

3 February 2015

[REDACTED]
Bonville NSW 2450
[REDACTED]

Dear Steve,

Please find attached the Coroner's report into Blair's death (January 1990), plus a summary statement by the two key investigating officers, Constable Lisa Ford of the Sydney Water Police and Detective Constable Michael Plotecki of the Homicide Squad, submitted to the Water Police Commissioner. I think these are probably the most relevant documents for your investigation.

I have also put together a timeline of the events leading up to and following Blair's death, and include it for your information. I have noted in that document where I believe inconsistencies might exist, and where I believe the Police might have missed an opportunity to more thoroughly investigate Blair's death.

Lastly, I have prepared a list of the many and varied documents that my family has access to. They may or may not be relevant to your hearing, but attach electronic versions of all of them by way of background.

Even 25 years later, re-reading this material raises many questions for me, and I can't help but think that a more thorough investigation might have led to a better explanation for Blair's death.

The main issues still outstanding for me are:

Distribution of Blair's clothing and other personal items

At 11am on 9 January, someone (Blair?) deposited a bag containing some of Blair's belongings at the Lost and Found counter at a major Sydney department store, David Jones. A qualified identification was obtained from the attendant (Eileen Dong) some months later. Interestingly in her statement, she does not mention spectacles, which Blair would have been wearing and which one might assume would be a dominant feature – could someone else have deposited the bag? In any case, the man (Blair?) commented that the clothing belonged to him, and also noted that he would return to collect them. The possible reasons for this somewhat unusual action, or for her failing to refuse to accept the bag, don't appear to have been investigated. It may be construed that it is an obscure reference to "Davy Jones' locker", if so then why and by whom?

There are several other inconsistencies relating to the clothing Blair was wearing when his body was found that suggest he had acted in a manner that was out of character. The shirt that Blair was wearing when he left the family home early on 9 January has never been found. A new shirt, apparently purchased by Blair, was found at The Gap, allegedly neatly folded and tied with a belt.

Fear

Although Blair had been prescribed anti-depressants, and even if you accept that he had discussed suicide with [REDACTED] 1182 and [REDACTED] 1179 on various occasions, Blair had no known history of psychotic episodes, yet his mood on 8 January, when he arrived at the family home, continuing to

9 January when he left, was extreme and uncharacteristic. He was clearly fearful and distressed. Alternative explanations for that do not appear to have been adequately considered.

Despite his highly agitated state of mind on 8 and 9 January, police allege that Blair was capable of neatly folding his clothing at the Gap. Blair's body was found near Dobroyd Head, on the north side of the harbour, close to Reef Beach. My recollection is that my mother sought advice from both yachting friends and the fishing/ocean agency (I'm not sure who) about currents and tidal movements around the time of Blair's death. At the time the advice was given concluded that it was highly unlikely that his body would have washed back into the harbour through the Heads. To my knowledge this was never followed up by the police.

Further, Police do not appear to have given adequate consideration to Blair's obvious financial concerns and his apparent desperate need for cash. Several witness statements refer to Blair's financial pressures, and they give conflicting evidence as to the amount of money Blair owed. Despite this, several statements conclude with the apparently standard statement that Blair "had no known enemies and to my knowledge did not owe anyone money". They did not investigate his debts as a possible reason for his (apparently irrational and inexplicable) fear.

Unreliable evidence from a psychologist as the basis for all conclusions?

The police reports, drawing on the psychologist's written testimony, repeatedly refer to Blair's depression and sexuality.

[1181] is named in police evidence as a psychologist who had treated Blair, [REDACTED]

[REDACTED] Furthermore, her "statement" was actually a personal testimony, written on her own named notepaper. Why was a formal statement not taken from her by police? [REDACTED]

[REDACTED] how reliable was her evidence and to what extent did the police rely on it to conclude that Blair demonstrated suicidal tendencies? [REDACTED]

Homophobia?

In general, I believe that Police attitudes to Blair's death were driven strongly by their belief (apparently based on the views of [1181] [REDACTED]) that he was suicidal and depressed. They repeatedly refer to his known homosexuality, yet do not adequately investigate his only known partner, who is known as a violent alcoholic practicing Catholic priest. The underlying attitude seems to be that homosexuality in itself is an adequate explanation for suicide.

Several witnesses attest to a homosexual relationship between Father [1182] and Blair, yet [1182]'s insistence that their relationship was "paternal/fraternal" was never challenged by police. According to [1179] [1182] had violent tendencies; although police did not question him about that. I also am aware from other friends of Blair that Fr [1182] was violent towards Blair.

In providing a statement to DC Plotecki, [1179] (an associate of Blair's who was in the process of moving in to a shared flat with Blair) was asked if he was homosexual (the rationale for this line of questioning was not clear). [1179] became upset at the suggestion, but the issue was not pursued further and in fact [1179] refused to be interviewed further and would not sign his statement. It is my understanding that [1179]'s character was questionable with a history of heavy drug addiction (heroin). Note that the toxicity tests of Blair's body showed no illegal drugs or alcohol being present.

Conclusion

Blair's death certificate does not state *suicide* or *death by misadventure*. It refers to multiple injuries.

It would seem that there are at least three possible scenarios (not in any particular order of likelihood):

1. Murder not related to a gay bashing;
2. Murder related to gay bashing;
3. Suicide (as a result of undiagnosed psychoses brought on by anti-depressants)

I hope this information helps you and your family decide whether Blair's case should be added to your list of cases warranting further inquiry. Regardless of the cause I have no doubt that the Police investigation was inadequate and made broad conclusions without proper bases.

Best regards,

Rebecca

Rebecca Wark
(Blair's youngest sister)

Documents included:

- A handwritten referral from Dr JW Sleep to Psychologist [1181] dated 14 November 1989
- Application for tenancy through a Sydney Real Estate Agent, submitted by Blair and one other
- Initial police report (10 January 1990) prepared by Constable Lisa Ford. Interestingly, she notes that there are “no suspicious circumstances” relating to the discovery of a half-clothed, shoe-wearing man found floating in Sydney Harbour.
- Identification of body (11 January)
- Statement by John Cox (Water Police) 11 January 1990
- Statement by Ian Wark 11 January 1990
- Hand written testimony by [1181] dated 12 January 1990
- Statement by Nicole Brown (NSW Police) Received Blair’s belongings from Neil Champion 14 January 1990
- Statement by Neil Champion 14 January 1990
- Statement by Stephen Bird (24 January 1990) Ferry master
- Statement by Constable Lisa Ford (24 January 1990) which concludes (apparently on the basis of discussions with Dr Sleep, [1181]’s testimony and the Coroner’s findings on Blair’s physical injuries) that Blair had taken his own life. There appears to be unnecessary emphasis in this statement on Blair’s sexuality.
- Report from NSW Health analytical report (26 February 1990)
- Statement by my father, IA Wark (27 January 1990)
- Statement by Fr [1182] (27 January 1990)
- Statement by [1179] (29 January 1990) – unsigned and incomplete
- Statement by Detective Constable Michael Plotecki (30 January 1990)
- Statement by Rebecca Wark (18 March 1990)
- Statement by Constable Stewardson (27 March 1990)
- A letter (4 May 1990) co-signed by my mother and I asking the NSW Coroner to further investigate Blair’s death
- Statement by Eileen Dong (5 May 1990), who took receipt of a bag of clothes from Blair as “lost and found”
- Report of death to Coroner (11 May 1990)
- Final Coroner’s Report (Dr Bradhurst) 24 May 1990
- Report to Water Police Commander (June 4 1990) in response to letter (18 March) from Rebecca and Enid Wark. This report basically refutes our claim that the case had not been investigated thoroughly enough
- Letter from Coroner (25 June 1990) summarising findings and proposing no formal inquest be held