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New South Wales Police**STATEMENT in matter of:****Place:** Homicide Unit, Major
Crime Squad, South

Murder of Kenneth BRENNAN

Date: 18 January, 1996**Name:** Laura Clare THURTELL**Address:** Homicide Unit, M.C.S.S.**Tel No.:** [REDACTED]**Occupation:** Constable of Police**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 in it anything which I know to be false or do not believe to be true.

2. My age is 30.

3. About 7.00pm on Saturday, 10 June, 1995, the deceased and his boyfriend, [REDACTED] NP215 travelled from Kings Cross to the home of [REDACTED] NP214 at [REDACTED] Fullerton Street Woollahra. [REDACTED] NP215 [REDACTED] NP214 and the deceased then engaged in sex.

4. About 10.00pm the deceased left [REDACTED] Fullerton Street, Woollahra telling [REDACTED] NP215 and [REDACTED] NP214 that he was going home to the flat he shared with [REDACTED] NP215 at [REDACTED] Onslow Avenue, Elizabeth Bay.

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5. About 2.05pm on Sunday, 11 June, 1995, [NP215] states that he telephoned his unit at [REDACTED] Onslow Avenue, Elizabeth Bay from [NP214]'s unit, there was no response. [NP215] left a message on the answering machine. [NP215] states he remained in the company of [NP214] for the remainder of the day.

6. On Monday, 12 June, 1995, about 3.30pm [NP215] states he again telephoned his unit but there was no answer. After becoming concerned he left [REDACTED] Fullerton Street, Woollahra about 5.00pm, and travelled by train from Edgecliff to Kings Cross and then walked to [REDACTED] Onslow Avenue, Elizabeth Bay. On entering the unit he saw what he thought was dirt on the hallway wall. He then made his way to the bedroom, turned and discovered the naked body of the deceased lying on its left side in the loungeroom. [NP215] saw that the deceased was covered in blood, he then walked around the deceased and saw blood on the floor of the kitchen. [NP215] then left the unit locked the door behind him, ran to the Kings Cross Police Station and notified Constable GREGORY who was on station duty.

7. About 5.40pm Constable ELM and FORD went to [REDACTED] Onslow Avenue, Elizabeth Bay and entered the unit to discover the deceased. Shortly afterwards Detectives ORCHARD and WHITTLE from Kings Cross Detectives attended and caused specialist police to attend.

EXHIBIT I PRODUCE THE STATEMENT OF CONSTABLE

Witness: _____



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BRONWYN GREGORY

EXHIBIT I PRODUCE THE STATEMENT OF DETECTIVE
 SERGEANT ORCHARD

EXHIBIT I PRODUCE ONE PHOTOGRAMMETRY PLAN OF [REDACTED]
 15- [REDACTED] ONSLOW AVENUE, ELIZABETH BAY

EXHIBIT I PRODUCE ONE VIDEO RECORDING OF THE
 INTERIOR OF [REDACTED] ONSLOW AVENUE, ELIZABETH BAY

8. At 7.00pm on Monday, 12 June, 1995, Detective VAN LEEUWEN from the East Sydney Crime Scene Unit attended [REDACTED] [REDACTED] Onslow Avenue, Elizabeth Bay. He made an examination of the premises.

9. Upon entering the flat he saw deceased, lying on his left side on the floor at the northern end of the lounge room with left arm outstretched, right arm bent at the elbow and lying across the right upper chest of the deceased. The deceased was clutching a wad of hair in his left hand and had a laceration to the right thumb of his left hand. Upper right and left forearms of the deceased were blood stained and appeared to have been wiped over. Both hands were covered in dried blood. Both legs were slightly bent. The upper right side of the deceaseds chest were covered in dried blood and appeared to have been wiped over. The deceased was lying atop of a bed pillow on the lounge room floor. The deceased had sustained a number of stab

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wounds to the upper body, bruising to the chin and bottom lip and defensive wounds to his hands.

10. On examination of the unit Detective VAN LEEUWEN saw that both security screen door lock and the two locks on the front door, one being a keyed locking double dead latch and keyed locking passage lock, to be undamaged. On both sides of the hallway he saw smeared blood. On the southern side of the hallway he saw both smeared blood and droplets on the wall and on the ceiling blood splash cast off marks.

11. In the kitchen he saw a large amount of diluted blood on the floor along with a shoe print in blood. The shoe print was cut from the lino floor for later examination. A number of blood swabs were taken from areas in the kitchen, loungeroom and hallway for examination. He saw an open window in the loungeroom. Foot prints were located on the carpet leading to and from the kitchen.

12. In the bedroom he saw that the curtains on the southern window had partially been torn down. The double bed was heavily blood stained. A sexual device called a 'butt ring' was located on the bed. A black overnight bag was located at the foot of the bed. A pair of walking boots were partially placed onto the base of a plastic chair. There was blood under the sole of the shoe, on the chair base. The right toe of the boot was blood stained. Blood stained sox and underpants were located underneath the heel end of the boots. The telephone was blood stained and had been disconnected from the wall

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socket. A pair of Yves Saint Laurent brand, black, gold and dark green coloured males underpants, size small (75-80cm) were found on the bed. An answering machine was also present and had no messages on it. A tube of lubricating gel was on the southern bedside table. On the northern bedside table the draw had been removed and placed on top of a dented and blood stained frying pan. A tube of Lubafax jel was on the floor under the table. Gay literature were also on the floor. A bent and broken knife blade was located near the bathroom door. A piece of knife handle was located between the bed and the blade. A number of footprints in the carpet were located near the bathroom doorway and the north eastern wardrobe. One print being of a high arch and the other rather flat. Blood splashes on the western side of the wardrobe were mainly horizontal in trajectory.

13. In the bathroom two used condoms and a brown damaged knife handle were located in the toilet bowl. One further used condom was located on the edge of the toilet bowl. Small blood splatters were located on the floor of the shower recess, indicating that the shower had not been used. The area in front of the sink on the floor had drag marks through the blood on the tiles. One area of blood staining had large round droplets of blood amongst the drag marks.

EXHIBIT I PRODUCE A STATEMENT BY DETECTIVE VAN
 LEEUWEN

14. Detective VAN LEEUWEN took a number of photographs of
 [REDACTED] Onslow Avenue, Elizabeth Bay and the deceased. He

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also caused samples to be taken from the bathroom plumbing.

EXHIBIT I PRODUCE THOSE PHOTOGRAPHS

15. During the evening Detective GLYNN of the Fingerprint Section attended [REDACTED] Onslow Avenue, Elizabeth Bay and lifted a number of fingerprints from the unit.

16. About 9.30pm on Monday, 12 June, 1995, Detective Sergeant ORCHARD and WHITTLE from Kings Cross Detectives interviewed [NP215] at Kings Cross Detectives Office. The interview was conducted on video.

EXHIBIT I PRODUCE THAT ERISP INTERVIEW

EXHIBIT I PRODUCE TRANSCRIPT OF ERISP INTERVIEW BETWEEN
 DETECTIVE WHITTLE & ORCHARD AND [NP215]

EXHIBIT STATEMENT OF DETECTIVE ORCHARD DATED 19
 JANUARY, 1995

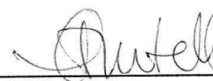
17. About 12.30am on Tuesday, 13 June, 1995, Dr Peter BRADHURST attended [REDACTED] Onslow Avenue, Elizabeth Bay and examined the deceased.

EXHIBIT I PRODUCE THE REPORT PRONOUNCING LIFE EXTINCT

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EXHIBIT I PRODUCE A REPORT OF DEATH TO CORONER
CONCERNING THE DECEASED

18. At 8.00am on Tuesday, 13 June, 1995, at the Homicide Unit, Major Crime Squad, South I had a conversation with Detective Inspector KENNEDY who informed me that Detective MULDOON and I were required to assist with the investigation at Kings Cross concerning the murder of Kenneth BRENNAN.

19. On Tuesday, 13 June, 1995, at the Institute of Forensic Medicine, Glebe, Doctor BRADHURST conducted a post mortem examination on the body of Kenneth Richard BRENNAN. A total of 15 stab wounds were located on the body, a number of superficial cuts, scratches, defence injuries, head and facial injuries. Thirteen stab wounds were found to the front and sides of trunk and 2 to the back. Deep incised defensive wounds were found on the back of the right hand and around the thumb. Bruising and abrasions were found to the chin, nose, left forearm and chest. A laceration was found to the lower lip. A stab wound to the right side of the rib cage appears to have been the fatal wound rupturing the diaphragm, liver and heart. Time of death was estimated at between 5.30pm and 11.30pm on Sunday, 11 June, 1995.

20. On 16 June, 1995, Dr BRADHURST performed a further examination of the body of Kenneth Richard BRENNAN at the Glebe

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Morgue. Further bruising had developed on the right side of the deceaseds face which resembled the pattern sole of a shoe.

21. Dr BRADHURST has compiled a Post Mortem Report and a statement concerning this matter.

EXHIBITI PRODUCE THAT REPORT AND STATEMENT

22. About 2.00pm on Tuesday, 13 June, 1995, at Kings Cross Detectives office I had a conversation with Detective Inspector WALSH, Detective Sergeant ORCHARD, WHITTLE, MULDOON, TAYLOR and LOONE. Detective ORCHARD told me that he and other Police had attended [REDACTED] Onslow Avenue, Elizabeth Bay on the evening of 12 June, 1995. Detective ORCHARD told me that he and Detective WHITTLE had interviewed the boyfriend of the deceased, [NP215] [NP215] on the evening of 12 June, 1995. I then viewed the video interview between Detective ORCHARD, WHITTLE and [NP215].

