

## **REVIEW OF AN UNSOLVED HOMICIDE CASE SCREENING FORM**

You have been selected to undertake a review of an unsolved homicide. The review should be conducted in accordance with this 'Case Screening Form'. Once completed, the Case Screening Form will be forwarded to the Co-Ordinator, Unsolved Homicide Review Team, Homicide Squad, State Crime Command. Your assessment of the available evidence and recommendation is necessary to assist in determining opportunities for re-investigation

### **1. Location of Brief of Evidence.**

The original investigation documents must be located. The current location of these documents may depend upon the date of the murder you are reviewing and who conducted the inquiry. If the investigation is relatively recent, it may still be stored at the Local Area Command, which had carriage of the matter. Inquiries which were conducted by the former Major Crime Squads and investigations that are considerably more historical, will most likely be located at the Corporate Archives Records Repository, Bridge St, Stanmore, Ph: 95198189.

A manual inspection of the investigation records must be conducted as experience has shown that in older cases, exhibits are sometimes stored in the boxes along with the documents.

Many investigations will be voluminous and the transport of the entire investigation to an LAC office may not be viable. Facilities exist at the Archives for the documents to be inspected and an inventory conducted. Depending on the type of investigation management used during the inquiry, the investigation may be reviewed electronically. All former TIMS inquiries located by the Investigative Systems Support Unit have been converted into E@gle.i investigations. Secondary investigations into the same murder may also be recorded on E@gle.i. To obtain 'read only' access to the investigation contact should be made with the SSU on E/N 53909.

Victim 1:

Name:	David Samuel ROSE		
Gender	Male	D.OB	26/04/1956 (41 years old)
Relative contact (if known)	Bertha & Max ROSE [REDACTED] [REDACTED]		

## Homicide Details:

Time & Date	Between the afternoon of Saturday 20/12/1997 and morning of Sunday 21/12/1997 (located at 11am on Monday 22/12/1997).		
Location:	█████ Addison Road Kensington		
COPS Event/P40 No.	E3930270	Attached	YES
Previous Investigation Name: (Strike Force/Task Force/Operation)	No name for investigation		
Command in charge:	Eastern Beaches Detectives		

**2. Cause of death**

If the Post Mortem results are not contained within the investigation documents, contact may be made with the relevant Coroner's Court. A request in writing with NSW Police letterhead must be forwarded to the Registrar of the court, outlining the information required.

Post Mortem Results:	Yes		
Exhibits Retained:	Yes	Location:	Maroubra (C432651)
Further Examination:	YES	See exhibit list for complete details, includes clothing and samples from the deceased.	
Comment: Direct cause of death – blunt force head injury  Pathologist - Dr Christopher LAWRENCE			

**3. Investigation Records**

Investigation Records relate not only to the statements taken from witnesses etc; but to all documents generated during the investigation. For investigations conducted prior to 1990 the investigation will be recorded by way of running sheets typed on occurrence pad forms. From about 1990 onwards, the TIMS system of investigation management was used. In 1999 the conversion to E@gle.i began.

Investigation Records Located:	Yes
Comment: No Strike Force name given, although TIMS has been transferred to e@glei under the investigation name of "ROSE".	

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During the 1960's, 1970's and early 1980's, 'Investigation Resumes' were formerly completed by the Officer in charge of a homicide investigation which was not solved. It was a summary of the investigation, highlighting suspects, significant inquiries and evidence and was forwarded to the Superintendent of the Criminal Investigation Branch.

Investigation Resume:	No
Comment: 1997 murder	

Progress Reports have been used by the former Crime Agencies since 1997 and the State Crime Command since 2002. They are a monthly report submitted by the officer in charge of an investigation, detailing the progress of the inquiry and significant events. Copies are maintained by Operations Co-ordination, State Crime Command.

Progress Reports:	No
Comment: LAC investigation	

Post Operational Assessments are the current replacement for an Investigation Resume. They are submitted by the Officer in Charge of the investigation to Operations Co-ordination, State Crime Command, at the completion of an investigation.

Post Operational Assessment:	No
Comment: LAC investigation	

#### 4. Coroner's Inquest

Details of Coroner's Inquests, including Coroner's Findings, may be obtained from the Registrar of the relevant Coroner's Court by submitting a request in writing with NSW Police letterhead.

Coroner's Inquest Held:	Yes	Date: 18/11/1999
Court: Glebe	Coroner: Mr Abernathy	
Inquest Brief Located	Yes – with investigation records at Maroubra	
Findings: Open finding, but no file or transcripts located by staff at Glebe. The police informant recalled that the suspect Sandra DURWARD gave evidence, but her evidence was not believed to be sufficient enough to warrant a referral to the DPP regarding a criminal prosecution.		

#### 5. Original Case Officer

Attempts should be made to locate and interview the original Case Officer even if they are no longer employed by the NSW Police Department. In the event that they are not located, another senior investigator from the inquiry should be approached. A list of investigators significantly involved in the investigation should be compiled.

OIC Name:	D/Sgt Paul THORNTON	Interviewed:	Yes
Serving Member:	Yes	Location: Drug Squad	
Comment: Indicated Sandra DURWARD as most likely suspect.			

Other Investigators:

Name:	Current Location:
D/Sgt Brian MATTHES	Resigned 1998
D/S/C Deborah O'REILLY	Wagga Wagga
D/Sgt Tim KITCHING	Not indicated on COPS

## 6. Weapons

The Ballistics Unit, Sydney Police Centre has a large store of firearms, ballistic material and exhibits with ballistic damage held in their office from historical murders. For other weapons see point 7.

