

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 brief of evidence is with the Unsolved Homicide Unit, State Crime Command, Parramatta. This review was conducted by participants of Homicide Course No. 18 at the Goulburn Police Academy in October 2004.

Victim 1:

Name:	Wayne Kerry BRENNAN aka Wendy WAYNE		
Gender:	Male	DOB:	26 July 1949
Relative contact (if known)	Donald EARNEST [REDACTED] East Maitland (brother in law)		

Homicide Details:

Time & Date	Between 7.45pm 29 April and 12.10pm 30 April 1985		
Location:	[REDACTED] Darlinghurst Rd, Darlinghurst NSW		
COPS Event/P40 No.	Darlinghurst Police Stn Occurrence Entry 8/1	Attached	Yes
Previous Investigation Name: (Strike Force/Task Force/Operation)	N/A		
Command in charge:	Darlinghurst / Homicide Squad		

2. Cause of death

Not determined. Inquest held at Glebe in 1986 Ref No. 242/86

Post Mortem Results:	Yes
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Exhibits Retained:	Yes	Location:	Not known
Further Examination:			
<p>Comment: Exhibit list:</p> <ol style="list-style-type: none"> 1. Blood – Wayne BRENNAN. 2. Anal swab – Wayne BRENNAN. 3. Hair – left hand of Wayne BRENNAN. 4. Six cigarette butts. <p>The above exhibits were taken to the Division of Forensic Medicine 42-50 Parramatta Rd, Glebe where they were analysed Rudolph Weigner, Forensic Biologist.</p> <p>Results:</p> <ol style="list-style-type: none"> 1. Wayne BRENNAN is a group A secretor, PGM 2+, Hp1. 2. Semen was not detected on the anal swab. 3. Hair was not examined and retained for later consideration. 4. Saliva was detected on one of the cigarette butts and showed the presence of A blood group substance. Testing attempts on the remaining cigarette butts were inconclusive. 			

3. Investigation Records

The investigation was maintained manually and recorded on occurrence pad entries.

The subject murder occurred between the 29th and 30th of April 1985. Information received from the Unsolved Homicide Unit indicates all lab exhibits prior to 1986 were destroyed. At the time of writing it is unclear as to whether any exhibits are still retained.

Typed statements and running sheets recorded on occurrence pads. The investigation was conducted in 1985.

Investigation Records Located:	Yes
<p>Comment: Investigation records appear to be incomplete. Parts that seem to be missing involve inquiries in relation to suspects, particularly re Adams and Fleming. The coronial brief also mentions inquiries into other known sex offenders but no information about those. Otherwise all statements, canvasses etc appear to be present.</p>	

Investigation Resume:	Yes
<p>Comment: Six page typed statement by Det Sgt Stephen Desmond McCANN of Darlinghurst Detectives Office. Attachments to the statement include the Coroner's report and the Forensic Biologist report.</p>	

Progress Reports:	N/A
Comment:	

Post Operational Assessment:	N/A
Comment:	

4. Coroner's Inquest

Coroner's Inquest Held:	Yes	Date: 1986
Court: Glebe	Coroner:	
Inquest Brief Located	Inquest held at Glebe in 1986 Ref No. 242/86	
Findings:		

5. Original Case Officer

OIC Name:	D/Sgt Stephen Desmond McCANN Darlinghurst Detectives (now retired)	Interviewed:	No
Serving Member:	No	Location:	
Comment:			

Other Investigators:

Name:	Current Location:
PC 1/C di Francesco (Darlinghurst)	
Det Insp Paul JACOB	Homicide Squad SCC
D/Sgt Mike HAGAN (retired – Homicide Squad)	

6. Weapons

Type:	A large calibre handgun believed to be .45 calibre	
Recovered:	No	Location: Not known, never recovered
Further Examination	Y/N: N/A	
Action:		
Comment:		

7. Exhibits

There are no details of current exhibit location. The examination of material relating to the inquest will aid in the recovery of exhibit.

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

Annexure A completed:	No	Annexure A attached:	No
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8. Fingerprints

It is not known whether fingerprints were identified at the crime scene. The examination of material relating to the inquest will confirm fingerprint results. This investigation commenced in 1985.

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 E/N 79435 for information relating to cases prior to 1987. For cases occurring after 1987 results can be viewed through FCSR.

Fingerprints Available:	Not known
Fingerprint Case Number:	
Person Identified:	
Comment:	

9. Witnesses

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

See Annexure A (witness list)

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:	No
Name: NP179 NP179	DOB: ■■■■ 63	CNI:	Status: Living in St Clair NSW.
Comment: NP179 has offended since the murder. Primarily assault matters. He was a prison officer at Long Bay gaol at the time of the murder.			

Suspect Identified:	Yes:	Profile attached:	No
Name: NP176	DOB: [REDACTED]/61	CNI:	Status: Living at Wentworth Falls NSW.
<p>Comment: Danny Shakespeare claims NP176 and Brennan were involved in an argument on the night of Brennan's death in relation to an outstanding amount of heroin than Brennan allegedly flushed down the toilet. Shakespeare also claims that he left NP176 with Brennan late that evening.</p>			

Suspect Identified:	Yes	Profile attached:	No
Name: Arthur Stanley SMITH aka Neddy SMITH	DOB:	CNI:	Status: In custody
<p>Comment: Danny Shakespeare claims that Smith paid NP176 in 'dope' and debts wiped for the killing.</p>			

11. Synopsis:

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

<p>Synopsis: At 12.10pm on 30th of April 1985 the naked body of Wayne Brennan was located in his flat at [REDACTED] Darlinghurst Rd, Darlinghurst. Brennan was a well known transvestite prostitute in the Darlinghurst area. He solicited at Premier Lane, Darlinghurst and his flat was used to service clients.</p> <p>Two gunshot wounds were believed to be the cause of death. One wound was on his back between shoulder blades and this passed through his spine. The other wound was higher up the spine through the back of his neck. Brennan also had evidence of a blow to the back of his head that was inflicted prior to the gunshot wounds.</p> <p>The killer pushed Brennan from on top of his bed and retrieved both projectiles and spent cartridge casings from the flat. There was no property disturbed to indicate a robbery, the patience and recovery of bullet components infers the killer was aware of ballistic methodology.</p>
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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:

Exhibit Analysis:

Exhibits to be located and DNA examination conducted to determine the origin of the;

- hair retrieved from Brennan's left hand,
- cigarette butt,
- and consideration be given to the anal swab.

NP176 line of enquiry:

1. Danny Shakespeare told police in a record of interview that **NP176** was involved in the murder of Brennan. **NP176** is a priority line of enquiry that needs to be explored.

2. Establish the identity of 'Ian' and unknown male that was with **NP176** and Ian on the night of the murder. This information can be obtained from **NP176**. Identify prostitute named 'Sammy' unknown gender. This information can be obtained from **NP176**.

3. **NP176** told Shakespeare that **NP176** was paid in 'dope' and debts wiped for the killing by Neddy Smith.

NP179

NP179 was employed by MSS Security and was an associate of the deceased and at one time was in a relationship with the deceased. There are discrepancies in the statement provided by **NP179** in particular, his movements on or about the time of the murder. There does appear to be anomalies in relation to his possession of a firearm at the time of the murder. **NP179** supplies the names of witnesses to verify his movements but those persons have never been interviewed. **NP179** also fits the description of a person that was seen arguing with the deceased just prior to the murder.

2. Check employment details of **NP179** with of MSS Security

3. Check employment records – old records may be on hand to ascertain where he worked on 26/4 – 3/5/1985.

4. Check firearms sign in/out records for MSS from 26/4/1985.

5. Check firearms licenses/firearms owned for **NP179** at time.

6. CNI check of **NP179** to current day – check associates.

7. Bank accounts **NP179** (if possible).

Inquiries/Statements from;

8. Vivian (transvestite)

9. Shanon/Sharon (transvestite).

10. Others at Vivian's on 28/4 if they can be identified.

Michael and Maree – [REDACTED] Karilla.

NP181

1. **NP181** in his/her record of interview nominates Danny Shakespeare, Neddy Smith, **I231**, **NP176** and **NP176**'s boyfriend at the time with the surname [REDACTED] as possible suspects by stating that all persons except Smith were at the deceased's on the evening of the murder. **NP181** also provides the information that there was an argument between **NP176** and Brennan over \$15,000 of heroin belonging to **NP176** that was apparently flushed

down the toilet by Brennan. **NP176** was possibly the last person to be with Brennan.

2. Interview of **NP176** ASAP. DNA swab.
3. Possible re-interview of Shakespeare, Smith, and **I231** DNA swabs off each.
4. Inquiries re; heroin angle, through possibly **NP176** or associates.
5. Obtain prison records – were Shakespeare & **NP181** both inmates together or did one visit the other, may show validity of information given.

Patrick Lackey Crowe

1. Confirm with Ole Madrid restaurant staff if Crowe, King and Brennan had dinner after 6.00pm on 28/04/1985.
2. Interview Graham King of Plaza Towers in Crown Street, if had dinner with Wendy and Crowe at the Ole Madrid restaurant.
3. Attend "Love Art" shop and interview shop attendant working after 6.00pm 28/04/1985 re Brennan King and Crowe attending.
4. Identify and interview the man who ran the Kings Cross steak House and confirm if Crowe spoke with him, further and observations of Brennan.
5. Attend chemist, North of Roslyn Street on the eastern footpath and confirm if Brennan attended chemist. (Video footage?)
6. Conduct CCR check on Crowe's telephone for the 29/04/1985.
7. Identify David Cook via Crowe and see what attempts he made to contact Brennan. The conduct CCR check on Cook's telephone and obtain swab for elimination.
8. Obtain swab from **I230** and use for elimination.
9. Interview Gus Herstik re chain of events leading up to the discovery of Brennan.
10. Was balcony fingerprinted re Crowe and Crich fingerprints.
11. Was the switch on the heater and T.V. fingerprinted?

I230

1. Interview **I223** re relationship with **I230** and obtain DNA swab for elimination.
2. Locate and interview **I231** re working with **I230** on Sunday nights. Also obtain DNA swab for elimination. (Some where in N.Z.)
3. Identify Meagan – What were the ramifications of firing Meagan. Also obtain DNA swab for elimination.
4. Obtain DNA swab from **I230** for elimination.
5. Obtain **I230**'s CCR's.
6. Was front door of Brennan's flat printed.
7. Obtain Crowe and Ross DNA swab for elimination.

Manfred Ross:

1. Obtain DNA swab from Ross for elimination purposes.
2. Was Ross's suitcases in Brennan's unit – (Police evidence)
3. Identify carpet company and who laid the carpet and at what time.

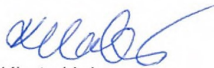
REVIEWER'S CERTIFICATION

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.

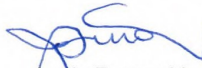
Signature:



Scott Jones



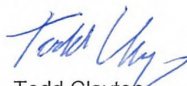
Kirsty Hales



Justin Devonshire



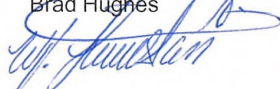
Brad Hughes



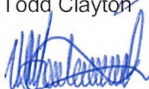
Todd Clayton



Mike Foster



Warren Lewiston



Michael Boutouridis



13 October 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:

Date:

Annexure 'A'

Witness list

Name	Address	Statement Date	Age on Statement
I223	[REDACTED] East Sydney	1-May-85	19
I227	[REDACTED] Randwick	30-Apr-85	U/K
I248	[REDACTED] Redfern	30-Apr-85	28
I238	[REDACTED] Redfern	30-Apr-85	44
Frederick George NICHOLIS		30-Apr-85	
I249		30-Apr-85	
I236	NSW Corrections	1-May-85	
I232		1-May-85	
I239	[REDACTED] Darlinghurst	3-May-85	24
I240	[REDACTED] Darlinghurst	3-May-85	24
Laurie BRADFORD	[REDACTED] Harris Park	7-May-85	U/K
Danny Robert SHAKESPEARE	[REDACTED] Maroubra	5-Jan-86	26
Charles SAVILLE	[REDACTED] Darlinghurst	2-May-85	32
I225	[REDACTED] Lakemba	7-May-85	20
NP179	[REDACTED] Karilla	2-May-85	22
Patrick CROWE [REDACTED]	[REDACTED] Darlinghurst	30-Apr-85	[REDACTED]/41
I230	[REDACTED]	30-Apr-85	[REDACTED] 62

Annexure 'A'

Witness list

Manfred Richard ROSS	East Sydney		30-Apr-85	██████/51
Steven Ross CRICH	Redfern		30-Apr-85	██████/50
William ELTON	Dulwich Hill		Running sheet 2 May 85	U/K
NP181	Unknown		30-Jun-86	U/K
I233	██████████		30-Apr-85	██████/52
I242	Darlinghurst		30-Apr-85	██████/52
David COOK	Kings Cross		30-Apr-85	██████/54
George MIHAIL	Darlinghurst		7-Feb	██████/56
Carmen RUPE	Surry Hills		30-Apr-85	██████/36
I243	Potts Point		30-Apr-85	██████/44
Barbara COLLIS	Paddington		30-Apr-85	██████/52
I247	Darlinghurst		30-Apr-85	U/K
I234	Umina		30-Apr-85	██████/67
I226	East Sydney		30-Apr-85	U/K
I222	Darlinghurst		30-Apr-85	██████/54
I224	Petersham		30-Apr-85	██████/62
Michael McCARTHY	██████████		30-Apr-85	35

Annexure 'A'

Witness list

Anthony REID	Darlinghurst		30-Apr-85		32
POTTER	Rose Bay Newcastle		4-May-85		U/K
Police and Experts					
Cst Stephen COLES	General Duties		N/A	Resigned 15/01/99	
Cst Raymond CONSTABLE	Ballistics		N/A	SPG - Bomb Squad	
Det Stephen McCANN	OIC		N/A	Medical Discharge HOD 8/3/02	
Dr Thomas OETTLE	Forensic pathologist		30-Apr-85		U/K
Rudolf WEIGNER	Forensic Biologist		22-May-86		U/K
Det Gary WILLIAMS	Investigator		N/A	Chatswood Dets	No statement
Det Paul JACOB	Investigator		N/A	Homicide Squad	No statement
Cst David GALLAGHER	Investigator		N/A	Broken Hill GD's	No statement
Det HAGAN	Investigator		N/A	Retired	No statement
Sen Cst BULLIVANT	Fingerprint		N/A	U/K	No statement
Sen Cst SANDEMAN	Ballistics		N/A	U/K	No statement

I223 born [REDACTED] .65 of [REDACTED] East Sydney
Date of statement 01.05.85

- Works as prostitute for 7 months
- Lives with I234, I230 in [REDACTED] East Sydney
- Knew deceased since 1984. Became close friends.
- Was told by deceased that she was in relationship with a Policeman called "David".
- Deceased called him that name and worked in Darlinghurst.
- I223 describes him as male, 33 years possible Greek/ Italian, well built dark short hair.
- Deceased told her that "David" was living with her and his mother in Liverpool Street, Darlinghurst.
- When deceased Wendy moved from Victoria Street, Potts Point to unit in Liverpool Street, Darlinghurst (possible [REDACTED]) in November 1984 "David did not move in with her, but possibly still seeing each other.
- Last time witness saw deceased Wendy was Sunday morning 28th April 1984 about 3.00am. Wendy had been in a show at "Pete's Beat" with witness and both finished at 3.00am. Wendy left and witness says that he/ she was not with anyone.

TASK: Follow up on identity of Policeman

Result:

Running Sheet for 10.05.85 created by SMITH marked (10/16C)

Interview of I223 regarding alleged associates of Wayne BRENNAN named David (Police officer)

On 10 May 1985 I223 was interviewed at Darlinghurst Police Station by **Detective Sergeants SMITH and FRASER** concerning allegation of association of Deceased and "David".

I223 was shown photograph of NP180 of the Radar Technical Unit, Flemington (Who had been identified by I233 as being the subject person the deceased was going out with).

I223 failed to identify NP180 as the Policeman named "David" that the deceased was allegedly seeing.

Resume Statement of [REDACTED] 1227 – Transexual associate of Deceased.
Statement obtained on 30.04.85 information from running sheet 10/18 and statement marked 10/18A created by WILLIAMS

- On 30 April 1985 Detectives HERMMAN and WILLIAMS spoke to witness [REDACTED] 1227
- She stated that has known the deceased for 5 years after meeting her at Rex Hotel. Since witness has known deceased witness has seen her at a plant shop in Crown Street which deceased use to own and at her home and at Pete's Beat Club. Got to know her fairly well.
- Knew that she lived in Darlinghurst Road for the last three months and visited her on a number of occasions. She lived by herself at this address and not aware of any persons who ever stayed there.
- About 3.15am on Monday 29 April 1985, witness walked into Premier Lane from Darlinghurst Road end with a light blue Holden Kingswood sedan approached witness. Deceased got out of car and witness saw person only known as Bill driving the car.
- Deceased had conversation with witness (asking how busy it was) and then two cars came into Premier Lane from the Forbes Steet entrance.
- Deceased walked towards cars and witness walked the other way.
- As witness was walking away along Premier Lane, saw person being 22 to 26 years old, about 5'9" tall med build, medium complexion, dark collar length straight brown hair and he was wearing blue scraggy jeans and a black t shirt, with a design on it. Had a silver stud in his left ear. Had a tattoo on the back of his left hand which went down the middle of his finger (might have been a crucifix)
- Male approached witness and had conversation about sex. Witness declined due to having no room available to perform act. Suggested to speak to deceased who was standing nearby. Male approaches deceased and has a conversation (few seconds). Deceased and male walk past witness and said that she would be half an hour at the latest. Witness watches them walk up Premier Lane until they disappear around the corner.
- Witness describes Bill as a male that he does not know his last name and would hand around the girls for the last year or so. He would take the girls for drives and has occasionally driven the deceased into Premier Lane whilst the witness was there. Witness states that he associated with [REDACTED] 1249

TASK

Follow up on Bill and Frederick George NICHOLLS @ John born [REDACTED] 33 of [REDACTED] Stanmore. – Possible the same person,

Ownership of motor vehicles on Bill and Frederick

I238 born [REDACTED] 41 interviewed (BEST FRIEND) running sheet number 10/21 and statement dated 30.05.95 marked 10/21A dated 01.05.85

- Interviewed by WHITTLE
- About 8.55pm on 30.04.85 witness contacts Darlinghurst Police after hearing news of deceased.
- Witness states that she knew deceased for 20 years when she was working as a prostitute and the deceased was a male person dressing in womens clothing and worked as a male prostitute.
- Witness last saw the deceased about 2am early Sunday morning on the 28th April 1985. Witness attempted to contact deceased by telephone at 7pm on Monday night but no answer.
- Witness states that deceased advertised his/her services in the Wentworth Courier under the name of Cindy. Was doing this for approximately 4 months.
- Witness **I238** has a key to deceased flat and believes that two other people had keys, one being **I236** and one who is the doorman at Petes Beat who may be called **Les** (from description it maybe **JOHN**).
- **I238** states that when deceased enters her flat, she always places the key in the dead lock from the inside.
- Deceased Doctor is **Dr. David BENNET** of [REDACTED] Surry Hills. Suffers from Asthma and may have had AIDS.
- **I238** could not indicate any person that may have been responsible for death.
- **Deceased was going out with Uniform Police Constable from Darlinghurst P/S. Described as having blonde hair and moustache.**

TASK

Best friend to be reinterviewed due to time lapse and possibly may come forward with addition information that would not disclose due to fear or being intimidated.

Running Sheet 30/04/95 created by WILLIAMS concerning Interview with **Frederick George NICHOLIS (marked 10/17)**

- Associate of deceased
- **Frederich George NICHOLLS @ John** born [REDACTED].33 of [REDACTED] Stanmore.
- Employed as truck driver at Riviana, Silverwater.
- Known for the past 12 months meeting through [REDACTED] **I249**
- Became aware of deceased demise on television on the 30.04.84.
- In the interview he stated that he dropped the deceased off in Premier Lane, Darlinghurst about 2.30am on Sunday 28 April 1985. after being with deceased at Pete's Beat.

*This day differs for that of [REDACTED] **I227** who stated he dropped her off at Premier Lane in the early hours of Monday 29 April 1985. Inquiries are being made to establish correct day.*

- **NICHOLLS** stated that after he dropped her off he thought the deceased got into a car. (ID of car).
- He stated that later in that morning he drive with [REDACTED] **I249** to her home and stayed there until later the next afternoon. He then went home and watched television 'Sons and Daughters' then movie 'Foul Play'.
- Then went to work at 6.30am on Monday, 29 April 1985 as a truck driver.
- He stated that he looked after a shop with the deceased sold prior to Christmas known as "**Wendy's Plant Shop**", Crown Street Plant Market on a number of occasions.
- *Inquiries to determine if "Wendy's Plant Shop" existed*
- He knew deceased had a number of regular clients but he did not know them. According to witness deceased never not involved in drugs. He could not state which of the deceased friends owned a motorbike.
- Had a relationship with deceased (*sexual*)
- Stated that about one month ago a person who he did not know stayed for about 5 days at the deceased home. The deceased said that this person was her cousin and managed a pub.

Following up with relatives to determine if person in family owns or runs a pub

Interview of [redacted] 1249 [redacted] born [redacted] 59 of [redacted]
Redfern. Marked 10/22

- Interviewed by WILLIAMS stated that she know deceased for some time whilst working in Premier Lane, Darlinghurst.
 - Witness states that she last saw deceased in the early hours of Sunday 28 April 1985 in Premier Lane.
 - Witness corroborates **Frederick NICOLLIS** stating that she went home with him later on in the morning and he stayed there till the next afternoon.
 - Witness has not worked in Premier Lane since nor has seen the deceased.
-

Interview with [1236] born [REDACTED] 55 in Central Cells on 01.05.85 (Running sheet 10/19)

- About 1030am witness was spoken to in the Central Cells by **TYSON/ GORDON**.
- Use to reside in [REDACTED] Darlinghurst. Witness was friend of deceased for about 15 years and in fact lived with deceased sharing a flat with Deceased at [REDACTED] Liverpool Street, Darlinghurst. Both lived there until a few months ago and deceased moved out to [REDACTED] Darlinghurst Road.
- Last time that witness saw Deceased was on the 12.04.85 the day witness was arrested. Deceased was in good spirits.
- Witness states that she is not aware of any person ever having shared the flat in Darlinghurst Road, but deceased had a male friend from Newcastle who visited deceased on a number of occasions. Witness does not know the males name, but indicated that he may be in the army and that he was 'in love' with Deceased for a number of years, despite the fact that male was married. Describes male as 35 old, 5'8" tall slim build, fair short army style hair cut, clean shaven, no tattoos, last seen by witness was driving a white Holden car.

Task

Further information on male regarding white Holden car. [1236] still resides in Sydney and has been spoken to by Kings Cross Police on 22/08/2004 Intelligence report I 81785994 refers.

- Witness further stated that she was aware that deceased had two security guard and one uniform and one detective as customers. According to deceased Detective may have worked in the drug squad. No further information.
 - Witness stated that deceased did not take drugs or smoked.
-

Interview with [1232] regarding association with Deceased on 01.05.85 marked 10/23

- RAUE interviewed witness who disclosed that he is employed at Les Girls Club at Kings Cross. Has known the deceased for a number of years.
- Went to deceased flat between 3.45pm and 4pm on Monday afternoon the 29th. Stated that the front door was open, however did not enter the flat.
- Witness also stated that [1242] a prostitute used to use the deceased flat for work. Deceased stated to [1232] to stop due to the fact that a male was staying there named Manfred ROSS.
- Witness states that [1242] was worried about one of the deceased boyfriend (name is not known)
- Witness stated that deceased use to live in a flat [REDACTED] with a drag queen called [1231] who has since returned to New Zealand.

Information from Detective **REID** (VICE Squad) states that [1231], a New Zealander is the person mentioned as living with the deceased.

Line of Enquiry: Policeman boyfriend of Wayne BRENNAN @ Wendy

Statement of [1239] dob: [redacted] 64 - [redacted]
Darlinghurst dated 3 May, 1985

Background:

COPS records indicate [1239] CNI: [redacted] is dead. A Break & enter charge dated 26/12/83 acquitted by 'defendant deceased'.

1. Wendy told [1239] she had a policeman boyfriend who worked at Central Police Station.
2. Wendy received a call while at Pete's Beat about her boyfriend, he had broken his arm.
3. Wendy boasted to Pete's Beat staff that she could have criminal names checks done on everyone and she knew brother Leslie was given a \$1000 good behaviour bond.
4. About 11.15pm Monday 29 April 1985 [1239] walked past Wendy's unit and saw front door was slightly open and light was on.

Statement of [1240] dob: [redacted]/64 - [redacted] Darlinghurst
dated 3 May, 1985

Background:

COPS records indicate [1240] CNI: [redacted] has a history of arson and
larceny related offences.

1. Heard that Wendy had a 'copper friend'.
2. Copper was able to look into peoples' records. Wendy knew that [1240] had a
juvenile record for Arson.
3. Wendy was 'top dog' of the prostitutes in William Street lane.

Statement of Laurie BRADFORD dob: ? female pensioner – [REDACTED]
Harris Park dated 7 May, 1985

1. Knew Wendy for two and a half years
2. Went into business with Wendy, a plant shop at 374 Crown St, Surry Hills.
3. Last saw Wendy on 23 December 1984.
4. Wendy told Laurie about policeman boyfriend who had 'something wrong with arm or leg'.
5. Recalls the name of Wendy's boyfriend as either David Brown or Brawn.
6. About 6pm one night saw policeman at Wendy's flat, which was behind the Crest Hotel in Victoria Street. Wendy introduced David to Laurie.
7. Wendy states she would not recognise him again.
8. Describes David the policeman as 25 to 30 old, young looking face, slim build, men's size shirt. She recalls ironing the shirts while helping Wendy.

Tasks:

1. Identify policeman, possibly David Brown or Brawn from Central P/Stn.
2. CNI audit on [REDACTED] 1240 might confirm name of policeman checking records.
3. Interview policeman boyfriend.

Interview of Danny Robert SHAKESPEARE**Maroubra Police Station****Date: 5th January 1986****Police interviewer: D/C P.H. SHORT****Summary**

SHAKESPEARE knows [NP176] very well. Used to live together at SHAKESPEARE's mother's house.

[NP176] also lived with Wendy up until about two weeks prior to murder.

SHAKESPEARE first met Wendy at coffee shop on William St. [NP176] was present and Wendy and [NP176] started to argue about money so SHAKESPEARE left.

[NP176] was the druggie and dealer.

SHAKESPEARE tells [NP176] that he is worried that he will be charged with murder after his initial interview with police.

[NP176] tells SHAKESPEARE that she was selling heroine for unknown person.

Wendy arrives home from her show to find SAMMY (prostitute) and [NP176] bagging up dope.

Wendy not happy and flushed dope down toilet while [NP176] makes phone call.

Following day Wendy having coffee with [1231] at coffee shop and Sammy and [NP176] approach her. Wendy and [NP176] have private word about the drug rip off.

[NP176] tells SHAKESPEARE that either Wendy cops it or she herself will cop it.

Person by the name of Ian and an unknown male go with [NP176] to the Cross. They drop off unknown male and [NP176] and Ian wait across the road from Wendy's.

Unknown male picks up Wendy and she takes him to her place for the trick.

[NP176] still has key to Wendy's and lets herself and Ian in.

Unknown male leaves address and argument develops between [NP176] and Wendy. Wendy is naked while this is happening.

NP176 pushes Wendy to the ground and shoots her. NP176 picks up some of her own gear and leaves the address. She leaves Ian at the address and he remains to clean up scene.

Ian and NP176 then meet up with unknown male at the car at the Goldfish bowl outside on the corner.

They drive to the art museum and dispose of the evidence. NP176 drove to Darlinghurst to place where she was getting the dope.

NP176 paid in dope and debts wiped for the killing by Neddy SMITH.

Ian is from Melbourne and NP176 has known him for years. He has two gold tipped teeth.

Outstanding enquiries:

1. Establish the whereabouts of NP176 and interview her.
2. Establish identity of Ian and unknown male. Obviously this would come through NP176
3. Identify prostitute 'Sammy' (unknown if this is a tranny or female).
4. Interview Neddy SMITH – if possible given his health issues.

Interview of Charles SAVILLE

Interview Date: 2nd May 1985

Darlinghurst Police station

Interviewer: P.H.SHORT

SUMMARY

SAVILLE lives at [REDACTED] with a Mark CHEVIOT. Has lived at address for previous two years.

People come and go from Wendy's flat all the time. Mainly transvestites.

On 28th April SAVILLE was at home for most of the day. He went to his Hare Krisna temple between 4.30 and 8.00pm. After that he came back home and went to bed at about 8.30pm.

At about 10.00pm he was woken by a loud bang. He went out on to his balcony but saw nothing unusual.

He does hear screaming and shouting. Two men's voices. One sounds like he is in pain. One voice is a commanding tone. These noises were coming from below SAVILLE's flat.

Following day gets up and goes to his temple at 4.00am and hears or sees nothing unusual for rest of day.

On either 28th or 29th April SAVILLE sees an MSS security guard walk in through the main doors as SAVILLE was walking out. Time was 10.00am – 12 midday. He was about 30 – 35 years old. 5'8 – 5'9 tall. Dark brown hair, well built, solid, fit with fair skin.

Would recognise him again.

OUTSTANDING ENQUIRIES

nil

Interview of [1225]

Darlinghurst Police Station

7th May 1985

Interviewing Officers: SMITH and HUTCHINSON

SUMMARY

[1225] is a transsexual and prostitute in Darlinghurst and works the same lane as Wendy.

She has known Wendy for past four years.

Started work in Premier Lane 28th April (Sunday) at 7.30 pm and finished at 2.00am Monday 29th.

When she arrived at work on the Sunday she saw Wendy in Premier Lane.

Wendy wearing reddish brown and orange striped top. Short cream mini skirt, white bikini panties.

Last saw Wendy 2.00am Monday when [1225] left for home.

[1225] does not work Fridays and Saturdays and is sure about her timings.

Further enquiries

1. Only enquiry I can see is that [1225] may know prostitute 'Sammy'

Interview :

NP179

DOB: [REDACTED]/1963

Interviewed 02/05/1985 – Darlinghurst PS

Police Jacob

SUMMARY :

Employed by Metropolitan Security Services

Met Brennan at Pete's Beat where he was a regular.

Began a 2 week relationship after meeting Brennan spent weekends at Brennan's.

They broke up because Brennan was too old.

On Friday 26/04/1985, started work at 5.30pm, worked at Neutral Bay.

Signed for a pistol prior to starting work. Worked till 12.30am (27/5) and returned pistol.

Went to 'Patches' till 3am left with a trannie Vivian. Went to the Taxi Club till 6am with Vivian. The went to Vivian's and stayed there till Saturday afternoon (27/4).

After leaving Vivian's went home to Karilla.

Stayed at Karilla came into town to the Unicorn Hotel about 10pm (27/4). Stayed at Unicorn till midnight (28/4).

Left the Unicorn and went to 'Patches' Vivian arrived there about 1.20am.

Left Patches and went to Vivian's about 3.30am (28/4).

Slept till 2.30pm (28/4). There was an older man downstairs at Vivian's, a younger man and a trannie named as Shanon/Sharon. NP179 stayed till 5pm.

Arrived home at Karilla 6pm talked to Michael and Maree.

Went to bed between 8.30-9.30pm.

Woken by Michael 6am on the 29/4.

Left home at 7.30am to work at Darlinghurst Social Security.

Went to the bank during lunch break to make a withdrawal.

Returned to duties at social security, knocked off at 5.30pm.

Went to 41 Terry Street Drummoyne for martial arts training with Lawrence Lee.

Arrived home to Karilla about 7.30pm (29/4).

Has access to a pistol, a Browning .32mm through his work. Must sign pistol in/out.

He signed the pistol in on the 27/4/85 at 1.30am.

Did not have the pistol again till Tuesday at 5.30pm.

Serial number of firearm – 287982.

Tattoo's –

Left upper arm – Sailor bird

Right upper arm – Anchor/sailing ship with sun and clouds.

He privately owns no firearms.

Of Note :

NP179 states he starts work Fri 26/04/1985 – pistol signed out that day. He states he returned the pistol 12.30am on the 27/5, then went to Patches (paragraph 6).

Then states later he signed the pistol in at 1.30am on the 27/4

INQUIRIES OUTSTANDING :

Check employment details of **NP179** with of MSS Security

Check employment records – old records may be on hand to ascertain where he worked on 26/4 – 3/5/1985.

Check firearms sign in/out records for MSS from 26/4/1985.

Check firearms licenses/firearms owend for **NP179** at time.

CNI check of **NP179** to current day – check associates.

Bank accounts: **NP179** (if possible).

Inquiries/Statements from;

Vivian (trannie)

Shanon/Sharon (trannie).

Others at Vivian's on 28/4 if they can be identified.

Michael and Maree – [REDACTED] Karilla.

Ph [REDACTED].

Lawrence Lee – 41 Terry Street Drummoyne.

Interview of **NP179** and DNA swab. If anything to link **NP179** look possibly at electronics etc.

Associations of **NP179** to others in particular Shakespeare, **NP176** Smith.

Todd Clayton

Line of Enquiry: [NP179] – **MSS Security Guard and Prison Officer**

Statement of Constable David William GALLAGHER – Darlinghurst Police Station dated 7 March 1986

1. At 1.45pm Friday 27 December ???(year not specified) Cst Gallagher went to Albury Hotel Oxford St, Paddington for the deceased [REDACTED] [REDACTED] DOB: [REDACTED] 61 a male stripper.

2. Went to Glebe Motel 196 Glebe Point Rd, Glebe room 309, saw prison officer's shirt.

3. Motel rental sheet indicates room was rented by [NP179] and [REDACTED], the deceased.

4. [NP179] identified [REDACTED] deceased.

Tasks:

1. Interview [NP179] about his knowledge of the murder.
2. Enquire with MSS in respect to work and firearm/s issued to [NP179] at the time of murder.
3. Enquire about any other firearms; [NP179] may have possessed eg: licensing.

Patrick Lackey CROWE [REDACTED]
Born – [REDACTED]/1941
Of [REDACTED] Darlinghurst.

Summary

Crowe has known the deceased "Wayne BRENNAN" for two years and is employed as an accountant and co-ordinates a show at a restaurant called "Peat's Beat" – 80 Oxford Street, Darlinghurst. Crowe indicates that Brennan worked nightly in the restaurant from Thursday through to Saturday. Brennan also cleaned the restaurant prior to 6pm before the show. Brennan generally arrives around 11.30pm on each night and leaves at 2.30am. He also worked as a prostitute in St Peters lane, Darlinghurst. At 5.00pm 28/04/1985 he came over and both Crowe and Brennan left Crowe's residence at 6.00pm and went to the Ole Madrid restaurant in Oxford Street, where they had dinner for an hour. A friend of Crowe (Graham King) also joined them for dinner. They all caught a taxi to Kings Cross and went into the "Love Art" shop in Roslyn St. Upon leaving Crowe spoke with a male who ran the Kings Cross Steak House – whilst in Roslyn St. Brennan then went into a chemist, north of Roslyn St, on the eastern footpath. Brennan had told Graham King that he would catch up with Crowe at Mid night in the club. King and Crowe then returned to Crowe's residence and Brennan did not attend the club at the stated time and hasn't been seen since. At 6.00pm 29/04/1985 Crowe attempted to ring Brennan, but there was no answer. About 11.30am 29/04/1985 David Cook rang Crowe stating that he hadn't been able to contact Brennan. Crowe then rang [REDACTED] 1230 and arranged for him to attend Brennan's residence. About 12.10pm [REDACTED] 1230 rang back and said the door was open, the T.V. and heater were on. The bedroom was a mess and Brennan was not at home. Crowe told [REDACTED] 1230 to wait and ring Crowe when Brennan returns home. A few minutes later [REDACTED] 1230 rang back, crying and said, "Wendy's on the floor and there's blood everywhere." Crowe then said, "I'm coming over." Crowe then spoke with her boss – Gus Hertstik at McEvoy St, Alexandria. Crowe told Hertstik, that Ross Crich will drive me over to Wendy's. Hertstik offered to call the Police and Crowe replied, to wait until we get over there." Crowe and Crich then drove to Brennan's residence and were met by [REDACTED] 1230 Both Crowe and Crich then entered Brennan's residence, saw the T.V. and heater were on and Wendy was lying naked face down at the end of the bed. Crich then rang Hertstik, who arranged for the Police to attend.

- Confirm with Ole Madrid restaurant staff if Crowe, King and Brennan had dinner after 6.00pm on 28/04/1985.
- Interview Graham King of Plaza Towers in Crown Street, if had dinner with Wendy and Crowe at the Ole Madrid restaurant.
- Attend "Love Art" shop and interview shop attendant working after 6.00pm 28/04/1985 re Brennan King and Crowe attending.
- Identify and interview the man who ran the Kings Cross steak House and confirm if Crowe spoke with him, further and observations of Brennan.
- Attend chemist, North of Roslyn Street on the eastern footpath and confirm if Brennan attended chemist. (Video footage?)
- Conduct CCR check on Crowe's telephone for the 29/04/1985.
- Identify David Cook via Crowe and see what attempts he made to contact Brennan. The conduct CCR check on Cook's telephone and obtain swab for elimination.

- Obtain swab from 1230 and use for elimination.
- Interview Gus Herstik re chain of events leading up to the discovery of Brennan.
- Was balcony fingerprinted re Crowe and Crich fingerprints.
- Was the switch on the heater and T.V. fingerprinted.

I230

@

Born – [REDACTED]/1962. CNI No. [REDACTED]
Previously of 176 Bourke Street, East Sydney
 (Currently residing at [REDACTED] Mildura. VIC)
 (Ph – [REDACTED] Recorded 31/08/2004)

Summary

I230 has known Brennan since September 1984 and met her at Peat's Beat. He was introduced by, I223 I230 socialised with Brennan for about three to four weeks before returning to Brisbane, where I230 finalised his commitments and returned to Sydney in October 1984. I230 shared Brennan's old flat with Smith at [REDACTED] Victoria St, Potts Point. Brennan had moved to [REDACTED] Darlinghurst Rd, Darlinghurst and in January 1985 I230 had moved into Brennan's old residence at [REDACTED] East Sydney. Brennan had paid the bond for I230 and later I230 repaid the money. Brennan got I230 a job at Peat's Beat, where he worked 7 nights a week, which has now been reduced to 3 nights a week. (At time of statement) I230 works with Brennan on Friday and Saturday nights and with I231 on Sunday nights. Brennan had no companion. About 3 weeks ago Brennan wanted I230 to work as he had fired Meagan. I230 was working with Brennan and I231 when Brennan found out that I230 and I231 were using the same finale that Brennan used. On the 27/04/1985 Brennan said to I230 "You better take out the ending." I230 said, "No." When Brennan left the club on Saturday night, it was the last time I230 saw him. I230 tried ringing Brennan on Monday on three occasions. At 11.45am 30/04/1985 I230 received call from Patrick Crowe about not seeing Brennan since Sunday. 12 mid day I230 attends Brennan's residence, pressed the doorbell and the front door was open about 10 inches. He pressed the doorbell again and called out to Brennan, then entered. The T.V. and heater were on. I230 then walked into the doorway of the bedroom and saw that the room was messy, which was not like Brennan. I230 then contact Crowe by telephone and advised him of this. Crowe then waited on the lounge and then walked into the bedroom and saw Brennan lying naked face down on the floor at the foot of the bed. He saw a degree of blood on Brennan's buttocks and on the floor near his head. I230 then contacted Crowe and advised him. I230 met Crowe and Manfred Ross out the front 15 minutes later. Both Crowe and Ross entered the bedroom and subsequently Ross contacted Herstik, who arranged for Police to attend.

- Interview I223 re relationship with I230 and obtain DNA swab for elimination.
- Locate and interview I231 re working with I230 on Sunday nights. Also obtain DNA swab for elimination. (Some where in N.Z.)
- Identify Meagan – What was the ramifications of firing Meagan. Also obtain DNA swab for elimination.
- Obtain DNA swab from I230 for elimination.
- Obtain I230's CCR's.
- Was front door of Brennan's flat printed.
- Obtain Crowe and Ross DNA swab for elimination.

Manfred Ross
Born - [REDACTED]/1951
Deceased - [REDACTED]/1994
Of [REDACTED] Redfern.

Summary,

Was a barman at the Baden Powel hotel, regent St, Redfern on Tuesday and Saturday nights. On the 30/04/85 Crowe told Ross that Brennan had been shot in the back. Ross knew Brennan through Peat's Beat. (At time of statement) Two to three weeks ago Ross lost his job at Bexley North Hotel and made arrangements to leave 2 suitcases of clothes and documents at Brennan's. On Friday the 26/04/1985 Ross telephoned Brennan. Brennan said that he was having his carpet changed and wanted Ross to change his gear. Ross went to Brennan's place at 12 mid day on Sunday the 28/04/1985 and asked to leave his gear for a few more days. He agreed and Ross had not seen him since.