23. [NP215] stated that he has lived with the deceased for about 3 years in a de facto relationship and moved to Sydney from Adelaide where they had both accepted redundancy packages. They initially lived with [1282], a teacher from the Open Learning Institute, and later settled into [REDACTED] Onslow Avenue, Elizabeth Bay.

24. [NP215] describes his relationship with the deceased as being very good, however, deteriorating during the last 6 months due to the deceased promiscuous behaviour. It appears that [NP215] was

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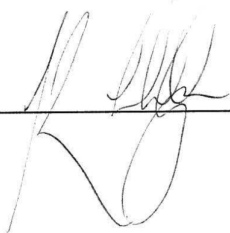
extremely upset by the death and did not appreciate the deceaseds promiscuous behaviour. However, [NP215] describes the relationship as being very open where they would frequently engage in sexual 'threesomes'. A third party would be met through other gay friends, personal columns in gay publications or meeting other men in gay steam baths or book shops. [NP215] mentions the Pleasure Chest in Pitt Street, Sydney and King Steam in Oxford Street, Sydney as a place that he and the deceased would frequent for brief sexual encounters. A location in Darlinghurst referred to as 'the wall' had been mentioned by the deceased who warned [NP215] about the dangers of engaging in the services of street prostitutes. The deceased is described by [NP215] as having a high sexual drive and always practising safe sex by wearing condoms. It appears that the deceased would on average engage in sex once a day, with [NP215] or others.

25. [NP215] states that he and the deceased were introduced to [NP214] by a male known as [NP199] about two weeks prior to his death.

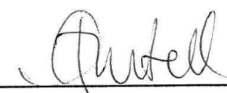
26. Detective ORCHARD informed me that a canvas of units at [REDACTED] Onslow Avenue, Elizabeth Bay were made on the evening of 12 June, 1995. No witness was located who could assist with the enquiry.

27. Detective ORCHARD handed to me a statement made by [NP214] of [REDACTED] Fullerton Street, WOOLLAHRA in which [NP214] states that he was introduced to [NP215] and the deceased on 3 June, 1995, by a homosexual friend [NP199] On 6 June,

Witness: _____



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1995, [NP215] rang him at [REDACTED] fullerton Street, WOOLLAHRA and told him that the deceased was entertaining an Asian male known as [NP196] and that [NP215] would visit him.

28. On 10 June, 1995, the deceased and [NP215] travelled by taxi to [NP214] unit at WOOLLAHRA. [NP215] states that they caught a taxi from McLay Street, Kings Cross and were driven by an ethnic male to WOOLLAHRA, and on the way a dispute erupted between the deceased and the taxi driver in which there was a misunderstanding concerning the address. The deceased noted the taxi registration number on a piece of paper. This piece of paper was later found in the deceaseds wallet. The three males then engaged in sexual activity. The deceased left the unit about 10.00pm stating that he was tired and wanted to go home. [NP214] co-oborates [NP215] making a telephone call about 2.00pm on Sunday, 11 June, 1995. About 9.30am on Monday, 12 June, 1995, he observed [NP215] again attempt to telephone his unit with no response. About 5.00pm, he states that [NP215] leaves his unit with the intention of going home.

EXHIBITI PRODUCE THE STATEMENT OF [NP214] DATED 12
 JUNE, 1995

29. About 4.00pm on Tuesday, 13 June, 1995, with Detective MULDOON and other Police I went to [REDACTED] Onslow Avenue, Elizabeth Bay. I then looked through the unit and made observations. Shortly afterwards [NP215] attended the unit and indicated his movements the previous afternoon. [NP215] indicated that he entered

Witness: _____



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the unit and walked into the bedroom where he noticed blood on the bed and the telephone off the hook and the answering machine on the floor between the window and bed. This proposition from [NP215] did not seem feasible, having regard to the position of the answering machine on the floor and his position in the room. When I stood in the position that [NP215] indicated I was not able to see the answering machine due to the closeness of the machine to the bed. [NP215] then indicated the direction he walked from the bedroom to the lounge room. He stated that he did not encounter any obstacles in his path when doing this. After speaking to the crime scene examiners it was confirmed the deceased was lying with his legs in a position across the hallway so that one foot were touching the door jam of the bedroom. I came to the conclusion that it would not be possible to walk from the bedroom to lounge room, in the direction that [NP215] indicated, without needing to step over the deceased.

30. Later that evening a canvass was conducted of [REDACTED] Greenknowe Avenue, Elizabeth Bay. These units are directly opposite [REDACTED] Onslow Avenue. No witness could be located that could assist the enquiry.

31. At 1.40pm on Wednesday, 14 June, 1995, I commenced a video recorded walkabout interview with [NP215] of the exterior and interior of [REDACTED] Onslow Avenue, Elizabeth Bay. During the interview [NP215] retraced his movements on the afternoon of Friday, 12 June, 1995.

EXHIBIT I PRODUCE THE WALKAROUND VIDEO CONDUCTED ON

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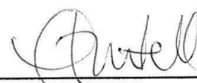
14 JUNE WITH NP215 AT [REDACTED] ONSLOW AVENEU,
 ELIZABETH BAY.

32. About 3.00pm on Wednesday, 14 June, 1995, I took NP215
NP215 to the Sydney Police Centre. NP215 had previously given
 permission for Police to obtain fingerprints, footprints, head hair, pubic
 hair and blood for the purpose of analytical analysis relating to the
 murder of Kenneth BRENNAN. At the Forensic Medical Unit Police
 Forensic Medical Officer Dr MOYNEHAN obtained blood, head hair and
 pubic hair from him. I then took NP215 to the East Sydney Crime
 Scene Unit where Detective VAN LEEUWEN took from him left and
 right foot prints. I then took fingerprints from NP215 at the Sydney
 Police Centre cell complex.

33. About 5.00pm on Wednesday, 14 June, 1995, NP214
NP214 attended the Sydney Police Centre where he gave permission
 for Police to obtain from him fingerprints, footprints, head hair, pubic
 hair and blood for the purpose of analytical analysis relating to the
 murder of Kenneth BRENNAN. At the Forensic Medical Unit Police
 Forensic Medical Officer Dr MOYNEHAN obtained blood, head hair and
 pubic hair from him. I then took NP214 to the East Sydney Crime
 Scene Unit where Detective VAN LEEUWEN took from him left and
 right foot prints. I then took fingerprints from NP214 at the Sydney
 Police Centre cell complex.

34. On 15 June, 1995, NP215 was again interviewed at
 Kings Cross Detectives Office and he was able to expand on the

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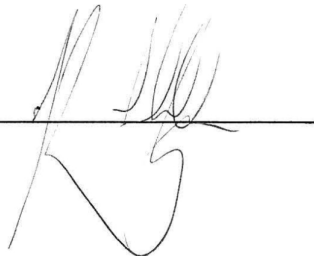
lifestyle of the deceased and their relationship.

35. The deceased had married Rosemary Joan FERGUSON, currently of [REDACTED] South Australia in 1963 and agreed to a separation in 1989. The couple did not have any children. [NP215] and the deceased had originally met in Adelaide where the deceased was a teacher for the Education Department of South Australia. The deceased owned a unit at [REDACTED] [REDACTED] North Adelaide and resided in a homosexual relationship with [NP215]. In 1993 the deceased accepted a Targeted Voluntary Separation Package from the Education Department and decided to move to Sydney with [NP215]. The deceased retained the North Adelaide unit and in February, 1994 the deceased accepted and commenced a teaching position in Ancient and Modern History at the Open Learning Institute at 199 Regent Street, Redfern. The hours being from 9.00am to 3.30pm each weekday. [NP215] later took up a position in the mail room at the Open Learning Institute.

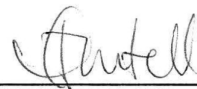
36. [NP215] and the deceased first resided with [1282] [1282] a teacher at the Open Learning Institute at [REDACTED] [REDACTED] PETERSHAM, and on 20 April, 1994 commenced renting their present unit at [REDACTED] Onslow Avenue, Elizabeth Bay from L. J. Hooker, 145 Victoria Street, Potts Point for \$180.00 per week rent.

37. During the six months prior to BRENNAN's death the relationship had deteriorated and the deceased expressed his desire for [NP215] to form his own friendships and not be so dependant on him.

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The deceased would have sexual contact with other men and this would anger [NP215] who wished the relationship to remain as it was. The deceased had a liking for Asian partners which [NP215] did not share.

EXHIBIT I PRODUCE THE STATEMENT OF [NP215]
 DATED 15 JUNE, 1995

EXHIBIT I PRODUCE THE STATEMENT OF [NP215]
 DATED 29 JUNE, 1995

38. On 16 June, 1995, [NP189] of [REDACTED], WHITTON was interviewed. It was established that [NP189] had contact with the deceased during May, 1995. The deceased travelled to WHITTON and spent one night with [NP189] returning to Sydney the following day. On 7 June, 1995, [NP189] met [NP215] and the deceased at [REDACTED] Onslow Avenue, Elizabeth Bay, the three engaged in sex throughout the evening. [NP189] was aware during the evening that friction existed between [NP215] and the deceased. [NP189] spent the next few nights at [1301] home at [REDACTED] Potts Point, another Country Network Member. On the evening of 11 June, 1995, he was with [I282] [I282] which has been confirmed by [I282].

EXHIBIT STATEMENT OF [NP189] DATED 15
 JUNE, 1995

Witness: 

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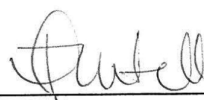
EXHIBIT STATEMENT OF [I282] DATED 11 JUNE,
 1995

39. On 16 June, 1995, [NP189] gave permission for Police to obtain from him head hair, pubic hair, foot prints and blood for the purpose of analytical analysis in relation to the murder of Kenneth BRENNAN. At the Forensic Medical Unit of the Sydney Police Centre, Police forensic Medical Officer, Dr MOYNEHAN obtained blood, head hair and pubic hair from [NP189]. I then took [NP189] to the East Sydney Crime Scene Unit where Detective VAN LEEUWEN took from him left and right foot prints. I then took [NP189] to the Sydney Police Centre where his fingerprints were obtained.

40. On the evening of 16 June, 1995 I obtained a further statement from [NP214]. [NP214] stated that on Sunday 11 June, 1995, he did not leave the company of [NP215] the whole day and remained inside his unit. He stated that he received four incoming telephone calls during the day. One from his mother, [I274] about 8.30am, another from his sister [I275] during the day, another from friend Peter PASCOE and Peter SULLIVAN between 4.00pm and 5.30pm . Corroboration statements have been taken from these four individuals who confirm [NP214] information. Peter PASCOE cannot recall the time he telephoned [NP214]S unit. About mid-day on Monday, 12 June, 1995, PASCOE confirms that [NP214] and [NP215] visited him at his WOOLLAHRA home.

EXHIBIT STATEMENT FROM [NP214] DATED 16 JUNE, 1995

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EXHIBIT STATEMENT FROM 1274 DATED 19 JUNE, 1995

EXHIBIT STATEMENT FROM 1275 DATED 19 JUNE,

EXHIBIT STATEMENT FROM PETER PASCOE DATED 16 & 19
 JUNE, 1995

EXHIBIT STATEMENT FROM PETER SULLIVAN DATED 19 JUNE,
 1995

41. There is no other information available which can confirm the movements of NP215 and NP214 between 5.30pm on Sunday, 11 June, 1995 and mid-day on Monday, 12 June, 1995.

42. The deceased made two Automatic Teller Machine withdrawals on Sunday, 11 June, 1995, from the National Australia Bank in Darlinghurst Road, Kings Cross. These withdrawals were made from his State Bank Account in which his fortnightly pay of \$693.46 is paid directly into. The first withdrawal on 11 June, 1995, was made at 9.46am for an amount of \$50.00 and the second withdrawal being at 2.41pm for an amount of \$150.00. The National Australia Bank ATM black and white photographs of the deceased making these withdrawals were obtained and show the deceased to be standing directly in front of the machine with no other persons visible in the picture. The deceased is dressed in the same clothing on both occasions, long trousers with dark belt, long sleeve collared shirt and wearing a thick jacket with dark sleeves and light coloured body.

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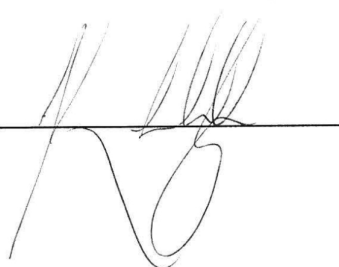
43. A check of outgoing telephone calls from [REDACTED] Onslow Avenue, Elizabeth Bay on Sunday, 11 June, 1995, revealed two interstate calls. The second was recorded at 5.20pm for a duration of 50 seconds to a Mrs Rhonda SALER in Blackforest, South Australia. Mrs SALER is the sister of the deceased. This telephone call is confirmed by Mrs SALER who stated the call consisted of general conversation. The deceased did not mention his plans for the evening nor was Mrs SALER aware if the deceased was with anyone at the time of the call.

EXHIBIT STATEMENT FROM RONDA SALER DATED 3 AUGUST,
1995.

42. The first call is recorded at 8.36am on 11 June, 1995, to telephone No. [REDACTED]. The telephone number is a mailbox number for Tele Services Pty Ltd. Tele Services Pty Ltd operate the personal columns of the Capital Q Magazine, a Sydney based gay publication. The deceased had previously placed an advertisement with the company and it appears he responded to his personal voice mailbox and retrieved 12 messages left.

43. Viewing the State Rail Authority surveillance video of the Kings Cross Railway Station concourse shows [NP215] arriving from an Edgecliff train at 5.15pm on Monday, 12 June, 1995, and leaving the Kings Cross Railway Station via the Darlinghurst Road exit.

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EXHIBIT STATE RAIL AUTHORITY SURVEILLANCE VIDEO STILL
 PHOTOGRAPH OF NP215

43. On 19 June, 1995, I had a telephone conversation with Detective Sergeant BRAY of the North West Homicide Unit at Parramatta. BRAY told me that an informant had nominated a NP202 NP202 DOB [REDACTED] 1964 as being responsible for the murder of BRENNAN. Enquires were then made to locate NP202.

44. On 27 December, 1995, NP202 was located and interviewed at Annandale Police Station. NP202 recalls that he was living with his ex de-facto girlfriend, I288 and four year old son [REDACTED] at [REDACTED] BLACKTOWN on the long weekend, 10,11 & 12 June, 1995. NP202 stated that he has no knowledge of the murder of BRENNAN, does not frequent the inner city area and does not know of any person by the name of Kenneth BRENNAN. NP202 whereabouts were confirmed by I288. There is no evidence at this stage that can connect NP202 to the deceased and I feel that it is highly unlikely that he is connected in any way.

45. On 20 June, 1995, a canvass was made of [REDACTED] Fullerton Street, WOOLLAHRA and [REDACTED] Greenknowe Avenue, Elizabeth Bay. No witness could be identified who could assist with the enquiry.

46. On 21 June, 1995, Detective TAYLOR handed to me a statement fo NP190 of [REDACTED] PLUMPTON. NP190

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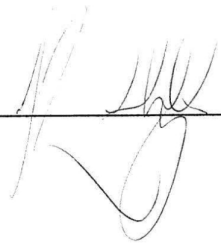
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often uses the name [NP190] when dealing with homosexual partners. [NP190] thinks he saw the deceased at the King Steam Sauna at Level 1, 38-42 Oxford Street, Darlinghurst on Sunday, 11 June, 1995 about 6.30pm. [NP190] and the deceased attempted sexual intercourse, however, did not proceed with the deceased stating that he had back pain and asked [NP190] to contact him in the future. [NP190] states that he first met the deceased about one year prior to his death at a homosexual book shop in Pitt Street, Sydney. At the book shop they had sexual intercourse in a room provided and the deceased gave [NP190] his telephone number with a view to future meetings. The deceased went to [NP190] home at Stanmore a few days later and had sexual intercourse and [NP190] also went to the deceaseds unit at [REDACTED] Onslow Avenue, Elizabeth Bay where he met [NP215] and the three engaged in sex. Several other sexual encounters between [NP190] and the deceased occurred. The deceased never took [NP190] home to his unit without [NP215] being present, instead preferring to go to the Pleasure Chest in Pitt Street, Sydney for this purpose.

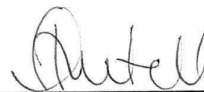
47. [NP190] was interviewed on 20 June, 1995, and a statement obtained. Detective TAYLOR inspected and photographed shoes owned by [NP190]. There does not appear to be any likeness to the soles on [NP190] shoes to the shoe print found in the kitchen of the deceaseds unit.

48. [1300] boyfriend of [NP190] was interviewed on 31 October, 1995 and was unable to co-operate the whereabouts of [NP190] on the evening of 11 June, 1995 due to the lapse in time since the date

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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and that he had no diary material to assist him. [I300] states that he separated from [NP190] in August, 1995, due to [NP190] promiscuous behaviour. It appears unlikely that [NP190] is responsible for the murder of BRENNAN.

EXHIBIT STATEMENT OF [NP190] DATED 20 JUNE, 1995.

EXHIBIT PHOTOGRAPHS OF [NP190] DATED 20 JUNE, 1995.

EXHIBIT STATEMENT OF [I300] DATED 31
 OCTOBER, 1995

EXHIBIT STATEMENT OF DETECTIVE TAYLOR

48. On 25 January, 1995, [NP190] was taken to the Sydney Police Centre where he gave permission to allow Police Forensic Doctor, Doctor MOYNHAM permission to take from him head hair, pubic hair and blood for the purpose of analysis and comparison in relation to the murder of BRENNAN. He also gave permission for Detective VAN LEEWUEN of the East Sydney Crime Scene Unit to take from him footprints and Detective DEAS of the Homicide Unit to take from him fingerprints both being for the purpose of analysis and comparison in relation to the murder of Kenneth BRENNAN.

48. Staff on duty at King Steam on the evening of Sunday, 11 June, and morning of Monday 12 June, 1995, have been interviewed. These include Richard CAPUANO, Walter COOK, Martin HARSONO, and Owner/Manager Denise COUSSENS. When shown a photograph of the deceased neither CAPUANO, COOK or HARSONO recalled seeing the deceased at the premises on the evening of Sunday, 11 June, 1995,

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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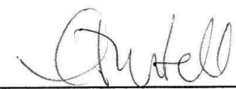
however, COOK recalls speaking to an asian male several days after the murder of BRENNAN who told him that he saw the deceased at King Steam on 11 June, 1995. This male was requested by COOK to notify Police. COOK was later shown a photograph of NP190 by Police, however, stated that this was not the male he spoke to. However, COOK recognised NP190 as a regular client of King Steam. On the evening of 11 June, 1995, it is estimated by staff that about 44 clients frequented the club.

49. A comprehensive statement was taken from the owner of King Steam, Denise COUSSENS on 31 July, 1995, and she was able to expand on the establishments operations. King Steam is frequented by gay and bisexual men and open between 10.00am and 6.00am Monday to Friday continuously from Friday to Monday. At any one time it is staffed by two people, one working at the reception desk and another performing laundry and canteen duties. King Steam has one entry, via a stair case off Oxford Street, it has a lounge and locker area with a canteen and another area where there are 26 small private cubicles. Several videos cameras are positioned in the premises for security reasons. The only camera to record is the one positioned in the entry. This camera was in operation on sunday, 11 June, 1995, however when the 24 hour tape reaches its end it automatically rewinds and commences recording again. No recording of the evening of 11 June, 1995, was available when the request was made. A customer sign-on sheet is situated in the reception area and clients must sign when entering. No identification is requested on entry and the sign-on sheets are disposed of at the end of each day. No sign-on sheet was available

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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for 11 June, 1995.

EXHIBIT STATEMENT OF DENISE COUSSENS DATED 31 JULY,
 1995


50. In the week following the murder of BRENNAN a notice was displayed in the reception area of King Steam requesting any person with information to contact Kings Cross Detectives. An article was also published in the Star Observer, a gay publication, requesting public assistance in relation to the murder of BRENNAN.

51. NP191 of [REDACTED] RANDWICK contacted Police at Kings Cross and informed them that he was at King Steam on the evening of 11 June, 1995. He stated that he went to King Steam about 3.00pm that evening and remained in a back room until about 11.00pm. He states the saw the deceased about 6.15pm for only a short period of time. NP191 states he did not see BRENNAN after this initial sighting.

EXHIBIT STATEMENT OF NP191 DATED, 9 JULY,
 1995.

52. I297 of [REDACTED] contacted Kings Cross Detectives and informed Police that he was at King Steam about 6.30pm, 11 June, 1995, however did not see the deceased. He did see a person he knows as NP191, possibly the same person as NP191 and wa asked by NP215 to contact Police. I297 had previously

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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met the deceased about 6 weeks prior to the murder at a monopoly night in Kings Cross.

48. On 21 June, 1995, I was notified by the Fingerprint Section of the New South Wales Police Service that only two fingerprints were taken from [REDACTED] Onslow Avenue, Elizabeth Bay, on 12 June, 1995. These two prints have been identified as belonging to **NP215** **NP215**

49. On 22 June, 1995, a statement was taken from Antione NADDAF, taxi driver of [REDACTED]. NADDAF recalls picking up the deceased and another male on the evening of Saturday, 10 June, 1995, from the vicinity of McLay Street, Kings Cross and driving them to Fullerton Street in WOOLLAHRA. There appears to have been a communication problem during the journey in relation to the address required and NADDAF recalls the larger of the two men being aggressive. He was able to give a description of the deceased and **NP215**, however stated would not be able to produce a FACE image of either males.

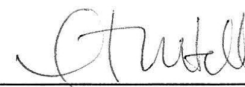
EXHIBIT STATEMENT OF ANTIONE NADDAF DATED 22 JUNE,
1995.

49. **NP215** had indicated that the deceased had placed advertisements in the personal columns of Homosexual Magazines requesting meetings. Enquires with Capital Q Weekly, a Sydney based homosexual publication revealed that Pacific Teleservices in Melbourne

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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were contracted to handle advertisements in the publication. Contact was made with this company and they were able to ascertain that the deceased placed an advertisement in the 12 May, 1995, edition. This advertisement was placed under the personal column and read **'ELIZABETH BAY, 2 hung guys looking for a 3rd hung guy for safe fun times, active or passive, any age or nationality. Code 155377, Pin No. 1769'**. The advertisement can be responded to by either mail reply or voice mailbox. The only way to retrieve the information is to ring Tele Services and quote the personal Pin No. allocated to the advertisement which was 155377, Pin No. 1769.

EXHIBIT CAPITAL Q MAGAZINE, 12 MAY, 1995

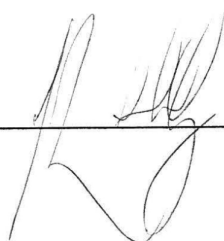
50. **NP215** and the deceased received 12 voice mailbox responses to the advertisement. On 16 June, 1995, these responses were replayed to Detective TAYLOR over the telephone and the information recorded as follows -

No. 1 **NP192** passive 52, live in Cross area, give me a ring [REDACTED] late at night OK

No. 2 [REDACTED] Hi guys responding to your add, give me a call back

No. 3 **NP194** 25 old eurasian 5'7" tall, good body, after good times, never done three some before but interested, [REDACTED]

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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No. 4 NP186 read your add sounds interesting give me a call [REDACTED]
[REDACTED]

No. 5 NP183, 24, 5'9", black hair, brown eyes, live in Sydney [REDACTED]
[REDACTED]

No. 6 NP185 ringing re your add for both of you, ring me on [REDACTED],
I'll wait for your call

No. 7 Kings Cross area, NP192 52 quite slim and easy going, passive
[REDACTED], late at night OK

No. 8 NP184 25 old, Sri Lanka, dark skin ringing re your add [REDACTED]
[REDACTED] after 8.00pm

No. 9 Interested to see your add 38 good body, well hung, not too
bad to look at, good sense of humour, interested [REDACTED] love to
visit you

No. 10 NP211 visiting from States on business, sounds like fun, 6'2" tall,
175 pounds, 30, hazel eyes, brown hair, lean defined body, well
endowed [REDACTED] room 2105 passive Sydney Regent
Hotel

NO. 11 I'm NP196 if you like to call me [REDACTED]

No. 12 NP197, read your add, 30 old, interested to catch up, live

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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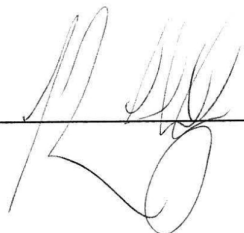
nearby, [REDACTED]

51. Enquires then commenced to ascertain the identity of the 12 respondents to the advertisement. It appears that messages No. 1 and No. 7 are made by the same person. Message No. 1 was traced to a [NP192] [NP192] of [REDACTED] WOOLLOOMOOLOO. [NP192] was interviewed at Kings Cross Police Station on 24 June, 1995. He admits to responding to an advertisement in the personal columns of either the Capital Q or Star Observer Magazine during May or June, 1995, and leaving his details including his telephone number on a 0055 voice mailbox number. [NP192] states that he received a telephone call from a male person in relation to his response to the advertisement, however, he does not recall the name of the person. He did not meet the person and received no further contact from the caller. On the evening of 11 June, 1995, [NP192] claims he was dining with friends.

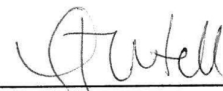
EXHIBIT STATEMENT OF [NP192] DATED 24 JUNE, 1995

52. Message No. 2 was traced to a [NP193] of [REDACTED] DARLINGHURST. [NP193] was interviewed on 10 July, 1995, at Surry Hills Detectives Office. [NP193] [NP193] is the owner of mobile telephone No. [REDACTED] and admits to responding by 0055 voice mailbox, to an advertisement placed in the personal columns of the Capital Q newspaper in June,

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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1995. He left his telephone number. [NP193] stated that he did not receive a reply to this particular advertisement and has not met any men by the name of Ken or [NP215] through his various responses to personal column advertisements. [NP193] is not able to confirm his whereabouts on the evening of Sunday, 11 June, 1995.


EXHIBIT STATEMENT OF [NP193] DATED 10 JULY, 1995

53. Message No. 3, [REDACTED], was traced to a [NP194] of [REDACTED] Kings Cross. [NP194] was interviewed on 26 June, 1995, at Kings Cross Police Station. [NP194] admits to responding to an advertisement placed in the personal column of either the Capital Q or Star Observer newspapers during May, 1995. [NP194] stated he called the 0055 voice mailbox telephone number and stated that his name was [NP194] he then left a brief description of himself and his telephone number. [NP194] states that he did not receive a response to the reply. [NP194] stated that on Sunday, 11 June, 1995, he left Sydney at 8.00am working interstate and overseas as a flight attendant for Qantas and did not return to Sydney until Monday, 19 June, 1995. This information has been confirmed through Qantas Security as being correct.

EXHIBIT STATEMENT OF [NP194] DATED 26 JUNE, 1995

54. Message No. 4, telephone No. [REDACTED], has been traced to [NP186] of [REDACTED] NEWTOWN. [NP186] was interviewed at Kings Cross Detectives Office on 5 July, 1995.

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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[NP186] admits to responding to an advertisement placed in the personal column of Capital Q Magazine during April, 1995. He responded to the advertisement by telephoning a 0055 voice mailbox number in which he left his own telephone number and his christian name. Several days after leaving the message he received a telephone call from a male who identified himself as Ken. The two talked for some time and 'Ken' invited him to his home in Elizabeth Bay.

[NP186] states that that afternoon he went to the unit in Elizabeth Bay where he met 'Ken's' partner and the three engaged in sex. He became aware during the afternoon that Ken had a more domineering personality than his partner. [NP186] did not see either male after this one meeting. However, about one week later Ken telephoned him again wishing to meet again. [NP186] gave an excuse not wishing to meet with him. About three weeks after the death of BRENNAN, [NP186] saw an article and photograph of the deceased in a publication of the Capital Q Magazine and recognised the deceased as Ken. [NP186] states that on the evening of 11 June, 1995, he was in the company of Peter TOMINSON at the Clock Hotel in Newtown. This has been confirmed by TOMINSON.

EXHIBIT STATEMENT OF [NP186] DATED 5 JULY, 1995

55. Message No. 5, telephone number [REDACTED], has been traced to a [NP183] of [REDACTED], INGLEBURN. [NP183] was interviewed on 10 July, 1995, at his home address. [NP183] admitted to responding to several advertisements in the personal columns of either the Sydney Star or

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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Capital Q newspapers during May/June, 1995. He responded by 0055 voice mailbox in which he left his christian name, telephone number and description as 24 old, 5'9" tall, brown eyes, black hair. **NP183** however, does not recall replying to an advertisement in the Kings Cross/Elizabeth Bay area. **NP183** states that on 11 June, 1995, he was at home watching a video hired from the Video Easy store at Ingleburn with friends Gary and Justin. The hiring of two videos is confirmed by the Video Easy store in Ingleburn. **NP183** had read an article in a more recent copy of the Sydney Star Observer newspaper and a picture of BRENNAN was published. **NP183** stated that he has never met the deceased.

56. Message No. 8, telephone No. [REDACTED] was traced to a **NP184** **NP184** of [REDACTED] LAWSON. **NP184** states that he responded to an advertisement in the personal column of Capital Q newspaper in May/June, 1995. He admits to responding to an advertisement by telephoning a 0055 number and leaving his christian name, telephone number and brief physical description. He states that about one week after responding to the advertisement he received a telephone call from a male who identified himself as 'Ken' and asked him to meet him at Kings Cross. On Saturday, 3 June, 1995, he went to Kings Cross where he met the deceased and walked with him to his unit. He then took part in sexual intercourse with Ken and his partner **NP215**. He did not see the deceased or **NP215** after this first meeting. The meeting with the deceased is confirmed in the personal diary of the deceased by a notation made on Saturday, 3 June, 1995, by the words '11.00 **NP184** in ink. **NP184** stated that

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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on 11 June, 1995, he was in the company of Jeff ROGERS at Kogarah.
 This has been confirmed by ROGERS.

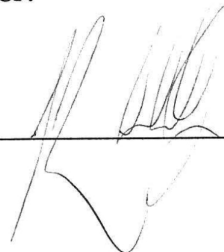
EXHIBIT STATEMENT OF NP184 DATED 12 JULY, 1995

57. Message No. 9, telephone number [REDACTED] was traced to a
NP195 of [REDACTED] CREMORNE. NP195
NP195 admitted to responding to two an advertisements placed in
 the personal columns of Capital Q magazine during May/June, 1995.
 He states that he left his mobile telephone number and other
 information. NP195 states that he received no reply from his
 responses. He was shown a photograph of the deceased by Detective
 TAYLOR and stated he had never seen the male before. On Sunday,
 11 June, 1995, he states he was in the company of [REDACTED]
 Anthony HENDERSON between 9.00pm and 4.00am on Monday, 12
 June, 1995.

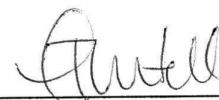
EXHIBIT STATEMENT OF NP195 DATED 6 JULY, 1995

58. Message No. 10, telephone number [REDACTED] was traced to
 the Regent Hotel, 199 George Street, Sydney. Information from Tele
 Services Pty Ltd established that the response was made on 28 May,
 1995. Room 2105 was mentioned in the response to the
 advertisement. A Search Warrant was executed on Security Staff at
 The Regent Hotel to ascertain the occupant of Room 2105 on 28 May,
 1995, and other information which might establish the identity of the
 caller.

Witness: _____



Signature: _____



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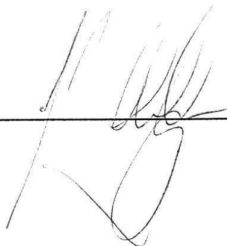
STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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59. On 18 July, 1995, the Search Warrant was executed and Hotel records showed that a [NP211] of [REDACTED] [REDACTED] California, USA occupied room 2105 of The Regent Sydney Hotel from 26 May to 29 May, 1995. A telephone ledger shows that telephone No. [REDACTED] was dialled on 28/05/1995.

60. Enquires with the Australian Customs Department revealed that [NP211] departed Sydney for the United States of America on 6 June, 1995 and has not entered the country since 6 June, 1995.

61. Message No. 11, Telephone No. [REDACTED] was traced to a [NP196] [NP196] of [REDACTED] SURRY HILLS. [NP196] admitted to responding to an advertisement in the personal column of the Capital Q Magazine at the beginning of June, 1995. He stated that he telephoned a 0055 number and left a message on a voice mailbox in which he left the name [NP196] and his telephone number. About 2 or 3 days later he received a telephone call from a male person who identified himself as 'Ken' and asked him to meet him on Tuesday, 6 June, 1995, about 7.00pm. After telephoning the number given to him by Ken he spoke to another male who identified himself as [NP215] and [NP215] gave him directions to his Elizabeth Bay unit. [NP196] then walked to the unit where he saw Ken and the two engaged in sex. About 10.00pm [NP196] left the unit and returned home. He states he did not see the deceased or [NP215] after this meeting. This meeting is confirmed in the personal diary of the deceased on the 6 June, 1995, where the name [NP196] appears next to 'Evening'.

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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62. [NP196] states that on the evening of 11 June, 1995, he was home alone with his daschund dogs and had no contact with any human. He is unable to supply an alibi for this period of time.

EXHIBIT STATEMENT OF [NP196] DATED 16 JUNE, 1995

63. Message No. 12, Telephone No. [REDACTED] was traced to a [NP197] [NP197] of [REDACTED] DARLING POINT. On 22 June, 1995, [NP197] was interviewed at Kings Cross Police Station. [NP197] stated that in early June, 1995, he replied to an advertisement in the Capital Q magazine by telephoning a 0055 number, leaving his name and mobile telephone number [REDACTED]. He states he never received a reply from his response and on the evening of 11 June, 1995, he was in POKOLBIN with family and friends. He was shown a photograph of the deceased and he stated he had never seen him before.

EXHIBIT STATEMENT OF [NP197] DATED 22 JUNE, 1995.

64. On 20 June, 1995, the Funeral Service for the deceased was conducted at Hysen Chapel, Centennial Park, Adelaide.

65. On 22 June, 1995, Detective MULDOON and I attended the Memorial Service for the deceased at the Waterloo Congregational Church.

Witness: _____



Signature: _____



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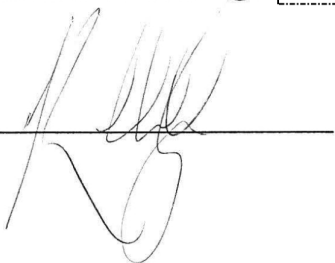
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**STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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66. On 11 July, 1995, enquires commenced to identify the male known as [NP199], [NP199] introduced the deceased and [NP215] to [NP214] on Saturday, 3 June, 1995, at [NP214] home, [REDACTED] Fullerton Street, WOOLLAHRA. This male was eventually traced to a rented property at [REDACTED] HILLDALE and identified as 62 year old, [NP199].

67. [NP199] was interviewed at his home address, however, refused to sign the statement pending legal advice. He was also requested to supply head hair, pubic hair, blood, foot prints and fingerprints, but, declined. [NP199] stated that he responded to an advertisement in either the Sydney Star Observer or Capital Q newspapers about 2 years prior. He recalls responding via a 0055 mailbox system. He recalls being in contact with two males by the name of Ken and [NP215] who asked him to meet him at their Elizabeth Bay unit. [NP199] states he always used the alias names [NP199] or [NP199] when dealing with [NP215] and the deceased and received frequent telephone calls from Ken and [NP215] over the year. On one occasion he went to the Elizabeth Bay unit and met Ken, however, Ken would not engage in sex with him unless [NP215] was present. He stated that he met [NP214] through responding to the personal advertisements in gay newspapers and around May/June, 1995, he went to Sydney where he told [NP214] that he had two friends that he could introduce [NP214] too. He arranged a meeting between [NP214] the deceased and [NP215] at [NP214] unit one evening. He recalls [NP214] having sex with [NP215] and the deceased and about one and a half hours later [NP215] and the deceased leaving. [NP199] cannot confirm his whereabouts on the

Witness: _____



Signature: _____



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evening of Sunday, 11 June, 1995. On 26 March, 1996, **NP199** was visited at his current address, [REDACTED] HILLDALE, by Detective MORONEY of Maitland Detectives. **NP199** was spoken to to ascertain if he had received legal advice in regards to his signing the statement originally taken by Police and to supplying head hair, pubic hair, blood, finger prints and foot prints. **NP199** would not co-operated with Detective MORONEY and declined to sign the statement or supply body samples and prints.

68. Enquires were undertaken to ascertain the possible origin of the black, gold and green, size small, Yves Saint Laurent brand underpants found in the bedroom of the deceased. Vanessa GALE, Sales Representative for Gazal Apparel was interviewed on 31 August, 1995. Gazal Apparel has the license to manufacture and distribute Yves Saint Laurent mens underwear for the past five years. Ms GALE was shown one pair of size small mens underpants, YSL brand, colours black, gold and green and stated that this style NYU01 was manufactured between 5 February, 1993 and discontinued on 30 June, 1995. A total of 287 pieces in this size and colour were manufactured and distributed Australia wide to retail outlets including David Jones, Myer/Grace Bros and various other retail outlets. The average price ranging from \$14.00 to \$15.00 each.

EXHIBIT STATEMENT OF MS GALE DATED 31 AUGUST, 1995

69. Enquires were undertaken to ascertain the origin of the shoe

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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print located in blood on the lino floor of the deceaseds kitchen. Mr Stuart JENNINGS, Sales Manager, employed by the Windsor Smith Shoe Company was interviewed on 1 September, 1995. Mr JENNINGS was shown a photocopy of the shoe print taken from the crime scene. He was able to identify the print as coming from a Windsor Smith sole called 'Rock Last' and being a six 9 or 9 1/2 shoe/boot. This Rock Last sole has been used on many different uppers, shoes and boots, including the following styles - Predator, Biff, Diesel, Nam, Blunt, Rig, climber, Drover, Tug and Tread. The sole first went into production in August/September, 1993 to current. To date 30,000 pairs of shoes/boots utilising the Rock Last sole in size 9 & 9 1/2 have been manufactured and distributed Australia wide, New Zealand, Hong Kong, Singapore and Los Angeles. The shoes are distributed to independent retailers such as Mathers, Grace Bros, Williams and others.

EXHIBIT STATEMENT OF STUART JENNINGS DATED 1 SEPTEMBER, 1995

70. Enquires with St Vincents Hospital and Sydney Hospital to ascertain if any person had been treated on the evening of Sunday, 11 June, 1995 or in the early morning of Monday, 12 June, 1995 for injuries consistent with a fight or knife wound were made. These enquires revealed that four people were treated during this period. Two of those NP212 of [REDACTED] DUBBO, treated for abrasions and NP205 of [REDACTED] PENDLE HILL treated for a head injury have been interviewed. The movements of

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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these two people have been accounted for by statements taken from people who were in there company at the time. The third person **NP206**, an Irish illegal immigrant has not been seen since August, 1995, and has been circulated throughout the New South Wales Police Service and Department of Immigration as wanted for questioning. The fourth person **NP208** of **██████████** **██████████** CAMPSIE, treated for face abrasions has never been known at the Campsie address. The Police Intelligence System does not contain any information of **NP208**, DOB **██████████** 1976.

EXHIBIT STATEMENT OF **NP212** DATED 4 NOVEMBER, 1995

EXHIBIT STATEMENT OF **NP205** DATED 19 JANUARY, 1996

71. Between 20 July and 24 July, 1995, Operation Monardia was conducted and involved a Mobile Police Station set up outside the Darlinghurst District Courts in Oxford Street, Darlinghurst. The police station was operated by members of the Homicide Unit, Gay and Lesbian Liaison Unit, Kings Cross and Surry Hills Police. A press release was held on the 20 July, 1995, at the Mobile Police Station and the Operation launched. Television and Radio networks were present along with journalists from Capital Q and Sydney Star Observer publications. Wide publication of the operation was apparent the next day. The general message broadcast was that Police were seeking public assistance in coming forward with any information which may assist with the investigation into the murder of Kenneth BRENNAN.

Witness: 

Signature: 

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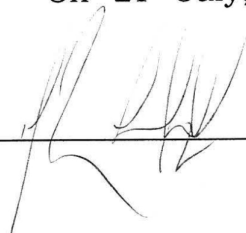
STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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72. A letter drop was made on 20 July, 1995, by the Major Crime Squad, South and the Paddington Police Patrol of all shops in Oxford Street, from College Street, Sydney to Queen Street, WOOLLAHRA. The leaflet contained information on the deceased, his photograph, and the request for public assistance with the enquiry. This leaflet was given to every shop keeper who was asked to display it in there shop window.

73. During the letter drop, Mr Arturo GUIJAR, Store Owner of the Oxford Street Cellars, 118 Oxford Street, Darlinghurst recognised the deceaseds photograph. He was interviewed on 25 July, 1995 at Surry Hills Police Station and stated that he worked in the shop on most days between 10.00am and 12 midnight. He recalls seeing the deceased in his shop on several occasions and in particular the Sunday evening, 11 June, 1995, of the long weekend. He recalls seeing the deceased between 9.00pm and 10.00pm that evening in the company of a young man 16-18 years old, slim build, blond messy hair with pimples on his face, wearing a sloppy joe and light coloured jeans and possibly homosexual. He described the deceased as wearing a black leather jacket and light coloured pants. He stated that the deceased bought a bottle of bundaberg rum and a bottle of coca cola, paying with cash and leaving the shop together. GUIJAR recalls seeing the deceased on another occasion in April with another young man who he describes as being homosexual.

74. On 21 July, 1995, Mr GUIJAR assisted Police with the

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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construction of a FACE image portrait of the young male he saw with the deceased on Sunday evening, 11 June, 1995.

EXHIBIT STATEMENT OF MR GUIJAR DATED 25 JULY, 1995

EXHIBIT FACE NO. F00563 MADE BY MR GUIJAR

75. During Operation Monardia [I299] of [REDACTED] [REDACTED] DARLINGHURST approached Police and supplied the following information. He stated that on Sunday, 9 July, 1995, about 8.30pm a young male approached him in Darlington Road, near Oxford Street requesting money. [I299] then invited the young male to his home where the male introduced himself only as [NP198]. After speaking to [NP198], [I299] ascertained that he was dependant on drugs. Both then fell asleep, about 6.00am [I299] states he woke up and left the unit to use the common toilet, on his return [NP198] had disappeared and a 30cm carving knife was found protruding from his wooden table. After thinking about the murder of BRENNAN and seeing the Mobile Police Station in Taylor Squad he decided to notify Police because he felt that [NP198] may be connected in some way. [I299] [I299] felt that he would not be able to assist with a FACE image of the young male. Several patrols of the Darlington area were made with [I299] to see if he could locate the male [NP198] without success.

EXHIBIT STATEMENT OF [I299] DATED 25 JULY, 1995

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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76. Enquires were then made to establish the identity of [NP198], a male prostitute who frequented 'The Wall' area of Darlinghurst Road during June, 1995. Intelligence led Police to believe that [NP198] was the same person as [NP198]. It was further ascertained that on 8 April, 1995, at Kings Cross, [NP198] was the victim of a robbery and he was interviewed on 15 June, 1995 at Kings Cross by Detective TAYLOR. On 9 September, 1995, the Psychiatric Ward of Heatherton Hospital, Victoria was contacted and it was ascertained that [NP198] was currently a voluntary patient suffering pschitzophrenia which could possibly be drug induced.

77. On 5 October, 1995, Police travelled to Melbourne with the intention of interviewing [NP198]. [NP198] was traced to [REDACTED] SOUTH YARRA, the home of [I289] and [I290]. [I290] [NP198] was interviewed and confirmed that he was in Sydney on two occasions during 1995. The first occasion he was working as a male prostitute at 'The Wall' area of Darlinghurst Road, Kings Cross and had his mobile telephone stolen from him. He then returned to Melbourne and resided at [REDACTED] SOUTH YARRA. He then returned to Sydney on 14 June, 1995, by train, arriving on the morning of 15 June, 1995. He states he went straight to Kings Cross Detectives office and spoke to Detective TAYLOR. Whilst in Sydney on this visit he recalls meeting a fellow at 'The Wall' called [I299] who gave him \$40.00. The next night he recalls again meeting [I299] at 'The Wall' and going back to his home a short distance away and drinking alcohol with [I299] and another male, he then went to bed with the two males

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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and cannot remember what happened from then on. The next morning he left and [I299] gave him \$25.00. He stated he has been to a bottle shop in Oxford Street, Darlinghurst on his own and with other people, however, he has never met a male by the name of Ken.

EXHIBIT STATEMENT OF [NP198] DATED 5 OCTOBER, 1995

EXHIBIT VIC-RAIL TICKET DATED 14 JUNE, 1995

78. [I289] of [REDACTED] SOUTH YARRA confirms [NP198]'S movements during June, 1995, and his rail travel from Melbourne to Sydney on 14 June, 1995.

EXHIBIT STATEMENT OF [I289] DATED 5 OCTOBER, 1995

79. Another suspect [NP203] was nominated by a Police Officer as looking similar to the FACE image compiled by Mr Antonio GUIJAR the owner of the Oxford Cellars. Intelligence was gathered on [NP203] which indicated that he had once frequented the Surry Hills/Darlinghurst areas during 1992-1993. He was traced to Geelong, Melbourne and then to the Parklee Correctional Centre where he was interviewed on 17 November, 1995. He stated that on the Queens Birthday Long weekend, 10, 11 and 12 June, 1995, he was employed by [I291], Manager of [REDACTED], of [REDACTED]

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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██████████ Victoria as an apprentice Roofer. He denied any knowledge of a person by the name of Kenneth BRENNAN or any involvement in his murder.

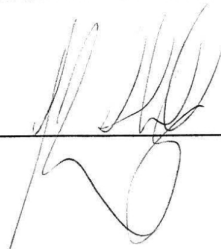
80. On 28 November, 1995, [I291] was interviewed by Senior Detective Wayne ELLIOTT of Geelong Police, Victoria and he stated that [NP203] was employed by him in June, 1995. He cannot state that [NP203] was working in his company over the Queens Birthday Long Weekend, 10, 11 and 12 June, 1995, however he can confirm that [NP203] worked for him between 13 June and 17 July, 1995. It would be fair to conclude that [NP203] was in Victoria at the time of the murder and not connected.