Type:	No weapon	
Recovered:	Y/N:	Location:
Further Examination	Y/N:	
Action:		
Comment:		

## 7. Exhibits

The original Exhibit Book is obviously the best place to begin to track the movement and location of exhibits. Many homicide exhibits however were never entered into Station exhibit books as they were recovered from crime scenes by Crime Scene Officers and entered into Registers at the particular office at which the Officer was attached. From there, many were forwarded to DAL and other experts. Inquiries have revealed that there is still a large store of exhibits held at the CSU Satellite Offices. DAL are in possession of thousands of samples taken from exhibits for the period 1986 –1997. These samples were not analysed and a DNA sample placed on the data-base. From 1997, all DNA profiles obtained from samples were placed on the data-base.

Attempts should be made to locate all exhibits and determine what examinations have already taken place. Annexure 'A' should be completed.

Annexure A completed:	Yes	Annexure A attached:	Yes
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**8. Fingerprints**

There was no electronic fingerprint data-base in existence prior to 1987. All fingerprints were categorised and searched manually. When the data-base was created, there was no back-capture of fingerprints. Fingerprints retrieved from homicide crime scenes were collected and filed in unsolved homicide files at the Fingerprint Latent Unit – Major Crime. These files are still retained at this section. Contact can be made with Det Sgt Woods on [REDACTED] for information relating to cases prior to 1987. For cases occurring after 1987 results can be viewed through FCSR.

Fingerprints Available:	Yes
Fingerprint Case Number:	366618, 366622, 344624, 344609 & 344409
Person Identified:	David BECKER (CNI [REDACTED])
<p>Comment: Prints located on the deceased's vehicle rear view mirror, on a bottle of turpentine, a kitchen cupboard, an envelope from a Real Estate agent and on a curved "artificial breast", were not identified, prints of an associate David BECKER were identified on an envelope containing a Christmas card from him. Deceased's prints also located on a number of items. Prints of suspect DURWARD not located.</p>	

**9. Witnesses**

**UNDER NO CIRCUMSTANCES ARE WITNESSES TO BE CONTACTED AS PART OF THE REVIEW PROCESS**

Witnesses are not to be contacted during this process, as the relationship between witnesses and suspects is not always known. The relationship between them may have changed over time and there is the possibility that the suspect may be alerted to a renewed investigation.

Also, it will not be desirable to raise the hopes of relatives, secondary victim's etc; that their matter will be re-investigated when it may be the case that nothing further can be done.

Witness lists must be extensive however inquiries will only need to relate to witnesses who provide significant evidence. Inquiries regarding witnesses should be confined to COPS, Intelligence Reports, RTA, Electoral Roll, Registry of Births Deaths & Marriages etc.

Witness:	Location:	How Located:	Relevance
Takao ASANO	[REDACTED]	RTA	Formerly of [REDACTED] Addison Rd Kensington. Heard sound of dish smashing in the morning of Sunday 21/12/97. Thought this came from the deceased's unit (above his).

Ai Lun GU	Formerly Addison Rd Kensington – current address not found	Not located	Saw the deceased in the rear area of the block of units between 1 and 2pm on Saturday 20/12/97 – deceased wearing women's clothing (NFD).
Michael GUILHAUS		RTA	 believes he saw the deceased in the afternoon of Saturday the 20/12/1997, whilst he was gardening in his yard.
Deidre Gloria MILES		COPS	Known as "Dee", met DURWARD in an alcohol rehab facility, allowed her to move into her house at Dobell Street St Clair.
Stephen BECKER		RTA	Friend of deceased. Went to the unit about 8.45pm and left a Christmas present (cd) and card for the deceased after there was no answer.
Louise Margaret CLIFFORD		COPS/RTA	Former prostitute at Final Touch where DURWARD was employed as "Veronica".
Irene Patricia BURROWS <u>DECEASED (2001)</u>			Was the Receptionist at the Final Touch. Allowed DURWARD to stay with her in January 1998. Had a conversation with DURWARD where she said, "Maybe I did kill him."
Marisa CRAKER		COPS	Receptionist at Final Touch & Bare Bunnies. On Wednesday the 31/12/97, at Bare Bunnies, DURWARD said to

			her, "I don't know what's wrong with me. Maybe it's not a nightmare, Maybe I did kill him" and "Maybe I did kill him in my sleep."
Nazmeen HUDSON	Nisha [REDACTED]	COPS	Working at Bare Bunnies on 31/12/97, DURWARD said to her, "I must have done it in my sleep...I must've killed this guy...the cross dresser...I couldn't have done it, he was my best friend." DURWARD also said, "I might have killed him in my sleep...no it couldn't have been me. I must have been drinking."
David THWAITES (Apparently is a schizophrenic and under the treatment of the Queenscliff Mental Health Centre as at April 2004)	John [REDACTED]	[REDACTED]	Attended an AA meeting at Neutral Bay on Saturday, arrived between 12pm-12.30pm. Met DURWARD there as was previously arranged. Meeting ended at 1.30pm, he, DURWARD and two others (Peter & Clive) went to Maisy's Coffee Shop. He and DURWARD left the coffee shop about 3.10pm. He spent the next hour or so walking with DURWARD. He then travelled to Manly to attend another meeting and he believed DURWARD was going to get a taxi as she was running late for work at St Marys.



