



**NSW Police Force**  
www.police.nsw.gov.au

1800 43 636 632 100

**LEGAL SERVICES**

**COPY**

Mr. Luke McKee  
PO Box 197  
LEIGHHARDT NSW 2040

**NOTICE OF DETERMINATION**  
**(FREEDOM OF INFORMATION ACT 1989)**

**APPLICATION NO:** 73708  
**APPLICANT:** LUKE MCKEE  
**FEE RECEIVED/DATE:** \$30.00 ON 20/09/2007  
**DESIGNATED OFFICER:** M. MADDOX  
**DATE OF DETERMINATION:** 17 OCTOBER 2007

**APPLICATION:**

I refer to your application under the New South Wales *Freedom of Information Act 1989*. The application was received by this office on 20 September 2007. Your request has been interpreted to be seeking the following:

1. Full brief of evidence relating to assault charges and Event E32408183, E3151508.
2. Ms Fung ERISP interview.
3. Witness Statement collected from RJ Randall and Nike Wilson including notebook entries pages (67 & 68 and previous 4 pages).

**DETERMINATION:**

I have been authorised by the Commissioner of Police to determine applications made under the *Freedom of Information Act 1989 (NSW)* (the Act).

In response to this application a search was carried out upon the Computerised Operational Policing System (COPS) and printouts obtained. Inquiries were also directed to Leichhardt Local Area Command (LAC). Documentation that falls within the ambit of your request has been identified and forwarded to this office.

APPLICATION FOR REVIEW OF DETERMINATION  
UNDER THE FREEDOM OF INFORMATION ACT

To: The Commissioner of Police  
C/- Freedom of Information Unit,  
Locked Bag 5102  
PARRAMATTA NSW 2124

## Details of Applicant

Surname: McKee (Title) Mr Given Names: Luke  
Australian Postal Address: PO BOX 197, Leichhardt, NSW 2040  
Postcode: 2040 Telephone No's: (02) 80617305  
Freedom of Information Reference Number: 73708 Fax (02) 80887254

## Details of Request

I have submitted an application requesting access to documents in accordance with the Freedom of Information Act. I am not satisfied with the determination made by your agency and seek a review of this determination because:

Place a tick in the appropriate box

- ☒ I have been refused access to a document  
☒ I have been refused access to part of a document  
☐ I have been refused a request to amend a personal document  
☐ I have been given access to a document but access has been deferred  
☐ I am a third party specified in the document but have not been consulted about giving access to another person  
☐ I have been consulted but disagree with a decision to release the documents

Comments (You may include additional comments (attach pages if necessary))

- A) Please search Dads On the air.com forums for my name (Luke McKee) or name of Police officer for open letter to FOI. The head of professional standards has seen this disclosure.  
1) Please provide copy of log book 3rd parties/witness statements are not protected - only within statement. No disclosure is covering up a CRIME.  
2) Disclose full COPS report without omissions. I already know names due to FACT sheet sent in FOI application. SHOW TIMES!!  
Fees 3) Explain what was edited in COPS. Show original version

The agency granted me a 50% reduction in fees and charges when I applied for access to documents.

Please a tick in the appropriate box

- ☒ Yes If yes, there is a \$20.00 fee  
☐ No If no, there is a \$40.00 fee

Cheque is in the mail.  
Do not delay review!

## Lodgement of Application

This request must be received by the Commissioner of Police within 28 days of the date of receipt of the Police Service determination.

## Advice of Determination

The agency will undertake its internal review and advise you of its decision within 14 days of receipt of this application.

Applicant's Signature

*[Signature]*

Date:

5/12/2007

or  
call  
for CC  
payment.

Your actions will be reviewed  
by other departments if failure  
to properly justify actions like last  
time!

I have examined the documents obtained and determined, this date, as follows:

**A). To release in full, the following documents with the exception of deletions pursuant to Sections 25 (1)(a) and 25(4)(a) of the Act on the ground of the exemption listed at clause 6(1), 4(1)(e) of Schedule 1 to the Act:**

- Event Summary E32408183 (7 pages)
- Event Summary E31515608 (2 pages)

**B). To release the following documents in full:**

- Court Attendance Notice and Facts Sheet (8 pages)

**C). To Exempt, the following documents in respect of personal Affairs and confidential information, pursuant to Section 25(1)(a) of the Act on the ground exemption listed at Clause 6(1), and 13(b) of Schedule 1:**

- Statements provided by Witnesses and Police Notebook entries

**Part 1) of your request for Full Brief of Evidence:**

I have been advised that the Full Brief of Evidence was never compiled by Police as the matter was finalised at the Court.

**Part 2) of your request for Ms Fung ERISP interview:**

Advice was received that No ERISP interview ever took place between police and Ms Fung. In view of the fact that the material requested does not exist, you are so advised in accordance with Section 28(1)(b) of the Act.

