

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

**1. Location of Brief of Evidence.**

Victim:

Name:	Scott Russell JOHNSON		
Gender	Male	D.OB	27/11/1961
Relative contact (if known)	(Brother) Stephen Johnson [REDACTED]		

Homicide Details:

Time & Date	Between 8 and 10 December 1988		
Location:	North Head, Manly, north of Blue Fish Point.		
COPS Event/P40 No.	C 27263728	Attached	Y
Previous Investigation Name: (Strike Force/Task Force/Operation)	S/F CLUTHA		
Command in charge:	Manly LAC		

**2. Cause of death**

Post Mortem Results:	Y		
Exhibits Retained:	N	Location:	
Further Examination:	N		
<p>Comment:  Direct cause of death was due to multiple injuries.  Blood alcohol levels at post mortem were measured 0.005mg of alcohol per 100ml.  Histology reports were unable to be located from the original post mortem report.</p>			

### 3. Investigation Records

Investigation Records Located:	Y	Viclas Ref.	
<p>Comment:</p> <p>Coroners Brief located in the archives at Unsolved Homicide 2012 which included original transcripts of the inquest conducted at the City Coroners Court 16 March 1989.</p> <p>Unsolved Homicide Squad review of investigation conducted by Detective Derek Henderson on 7 January 2008.</p> <p>Investigation review conducted at Manly LAC by Detective Timothy Wilson concluding in June 2012.</p>			

Investigation Resume:	Y/N:
<p>Comment:</p>	

Progress Reports:	Y/N:
<p>Comment:</p>	

Post Operational Assessment:	Y/N:
<p>Comment:</p>	

### 4. Coroner's Inquest

Coroner's Inquest Held:	Y	Date: 16 March 1989
Court: Glebe	Coroner: Derrick Hand reference 91/89	

Inquest Brief Located	Y
Findings: <i>"I find that between the eighth and 10<sup>th</sup> December 1988 at North Head, Manly, North of Blue fish Point, Scott Russell Johnson died of the effects of multiple injury sustained then and there when he jumped from the top to the rocks below with the intention of taking his own life."</i>	
National Coroners Information System (NCIS):	N (reference number)

Coroner's Inquest Held:	Y	Date: 27/7/2012
Court: Glebe	Coroner: Jerram	
Inquest Brief Located	Y	
Findings: <i>The Coroner found that the initial ruling of suicide could not be sustained and that the death of Mr Johnson could not be determined. The Coroner ruled an open finding and that the death of Mr Johnson be investigated by the Unsolved Homicide Unit.</i>		
National Coroners Information System (NCIS):	N (reference number)	

**5. Original Case Officer**

OIC Name:	Detective Sergeant Doreen Cruickshank	Interviewed:	Y
Serving Member:	Y	Location: Northern Beaches LAC	

Comment: On 30 August 2012, Superintendent Cruickshank was contacted by phone in relation to the original investigation. All information was provided from memory. All available documents were provided at the inquest in relation to the death of Johnson. General Duties at Manly created the initial incident report for the suicide of Johnson. Detectives took carriage of the matter in January 1989 following correspondence from the family and their opinion the death was not suicide related.

Superintendent Cruickshank stated the computer seized from Johnson's partner Michael Noone was considered for examination by a computer specialist Mr Ted Kennedy however on advice of the Coroner Mr Hand, those inquire were not made. There were no call charge records available in 1988 and it was not considered as line of inquiry.

Superintendent Cruickshank could not recall the details of a bank withdrawal made by Johnson the in the days preceding his death. However she offered an explanation the cost of travel and food in the journey from the city to Manly would have been an expected expense.

While performing duties around Manly in 1980's and 1990's there was no indication the area of North Head was a known "gay beat" however there were often people in vehicles parked at the location as it was a known tourist destination. As this matter was identified as a suicide there was no consideration or line of inquiry which identified person of interest.

Other Investigators:

Name:	Current Location:
Richard Doherty (2006 Review)	Terminated - Formerly Manly LAC
Timothy Wilson (2012 review)	Manly LAC

**6. Suspect/s**

Suspect Identified:	N:	Profile attached:	
Name:	DOB:	CNI:	Status:
Comment:			



7. Synopsis:

## CHRONOLOGY OF EVENTS

On **10 December 1988** Scott Russell was found deceased at the base of North Head Manly in the vicinity of Blue fish Point. The original investigation was undertaken by Detective Sergeant Cruickshank of Manly LAC. The initial inquest was held before State Coroner Derrick Hand which concluded "*between the 8 and 10 December 1988 at North Head, Manly North of Blue Fish Point Scott Russell Johnson died of the effects of multiple injury sustained then and there when he jumped from the top to the rocks below with the intention of taking his own life*". The family of Johnson have disputed the findings of the inquest.

