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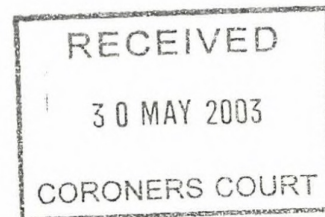
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NEW SOUTH WALES STATE CORONER'S COURT

SENIOR DEPUTY STATE CORONER: J MILLEDGE

5 TUESDAY 1 APRIL 2003

**INQUEST INTO THE DEATHS OF ROSS BRADLEY WARREN, GILLES
JACQUE MAITTAINI AND JOHN ALLAN RUSSELL**

10 **NON PUBLICATION ORDERS MADE****PART HEARD**

15

<CRAIG HOWARD ELLIS(10.26AM)
SWORN AND EXAMINED

20 LAKATOS: Q. Sir, is your full name Craig Howard Ellis?
A. It is.

Q. And do you reside at [REDACTED], Paddington?
A. I do.

25 Q. And by profession are you an accountant?
A. I am.

30 Q. Now you made, I think a number of - I think two
statements to police concerning the disappearance of your
friend Ross Bradley Warren, those being dated 25 September
2000 and 2 August 2001?
A. Yes.

35 Q. And in addition to that you participated in what the
police have termed a video run around at Marks Point or
Marks Park, Mackenzies Point, South Bondi?
A. Yes.

40 Q. And that I think occurred on 2 August 2001, is that
so?
A. That sounds right yeah.

45 Q. If I can take you through your statements. You
indicated that you first met Mr Warren in April of 1988?
A. Yes that's right.

Q. And that was at Marks Park, was it?
A. That's right.

50 Q. That, as you've said in your statement, is a meeting
place for gay men and you of course and Mr Warren were
gay?
A. Yes.

55 Q. Are gay?
A. Still are yeah.

CORONER: Not a passing trend, Mr Lakatos.

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LAKATOS: I got caught up on one person who is here and one who's not.

5 Q. And in fact you had a relationship with Mr Warren for some two months, an intimate relationship and remained friends thereafter?

A. That's correct.

10 Q. Between April of 1988 and July of 1989 you were close friends and spoke on a weekly basis?

A. Yes.

Q. And you also caught up ever fortnight?

15 A. Yeah about that yep.

Q. About?

A. Yep.

Q. These are all approximates?

20 A. Yep.

Q. At that time was Mr Warren a TV presenter at Wollongong?

25 A. That's right.

Q. Wereabouts did you catch?

30 A. Normally up here in Sydney. I mean he quite often came up here on the weekends and would often stay at my place.

Q. In July of '89 you were living at [REDACTED], Redfern with one Amanda Evans?

A. That's right.

35 Q. You indicate that when you first met Ross Warren he was living at a house in Wollongong and sharing it with two others, was he not?

A. Yes.

40 Q. He later moved into a unit by himself?

A. Yes.

Q. How would you describe Mr Warren as a person when you knew him 10 years ago or more?

45 A. Yeah he was a lovely person, very kind, gentle, generous, very together, had his life sorted out, was a nice guy to be around.

50 Q. So far as your knowledge of him was concerned was he a person who was likely to get depressed from time to time or not?

55 A. No I don't think so. I mean he wasn't 100 per cent happy about living in Wollongong because he didn't really want to be down there but that was where he needed to be for work so that was probably I think the only thing about his, you know, circumstances which he might not have been 100 per cent happy about but generally he was, I could say, pretty much together in the mind and happy.

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Q. Was he at ease being gay, because as I understand it some persons used to, and still did, resent--

A. Sure.

5

Q. --or perhaps not freely admit that that was their leaning?

A. Yeah. No he was very comfortable with that and his family knew that he was gay, they were quite comfortable with it as well. I'd met his parents once or a couple of times I'd been up to stay with them up on the Gold Coast where they live and they were obviously quite comfortable with Ross and with me so I don't think it was an issue for them.

15

Q. And so far as you're aware were his work colleagues aware of the fact that he was gay?

A. Probably not. I mean there may have been the odd one or two who were but it's not something that I think he sort of talked about with people at work.

20

Q. So far as you could discern from your contact with him was the fact that he was gay was that a situation which put him under any kind of added pressure, if I could put it that way, or not?

25

A. No I don't think so. I mean he may not have been, as I said, 100 per cent happy about the fact that he didn't have a partner but you know we all sort of feel like that from time to time.

30

Q. No you told us that he was a presented at WIN TV and he was trying to get a news presenter's job in Sydney, that being his ambition?

A. Yep.

35

Q. On Friday 21 July 1989 he arrived at your house at Redfern driving a small brown Nissan Pulsar?

A. Yep.

40

Q. Can I ask was that an arranged meeting or did he show up every weekend or how did that happen?

A. Yeah, no it was pretty arranged. I mean as I said he did frequently come and stay on the weekends but it was always by arrangement so I knew he was coming that night.

45

Q. So he would have phone ahead and said do you mind if I come and stay at your place over the weekend?

A. Yep absolutely.

50

Q. He arrived I think about 7 or 8pm?

A. Probably yep.

Q. You were there with your housemate Amanda Evans?

A. Yes.

55

Q. And Paul Sosiss(?), is that how you pronounce it?

A. Yes.

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Q. Mr Sosiss was, at that stage, your partner?

A. That's correct yeah.

5 Q. How did you find Ross Warren when you met him that evening?

A. Pretty much the same as usual. We just had a bit of a chat, maybe had a drink, talked about life.

10 Q. Nothing out of the ordinary?

A. No.

Q. Not particularly up, nor particularly down?

A. No.

15 Q. Did he have a meal at your house before he left later on that evening?

A. I don't think so but I don't remember 100 per cent.

Q. Did he consume any alcohol?

20 A. Possibly a drink but nothing much. He was driving and he never drank and drive and he wasn't a big drinker anyway so.

Q. And what about any other drugs of any kind--

25 A. No.

Q. --I'm not suggesting that there was, I'm simply asking?

A. No.

30 Q. I think Ross invited you and Paul to go out for a few drinks but you had other plans?

35 A. Yeah we decided to stay home and he got in touch with a friend of his who I think he worked with, a guy called Phillip and I think he arranged to go out for a drink with Phillip.

Q. Was there any discussions about plans of joint get togethers on the weekend between you and him and Paul?

40 A. Yeah we talked about going to the movies the next night on the Saturday night so it was a sort of tentative arrangement to do that.

45 Q. So up to that point there's still nothing out of the ordinary as to what might occur later?

A. No.

Q. You indicate that he made a few phone calls from the house that evening?

50 A. Yes.

Q. Do you know who he called?

55 A. I think he called his friend Phillip. I don't know who else he called, presumably friends or sort of drinking buddies.

Q. And he left your house I think at about 11pm?

A. Probably yeah.

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Q. He drove off and did he say where he was going specifically?

5 A. I think he said he was going to the Oxford Hotel to meet up with Phillip.

Q. Was it your expectation that he would come back to your house to sleep there that night?

10 A. Yes.

Q. If he had planned not to do that, in other words if he had, I suppose had alternative plans, would you have expected him to contact you to let you know that that was so?

15 A. Possibly but it wouldn't have surprised me that he didn't. I probably would have expected him to get in touch with me at some stage the next day but given that he frequently stayed and it was a pretty casual arrangement I wasn't too surprised that I hadn't heard from him.

20 Q. I understand and you've noted in your statement that during the course of the evening he removed some pieces of papers from his pockets. These bits of paper having telephone numbers on them?

25 A. Yeah.

Q. What was that about?

30 A. I'm not sure. It was probably nothing, he was probably just cleaning out his pockets, getting rid of the rubbish in them. That's probably all I'd read into it but it's just something that I remembered.

Q. Early the following evening, which was the Saturday, you and your partner Paul became concerned?

35 A. Yeah Paul more than I so I mean as I wasn't - I assumed that he'd met someone and was spending time with them. Paul on the other hand is a little more, bit more of a worrier and he was a bit more concerned and thought that perhaps something might have happened to Ross.

40 Q. And one or other of you rang the Paddington Police Station?

45 A. Yep. Yeah we were actually - I mean at the time we were house-sitting Paul's brother's house at Paddington which was why we were probably up there during the day and so I think probably Paul decided to call the police.

Q. You didn't hear what he said to the police or what was said to him?

50 A. I don't remember the exact words but I mean it was along the lines of we've had a friend who seems to have gone missing and I think the response was well he's only been gone for 24 hours and people go missing all the time for 24 hours and then come back so don't worry too much
55 about it yet just see how it goes for the next day or two.

Q. In any event Ross Warren still had not shown up by the following day, the Sunday?

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A. That's right.

Q. And may we take it you became more concerned about that prospect?

5 A. Yeah well only by the time it got to sort of the late afternoon because we knew that he was working on a Sunday. Every Sunday he filled in and read the news at whatever
10 time that was, maybe 6 o'clock or something like that so we knew that, or we were expecting that he would be due at work that Sunday as he always was so we rang the TV
station to see if he had turned up and he hadn't turned up and that's when we started to be concerned because it
wasn't like him just to not - I mean he couldn't not show
up for work, he had a job to fill so.

15 Q. And you and Paul attended the Paddington Police Station and spoke to a police officer?

A. So we actually went up there again. We were probably
20 staying at Paddington during the day so we went up there and told them what had happened.

Q. How did - do you remember who it was that you spoke to there?

25 A. Only from the statement that I think it was someone Robinson I think.

Q. Well accepting that that's correct how was your complaint received, if I can ask you that?

30 A. I suppose with a bit of concern but again not a lot of concern because it was 48 hours and I believe people go - again sort of go missing frequently for short periods of time, it's just a fact of life so he wasn't overly
concerned.

35 Q. Let me ask you this in a pointed fashion you are, of course I suppose from your general knowledge of the gay community, aware that at least in those times, if not now, some officers were perhaps not as sympathetic to gay
40 persons as some are now, if I can put it that way?

A. Yeah sure.

Q. Did you meet any kind of resistance of that kind that you appeared to be gay and therefore you weren't treated
45 perhaps as seriously as others might have been?

A. No there was nothing overtly homophobic I guess, if that's the way.

Q. In any event after you reported Ross Warren missing you and Paul sat down and racked your brains as to where
50 he might be?

A. Yeah we just - I mean obviously we knew that something was wrong because 48 hours, not turning up for work when he was due to meant that there was definitely something
55 had happened to him and so we weren't prepared just to do nothing and I mean it's a small place, we know the places - we knew the places that Ross would go so we just thought if we--

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Q. Was Marks Park a place that Ross Warren, to your knowledge, frequented often?

5 A. I wouldn't say often but I know he'd been there a good sort of three or four times in the year or 18 months that I'd known him so yeah every few months he'd probably been down there.

Q. And you and Paul went to Marks Park on Sunday evening?

10 A. Yes.

Q. What time was that do you recall?

A. I don't remember it without checking the statement again.

15 Q. What did you find there?

A. We saw his car parked on the side of the road near the park so we obviously drew the conclusion that he'd been there.

20 Q. Was the car locked or unlocked when you got there?

A. Locked.

Q. Did you make any observations of the contents of the car?

25 A. Only that there were some clothes probably strewn on the seat and some food wrappings - take-away food wrappings which again was not unlike Ross.

Q. Not a very tidy person?

30 A. No not really no.

Q. Well that's against the stereotype, isn't it?

A. Yeah.

35 Q. After you made that discovery what did you then do?

A. I think we then went to Bondi Police Station and again I can check the station if you want but I think - we went - yeah we went to Bondi Police Station I think and explained what had happened or possibly we went back to
40 Paddington I'm not sure, one of the two.

Q. And again what was the reaction of the officers that you dealt with on that occasion?

45 A. Not very concerned but I mean slightly sympathetic.

Q. For similar reasons?

A. Yeah, yeah. I mean they weren't rude or said they weren't interested but they just like well okay your
50 friend's gone missing, it happens all the time sort of thing.

Q. I think at that point you were informed by police officers that a body which might have been Mr Warren was found and then you were asked to go and view it but
55 ultimately did not because it was decided that that could not be Mr Warren?

A. Yeah what happened we - I think we went to Rose Bay or something which was where the incident had been reported

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5 to - the body being found and the guy their took us to here or around the back here somewhere, wherever the morgue is but he just went in and observed the body and came back and reported some identifying marks which were tattoos or a very hairy chest or something like that but whatever it was it was something that Ross didn't have.

10 Q. The following day being Monday 24 July you and Paul went back to Marks Park?
A. Yep.

15 Q. To make some further sightings and inquiries. Can you tell us what you did?
A. Yep. I think we sort of walked around the street where the car was. We may have knocked on a couple of doors I think just to - actually I think the car was over, partly over a driveway so I think we probably knocked on the doors of the flats where it - I think it was flats were it was, knocked on a couple of doors, maybe it was a house I don't quite remember and asked them if they sort of knew anything about the car there and they didn't so we also walked down onto the path below the park and I walked down - down the sort of cliff side down a track down to the bottom where the rocks were just by the ocean just looking to see if we could find anything and found his keys down there.

25 Q. What identified the keys as his keys?
30 A. It was a big bunch of keys. I must have remembered that they were his somehow. I don't remember how but--

35 Q. But you recognised them to be his keys?
A. I must have. Well either that or I just assumed that they were because his car was there and he was gone and the keys were there.

40 Q. Can you recall where you saw those keys?
A. Yeah they were - that's one thing I remember they were - there was a - in the rock face there was sort of a little pocket which had been eroded away by the waves and they were placed in the pocket in the rocks.

45 Q. And how far above the level of the rock where you would be standing was that pocket?
A. I mean if I was standing up it would probably be about this height on me so easy enough to see and take out.

50 Q. Did you form any views as to how the possible ways the keys could have got to that location?
A. Only that they must have been placed there because of the way they were sitting in the pocket in the rock and I just thought either Ross had left them there, maybe - I mean maybe he'd gone down there to have sex with someone and maybe he'd put the keys in the pocket - on the rock to keep them in a safe place given that it was dark and either that or someone had found them and put them there but I didn't think they'd sort of dropped down there.

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Q. Well certainly in your statement you were asked about the possibility of whether they could have been washed up there and you - they were too heavy?

5 A. They were a big bunch of keys so I don't think that would be possible.

Q. What was it that made it in your mind unlikely the keys had fallen or been thrown across the side and not landed there. What made that an unlikely scenario to you?

10 A. Because I don't think it would be physically possible because as I said they were sort of in a pocket underneath a little ledge almost so it would physically not be possible for them to--

15 Q. The keys would have gone out rather than--

A. Yeah.

Q. --followed the rock face vertically down?

20 A. Yeah. I mean they were - as I said there was a little pocket in the rocks so if the keys were falling down there's no way they could get in there because they'd fall on top of it and bounce off or fall past it.

25 CORONER: Q. So there was like a little shelf over that pocket?

A. Yeah. Yeah an overhang and they were underneath the overhang.

30 LAKATOS: Q. Did you leave the keys in position prior to getting the police back?

A. Yeah.

Q. After you saw the keys you alerted Paul to the fact? He wasn't down on the rock face--

35 A. Yeah I think he was further up the top at the time and I just called out to him and told him the keys were there.

Q. And ultimately the police came and took possession of the keys?

40 A. Correct yes.

Q. Did you assist the police in making any further inquiries around the area or you'd done what you'd done and you'd let them do what they needed to do?

45 A. I think we just left it at that. I mean we - they may have asked a couple more questions at the time but I don't remember the details.

50 Q. Are you able to recall the names of any of the officers who came to Marks Park on that occasion?

A. No.

55 Q. So far as you're aware that was the first time any police officer actually came out to have a look at the scene?

A. Yep.

CORONER: Q. Mr Ellis, you didn't touch the keys, did

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you, is that what you're saying?

A. That's right.

5 Q. So you had presence of mind to leave everything as you found it?

A. Yeah.

Q. That's very good.

10 LAKATOS: Q. Was the occasion for your going back to the area on 24 July at your instigation or did the police ask you to do so?

A. No that was our instigation because I think at that stage - the 24th was the Monday, was it?

15

Q. Yes it was?

A. Again I don't think they felt that sufficient time had elapsed for them to do anything about it.

20 Q. I just want to draw your attention to a part of Mr Sosiss' statement about this is you - it's not of great significance but Mr Sosiss said that the following morning on Monday 24 July you both returned to Kenneth Street, Tamarama. "The reason for us being at that location was

25

that police requested we be there to assist with information in the search of the area"?

A. Okay. I don't remember that but it's quite possible.

Q. Possibly?

30

A. Yeah.

Q. Can I ask you had you, being a person apart from having met Mr Warren there, that went from time to time to Marks Point?

35

A. Not at that time of - I mean not around the time - not since the time I met Ross.

Q. Between - if I can ask you this between what period or in what period did you attend Marks Park?

40

A. Okay. Probably between about January '88 and - actually no I would have since I met Ross - between January '88 and about September '88 I probably would have.

45 Q. In the time that you have attended there, something less than a year, probably nine months or thereabouts did you encounter any problems in the nature of unsolicited attacks upon you?

A. No.

50 Q. Either at that time or at any other time have you heard that Marks Park was an area where that kind of activity took place against gay males?

A. Yes.

55 Q. In July of '89 was Marks Park a place which had that reputation in the gay community as being a beat, but nevertheless a beat where people were or might be in danger if they went there in the evenings?

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5 A. I don't - I don't - well from my knowledge it didn't specifically have that reputation but any place where gay men went to have sex in the night-time could potentially have that problem if you see what I mean so I don't remember that that was a specifically highlighted or known in the gay community as a dangerous place to go any more than any other beat I suppose.

10 Q. This is just a question from your knowledge of the gay culture which intrigues me if I might say--
A. Sure.

15 Q. --if a place like Marks Park does have the reputation as being dangerous my question - and there are gay establishments such as bars and other meeting places where contacts could be made in somewhat more secure ways what is it that drove people to risk life and limb to meet other people in this kind of situation so far as you're aware?

20 A. That's a very interesting question. I suppose probably there's a couple of potential reasons. One is that it's probably the sort of place that would attract guys who weren't openly gay because they feel more comfortable going somewhere there than somewhere in the middle of Oxford Street or something like that--

Q. So they're anonymous?

30 A. Yeah anonymous. Secondly there's probably a bit of a thrill of outdoor sex as opposed to going somewhere else. I suppose for some guys they - you might meet a different sort of guy there and again because there might be more guys who aren't sort of - so guys that don't hang out on the gay scene are more likely to go somewhere like that so if you want to meet guys who don't hang out in the gay scene then there's probably more chance of that happening at a place like that, probably easier and more convenient if you live at Bondi or around there. Not that I did but there's not many gay bars in Bondi so they might find it easier to go there, that's probably some of the reasons.

40 Q. Now if I could just take you to the second statement you made. I'll play this shortly but the second statement you made referred to your video run around which you participated with - participate in with the police on 45 2 August of 2001. In the course of that run around you were shown a photograph of a vehicle. May I show you this photocopy which is not a very good one but that I think was shown to you in August of 2001?

50 A. That's right.

Q. You identified that as Mr Warren's car?

A. Yep.

55 Q. Albeit it not in the location where you discovered it on 23 July?

A. Yeah I think we worked out it was outside Bondi Police Station after it had been taken there.

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Q. And of course you've signed that and it was dated in August of 2001?

A. That's right yep.

5 Q. Can I just ask you some general questions prior to showing you the video run around. So far as your knowledge of Mr Warren was concerned up to July of 1989 had he, at any stage, made references to taking his life or made any attempts in that regard?

10 A. No.

Q. So far as you're aware did he have any enemies or people with whom he had significant arguments who might be not properly disposed towards him to put it that way?

15 A. No.

Q. The police received a number of subsequent reports from various people most of which had been discredited. Let me ask you as to your knowledge of them. In about 20 1990 it was asserted by somebody who complained from South Australia that Warren had disappeared because he owned a drug debt to some person and it was convenient for him to lose himself. Does that sound right to you based on your knowledge of him?

25 A. No because I know he didn't take drugs so he wouldn't have had a drug debt.

Q. Do you know of any other reason why it would have been convenient for him to have dropped out of sight for any 30 reason?

A. No.

Q. And finally so far as you're aware, apart from from time to time being lonely due to lack of company or 35 partnership, do you know of any emotional relationship reasons why he may have had cause either to be feeling down or to drop out of sight?

A. No.

40 LAKATOS: Your Worship, if it's convenient may I play the run around tape at this stage.

CORONER: Yes of course.

45 VIDEO TAPE SHOWN

EXHIBIT #4 VIDEO WALK THROUGH WITH MR ELLIS TENDERED, ADMITTED WITHOUT OBJECTION

50 LAKATOS: Your Worship, two short matters from Mr Ellis before I pass him over to Mr Saidi.

Q. When you discovered the keys in the rock pocket and the police came, so far as you're aware were any 55 photographs taken by police officers of the location of the keys?

A. I don't remember photos being taken.

Q. And finally a fairly inane but necessary formal

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question, since July 1989 have you seen or heard from Ross Warren?

A. No.

5 CORONER: Q. Now Mr Saidi is representing the interests of the interests of the Commissioner of Police. He may very well have some questions of you?

A. Okay.

10 CORONER: Mr Saidi, would it suit you now or--

SAIDI: Yes I'm happy to do it now. I won't be too long your Worship.

15 Q. You heard that the Marks Park area had been an area where gays had been attacked previously. Can you give us an idea of the extent to which it was known to be a place where people got attacked, that is a frequency, anything along those lines?

20 A. Yeah as I said I don't remember it specifically as a, you know, specifically dangerous place compared to any other places although I think from memory the general area had had some problems but not limited to gay bashings. I think there were a couple of kids might have gone missing
25 around there around the time or around those years and yeah I don't - as I said I don't remember that it was sort of highlighted as a more dangerous area than any other beat would be because like I said any gay beat, especially
30 in the night-time would be open to those sorts of attacks.

Q. Well it seems to be the case on the information which is now coming to hand that indeed a great many of the gay beats were subjected to--

A. Yeah.

35

Q. --attacks by persons but I'm just trying to get a feeling of the extent to which it was known amongst the gay community, that is what risk they knew they were facing?

40 A. Yeah I think that most people who went to gay beats back then or now would be aware of the risk and which probably leads you to the question all right why would people go if they're aware of the risk and again that's a very good question. I suppose probably for most people
45 would perceive that the risk was low enough that you know it wasn't worth worrying about but yeah I think most gay men who go and do beats either now or back then would be aware that there was a risk attached to it.

50 Q. And the risk would come from what quarter would it be, gangs of people? Would it be isolated attacks? What was the anecdotal information at that time?

A. Either I think - I don't know anything that was specifically - you know I don't think people had or have a
55 specific awareness of gangs or individuals causing the problems. It could be either.

Q. All right and going back to the period of the late '80s and perhaps the early '90s when these attacks in gay

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beats occurred again I can only ask you about perhaps anecdotal information but was there an attitude amongst members of the gay community about reporting the matters to the police then?

5 A. Yeah I think that back then there was probably a hesitation about reporting attacks, not only at gay beats but also in the street as well and probably that hesitation may still exist, I'm not sure. Probably if it
10 does there's less hesitation now than there was and part of the hesitation is because you're not supposed to be there in the first place so going to the police and admitting that you were, you know, doing something which is - I assume it's illegal, I've never sort of - well yeah
15 of course it's illegal because you can't go and have sex in a public place, I mean so that the, you know, the thought of going and reporting an attack while you were doing something illegal and something that's not just illegal but it's also probably not accepted by, you know, society as being something you should be doing then that's
20 probably why that hesitation's there and especially as I said for - if a lot of guys who go and do beats are in the closet, you know, they're not openly gay then that would even more lead to that hesitation.

25 Q. Are you aware that there have been attempts made by the police force as a whole over the last few years to try and encourage gay people who may be the subject of abuse of one form or another to come forward?

30 A. Yeah definitely there's been that encourage in the last few years.

Q. And from what you understand has that message gone out to the members of the gay community which you mix in?

35 A. Yeah I think so. I think there's more of an awareness that you know the police would be prepared to help if you did report an attack and there's been probably advertising in the gay media and just a bit more - you know probably the articles in the paper have always, you know, in the
40 last few years said that if something does happen you should report it and you'll - they always give sort of specific references to places, specific police stations or specific people at those police stations that you can go to if you have a problem.

45 Q. And again I can only deal with the gay community that you yourself mix in but do you think that there is now less hesitation amongst gays who are quite open about being gay in terms of reporting matters to the police?

50 A. I'm not aware of anyone who's needed to so I can't give any sort of conclusive statement that says yes but my expectation would be that people would be more prepared to yeah.

55 CORONER: Q. Mr Ellis, after your friend went missing, we've heard in the course of this inquest, of the death of other men in that area, particularly Mr Russell that we're dealing with in this hearing as well. Were you aware of those through the press?

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A. No.

Q. So you weren't. Are you a reader of the gay press?

A. Yep.

5

Q. The Star Observer, those sorts of things?

A. Yep.

10 Q. And so nothing came to your attention that you can recall?

A. I don't remember them being reported at the time and I would have been reading those papers at that time. I mean I might not have read every one from cover to cover so I may have missed them but I don't remember them being reported.

15

20 Q. So there wasn't any discussion within your community about these issues that the Marks Park area, the South Bondi area that being unsafe? I know you've just been asked a lot of questions about the time Mr Warren went missing and you said well no, you know, that wasn't something you were aware of but since then have you become aware that there's been a lot more violent activity in the park than you realised back in those days?

25

A. No but--

Q. Still not?

A. --that doesn't mean that there's hasn't been because--

30

Q. No, no I'm just interested as a community as to whether the message is getting out there. I mean you say that the beats are a consequence of life, a fact of life--

A. Yeah.

35

Q. --in the gay community--

A. Yeah.

40 Q. --and if that's to be accepted I'm just curious to know whether there's been publicity to say well look this is what's been happening at these particular areas, be vigilant but there's nothing that you know of like that?

A. Well I mean I think there's been articles in the papers in recent years you know highlighting that it might be dangerous--

45

Q. Right but nothing around that few year period--

A. I don't remember anything.

Q. --around when your friend went missing?

50

A. No.

55 Q. As time went on did you sort of think well look what's going on here, is anybody taking any interest in the fact that my friend is not around? Did you - because you certainly put in a concerted effort at the beginning, and you're to be commended for that, I mean having presence of mind to maintain those keys where you found them and not to touch the car and to involve the police form the onset

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of you realising he was gone, I mean you're to be commended for that. That was a terrific thing that you did and you acted very wisely and I congratulate you for that. So you told the police and did you have confidence
5 that the police were going to follow through with it? Why did you tell the police? Very basic question?

A. Probably instinct because I mean since this high, you know--

10 Q. And you expected them to do something?

A. --told to do that and yeah the expectation that if there is something that can be done then it's going to be done.

15 Q. Right and did anyone ever get back to you and say well look nothing more can be done or it's been so many years now or did you ever get any feedback?

A. Not around that time, not until many many years later when Steve contacted, Inspector Page sorry--

20 Q. Yes you're right Steve contacted you but I'm talking about around that time nobody ever followed up?

A. No but - yeah and I'm trying to think what the sort of thought process that was going through my mind as to why
25 we didn't push it--

Q. No I'm not asking - no I'm not looking at why you didn't push it but just whether you got any feedback at all from the police?

30 A. No nothing memorable. I mean there may have been one call or something but I don't remember - I don't remember getting feedback no.

Q. Would it be fair to say you were left in limbo?

35 A. Yeah. It would be fair to say that there didn't seem to be as much happening as you would hope.

Q. What did you think about that?

40 A. I probably just accepted it, (a) because I mean there wasn't - there wasn't - I sort of didn't think there was much that could be done and--

Q. Would it be fair to say that you also may have thought that you were on the periphery of his life and that if
45 there was things bubbling along it might have been - others might have being told and not you?

A. No. I mean I was on the periphery of his life in that only so much as I wasn't part of his family--

50 Q. That's right yes?

A. --but in terms of his circle of friends I was probably one of his closest friends.

Q. So you would have expected to be hearing if anything
55 was going on?

A. Yeah but I suppose I didn't - didn't sort of take it on board to be proactive or follow up--

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Q. No but I'm not asking you that as a criticism, so I'm not asking you to sole search--

A. No, no I understand that.

5 Q. --and think gee I should have done more because you've heard that we are interested in what steps the police didn't take--

A. Yeah.

10 Q. --and of course you know now that when Mr Page became involved in it--

A. Things changed.

15 Q. --a very different complexion was given to the matters?

A. Yeah.

Q. If something like this happened in your life again would you approach it the same way, what would you do?

20 A. I'd probably be a little more persistent I suppose. I mean I think one of the other factors is that when you know that your friend went missing when he was (a) doing something which was illegal, (b) doing something which--

25 Q. But he wasn't robbing a bank was he?

A. No he wasn't robbing a bank but he was trying to have sex in a public place which I don't think's very legal and (b) something which you don't probably want publicised a huge amount because you don't - I wouldn't want him to be remembered for that when that's not what he was about--

30 Q. Yes I understand that?

A. --but I think there's those sort of factors which probably lead you to not make so much noise about it as you might otherwise.

35 Q. Yes I can understand that.

40 CORONER: Anything else, Mr Lakatos?

LAKATOS: No your Worship.

45 CORONER: Q. Mr Ellis, you heard me say that your approach to the disappearance of Mr Warren was absolutely commendable?

A. Thank you.

50 Q. I think that you weren't just driven by the fact that you were a good friend of his, I think your common sense had a lot to do with the approach that you took and Mr Sosiss. I mean you were methodical, you knew where to go, you knew what to look for and you found it. I mean to find those keys in the circumstances that you did was just astounding and I thank you so much for that. You know

55 Mrs Warren has agonised for years over the loss of her son and I think she must have been comforted, to some degree, to know that he had people in his life who cared enough to involve themselves the way that you did. I'm sorry that

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it's happened to you, it's a terrible thing that will stay with you forever?

A. Sure.

5 Q. It's just a matter of time as to how you manage those awful memories but I thank you very much for your involvement in the matter. Now you are free to leave. We're going to have some morning tea now so if you wanted to come back in 15 minutes I invite you to do that, if you
10 want to leave you do that too?

A. Okay.

<WITNESS RETIRED AND EXCUSED

15 SHORT ADJOURNMENT

<PETER EDWARD RUSSELL(11.51AM)
SWORN AND EXAMINED

20 LAKATOS: Q. Sir, is your full name Peter Edward Russell?

A. Yes.

Q. Would you be good enough to tell me what your present address is?

25 A. It's [REDACTED], Valentine.

Q. Is that in [REDACTED]?

A. Yes [REDACTED]

30 Q. And what is your present occupation, Mr Russell?

A. Proprietor of a furniture store.

Q. You are also the brother of John Allan Russell--

A. Yes.

35

Q. --who died either on 22 or 23 November 1989?

A. That's right.

40 Q. Now in the course of the police inquiries, plural, you made two statements I think to the police. One dated 24 November 1989--

A. Yes.

Q. --and another dated 15 June 2001?

45

A. Yep that's correct.

Q. Now you've said in your statements that you of course were the brother of John Russell and you lived together, as you've put it, all of our lives?

50

A. That's right.

Q. Up until 1989?

A. That's correct.

55

Q. You originally lived at Ocean Street, Bondi and then you moved to a flat in Oakley Road, Bondi?

A. That's correct.

Q. You'd indicated that your brother in fact was a barman