**Part 3) of your request:**

Witness Statements collected from RJ Randall and Nike Wilson including notebook entries (pages 67 & 68 and previous 4 pages) - The documents are considered exempt in accordance with the provisions listed at point (C).

**STATEMENT OF REASONS:**

**Documents affecting Personal Affairs – Clause 6(1)**

The documents listed at (A and C) contain information relating to the names, dates of birth and private affairs of individuals other than your client. I have taken into consideration the circumstances upon which the material came into existence and consider that the disclosure of information relating to their personal affairs to another party would involve unreasonable disclosure of those particulars.

The Freedom of Information legislation contains no provisions to impose any conditions upon how an applicant may use or disseminate any information obtained and as such the New South Wales Police has no control over the documents once released. In light of the aforementioned, I have taken into account the right to access information under the Freedom of information Act and, upon balancing all interests involved, in my opinion the release of such details pose an unreasonable disclosure of personal information.

#### **Documents affecting Law Enforcement and Public Safety - Clause 4**

Clause 4(1)(e) - The documents listed contain material which reflects police methodology and the processes implemented when responding to, maintaining and administering police investigations. I am of the opinion that the material relates to technique employed by the Police Service in carrying out its function to detect and investigate contravention of the criminal law, the effectiveness of any law enforcement agency depends heavily on the use of such techniques and those details must remain confidential to ensure its continuing value for law enforcement purpose.

#### **Documents affecting confidential information - Clause 13(b)**

The documents at **point (C)** were given to investigating Police in respect to allegations that criminal offence(s) may have been committed and were obtained in confidence. In this regard, it is my view that the individuals concerned are entitled to assume that information supplied would be dealt with confidentially and only release in pursuance of legal proceedings or on their specific authority. If that were not the case, the ability of the New South Wales Police to investigate matters of this nature would be impeded. In accordance with the Act, I have given consideration as to whether or not it is in the public interest to disclose the mentioned documents. It is my view, when having given consideration to all factors, that it is not in the public interest to do so. I have therefore exempted the documents pursuant to Section 25(1)(a) of the Act on the ground of the exemption listed at Clause 13(b) of Schedule 1 to the Act.

#### **RELEVANT PROVISIONS:**

**Section 25(1)(a)** provides that an agency may refuse access to a document if it is an exempt document in accordance with one or more of the grounds of exemptions referred to in Schedule 1 of the Act.

**Section 25(4)(a)** provides that an agency shall not refuse access to an exempt document if it is practicable to give access to a copy of the document if the exempt matter has been deleted.

**Clause 6(1)** (Documents affecting personal affairs) - A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (whether living or deceased)


**Clause 13(b)** (Confidential information) – provides that a document is an exempt document if it contains matter the disclosure of which would otherwise disclose information obtained in confidence and could reasonably be expected to prejudice the future supply of such information to the Government or to an agency; and would, on balance, be contrary to the public interest.

**Clause 4(1)(e)** (Documents affecting law enforcement and public safety) A document is an exempt document if it contains matter the disclosure of which could reasonably be expected to prejudice the effectiveness of any lawful method or procedure for preventing, detecting, investigation or dealing with any contravention or possible contravention of the law (including any revenue law).

**Section 28(1)(b)** provides that an agency shall cause written notice to be given to the applicant if the application relates to a document that is not held by the agency – of the fact that the agency does not hold such a document.

#### **CONCLUSION:**

Should you not be satisfied with this determination, you have 28 days to lodge a request for review by this agency. If you remain dissatisfied after an internal review, you have 60 days in which to lodge an appeal with the Administrative Decisions Tribunal. You may also request an external review by the Ombudsman conferred by this Act and the *Ombudsman Act 1974* (NSW) in relation to the determination. There is no statutory time limit on an appeal to the Ombudsman but the Act precludes consideration of the same matter by both bodies at the same time. A review to the Ombudsman should be directed in writing to 24<sup>th</sup> Floor, 580 George Street, Sydney 2000.

  
M. Maddox  
Co-ordinator.  
Freedom of Information

EV026P

New South Wales Police Service  
COPS

Date : 20/09/  
Time : 10:20;  
Page : 7

Event Ref No : E 32408183

Provisional Apprehended Domestic Violence Order  
which was served on the accused whilst in  
custody. The accused was then charged with the  
matters now before the court.