In **March 2005** the Deputy State Coroner handed down his findings after conducting an inquest into the homicides of male victims in and around the Eastern Suburbs of Sydney. The crimes specifically targeted homosexual victims. Strike force TARADALE was conducted by Detective Sergeant Stephen Page of Bondi LAC. The victims in Strikeforce Taradale were unrelated to Johnson.

Stephen Johnson, the sibling of Johnson, enlisted the services of an investigative journalist Daniel Glick who sourced information from the internet, spoke to local residents from Manly in 1988 and from media releases on violence in relation to homosexuals in Sydney in the 1980's and 1990's. Subsequently from the information obtained by Glick the family of Johnson made representations to the Coroner to reinvestigate the case of Johnson to determine an alternative outcome to a suicide finding. The family believe Johnson died in similar circumstances to the Bondi deaths where homosexuals were targeted at a gay beat and were victims of an assault prior to their death.

In early **2006** correspondence was received at Manly LAC from the family of Johnson requesting the matter be reinvestigated. Detective Richard Doherty of Manly LAC commenced a further investigation of the matter.

In **May 2007** Stephen Johnson made representations to the State Coroner Mary Jerram to request an alternative finding to suicide. The family supplied new information which identified the area of North Head as a gay beat and local newspaper articles which identified incidents of assault offences targeting homosexuals in the Manly LAC.

On **3 June 2007** an article was published in the Sydney Morning Herald by Police Reporter, John Kidman titled "*Maths genius thrown off a cliff top by gay-hate gang.*" The release of the article prompted a member of the public to make contact with Glick and disclosed information of a possible suspect, NP1 who had boasted about "*chasing and bashing poofers*" around Manly in the 1980's (ST [REDACTED] exact date unknown).

NB: NP5 and NP1 were arrested and charged with six and seven charges respectively in relation to assault occasioning actual bodily harm and robbery in company on homosexual victims on the North Shore before Christmas 1986.

On **13 August 2007** the deputy State Coroner Jacqueline Milledge wrote to the Commander of the Coronial Investigation Team, Detective Inspector Laidlaw, and requested the matter of Johnson be 're-visited.'

Concurrently, the Johnson Family corresponded with Detective Inspector Michael Ashwood of the newly formed Unsolved Homicide Team to request investigation of the circumstances surrounding the death of Johnson. The family believed similar circumstances existed between Johnson's death and the recent findings from the inquest of Strike Force Taradale which related to homicides and assaults at a beat in the Eastern Suburbs targeting homosexual victims between 1980 and 1990.

On **7 January 2008** this matter was subject of an Unsolved Homicide review. The recommendations of that review concluded there was no evidence to support anything other

than suicide. However the review outlined an incomplete task to identify and interview two persons who knew of Johnson's previous suicide attempt in 1988 (disclosed by Noone). This task remains outstanding.

On **21 January 2008** the case was suspended. The conclusions of the review were recorded in the case notes C27263728 by Detective Richard Doherty which states;

*A review of the initial investigation has now been conducted. It has been ascertained that this matter was subject to a full coronial hearing in 1988, with a finding of suicide made by Coroner Derek Hand. Original investigators have been spoken to and the Statements of witnesses reviewed. As per previous narratives, attempts were made to locate exhibits (clothing etc) from the original investigations with a view to possible DNA testing being conducted. It was found that these items were disposed of along with the records (exhibits/MPB) books.*

*No fresh evidence has been located or supplied indicating foul play. There was a suggestion by the family of the deceased that this death is related to a number of gay bashings/murders that occurred in the Eastern Suburbs in the late 1980's. No evidence was found to support this. No evidence was found of any link between the Eastern Suburbs matters and the Northern Beaches at all.*

On **1 January 2011** a comment was posted on the social media site "Facebook" on Gay marriage rights in Australia profile which stated, "As this is a fake profile and I have a IP address blocker, I will publicly admit to killing Mr Johnson being, Scott Johnson a male who was found deceased at the base of North Head in 1988."

On **13 July 2011** Detective Senior Constable Timothy Wilson of Manly Detectives was allocated the Johnson matter for review and investigate the alleged confession via social media. Further inquiries identified a 15 year old adolescent had posted the item on the social media site without consideration of the outcome. No further action was taken.

On **17 September 2011** Daniel Glick published the final article relating to the death of Johnson titled "Close to the Edge. When an American man was found dead at Sydney's Manly it was ruled a suicide – but his brother believed it was murder. More than 20 years later, the truth may finally be revealed."

The Coroners Court conducted a further hearing on **26 July 2012** to redetermine the previous manner and cause of death from the 1988 inquest. State Coroner Jerram concluded the initial ruling of suicide could not be sustained and the death of Mr Johnson could not be determined. The Coroner ruled an open finding and the Death of Mr Johnson should be reinvestigated by the Unsolved Homicide Unit.

## **BACKGROUND OF SCOTT JOHNSON**

In January 1984 Johnson, an American citizen and graduate student in mathematics, met Michael Noone (Australian) a student at the Kings College Cambridge for a Phd in Music. Johnson and Noone then commenced a relationship together. Over the following years both Johnson and Noone took various academic positions overseas at different colleges in the United Kingdom and USA.

On 28 December 1985 Noone travelled back to Australia to take a position as Lecturer and Head of the Department of Musicology at the Canberra School of Music. On 4 May 1986, Johnson arrived in Australia where he accepted an undergraduate research scholarship for a Phd in mathematics. Noone and Johnson resided together at their Canberra apartment.

In August/ September 1985 Noone reported Johnson had attempted suicide in the USA. The details of this attempt were disclosed by Noone to his friends Nicholas Williams and Rodger Bancroft. Johnson told Noone the reason for this attempt was linked to his suspicion of contracting AIDS however, to Noone's knowledge; no blood test confirmed this fact.

On 1 August 1986, Johnson and Noone made separate Wills. The Public Trustee Office Canberra was the Executrix. Noone and Johnson were reciprocal beneficiaries upon their respective deaths. There is no evidence in the brief to determine how the Will of Johnson was executed. There was no suggestion made by the family the death of Johnson for a financial benefit.

Johnson, who had travelled to Australia on a student visa, applied for permanent residency in Australia on compassionate or humanitarian grounds. Department of Immigration had advised Johnson on June 14 1988, it was considering the application.

As part of Johnson's academic study he would frequent Sydney to take part in conferences. During his visit to Sydney he would reside at the premises of Noone's family at Lane Cove. The last visit Johnson made to Sydney was on Saturday 3 December 1988. Noone had arranged for a celebration for Johnson's birthday which was attended by friends including Tony Souter, [REDACTED] 1259 Paul Bailey, Dr Shelia Knowlden and Kevin Gibbens, John Wotton, Marguerite O'Connell, Michael Ryan, Wally Grealy and Megan Aplin.

Noone departed his parent's home in Lane Cove at 3.30pm on Monday 5 December 1988 to return to Canberra for work and to undertake a job interview. This was the last time Noone saw Johnson alive.

## LAST KNOWN MOVEMENTS

The last movements of Johnson are detailed in the statement of Marguerite O'Connell, the sister of Michael Noone. O'Connell worked as a Psychiatric nurse at Rozelle Hospital, Balmain. O'Connell detailed Johnson would stay at the family home in Lane Cove from time to time while undertaking study through Macquarie University. O'Connell states she last spoke to Johnson on **Tuesday 6 December 1988** at 6am when she left for work.

About **2pm on Wednesday 7 December 1988**, Johnson attended Macquarie University to arrange a meeting with Associate Professor Ross Street. Johnson was undertaking a mathematics PhD related to Category Theory in which Street was his supervisor. Johnson had approached Street in the corridor however left a short time later as Street had to attend a meeting.

On **Wednesday 7 December 1988**, a bank teller receipt identified Johnson had withdrawn \$50 cash at 121 King Street in Sydney at 3.55pm (information supplied from Steve Johnson the original receipt was not located).

About **11pm on Wednesday 7 December 1988** Marguerite O'Connell heard Johnson arrive at home, go into the kitchen before going to bed. At **6am on Thursday 8 December 1988**, when O'Connell left for work, she saw Johnson was asleep in his bed in the room. At 3.15pm when O'Connell arrived home she noticed the room of Johnson was very tidy and she assumed Johnson had returned to Canberra on a train. There was no indication Johnson had been depressed or was suffering any psychological problems in the time O'Connell knew him.

At **10.30am Thursday 8 December 1988**, Street received a telephone call from Johnson who wanted to meet on 8 December or Friday 9 December to discuss his Phd results. Due to another appointment Street and Johnson made arrangements for a meeting on 14 December 1988 being the first available opportunity. At the conclusion of the call Johnson had informed Street he was intending to stay in Sydney over the Christmas period.

Paul Bailey, a friend of Noone and Johnson called the Lane Cove house looking for Noone to provide some documents in preparation for his job interview with the Harkness Fellowship. Bailey detailed around lunchtime on 8 December 1988, he contacted Noone's home phone number in Canberra (number not identified from the brief) however no person was home. He then called the Lane Cove premises and spoke with Johnson. Bailey described Johnson "appeared his normal self" during the conversation. Bailey stated the time of the call was between **midday and 2pm on 8 December 1988**. This was the last contact Johnson had with any person known to Police.



A search of the bedroom of Johnson was undertaken by Marguerite O'Connell who located his backpack in the closet. The bed was made as it was the case, if Johnson was leaving for Canberra. No wallet or house keys have been identified in the brief as being located.

**At 10:55am on Saturday 10 December 1988** Bryan Butson with Paul and Stephen Patterson were spear fishing in the waters north of Blue Fish Point. When attempting to find a location to exit the water they saw the naked body of Johnson on the rocks and contacted police. In the Incident report taken from Butson he stated he waited at the scene till Police arrived. Due to his local knowledge he then showed investigators to the area above the cliffs from where Johnson was located. While on the cliff top he located "*some items of clothing, shoes, and a pen*".

### **IDENTIFICATION:**

On 11/12/88 a visual identification of Johnson was made by his partner Michael NOONE who had been in a relationship for the previous five years and resided with Johnson at [REDACTED] Downer ACT.

### **POST MORTEM**

The post mortem for Johnson was conducted at the Division of Forensic Medicine Glebe on 14 December 1988 by Dr Johan Duflu. The direct cause of death was due to multiple injuries (Reference 88/2082). There were no injuries inconsistent with a fall from the cliff that could be identified. A blood test was carried out for AIDS and Hepatitis the results were negative.

A post mortem blood sample was taken from Johnson, when analysed was found to contain alcohol of 0.005grams per 100ml of blood. There is no expert report contained in the brief to comment on sobriety. No histology records have been able to be located.

### **CRIME SCENE**

Following the discovery of the body at North Head by the witnesses Butson and Patterson Manly Police attended including Constables Ludlow, Hardie, Taplin and Roux.

Police went to the area directly above where Johnson was located. Constable Ludlow described the area as "a rough track, no clearly defined track in that area at all."

Constable Ludlow who first attended the scene described locating "*a bundle of clothing which was neatly folded some ten meters back from the top of the cliff.*" At inquest Constable Ludlow stated, "*the clothing was folded up on top of each other; the shirt was on top, pants, long pants underneath that followed by the underpants and then the shoes. Running shoes were underneath the clothes with a number of articles in the shoes...they were wet.*" The items were collected and handed to Constable Roux.

The items collected were later entered into the miscellaneous property book at Manly Police Station. The items included; 1 bone coloured long sleeve shirt, 1 pair of light blue trousers, 1 pair of green underpants, 1 pair of white sock and 1 pair of "Adidas" brand white running shoes. Within the inside of the running shoes was located 1 black felt tip pen, 1 "Mercury" brand digital watch, 1 black comb, 1 key. In the top pocket of the shirt was located 1 plastic holder with a Canberra Building society Cash card, a student concession card in the name of Scott R Johnson of [REDACTED] Downer ACT and a single ten dollar note. The records of property retention at Manly LAC were destroyed in accordance with archiving policy. The current whereabouts of Johnson's property located at the scene is unknown.

It was noted by Constable Hardie within the property was also a bus ticket which he believed was from a public bus to the value of one dollar. No wallet or house keys were found among the items.

Detective 1<sup>st</sup> class Phillip Fogel of Chatswood Crime Scene section attended Blue Fish Point, North Head Manly at 2pm on 10 December 1988 and conducted an examination. The body of Johnson was recovered by the Rescue Squad and the Police Air Wing where a closer examination was made of the body and photographs were taken. Fogel concluded, "*Johnson*

*was found naked with no signs to indicate a struggle and the injuries on Johnson appeared consistent with a fall from the rocks" (ST Fogel, para 6).*

Items had been retained from the scene and were handed to Detective Fogel included "folded clothing; a blue pair of trousers, a pair of underpants, dark blue in colour, a pair of white socks a pair of running shoes and a brown shirt. Inside the trousers pocket was a ten dollar note a student identification card and a Canberra Building Society cash card. I also found a wristwatch and a comb." Fogel states, "I examined the clothing carefully but found no signs to indicate that a struggle had occurred. The clothing was not blood stained and showed no signs of rips or tears. The soles of the shoes had no scuffs or scrapes" (ST Fogel para 7). At inquest Detective Fogel stated the items of clothing had been wet possibly from rain which had fallen the previous days.

## INVESTIGATION

On 19 January 1989, Detective Sergeant Cruickshank was allocated the officer in charge of the investigation into the circumstances surrounding the death of Scott Johnson. Detective Cruickshank spoke with Steve Johnson (sibling of Johnson) and was given two series of documents from Steve Johnson numbering 39 pages and 11 pages respectively.

Inquiries were made with the Sydney Weather Bureau on 27 January 1989 and supplied meteorology records for 8, 9 and 10 December 1988. The weather for the period was recorded as; **8 December 1988** (last known contact from Johnson) Overcast throughout the metropolitan area with drizzle and rain. A slight haze. Winds calm to gentle from the West to East/north/east until 12mn. Then light to moderate winds from north/east and east north east. 5mm rain recorded at 9am.

**9 December 1988** Overcast early. Then cloudy to mid afternoon and there after. Rain in very early am and thunderstorms without rain to 6pm. Later on thunderstorms with rain 42-48mm of rain. Winds light north/east to early morning.

