

Statement by Const BARRETT

Product Type: TEXT DOCUMENTS:Statement

Completed Date: 1 Dec 1989

Brief Description: Statement from Constable BARRETT in relation to deceased John RUSSELL witnessed by Sergeant INGLEBY. BARRETT one of first officers at scene.

Summary:

- Para 3:** Arrived at scene about 10.15am 23/11/89 with Cst SCANLAN. Sgt INGLEBY already at scene along with ambulance officers.
- Para 5:** SAXBY (person who found body) pointed RUSSELL out to police.
- Para 6:** Present when ambulance officers examine body. Describes state of deceased.
- Para 7:** Describes seeing the coins around body, hair on left hand of body behind left index finger. Pkt cigarettes & lighter, empty Coke bottle on rock nearby.
- Para 8:** States PC Cst DUNBAR and D/Cst OWENS arrive.
- Para 9:** 11.23am D/Sgt CAMERON and Det RIVERA crime scene arrived. RIVERA photographed area. Cigarettes & coins seized as exhibits. Identity established from National Aust Bank account details in RUSSELL's back pocket.
- Para 10:** Body moved onto side by crime scene dets. Describes blood around mouth & nose and other injuries..
- Para 11:** 12.15pm body removed by Government Contractos. Crime scene stated that distance from cliff top to where deceased found is approximately 11.6m.
- Para 12:** About 1.10pm he attended morgue where he booked the body in as entry number E-35395.
- Paragraph 13:** 8.30am 24/11/89 informed Peter RUSSELL of brothers death.
- Para 14:** 9.30am 24/11/89 Peter identified the body of his brother John RUSSELL at Glebe Morgue.
- Para 15:** Lists knowledge of deceased. Worked as a barman at a bowling club in Easten Suburbs, homosexual, deaceased lost his wallet on 17/11 so would not have had a wallet at time of death.
- Para 16:** RUSSELL had been drinking with long time friend [1403] at Bondi Hotel. RUSSELL was in good spirits as he had just inherited \$100,000.
- Para 17:** local knowledge of area.
- Para 18:** States that there is no evidence to suggest what caused the deceased to fall from cliff.

New South Wales Police

STATEMENT in matter of: Place: Bondi Police Station
Deceased John Alan RUSSELL
 Date: 1 December 1989

Name: BARRETT Michael Antony
(Surname in capitals)
 Address: Bondi Police Station Tel. No. [REDACTED]
 Occupation: Constable of Police STATES:-

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary to give in Court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

2. My date of birth is the [REDACTED].

3. About 10.15am on Thursday 23 November 1989, in company with Constable Brad Scanlan I arrived at Fletcher Street near the intersection of Marks Lane, Bondi. There I saw Sergeant Ingleby who told me that a witness Neville Smith had located an apparently deceased male on the rocks nearby. I saw Mr Smith, and Rick Joseph SAXBY. About 10.15am, Ambulance Officers Dennis KEEGAN AND Lyn RICHARDS from Randwick Ambulance Staton arrived at the scene.

4. I accompanied Sergeatn Ingleby, Constale Scanlan, the tow ambulance Officers and Mr Saxby down a set of stairs leading from Fletcher Street, to a walk way. This walkway runs along the cliff edge of a small bay. The bay itself is south of the Bondi Baths and Notts Avenue and runs south from that point to a head-land known as Mackenzies Point. From where the Fletcher Street steps meet the walkway we turned left and walked a distance of about 15 metres to another set of steps which led down to the rock area below the cliffs at water level.

Witness: A.M. Ingleby Signature: M. Barrett
 Sergeant Constable

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 Name: Michael Antony BARRETT
(Surname in capitals)

5. Mr Saxby pointed south and said, "Over there." I accompanied the Police mentioned and the two Ambulance Officers to an area approximately 5 metres north of Fletcher Street steps and below that area at sea level.

6. There I saw the deceased body of a person I now know to be John Alan RUSSELL dob 28/11/57, at taht time 31 old. I was present when Ambulance Officers Keegan and Richards examined the body and confirmed it was deceased. When I checked the body there was rigormortis present. The body was lying face down with the head turned to the right in a shallow rock pool. The left arm under the body. The deceased was wearing a red sloppy joe with beer motifs on it; light blue jeans, black gym boots, with white sports soxs with red and blue stripes. There was a small amount of water in the rock pool together with blood which surrounded the submerged part of the body to the right and the upper body area. The blood was congealed around the sloppy joe. A total of \$4.60 in coin was found near the body, the break up of the coin was;

- 1 x \$2 coin
- 1 x \$1 coin
- 2 x 50 ¢ coins
- 3 x 20¢ coins

7. I saw a 50 cent coin in the rock pool water to the right side of the body, a \$1 coin to the right of the body at the pool edge, a 50¢ coin some distance from the top of the body on the rock floor away from the rock pool. I noted there was some hair on the left hand of the body behind the left index finger. I saw a packet of Peter Stuyvesant Filter cigarettes in a pool of water under the cliff hangover and further under was a blue disposable cigarette lighter. There was an empty Coca Cola bottle with screw cap on the top of a large rock approximatley 2 feet from the feet of the body south. Whilst at the scene about 10.35am I noted that the tide was lapping onto the rock edge of the bay and splashing onto the rocks.

8. About 10.29am Plain Clothes Constable Dunbar arrived at the scene and a short time later Detective Constable 1/C Owens

Witness: *A. M. Ingleby* Signature: *M. Barrett*
 A. M. Ingleby. M. Barrett.
 L.O. 1213 Sergeant Constable

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 Name: Michael Antony BARRETT
(Surname in capitals)

arrived at the scene.

9. About 11.23am Detective Sergeant Cameron and Detective Rivera from the Crime Scene Unit, Physical Evidence Section, CIB arrived at the scene. I was present when Detective Rivera took a number of photographs at the scene. The Detectives then took possession of the Peter Styvesent cigarettes which contained 14 cigarettes, cigarette lighter and \$4.60 in loose coin. I was present when Detective Cameron removed from the right rear pocket of the deceased jeans a red plastic folder from the National Bank of Australia, which recorded an account number 2438-439419916 in the name of J.A.Russell.

10. I was present when the detectives moved the body onto its left side and I observed the following injuries, blood coming from the area of the mouth and nose. A gash running from the left eyebrow on the edge of the deceased to the forehead hairline. The gash was about 2cm s wide and about 5-6cms long vertically. I saw that the jeans worn by the deceased had a horizontal tear on each knee. At this time a 20¢ coin was found on the rock area to the left side of the upper part of the body.

11. About 12.15pm the body was removed from the scene by the Government Contractors. I was told by Detective Sergeant Cameron that the distance from the cliff top to the rock area below was approximately 11.6metres.

12. I returned to the Bondi Police Station and carried out certain enquiries. About 1.10pm on thursday 23/11/89, I attended the Morgue. glebe where I booked the body in as entry number E-35395.

13. About 8.30am on the 24/11/89, I went to Double Bay Public School William Street Double Bay where I saw and spoke to Peter RUSSELL of [redacted] Oakley Road Bondi and he informed me that the last time he saw his brother alive was about 6.30pm on Wednesday 22/11/89, and that he was in the company of a friend [1403] [1403], and that they were going out for a couple of beers.

Witness: *A.M. Ingleby* Signature: *M. Barrett*
 A.M. Ingleby. M. Barrett.
 Constable. Constable.



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STATEMENT (continued) in matter of:Deceased..John..Alan..RUSSELL.....
Name:Michael..Antony..BARRETT.....
 (Surname in capitals)

14. About 9.30am on Friday the 24/11/89, at glebe Morgue I showed the body of John Alan RUSSELL to Peter RUSSELL, I said "Is this the deceased body of your brother John Alan RUSSELL." He said "yes." Peter RUSSELL signed a statement regarding the formal identification. The Doctors present at the time of the identification parade where Dr L SCHWARTZ, Dr L SURVELA and Dr C LAWRENCE.

15. Enquiries at the time of this statement (1/12/89) revealed that the deceased was employed as a barman at a Bowling Club in the Eastern Suburbs area, and that he was a homosexual. When last seen alive by his brother about 6.30pm on the 22/11/89, the deceased was in good spirits and not depressed in any way. Further that he intended leaving Sydney and building a kit home on a farm owned by his father. He was described as being a happy go lucky person who did not get depressed easily. Peter Russell advised that the deceased lost his wallet in a Taxi on Friday 17/11/89 and believes that his brother would not have had a wallet on his person on Wednesday the 22/11 /89. At the time the deceased left home his jeans had a tear to each knee.

16. [1403] advised that he had known the deceased for a period of 13 years and the deceased was his best friend. When he first met John Alan RUSSELL the relationship was a homosexual relationship but that part of the relationship ceased soon after it started, with the two remaining close friends ever since. He accompanied the deceased to the Bondi Hotel, about 7.15pm Wednesday 22/11/89 and remained drinking with him until 11pm that evening when [1403] left the Hotel. During the evening RUSSELL mentioned that he was going to inherit about \$100,000.00 and intended to build a house on his father's property at Wollombi. [1403] stated that there was no reason for RUSSELL to hurt himself in any way because he was looking forward to the best time of his life that everything was looking up for him. [1403] stated that at the time he left the Bondi Hotel, RUSSELL may have had about \$10 - \$15 dollars in his possession. At the Hotel they both drank beer, RUSSELL shouted the whole time as [1403] had no money.

Witness: *A.M. Ingleby* Signature: *M. Barrett*
 A.M. Ingleby. M. Barrett.
 L.O. 1213 Sergeant. Constable.

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STATEMENT (continued) in matter of: Deceased John Alan RUSSELL

Name: Michael Antony BARRETT

(Surname in capitals)

17. From my experience as a Constable working in the Bondi Police Patrol for two and a half years, I am aware taht the area south of Notts Avenue, Bondi that is south of the Bondi Baths through to McKenzies Point then further south to McKenzies Bay is regularly frequented by homosexuals. These homosexuals frequent the area during the night and day to make contact with other homosexuals and are known to commit homosexual acts in and around that area.

18. From enquiries so far it is apparent that the deceased fell from the cliff top edge above where the body was located. At this stage of my enquiries there is no evidence to suggest what caused the deceased John Alan RUSSELL to fall from the area at the top of the cliff. At this point in time it is proposed to call for possible assistennce from the general public with the use of a media release. At this point ther is no evidence to indicate one way or theother whether the deceased slipped from the edge or was pushed. His brother and best friend have indicated that he was not depressed in any way and was in good and happy frame of mind which would not be consistent with any hypothesis regarding suicide.

Witness.....*A.M. Ingleby*
Sgt A.M. Ingleby
1 December 1989

Signed.....*M Barrett*
Constable M Barrett
1 December 1989

Witness: Signature:



L.O. 1213