



Special Commission of Inquiry into LGBTIQ hate crimes

Statement of Keith Thoms

This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give to the Special Commission of Inquiry into LGBTIQ hate crimes as a witness. The statement is true to the best of my knowledge and belief.

1. My name is Keith Douglas Thoms. My address is known to the Special Commission of Inquiry.
2. In this statement I set out my recollection of matters relating to the death of Mark Stewart (formerly Mark Spanswick). The contents of this statement are true to the best of my recollection, bearing in mind that the events occurred over 46 years ago.
3. I note that I have refreshed my memory from the statement that I made at the time of Mr Stewart's death.

Professional background

4. I was an officer in the NSW Police Force between 1962 and 1998.
5. In 1976 I was a Senior Constable and stationed at Manly Police Station. I was the officer in charge of the coronial investigation into the death of Mark Stewart.
6. At the time of Mr Stewart's death, I had been stationed at the Manly Police Station for a few months, and no longer than 12 months overall.

Discovery of the body

7. At around 11:00am on 11 May 1976, I went to the Fairy Bower headland with Constable Ronald James Fyson. Around 250 metres south of Fairy Bower I saw the body of a young man face down on the rocks. He was dressed, and I can't recall anything unusual about his clothing.
8. It was difficult for the police officers attending the scene to carry the body on a stretcher over the rocks. I do not recall any photographs being taken of the body at the scene.

A handwritten signature in black ink, appearing to read "Keith Thoms".

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Identification of the body and investigations

9. I had difficulty obtaining an identification of the body. There was nothing on the body except a piece of paper. The piece of paper appeared to be the torn off corner of a piece of hotel notepaper. It had the telephone number of a hotel printed on it and some handwriting that appeared to be a date and time. The date and time could have been a reference to an appointment. I do not recall which hotel the notepaper was from, though it might have been the Hilton.
10. Nearby there was a Seiko watch lying on the rocks. I took the watch to a local jeweller to ascertain whether it had a jeweller's mark on it by which we might identify its owner. Such a mark would only have been visible with a magnifying glass.
11. The jeweller said it did have a jeweller's mark. I contacted the Seiko office at North Ryde, whose staff were able to identify the source of that mark. They identified the mark as belonging to a company known as or similar to the "South Sea Trading Company". That company had two locations, in New Zealand and Singapore. Eventually I communicated with the New Zealand office of the company, who were able to give me Mr Stewart's name.
12. I made contact with the hotel whose telephone number was inscribed on the note found on the body, and gave them Mr Stewart's name. I can't recall if I did this before or after I had obtained Mr Stewart's name from the jeweller's mark. After a couple of weeks, the hotel got in contact to advise me of an unoccupied room at their hotel in which someone's property remained. The property had been placed in a storeroom until someone remembered my inquiry. I don't remember how I took possession of the property.


Other recollections

13. I was not familiar with the location where Mr Stewart's body was found. I recall that Mr Stewart had some familiarity with Manly, as he had visited on holidays with his family when he was younger. While I was aware at the time of certain locations which had reputations as a beat, I was not aware that there was a beat at Fairy Bower.
14. I did not come across any information about Mr Stewart's sexuality in the course of the investigation.
15. I recall feeling that Mr Stewart may have been a lonely and lost man. I found it strange that someone at his age could be wandering around by himself.



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Signature:



Name:

KEITH DOUGLAS THOMS

Date:

28/2/2023