**10 December 1988** Cloudy to broken for whole day. Showers very early am and early evening. Winds calm up to mid morning and then moderate north/west early afternoon.

There had been a bus ticket located with the property of Johnson however there was no detailed photos or investigation records which identified the exact route of travel. Detective Cruickshank provided information there was a private bus line which ran between Manly Wharf to Manly District Hospital approximately two kilometres from the location where Johnson had been on the cliff top.

The computer that had been on personal loan to Johnson from Harvard University was seized by the Public Trustee upon a request from Steve Johnson, and Detective Sergeant Cruickshank of Manly Police. Noone copied the hard drive before collection of the computer. A cursory examination of the computer by Brett Carruthers of the Public Trustee did not locate any items of interest which were indicative of the suicide of Johnson. In consultation with State Coroner Hand there was no further examination conducted on the seized computer.

The movements of Noone were carefully scrutinised during the inquest. It was ascertained Noone spent Tuesday and Wednesday 6 and 7 December at work in Canberra during the day and at 8pm on 7 December 1988 went to dinner in Canberra with a friend Dr Mary Edmunds.

Noone departed Canberra for a meeting in Melbourne at 8.30am on Thursday 8 December 1988 and returned to Canberra on Saturday 10 December 1988. Upon return to Canberra, Noone discovered Johnson had been located deceased at Manly. Police had attempted to make contact with Noone for identification.

Throughout the investigation phase the travel movements of Noone were confirmed with domestic airlines as detailed in the statement of Noone. The only domestic travel taken by Noone between 8 and 10 December was between Canberra and Melbourne.

In the statements taken from Noone he commented on the relationship with Johnson, "*I am aware from time to time Scott engaged in sexual activity outside our relationship and that such encounters were followed by depression and remorse*" (ST Noone para 5). The date of



disclosure of an affair by Johnson was about 17 June 1988. In the information from Noone, Johnson had been fearful of contracting AIDS and had previously mentioned this to Noone. There is no information in the brief which outlines the relationship between Johnson and Noone just prior to Johnson's death.

At inquest Noone stated he had never been to the area of North Head however Johnson had on two occasions informed he had hiked at an area he described as North Head.

## **INQUEST**

The first inquest touching the death of Scott Russell JOHNSON was conducted at the City Coroners Court on 16 March 1989.

During the inquest Detective Cruickshank identified the known homosexual beat areas within the Manly Patrol which included the Tourist Centre located on the waterfront near the intersection of the Corso and Beachfront Road, the other area of Balgowlah Shopping Centre toilet block known as the Totem Shopping Centre.

The areas were identified as there had been previous reports of serious assaults which were committed on homosexuals prior to the death of Johnson. Furthermore, the area where Johnson was located was not known by Manly police for recidivist incidents involving homosexuals and therefore was not considered a risk factor associated with his death.

On 9 May 2005, the State Coroner John Abernethy received a request from Steve Johnson to reopen the case of Johnson after learning of the "gay bashings" which occurred around Sydney Eastern Suburbs between 1980 and 1990. Subsequently the matter was referred to the Deputy State Coroner Jacqueline Milledge and arrangements were made for a review of the investigation by Manly Police.

## **FURTHER INFORMATION PROVIDED TO POLICE**

Former Constable Troy Hardie worked and resided in the Northern Beaches area between 1984 to 1996 and served part time duties in the rescue squad between 1984 and 1990. During time in the rescue squad was tasked to recover bodies from the North Head area.

The area where Scott Johnson was found was the only instance, he could recall, of recovery from that location. Constable Hardie stated, *"Of all the body recoveries I recall performing or viewing around the North Head and surrounding cliff faces Scott Johnson's was the only instance where the deceased had removed their clothing and neatly folded it up at the top of the cliff prior to their death."* (ST Hardie, Para 9).

Constable Hardie recalled he would patrol the North Head area while on duty and locate many homosexual and heterosexual couples having intercourse in vehicles. There was only access by foot to the cliff top location above where Johnson was found. Hardie stated he was of the opinion the area at North Head was frequented by many types of people not specifically homosexuals.

Sue Thompson, the Gay and Lesbian Client Group Consultant for the NSW Police between 1990 and 2003 and world recognised expert on gay hate crimes, provided some insight into homosexual hate crimes in NSW and specifically commented on the Scott Johnson matter (ST Thompson 1/6/2011) Annexure A.

In Thompson's opinion (para 1.4) *"Scott's death is another death in the epidemic of gay hate cliff top murders but that it took place before a pattern was recognised. I also suggest it would be highly likely that there are more of these murders from this era which were never recognised...Anti gay violence was not restricted to the inner city or eastern suburbs but was widespread across Sydney, New South Wales and Australia."* She continues at 1.14 *"The problem of unreported targeted violence at beats across NSW was so systemic and serious that the Police Commissioner established a high level working party in 1992 to report to the Deputy Commission on how to address the problem and reduce violence."*

Specifically in relation to Johnson, Thompson's report indicates, "a dull or poor weather day is very likely to attract beat users to the beach or cliffs and similar locations as they are even less likely to be disturbed by other users to the area put off by lack of sunshine" (Para 3.9).

Former Detective Sergeant Stephen Page, commenced Operation Taradale which investigated a series of murders in the Eastern Suburbs in the 1980's and 1990's. Detective Wilson of Manly Police requested a statement from Stephen Page in 2011. Stephen Page provided an opinion of the similarities between the "gay hate" murders and the death of Scott Johnson. From his experience of Operation Taradale he validated a theory the area of North Head was a "gay beat". Furthermore around the 1980's and 1990's there was violence against gay men in this vicinity and in the broader metropolitan Sydney. As was the case from Taradale, Stephen Page provided his informed opinion, gay men were lured to the location under the promise of sex, only to be met with violence Annexure B (letter from former Detective Stephen Page).

Inquiries were made for historical data of bus routes from Manly to North Head. In 1988 a bus service route 135 operated by Manly Buses went from Manly wharf to Manly hospital then to North Head Scenic Drive during daylight hours.

There is some anecdotal evidence the area of North Head was frequented by homosexual persons for the purpose of casual sex however there is no factual evidence provided from police records there was an ongoing problem of violence toward homosexuals in the area of North head.

There is some evidence from experts on homosexual hate crime that the area of North Head would be similar to locations which do identify as a gay beat and therefore can not be excluded as a possible location where homosexuals would have been targeted during the 1980's and 1990's but the incidents remained unreported due to a culture of the era.

## HOMOSEXUAL VIOLENCE AROUND MANLY FROM 1986

On 5 October 2011 [I449] provided information to Police he was the victim of a malicious wounding at North Head on **4 February 1986** after engaging sex with a male at near the location of Bluefish Point. [NP281] was charged with the offence and received a \$300 fine. There is no intelligence or events to identify his whereabouts between 1986 and the time of Johnson's death in 1988. Given the location and violence involved in this offence, [NP281] may be considered a person of interest for any future investigation.

**31 December 1986**: [NP1] and [NP5] were arrested and charged for involvement in assault and robbery offences in the Manly area. The victims were homosexual. Both [NP1] and [NP5] were well known offenders in the Manly Patrol for assault and stealing offences. Later in 1990 [NP5] suffered from schizophrenia for which he received medication. He was found deceased by hanging at his residence in 23/11/1998.

**3 January 1988** about 2.30am the victim [I466] was assaulted while outside a Pizza bar on Sydney Road, Balgowlah. Two males approached him and asked for a cigarette before calling the victim a "poofter" and being kicked in the stomach. Earlier the victim and the two male offenders had been seen outside the toilets at the Totem Shopping centre, a known gay beat in the Manly Patrol (Running Sheet entry 1/12 (1988) Manly Police Station). Offenders were not identified.

**10 January 1988** about 3.50am the victim [I467] went to the public toilets at the Manly Tourist Information Centre. Whilst in the cubicle the door was kicked open by the offender [NP282] (dob: [REDACTED]/69) who accused the victim of being a "poofter" (which was denied). The victim left the cubicle and was grabbed by the throat by the offender who made further threats. [NP282] was arrested a short time later. (Running Sheet entry 1/43 (1988) Manly Police Station). [NP282] is currently listed as deceased 1988 and has a COPS criminal history related to stealing, assault and offensive language offences.



**13 February 1988** the body of the victim Leo Press was discovered at his Harbour residence. He had suffered significant head injuries from a masonry hammer which was kept at the scene. Press died at North Shore Hospital a short time later. In 1998 a fingerprint match from the scene of the victim Press identified an offender Barrie Alan Hodge (dob: ██████ 1969) who was charged with the murder (COPS event E3050886, Archive Event 903728800646 Crime Reports Microfilm Reference 880330237). Hodge's prior criminal history relates to stealing, break and enter and malicious injury.

**19 April 1988** about 11:15pm the victim [I468] was walking through the St Matthews School grounds when he was assaulted and robbed by two offenders using a bottle broken across his body, striking and kicking him to the stomach and back. The offenders ran from the scene with \$20 and the victim returned to the home a friend [I469] in Pittwater Road, Manly where he reported the incident. It is not known from the report if the victim was homosexual or an incidental victim of an assault and robbery offence.

**18 September 1988** at 1.30am the victim [I470] was walking from his home address in Griffiths Street, Balgowlah to the intersection of Condamine Street. At this location [I470] met with a male offender who was driving a small dark coloured manual transmission sedan not further described. The victim directed the male to his residence and once inside the offender demanded anal sex from the victim which [I470] refused.