- Obtain DNA swab from Ross for elimination purposes.
- Was Ross's suitcases in Brennan's unit – (Police evidence)
- Identify carpet company and who laid the carpet and at what time.

Interview :

Steven Ross Crich

Dob: [REDACTED] 1950

CNI - [REDACTED]

[REDACTED] Dulwich Hill

SUMMARY;

Received a phone call at work 30/04/1985, with Pat Crowe. Crowe received a call about 12 midday.

Crich was told by Crowe that Wendy had been hurt – Crowe asked Crich to drive to Wendy's flat.

Drove with Crowe to Wendy's saw [1230] distressed sitting on the front fence.

[1230] said Wendy was on the bedroom floor covered in blood.

Crich went with Pat Crowe to the bedroom and saw Wendy lying face down on the floor in a pool of blood.

Crich touched the body – it was cold and dead.

Saw that the face was swollen and there was a hole the size of a 20 cent piece between the shoulder blades.

Told [1230] and Pat to leave everything and go out the front.

Used the phone in the flat and called Josephine Cain, asked Cain to contact the police.

Left the unit.

Returned several minutes later and telephoned Cain again to make sure police were coming.

Left the unit.

Police arrived Crich spoke to the police and took police to the room.

INQUIRIES:

Statement from Josephine Cain re; telephone call with Crich.

Call charge records will not exist.

Re-interview Crich – why did he call Cain instead of police.

Statement from police who arrived.

Interview:

William Elton
No dob or address

Interviewed 02/05/1985

Police Tippett/Jacob

SUMMARY:

Elton knew the deceased Brennan @ Wendy Wayne for four years previous.

Brennan was an associate of Elton's wife who was employed in a real estate office at Kings Cross.

Was told by Brennan that Brennan was keeping company with an MSS Security Officer who drove a Datsun 120Y sedan, white in colour (no doubt Patching).

Was told by other drag queens that the Security Guard frequented Premier Lane in full uniform and with a firearm.

INQUIRIES OUTSTANDING:

Further interview/statement of Elton.

Brennan's family members have not been interviewed. Immediate family should be interviewed.

Check on vehicles owned by security guard, who is no doubt NP179, date of birth ██████/1963.

Todd Clayton.

Interview:

NP181

No dob or address

Interviewed 30/06/1986 – Central Police Station

Police McCann/Di Francesco

SUMMARY:

Lived in flat of Brennan prior to Brennan.

Had contact with Brennan. Brennan had moved in and bought NP181's furniture, was paying the furniture off.

Suspicious of I231 in relation to death of Brennan as I231 took off to NZ after the murder of Brennan.

Spoke to Danny Shakespeare in gaol. Shakespeare said that on the evening of Brennan's murder, he was with Brennan, I231, NP176 and her boyfriend whose surname was [REDACTED]

Shakespeare told NP181 that he had not told police everything when he was interviewed.

Shakespeare told NP181 that he was at Brennan's about 10pm on the night of the murder. I231, NP176 and her boyfriend were also at Brennan's at this time.

Shakespeare said that he told the police that after coffee, he had taken NP176 NP176 back up the Cross. This was incorrect; he had in fact left NP176 with Brennan because there was an argument between Brennan and NP176 about \$15K worth of heroin that NP176 had left at Brennan's the previous day. During the argument, Brennan had told NP176 it had been flushed down the toilet, (by Brennan).

Shakespeare mentioned the Neddy Smith had mentioned Brennan had been murdered over the heroin.

The people she had mentioned in this ROI were those responsible for the death of Brennan.

NP181 had spoken to NP176 and each time NP176 lied and provided a different story.

Is sure I231 knows what happened.

OF NOTE:

NP181 nominates possible suspects/witnesses

Line of Enquiry: **NP181** – Wendy's drag flatmate

Occurrence pad entry only

Ref 11/17F by HUTCHINSON on 8/5/85

Re: **I237**

Dob: **52**

Bellevue Hill

1. **I237** and Wendy were 'reasonably close' friends.
2. States that in October November 1984 drag named **NP181** was 'at times' living with Wendy. **NP181** was involved with two heavies, possibly Lebanese, who visited **NP181** and Wendy at the flat.
3. **NP181** left Sydney in a hurry in November 1984 because it was 'too hot' remain in Sydney.
4. **NP181** told **I237** she was going to the Gold Coast, to Darwin and intended to leave Australia.

Tasks:

1. Interview **NP181**
2. Explore the 'two heavies' and 'too hot for Sydney' comments.

Danny Shakespeare
Neddy Smith

I231

NP176

NP176

's boyfriend surname [REDACTED]

Also says these people, excluding Smith were at Brennan's the night of the murder.

There was an argument between NP176 and Brennan over heroin, with NP176 left at the address by Shakespeare.

INQUIRIES OUTSTANDING:

Interview of NP176 ASAP. DNA swab.

Possible re-interview of Shakespeare, Smith, and I231 DNA swabs off each.

Inquiries re; heroin angle, through possibly NP176 or associates.

Obtain prison records – were Shakespeare & NP181 both inmates together or did one visit the other, may show validity of information given.

Todd Clayton.

STATEMENT SUMMARY RE: [REDACTED] 1233

POI DETAILS: [REDACTED] 1233

Dob: [REDACTED] 1952

ADDRESS IN 1985: [REDACTED] Darlinghurst

In relation to the murder of BRENNAN on or around the 30th of April 1985, [REDACTED] 1233 was spoken to Di FRANCESCO. A statement was obtained from [REDACTED] 1233 on the 30/4/1985.

[REDACTED] 1233 stated that she knew BRENNAN for the past three years. This statement then proceeds into her movements for the day, where on the 28/4/1985 [REDACTED] 1233 was at home went to [REDACTED] till 1pm where [REDACTED] 1233 was with persons by the name of Maxine and Bob. Between 1pm and 3.15pm [REDACTED] 1233, Maxine and Bon went to the Markets. At 3.15pm dropped Maxine and Bob off at their house in Surry Hills.

[REDACTED] 1233 then went to [REDACTED] Surry Hills stayed at these premises with a person known as Greg CAMPBELL till about 10.30pm. CAMPBELL left and shortly after a person known as Ian BALL returned home.

[REDACTED] 1233 states that she has not seen BRENNAN for the past three weeks prior to BRENNAN's death.

ISSUES: This appears on face value to be a movements statement. There is nothing in the brief of evidence to indicate that [REDACTED] 1233 was a suspect. Follow up statements were not obtained.

TASKS: Statements to be obtained from Ian BALL and Greg CAMPBELL. No further information is known about these two people.

RESULT: On face value this statement goes nowhere and offers very little to the investigation. A cops check has been completed and as of the 26/6/2004 it appears that [REDACTED] 1233 resides at [REDACTED] Green Valley

STATEMENT SUMMARY RE: [I242]

POI DETAILS: [I242]

Dob: [REDACTED] /1952

ADDRESS IN 1985: [REDACTED] Kings Cross.

In relation to the murder of BRENNAN on or around the 30th of April 1985, [I242] was spoken to by GOORDON. A statement was obtained from [I242] on the 30/4/1985.

[I242] was a prostitute at that time and had known BRENNAN for approximately four months. During this time [I242] has attended BRENNAN's flat a number of times.

In Paragraph 3 for [I242]'s statement she states that the last time she was at the flat was at 9pm on Monday the 29th of April 1985. At this time the front door was unlocked and a light was on inside. [I242] went outside and waited for approximately ten minutes where she then went to the Royal Sovereign Hotel. [I242] left the hotel about 11pm and walked past BRENNAN's flat. At this time the door, light and gate were in the same position.

ISSUES: [I242] would be required to be spoken to again in relation to this matter. As a result cops and RTA checks were completed. It was revealed that [I242] is now **deceased**. She died on the [REDACTED] 1999.

TASKS: No tasks to be completed

RESULT: On face value this statement goes towards a time line. When [I242] went to the flat BRENNAN was not sighted therefore it cannot be confirmed at this time if BRENNAN was alive at this time.

STATEMENT SUMMARY RE: **DAVID COOK.**

POI DETAILS: DAVID COOK
 Dob: NOT KNOWN
ADDRESS IN 1985: (██████████) PADDINTON

In relation to the murder of BRENNAN on or around the 30th of April 1985, COOK was the night manager at Pette's Beat Restaurant, 80 Oxford Street, Darlinghurst. A statement was obtained from COOK on the 30/4/1985.

It has been revealed through COOK's statement that he knew BRENNAN obviously through Pette's Beat. On the 30th of April 1985 COOK tried to ring BRENNAN but there was no answer. As a result COOK called Pat CROWE. At this time it appears that COOK had concerns for BRENNAN and as a result called BRENNAN again. When he did this COOK spoke to CROWE again where he was informed that BRENNAN was dead.

COOK then went to BRENNAN's flat where he spoke to Ross CRICH, Pat CROWE and a person by the name of Ken.

In paragraph 7 of COOK's statement he provides information about George MIHAIL and the fact that MIHAIL wanted to rob BRENNAN. BRENNAN was told this and stated that he/she would sort it out.

ISSUES: It has been ascertained that George MIHAIL was spoken to about this allegation during the course of another investigation/interview and denied the information. There is no records regarding this investigation and I am of the view that MIHIAL will have to be spoken to again.

TASKS: Statement to be obtained from George MIHIAL

RESULT: COPS check completed and I am unable to locate COOK. A date of birth was not recorded at the time of speaking to COOK.

STATEMENT SUMMARY RE: 1233

POI DETAILS: George MIHAIL

Dob: [REDACTED] 1956

ADDRESS IN 1986: [REDACTED] Surry Hills

In relation to the murder of BRENNAN on or around the 30th of April 1985, MIHAIL was nominated by David COOK as wanted to rob BRENNAN.

On the 7th of February 1986 MIHAIL was spoken to by police in connection to another matter. During that interview MIHAIL was spoken to regarding this allegation. It was stated that MIHAIL denied this allegation. Nothing further was stated.

ISSUES: There is no record of interview to confirm that this interview actually took place. There is no synopsis of the interview. If MIHAIL is to be considered a Person of Interest then he would have to be interviewed. There is no alibi evidence to support or negate MIHAIL's involvement.

MIHAIL has antecedence for violent crimes and in particular robbery offences.

RESULT: At this stage MIHAIL as a Person of Interest is not complete. A cops check has been completed and MIHAIL has not been spoken to since 4th of April 1994. where his last known address is still 14 Goodchap Street, Surry Hills. MIHAIL has been a client of Corrective Services last known entry was in 2001.

STATEMENT SUMMARY RE: Carmen Tione RUPE.
AKA Trevor RUPE.

POI DETAILS: Carmen Tione RUPE

Dob: [REDACTED]/1936

ADDRESS IN 1985: [REDACTED] Potts Point.

In relation to the murder of BRENNAN on or around the 30th of April 1985, RUPE has known BRENNAN for the past 5 years previous. Could not nominate anyone who would want to hurt BRENNAN.

RUPE stated that she had not seen BRENNAN for the past three weeks. RUPE further stated that BRENNAN worked as a prostitute on Premier Lane Darlinghurst.

RUPE has nothing further to add to the investigation.

ISSUES: NIL

RESULT: This statement does not take the investigation any further. Last known address on COPS is still [REDACTED] Surry Hills as of 2004

STATEMENT SUMMARY RE: [1243]

POI DETAILS: [1243]

Dob: [REDACTED] 1944

ADDRESS IN 1985: NOT KNOWN

In relation to the murder of BRENNAN on or around the 30th of April 1985, [1243] was spoken to by police on the 30/4/1985. At this time a statement was obtained where [1243] stated that at 7.15pm on the 28/4/1985 [1243] and a drag queen known as [1223] went to BRENNAN's flat. There was no answer at the door so [1243] went to the bus depot and saw [1223] off. [1223] caught the bus to Brisbane.

ISSUES: A corroboration statement was not obtained from [1223]. At this stage [1223] is not fully known so this task would not be able to be achieved.

RESULT: [1243] is not currently known on COPS. There is a Victorian Criminal Records number [REDACTED]

STATEMENT SUMMARY RE: BARBARA COLLIS

POI DETAILS: Barbara COLLIS

Dob: NOT KNOWN

ADDRESS IN 1985: [REDACTED] Darlinghurst.

In relation to the murder of BRENNAN on or around the 30th of April 1985, COLLIS was interviewed on the 30/4/1985. At this time a statement was obtained where COLLIS stated that she had been a neighbour of BRENNAN's for approximately 8 months. At this time COLLIS stated that two people lived in the flat. COLLIS describes one person, which appears to be BRENNAN.

COLLIS then stated that a second person resided inside the flat. COLLIS describes this flat mate as being

BLEACHED BLONDE SHOULDER LENGTH HAIR

6 FOOT TALL

TRANSEXUAL IN THE MID 30's

COLLIS then went on to state that Carmen RUPE knew both flat mates. Describes Carmen RUPE as a maori.

COLLIS then states that Between 3.30pm and 5pm on the 28th of April 1985 SHE WAS AT HOME WATCHING THE GOLF. It was about 4pm when she heard a sharp crack which she thought was a car backfiring this crack sounded as if it was outside the window. COLLIS then states that this could have been a gunshot.

ISSUES: This time frame appears to be incorrect as there have been sightings of BRENNAN around 12.10am on Tuesday the 30th of April 1985. There appears to be nothing further to be obtained from COLLIS.

RESULT: There appears to be two possible addresses for a Barbara COLLIS on COPS. These are [REDACTED] TOORMINA or [REDACTED] ROCKDALE.

I247**Tenant of deceased**

Date of Birth. [REDACTED]/58

Resided at [REDACTED] Sydney leased in the name of Wendy WAYNE (deceased)

4 months ago Wendy moved to [REDACTED] Darlinghurst Rd, Darlinghurst with **I231** **I231** who moved back to New Zealand on the 18/4/85 prior to death.

9pm-9.30pm 28/4/85 awoken by voice at bedroom window and saw it was Wendy made up. Conversation about picking up rent counted out as being \$72.00.

Wendy said that she had been out somewhere and was going out to the club. That was the last occasion **I247** saw Wendy.**I231** was named as a possible suspect in the Record Of Interview of **NP181** **NP181** on the 30.6.86.It has been confirmed **I231** returned to New Zealand on the 18/4/85 prior to the murder of Brennan.**NO FURTHER ACTION REQUIRED.**

STATEMENT SUMMARY RE: [redacted] 1234

POI DETAILS: [redacted] 1234

Dob: NOT KNOWN

ADDRESS IN 1985: [redacted] East Sydney

In relation to the murder of BRENNAN on or around the 30th of April 1985, [redacted] 1234 was interview on the 30/4/1985. At this time a statement was obtained where [redacted] 1234 stated that he lives at this address with a [redacted] 1230 [redacted] 1234 has known BRENNAN for the past 3 to 5 years where he last saw BRENNAN four weeks prior to his death. Stated that he was in Surfers Paradise around this time.

ISSUES: It should be noted that [redacted] 1234 was spoken to on the 30/4/1985 but it was never canvassed with him when he returned from Surfers Paradise. There appears to be nothing further to be obtained from [redacted] 1234 at this stage.

RESULT: [redacted] 1234 has a number of alias's on COPS, [redacted] [redacted] 1234 is also known in Queensland.

Interview of [1226]
Address: [REDACTED] Darlinghurst

Summary

Is an entertainer.

Knows BRENNAN for two years prior. BRENNAN walked the laneway at the end of Forbes St. States that [REDACTED] CROWE and Judy ACCAN are associates.

Current address check on [1226] as of 19/9/04 has [1226] living at the following address:

[REDACTED] Redfern
[REDACTED]

ACCAN and CROWE have not been spoken to.

- Goes nowhere

Interview of [redacted] 1222

DOB: [redacted]/64

[redacted] Petersham

Summary

When drinking at the bottoms up bar at the Rex Hotel, kings Cross. Met [redacted] NP179 [redacted] NP179 who works for MSS. Had a relationship with [redacted] NP179

Two weeks prior to BRENNAN's death relationship ended and [redacted] NP179 started seeing another Queen.

Last saw BRENNAN on the Thursday or Friday before death working in Premier Lane.

Interview of I224

DOB ██████62

NFPA

Prostitute

Summary

At 1.00pm Sunday 28/04/62 I224 walks along Liverpool Street. Saw BRENNAN walking with a male and appears to be arguing.