Date/Time Created  
Created By

: 15/05/2007 16:56  
: SGT ROBERT GALLAGHER - LEICHHARDT  
On 15th May 2007 at 3.00pm Police attended  
William Street, Leichhardt in relation to a  
property dispute from the POI. The POI MCKEE  
wanted to retrieve his preoperty from the  
locationand he believed that it was his legal  
right to do so as he had a court document to do  
so. Police attended the location and spoke with  
the POI. It was established that the POI in fact  
obtained an AVO from the chamber magistrate. The  
POI was of the belief that it was a recovery  
order. The POI was explained this at length but  
refused to accept the Police decision on the  
matter. The POI has contacted the chamber  
magistrate and discussed it at lenght. Police  
then discussed the matter with the chamber  
magistrate and it was resolved that the POI did  
not have the authority to enter the premises and  
that a recovery order would need to be applied  
for at the next mention date. POI explained this  
but he was unhappy with the Police and chamber  
magistrate decision. Talbot/Gallagher.

\* \* \* END OF LIST \* \* \*

EVE02oP

New South Wales Police Service  
COPS

Date : 16/10/  
Time : 13:54:  
Page : 1

Event Ref No : E 31515608

Event Reference No : E 31515608

Event Summary Details

Date/Time Reported : 27/05/2007 10:40 Event Status : VERIFIED  
Created By : RITCHIE, MICHELLE LOUISE - SUTHERLAND  
Updated By : MCINALLY, JOHN PETER - SUTHERLAND

Event Involved Party Details

PERSON REPORTING MCKEE, LUKE - 681345636

Incident Details

Incident Type : OCCURRENCE ONLY  
Further Class. : OCCURRENCE  
Incident Date/Time : 27/05/2007 10:30 to 27/05/2007 10:50  
Incident Class. : ACCEPTED  
Location : 32B THE DRIVE DR, STANWELL PARK, NSW, 2508  
Beat : 07 NHW : 23

Involved Party Details

VICTIM MCKEE, LUKE - 681345636  
32B THE DRIVE DR, STANWELL PARK, NSW, 2508  
( ) 0433951633 - MOBILE

Event Ref No : E 31515608

## Narrative

Date/Time Created : 27/05/2007 14:00  
Created By : SENCON MICHELLE RITCHIE - SUTHERLAND  
Unwanted letter received.

Victim: Luke McKee  
Address: 32B The Drive, Stanwell Park  
DOB: 07/06/1980  
Ph: 0433951633  
CNI: 681345636  
Priors: 1 x recent assault charge 12/5/07

About 10.30am on Sunday 27 May, 2007 the victim attended Sutherland Police Station to report a letter that was received in the mail at his address. The letter was addressed to Luke McKee and Family. The letter consisted of Chinese writing and the words "I have many Chinese Brothers and Italian friends in Sydney stop harrassing Helen and Violet".

The victim states that Violet is -Violent FUNG his ex-girlfriend whom he assaulted and has a current enforceable AVO in placed from 12 May, 2007, as per COPS. Helen is a friend of Violent and further particulars about Helen are unknown.

The victim stated he did not want any police action in relation to the matter but stated "I want an event number and this to be recorded".

Whilst speaking to Police the victim appeared extremely paranoid. He kept bringing up unrelated issues with police and could not give direct "Yes" or "No" answers, whilst police were trying to obtain particulars to record.

The victim also kept saying he was an informant for the Police Integrity Commission and ICAC. Warning placed on the COPS system re the same. It appeared to police the victim may have some type of mental health issue. The victim kept discussing matters that police knew no details about and assumed we knew was he was talking about.

It is unknown who sent this unwanted letter and the victim did not wish to take the matter any further.

Police contacted the victim and gave event number. Victim card also issued.

For information only.

S/Cst RITCHIE

EVE026P

New South Wales Police Service  
COPS

Date : 16/10/  
Time : 13:54:  
Page : 3

Event Ref No : E 31515608

Sgt CHRISIE.  
Sutherland Police

\* \* \* END OF LIST \* \* \*

Event Ref No : E 32408183

Date/Time Created : 15/05/2007 03:44  
Created By : CON KATE HOWE - LEICHHARDT  
towards him. He placed his arms the victims arms  
and dragged and pushed the victim to the front  
door.

Once the victim was outside the front door the  
accused has shut the door and locked it. Due to  
the force of the accused no longer pushing  
against her the victim fell backwards and into  
the glass front door, smashing the glass. As a  
result of this the victim received a cut and two  
small scratches to her lower back from the broken  
glass.

The victim again sought refuge [redacted]  
[redacted] and contacted police. Police attended  
and obtained details and a statement from the  
victim. The accused was placed under arrest and  
cautioned. The safeguards of LEPRA were complied  
with and the accused was searched. He was then  
conveyed to Newtown Police Station where he was  
introduced to the Custody Manager and read his  
rights under Part 9 of the Law Enforcement  
(Powers and Responsibilities) Act.

The accused was offered the opportunity to  
participate in an electronically recorded  
interview, a notebook interview or provide a  
handwritten statement. He agreed to participate  
in an electronically recorded interview and also  
wished to complete a handwritten statement.

The accused participated in electronically  
recorded interview number R0008096 during which  
he made certain admissions to each offence.  
In relation to Offence 1 the accused stated that  
he had "grabbed her from the legs and the arms  
and put her outside, just carrying and  
extracting." He further stated in relation to  
Offence 1 that he had "lifted her up, picked her  
up from behind her back with my arms under her  
armpits." In relation to the victim's feet being  
off the ground he stated, "Maybe for a little  
bit."

In relation to Offence 2 the accused made further  
admissions during the interview. He stated,  
"First I grabbed her forearms to pull her towards  
me, then under the arms and to the door."  
The accused also stated during the interview "I  
did move her twice against her will not three  
times."

Police made application for and were granted a

Event Ref No : E 32408183

times begun to organise their things to make ready to move out.

The accused has said to the victim, "You leave me alone here. Within 24 hours I will be out. I have a right to be here." The accused has then grabbed the victims forearms and pulled her

Event Ref No : E 32408183

Date/Time Created  
Created By

: 15/05/2007 03:44

: CON KATE HOWE - LEICHHARDT

The victim, and the accused person, Luke McKEE, have been involved in an intimate relationship for the past ten (10) months. There are no Apprehended Domestic Violence Orders in place.

The victim and the accused moved into a studio unit at 7/16 William Street, Leichhardt, approximately two (2) months ago. Both the victim and the accused are listed on the lease for the residence.

On Thursday 10th May 2007, the victim and the accused ended their relationship. Since this time they have been involved in verbal altercations.

## OFFENCE 1: COMMON ASSAULT

About 9.30am on Saturday 12th May 2007, the victim and the accused were at their home address. The victim was on a single bed mattress in the corner of the room. The victim and the accused were having a discussion about who was going to move out, which then became heated.

The accused grabbed the victim by both of her legs around the ankles with both of his hands and dragged her off the bed. He has then picked her up from behind, with his arms under her armpits, and carried her to the door with her feet off the ground. The accused has then pushed the victim out the front door.

The accused has sought refuge at 9/16 William Street, Leichhardt.

C1 6(1)

The victim returned to her unit after contacting police. The accused had left the premises and the victim did not know his whereabouts. Police attended the scene where they obtained details from the victim. Due to an urgent job that required their attendance police left the scene with the intention of returning.

## OFFENCE 2: COMMON ASSAULT

About 2pm the accused has returned to the premises. The accused and the victim have continued to argue about who should leave the premises. Both the victim and the accused have at

Event Ref No : E 32408183

Date/Time Created : 13/05/2007 18:08  
Created By : CON ALICIA HALL - LEICHHARDT

At 8am on Sunday the 13th May, 2007 Police were called to attend unit 7/16 William Street, Leichhardt by the Accused, Luke MCKEE in relation to collecting his belongings.

Police attended and spoke with MCKEE informing him police would notify the Victim, before he could enter.

C1 6(1)

Police informed MCKEE who stated he had a key to the premises. Due to MCKEE still being on the lease, police allowed MCKEE to enter the premises to remove only immediate belongings.

Police remained at the location whilst MCKEE removed his belongings.

A short time later, MCKEE and police left the location locked and secure.

Police attendance:  
Cst HALL/FILIPUZZI  
Sgt HOWE

Event Ref No : E 32408183

## Narrative

Date/Time Created

: 12/05/2007 18:11

Created By

: SENCON AMY WATSON - LEICHHARDT

The victim and the accused person Luke McKEE have been involved in a relationship for the past ten (10) months. They moved into 7/16 William Street, Leichhardt approximately two (2) months ago. There are no Apprehended Violence Orders in place. On Thursday 10th May 2007 both the victim and accused person ended their relationship. Since this time, they have both been involved in verbal altercations, however no violence has resulted.

About 7:00am on Saturday 12th May 2007 the victim was asleep in her bed. The premise is a studio apartment to which they both are listed on a lease. At this time, the accused person has grabbed hold of the victims legs and dragged her from her bed. The bed was a mattress on the ground. The victim has awoken. The accused has instructed the victim to get up and leave the unit to look for accommodation. Whilst the victim was laying on the bed, the accused person has picked up a chair and raised it just above her head threatening to drop it on her head. The accused did not drop the chair on the victim and was merely threatening to do this.

Once the victim has stood up, the accused person has then grabbed hold on the victim from behind and has pushed her out of the front door to the unit. The victim has then subsequently fled to 9/16 Williams Street Leichhardt to seek assistance.

The police were not called immediately. The cl 6(1) have comforted the victim who was extremely upset.

Police attended and spoke to the victim who had returned to unit 7. Upon entering the unit, police saw that the accused was not inside. The victim did not know his whereabouts. No action was taken due to a a priority 2 job that took precedent at the time. Police informed the victim that police would return.

About 5:10pm on this date a further job was broadcast regarding this matter to which the accused person had returned and further assaulted the victim.

..

Event Ref No : E 32408183

Event Reference No : E 32408183

## Event Summary Details

Date/Time Reported : 12/05/2007 13:00 Event Status : VERIFIED  
Created By : WATSON, AMY JANE - LEICHHARDT  
Updated By : POSA, GIACINTO - PROACTIVE CRIME TEAM LEICHHARD

## Event Involved Party Details

PERSON REPORTING

CL 6(1)

## Incident Details

Incident Type : ACTUAL ASSAULT  
Further Class. : ASSAULT COMMON  
Incident Date/Time : 12/05/2007 09:30 to 12/05/2007 10:00  
Incident Class. : ACCEPTED  
Location : 9, 16 WILLIAM ST, LEICHHARDT, NSW, 2040  
Beat : 09 NHW : 09

MO Type : METHOD USED  
Involved Party Details  
VICTIM

Desc : PHYSICAL FORCE

CL 6(1)

PERSON OF INTEREST

MCKEE, LUKE - 681345636 - CAN

## Incident Details

Incident Type : ACTUAL ASSAULT  
Further Class. : ASSAULT COMMON  
Incident Date/Time : 12/05/2007 16:00 to 12/05/2007 16:30  
Incident Class. : ACCEPTED  
Location : 7, 16 WILLIAM ST, LEICHHARDT, NSW, 2040  
Beat : NA NHW : 09

MO Type : METHOD USED  
Involved Party Details  
VICTIM

Desc : PHYSICAL FORCE

CL 6(1)

PERSON OF INTEREST

MCKEE, LUKE - 681345636 - CAN



Parliamentary Secretary for Police

RML 97803 / P0800005

Mr L McKee  
PO Box 197  
LEICHHARDT NSW 2040

Dear Mr McKee,

I refer to your letter to the Hon David Campbell, MP, Minister for Police and Minister for the Illawarra, regarding an application under the *Freedom of Information Act 1989*. The Minister has asked me to reply on his behalf.

The NSW Police Force advises that your complaint about an inadequate police investigation in response to allegations against you of domestic violence were considered by the Complaint Management Team, Leichhardt Local Area Command, in accordance with the provisions of Part 8A of the *Police Act 1990*.

I understand that the Complaint Management Team declined to investigate your complaint on the basis that you have available to you an alternative and satisfactory means of redress, namely, the Balmain Local Court before which you were summonsed to appear on 18 July 2007.

I also understand that Detective Superintendent Jonathon Alt, Acting Leichhardt Local Area Commander, wrote to you on 21 August 2007 and informed you of this course of action.

If you disagree with the determination by the NSW Police Force to not grant you access to documents in accordance with your application, the *Freedom of Information Act 1989* provides you with avenues for internal and for an independent review of this determination by the Administrative Decisions Tribunal or the New South Wales Ombudsman.

In this regard, I suggest you be guided by the advice of your independent legal representatives.

I trust this information is of assistance to you.

Yours sincerely,

Tanya Gadiel MP  
Parliamentary Secretary for Police

All correspondence to:  
GPO Box 5341,  
Sydney NSW 2001

Ground Floor, 84 Crown Street,  
Wollangong NSW 2500  
Ph: +61 2 4229 5744

MLU48942 doc  
Level 35, Governor Macquarie Tower  
1 Farrer Place, Sydney NSW 2000  
Ph: +61 2 9228 3777





**PROVISIONAL ORDER (EX PARTE)  
APPREHENDED DOMESTIC VIOLENCE ORDER  
Part 15A Crimes Act 1900 (NSW)  
(Section 582R - Telephone Interim Order)**

**Applicant Details**

Name: Constable WATSON  
Address: Glebe Police Station 1-3 Talford Street Glebe  
Telephone: 9552 8099  
Police Event No: E32408183

**Protected Persons**

Name: Violet FUNG  
Address: Address not disclosed  
Date of Birth / Age: 28/08/1988 20  
CNI: 749919840  
Relationship to Defendant: Ex partner

**Defendant Details**

Name: Luke McKEE  
Address: 77 19 William Street, Leichhardt  
Date of Birth / Age: 17/08/1980 26  
CNI: 750670054

**NOTICE TO DEFENDANT:**

You are directed to attend the Local Court on:

Date: 10/05/2007  
Time: 9:30am  
Location: Balmain Local Court, Darling Street, Balmain

This Provisional Apprehended Violence Order (AVO) has been listed before the Court. The Court may vary or revoke the Provisional Order or make an Interim or Final Order.

If you fail to attend, the court may make orders against you or issue a warrant for your arrest to bring you before the court.

If you fail to comply with any condition of the AVO, you may be immediately arrested and charged. The maximum penalty for failure to comply with an AVO is a fine of \$5,500 and/or 2 years in gaol.

**APPLICATION** (to be heard at Court)**Grounds of Application:**

The applicant relies on the following grounds:

The protected person and the defendant were involved an intimate relationship for approximately ten (10) months. About two (2) months ago they moved into 7/16 Williams Street Leichhardt.

On Thursday 10th May 2007, the protected person and the defendant ended their relationship. Since this time arguments have developed to which the defendant has directed the victim to leave and find somewhere else to live.

About 7:00am on Saturday 12th May 2007 the defendant has grabbed hold of the protected persons legs and dragged her from her bed. The defendant has then picked the protected person up and pushed her outside of the unit they share. The victim was in fear of her safety and has gone to unit 9 for assistance.

At about 1:00pm the protected person has returned to unit 7 once the defendant has left. She has then laid on the bed to rest. The defendant returned half an hour later and again grabbed hold of the protected person's legs dragging her from the bed. He picked the protected person up by her legs in the air. Her head was hitting the ground. After a short time he has dropped her before again throwing her out of the unit from behind. She again fled to seek assistance from the occupants of unit 9.

Police were called and attended however the defendant was not at the unit. Details were obtained of the incident.

About 4:00pm the protected person has returned to unit 7 to gather some of her person possessions. At this time the defendant was inside the unit. The defendant approached the protected person grabbing hold of both her forearms. The defendant has pushed the protected person around and again pushed her out of the unit through the front door. The defendant has then slammed the door behind her. Due to the amount of force in which the defendant pushed the protected person, she has re bounded off the railing from the balcony and back into the front door. The front door was made of glass. As a result the protected person fell through the glass door. This has cause scratches and a cut to the middle portion to her back.

The police were again called to attend where the defendant was arrested and cautioned.

**Family Court Orders:**

Details of any existing parenting order or pending parenting application under the Family Law Act 1975:

☐ The applicant requests that the court exercise the powers conferred under s68R of the Family Law Act to vary, discharge or suspend an existing Family Law order, injunction or arrangement on the grounds that it has exposed, or is likely to expose, the protected person(s) to family violence. (FLA s68R(5)(c))

**Sought for the protection of the following persons:**

Name:	Violet FUNG
Address:	Address not disclosed
Date of Birth / Age:	29/09/1986 20
CNI:	746819849
Relationship to Defendant:	Ex partner

**Orders Sought at Court:**

The applicant requests that the court make the following orders against the defendant for a period of:

**MANDATORY ORDERS SOUGHT:**

Other orders:

[Empty box for other orders]

☐ **Note:** The terms of this order are subject to an **Ancillary Property Recovery Order** that was made on [blank]. The terms of the Property Recovery Order are attached.

Signature of Authorised Officer:

Date: 12.5.07

[Signature]

**Notice to the Defendant:**

This Order remains in force for the period stated unless it is varied or revoked by a further court order.

You can get further information about this document from:

- The court registry
- A legal practitioner
- LawAccess NSW on 1300 688 529 or at [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au)

16 August 2007

Mr. Luke Ledgard McKee  
5/25 Gray Avenue  
KOGARAH NSW 2217

Dear Mr. McKee,

Customer Id. 105866038



SECURITY INDUSTRY REGISTRY

I write to inform you that I am considering the revocation of your Class 1 ABC security license issued under the terms of the Security Industry Act 1997 and Security Industry Regulation 1998.

The license currently held by you, identified for consideration of revocation is license number 408634470.

Concerns have been raised in relation to your license to continue to hold a security license following the result of a court matter at Balmain Local Court on 18 July 2007 for an offence involving assault, which was discharged under Section 32 of the Mental Health Act.

Clause 18 of the Security Industry Regulation 1998 provides that your license may be revoked if the Commissioner considers that it is not in the public interest for you to continue to hold it.

This notice will serve as notice of my intention to suspend/revoke the security license held by you. I will begin this process on 21 September 2007.

I request that you supply, in writing, reasons why you believe the license held by you should not be revoked. Your submission should include medical evidence and assessment from a registered medical practitioner in relation to your behaviour and psychological state.

Any reasons supplied will be given due consideration and should be received by this office prior to 21 September 2007. In the event that a submission is not received by the due date a decision will be taken to revoke your license without the benefit of your comments.

You are reminded that in the event that your license is revoked this means that effective immediately you are no longer authorised to perform security activities.

If you have any enquiries regarding this matter, please contact this office on telephone numbers 8835 8047 or 1300 362 001.

Yours sincerely

Acting Registrar

Locked Bag 5599 Parramatta NSW 2124  
Tel: 1300 362 001 Fax: 1300 362 006 TTY: 1311 3775 security@nsw.gov.au

10 September 2007

Mr Luke Ledgard McKee  
5/25 Gray Avenue  
KOGARAH NSW 2217

Dear Mr. McKee,

Customer Id. 105866038



SECURITY INDUSTRY REGISTRY

The Security Industry Registry is in receipt of your submission in relation to the intention by this office to revoke your Class 1 ABC security license following a court matter involving you which was finalised on 18 July 2007.

The Registry has reviewed the contents of your submission and doctor's certificate and advises that no action will be taken to revoke your security license at this stage.

Please contact the Registry on telephone numbers 8835 8047 or 1300 362 001, if you have any queries regarding this matter.

Yours faithfully,

Acting Registrar

Locked Bag 5599 Parramatta NSW 2124  
Tel: 1300 362 001 Fax: 1300 362 006 TTY: 1311 3775 security@nsw.gov.au



MSN Journal - 024  
http://jib.1966boy173.net/mj/issue/00XgShingJong2mg234

MSN Journal - 024  
http://jib.1966boy173.net/mj/issue/00XgShingJong2mg234

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http://jib.1966boy173.net/mj/issue/00XgShingJong2mg234



# The University of Sydney

## Graduation Invitation

If you will be a guest at the ceremony, and your student card is not yet issued, please do not return the form.

Ms FONG

20244273

I am pleased to advise that you are eligible to graduate as you have completed the requirements for the award of:

Bachelor of Commerce

Plus

As you are to have your name on the list of graduates at the ceremony, please forward this form to the Registrar by 15 May 2007.

### GRADUATION DECLARATION

195, BLOCK 1, SHEPPARD ST, SYDNEY

Please check your details below and return this form immediately if you have any queries or have not received your student card.

Ms Fong

☐ I will be attending the ceremony but have your student card not yet received.

☐ I wish to graduate in November 2007 and will be attending the ceremony.

Signature \_\_\_\_\_ Date \_\_\_\_\_

The following is arranged for the name and appears on your certificate as follows:

### WICKET FUNG

If this is not correct, please supply evidence of a change of name at least 7 days prior to your ceremony.

If evidence is not provided, your name will remain as it appears above.

My name is permanently changed. I should be:

Family name \_\_\_\_\_ Other names \_\_\_\_\_

No alterations to my name. I should be as follows:

\_\_\_\_\_



### GUEST TICKET

10 May 2007 09:30am

Guest 1 seats only

Guests should arrive at the ceremony 15 minutes before the ceremony. Conditions for no refund apply. Seats are not refundable. These seats are not refundable. These seats are not refundable.

**FACTS SHEET**

Offender : MCKEE, Luke  
Address : 5/25 GRAY AVE  
: KOGARAH, NSW, 2217  
Nationality : Australian  
Occupation : Security  
D.O.B : 07/06/1980  
CNI No. : 681345636

Seq. No.      Offences

1.	Common assault T2	Law Part : 244
Act	Crimes Act 1900	
Section	61	
2.	Common assault T2	Law Part : 244
Act	Crimes Act 1900	
Section	61	

ARRESTING OFFICER

Name : CON KATE HOWE  
Station : LEICHHARDT  
Name : CON ALICIA HALL  
Station : LEICHHARDT  
Name : PROCON TUI ORMSBY  
Station : LEICHHARDT

INFORMANT

Name : CON AMY WATSON  
Station : LEICHHARDT

INFORMANT

Name : CON KATE HOWE  
Station : LEICHHARDT

ACCEPTING OFFICER

Name : LSCON MARK WATSON  
Station : Leichhardt  
Date : 13/05/2007

COURT

Court Name : Balmain Local Court  
Court Date : 30/05/2007

**COURT ATTENDANCE  
NOTICE**  
(DEFENDANT COPY)

**MCKEE  
H 30132447**

List No. \_\_\_\_\_

You are required to attend the BALMAIN LOCAL Court on Wednesday 30th May, 2007 at 9:30 am

**DEFENDANT DETAILS**

**MCKEE, Luke**  
07/06/1980  
5/25 GRAY AVE  
KOGARAH, NSW, 2217

CNI Number : 681345636  
Licence details :  
Sex : Male  
ATSI Status : Neither

**PROSECUTOR (NSW POLICE) DETAILS**

**OIC (Prosecutor) :** CON AMY WATSON, Leichhardt  
**CAN Created by :** CON KATE HOWE, 10:11 pm 12/05/2007  
**CAN Accepted by :** LSCON MARK WATSON  
**Apprehended :** 6:00 pm on 12/05/2007  
**Apprehended by :** CON KATE HOWE, Leichhardt

**Charging station :** Newtown

**DETAILS OF OFFENCE/S**

001	Crimes Act 1900, Section 61 - T2 Common assault between 9:30 am and 10:00 am on 12/05/2007 at Leichhardt. did assault Violet FUNG	Law Part Code 244
002	Crimes Act 1900, Section 61 - T2 Common assault between 4:00 pm and 4:30 pm on 12/05/2007 at Leichhardt. did assault Violet FUNG.	Law Part Code 244

**INFORMATION FOR DEFENDANT**

You should obtain legal advice immediately about your rights regarding this Court Attendance Notice. You may wish to contact a legal practitioner, LawAccess (1300 888 529), the Legal Aid Commission or a Chamber Magistrate at a Local Court if you require assistance. On your first date of appearance at Court, you should be in a position to advise the court, if required, whether you wish to plead guilty or not guilty to the alleged offence/s.

- If you have a physical impairment, or require an interpreter to assist you at Court, please advise the Local Court at which you are to appear as soon as possible.
- If you have been charged by the Police, then the Police Officer responsible for investigating the alleged offence/s will, on request, make arrangement for a language interpreter to assist you at Court.
- Failure to appear may result in your arrest or in the matter being dealt with in your absence.

FACTS SHEET Cont'd  
Defendant : MCKEE, LukeFULL FACTS Cont'd.

The accused has sought refuge at 9/16 William Street, Leichhardt. The occupant there, RJ RANDALL, comforted the victim who was upset. The victim contacted police some time later.

The victim returned to her unit after contacting police. The accused had left the premises and the victim did not know his whereabouts. Police attended the scene where they obtained details from the victim. Due to an urgent job that required their attendance police left the scene with the intention of returning.

## OFFENCE 2: COMMON ASSAULT

About 2pm the accused has returned to the premises. The accused and the victim have continued to argue about who should leave the premises. Both the victim and the accused have at times begun to organise their things to make ready to move out.

The accused has said to the victim, "You leave me alone here. Within 24 hours I will be out. I have a right to be here." The accused has then grabbed the victims forearms and pulled her towards him. He placed his arms the victims arms and dragged and pushed the victim to the front door.

Once the victim was outside the front door the accused has shut the door and locked it. Due to the force of the accused no longer pushing against her the victim fell backwards and into the glass front door, smashing the glass. As a result of this the victim received a cut and two small scratches to her lower back from the broken glass.

The victim again sought refuge at her neighbour's in unit 9 and contacted police. Police attended and obtained details and a statement from the victim. The accused was placed under arrest and cautioned. The safeguards of LEPR were complied with and the accused was searched. He was then conveyed to Newtown Police Station where he was introduced to the Custody Manager and read his rights under Part 9 of the Law Enforcement (Powers and Responsibilities) Act.

The accused was offered the opportunity to participate in an electronically recorded interview, a notebook interview or provide a handwritten statement. He agreed to participate

**FACTS SHEET Cont'd**  
**Defendant : MCKEE, Luke****WITNESSES**

Police Witnesses : 5

Civilian Witnesses : 2

**BAIL**

Bail Type : Bail Conditional

**ANTECEDENT**

The accused is employed one day a week as security at a hotel where he works a four hour shift and earns \$18 per hour. The accused also receives Centrelink Newstart benefits of about \$430 per fortnight. The accused is single and does not have any dependants.

**FULL FACTS**

The victim, Violet FUNG, and the accused person, Luke McKEE, have been involved in an intimate relationship for the past ten (10) months. There are no Apprehended Domestic Violence Orders in place.

The victim and the accused moved into a studio unit at 7/16 William Street, Leichhardt, approximately two (2) months ago. Both the victim and the accused are listed on the lease for the residence.

On Thursday 10th May 2007, the victim and the accused ended their relationship. Since this time they have been involved in verbal altercations.

**OFFENCE 1: COMMON ASSAULT**

About 9.30am on Saturday 12th May 2007, the victim and the accused were at their home address. The victim was on a single bed mattress in the corner of the room. The victim and the accused were having a discussion about who was going to move out, which then became heated.

The accused grabbed the victim by both of her legs around the ankles with both of his hands and dragged her off the bed. He has then picked her up from behind, with his arms under her armpits, and carried her to the door with her feet off the ground. The accused has then pushed the victim out the front door.

**FACTS SHEET Cont'd**  
Defendant : MCKEE, Luke

**FULL FACTS Cont'd.**

in an electronically recorded interview and also wished to complete a handwritten statement.

The accused participated in electronically recorded interview number R0008096 during which he made certain admissions to each offence. In relation to Offence 1 the accused stated that he had "grabbed her from the legs and the arms and put her outside, just carrying and extracting." He further stated in relation to Offence 1 that he had "lifted her up, picked her up from behind her back with my arms under her armpits." In relation to the victim's feet being off the ground he stated, "Maybe for a little bit."

In relation to Offence 2 the accused made further admissions during the interview. He stated, "First I grabbed her forearms to pull her towards me, then under the arms and to the door." The accused also stated during the interview "I did move her twice against her will not three times."

Police made application for and were granted a Provisional Apprehended Domestic Violence Order which was served on the accused whilst in custody. The accused was then charged with the matters now before the court.