

New South Wales Police

P.190
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STATEMENT in the matter of:
Inquest touching on the death of - ROSE

Place: Maroubra
Police Station
Date : 22 December 1997

Name: Graham John SIMS
Address: Maroubra Patrol
Occupation: Constable of Police

Tel. No.: [REDACTED]

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. At 11.00am on Monday the 22nd of December, 1997, in company with Constable Noffke, I attended Unit [REDACTED] Addison Street, Kensington in relation to a concern for a male's welfare.
4. Upon arrival I spoke with Bertha Ruth Rose, Max Rose and Ian Grant Rose. Collectively they informed me that the deceased, David Rose, had been sick since Tuesday the previous week with the flu and had attended a Doctor in relation to this. Bertha Rose stated she had last spoken to the deceased at 10.00am on Saturday the 20th of December, 1997.

Witness: [Signature]
Name: T. GITCHING
Rank: COV
Date: 22-12-97

Signature: [Signature]
Graham SIMS
CONSTABLE
22 Dec 97

STATEMENT (continued) in the matter of: Inquest touching on the death of - ROSE

Name: Graham John SIMS

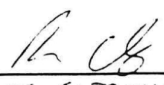
5. Ian Rose informed me, that the deceased was of general good health and was about 40 old. Bertha Rose stated she had attempted to phone since Saturday the 21st, however the phone tone sounded as though it (the phone) was off the hook. She and her Husband and Son were concerned for the deceased's welfare.

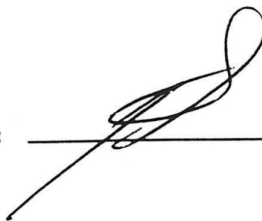
6. I went to the rear of the premises which is of brick construction of units consisting of a ground floor and three tiers above that. The units have no ground floor security buzzers or locks on the doors on the ground level, allowing entry or exit to the stairwell to any person.

7. I was shown a corner unit on the third floor (top floor). I saw that this unit was on the south western corner of the block, and the unit's balcony door was open. A window to the west of the balcony was open. I was informed this was unit number nine.

8. About this time Constable's Waites, Abrahams, Mcauley and Gargan arrived and I spoke with them.

9. At 11.10am Senior Constable's Thompson and Sladden from Police Rescue Squad arrived, and I spoke with them. As a result an extension ladder was placed against the southern wall to the open window. Senior Constable Thompson climbed the ladder, through to the kitchen area. A short time later he said, "Could I have some General Duties guy's up here?" and Constable's Waites, Mcauley, Abrahams, Gargan and Sladden went up stairs.

Witness: 
Name: T. KITCHENY
Rank: CON
Date: 22-12-97

Signature: 

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10. I spoke with the deceased's relatives and asked them to stay downstairs. I went up to [REDACTED]. Upon entry I spoke with Constable Waites and she informed me that Senior Constable Thompson had informed her there was a male deceased inside the premises and the main door was deadlocked with two locks.

11. A short time later Senior Constable Thompson had located in the deceased's main bedroom a set of keys near a bumbag near a bed, and had opened the door for Constable Waites.

12. Whilst waiting for the door to be opened Constable Waites opened a screen security door that was closed but unlocked. On the door was handwritten note on yellow paper and a plastic package on the floor. Constable Waites touched the plastic bag and saw a christmas present inside. Constable Waites did not handle the christmas present, and it was placed back on the floor.

13. I went inside to the kitchen. There, I saw, a person I know now to be the deceased David Rose, aged 41 old. I would describe the deceased as male, caucasian appearance, 35-40 old, balding at the front with long dark wavy hair at the back, medium build, 170-75cm, wearing a orange skirt, white tee shirt and nil footwear. The deceased had red coloured manicured nails, and what appeared to be dark coloured mascara or black bruises above both eyes.

Witness: [Signature]
Name: T. KITCHING
Rank: ICM
Date: 22-12-97

Signature: [Signature]

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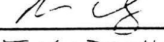
14. On the upper right hand side cheek, there was a small 2cm laceration, with dark coloured bruising to the left eye that appeared consistent with having been punched. The left side of his face was also of dark colouring, this side being lower it appeared consistent with blood having settled on the left side of the deceased.

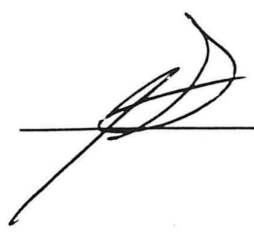
15. I saw the deceased was laying supine with his head towards a kitchen table which was up against the open window through which Senior Constable Thompson had climbed through. His torso and legs extending towards the kitchen facing north. His arms were spread outwards to either side of him. A kitchen chair was fallen over near his head. Between his knees there was an unopened tin of "No Frills" brand plums. This tin had one side flattened or dented.

16. Congealed blood was around his nose, and face with some maggots around his nose and mouth. A number of small blood spots were on his white tee shirt. On his left arm were four plastic bangles of various colours. On his right arm were eight silver coloured metal bangles. In the kitchen there was a single plate that was broken and pieces spread on the floor.

17. I then directed all the other police out of the unit and they left except for Constable's Thompson and Sladden. Constable Noffke guarded the front door to the unit and began a log of events.

18. I spoke with Senior Constable Thompson whom told me that he had touched the kitchen table upon entry but had not touched any other surfaces in the unit.

Witness: 
Name: T. G. CHIN
Rank: CO
Date: 22-12-97

Signature: 

STATEMENT (continued) in the matter of: Inquest touching on the death of - ROSE

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19. As you look north towards the front entrance of the unit, I saw there were four silver coloured bangles similar in design to the bangles on the deceased's right arm, on the carpet inside the lounge room which is the room to the right of the kitchen if you stand facing north inside the unit.

20. To the right of the bangles there was an imitation plastic breast insert on the floor, a photo frame to the front of that was turned upside down.

21. To the right of that there was television set turned upside down on the floor and a ironing board with a pink shirt still on it was knocked over up against some furniture near an inside wall.

22. As you walk north towards the front entrance in the hallway their was a hanky-chief on the floor in front of the silver bangle nearest to the front door, mentioned above.

23. To the front, and immediate right of that; there was a pair of glasses. In front of that there was an answering machine on the floor and it was turned upside down. To the right of that there was a imitation plastic breast insert. Just inside the front door there was letter and the above mentioned present between the front flyscreen and front door. I saw that there was deadlock and another normal keylock securing the front door in normal usage. In general the unit appeared to be a dishellved state in the rooms mentioned.

Witness: [Signature]
Name: T KITCFINLY
Rank: Cor
Date: 22-12-97

Signature: [Signature]

STATEMENT (continued) in the matter of: Inquest touching on the death of - ROSE

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24. As you turn facing south towards the balcony, I saw that the glass door to the balcony was open with a latch securing it fast, with a flyscreen door which was closed. A strong breeze was blowing throughout the unit. There was no unusual odours in the unit as a result.

25. I went downstairs and informed the relatives that the deceased had passed away. They all appeared visibly upset. Ian Rose said, "That fucking Doctor."

26. I then spoke with Bertha Rose about her Son's habits a synopsis of which I recorded in official notebook F 211754 page 23 inclusive. She informed me that she had contacted her Son the deceased at 10.00am on Saturday the 20th of December, 1997. The deceased stated he was feeling a bit better but was feeling tired.

27. Later a friend of the deceased's had allegedly phoned him at 11.00am that same day and spoke with the deceased. Bertha Rose did not know the friend's name however she had his phone number at her home. Later on Saturday this friend had gone around to the deceased's unit but had failed to raise him. The lights in the unit being switched off.

28. On Sunday the 21st of December, 1997, this friend had tried to phone the deceased's unit without success. This person (a male) had then contacted a Hospital and inquire if the deceased had been admitted without success.

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Name:
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29. It was made unclear to me whether on that Sunday or Monday the 22nd of December, 1997, This friend had then phoned a number of "Roses" in the phone book before locating her phone number and expressing concerns for the deceaseds welfare to Bertha Rose.

30. I spoke with Ian Rose whom is the natural brother of the deceased he stated that he knew his brother as was the family were aware that the deceased was cross-dresser and he had been all his life. The deceased was described as been a very quiet and private person, whom had his own circle of friends.


31. About this time Senior Constable Byers the shift mobile supervisor arrived and I informed of the situation. Shortly afterwards he left the scene.

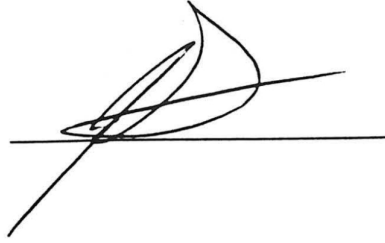
32. At 11.55am Plain Clothes Constable's Pincham and Kitching arrived and I told them something.

33. At 12.25pm Detectives Van Leevuren and Prothero form the East Sydney Crime Unit arrived and I told them something.

34. At 12.30pm Detectives Goddard, Lindley and Mathes arrived and I spoke with them.

35. I then went to the front of the units were I guarded the outer perimeter. During the course of the next several hours I spoke with a number of persons regarding the deceased.

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36. I ascertained that the deceased was a quiet person whom was well known amongst his neighbours for cross-dressing often wearing pink coloured shirts similar to the one I saw on the ironing board in the lounge room. He often caught the "301" or "302" bus to work each morning. The deceased was often seen walking the streets in high heels and in female clothing. A neighbour living near him stated that the deceased always left his balcony door and window's open.

37. At 5.55pm I returned to Maroubra Police station in company with Constable Noffke, Pincham and Detective Sergeant Mathes. I then continued with other duties.

Witness: [Signature]
Name: T. KITCHING
Rank: Con
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Signature: [Signature]