

**STATEMENT OF A WITNESS**

**In the matter of:** Assault - Moore Park  
**Place:** Surry Hills Police Station  
**Date:** 16 August 2013

**Name:** Paul SIMES

**STATES:**

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 54 years of age.
3. Sometime in the early hours of a morning in 1989 I was driving north along south Dowling Street Moore Park. I recall it was a very cool morning and that it was still dark. There was no traffic and as I passed 'the beat' which was on my right I noticed a car that was heading south stop suddenly adjacent to 'the beat.' By 'the beat' I mean a brick toilet block which was situated at the South Dowling end of Moore Park, between Parkham and Nobbs Street. I know this area as an area where gay men would meet.
4. I remember the car was a large 4 door sedan but I can't recall the model or colour. Once the vehicle stopped I saw all 4 doors open and a number of men exited the vehicle rapidly. I can't recall exactly how many men there were, however, I know it would have been at least 4. They appeared to be in an extreme hurry. I watched their movements and noted they were all carrying what I thought were planks of wood. From what I can remember one of the men took the 'planks of wood' out of the boot of the vehicle and handed them to the other men.

**Witness:** \_\_\_\_\_  
Karina BIRD  
Plain Clothes Senior Constable  
Surry Hills Detectives  
16 August 2013

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5. All of the men ran into the park passed the 'The beat' toilet block. At the time there was a 600mm rise to climb over to get into the park proper. I stopped my car directly opposite the vehicle, on the other side of the road and watched the activities of the men. At the time there was nothing obstructing my view of the park and the vehicle. After a minute or so later I saw a group of people running out of the park towards South Dowling Street. I saw them run off the rise and passed the rear of the vehicle which was stopped. At this point I realised it was the same men that just ran into the park and they were chasing after another male of which I didn't know.
6. This male ran across South Dowling Street and over the median strip and fell in the gutter about 10 metres in front of my car. The men that were chasing him stopped and surrounded him and started to beat him with the 'planks of wood'. I couldn't see exactly where they were hitting him due to him being surrounded, however, by the actions of the men I knew he was being beaten.
7. I started my car and turned on my head lights and illuminated the group of men. I pulled slowly away from the kerb and drove very slowly passed them, hoping this would deter them and stop beating this man. However, they didn't stop so I conducted a U-turn of the grass median strip and pulled up behind their car on the opposite side of the road. I wrote the registration details of that vehicle on a piece of paper. I can't recall the registration and am not aware of where the piece of paper is that I wrote the details on. All the while I was keeping an eye on the men. They continued to beat the man, even though they must have been aware of my presence.
8. After talking the number plate down I drove off rapidly and turned right onto Cleveland Street, looking for a telephone box to call the police. I located a phone box a few minutes later in Crown Street and called '000'. I told them what I had seen and gave them the registration details of the car. After reporting the incident I drove back to Cleveland Street, looking to see if the person being assaulted was still there or if the offenders were still there, however, when I returned everyone was gone.

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I would have been gone for about 15-20 minutes. I can't describe any of these men because it all happened so fast. I was concerned for my safety and the man's safety, which is why I left to contact the police.

9. When I returned to the same area there was another car parked in approximately the same location as I was previously parked on South Dowling Street. I could see there was a single male sitting the driver's seat and presumed he may have seen the aftermath of what I saw earlier. I stopped my car behind his and got out of my vehicle and went and spoke to him. He confirmed to me that he had seen the assault and that he too had just returned from having contacted '000'. I never saw this vehicle earlier, however, I can't say that the car was parked in a side street. I don't recall anything about him or his car, other than that he may have been in his late 20's, early 30's, Greek in appearance with dark hair. After speaking to this male I got back into my car and drove home.
10. Over the next few days I contacted a Gay Anti Violence project and reported the incident to them along with the registration of the car. Some weeks later this group contacted me and told me that the police had advised them that the registration number of the car belonged to an unmarked police vehicle and asked if I would attend a meeting at Police Centre, which was on College Street.
11. A day or so later I attended the meeting as requested with Fred Miller, who at the time was the police gay liaison officer. There were 3 or 4 police officials in the meeting, however, I can't remember who they were, other than that I had the belief they were senior officers and discussed the incident. When it got to discussing the actual assault they stopped me asked me to visualise the assault and at that moment I could see in my mind's eye that one of the weapons was a silvery/black coloured metal pole. One of the officers showed me a baton, which I believed to be a police baton and asked if it looked like that. I told them that the object saw did look like that.

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12. After the meeting I went back home and sometime later Fred Miller called me and advised me that police officers involved in that event belonged to a unit who were unassigned and were trouble shooters. These officers made a report on that same evening that they had been chasing a suspect from a alleged stabbing and that they had not apprehended anyone. Also, because no one had come forward as a victim no further action could be taken against the officers, however, he did say that, that unit was disbanded and those officers which were from Darlinghurst Police Station were reassigned to other duties. He also indicated that particular unit had previous history of trouble.
13. I heard nothing more about the incident until about two weeks ago, which was early August 2013, when I read an article written by Rick Fenley from the Sydney Morning Herald. These articles outlined a pattern of assaults and murders against gay men between the years of 1980-1990. The article stated that it was estimated that about 80 men were missing or murder as result of this investigative article.
14. As a result of reading these articles I emailed Rick and told him my story of what I had witnessed in 1989. I speculated that I may have witnessed a murder and that it may have been of some interest to his research. About a week later he contacted me and interviewed me regarding what I had witnessed on that night.
15. A few days after that on Saturday 10<sup>th</sup> August 2013, Rick contacted me to advise me that the article was had been published. He also informed me that a man named Alan Rosendale had come forward as a result of my story.
16. As a result of this article I was contacted by police and proved this statement.

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