Clive STARLING	[REDACTED]	Statement Not located COPS/RTA	Attended AA meeting on Saturday 20/12/97 at Neutral Bay at about 1.15pm. Went to Maisy's Café with DURWARD and later THWAITES. DURWARD told her she was looking for somewhere to stay. All left the coffee shop about 3.30pm-3.45pm. Thinks THWAITES and DURWARD had an argument and THWAITES left leaving DURWARD waiting at a bus stop. He left and went to Burwood to see his sponsor.
Peter Leonard THORNTON	[REDACTED]	RTA	Attended the A.A meeting at Neutral Bay on Saturday the 20/12/1997. Meet with David and went to Maisy's Café with David, Clive and a woman who was with David after the meeting. The woman was looking for accommodation and he recalled her making phone calls from the coffee shop.

#### 10. Suspect/s

#### **UNDER NO CIRCUMSTANCES ARE SUSPECTS TO BE CONTACTED AS PART OF THE REVIEW PROCESS**

Inquiries regarding the location and status of suspects should be confined to those listed above. Of particular importance to the Review is the fact whether suspects have been charged with other offences since the original investigation (particularly sexually related offences). If suspects are identified, a current profile is to be completed listing address, phone number, intelligence reports, marital status, associates, employment and any other relevant information. Checks should be confined to COPS, Intelligence Reports, RTA, Electoral Roll, Registry of Births Deaths & Marriages etc.

Suspect Identified:	Yes	Profile attached:	Yes
Name: DURWARD	Sandra	DOB: [REDACTED]	CNI: [REDACTED]
Status: Not Charged			
<p>Comment: task 469810 was submitted to Centrelink in order to verify whether DURWARD was a current client. She is a current client and has her pension paid to her Westpac account [REDACTED] at their Rockdale branch. Address details for DURWARD not located. Her address on COPS is a Mona Vale address believed to be her sister's. She has no criminal history in NSW. Her driver's licence [REDACTED] is currently cancelled.</p>			

#### 11. Synopsis:

A synopsis of your review should be completed detailing the circumstances of the murder, lines of inquiry and any known suspects.

##### Synopsis:

About 11am on Monday the 22/12/1997, police attended the unit of the deceased at [REDACTED] Addison Street Kensington. Family had not heard from him since about 10am on Saturday the 20/12/1997. They had attempted to telephone him but it appeared the phone was off the hook.

The deceased's unit was on the third floor at the rear of the block. There were 9 units in the entire block. A wood framed glass door was open on the balcony, as was a small window beside the balcony. Neighbours later indicated the deceased always kept this door and window open. Rescue Squad police attended and entered the unit via this window and located the deceased on his back near a kitchen table. He had dried blood around his nose and down the sides of his face. The balcony screen door was closed but unlocked.

The Rescue Squad were unable to allow other police into the unit via the (wooden) front door as it was locked by way of two security locks which could not be opened without a key. A set of keys were located in a bedroom at the front of the unit. Those keys were used to unlock the locks on the front door. The front security screen door was closed but not locked. A "post it note" was also located on the front door. It read, "Please ring me the minute you get home. URGENT. Mum." There was also a plastic bag on the ground between the front door and the security screen door. This bag containing a package wrapped in Christmas paper. An envelope addressed to the deceased was also located on the carpet in front of the front door.

The deceased was lying supine on the floor between the dining and kitchen areas. A kitchen chair had fallen over near his head. On the floor between the deceased's knees, was an unopened tin of "No Frills" plums. This tin was flattened or dented on one side. Pieces of a broken dinner plate were located on the kitchen floor and also in the fridge. The deceased was wearing an orange coloured knee length skirt, a white t-shirt and no shoes and had silver and plastic bangles on both wrists. The deceased had painted red fingernails and makeup around the eyebrow area.

A search of the unit located a number of silver bangles similar to the ones worn by the deceased on the lounge room floor. An imitation breast implant and an upturned photo

frame were located near the bangles. Upturned furniture items were also observed in the lounge room. There was also a pair of glasses, an upturned answering machine and another imitation breast implant on the floor. A telephone on the kitchen bench had the handpiece off and hanging freely over the side of the bench. The unit was in a dishevelled state.

Doctor LAWRENCE conducted a post mortem on the deceased that some day. Dr LAWRENCE indicated there were fractures to the rear of the skull, his left temple area, severe bruising to the rear of his head and skull, bruising and small abrasion on the right temple, a bruise located on the outside of his right upper arm and a smaller bruise on the inner right arm. There was no evidence of any sexual trauma. There appeared to be at least one impact site on the right cheek, the left cheek and at least two impact sites on the back of the head. Dr LAWRENCE informed police that he was of the opinion that the matter should be treated as an assault. No forensic evidence was gained from the examinations conducted at DAL on samples obtained during the post mortem.

A thorough search and examination was carried out of the scene. The can of plums was seen to have a dent on the side however there was no physical evidence obtained from that examination to indicate that it was used to assault the deceased. All fingerprints developed from within the unit were identified as belonging to the deceased. A palm print was developed from one of the artificial breast implants however it was not identified.

The deceased was employed as a Computer Analyst with the Westpac for a period of 18 years. He also did volunteer work at community radio stations where he was an announcer and trained others in various aspects of radio work. The deceased was involved in radio for at least 12 years. Between three to six months before his death, the deceased resigned from 2RPH on air, over a dispute with management.

The deceased lived alone in the unit where he was found. His mother Bertha ROSE had contacted the deceased at 10am on Saturday the 20/12/1997. The deceased had been ill but told his mother he was tired but was feeling better. The deceased had been off work since Wednesday the 17/12/1997 due to headaches and nausea. The deceased told her he had been to see a doctor who was not able to diagnose any specific illness. It was found the deceased was suffering severe nausea as a result of oestrogen treatment he was undertaking. Other friends also told police of speaking to the deceased on the phone whilst he was off work and sick at home.

The telephone records of the deceased were examined and it was found the deceased was home at 2.48pm on Saturday the 20/12/1997 when he had a telephone conversation with friend Louise SADEK. This is the last confirmed contact with the deceased. All avenues of investigation relating to these records were completed with no further information forthcoming.

The brother of the deceased Ian ROSE informed police his brother was a cross dresser and was a quiet and private person who maintained his own circle of friends. The deceased frequently wore women's clothing in public and in the privacy of his own home. Most descriptions of the deceased's sexuality is that he was asexual, neither heterosexual nor homosexual, with some believing he wished he was a woman. Some of these persons referred to him as "Samantha".

Doctor Philip GEORGOURAS was spoken to and confirmed seeing the deceased at his surgery at 10am on Thursday the 18/12/1997 and Friday the 19/12/1997. The deceased complained of nausea on both occasions due to the hormone tablets the deceased was on. These were the only two occasions Dr GEORGOURAS saw the deceased.

The deceased was apparently very security conscious, always deadlocking the front door and screen security door. He would not allow strangers into the unit and would very seldom allow friends to visit. On the front door were two deadlocks. The door could not be secured by simply closing the door but only by operating the deadlocks with keys in a locking motion. The front screen security door was a standard key lock, although the door could be closed without actually locking it. It was suggested that the deceased had two sets of keys to the

unit. A thorough search of the unit only recovered one set which were the keys used by the Rescue Squad to open the front door. **The second set of keys were never located.**

A canvas of neighbours in the same block of units identified Mr Takao ASANO, who resided at unit number ■ which is directly below the deceased's unit. Mr ASANO was home on Sunday the 21/12/1997 and believes sometime between 12pm and 1pm, he heard a plate break once, which was very loud. He described the sound as if the plate had been dropped on the floor. Mr ASANO believed this sound came from the unit of the deceased. Another neighbour, Ai Lun GU indicated she had seen the deceased between 1pm and 2pm on Saturday the 20/12/1997. Ms GU saw the deceased dressed in women's clothing whilst in the backyard of the unit block. They said hello to one another but Ms GU was unable to provide any information about the clothing the deceased was wearing.

Information was provided by Megan BROWNLOW, a friend of the deceased's from radio station 2RPH relating to the suspect Sandra DURWARD. Ms BROWNLOW last saw the deceased six months earlier when she hosted a lunch at her house at which DURWARD was also present. DURWARD was also involved in the radio station, but had a fairly significant problem with alcohol. As a result, she had been staying intermittently at the deceased's unit because she had been asked to leave the residences of friends and relatives and various rehabilitation centres. Ms BROWNLOW indicated about one month before he died, the deceased contacted her regarding DURWARD looking for somewhere to live and suggested that DURWARD may contact her. The deceased told her that DURWARD was stealing money and drinking methylated spirits. About three weeks prior to his death, the deceased again contacted Ms BROWNLOW and warned her about DURWARD. The deceased told Ms BROWNLOW that DURWARD was staying with him at the time and she received the impression that he had become scared of her.

Information was provided by Donna Ann DEVITT, a friend of both the deceased and DURWARD. Ms DEVITT indicated DURWARD had an alcohol and heroin problem and would constantly contact people looking for a place to stay. She had heard a rumour that DURWARD may have been stealing from her friends to support her addictions and Ms DEVITT stated the deceased was aware of this and was worried about her staying at his unit.

Ms DEVITT stated that about four or five months prior to the deceased's death, DURWARD had stayed at his unit and he had noticed that bottles of methylated spirits were disappearing, before realising DURWARD was drinking them. As a result of this and DURWARD's continued downhill slide, the deceased did not allow her to stay at his unit anymore.

Statements were obtained from witnesses DURWARD was sharing a house with at the time of the murder. These were the premises of Deidre MILES. Carl John ELLWOOD, had moved into these premises (■ Dobell Circuit St Clair) about three weeks before the murder and he stated DURWARD moved in about two days later. From Mr ELLWOOD's description, DURWARD drank alcohol almost every day she'd been there. He stated DURWARD would go out most days and would travel by taxi, usually leaving early in the morning and returning late at night.

Mr ELLWOOD provided his (and what he recalled of DURWARD's) movements for the weekend of the murder. On Friday the 19/12/1997, he believed he stayed home and that DURWARD went out. On Saturday the 20/12/1997, he left home at 6am to attend a job interview in Newtown and DURWARD was asleep on the lounge. Mr ELLWOOD arrived home between 6.30pm and 7pm but didn't recall DURWARD being home. He stated he remained at home all day on Sunday the 21/12/1997 and believes that DURWARD was out all day. On Monday the 22/12/1997, he stated he was home all day and DURWARD was out all day.

A statement was obtained from Deidre Gloria MILES who resided at ■ Dobell Circuit St Clair with her young daughter ■ and shared with Mr ELLWOOD and Ms DURWARD. Ms MILES met DURWARD around October 1997 whilst they were at Jarrah House, a drug and alcohol rehabilitation centre. Ms MILES knew DURWARD for a period of about two weeks.

About two or three weeks after leaving Jarrah House, she received a phone call from DURWARD who was looking for a place to stay. Soon after, MILES allowed DURWARD to move into her premises to help with the rent.

Ms MILES stated DURWARD was a prostitute who worked at the Final Touch Relaxation Centre in St Marys and had been working there since moving in with her. She would work every day between 10am and 1am. Ms MILES stated that on Friday the 18/12/1997, DURWARD was at work all day and arrived home at 6pm. Ms MILES went out for the night whilst DURWARD looked after [REDACTED]. She arrived home at 2am and went to bed about 6am and did not see DURWARD during this time, but assumed she was in bed.

