

Homicide Squad, SCC

Recommendation for Further Investigation Historical Unsolved Homicide Case

Victim/Case		Kenneth BRENNAN	Richard	Date	11 th June 1995
UHT Ref	1995/14	COPS No.	E903927	PRIORITY (High / medium /low)	Medium
		CAC No.			

Synopsis:

On Saturday 10th June 1995 the deceased Kenneth BRENNAN and [NP215] went to the premises of [NP214] at Woollahra. [NP214] had been introduced to BRENNAN & [NP215] by a mutual sexual acquaintance approximately 2 weeks prior for the purpose of sexual contact.

As a result of this initial introduction both BRENNAN and [NP215] were invited by [NP214] to attend his residence for dinner and sexual liaison. Approximately 10pm BRENNAN indicated that he was tired and stated he was going home and left the premises. [NP215] remained for the rest of the weekend. On Sunday 11th June 1995, [NP215] rang his home and left a message on the answering machine. On Monday 12th June 1995, [NP215] again attempted to contact BRENNAN at home, however the phone rang out. Approximately 5pm that date, [NP215] returned home to [REDACTED] Onslow Ave Elizabeth Bay. [NP215] indicates at this point in time that he notices what he believes to be dirt on some of the walls and commences to walk into the only bedroom, deposits his bag and then notices a large amount of blood on the bed and throughout the bedroom. [NP215] states that he then turns around and sees the body of BRENNAN lying on the floor in the living room, covered in blood and apparently deceased. [NP215] then attends Kings Cross Police Station and informs police of his discovery.

The investigation revealed that BRENNAN had been stabbed 15 times over the length of his body the fatal wound penetrating the heart. Examination of the crime scene resulted in numerous items being located. The walls, floor and other items within the premises were smeared with blood. A shoe print (size 9 to 9.5) in blood was lifted from the kitchen linoleum. A further two footprints (not shoe) in blood were cut from the carpet and these were later compared to persons within the investigation. Two condoms were located in the toilet in the en-suite (later tested – nil DNA) and a further condom was located on the rim of this toilet (1 spermatozoon located). A snapped off knife blade was located on the floor in the bedroom, the handle located later in the toilet bowl underneath the 2 condoms. Various hairs were recovered from the bed and the deceased's hands (identified later as belonging to the deceased). A frying pan was also located in the bedroom and may have been used to strike down the deceased. A large number of swabs were taken throughout the premises as well as water from the 'S' bends from the kitchen and bathroom. Furthermore a pair of Yves Saint Laurent brand underpants were located in the bedroom, ownership of the same not known.

The deceased Kenneth BRENNAN was in a non-violent homosexual relationship with [NP215] for approx 4.5 years. BRENNAN had previously been married to Rosemary FERGUSON remaining friends after their break-up. Investigations revealed that BRENNAN actively sought other partners for a sexual relationship He frequented the 'Pleasure Chest' and 'Kingsteam' on Oxford Street, Paddington both premises catering for sexual encounters with

other male persons. NP215 was aware that BRENNAN attended these premises. An agreement was reached by BRENNAN and NP215 that they would not bring any other person home for the purpose of sex unless the other was also present. It is believed that BRENNAN further had an interest in Asian males. Investigations reveal that NP215 was not fond of BRENNAN's desire to be with other men, although he himself also partook in these encounters. He had also advertised in Gay newspapers for relationships. Friends of the deceased also indicated he was looking for alternative accommodation.

2 Witnesses/acquaintances identified the deceased as attending the "Kingsteam" on Oxford Street, Paddington around 5pm – 6pm on the Sunday the 11 June however other canvasses of the area failed to identify any other persons who may have seen the deceased. Another male came forward claiming he saw the deceased in the company of a younger male in his bottle shop on Oxford Street between 9pm-10pm on Sunday 11/6/95 providing a FACE image that was subsequently circulated within the police service.

A number of casual partners/acquaintances and POI's were identified throughout the investigation with numerous samples of these persons being compared with items seized at the crime scene including the footprints meeting with a negative result.

NP215 was subjected to an electronic recorded statement and provided NP214 as his alibi. A statement was taken from NP214 confirming NP215 movements that they had not left NP214's unit over that weekend. Note: The following day, NP215 accompanied police on a video walk-through of the crime scene. It becomes apparent that it was virtually impossible to take the route as described by NP215 in his version without seeing or walking/tripping over the deceased. NP214 and NP215 were subject to a [REDACTED] however no compelling evidence was obtained.

Recommended lines of inquiry: (see also recommendations in Case Screening form)

- **A forensic Review should be contacted of all available exhibits** - Numerous items were seized as exhibits and subsequently subjected to blood grouping tests and DNA analysis. Particular attention should be made to the following; It was found that the DNA located on area 2 of the size 'small' Yves St Laurent underpants originates from someone other than those who supplied samples during the investigation. The DNA located in this area of the underpants should again be subject to analysis with DNA data-base in an effort to locate/identify the owner. A spermatozoon was detected on condom 1 (hanging on toilet bowl rim). An attempt should be made to extract DNA from this exhibit and compared to the DNA data-base. The frying pan (possibly used as a weapon) was seized and subjected to grouping tests only – an effort should be made to locate any trace DNA, specifically from the handle. Michele FRANCO (DAL) previously stated the possibility of obtaining any DNA trace from the knife handle exhibit (located in the toilet) would be non-existent due to its immersion in water, this should be revisited.
- Locate and interview female witness Natalie LEONOFF was identified during this investigation (see running sheet 8/9/1) however never interviewed. LEONOFF claims to have sighted NP215 standing near the garage at the premises of NP214 at approximately 3am on 11/6/95. Original investigators attempted to obtain a statement from LEONOFF she avoided investigators. This information would require follow up. The initial investigator (C/Insp Brad TAYLER) has been spoken to and cannot offer any further information regarding witness LEONOFF, however is available for any further questions.
- Investigative Strategy, target NP214 - The relationship between NP214 and NP215 is to be canvassed prior to approaching NP214. The passage of time may have changed the status of their relationship now. NP214 may further be approached as to NP215 state of mind after having discovered his boyfriend deceased. A [REDACTED]

47) There may have been opportunity for NP215 to leave NP214's premises borrowing his key. This line of inquiry requires further exploration.

- Consideration should be given to a reward and media strategies.

Command of previous investigation/s:
Previously, Major Crime Squad South & Kings Cross LAC Now recommend – Kings Cross LAC with possible region support.
Resources recommended for reinvestigation:
2 x Investigators total; 1 x investigator required for Forensic review and management of exhibits 1 x investigator – Inquiries/background checks and re interview of witnesses.
Secondary Victim contact:
Rosemary Ferguson (estranged wife – South Australia) & Rhonda Sales (sister) no known contact with review team.
Estimated Time Frame for Reinvestigation:
Dependant upon forensic review outcome and further DAL analysis and results – review of material, background checks and reinterview of key witnesses/POI's - 4 weeks.

Signature:

Coordinator,

Unsolved Homicide Review Team

Date:

Signature:

Commander, Homicide Squad

Recommendation/Comment:

Date: