

IN THE NEW SOUTH WALES STATE CORONERS COURT

BEFORE STATE CORONER KEVIN WALLER

INQUEST TOUCHING THE DEATH OF WILLIAM EMMANUEL ALLEN

ON TUESDAY 4 JULY 1989

At the Coroners Court
44-46 Parramatta Rd, Glebe, NSW

Sgt Assisting the Coroner: Sgt Sheilds

.4/07/1989

1

Transcript produced by Epiq

1 SGT SHIELDS: Morning, your Worship, Shields is my name,
2 seeking leave to appear.

3
4 HIS WORSHIP: Thank you very much.

5
6 SGT SHIELDS: I might indicate to your Worship, the
7 brother and sister of the deceased, along with a family
8 friend, are present in court this morning and have
9 indicated they don't wish to sit at the Bar table.

10
11 HIS WORSHIP: Do not? All right. Have they read the
12 documents?

13
14 SGT SHIELDS: Yes, they have.

15
16 HIS WORSHIP: Thank you.

17
18 SGT SHIELDS: Your Worship, I might call Detective
19 Sergeant Saunders.

20
21 **<BRIAN JOHN SAUNDERS, sworn:**

22
23 **<EXAMINATION BY SGT SHIELDS:**

24
25 SGT SHIELDS: Q. Sergeant, could you state your full
26 name, rank and station?

27 A. My full name is Brian John Saunders. I'm a Detective
28 Sergeant of Police attached to Redfern. .

29
30 SGT SHIELDS: Your Worship, I might tender exhibit 1 as
31 the P79A report of the death.

32
33 HIS WORSHIP: Yes.

34
35 **EXHIBIT #1 P79A REPORT OF DEATH OF WILLIAM ALLEN**

36
37 SGT SHIELDS: Along with the note of death, exhibit 2.

38
39 **EXHIBIT #2 NOTE OF DEATH OF WILLIAM ALLEN**

40
41 SGT SHIELDS: An identification statement.

42
43 **EXHIBIT #3 IDENTIFICATION STATEMENT**

44
45 SGT SHIELDS: A statement relating to identification of
46 the deceased, exhibit 4.

47

1 **EXHIBIT #4 STATEMENT RELATING TO IDENTIFICATION OF THE**
2 **DECEASED**

3
4 SGT SHIELDS: Exhibit 5, the post-mortem report.

5
6 **EXHIBIT #5 POST-MORTEM REPORT IN RELATION TO THE DEATH OF**
7 **WILLIAM ALLEN**

8
9 SGT SHIELDS: The certificate from the analytical
10 laboratories.

11
12 HIS WORSHIP: That's exhibit 6. All right. Thank you
13 very much.

14
15 **EXHIBIT #6 CERTIFICATE FROM ANALYTICAL LABORATORIES**
16 **CONCERNING THE DEATH OF WILLIAM ALLEN**

17
18 SGT SHIELDS: Q. Sergeant, I'll show you
19 a two-paged statement. Your signature appears at the
20 bottom of that - those two pages?

21 A. That's my signature, yes.

22
23 Q. Yes. The contents of that statement are true and
24 correct to your knowledge?

25 A. It is, yes.

26
27 Q. And there is nothing you wish to add or delete today?

28 A. No.

29
30 Q. Could you please read the contents of that onto the
31 record.

32 A. Sure:

33
34 *[At] about 1.30pm on the 29th of December*
35 *1988, I went with Plain Clothes Constable*
36 *Bramah to a dwelling house at [number]*
37 *■ Newton Street, Alexandria, where we had*
38 *a conversation with Constables Taylor and*
39 *Mitchell and [then] went with them to the*
40 *bathroom of that house. There I saw the*
41 *deceased beside the bathtub in a kneeling*
42 *position, with his head and arms hanging*
43 *into the bath. I noticed that the deceased*
44 *was dressed only in a T-shirt, the bath tap*
45 *was running and blood was on the sides of*
46 *the bathtub.*

47

1 A further examination of the premises
2 revealed that there was no sign of any
3 struggle or forced entry to the dwelling.
4 There were blood spots along the side
5 passageway of the house and all through the
6 rooms of the house. Blood was also noticed
7 on the double bed and pillow of the front
8 bedroom. Blood spots were also found on
9 the front verandah of the dwelling at
10 ■ Newton Street [next door] which is
11 occupied by Mr Ron Sigsworth. These spots
12 were near a wooden railing adjacent to the
13 side passageway of the deceased's home.

14
15 Later that afternoon, Police from the Crime
16 Scene Unit and Fingerprint Section attended
17 and made an examination of the deceased and
18 the dwelling house.

19
20 Inquiries were [also] made of the
21 neighbours in Newton Street.

22
23 At the completion of the examination,
24 photographing and retaining exhibits, the
25 deceased was rolled over onto his back and
26 it was noticed that he had a 3cm laceration
27 above his left eye and swelling to that
28 same eye, lips and jaw.

29
30 About 4.10pm that same day, Dr Sylvia
31 Hollinger, the Government Medical Officer,
32 attended the home and made an examination
33 of the body of the deceased.

34
35 [And] after the body had been removed by
36 the contractors, the house was secured.

37
38 On the 11th January 1989, as a result of
39 information received, I attended the
40 home of a Mr Harry John Berwick at
41 ■ Mitchell Road, Alexandria, and after
42 having a conversation with him, later saw
43 him at Redfern Police Station where
44 a statement was taken from him.

45
46 Later that same date, whilst in the
47 Detectives' office, I spoke with a Mr Peter

1 Thomas Martin, an Ordinance Inspector with
2 the South Sydney Council, and a statement
3 was obtained from him.

4
5 On the 16th of January 1989 I interviewed
6 a Mr Robert Joseph Dunn and obtained
7 a statement from him.

8
9 During the course of the investigation into
10 the death of the deceased, Detective
11 Sergeant Neville Smith of the Homicide Unit
12 was informed of the circumstances and the
13 result of inquiries made. A canvass of
14 Buckland Street, Alexandria, which is the
15 nearest and only residential area near the
16 toilets in Alexandria Park and face Park
17 Road. This canvass produced no worthwhile
18 results from the occupants. [And] since
19 receiving the information that the deceased
20 had been assaulted and robbed in or near
21 Alexandria Park, youths of the hoodlum
22 element and are known to frequent the park
23 and ... nearby areas were spoken to but
24 with negative results.

25
26 At the request of Detective Sergeant Smith
27 of the Homicide Unit, the brother of the
28 deceased, Mr Stuart Allen, was contacted
29 requesting a photograph of the deceased
30 with the view of having it placed in the
31 Daily Mirror newspaper together with
32 a story surrounding the death of his
33 brother, but after consultation with the
34 other members of his family, [that] request
35 was denied. He stated that the family did
36 not wish any further publicity.

37
38 SGT SHIELDS: Thank you, Sergeant. I tender that
39 statement, your Worship.

40
41 HIS WORSHIP: All right. It will be the next
42 exhibit number, 7.

43
44 **EXHIBIT #7 STATEMENT OF DETECTIVE SERGEANT SAUNDERS**

45
46 SGT SHIELDS: Q. Sergeant, a statement was made by
47 Constable Taylor of Redfern Police Station; is that

1 correct?

2 A. Yes.

3

4 SGT SHIELDS: I will read the contents of that to
5 your Worship.

6

7 HIS WORSHIP: Yes.

8

9 SGT SHIELDS:

10

11 *Approximately 12.50pm on Thursday,*
12 *29 December 1989, in company with Constable*
13 *Mitchell, I attended [REDACTED] Newton Street,*
14 *Alexandria, in regard to information*
15 *received ...*

16

17 *Upon arrival, I spoke to David Oliver, of*
18 *[REDACTED], who told me*
19 *something.*

20

21 *I then entered [REDACTED] Newton Street,*
22 *Alexandria, via the side gate and walked*
23 *along the northern footpath alongside the*
24 *premises to the rear of the premises.*
25 *Whilst walking along I noticed what*
26 *appeared to be dried drops of blood on the*
27 *footpath leading from the front gate to the*
28 *rear of the premises. At the rear of the*
29 *premises I noticed that the back door was*
30 *open and the bathroom window was also open*
31 *and there appeared to be dried blood on the*
32 *frame of the window.*

33

34 *I then looked in the bathroom window where*
35 *I saw the deceased, who I now know to be*
36 *William Emanuel Allen, born 14 August 1938,*
37 *kneeling alongside the bath, and his head*
38 *and arms were hanging in the bathtub. At*
39 *the time, the water was running from the*
40 *bath tap and there was blood coming from*
41 *the deceased's head into the bath. At the*
42 *time, the deceased was only dressed in a*
43 *T-shirt.*

44

45 *I then entered the house via the back door,*
46 *which was open, and the screen door was*
47 *closed but not locked. I walked through*

1 the house and noticed drops of dried blood
2 throughout the house leading from the
3 bathroom to the front bedroom. The bed in
4 the front bedroom had dried blood on the
5 covers.

6
7 I then returned to the front of the
8 premises where I spoke to David Oliver, who
9 stated that he was a builder who had done
10 some work for William Allen and had found
11 the body when he entered the rear of the
12 premises to collect his money. David
13 Oliver stated that he did not enter the
14 house. I then spoke to Ronald Sigsworth of
15 ■ Newton Street, Alexandria, who stated
16 that he had not seen or heard anything
17 unusual happening at the deceased's
18 premises.

19
20 [A] search of the house showed no apparent
21 signs of forced entry and nothing appeared
22 to have been taken from the premises.
23 Approximately 1.45pm I spoke to Detective
24 Sergeant Saunders and informed him [of]
25 what had happened.

26
27 About 4.30pm, Dr Hollinger, a Government
28 Medical Officer, attended the scene, and
29 I was informed by Dr Hollinger that the
30 body had been dead for about 24 hours and
31 there was a possibility that the deceased
32 had been bashed at some stage as there was
33 a large swelling around the [eye] and there
34 was a possible fractured jaw.

35
36 I then accompanied Robert Gannon of
37 ■ Newton Street, Alexandria, into the rear
38 of the house, where the deceased was lying,
39 and [he] identified the body to me as
40 William Allen of ■ Newton Street,
41 Alexandria. Robert Gannon had known the
42 deceased for a period of about two years.

43
44 Approximately 5.30pm, the Government
45 Contractors attended the scene and conveyed
46 the body to the City Morgue. I then
47 returned to Redfern Police Station to make

1 *further inquiries.*

2

3 SGT SHIELDS: I tender that station to your Worship.

4

5 **EXHIBIT #8 STATEMENT OF CONSTABLE TAYLOR**

6

7 SGT SHIELDS: Q. Sergeant, a statement was also made
8 from a David James Oliver; is that correct?

9 A. That's correct, yes.

10

11 SGT SHIELDS: Yes. I will read that to your Worship, on
12 record.

13

14 HIS WORSHIP: Yes.

15

16 SGT SHIELDS:

17

18 *I am a single man, a carpenter by*
19 *occupation, and self employed. About two*
20 *weeks ago in the afternoon, I walked out*
21 *the front of my house, when I saw this man,*
22 *whom I later found out that his name was*
23 *Bill, standing at the front of my house*
24 *with two dogs. He said, "Are you the*
25 *carpenter?" I said, "Yes." He said, "Do*
26 *you want to do a job for me?" I said,*
27 *"I cannot get over there for a couple of*
28 *days." We agreed that I would see him at*
29 *his house at ■ Newton Street, Alexandria,*
30 *about 5pm the following Monday, the 19th*
31 *of December 1988. I went over that day and*
32 *gave him a quote for renovations to the*
33 *side of his house. This was agreed to and*
34 *I commenced work on the house the following*
35 *Saturday.*

36

37 *I completed the work to Bill's house on*
38 *Wednesday morning, about 11am, but Bill was*
39 *not there at the time, to my knowledge.*
40 *I'd seen him the night before, [on]*
41 *Tuesday, and told him, "There's only three*
42 *hours' work to do on the house. I'll*
43 *finish it off tomorrow morning". He said,*
44 *"I'll be sleeping. Don't wake me up."*

45

46 *When I finished the job, I knocked on the*
47 *front door but got no response. I left,*

1 but I did notice that his car was parked at
2 the front of [the] house. Sometime [in
3 the] same day, in the afternoon, I returned
4 to his house to get payment for the work
5 done to his house, but again got no
6 response to my knocking. The car was still
7 there. I did notice that the light was on
8 in the hallway of the house. This I could
9 see through the glass panel of the front
10 door. Doing the remainder of the day
11 I drove past his house but did not see him.
12 I returned again about 8pm that night. The
13 light was still on but no person answered
14 the door. I also rang Bill's house several
15 times through the night, up until about
16 11pm, but with no answer.

17
18 I returned to Bill's house about 7.45am on
19 Thursday morning, the 29th of December
20 1988, with no answer, and then again about
21 12.10pm the same day. After getting no
22 response again I went to a neighbour next
23 door, spoke to him briefly and then went to
24 the other neighbour on the other side of
25 Bill's house. I spoke with them and the
26 man went down the side passageway of Bill's
27 house and came back shortly after and
28 [then] rang the Police.

29
30 Shortly after the Police had arrived I went
31 with them to the rear of the house and I
32 saw the man known to me as Bill kneeling
33 over the side of the bathtub. I noticed he
34 was only wearing a singlet-type top with no
35 pants or underpants. I also noticed [that
36 there was] blood in the bath and I think
37 the tap was running.

38
39 I tender that statement, your Worship.

40
41 HIS WORSHIP: Yes. Exhibit 9.

42
43 **EXHIBIT #9 STATEMENT OF DAVID JAMES OLIVER**

44
45 SGT SHIELDS: Q. Sergeant, a further statement was
46 obtained from a Ronald Sigsworth; is that right?

47 A. That's correct, yes.

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SGT SHIELDS: I will read that to your Worship, on record:

*I am a widowed man residing at
█ Newton Street, Alexandria, and have
lived at that address for the past 8 years.*

*About two years ago, a man named Bill Allen
moved into the house next door, number
█ Newton Street, Alexandria. He took over
the premises from his brother Stuart and
lived there alone.*

*I believed him to be a homosexual, [as] he
had friends visit him from time to time and
had barbecues and parties in the rear yard.*

*The most regular visitor to the house was
a man named Robert. I don't know his last
name but he was a short, plump man, about
45 to 50 [years] old.*

*In the morning of the 27 of December 1988,
a Tuesday, I looked out the front window
and saw Bill talking to my landlady,
Mrs Merle Savage.*

*About [12pm] on Thursday, the 29th
of December 1988, a neighbour from
█ Newton Street, Bob Gannon, called out to
me and I went [to] the front and saw him
with another man. I later found out that
this other man was a carpenter working on
Bill's house. The carpenter told me that
he was having trouble getting in touch with
Bill, so I went down the side passageway to
the rear door, which I saw was wide open,
as well as the flyscreen door. Bill's two
dogs went into the kitchen.*

*I called out to Bill but got no answer and
I heard water running into the drain.
I then looked through the open bathroom
window and saw Bill slumped over the side
of the bath with blood on the bottom of the
bath and I saw the bath tap running.
I went home next door and called the Police*

1 *who arrived shortly after.*

2

3 *During the time that I knew Bill, I did not*

4 *hear any arguments or fights coming from*

5 *the house. He kept to himself and was*

6 *always pleasant.*

7

8 I tender that, your Worship.

9

10 **EXHIBIT #10 STATEMENT OF RONALD SIGSWORTH**

11

12 SGT SHIELDS: Q. Sergeant, a statement was also obtained
13 from Eric Edward Jackson?

14 A. Yes, correct.

15

16 SGT SHIELDS: Correct? I will read that to your Worship
17 on record:

18

19 *I am a divorced man, a truck driver by*

20 *occupation with W.D. & H.O Wills. I have a*

21 *friend named Patricia Wright, who resides*

22 *at [REDACTED] Newton Street, Alexandria. [I've]*

23 *known her for about 14 years. For the past*

24 *three months [I've] been attending Pat's*

25 *home doing house renovations for her.*

26 *Over this period [I've come] to know*

27 *a neighbour of Pat's named Bill Allen, who*

28 *lives by himself at [REDACTED] Newton Street,*

29 *Alexandria. Prior to three months ago,*

30 *I only knew him on a casual basis. I also*

31 *believed that Bill was a homosexual.*

32 *I think he's lived there for about two*

33 *years and during that period I saw a number*

34 *of male persons go into his house, mainly*

35 *at night-time after 10pm. A regular*

36 *visitor to Bill's house was a man known*

37 *only to me as Robert. He drove*

38 *a light-coloured dirty-green coloured*

39 *Gemini or similar make of car. Over the*

40 *last three months I've seen Robert at*

41 *Bill's house nearly every day. I believe*

42 *that neither Robert or Bill were employed.*

43 *I last saw Robert at Bill's house on*

44 *Tuesday morning between 9 and 11am [on] the*

45 *27th of December 1988. I saw him walk out*

46 *the front gate and then walk back in again.*

47 *I never spoke to him.*

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About 4pm on the 28th of December 1988, I finished work and shortly after went to Pat's house. About 7pm that night, Pat and myself decided to take the dogs for a walk and were walking past Bill's house when I saw him standing at his front door with the flyscreen partly open. Pat said to him, "Did you have a lovely Christmas?" Bill replied, "You know, good." He smiled and waved his hands about and said, "And you?" Both of us said, "Real good." Pat and I then kept walking and on our return, about 20 minutes later, I saw both the front flyscreen and main doors to Bill's house were closed. [This] was the last time that I saw him. When I saw him standing in the doorway, he was dressed in a T-shirt and shorts, but I could not say what colours they were. I'm not aware of any arguments that Bill may have had with either neighbours or friends. He always seemed a happy, friendly person.

I tender that to your Worship.

HIS WORSHIP: Thank you. Exhibit 11.

EXHIBIT #11 STATEMENT OF ERIC EDWARD JACKSON

SGT SHIELDS: Q. Sergeant, a further statement was obtained from Joyce Elizabeth Allen; is that correct?
A. Yes, correct.

SGT SHIELDS: I'll read that on record to your Worship:

I am a single woman, a nursing sister by occupation, and I am currently employed as a relieving administrator with the [REDACTED].

I have two brothers, Stuart and William, and one sister who resides in England.

Before last Thursday, the 22nd of December 1988, I hadn't seen my brother Bill since January this year, but during this

1 *period I spoke to him over the phone when*
2 *I rang him about every four to six weeks.*
3 *Bill was a schoolteacher up until ...*
4 *18 months ago when he went on sick leave.*
5 *He suffered from high blood pressure and*
6 *stress. About March 1985 he moved from his*
7 *Newtown address to his current address ...*
8 *█ Newton Street, Alexandria. My brother*
9 *Stuart lived there up until that time when*
10 *he sold the house to Bill.*

11
12 *I last saw Bill on Thursday, the 22nd of*
13 *December 1988, about 11.30am, when he*
14 *arrived at my home by train. He stayed*
15 *there about an hour and left to go to the*
16 *dentist for his appointment. He sounded*
17 *normal, happy and well. He made no mention*
18 *of his personal life. I had a suspicion*
19 *that Bill was a bisexual.*

20
21 *I do know a number of Bill's friends, and*
22 *one is a man known only to me as Robert.*
23 *He worked with Bill as a schoolteacher but*
24 *he retired last year for health reasons.*
25 *I would describe Robert as being 48 old,*
26 *short, with a plump build.*

27
28 *On the night of the 29th of December 1988,*
29 *my brother Stuart did mention to me that*
30 *Bill had made arrangements to go to his*
31 *cousin's property at Mooney Mooney for*
32 *a few days. This was to be on Wednesday,*
33 *Thursday and Friday of this week.*

34
35 *I am not aware of any arguments that Bill*
36 *may have had recently with friends. [And]*
37 *I am not aware of any enemies that Bill may*
38 *have had.*

39
40 I tender that statement to your Worship.

41
42 HIS WORSHIP: Exhibit 12.

43
44 **EXHIBIT #12 STATEMENT OF JOYCE ELIZABETH ALLEN**

45
46 SGT SHIELDS: Q. Sergeant, a further statement was
47 obtained from Patricia Alice Wright?

1 A. Yes.

2

3 SGT SHIELDS: I'll read that statement on record:

4

5 *I was born on [REDACTED] 1931.*

6

7 *I have lived in Newton Street for 20 years.*

8

9 *I've known William Allen for a period of*
10 *about two years. He moved into the street*
11 *to his brother's house at [REDACTED] Newton Street*
12 *after the brother died of AIDS. I believe*
13 *both Bill and his brother were homosexual.*
14 *I say that because everyone in the*
15 *immediate area seemed to know. One of his*
16 *next door neighbours said they could hear*
17 *them at all hours of the night.*

18

19 *I did not know Bill socially, only as*
20 *a neighbour. Particularly over the last*
21 *few months, as the Water Board were trying*
22 *to repossess land at the rear of a number*
23 *of houses in the street. He seemed a very*
24 *likeable sort of bloke, very cheerful and*
25 *polite. He used to say he would never*
26 *leave the street as he liked the people so*
27 *much. He seemed to have [had] a lot of*
28 *friends, mostly males, some similar in age*
29 *to him and also a younger man. He has*
30 *a friend who looks after his dogs when he*
31 *goes away. He's a short, fat man. I think*
32 *his name is Robert, and he drives a small*
33 *cream or off-white car, maybe a Commodore.*
34 *I can't be sure. I think this guy used to*
35 *live with him for a while, somewhere in*
36 *Erskinville or Paddington. This fat man*
37 *has a son who stole some electrical gear*
38 *from Bill, but Bill never reported it for*
39 *the sake of his friend.*

40

41 *I know Bill was a teacher in a Catholic*
42 *convent for 24 years but as far as I know,*
43 *he did not work during the time he lived in*
44 *Newton Street. He was studying house*
45 *decorating, I think, and he appeared*
46 *excited at the prospect of returning to*
47 *work in a new business.*

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The last time I saw Bill was on the 28th of December. It was around 7pm at night. I was walking my dogs with my boyfriend, Eric Jackson, along the street. As we passed Bill's house, he was out the front on his verandah. He seemed very happy, maybe a little drunk. I said to him, "Hello, Bill, did you have a nice Christmas?" He just smiled and rolled his head back, sort of indicating he'd had a good time. When I saw him, he had no injuries on him anywhere and he just looked normal to me. Eric and I then continued up the street with the dogs. About 7.40pm, Eric and I returned home, passing Bill's house on the way. I didn't see Bill this time and there didn't seem to be anything out of place. Eric and I then just went on home. The first I knew of the incident was when the Police arrived the next day.

I don't think Bill would have been the type to take his own life, he was always too happy.

I tender that, your Worship, exhibit 13.

EXHIBIT #13 STATEMENT OF PATRICIA ALICE WRIGHT

SGT SHIELDS: Q. Sergeant, a further statement was obtained from a Harry John Berwick?

A. Yes, it was.

SGT SHIELDS: I'll read that on record to your Worship:

I am a single man, 34 years of age and I am a schoolteacher by occupation, currently working at [REDACTED].

About 6.30pm on Wednesday, the 28th of December 1988, I left home in my motor vehicle and went to a friend's house at Randwick. I left there about 10pm and drove along Wyndham Street, Redfern, left into Power Avenue and right into Park Road. These streets, with Buckland Street,

1 surround Alexandria Park. Just past the
2 toilet block, which was on my right, I saw
3 a male person on the roadway just ahead of
4 my car. [He'd] stepped off the kerb and
5 noticed him waving and signalling.
6 I stopped my vehicle and he came to the
7 passenger side and shouted out, "I've been
8 bashed", and he said either, "Can you help
9 me?" or "Drive me home?" I noticed that
10 his face was covered in blood. I lent
11 across and opened the front passenger door
12 for him. He sat in the passenger seat and
13 I saw [that] his hands were covered in
14 blood also. I lent across and closed his
15 door for him. I commenced to drive off
16 towards Buckland Street and I said, "This
17 is a very dangerous place [for you] to be
18 and you should report it to the Police."
19 I also said, "Did you see who did it?" He
20 said, "████████████████████". They
21 bashed and kicked me whilst I was on the
22 ground, the bastards, and they took my
23 money and keys." He continued to direct me
24 to his home and I kept imploring him to
25 contact the Police. He replied, "That's
26 what you expect when you do the beat."
27 I believed him to be a homosexual and, by
28 his comment, believed that he frequented
29 that particular area of Alexandria Park,
30 which is known to be frequented by
31 homosexuals.

32
33 I drove into Copeland and then into Newton
34 Street and stopped the vehicle at the kerb
35 outside what I now know [to be as] number
36 █████. This was a green-coloured weatherboard
37 house. Before getting out of the car, he
38 said, "I'll have to get a spare set of keys
39 and go back to get my car." I lent across,
40 opened his door, he got out and I drove off
41 and went home.

42
43 I am almost certain that this man was
44 wearing white-coloured shorts. I could
45 smell alcohol on his breath [and] I noticed
46 that he was bleeding from the nose. He was
47 most lucid in his speech and [he didn't]

1 *appear to be outraged by [this] incident.*

2

3 *When I first saw this man in Park Road,*
4 *I did notice a small light-coloured sedan*
5 *parked opposite the toilet block.*

6

7 I tender that to your Worship.

8

9 HIS WORSHIP: Exhibit 14.

10

11 **EXHIBIT #14 STATEMENT OF HARRY JOHN BERWICK**

12

13 SGT SHIELDS: Q. Sergeant, a statement was obtained from
14 Peter Thomas Martin; is that correct?

15 A. Yes, it was.

16

17 SGT SHIELDS: Yes, your Worship, Mr Martin's present in
18 court today and he'll be reading through his statement, so
19 I'll tender that to you at this stage.

20

21 HIS WORSHIP: Oh, well, tender it when he gives his
22 evidence.

23

24 SGT SHIELDS: Okay.

25

26 Q. Sergeant, a further statement was obtained from Robert
27 Joseph Dunn; is that correct?

28 A. Yes, it was.

29

30 Q. He's not present in court today?

31 A. He's not, no.

32

33 Q. No. Did you make inquiries regarding his criminal
34 history?

35 A. I did.

36

37 Q. And what was the result of those?

38 A. He has no prior entries of an adverse nature.

39 However, a first instance warrant has since been issued
40 over the last couple of months, for his arrest by the Drug
41 Enforcement Agency.

42

43 Q. Yes, thank you, Sergeant.

44 A. For conspiracy.

45

46 SGT SHIELDS: I will read that statement.

47

1 HIS WORSHIP: Q. What drug?
2 A. Drug - in relation to a supplying of drugs, sir.

3
4 Q. Do you know what drug?
5 A. Speed. Amphetamines.

6
7 HIS WORSHIP: Yes.

8
9 SGT SHIELDS: I will read that on to the record for your
10 Worship:

11
12 *I am a single man, 47 years of age, and I*
13 *am a retired schoolteacher.*

14
15 *I first met William Allen in the middle of*
16 *1979 when I was still teaching. I met him*
17 *at a conference and we struck up*
18 *a relationship. He was teaching at*
19 *Newington College at the time but was*
20 *dissatisfied with the work there, and*
21 *I made arrangements for him to commence*
22 *teaching at the Penshurst Marist Brothers,*
23 *where I was teaching. I think he started*
24 *there in the Easter of 1980. At the time,*
25 *he was living at [REDACTED],*
26 *[REDACTED], and I was living at [REDACTED],*
27 *[REDACTED].*

28
29 *About two years ago, Bill bought the house*
30 *at [REDACTED] Newton Street, Alexandria, from his*
31 *brother Stuart and moved in there. By that*
32 *time [I] had moved to my current address.*

33
34 *About May 1987, Bill's doctor, Dr Peter*
35 *Whetton, advised him that he should give up*
36 *teaching for his health's sake. He was*
37 *given a certificate by that doctor, stating*
38 *that he was unfit for teaching on "medical*
39 *grounds". This was accepted by the*
40 *Catholic Education Office and retired him.*

41
42 *I knew Bill to be a homosexual and I would*
43 *call at his house about three times a week*
44 *and assist him with a course that he was*
45 *doing at Sydney University. We [both also*
46 *were] interested in steam trains.*
47

1 In late November 1988, Bill complained to
2 me on several occasions about pains in his
3 legs and, for this, said he would increase
4 his dosage of aspirin, "Ecotrin".
5 I believe that Bill was then taking two of
6 these tablets per day. He was also
7 drinking quite heavily. He would drink at
8 least a bottle of Scotch a day and half
9 a case of white wine as well. As the weeks
10 went on he still complained about pains and
11 indicated the liver area. He went and saw
12 his doctor, Dr Grieve, and Bill told me
13 that he had an intestinal virus. He also
14 complained about a few nose bleeds that he
15 was having.

16
17 About the 12th of December 1988 I went to
18 Bill's house, but when he wouldn't answer
19 the doorbell, I entered the house with my
20 key and found him asleep with [a] large
21 amount of blood over the pillow and sheets
22 of his bed.

23
24 I panicked and called him, but he moved and
25 woke up. There was blood on his face. He
26 said, "What's wrong?" I said, "Look at the
27 mess here." He said, "I must have had
28 a nose bleed." I said, "[You'd] better get
29 this looked at. You could drown."
30 Over the next couple of days he told me
31 that he was alarmed at having found himself
32 near the Redfern Railway Station and not
33 knowing how he got there. He also told me
34 the nose bleeds were continuing.

35
36 On Tuesday, the 27th of December 1988,
37 I went to Bill's house and got there about
38 11am. Whilst there, at one stage Bill
39 stood up but complained about being dizzy.
40 His skin [colour] changed to a terrible
41 yellow colour and ... within seconds of him
42 sitting down, blood commenced to pour out
43 of both nostrils. I suggested that the
44 matter was serious and an ambulance ... be
45 called, however, Bill refused this offer.
46 His nose bled for about three or four
47 minutes. Whilst there, Bill and

1 I discussed his trip to his cousin's
2 holiday house at Mooney Mooney on the
3 Wednesday, the 28th of December. We also
4 discussed my motor vehicle, a Ford Falcon
5 station sedan, number [REDACTED], being broken
6 down in McEvoy Street, Alexandria, and he
7 told me that whilst I was away on holidays,
8 he would make arrangements to have the
9 vehicle brought to his house.
10 I left the house ... about 1.30pm that
11 afternoon.

12
13 During the time that I knew Bill, I was not
14 aware of him going to Alexandria Park,
15 although he did walk his dogs quite often,
16 but I believed that this would be done at
17 Erskinville Oval. Just over 12 months ago,
18 Bill had an AIDS test which proved
19 negative. He told me he was not interested
20 in having any "casual sex" with men because
21 of the AIDS scare.

22
23 I tender that statement, your Worship.

24
25 HIS WORSHIP: Exhibit 15.

26
27 **EXHIBIT #15 STATEMENT OF ROBERT JOSEPH DUNN**

28
29 SGT SHIELDS: That's the evidence-in-chief of this
30 witness, your Worship.

31
32 HIS WORSHIP: Thank you.

33
34 Q. And has Mr Dunn left his address at [REDACTED]?

35 A. He has, sir. I contacted a person who resided there
36 with Mr Dunn, who didn't know of his present whereabouts.
37 I then contacted his brother, who has not heard from him,
38 and he also informed me that his sister, who lives in
39 Queensland, does not know of his whereabouts.

40
41 Q. Did Mr Dunn ever tell you that the deceased had been
42 bashed before?

43 A. No, sir, no, he hadn't.

44
45 Q. And how did Mr Berwick come forward, Sergeant?

46 A. I believe - well, I got that information from
47 Mr Stuart Allen, by phone. He'd heard through other

1 friends in the area of Mr Berwick driving past the deceased
2 on that night.

3

4 Q. Yes. And how far is the park of Alexandria,
5 Alexandria Park, from where the deceased lived?

6 A. About half a mile.

7

8 Q. And is it a known area of resort by homosexuals?

9 A. Yes. Yes, it is.

10

11 Q. And are they beaten up from time to time?

12 A. The - they are - in fact, the canvass of the area,
13 speaking to neighbours there, said that on several
14 occasions people have asked to use their phone after being
15 assaulted in those toilets, but never - never ever to
16 contact police.

17

18 Q. Police, no, right.

19 A. And we did, or I did, contact the Police Gay Liaison
20 Unit, who ran a number of articles in newspapers wishing
21 for homosexuals who have been assaulted in parks to come
22 forward, however, they got a very poor response.

23

24 HIS WORSHIP: Yes, I see. All right. Anything further,
25 Sergeant?

26

27 SGT SHIELDS: No, your Worship.

28

29 HIS WORSHIP: Anything the relatives would like to ask the
30 Sergeant? Any questions?

31

32 MR ALLEN: No.

33

34 HIS WORSHIP: Thank you very much.

35

36 <THE WITNESS WITHDREW

37

38 SGT SHIELDS: I call Peter Thomas Martin, your Worship.

39

40 <PETER THOMAS MARTIN, sworn:

41

42 HIS WORSHIP: Yes, sit down, thanks.

43

44 <EXAMINATION BY SGT SHIELDS:

45

46 SGT SHIELDS: Q. Sir, your full name is Peter Thomas
47 Martin?

1 A. That's correct.
2
3 Q. You reside at [REDACTED]?
4 A. That's correct.
5
6 Q. And you're an Ordinance Inspector at the Council?
7 A. That's correct.
8
9 Q. Which Council would that be?
10 A. The South Sydney Council.
11
12 Q. South Sydney Council?
13 A. But it was City Council at that time, but it changed
14 over.
15
16 HIS WORSHIP: A. It's changed back again, has it?
17 A. Yes.
18
19 SGT SHIELDS: Q. Mr Martin, I'll show you
20 a two-page document. Is that a statement you made to
21 police?
22 A. That's correct.
23
24 Q. Does your signature appear on the bottom of both those
25 statements?
26 A. Yes.
27
28 Q. Are the contents true and correct to your belief?
29 A. Yes.
30
31 Q. And there's nothing you wish to add or delete?
32 A. No.
33
34 Q. Could you read that statement on to the record,
35 please?
36 A. It says, 1:
37
38 *I am aware that if I sign this statement*
39 *and any part of this statement is untrue to*
40 *my knowledge, I may be liable to*
41 *punishment.*
42
43 *My date of birth is [REDACTED] 1948.*
44
45 *[At] about 12.30am on Thursday, [the] 29th*
46 *of December 1988, I was working the special*
47 *midnight shift with Wayne Murphy, as an*

1 ordinance inspector, when I drove to the
2 Alexandria Park. I drove north up
3 Park Road towards Buckland Street and
4 I stopped the vehicle almost opposite the
5 toilets in the park. A small
6 silver-coloured car was parked on the
7 western kerbing near where I stopped and
8 I got out of the car and had a look at the
9 small car. I saw blood on the driver's
10 side door and I saw that the windows were
11 wound up and the doors were locked. I also
12 saw a large amount of blood on the middle
13 of the roadway adjacent to the small car.
14 I saw that there was a trail of blood
15 leading to the toilets and I also noticed
16 a set of car keys on the roadway.

17
18 We were there for a few minutes when
19 a white-coloured XB Falcon station wagon
20 pulled up in front of the small silver car.
21 The driver of the Falcon just sat in the
22 car and so we walked up to him and Wayne
23 said to him, "What's up with you?" (or
24 something similar). He didn't say anything
25 but just turned his head away from us.
26 I then reached in through the window and
27 shone the torch [into] his face and I could
28 see that his lips were a bit swollen and
29 there was some blood around his mouth.
30 Wayne said to him, "Is that your blood on
31 the road, mate?" He said, "Yes, I was
32 bashed." Wayne said, "Is that your car?"
33 (indicating the small silver car). He
34 said, "Yes". Wayne said, "Why are you
35 driving this car, then?" He said "Two or
36 three kids have bashed me so I went [home]
37 and got [my] friend's car." He was out of
38 the car at this stage and Wayne said to
39 him, "Are these your car keys?" He said,
40 "Yes, thanks, mate." I said, "Which ...
41 are you going to drive home?" He said,
42 "This one." (indicating the silver one).
43 I said, "Well, [you'd] better move the
44 white car further up the road, as there has
45 been a number of homosexuals getting bashed
46 around here." He said, "Yes, I know." He
47 said, "Can you wait here while I move the

1 car up?" I said, "Okay." He then drove
2 the car about 40 yards up the road ...
3 parked it under a street light near a tree.
4 As he was walking back, I wrote down the
5 registration number of the silver car,
6 [which was] (████████) [an] Astra Holden,
7 [at 12.45] (being the time). I wrote this
8 in my work notebook.

9
10 When he came back I said to him, "You [had]
11 better go [up] and report this to the
12 Police." He said, "Yeah, I will. I'd just
13 dropped into these toilets for a squirt
14 when [these] kids got me." I said, "How
15 did they bash you?" He said, "They kicked
16 me when I was on the ground." I said, "Did
17 they get your money?" He said, "No, I held
18 onto that" (whilst grabbing [on] his back
19 pocket. He then got into the silver car
20 and we got into our car and we both drove
21 away together.

22
23 I would describe the male person who we
24 spoke to as being a white Australian,
25 middle aged, medium build, about 5 foot 9,
26 (175cm) tall, with short grey hair. He
27 didn't appear to be seriously injured and
28 he appeared to be very calm and spoke in
29 [this] manner also.

30
31 I declare that [there] - no part of [my]
32 statement [to be] untrue to my knowledge.
33 I know that it may be used in legal
34 proceedings. It accurately sets out the
35 evidence which I would be prepared to give,
36 if necessary, in court as a witness.

37
38 Q. Thank you, Mr Martin. In regard to the deceased, did
39 you form any opinion as to his state of sobriety that
40 night?

41 A. Could I have that again, please?

42
43 Q. Did you have any - did he appear to be intoxicated or
44 did you have any --

45 A. He didn't appear greatly to be intoxicated, not to
46 what I've heard.

47

1 Q. Did you have any - did you form any opinion that
2 night?

3 A. Oh, well, he had beer in the front of the car, the
4 parked car, which the keys were on the road. He had been
5 drinking, but he didn't appear to be as ill as he obviously
6 was.

7
8 Q. Apart from the alcohol that you saw in the front
9 seat --

10 A. Yeah, no.

11
12 Q. -- if you hadn't have seen that, would you have
13 thought that he'd have been drinking?

14 A. Not - oh, well, yes, he would have been drinking, but
15 not to the extent that he obviously had have been.

16
17 SGT SHIELDS: Thank you, Mr Martin.

18
19 That's the evidence-in-chief of this witness, your
20 Worship.

21
22 HIS WORSHIP: Is there anything you'd like to ask
23 Mr Martin?

24
25 MR ALLEN: No.

26
27 HIS WORSHIP: Thank you very much.

28
29 Q. Oh, just this. Do homosexuals frequent Alexandria
30 Park and the area?

31 A. Yes. We have regular patrols and are told to try and
32 stop people using the toilets for other means than they're
33 supposed to be used.

34
35 Q. Yes. And have you seen many people injured, bashed in
36 the area?

37 A. Not a great deal, no, no, but we do get reports. They
38 are always complaining to council.

39
40 Q. Yes.

41 A. Especially neighbours.

42
43 HIS WORSHIP: Yes. All right. Thanks very much.

44
45 <THE WITNESS WITHDREW

46
47 SGT SHIELDS: That completes the evidence we have to

1 offer, your Worship.

2

3 HIS WORSHIP: Now, Mr Allen, Ms Allen, is there anything
4 you'd like to say about it, to put on the record?

5

6 MS ALLEN: No.

7

8 HIS WORSHIP: Nothing? All right.

9

10 Yes, well, in this case, the deceased was
11 a 50-year-old man, apparently homosexual. He is shown to
12 have gone to Alexandria Park, a place frequented by that
13 sort of person, and was set upon there and bashed and
14 beaten by unknown persons [REDACTED]; at
15 least he said they were. There is no reason to doubt what
16 he said. It is a risk of people, as the deceased himself
17 admitted, when you are on the beat, you take the risk that
18 people indulge in the sport of chasing and assaulting
19 homosexuals, which is a disgraceful state of affairs, and,
20 indeed, this is the second case I have had where a person
21 has died as a result of being assaulted in the park by
22 homosexuals [sic]. Of course, one could say, "Well, you
23 shouldn't go to the park", but one can say, I think with
24 perhaps more strength, that you shouldn't set about in
25 numbers to assault people to such an extent that you kill
26 them. It is a dreadful sort of business and I wish the
27 people could be caught. It is made even worse by the fact
28 that those violent persons revel and enjoy the situation
29 that the victims do not like to report these crimes to
30 police because of the ignominy that attaches to their roles
31 as cruising homosexuals, but, nevertheless, it is a very
32 sad case and I am sorry for the deceased and his family.

33

34 I find that on or about 29 December 1988, at his
35 residence at [REDACTED] Newton Street, Alexandria, the deceased,
36 William Emanuel Allen, died of the effects of head injuries
37 sustained on the night of 28 December 1988 when he was
38 beaten by persons unknown in Alexandria Park.

39

40 Anything further?

41

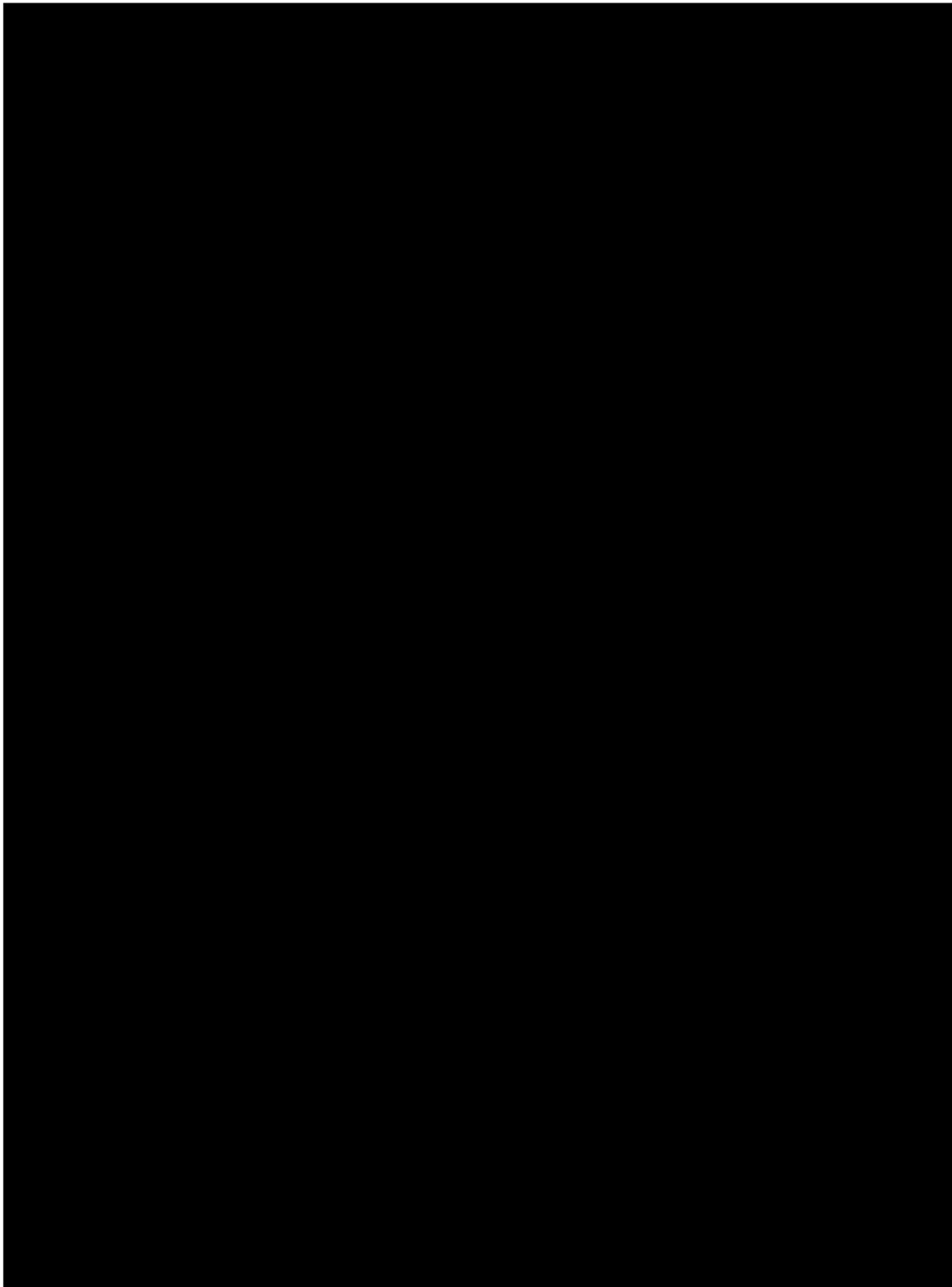
42 SGT SHIELDS: It has been requested, your Worship, from
43 Joyce Allen, that the finding be sent to her home address.

44

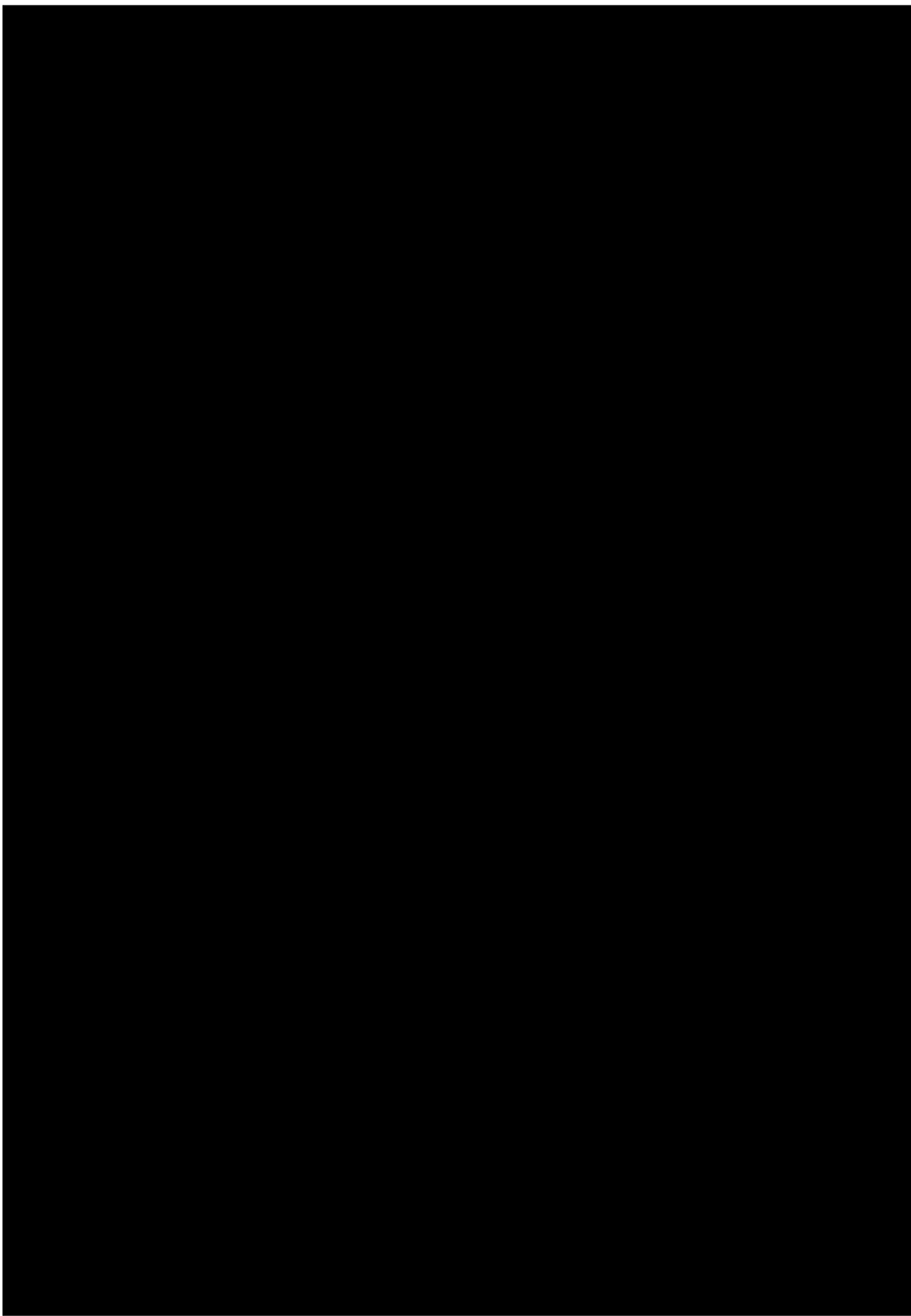
45 HIS WORSHIP: Well, that's all right. That will be done.

46

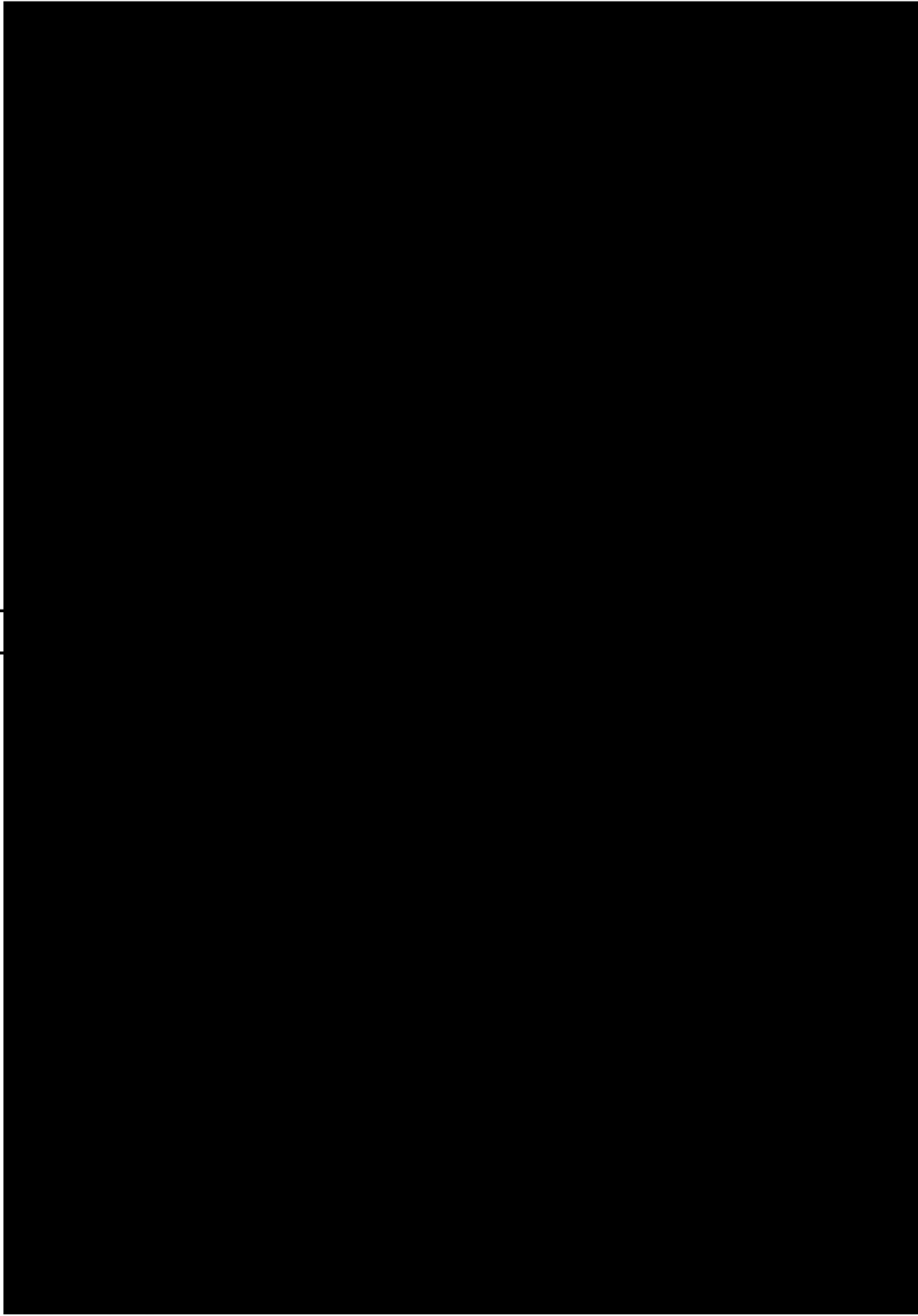
47 **THE CORONERS COURT WAS ADJOURNED ACCORDINGLY**



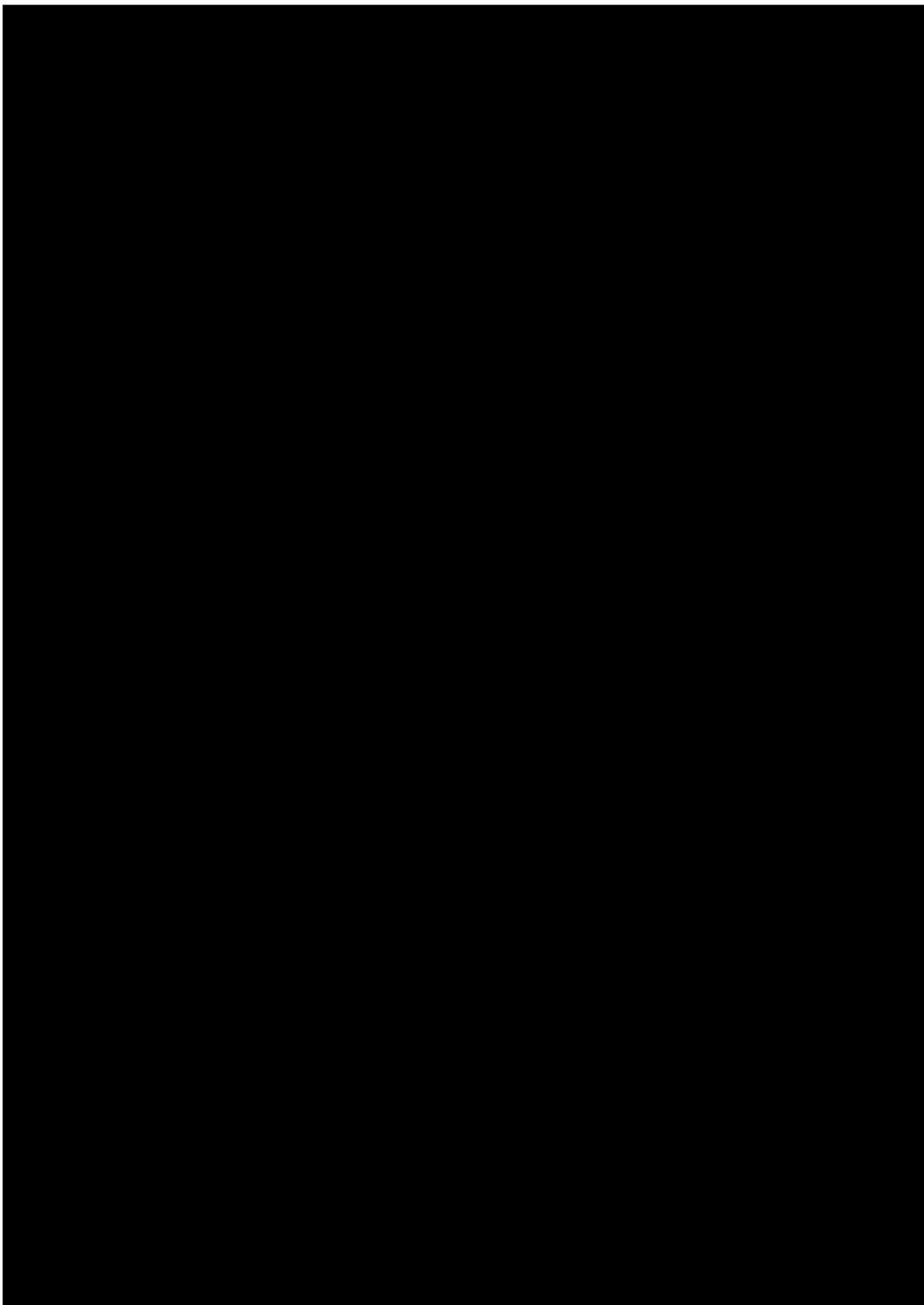
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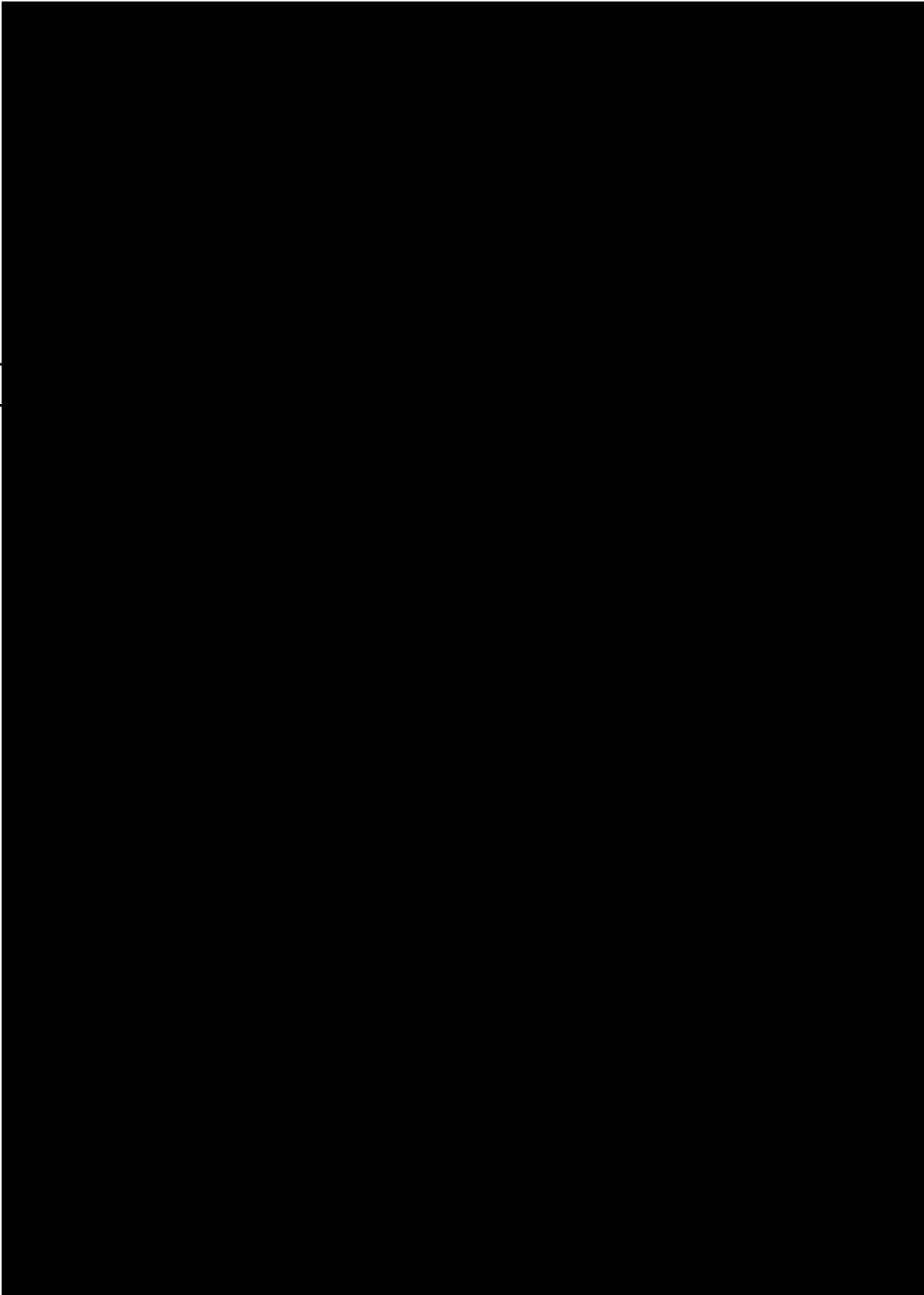
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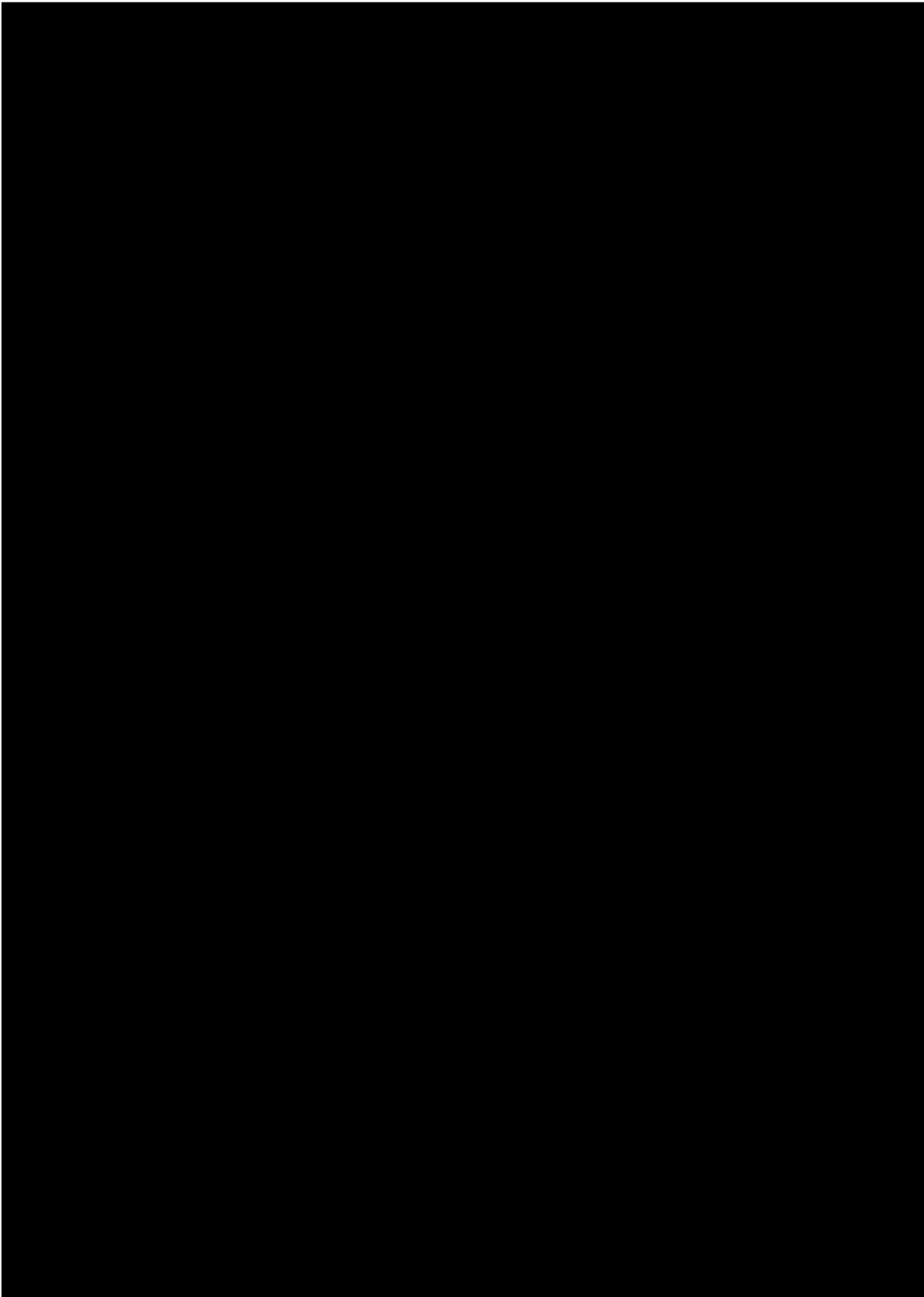
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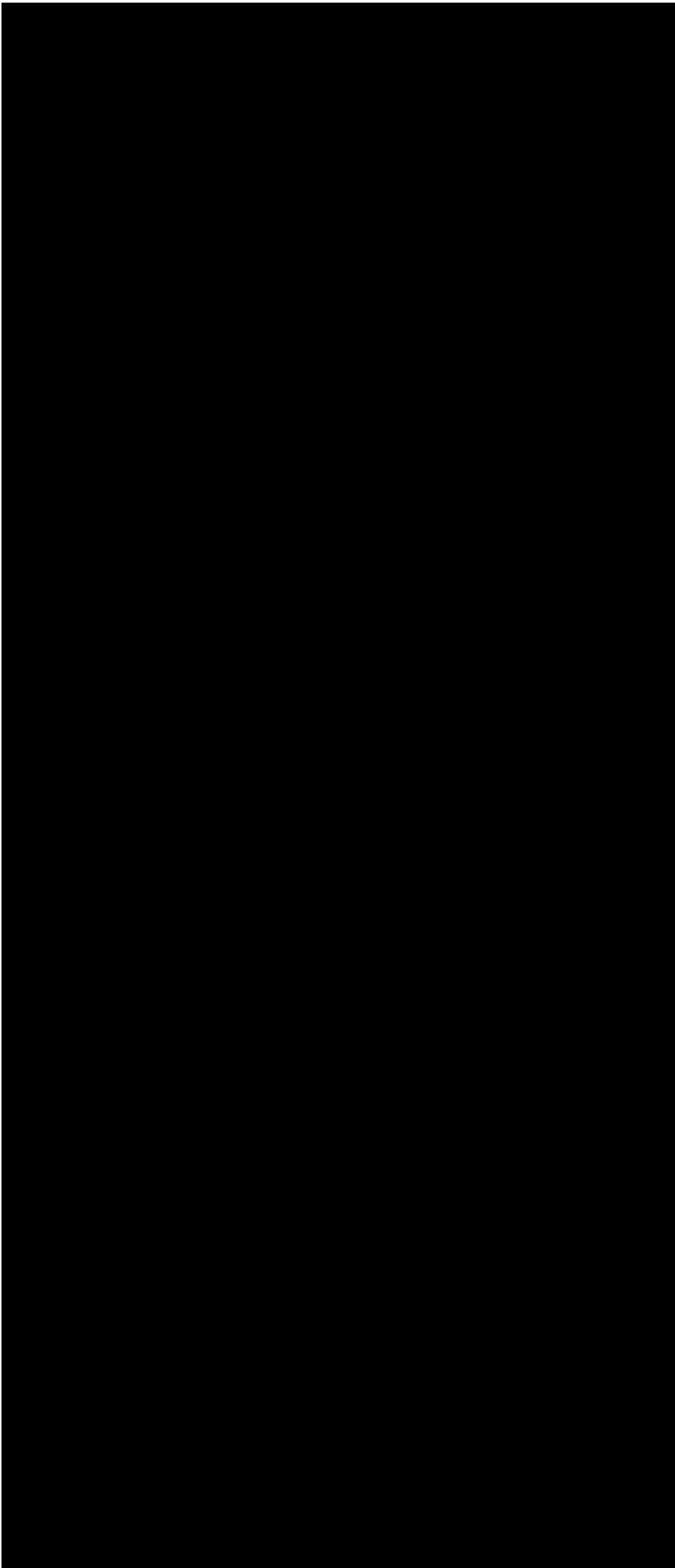
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