

## Homicide Squad, SCC

### Recommendation for Further Investigation Historical Unsolved Homicide Case

<b>Victim/Case</b>		David Samuel ROSE		<b>Date</b>	Between 20/12 and 22/12/1997
<b>UHT Ref</b>	1997/13	<b>COPS / CAC #</b>	E3930270	<b>PRIORITY (High/ med/ low)</b>	<b>MEDIUM</b>

**Synopsis:** *(Concise outline of the case and why reinvestigation is warranted)*

About 11am on Monday the 22/12/1997, police attended the unit of David ROSE 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 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. Rescue Squad police attended and entered the unit via this window and located David ROSE deceased.

The deceased was lying supine on the floor between the dining and kitchen areas. A kitchen chair had fallen over near his head. He had dried blood around his nose and down the sides of his face. 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. He had silver and plastic bangles on both wrists, painted red fingernails and makeup around the eyebrow area.

Doctor LAWRENCE conducted a post mortem on the deceased that day. He 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 a small abrasion on the right temple, a bruise 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.

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. A palm print was developed from one of the artificial breast implants however it was not identified.

During the investigation, police received information relating to a friend of the deceased, Sandra DURWARD, a prostitute with a fairly significant drug and alcohol problem. DURWARD had been staying intermittently at the deceased's unit, after being asked to leave the residences of friends and relatives and various rehabilitation centres. About three weeks prior to his death, the deceased contacted a friend and warned her that DURWARD was stealing money and drinking methylated spirits. The deceased stated that DURWARD was staying with him at the time, and he gave the impression that he had become scared of her.

The investigation was not able to identify a motive for the murder of the deceased. The apparent lack of forced entry into the unit suggested that the deceased knew the offender. Police believed it possible that DURWARD became involved in a violent argument with the deceased and subsequently caused 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.

***Recommended lines of inquiry:*** (see also recommendations in Case Screening form)

- Conduct a comprehensive forensic review: There are numerous exhibits currently on hand at Maroubra which should be submitted to DAL for a trace DNA examination to take place. 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 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.
- Conduct a review of all fingerprint evidence: The implementation of NAFIS II means that palm prints can now be searched. All fingerprint evidence should be reviewed.
- From the available records it is apparent that a mobile phone was identified as belonging to the suspect, Sandra DURWARD [REDACTED]. It is not clear whether call charge records were ever obtained for this number. Those enquiries for the weekend of the murder could substantiate or disprove DURWARD's movements, as she was seen and heard talking on her mobile phone whilst at Maisy's Café.
- 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 knowledge of her evidence and cross-examination at inquest. Further efforts should be made to locate inquest material. Particular scrutiny should be paid to the transcript relating to DURWARD's evidence.
- Consider the use of covert electronic surveillance of the suspect, Sandra DURWARD.
- Consider overt / covert collection strategies for DNA / fingerprints, and the possible impact of such strategy upon electronic surveillance.
- 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. Dependant upon his current mental health and relationship with DURWARD, it may 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.


***Command of previous investigation/s:*** (Include comment on whether grounds exist for this to change)

Investigation should remain with Eastern Beaches Detectives.

***Resources recommended for reinvestigation:*** (refer to lines of inquiry)

Two Detectives initially. May later require additional resources.

<b>Secondary Victim contact:</b> <i>(has there been any contact with secondary victims during the review in this case)</i>
There has been no contact by the family with the Unsolved Homicide Team.
<b>Estimated Time Frame for Reinvestigation:</b> <i>(eg. 4 weeks 6months)</i>
3 – 6 months

Signature: 

per Coordinator,

Unsolved Homicide Review Team

Date: 28 MARCH 2007

Signature: 

Commander, Homicide Squad

G W Beresford  
 Detective Superintendent  
 Homicide Squad

Recommendation/Comment:

*Allowed to return Beaches case*

Date: 28 MAR 2007