

New South Wales Police

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STATEMENT in the matter of:
MURDER OF
CRISPIN WILSON DYE.

Place: Surry Hills
Police Station
Date : 27 September, 1994

Name: Geoffrey Roy KNIGHT
Address: Surry Hills Police Station
Occupation: Detective Sergeant of Police

Tel. No.: [REDACTED]

STATES:-

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

2. I am 46 years of age.

3. About 7am on Thursday the 23rd December, 1993, at Surry Hills Police Station, I had a conversation with Detective Sergeant BANFIELD of that station, and subsequently also spoke to Detectives SINADINOVIC and ALWERT of Ultimo. (STATEMENT OF DETECTIVE SINADINOVIC)

4. A short time later, with Detective TAYLOR, I went to the vicinity of Little Oxford and Campbell Streets, Surry Hills, where I made an examination of the area and saw what appeared to be blood on the roadway on the north western kerb adjacent to the gutter.

5. Detective TAYLOR and I then attended the Casualty Section of St. Vincents Hospital, where, after a conversation with the Sister in charge, I spoke to Doctor GUBBAY, and was directed to a bed within the ward.

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6. There I saw a male person, who was in an unconscious state, was intubated and had bruising and abrasions to the left side of the head and face.

7. I then had a conversation with staff within the ward and was informed that the patient, who had not been identified at that time was suffering brain damage. (STATEMENT FROM ST. VINCENT'S HOSPITAL)

8. I then had a conversation with Detectives CLARK and PASFIELD of Kings Cross Police, and also spoke to Detective VanLEEuwEN of the Crime Scene Unit, Physical Evidence Section and after having obtained permission from the Medical Staff to do so, was present when that officer took a number of photographs of the patient and also took possession of items of clothing from the staff, consisting of a white 'T' shirt, pair of maroon socks, maroon lace up shoes and a pair of soiled blue jeans.

9. Detective TAYLOR and I then returned to Surry Hills, where I made an examination of the clothing, in which were found several pieces of paper containing telephone numbers and a Metway Bank business card.

10. Inquiries confirmed that a man named Scott John NEILSON had observed three male persons apparently removing property from the injured person, whilst he was lying on the roadway on Campbell Street at the intersection of Little Oxford, about 4.30am the same morning.

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11. Numerous inquiries were carried out with a view to identifying the man, whose condition had not improved and, due to lack of the necessary facilities available had been transferred to the St. George Hospital, Kogarah about 1.30pm that date.

12. Following inquiries carried out in respect of the telephone numbers contained on papers found on the deceased, it was tentatively established that the patient was Crispin Wilson DYE, born [REDACTED]/52, of [REDACTED] Holloways Beach, Cairns, North Queensland and that was subsequently confirmed later the same evening, when his mother, Mrs. Jean DYE, formally identified her son in the Intensive Care Wing at the Hospital.
(STATEMENT OF CONSTABLE M. PORTLOCK)

13. The following date, December 24, about 7.20am at Surry Hills, I spoke to Stuart JONES, born [REDACTED]/63, of [REDACTED] Sydney, and subsequently made inquiries of staff of that premises in relation to another resident Owen READ. He was located on 26/12/93, and confirmed that he had observed the man lying in a prone position on the roadway at the rear of Kinsela's Nightclub about 4.30am on 23 December.

(STATEMENT OF READ)

14. At 9am the same date, I spoke to the sister in charge of the Intensive Care Unit, St. George Hospital, in respect of the condition of Mr. DYE and was informed that he was 'Critically ill, severely brain damaged and unlikely to get better'.

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15. I subsequently spoke to Detective Sergeant MULHERIN of the Homicide Unit, Major Crime Squad South and at 9.30am, spoke to the brother of Mr. DYE, namely Brenton DYE also of Cairns.

16. Whilst off duty on the 25th December, 1993, I received information that Mr. DYE had expired at the St. George Hospital about 6.30pm, following his removal from the Life Support System. (STATEMENT FROM ST. GEORGE HOSPITAL)

17. On Monday 27th December, 1993, with Detective TAYLOR, I attended the City Morgue, Glebe, where I spoke to Detective Sergeant MULHERIN and Detective Sergeant DAY of the Homicide Unit and was present with those officers during a Post Mortem examination of the deceased Crispin Wilson DYE, by the Government Pathologist, Dr. Lilliana SCHWARTZ, (REPORT PRODUCED) and was present when Detective Van LEEUWEN of the Physical Evidence Section took a number of photographs during that procedure. (STATEMENT AND PHOTOGRAPHS PRODUCED)

18. Later the same date, I made inquiries at the St. George Hospital Blood Bank, at the request of Detective Van LEEUWEN in relation to an 'E.D.T.A' blood sample.

19. The following day, Tuesday the 28th December, I attended the Blood Bank at St. George about 8.30am and collected the 'E.D.T.A.' sample of the deceased's blood, returning it to Surry Hills and with Detective McCARTHY, conveyed it to the Crime Scene Unit at the Sydney Police Centre, where it was handed to Detective Van LEEUWEN.

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20. On 29th December, 1993, I carried out various inquiries and co-ordinated investigations in relation to the death of Mr. DYE, in conjunction with Detective Sergeant BANFIELD and other staff members of Surry Hills Detectives and the Homicide Unit.

21. Following a conversation with Detective MACHADO of Surry Hills, about 1.30pm that day in the company of Detective MILLIGAN, I spoke to Aaron BUTTRISS, born [REDACTED]/62, a resident of the [REDACTED], Surry Hills.

22. BUTTRISS, [REDACTED]
[REDACTED]
[REDACTED], refused to be interviewed in a formal manner and would not make a statement of any kind, however outlined allegations in respect of a man named [REDACTED] 1287.

23. BUTTRISS claimed that he had been a witness to that person assaulting a man around midnight on 23/12/93, behind Kinsela's Nightclub which is situated on the corner of Bourke and Campbell Streets, Surry Hills, the rear facing the lane called Little Oxford Street.

24. As a result of information supplied, BUTTRISS was conveyed to that vicinity with Detective MILLIGAN and myself, and indicated an area some 30 yards north of Campbell Street, on both the eastern and western kerbs of Little Oxford Street.

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25. A short time later, Detective MILLIGAN and I returned to that scene with Detective Van LEEUWEN, who carried out a number of presumptive tests in my company, in the areas previously indicated by BUTTRISS. Those tests were of a negative result.

26. Detective MILLIGAN and I later attended the Casualty Ward of the Sydney Hospital, where inquiries were made in respect of information supplied by the man BUTTRISS.

27. Inquiries were then carried out at the proclaimed place known as [REDACTED], Sydney, where I spoke to Tautoko MEHANA, and then at [REDACTED], a similar premises in Campbell Street, spoke to Mr. Les McFARLANE, born [REDACTED]/29, and returned again to [REDACTED] and spoke to Lloyd ARMSTRONG, born [REDACTED]/32 in relation to the same inquiry. Neither of the latter could offer any information to assist the investigations.

28. On December 29, 1993, a Task Force named 'BARCOO' was established to investigate the murder of Crispin Wilson DYE.

29. On Thursday the 30th December, with Detective STANLEY, I attended the funeral of the deceased at the Northern Suburbs Crematorium, there speaking to his mother Jean and brother Brenton.

30. Later the same date, I spoke further to Aaron BUTTRISS on the telephone, who was adamant that the incident he witnessed was on 23rd December, and that the Police must be wrong and would have nothing more to do with the inquiry.

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31. Inquiries carried out in respect of the incident indicated that the deceased had probably been in possession of a leather wallet, an unknown sum of money and some form of identification at the time he received the injuries.

32. During the course of the ensuing inquiry, I caused various statements to be obtained from witnesses in the matter, including the following :-

Scott John NEILSON - (Witnessed suspects with deceased)

William and Keith MACALISTER - (Friends of deceased - in company with him during evening of 22/12/93)

James Norman HILLMAN - (Barman at Flinders Hotel - saw deceased there and later in Oxford Street)

Jeremy Barnabas LARKINS - (Assistant Manager, Court House Hotel - refused service to deceased early hours 23/12/93)

David Anthony WALKER - (Security Guard - observed suspicious persons vicinity Court House Hotel 2.30am 23/12/93)

Owen READ - (Found deceased on roadway 4.30am 23/12/93)

Peter Edward SNELLING - (Friend with deceased during night)

Michael Richard TRAVINSKI - (Friend of SNELLING & deceased)
(PRODUCED)

33. Inquiries were also carried out in relation to an assault and robbery committed upon a man named 1116, in Brougham Street, Woolloomooloo, in the vicinity of Cowper Wharf Road about 3.30am on 23 December, 1993.

34. During this time, he was attacked by a number of male persons, assaulted and had property stolen from his person.

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35. Statements were obtained in that regard from N 1116 and the following persons:-

Leah COOPER - (Observed suspects prior to assault)

George GRACE - (Observed suspects prior to assault)

(PRODUCED)

The latter assisted Police in the completion of a composite 'F.A.C.E photograph of one of the suspects, which is referred to as F-A00005. (PRODUCED)

36. The witness NEILSON supplied a description of the three men seen by him with the deceased, as being 17 to 81 old, Pacific Islanders, 180cms in height, slim to medium build, dark complexion with shoulder length black hair. Two were described as wearing long baggy pants, and 'T' shirts, the third wearing grey knee length baggy shorts, 'T; short, white socks, joggers and a dark coloured baseball cap. He indicated however that he did not see the faces of either and could not assist further in that regard.

37. Following his attendance at the Police station, at which time he spoke to Constable LING (STATEMENT) he was conveyed in a vehicle by Constables RIDLEY and SPARKES around the area, however whilst two youths of caucasian appearance were observed seated in a bus shelter in Oxford Street, near Brisbane Street, somewhat similar in description, the witness confirmed they were not those persons seen by him a short time earlier at the scene. (STATEMENT OF CONSTABLE RIDLEY)

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38. Constables JOHNSTONE and LUCK also attended Little Oxford and Campbell Streets, taking observations and preserving the crime scene. (STATEMENT OF CONSTABLE JOHNSTONE)

39. Central District Ambulance Officers PARKER and EVANS, attended the deceased at the scene, and were subsequently assisted by Paramedics CRIBB and MARTIN.

(STATEMENTS FROM PARKER AND CRIBB)

40. A canvass of the general area, which consists mainly of business premises, carried out by Police failed to produce any witnesses to the incident, or information that would assist the inquiry.

41. Inquiries were also subsequently made of the drivers of buses operating from Randwick Port Botany and Waverley Depot, however no information was gleaned to assist the inquiry.
(RUNNING SHEETS 8/3/8, 8/3/11, 8/3/54 AND 8/3/95)

42. A Security Officer, Alex FRENCH, employed by EASTSIDE SECURITY, was spoken to indicating that he was working in the vicinity of Kinsela's Nightclub during the early hours of 23/12/93, however saw nothing of relevance to the investigation.
(RUNNING SHEET 8/3/13)

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43. On December 28, a male person named Colin DORRINGTON spoke to Task Force investigators on the telephone, indicating that he had knowledge of the deceased having been a homosexual, with a predilection for males of an islander appearance, however nothing has been established during the course of the inquiry to suggest that his sexuality had any relevance to the manner in which he died. (RUNNING SHEET 6/5/1)

44. William MACALISTER indicated that he had met the deceased at the Bellevue Hotel, Hargraves Street, Paddington, about 6pm on 22nd December, 1993, where they both dined and had a few drinks, later moving to the Paddington Inn, Oxford Street, shortly after 8pm.

45. There they were joined by some other acquaintances, including MACALISTER's cousin James, and around 10pm the deceased left the others, going to a bar known as 'Gilligans' above the Oxford Hotel, on the north western corner of Oxford and Bourke Streets, Darlinghurst.

46. Around 10.30pm the others joined the deceased at that premises, where he was still drinking and talking to others within the premises, however they left about 1am walking to the Courthouse Hotel, directly opposite on the south western corner of the intersection. They remained there William leaving about 2.30am and James leaving about 3am. They did not see DYE again. William MACALISTER left Sydney later the same day, travelling to New Zealand to take up permanent residency.

(STATEMENTS OF WILLIAM AND JAMES MACALISTER)

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47. Two other friends of the deceased, namely Peter Edward SNELLING and Michael Richard TRAVINSKI, had seen the deceased with MACALISTER at the Bellevue where both are employed, and were at the Oxford Hotel between 1 and 2am, however did not see him there. They did however see him about 2.15am outside, inviting him to accompany them to the nearby Flinders Hotel, to play pool, which he did, however they lost track of him shortly after their arrival at that premises.

(STATEMENTS OF SNELLING AND TRAVINSKI)

48. James Norman HILLMAN, a Barman at the Flinders Hotel, recalls seeing the deceased in the bar upon his arrival apparently with his friends, leaving alone a short time later.

49. He also saw him about 4am walking diagonally across Oxford Street, from the vicinity of the bus stop outside the Darlinghurst District Court complex towards a traffic island. At that stage, according to HILLMAN, he was heavily intoxicated.

(STATEMENT OF JAMES NORMAN HILLMAN)

50. The Assistant Manger of the Courthouse Hotel, Jeremy Barnabas LARKINS, recalls refusing the deceased service about 4am due to his state of insobriety. When refused service he left walking off into Bourke Street, towards Oxford Street.

(STATEMENT OF JEREMY LARKINS)

51. David Anthony WALKER a Security Guard for EASTSIDE SECURITY, working at the Court House Hotel, noticed three males one of whom was similar in appearance to a young man who had been refused service the previous evening, about 2.30am on

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23/12/93. They walked around from Oxford and into Bourke Street, and about an hour later, he saw two of them near the entrance of Kinsela's nightclub, next door, which was closed.

52. He intended calling his Base, however prior to doing so, became aware the men had left. Mr. WALKER subsequently assisted in constructing a 'F.A.C.E.' image of one of the men whom he had described as seeing.

(STATEMENT OF WALKER AND 'F.A.C.E' RECONSTRUCTION NO. A.00008)

53. Inquiries carried out with the METWAY BANK, Bligh Street, Sydney indicated that the deceased held a savings account with that facility which had been opened in Cairns on 19th March, 1993.

54. It was established that the deceased had reported the loss of his account cashcard to the Bank on 15th December, 1993, a replacement card No. [REDACTED], being issued two days later at his request.

55. The records of the Bank indicated that a withdrawal was made by the account holder in the amount of \$20 on 22nd December, 1993, at Chatswood through an Automatic Teller Machine and another later the same date in the amount of \$50 the an A.T.M. at Paddington. Those transactions are consistent with what is known of the movements of the deceased on that date.

56. On 9th January, 1994, information was received from Brenton DYE, that the Police from Cairns had advised him that a wallet belonging to the deceased had been found there at 7am on 17.12.93. There was no record in that State of the deceased

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having reported the wallet as lost or stolen, and it was established that the wallet contained the METWAY cashcard reported to the Bank in Sydney, his drivers licence and personal papers.

57. On 20th January, 1994, a statement was obtained from Jacqueline DUNN, a Bank Officer from the METWAY BANK, in relation to the account held by the deceased. (STATEMENT OF JACQUELING DUNN)

58. On 27th January, 1994, information was received from Brenton DYE, that an ANSETT 'Frequent Flier' card and Social Security advice. the property of the deceased had been forwarded by mail to his home address in Cairns. Inquiries confirmed that those items had been posted from the Ansett Office, Riley and Oxford Streets, Surry Hills on 23 December, 1993, however no records were found to be kept by that Company and none of the staff had any recollection of the property being handed in.

59. An examination of the items was made by the Central Fingerprint Bureau, with a negative result, and a request made through the media with a view to locating the person responsible for handing the property in the ANSETT office failed to gain a positive response. (RUNNING SHEETS 3/10/4 & 3/10/5)

60. On 14th February, 1994, a Solicitor, Mr. Richard FUNSTON, was confronted in his office at the Inner City Legal Centre, [REDACTED], Darlinghurst by a male person who refused to divulge his identity. This male produced a wallet which he alleged had been taken by him, by mistake at a nearby

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Restaurant, which was found to contain among other items, the missing METWAY bank cashcard belonging to the deceased. The man left the office without divulging his identity. (STATEMENT OF RICHARD FUNSTON)

61. Surveillance was subsequently carried out in the vicinity of the McDONALDS Restaurant, [REDACTED], with a view to locating the person who had handed the wallet to Mr. FUNSTON, however those efforts failed to identify the person concerned.

62. The wallet and contents were conveyed to the Task Force Office at Surry Hills, by a student worker at the Solicitor's office, Joanne WADE, and subsequently also found to contain a [REDACTED] Passport in the name of [REDACTED] NP221, born [REDACTED]/75, a number of automatic teller receipts pertaining to accounts at the St. George Bank and Sydney Credit Union, and an Australian Credit Union card in the name of [REDACTED] 1320 (STATEMENT OF JOANNE WADE)

63. An examination of the property by Central Fingerprint Bureau for latent fingerprints was of a negative result. (RUNNING SHEETS 3/2/3 & 3/2/4)

64. Inquiries established that the man [REDACTED] NP221 who resided at [REDACTED] Annandale, with his girlfriend [REDACTED] NP222, was at the time an employee of the McDONALD'S RESTAURANT, [REDACTED], Darlinghurst.

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65. On 17th February, 1994, following applications being made, search warrants were issued in respect of the records held at the St. George Bank, and Sydney Credit Union, and the relevant documentation was obtained by virtue of the warrants.

(DOCUMENTS PERTAINING TO ST. GEORGE ACCOUNT NO. [REDACTED],
ACCOUNT NO. [REDACTED], REPORT OF THEFT, DOCUMENTS PERTAINING
TO SYDNEY CREDIT UNION ACCOUNT NO. [REDACTED] IN NAME OF [1320]
[1320].)

66. On 21st February, 1994, surveillance was commenced of both
[NP221] and [NP222] and on 23rd March, an affidavit was sworn at
the Office of the Solicitor in respect of the information and a
warrant was issued that date for the installation of a listening
device within the premises [REDACTED].

67. Prior to the installation taking place, however it was
established [NP221] and [NP222] had moved to Flat No. [REDACTED] within
the same building and accordingly, following the completion of a
fresh affidavit a warrant was issued on 30th March, 1994 in
respect of that premises. A listening device was subsequently
installed within the premises on April 5 and monitoring of
conversations commenced immediately. (AFFIDAVIT PRODUCED)

68. On that date, application having been made to the Downing
Centre Local Court, a warrant was issued to search the premises
[REDACTED], and was executed by Police in the
presence of [NP221], and certain property taken possession of,
none of which has been of any beneficial use to this inquiry.

Witness: _____

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69. Following the search of the premises, [NP221] was conveyed to Surry Hills Police Station, where he was interviewed electronically in respect of his knowledge of the property concerned.

70. When interviewed [NP221] indicated that the METWAY card belonging to the deceased had been found by him, on the corner of Oxford and Riley Streets, Surry Hills, prior to Christmas 1993, making no effort to restore the property to the owner.

(TRANSCRIPT OF INTERVIEW [NP221] AND MULHERIN)

71. The female [NP222] was also interviewed and a statement obtained, indicating that she had not seen the card in [NP221]'s wallet, and that she was overseas between 17th and 31st December, 1993. (STATEMENT OF [NP222])

72. All conversations within the premises at Annandale were monitored constantly until 14th April, 1994, at which time the listening device was removed. No evidence was obtained as a result, that would substantiate [NP221] having any knowledge or involvement in the murder of the deceased, Crispin DYE.

(AUDIO LOG CONSISTING OF PRECIS OF CONVERSATIONS RECORDING DURING INSTALLATION OF LISTENING DEVICE WITHIN [REDACTED], ANNANDALE.)

73. On May 7th, a man named Ashley PARCELL, a resident of the [REDACTED], Surry Hills, attended the Task Force office and alleged that he had been drinking with another male at the GASLIGHT HOTEL, Surry Hills, known to him only as

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"Simon", who had told him he witnessed the deceased being assaulted by three male aboriginal males, nominating they were from Caroline Street, Redfern.

74. Inquiries indicated the man "Simon" may have been a retired Northern Territory Police Officer, and substantial inquiries were carried out in that regard, however on the 10th June, NP225 [redacted] NP225 [redacted], born [redacted]/44 of [redacted], Auburn, was interviewed at Surry Hills and confirmed that he was the person referred to by PARCELL as "Simon". NP225 [redacted] indicated that he was an alcoholic and although conceded that he may have said something whilst under the influence that could have been misconstrued by PARCELL, denied having any knowledge of the incident involving the deceased on 23rd December, 1993, and whilst he was unaware of his specific movements on that date, was adamant that he would not have been in the vicinity of Little Oxford and Campbell Streets.

75. Investigators were satisfied after having spoken to him, that NP225 [redacted] had no knowledge of the assault upon the deceased. Due to his continual state of uncertainty and lack of coherence a statement was not obtained. (RUNNING SHEETS 8/3/100, 101, 102, 103 & 107)

76. On 18th May, 1994, Detective EARDLEY of the Drug Enforcement Agency, advised Task Force members that a registered Police informant had informed him that he was aware of a young male known as 'Robbie' who alleged that he was present near Campbell Street, on 23rd December, 1993, and witnessed the assault upon the deceased by several young male persons.

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77. He alleged that he knew the identity of at least two of the offenders who had been 'bragging' about committing the murder but that he had no intention of assisting the Police.

78. As a result of the information received, an affidavit was prepared and sworn by me at the office of the Solicitor, Police Headquarters on 20th May, 1994, [REDACTED]

80. The man 'Robbie' claimed that the assault had been committed by a number of male persons and purported to have access to the identity of the offenders, however despite numerous attempts to further pursue the matter, the Undercover Police Officer has been unable to maintain contact with the person 'Robbie' and no further information has been established in that regard.

(AFFIDAVIT AND TRANSCRIPT OF RECORDED CONVERSATION)

81. During the course of the investigation, information was received through Detective Sergeant HAYS, of Malabar Police that a local youth named [REDACTED] NP226, born [REDACTED]/77, had allegedly indicated to the Manager of a Fruit Market in that area, that he had some knowledge of the murder.

Witness: P. M. Kelly

Signature: [Handwritten Signature]

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82. On 14th June, 1994, that young person was interviewed by Detective Sergeant MULHERIN at his home, [REDACTED], Maroubra, in the presence of his mother Catherine [REDACTED]. At the time he denied having any knowledge of the incident, indicating that he was asleep in bed at his home. This was confirmed by his mother, who also recalled seeing her son at home on the morning of 23rd December, at which time he accompanied her shopping.

83. Mrs. [REDACTED] also indicated that her son [REDACTED] and [REDACTED] whilst he denies alleging he was the person circulated through the media in respect of the murder, it is believed may well have done so to ingratiate himself with his peers as a result of his mental state. Investigators are satisfied he had no involvement in the commission of the offence.

(RUNNING SHEET 7/59/1 & OTHER)

84. During the course of inquiries in respect of the assault and robbery committed upon [REDACTED] 1116, in Woolloomooloo about 3.30am on 23/12/93, various persons nominated a young person named [REDACTED] NP128, born [REDACTED], as being similar in appearance to a F.A.C.E photograph (A.00005) representing an offender described by witnesses to that incident. (F.A.C.E PHOTO NO. A.00005)

85. Following numerous unsuccessful attempts to locate [REDACTED] NP128 his description was circulated vide the Police Netmail System. (NETMAIL MESSAGE)

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86. On 14th June, 1994, [NP128] was arrested by Police in Kempsey in respect of other matters, and subsequently interviewed in relation to the murder by Detective MIMNAW and REDMAN of that station. During the course of that interview, [NP128] alleged that he had witnessed the assault upon the deceased, stating that the perpetrators were four aboriginal and one caucasian youths, the identity of whom were unknown to him.

87. He further alleged that he had been in the company of another young man named [1327], who died of a drug overdose in March, 1994, and denied any involvement in the actual commission of the offence.

(TRANSCRIPT OF RECORDED INTERVIEW BETWEEN [NP128] AND MIMNAW)

88. The following day, June 15, with Detective MILLIGAN, I travelled to Kempsey Police Station, where I had a conversation with Detective Sergeant PATTERSON and Detective MIMNAW, and subsequently made instigated inquiries to be made by Police at Moree, and spoke to Detective Sergeant MULHERIN in Sydney.

89. Detective MILLIGAN and I also viewed the video interview between Detective MIMNAW and [NP128], and about 5pm, at which time [NP128], was removed from the cells at Kempsey Police Station and taken to an interview room, I said to him, "I am Detective Sergeant KNIGHT and this is Detective MILLIGAN. We are from the Surry Hills Police Station in Sydney, do you understand that?" He said, "Yes. "

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90. I said, "We are investigating the death of a man named Crispin DYE, at Surry Hills, as a result of injuries sustained on 23rd December, 1993. I am going to ask you further questions about this matter. I want you to understand you are not obliged to say anything further unless you wish. Anything you do say may later be given in evidence. Do you understand that?" He said, "Yes."

91. I said, "My questions and any answers given by you will be electronically recorded as the interview takes place, do you understand that?" He said, "Yes." I said, "At the conclusion of the interview, you will be a copy of the interview, do you understand that?" He said, "Yes."

92. I then had a conversation with NP128, the whole of that conversation being recorded electronically on video and audio tape.

93. At the conclusion of the interview Detective MILLIGAN left the room and returned a short time later with Detective Sergeant PATTERSON, and which MILLIGAN and I left the room.

94. A short time later, Detective MILLIGAN and I returned to the room and the interview was concluded at 6.52pm.

(TRANSCRIPT OF ELECTRONIC INTERVIEW BETWEEN KNIGHT AND NP128)

95. The following day, Thursday the 16th June, 1994, a number of inquiries were carried out and about 9.55am, with Detectives MIMNAW and MILLIGAN, the man NP128 was again removed from the cells at Kempsey, and taken to the interview room, where I said

Witness: *P. Milligan*Signature: *Geoffrey Roy Knight*

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DYE.

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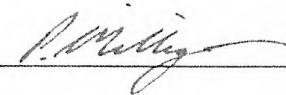
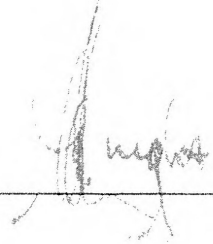
to him, "I want to speak to you gain shortly . As before, you are not obliged to say anything unless you wish. Anything you do say may later be given in evidence. Do you understand that?" He said, "Yes."

96. I said, "I have decided not to show you the videos of various persons that I referred to yesterday, as I do not believe at this stage it would be of specific benefit to my inquiries. Do you understand that" He said, "Yes, what's happening?"

97. I said, "I intend to make further inquiries in relation to the murder and you will be informed of the result of those inquiries at a later stage." He said, "I have been thinking and maybe I wasn't in Sydney then, I came to Moree before that" I said, "I believe that you left Sydney on the evening of the 23rd December, 1993 and arrived in Moree the following morning."

98. He said, "I wouldn't have booked the ticket in my own name, I would have used [REDACTED] or [REDACTED] yeah, that was it I used [REDACTED]."

99. I said, How do you spell [REDACTED]?" and he said, "[REDACTED] I got the two carriage XPT, the blue one, it's only a buffet and one other carriage. I would have gone to Moree the day before Christmas, is that right?" I said, "Is that the case?" and he said, "I don't know, if you say so, I suppose so, I think it is."

Witness: Signature: 

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100. I said, "I want to ask you about a matter I omitted to mention to you during our interview yesterday. Have you had any experience in relation to martial arts?" He said, "Yeah, I did a bit when I was little and mucking around on the streets." I said, "Have you learnt any specific martial arts?" He said, "No, nothing specific."

101. I said, "How did you learn martial arts?" He said, I got to about yellow belt in Tai Kwon Do, when I was a kid." I said, "Can you kick from a standing position to about head height?" He said, "Probably just to the chest." I said, "To approximately what height would that be?" He said, "To the chest of a bloke about my size."

102. I said, "Will you now read Detective MIMNAW's notebook?" He said, "Yes." I said, "Will you then sign each page of the notebook as to its correctness?" He said, "Yes."

103. Detective MIMNAW then handed him his official notebook No. F.138606 to NP128, who read the entry on pages 98 to 103 inclusive, and then signed each page.

104. I then said, "Do you agree that you have just read Detective MIMNAW's notebook?" He said, "Yes." I said, "Is it a correct record of our conversation here this morning?" He said, "Yes." I said, "Will you now read these additional questions and answers?" He said, "Yes." I said, "Will you again sign your name as to it's correctness?" He said, "Yes."

Witness: *P. Wilby*Signature: *Geoffrey Roy Knight*

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STATEMENT (continued) in the matter of: MURDER OF - CRISPIN WILSON DYE.

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105. The notebook was again handed to [NP128], who read the entry on pages 103 and 104, and again signed each page.

106. Detective MIMNAW then left the room and returned a short time later with Sergeant DAVIS, and said, "[NP128], this is Sergeant DAVIS. He is going to speak to you about the interview that you have just completed the Detective Sergeant KNIGHT." He then handed the sergeant his notebook and left the room with Detective MILLIGAN and I. A short time later, we returned, and I saw that Sergeant DAVIS had signed Detective MIMNAW's notebook, also making note of the time and date.

(PHOTOCOPY OF NOTEBOOK ENTRY)

107. On June 15, Police from Moree interviewed the aunt of [NP128] [NP128], a [I324], who indicated that she recalled her nephew arriving at her home, then at [REDACTED], Moree around early to mid December, staying with her until February, 1994. At that stage, [I324] was not specific in relation to the date of [NP128]'s arrival. (STATEMENT OF [I324] [I324] DATED 15/06/94)

108. On the 5th July, 1994, a further statement was obtained from [I324], who indicated that she had recalled making an entry in a personal diary in relation to the arrival of her nephew in Moree, early on the morning of 11th December, 1993. (STATEMENT DATED 05/07/94 AND DIARY OF [I324])

109. On 28th June, 1994, after making numerous inquiries in relation to relatives of the young man [NP128], with Detective MILLIGAN, I spoke to his grandfather, [I321]

Witness: *P. Milligan*Signature: *Geoffrey Roy Knight*

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[I321], 72 years old, at [REDACTED] Bondi. He indicated that his grandson had been living with him on an occasional basis between about September and November, 1993, during which time he had been employed as an apprentice bricklayer with his son [I335].

110. He also alleged that he had loaned the boy the sum of \$80 prior to his leaving Sydney, at which time he was in possession of a ticket for train travel between Sydney and Moree.

111. [I321] subsequently perused his banking records and on 4th July, 1994, a statement was obtained from him in which he stated that he was of the belief that it was on the 15th December, 1993, that he loaned his grandson the money. He produced a photocopy of his WESTPAC Bank statement to that effect. (STATEMENT AND PHOTOSTAT OF BANK STATEMENT)

112. On July 6, Police from Kempsey interviewed the mother of [NP128], [I323], who indicated that she recalled her son arriving in Moree some time in December, 1993, around 7pm in the evening by Taxi, and alleged that he had worked with her for [I325], a Contractor in the cotton fields, for about 2 weeks. (STATEMENT OF [I323])

113. On 29th June, 1994, a request was made to the Regional Commander, Long Bay Correctional Centre, for [NP128], who was at that time an inmate at that facility, to accompany Prison authorities to Surry Hills Police Station, where it was intended he be further interviewed. (COPY OF REQUEST FOR REMOVAL OF PRISONER [NP128] FROM LONG BAY TO SURRY HILLS)

Witness: *P. Williams*Signature: *G. Knight*

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114. On July 6, 1994, NP128 was conveyed from Long Bay Correctional Centre to the Surry Hills Police Station, where he was placed in an interview room.

115. About 11.35am, in company with Detective Sergeant MULHERIN, of the Homicide Unit, and Detective MILLIGAN, I said to NP128, "I intend to ask you further questions about the murder of Crispin DYE, who died as a result of injuries sustained during an assault at Surry Hills on the 23rd December, 1993. You are not obliged to say anything further about the mater unless you wish. Anything you do say may later be given in evidence. Do you understand that?" He said, "Yes."

116. I said, My questions and any answers you give to those questions will be electronically recorded on audio and video cassette tapes as the interview takes place. Do you understand that?" He said, "Yes."

117. I said, "At the conclusion of the interview you will be given an audio cassette tape of the interview, do you understand that?" He said, "Yes." I said, "At the conclusion of the interview, one of the audio cassette tapes will be sealed in your presence. Do you understand that?" He said, "Yes."

118. I said, "A viewing of the video cassette tape will be arranged if required, do you understand that?" He said, "Yes." I said, "before we commence, do you wish to have your Solicitor present during the interview?" He said, "No, it's all right." I said, "Are you now prepared to be electronically interviewed?" He said, "Yes."

Witness: *P. Milligan*Signature: *Geoffrey Roy Knight*

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119. I then commenced an interview with [NP128], the whole of that interview being electronically recorded on video and audio cassette. Detective MULHERIN left the room prior to the completion of the interview, which was suspended whilst Detective MILLIGAN left the room, returning a short time later with Sergeant LAPWORTH.

120. At that time, Detective MILLIGAN and I left the room and returned a short time later, the interview being concluded at 12.56pm. (TRANSCRIPT OF ELECTRONIC INTERVIEW BETWEEN KNIGHT AND [NP128], 06/07/94)

121. Following numerous inquiries carried out as a result of information supplied by [NP128] during the interview on 6th July, Detective MILLIGAN and I travelled to Moree on 12th July, 1994, on that date speaking to [I325], Rural Contractor at [REDACTED], Moree. At that time, [I325] produced a number of 'TIME PAY AND WAGES' books relevant to his business. (PHOTOSTATS OF TIME PAY AND WAGES BOOKS)

122. Later the same date, I attended the office of [REDACTED], Accountant, and took possession of 3 books of cheque butts relative to the A.N.Z. Bank account of [I325] and [REDACTED]. (PHOTOSTATS OF CHEQUE BUTTS)

123. On 13th July, 1994, a statement was obtained from [I325] [I325], in which he indicated that the man [NP128] worked for him under the name of [NP128's alias], during the periods 16 & 17 December, the 20th to 24th December, 1993, and the 6th & 7th January, 1994. He further indicated that he was paid at the

Witness: P. MilliganSignature: [Handwritten Signature]

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rate of \$70 per day, in three cheques in the sum of \$140.00, \$350.00 and \$140.00, numbered 000650, 000721 and 000818 respectively.

124. It is also alleged that a number of EMPLOYMENT DECLARATION FORMS including one completed by [NP128's alias] had been previously either lost or stolen, and there is no other documentation to substantiate that [NP128's alias] and [NP128] are the same person. (LIST OF MISSING FORMS)

125. [1325] stated however that he had seen and spoken to [NP128] [NP128] at a property at Bela, giving him a cheque in payment for his employment on the 24th December, 1993.

126. On 13th July, 1994, following the submission of an application to the Moree Local Court, a search warrant was issued in respect of cheques drawn on the account No. [REDACTED], of [1325] and [REDACTED], in respect of payment of wages to employees during the period October, 1993 and February, 1994. (SEARCH WARRANT ISSUED 13/07/94, MOREE LOCAL COURT)

127. That search warrant was subsequently executed the same date and three cheques drawn on that account, being numbered 000650, 000721, and 000818 were taken possession of by virtue of the warrant. (CHEQUES NUMBERED 000650, 000721 & 000818)

Witness: *P. Melly*Signature: *Geoffrey Knight*

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128. On July 13, a statement was obtained from Clinton Lloyd WRIGHT, the Field Officer for the Aboriginal Legal Service, Moree, who indicated that he had no independent recollection of [NP128], or having dealt with him specifically during December, 1993. (STATEMENT OF CLINTON LLOYD WRIGHT)

129. On 14th July, 1994, a statement was obtained from [I326] [I326], of [REDACTED], Moree, the de-facto of [I324] [I324], who indicated that he also worked over the latter portion of 1993, with [I325], his brother, under the name of [REDACTED].

130. [I326] confirmed that [NP128] had arrived at [REDACTED] around November or December, 1993, and travelled with him to and from work in his vehicle during the ensuing period.

131. [I326] is adamant that [NP128] was working with him during the period 20th to 24th December, inclusive, travelling with him on a daily basis to and from a property at Bela.

132. He also indicates that he generally cashed his pay cheques at the MOREE SERVICES CLUB, however whilst he recalls being at the club with [NP128] on one occasion does not recall the boy cashing a cheque there himself.

(STATEMENT OF [I326])

Witness: *P. M. [Signature]*Signature: *G. Knight*

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133. Inquiries substantiated that a cheque No. 000810, dated 07/01/94 for the sum of \$240.00, in the name of John CUTTER, was cashed at the Moree Services Club, which bears his member No. 2350 on the rear, however there is no record of any other 1325 / [REDACTED] cheques being cashed there on the same date.

(BANKING RECORDS OF MOREE SERVICES CLUB - 07/01/94)

134. Records of that Club indicated that the cheque No. 000818, allegedly paid to NP128's alias in the amount of \$140.00 had been cashed at the premises on Saturday the 8th January, 1994, however the only other similar transaction was in respect of a cheque in the name of Max ROBERTS for the sum of \$455.00, cashed on the same date by a member named Claude RICHENS.

135. When interviewed, however on July 15th, RICHENS indicated he had no knowledge of NP128 or NP128's alias, and did not assist in cashing a cheque on behalf of any other person on that date.

(BANKING RECORDS OF MOREE SERVICES CLUB - 08/01/94, PHOTOSTAT OF RICHENS CHEQUE & RUNNING SHEET RE RICHENS INTERVIEW)

136. A perusal of the Visitor's Register at the Services Club failed to disclose any record of NP128 or NP128's alias having signed into the premises on the 8th January.

(PHOTOSTAT OF VISITOR'S REGISTER)

137. Inquiries carried out whilst in Moree revealed that the cheque No. 000650, paid to NP128's alias, in the amount of \$140.00, was cashed over the counter at the A.N.Z. Bank, by a teller named Bev KREBS, however she has no independent recollection of the transaction. That cheque bears a signature

Witness: *P. M. [Signature]*Signature: *[Signature]*

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on the rear which is indecipherable. Inquiries were carried out at the Document Examination Unit, with a view to comparing the handwriting on that cheque however no such comparison could be made as the signatures relate to two different names, **NP128** and **NP128's alias**

138. The cheque No. 000721, in the amount of \$350.00 was cashed at the Moree Hotel on 24th December, 1993, however inquiries made at that premises have been unable to confirm the identity of the person doing so due to the large number of customers having carried out similar transactions during that period.

(RUNNING SHEET 16/4/22)

139. Whilst in Moree, on 13th July, 1994, I spoke on the telephone to a Mrs. Brenda DUCHEN, who introduced herself as the Legal Representative of **NP128**. She informed me that her client would not be speaking to the Police further about the matter, and would not give permission for his Social Security Records to be scrutinised, as had been requested following his interview on the 6th July.

(RUNNING SHEET 16/4/9)

140. Following numerous inquiries being made to locate him, I spoke to the young person **170**, born **[REDACTED]**, at the Bidura Children's Court, on 8th September, 1994, after consulting with his legal representative, Tracy RANDALL, of the Aboriginal Legal Service. Ms. RANDALL indicated that her client would not take part in a formally recorded interview, and would only answer questions regarding the alleged purchase of the rail ticket on behalf of **NP128**

Witness: *P. Wilkey*Signature: *Geoffrey Roy Knight*

141. About 11.45am, in the company of an officer from the Juvenile Justice Department, Greg SAINSBURY, I spoke to 170 in that regard, at which time he confirmed that he had purchased a ticket for NP128 at Redfern Railway Station, alleging that he had been given the money, (about \$26.00) and was asked to purchase the ticket in the name of Anthony STEPHENSON/STEVENSON.

142. 170 indicated that he was aware NP128 was wanted by Police in Sydney and desired to avoid detection, however was unaware as to the reason. He stipulated that whilst he could not recall the specific date of purchase of the ticket, was certain it would have been 2 to 4 weeks prior to Christmas 1993, well before the date of the assault on Mr. DYE.

143. I subsequently carried out further inquiries with Country Link, State Rail Authority, in respect of the alleged purchase of the ticket as indicated by 170, however no record of the transaction was found during a perusal of the relevant manifests, the only ones available for examination within the Department being in respect of the dates 17th, 18th, 19th and 20th December, 1993. (RUNNING SHEET 16/4/21)

Witness: *P. Milligan*

Signature: *Angela*