

New South Wales Police

STATEMENT in matter of:
Death of David ROSE.

Place: Mosman Police Station
Date: 9th January, 1998

Name: ROSE, MAX

Tel No.: [REDACTED]

Address: [REDACTED]

BALMORAL

Occupation: Accountant

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. My age is 67 ([REDACTED]/30)

3. I first met my wife Bertha Ruth BESTER in Auckland New Zealand in 1951, when I working with the customs office. In August, 1955 Bertha Ruth and I were married in Auckland and on the 26th April, 1956 our first son was born. He was named David Samuel ROSE. We continued to live the Auckland area as a family and the on the 2nd September, 1958 our second son Ian Grant ROSE was born.

4. I was now working as an accountant with Universal Business directory. In 1960 David started at the local kindergarten in Auckland, David was a normal happy kid, and did not have any problem with the other children or teachers.

5. In June, 1961 I moved the family to Sydney Australia and took up a position with Universal Business Directory in North Sydney. We were living in a unit in the Manly area. David started at the Manly primary school in years 1, and Ian was still only two years old and was not old enough to go to school.

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Bertha Ruth was looking after Ian at Home.

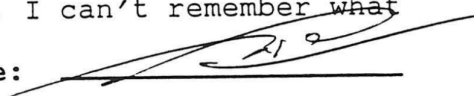
6. In 1962 we built a house in the Balgowlah Heights area and moved in shortly there after. Ian started School in 1964, and both boys started to go Balgowlah Heights Primary School. As long as I can remember David was never a problem child at school, and always studied well. Ian was more interested in sport and some time we would get a report from his teacher saying that Ian was not working to his potential, but he was never in any serious trouble, and was always well mannered and well behaved.

7. When Ian first started School, David was a bit protective of Ian, but outside of school they had a normal sibling rivalry, and they both wanted the same things. Ian would sometimes take something that belonged to David, and they would fight but they would always make up by dinner. Ian was the more adventurous of the two. Both Ian and David were close to the point that if some one said something about the other, they would step in to protect each other.

8. David started high school at Balgowlah Boys High in 1967. When David was twelve he was quite small for his age and my wife and I got permission to start David on growth hormones to try and increase his size, after about 2 years David was taken off these hormones, there was not any great difference in David's height. David was not having any problems at school with the teachers or friends, but he did tell me that he felt uncomfortable being shorter than the other students.

9. Ian started at Balgowlah Boys High in 1969, and was not a problem for his teachers or friends, Ian had a lot of friends at school, and had joined the local tennis club. Ian left school when he was fifteen, and started working, I can't remember what

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is was that he was doing, and he was still living at home. David continued on until the end of year 12 at Balgowlah Boys High, and graduated in 1973, and shortly after attended the University of New South Wales.

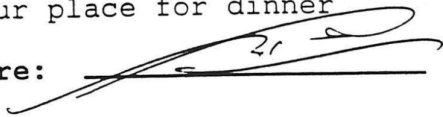
10. In 1974 David was studying electrical engineering, and after about two years David swapped over to Computer Science studies. After the first semester at University David left home and lived on campus at Shalom college which is Jewish boarding house in the Kingsford campus area.

11. Ian had joined the Navy in 1976, and spent three or four years in the Navy and he was based in NOWRA, and Ian would come home every couple of weeks and we would all have dinner together on Friday nights, both Ian and David would come over. In 1980 Ian took a discharge from the Navy because they were reducing the number of personal in his section. Ian has since worked in a number of different business and he found it difficult to settle down.

12. In 1978 David finished his University courses and he was living in a rented unit with two girls in the Woolarah area near South Dowling Street. After leaving University David started work with the Tax department, and only worked there for about 6 months. David had been offered a job at Westpac and that is why he left the Tax department. David was a computer analyst for Westpac and worked there until his death.

13. David also did volunteer work for 2SER and 2RPH were David trained other people in the use of broadcasting equipment and programming. David told me that he would rather be a full time radio worker than working for Westpac. David would work at the radio station nearly every weekend. Unless David had a prior engagement David would always come to our place for dinner

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between 6.30pm and 7.00pm. Ian would also come for dinner if he was available.

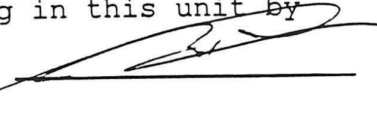
14. The first time that I noticed that David was different was about 1984 David came for dinner and he had painted fingernails. I asked David what he was doing and David did not give me an answer he just told me that it was what he wanted to do. Both Bertha Ruth and I spoke to David about it and we told him stop being stupid and Bertha Ruth told David not to come back into the house wearing nail polish, David was upset and he left. The next Friday David came for dinner again and he was still wearing the nail polish. Bertha Ruth and I decided that we were not going to be able to change David's mind, and we did not pressure David any more.

15. Ian seemed to handle David's appearance a lot better and my wife and I, and Ian told us that as far as he was concerned if David wanted to dress like that, it was David's business, and Ian inferred that we should leave David alone about this matter.

16. Shortly after David first turned up wearing the nail polish David told us that he was thinking about having a sex change operation. Bertha Ruth was very upset about this, as was I and we suggested that David see a Psychiatrist but I'm not sure if David saw anybody. After this it became a subject that was not talked about by either David or my wife and I. Ian never discussed with my wife and I if he knew that David wanted a sex change.

17. In 1980 David bought a Unit in Anzac Parade KENSINGTON, David bought the unit with \$30,000 or \$40,000 that his grandfather and given him after his graduation and David borrowed the rest of the money from Westpac, and payed the unit off over a period of time. David was living in this unit by

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himself, and my wife and I would visit him about once a fortnight. On our visits to David's place he would be wearing just normal casual mens clothes like torn jeans and a T-shirt and on occasions he might have nail polish on.

18. Whilst David was living in this flat at Anzac Parade, I did not know David to have a girlfriend or a partner. I know David had a number of friends from work in particular a girl called Faye who now lives in Melbourne I think. David took a number of overseas trips whilst living at this unit and I know that he had people who would look after his flat whilst David was away, I can't remember who those people were I might have the names written down some where.

19. Ian and David seemed to get on a lot better after they had both left home, they would both still come around for dinner every Friday night. Ian and David moved in different circles, Ian was interested in bowling and tennis and David was helping out at the Radio Station a lot and did not have a lot of spare time. I don't think David and Ian had a lot of contact except for the Friday night dinners.

20. David moved to unit [REDACTED] Addison Street KENSINGTON in 1991, Bertha Ruth and I, had told David to use some money that David had been able to save over the last 6 years. David paid the deposit on the unit in cash with the money that he had saved and payed for the rest by getting another mortgage from the Westpac Bank. David was still paying this unit off at the time of his death.

21. Ian had also bought a unit at Francis Street Bondi, which Ian had bought with money given to him by his grandfather, and Bertha Ruth and I loaned the rest of the money to Ian, and he paid us back over a period time, but after a few years we let

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this lapse.

22. After David moved to this unit in Addison Street, I noticed a change in David. When David would come for dinner he would be wearing make up on his face and like eye shadow, as well as bangles and earrings. David became more obvious about wearing make up etc and seemed more confident in his appearance. I never saw David wearing womens clothing, and only found out about that after his death. I was not happy with David's dressing, but I had no choice but to accept it. David was an adult and he had to make up his own mind. We would on occasions have discussion over dinner on the Friday nights about the way that David dressed and Bertha Ruth would get upset about, it. During the meal we would take about it and by the end of dinner it would be sought out with nothing much changing. Ian always seemed to be of the opinion that it was David's life he could do what he liked.

23. I have been to David's unit at Addison Street a couple of times for dinner or just to visit. I would see that David had his nail polish lying around the lounge room but I never saw any dresseys around the unit. I do not known if David was on any hormones, although I knew that David was sick just prior to his death, I thought that he had the flu or something.

24. The last time that I saw David was about the 6th December, 1997 at my home when David come home for dinner. David did not tell me that he was having any problems and seemed happy and looking forward to christmas and planning to get together on the 22nd December for dinner at our place to celebrate Hanakah which is a jewish celebration. We were to have just the four of us being Bertha Ruth, Ian, David and myself. I assumed that David would come dressed as he normally does for Hanakah with the make

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up etc. David had said that he was going to come to that and he was looking forward to it.

25. On the next Friday night being 13th David had a work christmas party for either Westpac or the radio station and he did not come over for dinner that night. The following Friday night being the 20th I rang David and told him not to come over for dinner as his mother had pneumonia. David was sick at this stage but he sounded well and did not make any complaints or seem to have any problems.

26. I think that Bertha Ruth called David on the morning of the 21st December around 10.30am, and Bertha Ruth told me that she had ask David how he was feeling and to confirm that he was still coming for dinner on the night of the 22nd December, and David had told Bertha Ruth that he was still coming for dinner. Bertha Ruth tried to call David again at about 12.30pm to arrange for me to take over some soup to David. The phone just rang out as if no body was at home. This was unusual as David has an answering machine which normally gets all his messages for him.

27. I tried to call David about 2.30pm the same afternoon and the phone was engaged, I tried again about 4.00pm and the number was still engaged, I tried the number again about 6.00pm and the number was still engaged so I contacted Telstra to test the line, and some one told me that the line was fine and that the phone was just off the hook.

28. I was concerned at this stage so I called Ian at home between 6.00pm and 7.00pm, Ian was home and I told Ian that we could not get through on the phone and asked Ian to try for us. Ian told me that he would try to call and then he hung up. Ian called me back a few minutes later and said that the phone was

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engaged. I asked Ian if he could get into the flat and Ian told me that he did not have a set of keys for David's unit. Bertha Ruth and I left it at that for the moment and went to bed.

29. On the morning of the 22nd December, 1997 I rang David's flat between 9.30am and 10.00am and the phone was still engaged. At about 1.00pm Bertha Ruth and I drove to David's place, and knocked on the door, there was no answer. There was a small package at the bottom of the door, it looked like that some one had opened the security door and placed the package in between the two doors and then closed the security door, I had opened the security door, it was not locked. Bertha Ruth left a message on the door to have David call us as soon as he got in. Bertha Ruth and I left and drove back home.

30. Bertha Ruth and I do not have a set of keys to David's flat, if we had we would have gone into the flat to look for David. I'm think that David had a spare set of keys for the unit because some body would stay in his unit whilst he was away and he would take his own set with him. I'm not sure who would stay in his unit but I think that it was a friend of his from Westpac, but I can't be sure. I do not know any body else that has a set of keys to David's unit.

31. Then morning of the 23rd I tried to call David again at about 7.30am, but the phone was still engaged. Bertha Ruth called Westpac and they told her that David had not called them to say he was not coming in today and that he was expected. I was going into the city, and Bertha Ruth contacted Maroubra Police Station and organised for police to attend the unit to check on David.

32. Bertha Ruth picked up Ian from his home at Bondi and I made my way to the unit from the city at about 10.00am. When I got

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there I went up to David's door and the note that Bertha Ruth had left was still there as well as the package that we had seen earlier. I knocked on the door and there was still no response. I walked back down stairs and about fifteen minutes later Bertha Ruth and Ian arrived and a short time later the police arrived.

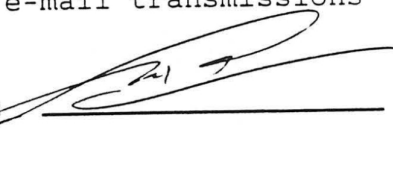
33. I spoke to one of the police officers and we walked a round the back of the block of units and I saw that David's unit which is on the top floor at the back had the balcony door open. The police officer called the rescue squad and they arrived a short time later with a ladder. One of the Rescue officers went up the ladder and then the male officer that I had been speaking to went up to the flat and came back down a short time later and told both Bertha Ruth and I, that David had died.

34. I have no idea of any person that would want to harm David in any way what so ever. Every body that I have spoken to about David has told me how much people liked David, and what a good friend he was. As far as I know David had no enemies and was well liked by every body.

35. Since David's death Ian has come over to our house a lot to comfort us and Ian has been borrowing my car to make it across the bridge because Ian does not have a car of his own. Ian has not borrowed my car for the last couple of months. I need the car during the week and on most other days so it is very rare that I would lend the car to Ian.

36. In 1994 I bought an IBM compatible computer which I have upgraded over the last 4 years. I use this computer for accounting and personal work. I do not have access to the internet but and hoping to have access soon. I have never received any kind of computer messages or e-mail transmissions from David or any other persons.

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