

## New South Wales Police

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STATEMENT in the matter of:  
Death of Carl STOCKTON

Place: Surry Hills  
Police Station  
Date : 20 March 1997

Name: Michael James SPARKES

Address: Surry Hills Patrol

Tel. No.: [REDACTED]

Occupation: Plain Clothes Senior Constable 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 anything which I know to be false or do not believe to be true.

2. I am 30 years of age.

3. About 9.00pm on Wednesday 6 November, 1996, Plain Clothes Senior Constable MOSS and I had a conversation with Constable's FENTON and TOOHEY from Kings Cross Police Station. Constable FENTON informed us that he had earlier attended St.Vincent's Hospital, Darlinghurst, in response to a male person being admitted to the Hospital with serious head injuries. The identity of this male person had been established as Carl Gregory STOCKTON, the deceased.

4. Detective MOSS and I went to the premises of [REDACTED] Mort Street, Surry Hills. This residence is a two storey terrace house. Detective MOSS and I conducted a check of the premises and the residence appeared secure. No person was home at the residence. Detective MOSS and I then spoke with Mr John POLLARD at his address at [REDACTED] Mort Street, Surry Hills. Mr. POLLARD informed us that he has known Carl STOCKTON ( the deceased) for

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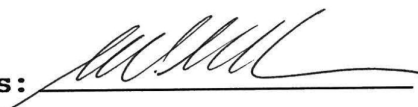

the past 20 years. He also informed us that the deceased lived alone at ■ Mort Street. Mr. POLLARD had no knowledge as to how the deceased had received his head injuries.

5. Detective MOSS and I then went to Campbell House at 11 Denham Street, Surry Hills. There we spoke to a staff member, "Manny". Manny informed us that the deceased had been conveyed by a Mission beat van from the corner of Bourke Street and Cleveland Street, Redfern, to Campbell House about 2.00am on 6 November, 1996.

6. The deceased was admitted into the proclaimed place of Campbell House. When first admitted he was observed to have a blackened right eye and his arm was in a sling. We were informed that the welfare officer who admitted the deceased had observed that he was well effected by alcohol. The deceased appeared unsteady on his feet, disoriented and smelt of intoxicating liquor. The deceased was placed in bed 21 of the proclaimed place.

7. The deceased woke about 7.30am that morning and vomited before going back to sleep. The deceased woke again at 11.30am and vomited again. We were informed that the deceased was then assessed by nursing staff and in turn conveyed to Sydney Hospital by Ambulance. ( This information was later found to be untrue and was apparently based on an assumption by Manny). Records indicated that the deceased had stayed at Campbell House once before on the 6 October, 1996.

8. Detective MOSS and I then went to Neurological ward CH20 at St.Vincents Hospital where we spoke with nursing staff and Dr. BEDAR. Detective MOSS and then spoke to the deceased.

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Detective MOSS said, " I am Tony MOSS from Surry Hills Detectives.Can you tell us how you suffered your injuries?"

The deceased said, "No."

Detective MOSS said, " Can you tell me how you got your black eye?"

The deceased said, " No."

Detective MOSS said, " Were you assaulted?"

The deceased said, " No."

Detective MOSS recorded this conversation on pages 32 and 33 of official Police notebook F142260.

9. I observed that the deceased appeared disoriented and vague.He did not appear to understand the questions put to him by Detective MOSS. He had a blackened right eye and other bruising to his left eye. Dr.BEDAR informed Detective MOSS and I that the condition of the deceased was serious but stable. We were also informed that the deceased brother in law, Dr. Bruce DOUST,had been informed.

10. Detective MOSS and I then went to the Bar Cleveland located at the south western corner of the intersection of Cleveland and Bourke Streets, Redfern. At this location Cleveland Street is two lanes westbound and two lanes eastbound. Bourke Street is one way with four lanes southbound.

11. Detective MOSS and I spoke with the bar manager,Mr.Brent

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TOZER. Mr.TOZER showed us outside the hotel to a portion of the roadway of lane one of the westbound lanes of Cleveland Street. I conducted a search of this area but could not see any physical evidence.

12. About 12.00pm on Thursday 7 November 1996 Plain Clothes Constable McENCROE and I went to ward CH20 Neurological ward, St Vincents Hospital where we spoke to Dr. Dandie.

13. On Friday 8 November 1996 I obtained a formal statement from Missionbeat welfare officer Marc William KAY.

14. About 5.00pm Detective MOSS and I went toward CH20 Neurological Ward, St.Vincents Hospital where we spoke with Dr.WOOLFE. Dr.WOOLFE advised that the condition of the deceased had deteriorated to critical. The deceased condition was unlikely to improve. Later that evening Detective MOSS and I took possession of the deceased property and returned it to Surry Hills Police Station where it was secured in the property room.

15. Detective MOSS and I then went to Campbell House and spoke to welfare officer "Manny".Manny supplied us with a list of Campbell House staff who were working when the deceased was present at Campbell House.

16. Detective MOSS and I then went to the Bar Cleveland where we spoke with Brent TOZER and Magda KOS.

17. Detective MOSS and I then left the Bar Cleveland and made a patrol the residence at ■ Mort Street Surry Hills. The residence appeared secure and unattended.

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18. On Saturday 9 November 1996 I obtained a formal statements from Alan CLYNCH and Brent TOZER.

19. About 2.30pm Detective BARWICK and I conducted a foot patrol of an area of parkland in Moore Park adjacent to South Dowling Street. This area is well known as a place that gay men go to meet other gay men. I did not see any signs that an assault or struggle had taken place in the area.

20. On Monday 11 November, 1996, I obtained formal statements from Mark LAMBRICK and Dr. Bruce DOUST.

21. About 1.00pm I went to the Bar Cleveland where I spoke with Senior Constable STOCKS from the East Sydney Crime Scene Unit. Senior Constable STOCKS took a number of photographs of the area, including a laneway that runs south from Cleveland Street behind the Bar Cleveland. This laneway accesses the rear of a number of houses that front Bourke Street. I then spoke with Plain Clothes Constable RICHARDS in relation to a canvas of the scene.

22. I returned to Surry Hills Police Station where I took the deceased property to the offices of the East Sydney Crime Scene Unit. The property was handed to Sergeant SWEENEY.

23. I returned to Surry Hills Police Station and contacted Sydney Hospital and St Vincents Hospital with a request for statements from all Doctors who treated the deceased.

24. I then requested from Julie BOWATER-WOODROW of the American Express Fraud Section information of the conduct of the American Express Account of the Deceased.

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25. I then requested from Keith MITCHELL of the National Australia Bank ( N.A.B) internal audit section information of the conduct of the N.A.B bankcard account of the deceased. Later the same day I received a faxed reply from Mr. MITCHELL which showed that the account had not been operated since the 1 November, 1996.

26. I then requested from Debbie GLENFORD of the Commonwealth Bank of Australia ( C.B.A) Card Services information of the conduct of the following accounts held by the deceased; 1. C.B.A Bankcard number [REDACTED], 2. C.B.A Debit Card number [REDACTED], 3. C.B.A Mastercard number [REDACTED].

27. Later that day I received a faxed reply from Ms GLENFORD which showed that the C.B.A bankcard of the deceased was last active February 1996. The C.B.A Debit card of the deceased showed no activity on the account. The C.B.A Mastercard of the deceased was used to access the deceased savings account( number [REDACTED]) at 8.02pm on 3 November 1996 when \$120.00 was withdrawn at an A.T.M in Surry Hills. Previous activity was at 6.42pm on 1 November 1996 when \$ 110.00 was withdrawn from the deceased savings account at an A.T.M in the Surry Hills area.

28. About 5.00pm Monday 11 November 1996 I was notified by nursing staff at St Vincents Hospital that the deceased had passed away at 4.40pm. I contacted Sergeant GOVER from Kings Cross Police and made arrangements for the deceased to be conveyed to Glebe Morgue.

29. About 9.00pm on Tuesday 12 November 1996 I went to the Glebe Morgue where I spoke with Senior Constable STOCKS and Dr.

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LAWRENCE. I was present while a post-mortem was conducted on the deceased by Dr. LAWRENCE. Senior Constable STOCKS took a number of photographs during the post-mortem. At the conclusion of the post-mortem I completed an updated report to the Coroner ( P79a) in relation to the deceased.

30. I returned to Surry Hills Police Station where I contacted Jan PICKERING, Unit Leader Biochemistry Unit, Prince of Wales Hospital. Ms PICKERING informed me that a blood sample taken from the deceased at Sydney Hospital at the time of his first presentation had been analysed and a sample retained at Prince of Wales Hospital. Ms PICKERING informed me that the blood alcohol reading of the blood was equivalent to less than 0.02 grams of alcohol per 100 millilitres of blood. I later received faxed documents relating to the blood alcohol level of the deceased.

31. About 3.30pm Detective MOSS and I went to the Police Media Unit. A media release was prepared which requested possible witnesses to contact investigating Police.

32. On Wednesday 13 November 1996, I went to the offices of the East Sydney Crime Scene Unit where I received from Sergeant SWEENEY the property of the deceased. I returned this property to Surry Hills Police Station.

Witness:

  
N. A. WALKER  
D/S/c  
24/3/97

Signature:

