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NEW SOUTH WALES STATE CORONER'S COURT

STATE CORONER: J ABERNETHY

THURSDAY 18 NOVEMBER 1999

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INQUEST INTO THE DEATH OF DAVID SAMUEL ROSE

PART HEARD

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RADZIETA: Thank you your Worship, I have one further witness to call in relation to the death of Mr David Rose, David Thwaites.

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CORONER: Yes, this inquest was reconvened of course yesterday for Mr Thwaites, who let us know after 12 o'clock that he was a little late. Well unfortunately the world doesn't wait for you Mr Thwaites. And why were you late this morning?

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THWAITES: Yeah, I apologise--

CORONER: I was there when my clerk told you "Be here at 10". We've had to put another matter in, keep people waiting round, don't you care?

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THWAITES: No, I do actually it's - I could explain it if you want me to, yeah.

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CORONER: Don't bother, you're here now and we'll hear the evidence.

<DAVID JOHN THWAITES (11.40AM)
SWORN AND EXAMINED

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RADZIETA: Q. Your full name?

A. David John Thwaites.

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Q. Whereabouts are you living at now?

A. [REDACTED]

Q. And your occupation?

A. I'm working as a market researcher at the moment. I normally work as a proof reader sub editor.

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Q. Prior to the Court commencing I showed you a three page document which was your statement. If I just show you a copy again.

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RADZIETA: That's a copy of the original which is part of the exhibit your Worship.

Q. Now that's your statement?

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A. Yeah, that's right.

Q. Your signature appears at the bottom of each of those pages?

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A. Yeah, that's right.

Q. Is there anything on that statement you'd like to add to or delete from?

A. The main thing I'd like to add is that at the time the
detectives who were interviewing me seemed very keen to know
whether I could confirm the date of the meeting, and at the
time I couldn't, you know, totally with confidence confirm
it. I was reading a journal, I kept a journal at that
period of time where, a daily journal, and I was reading it
a month later, or some time later anyway, and I was able to
confirm, to myself at any rate, that it was December 20,
because I made reference to a few other things I did that
day. So that's the main thing I'd like to add.

Q. And you say it's a true and correct statement?

A. Yeah, everything in there is true.

Q. And that's the evidence you'd wish to adhere to
regarding your statement?

A. Yes.

Q. You made mention a short time ago about the journal,
where's that journal now?

A. I didn't actually bring it with me.

Q. Is it in your bag?

A. Yeah, it is actually, yeah.

RADZIETA: Perhaps we might have a look at that your
Worship.

CORONER: Bring the bag up to him if you could.

RADZIETA: Q. It's up the back is it?

A. Yeah, on the chair.

Q. You might have a look for it thanks and if you'd just
produce it to the Court.

A. It doesn't make any reference to specifically--

CORONER: No, no, that's all right, I understand that, you
used it to aid your memory.

WITNESS: Yeah, right.

CORONER: We'd just ask you to just show us what entries
helped you to remember.

WITNESS: Yeah, I'll just find the relevant - do you want
the relevant pages?

CORONER: Yes please.

CORONER: Q. What was it in that page that enabled you to
realise that it was 20 December?

A. Well there's a couple of things. I went to an NA
meeting after leaving her and I had a very significant
conversation after that meeting with two people that were at

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the meeting, we went and had coffee and I talked to them for about an hour and a half. And I make, you know, an extensive reference to that in that entry. I also refer to the fact - well that would've been enough in itself but I refer to the fact that I'd been to an AA meeting earlier that day as well.

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RADZIETA: Q. Is there something within the journal that, other than writing that you were at an AA meeting, where Sandra Durwood was present?

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A. On that day?

Q. Yeah?

A. No, there's absolutely nothing to indicate that. All it did was enable me to confirm that was the day I met her.

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CORONER: Q. And the fact that the NA meeting after the AA meeting, I think you said?

A. Mm.

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Q. You recollected having the two on the one day, is that what it was?

A. Yeah, definitely, because I mentioned in - no, I don't mention in my statement actually but I remember when I left her saying to her "I'm going to be late for my meeting" and I was - I got a bus straight from Neutral Bay to the meeting.

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Q. What time was the meeting due to start?

A. Half past four.

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Q. So the NA meeting was 4.30, did you get there late or on time or--

A. No, I got there slightly late, I mean that's another thing now that you mention it, there's no actual reference to actual times in that, but I would've left her around about four, because I remember specifically thinking if a bus comes soon, which it did, I'd probably be about 15, 20 minutes late for the meeting, which I was, I was slightly late, probably about 15 minutes late.

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Q. So your best evidence, the best of your recollection with the help of the journal, is that you would have left her at about 4pm?

A. Well actually no I didn't, I didn't need the journal to determine when I left her because I could've told the police that two years ago, if I'd thought through actual times. In fact I mean, and this is going to your earlier question if I may, I would've left the AA meeting at 1.30, because they go for an hour and a half, which means I was with her from well at least 1.30 till four. That's possibly relevant.

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Q. Did you see her at the AA meeting?

A. Yeah, I mentioned that in the - I wondered whether I mentioned it in the statement, I can't confirm that she was actually at the meeting because when I got there she hadn't arrived and I sat up the front and didn't go out for the course of the meeting and when the meeting ended I got up and turned around and she was talking to some people up the

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back of the room. And I couldn't remember whether I'd asked her how long she'd been there but apparently - because it was two years ago, but apparently in my statement I did ask her and she said she'd been there for a while. But no, I didn't see her at the meeting till at the end.

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RADZIETA: Q. Just to confirm, you're saying you referred to a journal to indicate that Miss Durwood was present at your AA meeting, and you said it was in December, and that would've been 1997, is that correct?

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A. Yeah.

Q. Now I'm curious because the - correct me if that's the entry you've pointed me to as to refreshing your memory, is that right?

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A. Yep.

Q. And is it dated there Saturday--

A. December 20.

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Q. Is that December, it looks like April?

A. Well that's just my writing but I mean if you look at the previous entry it looks a lot clearer as being December 14. So, I suppose I could've--

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Q. True, that says December 14 but this is a week afterwards and then here it looks like - it doesn't look like - it could be December, it could be April, it also says 20th, Saturday 20th?

A. Yeah.

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Q. Would that be the correct date?

A. The correct date for--

Q. Yes, when you went to this AA meeting?

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A. Yeah, it was Saturday December 20 1997, yeah.

Q. Is it each time that you go to an AA meeting that you would make a diary entry?

A. No, it doesn't really relate to going to a meeting. The rehab I went through Phoenix at Manly Hospital one of the tools they teach us to have an effective recovery is to try and keep a daily journal, so it wasn't actually - I mean I was doing ten meetings a week, it wasn't that relevant that I'd gone to an AA meeting, it was just part and parcel of my daily routine, or my attempted daily routine, because you can see there I didn't do it every day.

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Q. No, I was just about to ask you in relation to it, they range from December 11 to 14th, is that is December, 20th.

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CORONER: What is the next entry?

RADZIETA: The next entry that follows is 28th.

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CORONER: Q. So what you're saying - are you able to say that journal is in fact a diary which you entered chronologically?

A. Yeah, I was going to mention the next entry would also

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have, you know, be chronological. Yeah, it's chronological, yeah.

Q. So you certainly haven't jumped around or--

A. No, no, well I mean the way it works is, you know, we're supposed to do it daily, that's the suggestion. 5

Q. I understand.

A. So yeah, I - it's-- 10

Q. What we want to know is to make sure the journal is authentic and that the entry is authentic, and that is what the questions are going to. So you're saying that you'd have entered it page by page by page as the days or weeks went by? 15

A. That's right, yeah.

RADZIETA: Q. Was it on most occasions that you attended these AA meetings that Sandra Durwood would be there?

A. No, as a matter of fact we didn't do that many meetings together. I mean I was in a halfway where I had to do at least ten a week, she was working and doing various other things. I don't know that she did that many meetings, I know she used to do a 7 o'clock meeting in The Rocks fairly regularly but-- 20 25

Q. It wasn't where you'd go together often?

A. No, no.

Q. And on this occasion can I phrase it as being out of the blue that she phoned you to find what you were doing and the conversation turned to the AA meeting you were going to at Neutral Bay? 30

A. No, I wouldn't say she phoned me out of the blue. We had a fair bit of phone contact while I was in a halfway. Because you see we'd just been in Phoenix together, we'd come out of Phoenix and she went into a halfway and I went into a halfway, and she got asked to leave and - so we were still fairly connected, only having been out of the rehab for two or three months, so we had a fair bit of phone contact, so no, it wasn't out of the blue. 35 40

Q. If you'd just make reference, if I could just refer to a point in this diary entry you made here, the ninth line down, I think it says "The girl we were something off AA and a pain she had in her head had gone", is that referring to Sandra, if I can just point it to you? 45

A. Yeah--

Q. Who does that diary entry refer to? 50

A. Well as I said I went - after the NA meeting I went - had coffee with two people, one of them was a man, one was a girl. That's a reference to the conversation that took place after the NA meeting when she was - well yeah, she was saying she was at an - she was - well I won't go into what she was talking about but that's who it was, yeah. 55

CORONER: Q. Nothing to do with Sandra Durwood?

A. No, not related at all.

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RADZIETA: Q. Now from your statement as I recall you were at the AA meeting pretty well on time, it was on from 12 to 1.30?

A. I remember when I spoke to her, that's why I - that's another thing which - there's no time related to our phone call in the morning but I remember that I knew that if I didn't leave soon after the phone call I'd be late so it's possible she rang me around about, well between 10.30 and 11.30, and - whether it's relevant or not - and I think I was about 15 minutes late. 5 10

Q. And Sandra wasn't there then when you were there?

A. No.

Q. But you certainly turned around at the end of the meeting and she was there? 15

A. Yeah.

Q. And you can't say what time actually Sandra had arrived at that meeting? 20

A. I can't confirm that at all, no.

Q. Now you said "I originally thought she must've only just got there but when I spoke to her she said she had been there for a while.", that's on paragraph 7, page 2. What put that thought into your mind? 25

A. Yeah well I've been thinking about that and when I turned around she was only just inside the entrance to that particular room. Her body language just gave me the impression she'd just walked in. And it was, you know, it was mainly the fact that it's not as if I turned around and she looked like she'd just gotten up from a chair, she was standing at the door. It just didn't fit with the fact that she'd been there for a while. 30 35

Q. How many people were at this AA meeting at the time, this is December 20 '97?

A. It's usually pretty full that meeting, so it probably would've been about sixty people roughly. 40

Q. And the seating arrangements when you walk in, it's not like a horseshoe effect where everyone can sit at tables and virtually see everyone conversing in any way?

A. No, the seats are in rows so, yeah, like for example if you sit at the front, as I did, I wouldn't know what was going on behind me. 45

CORONER: Q. So really she could've come in at any time after you and you just wouldn't know?

A. That's right, yeah. 50

Q. It just appeared to you that she might've got there late, at the end, but you just can't say?

A. No, there's - no, she may well have been there the whole time, I just got the impression that she might've just arrived. 55

Q. And when you got there did you manage to have a seat?

A. Did I sorry?

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Q. Did you manage to have a seat?

A. Yeah, yeah.

Q. And whereabouts were you, if there's rows of seats, some fifty to sixty people, whereabouts were you? 5

A. Well it's divided into two halves, there's a walkway in the middle, so there's probably about thirty people on each half, and I sat on the left side of the room in about the second row I think.

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Q. Of the first or second half in that room?

CORONER: He was in the second row.

WITNESS: I was in the second row on the left hand side of the-- 15

CORONER: Q. Right near the front?

A. Yeah.

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RADZIETA: Q. And all the seats behind were taken I gather?

A. No, I couldn't confirm that, the meeting's usually full but - actually it's very - I'd never gone to that meeting and not got a seat, so there's usually still a few stray seats.

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Q. And you can't say what time Sandra actually got there, it could've been before 12, it could've been just on 1.30, you've got no knowledge of what time she got there?

A. Well she wasn't in the room when I got there because I had a look for her. 30

Q. And Sandra ever been to that meeting before as far as you know?

A. Well she was certainly aware that it existed but I don't think I ever had - I never went to that meeting with her so I don't know if she-- 35

Q. So there wasn't anyone there that was commonly known to you and Sandra who can confirm that day whether you were there and/or Sandra? 40

A. Well--

Q. Particularly Sandra?

A. Well there's two other people that were at that meeting that know Sandra as well, I thought about this too. It's mentioned in the statement, Clive and Peter. Now I don't know where they were sitting in that room, they may well be able to confirm that she was there during the meeting, but yeah, they both know her, particular Clive, both, you know, know Sandra as well as myself. 50

Q. And you can recall that they were present at that meeting that day?

A. Once again I couldn't say that I specifically saw them sitting at the meeting but they were there afterwards because we all went for coffee. 55

Q. And you couldn't positively say that it was December 20

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that you saw Sandra Durwood at that particular meeting?

A. No, I can positively say that.

Q. There's no reference of any person's names within that memo there?

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A. I'll tell you why this entry convinces me it was December 20.

Q. That you saw Sandra?

A. Yeah.

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Q. At Neutral Bay?

A. Yeah.

Q. Please continue?

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A. I mean there's a variety of things in this entry. I'm just trying to find something that would be the most convincing aspects.

Q. Just take your time, just make sure that's the right entry we're talking about.

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A. Well you see the way I do it I do the entry that night. The first line "I had a great talk with older members at a coffee shop." That took place on - well the day I left Sandra say I went to an NA meeting and had coffee with them that same day, so that took place on the same day.

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Q. And have you ever been to meetings with Sandra and had coffee at other AA meetings on different days and dates?

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CORONER: At Neutral Bay.

RADZIETA: Q. At Neutral Bay?

A. No, that's the only time I've been to that meeting with Sandra that I can recall. I have coffee - for what it's worth I have coffee with a lot of people after meetings. This is a very - one of the reasons I wrote this in my diary is because I had a very significant, specific discussion with these two people about something.

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Q. These two people you're referring to are?

A. These are the two people I had coffee--

CORONER: Q. At the NA meeting not the AA meeting?

A. Yeah, after the NA meeting, that's right. So it was a very significant conversation about stuff that I was working through at the time. So, you know, that's why my memory of it's so clear, it wasn't just, you know, another two people I happened to have coffee with, and that's why I'm actually certain it was the same day that I saw Sandra at the Neutral Bay meeting.

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RADZIETA: Q. Is there anything in that diary now that you say refreshes your memory to put Sandra at that meeting on that day?

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A. Actually in the meeting? Or--

Q. You made mention that you - well at the meeting or that day you saw her--

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A. That I saw her that day?

Q. --in the Neutral Bay area?

A. Yeah. Well this is the reference to, I mean, you know, as I said before there's no reference to Sandra in this entry, but this is the reference to the actual AA meeting. I say here "At the AA meeting I was at today it was a room full of people", blah, blah, blah, and then I go on to describe, you know, what effect the meeting had on me. You know whether - that doesn't specifically - I'm sorry, I'm trying to work something out here, because I know that's the AA meeting I'm referring to. The actual words I suppose don't connect--

CORONER: Q. But you link it in with the NA meeting you went to later you said, that's what enables you to remember?

A. Yeah, yeah, yeah, that's right, I know that's the AA meeting because--

Q. I mean it must've only been once or twice is it that you've wandered around the streets of Neutral Bay with Sandra Durwood, which is what you say you did on that day?

A. Mm.

Q. Have you ever done that before?

A. No, no.

Q. Or after?

A. No. Well I think that's the whole thing, I mean the events that took place that day are so specific.

Q. That's the thing, a singular set of events--

A. Yeah.

Q. --involving her took place at Neutral Bay on a day and what you've used your diary to do is to remind yourself that it was that day?

A. Mm.

Q. And you've done that by relating back to these other people and having to leave - and getting late to the AA meeting and leaving Durwood to get there, is that basically the way - what you're trying to say?

A. The key factor that confirms that all these events took place on 20th in my mind is the conversation I had with the two people after the NA meeting at a coffee shop. I'm not sure what you said about leaving her or being late or early, I mean I don't refer to any of that in here.

Q. No, I know that, you stated that to the police--

A. Yeah.

Q. --in your statement, which was made not long after the event of course. Can I ask you this, have you been - were you basically sober between that day, the day you wrote that journal entry, and 29 January when you spoke to the police?

A. Yeah, I was clean and sober that whole time.

Q. And is there any impairment of your memory and faculties

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as a result of the alcohol or--

A. Well not that I'm aware of. I mean I'd say no, I mean my memory seems to work reasonably well.

RADZIETA: Q. And what about, were you using illicit drug substances about that time, or prior to going to these NA and AA meetings? 5

A. How long prior?

Q. Months prior, years prior? 10

A. Well I mean the reason I was in a drug and alcohol program Phoenix is because I did use drugs and alcohol, but in terms of around this time frame I was about - well I was about five and a half months clean on February 4 so--

Q. And had these illicit drugs in any way affected your memory after the time you stopped till you were going to these NA and AA meetings? 15

A. Well once again not that I'm aware of, I don't think so, my memory of-- 20

Q. Perhaps at this stage if I ask that that entry for December 20 if it's ..(not transcribable).. be tendered for your Worship's benefit, you can get that back. 25

CORONER: Yes, it can be copied.

RADZIETA: Q. Do you have any objection to that?

A. No, not at all. 30

CORONER: Q. So you're able to say that you can only recollect one day that you were in the Neutral Bay area, you know, involved with AA and NA and so forth with Sandra Durwood?

A. That's right. 35

Q. Are you able to say that you clearly remember having coffee with her at Neutral Bay after an AA meeting and with a couple of other friends?

A. Yeah, I've absolutely no doubt that one December 20 that those events took place and I had coffee, I saw her at the end of the meeting and we walked through the streets of Neutral Bay. 40

Q. You recall walking around and do you recall her making a telephone call? 45

A. Yeah, when we were in Macy's apparently--

Q. Macy's?

A. Macy's, the coffee shop we went to, that the girl she was living with apparently her daughter had gone missing that morning and she made one, maybe even two, phone calls from Macy's to see what was happening. 50

RADZIETA: Q. During that time that you were with her after the AA meeting and walking around Neutral Bay until she left did Sandra make any other phone calls on her mobile? 55

A. To be perfectly honest I don't remember if she had a mobile but--

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Q. What about public phones?

A. No, she didn't go - she didn't make any phone calls at a public phone. I don't recall her making any phone calls on a mobile phone either.

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Q. And how was Miss Durwood when she was with you at the time, was she at any stage apprehensive or panicky in any way?

A. Well I've been thinking about her state, you know, in the last couple of weeks. My memory is pretty clear on it, I mean around that time I was spending a fair bit of time with her because as I said we, well not only were we in Phoenix together I met her initially at Herbert Street detox, so we started our recovery together. And the way that works is, you know, there's this sort of bonding that goes on and people like support each other et cetera, et cetera. So I actually spent a lot of time with her in the three or four months prior to that day and she really seemed exactly the same as she always did, you know. We laughed a lot, we had a similar sense of humour, and she seemed quite relaxed and she didn't seem any different. She didn't seem stressed, she didn't seem - she just didn't seem any different.

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Q. Well did her demeanour appear to you that she was under the influence of alcohol and/or a drug at that time at Neutral Bay?

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A. No, no, definitely not, she seemed quite sober to me.

Q. And she seemed - there didn't seem anything out of the normal as far as her normal appearance and demeanour would be?

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A. Absolutely nothing, she seemed quite relaxed.

Q. Are you saying she wasn't panic stricken at that time at Neutral Bay?

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A. No, I mean, you know, I've seen her in stressful states, if anything she seemed very, very relaxed that day. She was quite happy, she was making a lot of jokes, about the place she worked at, you know, just jokes in general, you know. No, she seemed quite happy.

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Q. So it wasn't the situation she'd that day left where she was living at in the St Marys area or her employ, and it wouldn't be correct to say that she was under the influence of alcohol in any way?

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A. Sorry, could you repeat that?

Q. If on the day she'd left the St Marys area where she was living at it wouldn't be correct to say that she was under the influence of alcohol when you saw her?

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A. It wouldn't be correct to?

Q. No?

A. How does it relate to leaving St Marys?

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Q. Well when you saw her--

A. You asked me before--

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Q. Yeah, if she left the St Marys area to go and see you--
A. Yeah.

Q. --there was no traces that you saw of her having abused alcohol that day or anything like that?

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A. Sorry, I'm a bit confused, you asked me before if she was sober, I said yes, how is St Marys--

Q. So if she left St Marys on that day--

A. I don't know if she left St Marys.

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Q. Well I'm saying as a scenario if she left St Marys on that day and had been drinking--

A. Yeah.

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Q. --and saw you some hours later at Neutral Bay there's nothing there that you saw of her abusing alcohol or any other substance?

CORONER: Q. You saw no signs of it?

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A. Well no, no, if she'd been drinking earlier and hadn't drunk for a couple of hours I still didn't observe anything.

RADZIETA: Q. And this bonding process you went through with Sandra of going through the detox are there times there where she would appear to be perfectly normal and yet she was still under the influence of drugs and or alcohol?

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You've been out socially or somewhere like that you know possibly she's had an alcoholic beverage of some kind?

A. Well I wouldn't be able to tell at the time that she appeared normal but actually, you know, she was under the influence or something. But I will say that other people -

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but, you know, this is just other people's perception as well, some people have said to me "Oh I think she's", you know, because sometimes people speculate about who may or may not have used drugs and busted and all the rest of it, some people have said "Oh", you know, "I think she's been drinking", and I would say "Well she seems perfectly normal to me.". My sense of smell is not particularly good so I can't smell alcohol too well. But you know, I mean I spent four hours with her that day and, you know, I used to drink a bit myself, and she didn't - if she was under the influence of anything it would have to be extremely mild, let's put it that way.

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CORONER: Q. Can you remember the circumstances as to how you came to separate that day?

A. Yeah, we were - we ended up sitting on a fence in Neutral Bay and--

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Q. What in Military Road or in a side street?

A. No, it was a side street, we were just sort of wandering aimlessly because we were just busy catching up and it was a nice sunny day. And then I said something to the effect of, you know, I had to get to this meeting, and I think she said she was late for work or whatever, but, so we walked up to Military Road. I waited at the bus stop with her for a while and then she decided that she was going to be late - she was intended to get a bus, and then she decided that she

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wouldn't have time so she hailed a taxi. I don't know if I mentioned it in the statement but she did say to me that she was on her way to a shift at work at St Marys, and I don't remember whether she said she was going to - I remember asking her "Are you going to get a taxi all the way to St Marys?" and I have some vague recollection that she said she might be just getting it into the city and then getting a bus, but sorry, I don't know, but anyway. So she got into the taxi--

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Q. She got into a cab?

A. You know, I saw her get into the cab and the cab drove off.

RADZIETA: Q. In the time that you've known Miss Durwood have you ever known her to go through - to be prone to violence at times, especially when she was drinking alcohol?

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A. Well during the period that I knew her, because we'd been - we were in Phoenix and then she was in halfway for a while, I didn't see her under the influence of alcohol.

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Q. Never seen her violent otherwise then?

A. No, she seemed quite - well actually to my perception of things she seemed a fairly gentle sort of person actually. But under the influence of alcohol I don't know, obviously people change their behaviour, but I never saw her under the influence of alcohol to my knowledge.

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Q. Had she ever said to you after the time you've made mention after Neutral Bay you'd spoken to her had she ever made mention to you that "Maybe I did kill him", or words to that effect, or "Maybe I had one of these blackouts and I can't remember", and we're referring to David Rose here?

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A. Yeah, I read that article in The Telegraph, or someone showed it to me, and I was wondering - I did get to my mind what statement she might've made to that effect and for what it's worth, you know, she refers to her inappropriate sense of humour, I'd like to confirm she does that all the time, she often makes - black humour is one of the things that she, you know, indulges in from time to time. But no, I don't recall her saying anything. She would talk about the case quite a bit and the only recollection I have is that she was quite stressed by the fact that he had died, and quite stressed by, you know, the invasion that was taking place at her work place, you know, not invasion but, you know, the investigation was stressing her as well.

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Q. Did she say at any stage that if it wasn't her she may know who committed the crime?

A. No, she never mentioned anyone, the only reference to that was, you know, she told me that she had some information on somebody which she, you know, well I presume she must've suspected. She didn't - I don't recall her saying to me she suspected this person, she just recounted the story she went to the police one day with this information that she thought might be of value and might held them solve the case, and that's when the whole thing, all the focus turned on her because, you know, she was suddenly interviewed et cetera, et cetera, and some of her

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answers weren't consistent.

Q. Are you able to tell the Coroner as to information as to who may have taken David Rose's life?

A. Well my life and Sandra's life are really only connected to the extent that we were in Herbert Street and Phoenix together. I remember her referring to this guy actually, when we were in Phoenix she said "This guy might be visiting me" and she warned me that, you know, he would look a bit unusual and, you know, he's a really good friend of hers and quite a character, et cetera. Apparently he did visit while I was up at Phoenix, I never saw him actually, and - but, no, in terms of what goes on in Sandra's life beyond recovery based stuff I don't know any of her friends and I certainly have no idea who might have killed David Rose, no.

Q. Now when you say Sandra left by taxi possibly to the city then caught a train or another mode of transport, when you parted company from Neutral Bay you're only assuming that Sandra had gone straight to St Marys at that time?

A. Well no, as I said I wasn't sure when she left whether she was - I can't remember whether she said she was going to the city and then going to get a bus, or whether she was going straight to St Marys. So when the taxi left I didn't know where she was going, except that she said she was ultimately going to St Marys for work.

Q. And at the time that she spoke to you saying "I need you", or words to the effect of, these are my words, "I'd like to have you as my alibi for the AA meeting at Neutral Bay" how was she then, was she panic stricken?

A. I don't know about panic stricken but she was definitely, you know, feeling stress as a result of the whole situation. The way she sort of put it to me from what I can remember is, you know, there was stress - she was obviously stressed but she was, you know--

CORONER: Q. She would've said "They think I did it" wouldn't she, something like that?

A. Say it again?

Q. She'd have said something like "They think I did it", something like that, surely?

A. Mm. I don't--

Q. There's nothing wrong with that.

A. No, no, I know, I'm just trying to remember how it happened.

Q. It's the sort of thing she'd probably say isn't it?

A. It would seem logical. Sandra often talked around things.

Q. Did she?

A. I don't know if she ever actually said "They think I did it". She just would describe the circumstances that were happening, "They're doing this", "The police are doing this", I don't recall her being that direct but--

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RADZIETA: Q. And your statement was given about a month and almost two weeks after the incident. This is - if I could just say your statement is dated 29 January 1998, so towards the end of January last year, and the death occurred about mid December 1997, and you seem to make some detailed notes in relation to your various meetings that you attend, correct? 5

A. Not specifically in relation to meetings just what happened that day. 10

Q. Well what happened that day, and--

A. Sorry, I'm just trying to be specific.

Q. No, that's fine, if I need be corrected certainly do so.

A. Yeah. 15

Q. And at the time you made the statement there wasn't any mention made to police about a diary entry for December 20 1997?

A. No. 20

Q. And your memory hadn't been playing up on you up until the time of the Neutral Bay incident or when you were spoken to by police on 29 January?

A. No. 25

Q. And was there a reason why you didn't tell the police at the time you had a statement obtained by them as to "I've made a diary entry on that day", or "I'm pretty sure I have, it's part of my routine to make, if I can, daily diary entries about what I did that day."?

A. Well in terms of the daily entries I've never been very good at making them daily, so as a separate thing I couldn't have said to them "Well I always make an entry so I could go check that day", that didn't even come into my mind. And when they came round that morning I wasn't expecting them, you know, and I was making this statement within half an hour. Not that that's necessarily relevant. I think the main answer to your question is that this whole diary thing didn't come into my thinking at all, I wouldn't - and if it did I wouldn't have known whether I'd made an entry on that day and I wouldn't have known what I'd written on that day. The only reason it even came into mind later is because, you know, I regularly, well at the time I would go back and see what I'd written, which is also part of the recovery process because you're supposed to sort of see how things are going. So it was pure chance that I was reading this particular entry one night and realised that that could confirm that it was 20 December. 30 35 40 45 50

Q. And I noted when you were flipping through the book itself there are not diary entries throughout that book, it stops at a certain date?

A. Yes, it certainly does. Sorry, that was a private thing. 55

Q. It certainly does, yeah, tell me what date did you last record?

A. You mean I haven't finished the--

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Q. Yeah, what was the last date you recorded?

A. I was looking through this last night actually, it's quite - yeah, well I stopped primarily because I busted - for the record I'm seven and a half months clean now, but I busted at five and a half months clean and as a result my life became unmanageable again and I stopped making entries, but yeah, the last entry is Saturday June 14.

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CORONER: Q. That co-incides about the time you got back on the grog?

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A. No, well February 4, I made a few more entries, but they were very sporadic, June 14 was my last--

RADZIETA: Q. What was that last one, entry?

A. June 14.

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Q. 1998 I take it?

A. 1998, yep.

Q. And prior to that you commenced that diary when?

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A. I started it when I was in the Phoenix.

Q. What's the first date of that - or the date on the first page?

A. I haven't dated the first page, I've just got Sunday September.

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Q. Following that is there a page there where it is dated? Nothing on the second or the third?

A. You want the first--

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Q. --the fourth, yeah?

A. The first date I've got here is September 29.

Q. And that would be 1997 I would presume?

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A. That's '97, yeah.

Q. Did Sandra say when she saw you at Neutral Bay that she needed to find accommodation, and this is December 20 1997?

A. No, I can specifically recall accommodation wasn't an issue, I think she was - I think when we were in Macy's she looked through the job section, but I don't - well I don't recall, no. I won't specifically say she didn't but I don't recall.

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Q. So she could've been going through areas of finding accommodation in the newspaper?

A. That's possible.

Q. Had you met Mr David Rose before?

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A. If I could just add one thing to that, the reason I initially said I don't think so is because it wasn't an issue that seemed like she - from what I can remember she seemed - things seemed to be going well where she was living, the only problem there was that the daughter had disappeared but, and yeah, she may have mentioned accommodation, I can't remember. Sorry, what was your other question?

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Q. Had you met Mr David Rose before?

A. No, I - before?

Q. This date, 20 December 1997. You said you met him at Phoenix--

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A. No, I didn't meet him--

Q. He called in at Phoenix, I beg your pardon.

CORONER: No, he didn't.

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WITNESS: I didn't meet him at Phoenix. She mentioned him at Phoenix, that he would be visiting I think in a couple of days and - in fact I don't even know if he did end up visiting, but I didn't see him while I was in Phoenix, no.

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RADZIETA: Q. Had you ever met him?

A. No, I never met him, no.

Q. Ever become aware of where he was living at in the Kensington area?

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A. Apart from her reference to him in Phoenix I don't think she ever referred to him again, so I had no idea of where he lived or anything, no.

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Q. Now how soon afterwards of this AA meeting at Neutral Bay had Sandra phoned you to inform you of the death? Weeks later, months later?

A. No, well I couldn't be very specific about that, it certainly wasn't months later.

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Q. Was it after Christmas of 1997?

A. I think there's a good chance it was after Christmas. You know, I know some time elapsed, I don't think I saw her for possibly a week, two weeks, two weeks after. We had a fair bit of phone contact but I didn't actually see her that often, or not as often as we had phone contact. I don't think I knew about it before Christmas, Christmas Day, I don't have any recollection of that, because I remember what I did on Christmas Day. I mean I can't completely confirm that, my memory's not that good, but I think there was a bit of time elapsed, maybe a couple of weeks.

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Q. Just one last question Mr Thwaites. It was about 4.30 or thereabouts when Sandra left the Neutral Bay area?

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A. I think it would've been a bit earlier than that, because as I said I actually calculated how late I'd be likely to be to the 4.30 meeting. I'd be more inclined to think it was around about four.

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CORONER: Q. Where was the AA meeting, what suburb?

A. Manly.

Q. So you were going east, she was going the opposite way?

A. Yeah. I just crossed the road - I get a 144 bus to Manly then walk up - or another bus up to the hospital or walk up or whatever, where the meeting's on at Manly Hospital.

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RADZIETA: I've got nothing further thank you your Worship.

CORONER: Well thanks for coming Mr Thwaites. Sorry we got off to a bad start but we don't just call people in as witnesses for the fun of it. You're very important in this case-- 5

WITNESS: Yeah, I know.

CORONER: --and it was absolutely essential that we see what you had to say and how you said it. You can step down. You can take your diary, we've made copies of the page, we're only interested in the page. 10

WITNESS: All right. 15

<WITNESS RETIRED

CORONER: And I think that's the only evidence I can usefully call in this case, I think. 20

RADZIETA: I've got no further witnesses or evidence to call at this point in time your Worship.

CORONER: All right, I'll give a decision in a moment. Is there anything you want to say to us Mr and Mrs Rose? 25

MR ROSE: Well there's just a small paper that I'd like to read, I mean-- 30

CORONER: Yes.

RADZIETA: Just come forward Mr Rose to one of the microphones. 35

CORONER: You can either read it or you can tender it and I'll read it, whichever you like.

MR ROSE: I don't mind just reading it, it's not very long. 40

CORONER: Okay.

MR ROSE: I find it difficult still to realise that David is dead. I go to the city quite often and every now and again I think that I see him sort of coming round a corner. He had an unusual straw hat that he used to wear and he always had a radio on his belt, but when I turn round it's always someone else who is walking about, and I think that's possibly because I just find difficulty in accepting the fact that he won't ever be there again. He had an unconventional lifestyle but really he was a very sincere and caring person. 50

CORONER: Obviously. 55

MR ROSE: And I know he cared about his grandmother who lived in New Zealand, his parents and his brother, and he felt very much responsible for anyone who was less fortunate than himself. And I didn't realise just how much he did to

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help until we received lots and lots of mail from people whom he'd met and whose life he'd touched that we really had a tremendous response. And he did lots of things, he - one of his most valued possessions was a certificate from the Red Cross Blood Bank as a special donor because he gave as often as they would allow him to do so. He was a loyal and industrious and popular employee and his association with radio dated back to his early university days, and it became his favourite hobby, almost an obsession, and it gave, I'm sure, as much pleasure to his listeners and to those he worked with as it did to himself. And his employees and associates have shown their appreciation and respect for him in some very appropriate ways. The bank employees put together and donated a seat in the Botanical Gardens with a plaque just to show that, you know, they knew him and they liked him very much. The radio stations 2SR and 2RPH have established an annual award in his name for people learning to use radio technology. To me he was a friend and someone to whom I could turn and get an honest and frank opinion. He was, as far as his family is concerned he was very frank and forward in giving whatever opinion we asked of him. He was very independent and he accepted no charity from anyone, although he did in fact give charity to lots of organisations. He was so independent that if he needed something he made sure that he could provide it himself. He learned how to make his own clothes and when his radio and television played up he actually took a trades course in radio and television so that he could fix it. To my wife, myself he'll always be the boy we knew as a child and saw grow up to manhood. We'll never forget him. And I feel sure that if there were more David Roses in this world that it would be a better place.

CORONER: There's no doubt about that.

MR ROSE: Lastly Beth and I would like to thank the officers of the New South Wales Police Force who carried out their task with compassion and respect. And I also want to thank John Merrick. He's not here but he gave a lot of his personal time and professional help with the trauma of David's death. And I would like also to thank the Court for its endeavour in attempting to find a reason for the tragedy and see that it was all carried out efficiently with as little distress to Beth and Ian and me as is possible. And I just thank you all for your help and thoughtfulness at this time.

CORONER: Thanks Mr Rose. I'll give a decision in the next half hour ladies and gentlemen.

MRS ROSE: May I just say something.

CORONER: Yes Mrs Rose.

MRS ROSE: Your Worship Max has already expressed many of my sentiments, however I would like to thank our many friends who have stood by us throughout this terrible ordeal. Our son Ian, despite his anguish at losing the brother he loved so dearly, has been a tower of strength. A big thank you

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must go to our very dear friend Adrian who has been at our side constantly and is even now sitting in this Courtroom. My friends Ula and John, counsellors at the Department of Forensic Science have kept me reasonably sane and I thank them very much for their help. Lastly I'd like to address a word to the person responsible for this terrible deed. You may be congratulating yourself on having got away with it, however you will spend the rest of your miserable life looking over your shoulder and you can be sure that your deed will catch up with you one day. David was the most decent, honest and loving human being you could ever hope to meet and you not only abused his trust but took away his life. You will rot in hell.

CORONER: Thanks Mrs Rose. I'll be as quick as I can.

SHORT ADJOURNMENT

CORONER: The sister of Sandra Durwood has left the Court but I was going to put something on the record, that is Fiona Fearey, she to leave apparently. But she wrote in very distressed at the coverage of this matter by The Daily Telegraph on the last occasion, and she enclosed a copy of the article, which I have read, and I take her point, it is very distressing for people to read this sort of article. But I was going to explain to Miss Fearey that it must have been equally distressing for Mr and Mrs Rose. They have put up with it because they know that the press has to be used from time to time by the Coroner in an attempt to try to get leads in unsolved cases such as this one. So it is a matter of gritting one's teeth and putting up with it. Apparently Miss Durwood became very ill after all this and the sister was pretty upset about the way that, particularly the way the press coverage took place, not so much the way we grilled her in the witness box. But nevertheless it was a job that has to be done and it was done. Anyway we will send her a copy and perhaps a copy of the transcript - we might send her a copy of the transcript, that might be the best way.

David Rose, a well educated man, very well paid employment, also worked on a voluntary or part time with a community FM radio station where he would announce and train new staff members and volunteers. He was, by all accounts, a gentle, kind man who was also a very private man who was known as being security conscious. Though a cross dresser he was not believed to mix with the Oxford Street crowd, he was not believed to be homosexual.

Mr Rose resided on his own at [REDACTED] Addison Street, Kensington, a top floor unit, and when in his unit he would usually deadlock the front door and lock the security door. Further he would not usually unlock the front door until satisfied who his visitor was. He was ill from about the Tuesday 16 December 1997 with a virus and his family had no contact with him from about 10am on Saturday 20 December. They had attempted to contact him but it appeared that his phone was off the hook. They approached police on a concern for welfare basis. Police attended the unit with the family

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and noted that the security door was closed but unlocked, with a Christmas present between it and the main door, which was deadlocked. After getting no response police gained access through a sliding glass door which the deceased usually left open. They found him lying on his back on the floor in the kitchen, dead. A post mortem examination subsequently showed that he died of head injury. He had been bashed about the head. Police noted that the main door to the unit was deadlocked. They found a set of keys in the unit and unlocked it. Police investigations reveal that the deceased possessed a second set of keys which he had in the past given to various persons who had stayed at his home, often when he was overseas. These keys have never been located but it is likely that Mr Rose's assailant let him or herself out of the flat with these keys - and I should say possibly let him or herself into the flat with the keys, but certainly out of the flat. Whoever ended Mr Rose's life deadlocked the front door when leaving but did not lock the security door.

An extensive investigation has been conducted by police. There are persons of interest, one in particular, but this person has an alibi, or a virtual alibi. Nothing of a forensic nature was discovered which might link any particular person to the death. Fingerprints, for example, were of no assistance, though there was located one partial palm print. The identity of a person who did leave that has never been ascertained. In general terms because Mr Rose lived a quiet, unobtrusive life there were few friends and acquaintances for the police to look at.

My inquest commenced on 19 August 1999 and I looked at the brother of the deceased. There is not an iota of evidence that Ian Rose, or for that matter the parents, who are elderly, were in any way involved in his death. But as with all homicides, and when one keeps in mind the number, the percentage of homicides that are "in the family" everyone has to be looked at. In any event so we did look at Ian Rose, and indeed Mr and Mrs Rose. There is no evidence that they were in any way involved in his death, and I am satisfied they were not of course.

To the contrary there was concern about the deceased's health at about the time he became uncontactable. Ian Rose gave evidence and was, in my opinion, a witness of truth. He appeared to answer all questions fully and truthfully. He admitted that he spent much of the Saturday at his home alone. He indicated that he had not seen his brother since early December and had been discussing a joint gift for their parents for Hanaka, an important Jewish day of celebration. He indicated that he felt fairly neutral about his brother's cross dressing and only tended to suggest to him that he ought to tone it down when visiting mum and dad. His brother would say that what he did was his business and the issue was left at that. The Rose brothers dined with their parents most Friday evenings but on Friday 19 December 1997 David Rose did not, as he was unwell. Ian Rose knew his brother was unwell during the week and was quite anxious to finalise arrangements for the Hanaka gift with his

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brother. He rang David but was told that he would not be going to dinner on the Friday night as he was unwell. At the end of the day I am satisfied, as I say, there is not an iota of evidence going towards Ian Rose or any member of the family having anything to do with the death of David Rose. Significantly there is no motive in that regard. I am satisfied that the Rose family are a typical Jewish close family unit.

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It is very possible that another person not discovered by police committed this crime. As I say Mr Rose was a private man who may have had one or two friends unknown to either the family or other friends. It is probable that the person who killed him had been invited into the flat by David Rose or was in possession of a second set of keys, and I have no other rational explanation for the deadlocked main door of the unit. This person either had Rose's second set of keys or let him or herself into the flat and then left, relocking the main but not the security door, or was invited in by David Rose, killed him and took possession of the second set of keys in order to exit the unit. Perhaps the better explanation is that the person was probably already in possession of the second set of keys, but I am by no means confident that that is the case. Those keys have never been located. Police have been unable to establish in whose possession they were immediately prior to the death of David Rose if they were not in David Rose's possession.

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It is fair to say that the main person of interest is Sandra Durwood. Durwood was cross-examined at length by both Sergeant Radzieta and counsel for the family, and they did not mince words, and she was very, very distressed in the witness box. It is fair to say that Miss Durwood is also a very intelligent woman, she is however a recovering alcoholic and drug abuser. At about the time of death of Mr Rose she recollects she was drinking methylated spirits. She has memory of some events but says she cannot recollect other events which occurred over the weekend of 20 December 1997. Whether she is a witness of truth or a clever liar is very, very difficult to determine. I am able to say counsel was able to make virtually no inroads in their cross-examination of her. Sandra Durwood had stayed with the deceased at his unit on a number of occasions, either at the invitation of the deceased or when she had nowhere else to go because of her alcoholism David Rose would typically take her in, and everything that has been said in this Court points to a man who would do that sort of thing. And this was confirmed of course by Durwood's sister Fiona Fearey, a credible witness, and I believe a witness of the truth.

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Fearey, a married mother, lives on the peninsular and gave evidence that it is difficult not to accept. She confirmed her sister's acerbic sense of humour, she called it flippant, given to one liners, Durwood called it macabre and today Mr Thwaites spoke of black humour. She acknowledged her substantial problem at the time with alcoholism. She confirmed that she quite regularly spoke to Mr Rose - this is Fearey - about Sandra and that Mr Rose took her in from time to time, because she was a friend in need and because

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he felt he was able to give Fearey some respite from her sister. She painted a picture of her sister as a gentle person even when drunk. She had never known her to fly into a rage or become violent. Mr Thwaites has never seen her violent. Of course the thrust of Mrs Fearey's evidence is to render more credible the evidence of Sandra Durwood, and even if I do not fully accept the somewhat glowing picture painted by Fearey I have little evidence to the contrary. David Rose did indicate to others that for some reason he was scared of her, it seemed to be merely a comment he made in passing, "Be careful of her." 5 10

So whilst it may be that Durwood let herself into David Rose's unit or was admitted by him, perhaps on the basis that she was seeking a roof over her head, she denies it, and there is absolutely no evidence that she was near the unit on Saturday 20 December 1997. Of course there is no forensic evidence that she was there either, and as I have said she has told the Court of an alibi which virtually eliminates her if it is true. It does not eliminate her but it does make it more difficult. 15 20

The alibi revolves around the movements of the deceased on the afternoon of 20 December and one David Thwaites. The inquest was adjourned so that the alibi provided by Thwaites could be tested, and in essence, and according to Thwaites's statement, which I had on the last occasion, the pair say that they met in the early afternoon at Neutral Bay, attended an alcoholics anonymous meeting and then had coffee with others. Then they went for a long walk and talked before Durwood went into the city, either by bus or taxi, and caught a train to the far western suburbs where she clearly worked that night as a prostitute. If Thwaites, as I said, corroborates that basic version of events it is difficult to see Durwood getting out to Kensington, committing an unpre-meditated killing, as this almost certainly was, and getting herself out to the St Marys area to begin work at about 6.30. 25 30 35

Now Thwaites has now given evidence and been tested, and I have got to accept his evidence. He appeared a witness of truth and gave cogent reasons for being sure of the date first of all. In essence his evidence is basically as I set out earlier, except that he did not see Miss Durwood until about 1.30, after the meeting, and they parted about 4pm, she by taxi. She was either going by taxi, he says, to St Marys or to the city where she would obtain public transport. He certainly provided a partial alibi, though Durwood could have been at Kensington before the AA meeting or briefly after it. Now if we are looking at the period before the AA meeting Mr Thwaites (a) saw nothing in Durwood's demeanour at all which might lead to suspicion that she had been at Kensington dealing with Mr Rose in the way he must have been dealt with before the meeting. To the contrary she had coffee with three people and was predominantly concerned about a friend's missing daughter. As I say she could also have rushed from Thwaites's company out to Kensington, the act been committed and got herself back to St Marys that night for work. It is a very 40 45 50 55

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difficult time frame and at the end of the day I have no evidence that she did that.

Durwood said seemingly inculpatory things to persons close to her after the event, such as "I may have killed him, may have killed him in my sleep, may have killed him in his sleep", et cetera. She also spoke to a close friend Devitt of coming to a "hideous realisation struck me", "it is quite nasty and really serious". She said this by answering machine, and whilst she has got no memory of it suggests that it may be that a former partner, Hilton, may have done it. And as she introduced him to the premises some time before, I think while Mr Rose was overseas, she was therefore indirectly responsible, may be indirectly responsible for the death. This, to me, appears, with some difficulty, a rational, it may be a rational explanation for saying such a thing. Though, as I say it is inculpatory and therefore it may also be consistent with guilt. She puts the comments relating to killing Mr Rose down either to her alcoholism or her macabre sense of humour. Perhaps the most damaging inference can be drawn from her remarks to her sister, that perhaps the television was knocked over and hit him on the head. She has little recognition of this or any of these conversations but suggests it was just an explanation which came into her head. On one hand the television had been knocked over when police found the deceased but as Durwood says it may have been on a rickety stand, that is not really clear. On the other hand even if Durwood is blaming it on the television because she in fact did kill the deceased, there is no forensic evidence that he fell or was thrown against it, perhaps hitting his head and knocking it over.

Other persons used the unit through Durwood but all say that keys were returned. All deny having anything to do with the matter and there is no forensic evidence of their involvement. Of course any one of a number of persons could have had keys cut, but again there is simply no evidence of any known person. There is some suspicion about Miss Durwood, largely because of some of the peculiar things she said to those around her after the death, but there is absolutely nothing to link her to the homicide of David Rose other than a quite vague suspicion.

So in conclusion a security conscious man, a gentle man, appears either to have admitted someone into his unit, or someone with his spare keys has admitted him or herself into his unit, and it could be more than one person, there has been a dispute and he has been assaulted in a manner which caused his death by homicide.

This inquest has, I think, looked as closely as it can at the only obvious person of interest and whilst there may be some suspicion about her there is certainly insufficient evidence capable of satisfying a jury that any known person was responsible for the homicide. Importantly the sister of the person of interest, a credible witness, gives a different, and to me honest picture of Miss Durwood and her demeanour. That in the end, and I only say that because

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that in the end would be weighed by any jury should this case ever go to trial, and that will be weighed if this case ever goes to trial and Sandra Durwood is the defendant. She will be able to call on a quite different picture to confuse a jury. But we do not get to that stage because there is no evidence capable. As I understand it both the investigating police, and I think the next of kin, concede that there is insufficient evidence, even when you look at the Crown case, the hypothetical Crown case in its most positive light, to satisfy a reasonable jury properly instructed of an indictable offence in connection with David Rose by some known person. Detective Senior Constable Thornton summed the matter up this way, and I really have to agree with him, "David Rose died as a result of head injuries caused by fatal blows to his head. I believe that he knew his assailant and had allowed the offender into his unit. I do not believe that access was gained by the third floor balcony. I do not believe the killing was premeditated in the sense that the offender went to the unit specifically to kill the deceased. I can find no reason why the deceased was murdered, other than the possible motives I have mentioned in the brief. The investigation has been conducted as thoroughly as possible, despite this no persons have been arrested for the murder of David Rose.". He recommends a finding to the effect that David Samuel Rose, 41 years old, was bashed to death in his unit, [REDACTED] Addison Street, Kensington, between 3pm Saturday 20th and 11am 22nd by a person or persons unknown. I think we can do better than that, I think it could have been any time after about 10am and I think we are really restricted to the Saturday. The phone was either off the hook or engaged, and I think the fact that it was off the hook when the police found him means it was off the hook when the Rose family were trying to reach him on the Saturday. I am satisfied he died on Saturday 20th some time after about 10am. So a few other little things. The matter has been raised in the press, with all that that implies, and all the sensationalism they can muster about everything but the murder, but it has had no results; neither had Australia's Most Wanted. And there is cold comfort to the family that by bringing in an open finding of homicide this case will, like all other unsolved murders, be reviewed, quite regularly now under the new scheme since the Royal Commission, quite regularly, and in the future evidence may be forthcoming to enable it to be solved.

MY FINDING WOULD BE THAT DAVID SAMUEL ROSE DIED ON
20 DECEMBER 1997 AT KENSINGTON OF HEAD INJURY INFLICTED THEN
AND THERE BY A PERSON OR PERSONS UNKNOWN.

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To the family Rose I can only offer my sympathy. I have moved with you through the end part of this, you have been with it since day one. We have had a good look at it, we have tested the evidence, there is not enough evidence against any known person to warrant their being put on trial. If that were to occur there would be a verdict by direction by the judge. And I can only hope that in the future someone will come forward who knows something which will enable this matter to be solved. Thank you for your attention to the matter and I hope that you can, to an extent, start to try to get on with your lives.

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CERTIFICATION OF TRANSCRIPT

I, We the undersigned being (a) Sound Reporter(s) do hereby certify that the within transcript is a correct transcript of the depositions sound recorded at the NEW SOUTH WALES STATE CORONER'S COURT in the matter of INQUEST INTO THE DEATH OF DAVID SAMUEL ROSE

HEARD: 18 November 1999

Dated at PENRITH
this 9th day of December 1999

NAME	PAGES	SIGNATURE
MC	1 - 26	<i>mc</i>