About 10am on Saturday the 19/12/1997, Ms MILES went shopping with [REDACTED] and DURWARD, arriving back home at 11am. Ms MILES fell asleep and woke about 1pm to find neither [REDACTED] or DURWARD in the house. Ms MILES left a message for DURWARD at her work as she initially believed [REDACTED] may have been with her ([REDACTED] was playing with neighbours). Between 5.30pm and 6pm, Ms MILES received a telephone call from DURWARD as a result of the earlier message Ms MILES had left. Ms MILES had an early night and did not see DURWARD that night. The next time she recalled seeing DURWARD was about 10am on Monday the 22/12/1997 when DURWARD left to go to work. She recalled that on this day or possibly Tuesday the 23/12/1997, DURWARD had indicated her black eye to her. DURWARD told Ms MILES she received it after one of her clients had kned her in the eye accidentally. Ms MILES also noticed she had a bruised elbow and further recalled a week prior to this, she had noticed dark bruising on DURWARD's arms and she had told her it was caused by her bag.

Later that day, Ms MILES received a call from DURWARD's sister informing her of the death of the deceased. Ms MILES later contacted DURWARD at work to tell her. They spoke about the deceased on Wednesday the 26/12/1997 and DURWARD raised some concerns she had about her stepson (Joel HILTON) who had stayed at the deceased's unit two years previous and may have still had keys in his possession.

Statements were obtained from a number of women who worked at the Final Touch. DURWARD commenced work sometime around late November early December 1997 using the name "Veronica". "Veronica" was supposed to be a reformed alcoholic but comments were made from some of the women that they could smell alcohol on her at work. DURWARD also worked some shifts at a brothel called Bare Bunnies

Ms Louise CLIFFORD stated that on Friday the 19/12/1997 she saw "Veronica" at the Final Touch. She next saw her on Tuesday the 23/12/1997, when "Veronica" was being comforted by one of the receptionists Trish. Ms CLIFFORD was told that one of "Veronica's" friends had been murdered. They next spoke on Saturday the 27/12/1997 and "Veronica" told her police would be ringing to confirm she worked there. "Veronica" told Ms CLIFFORD she told the police she knew who killed him and that her fingerprints would be all over the unit from when she stayed there when the deceased was overseas. **"Veronica" told Ms CLIFFORD she had keys to the unit when the deceased was murdered.**

Police attended the Final Touch later that day and spoke to the receptionist Trish (now deceased - Irene Patricia BURROWS). During this time "Veronica" spoke to Ms CLIFFORD and said, "At least I now know what day it happened on. They're not telling me anything about how it happened." Ms CLIFFORD found that strange because the police had not spoken to "Veronica" whilst at the Final Touch. "Veronica" commenced to write a list of things on an envelope which included something about an A.A meeting, a train to St Marys and five or six men's names. "Veronica" spoke about letting David (THWAITES) know the police will want to talk to him to verify what she said.

A statement was taken from Ms BURROWS (now deceased), who was the receptionist at the Final Touch. About a month before the murder, DURWARD commenced work there using the name "Veronica". Ms BURROWS indicated DURWARD worked double shifts from 10am until 12am and would catch a taxi to and from work. She described her as moody and cranky and unpopular with clients. Ms BURROWS first noticed an injury to DURWARD's eye

and a bruise on one of her elbows about Wednesday the 24/12/1997 and she asked her to cover up her eye. DURWARD did not tell her how she injured her eye and did not make a report of it being as the result of receiving an injury from a client.

Ms BURROWS recalled DURWARD receiving a call on Tuesday the 23/12/1997 from "Dee" who told her her friend had been murdered. She recalled DURWARD crying for a little while as the result of this news. The following day, DURWARD told Ms BURROWS she thought she knew who did it because her stepson had keys to the unit. DURWARD also apparently mentioned the deceased's unit door being locked and there were no signs of forced entry.

In January 1998, a second statement was obtained from Ms BURROWS. She related how she invited DURWARD to stay with her if she was unable to find somewhere to live. On Wednesday the 14/01/1998, she received a call from DURWARD taking up her previous offer. DURWARD told her she could no longer stay with Ms MILES because her cousin was attempting to have sex with her. She indicated she would stay with Ms BURROWS until she got money together for a unit of her own. At the time, she had a pre-paid mobile phone so she could keep, in her words, her telephone calls private.

In January 1998, Ms BURROWS went to work and spoke to her boss who had found a needle in the toilet. According to Ms BURROWS, none of the girls who worked there used drugs and she immediately thought it belonged to DURWARD as she had told her friend David THWAITES was a heroin user. Ms BURROWS also stated that since the commencement of DURWARD's employment, a number of empty vodka bottles had been found under the beds and some had been found in her home where DURWARD was staying. DURWARD had told her she was in love with David THWAITES and was having a sexual relationship with him.

Sometime in the middle of January 1998, Ms BURROWS and DURWARD had just arrived home after she had given her a lift home from work. DURWARD put her head in her hands and said, "Maybe I did kill him". Ms BURROWS says she replied, "Well you either know whether you did or you didn't." DURWARD apparently did not reply and went to bed. On Wednesday the 28/01/1998, she left Ms BURROWS' premises and did not return her keys. Ms BURROWS described her as being in a rage and stated she had never seen her behaving in this matter before. She actually commented in her statement, "If you ask me if I thought she was capable of murder in the mood she was in last night I would say yes."

