

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 Coordinator, Unsolved Homicide Review Team, Homicide Squad, State Crime Command. Your assessment of the available evidence and recommendation is necessary to assist in determining opportunities for re-investigation

1. Location of Brief of Evidence.

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

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

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

Victim:

Name:	Wayne (Wendy) BRENNAN		
Gender	Male (transsexual)	D.OB	26/7/1949
Relative contact (if known)	Don ERNST		

Homicide Details:

Time & Date	Between 3:15am on the 29 th April 1985 and 12:00pm on the 30 th April 1985.		
Location:	██████ Darlinghurst Road Darlinghurst NSW		
COPS Event/P40 No.	Incident Report	Attached	Y

Previous Investigation Name: (Strike Force/Task Force/Operation)	NA
Command in charge:	Darlinghurst Patrol

2. Cause of death

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

Post Mortem Results:	Y		
Exhibits Retained:	N	Location:	Glebe
Further Examination:	Y	Re-examine hairs which were located on the deceased. Re-Examine cigarette butts (Developments of DNA). Re-examine anal swab taken from deceased.	
Comment: Dr OETTLE stated the cause of death was a bullet wound to the neck and thorax.			

3. Investigation Records

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

Investigation Records Located:	Y
Comment: Not all the running sheets appear to be contained. No exhibit list from the crime scene or the search of the deceased's premises is located. No notes from the fingerprint operations branch is located in the file.	

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

Investigation Resume:	No
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Comment:

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

Progress Reports:	N
Comment:	

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

Post Operational Assessment:	N/A
Comment:	

4. Coroner's Inquest

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

Coroner's Inquest Held:	N:	Date:
Court:	Coroner: Glebe	
Inquest Brief Located	Y/N:	
Findings: Make enquires with Glebe Coroners Court for original brief.		

5. Original Case Officer

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

OIC Name:	Det 1 st Class Sgt Smith	Interviewed:	:N
Serving Member:	N:	Location:	
Comment:			
Enquires to be made to interview original case officer.			

Other Investigators:

Name:	Current Location:
D/Sgt 2/c Frazer	Separated
D/Sgt 3/c Tippett	
D/Sgt MCann	
DSC D Thompson	
DSC G Thompson	
DSC Flanders	
PCSC McKay	
DCst Whittle	
DCst Debrouwer	
DCst Gordon	
PCSC Gardner	
PCSC Di Francesco	
PSCst Jacob	SCC – SCS
PCCst Hayes	SCC – Gangs Squad
PCCst Trench	
PCCst Tyson	
PCCst Gilbert	
PCCst Short	
Homicide	
Det Sgt Hagan	Retired
DSgt Herrmann	
Det Williams	

6. Weapons

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

Type:	Handgun	
Recovered:	N:	Location:
Further Examination	Y/N:	
Action:		
<p>Comment: No spent cartridges or casing located. The original ballistics officer offered the opinion that due to the size of the entry wounds it was possible that a firearm with a calibre of greater than .40 was used.</p>		

7. Exhibits

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

Attempts should be made to locate all exhibits and determine what examinations have already taken place. The table below should be completed.

Exhibits located

Exhibit	Location (exhibit No.)	Previous Examinations	Status
Hair		No	To be examined
Sheets	Unable to be located.		
Blood Vial		Yes	Completed
Anal Swab		Yes	Completed
6 Cigarette Butts		Yes	Inconclusive

8. Fingerprints

There was no electronic fingerprint database in existence prior to 1986 when N.A.F.I.S. (National Automated Fingerprint Identification System) was established. All fingerprints were categorised and searched manually. When N.A.F.I.S. was established this enabled the capability of searching fingerprints electronically rather than by manual means. Palm prints for serious crime were back-captured on N.A.F.I.S. Fingerprints retrieved from homicide crime scenes were collected and filed in unsolved homicide files at the Fingerprint Latent Unit – Major Crime. All historical Fingerprint Major Crime Files are held with the Records Unit on Level 1, Tower B of Police Headquarters. (A list of these case files are in possession of the Commander, Latent Print Section, Fingerprint Operations, Criminal Identification Specialist Branch (C.I.S.B.)). Contact can be made with staff at the Major Crime Response Section on 27388 For cases occurring after 1986 results can be viewed through FCSR. In May 2001 N.A.F.I.S. was upgraded (N.A.F.I.S. 2) which allowed the capability of searching palm print impressions. It would appear that there are no archived records dating back to prior to 1971.

Fingerprints Available:	Y
Fingerprint Case Number:	
Major Crime Reference Number:	
Person Identified:	NP178
Comment: NP178 was interviewed 6 years after the murder. No information is available at this time to identify where the fingerprint was located within the crime scene.	

9. Witnesses

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

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

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

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

Witness:	Location:	How Located:	Relevance
I233	Sydney		Associate
Michael MCCARTHY	, Darlinghurst	Approached attending Police	Walked past residence about victim

			relevant timings.
Anthony REID	Rose Bay NSW		Walked past victim residence with McCARTHY.
I222			Had relationship with suspect NP179 prior to the incident
I224			Heard argument between deceased & unknown Yugoslav male at 1pm 28/04/1985
I237			Had relationship with NP181 (police officer)
I223			States the deceased used to live with a police officer named David (NFD)
Fred NICHOLLS			Is a truck driver who knew of the deceased through mutual
I232		Canvass	Sees victims door open
Esther KRIZMANCIC		Canvass	Sees male Poi outside the deceased unit
Charles SEVILLE			Hears loud bang & male voice in pain
I239			Sees victims door open
I242			Sees victims door open
I230			Locates deceased
Patrick Crowe			Requests I230 to check on deceased
I247			Pays rent
Ross CRICHE			Person reporting to Police
I225			Last person to see deceased
I227			Last person to see deceased
Barbara COLLIS			Hears gunshot

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:	N	Profile attached:	To be completed
Name: NP178	DOB:	CNI:	Status:
Comment: Identified by a fingerprint from within the victims premises.			

Suspect Identified:	Y	Profile attached:	To be completed
Name: NP179	DOB: [REDACTED] 1963	CNI: [REDACTED]	Status:
<p>Comment: Nominated as ex boyfriend of the victim & has access to firearms (previous employment of a security guard).</p> <p>The offender displayed a knowledge of firearms due to a deliberate attempt to recover the spent cartridges.</p> <p>The person is still alive.</p>			

11. Synopsis:

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

Synopsis:

The deceased was a working transsexual prostitute who resided in [REDACTED] Darlinghurst Road Darlinghurst NSW. The deceased resided alone and at the time had a domestic relationship with **NP179**

The last confirmed sighting of the deceased was at 3:15am on the 29th April 1985 walking past Premier Lane in Darlinghurst. At the time the deceased was with an unknown male who is believed to have been a client. The deceased was located by **1230** at 12:00pm on the 30th April 1985.

The deceased was found alongside the bed with two bullet wounds and Police attended shortly afterwards. An examination of the crime scene located exhibits however no ballistic evidence such as casings or rounds were located at the scene.

There are no known suspects however there are two (2) persons of interest.

The 1st POI is **NP179** (nominated by friends & associates) who had a domestic relationship with the deceased at the time. The POI was at the time a security guard who had access to hand guns. **NP179** was interviewed by investigators at the time of the murder and stated that he only used a Browning .32 calibre pistol whilst working with MSS security.

The 2nd POI is **NP178** who appears to have been identified by a fingerprint impression located within the victim's premises. **NP178** was interviewed as a suspect

some six (6) years after the said offence. There is little information within the case files to establish how [NP178] was identified as a suspect. [NP178] provided reasonable doubt as he used to be a client of the deceased and also the previous occupier of the residence.

The most pertinent line of enquiry is to re-examine the exhibits that were seized from the crime scene and the deceased. Those items being; anal swab, hair and cigarette butts.

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:

The investigation is re opened in order to submit exhibits for further examination and possibly identify any suspects. This will assist in determining any further lines of enquiries in relation to suspects.

REVIEWER'S CERTIFICATION

I certify that the review has been conducted thoroughly and I have accessed all available documents and exhibits.

Signature:

Name:

Rank:

Date:

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: