

Dirk Nierop  
Security Supervisor  
OH&S Chair  
Occupational First Aider  
0411262829

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**From:** Nierop, Dirk  
**Sent:** Tuesday, 21 November 2006 11:32 AM  
**To:** 'Kirsteen Banwell'  
**Subject:** Innocent mans life on the line

Hello Ms Banwell

It is with some reluctance that I am contacting you again but feel I have no other choice. My relationship with Inspector Bell has completely broken down. After 2 months of inaction by Inspector Brownlow (ombudsman report due 27 October), Inspector Bell took over the investigation into the inadequacies of the investigation into my matter. We had an initial 2 hour chat the day after the last message I wrote to you. In that most frank of interviews (un taped), I put it to him that they had a mole in the station and that they had been after me for a while. He did not refute this claim as it is commonly known throughout the station and discreet inquiries by my solicitor (who has worked in the area for 31 years and has many contacts) revealed this. When I put to him that armed with this knowledge, and the fact that the police refused to write down the barman's version of events, even after the barman watched officers write down notes from Shane Bullock's group, coupled with them not taking any notes when I freely admitted striking Shane as I had no choice, and with them not questioning the other security officers, and that the barman continued to ask why his version was not being noted, with no response, that it was an obvious frame up. He admitted that there were "dirty cops out there" and I empathised saying that "there were dirty bouncers out there, but that I was not one of them". He asked if anyone had asked to see my medical report. I replied no. He promised that the report would be completed by the 17<sup>th</sup> of November. He has rung me every 7 to 10 days since where he has kept me updated. 2 phone calls ago he stated that all the uniform officers had been interviewed and he was now up to the investigating officers but it would now be the 24<sup>th</sup> November before the report was ready. Last week Inspector Bell informed me that I was not going to be happy with his report as both the barman and one of the top floor bouncers had been contacted but refused to answer questions. I replied that this was weeks after I had been charged and that my solicitor had already received statements from them and that they were then witnesses for the defence. I told him that for a proper investigation to be carried out, these people should have been questioned before I was charged, and they would have been only too glad to provide any information required, especially the barman who had quite forcibly tried to make a statement with no notes being taken. In other words, they officers did not like what he had to say, or what I had to say, let alone the other security officers. Inspector Bell than stated that they already had enough evidence for a prima facie case without having to question these people. I then rechecked the brief that my solicitor received from the police and counted 9 members of Shane's group who were all involved in the brawl (Brief attached) who had given evidence. There were only 2 independent witnesses. One stating that "Bullock was swinging wildly, with one officer throwing a punch" (not me), the other stating "patrons throwing punches". I then rang Inspector Bell back and asked if that was the prima facie evidence that he was referring to. He then stated that "this is why I am investigating this matter". So in the space of 5 minutes, he had enough evidence, then he did not. I then asked when the investigation would be complete. He stated "the 24 November". He then rang me yesterday and said that he still had a uniform officer to question. I reminded him that he had already stated that he had completed that component of the investigation. He then stated that it would now be completed by the 7<sup>th</sup> December. I have no doubt that come the 7<sup>th</sup> December, a new date will be furnished.

*Jan*  
*came out in trial he was God father of Bullock's chilekes*

There can be no doubt that the investigation into my matter was inadequate

There can be no doubt that the investigation into my investigation is inadequate

There can be no doubt that the Inspector is using delaying tactics to prevent enough time for the Ombudsman to complete an investigation before my trial, considering the Christmas break

My setup is entwined with the setup of Steve Matai who plays for the Manly Sea Eagles. Same venue, same witnesses, some being badgered to give false evidence. I am closely involved with all concerned as I have guarded the team during several functions and am one of the guards at all home matches, and know the guards who are being pressured

I am not afraid to be held accountable for any of my actions, and I am not afraid to go to trial. BUT I DO HOLD GRAVE AND REAL CONCERNS FOR INDEPENDENT WITNESSES LIFE. He has a fused neck, drinks in the same hotels as Shane Bullock and his cronies, with a condition where one punch to the head will kill him. (doctors advice).

I have a serious personal issue with using this man as a human shield, just like a terrorist, so that I can walk free, because the police have decided that they don't like me. As I said to the inspector, I was attacked, the barman came to my rescue, I came to his rescue. End of story. I have worked day and night all of my life, am suddenly arrested in the middle of the night, charged with the most heinous of crimes, had my wealth, dignity and name stripped from me, and here I am, seven and a half months later, still at a loss as to what I have done wrong, and why I have to risk another man's life to walk free because a corrupt licencing section have taken a personal dislike to me because I refused to let their drunken off duty police officers play up in the hotel that I supervised.

Mamm, with all due respect; enough is enough.

The set up was blatant

This investigation into my investigation is being blatantly whitewashed

Are you going to stand by and force me to risk an innocent mans life, or are you going to end this madness - *she was*

If I am forced to use this man so that I can walk free, I will devote the rest of my life to destroying any one who has had a hand in this debacle

Please, please, find out what the hell is going on

Sincerely yours

Dirk Nierop  
Security Supervisor  
OH&S Chair  
Occupational First Aider  
0411262829



From: Nierop, Dirk  
Sent: Monday, 25 December 2006 4:11 PM  
To: 'Kirsteen Banwell'  
Subject: D.N vs D.Y. Mates investigating mates  
Hello Ms Banwell

christmas day - broke alone  
just had my licence taken  
again illegally

On the 22<sup>nd</sup> of December inspector Bell rang me with the results of his very late and perfectly timed "investigation into my investigation". The reasons, as far as I could make out, for the crux of my complaint, that the top floor security officers were not questioned, and that the barman's or my own answers to their many questions were not written down, and that the barman's repeated requests to be heard were ignored, and the other 100 or so top floor witnesses to the unprovoked attack on myself not questioned were as follows

For the top floor security officers not being questioned-reasons given

1)-That-they were "persons of interest"????????????????????

If they were persons of interest, surely they would want to question them, and if that was so, why did they question me and the barman, unless we were not "persons of interest"??

and even more importantly, why are they questioning them now, 9 months after the incident? They are being asked if they are mates of mine, even guards that were not there on the evening. They are even issuing subpoenas to the guards who have already made statements for the defence and who are obviously being subpoenaed by my defence council. Is this a "band-aid" approach to righting the wrongs or not?

2)- That there were several more fights breaking out whilst they were upstairs

So????--I broke them up and dragged the offenders out, right in front of the officers, still plenty of time to question between fights, the police were there for hours

That they "spoke to officers at the scene" ----- that was me

That the barman's or my answers were not written down

1)-That it was too volatile

Too volatile??? As I went to great pains (half an hour in all, explaining what happened to 2 female uniformed constables and an inspector) explaining exactly where I was assaulted, where the fight progressed, where the assault on my barman occurred and where I was forced to use justifiable force in order to save a mans life. The barman went to great pains to explain where his and Shane Bullocks head and face broke the huge potplant (which had to be replaced, and was photographed by the police) on the mezzanine level and where Shane, even with blood all over his face, was still viciously attacking him. The barman even pointed out his injuries. While I was explaining to the inspector; he was surrounded by uniform officers, so it was hardly too volatile to take notes. As for Constable Gladwin, I never spoke to a lower ranked male officer. The female constables were mainly asking if other officers were involved, which I explained was difficult to know what they were doing when I was so heavily outnumbered.

That my barman's repeated questions why his statement was not being recorded

1)-Denial

That the 100 or so witnesses to the unprovoked attack on myself were not questioned

Everyone was too intoxicated

I then reminded the inspector that I agreed to narrow the investigation due to my overwhelming number of complaints to save time. Not only did it not save time, and my other complaints were not addressed, that the answers to my most just complaints that were addressed were totally unacceptable. He stated that by law he had to ask me my comments on what he had just read to me. I answered that I did not agree with a single word he had spoken and that I would be taking this further.

He warned me to be very careful and that he would not like to be in my shoes. I responded that how could he possibly hurt me any more than they already had. I had only 10 hours to wait.

Exactly half way through my regular Friday night shift at D.Y. bowling alley, my licence was reconfiscated, this

time with all the proper paperwork. I told licencing that Inspector Bell was aware that I was working here since our face to face meeting on 18<sup>th</sup> of October (and also by email on the 16<sup>th</sup> November, of which I have a copy) where I explained that as the Magistrate from the Attorney Generals department had previously over ruled them and allowed me to work at [REDACTED] and that [REDACTED] was licenced premises, as the bowling Alley is, that the spirit of the ruling would still apply. The police knew that if I went back to the magistrate from the Attorney generals department, that he would again over rule them and again allow me to also work at Tenpin. So they waited til Friday night to revoke my licence, stopping now working at [REDACTED] stopping me working at the Tenpin, and stopping working in any capacity in any licenced premises. The timing was designed to not give me time to approach the magistrate (due to the Christmas and New Years break) before my trial giving me no income up to and including trial.

This is a blatant miss-use of power.

He also said there is a new witness named Caligan. I am extremely suspicious of such a late inclusion.

Mamm, surely now is the time for an independent investigation

Sincerely yours

Dirk Nierop  
Security Supervisor  
OH&S Chair  
Occupational First Aider  
0411262829

**From:** Kirsteen Banwell [mailto:KBanwell@ombo.nsw.gov.au]  
**Sent:** Wednesday, 17 January 2007 6:17 PM  
**To:** Nierop, Dirk  
**Subject:** RE: How long?

Hello Mr Nierop,

Thank you for your advice that NSW Police has completed the investigation into your complaint. This office has not yet received a copy of the investigation report. There may be many reasons for this, including that the report is being quality reviewed by the complaints management team. The best person to give you answers to your questions about the current status of the report is the investigation officer or his supervisor.

*the reason was  
in 12 days my trial  
started - I was supposed  
to go to jail.  
I could have harassed them  
no longer*

As previously advised, it is the responsibility of NSW Police to inform you about the outcome of your complaint and to give you reasons for any decision.

On the information you have provided, it appears that the report will be provided to the Ombudsman's office in the near future.

Kirsteen Banwell  
Investigation Officer  
For the Ombudsman  
ph 9286 09665

*and she  
swallowed it  
corruption or  
incompetence?*

-----Original Message-----

**From:** Nierop, Dirk [mailto:Dirk.Nierop@...]  
**Sent:** Sunday, 14 January 2007 16:34  
**To:** Kirsteen Banwell  
**Subject:** How long?

Hello Ms Banwell,

Could you please give an indication on how long it will take for you and/or your organisation to examine the police's internal investigation into my investigation, arrest and charge, which was completed on December the 22<sup>nd</sup>, and arrive at a conclusion that can then be examined by myself

Many thanks

Sincerely yours

Dirk Nierop

P.S. this message has not been sent to any other person or organisation

\*\*\*\*\*  
This message is intended for the addressee named and may contain privileged information or confidential information or both. If you are not the intended recipient please delete it and notify the sender.  
\*\*\*\*\*

**Attention:**

**The information in this e-mail and any attachments is confidential.**

**The information may be legally privileged.**

**The information is intended for the recipient identified in the e-mail only.**

**If you are not an intended recipient of this e-mail, please contact the Ombudsman immediately**

**Nierop, Dirk**

**From:** Nierop, Dirk  
**Sent:** Tuesday, 30 January 2007 6:31 AM  
**To:** 'ithelp@ombo.nsw.gov.au'  
**Subject:** FW: D.N vs D.Y-Superintendant now caught up in corruption

1 DAY B4 TRIAL

Dirk Nierop  
 Security Supervisor  
 OH&S Chair  
 Occupational First Aider  
 0411262829

GENERAL WAITWASH  
 By BELL  
 LAUGHABLE ↓ ↓

**From:** Nierop, Dirk  
**Sent:** Tuesday, 30 January 2007 6:24 AM  
**To:** 'Kirsteen Banwell'  
**Cc:** 'icac@icac.nsw.gov.au'; 'peter.denman@parliament.nsw.gov.au'; 'palnet@police.nsw.gov.au';  
 'complaints'; 'contactus@pic.nsw.gov.au'; 'contactus@pic.nsw.gov.au';  
 'customerassistance@police.nsw.gov.au'; 'DP Office'; 'palnet@police.nsw.gov.au';  
 'michael.gallacher@parliament.nsw.gov.au'  
**Subject:** D.N vs D.Y-Superintendant now caught up in corruption

↓

Hello Ms Banwell

I have now received a letter from no other than Superintendent Doreen Cruickshank letting me know that D.Y. Complaints management team have rubber stamped inspector Bell's blatant whitewash into his "mates investigating mates" internal investigation. She finds that no officer was at fault, that there was enough prima facie evidence to charge me and as far as she was concerned, this was the end of the matter. As I previously itemised, the report did not address of any of my issues, her approval of this blatant whitewash now taints the superintendent. I am aghast that this officer filled in as the Commissioner of police when the Commissioner took a break a while back.

Please recall that my main issues were

- 1)-that non of the sober bar staff (except the cellarman), or the sober security officers were asked to make statements-Inspector Bell's response-they were "persons or interest"-surely you would want to question "persons of interest"
- 2)-that the barman made a statement stating what really happened, and even rang later, but was ignored by several police officers-Inspector Bell's response-they tried to contact him after I was charged. Too late-weeks later-now witness for the defence
- 3)-that non of the 100 or so patrons from the top floor who witnessed Bullocks unprovoked attack on myself were questioned, (where my independent witness was found by a local)-Bell's response-"they were too intoxicated"-well if they were too intoxicated, that did not seem to stop these corrupt officers question Bullock's intoxicated mates when building a case against me. In other words, had these officers approached this investigation without extreme prejudice, I could have had up to 100 independent witnesses that saw me assaulted, resulting in Bullock being charged, and myself commended on my restraint and bravery in rescuing my barman who would have been killed by this berserk, highly trained anti-terrorist commando and his cronies
- 4)-that the police put in a biased add midweek asking for "witnesses to an assault on a patron", meaning that any of the hundred or so witnesses to the unprovoked attack on myself would assume it was a different fight as they did not see any assault on a patron as you can't see from upstairs-Bell's response-we were not aware you had been assaulted-lie-I told an inspector and 2 uniformed female officers exactly where I was assaulted. The inspector retorted that I knew it was a blind spot in the camera system. So? 80% of the club is blind when it comes to CCTV-again-the same 100 possible independent witnesses not given a chance to make a statement
- 5)-no notes taken when questioning myself and the barman-Bell's response-"too volatile"-Lie-they were there for hours in large numbers. Plenty of time to take notes in between me conducting my duty.
- 6)-that I said that I had a Doctors report of an injured jaw and witnesses in my phone while being charged-refusal to check these things out by arresting officers Mooney and O'Brien

Summary-of course there was enough prima-facie evidence against me because the police cherry picked their witnesses. They deliberately only listened to one side of the argument. They went out of their way to turn a blind ear to anything that did not fit into their frame up. This in itself is blatant corruption. There are many,

3/02/2007

2nd page also important →

many further complaints that you are aware of that have not been addressed in the whitewash presented to me over the phone. The presentation was pathetic, the reasons illogical, and I look forward with interest on your appraisal of such a document.

However, that is not why I am writing to you yet again. Apart from the information I have provided you about the bizarre ritual of police subpoenaing all my witnesses 1 week out from trial, I have included the attachment "Tape letter" to remind you the lengths I was willing to go to expose this corruption when I wrote this to you and the PIC in August 2006. I am putting my life on the line to do this. I was offered the lower charge yesterday so as to guarantee me not going to jail. I refused. I have been forcing the police, with my unorthodox approach to exposing this corruption, to dig themselves deeper and deeper in an attempt to justify their despicable antics. The second attachment "tampering" now draws these police into extremely dangerous territory.

Now they have taken it to another level. When the crown prosecutor grilled my one true independent witness first day of trial yesterday, (who saw the unprovoked attack on myself) he suggested that he make a statement to the police. My barrister could not advise as this witness was independent. As my independent witness wanted to do the right thing, he visited D.Y. police station last evening and was asked to sign statements that they had concocted outlining things he did not say or that he did not see. He was offended and rang my legal team again to complain. These police keep digging themselves deeper and deeper.

I was up against the odds the night of the incident, I was up against the odds when regaining my illegally taken security licence 3 months later, I was up against the odds when the police illegally retook my security licence and only source of income 2 days before Christmas (therefore not leaving me time to again approach magistrate from the Attorney Generals Department to again overrule the police), leaving me eating canned food and unable to pay my rent, I am up against the odds constantly fighting these corrupt officials (missed another nights sleep, even taking 12 times recommended dose of most potent sleeping drugs on the market, without effect, due to my stress having to fight this whole fight against corruption on my own). How many more rules do these officials have to break before one of you watchdogs does something concrete about it. I am not doing this just for myself, but for all the others who have fallen before me and will fall after me unless these perpetrators of such tactics are brought to account. (which include massively overcharging and tacking on a smaller charge to force innocent men to plead guilty to a crime that they did not commit as they can't risk jail time) To give you an idea of the charge I am facing, my solicitor provided me with a list of the latest people to be charged with this crime I am charged with, they included attacks with chainsaws, machetes, swords, knife attacks from behind and using a vehicle as a weapon. How can you justify charging a man at his place of work, who had just been attacked by a commando, rescued by a much smaller barman to Bullock, who then proceeded to bash the much smaller barman, and while under attack from unknown numbers, went to the barman's aid and took the only option available to him by hitting him 4 times to stop the certain death of the barman. I could not wrestle him as I would have been kicked or stomped, it was a last resort, it was proportionate force, and Bullock was ready to play football the same day, so he obviously had no serious injuries. The police owe it to society to do their job to the best of their ability and without prejudice. I have proved beyond doubt that these officers have not. Do I have to go to jail for something to be done, because I am prepared to, as long as these people are stopped.

The Manly Sea Eagles are preparing an official complaint as to the conduct of these same officers. Please you will recall that I gave you advance warning that Steve Matai was completely innocent

Does anybody care or do I have to do this whole thing on my own

Sincerely yours

Dirk Nierop  
0411262829



**Nierop, Dirk**

**From:** Nierop, Dirk  
**Sent:** Saturday, 24 February 2007 1:54 PM  
**To:** 'Kirsteen Banwell'  
**Subject:** I am still waiting mamm

Hello Ms Banwell

It has now been over 2 months since the blatantly whitewashed "mates investigating mates" internal report conjured up by inspector Bell was finalised. I have barely survived the ordeal of a month long trial, where the jury finally convicted me of assault occasioning actual bodily harm. I believe, as did my barrister and solicitor, that this matter should not have been held in the district court. There were so many charges against me, that the jury must have felt compelled to convict me of something. The judge invited the jury to acquit me in the third week of trial, and his summing up clearly indicated that there was not enough evidence to convict me of anything. My defence team subpoenaed Inspector Bells report where I noted that he had accused me on the night of my arrest that I had told them that I had a broken jaw, and that his officers had made repeated attempts to acquire proof of this injury from my solicitor and myself. This is absurd. I had already had an x-ray of my jaw on the Tuesday after the incident, 5 days before being arrested. Neither myself or my solicitor received any such requests for proof of anything. One of the charges against me was committing an assault in company with persons unknown. The judge was as puzzled as the jury. I was obviously singled out for special treatment by these blatantly corrupt officers. The reason was that I had the nerve to eject misbehaving and drunk off duty police officers from D.Y police station. The judge reminded the jury that we (security) were obligated by law to eject persons for being intoxicated or for anti-social behaviour. We were outnumbered 20 to 3 on the top floor (this number confirmed by many witnesses for the crown). The evidence from my doctor was that I had been dealt a traumatic blow to the jaw resulting in a tempero dysfunction of my lower mandible. This was a king hit while I was wrestling 2 of Shane's cronies. The barman's doctor testified that the barman had suffered a haematoma to the head, which was where Shane Bullock had hit him just before I came to his rescue. By the police over charging me, the jury felt compelled to charge me with the lowest charge on the list, as it was obvious that we were overwhelmed, and I had only a split second to decide what to do. Please remember my main complaints

- 1)-that the police cherry picked their witnesses. This was borne out by the long list of witnesses that we were actually fighting. The only exceptions were an off duty officer from guess where? D.Y. police station, the cellarman who only saw patrons throwing punches, and an independent witness that my defence team had convinced to set aside his fear of reprisal, and who decided to make a statement to the police a week or so out from trial, after being harassed by detective Hennessy and her cohorts with accusations that he must have been paid, and why was he the only witness defending a man capable of such horrific actions, that the police had CCTV evidence of my "coming over the top and bouncing Shane's head down the steps". (no such CCTV evidence was produced)
- 2)-that the police ignored the barman and myself, refusing to write anything down that we said on the night of the incident
- 3)-that the police refused to talk to any of the other security officers because they were persons of interest???????????
- 4)-that the police spread personal information about me to the wider community
- 5)-that they illegally confiscated my security licence twice, the second time 2 days before Christmas, knowing I would not have enough time before trial to again have them over ruled by the attorney generals department
- 6)-that the charges they laid against me were so huge, that I was expected to plead guilty to the lower one. This in itself is a despicable tactic, how many before me have had to plead guilty for something they did not do in order not to go to jail
- 7)-that Steve Matai was set up by the same licencing section that set me up

All that I have said can be easily verified, and as you are aware, I have many other complaints about the officers-which took a full 90 minutes to outline in an official complaint made to Inspector Brownlow. And that was before they started getting even nastier. It would take another 90 minutes to outline my complaints since that tape was made. My complaints have been palmed off by ICAC, the PIC, the North East area command, the CMT at D.Y. and still I await your response. These complaints can not be palmed off for ever, and sooner or later, one of these governing bodies must explain how this investigation, arrest and charges have been so blatantly mishandled with out any kind of accountability. I have consistently communicated my easily proven complaints without any response except for the pathetic phone calls from Inspector Bell outlining his delaying and whitewashing tactics. I have lost everything I own, am over \$100,000 in debt, have lost all my jobs, my name has been forever tarnished, and I have aged 5 years in the last 1 year. For what, doing my job without fear or favour? What sort of message is this giving to the public, That now any citizen can simply do what ever they want in licenced premises, including bashing bar staff and security officers, and we can't fight back?

24/02/2007

Mamm, I have been to hell and back, and I deserve and expect an answer to my complaints in the very near future

Sincerely yours

Dirk Nierop  
OH&S Chair  
Occupational First Aider  
0411262829