

New South Wales Police

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STATEMENT in the matter of:
Kenneth BRENNAN

Place: Kings Cross Police
Police Station

Date : 15 June 1995

Name:

NP215

Address:

Onslow Ave, Elizabeth Bay

Tel. No.:

Occupation: School assistant

STATES:-

1. 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 prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

2. I am 42 years of age.

3. I was living in a homosexual relationship with Ken BRENNAN for the past four and a half years. We had a good sexual relationship up until about six months ago when I realised that Ken was having sexual relationships with other people without my knowledge or consent. It was about that time that Ken would come home late at night and the next day when doing his washing I found condoms and lubricant and tissues. I also found receipt tickets from the Pleasure Chest, so I knew where he had been.

4. I did not want this type of relationship, I wanted a closer relationship with just us. We used to argue about this but he said he wanted to see other people. I didn't want to because I loved him. I only saw other people a couple of times and he didn't even get upset, but he continued to do it all the time.

5. Prior to this time our sex life had suffered a little, we

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often would'nt have sex for two to three weeks and then we would start up again. During this time we had participated in threesomes if we all agreed on it. Ken would sometimes have sex with other men and I would wait in the lounge room. This would make me very angry, it seemed to be that Ken did'nt want me around and it hurt me a lot. Sometimes I would walk down the street and cry and ring my friends and tell them what he was doing. He used to make me wild because he just did'nt want me around.

6. Ken had a preference for asian men, I would get pissed off with this and have a go at him jokingly. Ken enjoyed anal sex and enjoyed receiving anal sex and also giving anal sex to other men. He did not prefer one or the other. Ken was a very passive sexual partner and was never aggressive during love making. He was not into kinky sex, abusing is body or putting foreign bodies into his anus. To my knowledge he did not use amyl nitrate or rush. We read gay magazines and watched gay videos together, is anybody else was there they would also watch them with us. Ken and I would always use condoms when we had sex and whenever there was someone else having sex with us, Ken and I would wear condoms and insist that the other person always wore condoms. When Ken and I had anal sex we would always use a condom, however, when we had oral sex a condom would not be used. I would often perform oral sex on Ken, but he would rarely perform oral sex on me. I think the reason for this is that I am not circumcised and Ken told me he was not keen on performing oral sex on me. After sex occurred the usual practice would be to place the used condom on one of the bedside tables or on the floor. Then afterwards I would usually pick up the used condoms, wrap them in paper, put them into a paper bag and put them into the garbage, other times I would wrap them in

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toilet paper and flush them down the toilet. Ken was not a very tidy person and would rarely tidy up the used condoms. Sometimes Ken would leave the condom on after sex and then walk into the bathroom, take it off his penis and through it into the toilet. Sometimes he would flush the toilet and other times he would just leave it in the toilet.

7. From my knowledge Ken was able to ejaculate and was able to again have sex and ejaculate about 3 hours later. After two ejaculations Ken was not able to back up again for some time. For example, if he had sex in the evening and ejaculated twice with about three hours in between he could back up again until he had slept that night and could ejaculate the next morning. Ken had a very high sex drive and usually each morning he would masturbate whilst lying in bed next to me. He would then clean up the sperm with tissues and go to the bathroom and throw the tissues down the toilet, sometimes he would flush the toilet and other times he would not.

8. When Ken and I had sex with a third person we would usually watch gay videos and become aroused by watching the video and touching each other. Then Ken would suggest that we go to the bedroom where we would have sex. Ken was always the more dominant one and would mostly call the shots.

9. A typical week for Ken and I would be, Monday mornings the alarm would go off, Ken would masturbate whilst lying in bed, he would then have breakfast, and leave the unit at about 7.20am, to go to work. I would then be getting ready for work and leave the unit about 8.00am, walk to Kings Cross Railway Station and catch the train to Redfern. I would then walk to my work at 199 Regent Street, Redfern. I would see Ken during the day at work

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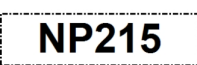
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several times. We would not speak for long because we did not want people at work to know that we were lovers, and this is the reason that we did not catch the train together each day. At 3.30pm I finished work and would usually catch the train back to Kings Cross and walk to the unit. Ken would usually stay back at work and arrive home about 5.30pm. There were times when he would not get home until about 7.30pm and I would worry because I did not know where he was, when I asked him he would not tell me where he had been. I would become suspicious when he would not tell me.

