

SCI into LGBTIQ hate crimes

Attention: Mr Eric Camporeale
Solicitor Assisting the Inquiry

Date: 12 September, 2023

Dear Sir,

Please find enclosed a submission by Mr. Anthony TANOS in relation to the death of James MEEK. (Hearing 10 on the 22 & 23 June, 2023)

I request that any further contact with me be via email at

[REDACTED]

Yours faithfully,

[REDACTED]

/ A, Tanos

SUBMISSION BY MR ANTHONY TANOS TO THE SPECIAL COMMISSION OF INQUIRY INTO LGBTIQ HATE CRIMES.

12 September, 2023

1. I am a former Detective Sergeant of Police with the New South Wales Police Force, and left that employment in 2008.
2. I was the Officer in Charge of Task Force FIREWEED in 1995 which investigated the circumstances surrounding the death of James MEEK.
3. I have been invited by letter from the inquiry, dated 25 August, 2023, to make a submission concerning the death of James MEEK which is being examined by the inquiry (hearing 10 on the 22 and 23 June, 2023)
4. I have been provided with submissions made by Counsel Assisting and the Commissioner of Police concerning this matter.
5. From the outset, I wish to state that I make this submission based on the memory I have about this matter from 1995 and the limited material available to me. A great deal of other material which was generated by this investigation, including the 'Investigation Notes', have not been provided to me for reference purposes. Therefore I am placed in a disadvantageous position to adequately make my submission. Primarily, the reason for my submission is to address some of the criticisms advanced by Counsel Assisting the inquiry.
6. As the inquiry has heard, James MEEK was found deceased at Surry Hills on the 8 March, 1995, and initial Police inquiries deemed the death as not being suspicious. On the 13 March, some five days later, I was delegated the task of investigating the death as a homicide. It is widely known that the first 24 to 72 hours of a homicide investigation can be critical to a successful outcome. Unfortunately, in this instance that opportunity was lost in regards to the ability of witnesses to precisely recall events and the disrupted crime scene. The investigation was severely hampered by the delay in treating the death as homicide.

FAILURE TO OBTAIN CALL RECORDS

7. I note the comments by Counsel Assisting concerning the failure by Police to secure the call records from the telephone service used by Mr. MEEK.
8. Obtaining call records is a routine investigative action, and was deemed a high priority in this investigation. However, there seems to be some misinterpretation about what information was provided to the investigation. I can recall that the telephone provider advised no calls were made from that service for the period requested. This is in contrast to the criticism by Counsel Assisting that no call records were obtained from the provider. There simply were no calls made from that service, which I remember was very disappointing for the investigators. To my knowledge the Crime Data Centre would have provided this information by telephone, rather than any documentary notification. As for Investigators seeking call records directly from the provider, that is what the Crime Data Centre were tasked to obtain.
9. In relation to obtaining the telephone account billing information, I believe that in 1995 the only detail provided to the account holder was the number of calls made during a certain period, rather than specific details of calls made from a service. I believe the telephone bills were obtained at some stage but could not assist the investigation. I also note there is mention of obtaining reverse call charge records for the particular service. I do not believe that such records were available for a landline in 1995.
10. The charge of murder against Michael HEATLEY was prosecuted by the N.S.W Director of Public Prosecutions. As such, there could have been requisitions from that office concerning the matter of call records. The prosecution was outsourced to a private barrister who may have sought further clarity about this issue. All these inquiries would have been undertaken well after the investigation was completed and in preparation for the trial. Therefore, if further inquiries were made, they would not necessarily be included in the available material before the inquiry. I have no specific memory of making such inquiries, but I cannot rule out the possibility that I or some other officer could have sought to address this issue.

11. The timeline surrounding the murder of James MEEK was a crucial element during the investigation and subsequent trial. The existence of a telephone call may have established proof of life at a particular point in time. The suggestion that investigators failed to properly pursue the potential evidence of call records is not consistent with my memory of the matter or the available evidence.

FAILURE TO VERIFY ALIBI FOR NP219

12. I have no memory of this particular matter, other than to refer to the material provided to me by the inquiry. Michael HEATLEY was the prime suspect in the investigation at a very early stage. It seems to me that the person referred to as NP219 was a person of interest and not considered a serious suspect for the murder. I am obliged to accept the assertion by Counsel Assisting that there is no reference to the alibi provided by NP219 being verified because I do not have access to the 'Investigation Notes'. I cannot recall the alibi given by NP219 and whether or not such alibi was even verifiable.
13. It is worthy to note that during the course of a protracted investigation, not every inquiry or action may be recorded on the database. The alibi for NP219 may have been verified and noted in an officer's duty book, but for some reason did not get recorded on the database. I cannot rule out that possibility.
14. The investigation into the murder of James MEEK was thorough and comprehensive, as evidenced by the volume of material generated by the task force, and the efforts displayed by a group of dedicated detectives. Even after an onerous beginning, the investigation resulted in Michael HEATLEY being charged with murder. The prosecution totally relied on circumstantial evidence and HEATLEY was found not guilty by judicial direction.



A. Tanos