Bias Crime Indicator Form - No 36 RUSSELL

File Number: 359

Product Type: TEXT DOCUMENTS:Investigators Note

Date of Note: 24 May 2017

Brief Description: Murder of John RUSSELL (36) on 24 November, 1989.

This is an unsolved homicide case on file at the Unsolved Homicide Team.

It is the third case previously investigated by Strike Force Taradale along with the deaths of WARREN and MATTAINI.

About 10:30am on 24 November 1989 John RUSSELL was found deceased on a rock shelf below Marks Park by a passer-by.

RUSSELL was a homosexual male and had been an infrequent visitor to Marks Park for the purpose of casual encounters however it is not known if he met with any other person prior to his death.

During post mortem numerous bruises, lacerations and fractures were identified over the body with the cause of death stemming from the injuries sustained as a result of a fall from the rock platform above where RUSSELL was located.

No persons have been charged as a result of the death of RUSSELL with Deputy State Coroner MILLEDGE finding on the 9 March 2005 RUSSELL died from "Âmultiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown.Â

NSW POLICE FORCE

STRIKE FORCE PARRABELL

Bias Crimes Indicators Review Form

Investigation No:	36
Victim/Deceased:	John RUSSELL
Date of death:	24 November, 1989
Investigation Status:	Unsolved (S/F Taradale)
Offender/s:	N/A
Investigative Unit:	SCC Unsolved Homicide Team
Description:	About 10:30am on 24 November 1989 John RUSSELL was found deceased on a rock shelf below Marks Park by a passer-by. RUSSELL was a homosexual male and had been an infrequent visitor to Marks Park for the purpose of casual encounters however it is not known if he met with any other person prior to his death. During post mortem numerous bruises, lacerations and fractures were identified over the body with the cause of death stemming from the injuries sustained as a result of a fall from the rock platform above where RUSSELL was located. No persons have been charged as a result of the death of RUSSELL with Deputy State Coroner MILLEDGE finding on the 9 March 2005 RUSSELL died from "multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown."

Indicator 1 – 9 taken from the 'Responding to hate Crime – A multidisciplinary Curriculum for Law Enforcement & Victim Assistance Professionals. National Centre for Hate Crime Prevention, United States Department of Justice Office for Victims of Crime, 2000. Indicator 10 developed by NSWPF Bias Crimes based on research and cases.

1. Differences	
Prompts	Comment
Immutable characteristic differences between victim and POI's sexual orientation	On Thursday 23 November 1989 the body of John RUSSELL 31 years old, was discovered lying on rocks below the very popular Bondi to Tamarama walking path. The area where RUSSELL was found is known as 'Marks Park.' It was also known to be a beat frequented by men intending to meet other men for casual sex. RUSSELL was a homosexual male. Recorded in the ViCLAS (Violent Crime Linkage Analysis System) form, created by Plain Clothes Constable INGRAM, it is stated, "The victim was homosexual and was very open about his sexuality" (OD-660). No persons have been charged with the death of RUSSELL however this case is a current case on hand at the Unsolved Homicide Team (UHT). In a statement from RUSSELL'S brother Peter, he stated "when John was about 18 or 19 years of age I became aware that he was homosexual, mainly from the places he used to drink and the people he was associating with in his social life" (ST-814).
Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred	In the same ViCLAS form it is asked if the victim was affiliated with any organised group/organisation. Plain Clothes Constable INGRAM recorded 'Yes' specifying "Gay community." RUSSELL'S body was discovered lying on rocks below the Bondi to Tamarama walking path. This area was a known beat frequented by men intending to meet other men for casual sex.
Victim was engaged in activities promoting his/her group	Evidence suggests RUSSELL frequented the Marks Park area knowing it to be a beat location to engage in anonymous free sex with other men. "John [RUSSELL] was very well known in the gay community and was one of the instigators of the gay Mardi Gras. He was one of the people starting off the 'Sisters of Perpetual Indulgence' float."
Incident coincided with a holiday or date of particular significance to the victim or POI's group	RUSSELL'S body was discovered on the 23 November 1989. There is no evidence to suggest that this date had any particular significance to RUSSELL.
Victim, although not a member of the targeted group is a member a member of an advocacy group that supports the victim, or the victim was in company of a member of the targeted group	There is no information to suggest that RUSSELL was a member of an advocacy group. There were no witnesses at the time of his death; it is believed that RUSSELL was alone prior to being approached by a person or persons and being thrown from the cliff.