Male describes as follows:

- 37 – 38yrs
- 5”10 tall
- average build
- dark collar length straight hair – messed up
- olive complexion
- looked Yugoslavian
- thick growth on face
- thick bushy eyebrows, broad nose

Wearing:

- blue denim jacket
- black trousers
- black shoes

Not known – probably false

Statement of Michael McCARTHY

[REDACTED] Darlinghurst

Statement provided by McCARTHY identifies that he has lived at the location for the last year. Left for work at 8am on the 29th April. Returned from work at 6pm and a short time later his friend Anthony REID attended and they had dinner. Both REID and McCARTHY leave the unit at 7.45pm and as they walk past unit 1, McCARTHY sees a female person wearing a black dress with long dark brown hair seated in the door area of unit 1. McCARTHY states that he did not recognise the person. He returned home to his unit at 9.45pm and states that he did not notice anything about unit 1 at this time. On Tuesday the 30th April, McCARTHY went to work and upon his return noticed a police car near the entrance to unit 1. At a later date McCARTHY provided a statement and identified to Detective HAGAN the position of the female seated in the door of unit 1. McCARTHY states that he does not know the occupants of unit1.

Lines of Enquiry: Nil

Statement of Anthony Leslie REID

██████████ Rose Bay

Statement provided to police identified REID as attending ██████████
██████████ Darlington to visit friend, Michael McCARTHY. REID attended loc at 6pm
on the Monday 29th April 1985. At about 7.30pm to 8.00pm both REID and
McCARTHY left the unit. As they walked past the front of unit 1 McCARTHY
comments on the fact that the occupants of unit one, known to be prostitutes, are
working on this night even in the rain.

Lines of Enquiry: Nil

Line of Enquiry: Wendy's former associates in Newcastle – 'Potter' charged with murdering drag queen Tom Jones.

Occurrence pad entry only

Ref 11/18 by GORDON & TYSON on 4/5/85

Re: Donald EARNST (RS/81)

1. Wendy lived in the Newcastle area and associated with drag queens.
2. This group included Mearl AMBLER (father), Chris AMBLER (son) and a man named POTTER.
3. Potter was convicted of murdering Tom Jones, a drag queen about 6 to 10- years ago over a lovers quarrel.
4. Murder occurred at Merryville near Newcastle.

Senior Constable Stephen COLES- 1st attending police

Statement dated 30/4/85

1st police officer on scene at 12.30pm 30/4/85 where he spoke to [1230]
[1230] and Patrick CROWE and was shown the bedroom scene by [1230]

Evidence of house the bedrooms are position and observes the main door is open with the keys on the inside of the lock, the television is on as is the small heater on the high setting.

On inspecting the bedroom saw a double bed with bed spread and blanket pulled down slightly in centre. The blood soaked pillow was partially covered by the bed spread in centre of the bed. Noticed a hole in the blanket similar to a bullet hole. Saw naked body lying face down on the floor next to bed with bullet holes in the shoulder blade and back of left hand. The deceased had his legs spread and his arms above his head.

The identification of the deceased was made by CROWE. He then left unit awaiting Det Sgt SMITH and ballistic who were contacted and attended. He then later attended the city morgue and identified the deceased to Dr OETTLE. S/C Bullivant also arrived and fingerprinted confirming identity of deceased to Detective Sergeant HAGAN.

No statement supplied or located from Det Sgt SMITH, Sen/Con Bullivant or Det Sgt HAGAN.

Plain Clothes Const 1/C Raymond CONSTABLE- Ballistics

Statement date 4/5/86

Attended the scene at 1.20pm 30/4/85 where he made an examination and took photographs/ collected exhibits;

- (1) swab
- (2) hair
- (3) cigarette butts
- (4) blood

Mentions producing photographs – not further indexed
No photograph in files of address as mentioned.

Observations of the deceased and scene- nominates 6 photographs although only 4 exist. These photographs include 3 of the position and state of bed within room. View deceased at Morgue with Dr OETTLE taking 9 photographs (in file) of the following injuries.

* Observation bullet entry wound to back consistent with a large calibre firearm in contact with skin at discharge exiting in the front of the neck.

* Observation of the 2nd entry wound at the base of the skull consistent with a large calibre firearm in contact with skin on discharge exiting from under chin.

*3rd Entry/exit wound on back of left hand.

Returned back to [REDACTED] Darlington Road, Kings Cross to make examination to locate rounds although unable to locate same. Re-attended on 1/5/85 with S/C Carven where scene was measured and a plan made of the unit.
Plan within case file.

9/5/85 attended the Division of Forensic Medicine and handed the following to Rudolf WEIGNER (Analyst)

- (a) Anal swab- taken by Dr Oettle 30/4/85
- (b) Phial of blood- taken by Dr Oettel 30/4/85
- (c) Sample of hair- from Left hand of deceased
- (d) 6 cigarette butts

The opinion of Ballistics expert is: *The victim was lying on the bed, naked, face down when shot in the back or neck. He was then pushed off the bed and shot a 2nd time before being moved backward to recover the spent round. The round from the shot on the bed has also not been located and it appear to have been taken from the scene by the POI. No statement supplied by S/C Sandeman.*

Statement of Det Sgt Stephen McCANN 22/7/86

This statement is an overview of the evidence currently on hand and witness statements as already supplied and located as being;

- | | | |
|------|--------------------|--|
| (1) | [I230] | Witness/ locates deceased |
| (2) | Patrick CROWE- | Witness/ locates deceased |
| (3) | Josephine CAIN- | Accountant linked to CROWE |
| (4) | Sen/Con BULLIVANT- | Fingerprints re identity of BRENNAN |
| (5) | Dr OETTLE- | Government Medical Officer- Post Mortem |
| (6) | DSC SANDEMAN- | Ballistic. Statement provided by Con CONSTABLE |
| (7) | [I225] | Transexual Prostitute friend |
| (8) | [I227] | Working on night and saw deceased |
| (9) | Anthony REID- | Identified deceased at flat 6.45-7pm 29/4/85 |
| (10) | Michael McCARTHY- | Identified deceased at flat 6.45-7pm 29/4/85 |
| (11) | [I242] | Friend who saw light on in flat 9pm 29/4/85 |
| (12) | [I223] | Friend of deceased who met policeman David? |
| (13) | Laurie BRADFORD- | Same evidence as [I223] |
| (14) | [I233] | Identified policeman from photo's. |
| (15) | [NP181] | Previous tenant at address re possible mistaken I.D. |

All statements have been located and reviewed except for [I233] and [NP181] on referred on an Occurrence Pad Entry.

Within this statement there is no mention of information supplied by Danny SHAKESPEARE in a record of interview dated 5/1/86 which was conducted some 6 months prior to the making of this statement. Unknown what content was forwarded to the Coroner .

Report of Dr Thomas OETTLE- Forensic Pathologist

Conducted the Post Mortem at 7.30pm 30/4/85 in the presence of Senior Constable COLES.

Describes the deceased as being a male 35 old weighing 72kg.

Makes reference to examining a 3 bullet holes being in the back of the neck, the upper back and the left hand of the deceased. Observation and examination is also made of a bruise on the skull although no skull fracture was present. Comment is made that there is no injury to the anal verge and although there was an anal swab taken there is no evidence of external seminal fluid. The deceased has a partial sex change and hormone treatment whereby breasts had developed. During the examination hair was located in the left hand of the deceased.

The hair is of particular importance and requires analytical testing for DNA.

Report of Rudolf WEIGNER- Division of Forensic Medicine

Analyst Report dated 22/5/85 FS85/223

Evidence of continuity of exhibits having been conveyed by Plain Clothes Constable CONSTABLE (Ballistics) on the 9/5/85 as being;

- (1) Blood- Blood Group A. PGM 2+
- (2) Anal Swab- Semen not detected
- (3) Hair- **To be examined.**
- (4) 6 Cigarette Butts- Saliva located on one cigarette butt as A blood group
5 other cigarette butts inconclusive. **Re-examination**

All cigarettes butts as per item 4 and the hair as per item 3 need to be re-analysed for DNA. Advice is that no items were retained after 1986. Inquiries need to be made with the Division of Analytical Laboratories re Reference No. FS 85/223 and with archives re location of all exhibits.

Possibility of contacting Det Sgt McCANN if still in NSW Police Force.