Marisa CRAKER was employed as a receptionist at the Final Touch and Bare Bunnies and was familiar with "Veronica". Ms CRAKER stated that between 4.30pm and 5pm on Saturday the 20/12/1997, she arrived for work at the Final Touch and was annoyed to find that DURWARD was not there and was late for work. Ms CRAKER recalled receiving a call from a woman named "Dee" who told her DURWARD would be late as she was having coffee with a friend. Mention was also made about a missing child and CRAKER was asked to get DURWARD to call "Dee" back. DURWARD arrived at work between 6.30pm and 8pm, telling Ms CRAKER she had be in the city having coffee with a friend who was screwed up. Ms CRAKER recalled DURWARD mentioning something about Neutral Bay.

The following day, Sunday the 21/12/1997, Ms CRAKER arrived at work some time after 10am. DURWARD was late for work and told her she had slept in. Ms CRAKER noticed DURWARD had a bruised eye and when questioned about it, DURWARD told her not to worry and that a client had kicked her. Either Wednesday the 31/12/1997 or Thursday the 01/01/1998, Ms CRAKER was working at Bare Bunnies as was DURWARD. DURWARD had apparently been falling asleep at work and when Ms CRAKER approached her about this she said, "I don't know what's wrong with me. Maybe it's not a nightmare. Maybe I did kill him. I've got to make a phone call, this is my alibi." Ms CRAKER says DURWARD attempted to call someone on the pay phone but hung up without speaking to anyone. DURWARD said, "Maybe it's not a nightmare, maybe I did kill him in my sleep." Ms CRAKER stated DURWARD did not appear to be alcohol or drug affected when making these comments.

A statement was obtained from Nazeem Nisha HUDSON, a prostitute who worked at Bare

Bunnies using the name "Jasmine". Ms HUDSON recalled on Wednesday the 31/12/1997 when "Veronica" was lying on the lounge in the reception area and said, "I must have done it in my sleep. I must've killed this guy, didn't you see it on the telly. The cross dresser. I couldn't have done it. He was my best friend." "Veronica" apparently repeated a number of times, "I must have killed him in my sleep" before adding, "No, it couldn't have been me. I must have been drinking." Ms HUDSON recalled "Veronica" tried to make a couple of telephone calls saying it was her alibi. Ms HUDSON recalled seeing bruising on "Veronica's" body.

Information from one of the sisters and the mother of DURWARD indicated she had stayed with the deceased for a period of two weeks, about three to four months prior to the murder. After DURWARD left the unit, the deceased had contacted the sister regarding the return of the house keys DURWARD had in her possession. DURWARD's sister and mother believed the keys had been returned to the deceased.

Staff at Maisy's Café at Neutral Bay recalled seeing a large female with ginger hair, freckles, and scabby arms and wearing a dress at the Café on Saturday the 20/12/1997. This employee could not state what time it was that he saw this person.

David THWAITES was interviewed in January 1998 and stated he had known DURWARD for about five months. Mr THWAITES alleged that on a Friday night late in 1997, he spoke to a guy "Peter" at a bus stop at Crows Nest. He knew "Peter" for an earlier rehabilitation program they had been in and told him about an Alcoholics Anonymous (A.A) meeting at Neutral Bay which was good. The following morning, the Saturday, Mr THWAITES received a telephone call from DURWARD and he told her about the meeting at Neutral Bay. DURWARD told him she would meet him there. Mr THWAITES stated he arrived at the meeting between 12pm and 12.30pm that afternoon and the meeting was from 12pm and 1.30pm. At the end of the meeting, he saw DURWARD at the back of the room talking to people. DURWARD told him she had been in the room for some time. They left the meeting and went to Maisy's Coffee Shop, which was situated around the corner and met with two other people, "Peter" and "Clive". They had coffee and talked until between 2.30pm and 3pm, when "Peter" left. About ten minutes later, they all left, but shortly before they did, THWAITES says DURWARD made a phone call to "Deidre". Mr THWAITES and DURWARD then went for a walk and talked for about an hour about her new job. DURWARD mentioned to him she was late for work and she caught a taxi. Mr THWAITES assumed she went to work at St Marys and he went to a Narcotics Anonymous meeting at Manly Hospital. Mr THWAITES admitted to speaking to DURWARD a number of times since this meeting and she had told him her friend had been murdered and he was her alibi. Mr THWAITES says DURWARD did not appear to have been drinking or distressed about anything the day they met at Neutral Bay. It is apparent plans were made by investigating police to utilise a listening device in the premises occupied by THWAITES, but this did not eventuate due to the fact he was residing in a boarding house at the time. It was believed conversations between THWAITES and DURWARD would be recorded relating to the possible false alibi he provided her with.

Clive STARLING was also interviewed about this meeting at Neutral Bay. At 1.15pm on Saturday the 20/12/1997, Mr STARLING attended the A.A meeting at Neutral Bay and saw "David" and "Sandra" sitting in the meeting. Mr STARLING had known "David" for a short time and had met "Sandra" on about four occasions at meetings. Mr STARLING described "Sandra" as looking agitated. Mr STARLING and "Sandra" talked and they went around the corner to Maisy's Café originally on their own, but were joined by "David" later. Mr STARLING stated "Sandra" was so upset he could not understand what she was talking about and was agitated to the degree of being emotionally distressed. Mr STARLING said she seemed concerned about what had happened to a friend of hers. Mr STARLING was aware she was worried about her personal life and was looking for somewhere to stay. Mr STARLING indicated he did not know at the time what she was trying to get at but believed at the time he was interviewed, that it was about the death of her friend. He stated she was looking for somewhere to live fairly urgently and needed to make a couple of phone calls, even though he did not see her make any. Mr STARLING stated they all left at 3.30pm. He thought that "Sandra" and "David" may have had an argument after they left, but he then

went to see his sponsor in Burwood.

