

ISSUE:

Submission to the Director of Public Prosecutions regarding his recommendation that charges be laid against Richard William LEONARD and **NP129** concerning their alleged involvement in the murder of Crispin Wilson DYE who was found assaulted in Campbell Street, Surry Hills on the 23 December, 1993.

BACKGROUND:

On the 23 December, 1993, Crispin Wilson DYE, born 1 June, 1952, was found assaulted in Campbell Street, Surry Hills. He was conveyed to St. Vincents Hospital and subsequently transferred to St. George Hospital where he died on the 25 December, 1993.

Strike Force BARCOO, under the command of Detective Sergeant KNIGHT, was established at Surry Hills Police Station to investigate this murder. After extensive investigations an inquest was held at the Glebe Coroner's Court on the 7 & 8 August, 1995, with the State Coroner, Mr HAND, finding that DYE had died of the effects of a head injury inflicted by a person or persons unknown.

Further investigations were then undertaken by Detective Sergeant POPPLEWELL of the Homicide & S.V.C.A. regarding the possible involvement of Richard William LEONARD and **NP129** in the murder of DYE. On the 19 August, 1998 he made a submission to the Director of Public Prosecutions seeking an advising as to whether there was sufficient evidence to lay charges against LEONARD. Detective POPPLEWELL believed that there was a doubt, despite certain admissions made by LEONARD.

On the 14 December, 1998 the Director of Public Prosecutions recommended the laying of charges against LEONARD and **NP129**

COMMENT:

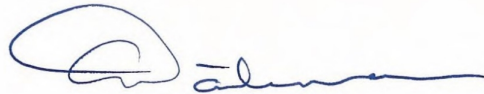
On the 20 January, 1999 Strike Force BARCOO was reactivated under my command. I have carried out a review of the original investigation, the investigation and submission prepared by Detective POPPLEWELL and I have carried out further investigations. I have prepared a report (ATTACHED) outlining the results of those investigations which has raised a further doubt as to whether LEONARD and **NP129** were involved in the murder of DYE. This doubt lies, in particular, in their possible involvement in the assault upon **I115** in Bourke Street, East Sydney on the 27 December, 1993.

As a result of my review and further re-investigations I am of the opinion that charges should not be laid against either LEONARD and **NP129** as a significant doubt now exists regarding their involvement in the murder of Crispin Wilson DYE.

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RECOMMENDATION:

That this submission be reviewed by Operational Legal Support, Crime Agencies. Upon completion of that review the submission should then be forwarded to the Director of Public Prosecutions for the attention of [REDACTED] to ascertain if the D.P. P. still wishes to recommend the laying of charges against LEONARD and **NP129**.



A. Waterman
 Detective Senior Constable
 Commander
 Strike Force BARCOO
 Ph: [REDACTED]
 30 November, 1999

1. Investigations Coordinator, HOMICIDE & S.V.C.A.

THIS RE-INVESTIGATION RAISES CONSIDERABLE (& REASONABLE) DOUBT THAT LEONARD IS THE PERSON RESPONSIBLE FOR THE ATTACK ON DYE, ULTIMATELY CAUSING HIS DEATH. I CONCUR WITH THE VIEW THAT CHARGES SHOULD NOT BE PROCEEDED AGAINST LEONARD IN THIS MATTER. FORWARDED FOR CONSIDERATION & ATTENTION

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 DET. INSP.
 2.12.99.

2. Commander, HOMICIDE & SERIAL VIOLENT CRIME AGENCY

I CONCUR WITH BOTH DET SGT WATERMAN & DET INSP MAYBURY & AS REQUESTED THIS MATTER IS FORWARDED FOR REVIEW BY THE BELOW MENTIONED AGENCIES

[Signature] Det A/Supt 13.12.99

3. Inspector TRICHTER, OPERATIONAL LEGAL SUPPORT