

ELECTRONICALLY RECORDED INTERVIEW BETWEEN DETECTIVE THURTELL AND [NP188] AT MAROUBRA POLICE STATION ON 13 DECEMBER 1995.

LT Right this an electronically recorded interview between Detective Senior Constable THURTELL and [NP188] at Maroubra Police Station. Today's the 13th December, 1995. Also present is Detective Sergeant HAYES, if you could identify yourself.

WH I am Wayne George HAYES

LT and both Detective HAYES and myself are from the Homicide Unit of the Major Crime Squad South

LT Um, [NP188] apart from Detective HAYES and myself do you agree that there are no other person in the room.

[NP188] Yeah

LT And do you agree that the time indicated on the machine is 1.32pm.

[NP188] Yes.

LT Right, Um as I have already explained to you Detective HAYES and I are making inquiries in relation to the murder of a fellow by the name of Kenneth BRENNAN in Kings Cross, Elizabeth Bay on the 11th June, 1995 this year and we would like to ask you some questions about that matter particularly in relation to a statement obtained from you on the 23rd October, 1995 by Detective HAYES and MULDOON at Long Bay Correctional centre. I want you to understand that you are not obliged to answer any of the questions about this matter unless you wish but whatever you say or do will be recorded on the machine in front of us here and later be used in evidence. Do you understand that?

[NP188] Yes.

LT Alright, Um is it true that prior to the start of this record of interview I told you intended to ask you further question about this matter.

[NP188] Yes

LT And it is true I told you that my questions any answer you gave would be electronically recorded on both audio and video tape as the interview took place

[NP188] Yes

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LT It is true that um, that at the conclusion of the interview you would be given a master audio tape of the tape to keep

NP188 Yes

LT And um, at the end of the interview a viewing of the video tape may be arranged

NP188 Yep, Yep.

LT Now could you tell me your full name

NP188 NP188

LT and that spelling of your surname

NP188 NP188

LT Right and your date of birth

NP188

LT and your current residential address

NP188 Goulburn Correctional centre

LT Right do you agree that prior to the interview I spoke to you about a statement that you made, it's a 1,2,3,4 page statement that you made to Detective HAYES and Detective MULDOON on the 23rd October this year.

NP188 Yeah

LT And do you agree that I asked I told you that I like to ask you some clarification question about the information that you gave in that statement.

NP188 Yes

LT Now um, I'll just show you that statement it a 4 page document and it headed the statement in the matter of Kenneth BRENNAN dated 23rd October, 1995 remand centre Long bay jail and it got the name NP188 on the top. I'll just get you to have a look at that I handed you the 4 page statement

NP188 I got a copy of this, so

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LT Okay

NP188 Yeah

LT Do you agree that the statement that you made to Detective HAYES and MULDOON

NP188 Yeah

LT Right, What I am going to now is take you through the statement and Clarify some things in the statement. Is that alright

NP188 Yeah

LT Right, now paragraph 3 statement of the statement refers to um, you working as fruit picker for about a year and um, just to earn some extra money. Right can you tell me the period of time you were working in Orange

NP188 Um, what is it, 90 93 sometime. It was not actually a year a whole year I was just doing it for um, I think a couple o months. I living in orange for that year but I was not fruit picking the whole time I was there and um,

LT What crop were you picking

NP188 Apples

LT Do you know whereabouts in Orange

NP188 Yeah

LT What company

NP188 It was just some guy, some old guy. He lived out on farm and I was working with a friend of mine, what was his name, Bill and um, another guy called Kevin used to pick us up and take us over to his Orchard I can't remember where it was near some Pub out there I just remember because we used to go down there for lunch that was it. I can't remember what time it was.....

LT Who was the friend you were with

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NP188: Um, well the friend was with was Chris [REDACTED] he was a mate of mine and like I was staying Orange with this um accommodation place there, like a free accommodation joint and these 2 guys rocked up and one of them had a brown car an old ford or something and said they were starting to pick friend and said Do you want to come out with us and earn some extra cash so I just went along and went out with them for a couple of months.

LT So there was only one season of apples you picked or was there more.

NP188: Yeah there was just one.

LT Were there any other crops you picked

NP188: Um, nay lust apples

LT And how long would you have worked picking apples

NP188: Um, I don;t know it would have been on and off I thing I might have worked couple of time in a period of a couple of months. Yeah

LT Right, so that would have been during the winter

NP188: Yeah it was pretty cold

LT And you can't remember the name of the employee of the property name, the company

NP188: No, I was just some old guy who employs 3 or 4 people. He had only just a small orchard and most of them out there are pretty big an they hire 30-40 people at a time

LT And how did you get the job

NP188: Well this old guy Bill got onto it somehow. I am not sure if he just drove around the place asking for work or not and then I meet him through some other guy at this refuge place in Orange and

LT What was that called do you know

NP188: Um, I can't remember what that joint was called, Uh I can't

LT Do you remember where in Orange

NP188: Um, If i had a map of Orange I could show you

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Lt Alight, Okay. Now in paragraph 4 of the statement you refer the date of the 8th June, 95 where you're at centre point arcade with a friend **NP207** and um, you stole two watches

NP188 No he stole 2 watches

LT And you were charge in relation to that theft

NP188 Yep, Yep.

LT Right, now i just want to start at that particular day and trace your movement on that day, now you say that you, Thursday night about 7pm and after the theft you caught a cab to Kings Cross. You sold them to someone on the street.

NP188 Yeah, well **NP207** did

LT Do you now the identity of the person that you sold them to. Would you be prepared to tell me who it is.

NP188 His name is Gary, I don't know his last name but

LT And you went to the Kirkton Hotel

NP188 Yep, that night

LT Right, now it say here that um, you book in under either your name **NP207**'s name of the name **[REDACTED]**. Can you remember the name that you used

NP188 No I can't. It may have been **[REDACTED]** it may have been that as well.

LT **[REDACTED]**

NP188 Yeah it might have been that as well

LT Who booked in

NP188 We just sought of lobbed there together and paid 50 bucks or something for the night

LT Was that the first night you stayed there

NP188 Yeah that was the night we sold the watches the Thursday

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LT What about **NP207**

NP188 What about him

LT Had he'd stayed there

NP188 prior to that

LT Yeah

NP188 Um, yeah I think so maybe he may have done

LT Now paragraph 6 you mention staying at another hotel on the next evening. Can you

NP188 It was some pub in the city.

LT You've given a description here of a block past the park in front of central railway station near the China Town shops.

NP188 If you had a map I could show what corner it was on.

LT Right, how about you do a sketch

NP188 Yeah, Yeah.

LT **NP188** has been supplied with a piece of paper and a pen.

NP188 That's sought of Central station there, there's a big park here and a couple of tunnels over here I think

LT As in Pedestrian traffic

NP188 No the train run over them

LT Right yeah, yeah.

NP188 And there's a big park here um. theres a street running this way and like the pub is directly on the corner there. And i think that's the cross junction there that goes down to George Street, it run up here and that's basically it and there a bar on the corner like that and the rooms are sought of, you walk in the door on the side here and walk up some stairs.

LT Right, Can you just indicate for me, that's central railway is it.

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NP188 Yep, that right.

LT Just write Central railway

NP188 And that were the bus went from when we went up to Byron Bay just there.

LT Right and you said that this was park, Just put park

NP188 Yeah. and that's the pub there.

LT Pub there. Right. Do you now which way the Opera house is, Sydney Harbour. Could you just do an arrow down that way and write Sydney Harbour.

NP188 Yep.

LT And you said the trains went across this way. can you write train track or something

NP188 Yeah. I reckon that right

LT Yeah what this

NP188 That's George street

LT And what did you say that the buses

NP188 Yeah the bus

LT Right, now you've got here , Do you know what name you book in at the pub that you've indicated in diagram

NP188 Nay. Probably on of them names

LT How many night did you stay there

NP188 Um, Oh shit think it was just one night and went to Byron Bay the next day

LT Right, what sought of room did you stay in

NP188 It just had 2 single beds in it. That was all. No tele of nothing. and the bathroom was across the front was

LT And what did that cost. Can you remember

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NP188 I think it was 50 bucks or something, 40 or 50 dollars.

LT Alight can you just put the date up here for me

NP188 13th of yep

LT And sign it and just write number 1 to me diagram 1, right okay.
Not sure of the name of the hotel

NP188 No I'm not sure.

LT Do you know who booked you in

NP188 Yer we just paid over the bar, um some barmaid and I'm not too sure if she wrote us out a receipt or nothing, she just gave us a key to the room and we went up there

LT Now that night, you went to the bus terminal and booked two tickets on Kirklands Coaches to Byron Bay

NP188 Yer

LT Now can you remember what that cost

NP188 Oh shit, I think they were about 50 bucks each, about 100 bucks for both of them

LT Are they single or return tickets

NP188 No they were single, one way

LT Now did you give names when you were booking the tickets

NP188 Yer

LT What names?

NP188 Either NP207's name, my name or [REDACTED] or [REDACTED], one of them four, I'm pretty sure

LT where does [REDACTED] come from

NP188 He's just a friend of mine that I used to have years ago and I've used his name

LT Do you remember the person that served you at Kirklands

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NP188 No

LT What time of the night was it that you purchased the tickets, can you remember

NP188 I think it was in the afternoon sometime, although I'm not sure, pretty sure it was the afternoon, the day we, what day have I said I've gone to Byron Bay, the Saturday or the Sunday, I can't really be expected to remember, you know what I was doing at the time really clear

LT Why is that

NP188 Well it is a long time ago now

LT Is there some other reason why your mind is not clear on it

NP188 No, not really, I mean the statement I gave you before was like the best I could, like try and and I couldn't have remembered that if I hadn't been charged with that watches you know so, you know

LT Right, so can you remember what you did that evening after you purchased the tickets

NP188 Um, no, oh shit, I don't know, we bought the tickets and stayed at the hotel and crashed out until the next morning

LT What happened the next morning

NP188 Well we were supposed to get woken up, and they didn't wake us up and we were running late for the bus, it left early in the morning, I remember that, it was about 7 o'clock it was supposed to leave and we didn't get up until about seven, so we just packed all the gear up, like clothes and bolted down to the bus station

LT so what luggage did you have

NP188 I had a black suitcase and that was actually in the locker rooms at central station, my suitcase and so was **NP207**'s luggage and we had to sort of go up there and get the bags from there first and we lost the tickets that we had when we checked the bags in and they weren't going to give us the bags and I was freaking out

LT When did you put the bags in

NP188 Oh kricky, I suppose when we went to buy the tickets we would have put the bags in the locker as well

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LT Why didn't you take the bags to the motel

NP188 I don't know why we wouldn't have done that, oh we just had heaps, we did take some stuff, I think NP207 took one bag to the hotel but I didn't want to lump a big suitcase around with me and he had another bag as well and ah that was it and so we thought we'll put them in a locker it saves carting them around

LT so you said the bus left quite early

NP188 Yer

LT Can you remember how many other people got on the bus

NP188 Oh it was pretty full

LT At central

NP188 Yer, there were a few other buses there as well

LT But it was definitely Kirklands

NP188 I am not 100 per cent sure if it was Kirklands, thought I'm pretty sure it was Kirklands

LT Why are you

NP188 Well it just seems to ring a bell, Kirklands, on the ticket and that I'm pretty sure I've seen Kirklands written on the bus ticket recently, so

LT Have you still got the tickets

NP188 No

LT Obviously the bus, can you remember anything specific about the bus

NP188 About the bus, not really, didn't meet anyone on it, no just left early, I think on the Saturday morning

LT What about the driver, can you recall what the driver looked like

NP188 Um, no not really

LT Was he Australian, ethnic, asian, or

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[NP188] I can't remember what the bus driver looked like

LT What about any passengers on the bus, can you recall what they were like

[NP188] Not really because I was just with [NP207], you know my mate and we just sat about three rows from the back and sort of slept most of the way, that was it

LT Can you remember the stops along the way

[NP188] Um, oh there was a couple of stops and I made a phone call to um my dad telling him I was on the way to Byron Bay

LT Right, where is your dad at

[NP188] He lives in Perth, I actually spoke to his new wife

LT What is her name

[NP188] [REDACTED], I spoke to her I rang her up

LT [REDACTED]

[NP188] Uh, [REDACTED]

LT Right

[NP188] Yer I rang her up, it would have been a Saturday night I suppose

LT Can you give us your dads particulars

[NP188] Yer he is [REDACTED] up you want his address

LT Yes, phone number if you know it

[NP188] It is [REDACTED] in Perth and the phone number is [REDACTED] that's the area code, [REDACTED]

LT And what did you tell your father, did you speak to your father

[NP188] No, no just her, he was out or something at the time and ah, just small chit chat and what are you doing, because I had only been in Sydney for a couple of months and I hadn't rung them up before and I just says I am on my way to Byron Bay, she goes, yer right, getting out of Sydney and that, I go yer, that was basically it

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LT How long did that conversation go for

NP188 Oh, only for a few minutes

LT do you know what time of the night it was that you had rung, from your end

NP188 Just from some petrol station along the way, oh shit, I suppose it would have been in the late afternoon, maybe four or five o'clock

LT And what time did the bus pull into Byron Bay

NP188 Byron Bay, it was night time, it was dark, um seven or eight o'clock that night

LT where did you go then

NP188 We went to one backpackers joint and they were full

LT do you know what they were called

NP188 The first one that we went to was called the Pig Pen or something and ah they were full, no the Piggery that's what it was called, they were full and then ah we got the courtesy coach that they were running for there joint that took us to this other backpackers joint sort of on the way into town and we just stayed there

LT do you know the name of that place

NP188 I can't think of what that place was called, it was on sort of the main street as you come into Byron Bay

LT Do you know Byron Bay very well

NP188 Not really because it was the first time that I had been there, I passed through it on a bus before coming down from Brisbane but I had never stayed there before

LT Could you draw a rough sketch of the Piggery and then the place that you stayed

NP188 I am not sure of where the Piggery would be but I could do my best

LT where did the bus pull into

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NP188 It pulled right into the middle of town and I'll do my best, there is a main road here and this is where the bus pulled in OK, um and then this road sort of goes out and curves a bit like that and goes up and then it turns around again like that and then the place that we stayed at was up here, just here there was a shop and a phone box and this joint was sort of up her, I think it was an old motel or something

LT so it is a backpackers establishment of some sort

NP188 Of some sort yer

LT So if this the centre of town in the middle what direction is the backpackers in, North South west east

NP188 UM, I not sure

LT You're heading north obviously from Sydney to Byron bay so

NP188 Yeah it would be north northerly

LT North of the main of the centre of Byron bay

NP188 North, no more sought of easterly.

LT Did you pass it on your way into Byron Bay

NP188 Yeah, Yeah.

LT So you passed it.

NP188 Cos I recognised as we drove into town

LT What did the premises look like, an old hotel

NP188 Yeah sought of an old motel sought of not a pub

LT Were they communal room or some of them

NP188 Yeah some of them separate cos we asked for double room for ourselves and they didn't have any so they threw us in the then dorm and there was 2 bunk beds in it.

LT Can you remember what time you arrived there

NP188 Um, I don;t know it was at night time maybe around 9 o'clock s'pose. cos the bus the got in there

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LT Do you know who book him in who did the talking when you arrived

NP188 Um, I don;t know I think **NP207** did I can'y really recall that much

LT Did you supply names

NP188 Yeah Yeah we gave names

LT What names

NP188 Um, On of these names that you have already got.

LT so **NP188** **NP207**,

NP188 Yeah Yeah.

LT So you have supplied your real names and you could have used
 [REDACTED] or [REDACTED]

NP188 I'm pretty sure that **NP207** may have given another names but I can't remember

LT What about um. there mention of a watch in the safe.

NP188 Yeah he put the watch in the safe overnight

LT What was the routine to do that

NP188 Well we just handed the watch over and the chick just threw it the safe and that was it. and when we left the next we got it back.

LT Did he fill out a piece of paper or something

NP188 I'm not sure if we signed anything or not I'm not sure she just took it off him and put it in the safe.

LT So it was a lady that you dealt with

NP188 Yeah some girl

LT Can you remember what she looked like

NP188 UM, I think she may have been English, English backpacker or something I'm not sure

LT And where was the safe situated

15/

NP188 Um where would that have been probably directly behind her I s'pose

LT Was she behind a counter or something

NP188 Yeah she was behind the counter yep and she probably put it behind her that's it.

LT So how many nights did you stay there

NP188 Um, stayed there Saturday night

LT Just the one night

NP188 Yeah, just the one night

LT and you stay in a room with four beds. Was there any other people in the room.

NP188 Yeah they chucked 2 guys in there with us as well. I think they may have been Germans or something

LT Do you know there names

NP188 No, No. We just went there to dry out, get off drugs and stuff cos we weren't sleeping to well, tossing and turning all night and they put these 2 guys in and they just crashed out, just one big guy with a beard had an accent and presumed he was German they had their backpacks and that they were just travelling around

LT And what did you pay to stay at that place.

NP188 Um, I don;t know maybe 10-15 dollars a night or something

LT And how much money did you have on you when you headed up there

NP188 I didn't have much money on me, patrick had most of the money, maybe 200 dollars when we got into town

LT You didn't have much at all or you didn't have any

NP188 Ah maybe had 20 bucks or something

LT So what happened the next day

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NP188: Went for a walk around town nothing much I went back into town by myself on the Sunday and booked 2 tickets back to Sydney on the bus

LT Why did you do that

NP188: Just up there really sick and just wanted to go back to Sydney
That was it. tried to go up there to De-tox but it didn't last and that I was pretty sure I brought the tickets down where the bus near the cabin are up here and I think I used the last of the money to get the tickets back. I may have had 20 bucks left over as well. So there was no 100 buck to come back with

LT So where did you buy the tickets from

NP188: Somewhere up here. Just like some cabin sought of that had specials on tickets to Sydney or to Brisbane or where ever you wanted to go they did tours and stuff like that

LT Like an information booth

NP188: Yeah like they organise tours and day trips and stuff like

LT And what company was that with do you know

NP188: Um I am pretty sure It was Kirkland on the way back as well

LT The same company that you travelled up with

NP188: Yeah well I think it would have been different drivers, well actually we went up on the coach that was a single coach and we came back on a double decker. It was a different bus, I'm pretty sure it was Kirklands

LT When you mean double decker you mean that it was seating at the bottom and seating at the top.

NP188: Yeah we sat right at the back on the double decker on the way back. We would just on the single coach

LT So what time did you book the return tickets

NP188: Un I think it was about 11 o'clock in the morning cos he said ring up at 2 o'clock and well see if we can get you some seats cos he was sure and just to confirm it that we were on the bus back that night and so i did that and rang him up at 2 o'clock that night and it was all sweet

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LT So what did you do during the day

NP188 What up in Byron, Um, nothing really. Lazed around the backpackers watched a bit of tele

LT The backpackers that you stayed that night

NP188 Yeah, Yeah. They had a big lounge and a T.V. and that and we just sought of lumped around there. NP207 was in the room most of the time lying in bed and I was watching T.V.

LT So what time did the bus leave byron bay to come back to Sydney.

NP188 I think it was 5 o'clock or 6 o'clock Sunday night

LT Do you remember meeting or speaking with any passengers on that trip.

NP188 Yeah they was a couple that he talked to, they didn't even have any cigarette and they about half way down we got off and some store, some garage some roadhouse and got talking to some girl I don't know what her name was

LT Was she a passenger on the bus

NP188 Yeah she was on the bus and I asked her for couple of cigarettes and she gave me a couple. That's about it cos there wasn't really that many people on the bus on the way back to Sydney it would not have even been half full I don't think and I was asleep on the back seat cos I had the whole back seat to myself and just crashed out there

LT And where did you depart from the bus at

NP188 Got off at Chatswood

LT Why's that

NP188 Well Patrick wanted get into Kings Cross quicker. He didn't want to wait for the bus to go to central so we just jumped in a cab

LT And what was the hurry to get back to Kings Cross

18/

NP188 He wanted to have shock cos he was sick so he didn't want to wait for the bus to go central so he got off and jumped in a cab. I would have been happy to go to central but, I remember the bus driver freaking out saying what are you doing. Like our luggage was labelled to central and he was spinning out cos he had to go into the bus and get our bags out at Chatswood and I don't know, we just jumped in a cab

LT Do you remember the bus driver on the trip back

NP188 I think he was an Aussie bloke in his uniform, They wear their coach uniforms you know.

LT So do you remember the cost of the return tickets

NP188 No we didn't get return tickets. We got tickets from Sydney to Byron then tickets from Byron to

LT Yeah so how much were the tickets from Byron to Sydney

NP188 FRom Byron to Sydney, I think they were 50 Bucks each

LT Same as on the way up. Who paid for that

NP188 I actually bought them, but **NP207** had the money so I got it off him to pay for the tickets

LT And you left the bus at Chatswood and jumped in a cab. Do you know what cab company

NP188 No I don't know what cab company, No.

LT And where did you request to go to

NP188 Kings Cross

LT Kings Cross

NP188 Yeah we just pulled up in the main drag, Darlinghurst road outside Porkies or something

LT and what was the cost of the cab from Chatswood to King Cross

NP188 Well we didn't have any money so I stayed in the cab while **NP207** got out and come back about 5 minutes later with 20 buck and and gave him 20 bucks.

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LT Where did he go, do you know

NP188 I don;t know walked up the street, maybe on of the little restaurants I'm not sure, I was just sitting in the cab waiting for him to come and pay the guy

LT What happened to the watch that you put in the safe at Byron Bay

NP188 Yeah he sold that the morning that he got into Sydney in the cross

LT Do you know who he sold it to

NP188 He sold it in the cosmopolitan Cafe to somebody at Kings Cross.

LT Do you know how much he got for it.

NP188 It wasn't much, um not much at all. That may have been even where he got the cab fare from. may have gone in there and got 20 bucks and come back. Did a deal on the watch. It was only a couple 100 bucks if that.

LT What happened after you paid the cab driver

NP188 Um just taken all the stuff out of the taxi, my stuff, NP207's gear and NP207's come back with a few caps gone up and had a shot. That's it.

LT Caps you mean heroin

NP188 Yeah

LT Gone up into where

NP188 Gone up into Porkies

LT What did you do with your luggage

NP188 Yeah good question, I'm not sure, probably took it up to the room with us had the shot then bought it back down and then I don't know. Can't really remember much after that

LT Where did you stay that night

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NP188 I don't know. Not sure. I don't were I stayed that night

BEEPING

THE last time I gave the statement I have been thinking about it quite a lot, well I have done, I still can't think can't remember where I was where I stayed that night or where I stayed the next night, it is just a blank really.

LT You know Kings Cross quite well.

NP188 Yeah quite well.

LT Where have you stayed in the past

NP188 Stayed at the Kirkton a couple of times, matthew talbot Hostel, Maxim Lodge, just mostly them three places.

LT Do you know the whereabouts of **NP207** at the moment

NP188 I think he might be in Melbourne somewhere

LT What he come from Melbourne does he.

NP188 Yeah. I'm not sure if was born there, but he has spent some time there.

LT Have you got any ideas where he maybe in Melbourne

NP188 No. I have never been to melbourne with him. I was planning to go to Melbourne with him, but he took off.

LT In the statement you made to Detective HAYES he asked you about the bottle shop in Oxford street. Do you recall him asking you that

NP188 Yep, Yeah.

LT You say that you know the location of the bottle shop

NP188 Yeah

LT How do you know that area of Sydney

NP188 I have just walked up Oxford street a few times. just having a look around, sometimes I have done some shoplifting up there and that's it

LT Have you been in that particular bottle shop

21/

NP188 No I don;t think so, No.

LT Do you drink alcohol

NP188 No not really. Not when I'm using heroin I don't

LT What do you drink when you're not using heroin

NP188 What do you drink, um, mostly beer, I'm not really a big drinker, not really have been.

LT Any other types of drinks, mostly stick to beer.

NP188 Mostly beer, to buy in a pub like, if I went to a bottle shop i might buy some Bourbon or something as well

LT You say you've never been in that particular bottle shop.

NP188 No. NO don't think so. No pretty sure I have never been in there or bought anything

LT What other areas of Kings Cross do you know well

NP188 What other areas

LT Well you obviously have are familiar with the King Cross area. Can you tell me where, You mention the Kirkton, The Maxim, The Matthew Talbot, if you were to stay in those places at night what would you do during the day in the area, would you stay in Kings Cross during the day or

NP188 Um, I mostly get up in the morning from the Matthew Talbot say at 7 o'clock they kick you out of bed, I would go walk around the city and rip something off go and sell it in the Cross get the money, buy some drugs and go back to the city. That was it. That's all i used to do.

LT So you have had some type of drug problem in the past

NP188 Yeah, just heroin

LT How bad was your drug problem

NP188 I wasn't really using that much, enough to wake up feeling shit the next day it wasn't a raging habit, I don't know maybe 200 bucks a day.

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LT How would you use the heroin

NP188 Shot it up

Lt You would inject

NP188 Yeah, yeah.

LT So if your on a 100, 200 dollars a day, you say you were shoplifting to support your drug habit.

NP188 Sometimes I would go back into the suburbs as well and shoplift as well

LT What other suburbs

NP188 Chatswood, Hornsby, Hurstville, wherever there was Grace Brothers

LT Would you go on your own or with friends

NP188 Did a lot with **NP207**, did a lot of shoplifting with him and then when he left it was mostly by myself

LT What do you mean when he left. When did he leave

NP188 I think he took off to Melbourne sometime in August, yeah he bought a little van and just took off one day.

LT Would you use any other way to bring income in to support your habit

NP188 No, mostly all stealing that's it.

LT And you are obviously on the dole, social security

NP188 Yep.

LT Do you agree that earlier on in the part of the interview I asked you if you would be prepared to supply us some body samples to us such as head hair, pubic hair, blood and a foot print and you agree that you said that you would be prepared to

NP188 Yeah, Yap

Lt And do agree that I also told you are not obliged to supply those sample unless you wish

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NP188 No I'll give them to you

Lt But what ever you supply us with may later be used as evidence. Do you understand that.

NP188 Yeah, Yep.

LT Alright so you are prepared. OK. Have you got any questions Detective Hayes? This diagram that you have just drawn, I'll just get you to clarify a few things um

NP188 Thats the backpackers there, there is a little shop here

LT What sort of shop

NP188 A deli, delicatessen, they sell sandwiches and stuff, this is um where the bus would have dropped us off, the bus stop and up here there is an RSL club, we went in there to buy some cigarettes the first night we were there.

LT OK, and this road's to Sydney is it

NP188 Yer it's the way into to town so I suppose its the way out of town as well

LT can you put an arrow to Sydney, and you said that this is the centre of Byron Bay itself

NP188 Yer, yer, I think it might be around about yer as well at the centre and city centre

LT This is the second diagram that you have drawn, so No. 2, the date and your signature again, have you got any questions Detective HAYES

WH When you said that you went to Central Railway station to redeem your luggage, you said that you lost your tickets, how did you redeem your luggage, did you produce identification or anything

24/

NP188 Ah yer that was a real cock up that was, um we went there to get the tickets, I mean to get the luggage and then he goes, where's your tickets and I'm going around I'm going through my pockets and I haven't got them, and I'm going, I haven't got them you know and he said, look you need the tickets and then like we were running late for the bus and **NP207** was like a real impatient person and he started going off at him and stuff and he saying look just give us the bags, we'll tell you whats in them and that and he's going no no no, and then, how did we get the bags yer thats a good question, I think I may have gone back to the hotel, um and got the tickets from the room, no I wouldn't have done that, what am I saying, um I can't really remember now, come to think of it, I remember getting my bags though

WH What identification did you carry with you at the time

NP188 Ah, just my medicare card and my license

WH Drivers licence you mean by license

NP188 Yer

WH What names are on the medicare card, yours alone

NP188 My name, just my name

WH The drivers licence, whats...

LT Its now 2.17 as indicated by the machine its the 13 December, 1995 and this is an interview between Detective Thurtell and **NP188** at Maroubra Police Station. **NP188** do you agree there was a problem with the tape and it popped out and then the video cassette also came out of the machine

NP188 Yes

LT Do you agree that we haven't spoken in the time that we have managed to replace the tapes

NP188 Yes

LT Right, Detective Hayes was just asking me some questions

NP188 You still want to know about the tickets right

WH Please

25/

NP188 Yer, right we had a small bag with a few things in it and we left that at the bus stop, right and then we have gone to get, they had the luggage tickets in them and I had forgotten to take them with me so I've run back down to the bus stop to grab the tickets for the luggage and then gone back up there and give them to him for the luggage and got the luggage, because I was pretty sure I went somewhere, but I wasn't sure if I went back to the hotel but now I can remember I went, we left some stuff at the bus stop

WH Its all I can think of at this stage thank you

LT Do you want to suspend the interview for a short time, it is now 2.18 and we will suspend the interview Detective Hayes and I will go out of the room for a short time OK

TAPE SUSPENDED 2.18pm

LT It is now 2.30 this is Doctor Moynham he is a Police Forensic Doctor and he will be taking your head hair, pubic hair and blood samples and another fellow from the Crime Scene Unit will take your footprint. Now you have given permission for this to be done and the doctor is going to do that, now we have got a document here, I will just read it onto the tapes. I NP188 give Dr Moynham permission to take from my body a sample of my blood, pubic hair and head hair for the purpose of laboratory analysis. This permission is given by me without any threat, promise or inducement being held out to me. Is that alright, do you agree with that

NP188 Yes

LT Right, I'll get you to sign it on the left side there and I will sign that as a witness and we will leave the doctor, we'll just be outside and let the doctor do his stuff. I will suspend the interview for the doctor to take his samples and we will be waiting outside the room. It is 2.32 as indicated by the tape and we will suspend the interview.

INTERVIEW SUSPENDED 2.32PM.

INTERVIEW RESUMED 3.07PM.

LT It is the 13th of December, 1995 and we are at Maroubra Police Station, the time is now 3.07 as indicated by the machine and this is an interview between Detective Thurtell and NP188. NP188 do you agree that Doctor Moynham has just left and he has taken from samples of your head hair, pubic hair and blood

26/

NP188 Yes

LT And you in fact signed a document giving him permission to take those samples from you

NP188 Alight

LT Alight, after Detective Hayes and Muldoon spoke to you at Long Bay on the 23rd of October, this year, we made certain enquires in relation to what you told us on that time, and we have found that we are unable to find any records of your name, NP207's name or the other names that you have given us on the Kirklands Coach passenger list for those days that you nominated travelling up to Byron Bay and likewise on the return trip from Byron Bay. Do you have anything to say about that

NP188 Nu, not really, what can I say, I definitely went up there, maybe it was another bus company that we went on but I was pretty sure that it was Kirklands, definitely one hundred percent went up there

LT Right, you have got no explanation for why

NP188 Not unless, the only thing I can think of is maybe it is another bus company if you have only just checked Kirklands, maybe I went on another line, but I am pretty sure it was Kirklands, or I might have been under another name

LT Do you know of any other buses that

NP188 No, maybe McCatherties, there is another bus line

LT Yer, we have checked McCafferties and your name or NP207's name or the other names do not appear on there lists either

NP188 No, shit, I don't know why that would be, I definitely went up there

LT We have also checked all the backpackers hostels in Byron Bay and we havent been able to locate your name, NP207's name or any of the other names you have nominated as being on the registers for that particular evening that you nominated for staying in Byron Bay. Have you got anything to say about that

NP188 No, unless the names I have given you are not right and NP207 used another name, but I can't remember, but I was definitely up there, the Saturday night, that place that I described

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LT We have in fact just confirmed with them, 10 minutes ago and um, we rang up the backpackers establishment at the location that you have drawn for us and they have re-checked their records and they do not have your name, [NP207]'s name or any of the other names you nominated on their booking file for that evening

[NP188] Yer, shit, oh I don't know why that would be, because I was definitely up there

LT Have you got any questions Detective Hayes

WH When you say you are 100 per cent sure of your movements, what do you base that on bearing in mind you told us before you couldn't remember your movements and made reference to the charge sheets

[NP188] Well once now that I realised that we had taken the watches I can remember that couple of days after that because I thought it was a pretty serious thing and that's why we went up to Byron Bay because the watches were worth 12 thousand dollars and we didn't want to get busted for them so we went up there to dry out, you know and everything else that I told you is to the best of my recollection of what I can remember because those watches stuck out in my mind and that's it

Wh Why Byron Bay

[NP188] [NP207] had been up there before and said it was a pretty good place to go so, just there, that was it, I wasn't bothered where we went, that's strange about that place not having our names unless we used another name

WH Can you recall any other names that you might have used

[NP188] No I can't

LT Can you describe, I know I asked you before, but is there any way you can describe what it looked like from the outside

[NP188] Yer, as you stand on the footpath outside there is a carpark, directly, you actually walk into the carpark, and then you sort of down back of the building is the office and then sought of before the office is where the t.v room is and the kitchen.

LT What does the places look like from the street

[NP188] From the street, ah, sought of I don't know what it looks like it sought of

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WH Is it 1 storey, 2 stories, 3 stories or what

NP188 I think it's one storey

WH Is it brick or timber or what

NP188 I think the games room and kitchen and like maybe an extension of the premises and where the rooms are there is little garden sought of with few benches and they don't let you smoke inside and all people sitting outside smoking cigarettes and stuff in the courtyard and walk around to where the rooms are located around there near the courtyard.

LT Was there any other was there a swimming pool, swings or

NP188 Um, A swimming pool there may have been a swimming pool although I don't think so, there may have been one down the back or something cos we were at the front.

LT Could you do a sketch of the layout of the place.

NP188 Yeah I s'pose, This is the main road here and the footpath, over here is like a carpark, sought of there, you walk up here the office sought of down the back there a little telephone, gold phone

LT Can you just write carpark, this is the office is it

NP188 Yep. This is the carpark, this is the office, there's the reception desk there, it all just sll inside the door there. it's just like an office you know and here is the is the kitchen, cooker and fridge and stuff and tv and a lounge here and a lounge here and an exit over here and this the courtyard over here.

LT And where are the buildings of where the accommodation is situated

NP188 There here, they sought of run down the side sought of like this and were in the room just here. I think there was a shower in that corner and a shower in that corner

LT Just draw some arrows and indicate where you've said there was showers

NP188 Showers here and this was our room here, and this was a footpath here

LT Just indicate the street, just write

NP188 That's it.

29/

LT Just put on top the 3rd sketch, number 3 again the date and your signature, thanks

WH The night before you travel up to Byron Bay you stay in hotel. Can you describe the exterior of that to me. Was it 1 storey, 2 storey.

NP188 It double storey

WH Does it have an awning around it, overhang over the footpath to protect it from the weather

NP188 I don't think so

WH New hotel or old hotel

NP188 Say it's pretty old

WH And you have no idea of the name

NP188 No I can't think of the name

WH When you had accommodation was it on the first level or what

NP188 We walk up the side and walked in and there is public bar and you can see the bar and there is staircase to the left of that and walk up the stairs one way turn around and they go up that way and just up on the first level and then there just loads of doors, each room

WH Have you been to that hotel before this occasion, have you been to this hotel since this occasion

NP188 No

WH The place you have drawn at Byron Bay have you been to that backpackers before this date

NP188 No

WH Since this date

NP188 No.

WH So one occasion that you referred to regarding each.

NP188 Uh hu

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WH You say that you phoned your father and in fact spoke to his wife

NP188 Yes

WH How often do you phone your father

NP188 Um, not very often, maybe one on the way, maybe once every six months I suppose

WH When was the last time that you phoned prior to this occasion that you are referring to

NP188 Um, I think that was the last time that I called

WH so you haven't phoned since this occasion

NP188 No

WH Before this occasion that you had phoned, when was the last occasion

NP188 Well I had seen only a couple of months before because I was over in Perth

WH So basically since you have been in Sydney you have not phoned him

NP188 NO

WH And that number that you supplied us with was your home address

NP188 Um yer

WH And that was where you phoned was it

NP188 Um yer

WH OK, you said that you phoned from a petrol station or something, do you remember the name of it at all

NP188 No, it was just a roadhouse

WH OK, can you think of any other names that either you may have used or NP207 may have used apart from the ones that you have told us

31/

NP188

No, Nu

WH You refer to the safe at the backpackers in Byron Bay where was that safe in relation to the office

NP188

I think, although I'm not sure one hundred percent like where you pay the money, the counter is here, it is sort of a square room like this OK and over here was a gold phone alight and this is the desk here and I think there was a few pictures up on the wall and stuff um I think it was just directly behind it

WH Could you see the safe

NP188

I am not sure I am sure she just took them off and put them in a safe or in something anyway you know

WH Can you describe what she put in it for us

NP188

Um not really I am not really sure if it was a safe I just presume that you put valuables in a safe you know

WH What did you look at in Byron Bay when you travelled around on the Sunday, do you remember

NP188

What did I look at, uh, just sort of walked up the main drag and had a look and there was a band playing or something

Wh Can you recall any particular items of interest, any buildings any particular monuments

NP188

Uh not really just sort of walked up the main drag and walked back to the motel because I had no energy I wasnt feeling too good

LT Did you purchase anything

NP188

The only thing that I bought was just before I got on the bus across the road from where the bus went there was a fish and chip shop and bought some fish and chips and ate them while we were waiting for the bus

WH Did they have a video showing on the bus when you travelled on the way up or down

NP188

Um video, oh shit good question, um I don't think so

32/

LT Alight the cassettes are still running as you can see and the video has stopped is rewinding, so we will stop the video and replace, we won't suspend the video

WH The video tape will automatically reject itself and you just insert it the audio will just continue recording once it rewinds

LT It is the 13th of December, 1995, the time is now 3.23pm and this is an interview between Detective Senior Constable Thurtell and [NP188] [NP188] at Maroubra Police station. [NP188] do you agree that the audio, video cassette sorry stopped and rewind and we have just waited for it to rewind and we have just replaced it with another video cassette

[NP188] Yer

WH What I asked you before we had the tape rewinding was about there was any video programmes on the Kirklands Bus to or from Byron Bay. Can you recall

[NP188] There may have been a video but I can't recall what it was and what it was about or anything

LT Is that on the trip up or on the trip back

[NP188] On the trip up and on the trip down there may have been, on the one back from Sydney I was mostly asleep on the back seat

WH Ok when you said that [NP207] returned to Melbourne, you believe what caused you to believe it was Melbourne

[NP188] Cause he was talking about going down there and introducing me to his friends and stuff a few days before he actually went

WH Where were his friends from

[NP188] He just said Melbourne, so

WH did he talk about family in Melbourne or a job or anything like that

[NP188] No not really

WH No suburb that you can recall

[NP188] NO

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WH That is all the questions that I have Detective Thurtell

LT Alright, is there anything further you would like to say

NP188 Nu

LT Alright we will just ask a few questions to finish off and then we will ask a sergeant to come in and adopt the interview.

NP188 alright

LT Have you taken part in this interview of your own free will

NP188 Yer

LT Has any threat, promise or inducement been held out to you to take part in this record of interview

NP188 No

LT Do you wish to make a handwritten statement

NP188 No

LT OK I will now leave the room and come back with a Sergeant who will ask you some short questions. Just in relation to that diagram that you did, that was number four, if you can just indicate the office and safe and again your signature and date. I will just leave the room it is now 3.26pm.

DETECTIVE THURTELL LEAVES ROOM. 3.26PM

LT It is now 3.28pm, this is Sergeant Barker, **NP188**, the sergeant will just ask you some questions and Detective Hayes and I will now leave the room.

SERGEANT BARKER ENTERS ROOM

DETECTIVE HAYES AND THURTELL LEAVE ROOM.

SB Are you **NP188**

NP188 Yep

SB Have you made this recorded interview of your own free will

34/

NP188 Yep

SB Has any threat promise or inducement been held out to you to give the answers recorded in this interview

NP188 No

SB Have you any complaints to make in the manner in which you have been interviewed here today

NP188 OK, thanks NP188.

SERGEANT BARKER ALLOWS DETECTIVE THURTELL AND HAYES INTO ROOM. 3.29PM

LT Sergeant Barker has just asked you some questions. It is now 3.29pm and we will conclude the interview.