Sandra DURWARD was interviewed on Friday the 26/12/1997 after she contacted investigating police. She was a 42 year old, single woman who was employed as a prostitute at the Final Touch in St Marys and was living at ■■■ Dobell Circuit St Clair. DURWARD first met the deceased at a radio station in the mid 1980's. They remained very close friends in and out of work hours. DURWARD stated they would have spent more time together had it not been for her alcohol and drug addictions where she spent time in rehabilitation centres. When she was in and out of rehabilitation centres, she stayed at various people's places, including the deceased's. The last time she stayed there was for a period of two weeks, about five months before the murder. The deceased had apparently refused to let her stay at his place on some occasions because he believed that placing her in rehab would be the only way to help her.

She indicated that when she stayed with the deceased, he gave her his spare set of keys to use. These were three keys on a bronze coloured dolphin key ring; a screen door key and two front door keys. DURWARD said when she left, she gave these keys back to the deceased and did not make any copies. She said the deceased used to leave his keys next to his phone and answering machine and did not know where he kept the spare set.

DURWARD could not recall her movements on Saturday the 20/12/1997, but believed she was in the St Marys or St Clair area and would have been at work. She was unsure whether she had worked a single or double shift at the Final Touch. A single shift was from 10am and 5pm. The evening shift was from 5pm and 12am. Upon being questioned further, she recalled she did in fact work that night and had a memorable client. DURWARD stated she worked at the Final Touch until 12am and then at Bare Bunnies until 3am. She stated that on Sunday the 21/12/1997, she probably worked the day shift until 5pm. Enquiries conducted with Premier Taxi's found a cab was booked at her premises arriving at 9.52am travelling to St Marys at 9.57am.

DURWARD brought up the issue of her former lover Paul HILTON and his son Joel HILTON, who had stayed in the deceased's unit about three years earlier when the deceased had been overseas. DURWARD stated she would have given Mr HILTON the keys to the unit whilst she held on to the spare set. Her main concern was whether Joel HILTON would have been able to obtain a copy of the set of keys given to his father by her. She noted there was no mention of signs of forced entry in newspaper reports she had read and although this had occurred years ago, thought she should inform police. DURWARD indicated she had received a black eye from an accident involving a client at the Final Touch and had reported the incident to Trish the receptionist.

On Saturday the 27/12/1997 (the day after the interview), DURWARD contacted investigators in order to clarify her movements on Saturday the 20/12/1997. A second interview was conducted with DURWARD on Friday the 06/02/1998. A number of issues arising from a telephone call made by DURWARD to investigators were clarified. During this call, she said she had been to and A.A meeting at Neutral Bay and provided alibis of Peter THWAITES, Peter and Clive. She also said she had been to Maisey's Café. During the interview she was also spoken to about her movements on Sunday the 21/12/1997 and she provided copies of "work sheets" from the Final Touch which recorded times with clients. These indicated her first client on this particular day was 12.10pm. DURWARD stated her normal starting time would have been 10am, but because of the late finish from the previous shift, it was likely she went to work late. She stated she went to work in a taxi and stated that although the staffing sheet did not record her having clients throughout the day, she would not have finished her shift until 12am.

DURWARD was again asked to give her version of movements on Saturday the 20/12/1997. She stated she woke up in the morning and sometime later, caught a taxi or bus to St Marys or Mt Druitt railway stations where she caught a train to Wynyard and then to the A.A meeting in Neutral Bay. She said she was running late and she stopped and bought a pair of shoes at Wynyard station, and then caught a bus or taxi to Neutral Bay. DURWARD stated she attended the meeting, met a few people and went to Maisey's Café. She went for a walk



with David THWAITES and about 4pm, realising she was late for work, caught a taxi to Town Hall and then a train to St Marys and stated work at the Final Touch about 6.20pm.

A search was conducted of DURWARD's bedroom at ■■■ Dobell Circuit St Clair. A letter was located addressed to "Geoff" and contains the following, ".....whinged by horror not only at the fact that Dave has gone forever, but by the distinct possibility that I was responsible, however indirectly." This letter was incomplete and DURWARD had not explained in it what she had meant by that comment.

Paul HILTON (DURWARD's ex-boyfriend) and his girlfriend Susan NORTH were spoken to about staying at the deceased's apartment three or more years earlier. They both stated they had never met the deceased and Mr HILTON said he returned the keys he had to DURWARD when they left the premises. Enquiries were carried out in relation to Ms NORTH and Mr HILTON and they were subsequently eliminated from the investigation. Similar enquiries were conducted with Mr HILTON's son Joel who denied any knowledge of the death of the deceased.

David THWAITES was interviewed and he corroborated DURWARD's version of her movements on Saturday the 20/12/1997. Peter THORNTON was also interviewed and corroborated DURWARD's movements on this day. Both men indicated they had been approached by DURWARD in relation to being her alibi prior to being spoken to by police.

Police also spoke to Fiona FEARY, the sister of DURWARD. DURWARD told Ms FEARY she believed the deceased's television might have fallen from its stand onto the deceased causing his death. According to DURWARD, the television stand was unstable. This statement is of significance as the television in the deceased's unit was found up turned on the floor when the deceased's body was found. It appeared that a struggle had taken place causing the television to fall onto the lounge room floor. No persons, other than investigating police and members of the deceased's family were aware that signs of a struggle were evident in the unit and that the television was not found in its usual place. Information relating to the television was not released to the media and the deceased's body was not found near the television. The family of the deceased have never met DURWARD and have not been in contact with her or her sister Ms FEARY.

The investigation was not able to identify a motive for the murder of the deceased. The apparent lack of forced entry into the unit suggests that the deceased knew the offender, based on his documented security consciousness in the unit and the fact that he would not allow strangers into the premises. It was possible that after leaving THWAITES, DURWARD travelled to the deceased's premises with the intention of seeking accommodation with him. Aware that the deceased had made warnings to friends and family about her, she has panicked and gone into an alcoholic rage, violently arguing with the deceased and subsequently causing his death.

An inquest was held which returned an open finding, but no case files or transcripts have been located by staff at the Glebe Coroner's Court. The officer in charge recalled that Sandra DURWARD gave evidence, but her evidence was not believed to be sufficient enough to warrant a referral to the DPP regarding a criminal prosecution.

**12. Recommendation:**

You must submit a recommendation on the potential for any further investigation, including the scope of any subsequent investigation eg; opportunity for DNA link, potential for Undercover Operative to be employed, witnesses to be reinterviewed due to change of circumstances. If you recommend that further investigation should take place, list the most appropriate contact person should be listed.

**Recommendation:**

- From the TIMS record converted to e@glei, it is apparent a mobile phone was identified as being subscribed by Sandra DURWARD. This number is [REDACTED]. It is not clear whether CCR's or RCCR's were ever ordered for this number, nor the date of connection for this service. Attempts should be made to carry out these enquiries for the weekend of the murder, as she was seen and heard talking on her mobile phone whilst at Maisy's Café.
- There are numerous exhibits currently on hand at Maroubra which should be submitted to DAL for a trace DNA examination to take place. It would be necessary to seek advice from the lab as to which exhibits would be suitable. According to Forensic Biologist Vivien BEILBY, it appears that the label from the tin of plums and swabs taken from the broken plate and the deceased's fingernails have been retained for that purpose. A request to examine those items should be submitted. A cigarette butt retained from the scene should also be submitted. Due to the fact a fingerprint was located on a breast implant at the crime scene, this item should also be submitted to DAL as a matter of priority.
- It does not appear that DURWARD has come under police notice since this investigation. It is difficult to contemplate the re-investigation of DURWARD without having the knowledge of her evidence and cross-examination at inquest. It would be necessary to consult the Coroner Mr ABERNATHY who heard the inquest as he would be in the best position to provide the necessary information relating to DURWARD's evidence.
- It does not appear that a DNA sample has ever been obtained from DURWARD. [REDACTED]
- The current relationship between David THWAITES and DURWARD is not known. THWAITES has come under police notice for domestic violence matters involving another female. His involvement with Mental Health centres is also documented. Keeping in mind his current mental health and what relationship he now maintains with DURWARD, it would be beneficial to canvass with him issues relating to the alibi he previously provided DURWARD. His previous alibi was not considered entirely reliable due to his alcohol addiction and relationship with DURWARD.

**ANNEXURE A**  
**Exhibits located**

Exhibit	Location (exhibit No.)	Previous Examinations	Status
Clothing (blood stained t shirt, bra, underpants, & skirt) worn by deceased, various samples, swabs and smears obtained during P.M	Previously A20716 & A20717 Sydney Crime Scene Now at Maroubra P/S C432651		On hand at Maroubra
Address book, wallet and contents & letters	C419169 (Maroubra)	Ninhydrin	As above
Various papers, envelopes, Christmas cards	C419170 (Maroubra)	Ninhydrin	As above
Photographs, prescription, letters, various medicinal bottles, pill packets, Christmas card	C419171 (Maroubra)	Ninhydrin	As above
Bangles, Christmas cards, wrapped Christmas present, broken plate, 2 x artificial breast implants, spectacles, miscellaneous papers, can of plums	C419172 (Maroubra)	Ninhydrin	As above <b>PRINTS LOCATED ON BREAST IMPLANT HAVE NOT BEEN IDENTIFIED</b>
Various papers, laptop computer, bangles, necklace with "D" pendant, letters	C419173 (Maroubra)	Ninhydrin, computer to STIB	As above, laptop returned to family
Various letters & envelopes, advertising brochures	C419174 (Maroubra)	Ninhydrin	As above
Envelopes, Christmas paper, medicinal boxes, newspaper liftouts, Westpac bank statement documents	C419175 (Maroubra)	Ninhydrin	As above
Magazine, envelopes, business cards, bank records, miscellaneous papers, handbag, paperclips	C419176 (Maroubra)	All ninhydrin except for paperclips	As above
Papers, envelopes, diary, address book, manicure set	C419177	Ninhydrin	As above

Glasses case and clip on shades, batteries, cosmetics, hairbrush, pen ink canister, rubber bands	C419178	All items ninhydrin except for batteries, eye pencil sharpener & rubber bands	As above
Cigarette butt, empty can of plums, pink rubber glove	C419179 (Maroubra)	Ninhydrin	As above
Answering machine	C419183 (Maroubra)	Not examined	As above

### **REVIEWER'S CERTIFICATION**

I certify that the review has been conducted thoroughly and I have accessed all available documents and exhibits. I understand that I will not be involved in any investigation arising out of my recommendations.

Signature:

Name: Natalie Barr  
Rank: Detective Senior Constable  
LAC: Unsolved Homicide Team  
Date: 6<sup>th</sup> May 2004

### **CO-ORDINATOR'S CERTIFICATION**

I certify that sufficient time and opportunity has been provided to the case reviewer to conduct the attached review. I am satisfied that the reviewer has accessed available documentation and agree with their recommendations.

Signature:

Name:

Rank:

Position:

LAC:

Date: