"...That's just gonna make them more fussed."

737. **NP113** says, "Someone in this photo album's done it...I think it's **NP107**, eh...Can you remember that time he said he'd found a body? Or is that **NP111** was telling me that?" **NP112** says, "I wouldn't talk on the phone."

738. WARRANT EO1368/00/00 TIME/DATE 14:07 ON 09/01/2002
NP113 speaks with **NP112**, and **NP112** discusses her interview with police. **NP112** states she wasn't quite sure who was in the PTK, and (P2) "just picked all the people that aren't here any more." On discussing Marks Park, **NP112** says, "I don't remember goin' there ever...Not that one. That's too far away."

Witness: _____

Signature: _____

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739. NP113 says, (P4), "Yeah, they just need more evidence...And they don't have it...I've got a feeling it's NP107...Just, that's just my feeling."

740. WARRANT EO1368/00/00 TIME/DATE 14:56 ON 09/01/2002
 NP113 speaks with NP111 and says that she has been interviewed earlier that day. NP113 says (P5) of people in the photograph book, she knew thirty two. Further conversations are had which are of no significant relevance to this investigation.

741. WARRANT EO1368/00/00 TIME/DATE 15:06 ON 08/01/2002
 Continuation of previous call, split due to duration. NP113 says (P3), "But, I, I seriously think they're chasin' the wrong tree, mate." NP111 replies, "Oh, for fuckin' sure. None of those boys would've done that." NP113 continues, "And they asked me what did they, we all thought about gays when we were younger. I said, you've gotta be kidding me. I said, they were all fifteen, sixteen year old boys rooting for the first time. Of course they didn't like gay boys. Or gay men. I said, well you know, you had, you had the occasional poof and that. Oh, fags, nerr. I said, but no, there was never any fights with poofs. We would've had fights with wogs."

742. NP113 discussing her thoughts towards gays now (P4), says, "I, if they would've asked me I would've said well Adam and Eve, not Adam and Steve...If my son comes home gay I'll disown him. Is that enough for ya...Fuckin' oath I would."

Witness: 

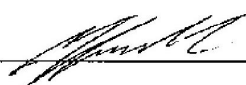
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743. WARRANT EO1368/00/00 TIME/DATE 15:27 ON 09/01/2002
 NP113 and NP112 discuss interviews, and the supply of audio tapes at the conclusion of the investigation (P2). NP113 says (P3) "the only person I've ever heard of doin' somethin was, I believe that it was just a story." NP113 discusses interview questions and (P4) says, "Well, I, I, I dunno what their fuckin' go is. I, I don't care if my phone's bugged. I had nothing to do with it...I know nothing about it...And if I drank at Marks Park it was probably when we was already drunk and we walked up there because we were gettin' away from the police. So, fuck 'em."

744. NP113 continues (P5) and says, "We've got nothing to hide NP112, eh. They, they, those Bondi coppers know we weren't fag bashers."

745. WARRANT EO1374/00/00 TIME/DATE 17:42 ON 18/12/2001
 NP54 says to a male friend by the nickname of NP167 later identified as NP167. NP54 says (P1), "And then I - now fuckin' get this, I've fuckin', um, found out that fuckin' - did ya see in the papers that poof that died, ten years ago and that, in Bondi?...He got thrown off a cliff or something...Well, fuckin', the Homicide Squad D's have been shown' my photo, Sean's photo and a few - all other Bondi boys' photos around for fuckin' the last two weeks...to do with that." NP54 says (P2), "...Oh, like, I've got nothin' to do with it but I'm thinkin', what the fuck's goin' on, why - 'cause, um, they've been to like Sean's house and that too, they haven't been here, but I'm thinkin', fuck they could be here any minute."

Witness: 

Signature: 

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746. **NP54** continues, "Cause they always promised they were gonna set me up and that, for all I know this is a set-up, bro, and they've got us all, 'cause I just heard from Sean today and he reckons supposedly there's eight suspects and there's another murder as well."

747. **NP54** says (P3), "...a few other people who I know the cops have been to their house and they're asking about PTK, which is our old gang, and - and who are the Bondi boys?"

748. **NP54** says (P4), "...I fuckin' - I swear to God it sounds to me like they're - they're about to fuckin' just ruin our lives like they always said they were and that....It sounds to me like they're building some sort of fuckin' big case. I wouldn't be surprised if it's a set-up, bro."

749. **NP167** says, (P4), "But you never - it could've been them other cunts, you never know." **NP54** replies, "Nuh, nuh, it wasn't man, like we'd know...We used to bash heaps of people and that and get in blues and that all the time down there but we've never thrown cunts off cliffs and that...And if anyone did, like they wouldn't have been able to keep it to 'emselves...You know, if - unless it was one guy alone or something."

750. WARRANT EO1374/00/00 TIME/DATE 20:03 ON 18/12/2001
NP54 and **NP104** discuss the format in which police interviews are being conducted with their associates, and **NP54** says (P3), "...I don't give a fuck, I haven't done nothin' anyway so." **NP104** says, "Yeah, that's it, I don't give a fuck. I dunno who the fuck, some fag, fuck I dunno...I didn't go fag bashin'."

Witness: _____

Signature: _____

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751. WARRANT EO1374/00/00 TIME/DATE 15:22 ON 06/02/2002
NP54 and NP112 discuss police interviewing associates, and
format of interviews, and NP112 says (P3), "I suppose not
everyone's a suspect." NP54 replies, "Yeah well I hope, fuck
good, fuck, I didn't do shit. I don't even know what they're
fuckin' goin' on about."

752. Due to current requirements of security and continuity of
transcripts associated with calls captured lawfully in
accordance with the Telecommunications Act, these transcripts
will be available separately to annexed documents.

Witness: _____

Signature: _____

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INTERVIEWS SURROUNDING NP57

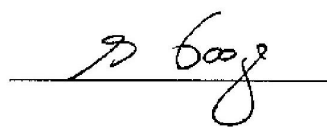
753. About 12.10pm on the 19th of December, 2001, with Detective Sergeant NUTTALL I met with NP57 at the Nowra Police Station. I outlined the conduct of an ERISP interview to NP57 (outlined fully in statement of NUTTALL) and subsequently conducted an ERISP interview with NP57. That interview was adopted by Inspector CLARKE and NP57 has then shortly after exited the police station. Attached to this statement is the statement of Detective Sergeant NUTTALL which outlines fully the conversations I had with NP57 in relation to the preamble and conduct of that interview.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 258

754. The interview I conducted with NP57 was subsequently transcribed. NP57 (who was born on the [REDACTED]) stated (P6) she use to frequent the Bondi area when she was 15 (1987) and states (P9) that in 1989 Bondi was not one of her hangouts. NP57 is shown a photograph of Marks Park and (P8) does not believe she has ever been there. NP57 says (P13) she tried aerosol art, but gave it away. NP57 states (P13) that she is bi-sexual and in 1989 had no animosity towards gays.

755. NP57 states typically she would go to Bondi at night (P14), and arrive in hotted up cars. NP57 says (P15) that the gang names "Bondi boys" and "PTK" mean nothing to her, but she has seen "PSK" as graffiti. Of the photograph booklet (P17), she only recognises herself however other photographs appear similar to people she has known. NP57 is shown (P19) the photograph of WARREN and says she can't remember having seen him before.

Witness: 

Signature: 

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756. [NP57] says (P20) she has no knowledge or involvement in his disappearance. [NP57] states that the disappearance was near to her birthday and she can't recall where she was in July 1989 (17th birthday).

757. [NP57] states (P23) "...as far as gay bashings and anything like that, like I have nothing to do with them. I have seen one gay bashing and that was, you know the wall, where all the poofa's go...And that was...I seen this boy getting his arse whopped and me and these two guys that I was with went over and pulled these blokes off him and told them to, and that's the only thing I've ever had to do, that I can recall, with any gay people."

758. [NP57] states (p24) she was not involved in offences of violence at Bondi, states she can't recall being involved in bashings where members of the gay community were targeted and states she was not involved in robberies targeting members of the gay community.

759. [NP57] states (P25) she believes the only person who would allege she was involved in the death of WARREN was her brothers former girlfriend [I143]. [NP57] is informed that three witnesses have alleged she made admissions in relation to being involved in the death of WARREN and states (P27) "No, that's crap." [NP57] states (P28) she did not kill WARREN, was not present when he was killed, or know who killed him. A copy of the transcript of the interview with [NP57] is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 259

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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760. On the 17th of January, 2001, with Detective Sergeant NUTTALL I met with [NP57] at the Nowra Police Station. At the time [NP57] was in custody for other matters. I outlined the conduct of an ERISP interview to [NP57] (outlined fully in a statement prepared on 21 May, 2002) and subsequently conducted an ERISP interview with [NP57]. That interview was adopted by Senior Constable PATTERSON. Attached to this statement is the statement I prepared on the 21 May, 2002.

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 260

761. The interview I conducted with [NP57] was subsequently transcribed. [NP57] is played a telephone call (E01369 at 15:25 ON 17/12/2001) and she acknowledges that the voices in the call are herself and her sister [1144]. The nature of the call is disputed and replayed. [NP57] states she does not recall telling people she was involved in the death of WARREN, however, suggests she may have told her brother [1175] former girlfriend [1143] and she was (P5) "shit stirring her". [NP57] then states she will "take a lie detector test and everything...I know I've got nothing to do with this." [NP57] is questioned as to whether she may have told others she was involved in the bashing of WARREN and she states (P6) she would only have told [NP19] and "...I've had scraps, but I've never, and I, and I'd know, thats' what I mean like, and I've done some pretty stupid things, but I've sat in my home, mate, and balled my eyes out racking my brains, and I just can't think of anything..."

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
Name: Stephen John PAGE

762. [NP57] is questioned (P7) in relation to her previous involvement in gay bashings, and states "...I've been there, but I've not, I've, I've saved the bloke, me and some friends...these guys started and me and the girls were with them, but we didn't have anything to do with the physical punching or anything." [NP57] states that the group included a Samoan teenage male called [NP168] and a female (now deceased) [NP169].

763. [NP57] is played a telephone call (EO1369 at 09:05 ON 18/12/2001) and acknowledges (P9) that the voices in the call are herself and her brother [I157]. [NP57] acknowledges that during the call she stated she was involved in "bashing two poofers" at Hyde Park and Oxford Street. [NP57] states that the incident she described is the incident she previously mentioned with [NP168] and [NP169]. [NP57] the Oxford Street incident occurred near DCM nightclub, with the victim lured into an alleyway by a male co-offender. [NP57] states "they hit him a few times" and demanded his wallet.

764. [NP57] continues (P10) and discusses the other incident of gay bashing at Hyde Park, and clarification establishes that the incident actually occurred in the vicinity of the El Alamein fountain at Kings Cross. [NP57] states that this incident was a "big brawl...a big gay fight." [NP57] states she had no involvement but was present.

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

765. [NP57] is interviewed (P13) in relation to her associates in 1989, and states she now believes that she was not with [I46] as outlined in the previous interview but living with [I176] at Mount Druitt. A copy of the transcript of the interview with [NP57] is attached as an annexure to this statement.

EXHIBIT I PRODUCE THAT TRANSCRIPT-ANNEXURE 261

766. On the 22nd of January, 2002, Detective PINCHAM and MORIBSON interviewed [I144] at the Nowra Police Station and this interview was electronically by ERISP. [I144] states she recalls her brother [I175]'s then girlfriend [I143] having a crush on WARREN and there was a conversation between [NP57] and [I143] where [I143] accused [NP57] of involvement in the disappearance of WARREN. [I144] states that [NP57] says words similar to, "Oh, snap out of it, so what if I did." [I144] states the conversation took place in the dining room of her mother's house. [I144] states that [I143] has written and posted love letters to WARREN. [I144] states that [NP57] use to brag of involvement in things she had nothing to do with. [I144] states that in 1989 [NP57] was living with [I176] at Mt Druitt. Attached as an annexure to this statement is the statement of Detective PINCHAM together with the transcript of [I144].

