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D/2016/722205

ISSUE:

Request by Senior Constable W.J.S.(John) GRIBBLE Registered No [REDACTED] to conduct a further investigation of Case No C5602949 regarding missing person Peter Karl Josef BAUMANN, outstanding since 27 October 1983. Event E 909939200037 also refers.

BACKGROUND:

1. Peter Karl Josef BAUMANN aka ANN aka MOLTZEN born 20/01/57 was a West German national who disappeared from his residence at [REDACTED] Cross Street, Waverley sometime around the 27 October 1983.
2. He resided with his sister Frau Anna-Christa Baumann-Serr in [REDACTED] prior to arriving in Australia. He was a composer and travelled to Australia to further his career.
3. Baumann arrived in Australia at Mascot Airport on 11 December 1981 on a Visitor Visa, valid to the 11 June 1982.
4. It is believed that his first address in Australia was [REDACTED] Berry Street, Bondi but this has never been confirmed.
5. Baumann initially worked as a musician at the Sydney Conservatorium of Music but this has never been confirmed. He has then worked at the A.B.C. in the entitlements department of their Elizabeth Street, Sydney office under the name of Peter Karl Baumann and worked there until his disappearance. His supervisor was Mr. Robert Gover who has never been spoken to by Police.
6. Around late 1981/early 1982, he has approached Mrs Ingrid Daniels about renting a flat at [REDACTED]. He did not rent the flat but as Mrs Daniels was also a German national, they maintained sporadic contact and saw him on four occasions. When spoken to in 1993, Mrs Daniels indicated that the last occasion that she saw Baumann was on the 12 June 1982 when he asked that she act as a witness to his wedding on that day.
7. Mrs. Daniels had no knowledge of his friends, but knew that he was a musician, worked for A.B.C and wanted to stay in Australia, She suspected he was a homosexual but did not believe that his marriage was for purpose of obtaining permanent residence status in Australia.
8. It is believed that from March 1982 to possibly July 1982, he resided at [REDACTED] Glebe Point Road, Glebe with Mr Keith Anthony Smith. The nature of their relationship is not known as Mr Smith has never been spoken to by Police.
9. Baumann has then rented a flat from Mrs Ruth Van Duyn, (Mrs Ruth Binney in 1993) at [REDACTED] Cross Street, Waverley (now Bronte and since demolished). Mrs Van Duyn would personally collect the rent on a fortnightly basis and Baumann asked that the rent receipts be made out in the name of Peter K.J. Ann. The premises were a house converted into five flats with the only other occupied flat being rented by a Japanese cartoonist whose name at the time was believed to be Mr Hyuma Hoshi.

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10. Later enquiries showed that his real name is Mr Hiroshi Hamasaki and that the name Hyuma Hoshi is that of a Japanese cartoon character.
11. When spoken to on the 7 September 1993 Mrs Ruth Binney, added that Baumann had been a tenant for possibly six to twelve months prior to his disappearance. She was aware that he worked at the A.B.C. and he told her that he was married and previously lived at Potts Point with his wife and was in the process of arranging a divorce. She felt that the marriage had been arranged to enable him to stay in Australia.
12. Very shortly after his arrival in Australia (in December 1981), Baumann has approached Ms Sharmalie Seneviratne, then 17 old, whilst she was working at the Colonnade Gift Shop at [REDACTED] Sydney and they struck up a relationship which continued until around July 1982. He told her that he was a musician at the Conservatorium of Music and they would meet for lunch, almost on a daily basis outside the Conservatorium. She also went to his flat at [REDACTED] Berry Street, Bondi on a couple of occasions.
13. After about three months, Baumann has asked Ms Seneviratne to marry him. She has refused as she was suspicious that he was only interested in marriage to gain permanent residence status in Australia. He persisted with his marriage offer, including presenting her with marriage forms from the Registry. She has then ended the relationship and told him that they should have a break for about twelve months or so. She believed that this happened around July 1982. This was the last occasion that Ms Seneviratne has contact with Baumann until he telephoned around the 26 October 1983.
14. On the 2 March 1982 Baumann has travelled to New Zealand and returned to Australia on the 9 March 1982. Apart from this being recorded with the Department of Immigration, there is no information about this trip and does not appear to have been known to any family or friends.
15. In March 1982, possibly the 13th, Baumann was in Byron Bay at the markets where he has approached Ms Cherie Foster who was working at a stall and struck up a conversation with her. He has told her that he was looking for an Australian girl to marry so he get permanent residency. Ms Foster agreed to marry Baumann if he would pay her \$70.00 per week to replace her benefits that would be lost upon her marriage to him.
16. Baumann and Ms Foster were married by a celebrant at [REDACTED] Glebe Point Road, Glebe on the 12 June 1982. The witnesses were Mrs. Daniels and Mr. Kevin Anthony Smith. Ms Foster could only describe Mr Smith as being "a middle aged English or Australian, he had an accent. It could have been a gay or even English accent."
17. Baumann has then regularly paid Ms Foster \$70.00 per week until he obtained his permanent residency status.
18. When spoken to by Police on the 14 September 1993, Ms Foster added that a day or so after meeting Baumann, she returned to her home at [REDACTED] where she lived with her then boyfriend, Mr. John Pauperis, when Baumann arrived at her home to discuss the details of their marriage. According to Ms Foster, her boyfriend approved of the marriage and Mr. Pauperis had met Baumann.

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19. They did not live together after their wedding and Ms Foster moved into a 'squat' in [REDACTED]. She believed that at the same time, Baumann moved into his Cross Street, Waverley address.

20. Ms Foster and Baumann would see each other approximately once a week when he would bring her their agreed amount of money. She was aware that he was a composer and worked at the A.B.C., but believed that he worked there under the name of 'Moltzam'. She said that "Peter was not involved in drugs, he had the occasional joint." Ms Foster stated that Baumann habitually wore a black leather jacket and carried a diary and documented everything he did and carried all his personal papers around in his diary.

21. Around March 1983, she moved into [REDACTED] by herself and Baumann approached her about arranging their divorce. At this time, Ms Foster noted an extreme change in Baumann's personality. He showed an extremely aggressive attitude towards women and accused her of conspiring to have him deported and would leave notes under her front door to that effect. He also made threats of physical violence towards her if she "if I let him down or hurt him in any way, he could hurt me."

22. He also showed an extreme paranoia about Jews and bureaucracy and said they were his reasons for not wanting to return to Germany and stated that he would rather die than return to Germany. She last saw Baumann in July 1983 when he approached her to finalize their divorce arrangements. He arranged for the Sheriff to serve divorce papers on her for her signature. This was her last contact with Baumann and she was never informed of the result of their divorce and Baumann kept possession of their marriage certificate.

23. Ms Foster's then boyfriend Mr John Pauperis has never been spoken to by Police.

24. Baumann was granted permanent residency on the 29 April 1983. I was informed by the Department of Immigration in 1993 that they were aware that Baumann also used the name Moltzen and also spelt his name as Bowmann on occasion but it could not be clarified as to under what circumstances, these names were used by Baumann.

25. Baumann was also involved in a homosexual relationship with Mr Allan Smyth which commenced in December 1981/January 1982. They would meet two to three times a week either at Baumann's various flats or Mr Smyth's home at [REDACTED] Artlett Street, Edgecliffe and the relationship continued until Baumann's disappearance. Mr. Smyth last saw Baumann possibly on Sunday 23 October 1983 when he visited him at his Cross Street flat.

26. At that time, Mr Smyth was living with Mr Mervyn Oliver (known as Oliver) Keasberry and had been with him since 1971. They are still living together.

27. When spoken to on the 28, 31 August and 1 September 1993, Mr Smyth added that Baumann told him that his father was a composer in Germany and he had a very severe dispute with him and there was great animosity between them. He also said that Baumann want to stay in Australia to avoid compulsory military service in Germany.

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28. Mr Smyth also said that Baumann told him that he had arranged with a prostitute he had located at Kings Cross to marry him for \$20,000.00. The marriage took place sometime in the middle of 1982 and he had not been aware of the marriage until after it had occurred.
29. According to Mr. Smyth, shortly before he disappeared, Baumann became very nervous about allegedly being approached by two 'pimps' of his wife who demanded another \$30,000.00 from him. Baumann did not tell Mr. Smyth what was the actual threat, but he (Smyth) believed that it was physical violence. Mr Smyth said that he had no knowledge of any other relationships involving Baumann and he believed that he was exclusively homosexual.
30. The last time Mr Smyth saw Baumann was on possibly on Sunday 23 October 1983. He went to Baumann's Cross Street flat and spent the afternoon with him until an unknown male companion of Baumann's turned up and these two went to a concert in the City. He described Baumann's demeanour as being happy and relaxed, but that he would have to sell his guitar due to money demands. Mr Smyth could only describe the new companion as "a bit of a slob."
31. Baumann was supposed to see Mr Smyth the next day but he didn't turn up, so two days later, (possibly Wednesday), he went to Baumann's flat. On arrival, he found the front door open, and no sign of Baumann. Mr Smyth said that the flat was very untidy and it appeared that he had not taken any personal papers or items or possessions. He then spoke to a middle aged man who told Mr Smyth that he would lock up the flat and he then left the flat.
32. Ms Foster was spoken to over Mr. Smyth's allegations. She denied any involvement in prostitution or being paid \$20,000.00 to marry Baumann, nor any attempts to get further money from Baumann.
33. A check in 1993 did not locate any criminal convictions of any nature or any intelligence whatsoever for Ms Foster, most specifically 'soliciting'. The only record being for a number of outstanding parking warrants from the early 1980s.
34. Around 7.00pm on Wednesday 26 October 1983, the missing person telephoned Ms Seneviratne at her home address. They had a general conversation about his work at the A.B.C. and arranged to meet at Bankstown for coffee the next day. He sounded relaxed but was evasive as to his whereabouts and movements.
35. At the end of the call, Ms Seneviratne became suspicious and after finding his number in the telephone directory under the name of Peter K.J. Ann (name used professionally by Baumann), she telephoned him to cancel next day's meeting. However when he answered the telephone, Baumann became very abusive about how she found his telephone number. The telephone then went dead in his mid sentence, and Ms Seneviratne attempted to ring Baumann a number of times without success.
36. Ms Seneviratne then arranged for a cousin, Mr Hamish Pears to drive her over to Baumann's flat at Cross Street, Waverley. They arrived around nine to nine thirty and found the sliding door to his bedsitter open and noted that there were signs of a struggle as Baumann's personal possessions were strewn around the room. She then went into the

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bathroom and found a burnt pillow in the shower. She became frightened and left via the front sliding door, shutting the door behind her.

37. As she was leaving, Ms Seneviratne saw a letter sticking out from the letterbox with Baumann's name on it. She took the letter and saw the address on the back of the envelope was ■ Artlett St, Edgecliffe but no name of the sender. She and her cousin then drove around to that address and spoke to a male person through the front gate described as 173cm tall, medium build, thirtyish, balding, dressed all in black and possibly spoke with a German accent

38. She asked where Peter was and the man said he didn't know and asked her how she had obtained this address. She told him about the letter and he became worried and asked where that letter was and she told him that it was back at the flat. He then said that he would jog over to the flat and see if Baumann was there.

39. She then left and went home and later that same evening she read the letter (not kept) it said;

"Dear Peter,

I have finally told Oliver about us. I have told him how much I love you and that I want to be with you. I have also told him that I want to sell the house, but (this part was unreadable) was giving him a hard time about selling the house."

Ms Seneviratne couldn't recall the rest in the first person but it basically said how much he cared for Peter and how much he wants to be with him. The signature was badly scrawled, but she believed it to be either William or Dillian.

40. The young lady returned to Baumann's flat the next day with her sister, Ms Dillania Seneviratne and spoke to the other tenant, Mr Hiroshi Hamasaki. Mr Hamasaki didn't know where Baumann was and all he knew was that Baumann had a fight over the telephone with a girl and burnt a cushion. Hoshi then ended the conversation and closed the doors to them.

41. Ms Seneviratne stated that Baumann was an extremely neat and clean person, but that apart from signs of a struggle, the flat was in a dirty and untidy condition and cannabis plant was growing in his wardrobe. This was totally out of character to the person she had known sixteen months previously.

42. Neither Mr Hamish Pears nor Ms Dillania Seneviratne has ever been spoken to by Police. Nor has Mr Hamasaki has never been spoken to by Police.

43. Ms Seneviratne then telephoned Mrs Binney, Baumann's landlady and informed her of what she had found at his flat. The young lady also made enquiries with local clubs and hospitals which proved negative.

44. Mrs Binney then went to the flat the next day (Thursday 27 October 1983) and upon finding him missing and the flat in disarray, reported Baumann as a missing person to Police Station on same day.

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45. When spoken to on the 7 September 1993, Mrs Binney said that she had gone over to the flat after receiving a phone call from Ms Seneviratne who told of her conversation with Baumann and going to his flat. She confirmed that the flat had been in disarray with furniture knocked over and that it appeared that Baumann had been packing his clothes into plastic bags.

46. Mrs Binney also noticed that a black leather jacket that Baumann habitually wore was left on his bed and that a large kitchen knife was in its pocket. She also noted that it appeared that all his clothing, personal possessions (including a number of musical instruments) and personal papers were still in the flat. She also spoke to Mr Hamasaki who only told her that there had been an argument the previous evening.

47. Mrs Binney confirmed contacting Police from Waverley and they attended the flat to take the missing persons report. They did not take possession of any of his property, but simply removed his photograph from his West German identification card. Mrs Binney took all of his property to her home where she stored it until 1992 when she handed all his personal papers to the German Consulate and destroyed the items of clothing.

48. Mrs Binney also added that she noted that the word 'AIDS' had been written on the bathroom mirror. She did not receive or hear anything further about the matter apart from mail from 'Scientology' groups were received in Baumann's name for some time after and receiving an annual inquiry from Ms Seneviratne over the next ten years of so.

49. Mr Smyth was again spoken to and denied any meeting with a person fitting Ms Seneviratne description (Indian) at that time or any discussion about any letter or receiving any telephone call last year from any female. He denied sending any letter to Baumann over leaving Mr Keasberry or selling their house.

50. He did say that about a week or so after seeing Baumann, he received call from a male from the A.B.C. enquiring as to Baumann's whereabouts.

51. He also added that about a fortnight after the last time he saw Baumann, a male and female whom he could only describe as being both white, male overweight, and female medium height and fair complexion came to his house to make inquiries about the missing person. They told him they had made enquiries at his home and work and were concerned for his welfare. He felt that they seemed reluctant to leave and so he told them he would contact them if he heard anything. They gave him their Christian names but he could not recall them. Mr Smyth said that he was suspicious as Baumann had never mentioned knowing a couple fitting their description.

52. He did not believe that Baumann had any friends that were not known to him and he did not believe that Baumann was (his words) "a traveler the gay scene", i.e. attend various Gay pubs, restaurants, go to gay parties apart from Smyth's own parties.

53. But he did not report the matter to Police as he believed that Baumann had met up with another homosexual and left with him as transient relationships are common amongst homosexuals (His words).

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54. He denied any knowledge of any male person known as Dillian or William.
55. He said that his relationship with Mr Keasberry was not an intimate one and they were just friends and had shared residences since 1971. He said that Mr Keasberry was exclusively heterosexual, highly moral and had very little contact with his Smyth's lifestyle, most particularly his relationship with Baumann.
56. For these reasons, he did not want Mr Keasberry approached by Police in relation to the investigation. Both gentlemen in 1993 were involved with the security firm of [REDACTED] of [REDACTED]. Mr Keasberry was the holder of a Class 1 A, B & E security license and Mr Smyth was a director of that firm.
57. Mr Keasberry has never been spoken to by Police.
58. Ms Seneviratne also stated that she did not make any more inquiries into Baumann's disappearance for about a fortnight when she rang Mrs Binney, the landlady and asked if she had heard anything further. Mrs Van Duyn told her that she hadn't seen or heard anything of the missing person for the past fortnight, but had reported the matter to Waverley Police and that two uniformed Constables had come to the flats and collected his passport, wallet and his other personal effects.
59. Ms Seneviratne would contact Mrs Binney on an annual basis and was informed by the lady that she had not heard anything further. However Mr Binney told Ms Seneviratne that she thought that due to the signs of a struggle in the flat and that all of Baumann's personal papers and effects and musical instruments and equipment had been left in the flat, she believed that he had been murdered and regularly warned Ms Seneviratne not to become involved in the matter any further for her own (Ms Seneviratne) safety.
60. Around 1992, the young lady returned to the house at [REDACTED] Artlett Street, Edgecliffe and spoke to the then owner, Mr Peter Schmidt. Mr Schmidt said that he had purchased the house from Mr Smyth and Mr Keasberry in around 1986 and supplied her with their phone number.
61. The young lady then rang that number and spoke to a male person whom she assumed to be Allan Smyth. When she asked as to if he had any knowledge of the missing person, the person she believed to be Smyth stated, "No, sorry love, I haven't heard from him for years" and ended the call.
62. Ms Seneviratne then made another call to the same number and asked to speak to 'Dillian'. The male person answering that call said, "Speaking." She said, "Do you have any idea where Peter is?" He said, "No I don't know where Peter is?" she said, "I know what was written in the letter. I know that you were going to leave Oliver for Peter." He said, "I'm in the security business. I'll find out who you are." Ms Seneviratne then terminated the call. She also said that she did not make any further inquiries after that call.
63. It is not known what enquiries were made in 1983 by Police into Baumann's disappearance. Ms Seneviratne contacted the Missing Persons Unit in 1992 and all indices were checked at that time without success. On the 28 August 1993 she again contacted the Missing persons Unit.

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64. On the 1 September 1993, Frau Baumann-Serr contacted the Missing Persons Unit.
65. On that day and the 21 October 1993, Frau Baumann-Serr said that her brother had kept regular contact with her during his period in Australia, usually by telephone on a monthly basis or an occasional letter. Their last contact was a telephone call from him in September 1983. Baumann told her he was planning a trip to Bali with a young girl who was around 18 years old but didn't give her any further details, apart from a comment that he has some problems in Australia and had "been unlucky in love".
66. After no contact with him since September, she telephoned his Cross Street flat at the end of 1983. She spoke to a male whom she didn't recognize who spoke with an accent which she could identify. This person simply told her that her brother didn't live there anymore and refused to supply any more details and wouldn't answer any questions. In early 1984, she again telephoned her brother's flat and the phone was answered by the same male voice who simply said "Fuck off".
67. Around June 1984 she tried to contact the missing person at the A.B.C. and was informed that he simply didn't turn up for work one day and hadn't been seen since. She also made inquiries at the Cross Street flat but this also proved negative.
68. Regarding the comments that Mr Smyth attributed to her brother, Frau Baumann-Serr said that her brother had been exempt from national service on medical grounds and had travelled to Australia to further his music career and not to avoid any military service.
69. Frau Baumann-Serr confirmed that her brother was a composer and had a number of musical pieces published in West Germany and as far as she was aware he had wanted to go to Australia to further his career as a composer. She also said that their father was not a composer, but a factory worker
70. She was not aware of her brother being homosexual or bi-sexual and believed that he was heterosexual. The only relationship that she was aware of in Australia was when he informed her in a letter sent in May 1983 of his approaching anniversary which she assumed to be a wedding anniversary but that her brother had never informed her of getting married at any stage prior to this comment.
71. Frau Baumann-Serr also said that there had not been any particular adverse relations between their father and her brother. The only issue had been a very strict catholic upbringing, but she also added that she and all their other siblings had the same issues over their upbringings and as far as she was aware, it had been no greater with her brother.
72. She confirmed that her brother had resided with her prior to coming to Australia and her last contact with him had been by telephone in September 1983. She also did not believe that her brother had any anti-Semitic issues or dislike of bureaucracy.
73. Regarding the payment of \$20,000.00 to any person in Australia, the lady said that her brother did not have any funds of this sort and had not made any approaches to his family for a loan of money of any amount.

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Persons Unit then informed Frau Baumann-Serr of this information and on the 25 May 1994, the lady and another brother, Mr Franz Baumann arrived in Australia to ascertain the situation of the investigation and express their concerns over the same.

82. The Baumanns then conducted a number of their own inquiries over the next few years, including speaking to Ms Foster and Ms Seneviratne and possibly other witnesses. Frau Baumann- Serr has never been spoken to by Police as to the result of her own inquiries.

83. On the 10 November 1999 the lady made a further request for information via German Federal Police to the Missing Persons Unit.

84. On the 11 September 2001 a file was forwarded from the Missing Persons Unit to the Federal German Police requesting the obtaining of D.N.A. from the Baumann family.

85. On the 25 March 2002 this matter was identified under Operation Utica.

86. The matter was investigated under e@glei Strike Force Blissett.

87. In 2005 [redacted] 1404 reported to Police that he had been sexually assaulted by Mr Smyth and Mr Keasberry in 1975, [redacted] refer. Unserved Future C.A.N.S. [redacted] (Smyth) and [redacted] (Keasberry) were filed at the [redacted] Local Court on the [redacted] 2008, both for the offence of 'Rape' Section 63 of the Crimes 1900.

88. Bench warrants [redacted] (Smyth) and [redacted] (Keasberry) were then issued by the [redacted] Local Court on the [redacted] 2008 and are on the system.

89. On the 12 January 2008 I received an email from Detective Senior Constable Field of the Eastern Suburbs L.A.C. telling me that Mr Smyth had been spoken to by Detective Inspector Darren Smith and that he denied having any conversation with me as referred to in paragraph 77.

90. On the 11 July 2008, Frau Baumann-Serr made further enquires as to the current status of the investigation.

91. The inquest into this matter was held before the Coroner Mr Milovanovich C.C.M. Quoting from the Case narrative, *'The Coroner found that he was of the opinion that the missing person was in fact deceased, but as to the how, when or where his body may be, he could not disclose. The OIC submitted that the M.P. could also be living within Australia under an unknown alia, but the Coroner felt that 'these days' it is very hard to NOT come under notice.'*

92. This Case is currently allocated to Detective Senior Constable Kareena Good and its current status is suspended.

93. At the time of this report, there has been no trace of Baumann since 1983.

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COMMENT:

94. I am of the opinion that the circumstances of his disappearance do not indicate that he had any suicidal ideation and engineered his own death. No trace of his body has ever been found and the limited enquiries in 1993 seem to show that he largely circulated around the inner city and eastern suburbs and lacked knowledge of bushland in the Sydney and surrounding areas.

95. The fact that he left all his personal effects, including very valuable musical instruments, clothing, all his personal identification, plus the signs of disarray in his flat would seem to indicate that he did not leave his flat of his own volition.

96. It is possible that Baumann may have engineered his own disappearance and assumed a new identity but the existing facts raise a suspicion that he met his death by some unknown manner of misadventure. There are a number of persons who have never been fully interviewed as to their involvement/ knowledge, most particularly, Mr Allan Smyth and Mr Mervyn (Oliver) Keasberry.

97. An issue with the timing of an interview with Mr Smyth is his age, being some eighty years old and a perusal of his C.N.I. profile indicates a long history of alcohol abuse.

98. Although this matter is of considerable age, I believe that there are a number of inquiries that could still be matter into the matter (see attached list). However, I have not had access to the current files maintained by the Missing Persons Unit nor Strike Force Blissett and some of these matters may be superfluous.

99. As can be seen from the plan, only a small number of the enquiries would require the attention of a designated Detective. A number of these enquiries are office inquiries (Jobs via the Case, Nemesis requests, iAsk requests) and could be initiated in less than a one month period.

100. I have made inquiries with Senior Constable C.L.T. FOSTER of the COPS End User Support Team (E. No [REDACTED]) and he indicated that if approval was granted, his section could create a temporary L.A.C. profile to attach me to this Case and allow me to attend to the matter from my current location and enable my supervision by the Eastern Suburbs L.A.C.

101. This matter has been informally discussed with Detective Sergeant Whiting of the Missing Persons Unit. I have also liaised with Detective Inspector Smith and Detective Senior Constable Field and there are no objections to further investigations being conducted into the matter.

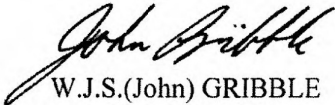
102. I have also discussed this matter with Detective Superintendent Lynch of the Field Support Command. He indicated that if the Eastern Suburbs L.A.C. were not in a position carry out further a further investigation, this matter could be investigated by participants in the Detectives Investigation Programme regarding long term missing persons and he would

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allow my assistance in the matter. The only issue for Detective Superintendent Lynch is that his Command does not have a budget for interstate travel if that became necessary.

RECOMMENDATION:

103. Respectfully forwarded for favourable consideration.



W.J.S.(John) GRIBBLE

Senior Constable No [REDACTED]

Police Prosecutions Command Penrith

21 November 2016

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