## Statement of CSO - DSC Lyle VAN LEEUWEN

File Number: 2

Product Type: TEXT DOCUMENTS:Statement

Completed Date: 13 Aug 1996

Brief Description: Attached is the statement of Crime Scene Officer DSC Lyle VAN LEEUWEN who attended

the crime scene at Onslow Street, Elizabeth Bay.

DSC Lyle VAN LEEUWEN seized a number of exhibits and took a number of photographs

(referred to linked products).

## NEW SOUTH WALES POLICE

STATEMENT in matter of:

Place:

East Sydney Zone

**BRENNAN** 

Crime Scene Section

Job No. 95-0504

Date:

13 August, 1996

Name:

VAN LEEUWEN Lyle William

**AGE: 34** 

Address:

Level 5 Sydney Police Centre

Tel.No.

Occupation:

151 Goulburn Street, Surry Hills 2010. Detective Senior Constable of Police

STATES:-

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

(1) I am attached to the East Sydney Crime Scene Unit, where part of my daily duties include the examination of scenes of crime. Duties at the scene include the collection of Physical Evidence, preparation of plans, the taking and processing of photographs and the macroscopic examination of objects and articles requiring considerations of minute detail. I have completed the Crime Scene Examiners Course and The Disaster Victim Identification Course conducted by the New South Wales Police Force. I have completed the Police Bomb Technicians Course conducted by the Royal Australian Army, the Explosives Course and the Police Drafting Course conducted by the Department of Technical and Further Education at Sydney Technical College. I am a holder of a Powdermans Certificate of Competency for the use and disposal of commercial explosives. I have been carrying out crime scene examinations for 9 years. I am currently in my final year of a 4 year Diploma in Applied Sciences (Forensic Investigation) at the Canberra Institute of Technology.

(2)About 7.00pm on Monday 12 June, 1995 I attended Onslow Street, Elizabeth

Witness:

Signature: Allen Miles

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name: VAN LEEUWEN Lyle William

Bay where I spoke with Detective Sergeants WHITTLE and ORCHARD of the Kings Cross Police Station. As a result of this conversation I examined took, during which I took a number of colour photographs and collected certain exhibits.

- Avenue via a lane way running off Kings Cross. The front door of the unit was fitted with a security screen door. The security screen door opened outwards into the corridor and was fitted with an unbranded security lock. There was no damage to the sides of the security screen door. The front door opened inwards from right to left. It was fitted with a "Schlage" brand passage way door lock and a "Yale" brand deadlock. Both these locks were intact and there was no damage to the edges of the door. I formed the opinion that due to the lack of damage to both doors that entry had not been forced to the unit through the doors.
- (4) Upon entering the unit I saw that a small hallway opened into a combined lounge and dining room. A kitchen was located on the North eastern side of the unit. A doorway on the western wall of the lounge area opened into a double bedroom. An ensuite bathroom was located on the northern side of the double bedroom.
- (5) During my examination of the unit Detective Senior Constable MEALING of the Forensic Services Group Photogrammetry and Drafting Unit attended the scene and conducted a Terrestrial Photogrammetry Survey of the Unit.

EXHIBIT... I produce a copy of the Terrestrial Photogrammetry Survey of Onslow Avenue, Elizabeth Bay, conducted by Detective Senior Constable MEALING.

(6) Hanging on the western wall of the entry hallway I saw a circular mirror. On the mirror I saw 3 blood smeared fingerprints. On the floor of the hallway 0.8 metre south of the

Witness: Witness:

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name: VAN LEEUWEN Lyle William

front door I saw an orange coloured blood stained towel. A linen cupboard was located on the western wall of the hallway, 1.2 metres south of the front door. I saw blood smears on the louvres of the linen cupboard door, ranging in height from 1.3 to 1.6 metres above the floor level. Further south of the linen cupboard there was a floor to ceiling full length mirror. The surface of the mirror was heavily stained with blood. The blood smears were concentrated in an area 1.3 metres above the level of the floor.

- On the eastern side of the hallway I saw a blood stained security intercom. The wall near the intercom was heavily stained with blood smears and splashes. The shape of the blood splashes on the eastern wall of the hallway indicate that the blood had a downwards trajectory. The carpet in the hallway was heavily stained with blood splashes.
- (8) I collected the orange towel for later examination.

EXHIBIT... I produce 10 colour photographs labelled 1 to 10 inclusive showing the hallway of Onslow Avenue, Elizabeth Bay.

1. View east, in the corridor outside Onslow Avenue Elizabeth Bay.

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- 2. Exterior of the security door lock.
- 3. Interior of the security door lock.
- View of the door striker plates.
- 5. View of the door locks on the front door of

Witness:

STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name: VAN LEEUWEN Lyle William

- 6. View south, in the hallway of
- 7. View of the mirror on the western wall of the hallway.
- View North, in the hallway, shows the mirror, the linen cupboard and the intercom.
- View North west, in the hallway, shows the mirror, the linen cupboard and the hanging mirror.
- View North east, shows the eastern wall of the hallway and the intercom.
- (9) Lying propped against a chair at the southern end of the hallway 3.17 metres south of the front door of the unit I saw the blood stained naked body of a deceased male person I now know to be Mr Kenneth BRENNAN, lying on top of a bed pillow stained with dried blood. BRENNAN was lying on his left side, his left arm was outstretched and away from his body, his left hand was partially clenched and he was holding some brown/black hairs in his left hand. His right arm was draped across his chest. Both his legs were bent at the knees. He had sustained 3 small bruises to his chin and a laceration to his bottom lip. I examined the insides of the deceased's eyelids and could not see any petechial haemorrhages. Lying on top of the deceased's right shoulder I saw a dry blood stained cleaning sponge. The dried blood on the deceased's left and right upper arms, the right side of his chest and his right hip was smeared and faint. This dried blood appeared consistent with having been wiped with a wet cloth or sponge. I saw 3 stab wounds to the deceased's chest, abdomen and 1 stab wound to his back. These stab wounds were located to the right side of the deceased's breast, the left side of his chest near his heart, the right side of his abdomen and on the right side of his back.

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

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(10) I collected the dried blood stained sponge and the blood stained pillow for later examination.

**EXHIBIT...** I produce 6 colour photographs labelled 11 to 16 inclusive showing the deceased, Kenneth BRENNAN.

- 11. View North, showing the deceased, Kenneth BRENNAN.
- 12. View east, from the bedroom showing the deceased.
- 13. View west, showing the deceased.
- 14. View of the deceased's upper body.
- 15. View of the deceased, Kenneth BRENNAN.
- 16. View of the hairs in the left hand of the deceased.
- On the linoleum floor of the kitchen I saw a blood stained right shoe print in blood. This shoe print was dry. The shoe print was located 2.3 metres south of the front door of the unit and 1.2 metres west of the eastern wall of the kitchen. I later cut the shoe print from the floor for further examination. Both of the deceased's feet were blood stained and I saw some blood stained foot prints on the carpet, south and east of the deceased, in the lounge room and on the carpet leading to and from the kitchen. I labelled the foot print leading into the kitchen No. 1 and the footprint leading away from the kitchen as No. 2. I later cut the blood stained foot prints from the carpet for further examination.
- (12) There was a large area of diluted blood on the kitchen floor. This area of blood had

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

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formed into a liquid pool at the Northern end of the kitchen and appeared to have flowed along the floor and dried out at the southern end of the kitchen. At the time of my examination the diluted blood at the Northern end of the kitchen was still liquid. On the western (Left) side of the kitchen sink I saw some dried diluted stains. I conducted a presumptive test for blood which gave a positive indication. I also saw some diluted blood stains on the eastern side of the kitchen bench, above a dishwashing machine. I saw a diluted blood stained champagne flute on the bench, west of the sink. This glass was later fingerprinted by Detectives STONE and GLYNN of the Forensic Services Group Fingerprint Section.

EXHIBIT...

I produce 9 colour photographs labelled 17 to 25 inclusive showing the kitchen, the shoe print and the foot prints in blood on the carpet.

- 17. View North, into the kitchen.
- 18. View of the shoe print in blood on the linoleum floor of the kitchen.
- 19. View of the foot prints in blood on the carpet outside the kitchen.
- 20. Close view of the foot print labelled No. 1.
- 21. Close view of the foot print labelled No. 2.
- 22. View of the diluted blood stains on the side of the kitchen sink.
- 23. Further view of the diluted blood stains on the side of the kitchen sink.

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name: VAN LEEUWEN Lyle William

 View of the diluted blood stains on the eastern side of the kitchen bench,

- View of the champagne flute on the western side of the kitchen bench.
- I saw a beige coloured vinyl and metal framed dining chair in the North eastern corner of the lounge room. This chair has some dried diluted blood stain on the cushion. I saw that the south eastern lounge room window was open. I examined the window ledge outside the window and saw that there were no disturbances in the accumulated dust on the window ledge. I formed the opinion that the window had not been used as a point of entry. On the floor of the lounge room, in front of the television I saw a copy of the "Sun Herald" dated 11 June, 1995.

**EXHIBIT...** I produce 2 colour photographs labelled 26 and 26 showing the lounge room and the blood staining on the beige metal framed dining chair.

- 26. View south, in the lounge room of
- 27. View of the diluted blood, on the beige chair in the North eastern corner of the lounge room.
- (14) Access to the main bedroom is gained via a door that opened inwards from right to left. The deceased's left toes were touching the left side of the bedroom door jamb. The main bedroom was furnished a bookshelf and a chest of drawers along the eastern wall, a telephone table in the south western corner, 2 bedside tables either side of a double bed, against the western wall, and 2 built in wardrobes along the northern wall either side of the bathroom door.

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STATEMENT (continued) in matter of: BRENNAN -Job no. 95-0504

Name:

VAN LEEUWEN Lyle William

EXHIBIT... I produce 10 colour photographs labelled 28 to 37 inclusive showing the main bedroom of

- View of the deceased foot against the door jamb of the bedroom. 28.
- 29. View south west, in the main bedroom.
- 30. View south west, in the main bedroom showing the shelves and the chest of drawers.
- 31. View south, in the main bedroom showing the torn curtains.
- 32. View west, in the main bedroom.
- 33. View along the northern side of the bed.
- 34. View North, into the bathroom of



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- 35. View North, in the main bedroom.
- 36. View North east, in the main bedroom.
- 37. View east in the main bedroom.

(15)A blood stained quilt and cover was heaped on the floor at the eastern end of the bed. Along side the quilt cover I saw a black camera bag. I searched the bag and it contained personal items belonging to the deceased. Upon moving the quilt I saw a pair of green "YSL" brand underpants. On top of a bookshelf against the eastern wall of the bedroom I

Witness:

STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name: VAN LEEUWEN Lyle William

saw 3 watches and a small quantity of change. Along the southern wall of the bedroom I saw an orange and beige plastic chair. On the floor under the western side of the chair I saw a pair of "Roller" brand walking boots. The right toe of the walking boots was blood stained and upon moving the boots I saw some spots of blood on the base of the plastic chair. These walking boots have a similar tread pattern to the blood stained shoe print in the kitchen but the wear characteristics excluded this pair of shoes from having made this blood stained impression. A pair of white, blood smeared sports socks were underneath the boots on the carpet. The curtains along the southern window of the bedroom were torn from their hangers, from the western side of the room towards the eastern side of the window. I saw a pair of mens underpants, white in colour on the carpet underneath the middle of the window.