EXHIBIT STATEMENT OF [NP203] DATED 17 NOVEMBER,
1995

EXHIBIT STATEMENT OF [I291] DATED 28 NOVEMBER,
1995

79. On 1 August, 1995, Detective MULDOON and myself travelled to Adelaide to commence enquiries. That afternoon we travelled to the Snowtown Nursing Home where we spoke briefly to Mrs Josie BRENNAN the elderly mother of the deceased. We briefly explained the known circumstances of their sons death and the ongoing enquiries being made.

80. On 2 August, 1995, a statement was taken from Paul TRELOAR of the South Australian Public Trustee Office. Mr

Witness: _____


Signature: _____


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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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TRELOAR was delegated the Estate Service Officer in control of the administration of the estate of Kenneth BRENNAN. The only known will in existence made by the deceased is dated 15 November, 1977 and appoints the public trustee the executor and Rosemary Joan FERGUSON, the wife of the deceased, as the sole beneficiary. The assets of the deceased include -

1. A home unit at [REDACTED] North Adelaide
Valued at \$160,000
2. Furniture and effects. Value unknown
3. SATISFAC Credit Uniton account \$442.02
4. State Bank of NSW account \$67.28
5. Macquarie Investments deposit fund \$19,170.37
6. Norwich Union Life Police value \$30,000.00
7. Prudential Insurance Company value \$30,000.00
8. BT Financial Services value \$30,000.00

Mr TRELOAR indicated that he had received correspondence from Marsdens solicitors in Sydney acting for [NP215] that he intends contesting the will. Mr TRELOAR stated that to this date the only will in existence, dated 15 November, 1977, will be placed before the courts as his last will.

EXHIBIT STATEMENT OF PAUL TRELOAR DATED 2 AUGUST, 1995

EXHIBIT LAST WILL OF KENNETH BRENNAN DATED 15 NOVEMBER, 1977

81. On 3 August, 1995, Mrs Rosemary FERGUSON, wife of

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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deceased was interviewed at the Adelaide Police Station. Mrs FERGUSON was able to give a history of the deceased and her suspicions. Rosemary and the deceased met whilst students in 1957 at Woodville High School, South Australia. They were married on 18 May, 1963 and separated in 1989 after the deceased disclosed that he was homosexual and unsure about staying in the marriage. They have not formally divorced and have remained close friends till his time of death.

82. During mid 1993, Mrs FERGUSON went to the deceaseds unit at [REDACTED] North Adelaide and spoke to the deceased. She was not aware at that stage that the deceased was in a relationship and living with [NP215]. In 1993 the deceased accepted a Targeted Voluntary Separation Package from the Education Department of South Australia and in mid-1994 moved to Sydney and accepted a teaching position with the Open Learning Institute. In March, 1995, she travelled to Sydney and spoke to the deceased and was not aware that he was living with and in a relationship with [NP215]. Only after the murder did [NP215] contact her and stated he was the deceaseds partner for the last 5 years. This astounded her because she had never heard the deceased mention his name. Mrs FERGUSON cannot understand how someone could harm her husband.

EXHIBIT STATEMENT OF ROSEMARY FERGUSON

83. On 3 August, 1995, friend of the deceased Graham DUCKETT

Witness: _____

Signature: _____

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P.190A.

STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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at Adelaide Police Station. DUCKETT was fully aware of the relationship between [NP215] and the deceased in Adelaide and continuing in Sydney. DUCKETT stated that he felt the relationship between [NP215] and the deceased was not very happy over the last couple of years. He had noticed that [NP215] was very moodie and neurotic at times and he wondered how the deceased put up with his moods. He believed that over the last six months the relationship was more volatile and the deceased had asked [NP215] to leave the unit at [REDACTED] Onslow Avenue, Elizabeth Bay and also asked [NP215] to remove his property from the Adelaide unit. This did not happen and DUCKETT did not mention it to the deceased who he felt was not happy with the relationship as it was.

EXHIBIT STATEMENT OF GRAHAM DUCKETT DATED 3 AUGUST, 1995

84. Mrs SALER was also aware of the relationship that existed between [NP215] and the deceased in Adelaide and the continued relationship in Sydney. She last saw the deceased in March, 1995, when he and [NP215] visited Adelaide. [NP215] had made it known to her that the deceased was having sex with other men and possibly putting himself in danger of contracting a disease or getting bashed. [NP215] appeared upset about this because she felt he honestly loved the deceased. Mrs SALER had no indication that there were other problems in the relationship. She recalls receiving a telephone call from the deceased about 5.15pm on Sunday, 11 June, 1995 and discussing general things. She can think of no person who would

Witness: _____

Signature: _____

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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mean harm to the deceased.

EXHIBIT STATEMENT OF RONDA SALER DATED 3 AUGUST, 1995

85. On 3 August, 1995, I also spoke to Ian and Helen ADAMSON, of [REDACTED], Adelaide, neighbours of the deceased. The stated that the deceased was in a relationship with [NP215] for several years before moving the Sydney and their did not appear to be problems with the relationship and they could offer no other information.

86. On 24 August, 1995, Detective MULDOON and I travelled to [REDACTED] HILLDALE where we spoke to [NP199]. [NP199] identified himself as [NP199] or [NP199] the individual who met [NP215] and the deceased through an advertisement in either the Capital Q or Sydney Star Observer newspapers and responded to a 0055 telephone number about 2 years ago. He states after responding to the advertisement he received a response and met the deceased and [NP215] at their Elizabeth Bay unit staying overnight. About one month later he again went to the unit and spoke to the deceased and [NP215] but did not engage in sex. About 3 months prior he again went to Sydney, probably a Friday, to the unit of [NP214] who he had also met through an advertisement in a personal column in a gay newspaper. He mentioned two friends from Elizabeth Bay that he might like to meet. He then telephoned the home of the deceased and invited [NP215] and the deceased to the unit of [NP214] at [REDACTED] Fullerton Street, WOOLLAHRA. That evening [NP215] and the

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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deceased arrived and the deceased, **NP214** and **NP215** engaged in sex. He stated that about 6.30-7.30pm the deceased and **NP215** left the unit. **NP199** could not account for his whereabouts on the evening of Sunday 11 June, 1995. He was asked to voluntarily supply head hair, pubic hair, blood, fingerprints and footprints for the purpose of elimination purposed but refused. He also refused to sign the statement taken at the time.

EXHIBIT UNSIGNED STATEMENT DATED 24 AUGUST, 1995 OF
NP199

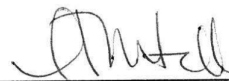
87. On 10 October, 1995, information was received from an informant that a person by the name of **NP188** may be responsible for the murder of BRENNAN. A full criminal profile was made of **NP188** and he was subsequently interviewed by Detectives MULDOON and HAYES at Long Bay Correctional Centre where he was serving a sentence for dishonesty matters. **NP188** supplied an alibi for the Queens Birthday Long weekend by referring to Police Charge Sheets. He was charged on 18 October, 1995 for a stealing committed on the 8 June, 1995 in Sydney. He stated that after the stealing he and an accomplice **NP207** stayed in Sydney the night and the next day travelled to Byron Bay by coach. They stayed at Byron Bay for several days in a backpackers establishment before returning to Sydney again by coach.

EXHIBIT STATEMENT OF **NP188**

Witness: _____



Signature: _____



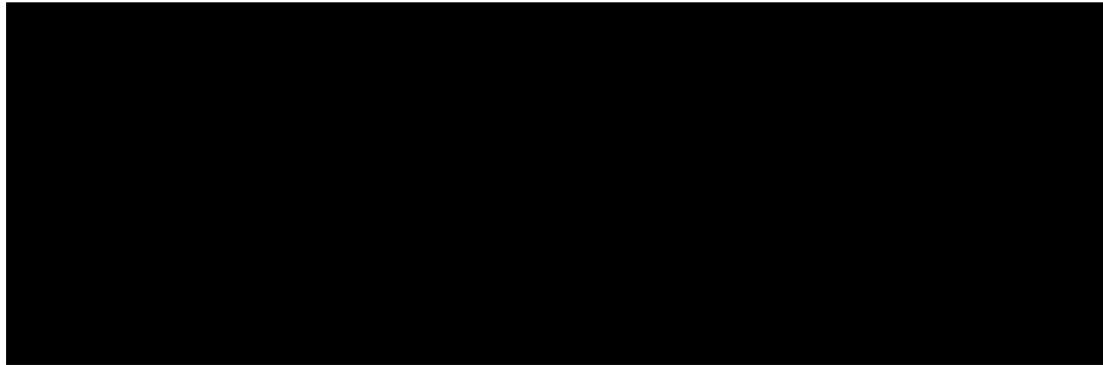
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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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88. Enquiries were made to confirm the alibi by [NP188] including checks with backpacker establishments in Byron Bay, bus coaches traveling to Byron Bay and return, check of accommodation establishments in Kings Cross, Social Security, Banking records, Prison records. All these enquiries met with negative responses.

89. On 11 November, 1995, an informant disclosed that he had been an [REDACTED] [NP188] [REDACTED] [NP188] had disclosed to him that he was responsible for the death of BRENNAN and he had fooled the Police into thinking that he was not responsible. [NP188] had previously disclosed personal information to the informant which was confirmed. [NP188] however, later disclosed that he was joking about committing the murder. The informant was interviewed and later registered as an official Police Informant.



91. On 12 December, 1995, Detective MULDOON and I travelled to the Wollongong Police Station where we had a conversation with [I286] [I286]. [I286] had previously been a cell-mate of [NP188]

Witness: _____


Signature: _____


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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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[NP188] in Long Bay Correctional Centre in October, 1995. He stated that after Police had interviewed [NP188] at [REDACTED] [REDACTED] he had had a conversation with him in which [NP188] admitted to the murder of a male and this was the subject of the interview with Police. He further stated that [NP188] told him he had been at the deceaseds home and was looking through is wallet and thought about stealing his video when the deceased came out of a room and walked into a knife which he was holding. [NP188] later told him that he was only joking and made the story up. [I286] stated that he did not know wheter to beleive [NP188]'s story or not.

92. On 13 December, 1995, [NP188] was removed from the Goulburn Correctional Centre by order of a Section 29 Order and conveyed by the Department of Corrective Services to Maroubra Police Station. [REDACTED]

[REDACTED] About 1.30pm, [NP188] was removed from the [REDACTED] and taken to an interview room with Electronic Recording equipment.

93. He was then interviewed further by myself and Detective Sergeant HAYES and was asked to expand in detail on his movements between 9 June and 12 June, 1995. He stated that after stealing jewellery from a store in the city he and friend, [NP207] stayed overnight at the Kirkton Hotel in Darlinghurst Road, Darlinghurst. The next morning he and [NP207] went back into the city and booked two one way tickets on a coach to Bryon Bay for the next day, 10 June, 1995.

Witness: _____

Signature: _____

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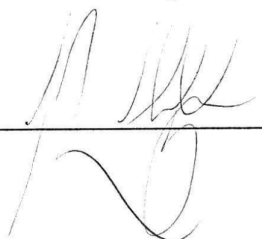
STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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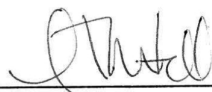
He and [NP207] then stayed the night in a hotel room in the Central Railway Station area. The next morning they were to board an early coach, however, overslept and missed the coach for which they had booked. They re-booked their trip on another coach to leave that afternoon. On the afternoon of Friday 9 June, 1995, they then travelled to Byron Bay arriving on the morning of Saturday 10 June, 1995. [NP188] stated that he and [NP207] booked into a backpackers motel for that night. On 10 June, 1995, he states that he re-booked two return tickets to Sydney on a Kirklands Coach to leave on Sunday, 11 June, 1995 in the afternoon. He and [NP207] caught this coach and arrived in the early hours of Monday 12 June, 1995, where they got off the bus at Chatswood and caught a taxi back to Kings Cross.

94. During the interview he provided sketches of locations of the Sydney Hotel, Byron Bay backpackers hotel including room and reception area.

EXHIBIT TRANSCRIPT OF ELECTRONIC INTERVIEW BETWEEN POLICE AND [NP188] AT MAROUBRA POLICE STATION ON 13 DECEMBER, 1995, NO. 95/479

95. During the interview [NP188] gave written permission for Police to take from him fingerprints and footprints for the purpose of comparison in relation to the murder of Kenneth BRENNAN on 11 June, 1995. He also gave written permission for Police Forensic Doctor, Doctor MOYNHAM to take from him head hair, pubic hair and blood for the purpose of comparison in relation to the murder of

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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Kenneth BRENNAN on 11 June, 1995. These samples were then obtained by Dr MOYNHAM and Senior Constable STOCKS of the East Sydney Crime Scene Unit.

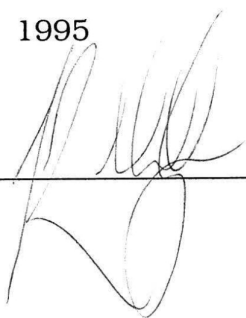
96. About 4.45pm [NP188] was returned to the Police cell at Maroubra Police station [REDACTED]. Conversation then took place between the two males and centred around the reason [NP188] was interviewed, questions put to him by Police during the interview, what they would do when released from custody and police gathering of physical evidence. [REDACTED]

97. About 6.00pm as [NP188] was being removed from the cell by station Police [REDACTED] put to him the question, 'What we were talking about mate, I have to know, did you do it?' and [NP188] has turned to him and said 'Yer'. He was then taken from the cell.

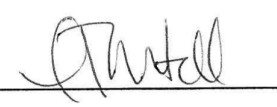
98. On 29 December, 1995, [NP207] was located in Melbourne and interviewed by Detective MULDOON. [NP207] stated that he was in the company of [NP188] in mid-1995 when they caught a coach to Byron Bay, stayed for several nights and then returned by coach to Sydney. He had no knowledge of the murder of BRENNAN or any connection between [NP188] and the deceased.

EXHIBIT STATEMENT OF [NP207] DATED 29 DECEMBER,
 1995

Witness: _____



Signature: _____



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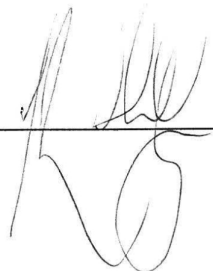
STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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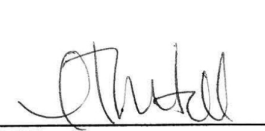
98. Further enquiries were then made which confirmed **NP188** and **NP207**'s accommodation at the Cape Byron Backpackers on the evenings of 10 June and 11 June, 1995 in room No. 10. A statement was obtained from Robert IVEY, Hotel Manager on 6 January, 1996.

EXHIBIT STATEMENT OF ROBERT IVEY DATED 6 JANUARY,
1996

99. Kirkland Coaches of Lismore revealed from there passenger list/manifest no bookings made by **NP188** or **NP207** for a trip from Sydney to Byron Bay on Friday 9 June, 1995. The other coaches which operate services between Sydney and Brisbane, McCafferties and Australian Coached (formerly Greyhound) were checked with no find. On Sunday 11 June, 1995 a booking was found for a **NP188** from Byron Bay to Central for \$62.00, ticket No. 193133. The name **NP207** does not appear however, a ticket found No. 193134 in the name [REDACTED], for the same journey, would have been issued consecutive to the ticket of **NP188** and appears could have been the ticket purchased by **NP207**. Kirkland Coaches confirmed that this coach left Brisbane at 1.45pm on sunday 11 June, 1995 traveling through Byron Bay and arriving at 7.05am on Monday 12 June, 1995 at Central. The backpackers accommodation and coach journey co-aborates the version of events as given by **NP188** and **NP207** and eliminates him as a suspect for the murder of BRENNAN.

101. Ms Michele FRANCO, Biologist of the Analytical Laboratories at Lidcombe of examined all exhibits. She was in receipt of all post

Witness: 

Signature: 

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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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mortem specimens and crime scene specimens to assist her with her enquiries.

Her findings are as follows -

A. The hair found in the deceaseds left hand and a blood stain on area 1 of the Yves Saint Laurent underpants found on the bed could have originated from the deceased, but not **NP215**, **NP214** or **NP189**

B. The DNA from area 2 on the Yves Saint Laurent underpants originated from more than one person, the major component of the DNA originating from someone other than the deceaseds, **NP215**, **NP214** or **NP189**.

C. Spermatozoon was detected on one condom.

E. Semen was not detected on the following:

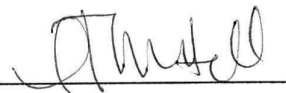
- i) oropharangeal swab and smear
- ii) rectal swab and smear
- iii) condom No. 3
- iv) underpants
- v) condom No. 2

F. DNA testing of the two condoms No. 1 & No. 2 was unsuccessful

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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G. There were no obvious differences between the hair from the main bed and the hair sample from of the deceased.

H. The hair from the deceaseds right hand has been retained.

I. Blood was not detected in the drainwater samples from the kitchen and bathroom sinks.

J. Fingernail clippings were not examined.

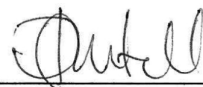
EXHIBIT FORENSIC LABORATORY RESULTS

102. Evidence establishes that the deceased was last seen alive on Sunday, 11 June, 1995, about 6.30pm at King Steam Sauna, Level 1, 38-42 Oxford Street, Darlinghurst. The deceaseds body was found in his home at [REDACTED] Onslow Avenue, Elizabeth Bay about 5.30pm on Monday, 13 June, 1995, by his boyfriend [REDACTED] NP215, who immediately attended Kings Cross Police Station. The Forensic Pathologist, Doctor Peter BRADHURST estimates the time of death between 5.30pm and 11.30pm on Sunday, 11 June, 1995. It is the opinion of the investigating police that after leaving King Steam Sauna he has met person or persons at an unknown location or upon returning to his home has met some person by arrangement. The deceased has then had sexual intercourse with a person or persons. It would appear that after the sexual act he has been stabbed, possibly in

Witness: _____



Signature: _____



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STATEMENT (continued) in the matter of: Murder of Kenneth BRENNAN
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the bathroom and other parts of the unit. Evidence suggests that he has also been hit in the face with a metal frypan. There is evidence to suggest that a struggle has taken place in the bedroom and hallway and the deceased has eventually been placed in the position he was found with a pillow under his body. There is evidence to suggest that the deceaseds body has been sponged down with the sponge located on his neck. Dr BRADHURST was satisfied that the knife blade located in the bedroom was the murder weapon. There were no signs of a forced entry to the unit and no property stolen.

103. Known associates and the ex-lover of the deceased NP215 NP215 have been interviewed and there is no evidence to suggest that they are involved in the murder of the deceased. Enquiries and information received from the public led to the interivew of three suspects, NP188 NP198 and NP202 who have been eliminated from this enquiry.

104. It is the opinion of investigating police that the frenzied attack, the positioning of the body with the pillow under the torso, the sponging down of the body, and the signs of sexual intercourse may indicate that the offender or offenders may be homosexual or homophobic.

Witness: _____



Signature: _____