10. Occasionally someone would come around for tea but not very often maybe once or twice a fortnight. Usually we would just watch television, have dinner and Ken would write a lot of letters. We would both work monday to Friday and both have the weekend off. On the Saturday we would go to Edgecliff Shopping Centre and buy all the groceries at Franklins. Then we would go to the green grocers, then we would go to the station and catch the train back to Kings Cross and walk back home.

11. Sometimes on Saturday night we would just have a quiet night at home and watch television or Ken would say lets go to the sauna or to the pleasure chest. I didn't really want to go, so I would stay home and Ken would go. Ken usually would not come home until the early hours of Sunday morning and that would make me very angry. The sauna is called Kings Steam in Oxford street. The Pleasure Chest is in Pitt street near Central station. I have been to both places with Ken before.

12. When you go to te sauna you go to a little window and you would hand over \$15 each and then he would hand you a locker key and towel and you would sign your name on a clipboard with

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paper. Ken would always sign his name as Kevin BROWNING, I would always put my correct name. Then you would go through a door which was opened by the guy behind the window. Then you would walk through to a room where the lockers. You would take your clothes off and put the towel around you and place the locker key around your wrist or ankle. Then you would go to a cruising area, that is where other guys check you out, and if they were interested in you they would approach you and have a conversation with you. You would then go into a cubicle room and you would have both anal and oral sex.

13. They also have two spa pools where you can meet people and dry and wet saunas where men would touch you up. You could have sex as many times as you want. Ken and I would sometimes stay from three to four hours or I would usually leave him there. The pleasure chest is basically the same but it has not got the sauna and spa. Its a very sleazy and grotty place, it has the cruising area to meet people. The pleasure chest would usually cost you \$7 to enter.

14. On Sunday morning, Ken would always go and get the Sunday paper and then he would sit at the table and read, I would just watch television. Sometimes we would go to Oxford street and have coffee and look around. Or maybe go to Manly or the art galleries or museums. We would usually go out somewhere.

15. Both our closest friends would be Ron and Gina DROHAN of Corlette, Ken has known Ron for 40 years. Also **1271** of Little Bay. There is also Brian XXXXXXXXXX and James XXXXXXXXXX of Kogarah. We used to go to gay parties together. There are so many other people. WE both had lots of friends.

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16. We know Brian and James through Country Network Magazine. That is gay hospitality and accommodation directory. It lists phone numbers and addresses of gay men throughout Australia. These men publish their name address and interests and you can ring and they will arrange or provide accommodation for you. Sex can be included only if the two or three parties are agreeable. Ken and I were member of Country network and there are 247 members Australia wide. Ken and I are listed in the directory. All names and numbers are confidential throughout the magazine. Ken was also a member of the Australian gay hospitality exchange and that was similar to the country network, but involved overseas visitors.

17. Many people have stayed with us from the country network and no one whilst we have been in Sydney from hospitality the exchange.

18. Ken met a guy called **NP189** through the network and according to my diary Ken left on the 4 May, 1995, and travelled to Wagga to stay with **NP189**. He flew to Wagga and hired a car when he got there. I rang him at **NP189** place about 5.05pm and I had a talk to him and spoke to **NP189**. I had never met him but I had spoken to him on the phone before. Ken just spent the one night with him and he told me that they had performed both anal and oral sex on each other. Ken came home on 5 May, 1995, I remember it was in the evening.

19. **NP189** came to stay with us on Thursday last week, he had rung one day to see if it was all right. **NP189** arrived in the evening around 6.30pm, we talked for a while and I gave him a spare set of keys to the unit. Ken cooked us dinner and we sat and had drinks. Later that evening Ken put a gay video on and we

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all went into the bedroom. **NP189** had anal sex with both Ken and I but he was'nt into having anal sex performed on him. Later that night Ken slept on the lounge and **NP189** and I slept in my bed.

20. The next morning, Friday, I left with **NP189** Ken had left earlier for work and **NP189** and I walked to **I301**, he lives in a unit in number [REDACTED] Darlingtonhurst, I left **NP189** and went to work. After work that day Ken and myself went to the city for a while and we went to the Pleasure Chest, arriving about 4.30pm. We had walked from Town Hall Railway Station, down George Street, left up to Pitt Street, and kept walking until we got to the Pleasure Chest. Ken and I took part in two threesomes one guy Ken has known for a while, his name is **NP210** and the other guy was **I271**

21. After we had finished there, about 5.30pm, we walked back along George street to the Town Hall Railway Station and caught a train back to Kings Cross, arriving about 6.00pm. While we were coming through the gates we bumped into **I301** and **NP189** in front of the indicator boards of the railway station and Ken asked **NP189** for the keys back. **NP189** was'nt very happy about giving them, back. We walked back to **I301** place which is in Victoria Street and he got the keys of the dining room table and handed them to Ken. These were the spare keys they are on a ring with a belt clip and the entrance door key of [REDACTED] Onslow Avenue, the screen door key which is green, a blue key which fits the top lock which is the deadlock and another silver key which fits the handled lock of the front door. Ken put them in his pocket and we left and walked back home to the apartment. I think Ken went to the bottle shop on the way home, near Greeknowe Ave, but I cant really remember. I have not seen or

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heard from NP189 at all since Friday night.

22. I would describe NP189 as in his late 30's, shoulder length dark brown hair which kicks up at the collar, he has a long thick fringe straight across the front, and the sides are tucked behind his ears. He is Australian, slim build, slightly shorter than myself, probably about 5'6" tall, I don't recall the colour of his eyes, one ear ring in his left ear lobe which is gold, he has no tattoos or scars that I recall. He has a normal complexion on his face and does not have a tan on his body. When I saw him on the Friday he was wearing a medium blue coloured t-shirt with prominent stitching on the outside, Levis brand jeans corduroy fabric in a faded fawn colour, they appeared to be well worn. He had a dark coloured belt on and slip on suede shoes in a dark chocolate brown with a rough wrinkled sole. The shoes had stitching around the front, sides and heel.

23. We arrived back at the unit at about 6.15pm, I remember the news was still on the telly. During the evening Ken went through the mail. Ken opened a bottle of champaign which Ken drank. We watched a bit of telly and then went to bed.

24. On the Saturday morning Ken got up and told me that he wanted to go into the city to buy some handkerchiefs, go to the bank to withdraw some money, he always goes to the ATM machine at the National Bank in Darlinghurst Road, and go to LJ Hooker in Victoria Street, Kings Cross, to pay the rent. The rent is paid fortnightly which is \$360.00. Ken left the unit between 9.30am and 10.30am. When he left he was wearing blue jeans and a long sleeved cotton shirt with green and dark blue vertical stripes. While he was gone I watched music video clips on the

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telly. Ken was gone for a long time and got home at about 2.00pm. He told me that he had gone to the Pleasure Chest in Pitt Street, bought some handkerchiefs from Grace Brothers, he was carrying a Grace Brothers bag. He also bought some bread, alfalfa, cucumber and lettuce. We usually buy our fruit and vegies from the green grocer under the Hyatt at the corner of Darlinghurst Road and Bayswater Road, and bread from the bakery in Bayswater Road.

25. We then had lunch together and read the Sydney Morning Herald and the Weekend Australia. We stayed in the unit that afternoon. About 4.30-5.00pm, Ken and I started getting ready to go to **1291** place. Ken had a shower and shave, I had a shower. I remember when we left the unit that the bed was made, I had made the bed that morning. On top of the mattress was the mattress protector, then a fitted bottom sheet, another sheet on top and then a doona on top of this. The doona has a cover, one side is a small checked patten in blue and white and the other side is a larger checked pattern, in blue and white. There were two pillows at the head end of the bed and they had pillow slips on them. There was an orange chair in the bedroom which had a pile of newspapers on top. There were no cups or mugs left on the small tables either side of the bedhead. In the bathroom there was a bath mat hanging over the shower screen, my towel was on the back of the bathroom door on a towel rack, Kens towel was on the towel rack on the wall next to the toilet, and there was a face washer over the shower nozzle and a hand towel on a hook next to the sink and another face washer on a hook on the shower wall near the sink. All the towels were a rust colour except for the dark aqua face washer on the hook near the sink. The toilet seat was down and there were no condoms in the toilet. I had cleaned it earlier that morning. In the lounge

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room everything was in its place. There were some newspapers on the single seated chair. In the kitchen there were no dirty dishes in the sink, all pots, cutlery, and crockery was put away in the cupboards. There may have been an upturned cup in the sink which had been used. I always clean up before I go out because I don't like to have to worry about the mess when I get home.

26. We left the unit at about 6.30pm, and went outside and walked up the laneway where the boom gate is, it was raining heavily and we had a black umbrella each. We walked up Greenknowe Avenue towards Darlinghurst Road on the Post Office side of the road and then got to the lights and went across to the bottle shop in Darlinghurst Road, a short way up the street and on the opposite side of the road to the Post Office, where we both went in and Ken bought a bottle of Houghton's Dry White Wine. Ken was served and I waited at the entrance. We then walked back to the lights to Greenknowe Avenue where Ken hailed down a taxi. The taxi was a ford, a dark colour, Ken got in to the front passenger seat, I sat in the back behind Ken. The driver was Greek or Jewish, in his early 40's. Ken asked to go to number [redacted] fullerton Street, Woollahrah. We drove down Darlinghurst Road. Along the way he had to stop and look at his street directory for the directions. The taxi dropped us off about 7.10pm outside [redacted] NP214's unit, it cost \$9.00 something. Ken was angry with the taxi and I think he wrote his number down.

27. Ken and I went up to [redacted] NP214 unit, [redacted] NP214 prepared dinner and we had a glass of wine and talked. No one came to the unit during the night. The telephone called a few times during the night and [redacted] NP214 spoke to the caller. That night Ken, [redacted] NP214 and I engaged in sex. Ken left the unit at about 10.00pm. He told me

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that he was tired. I had several sexual encounters with **NP214** in the past and **NP214** had invited me to stay for the weekend to have some time away from Ken. Ken told me that he was going to catch the train back home. When he left he was wearing his fawn and black coloured parka, it is black on the **NP215** front and back and has fawn sleeves. He was wearing jeans and a black belt, he was wearing a light blue denim long sleeved shirt, with buttons up the front and a collar. He was wearing black ankle length leather boots with a stitched in pattern on the front. He did not tell me what plans he had for the weekend. When Ken left I told him that I would be seeing him in a few days, I had planned to stay until the Monday night and go back to the unit on Monday night so that I would be home to go to work on the Tuesday. Ken was in good spirits, and on top of the world when he left and told me he was going home.

28. **NP214** had a bottle of the same brand wine that Ken had bought and during the night we each had about three glasses. When Ken left he was not drunk. That evening I went to bed with **NP214** and we had sex, I penetrated **NP214** during the sex, but he did not penetrate me. We slept together and stayed in bed until 10.00am the next morning. We just talked and watched television and listened to some music. I did not leave the unit all day and neither did **NP214**. Its not very often I take to different men, but I like **NP214** a lot, I could'nt wish for a nicer friend. I feel comfortable having sex with him and being with him. I think **NP214** received a phone call from Peter who lives at Woollahra, I can't remember any other calls. I made a phone call to Ken at 2.05pm and I left a message on the answering machine.

29. I just talked with **NP214** for a while longer and later on we had some tea together and watched television, we watched

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apartment Zero on Lazer disc. I was feeling tired so we went to bed about 11.00pm. We had sex and then went to sleep and **NP214** phone started to ring and woke us, he received several calls in the morning, one from his mother and I'm not sure who the others were. **NP214** got up and made coffee, I got up and we sat and talked and listened to some music. **NP214** and I went for a walk to Bondi Junction and we went to McDonalds and had a meal. Then we called into Peters place, I don't remember the address and we spoke with ^{NP215}him for a while. **NP214** dropped of the paper for him, because he can't walk far because he just had a [REDACTED] operation. We stayed for about 10 minutes just talking, then we walked back to **NP214** apartment. I don't remember the streets we walked because I don't know the Woollahra area at all.

30. We arrived back at **NP214** place, it was later on in the afternoon and then I had a shower and a shave and got dressed. I said to **NP214** "I better get going" and I left the apartment at 5.05pm. I went down the lift and then out through the glass doors, then I turned right onto Fullerton street and I waked ^{NP215}down Fullerton street and then I turned left at the next street, I don't know the name. At the end of that street, I turned right into Queen street and then I walked down Queen street, at the end I turned left into Edgecliff Road, I walked down to the Railway near the Shopping centre and that is Edgecliff Railway station.

31. I walked up to the ticket machine and I bought a single ticket to Kings Cross from the electronic machine. Then I put my ticket into the machine and I walked through and retrieved my ticket, I went onto the platform that takes me back to Kings Cross. The train arrived about 5.20pm I got in the front area of the train about the third carriage. I stook up all the way and

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when the train arrived I got off and walked to the escalator to go up, then I walked to the gates where you put the ticket in. I put my ticket in the gate and walked through. Then I walked up to the other escalators that were on the right hand side and I went up the escalator and walked towards Darlinghurst Road. I walked down Darlinghurst Road to Greenknowe Avenue, then I walked down Greenknowe avenue on the opposite side of the post office to about where the boom gate was. I crossed from the Southern kerb and walked down the laneway, down past the boom gate, and I walked down a little bit further to the start of the building opposite and I looked up at the apartment.

32. The Police have shown me a Strathfield 1995, Open Training and Education Network black padded diary. I own this diary. In the diary there are two different handwritings, the handwriting in printing is mine and the other running writing belongs to Ken. This diary was always kept in the unit on the table in the lounge room where we would have our meals. Ken and I shared the diary and would write in everyday things. In the week commencing Monday 5 June, 1995, the **NP187** appears. This was written by me. **NP187** is a person Ken and I met through the Capital Q Gay magazine. Ken put an advertisement into this magazine about 4 or 5 weeks ago. In the advertisement it read something like, 'Two well hung, horny guys, wishes to have threesomes with other guys, if interested get in contact', a special code number is supplied in which if someone was interested in getting into contact with us they would have to contact by letter, quote the number, and then the letter is forward to Ken and I. After the add was published we received a lot of replies. Ken was organising the whole thing and I didn't take that much interest in the advertisement. I now of the add

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being placed in Capital Q about 3 or 4 times, each time the add was worded differently. It is only about the last 12 months that Ken had been advertising in Capital Q, he also has been advertising in the Sydney Star Magazine.

33. Ken has also received numerous responses from advertisements in Gay magazines, there were lots of letters that he received that I did not know of, he kept many secrets from me.

34. In my black diary at the back of the book I have kept a list in blue writing of names and numbers of men that have contacted us or Ken has contacted himself as a result of the ads that were placed in the magazine.

35. On Monday night 13 June, 1995. I attended the detectives office at Kings Cross and I took part in a video recorded interview which consisted of three cassette tapes and a video tape with Detective ORCHID and WHITTLE. During the interview they changed the audio tapes because they had run out.

ANNEXURE A: I PRODUCE ONE TRANSCRIPT OF ELECTRONIC RECORDED INTERVIEW.

36. On Tuesday 14 June, 1995, I went with Detective THURTELL and MULDOON back to my unit at [REDACTED] Onslow avenue, Elizabeth Bay. I took part in a walk around video interview with these police.

ANNEXURE B: I PRODUCE ONE TRANSCRIPT OF ELECTRONIC RECORDED INTERVIEW.

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