The offender then removed the victims clothing and struck the victim to the head with an object described as the handle of a folding bladed knife. The offender tied the hands and feet of [I470] to furniture in the room before sexually assaulting him, ██████████

██████████ The offender was described as Australian male 5'8" tall, stocky build with slight stomach paunch, ginger collar length hair, straight freckled complexion green eyes ad 3 days facial growth with a snake tattoo approximately 11-12cm on the left upper arm. The male also wore three earrings close together in the left ear and a thin silver band no the right little finger. A sexual assault kit was completed at North Shore hospital and collected by Chatswood Physical Evidence Section Detective Forbes (Running Sheet 9/54 (1988) Manly Police Station). No offender was identified.

**10 December 1988** the body of Scott Johnson was discovered, completely naked at the base of North Head. Clothing belonging to the victim was located folded under a tree directly above his location (Running Sheet entry 12/31 (1988) Manly Police Station).

**27 May 1989** a 30 year old male person (name not identified) was sexually assaulted in the toilets at Narrabeen bus terminal, a known gay beat on the Northern Beaches. No offender was identified.

**3 June 1989** the body of a male was found washed ashore on Manly beach. The victim was described as 20-30 years old 175 to 1780cm tall wearing denim jeans, a Scholl brand leather belt, size 9 dark green hiking boots and a navy sock on his left leg. Due to the decomposition of the body the PM examination was not conclusive and cause of death appeared consistent with drowning. The area of Manly Beach is adjacent to North Head. From the information available from running sheets at Manly Patrol there was no identification of the body. (Running Sheet entry 6/13 (1989) Manly Police Station).

**28 November 1989** between 10pm and 12pm the victim [I13] met with the offender [NP283] outside the Sands Hotel Narrabeen. Both walked to a nearby reserve in Lakeview Parade Narrabeen. This area is a well known gay beat in the Manly Patrol. Both the victim and offender were affected by alcohol and the offender had sexually assaulted the victim before striking him around the face, head and body areas. The victim ran to Mona Vale Hospital where the offender followed and was arrested by Police. (Crime report reference number 892960893 Mona vale).



In **August 1994** Stephen Dempsey, a homosexual male, was murdered at the Deep Creek Reserve, Narrabeen by Richard Leonard (dob: [REDACTED] 1973). Dempsey was shot with a crossbow and arrow after propositioning Leonard. Dempsey was later dismembered and allegedly thrown into the water off Collaroy. The body of Dempsey was not located. Leonard criminal history includes sexual assault of an inmate at a Correctional Centre, assault and robbery offences.

**16 January 1997** [REDACTED] 1471 was assaulted and robbed at Deep Creek Reserve an area well known as a gay beat. The two offenders [REDACTED] NP284 (dob: [REDACTED] 1969) and [REDACTED] NP285 (dob: [REDACTED] 1971) made reference to "poofers" during the incident and were later charged with the assault. At the time of Johnson's death they were aged 19 and 17 years of age. [REDACTED] NP284 has 122 events and 26 charges including assault, robbery, housebreaking implements, intimidation and mental health issues. [REDACTED] NP285 has a criminal history for fraud, assault, robbery and drug related offences. In 1998 in Melbourne, [REDACTED] NP285 suicided while in custody.

## NEXT OF KIN

Since the death of Johnson, Steven Johnson (sibling) has requested a further investigation and enlisted the assistance of investigative journalist Daniel Glick (USA). The three issues Steve Johnson identified were outlined in an email sent to Detective Timothy Wilson of Manly Police in 2011 (exact date date unknown). The letter detailed his suspicions of the likelihood Scott Johnson was murdered for the following reasons;

1. There is substantial evidence suggesting Scott was absolutely not suicidal.
2. Given what is known about Scott it makes sense that he may have visited the well known Manly gay beats in search of sex that day.
3. Mounting evidence suggests that he was the victim of a homicidal assault.

Despite the outcome of two inquests and two reviews the matter has not progressed to a murder investigation. The family have requested a formal investigation of the circumstances surrounding the death of Scott Johnson.

