

SYDNEY WATER POLICE



Wharf 25
Harris Street,
Pyrmont, N.S.W. 2009
Telephone: [redacted]
Police Ext: [redacted]

90/321/P.

19 June, 1990

Deputy State Coroner
Mr D W Hand

Death of Simon Blair WARK.

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In the attached file, Constable 1st Class Ford of the Water Police and Detective Constable 1st Class Plotecki, Region Crime Squad, South, reply to the matters raised in the correspondence attached.

Forwarded for information.

G G Wellings
Chief Inspector
Commander
ggw:cja

*Send a copy of statement to
& report of 4/16/80 to
Mrs Wark & advise her
that having regard to all
the documents to Jan of the
opinion there are no
suspicious circumstances & it is
a matter which may properly
be disposed of in the absence
of further evidence to
meet with present
I intend to
dispose with
the holding of a
formal inquest
D.D.A.
D.S.
21-6-90*



The Commander,
SYDNEY WATER POLICE.

Report concerning correspondence received by the office of the State Coroner, from Mrs Enid WARK and Miss Rebecca WARK, concerning the Police investigation into the death of the person Simon Blair WARK, born 15.9.61.

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1. The attached correspondence, received by the office of the State Coroner, from the mother and sister of the deceased person Simon Blair WARK has been read and noted. A number of issues are raised in this letter concerning the Police investigation and conduct into this matter, which are not correct, and the purpose of this report is to respond to these issues.

2. The body of the person Simon Blair WARK, was found floating face down, off Dobroyd Head, Sydney harbour on the morning of Wednesday the 10 January, 1990, at 9.20am. At the time the deceased was located, he was dressed in black jeans, shoes and socks. A subsequent post mortem by Dr. BRADHURST found no sign of a struggle, evident on the body. At this time, the view was expressed by Dr. BRADHURST that death was consistent with a fall from a height. The results of the microscopic examinations indicate no narcotic were in the body at the time of death, and the only drugs located were Chloride ion and Dothienpin. These being ingredients of anti-depressant drugs, which were known to be prescribed to the deceased at the time of death.

3. Subsequent inquiries located further clothing belonging to the deceased at a cliff ledge, at the "Gap Bluff", at Watsons Bay. This clothing consisted of a white shirt, black leather belt, a pair of metal rimmed glasses, a small tube of ointment, a wallet, a letter and a small quantity of money. This property was identified by Ian WARK, the deceased's father on the 12 January, 1990, as belonging to the deceased.

4. An initial statement was obtained from the father of the deceased, Mr Ian WARK, who stated that the deceased arrived at his home address around noon on the 8 January, 1990. At this time, Simon WARK was in a distressed state and appeared to be hallucinating. The family doctor was call, a Dr. Glenn MARRIOTT, however the deceased declined to be examined by him concerning his condition. The deceased subsequently left the house around 4pm, and again returned at 11.50pm, that evening, when he had a conversation with his sister Rebecca WARK. Subsequent to this statement Mr WARK, contacted Police and a second statement was obtained on his request.

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This statement retracted in part his previous information, in that Mr WARK now considered that the deceased had not been hallucinating, but that he was nervous and appeared in fear of his life. In this statement, Mr WARK has referred to the deceased claiming that he was being 'set up' and that a real estate agents (which apparently managed a flat he was to share with a friend, [179]), was a 'shooting gallery'. The deceased also made reference to 'Triads' and the lead singer of the pop group INXS, Michael HUTCHENCE. This person apparently having known the deceased's brother some years ago, at high school.

5. Mr WARK went on to detail the movements of the deceased. When questioned concerning his sons social life and habits, Mr WARK, was reluctant to discuss these aspects of his sons life, and appeared ignorant on these matters. It was admitted by Mr WARK, that he and the deceased did not enjoy a close relationship and that his son had not lived for any length of time at home in the past 10 years.

6. Statements have been obtained from [179], Rebecca WARK, and a number of other persons concerning this matter. It is apparent from these inquiries that at the time of Simon WARKS' death, he was not known as an associate of any asian persons, and that the real estate agent referred to by him to his parents as a 'shooting gallery' is a branch "O'Connor Nielsen Real Estate' situated at 212 Victoria Street, Kings Cross. The residence, which he was to have moved into with [179] at [REDACTED] Potts Points, appears to be just a ground floor flat and nothing sinister can be attributed to either the real estate agent or the premises.

7. The correspondence, from the WARK family indicated that new clothing purchased by the deceased prior to his death on the 9 January, 1990, at the David Jones city store, was of a fashion not likely to be worn by the deceased. The letter further questions deceased's motives regarding in handing in a bag containing his property to the Lost and Found counter of this store. Quite obviously we cannot account for why the deceased purchased the clothing, however inquiries at this store, resulted in an ex-employee, Miss Xiaolin DONG, being interviewed. Miss DONG was shown a photograph of the deceased and gave a qualified identification of the deceased. It is very probable from Miss DONG's evidence that it was the deceased who attended the lost property section of the store, on the 9 January, 1990. Miss DONG, said that the deceased told her that the property in the bag was his, and she completed the receipt, before realising this was the case. The deceased left the store before she could return the property to him. According to Miss DONG, the deceased was alone at the time she spoke with him. Police have been unable to ascertain where the monies used to purchase the

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clothes, as no transaction were carried out the deceased's Banking institutions (this information coming from the WARK family). However there is not evidence to contradict the theory that the deceased may of had monies which were not known to the family.

8. The person, Father [1182] was interviewed by Police concerning this matter. [1182] was nominated by the person [1179], in his statement, as having had a homosexual affair with Simon WARK over an 8 year period. This matches the information from the deceased himself to his psychologist, [1181] (in her statement of the 12 January, 1990). [1182] claims that the deceased was homophilic and had a strong attraction to him. In his statement [1182] details aspects of his relationship with the WARK and WARK's movements (as he knew them), over the period of the 5 January, 1990, to the 8 January, 1990. The correspondence is correct in that [1182] claims to have last seen the deceased at 8am on the 8 January, and had a phone conversation with him later that morning, in which he sounded in good spirits. [1182], claims too that WARK had spoken of suicide as recently as a fortnight prior to his death, in which WARK had expressed the view to [1182] that 'Suicide could be the answer to the problems of life.'

9. It is known that the deceased had a hair cut on the morning of the 8 January, 1990, at 11.30am, the Chameleon Hair Salon, 175 King Street, Sydney. A Miss Rosmary KLIMES of that establishment was interviewed concerning this, and recalled cutting WARK's hair. She stated at the time, WARK left the salon, he appeared quite and slightly depressed. There is no way of determining what caused the state of mind of the deceased between leaving the hair salon and arriving at his parents address at Frenches Forrest at 12.30pm that date.

10. It has also been alleged by the WARK family that [1182] had informed them of a phone conversation he apparently had with [1179] regarding a demand for money. This information supposedly being passed Police. Such was not the case. Inquiries with [1182] have determined that in fact he has not told Police of this matter, but had told the WARK family. When questioned concerning this, [1182], claimed it did not occur to him to tell Police of this call. He further said that he could not recall the exact conversation with the person [1179], but that he believed it concerned the bond money for the flat that [1179] and the deceased were to have shared (the deceased having told [1179] of his intention to obtain this money from either [1182] or Mr Ian WARK). [1182] believes the call was received by him on the morning of the 8th or 9th of January, 1989.

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11. In investigating this matter, the person [1181] was interviewed and a statement obtained from her. This person is a psychologist who had the deceased as a patient. Simon WARK had been referred to her as a patient by a Dr. Jeff SLEEP from Randwick (a copy of his referral letter is attached to the brief). Dr SLEEP having made the comment that the deceased had a pretty awful childhood and was feeling lonely, unwanted and unloved, after breaking up a longstanding (8 year) relationship with a Priest. In [1181]'s statement, dated the 12 January, 1990, she had informed Police that the deceased suffered depression as the result of the termination of an 8 year homosexual relationship and expressed the opinion that he suicided as a result of depression and loneliness. In the WARK family's correspondence, it is asserted that there are inconsistencies with what [1181] has told Police and what she has told the family. Inquiries indicate no such inconsistencies exist. [1181] landlady, Mrs Daphne McLAUGHLIN of [redacted] New South Head Road, Double Bay, confirms that the deceased attended [1181]'s home address around 2pm on the 9 January, 1990. [1181] does not normally see patients at her home and Mrs McLAUGHLIN recalled asking WARK how he had found out the address, to which he told her that he had obtained it from [1181]'s office. Mrs McLAUGHLIN also informed Police that at the time she spoke with the deceased he was highly distressed and agitated.

12. In response to families concerns, regarding any information the family doctor, Dr John GOLDBAUM might offer in this matter. This person was contacted at his place of work, at 116 Military Road, Neutral Bay, on the 3 May, 1990. At this time, the doctor was not in a position to speak with the deceased without authorisation from the next of kin. On the 4 June, 1990, the doctor was again contacted and informed Police that he last saw Simon WARK on the 12 December, 1989, although he had been treating him on a regular basis since April, 1988 for depression. The doctor informed Police that the deceased had told him of being a homosexual, and of having had a 'depressed childhood'. The deceased had also told the doctor of his family having a history for suicide. At the time of his death the deceased was on a prescription from this practitioner for 'Prothinden' at 75 mg each day. This person is prepared to give a statement if necessary.

13. The Doctor that attended the WARK household on the 8 January, 1990, Dr. Glenn MARRIOTT was contacted by Police on the 31 January, 1990. MARRIOTT told Police that he had not previously treated WARK, but from his observations of him on

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that date formed the opinion that he was obviously distressed and displaying signs pre-psychosis and was possibly a manic depressant. Dr. MARRIOTT was unable to determine the cause of this behaviour was drug abuse or a physical condition. A statement was not obtained from the doctor at this time, however he has informed Police that he is prepared to supply statement if necessary. Mr Ian WARK (the deceased father) was informed of this conclusions of Dr. MARRIOTT shortly after this information was obtained.

14. The person named in the letter from the WARK family as Phillip SPILLER, a personal friend of the deceased, has been spoken to by Police and could offer no evidence regarding WARKS' death, other than rumour and conjecture.

15. Contrary to what the WARK family have claimed, the person Ken VALENTINE, of the City Art Institute, was spoken to early in this inquiry. He has claimed that he did not know the deceased well, other than on a business level. He last saw him on the morning of the 8 January, 1990. The decease apparently going to work that morning around 9am, and leaving mid-morning. As this persons evidence did not further this inquiry, no statement has been obtained from him. Another work associate of the deceased, Reginald REYNOLDS was also contacted concerning this matter, without offering any further information to VALENTINES' evidence.

16. The correspondence from the WARK family also criticises Police with regard to being on annual leave, staff shortages, lack of investigative documentation and communication breakdowns, during the course of this inquiry. Shortly after the discovery of the deceased body, in the harbour, both the Water and Homicide Police involved in this matter went on annual for periods extending up to a month. Prior to taking leave, the deceased's father expressed to Constable FORD the view that leave should not be taken until he was satisfied as to the matters conclusion.

Almost all the investigations into this matter were completed prior to these Police going on leave, and statements obtained in this matter had been forwarded to the Coroners office by the end of January. Subsequent statements concerning this matter have also been obtained and are attached.

17. It is not known, what the WARK family mean by the term lack of investigative documentation, nor is it understood why the family have chosen to comment on the communication between the Police involved in this matter. Indeed, communications between the Police have only been hampered by apparent conflicting material being passed from family members to the different Police involved in this inquiry. Often this material varying in particulars from information previously supplied by family members.

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18. At all times during this inquiry Police have endeavoured to keep the WARK family abreast of the investigations. Despite strongly weighted evidence, which suggests suicide, Police have persevered with this inquiry, in an effort to satisfy the doubts of the family as to the circumstances surrounding the death. While sympathy is felt for the WARK family regarding the loss of their son, the attitude of the family is such that they do not appear receptive to the evidence which has been conveyed to them. It has been explained to the family, that in any death inquiry, there will exist minor inconsistencies which are not able to be addressed. Much of this familys' concerns revolves around the state of mind of the deceased and not about any factual incriminating evidence, that would suggest suspicious circumstances in this matter.

19. Forwarded for information.



L. FORD
Constable First Class
Sydney Water Police



M. PLOTECKI
Detective Constable First Class
RCSS Homicide Squad.
4 June, 1990.



NEW SOUTH WALES STATE CORONER

Telephone: 660 5977

Coroner's Court
40-46 Parramatta Road
Glebe, N.S.W. 2037

Direct No; 552 2831

The Patrol Commander,
Sydney Water Police,
SYDNEY. SMS

25/5/90

Attention: Constable 1/C L.Ford.

Re/ The death of Simon Blair Wark.
Date of Death: between 9/1/90 and 10/1/90.

I enclose herewith a copy of a letter received by the mother and the sister of the deceased and request that you conduct further investigations in relation to the points raised in the letter.

Please obtain statements and forward the completed brief to this office as soon as possible.

(D.W.Hand)
Deputy State Coroner.

INSPECTOR'S OFFICE
No. 90321/P
SYDNEY WATER POLICE
SECTION