

DETECTIVE SENIOR CONSTABLE THURTELL

Q1 It's the 11th of November 1995 and we're at Penrith Police Station and this is an interview between Detective Senior Constable Thurtell and [1298]. The time is now, as indicated by the machine, 8.47 and it's in fact 9.47 due to daylight saving. Also present is Detective Muldoon, also from the Homicide Unit. If you could identify yourself?

DETECTIVE SENIOR CONSTABLE MULDOON

Detective Senior Constable Muldoon spelt M-U-L-D-O-O-N.

DETECTIVE SENIOR CONSTABLE THURTELL

Q2 And Detective Sergeant Hayes, if you could identify yourself.

DETECTIVE SERGEANT HAYES

I am Wayne George Hayes, spelt H-A-Y-E-S.

DETECTIVE SENIOR CONSTABLE THURTELL

Q3 [1298], do you agree that apart from those people I've just mentioned, there's no other person in the room?

A Correct.

Q4 Okay. Could you just tell me, please, your full name and your date of birth?

A It's [1298], born the [REDACTED] 1969.

Q5 And how you came to be here at Penrith Police Station today?

A I was residing at [REDACTED]
[REDACTED] I had an argument with my partner and part of the rules is that there is no fighting or violence, so

I breached my bail because they have now released me from that

Q6 All right.

A I wasn't - I did not leave of my own accord.

Q7 Right. You might have to speak up - - -

A Okay.

Q7 - - - a bit more if you can, thanks.

A I was taken to Katoomba Police Station where I signed a report agreeing that I would be going to Penrith and I'll face court tomorrow morning.

Q8 Right. Is it correct, [1298], that you're in fact custody - police custody at the moment?

A That is correct, yes.

Q9 Right. As I said earlier, myself, Detective Muldoon and Detective Hayes are from the Homicide Unit and we've come to speak to you today, here at Penrith Police Station. Can you - if you will, detail for us the reason why you've asked to speak to us today?

A At the Katoomba Police Station Constable Adams, who was very nice, we talked a fair bit during the day and I felt very comfortable with him and I wanted to talk to somebody about an admission that I was given [REDACTED] [REDACTED] [REDACTED] and it was gay related, [REDACTED] and it's been chewing at me for - for a while now and I didn't really know where to turn or who I could talk to about it or what would happen if I did say anything about it and, yeah, I felt very comfortable with Constable

Adams, so I spoke to him.

Q10 Right. Can you tell me what you actually told Constable Adams at Katoomba Police Station?

A I said that while I was inside in [REDACTED] that a [REDACTED] [REDACTED] had admitted to me that police had come round about a murder, he admitted to me doing.

Q11 Right. And are you prepared to tell us the name of that [REDACTED]?

A Yeah. [REDACTED] NP188.

Q12 Right. First name was [REDACTED] NP188 and the surname?

A Is [REDACTED] NP188.

Q13 Can you spell that for me?

A I think it's [REDACTED] NP188, I'm not too sure. I'm not the world's best speller.

Q14 Right. Okay. Do you agree that - that myself and the other two detectives here spoke to you prior to this interview? Do you agree with that?

A Yes, I do.

Q15 And do you agree that we asked you whether you would be prepared to speak on video - - -

A Yes.

Q15 - - - about this information you have.

A Yes.

Q16 And you agree that you were willing to do that?

A Yes, I am willing.

Q17 All right. What I - I'd like you to do, if you could,

[REDACTED]

A What charges?

Q18 No, the dates that you - that you started your sentence at [REDACTED].

A yeah.

Q19 And the date that you were released.

A I started, I think it was approximately the [REDACTED] [REDACTED] It was a Tuesday.

Q20 Sorry. Sorry to cut you off. The [REDACTED]?

A Yeah.

Q21 Is that correct? It's now - - -

A [REDACTED]

Q22 Right. So you - you went in on the [REDACTED]?

A Yeah, I think it was the [REDACTED].

Q23 [REDACTED]?

A Yeah.

Q24 Okay. [REDACTED]?

A Yes.

Q25 Right.

A I was released on [REDACTED] just passed, which is the [REDACTED]

Q26 [REDACTED]?

A [REDACTED]. Released on [REDACTED] [REDACTED]

Q27 Okay. Can you tell me what [REDACTED] you - you resided in when you first went there and subsequently after where you were residing?

A When I first went to [REDACTED] and - sorry [REDACTED].

- Q28 Can you expand on the abbreviation?
- A [REDACTED] I haven't - I don't know what it stands for, I think it's like the - it's like the [REDACTED] for the prisoners and they get sent off to different areas of the gaol.
- Q29 So it was [REDACTED]?
- A [REDACTED]
- Q30 [REDACTED]
- A Yeah.
- Q31 And how long were you there?
- A I was there overnight. From there I was transferred to [REDACTED].
- Q32 Of [REDACTED]?
- A Of [REDACTED]. I went to the middle landing of [REDACTED].
- Q33 Of the [REDACTED]?
- A Of the [REDACTED]. Cell number [REDACTED].
- Q34 How long were you in there for?
- A I was in there with another [REDACTED] by the name of [REDACTED] 1285 for approximately [REDACTED]. 1285 was then sentenced and disappeared.
- Q35 Left the gaol.
- A Yeah. As far as I know. I then stayed by myself, I think it was about [REDACTED] days, approximately.
- Q36 In that same cell.
- A In that same cell, by myself. On coming into the gaol in remand I'd made friends with [REDACTED] 1285, with [REDACTED] NP188 and another young guy, I don't remember his name now. It's

- - -
 Q37 Okay. When we - when we go through the interview I'll ask you to refer to **I285** and **NP188** using their surnames as well, if you can?

A Okay. Yeah.

Q38 So we don't get confused with other people that you may have met.

A Okay.

Q39 So that was **I285** and **NP188**?

A **I285** and **NP188**. Yeah.

Q40 Right.

A And after **I285** left I spent the time by myself, with **NP188**, who was in cell number [REDACTED]

- - -
 Q41 Of the -

A - - - of the same - in the same building [REDACTED].

Q42 Right.

A [REDACTED] and he had a cell - a cell mate by the name of **I286** who I was also friends with while I was in there.

Q43 Right. I'll just stop you there. **I286**?

A **I286**.

Q44 Right. Are you able to spell that surname for me?

A I think it's **I286**, I think. I'm not too sure. I - - -

Q45 All right. Sorry. Go on. Yeah.

A [REDACTED]
 Within five minutes of him moving out of his cell with

[NP188], I went up and I spoke to the landing officer.

Q46 Can you - can you recall who that - that person was?

A I know - I can remember his face, but I don't remember his name.

Q47 Right.

A He was - he was there a lot at night and he was really nice to me, he was good.

Q48 Right.

A I spoke to him and he said it was okay for me to move in with [NP188] [REDACTED].

Q49 Right.

A Now I hadn't had [REDACTED] anyone to talk to for a while so I moved in there straight away.

Q50 So you moved into [NP188]'s - - -

A Into [NP188]'s.

Q50 - - - [NP188]'s -

A [NP188]'s cell after [1286] had just left.

Q51 Right. And what cell was that?

A Cell number [REDACTED].

Q52 Right.

A [REDACTED] And I stayed in there with [NP188] for [REDACTED] [NP188] and I used to talk out in the yard, we were pretty friendly. [REDACTED]

Q53 What happened after [REDACTED] you

were in [NP188]'s cell?

A

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [NP188] had previously been interviewed by the police about a homicide. Is that the right word? Homicide. Yeah, murder.

Q54 Whatever you like.

A

Had been interviewed [REDACTED] and [NP188] actually committed or done the - the murder [REDACTED] and [NP188] was bragging about how [REDACTED] got away with it because of [REDACTED] age.

Q55 I'll ask you to - if you can, recall in first person, what the conversation was? Do you know what I mean by first person?

A

No, I'm sorry.

Q56

I said something. [NP188] said something. If you can.

A

If I can.

Q57

Or to the best of - of your ability?

A

Yeah. [REDACTED]
[REDACTED]
[REDACTED] we were talking about the - the murder and [NP188] told me that at the time [NP188] had someone who said [REDACTED] was in Perth, I don't remember the exact conversation because the television was on and I

was feeling a little uncomfortable [REDACTED].

[NP188] told me - I remember - I can remember [NP188] saying that - I think - I think the words that [NP188] used was, [REDACTED]

Q58 I'll get you to speak up too, if you can?

A Yeah, I'm sorry.

Q59 You're drifting off.

A I can't remember exact words that [NP188] used, I'm sorry.

Q60 That's all right. Just the best that you can.

A Right. The best - the best I can think of of the conversation was that [NP188] said [NP188] had killed this guy and [NP188] got away with it, but [NP188] had done it. [REDACTED]

Q61 Can you - sorry about this, but can you try and spell that surname that you - you're referring to?

A [REDACTED] I think, I don't know.

Q62 Right.

A Not the world's best speller.

Q63 Was there any other conversation at this stage?

A We talked about - [NP188] talked about working on the wall in Sydney.

Q64 Right. Can you just expand on - on what you refer to by -

A The wall?

Q65 Yeah.

A Okay. [REDACTED] - the wall is up in top of Darlinghurst -

Surry Hills area. It's where male prostitutes sell themselves or solicit themselves. It's usually a playground, I think. From what I know and what I've seen of being and living in that area, a lot of young boys.

Q66 All right.

A Where they give their tricks and pick up their guys.

Q67 Okay. Yep.

A I - I know NP188 from somewhere, I've seen NP188 previously, definitely, NP188 face is very familiar because I've lived in that area and used to wander around there [REDACTED] at night and I've walked past the wall many times at night.

Q68 Right. I'll just take you back to the conversation that you had with NP188 in your cell. You mentioned that the police had spoken to NP188 previously.

A Yeah.

Q69 Yeah, if you could -

A About - about the day that - - -

Q69 Yeah, can you tell me when you say "previously", what - what do you mean by that? Can you recall when the police came in relation to the conversation that you had with NP188?

A Yeah, the day that the police - the day the police came out [REDACTED]

[REDACTED]

Q70 All right. So where did this conversation take place?

A [REDACTED]

Q71 [REDACTED]

A [REDACTED]

Q72 What - what do you mean by [REDACTED]?

A [REDACTED]

Q73 Right. When you say [REDACTED]

A [REDACTED]

Q73 - - - are - are you - - -

A [REDACTED]

Q74 [REDACTED]

A I think there was like [REDACTED]

Q75 Right.

A Yeah, I think there was about three or four.

Q76 Okay. Did NP188 have any [REDACTED]?

A No, not that I can recall. [REDACTED]

Q77 Right. So you've had the conversation in [REDACTED]?

A Yeah.

Q78 And then the - the muster bell rang and you went back inside.

A

[REDACTED]
[REDACTED] Then I spoke to I286 ,
I286

Q79 When was that?

A

Soon after, about [REDACTED] about
NP188 was, you know, [REDACTED]
much what a sort of a low life that NP188 was.

Q80 Right.

A

[REDACTED] NP188
[REDACTED]
[REDACTED]
[REDACTED] That was all we - we spoke about, that
afternoon, I think it was. It was in the gym area.

Q81 Right.

A

I remember that was around the gym. Yeah.

Q82

How long after the conversation with NP188 ,
did you have the conversation with I286 ?

A

Two days. It was very short, you know, it was only two
or three days after that. [REDACTED]
[REDACTED]

Q83 When you say "just before", how many - how many days,
do you know?

A

It's - it's hard to say because time passes really -
really peculiar - peculiar in there, it's one day melts
into another, you know, time goes in court dates, not
in days.

Q84 All right. When **NP188** was telling you of this - this murder, how - what were **NP188** - how was **NP188** language and demeanour at that particular time?

A

[REDACTED]

Q85 Right.

A

[REDACTED]

Q86 Did **NP188** show any body language at all when **NP188** was telling you this?

A Just the normal sort of, you know, sort of, you know, when you talk, your hands.

Q87 Right. And what was your reaction to - to what **NP188** told you?

A The first - the first reaction was - I guess it was shock because it was - it was gay related and I thought to myself it could've been one of my friends or someone that I cared about. I felt very uncomfortable with **NP188** after that. [REDACTED]

[REDACTED] I - I got the feeling that **NP188** was gay.

Q88 How did you come to that conclusion?

A That's - that's strange. [REDACTED]

[REDACTED] It's - it's a certain way that someone looks at you. It's a certain way that they They - they just - they - they, sort of, they're comfortable, you know, sitting next to you, very close and he would, he would do that, [REDACTED]

[REDACTED]

[REDACTED] I got that - the feeling that he was, you know, I guess

Q89 All right. Did [NP188] expand at all on where the murder took place?

A From what I can recall I think it was a home.

Q90 A home?

A A home, or a house.

Q91 Anybody's house - did [NP188] indicate if it was anyone in
- - -

A I think the person - the - the victim I guess, Kenneth, I think it was his house.

Q92 Right. Did [NP188] expand at all on how the murder occurred?

A No. I - [NP188] didn't really tell me how he did it. The impression that I got, it was like [REDACTED]
[REDACTED]

Q93 And why did you get that impression?

A Just the way [NP188] was - [NP188] would say about [NP188] dealer, how [NP188] was going to "fuckin' kick the fuck out of [NP188]. Yeah, that's - it was the same sort of rage.

Q94 Did [NP188] tell you - indicate to you at all why the fellow was murdered?

A No. No, I don't know. I don't know whether - [NP188] didn't [NP188] didn't really say. I didn't really want to pursue the conversation with [NP188], I was very uncomfortable.

Q95 Have you - since that incident with [NP188], have you told anybody about what [NP188] has - about what [NP188] told you?

A No. Apart from the Constable today, [NP188] was the first person I sort of - I spoke to about it, that was it. And the Detective spoke to me, I don't remember his name. And then you guys.

Q96 Right.

A I haven't told anybody.

Q97 Can you tell me why you haven't told anyone?

A I didn't - I didn't know where to go, or who to talk to. I didn't know what the right thing to do would be. I didn't want to be labelled as a dog for turning - for dobbing - for dobbing someone in, because inside, you know, that sort of thing, you can killed and I didn't want to put myself in that position and this has been the first opportunity that I had to sort of, you know, feel comfortable and sort of say something about it. It's been eating at me for a while.

Q98 Did [NP188] go into any of [NP188] personal details of [NP188] personal life, with you, at all? Such as [NP188] family, or -?

A Yeah.

Q99 Yeah. Can you go into that a bit?

A [NP188] told me that [NP188] had a son, [REDACTED].

Q100 Yeah, can you speak up a bit, sorry.

A Yeah. [NP188] told me had a son, [REDACTED], [REDACTED]. One day on a visit I had a visit from [REDACTED], [NP188] - I - I think it was ex-girlfriend was there with [REDACTED].

Q101 Do you know her name?

A No.

Q102 No.

A I don't remember. I just remember [REDACTED] 'cause [NP188] was
.....

Q103 Right.

A [NP188] told me about [NP188] family, or sort of about [NP188]

[REDACTED]

Q104 Right.

A 'Cause we talked about Perth, [REDACTED]
[REDACTED]

Q105 What about friends?

A [REDACTED]

Q106 Yep.

A [REDACTED]

- [REDACTED]
- Q107 These - these crimes that they've committed together?
- A Yeah.
- Q108 This is [REDACTED] - - -
- A This is [NP188].
- Q109 [NP188] and this friend.
- A This friend of [NP188], yeah, I don't - I can't remember his name. I - I think it was something like - I honestly think it was something like [NP205]. Yeah, I think it was [NP205] or something.
- Q110 Do you know how old [NP188] is, roughly?
- A Yeah, [NP188] only be 25, [REDACTED] Around 25.
- Q111 What nationality, do you know?
- A Australian.
- Q112 Hair colour?
- A Black. Fairly solid. [NP188] was a junkie, a heroin addict, [REDACTED].
- Q113 How do you know that?
- A The way [NP188] talked about "getting on".
- Q114 Right. What about any other characteristics you can recall?
- A [NP188] had a fairly hard sort of squarish jaw. [NP188] had a mono brow.
- Q115 What do you mean by that?
- A Mono brow. One eyebrow.
- Q116 A pronounced ridge across the - - -
- A No, just [NP188] eyebrows just joined together. Just the hairs just met in the middle. [NP188] looked a little bit

Italian, I think. [NP188] had that Italian look.

Q117 Right. Right. What about earrings, tattoos, scars?

A Not that I can recall, I think [NP188] had a tattoo on [NP188] shoulder. Shoulder probably, yeah, sort of beside there.

Q118 Nothing else that you can - - -

A Nothing else I can recall. The day that [NP188] came in was - I think it was a Saturday. I'm pretty sure it was a Saturday, 'cause it was the next day. The - it was the Sun- - - -

Q119 Was that - was that during the period that you were in - in the cell with [NP188] ?

A Yeah. Yeah, [REDACTED] with [NP188].

Q120 All right. [REDACTED]

A [REDACTED]

Q121 [REDACTED], but at that particular time, you were [REDACTED] [NP188].

A I was [REDACTED] [NP188], yeah.

Q122 Okay. Did [NP188] tell you [REDACTED]

A Yeah. [REDACTED].

Q123 When you say "friend", is this the same friend that

A Friend, the same - the same friend that came in.

Q124 Right.

A [REDACTED] - I think there was - I think it was like [REDACTED]

[REDACTED]

[REDACTED]

Q125 Right.

A I think that's the right word.

Q126 Right.

A I think that's the right word they use.

Q127 And do know what sentence NP188 been given as a result of these charges?

A NP188 indicated to me that NP188 was looking at [REDACTED] for what he'd done [REDACTED]

[REDACTED]

[REDACTED]

Q128 And when they were speaking, this is NP188 and this friend - - -

A Yeah.

Q128 - - - what - what types of crimes were they speaking about when you were present?

A They were talking about [REDACTED]

[REDACTED]

Q129 In Cairns?

A - - - Yeah, in Cairns. Yeah.

Q130 Do you know when that would've been?

A It would've been probably two years ago, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q131 [REDACTED]?

A [REDACTED]. Talked about
[REDACTED]
[REDACTED].

Q132 In?

A In Kings Cross. [REDACTED]
[REDACTED].

Q133 [REDACTED] and -?

A [REDACTED]

Q134 Did he say what he did with the - this - these various items of property that NP188 stole?

A [REDACTED].

Q135 Which is - what do you refer to - - -

A It's like a [REDACTED]. I - I don't have a great sort of criminal knowledge, but it's, what I understand from

watching television, [REDACTED]
[REDACTED]
[REDACTED]

Q136 Right. And this was a regular person, was it?

A Yeah.

Q137 The same person?

A The same person, [REDACTED]
[REDACTED]
[REDACTED]

Q138 Right. So you're aware that [NP188] had a drug addiction?

A Yeah.

Q139 Can you tell me what [NP188] told you in relation to that?

A [REDACTED]

Q140 Well, what did [NP188] tell you about [NP188] habit?

A [NP188] heroin. [REDACTED]
like - - -

Q141 Can you tell me - - -

A - - - [REDACTED]

Q142 On?

A On heroin.

Q143 Right.

A [REDACTED]
[REDACTED]

[REDACTED]

Q144 Sorry, can you?

A [REDACTED]

Q145 Right. Right. Have you any idea from [NP188] on [NP188] sexuality?

A [NP188], I - my - my sincere feeling and gut instinct tells me that [NP188] is gay. [REDACTED]

Q146 So you're not basing that on any other knowledge that you have?

A No. Not - not any other knowledge apart from that, you know, [NP188] told me that [NP188] worked on the wall and 'cause I know the wall is for gay men and boys.

Q147 Can you tell me - or can you tell us why you're giving us this information today?

A After being inside and having a lot of time to think and a lot of time to look at myself and looking around at the people that I was in with, it's changed my perspective. The person that was murdered could've been my friend, someone I cared a lot about and it's not right that people can brag about it and look so happy. And for me, it makes me feel better because, you know, I've done the wrong thing and I'd like to help to do the right thing. Yeah, it makes me feel a lot better within myself. I can - I feel happier

when I've said something about it, you know.

Q148 Right. Are you prepared to assist us by giving evidence in a criminal court in relation to this - - -

A Yes.

Q148 - - - information you've given us today?

A Yes, I am, yeah.

Q149 All right. Do you have any fears for your safety after giving us this information here today?

A Yeah, when - if - if and when I go back to gaol, yeah, I do.

Q150 And what are those fears?

A I'm scared that, you know, it's - it's going to be - it's going to come out that I've spoken, that, you know, I'm going to be labelled a dog and I'm going to get a shiv in my back, get a flogging or a shiv.

Q151 Can I get you to speak up?

A A shiv. A - a flogging. Yeah, I am scared.

Q152 All right. Do you - from the information that you've given us today, do you hope to achieve anything by giving us this information?

A I, myself, would like [REDACTED].

Q153 All right.

A [REDACTED]. I'm - I'm not expecting anything, but if the help was there I would really appreciate it.

Q154 Is that your main motivation behind telling us this information today?

A The main - the motivation is to - is that - for me is that I wanted to tell someone and I needed to tell someone and I That's the main motivation. But, you know, if the help is there [REDACTED], I'd appreciate it. But if it's not forthcoming, well that's okay.

Q155 All right. These are things we will discuss - - -

A Yeah.

Q155 - - - later, after the interview.

A Yeah, that's fine.

Q156 You understand. All right.

A You haven't offered me anything for it, like, I've asked.

All right. Do you have any questions Detective Muldoon?

DETECTIVE SENIOR CONSTABLE MULDOON

Q157 When - your conversations with [REDACTED] NP188 - - -

A Yep.

Q157 - - - did you believe what [REDACTED] NP188 was telling you?

A Yes.

Q158 You did?

A Yeah.

I think that's about all really. We've covered everything.

DETECTIVE SENIOR CONSTABLE THURTELL

Detective Hayes, do you have any questions?

DETECTIVE SERGEANT HAYES

Q159 Yes. Just a procedural question first, mate, do you

agree that I'm sitting here because this is quite a cramped room?

A Yes, I do.

Q160 Do you feel threatened by me sitting behind you?

A Not at all.

Q161 Do you agree that before we commenced this interview we activated a screen monitor on the electronic interview machine that's directly in front of you?

A Yes.

Q162 And we tried various places I could sit?

A Yes, I do.

Q163 You agree that this place seemed to be about the most appropriate for me to sit to be viewed by the TV camera?

A Yeah.

Q164 Just a few questions. Can you date the arrival of
NP188 at [REDACTED]

[REDACTED]?

A [REDACTED].

Q165 How did you arrive?

A How did I arrive?

Q166 Yep.

A I came from [REDACTED].

Q167 Can you explain what [REDACTED]?

A [REDACTED]

DETECTIVE SENIOR CONSTABLE THURTELL

Q168 Sorry. Was that the first time you saw NP188 ?

A Yeah. Yeah. All of us - - -

Q169 After you'd arrived at [REDACTED] ?

A [REDACTED]
[REDACTED].

Q170 How do you know NP188 arrived that day?

A I just presumed NP188 arrived that day 'cause [REDACTED]
[REDACTED] I285 did [REDACTED]
[REDACTED]
[REDACTED].

Q171 Did NP188 tell you?

A No. I just thought that was the - the procedure.

Q172 The routine?

A You know, you come in, [REDACTED], they allot you a section and you get sent off the next day.

DETECTIVE SERGEANT HAYES

Q173 What about I286, when did he arrive?

A I286 - it would've been about - [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Q174 And the order of leaving of all the people, [REDACTED]
[REDACTED] ?

A The people leaving. I285 [REDACTED] 'cause [REDACTED]
[REDACTED] I286 [REDACTED] because [REDACTED]

[REDACTED]

[REDACTED].

Q175 You referred to a wall before in your conversation.
Can you give a street and suburb that wall is in?

A The street - it's - I mentally don't know the street,
I know it's - it - it runs off of Liverpool Street.
It's in Darlinghurst, near the Albury Hotel.

Q176 Do you know any other buildings may front that street?

A Yeah, I think there's a - I think there's gaol there,
a TAFE. I remember, yeah, there's a gaol there,

[REDACTED]

[REDACTED].

Q177 And you referred to some activity being conducted at
the wall. Could you explain what that was?

A The activity, yeah. In my knowledge and from what I've
seen the wall is where the prostitutes or rent boys
they work and pick up their tricks, their men.

Q178 Sorry, prostitutes, male or female?

A Male prostitutes.

Q179 Getting back to the police officers coming to - coming
to speak to NP188.

A Yeah.

Q180 Do you know how many police officers there were?

A Yes, there were two.

Q181 Do you know their sex? Males, females?

A There was a male and a female.

Q182 How do you know that?

A [REDACTED]

Q183 [REDACTED]

A [REDACTED]

Q184 Do you remember the names of either police officer?

A No, I don't.

Q185 Do you know where they were from?

A I think it was the city. I think it was the city, it was just - yeah, it was very

Q186 And did [NP188] say - [NP188] say why they interviewed him?

A Why him?

Q187 Yeah.

A Yeah [REDACTED]

Q188 Do you know what story [NP188] told the police?

A [NP188] told them about - I guess the word's alibi, 'cause that's what I know from [NP188] had, or been, or someone saying [NP188] was in Perth at the time.

Q189 Was anything else said about that?

A No.

Q190 Do you remember anything else that [NP188] told the police?

A Just that [NP188] wasn't 19, he was 25, 26.

Q191 Going back to the conversation you had with [NP188]

[NP188] about the murder.

A Yeah.

Q192 Did [NP188] say any date that this occurred?

A No, not that I can recall.

Q193 Did [NP188] say whether [NP188] had done it with anybody or did [NP188] do this by [REDACTED]?

A [NP188] I - I - the impression that I got was that [NP188] was in by - [NP188] was by [REDACTED]. [NP188] didn't sort of, you know - yeah, [NP188] didn't give me any idea that there was anyone else with [NP188].

Q194 Did [NP188] tell you the location, that is the suburb or street that the house was?

A No, just that I don't know.

Q195 The person you described as [NP205] and who was a visitor to [NP188], was [NP205] an inmate or a visitor?

A He was an inmate. [NP205], I think it was, [NP188] partner in crime.

Q196 Sorry, you may have said [NP205], it might be my writing. And when you were describing [REDACTED], you indicated a tattoo (TIME SIGNAL) - just quickly. You indicated a tattoo, do you agree that you indicated your left shoulder at the time?

A Yes, I do.

DETECTIVE SENIOR CONSTABLE THURTELL

All right. It's - the time on the machine is indicated at 9.30 on the 11th of November 1995. It's in fact 10.30 and we'll stop the tapes and change them and continue with the interview.

DETECTIVE SERGEANT HAYES

Yeah, the other one's yellow.

DETECTIVE SENIOR CONSTABLE THURTELL

Yellow one.

TAPE RECORDING CEASED.

TAPE RECORDING RESUMED

DETECTIVE SENIOR CONSTABLE THURTELL

Q197 Right. It's the 11th of November 1995 and we're at Penrith Police Station and this is a continuation of a interview between Detective Senior Constable Thurtell and - and [1298]. [1298], do you agree that we've just changed three cassette tapes?

A Yeah.

Q198 And one video tape as well?

A Yes, I do.

All right. Detective Hayes has some further questions he'd just like to ask you.

DETECTIVE SENIOR CONSTABLE MULDOON

Sorry, did we get the time?

DETECTIVE SENIOR CONSTABLE THURTELL

Yeah.

DETECTIVE SERGEANT HAYES

Q199 Thank you. Just going back to the person [NP205], do you remember the dates [NP205] was in [REDACTED], was it before you, after you?

A It was, I think [NP205] arrived on [REDACTED] [REDACTED]. Which the [REDACTED] was on the [REDACTED], so that was [REDACTED], so [REDACTED] is the

██████████.

Q200

A Think it was the ██████████

Q201 Just state the full date for me?

A The ██████████.

Q202 What cell - or wing complex did NP205 go into?

A NP205 came into ██████████ Wing, ██████████
NP188 and went to the top landing.

Q203 You also referred to conversation about some fear and
being "shivved", what do you mean by the word "shiv"?

A Shiv is a gaol term for a nasty long piece of metal
that's about this big with a handle wrapped round it
and they stab you with it, and I have seen quite a few
of them.

Q204 Do you agree you just held your hands apart a short
time ago a distance of about 9 or 10 inches?

A Yes, I do.

Q205 Please don't take this as insulting or anything, but
are you ██████████?

A Yes, I am.

Q206 Okay.

A Sorry.

Q207 That's okay. Do you agree there's a notice above the
wall of the machine?

A Yes, I do.

Q208 Can you read that aloud for me please?

A Notice, for reasons of security this room - interview
room may be monitored by police at any time.

Q209 Okay. You've heard us all introduce ourselves before, Detectives Thurtell, Muldoon and Hayes, and Muldoon and Hayes spelt their names. Could you spell Muldoon for me?

A Muldoon. M - M-U-L-D-O-O-N.

Q210 Hayes?

A Hayes, H-A-Z-E.

Q211 And Thurtell?

A That's a hard one. T-H-E-R-T-I-L.

Q212 That's okay.

A Sorry.

Q213 What do you - what do you understand by the term

[REDACTED]?

A

[REDACTED]

Q214 Is that all the time, or just sometimes?

A It's all the time.

Q215 The notice I got you to read before, right?

A Yeah.

Q216

[REDACTED]

A

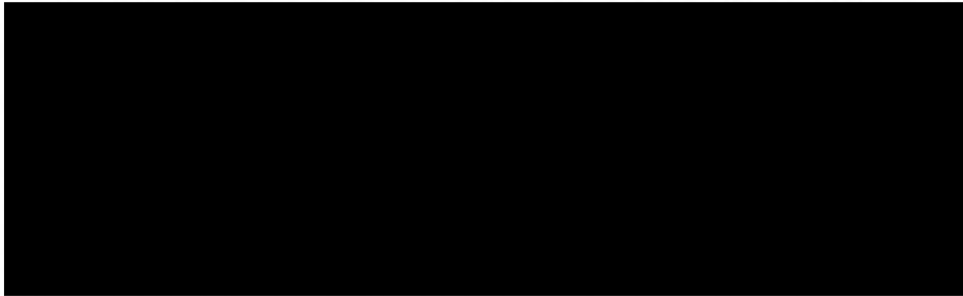
DETECTIVE SENIOR CONSTABLE THURTELL

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DETECTIVE SERGEANT HAYES

Q217 What I'm trying to say is - - -

A




Q218 The name of the person - - -

A Sorry. So I - - -

DETECTIVE SENIOR CONSTABLE THURTELL

Failed, I guess.

I298

Yeah. Sorry, I mean, I do, 



DETECTIVE SERGEANT HAYES

Q219 Okay. Where did you - how did you get the name of the person that's supposed to have been murdered?

A I remember seeing it.

Q220 Where?


A On the - 



Q221 Okay. At the time of the conversations with NP188 NP188 and I285 regarding this incident, the murder.

A Yes.

Q222 Yeah. Were any of you affected by intoxicating liquor or drugs?

A I never spoke to I285 about it, I285. 

had already left.

Q223 That's my mistake, sorry. That should be I286

I286

A I286. Were we intoxicated by drugs at any time?

Q224 Yes.

A I can only speak for myself, no I was not. I don't know if NP188 or anyone else was on pills or methadone or Panadol

Q225 Are you experienced with people affected by liquor and/or drugs?

A Certainly.

Q226 Did they exhibit any of the symptoms of people affected by liquor and/or drugs?

A No, sir.

Q227 What would you describe as symptoms of a person affected by liquor and/or drugs?

A That would depend on the drug. Somebody who would be on speed would be like I was, a thousand miles an hour and someone on hammer is rolling in and out of consciousness.

Q228 What do you mean by "hammer"?

A Hammer, heroin.

Q229 And speed?

A Speed, amphetamines. And alcohol, we'll they're just plain stupid.

I have no further questions, thank you, Detective Thurtell.

DETECTIVE SENIOR CONSTABLE THURTELL

Q230 All right. What we'll do now, I298, is we'll ask

a Sergeant - - -

A Yeah.

Q230 - - - to come into the room. The three of us will
leave - - -

A Yeah.

Q230 - - - and he will ask you several questions.

A Okay.

Q231 All right. Detective Hayes will just leave now. The
time's 21 - 2138 which is in fact 10.38 pm.

A Correct.

Q232 And he's left the room now and he'll be back shortly
with a Sergeant.

A Okay.

Q233 Do you have any questions that you'd like to ask us
whilst we're waiting for Detective Hayes?

A I don't - I don't know. I mean I hope this has been
some help. I tried to remember, do my best, but I've
got a pretty good memory for things. I just hope it's
been some help.

Q234 As I said before, we'll - we'll discuss some assistance
which we might be able to offer you. I can't give you
any promises at this stage.

A Yeah.

Q235 But we'll discuss that after the interview.

A Okay. That's fine. Thank you.

INTERVIEW SUSPENDED

1298

Just don't put me back

DETECTIVE SENIOR CONSTABLE THURTELL

This is still going - - -

1298

Is still taping, yeah.

DETECTIVE SENIOR CONSTABLE THURTELL

- - - going while we're - - -

1298

I feel better.

DETECTIVE SENIOR CONSTABLE THURTELL

You feel better?

1298

Yeah,

DETECTIVE SENIOR CONSTABLE THURTELL

No other person advised you to speak to the police?

1298

No.

DETECTIVE SENIOR CONSTABLE THURTELL

Just came forward yourself?

1298

Yeah, I just - yeah,

DETECTIVE SENIOR CONSTABLE THURTELL

No one pressured you into it?

1298

No. I just thought it was - was the right thing to do.

I just needed to find the right person person to

talk to about it. I can remember - remember

hearing somewhere that you - if you know about

something, like - like an armed robbery or something

like that and you become like part of it if you don't go to the police and say something straight away. Even if it was a guy inside Even if it was flat-mate, whatever, admitted to him robbing all these armoured trucks and he wouldn't go to the police or say anything, he was in deep shit, up to his neck. And that's I don't want to get in trouble for it.

DETECTIVE SENIOR CONSTABLE THURTELL

Q236 Okay. The time is now, as indicated by the machine, 2143, which is in fact, 10.43 pm.

A Correct.

Q237 We have - - -

DETECTIVE SERGEANT HAYES

Sergeant Krenner.

DETECTIVE SENIOR CONSTABLE THURTELL

Q237 - - - Sergeant Krenner, from the Penrith Police Station.

A Yeah. I offered this statement.

DETECTIVE SERGEANT HAYES

Stay there. Stay there.

DETECTIVE SENIOR CONSTABLE THURTELL

Q237 - - - who'll come in and ask you some questions and Detective Hayes, Muldoon and myself will leave the room. We'll be back.

DETECTIVE SERGEANT HAYES

Sergeant Krenner, this is 1298.

SERGEANT KRENNER

Q238 Right. Thank you. Right. Okay. Right. How are you going? Right, you're name's [REDACTED] 1298 ?

A Correct. Yes, it is, ma'am.

Q239 Okay. Have you - have you made this electronically recorded interview of your own free will?

A Yes, I have, ma'am.

Q240 Has any threat, promise or inducement been held out to you to give the answers that have been electronically recorded in this interview?

A (NO AUDIBLE REPLY)

Q241 Do you want me to ask you again?

A No. No.

Q242 Has there been any threat?

A No, no threat. But - - -

Q243 Promise or inducement held out to you - - -

A No.

Q243 - - - to give the answers that you have?

A No, but they're going to [REDACTED].

Q244 Right.

A I

Q245 Have you any complaints to make about the manner in which you were interviewed here today?

A Absolutely none, they were charming.

Q246 Okay. That's all.

A Thank you.

Just - just stay there. Thank you.

DETECTIVE SENIOR CONSTABLE THURTELL

Q247 Thanks Okay, it's now 2146, or 10.46 pm. The

Sergeant Krenner has left the room - - -

A Correct.

Q247 - - - and Detective Muldoon, Hayes and myself have returned and we'll now conclude the interview.

A Okay.

INTERVIEW CONCLUDED