

Statement of D/S/C Manuel Antonio RIVERA Crime Scene

Product Type: TEXT DOCUMENTS:Statement

Completed Date: 9 Mar 2002

Brief Description: Statement from Detective Senior Constable RIVERA dated 05/03/2002 Goulburn Crime Scene Section on the 09/03/2002 in relation to attending Marks Park on the 23/11/1989 examining scene and the deceased body of John Allan RUSSELL. Job reference number 1989/2332.

Summary:

- Para 1-4:** Introduction and qualifications of RIVERA. Attends crime scene Marks Park Tamarama 23/11/1989 in company of Sergeant CAMERON. Proceeded to the rocks on the northern side of Marks Park. Detective CAMERON has a conversation with Constable BARRETT of Bondi Police Station. Examines the scene and the body of RUSSELL. Takes a series of photographs.
- Para 5-7:** Deceased located near a large boulder on the rock plateau below cliff. Laying face down in a small depression rock. Head located towards the cliff and his feet were pointing towards the sea. Left arm extended across the chest and positioned underneath the body. The right arm was extended out from the body and bent at the elbow. The right upper arm was resting on the left forearm. Legs and feet together. Describes clothing on the deceased.
- Para 8-9:** Laceration to left temple and grazes on both hands. Detective CAMERON records deceased suffered a broken left elbow and right wrist with no further apparent trauma to the body. Strands of hair adhering to one of the deceaseds hands. Packet of cigarettes and a green disposable lighter on the rock at the base of the cliff and a number of coins around the body. These items collected.
- Para 10-11:** Detective CAMERON conductes further investigations and S/cst RIVERA has no more involvement after leaving the scene. Produces photographs.

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NEW SOUTH WALES POLICE**STATEMENT in the matter of:****Place:** Goulburn Crime Scene Section.

Death of John Alan RUSSELL.

Date: 5 March 2002

Name: Manuel Antonio RIVERA 41 old. **Job No.:** 1989/2332
Address: Goulburn Crime Scene Section **Tel No.:** [REDACTED]
Occupation: Detective (Tech) Senior Constable **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. This 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. I have been a member of the N.S.W. Police Service for 20½ years. I am attached to the Goulburn Crime Scene Section where my duties include the examination of various scenes of crime, the evaluation and collection of physical evidence, and the preparation of scale plans. I have completed the Diploma of Applied Science In Forensic Investigation (N.S.W. Police) conferred by the Canberra Institute of Technology. I have also successfully completed the Crime Scene Examiners Course and Photographic Techniques Course conducted by the N.S.W. Police Service. I have been carrying out crime scene investigation duties for a period of 12 years during which time I have examined hundreds of crime and incident scenes, including in excess of 200 scenes of suspicious deaths, suicides, and homicides.

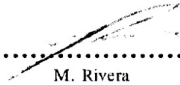
3. On 23 November, 1989, I was attached to the Crime Scene Unit, Sydney, and was undergoing training in crime scene investigation duties.

4. About 11.25am on Thursday, 23 November, 1989, in company with Detective Sergeant CAMERON of the Crime Scene Unit, I attended Marks Park at Tamarama, near Fletcher Street, in relation to the death of John Alan RUSSELL. We then proceeded to the rocks on the northern side of Marks Park between Hunter Park (at the

Witness.....


M. Hando
S/Constable
9 March 2002

Signature.....


M. Rivera
D/S/Constable
9 March 2002

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Name: Manuel Antonio RIVERA

north of Marks Park) and Mackenzies Point. Detective Sergeant CAMERON had a conversation with Constable BARRETT from Bondi Police Station and other police. We then examined the scene and the body of the deceased. During the course of our examination I took a series of photographs under the instruction of Detective Sergeant CAMERON.

5. There was a concrete path along the outer edge of Marks Park. On the seaward side of the path were cliffs and rocky outcrops. There was some damage to the vegetation on the seaward side of the path above the deceased's location. There was a 12.1 metre drop from the outcrop above to the deceased below.

6. The deceased was located near a large boulder on the rock plateau below the cliff. The deceased was lying face down in a small depression in the rock. His head was located towards the cliff and his feet were pointing towards the sea. His left arm was extended across the chest and positioned underneath the body. The right arm was extended out from the body and bent at the elbow. The right upper arm was resting on the left forearm. His legs and feet were together.

7. The deceased's clothing, consisting of a red sloppy joe which had motifs on the front and back, faded blue denim jeans, a pair of dark coloured socks and a pair of black canvas gym boots, were wet. There was a small amount of water in the depression he was lying in and at the time of our examination the tide was coming in.

8. The deceased had a laceration to the left temple and grazes on both hands. Detective Sergeant CAMERON had recorded that the deceased had sustained a broken left elbow and right wrist and no further apparent trauma to the body. There were strands of hair which were adhering to one of the deceased's hands. These were collected.

Witness.....

M. Hando
S/Constable
9 March 2002

Signature.....

M. Rivera
D/S/Constable
9 March 2002

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9. There was a packet of cigarettes, with 14 cigarettes remaining, and a green disposable cigarette lighter on the rock at the base of the cliff, and a number of coins around the deceased's body. These items were also collected.

10. Detective Sergeant CAMERON continued further investigations into this matter and I had no further involvement after leaving the scene. I have no knowledge as to the whereabouts of the exhibits or any analyses of them. Detective Sergeant CAMERON retired from the Service in February, 2001.

11. I PRODUCE 30 PHOTOGRAPHS NUMBERED 1 TO 30.

PHOTOGRAPH 1: View, generally south, of the path and vegetation above the deceased's location in Marks Park, Tamarama.

PHOTOGRAPH 2: View, generally south, of the vegetation and path above the deceased's location in Marks Park.

PHOTOGRAPH 3: View, generally south, of the vegetation above the deceased's location in Marks Park.

PHOTOGRAPH 4: View, generally north, of the path and vegetation above the deceased's location in Marks Park.

PHOTOGRAPH 5: View of the vegetation above the deceased's location in Marks Park.

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9 March 2002

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PHOTOGRAPH 15: View, generally north-east, of the deceased lying in the depression in the rock plateau.

PHOTOGRAPH 16: View, generally south, of the deceased near the large boulder.

PHOTOGRAPH 17: View, generally west, of the deceased looking towards the cliff.

PHOTOGRAPH 18: View, generally west, of the deceased's right side.

PHOTOGRAPH 19: View, generally south, of the deceased near the large boulder.

PHOTOGRAPH 20: View, generally east, of the deceased's left side.

PHOTOGRAPH 21: View of the outsole pattern of the deceased's shoes.



PHOTOGRAPH 22: View of the right side of the deceased's upper body.

PHOTOGRAPH 23: View of the deceased's left hand.

PHOTOGRAPH 24: View of the deceased's right hand.

PHOTOGRAPH 25: View of the deceased's right hand.

PHOTOGRAPH 26: View of the deceased's face.

Witness.......... Signature..........

M. Hando
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9 March 2002

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PHOTOGRAPH 27: View showing injuries to the left side of the deceased's face.

PHOTOGRAPH 28: View, generally west, of the packet of cigarettes and cigarette lighter at the base of the cliff near the deceased's location.

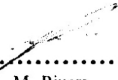
PHOTOGRAPH 29: View, generally south, of the large boulder and area where the deceased was located (at pool of blood), shown after the removal of the deceased.

PHOTOGRAPH 30: View, generally south, of the rock plateau below the cliffs at Marks Park looking towards Mackenzies Point.

Witness.....


M. Hando
S/Constable
9 March 2002

Signature.....


M. Rivera
D/S/Constable
9 March 2002