NEW SOUTH WALES POLICE

STATEMENT in matter of:	Place:	East Sydney
Death of Scott MILLER.		Crime Scene Section
97/120	Date:	3 October, 1997.

Name:CAMERONCarlton GraemeAGE: 53Address:Crime Scene Section, Sydney Police CentreTel.No.Occupation:Detective Senior Sergeant of Police.STATES:-

This statement made by me, accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecutions if I have stated in it anything which I know to be false or do not believe to be true.

- (1) I am a Detective Senior Sergeant of Police attached to the East Sydney Crime Scene Section at the Sydney Police Centre. I joined the New South Wales Police Force in 1964 and have been performing Crime Scene duties since 1967. My duties have consisted of the technical investigation of serious crime and incident scenes, the evaluation and collection of physical evidence, the examination of people, vehicles and clothing, and the production of photographs, scale plans and exhibits at various courts.
- (2) Between 1635 and 1650 hrs on Monday 3 March, 1997 I inspected the area of Munns Park at the Western end of Argyle Place, Bettington Street and Merriman Street, which surround the Palisade Hotel. A historical set of buildings are on the Southern side of Argyle Place and are part occupied by Southcorp Wines. Street lighting in this area is good and there is radiated lighting from the Darling Harbour wharf complex below this street level area.

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- (3) The South and Western edge of the Munns Park was bounded by a man proof chain wire fence secured to galvanised pipe posts with 2 rows of barbed wire secured along the top and above the chain wire fence. Some of the securing wires for the barbed wire has broken away and some of the barbed wire was hanging low. I inspected the fence in this area and could not find any break in the chain wire. I could find no fresh damage to the barbed wire or fresh scruff marks to the top pipe rail of the fence. There was no threads of clothing or material caught on the barbed wire and there were no apparent fresh indentations in the chain wire to indicate recent shoe impressions in the chain wire.
- (4) On the outside of the chain wire fence the sandstone surface was mostly covered with an ivy type ground cover. I could not see any fresh indents or damage to this green vegetation covering of the sandstone. None of the vegetation had the appearance of having slipped southward towards the cliff edge as I would have expected had someone slipped, fallen or been pushed over the cliff edge.
- (5) Had someone been carried to and lifted up to the top of the fence and been pushed over the fence I would expect more damage to the fence, the vegetation and for there to be physical evidence adhering to the barbed wire.
- (6) I also inspected the fencing along Merriman Street at the intersection of Bettington Street. This short length of fencing was Federation style round verticle cast iron picket style fence about 1200mm high, with a spear shaped top. It would be relatively easy to climb over. The wharf side of this fence is lower that the street side and the wharf side varied from between 1.5 and 2.0m wide. If someone was to successfully climb this fence and walk South along the cliff face there are 2 'cliffs' one would have to climb down as one walked South along the cliff face. At the southern end, the cliff face travels East towards Argyle Street. In this area area outside the fence, this area meets the previously described chain wire fence.

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This Western end of the chain wire fence and cliff face is overgrown with green vegetation. There were no signs of disturbance in this green vegetation and I am of the opinion no person had walked through it.

(6)

From my examination of the bitumen paved area of the wharf at Darling Harbour #5 I saw no debris from the vegetation above. This area is an enclosed area with a gate in the Southern fence about 150m from the cliff face. This gate was not operable and was open. Where the Northern end of the Western fence meets the cliff face there is a gap of about 2.0m. With the deep box drain along the bottom of the cliff face this would allow pedestrian access regardless of how the wharf area was set out with containers. A motor car sized vehicle could not travel through this gap.

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