

New South Wales Police

STATEMENT in matter of:  
Death of Russell Phillip PAYNE.

Place: Inverell Police Station.

Date: 3 March, 1989.

Name: MOSS Patrick Bernard

(Surname in capitals)

Address: Inverell Police Station Tel. No. [REDACTED]

Occupation: Detective Sergeant of Police. 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 to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

2. My full name is Patrick Bernard Moss, born [REDACTED] 1954. I am a Detective Sergeant of Police, stationed at Inverell and engaged in Physical Evidence duties. My duties include the attendance at the scenes of crimes and occurrences; the recording of those scenes by photography; the collection of items of physical evidence; and the further forensic testing of those items of evidence. I have performed these duties for nine years.

3. At 7.15pm on Thursday 2 February, 1989 I attended the dwelling unit at [REDACTED] Henderson Street, Inverell. Upon arrival I had conversations with other Police present.

4. A short time after my arrival I went inside the flat and saw the dead body of a male person I now know to be Russell Phillip Payne, the deceased, on the floor of the kitchen of the flat. The deceased was on his back and dressed in a blue coloured singlet and was naked from the waist down. The deceased's body exhibited bruising on the right hip and his penis was swollen and bruised. There was what appeared to be blood smeared around the upper thighs and legs of the deceased. There were small drops of what appeared to be blood on the floor of the kitchen, near the doorway from the living room and into the bathroom.

Witness: \_\_\_\_\_

Signature: *P. B. Moss*

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5. I made an examination of the rooms of the flat and whilst it was cluttered with numerous pieces of furniture and other effects it did not appear that there had been a struggle or ransacking inside any of the rooms.

6. There were apparent blood stains on the bedding and a towel in the bedroom of the flat. There was what appeared to be vomitus in two containers on the floor adjacent to the bed and also on the carpet near these two containers. Also beside the bed were a number of containers which contained prescribed drugs, for various medical conditions as well as a sheet from which all of the tablets had been expressed.

7. On the floor of the bathroom there was a number of handkerchiefs and underpants, each of which was stained with apparent blood. There was a similarly stained sponge on the bath room sink and the underside of the toilet lid was also stained. Inside the washing machine was a shirt with a small stain, apparently blood, and a stained handkerchief.

8. Whilst I was at the flat I took a number of photographs.

9. I also collected a number of items for further forensic examination. Certificates setting out the results of those examinations will be forthcoming.

I PRODUCE THOSE CERTIFICATES.

10. Included amongst the items collected from the bedroom was a sawn piece of timber, apparently a broom handle, the rounded end of which was stained with a dark coloured stain.

11. A short time after my arrival the deceased was examined by Dr Dunn, Government Medical Officer, and life pronounced extinct. Later the deceased was conveyed to the

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mortuary at Inverell District Hospital and I attended there and took more photographs.

12. At 3.30pm on Friday 3 February, 1989 I was present during the post mortem examination conducted on the body of the deceased by Dr Davison, of Armidale, a pathologist. A number of specimens were collected from the body of the deceased for further forensic testing, results of which will be set out by certificate.

I PRODUCE THOSE CERTIFICATES.

13. Amongst the items collected during the post mortem examination was a metal piece, which upon closer examination appears to be the tip of the antenna from a television set at the flat. This metal piece was found inserted inside the urethra of the deceased, about 1 cm from the tip.

14. The presence of this item; the large number of erotic photographs in the bedroom at the flat; and the nature of the stained piece of broom handle at the flat all indicate that the deceased may have engaged in bizarre sexual practises. The effect upon the body of the metal piece inside the penis of the deceased has been commented upon by Dr Davison, in his certificate.

15. I took a number of photographs during the post mortem examination.

I PRODUCE PHOTOGRAPHS NO's 1 to TAKEN DURING INQUIRIES.

THE ITEMS MENTIONED ABOVE ARE AVAILABLE FOR PRODUCTION SHOULD IT BE REQUIRED.

Witness: ..... Signature: *P. B. Moss* .....

