



Special Commission of Inquiry into LGBTIQ hate crimes

Statement of Adrian Macdonald Ingleby

7 June 2023

This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give to the Special Commission of Inquiry into LGBTIQ hate crimes as a witness. The statement is true to the best of my knowledge and belief.

1. My name is Adrian Macdonald Ingleby. My address is known to the Special Commission of Inquiry.
2. I retired from the New South Wales Police Force in January 2008 at the rank of Senior Sergeant.
3. I have conducted inquiries in relation to the death of John Alan Russell who died at Bondi on or about Wednesday, 22 November 1989.
4. I served in the New South Wales Police Force for 38 years. My locations and duties were:

Date	Event
1970	Probationary Constable at Newtown Police Station.
1971	Commenced criminal investigation training working with detective staff in the Newtown Detectives Office.
1973	Commenced duty in the Waverley Detectives Office. At that time all the detectives were assigned to No. 10 Division, an area which covered the Police Stations located at Waverley, Bondi, Rose Bay and Paddington. We all worked out of the Waverley Detectives Office.
1974	In 1974 the detectives were dispersed to work from the 4 police stations and I moved to Bondi Police Station.
1975	I completed the Detectives Training Course in 1975.
1976	Commenced duty at the Armed Hold Up Squad, Criminal Investigation Branch, Sydney, working there until 1980.
1980	Commenced duty at Bondi Detectives Office working there until I transferred to General Duties [Uniform duty] in 1984.

Statement of Adrian Ingleby – 7 June 2023

1984	Commenced duty at Darlinghurst Police Station; attached there for about 1.5 years to 1985.
1985	Commenced duty at Bondi Police Station working there until 1993.
1993	Commenced duty at Petersham Police Station as the Patrol Tactician at the rank of Senior Sergeant. I worked at Petersham Police Station until 1997 when a new Police Station was built at Marrickville and the staff from Petersham and the old Marrickville Police Station moved into the new building where I worked as a Team Leader / Shift Supervisor. I retired from the New South Wales Police Force in January, 2008.

5. In all, between 1973 and 1993, I spent a total of approximately 15 years working in the geographical locations covered by staff working from the Waverley and Bondi Police Stations.
 - a. 1973-1976 [3] – Waverley/Bondi CI Duty
 - b. 1980-1984 [4] – Bondi Criminal Investigation (C.I.) duty
 - c. 1985-1993 [8] – Bondi General Duties.
6. In regard to my 38 years of police service I spent 11 years doing C.I. duties and 27 years doing General duties.

Crime Scene, Bondi, 23 November 1989

7. On Thursday, 23 November 1989 I was rostered for duty at Bondi Police Station as the ‘Supervisor’ for the shift between the hours of 7.00am to 3.30pm. As a result of information received either by telephone at the police station or via the Police radio network, I attended the intersection of Marks Lane and Marks Park at Bondi in regard to the deceased body of a person later identified as John Russell being found lying on the sandstone floor at the bottom of a cliff-face which at a very “rough estimate” would stand approximately 40 to 60 metres high. On arrival at the scene I spoke to a witness, Neville Francis Smith at 10.13am and I left the scene at 12.25pm.
8. Constables Michael Barrett and Brad Scanlan arrived at the scene to assist. Detective Constable 1/c David Owens and P.C. Constable Sally Dunbar from the Bondi Detectives office arrived at the scene about 10.29am and took charge of the investigation.
9. Detectives Carl Cameron and Manny Rivera from the NSW Police, Crime Scene Unit arrived at the scene about 11.23am to conduct a forensic examination. They issued job reference number 89/2332 to identify the product of their forensic examination. That examination, as is standard

Statement of Adrian Ingleby – 7 June 2023

- procedure, involved photographing the body and the surrounding area and securing any relevant evidence including the strands of hair adhering to the left index finger.
10. Whilst at the crime scene I recorded notes in my official police notebook number F63108, commencing on the reverse side of Page 11, through to Page 17 inclusive. Those notes included my observations, the names of witnesses, times of arrival of persons, the description of property located and I drew two sketches setting out the way in which the deceased body was lying on the sandstone floor (**SCOI.83535**).
 11. The first sketch setting out the position of the body of John Russell is recorded on the reverse side of page 12 of **SCOI.83535** and I made notes in relation to items that I saw and observations that I made on the accompanying page 13 of **SCOI.83535**.
 12. Those notations were:

“Dark blue gym boots / Faded blue jeans / Red sloppy joe / Some water in Rock Pool plus blood / Tear to left knee of jeans.”
 13. My sketch shows the body lying with the chest down and resting on the sandstone floor with the head turned to the right side, that is with the left side of the face and head resting on the sandstone floor. The left arm was lying under the body and it was extended across under the chest and the left hand and part of the arm were visible as they protruded out from under the right side of the body.
 14. I specifically drew and noted the position of left index finger and thumb of the left hand because of ‘hair/s’ that I saw adhering to the left index finger.¹ The right arm was extended above the shoulders and the head and the elbow were slightly bent leftwards. The red sloppy joe is shown to be in the upwards position from the waist line of the faded blue jeans; that is there was a space between the waist line and the bottom edge of the sloppy joe. I noted the position of two 50 cent coins and a \$1 coin. I drew the shape of the border outline of the ‘rippled sandstone edge’ floor surrounding the body. I did this in an attempt to pinpoint a reference point for the position of the body in my sketch.
 15. On the reverse side of page 13 of **SCOI.83535**, I made other notes:

¹ See notation on Notebook F63108, 15 (**SCOI.83535**).

Statement of Adrian Ingleby – 7 June 2023

“20c west of body / Stuyvesant Filter 20 (14 cigs) under over hang /Blue Cig lig [hter] further under / Coke bottle on Rock closest Legs / Tide coming in starting to splash over rock ledge at waters edge 10.35am.”

16. On page 15 of **SCOI.83535**, I made the notation:

“Jeans wet / Hair on left hand behind l/l/f. [abbreviation for left index finger] and 11.23am Crime Scene [Unit] 89/2332 Manny Rivera / Carl Cameron. [Crime Scene Unit detectives]”

17. The second sketch setting out the position of the body of John Russell is recorded on the reverse side of page 15 and I made notes in relation to items that I observed on the accompanying page 16.

18. My sketch shows the distinctive squarish or rectangular shaped sandstone rock next to which the body lay. Next to the rock I have drawn two lines imitating the edge form/shape of the ‘rippled sandstone edge’ as an identifying feature in relation to the positioning of the body. The body is drawn showing it lying face down with the feet closer to the rectangular shaped rock and the upper body furthest away.

19. On page 16 of **SCOI.83535**, I made the following notes:

“1.62 cms tall / 1 x 50c / 1 x 50c / 1 x \$1 / 1 x \$2 / 1 x 20c / 1 x 20c [total] \$2.60

+ 20 to left – (Shoulder under ledge)

Cricketers Club of NSW / 1ST Flr 11 Barrack St City 267-5861 ½ full”

20. On the reverse side of page 16 of **SCOI.83535**, I made the following notes:

“12.08 pm Thurs 23.11.89 / J A RUSSELL / 2438 4 39 419916 / 21/11/89 \$6.83 / National Aust Bank.

Both knees of jeans have horiz cut along knee area.”

21. On page 17 of **SCOI.83535**, I made the following notes:

“Blood from nose & mouth / Gash from left eyebrow edge to forehead hair line 2cm wide x abt 5-6 cms long / Leave Scene 12.25pm Govt Contractors arrive.”

22. In relation to the “hair/s” on the left index finger I made a notation on page 15 of **SCOI.83535**, “Hair on left hand behind l/l/f”. As depicted in the sketch on the reverse side of page 12 of **SCOI.83535**, I did not draw the hair in my sketch of the body and the left hand.

Statement of Adrian Ingleby – 7 June 2023

23. I used the words “behind l/l/f” which indicates that the “hair/s” were on top of the left index finger and maybe also a little to the side of it. In any case the “hair/s” were visible to me when standing next to and above the body looking down at it.
24. In regard to the volume of hair on the left index finger, my memory is that there were at least two strands, maybe three, I do not think there were more. I note that I wrote the singular word “Hair” and not “Hairs” in my notebook entry. There were definitely two strands of hair possibly three. In explanation, if I spoke the words “the hair on the head,” I would be referring to more than one hair strand but I am not saying that such a thought was operating on my mind at that time. At the time that I saw and recorded the information about the hair strands it was a cursory observation as I did not want to disturb the body or the crime scene as I knew that the Crime Scene detectives would be conducting their forensic work and that they would be taking photographs of the “hair/s” evidence and would be securing them as an exhibit. I did not make any kind of comparison between the hair/s on the finger and Mr Russell’s hair because this was the job of the Crime Scene detectives.
25. The “hair/s” adhering to the left index finger, to me, were a significant piece of evidence and it raised suspicion in my mind.
26. The hair/s were important evidence and they, I believe, led to a reasonable assumption that should Mr. Russell have been thrown, pushed or herded off the cliff-top by an offender or offenders, then he would surely have struggled for his life. In such a situation he would have been desperately resisting his assailant/s as he was being pushed or forced towards the cliff edge and those hairs may well have come from the head of one of the persons against whom he desperately struggled.
27. The process of calling detectives to the scene of any death to make an assessment is standard operating procedure; however, on this occasion the significance of the “hair/s” made it imperative that the detectives took control the investigation.
28. On 26 February 1990, I prepared a six-page statement for the inquest touching upon the death of John Alan Russell (SCOI.02744.00075). To assist me, I had access to the Crime Scene Unit photographs taken by Detectives Cameron and Rivera. Listed below are alphabetical reference numbers identifying each of the 4 photographs [j – l – M – S – l], together with my written description of what is contained in each of the photographs:
 - a. Page 2, Paragraph 7:
 - i. Photograph j – “There was a 50 cents coin in the pool next to the body,”

Statement of Adrian Ingleby – 7 June 2023

- ii. Photograph I – “and a one dollar coin further across at the pools edge. A 50 cent coin was on the rock further across from the top of the body. A 20 cent coin was found near the left shoulder under the rock pool ledge.”

b. Page 3, Paragraph 8:

- i. Photograph M – “I noted that there was some hair adhering to the left hand of the body behind the left index finger.”
- ii. Photograph S – “I saw a packet of Peter Stuyvesant Filter 20 cigarettes, which was later found to contain 14 cigarettes under the cliff face overhang in a pool of water and a blue disposable cigarette lighter was further under the same over hang.”
- iii. Photograph I – “There was an empty Coca Cola bottle with screw cap on the top of the large Rock just south of the body.”

Discussion re beats

- 29. I was aware that the toilet block in Bondi Park immediately below Notts Avenue was a beat. In 1973 or 1974, reports were received of instances of the bashing of gay men in toilet blocks in the Randwick area (No. 15 Division). The Chief of Detectives at Waverley Police Station made a decision to conduct an operation utilising police in plainclothes working in and around the Notts Avenue public toilet block with a view to arresting any offenders loitering with intent to assault or assault and rob or in the act of doing so. I worked with a Detective Senior Constable on the operation for at least two or three nights but no assaults took place.
- 30. During the evening at times there would be at least 5 to 10 males in the male section of the toilet block and the same number loitering in the vicinity of the grassed area outside. A succession of different males were arriving and leaving all night and entering and leaving the male toilet block while there. It was a very active area.
- 31. Some time later, maybe years later I became aware that Waverley Council had adopted a procedure of locking the gates to the toilet block at night. Such action was, no doubt, taken to prevent members of the public who wanted to use the toilet facility at night for the purposes originally intended, from being exposed to lewd behaviour. I don't know if in 1973-4 the walking path area south of Notts Avenue was used as a gay beat. However, the locking of the toilet block gates may have led to persons choosing to move to the area south of the Notts Avenue cul de sac.

Statement of Adrian Ingleby – 7 June 2023

32. In 1989 I wasn't specifically aware that the area south of Notts Avenue was used as a gay beat; but due to its close vicinity to the Notts Avenue public toilets the possibility of its being so was in my mind. Over the years working at Bondi Police Station, I have been aware that men sunbake naked in and around the rock area at sea level and on the cliff tops in that area near the walking path.

John Russell's clothing placed on a mannequin

33. On Monday 1 May 2023, I attended the Chief Secretary's Building, Bridge Street, Sydney for a conference with staff at the Special Commission of Inquiry. I was advised by staff that they had a copy of a document from the NSW Police Crime Scene Unit that indicated that members of the NSW Police – Crime Scene Unit had placed the clothes of John Russell onto a dummy or mannequin and that the Crime Scene Units' record indicated that someone rang me on 9 December 1989 at 2330 and advised that a dummy would be dressed (NPL.0100.0002.0017). The notes also indicate that 2 sets of 7" x "7 prints and box of clothing were picked up by C A Brooks on 20 February 1990.
34. I do not have an independent recollection of the call on Saturday, 9 December 1989. If that is the correct date, and having regard to my police notebook, on Saturday, 9 December 1989, I was rostered for duty at Bondi Police Station between the hours of 11pm to 7.30am inclusive, working on the first response vehicle Bondi 1 with Constable Dalton. A night shift consists of seven shifts commencing on a Thursday night through to the following Wednesday night. I worked on a response vehicle with a constable and the second constable performed station duty. The two constables alternate between station duty and the response vehicle. The two constables working with me during this block of night shifts were Constables Dalton and Craig Brooks. To clarify, on Friday, 8 December 1989, as recorded in my notebook, I was in the response vehicle with Constable Brooks. Therefore, on 9 December 1989, as I was in the response vehicle with Constable Dalton, the station constable was Constable Brooks.
35. I did not have any involvement with the dummy being dressed with Mr Russell's clothing nor do I recall seeing it outside the Bondi Police Station or elsewhere. I have no knowledge about Mr Russell's clothing being 'cleaned'.

Witness – Rodney Vincent Stinson

36. About 9.40pm on Sunday, 24 December 1989, Rodney Vincent Stinson telephoned Bondi Police Station to advise that he had information about an incident at the gay beat. On Tuesday, 26 December 1989, I was rostered for duty at Bondi Police Station between 7.00am and 3.30pm on

Statement of Adrian Ingleby – 7 June 2023

response vehicle Bondi 1 with Constable Lesue. Mr. Stinson attended the station and I took a two page statement from him.

37. In his statement Mr Stinson told me that he was gay and that he frequented the area around Notts avenue and south to Mackenzies Bay. He told me that he knew a male who frequented the area for 4 or 5 months. He did not know the person's name but referred to him as "Red". Mr. Stinson alleged that about 3 weeks earlier, on or about 5 December 1989, he saw "Red" just north of the Fletcher Street steps and "Red" said to him, "There was a lot of shouting going on a few days ago, probably a bashing but I don't know."
38. Mr Stinson saw "Red" again about 8.00pm on Sunday 24 December 1989 and asked him to contact Police but "Red" declined.
39. Mr Stinson in his statement told me that about 2 months previous; (approximately late October 1989) "Red" had told him that a middle-aged man, crazy or looney, had tried to push him off the path and over the cliff near the Fletcher Street steps after the guy apparently wouldn't take "No" for an answer and got violent. Mr Stinson attended the area on a number of occasions and invited or offered to drive "Red" to the Police Station but "Red" declined.
40. I attended the area with Mr Stinson on a number of occasions at night, but we were unable to locate the person "Red" who frequented the area. During the patrols of the area I noted that even at night the area of the footpath above where the deceased John Russell was found, that is near the Fletcher street steps, had good light; that is even though there are no lights fitted. I found the area to have reasonable light even on cloudy nights. Light in the area seems to reflect off the water and the beach front. I knew from previous local knowledge that the area near the Notts Avenue toilet block was frequented by the homosexual element.
41. During my foot patrols of the area I could see many men in the area, sitting and walking, or 'cruising' as it is known. On one occasion I saw a male person sitting alone on a rock ledge at the edge of the cliff. I asked Mr Stinson if this was unusual and he said it wasn't, as the person was probably indicating that he wanted to be alone for the moment and would probably move onto the footpath when he wanted to make contact with another person. He stated that contact between the gay men was not verbal, but was by 'body language', and eye contact.
42. I had received information from a Constable at Bondi that one method used for contact between the 'gays' was by rattling coins in the hand or rattling keys. When this was done, interested persons

Statement of Adrian Ingleby – 7 June 2023

would come out of hiding from the bushes. I put this to Mr Stinson however he stated that he was not aware of it. He stated that persons who had made contact may go into the bushes.

43. On Tuesday, 27 February 1990 I was rostered for duty at Bondi Police Station as ‘Supervisor’ between the hours of 3.00pm to 11.30pm. Between the hours of 9.10pm and 9.25pm I did a foot patrol in the vicinity of south Bondi and Marks Park in an endeavour to locate the witness known as “Red” and he was not seen (SCOI.83536).
44. On Thursday, 1 March 1990, I was rostered for duty at Bondi Police Station as ‘Supervisor’ between the hours of 3.00pm and 11.30pm. About 10.15pm with witness Rod Stinson I walked the area of south Bondi in an attempt to locate the witness he described as “Red”, we did not see him. Mr Stinson gave me the following description of “Red”: Graham (Red) 35 old, 5’ 8” slt to med bld, slow talking, smoker, red hair – January (grey recently) Seen Rushcutters Bay, poss from Dubbo.” (SCOI.83537).
45. After interviewing Mr Stinson on Sunday, 26 December 1989, I formed the view that the person “Red” could be an important witness relating to the investigation into the death of John Russell. The person “Red” heard:
- a. “a lot of shouting” – “probably a bashing but I don’t know,” which had allegedly occurred on or about 5 December 1989, that being 12 or 13 days after Mr Russell’s death.
 - b. In October 1989, “a crazy or loony man had tried to push him off the path and over the cliff near the Fletcher Street steps after the guy apparently wouldn’t take “No” for an answer and got violent.”
46. I left the statement that I took from Mr Stinson with a note attached to it, in the Detectives Office “In tray.”

Assault & robbery victim – [DM]

47. On Wednesday, 3 January 1990, I was rostered for duty at Bondi Police Station between the hours of 3.00pm through to 11.30pm inclusive with Constable Lesue, using vehicle Bondi 1.²
48. Arrangements had been made for [DM] who was the victim of a serious assault and robbery on Thursday, 21 December 1989 at the gay beat south of Notts Avenue, Bondi, to attend Bondi Police Station to see me to supply a statement. He attended the police station on

² See Notebook F65773, reverse side of 59 (SCOI.83538).

Statement of Adrian Ingleby – 7 June 2023

Wednesday, 3 January 1990 and I believe that prior to taking a statement from [DM] I drove him to the area where the assault and robbery took place so that he could indicate to me exactly where it occurred, so as to assist me with taking his statement. As 34 years have passed, my memory is not clear on taking him to the scene, however I am confident I did take him there. I do have a memory of the position of a large rock that he indicated as being near the position of the assault and robbery, where he said in his statement, "Suspect (1) grabbed me on the shoulders and started dragging me down the footpath towards the 3rd set of steps. Next to the 3rd set of steps is an initial drop of 5 metres to a large rock then a further 3 metre drop to the water level." I should point out at this stage that the subject rock is not the squarish/rectangular shaped rock next to which the body of John Russell was found.

49. I obtained a six-page statement from [DM] in relation to the alleged assault and robbery upon his person.
50. In his statement [DM] stated that he left his residential address to go for a 'run' and ran along the promenade at Bondi Beach to Notts Avenue to the cul de sac and down the walking path and stairs which run around the bay. It was about 10.55pm when he ran around the bay to the high steps which lead up to the higher walking path and when he arrived at the top of the stairs he observed 10 to 12 young persons aged between 14 to 18 years; two female were included in that group. A male person Suspect (1) 15-18 years old 1.68cms-1.72 cms blonde hair, slim build, said, "What are you doing here?" [DM] said, "I'm going for a run," and he moved forward, the main group was sitting on the stone wall next to the path. A male Suspect (2) Maori appearance, 15-18 years old, 1.68cms-1.72 cms, black hair solid build, said, "You got a cigarette or two dollars." [DM] ignored him and kept jogging forward. He ran to Tamarama Beach then back to Mackenzies Point at the circular shaped lookout and then across Marks Park to Fletcher Street, up Fletcher street to Sandridge street and down through Hunter Park to a set of steps next to a large block of units which lead to the footpath at bay level.
51. He ran up the 3rd set of steps heading towards Notts avenue and before reaching the second set of steps south of Notts Avenue he was thrown forcibly onto the grassed verge to the left of the footpath. He heard someone say, "Don't let him look at us he knows me." Two males were standing at his feet with about six other persons behind them. Someone was saying words similar to "Poofta" and Suspect (1) kept saying, "You're gay, you're gay, you're gay." As he moved his upper body off the ground Suspect (2) struck him on the right temple area about 5 to 6 times. Suspect (1) moved close and [DM] closed his eyes and was punched in the stomach about 3 or 4 times. They

Statement of Adrian Ingleby – 7 June 2023

- turned [DM] onto his front and he could see a guy pulling a black sloppy joe over his head. He then began getting hit on the left temple area about 20 times by Suspect (2). He was kicked to his right side rib cage, upper rib cage area and under the arm pit and someone twisted his left foot.
52. More persons asked at least 6 times, "Where's your money." He replied, "I haven't got any." They pulled off his Puma running shoes. Suspect (1) grabbed him on the shoulders and started dragging him down the footpath towards the 3rd set of steps. Next to the 3rd set of steps is an initial drop of 5 metres to a large rock then a further 3 metre drop to the water level. Suspect (1) said twice as he was dragging him along, "I'm gonna throw you over the side."
53. [DM] was resisting as he was dragged 13 metres by Suspect (1) who lost his firm grip and [DM] broke away and ran down the 3rd set of steps and along the footpath to the steps which run up into Hunter Park next to the block of units. He could hear the footsteps of persons running behind him until he started running up the Hunter Park steps. As he was running he kept yelling out, "Help," and a light came on in one of the units in the unit block and a male voice yelled out words similar to, "I'm not going to help you, you poofta." The assault lasted for about 10 to 15 minutes. He then ran to his residential address.
54. During the course of the assault and robbery the following items were stolen: a diamond stud ear ring, a 9 carat yellow gold signet ring, a pair of Puma brand running shoes, a Bic disposable cigarette lighter.
55. [DM] attended the Prince of Wales Hospital, Randwick for treatment to a badly bruised left eye, a lightly bruised right eye, and a bruise to the left temple forehead area about 2 centimetres in size. Three cuts to the left temple area which bled. Bleeding from the left ear lobe where the diamond stud had been removed. A cut to the left side of his neck behind the ear lobe. Four teeth on his lower jaw were loose and bled. He had a small cut on the inside of the upper lip about the middle area and soreness to the right rib cage area. He had a severe headache for a number of hours. He had soreness to his left and right temple for 4 days up until Christmas Day. He had swelling to his left index finger and knuckle area and the finger was very sore. On Friday 22 December 1989 he returned to the scene of the assault and robbery and located his Dunhill Red cigarettes; but could not find any of his other property.
56. [DM] who is gay, was assaulted and robbed at 11.00 pm at night, at a gay beat, which was in the exact same area where John Russell who is gay, was found deceased. Mr. Russell either fell or was thrown, pushed or herded off the cliff-top at night, on the evening of Wednesday, 22

Statement of Adrian Ingleby – 7 June 2023

November 1989 or maybe after midnight on Thursday, 23 November 1989. The two night time incidents were separated by 29 or 28 days. 29 days if Mr Russell died on Wednesday, 22 November 1989 and 28 days if he died on Thursday, 23 November 1989.

57. After interviewing [DM] on 3 January 1990, I formed the view that some of the persons who violently assaulted and robbed him, may well have been responsible for the actions leading to the death of John Russell 28 days earlier.
58. I left the statement that I took from [DM] with a note attached to it in the Detectives Office "In tray." I most probably also attached a Crime Information Report (C.I.R) with it for the offence of Assault and Robbery.
59. I considered that the assault and robbery was a crime that should be investigated by detectives because of its serious nature and also due to the fact that the offenders who committed the robbery may well have taken part in the actions leading to Mr Russell's death.

Public place identification parade – [DM]

60. On Saturday, 24 February 1990 I was rostered for duty at Bondi Police Station between the hours of 3pm to 11.30pm on "Supervision". Constable Patrick Gleeson was working with Constable Brooke Laney in plainclothes, to gather intelligence regarding potential drug dealing at the Bondi Hotel. Constable Gleeson contacted me to advise that 'the local boys' were gathered in Bondi Park. I made a decision to use this as an opportunity for an identification parade in a public place. I contacted [DM] and he attended Bondi Police Station. I think it was about mid-afternoon. I drove [DM] to Bondi Park and I had other uniform Police present, as well as Constables Gleeson and Laney.
61. I walked with [DM] into Bondi Park to a position about opposite the position of Roscoe Street. I walked with [DM] down the footpath and past the group consisting of at least ten of 'the local boys' [DM] did not identify any person, however, I could see that he was very tense and nervous. I did not record the names of the youths who were present at the time of the public area identification parade (SCOI.83539).

Viewing of photographs at Bondi Police Station – [DM]

62. On Thursday, 30 August 1990, I was rostered for duty at Bondi Police Station between the hours of 3pm to 11.30pm on "Supervision". I made arrangements for [DM] to attend Bondi Police Station to view photographs for identification purposes. About 4.32pm he viewed a book containing

Statement of Adrian Ingleby – 7 June 2023

photographs which was identified as “Book 9”. He identified Photo C, on page 15, a photo of [NP96] [NP96] d.o.b. [REDACTED], as “very similar” to Suspect 2, “face similar”. He identified Photo C, on page 1, a photo of [NP48] [NP48] d.o.b. [REDACTED], as “hair similar”.

63. I recorded particulars of the two photographs that he identified and his comments relating to them on the reverse side of page 22 and on page 23 of my Official Police Notebook number F65856 (SCOI.83540) and [DM] [DM] placed his signature at the completion of the entry on page 23.
64. The photo books we kept at Bondi Police Station at that time consisted of books containing polaroid photographs taken at the time of any persons’ arrest and separately formal black and white head and face photos of the front and side of the person in custody with an identification brooch showing the name, date of birth and height. I do not remember which type of photograph was applicable in regard to the two photographs identified by [DM] [DM] (SCOI.83540).
65. On 14 December 2001, I saw Detective Sergeant Stephen Page at Paddington Police Station and I supplied him with a three-page statement detailing [DM] [DM] taking part in the ‘public area identification parade’ held at Bondi Park on Saturday, 24 February 1990. The statement also detailed [DM] [DM] looking at photograph books at Bondi Police Station on Thursday, 30 August 1990 (SCOI.10386.00203).

Brief of evidence for the Coroner – original inquest

66. I received notification that the detectives required my statement for their brief of evidence relating to the inquest touching the death of John Alan Russell and on Monday, 26 February 1990 I prepared a six page statement (SCOI.02744.00075). To assist me in the preparation of that statement I referred to my Official Police notebooks as referred to in this statement and also to the statements that I took from Rodney Vincent Stinson and [DM] [DM]. Additionally, I viewed and referred to the Crime Scene Unit photographs numbered, J, I, M, and S. and I attached to my statement photocopies of the relevant notebook entries referred to.
67. In my conclusions set out on page 6, paragraph 17 of my statement (SCOI.02744.00075) I comment:
 - a. I am unable to say what caused Mr. Russell to fall from the cliff top.
 - b. It is known that he had consumed alcohol on the night before the body was located.
 - c. Some of the homosexuals who frequent the area sit near the edge of the cliff top; but it is not known if Mr. Russell did so.
 - d. It appears that Mr. Russell was in a normal state of mind which would rule out suicide.

Statement of Adrian Ingleby – 7 June 2023

- e. I believe there would be a great number of 'unreported' crimes of violence in this area.
 - f. There is no direct evidence available at this stage proving foul play.
 - g. The possibility of a dispute between Mr. Russell and another homosexual person is another potential hypothesis.
68. On reviewing the above comments, in regard to point (f) "*There is no direct evidence available at this stage proving foul play.*" I must say there was evidence "pointing to foul play"; for instance, the strands of hair on his left index finger and the violent assault committed in the exact same area on DM 28 or 29 days after Mr Russell's death.
69. In regard to point (b) "*It is known that he had consumed alcohol on the night before the body was located,*" and (d) "*It appears that Mr. Russell was in a normal state of mind which would rule out suicide.*" Clearly this shows that Mr Russell did not commit suicide, he was a man who had a couple of drinks at a local hotel and left the hotel in a very good frame of mind to attend a beat where he might find excitement and pleasure.
70. At the crime scene I believe that Detective Constable 1/c David Owens delegated the investigation into the death of Mr Russell to Plainclothes Constable Sally Dunbar. I believe this was the case because on page 13 of my notebook I recorded, "P.C. Cst Dunbar 10.29am," and I did not record Detective Owens name. Once delegated, the normal procedure would be that the senior person, Detective Constable 1/c Owens, would supervise the more junior officer during the course of the investigation.
71. The complement working in the Detectives Office at Bondi would consist of a Detective Sergeant 1/c in the position of 'Chief of Detectives' and at least two Detective Sergeants supported by other experienced detectives. All investigations and briefs of evidence are monitored, checked and reviewed by the Chief of Detectives on a day to day basis. All briefs of evidence relating to matters for the Coroners' Court are also checked and reviewed by the Police Prosecutors' staff attached to the Coroners court.

Inquest Monday, 2 July 1990

72. The inquest into the death of John Russell was set down for hearing at the Coroners' Court, Glebe on Monday, 2 July 1990. On that day I also had a defended matter set down for hearing at the 302 Castlereagh Street, Local Court in respect of an assault. The assault matter was adjourned on 2 July 1990, and from the Police Prosecutors office at the local court I rang either the Police Prosecutors

office at the Coroners court, Glebe or Bondi Detectives office (or maybe both) and was advised that the inquest had been dealt with.

The lost hair sample and the return and washing of the clothing

73. It appears that the criminal investigation team at the Bondi Detectives office were investigating Mr Russell's death as 'not suspicious' from day one. They were supplied with the statements of Rodney Stinson, 33 days after Mr Russell's death and they were supplied with a copy of [DM] [DM]'s statement re the assault and robbery, 41 days after the death of Mr Russell.
74. I spoke to Detective Sergeant Steven Morgan on Friday, 28 April 2017 at Helensburgh Police Station, or maybe it was when I attended again on Tuesday, 15 October 2019 and I said to him, "Were the detectives present during the post-mortem examination?". He said, "No." In my view, it would be prudent for at least one of the investigating detectives to be present during any post-mortem examination relating the investigation of a suspicious death or a murder, although I don't know if that is set down in police rules or instructions or other criminal investigation guidelines. One of the Crime Scene Unit detectives was present and took photographs during the post-mortem examination.
75. I believe, that it is reasonable to assume that some of the offenders responsible for the assault and robbery on [DM] may have been involved in the actions leading to the death of Mr Russell. The focus of the investigation seems to have proceeded on the basis of 'accident' or 'misadventure,' ignoring the potential new line of enquiry regarding the offenders who assaulted and robbed Mr [DM]
76. The hair samples were 'lost' or 'destroyed' and I have no knowledge of how that occurred. Had the investigation into the Mr Russell's death developed into investigating a 'suspicious death' or into a 'murder inquiry,' with the targeting of potential persons of interest such as the 'Bondi boys,' perhaps then, any accompanying notes held at the Crime Scene Unit or the recent knowledge of the investigating CSU staff there, the record might have then reflected a suspicious death. If that had occurred then the hair/s sample may have been assessed as high value evidence and it may not have gone missing. Perhaps the records at the Crime Scene Unit only indicated that the exhibit was related to a death involving an 'accident' or 'misadventure', and not a 'suspicious death' or a 'potential murder,' resulting in the exhibits not being given the significance they deserved. Obviously, I am only surmising on these points, after the event.

Statement of Adrian Ingleby – 7 June 2023

77. In relation to the clothing of Mr Russell; if a murder investigation was being conducted, normal procedure would be that the exhibit would have been retained long term, preserved and kept, even if offender/s had not been identified or arrested. In such cases I assume that the exhibit records at the Crime Scene Unit would have reflected that the clothing was the subject of a murder investigation.
78. At the crime scene, the strands of hair were an important exhibit as they immediately raised suspicion in my mind as the hair/s may well have come from the head of an offender who potentially pushed, herded or threw Mr. Russell off the cliff-top at Bondi.
79. As of November 1989, I was not aware of the existence of DNA profiling (Deoxyribonucleic acid) and I don't know if the process was known of in Australia in forensic or law enforcement circles.

Death of Kritchikorn Rattanajurathaporn

80. On Sunday, 22 July 1990, I was rostered for duty at Bondi Police Station between the hours of 7.00am to 3.30pm inclusive. As a result of information received over the Police radio or from the police station, I attended the walking path which runs around and is set below Marks Park, Bondi, it is on the southern side of the park. The location I attended was about 50 to 100 metres south of the sandstone circle lookout area.
81. I there assisted Constables Patrick Gleeson and Brad Scanlan regarding 'found property' and I conferred with detectives from the NSW Police – Crime Scene Unit who were in attendance doing a forensic examination in regard to the death of Kritchikorn Rattanajurathaporn.
82. In response to my attendance I recorded notes in my official police notebook number F65865, Page 36 to the reverse side of Page 36 (**SCOI.83541**), as follows, "Assist Cst Gleeson & Scanlan re found property at MacKenzies Bay confer Crime Scene Unit."
83. I then returned to Bondi Police Station and I went to the detectives' office where I retrieved documents in regard to the investigation into the death of John Alan Russell and I photocopied those documents.
84. At Bondi Police Station I conferred with Detective Senior Sergeant Selwood (Waverley) and Detective Sergeant Matthes (Waverley) and with Detective Sergeant Steve McCann and Detective Payne from the Homicide Squad. I gave them the documents that I had photocopied and I outlined to them the circumstances relating to the death of Mr. Russell.

Statement of Adrian Ingleby – 7 June 2023

85. I made the following notes on the reverse side of page 36 of Notebook number F65865 (SCOI.83541), "Station – photocopy info re Russell Death & [redacted] DM Assault & Rob confer D/S/Sgt Selwood & D/Sgt Matthes & Det Sgt S. McCann [&] Payne Homicide Squad."
86. In regard to the boundaries of the Waverley and Bondi police patrols, from memory the boundary line is Birrell Street which runs parallel with Bondi Road, down towards Marks Park. The north side of Birrell Street is within the Bondi patrol and the south side of Birrell Street is in the Waverley patrol. Marks Park itself is located in the Waverley patrol. This would explain why detectives from the Waverley Detectives office took charge of the investigation (SCOI.83541).

Operation Taradale and second inquest

87. In March 2001, I was contacted by Detective Sergeant Stephen Page of the Homicide Squad advising me that he was investigating the death of Ross Warren who went missing from Marks Park, Bondi in 1989. Further that he was looking into the circumstances of the death of John Alan Russell. I saw Detective Sergeant Page at Paddington Police Station on the 14 December 2001, and I supplied a 3 page statement. In that statement I said, "I noted hair on the hand of the deceased. I clearly recall there were two police from the Scientific Section that attended the incident, and I recall them placing this hair into a bag. I think the bag was plastic. At the time of the inquest into the death of Russell, I became aware that the hair was missing. I was unable to attend the inquest as I had commitments at another court." (SCOI.10386.00203).
88. Upon becoming aware that Detective Sergeant Page was reinvestigating the deaths of Ross Warren, John Russell and others I was very gladdened. It later became evident that he did a totally professional and thorough job with the reinvestigations of many deaths.
89. The second inquest into the death of John Alan Russell and others as a result of Operation Taradale was conducted over a period of time before the Deputy State Coroner Jacqueline Milledge at the Coroners' Court, Glebe. I gave evidence on Wednesday, 2 April 2003.

Investigation by Detective Sergeant Steven Morgan of the Unsolved Homicide Team

90. On Monday, 31 October 2016, Detective Sergeant Steven Morgan from the Unsolved Homicide Squad attended my residence in relation to his reinvestigation into the death of John Alan Russell. We discussed the circumstances of Mr Russell's death generally and I told him that I thought that the offenders responsible for the assault and robbery on [redacted] DM possibly the 'Bondi boys,' would be good suspects to target regarding the death of Mr Russell. I told him that I thought that

Statement of Adrian Ingleby – 7 June 2023

- Mr Russell had been murdered. I gave him five of my police notebooks relating to my involvement in the investigation and he took them away to examine and copy.
91. I am not sure if it was at this meeting or a later meeting but Detective Sergeant Morgan told me that he had not yet been able to locate the crime scene photographs.
 92. On Tuesday, 1 November 2016, I emailed Detective Sergeant Morgan a two page document that I prepared outlining what was occurring locally at Bondi in November, 1989 in regard to community groups and local members of the community who may have been in touch with what was going on locally at that time. I also outlined a little background in regard to my experience and knowledge of assault and robs on gay people when I was working at Darlinghurst Police Station **(NPL.0115.0003.1577)**.
 93. On Wednesday, 9 November 2016, Detective Sergeant Morgan returned my notebooks to me.
 94. As a result of the new investigation, I made a decision that I would return to the scene of Mr Russell's death and photograph the whole area and give copies to Detective Sergeant Morgan. I thought that the viewing of such photographs would make it much easier for anyone to interpret DM's statement. I took those photographs on Sunday, 16 April 2017 and Wednesday, 19 April 2017. I placed 74 photographs in a display "BOOK 1" and 39 photographs in display "BOOK 2". Some of these photographs are at **(SCOI.10417.00001)**.
 95. About 4.00pm on Friday, 28 April 2017, I attended Helensburgh Police Station and I gave Detective Sergeant Morgan the two photo display books. I had prepared a six-page statement in relation to taking the photographs, it was dated on page 1 as Wednesday, 26 April 2017. I signed each page of the statement and Detective Sergeant Morgan witnessed my signature on 28 April 2017 **(SCOI.10387.00002)**.
 96. I recall that we had previously discussed the police crime scene photographs being missing or lost and Detective Sergeant Morgan showed me a photograph recorded on the police computer system showing the position of the body of John Russell lying next to the squarish/rectangular shaped rock. The body was lying with the feet nearest the corner of the rock closest the cliff-face. On my attendance on 16 and 17 April 2017, I had wrongly thought that the body was in a slightly different position.

Statement of Adrian Ingleby – 7 June 2023

97. On either Friday, 28 April 2017, or Tuesday, 15 October 2019, the post-mortem photographs were mentioned and I said to Detective Sergeant Morgan, "Were the detectives present during the post-mortem examination? He said, "No."
98. An SBS Television documentary titled, "Deep Water – The Real Story," was broadcast in 2016, and sometime after that I watched it. During the course of the documentary [DM] the victim of the assault and robbery was interviewed, and he raised issues of alleged unprofessional and demeaning conduct by Police officers who dealt with him at Bondi Police Station and further, he alleged that he was placed in a cell.
99. I decided to prepare a statement to respond to those allegations and as a result I prepared a 16 Page statement which on page 1, was dated Thursday, 29 August 2019 (SCOI.83542). My signature on the statement was witnessed by Detective Sergeant Morgan on Tuesday, 15 October 2019. Copies of the following documents were attached:
- a. "Annexure A" - Notebook F63108 – reverse side of page 11, to 17;
 - b. "Annexure B" – My 6 Page statement for the inquest touching the death of Mr Russell;
 - c. "Annexure C" – Notebook F65773 – reverse side of page 32 (re Rodney Stinson);
 - d. "Annexure D" – Notebook F65773 – reverse side of page 59 (re [DM]);
 - e. "Annexure E" - Six-page statement from [DM] dated 3 January 1990;
 - f. "Annexure F" – Deep Water – The Real Story – Interviewee – [DM] – 2 pages.
100. On reviewing the photographs that I had taken previously I came to the decision that I should take more photographs focused on the area of Notts Avenue and in the vicinity of the 3 sets of steps where [DM] was assaulted and robbed, so as to better assist persons to interpret his statement. On Wednesday, 18 September 2019 I attended the Bondi Crime Scene and took a number of photographs. I placed 52 of the photographs that I had taken into a photo display book that I identified as "BOOK 3".
101. About 2.50pm on Tuesday, 15 October 2019, I attended Helensburgh Police Station where I saw Detective Sergeant Morgan and he witnessed my signature on the 16 Page statement that I prepared responding to [DM]'s allegations: see [98] and [99] above.
102. I gave Detective Sergeant Morgan the set of 53 photographs as set out in photograph display "BOOK 3".

Statement of Adrian Ingleby – 7 June 2023

103. As outlined by me in this statement, when I attended the crime scene at Bondi, because of the 'hair/s' I saw adhering to the left index finger of Mr Russell I considered the death to be suspicious. That view was reinforced and strengthened following the interview of witness Rodney Stinson and assault and robbery victim [DM] I believe that John Russell was murdered at Bondi on or about Wednesday, 22 November 1989.

104. At the second inquest into the death of John Russell, Deputy State Coroner Milledge found that 'foul play' was involved and that he was thrown from the cliff onto rocks, by a person or persons unknown.

Signature:

Adrian Ingleby

Name:

Adrian Macdonald INGLEBY.

Date:

7th June 2023.