## 8. Witnesses

Witness:	Location:	How Located:	Relevance
<b>Michael NOONE</b> [REDACTED] 1956	<b>Professor</b> <b>Boston college,</b> <b>Chesnut Hill,</b> <b>Newton,</b> <b>Massachusetts</b> <b>USA</b>	<b>Google search</b> <b>2012</b>	<b>Involved in a relationship</b> <b>with Johnson for 5 years and</b> <b>resided with Johnson in the</b> <b>ACT. No known criminal</b> <b>history.</b>
<b>Marguerite</b> <b>O'CONNELL</b> [REDACTED] /1959	[REDACTED] <b>Lane Cove</b> <b>NSW 2066</b>	<b>RTA 2012</b>	<b>Sister of Michael Noone and</b> <b>last person to see Johnson at</b> <b>[REDACTED], Lane</b> <b>Cove.</b>
<b>Brett</b> <b>CARRUTHERS</b>	<b>Public Trustee</b> <b>Officer-</b> <b>Canberra</b>		<b>Took possession of the</b> <b>computer owned by Johnson</b> <b>in "late January 1989" and</b> <b>made a cursory examination</b> <b>of the contents.</b>
<b>Paul BAILEY</b> [REDACTED] 1958	[REDACTED] [REDACTED] <b>Surry Hills</b> <b>NSW 2010</b>	<b>COPS 2004</b>	<b>Associate of Noone and</b> <b>Johnson. Spoke with</b> <b>Johnson at the Lane Cove</b> <b>premises between 12 and</b> <b>2pm on 8/12/88.</b>
<b>Phillip FLOGEL</b>	<b>Superintendent</b> <b>Castle Hill LAC</b>		<b>Crime Scene examiner</b> <b>attended North Head on</b>

			10/12/1988. Provides crime scene photographs and physical examination at the scene.
Ross STREET [REDACTED] 1945	[REDACTED] Turramurra	COPS 2004	Associate Professor of Mathematics, Macquarie University. Was the PhD supervisor for Johnson for three years previous to his death. Last spoke with Johnson by phone at 10.30am on 8/12/88 to arranged a meeting for 14/12/88.
Byan BUSTON	[REDACTED] Manly	RTA	At 10:55am on 10/12/88 Butson in company of two friends Paul and Stephen Patterson located the deceased Johnson on the rocks off North Head, Manly. Directed Police to the areas above the body and located clothing items.
Constable Robert LUDLOW	Manly Police 1988 disengaged 03/08/02	RTA identity suppressed	First police response. Located the items of clothing for Johnson were neatly folded and ten meters from the edge of the cliff. Items were collected and handed booked in as Miscellaneous Property by Constable Roux.
Constable Sylvia ROUX	Manly Police 1988		First police response with Ludlow, Taplin and Hardie. Retains clothing items of Johnson and later entered as MPB at Manly Police Station. No exhibits retained.
Constable Troy HARDIE	Manly Police 1988 Disengaged		First Police response with Ludlow, Taplin and Roux. Makes a further statement on 18/8/11 in relation to recovery of Johnson being the only body located at that point and only case of the victim being naked. He identifies the area of North Head was frequented by both homosexuals and heterosexuals in motor vehicles at the location.
Detective Sergeant Doreen CRUICKSHANK	Superintendent Dee Why Police Station		Original Officer in charge at Manly LAC 1989.

#### 9. Exhibits

NIL EXHIBITS LOCATED. A search for exhibits in relation to Scott Johnson was undertaken by Detective Richard Doherty of Manly Police in 2006. Detective Doherty

noted on the case file *“All exhibits and MPB records in relation to the case had been destroyed in accordance with destruction of archived records.”*

EFIMS search has failed to locate any records of the exhibits related to Johnson.

10. Weapons

NIL WEAPONS

11. Fingerprints

NIL FINGERPRINTS

12. Recommendation:

Recommendation:

This investigation has been carefully scrutinised by two inquests, two investigations and two reviews. The initial Coroners findings were Johnson died as a result of suicide. In July 2012, the State Coroner Jeram conducted an inquest into the death of Scott Johnson at the State Coroners Court. The outcome was an open finding, the facts did not allow determination of the exact manner and cause of death.

Without developing further lines of inquiry there is no reasonable prospect of determining if the death of Scott Johnson was suicide or homicide.

There has been an identified outstanding task in relation to this matter in the previous review of Derek Henderson 2008 to locate and obtain statements from two witnesses in relation the previous suicide attempts of Scott Johnson. The statements are required to corroborate Noone's version that Johnson had previously attempted suicide prior to his death. To date this task is incomplete.

Consideration should be given to offering a monetary reward for information to assist this investigation.

From the available records no person has been interviewed in relation to their knowledge or involvement in any homosexual hate crime conducted in the Manly area. It may be a consideration to gather further information from those persons of interest involved in similar offences to determine any associates or knowledge of homosexual hate crimes in the Manly area in 1988.

Checks of archived records have identified sexual assault and assault and robbery offences against homosexual males within the Manly patrol since 1986. Only a limited number of these cases resulted in the identification of an offender.

The results of the initial investigation can not progress the matter further at this stage. However consideration should be given to undertake an investigation targeting known persons of interest who have been charged with offences against homosexuals in the Northern Beaches area over the period of Scott Johnson's death which may produce further lines of inquiry and enable covert opportunities to gather information.

## **REVIEWER'S CERTIFICATION**

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

Signature:

v. 1a

16/16

Name:  
Rank:  
Date:

**CO-ORDINATOR'S CERTIFICATION**

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

Signature:

Name:  
Rank:  
Position:  
Date: