



NSW POLICE SERVICE

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STATEMENT OF A POLICE/WITNESS

In the matter of: Deaths of Ross WARREN, John RUSSELL and Mr MATTAINI
 Place: [REDACTED] Woolhara
 Date: 1 April 2003


Name: Gary Richard BURNS

Tel. No: [REDACTED]

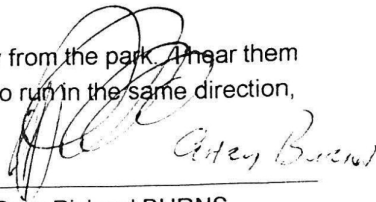
STATES:

1. I am 46 years of age.
2. I have lived in the Eastern suburbs of Sydney since the age of sixteen. In the early 1980's I think I was living in the Bondi area with my brother. Toward the late nineteen eighties I would often walk along the footway which runs from Bondi Beach to Tamarama beach. At times I would stop at a place near McKenzies Point which is near Marks Park at South Bondi. I would often stop to talk to other persons in the area. To me it was a social meeting place to meet with other guys to chat and talk. It was in this area that I met Ross WARREN. I only realised after his death that it was the person that I had met at this meeting place. I only met him one time. I can not recall exactly when but it would have been in the late 1980's. We just chatted for a while and talked about different things. He told me that he was lonely and used to come to the area for company.
3. I was aware that this location had been the scene of innuendo and rumour that physical assaults had taken place which were directed toward persons that were believed to be homosexual. I also became aware that the victims of these assaults did not bother reporting it to police because the police would not take any action because the victims were homosexual. I had been told this many times by different men at this location. We would always warn each other to be careful in this area. I only went there spasmodically, but I was told that sometimes people would be bashed in that area by groups of persons.
4. In November 1988, on a Friday night I went to Marks Park. On this occasion I approached the park from Kenneth street, South Bondi. It was the first time that I had approached the park from this direction. I remember that I was about to step into the park when I saw three young male persons standing near the toiletblock to the rear of it. I saw them come from behind the toilet and I then heard one of them yell out words to the effect of " He's a faggot." As he said this I noticed that another three male persons come out from the rear of the toilet block and the six males started to walk toward me. I instantly felt a need to get out the area because I feared that they were going to come after me.
5. I turned around and walked really quickly down Kenneth street away from the park. I hear them yelling out words to the effect of " Faggot, queer, get him!" I started to run in the same direction,

Witness:


 D. Lytle
 Det Sgt
 1/4/03

Signature:


 Gary Richard BURNS


14-03

Statement of Gary Richard BURNS
In the matter of Deaths of Ross WARREN, John RUSSELL and Mr MATTAINI

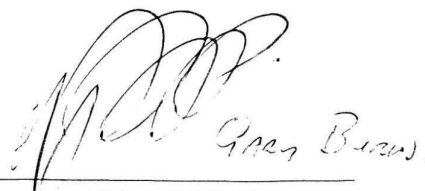
away from the park. I could hear them running from behind me. At this stage I became very scared as I thought I was going to be killed. Whilst I was still in Kenneth street I ran between two parked cars which were parked on the northern kerb of Kenneth street. I immediately ducked down between the cars. The male persons ran passed me a couple of seconds later. I slid under one of the cars and lay there so they could not see me. A short time later I heard their voices near by and I then saw their feet around the car. I remember one of them leaning against the car and kicking his heel against the front kerbside tyre. I think it was him saying words to the effect " He has got to be here somewhere" I just laid there trying to be quiet. They remained there for a couple of minutes. I could hear them talking about where I might have been. I then heard them walking away and saw them going in the direction of the park. Almost straight away I wet myself because of the fear. I stayed under the car for about twenty minutes because I was still scared that they still there and I wanted them to believe that I had gone. I did not hear any other persons or any cars in the street at that time.

6. When I came out from under the car, I immediately went home to [REDACTED] Bondi Junction and cried. My brother was home asleep but I did not tell him what had happened until the following morning. I did not call the police or inform anyone else that night because I was too distraught and distressed and I did not want to go to the police and be laughed at.
7. I think it was the following afternoon that I went to Bondi Police Station as I had decided to report the incident so that police would be aware of the problem and patrol the area. I walked into the police station and spoke to a Sergeant at the counter. I said to him words to the effect " I was almost assaulted in Marks Park last night." At this point in time I had not given the Sergeant any reference to my sexuality. He said " We are not interested in homosexual domestics. Get out of the police station." I stood there for a few seconds and felt that if I did not leave that I would either be bashed or locked up. As I left I said to him " All I am asking for is for police to patrol the area." I then left the police station. I recall another police officer come into the police station and leave but I am not sure if he was privy to the conversation I had with the Sergeant. I then went home to my brother and told him about the response I had received from the police. He said to me "That's fucking pigs for you."
8. I did not return to Marks Park or that area for some time because of the experience I had. I did not attempt to inform any other police officer about the incident because I thought that I would get the same response from other police. When I heard about the investigation into the deaths of Mr WARREN, Mr RUSSELL and Mr MATTAINI, I contact crime stoppers and left my details with them. I was contacted by Detective PAIGE from Paddington and told him about my experience at Marks Park. He invited me to Paddington Police Station, but I refused as I interpreted what I was being told by Detective PAGE was that the fact that I had been told to get out of the police station when trying to report the incident at Marks Park was not relevant to the Coroner.
9. I have no further information that could assist the Coroner in relation to this matter. I believe that inaction by Bondi Police through fear and homophobia lead to the murders of Mr RUSSELL and Mr WARREN. Police need to take responsibility on the issue of crime and not based on sexual prejudice.

Witness:


 D. LYLE
 Det Sgt
 1/4/03

Signature:


 Gary Richard BURNS
 1403