

NEW SOUTH WALES POLICE

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STATEMENT in matter of: Regina v HOKIN
 Place: Crime Scene Unit, Parramatta.
 Date: 30th September 1992.

Name: SWEENEY, Mark Francis Tel. No: [REDACTED].
 Address: Crime Scene Unit, Parramatta N W Region Crime Squad.
 Occupation: Detective Senior Constable. 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. I am 30 years of age.

3. On Thursday 23rd July 1992, at 2 am as a result of a phone call at my home address I attended [REDACTED] Burnett Street, Merrylands. On arrival at the premises, I spoke to several uniformed Police Offices.

4. As a result of the conversation, I walked around to the rear of the premises and on doing so I saw a deceased male person who I now know as Brian WALKER @ SCHMIDT, he was dressed in a pair of blue bib and brace, grey coloured jumper, black shoes, shirt and blue singlet. I saw that the grey jumper, shirt and singlet had been over his left arm and head exposing his chest.

5. I also saw that the deceased was lying on his back with his right and left leg straddling a post.

6. I then took a number of colour photographs of the premises and the position of the deceased.

Witness:*H.P. Ruff*.....Signature:*[Signature]*.....

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EXHIBIT. I PRODUCE SEVEN COLOUR PHOTOGRAPHS WHICH ARE NUMBERED 1 TO 7 FOR IDENTIFICATION AND THEY ARE LABELLED ON THE REAR FOR INFORMATION.

Photograph 1. Showing an overall front view of the premises.

Photograph 2. Showing the side passage of the house on the right hand side.

Photograph 3. Showing a general view of the side passage.

Photograph 4. Showing another view of the passage.

Photograph 5. Showing another view of the passage.

Photograph 6. Showing the back of the house.

Photograph 7. Showing a general view of the back yard and the position of the deceased.

7. I then examined the area in and around the deceased, and during this time, I saw several pieces of green broken glass lying north of the deceased the first large piece of glass was located 2.55 metres near a paint tin, this portion of glass included the neck portion from a bottle. The second portion of glass I located was 1.6 metres north of the deceased near an overturned chair. The third portion of glass I located was 1.4 metres in the grass just to the left of the deceased.

8. To the left of the deceased approximately 2.8 metres next to the Blue Chrysler I saw a shovel. During this examination I took a number of colour photographs of the glass and shovel.

Witness:*M.F. Ruff*.....Signature:*[Signature]*.....

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EXHIBIT I PRODUCE ELEVEN COLOUR PHOTOGRAPHS WHICH ARE NUMBERED 8 TO 18 FOR IDENTIFICATION AND THEY ARE LABELLED ON THE REAR FOR INFORMATION.

Photograph 8. Showing the position of the deceased.

Photograph 9. Showing another view of the deceased.

Photograph 10. Showing the position of the deceased arms and clothing.

Photograph 11. Showing the position of the deceased legs around the post.

Photograph 12. Showing a closer view of the deceased.

Photograph 13. Showing the shovel next to the motor vehicle.

Photograph 14. Showing the position of the shovel in relation to the position of the deceased.

Photograph 15. Showing a closer view of the shovel.

Photograph 16. Showing the glass fragments next to the paint tin.

Photograph 17. Showing another view of the glass fragments, including the neck portion of the a bottle.

Photograph 18. Showing the glass fragments near the overturned chair.

8. A short time later I assisted Dr. Peter ELLIS, Government Medical Officer from the Westmead Hospital in the

Witness: *H. L. Ruff* Signature: *[Signature]*

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examination of the deceased.

9. I then collected the following items from the scene.

- A. Glass pieces from paint tin (BAG ONE).
- B. Glass pieces from overturned chair (BAG TWO).
- C. Glass pieces from grassed area (BAG THREE).
- D. Shovel near motor vehicle.

10. I then had a conversation with Detective Hans RUPP from the North West Homicide Squad, and as a result of this conversation I attended the Merrylands Police Station.

11. On arrival at the Police Station I went to the charge room within the Police Station, on doing so I saw the person I now know as John HOKIN, he was dressed in cycle pants and a grey and black jacket.

12. I then took a series of colour photographs of John HOKIN.

EXHIBIT. I PRODUCE ELEVEN COLOUR PHOTOGRAPHS WHICH ARE NUMBERED 19 TO 29 FOR IDENTIFICATION AND THEY ARE LABELLED ON THE REAR FOR INFORMATION.

Photograph 19. Showing an overall view of John HOKIN.

Photograph 20. Showing a closer view of the John HOKIN.

Photograph 21. Showing a general view of his face.

Photograph 22. Showing a rear view of the John HOKIN.

Photograph 23. Showing a general view of his hands.

Witness:*H. F. Rupp*.....Signature:*[Signature]*.....

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Photograph 24. Showing another view of his hands.

Photograph 25. Showing a general view of John HOKIN with his jacket removed.

Photograph 26. Showing scratch marks on his stomach.

Photograph 27. Showing another view of the scratch mark.

Photograph 28. Showing another scratch mark on the hip area.

Photograph 29. Showing scratch marks on his lower back.

13. On Friday 24th July 1992, I attended the Westmead Morgue and I was present when a Post Mortem was conducted upon the body of Brian SCHMIDT by Dr. Peter ELLIS G.M.O. During the Post Mortem I took a series of photographs.

EXHIBIT. I PRODUCE NINETEEN COLOUR PHOTOGRAPHS WHICH ARE NUMBERED 30 TO 48 FOR IDENTIFICATION AND THE ARE LABELLED ON THE REAR FOR INFORMATION.

Photograph 30. Showing a general view of the body from the right side.

Photograph 31. Showing a general view of the body from the left side.

Photograph 32. Showing a general view of the face from the right side.

Photograph 33. Showing a general view of the face from the left side.

Witness:*H. F. Ruff*.....Signature:*[Signature]*.....

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Photograph 34. Showing a abrasion to the back of the right shoulder.

Photograph 35. Showing a injury to the right elbow.

Photograph 36. Showing a scratch mark to the left chest.

Photograph 37. Showing another view of the injury.

Photograph 38. Showing bruising to the right knee area.

Photograph 39. Showing an injury to the right shin.

Photograph 40. Showing bruising to the right calf with a scale on it.

Photograph 41. Showing bruising to the left knee area.

Photograph 42. Showing another view of the bruising with a scale on it.

Photograph 43. Showing the back of the head after the hair had been shaved off.

Photograph 44. Showing a general view of the skull of the deceased.

Photograph 45. Showing bruising being present in the scalp.

Photograph 46. Showing another view.

Photograph 47. Showing another view.

Photograph 48. Showing bruising to the ribs.

Witness: *H. F. Ruff* Signature: *[Signature]*

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13. At the completion of the Post Mortem, I received from Dr. Ellis the following items.

1. Sample of blood in the name of Brian Walker.
2. Rectal swab from Brian Walker.
3. Oral swab from Brian Walker.
4. Finger nail clippings left hand Brian Walker.
5. Finger nail clippings right hand Brian Walker.
6. Scalp hair from Brian Walker.
7. Clothing from the body of Brian Walker.

14. On Tuesday 28th July 1992, I conveyed the three bags which contained the glass portions collected from the premises to the N.S.W. Fingerprint Section and handed them to Detective M Speecley for examination. This examination met with a negative result.

EXHIBIT. I PRODUCE THE THREE BAGS CONTAINING GLASS PORTIONS WHICH WERE COLLECTED AT THE SCENE.

EXHIBIT. I PRODUCE THE SHOVEL COLLECTED FROM THE SCENE.

15. Later that day I conveyed the following exhibits to the Institute of Forensic Medicine, Parramatta Road, Glebe and

Witness:*H.F. Ruff*.....Signature:*[Signature]*.....



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handed the following exhibits to Sharon Neville Forensic Biologist for analysis.

1. Sample of blood in the name of John HOKIN.
2. Sample of blood in the name of Brian WALKER.
3. Rectal swab from Brian WALKER.
4. Oral swab from Brian WALKER.
5. Finger nail clippings left hand Brian WALKER.
6. Finger nail clippings right hand Brian WALKER.
7. One grey coloured shirt from Brian WALKER.

EXHIBIT. I PRODUCE A CERTIFICATE UNDER THE HAND OF SHARON NEVILLE AS TO HER FINDINGS.

Witness:*H. P. Ruff*.....Signature:*[Signature]*.....