Historical animosity exists between the victim's group and the POI's group	Strike Force Taradale identified a number of youth gangs who were prolific in their involvement in assault and robbery offences around Marks Park and Tamarama in the period 1989 til 1990 targeting homosexuals. Evidence suggests a level of animosity existed between the suspects and homosexual males with motives including prejudice and homophobia, group initiation, proving masculinity, proving they are not gay, entertainment, robbery, alpha male syndrome, a belief that gay men are soft targets (who will not fight back or complain to authorities), and increasing standing by attacking those viewed as less legitimate.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	Yes
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No
GENERAL COMM	ENT

On Thursday 23 November 1989, the body of John Alan RUSSELL was discovered lying on rocks below the very popular Bondi to Tamarama walking path. The area where RUSSELL was found is known as 'Marks Park'. It was also known to be a beat frequented by men intending to meet other men for casual sex. RUSSELL was 31 years of age and a homosexual male. He resided with his brother Peter at Bondi. He was hard working, engaged in two jobs and had the support of a loving and committed family. He was excited about his plans to build a kit home' on his father's farm at Wollombi near Cessnock, funded by a substantial inheritance from his grandfather. He also intended to use some of that money to travel around Australia.

2. Comments, Written Statements, Gestures	
Prompts	Comment
Bias related comments, written statements or gestures were made by the POI	No persons have been charged for the death of RUSSELL however Deputy State Coroner MILLEDGE found that RUSSELL died from "multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown." Strands of human hair were observed adhering to RUSSELL'S left hand. There is evidence that these crucial hairs were from another person. Whilst there is evidence that these hairs were 'bagged' for analysis, they were lost well before the initial inquest and were never forensically examined as part of the investigation. There is no direct evidence suggesting any persons made bias related comments, written statements or gestures towards RUSSELL before, during or after his murder. Evidence suggests a group of males were responsible for the attack on RUSSELL along with a number of other assaults and murders in the same area. If RUSSELL was victim to the same group of males, it is likely certain bias related comments would have been made during the attack.
Comments and gestures can occur before, during and after the incident	On the 21 December 1989 DM was assaulted by a group of males near Marks Park. During the confrontation the males were saying "Poofta" and "You're gay, you're gay, you're gay." DM was viciously assaulted and kicked whilst they demanded money before one of the offenders dragged him down the footpath whilst saying, "I'm gonna throw you over the side." DM was dragged to a cliff edge with a 5 metre drop, in all he was dragged 13 metres. He managed to pull away and one offender chased him for 20 metres to the steps which lead up to Hunter Park (ST-809). Evidence suggests the group of males were responsible for a number of attacks on males they perceived to be homosexual in the Marks Park area in the time surrounding the death of RUSSELL.
Victims may not be aware of the significance of gestures made	Given reports such as that of DM i, if RUSSELL was victim to the same group of males, it is likely he would have been aware of the significance of any comments or gestures made by them, towards him.
Indicators	(y/n)

Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	Yes
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No

There is no direct evidence suggesting any persons made bias related comments, written statements or gestures towards RUSSELL before, during or after his murder. Evidence suggests a group of males were responsible for the attack on RUSSELL along with a number of other assaults and murders in the same area. If RUSSELL was victim to the same group of males, it is likely certain bias related comments would have been made during the attack and he would have been aware of the significance of any comments or gestures made by them, towards him.

3. Drawings, Markings, Symbols, Tattoos, Graffiti

Prompts	Comment
Bias related drawings, markings, symbols or graffiti were left at the scene or were seen on the POI	No bias related drawings, markings, symbols or graffiti were located around the body of RUSSELL. In the statement of Sergeant INGLEBY, he described several coins around the body of RUSSELL, being 1 x \$2 coin, 1 x \$1 coin, 2 x 50 cent coins and 3 x 20 cent coins. There is no indication that these were placed around the body of RUSSELL. Evidence suggest men who attended beat locations with the intention of engaging in sexual activity with other men would rattle keys or loose change in their pockets to indicate to other men that they were interested as a "method of non verbal body language" (ST-816). These coins may have fallen from RUSSELL'S pockets as a result of the fall from the cliff top.

Before discounting symbols, ensure that you understand the meaning of the symbol	No symbols were observed or recorded as being at the scene of RUSSELL'S body.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	Yes
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No

No bias related drawings, markings, symbols or graffiti were located around the body of RUSSELL. A number of coins were located on the rock ledge where his body was discovered. There is no indication that these were placed around his body, rather may have fallen from RUSSELL'S pockets as a result of the fall from the cliff top. Evidence suggests men who attended beat locations with the intention of engaging in sexual activity with other men would rattle keys or loose change in their pockets to indicate to other men that there interested as a "method of non verbal body language."

4. Organised Hate Groups (OHG)	
Prompts	Comment
Objects or items that represent the work of an OHG were left at the scene, e.g. business cards, flyers, burning cross	There is no evidence to suggest that objects or items that represent the work of an OHG were left at the scene.
An OHG claimed responsibility	No persons have been charged as a result of the death of RUSSELL. Strike Force Taradale identified a number of youth gangs were prolific in their involvement in assault and robbery

offences around Marks Park and Tamarama in the period 1989 til 1990 targeting homosexuals. The 'tags' linked with some of the groups were identified as "Park Side Killers" (PSK) and "Prime Time Kings" (PTK). Investigators employed an array of strategies in an effort to link the suspects to the murder of RUSSELL without success with all persons spoken to denying any involvement in the murder.

 There are indications that an OHG was involved or active in the area

"Many of the Marks Park victims that reported to police told of hearing their assailants threatening to throw them off the cliff face. There is no doubt that at the time of Mr Warren's and Mr Maittaini's disappearance and Mr Russell's death that was a Modus Operandi of some gay hate assailants. This strongly supports the probability that Mr Warren, Mr Maittaini and Mr Russell met their deaths this way." On the 9 March 2005 Senior Deputy Coroner Jacqueline MILLEDGE came to the following determination; "I find that John Alan Russell died at Marks Park, North Bondi between the 22 or 23 November 1989. The cause of death is multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown." Detective Senior Constable BISHOP wrote in his statement that "During 1989 through to the early 1990's there was a group of youths who associated together in the Bondi area and identified themselves as a gang called the PSK (Park Side Killers) they also referred to themselves as Bondi Boys." "The group of juveniles were particularly notorious for assault and robberies around the Bondi Beach front and break enter and steal offences. They would usually congregate around the Bondi Beach front area." "I [DSC BISHOP] recall during late 1989 and early 1990 a number of juveniles arrived in the Bondi area." "I recall shortly after their arrival a large amount of graffiti appeared on property in the south Bondi area particularly around Francis Street and Edward Street. I do not recall the TAG they used but it was used prolifically over a brief period." "During January 1990 I clearly remember going to a unit in <u>Moore Street</u> Bondi and speaking to <u>NP46</u> ...I vividly recall talking to <u>NP46</u> about the Graffiti that had appeared on the South Bondi Area and about the activities of the other juveniles associated with the PSK." "During that conversation I remember NP46 replying, "The Bondi Boys threw a poofter off the cliff at South Bondi." I believe NP46 described an area that I associated from his description as being Marks Park situated at the end of Fletcher Street Bondi.'

MO is similar to known MO of an OHG	The MO believed to be used by the offenders during the murder of RUSSELL is not specific or known to other OHG'S. No persons have been charged with the murder of RUSSELL; as such the exact MO is not confirmed.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	Yes
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information — insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No

No persons have been charged as a result of the death of RUSSELL. Strike Force Taradale identified a number of youth gangs were prolific in their involvement in assault and robbery offences around Marks Park and Tamarama in the period 1989 til 1990 targeting homosexuals. The 'tags' linked with some of the groups were identified as "Park Side Killers" (PSK) and "Prime Time Kings" (PTK). Investigators employed an array of strategies in an effort to link the suspects to the murder of RUSSELL without success with all persons spoken to denying any involvement in the murder.

5. Previous existence of Bias Crime Incidents

Prompts	Comment
Victim was visiting a location where previous bias crimes had been committed against members of the victim's group	RUSSELL'S body was discovered lying on rocks below the very popular Bondi to Tamarama walking path. The area where RUSSELL was found is known as 'Marks Park.' It was also known to be a beat frequented by men intending to meet other men for casual sex. In a statement obtained from Sue THOMPSON, Gay and Lesbian Projects Officer with the NSW Police Service dated 31 July 2001 based on her

research on gay-hate crimes and her specialised knowledge was able to say: (a) 22% of gay hate homicides between 1989 and 1999 (in NSW) occurred at "beats." "Giles Jacques MATTAINI disappeared in September 1985 - he has not been seen alive since that time; Ross Bradley WARREN disappeared on 22 July 1989 and he has not been seen alive since that time; John Alan RUSSELL went missing on the evening of 22 November 1989 and his body was found at the base of a cliff at Marks Park between Bondi and Bronte." The cases of these persons is linked by the following common features; * Each of them was a gay man and at the relevant time was aged between mid-20's to early 30's; * Each of them had no immediate history of suicide and each was generally in good spirits when last seen alive; * Russell met his death around Marks Park, South Bondi; Warren and Mattaini were apparently in that area in the time leading up to their disappearance..." "Similar offences... ii. Murder of Krichakorn Rattanajurathaporn on 20/21 July 1990 at Mackenzie's Point, South Bondi – NP24 i, NP22 and 23 NP22 and 23 were convicted of murder...; iii.
Assault of DM at South
Bondi on 21 December 1989 - NP43 NP43 and 9 others were identified in relation to that offence... Enquiries under Strike Force Taradale Several incidents occurred in the same area and indicated possible links between several the victims were members of the same group murders and a number of offences committed against homosexual males who had associations with beats in the greater Sydney region with the common link involving groups of youths targeting homosexual males at Bondi and Alexandria including; a) the murder of William Emanuel Allen at a toilet block at Alexandria Park on 28 December 1988, b) the suspicious death of John Alan Russell at South Bondi on 24 November 1989, c) the assault upon [__ at Bondi on 21 December 1989, d) the murder of Wayne Tonks at Artarmon on 19 May 1990, e) the the disappearance of Ross Warren from South Bondi on 21 July 1989. Victim has received previous harassing mail, There is no evidence to suggest RUSSELL was receiving any harassing email, social media posts or phone calls or has mail, email or phone calls, or had been been the victim of verbal abuse (anti-gay) based victim of verbal abuse prior to his death. on his/her affiliation with a targeted group It is unknown if RUSSELL was victim to any verbal abuse in the moments leading up to his death.

Recent bias incidents or crimes may have sparked retaliatory bias crime	Throughout the re-investigation under Strike Force Taradale, Detective Sergeant PAGE made a submission of significant links between other violent assaults, murders and robberies around Marks Park between 1985 and 1990. There is no evidence suggesting RUSSELL himself had been involved in recent incidents or crimes that may have sparked a retaliatory bias crime against him.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	Yes
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	Yes
CENEDAL COMM	FNIT

RUSSELL'S body was discovered lying on rocks below the very popular Bondi to Tamarama walking path. The area where RUSSELL was found is known as 'Marks Park.' It was also known to be a gay beat frequented by men intending to meet other men for casual sex. Enquiries under Strike Force Taradale indicated possible links between several murders and a number of offences committed against homosexual males who had associations with 'gay beats' in the greater Sydney region with the common link involved groups of youths targeting homosexual males at Bondi and Alexandria including; a) the murder of William Emanuel Allen at a toilet block at Alexandria Park on 28 December 1988, b) the suspicious death of John Alan Russell at South Bondi on 24 November 1989, c) the assault upon 10 May 1990, e) 10 May 1990, e) 11 May 1990, e) 11 May 1990, e) 12 May 1990, e) 13 Alice May 1990, e) 13 May 1990, e) 13 May 1990, e) 15 May 1990, e) 16 May 1990, e) 17 May 1990, e) 18 May 1990, e)

f) the disappearance of Ross Warren from South Bondi on 21 July 1989. There is no evidence suggesting RUSSELL himself had been involved in recent incidents or crimes that may have sparked a retaliatory bias crime against him.

6. Victim/Witness Perception	
Prompts	Comment
Witnesses (actual) perceive that the incident was motivated by bias	The body of RUSSELL was discovered about 10am on Thursday the 23 November 1989 by witnesses Neville SMITH and Rick SAXY. There were no actual witnesses to RUSSELL'S demise. There is limited information in respect to witness perception of the circumstances or motive surrounding RUSSELL'S death externally to the Police. As a result of the re-investigation under Strike Force Taradale, evidence was gathered indicating RUSSELL'S death was suspected to have been motivated by bias.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
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GENERAL COMM	ENT

The body of RUSSELL was discovered about 10am on Thursday the 23 November 1989 by witnesses Neville SMITH and Rick SAXY. There were no actual witnesses to RUSSELL'S demise. There is limited information in respect to witness perception of the circumstances or motive surrounding RUSSELL'S death externally to the Police. As a result of the re-investigation under Strike Force Taradale, evidence was gathered indicating RUSSELL'S death was suspected to have been motivated by bias.

7. Motive of Offender/s	
Prompts	Comment
Prompts • POI was previously involved in similar incident or is a member/associates with members of an OHG	On the 09 March 2005, Deputy State Coroner Jacqueline MILLEDGE found John Allan Russell died at Marks Park, North Bondi between the 22 or 23 November 1989, "the cause of death is multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown." At this stage, no persons have been charged with the death of RUSSELL. This investigation is currently active. Throughout the re-investigation under Strike Force Taradale, Detective Sergeant PAGE made a submission of significant links between other violent assaults, murders and robberies around Marks Park, specifically the death of RUSSELL and Ross WARREN. The matters primarily involved homosexual males as a target for the assaults. The other matters considered as part of the reinvestigation (Strike Force Taradale) were; 1985 missing person Giles MATTAINI, Marks Park (unsolved); 21 December 1989 GBH and attempted. sexual assault of DM Marks Park; December 1989 violent assault on Alex BOXSELL, Marks Park; January 1990, violent sexual assault by three persons of interest on 194 Marks Park; 24 January 1990, murder of Richard NORMAN, Alexandria (eight persons convicted in total, three persons charged with murder); 19 May 1990 murder of Wayne TONKS at Artarmon (teacher of student at Cleveland High school which links to suspects for other gay related murders) and; 21 July 1990, murder of Thai national Kritchikorn RATTAINAJURATHAPORN at Marks Park, three offenders were subsequently convicted of murder. Strike Force Taradale identified a number of youth gangs were prolific in their involvement in assault and robbery offences around Marks Park and
	Tamarama in the period 1989 til 1990

targeting homosexuals. The 'tags' linked with some of the groups were identified as "Park Side Killers" (PSK) and "Prime Time Kings" (PTK). In relation to the murder of RUSSELL, Dr. Alan CALA provided expert evidence related to the position of the body, that there was a probability that RUSSELL was thrown from the cliff. Dr. CALA concluded the injuries sustained were unsurvivable and RUSSELL would have been immediately incapacitated. The suspects identified during the Strike Force Taradale include; NP23 convicted for the murder of Thai national Kritchikorn RATTANAJURATHAPORN which involved an assault and robbery motive targeting homosexuals. RATTANAJURATHAPORN was thrown from the cliff top at Tamarama on 20 July 1990 following a violent assault. On 22 February 2002, NP22 was interviewed in relation to the murder of RUSSELL and WARREN. He involvement denied and further refused to be Due to his interviewed. propensity for violent offences and involvement in the murder of RATTANAJURATHAPORN, main suspect in the murder of WARREN and RUSSELL NP23 NP22 convicted for the murder of Thai RATTANAJURATHAPORN. Identified by the victim Alan BOXSELL for a serious assault and robbery offence while in company of NP43 at Marks Park Bondi on 18 December 1989. During the offence BOXELL had his car keys thrown into the water. No charges were preferred as the victim declined to proceed. On 22 February 2002, NP23 was interviewed in relation to the murder of RUSSELL and WARREN. involvement and refused to be further interviewed. Due to his propensity for violent offences and involvement in the murder of RATTANAJURATHAPORN, NP23 remains a main suspect for involvement in the murder of WARREN and

NP24 was convicted for the murder (joint enterprise) Thai national RATTANAJURATHAPORN with NP22 and 23 NP22 and 23 NP24 was also nominated for the serious assault on a second victim Geoffrey SULLIVAN who was RATTANAJURATHAPORN at the time of his murder. NP24 was identified with NP43 NP43 as suspects for a serious assault, attempted sexual assault and robbery of the victim DM at Marks Park on 21 December 1989. The attack involved three persons however the third person was not identified.

DM was threatened with being thrown over the cliff during the assault NP24 was subsequently interviewed in relation to the assault however was unable to recall his movements and no arrest was made for this offence. NP24 was interviewed by Taradale on 22 February 2002. He denied any knowledge in relation to the murder of WARREN and RUSSELL. During the interview NP24 spoke of his involvement in the robberv RATTÁNAJURATHAPORN. stating he had been in the car smoking and drinking alcohol NP22 and 23 when they decided to rob a gay male who was in the vicinity. During the assault the victim was backing away from the offenders when he went off the cliff. NP24 stated NP22 was carrying a claw hammer during assault. He disclosed during his association with NP22 NP23 they had had conversations about committing an assault and rob in the week prior to the death of RATTANAJURATHAPORN at Bondi, Given the association of NP24 with NP22 and 23 NP22 and 231 and his involvement in murder RATTANAJURATHAPORN at Marks Park, NP24 remains a suspect for the murder of WARREN and RUSSELL. Furthermore the.....possible involvement of NP24 in a

RUSSELL

similar assault and rob offence involving DM is involving proximate to the murder of RUSSELL. Sean CUSHMAN was a member of a Bondi gang named "Park Street Killers" between 1987-2002 known as "Cushy". । In 1996 CUSHMAN was charged with murder of in company of NP56 attempted to rob the victim at Waiora Avenue and Warners Road, Bondi. During the assault, CUSHMAN hit and kicked the victim to the head and body, as a result of the assault CUSHMAN and the victim fell onto the roadway where they collided with a state transit bus causing fatal injuries to injuries injuries to injuries injurie to his history, associates and propensity for involvement in violent offences CUSHMAN is considered by Detective Sergeant PAGE as the main suspect involved in the murder of RUSSELL. NP21 associated with the gang known as the "Alexandria 8". He was charged with the murder of Richard JOHNSON in company of NP16 and associates at Alexandria Park on 24 January 1990. The underlying motive for murder was a hatred for homosexuals. Due to his associations and prior modis operandi for assault operal robbery and offences, is considered a suspect for involvement in, or knowledge of the murder of

WARREN and RUSSELL NP16 was convicted of the murder of Richard JOHNSON following the violent assault and robbery targeting homosexuals in the area. While in detention, NP16 made disclosures to a work, 187 187 of his knowledge of a "gay" bashing murder that happened at Marks Park, a year prior to his conviction (within the time frame of WARREN and RUSSELL murders). There were limited disclosures of NP16 in relation to the Bondi murders. However due to the level of violence in targeting Richard JOHNSON as a homosexual and his disclosure of a bashing murder at Marks Park around the time of RUSSELL and WARREN'S murders he was considered a possible suspect. NP18 was convicted of the murder of Richard JOHNSON which occurred at Alexandria Park on 24 January 1990. Around the period of the murder of WARREN RUSSELL, NP18 had associations with the group known as PSK (Park Side Killers – NP22 and 23 NP22 and 23 There is no evidence to suggest The victim was in company of a member of the RUSSELL was in the company of any targeted group other person at the time of his death. On the evening of 23 November 1989, RUSSELL was drinking with a friend Peter 1403 at the Bondi Hotel, Sydney. RUSSELL was reportedly in good spirits. The following evening he was to attend a send off function which he arranged at the Legion Club, Sydney. I403 left the venue at 11pm when he reported last seeing RUSSELL alive.

1403 described RUSSELL as being moderately affected by alcohol but not drunk and was running short of money. At 10:30am on 24 November 1989 RUSSELL was found deceased on a rock shelf below Marks Park by a passer-by. RUSSELL had been an infrequent visitor to Marks Park for the purpose of casual sexual encounters however it is not known if he met with any other person just prior to his death. At the time of his death, RUSSELL was The victim was perceived to be breaking from employed as a barman at a bowling club traditional conventions or working non-traditional in the eastern suburbs and was single. employment There is nothing to suggest that RUSSELL was breaking from traditional conventions.

The POI has a history of previous crimes with similar MO and involving other victims of the same group	No persons have been charged as a result of the death of RUSSELL. Throughout the course of the investigation, a number of suspects were identified. These suspects were predominately identified as a result of their history of previous crimes with a similar MO and involving homosexual men around the Bondi and inner city area.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	Yes
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No

On the 09 March 2005, Deputy State Coroner Jacqueline MILLEDGE found John Allan Russell died at Marks Park, North Bondi between the 22 or 23 November 1989, "the cause of death is multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown." At this stage, no persons have been charged with the death of RUSSELL. This investigation is currently active. Throughout the re-investigation under Strike Force Taradale, Detective Sergeant PAGE made a submission of significant links between other violent assaults, murders and robberies around Marks Park, specifically the death of RUSSELL and Ross WARREN. The matters primarily involved homosexual males as a target for the assaults. Strike Force Taradale identified a number of youth gangs were prolific in their involvement in assault and robbery offences around Marks Park and Tamarama in the period 1989 til 1990 targeting homosexuals. The 'tags' linked with some of the groups were identified as "Park Side Killers" (PSK) and "Prime Time Kings" (PTK). In relation to the murder of RUSSELL, Dr. Alan CALA provided expert evidence related to the position of the body, that there was a probability that RUSSELL was thrown from the cliff. Dr. CALA concluded the injuries sustained were unsurvivable and RUSSELL would have been immediately incapacitated. In a statement obtained from Sue THOMPSON, Gay and Lesbian Projects Officer with the NSW Police Force dated 31 July 2001 she stated that 22% of gay hate homicides between 1989 and 1999, in NSW occurred at "beats" with motives including prejudice and homophobia, group initiation, proving masculinity, proving they are not gay, entertainment, robbery, alpha male syndrome, a belief that gay men are soft targets (who will not fight back or complain to authorities), and increasing standing by attacking those viewed as less legitimate.

8. Location of Incident	
Prompts	Comment
The victim was in or near an area or place commonly associated with or frequented by members of a particular group e.g. beat	"Marks Park at Tamarama is situated on a headland between Bondi Beach and Tamarama Beach. The park is predominately open space with a walkway on its eastern side travelling adjacent to the ocean front. The park is boarded by Marks Lane to the west and the area is residential with a mix of detached dwellings and unit blocks. The park itself is somewhat elevated. However there are several locations where steps have been created for easy access to the coastal walkway." "Marks Park is formally called MacKenzies Point. The area is a popular walking track during the day and at night gay men will 'cruise' the coastal walkway rattling keys or coins as an indication of their availability for personal contact. Some vegetation and rock formations provide a screen for the men to engage in physical contact, but mostly once a person was 'engaged' the parties would retreat to cars or homes. It was well known to everyone in the community that this was a beat, including the police.
The location of an incident has specific significance to the victim or POI group e.g. cemetery, religious building, historical landmark, etc etc	Expert evidence was given at inquest into the nature of men who engage in sex in these areas. Gay men, and men who have sex with men, frequent 'beats' to engage in anonymous free sex. There are 'beats' in all areas including country NSW. 'Beats' can differ from place to place to suit the different needs of men who frequent them. Marks Park was known as a night time 'beat; and was very busy and popular. RUSSELL was an infrequent visitor to Marks Park however the location is not known to have held any specific significance to him other than being a location he could attend to engage in anonymous sex with other men. The listed suspects targeted beat locations with the view of locating and identifying a homosexual victim for assault, robbery and murder offences.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	Yes

Suspected Bias Crime – evidence/information exists that the incident may have been motivated by bias but the incident cannot be proven beyond a reasonable doubt that it was either wholly or partially motivated by bias and constitutes a criminal offence.	No
No Evidence of Bias Crime – the incident has been determined as either not being motivated by bias towards a protected group or although bias motivation is in evidence it does not relate to a protected group.	No
Insufficient Information – insufficient information has been recorded to make a determination in regards to bias motivation. This may be due to a lack of detail recorded by police or a lack of information supplied by victim's and/or witnesses.	No

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9. Lack of Motive	
Prompts	Comment
No clear economic or other motive for the incident exists	No persons have been charged in respect to the death of RUSSELL. All available techniques available to OIC of Strike Force Taradale, Detective Sergeant PAGE were utilised including covert devices, telephone interceptions and undercover operations. A number of motives were established and linked to the identified suspect groups however in the absence of persons being charged; the exact motive cannot be established.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No

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10. Level of Violence

Prompts	Comment
The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type The level of violence and injuries sustained by the victim sustained by	The post mortem of RUSSELL was conducted at Department of Forensic Science Glebe by Dr. Sylvia HOLLINGER. During post mortem numerous bruises, lacerations and fractures were identified over the body, the cause of death was "multiple injuries linked to a fall from the rock platform above where RUSSELL was located." Toxicology confirmed blood alcohol levels of 0.225g per 100ml were detected, no drugs were present. In the opinion of Dr. MOYNAN of Police Clinical Services, he commented on the variability of toxicology as the records did not indicate if purification of the body was determined. He stated, (assuming no purification had occurred) the toxicology reading of 0.255 grams of alcohol per 100 millimetres of blood would indicate a significantly impaired ability to function. At inquest in 2005, Deputy State Coroner Jacqueline MILLEDGE found, RUSSELL died at Marks Park, North Bondi between the 22 or 23 November 1989, "the cause of death is multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown."

(clearly hair depicted in photographs) adhering to the left hand of RUSSELL. On 11 July 2001, Dr. CALA provided an opinion on the colour of the hair located with RUSSELL which he described as "blonde, or "light brown" as distinct from RUSSELL'S hair colour which was brown. Dr. CALA based his expert opinion from photographs only as the exhibits are unable to be located. With evidence suggesting the clump of hair located in RUSSELL'S hair not belonging to him, it is suggested that a violent struggle occurred in the moments before RUSSELL was thrown from the cliff top.

Weapons of opportunity are used in the incident

Many of the Marks Park victims that reported to Police told of hearing their assailants threatening to throw them off the cliff face. There is no doubt that at the time of RUSSELL'S death, that was a Modus Operandi of some gay hate assailants. This strongly supports the probability that RUSSELL met his death this way. The injuries identified on the body of RUSSELL do not appear to have been caused by weapons. The possibility of some kind of weapon being used to threaten RUSSELL is however entirely possible. In testament from a victim who was fortunate enough to survive his attack, he stated, "They started to drag me around. I was on the ground and they were literally dragging me. I don't remember much, I blanked a lot of that part of it out. I remember from when it started, the bashing and everything started, I don't remember much. I remember screaming for help, I remember the comments coming from the units...They had a stick in their hand and they kept saying that they're - excuse my expression - 'shove it up my arse', and that petrified me even more" As he was being dragged, one of his assailants said "I'm going to throw you over the side". At the time that was said the victim had been dragged to the top of the cliff face." Another victim, 134 scrotum and nipples with a lighter during his assault in February or March 1990. Victim, Alan BOXELL was assaulted by suspects. | NP22 and 23 and | NP24 | on the 18 December 1989. During BOXELL'S assault he was taunted with being a "poofter" while being hit with a skateboard to the chest and kicked in the face causing a fracture of the nasal bone, ribs and abrasions. In incidents where the victim survived their attack, evidence suggests weapons opportunities were used during the assaults to either inflict further injury or to instil fear in their victims.

The number of POI's is greater than the number	Throughout Strike Force Taradale
of victims and all POI's take an active role in the	Detective Sergeant Page targeted three
	main groups of offenders. For ease of
assault	investigation strategy he nominated the
	following groups;
	Tamarama Three – NP22 and 23
	NP22 and 23
	NP22 and 23 land NP24
	NP24 NP22 and 23
	NP22 and 23 With NP24
	NP24 were charged with the murder of Lrichakorn
	RATTANAJURATHAPOR
	N at Mackenzies Point
	(adjacent to Marks Park)
	on 21 July 1990 and the
	assault and robbery of
	Geoffrey SULLIVAN. The
	homicide was committed
	specifically targeting gay
	males who attended the
	location; the victim was robbed then thrown from
	the cliff face sustaining
	sever injuries before
	drowning in the water
	below. SULLIVAN later
	, identified NP22
	NP22 and NP24
	NP24 as the offenders.
	`All three were convicted of
	murder involved in a joint criminal enterprise.
	• Alexandra Eight – NP21
	NP21 : NP15 :
	NP15 NP16
	NP17 NP18
	NP18 NP19
	NP19 NP20
	and Alex NP41
	The group also included
	frequent associates [NP50] NP50 and NP42
	NP50 and NP42 NP42 The Alexandria
	Eight were identified as the
	group involved in assault
	and robbery offences
	around Alexandria, Bondi
	and Tamarama in 1989.
	The Alexandria Eight were
	charged with the homicide
	of Richard Norman
	JOHNSON at Alexandria Park on 24 January 1990.
	Bondi Boys – Information
	was gathered from
	intelligence holdings and
	local knowledge of police
	attached to the Bondi
	Patrol between 1985 and
	1992. Detective Senior
	Constable BISHOP
	performed general and
	investigation duties at the Bondi patrol between May
	1987 and November 1995.
!	1307 and November 1993.

	He identified members of the Bondi gang also known as "Park Side Killers" (PSK) who were responsible for several violent assault and robbery offences in the Bondi Patrol over this time. The members of the Park Side Killers (PSK) gang were identified as Sean CUSHMAN, NP54. NP54. and NP92. Associates of the gang were identified as CUSHMAN, NP54. NP52. Associates of the gang were identified as NP52. NP48. NP48. and NP93. In all of the reported assaults against homosexual males in the Marks Park area there appears to be a "disproportionate level of gay hate homicides perpetrated by teenagers, with their predominant characteristics being white Caucasian single and unemployed." These assaults have involved groups of males targeting homosexual men or men they perceived as being homosexual who were more often than not on their own at the time of being attacked. In the case of RUSSELL there is no evidence suggesting he was in the company of any other person at the time he was thrown from the cliff top.
Indicators	(y/n)
Evidence of Bias Crime – sufficient evidence/information exists to prove beyond a reasonable doubt that the incident was either wholly or partially motivated by bias towards one of the protected categories and constitutes a criminal offence.	No
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SUMMARY OF FINDINGS

Indicator: Suspected Bias Crime (SBC)

Comment: John Alan RUSSELL was 31 years of age and homosexual. He resided with his brother Peter at Bondi. He was hard working, engaged in two jobs and had the support of a loving and committed family. He was excited about his plans to build a 'kit home' on his father's farm at Wollombi near Cessnock, funded by a substantial inheritance from his grandfather. He also intended to use some of that money to travel around Australia.

On Thursday 23 November 1989, the body of RUSSELL was discovered lying on rocks below the very popular Bondi to Tamarama walking path. The area where RUSSELL was found is known as 'Marks Park'. Marks Park was formally called MacKenzies Point. The area is a popular walking track during the day and at night gay men will 'cruise' the coastal walkway rattling keys or coins as an indication of their availability for personal contact. Some vegetation and rock formations provide a screen for the men to engage in physical contact, but mostly once a person was 'engaged' the parties would retreat to cars or homes. It was well known to everyone in the community that this was a beat, including the police. Expert evidence was given at inquest into the nature of men who engage in sex in these areas. Gay men, and men who have sex with men, frequent 'beats' to engage in anonymous free sex. There are 'beats' in all areas including country NSW. 'Beats' can differ from place to place to suit the different needs of men who frequent them.

Enquiries under Strike Force Taradale indicated possible links between several murders and a number of offences committed against homosexual males who had associations with 'gay beats' in the greater Sydney region with the common link involved groups of youths targeting homosexual males at Bondi and Alexandria including; a) the murder of William Emanuel Allen at a toilet block at Alexandria Park on 28 December 1988, b) the suspicious death of John Alan Russell at South Bondi on 24 November 1989, c) the assault upor

DM i at Bondi on 21 December 1989, d) the murder of Wayne Tonks at Artarmon on 19 May 1990, e) the

f) the disappearance of Ross Warren from South Bondi on 21 July 1989. There is no evidence to suggest RUSSELL himself had been involved in any recent incidents or crimes that may have sparked a retaliatory bias crime against him.

On the 09 March 2005, Deputy State Coroner Jacqueline MILLEDGE found John Allan Russell died at Marks Park, North Bondi between the 22 or 23 November 1989, "the cause of death is multiple injuries sustained when he was thrown from the cliff onto rocks, by a person or persons unknown." At this stage, no persons have been charged with the death of RUSSELL. This investigation is currently active.

Strike Force Taradale identified a number of youth gangs were prolific in their involvement in assault and robbery offences around Marks Park and Tamarama in the period 1989 til 1990 targeting homosexuals. The 'tags' linked with some of the groups were identified as "Park Side Killers" (PSK) and "Prime Time Kings" (PTK). In relation to the murder of RUSSELL, Dr. Alan CALA provided expert evidence related to the position of the body, that there was a probability that RUSSELL was thrown from the cliff. Dr. CALA concluded the injuries sustained were unsurvivable and RUSSELL would have been immediately incapacitated.