

DETECTIVE SERGEANT MULHERIN

Okay. Well, the time is now 1633 and 19 seconds Eastern Standard Time on Tuesday the 5th of April, 1994. This is an electronically recorded interview between Detective Sergeant Mulherin and [NP221] [NP221] at the Surry Hills Police Station. Also present is Detective Martin, seated directly opposite me. And [NP221] [NP221] is seated at the end of the table on my left, and Detective Martin's right. Right, Detective Martin, for the purpose of this transcription could you state your name, rank and station?

DETECTIVE SENIOR CONSTABLE MARTIN

Detective Senior Constable Fiona Martin, Homicide Unit, Major Crime Squad South.

DETECTIVE SERGEANT MULHERIN

[NP221], would you state your name for the purpose of this transcription?

SUSPECT

My name's [NP221].

DETECTIVE SERGEANT MULHERIN

Q 1 And [NP221], I might ask you, because it is being recorded on video and tape, just to speak a little slowly and a little clearer so that if we have go back over things that we can understand them. Okay? Thanks very much. Right. Do you agree, [NP221], that apart from the persons I have identified there is no other person in this interview room?

A Yes.

Q 2 Right. **NP221**, as I have already explained to you, Detective Martin and I are carrying out inquiries in relation to an assault and robbery offence committed upon a person by the name of Crispin Dye at approximately 4.20 am on Thursday the 23rd of December, 1993. This attack took place at the corner of Campbell Street and Oxford - Little Oxford Street, at the back of Kinsela's at Darlinghurst. And as a result of the injuries received in that attack Mr Dye died at approximately 5.30 pm on the 25th of December, 1993. We also believe as a result of that attack he was robbed and certain property was taken from him. I'm going to ask you some further questions about this matter. I want you to understand that you're not obliged to say anything unless you wish to do so but whatever you say or do will be recorded and may be used in evidence. Do you understand that?

A Yes.

Q 3 Do you agree that prior to the commencement of this record of interview I told you that I intended asking you further questions about this matter?

A Yes.

Q 4 Do you agree that I also told you that my questions and any answers you gave would be electronically recorded both on the video and on the audio tapes as the interview took place?

A Yes.

Q 5 Do you agree that I also told you that at the conclusion of the interview you would be provided with a master audio tape copy of the interview?

A Yes.

Q 6 I'll have to ask you to answer because nodding will not pick it up on the - - -

A Right.

Q 6 - - - on the tapes.

A Sorry.

Q 7 So if you are going to nod - - -

A Sorry.

Q 7 - - - answer the question as well so that in the event of when you're - if you have to replay the tape at home you'll be aware of what you've said - - -

A Okay.

Q 7 - - - rather than a nod. Okay?

A I'm sorry.

Q 8 No - no problems. Do you agree that I also told you that if required a later viewing of the video tape would be arranged with you and any legal representative you nominate?

A Yes.

Q 9 Do you agree that I also told you that a separate tape recording would also simultaneously be made of the interview for the purpose of playing back portions of the interview, which either you or we wish to clarify?

A Yes.

Q 10 Do you agree that I told you that the reason for a separate recording was because the audio recording systems could not be played during the recording of the interview?

A Yes.

Q 11 For the purpose of this interview, what is your full name, date of birth and address?

A My name's [NP221]. I was born [REDACTED]. My address is [REDACTED] Annandale.

Q 12 Thank you. [NP221], I'll have to ask you if you could just slow down a little and try and speak a little more clearly.

A Yes Try it again.

Q 13 Thank you. If you wish, yes, you might just try that again, if you don't mind?

A Yes. It's [NP221]. Date of birth, [REDACTED]. Address is [REDACTED], in Annandale.

Q 14 Thank you. How long have you lived at that address?

A It's about two months by now.

Q 15 Who do you reside with at that address?

A I'm staying with my girlfriend.

Q 16 What is your current occupation?

A Kitchen-hand at McDonald's.

Q 17 And what outlet of McDonald's restaurants are you employed?

A [REDACTED]

Q 18 And how long have you been employed by McDonald's?

A About nearly seven months now.

Q 19 During that seven months you have been employed by McDonald's family restaurants, have you always been employed at the outlet in Oxford Street, Darlingtonhurst?

A Yes.

- Q 20 Do you agree that earlier today I spoke to you on the footpath in Oxford Street, just outside McDonalds.
- A Yes.
- Q 21 Do you agree that I identified myself as Detective Sergeant Mulherin from the Homicide Squad?
- A You did.
- Q 22 And do you agree that I told you that I had a search warrant to search your home at [REDACTED] [REDACTED] Annandale?
- A That's correct. Yes.
- Q 23 Fine. Do you agree that prior to this interview I showed you a police notebook, and in that police notebook there are notes that I have recorded a conversation that took place between yourself and myself, both on the footpath and in the police vehicle prior to us reaching your home at Annandale this afternoon?
- A Yes.
- Q 24 Do you agree that those notes were made by Detective Sergeant Martin?
- A Yes.
- Q 25 And do you agree that you have read those notes?
- A Yes, I did.
- Q 26 And is it true that you have signed the pages at 50 through to 54 after you read those notes?
- A Yes.
- Q 27 I'd like you to have a look at that notebook there. It's a police official notebook, "F" for foxtrot, 123752 -
- A One.

DETECTIVE SENIOR CONSTABLE MARTIN

One.

DETECTIVE SERGEANT MULHERIN

Q 28 I beg your pardon - 1 - issued to F G Martin, Detective Senior Constable, Homicide Squad, Major Crime Squad South on the 28.4.93. And do you agree that on pages 50 through to pages 54 your signatures appear on each of those pages?

A Yes, it is.

Q 29 Do you agree that this afternoon when I spoke to you on the footpath outside McDonald's I showed you a search warrant?

A Yes.

Q 30 And do you agree that the search warrant indicated premises [REDACTED], Annandale?

A Yes.

Q 31 And is it true, up on the top right-hand corner of that warrant, written are the numerals 324/94?

A Yes.

Q 32 Fine. Is it true that that warrant was given to you earlier today to read?

A You did, yes.

Q 33 Is it true that it was given to you to read at your home?

A Yes.

Q 34 Is it also true that after you read that warrant I then issued you with a copy, or what is commonly known as the Occupier's Warrant?

A Yes.

Q 35 Is this the copy that I gave you?

A That's the one, yeah.

Q 36 Would you mind reading out to me the number in the centre of that page written - - -

A Search Warrant's Act - oh, the number - I see - it's 324/94.

Q 37 Okay. Thank you. Are you able to tell me when you moved to the premises situated at [REDACTED] [REDACTED] Annandale?

A I think it's when - ah - on Saint Valentine's Day, the 14th.

Q 38 And whom did you move into those premises with?

A I was just by myself the first two nights, three nights and then my girlfriend came over.

Q 39 Are you able to tell me her name?

A [REDACTED] NP222.

Q 40 You'll have to just speak a little slowly. Perhaps you might repeat that?

A I'm sorry. [REDACTED] NP222.

Q 41 [REDACTED] NP222. Prior to living at that address, are you able to tell me where you lived?

A Before - before?

Q 42 Before Unit number [REDACTED]?

A Well, I was actually staying at [REDACTED] 1320's place before.

Q 43 I'm sorry?

A [REDACTED] 1320 - [REDACTED] 1320.

Q 44 [REDACTED] 1320?

A Yeah.

Q 45 Place. Yes. And where was that?

A I can't remember the place where it was in sorry - in Summer Hill.

Q 46 In Summer Hill.

A Yeah.

Q 47 Do you know the address in Summer Hill?

A I can't remember the address.

Q 48 Would you be prepared later to take me out and show me that address?

A Yes.

Q 49 If I require you to do that?

A Yeah.

Q 50 Okay. Right. Now, prior to you living in Unit number [REDACTED] of that block of units now, did you live in another block of - a block in that unit?

A I was on the top floor, number [REDACTED].

Q 51 Number [REDACTED]. How long were you living in there?

A Just for about two days or three days and then came down to number [REDACTED].

Q 52 Why did you move to [REDACTED]?

A Because their - the - the landlord was showing the different places around - like the nicest places - because upstairs was the - it was - it wasn't that good, and when he showed me number [REDACTED] the kitchen was brand new, the toilet was clean,

Q 53 All right. Do you have the telephone connected where you've living at the moment?

A Yes.

Q 54 Are you able to tell me the number of the telephone?

A Yep, it's [REDACTED].

Q 55 [REDACTED]?

A [REDACTED].

Q 56 [REDACTED]. When was that telephone connected?

A Oh, it was about - a week after I moved in.

Q 57 So that would be approximately a week after the 14th of February?

A I think so. I mean, I've got the bill there that says that that when they connected up with - - -

Q 58 In whose - I'm sorry?

A The bill's there that say's, yeah on the first day that I connected the phone.

Q 59 In whose name is the telephone account?

A My name.

Q 60 Anyone else's name?

A No one's.

Q 61 Are you able to tell me if you arranged to have the electricity connected to that unit, number 47?

A No. Yes, we did - I changed the name.

Q 62 In whose name does the electricity account appear?

A It's me and my girlfriend's name.

Q 63 So it's in your name, - - -

A In my name, and .

Q 64 And ?

A Yes.

Q 65 What's your position currently at McDonald's?

A I'm a crew trainer.

Q 66 You're a crew trainer. Do you receive - other than your wages from McDonalds, have you made application for any assistance from the government?

A No.

Q 67 Are you able to tell me from what country you arrived prior to Australia?

A Philippines.

Q 68 Philippines. Are you a native of the Philippines?

A Yes, I am.

Q 69 When did you arrive in Australia?

A I couldn't remember but it's in the passport - but I think it's in September of 1990.

Q 70 I'm sorry. You'll have to - you'll have to speak.

A It's in about - it's in the passport. It's September, something, 1990. It's in the date of arrival.

Q 71 Fine. Okay. What's your current status in Australia?

A Current status? That's - - -

Q 72 Are you a - here on a working visa? Are you a migrant?

A A permanent resident.

Q 73 You're a permanent resident?

A Yeah.

Q 74 Are you a citizen of Australia?

A No, I'm not. I haven't applied for it.

Q 75 Are you able to tell me the circumstances of you coming to Australia?

A My parents wanted me to come because they wanted the whole family to be staying in one place.

Q 76 Were you sponsored by any person prior to coming to Australia?

A Yeah, it was my Auntie.

Q 77 Your Auntie?

A She was with us when we came over here.

Q 78 What is your Auntie's name?

A I328.

Q 79 I328?

A I328, I328.

Q 80 And where is **1328** now?

A She's in the USA now.

Q 81 USA now?

A Uh-huh.

Q 82 Do you have any other relatives in Australia, other than your Auntie **1328**?

A No, just my Mum.

Q 83 Your Mum?

A Yeah.

Q 84 What's your mother's name?

A **1329**.

Q 85 **1329**?

A Yeah.

Q 86 Could you spell that?

A **1329**.

Q 87 Where does your mother live?

A She lives in Newcastle. I can give you the full address.

Q 88 Yeah?

A Number **[REDACTED]**, **[REDACTED]** Belmont, 228.

Q 89 And do you know with whom she lives there?

A She's living with my step-father.

Q 90 And your step-father. Have you any brothers or sisters living there?

A Yeah, one - one brother and sister.

Q 91 And what are their names?

A **1330**.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 92 **1330**?

A **1330**.

Q 93 [1330].

A Yeah. [1330].

Q 94 [1330]?

A Yeah.

Q 95 [1330]?

A [1330]. [1330].

Q 96 [1330]?

A Yeah.

Q 97 And that's your brother?

A Yeah, that's my brother's name. And my sister's name?

Q 98 Uh-huh.

A It's [1331].

DETECTIVE SERGEANT MULHERIN

Q 99 Are you the holder of a - of a driver's licence in this country?

A No.

Q 100 Do you drive a car?

A No.

Q 101 Do you own a car?

A No.

Q 102 Do you have access to a motor vehicle at all?

A No.

Q 103 How long have you and your girlfriend, [NP222], been keeping company?

A Four months.

Q 104 And how long have you been living together?

A Two months. Since I moved into that flat. That was on the 14th - two days after that she moved in.

Q 105 Fine. Does [NP222] work at all?

A No, she doesn't.

Q 106 Do you know if she's receiving any unemployment benefits from the government?

A She doesn't. She doesn't.

Q 107 So you're solely supporting her at this stage?

A I am, yeah.

Q 108 Does her mother assist in this support at all?

A Yeah, she does.

Q 109 Are you presently engaged to NP222 or just - - -

A We're - we're planning to.

Q 110 Right. Okay. NP222 wasn't that person that may have sponsored any part of your family prior to coming to Australia?

A No.

Q 111 Can you tell me how you met NP222?

A Yeah, at work.

Q 112 At work?

A Yes.

Q 113 Do you know where NP222's mother is presently working?

A She - she's working at [REDACTED] at the corner of Oxford Street and Wentworth Avenue.

Q 114 Do you know where NP222's mother lives?

A She's lives in that building.

Q 115 Do you get along with NP222's Mum?

A I am, yes, we do.

Q 116 And at any time, do you and NP222 stay overnight in those premises?

A Yeah.

Q 117 About 10.30 on the 14th of February, this year, an unidentified male person went to a solicitor's office in Oxford Street, Darlinghurst, and informed that solicitor that whilst he was over in McDonald's family restaurant he found on the counter a leather wallet. Beside that wallet was a passport belonging to a Filipino. Also there were a number of plastic cards, one of which belonged to the MetWay Bank. And that card belonged to a person by the name of Crispin Dye. I'm going to show you the wallet that was handed to the solicitor that day and I want you to - I want to see if you can tell me anything about that wallet. I'm now showing the - **NP221** a black leather wallet, which contains several areas for plastic credit cards and similar cards, an area for loose change, a zippered area and also a pouched area for keeping notes. What can you tell me about that, **NP221**?

A Well, this is the wallet that I lost.

Q 118 How long have you had that wallet?

A Not long. It's about - well, this is **I320**'s wallet. He gave it to me when I was - when I was living in his house before.

Q 119 So that's a wallet that was given to you by a person named?

A **I320**.

Q 120 And - now, **I320** - is **I320** his first name?

A Well, that's his initial but we call him **I320**, **I320**, **I320**.

Q 121 And his surname?

A **I320**.

- Q 122 [1320]. When did [1320] give you that wallet?
- A I haven't got dates for it but he gave it to me when I was - when I was living in his place.
- Q 123 Was that before Christmas just past or after Christmas?
- A That was before Christmas.
- Q 124 Can you tell me, was it in the month of December he gave it to you, or before that?
- A Before that.
- Q 125 Could it have been perhaps the month of November?
- A I have no idea at all. I have no idea what month he gave it to me.
- Q 126 How are you able to tell me that he gave that wallet to you prior to December?
- A Because I haven't got the wallet sort of like - like, you know, like, you know, like cards and everything in it and I was using just like a travel like, a the red one.
- Q 127 How were you able to tell me that [1320] gave you that wallet before December?
- A I can't answer that.
- Q 128 So you - in reality you're not sure when he gave it to you?
- A No, I'm not sure when he gave it to me, no.
- Q 129 Okay. Did you report - well, the circumstances of this wallet leaving your company - what - what are the circumstances of that wallet leaving your company?
- A What are the circumstances?
- Q 130 Yes.
- A Like, how I lost it?

- Q 131 Was the wallet - was it lost?
- A Yes.
- Q 132 Or was it stolen?
- A I lost the wallet - well, I mean, not
..... someone
- Q 133 I'm sorry - you'll have to speak slowly and clearer.
- A Yeah. What I thought was someone did stole the wallet at that time.
- Q 134 You thought that someone stole the wallet?
- A Yeah.
- Q 135 From where?
- A Well, I was on my break and - - -
- Q 136 Slowly?
- A I was on my break and, you know, I took the money out of the wallet like coins, I bought my - I bought my own meal and then when I came back, like, I was just - I didn't I left the wallet on the in the middle of the kitchen. And when I came back it wasn't there.
- Q 137 Was there any chance that you may have left that wallet on the front counter during your break?
- A I may have. I may have
- Q 138 So the possibility is then that the wallet may not have been taken from further back in the restaurant, but may have been taken from the front serving counter?
- A Yes.
- Q 139 Did you report the theft or the loss of this wallet to anybody?
- A No, I didn't. No. Oh - yeah, I did to my store manager, I told him that.

- Q 140 Your store manager. Well, what is his name?
- A Chris Davis.
- Q 141 Chris Davis?
- A Yeah.
- Q 142 Other than Mr Davis did you report the theft or the loss of the wallet to any other person?
- A No.
- Q 143 Are you able to tell me why you didn't report the theft or the loss of this wallet to either the police or to some other person in authority?
- A Because, I mean, well the reason why is like this, there was this Filipino manager was supposed to be working like -he wants me to go, come to the Philippines for a holiday and then I got the passport. And when I lost the passport
..... I'm going to, like, when I lost it I said
..... passport my passport
Like, I don't want to come to this person and
..... I already told that I had lost my passport and - - -
- Q 144 So you're saying that it was convenient for you to lose your passport in order to avoid going back to the Philippines with this person?
- A Yeah.
- Q 145 Did you report the theft or the loss of your passport to any person?
- A No.
- Q 146 I'm now going to show you a passport - a [REDACTED] passport, number, [REDACTED], issued to a person named [REDACTED] **NP221**. Date of birth

[REDACTED]. Can you tell me anything about that passport?

A That is my passport.

Q 147 That's your passport. Is that the passport that was in the wallet the day you either lost it or it was stolen?

A This is the one.

Q 148 Your passport was in your wallet on the 14th of February, 1994?

A Yes.

Q 149 And subsequently it went missing that same day?

A Yes.

Q 150 Did you report the passport stolen or lost?

A No.

Q 151 Why not?

A Because that's the reason because of a friend of mine going back to [REDACTED].

Q 152 Irrespective of that, do you think you might've been obliged to perhaps to tell your consulate that your passport was outstanding?

A Yeah, I was going to do that. I had - I had the telephone number telephone number of the [REDACTED]

Q 153 And at this stage you still haven't reported it stolen?

A I haven't.

Q 154 Or lost?

A Yeah.

Q 155 When that - your wallet containing your passport was handed to the solicitor in Oxford Street, Darlinghurst, on the 14th of February this year,

inside that wallet was a MetWay bank automatic teller machine card, number [REDACTED], valid from the third month of 1993 till the end of the second month of 1996 in the name of Mr Crispin, C-R-I-S-P-I-N, initial W, surname, Dye, D-Y-E. The card on the back has been signed "Crispin Dye". Can you tell me anything about that card?

A Yeah, this is the card that I found on my way to work.

Q 156 When you say this is the card you found on the way to work, are you able to tell me where you found this card?

A Yeah, near the pub on the corner of Oxford Street and I don't know what the street is, at the pub there.

Q 157 The pub on the corner of Oxford Street?

A And - what's that - it's where the - near the food shop there.

Q 158 Is it the hotel on the same side as McDonald's restaurant?

A On this side - on the right-hand side.

Q 159 Walking - walking - - -

A Towards - - -

Q 160 North-west towards Hyde Park?

A Yes.

Q 161 That would be the Brighton Hotel?

A The Brighton Hotel, that's the one.

Q 162 So you're saying you found that card - - -

A Right in front of it.

Q 162 - - - right in front - - -

A Of the Brighton Hotel.

Q 162 - - - the Brighton Hotel, on the footpath?

- A Yes.
- Q 163 Are you able to tell me what day you found that card?
- A No, I - I can't tell you when - what - the day I found it.
- Q 164 Was it before Christmas 1993 or after Christmas 1993?
- A It should - it must be before Christmas.
- Q 165 Did you make any inquiries in relation to this card and it's owner?
- A No.
- Q 166 Why not?
- A Because I like - I just like collecting them, you know, just like a habit thing.
- Q 167 So can you tell me why you decided to keep this card rather than make inquiries about it?
- A Because I haven't seen any card like that before. Like, I've seen St George, ANZ and like that and when I seen this I said I want to keep it, like, I want to keep it like and if I get - find some more different ones I haven't seen before I could collect them and put them in a book or something.
- Q 168 Did you think of reporting the find of this card to the police?
- A No.
- Q 169 Do you realise that this card is the property of that bank?
- A No.
- Q 170 And that it's also issued to that person for his convenience?
- A No.
- Q 171 Also in the - in your wallet that was handed to the solicitor on the 14th of February, 1994, was another

Credit Union Card, belonging to Australian Credit Unions, ReadyCard number [REDACTED] in the name of - initials, [1320], Surname [1320], [1320], Sydney Credit Union, [REDACTED], expiry date the fourth month of 1996. At the back of this card also there's a signature. What can you tell me about this Australian Credit Union card?

- A This is my friend's card, [1320].
- Q 172 That's your friend's card, [1320]?
- A And he gave me - he gave this to me - well, I get it from him because he wasn't using it any more because not valid you know, he can't use it, and he can't use it any more. So I just liked, part of it, you know, 'credit unions'.
- Q 173 So was it in your wallet the day it was lost or stolen?
- A Yes, it was.
- Q 174 And was also the MetWay card in your wallet the day it was lost or stolen?
- A Yes, it was.
- Q 175 Does [1320] know that you have this card?
- A Yes.
- Q 176 And I suppose the reason why you are keeping it is because you are collecting these cards?
- A Yeah.
- Q 177 Okay?
- A Yeah.
- Q 178 Also contained in the wallet the day it was handed to the solicitor was quite a number of other documents in relation to the Belmore 16 footer sailing club.
- A Yeah.

- Q 179 There was a plastic card, number [REDACTED], expiry date, 31.3.1994, in the name of [NP221]. On the back also of that card appears a signature. Is that your card?
- A That is my card.
- Q 180 And was that card in your wallet the day it was lost or stolen?
- A Yes, it was.
- Q 181 I show you also a MediCare card, number [REDACTED], in the name of [NP221], valid to the first month of 1997. Is that your card?
- A Yes, it is.
- Q 182 Was that card in your wallet the day it was lost or stolen?
- A Yes, it was.
- Q 183 Now - also in that wallet the day it was lost or stolen was a considerable amount of receipts relating to the sales of clothing. Do you agree that - about that?
- A Yes, I always keep my receipts in there.
- Q 184 And there was also quite a number of travel concession tickets?
- A
- Q 185 Used bus passes - - -
- A Those ones, yeah.
- Q 186 Travel passes. Do you agree that that was in your wallet the day it was stolen or lost?
- A Yes.
- Q 187 And also used - an old theatre tickets?
- A That yeah.
- Q 188 Yes. Okay?

A Yes.

Q 189 And a McDonald's card and also a Combined Taxi Services card?

A Yes.

Q 190 Okay. I don't think we need to go into those too much. And also receipts in relation to your transactions from your bank account on automatic teller machines from the Advance Bank?

A Yes.

Q 191 Have a look at those.

A That's in - near - near the Brighton Hotel

Q 192 I'm sorry?

A That's next to the Brighton Hotel.

Q 193 Right. Next to the Brighton Hotel.

A That's right.

Q 194 You often use that outlet to operate what kind of - of other card - - -

A I've got a St George.

Q 195 St George. And these accounts here are operated on the St George account from the outlet at the Advance Bank?

A Advance Bank.

Q 196 Okay. Also in your wallet the day it was handed to the solicitor was a photograph of a female. Are you able to tell me first of all - was that in your wallet the day it was lost or stolen?

A Yes, it is.

Q 197 And can you tell me who that photograph is of?

A This is my girlfriend, NP222.

Q 198 She is the woman that is presently living with you?

A Yes.

- Q 199 Also in your wallet the day that it was lost or stolen appears a number of automatic teller machine receipts in relation to the St George automatic teller machines. George - 630 George Street, Sydney.
- A In the city?
- Q 200 Yes.
- A Yes.
- Q 201 And also 343 Parramatta Road, Leichardt?
- A Yes, that's where they are.
- Q 202 Right. Now, can you tell me where the card - the automatic teller machine card that operates that account is at the moment?
- A Yes. This
- Q 203 To the St George - yeah, the St George account.
- A Well, that's - I opened the St George - the one in the city but I think it's the one that's next to - in front of Hoyts - well, the Greater Union Cinemas.
- Q 204 No. I don't think you understand what I'm asking you. What I'm asking you is that - you're the holder of a St George account?
- A Yes.
- Q 205 What type of account is it?
- A Cash Card.
- Q 206 Cash Card?
- A Yeah.
- Q 207 Right. With that Cash Card they give you a plastic card. Is that correct?
- A Yes.
- Q 208 To utilise at the automatic teller machine outlets?
- A Yes.
- Q 209 Where is that card?

- A It's in - it's in my jacket, the one you just - the red - the red thing - the red. Well, the thing is, when my wallet got stolen I thought that my red card was in the wallet.
- Q 210 So am I to understand that when your wallet was stolen you were of the opinion that your Cash Card was in the wallet?
- A That's what I thought but when - - -
- Q 211 That's what you thought?
- A
- Q 212 But is that the fact?
- A No, it wasn't in the wallet.
- Q 213 It wasn't in the wallet. Can you tell me where that card was?
- A Yeah, when I got back home, NP222, my girlfriend, found the card on the - on the corner table.
- Q 214 So when you arrived home - when you say home you're talking about Unit number [REDACTED], [REDACTED], Annandale?
- A Annandale. Yeah.
- Q 215 And your girlfriend found your card on the table?
- A On the table.
- Q 216 Can you tell me in whose name that account is?
- A It's in my name.
- Q 217 Can you tell me what address you gave when you opened that account?
- A On the - on the address I think it's in the top, written up the top the number [REDACTED] [REDACTED], Annandale.
- Q 218 Did you ever report this card stolen or lost?

A Yeah, I did have it - when - the day that it got stolen I went straight to the St George to replace the card to have a new one, and but, you know, they - they changed the card straight away that day when it got stolen. On my meal break I went down - straight down, or on - on my way home, actually, I went straight down to St George to tell them that.

Q 219 Whereabouts - what - what St George branch did you report this stolen or lost?

A The one in Oxford Street.

Q 220 Sorry?

A The one in Oxford Street.

Q 221 And what address did you give them when you reported this card stolen?

A I think it was ■■■-■■■.

Q 222 ■■■, ■■■ - - -

A Annandale Street. That's where I - I haven't changed the address in that

Q 223 Do you know to whom you reported that card stolen at the St George branch at Oxford Street?

A The person? No, I don't.

Q 224 Does any other person have access to that account?

A No. Well, me and NP222 is getting a different one a double joint account but that's got nothing to do with the other one.

Q 225 A separate account?

A Yeah.

Q 226 Okay. We're talking about this account.

A Yeah.

Q 227 Now, you say that that card that you reported stolen that day was, in fact, not stolen?

A No.

Q 228 And it is, in fact, a part of the property that was taken from your home today?

A Yes.

Q 229 Okay. What I might do now is just to suspend the interview for a short time in order that I might - may go to another room and obtain that card. Okay? Now, this interview will be suspended at this time. The time is now 1750 and 45 seconds.

A 15.

DETECTIVE SENIOR CONSTABLE MARTIN

15.

DETECTIVE SERGEANT MULHERIN

Sorry - 1715 and 49 seconds. This interview will be suspended for a few minutes in order that I may leave the room to obtain an exhibit which I need in this interview. Recording will now be stopped for the duration of the break and will be restarted prior to the interview being resumed.

TAPE RECORDING CEASED

TAPE RECORDING RESUMED

DETECTIVE SERGEANT MULHERIN

Q 230 Fine. The time is now 1718 and 28 seconds on the 5th of April, 1994, Eastern Standard Time. Interview between Detective Sergeant Mulherin and NP221 NP221, continued. I've just obtained a Freedom St George card which was taken from your residence earlier today. The account number on this card is

[REDACTED]. It's in the name of **NP222** and it expires on the first month of 1997. What can you tell me about that card?

A This is the card - this is the joint card.

Q 231 That's the joint card?

A Yeah. Yeah.

Q 232 Right. Okay.

A Right.

Q 233 Now, that's the card that's in both your name - - -

A And **NP221**'s.

Q 234 And **NP221**'s?

A Yeah.

Q 235 Now, where is the other card you say - - -

A Where's my one?

Q 236 Where's your card?

A I think **NP221** has got it now.

Q 237 So your card, you think, is now in the possession of your girlfriend?

A Yes.

Q 238 So in the reality the card that we took from your premises this afternoon isn't, in fact, the card that's solely your account?

A No.

Q 239 That account there belongs to yourself and to your girlfriend, **NP221**?

A Yes.

Okay. The time is now 1720 and 17 seconds. I'm now going to again suspend this interview for the purposes of trying to obtain St George - - -

TAPE RECORDING CEASED

TAPE RECORDING RESUMED

DETECTIVE SERGEANT MULHERIN

Q 240 [NP221] the time is now 1728 and 37 seconds Eastern Standard Time. Interview between Detective Sergeant Mulherin and [NP221], continued. [NP221], during the break I've spoken to your girlfriend, [NP222], and she handed me a St George Freedom Card, number [REDACTED], expiring on the second month of 1997, in the name of [NP221] - [NP221]. She's informed me that this is the card that was issued to you after you had initially reported - - -

A Yes.

Q 240 - - - a card relating to your cash card, stolen. Is that true?

A This is the card that they gave me in replacement, yes.

Q 241 This is the replacement card. Can you tell me what happened to the original card?

A Yeah, I chucked it away.

Q 242 Where did you chuck it?

A In the bin.

Q 243 In the bin?

A Yes.

Q 244 Did you destroy it before you threw it in the bin?

A I destroyed it, yes.

Q 245 Fine. Okay, then. Good. Other than yourself, does any person know the PIN number to your account?

A Just my girlfriend.

Q 246 Just your girlfriend?

- A Yes.
- Q 247 Righto. It's quite obvious now from what your girlfriend told me that the card was, in fact, removed - the card that's now destroyed, the one you reported as being lost or stolen was removed from your wallet the night before the wallet was stolen. Is that true?
- A Yes.
- Q 248 Right. So - and she, in fact, has it at home?
- A Yes.
- Q 249 Okay. No one else has access to this - to your accounts, other than yourself and your girlfriend?
- A Yes.
- Q 250 Are you able to tell me what your movements may have been on Wednesday the 22nd of December, 1993? That's three days before Christmas.
- A She was with - I was on my way - I don't know if I was on my way - I was on my mum's place in Newcastle.
- Q 251 Now - I'm sorry - did you say you were at your mother's place in Newcastle, or you're not - you don't know whether you were at your mother's place?
- A I don't know if I was on the day of the - like, I probably was on, because I was on Christmas Day.
- Q 252 At Christmas Day you were at your mother's? That's not what I have asked you, though. What I have asked you is, what were your movements on Wednesday the 22nd of December - three days before Christmas?
- A I was probably in my mum's - I was in my mum's.
- Q 253 You were probably in your mum's house?
- A Yes.
- Q 254 Where's that?

A That's in Belmont, Newcastle.

Q 255 In Belmont, Newcastle?

A Yes.

Q 256 What day did you go up to your mother's place?

A Well, I can't - I can't say the day - on what day I was on there but, like - like a day or I got something that I was on the my Mum's - like my Mum could tell me that I was there.

Q 257 Can you tell me what your movement was on the 23rd of December, 1993?

A I wasn't - I wasn't at work. Maybe I was working, or maybe I was - I was in Newcastle.

Q 258 Well, can you tell me or can't - or don't you know?

A I can't tell - not unless I find out my roster again on that day.

Q 259 So you're unable to - - -

A No.

Q 259 - - - what your movements were on the 23rd of December, 1993?

A Yes.

Q 260 And you - and you're unable to tell me, but you think that you may have been at your mother's place on the 22nd of December, 1993?

A Yes.

Q 261 I've been informed that at one minute past five on Wednesday night - - -

A That's - that's, when - that's 25th?

Q 262 That's the 22nd.

A 22nd - yes.

Q 263 One hundred and seventy dollars was withdrawn from your St George cash account at the automatic teller machine outlet at Pitt and Market Street, Sydney.

A Pitt and Market?

Q 264 Pitt and Market Street in Sydney.

A Pitt and Market Street in Sydney?

Q 265 Yes.

A That's in the city?

Q 266 That's in the city. Would you have withdrawn that money from your account that day?

A I must have, yeah.

Q 267 So did you then leave and go to your mother's place later that night, or were you, in fact, somewhere else?

A I must've stayed with the - with the manager's at his place at night and then left - and then left in the morning when we went in Newcastle. They can - they can prove that I was there. And I took the money out just to catch the train - for the bus, too.

Q 268 So you're saying that at five - one minute past five on the 22nd you withdrew \$170 from your St George account?

A Yes.

Q 269 And that the next day you travelled to your mother's place in Newcastle by train?

A By train or by bus. Yes.

Q 270 Or by bus?

A Yes, yes.

Q 271 I have been informed that the next day, which would've been the 23rd day of December, 1994 - - -

A Yes.

- Q 272 I'm sorry - 1993.
- A '93.
- Q 273 You were rostered to work from 11.30 am to 8.30 pm at McDonald's family restaurant, Oxford Street, Darlinghurst. Did you, in fact, work that shift or not?
- A I must have worked that shift.
- Q 274 So, if that is the case, if you, in fact, were in Sydney at five - one minute past five on Wednesday the 22nd of December, 1993, and you worked at McDonald's family restaurant, Oxford Street, Darlinghurst, at 11.30 am on Thursday the 23rd of December of 1993, where did you spend the night?
- A My manager's place.
- Q 275 Your manager's place?
- A Yes.
- Q 276 What is his name?
- A NP224.
- Q 277 Can you spell his surname for me?
- A NP224 - -

DETECTIVE SENIOR CONSTABLE MARTIN

- Q 278 NP224 - - -
- A NP224.
- Q 279 NP224?
- A Yes.
- Q 280 Just one NP224?
- A Just one.

DETECTIVE SERGEANT MULHERIN

- Q 281 NP224.

A

DETECTIVE SENIOR CONSTABLE MARTIN

Q 282 Yeah.

A Yeah.

Q 283 NP224 ?

A NP224 .

DETECTIVE SENIOR CONSTABLE MARTIN

Q 284 Where does he live?

A He lives at Leichardt. I haven't got the - the date - the - the address, but he lives in Leichardt. He lives - it's number ■ - I don't know the flat number but it's in - it's - I can't remember the street. It's just right in - it's in my mind but I can't say the words. I can't say the names - the name correct, but it's in Leichardt.

Q 285 Would NP224 perhaps live in ■, Leichardt?

A ■? Yeah, that is ■ - ■.

Q 286 And would he live in Flat ■, number ■?

A Number ■ - number ■, ■.

Q 287 ■?

A ■, yeah.

Q 288 Where were you living between the 22nd of December, 1993, and the 26th of December - which is the day after Christmas of 1993?

A Yes, I was staying at NP224's.

Q 289 You were living at NP224's?

A Staying at NP224's, yes.

Q 290 All right. Who else was living in those premises?

A His sister.

Q 291 What's her name?

A I332, I332.

Q 292 Where was your girlfriend, NP222?

A She was at Bali on a cruise.

Q 293 Bali on a cruise?

A Yes.

Q 294 When did she leave Australia to go on that cruise?

A That was a week or two weeks before Christmas.

Q 295 And when did she return?

A She returned two days after Christmas, I think, on the 28th of Christmas.

Q 296 Is NP224 - - -

A NP224, yes.

Q 297 NP224, is he on the telephone at home?

A Yes, he is.

Q 298 Are you able to give me his telephone number?

A I think - I don't know where - my - my girlfriend has the number.

Q 299 Your girlfriend has the number?

A I think - the rough guess is ██████████.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 300 ██████████ - - -

A ██████████.

3851.

DETECTIVE SERGEANT MULHERIN

Q 301 How did you get to work that day? I'm sorry - on the 23rd when you started at 11.30, how did you get to work when you - from NP224's place?

A I must've caught a bus.

Q 302 Have you ever lived at premises situated at [REDACTED] [REDACTED] Daceyville?

A That's my old address - my really, really old address.

Q 303 You say that's your really old address?

A Yes.

Q 304 When did you move into that - those premises?

A That's - I can't remember the date but that was last year.

Q 305 What part of last year?

A I don't know.

Q 306 Was it towards Christmas?

A Probably, yeah - I can't really say. I can't really remember.

Q 307 There's 12 months in a year - was it in the middle of the year?

A Somewhere nearly at the end of the year - somewhere like that.

Q 308 So you moved into those premises at the end of the year?

A Something like that, yeah. It was near the end of the year.

Q 309 When did you leave those premises?

A When did I left - left it? I left it when I - I was going on the way back to Newcastle to stay up at my Mum's.

Q 310 When was that?

- A I can't really tell you when but - - -
- Q 311 You'll have to start thinking, mate.
- A Yeah, but I got my - I got a thing about my - TAFE -
I was at TAFE then - the - the month I go there, I
went to a TAFE course.
- Q 312 Went to - - -
- A Local course.
- Q 313 You went to a TAFE course, where?
- A Belmont TAFE.
- Q 314 Belmont TAFE?
- A Yes.
- Q 315 At the end of last year?
- A That's - I don't know if it's the end of December.
It must - - -

DETECTIVE SENIOR CONSTABLE MARTIN

- Q 316 And are you talking about the end of 1993 or the end
of 1992? We're in 1994 now.
- A It should be in the middle of 1993.

DETECTIVE SERGEANT MULHERIN

- Q 317 So you say that you moved in to [REDACTED]
Daceyville at the end of last year, 1993?
- A No.
- Q 318 You left there?
- A I left it in the middle of 1993.
- Q 319 You left there in the middle of 1993?
- A Yes.
- Q 320 When did you move in to that address?
- A I stayed there for about a year, so that must
be

- Q 321 So you moved in in the middle of 1992?
- A Yes.
- Q 322 And you left there in the middle of 1993?
- A Uh-huh.
- Q 323 Who were you living with at that address?
- A I was by myself and there was this - tenants, like, they all share in one house.
- Q 324 What were the names of the people you were sharing with?
- A I can't remember the last - oh, [REDACTED].
- Q 325 [REDACTED] - - -
- A That was the second one - that was the second person.
- Q 326 [REDACTED]?
- A [REDACTED].
- Q 327 What were the names of the other people?
- A Rosemarie but I can't - I can't remember the last name.

DETECTIVE SENIOR CONSTABLE MARTIN

- Q 328 Rose?
- A Rosemary.
- Q 329 Rosemary?
- A Yes. R-I - R-I-E.
- Q 330 R-I-E - yes.
- A But I can't remember the last name.

DETECTIVE SERGEANT MULHERIN

- Q 331 Who else was living there?
- A Just those two - and Rosemarie's boyfriend.
- Q 332 What was his name?

A I can't - I can't remember the name. I can't remember the boyfriend's name.

Q 333 What nationality was he?

A He was Filipino - both of them, the girl and the guy was Filipino.

Q 334 The girl - Rosemarie, was it?

A Yes.

Q 335 And the boyfriend were both Filipino?

A Uh-huh.

Q 336 Did he have a motor car?

A He's got a car.

Q 337 Do you know what type of motor car?

A It's a - I think it's a Celica.

Q 338 What colour?

A Brown - brown or a gold dark gold.

Q 339 Were you on the telephone there?

A When I was living with Rosemarie there wasn't, but when I was living with 1333 there was but. It was her - it was her own private phone and she used it for herself.

Q 340 In whose name was the electricity account?

A That was in the landlord, Greg Brown.

Q 341 In the name of the landlord, Greg Brown?

A Greg Brown, yes. And I've got his number

DETECTIVE SENIOR CONSTABLE MARTIN

Uh-huh.

DETECTIVE SERGEANT MULHERIN

Q 342 Do you know what that number is?

A Yes, XXXXXXXXXX.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 343 [REDACTED]?

A [REDACTED]. Yes.

DETECTIVE SERGEANT MULHERIN

Q 344 Who was responsible for the electricity account there?

A We all paid for the - our food and the rent and he's the one who's paying for the bill.

Q 345 For the electricity?

A Yes.

Q 346 During the time the telephone was in those premises, who was responsible for the telephone?

A The person that - [REDACTED] 1333 .

Q 347 Do you know who lives at that - at that address now?

A No, I don't.

Q 348 Do you know if there's a current telephone number for that house now?

A Well, the one which - to get in contact with the house you have to contact Greg Brown at that number.

Q 349 Right. Okay. Well, these people that you lived with at that address, were they your friends or were they friends of your girlfriend now, [REDACTED] NP222?

A [REDACTED] NP222 - actually, I hadn't met [REDACTED] NP222 at that time.

Q 350 Right. Are you able to tell me if you ever lived at Flat number [REDACTED], [REDACTED], Ashfield?

A That's my - my best friend's place.

Q 351 What's his name?

A Richard Brillon - Richard Brillon, B-R-I- - -

DETECTIVE SENIOR CONSTABLE MARTIN

Q 352 B-R-I ?

A L-L-O-N.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 353 Who lives at that address other than him?

A His wife now.

Q 354 What's her name?

A Nicole. Will I give you the last name for Richard or the last name of - the old last name she's had.

DETECTIVE SERGEANT MULHERIN

Q 355 You can give me all the names you have.

A Yeah. Nicole Dimitrios Brillion - that's - that's - Dimitrios is her - before she got married that's her last name.

DETECTIVE SENIOR CONSTABLE MARTIN

Uh-huh.

DETECTIVE SERGEANT MULHERIN

Q 356 When did she live at that address?

A I'm sorry - that's Dimitrios, D - trios, T-R-I-O-S, Dimitrios.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 357 T ?

A R-I-O-S. Dimitrios.

I-O-S. Okay.

DETECTIVE SERGEANT MULHERIN

- Q 358 When did you live at that address?
- A I was just staying there for a while, like when I get like - when I came back from Newcastle, when I finished - when I was doing that TAFE course. I
- Q 359 So when was that? That was the middle of 1993?
- A It should be. Yeah, I think so.
- Q 360 Till when? How long did you stay there for?
- A I just stayed for a couple - well, maybe - let's say about two weeks, three weeks and then Nash Ali offered me to stay in his place.
- Q 361 And that was at?
- A That was in Summer Hill.
- Q 362 Summer Hill?
- A Yeah.
- Q 363 And you're able to show me that address if I require you to do so at a later time?
- A Yes.
- Q 364 Do you know what the telephone number is at the Ashfield address?
- A It's [REDACTED] - it's a rough guess, [REDACTED] - I can't - I can't remember the last three, but my girlfriend has that.
- Q 365 Would it be [REDACTED]?
- A [REDACTED], that's it, yes.
- Q 366 Can you tell me the old telephone number belonging to that address?
- A It's [REDACTED].
- Q 367 Right. Just going back to the [REDACTED] address?
- A [REDACTED], yeah.

- Q 368 Unit ■, number ■ - at Leichardt - are there any other persons you know living in that building in other units?
- A His brother, he lives upstairs.
- Q 369 His brother? What's his brother's name?
- A Fred.
- Q 370 Fred?
- A Yes.
- Q 371 And who does Fred live with?
- A His wife.
- Q 372 What's her name?
- A Ruth, R-U-T-H.
- Q 373 And do you know what number unit they live in?
- A It's hard to - it's - I think it's number ■.
- Q 374 And what nationality is he?
- A Filipino. They're both Filipino.
- Q 375 Ruth and Fred?
- A Yes.
- Q 376 Where did you meet these people?
- A I met - well, I first met NP224, the manager - yeah, and then we started going out, like, around the city and then we met with his family.
- Q 377 So you met them through your association with NP224?
- A NP224, yes.
- Q 378 Right. I'm going to show you an Ansett - an Ansett Frequent Flyer Card, number ■, in the name of Mr Crispin Dye - no signature appearing on the back of that card. Have you ever seen that card before?
- A No, I haven't.
- Q 379 Also I'm going to show you a Health Care Card in the name of Crispin Wilson Dye, P.O. Box ■ - sorry - P O

Box [REDACTED], Cairns. Have you ever seen that card before?

A No.

Q 380 Today we were at your home and on a table in your little living area I found this sterling silver ring with a small diamond inserted in the face of that article. Can you tell me who owns that?

A It's mine.

Q 381 It's yours?

A Yes.

Q 382 And how did you come by that?

A My girlfriend gave it to me - it's like a Christmas and my birthday present.

Q 383 When did she give you that?

A That's on the Christmas - my birthday.

Q 384 Well, which birthday - what year?

A Last - this year.

Q 385 This year, 1994?

A Yes.

Q 386 January '94?

A Yes, January '94.

Q 387 Okay. Also when we got home today in a - in the same folder as the St George Freedom Account Card was found was an ANZ Bank Visa Card, number [REDACTED] valid from the eleventh month of '93 to the tenth month of '95 in the name of Miss Sarah O. Martin. A signature also appears on the back of that card. What can you tell me about that card?

A Yeah, this is the one - - -

Q 388 Slowly and clearly, thanks.

A Sorry - yeah. This is the one that I found in the - the pigeon-holes - manager's pigeon-holes while I was cleaning up all the junks there. And then, like, what I said, like, I like collecting - that's like my hobby, like, getting cards, collecting them. So I got - I go this one.

Q 389 Did you think to make any inquiries at the ANZ Bank in relation to that - the owner of that card?

A No.

Q 390 Well, what was your intentions in keeping that card?

A Collecting it, because I

Q 391 As a - as a collector's item?

A Yes.

Q 392 I've noticed today when we first spoke to you, and also now while we are speaking to you, you're wearing a Chicago Bulls baseball cap, predominantly black with a red bull and the words "Chicago Bulls" embroidered in red. How long have you had that cap?

A I had it when - for a while now because we had this - me and my brother had this from Auntie from the USA - it got sent to Newcastle.

Q 393 You've had it for a while?

A Yeah.

Q 394 It was sent to you from - by your Auntie from the USA?

A From the USA, yeah.

Q 395 When was that?

A It's probably after Christmas or on Christmas.

Q 396 After Christmas what year?

A Last - 1993 Christmas.

Q 397 So she sent that to you after - - -

A Well, before or after Christmas.

Q 398 Before or after Christmas?

A Yes.

Q 399 Can you tell me precisely when?

A Well, it was given as a present, so it must be before Christmas.

Q 400 It was given?

A As a present.

Q 401 As a present?

A Yeah. I had - I had three of these, like, three caps.

Q 402 And what were the other two caps?

A Well, I had a red one and a - a Boston Celtics one was my old one, the one that I really owned.

I'm sorry - - -

DETECTIVE SENIOR CONSTABLE MARTIN

Q 403 Boston?

A A Boston Celtics hat.

DETECTIVE SERGEANT MULHERIN

Q 404 A Boston Celtics hat?

A Yes, a - it's a team mark and that's my olden - a very, very old one that I used to wear.

Q 405 Where is your - where's that now?

A It should be in the cupboard where all the bags are old bags are.

Q 406 Are you able to tell me where the other Chicago Bulls
- - -

A The other - the red one?

Q 407 Yes, the red one?

A [NP224] 's got it.

Q 408 [NP224] ?

A [NP224] .

Q 409 [NP224] - has that.

A Yeah.

Q 410 You gave it to him?

A No, I left it there.

Q 411 You left it there?

A Yeah.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 412 And what hat - what sort of hat is that?

A It's says - it's a red hat.

DETECTIVE SERGEANT MULHERIN

Q 413 to that -

A Yeah.

Q 414 It's a red Chicago Bulls cap with a -

A Oh - it's not really a Chicago Bulls - it's about Nike or Jordan - it's Jordan, yeah.

Q 415 So it's not - it's got - - -

A It's got "Jordan" - like, it's a trademark of Jordan.

Q 416 Right. Okay. So it's not a Chicago Bulls hat?

A It's not, no.

No. Okay.

DETECTIVE SENIOR CONSTABLE MARTIN

Q 417 So you've got the one black and two red?

A One red.

Q 418 And - - -

A And the Boston Celtics is the one black.

- Q 419 So you've got two black hats and one red?
- A Red - yeah. Oh - just in case that you check it out at NP224's I got another hat that's been given for me for a - for a NP224's friend. It's - it's got a metal cap in it. It's - it say 'football'. So just in case -
- Q 420 I'm sorry, you'll have to say that to me slowly, otherwise - - -
- A I'm sorry, yeah. I - I got another hat but that's - that's been given to me on - that was after Christmas.
- Q 421 And what type of hat - what type of hat's that?
- A It's a - it's metal plated it says 'football.'
- Q 422 Right. Okay. I notice that on your finger you're wearing another silver ring?
- A Yeah.
- Q 423 When did you obtain that?
- A From NP222 on - I don't know what day it was but when we were going out we sort of - I swapped with my - - -
- Q 424 Before or after Christmas?
- A It should be after Christmas.
- Q 425 And also what type of watch are you wearing on your wrist at the moment?
- A It's a Pulsar.
- Q 426 A Pulsar?
- A Yeah. A digital watch.
- Q 427 And Pulsar digital watch with a black - heavy black band?
- A Yes. Yes.
- Q 428 It's got an alarm in it?

A Yes.

Q 429 And also - where did you obtain that from?

A This is a Christmas present - I mean, a birthday present from my Mum.

Q 430 What birthday?

A The seventeenth - oh - it should be the sixteenth or seventeenth.

Q 431 So you've had it for a number of years?

A Yeah.

Q 432 Do you frequent any night clubs in the Sydney area?

A Sorry?

Q 433 Do you frequent any night clubs in the Sydney area?

A No.

Q 434 How about hotels?

A No.

Q 435 Do you frequent any of the coffee houses or other entertainment places in the Darlinghurst area?

A No.

Q 436 Are you a member of any Filipino social club?

A No.

Q 437 Do you go to any gatherings where there are Filipinos and South Sea Islanders?

A It's normally when someone invites me but normally, no.

Q 438 And when you are invited, normally where are they?

A It's just Filipino peoples are just having a party in the house.

Q 439 At the house?

A Yeah.

Q 440 There's no - - -

A No - not really any big one - like,

Q 441 Do you have any friends or associates that are South Pacific Islanders? Do you know what I mean when I say South Pacific Islanders?

A No, I don't.

Q 442 Tongans, Fijians?

A Yes, Fijian Indian.

Q 443 Fijian Indian?

A Indian.

Q 444 Who's that?

A That's **I320**

Q 445 **I320** He is a Fijian Indian?

A Yes.

Q 446 Do you know a person by the name of **NP226**?

A **NP226**? Well, I know a lot of **[REDACTED]** but the last - I don't really remember the last name.

Q 447 When you were living out in the Daceyville area did you ever come across a person by the name of **NP226**?

A Daceyville? No.

Q 448 Did you assault Crispin Dye in Campbell Street, Darlinghurst, at 4.20 am on Thursday the 23rd of December, 1993?

A No.

Q 449 Were you present in Campbell Street at that time when some other person assaulted Crispin Dye?

A No.

Q 450 Have you ever assaulted any person in the inner city?

A No.

Q 451 Have you ever been present when any other person has been assaulted in the inner city?

A No.

Anything you can think of?

DETECTIVE SENIOR CONSTABLE MARTIN

Q 452 There was a couple of questions. When you say that you found the MetWay card outside the Brighton Hotel, could you tell us exactly where you found it. You say on the footpath, but can you be a bit more specific about where you picked it up?

A Well, it was just - it was - it was just on the floor, lying down, you can see the colour and that was just laying down. Where the lights is, it's just right there, like, pavement, just there.

Q 453 So, walking to McDonald's from - - -

A Walking to McDonald's, yes.

Q 454 All right. Was there any other property with that MetWay card?

A No, just the sole one that was there.

Q 455 So it was there by itself on the footpath?

A By itself - yes.

Q 456 And could you tell us what time of the day you picked up that card?

A I couldn't just remember what the day - what time I've seen it.

Q 457 And was it the morning or the afternoon or the evening when you picked it up?

A It must be in the middle of the day, like - like, there was no - no - no people around when I was walking that time so it must be in the middle of the day like before like, before the comes - comes out.

Q 458 Right. So in the morning, we'll say?

A In the morning, yes.

Q 459 Before a lot of people were coming out in the street?

A Yes.

Q 460 Is that correct?

A Yes.

Q 461 All right. You also have said that you were with NP224 on the 22nd - or you were staying at his place on the 22nd of December?

A I think so.

Q 462 All right. Could you - or, can you remember the movements of NP224 on the afternoon and early evening and into the evening of the 22nd of December?

A No - no, I'm sorry

Q 463 Okay. Can you remember your exact movements that evening?

A I must've been staying there with the - with the sister, watching a video or the television.

Q 464 Could you have gone out that night in town?

A While I was staying there I was just - while I was staying there I was just either staying there or going with NP224 wherever he goes.

Q 465 All right. If I can take you back to your withdrawing money from the St George branch at Pitt and Market Streets - - -

A Pitt and Market Streets.

Q 465 - - - where \$170 was withdrawn, could you tell us your movements after leaving the St George Bank?

A I'll try, yes.

Q 466 Could you tell us?

A I'll try - I'll try do my best.

Q 467 Can you tell us now what your - - -

A Well, I can't remember exactly where Pitt and Market Street is, now, like - - -

Q 468 Well, it's down near David Jones and Grace Brothers, where the Pitt Street Mall is.

A That must've been when - going in there for looking for some music - Virgin Music Store. Like, that's I normally do before, like, when I - when I finish work I walk around there and check out the music. After that there's nothing else to go to, like, you know, I just go straight back where [NP224] stays because when - when I, like, I have to be there before night comes, you know, like, sort of respect on staying at someone's place and to be back there.

Q 469 So did you ever go out of an evening with [NP224]?

A I don't know - maybe we are but I'm not sure.

Q 470 So who - who can vouch for your movements on the evening of the 22nd of December?

A Well, probably just [NP224] or the sister.

Q 471 And his sister?

A Yeah.

Q 472 But you're not exactly sure what your movements were that night after leaving the St George auto bank?

A No. That's right.

Q 473 Are you often out at around 4 o'clock in the morning?

A No. Not unless I'm going to work because that's the time when, you know, wake and go - go to bed. I never come out late.

Right.

DETECTIVE SERGEANT MULHERIN

Q 474 Okay. Is there anything further you want to say in relation to this matter?

A No.

Q 475 Okay. Do you wish to make a written statement or a type-written statement about this matter?

A Yes.

Q 476 You do?

A Oh - sorry

Q 477 do you wish to make a written statement or a type-written statement about this matter?

A No, no.

Q 478 Have the answers you have given as recorded in this interview been made of your own free will?

A Yes.

Q 479 Has any threat, promise or inducement been held out to you to answer as recorded in this interview?

A Yes.

Q 480 No. Listen to the questions, mate.

A Sorry.

Q 481 I said, has any threat - - -

A No.

Q 482 Has anyone here threatened you?

A No.

Q 483 Has anyone here given you any promises that nothing would happen to you, or something will happen to you - - -

A No.

Q 483 - - - if you give the answers that are recorded in this interview?

A No.

Q 484 Fine. Right. The time now is 1801 and 26 seconds Eastern Standard Time, the 5th of April, 1994. This interview has concluded. I am now leaving the room

and will shortly return with a senior officer who will ask you some questions. Do you understand that?

A Yes.

DETECTIVE SENIOR CONSTABLE MARTIN

It's 18.01.

TAPE RECORDING CEASED

TAPE RECORDING RESUMED

DETECTIVE SERGEANT MULHERIN

Q 485 The time is now 18.05 and 15 seconds on the 5th of April, 1994. NP221, this Senior Constable Doherty. He is going to ask you some questions in relation to the record of interview we've just conducted. I'll leave you with him now. Okay?

A Thanks a lot.

SENIOR CONSTABLE DOHERTY

Q 486 Thanks. Well, NP221, as the Sergeant's just told you, my name is Senior Constable Doherty. I'm the officer in charge of the police station at the time. Okay? Well, all I'm going to do is just ask you some questions about the interview you've just had with the police, all right, and you just tell me your answers as I ask them. All right?

A Yes.

Q 487 Are you NP221?

A Yes, I am.

Q 488 Have you made this record of interview of your own free will?

A Yes.

Q 489 Has any threat, promise or inducement been held out to you to give the answers recorded in this interview?

A No.

Q 490 Have you any complaints to make about the manner in which you were interviewed here today?

A No.

Q 491 All right. I'll just go and get the other police and I'll come back in and we'll fix the tape up.

A Okay.

Righto. Just give us a yell when you want to do the tapes.

DETECTIVE SERGEANT MULHERIN

Q 492 Okay - great. Righto - **NP221**, that now concludes our interview in relation to this matter. We'll do - before you leave here I'll give you a photostat copy of the notebook in relation to information that we wrote in there earlier today that - which you read and signed. Also give you the copies I've told you before, of the tape - okay.

A Yes.

TAPE RECORDING CEASED

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