EXHIBIT I PRODUCE THOSE DOCUMENTS-ANNEXURE 262

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

767. On the 8th of July, 2002, I obtained a typewritten statement from [1176] who stated that in the autumn of 1989 he was in a boyfriend/girlfriend relationship with [NP57] for two or three months. He states that during that time and for no longer than a month, [NP57] lived with him at his parents house at Mt Druitt. [1176] states he has no knowledge or involvement in the death of WARREN, and does not recall going to Bondi with [NP57]. Attached as an annexure to this statement is a copy of the statement of [1176]

EXHIBIT I PRODUCE THAT STATEMENT-ANNEXURE 263

768. On the 19th of December, 2001, I spoke with [1143] (formerly [1143]) and she stated she did not recall any conversation where [NP57] alleged she had some involvement in the disappearance of WARREN.

Witness: _____

Signature: _____

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
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TI PRODUCT SURROUNDING NP57

769. WARRANT EO1369/00/00 TIME/DATE 15:25 ON 17/12/2001
 NP57 speaks with her sister I144. I144 says (P2), "A policeman came here today and I had to contact Paddington Police Station...They wanna speak to you...about Ross WARREN...a newsreader that went missing." NP57 asks, "Who's Ross WARREN...I don't even know who Ross WARREN is." I144 says, "He went missing...When we were both teenagers...but do you remember that there was...you did...I remember there was a story...cause remember I143, I175's ex had a crush on him...And you said something about him. You said that ... that you'd got stuck into him or something like that...I remember you had a story to tell about him. About his disappearance. I don't remember exactly what the story was, ' cause I remember thinking you were being a tough girl and just skitin.' Call cuts out.

770. WARRANT EO1369/00/00 TIME/DATE 15:28 ON 17/12/2001
 NP57 continues her conversation with I144 and says, "No, no, fucked if I know, wouldn't have a clue." I144 then arranges to relay a message for police to call NP57 directly on her mobile number.

Witness: 

Signature: 

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

771. WARRANT EO1369/00/00 TIME/DATE 09:05 ON 18/12/2001

[NP57] speaks with her brother [I178] [I178] asks, "How did you get on yesterday...with you know. Detective." [NP57] replies, "I dunno. He wants me to see him on Wednesday...I'm not worried, I don't know anything about it, so...don't care...Dotty was freaking out and I said darling listen, stop stressing. Let them fuckin'...I don't know the guy I said fuckin'...don't have a clue about his disappearance, I said, and I've only fuckin' bashed two poofters in me life, I said, and one was in Hyde Park and one was in fuckin' Oxford Street, and I said and those cunts are both still alive, and I've seen 'em since. I said so fuck, I'm not worried. But she's freaking out. Carrying on like a pork chop."

772. [NP57] continues (P3), [I144] said well fuckin' hell, if they interviewed people that used to like him or anything like that, she said they would have interviewed [I143]...And um, [I144] said and if they've interviewed her, she said, she fuckin' hates your guts [NP57], she would have fuckin' told 'em that you fuckin' killed him or something...I'm not stressed, I'm just...like I said, concerned for why they have my name."

773. WARRANT EO1369/00/00 TIME/DATE 13:47 ON 19/12/2001

[NP57] speaks with [I144], and [NP57] says (P1), "...do you remember when that shit happened with that fella, Ross Warren...Was I in Nowra?"

Witness: _____

Signature: _____

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774. [1144] replies, "I don't know. I know you were in Nowra around the time it happened. I don't know if you were then when it happened though. Because like I said, I remember...I know that you were in Nowra...shortly, like, close to the ...around the time that it happened, because I remember you being there when [1143]...when it happened, 'cause [1175] said [1143].. [1143] said something oh...about finding him, and [1175] said what are you worried about? He's gay anyway. And I remember you were there when we had that conversation...And that was...you know, could have been just days after it happened. I don't know if you were there prior to, or what. But I know you were around."

775. [1144] continues (P2) and says, "...what I said was that [1143] had said you had something to do with it...And that ...see, I don't remember if she said you and some other guys went gay bashing...I don't know if she said it, or you said it, but I know you were when the conversation took place." [NP57] says, "But I've never been gay bashing...Why would I go gay bashing? Fuck, I'm a bisexual."

776. [1144] continues and says, "...I remember thinking that you were just skitin'." [NP57] says, "Yeah, I would've been" [NP57] continues (P3) and says, "...Oh it's not just...it's not just this fuckin' Ross WARREN fellow, there's two fuckin' other fellas mate...(crying)...I don't remember anything. Not a fuckin' thing. If I did, I would tell them." [NP57] states (P4), "...God I don't know what the fuck's goin' on."

Witness: _____

Signature: _____

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777. NP57 and I144 discuss I143 and I144 says,
 "Cause if you need me to talk to him I will. And I'll tell him
 that she was making up some stuff about ya. I can...I'll leave
 out the bit where you admitted to it. But see I don't even know
 if you did or ... because I know...I remember..."

778. NP57 says (P4), "Look I remember anyone I've ever
 fuckin' hit in my life,...And these three people are all at the
 same place. Now any gay bashings that I've ever fuckin' been
 involved in, fuckin' two, me and a fuckin' a couple of other
 girls, said fuck you cunts, and that was all in fuckin' Oxford
 Street. And one fuckin' guy that got bashed, me and two of my
 friends fuckin' stopped the bashing. Like this guy was getting
 flogged."

779. WARRANT EO1369/00/00 TIME/DATE 13:58 ON 19/12/2001
 Continuation of previous call, split due to duration. NP57
 says, "...There was one other name, I said nuh. Then he said
 Parkside Killers. I said yeah, I remember that, I said, 'cause
 fuckin' my gang, the Rebels, used to fuckin' fight with them.
 And they did. 'Cause they wrote up a big fuckin' piece about
 Knocker. I don't know. It's all too much."

Witness: 

Signature: 

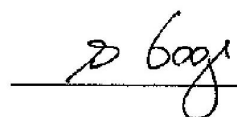
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780. WARRANT EO1369/00/00 TIME/DATE 14:09 ON 19/12/2001

NP57 speaks with a friend Monica ("MONICA"), and discuss **NP57**'s interview with investigators. **NP57** says, "Oh fuckin' look mate, they're fuckin' scaring the fuck outta me...Well they asked me about the disappearance of this Ross WARREN guy...And they said we've had...got three witnesses that say that you know his whereabouts and you fuckin'...I bashed him or something...And then they asked me about the death of another guy...And they're all gay. And then he asked me about an attempted murder on another guy. I said, look mate, you're fuckin' freaking me out, I said this is sick shit, I said this is serious...And fuck, I got upset mate, I started crying. I said, you know, I said, I've got three boys and a man at home, I said I got my whole life ahead of me, I said fuck, you think I'm gonna waste my life on this shit...because I ... if I knew something, I'd tell ya...But it frightened the fuck outta me mate. He told me to get a solicitor."

781. **NP57** continues (P3), "But fuck, I'm scared Mon...And the worst thing is, there's fuckin', I've got nothing to do with it...Like that's what's pissing me off. Like when they first called I thought...three people saying that I said fuckin' I gave him a hiding and knew where he was or some shit, he reckons...I said to him, I said look, the only person hat would have ever said that, I said would have been fuckin' my brother's ex girlfriend, I said and what I may or may not have said to fuckin' her...I said is despite the fuckin' fact, I...I've got nothing to do with this."

Witness: 

Signature: 

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 STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

782. WARRANT EO1369/00/00 TIME/DATE 14:28 ON 19/12/2001
 NP57 speaks with I144, who says (P1), "You were with I176 in eighty nine...I can't find the diary. I found photos. And eighty nine I hung around Brad, poofter Brad...And...and um...remember when they...youse all come down and stayed...with a stolen car...I'm sure that was eighty nine." NP57 replies (P3), "I was living in Mt Druitt. Fuck, we didn't used to go to Bondi at all then."

783. WARRANT EO1369/00/00 TIME/DATE 15:14 ON 19/12/2001
 NP57 and I144 continue conversations, and NP57 says (P3) "...I'm gonna try and put it out of me head for now, 'cause it's driving me nuts...I keep thinking like I176 and Lee, they were into graffiti...Like they asked me about graffiti." I144 asks, "They didn't do much but tag things though did they?" and NP57 replies, "Yeah. Not really. Just bombing trains and shit. We didn't go to Bondi, we used to hang round the town, like out Mount Druitt and shit. But Bondi wasn't our area."

784. WARRANT EO1369/00/00 TIME/DATE 15:30 ON 19/12/2001
 NP57 has a further conversation with I144, who says (P1) "...then that confirms you were with I176 in eighty nine...So. And that'll give you a fair idea of what you might have been up to." NP57 replies, "Which was nothin, 'cause we were in Mount Druitt."

Witness: _____

Signature: _____

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785. WARRANT EO1369/00/00 TIME/DATE 09:37 ON 20/12/2001
 NP57 has a further conversation with I144, who says (P3),
 "Oh, I175 said that the Police contacted I143." NP57 says,
 "When?" I144 says, "Yesterday." NP57 replies, "Did they?"
 I144 later says, "And um, she doesn't remember that
 conversation."

786. WARRANT EO1369/00/00 TIME/DATE 09:53 ON 20/12/2001
 NP57 speaks with I144, and NP57 says (P2), Oh I'm
 fucked, I'm fucked. I woke up at five o'clock this morning
 mate...and was throwing me gets up...You know like. I'm as
 nervous as fuck. I'm scared to death...Alright? I don't know
 what the fuck's going on..."

787. WARRANT EO1369/00/00 TIME/DATE 11:54 ON 20/12/2001
 NP57 speaks with her former partner Wayne ("WAYNE"), and
 discuss an interview with investigators. NP57 says (P5), "Oh
 they asked me about the disappearance of Ross WARREN...Yeah.
 Which is connected to another murder and another attempted
 murder...And fuckin' my name's come up in it he said...Just in
 the first one. The Ross WARREN. But he said to me that he's got
 three people that state I did something, or some crap...But I
 fuckin' don't know who he is. And I've never been to the place
 where they say it happened...I've been to Bondi, but it's the
 next sort of suburb over, and I've never been there...And I've
 racked me brain, I can't think of anything to do with it...so
 like I know I haven't done anything, but that doesn't help me,
 it's still bloody scary stuff."

Witness: _____

Signature: _____

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788. [NP57] later says (P6), "Like I didn't do it, so they can't get me for something I didn't fuckin' do. And that's as simple as that."

789. WARRANT EO1370/00/00 TIME/DATE 21:32 ON 19/12/2001
[144] calls [NP57], and [NP57] says (P1), "...I'm alright. Gotta keep going... Fuckin' scary mate...I'm scared, and it's not even me..."

790. Due to current requirements of security and continuity of transcripts associated with calls captured lawfully in accordance with the Telecommunications Act, these transcripts will be available separately to annexed documents.

Witness: _____

Signature: _____

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CONCLUSIONS

791. My opinion based on my experience and observations is that people who for significant periods of time are considering suicide can let their financial affairs lapse. WARREN shortly prior to his disappearance had his affairs in hand with:

- Recent payment for car registration (JONES statement),
- Issue of ANZ Visa Card in July 1989 (IIC holdings)
- Payment of drivers license on 13/07/1989 (same),
- Payment to Radio Rentals on 07/07/1989 (same).

792. I believe that WARREN is deceased and I believe it likely that his body entered the water surrounding Marks Park. I believe it likely that the placing of the keys belonging to WARREN on the rock shelf may have been done by WARREN after being lured to that location, or alternately, by a finder. I do not believe they were thrown into the position they were found.

793. I do not believe that WARREN or RUSSELL attended Marks Park for the purposes of committing suicide, as both were gay men attending a location that they knew as a gay beat, and were likely there for clandestine sexual encounters. Both WARREN and RUSSELL appeared to be in good spirits around the time of the disappearance.

794. Taking into account violence that was detected at the Park against members of the gay community which includes the 190 and McMAHON assaults in December 1989, the 134 sexual assault about January 1990, and the homicide of RATTANAJURATHAPORN in July 1990 I believe it is likely that both men met their deaths at that location as a result of violence.

Witness: _____

Signature: _____

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795. Examination of available evidence shows that the groups known as The Bondi Boys, The Tamarama Three and The Alexandria Eight were involved in offences of violence targeting members of the gay community in the vicinity of Marks Park at Tamarama. After examination of all available evidence, I am not able to offer an opinion as to why I believe is likely to be responsible for the deaths of WARREN and/or RUSSELL.

796. In my opinion the WARREN investigation was flawed in that:

- (a) The investigation was retained by a command not responsible for the incident scene,
- (b) The positioning of the subject vehicle and keys were not recorded by way of photograph,
- (c) There appears no organised canvass conducted,
- (d) There was no brief of evidence submitted to the Missing Persons Unit or Coroners Court (as required by legislation) to assist any subsequent investigations,
- (e) The diving unit was not utilised to conduct an underwater search in an effort to locate the body of WARREN.
- (f) Crime trends in relation to violence against members of the gay community were not monitored to establish whether it was likely the WARREN was the victim of foul play. It was illogical that the scenario of accidental death was considered likely in the very early stages of the investigation with foul play almost eliminated.
- (g) Other than the primary response controlled by Constable ROBINSON, the investigative follow up was negligible.

Witness: _____

Signature: _____


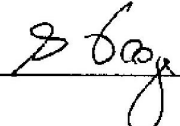
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STATEMENT (continued) in the matter of: WARREN/RUSSELL inquest
 Name: Stephen John PAGE

797. In my opinion the RUSSELL investigation was flawed in that:
- (a) There is no evidence of a canvass being conducted locally,
 - (b) The likelihood of death by violent means discounted at an early stage.
 - (c) The investigation failed to take into account the unusual positioning of the body of RUSSELL not consistent with a forwards motion fall, the existence of hair on the hand of RUSSELL, and the disturbance of vegetation on the cliff top above the body of RUSSELL.
 - (d) The hair evidence which may have belonged to an offender appears misplaced and was not submitted for further examination.

798. As a result of information gathered during the course of this investigation, the following persons were charged with the following unrelated offences:

- (a) NP57 - Supply Cannabis (13) Possess Cannabis
- (b) NP19 - Supply Ecstasy (3) Supply Amphetamine (3)
- (c) NP43 - Conspiracy To Supply Ecstasy (3)
Supply Ecstasy, Ongoing Supply of Ecstasy
- (d) NP54 - Conspiracy To Supply Ecstasy
Ongoing Supply of Ecstasy (2)
Supply Cannabis (8) Cultivate Cannabis
Possess Prohibited Drug (Cocaine & Cannabis)
- (e) Also charged were current associates/family of the target group NP167, NP170, NP171, NP172, NP172, I167, I169, NP161, NP173, NP173, NP174 and NP175

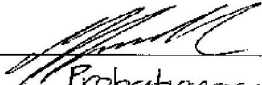
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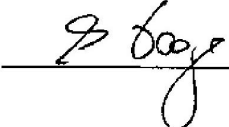
799. In relation to the survivability of notebooks, duty and exhibit books, I have obtained a report from Laraine TATE, archivist of the Police Service together with a copy of the "Functional Records Disposal Authorities". Police notebooks, duty books, and exhibit books are retained for 5 years then destroyed. I believe that continuing this practise will result in a loss of evidence by subsequent inquiries, together with a weakening of the continuity process of exhibits. These are the documents likely to show actions conducted by police, details of potential witnesses, the finding, location and continuity of exhibits. In ordinary matters, all court actions would ordinarily be completed within five years, but the matters I see that would be effected would be cold case investigations, together with those matters where an offender is not immediately identified. This would include cases including homicide where the offender is not as yet on a fingerprint or DNA database. Attached to this statement is a copy of that report.

EXHIBIT I PRODUCE THAT REPORT-ANNEXURE 264

Witness: _____


 Probationary Constable
 Michael Small
 25/7/2002
 Rose Bay Police

Signature: _____



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Witness: _____ Signature: _____

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Witness: _____ Signature: _____