- On the floor between the southern side of the bed and the southern wall of the bedroom I saw a large concentration of circular spots of blood on the carpet. Along the southern side of the mattress there was an area of blood that had run down the side of the mattress and dried. A blood stained telephone was on top of a blood stained placemat on a table in the south western corner of the bedroom. The receiver was off the hook. The telephone was connected to the answering machine which was disconnected from the telephone socket. There were dried blood spots on the southern bedside table. On top of the bedside table there was a tube of "Lubricant" with the lid off.
- (17) The bottom bed sheet was still fitted to the bed and was more heavily blood stained on the southern side. The blood staining continued onto the northern middle of the bed. On top of the bed I saw a "chromed metal ring" (Sex Aid), a further tube of "lubricant" and a blood stained pillow. I saw a lock of hair on the northern side of the bed, near the bedside table. I collected this lock of hair.
- (18) On top of the northern bedside table I saw an empty condom wrapper and a glass of

Witness:

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

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water. The drawer had been removed from the bedside table and placed on the floor. Under the drawer I saw a bloodstained frying pan. The area where the handle attached to the frying pan was distorted. Along side the frying pan I saw another empty condom wrapper. To the right of the drawer I saw a black leather press studded piece of leather (Sex Aid).

- (19) In the North western corner of the bedroom, on the floor in front of the wardrobe, I saw a pair of blue jeans. Above the jeans on the western and eastern walls of the bedroom I saw some blood splashes. The shape of the blood splashes in the North western corner of the bedroom indicate that the blood had a downwards trajectory.
- The carpet between the bed and the northern wall of the bedroom was again stained with mainly circular spots of blood. On the floor approximately .5 metres North of the northern side of the bed I saw a small piece of brown plastic. On the floor approximately 1 metre North of the bed, near the western wardrobe I saw a bent blood stained knife blade. The knife blade was 205 millimetres long and 25 millimetrs wide. The blade did not have a handle. On the carpet leading to the bathroom, between the wardrobes I saw 2 foot prints leading from the bathroom. I labelled these foot prints 3 and 4. Foot print No. 3 was wider than footprint No. 4.
- I collected the "Roller" brand boots, the white sports socks, the white underpants, the top bed sheet, the bottom bed sheet, the quilt and cover, the bent knife blade, the piece of brown plastic, the "chromed metal ring", the black press studded piece of leather the frying pan for later examination.

**EXHIBIT...** I produce 24 colour photographs labelled 39 to 62 inclusive showing items in the main bedroom of

Witness:

STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name:

VAN LEEUWEN Lyle William

- 39. View of the blood stained bedding and the black overnight bag.
- 40. View of the 3 watches and the change on top of the bookshelf.
- 41. View of the "Roller" brand walking boots on the floor under the chair on the southern wall of the bedroom.
- 42. Further view of the blood staining on the base of the chair in the main bedroom.
- 43. View of the blood smeared socks.
- 44. View of the mens underpants, white in colour.
- 45. View along the southern side of the bed.
- 46. View of the blood stained telephone and telephone table.
- 47. View of the contents and blood on the southern bedside table.
- 48. View of the blood stained bottom bed sheet on the bed.
- 49. View of the "chromed metal ring" on the bed.
- 50. View of the "lubricant" on the bed.
- 51. View of the lock of hair on the bed.

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STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name: VAN LEEUWEN Lyle William

- 52. Contents of the northern bedside table.
- 53. Contents of the drawer.
- 54. View of the distorted frying pan located under the drawer.
- 55. View of the press studded black piece of leather.
- 56. View of the blue jeans in the north western corner of the bedroom.
- 57. View of the bent bloodstained knife blade on the floor in the bedroom.
- 58. View of the piece of brown coloured plastic on the floor in the main bedroom.
- 59. View of the footprint No. 3.
- 60. View of the carpet near the entry to the bathroom.
- 61. Close view of footprint No. 4.
- 62. View of a blood stained footprint at the edge of the bathroom tiles.
- (22) Access to the bathroom was gained from the bedroom. The bathroom was fitted out with a bath along the western wall, a toilet and cistern along the northern wall, a shower in the North eastern corner and a vanity along the eastern wall. On the rim of the toilet bowl I saw a used condom. Floating in the toilet bowl I saw 2 used condoms. I collected these

Witness:

Signature: A Man Ser

STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

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3 condoms. When I removed the 2 condoms from the toilet bowl I saw a brown object in the bottom of the bowl. I removed the object and saw that it was a brown plastic knife handle. I collected the knife handle. There was a large amount of dried smeared blood and blood spots on the bathroom floor, the southern wall of the bathroom, the partition between the shower and the vanity, on the front and top of the vanity and on the bathroom door. I saw drag marks through the dried blood on the bathroom floor. I saw a dry, blood stained face washer in the vanity sink.

**EXHIBIT...** I produce 8 colour photographs labelled 63 to 70 inclusive showing the bathroom of **EXECUTE**.

- 63. View North, into the bathroom.
- 64. View south west, showing the bath and contents.
- 65. View North west, in the bathroom.
- 66. View of the used condom on the rim of the toilet.
- 67. View of the 2 condoms in the toilet bowl.
- 68. View North east in the bathroom.
- 69. View south east in the bathroom.
- View of the smeared blood and drag marks on the floor of the bathroom,

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Witness: Witness:

STATEMENT (continued) in matter of: BRENNAN - Job no. 95-0504

Name:

VAN LEEUWEN Lyle William

- About 12.30am on Tuesday 13 June, 1995 Dr BRADHURST, the Government Forensic Pathologist examined the deceased, Kenneth BRENNAN. The ambient room temperature was 15° C and the anal temperature of the deceased was 23° C. A further 2 stab wound were located during this examination, under the deceased right elbow and to the right of the mid line of his chest. The deceased's feet and hands were bagged to prevent the loss of any trace evidence
- (24) Whilst at the scene I collected blood swabs from the following locations:
  - 1. The Northern side of the bedroom door. (Blood swab 1)
  - 2. The louvre door of the linen cupboard. (Blood swab 2)
  - 3. The smears on the eastern side of the hallway. (Blood swab 3)
  - 4. The splashes near the phone plug in the hallway. (Blood swab 4)
  - 5. The kitchen floor. (Blood swab 5)
  - 6. The diluted dried droplets above the dishwasher. (Blood swab 6)
  - 7. The western wall of the main bedroom. (Blood swab 7)
  - 8. The North western wardrobe door. (Blood swab 8)
  - 9. The side of the eastern wardrobe. (Blood swab 9)
- (25) At the scene I received the following exhibits from Detective Sergeant ORCHARD of the

Witness:

Signature:

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STATEMENT (continued) in matter of: BRENNAN Job no. 95-0504 VAN LEEUWEN Lyle William Name: Kings Cross Police Station: A blood sample in the name of NP215 1. **NP215** 2. A head hair sample in the name of **NP215** 3. A pubic hair sample in the name of (26)I left the scene about 4.00am. About 12.30pm On Wednesday 14 June, 1995 I returned to Onslow Avenue Kings (27)Cross, in company with Detective FORD of the Crime Scene Section and members of the Police Rescue Squad. I removed as sample of the "S" bend water from the kitchen sink and collected shoe prints No. 1 and 2. I also removed a sample of water from the bathroom sink "S" bend for later analysis. (28)About 4.00pm Detective THURTELL attended the Sydney Police Centre Theatrette and where I met a male person I now know to be **NP215** I then made 2 inked prints of NP215 ' feet. She also introduced me to a male person I now know to be I made 2 inked prints of NP214 s feet. (29)I also received the following exhibits from Detective THURTELL: 1. A blood sample in the name of **NP214** 2. A head hair sample in the name of **NP214** 3. A pubic hair sample in the name of Signature: Witness:

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STATEMEN	T (continued) in matter of: BRENNAN - Job no. 95-0504
	Name: VAN LEEUWEN Lyle William
(30)	On Thursday 15 June, 1995 I received the following exhibit from Detective GAIR of the
	Homicide Unit, Major Crime Squad, South:
	1. A pair of green "YSL" brand underpants from Onslow Avenue, King
	Cross.
(31)	On Friday 16 June, 1995 Detective THURTELL again attended the Sydney Police Centre
(31)	ND 100
	made 2 inked imprints of <b>NP189</b> s feet. I receive the following exhibits from
	Detective THURTELL:
	1. A blood sample in the name of NP189.
	2. Head hair sample in the name of NP189.
	Neuronneuron
	3. Pubic hair sample in the name of NP189.
(32)	On Sunday 18 June, 1995 I attended the Institute of Forensic Medicine at Glebe and there
(32)	
	made 2 sets of inked prints of the Kenneth BRENNAN's feet.
(33)	On Wednesday 28 June, 1995 exhibits from the scene, the post mortem and the blood
	samples in the name of NP215 \$, NP214 and NP189 were
	forwarded to the Forensic Biology Laboratory, Division of Analytical Laboratories
	Lidcombe by courier, for examination. (SEE ANNEXURE A)
(34)	On Wednesday 26 June, 1995 exhibits comprising of pubic and head hair sample from
` ,	NP215 , NP214 and NP189 were forwarded to the Forensic
	Biology Section, Division of Analytical Laboratories at Lidcombe by courier, for
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	Without Signature: I wan them
Witness:	W. Stock Signature: I Man Holm
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Page No: 17 STATEMENT (continued) in matter of: BRENNAN Job no. 95-0504 Name: VAN LEEUWEN Lyle William examination. (SEE ANNEXURE B) (35)On Monday 22 August, 1995 the 2 condoms found in the toilet bowl and a head hair sample from the deceased, Kenneth BRENNAN (E50419) were forwarded to the Forensic Science Laboratory, Division of Analytical Laboratories at Lidcombe by courier: (SEE ANNEXURE C) On Wednesday 13 December, 1995 exhibits including a blood sample, pubic hair, head (36)hair and right and left footprints in the name of were received at the East **NP188** Sydney Crime Scene Section from Detective THURTELL. On Thursday 25 January, 1996 Detective THURTELL again attended the Sydney Police (37)Centre Theatrette and introduced me to a male person I now know to be made 2 inked imprints of NP190 s feet. I receive the following exhibits from Detective THURTELL: Blood sample in the name of NP190 1. Head hair sample in the name of NP190 2. Pubic hair sample in the name of NP190 3. (39)On Friday 9 February, 1996 exhibits including blood samples, head hair samples and and NP190 were forwarded to the pubic hair samples in the names of ! **NP188** Forensic Biology Laboratory, Division of Analytical Laboratories at Lidcombe by Courier for examination. (SEE ANNEXURE D) I wan ten

Signature:

Witness:

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STATEMEN	T (continued) in matter of: BRENNAN - Job no. 95-0504
	Name: VAN LEEUWEN Lyle William
(40)	
(40)	On Thursday 9 May, 1996 Detective TAYLOR of the Kings Cross Police Station attended
	the East Sydney Crime Scene Section and I received the following exhibits from him:
	1. Blood sample in the name of NP204
	2. Hair sample in the name of NP204
	3. Scalp hair sample in the name of NP204
(41)	On Friday 10 May, 1996 exhibits including a blood sample, a hair sample and a scalp hair sample in the name of NP204 were forwarded to the Forensic Biology
	Laboratory, Division of Analytical Laboratories at Lidcombe by Courier for examination.
	(SEE ANNEXURE E)
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EXHIBIT	I produce a certificate signed by Miss Michelle FRANCO, dated 25 January, 1996
EXHIBIT	setting out the results of her findings
	setting out the results of her findings
EXHIBIT	I produce a further certificate signed by Miss Michelle FRANCO, setting out the
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	results of her manage.
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Witness	Wignature: & Min Dun
Witness:	My Mary Signature. 1 2000 - 7