

DAY RELEASE BUNGLE



A SCANDAL

■ **Day-trip killer gets passport**

■ **Freed rapist attacks 2 girls**

Herald Sun, 29 March 2001, page 1

FUGITIVE killer Neville Garden may have planned his escape for months with the unwitting help of his carers.

The *Herald Sun* yesterday learned Garden had renewed his passport, driver's licence and a crane operator's licence on supervised day trips from the Thomas Embling Hospital.

Police are convinced Garden, who was carrying several hundred dollars, had planned his escape.

The manhunt widened yesterday to include airports and Mildura on the NSW border — the scene of his 1994 killing of milk-bar owner John Voliotis.

It also emerged that a child rapist allegedly attacked two girls while on an unsupervised trip from the State Forensic Service, next door to the Thomas Embling Hospital.

The convicted deviant, who has more than 25 convictions for sex attacks on boys and girls, was voluntarily living at the facility at the time of the alleged attack on the two girls, aged 12 and eight, in Yarra Bend Park in January.

Angry police yesterday hit out at the escape of

By PETER
MICKELBROUGH,
chief police reporter

Garden, a diagnosed paranoid schizophrenic, while on a day trip at Southbank on Sunday.

Police believe Garden could pose a serious threat and have warned people to immediately ring 000 if they sight the escapee.

The *Herald Sun* learned yesterday he had a new passport issued after he was apparently taken by hospital staff to a post office for an interview.

This is despite Garden having served just six years of an 18-year, nine-month confinement in a mental institution for the Voliotis killing.

Police said he knocked pedestrians aside as he fled up the main spiral staircase at Southbank.

He had waited until one nurse went for coffee before telling the other nurse he had to go to the toilet urgently.

The nurse told police she gave chase but could not see her obese charge from the top of the stairs.

CONTINUED Page 4

Herald Sun

THE case of deranged escapee Neville Colin Garden is even worse than first suspected.

It is now indisputable that the day release system is a dangerous farce.

This outrageous state of affairs demands a far tougher and more immediate response than a routine inquiry.

The Government must answer immediately, in the public interest, whether it should insist that the existing hospital administration be replaced..

Child rapist free to attack

A CHILD rapist and serial sex monster allegedly attacked two young girls while a live-in patient at the State Forensic Service, which is next door to the Thomas Embling Hospital.

The *Herald Sun* has learned the convicted deviant, who has more than 25 convictions for sex attacks on boys and girls, was allowed to leave the Fairfield facility unsupervised when he allegedly struck again.

The man, in his 40s, had served part of a criminal sentence at the hospital but had elected to stay on as a voluntary patient after his sentence expired on November 26.

He was voluntarily living at the hospital at the time of the alleged attack on the two girls, aged 12 and eight, in a Melbourne park this year.

The Department of Community Services yesterday said that despite the man's horrific 14-year sex-crime history, the facility was powerless to stop him walking out of the hospital because he was a voluntary patient.

But a victims of crime advocate said it was outrageous the community was not protected from violent criminals who were unstable enough to be living in psychiatric care.

Crime Victims Support Association president Noel McNamara called for greater supervision of

By KAMAHL COGDON

all patients at the Thomas Embling Hospital and an urgent judicial inquiry into security and the system of day release at the facility.

The sex offender allegedly indecently assaulted the two girls after seeing them playing in the popular park.

Within days, police had arrested and charged him with indecent assault, performing an indecent act with a child under 16, unlawful assault and loitering in a public place frequented by children. He was remanded in custody.

Described by authorities as a "prolific sex offender", the man's sex crimes began with a conviction for indecent assault in May 1987.

He was convicted in the County Court in January 1989 of rape and the sexual penetration of boys under 10.

In November 1992 he was sentenced to 38 months' jail for a host of sex charges, including the sexual penetration of a child under 10.

Revelations of the alleged park attack by the former patient came as police continued their hunt for deranged killer Neville Garden yesterday.

Garden's escape while on an escorted Sunday outing to Southbank was the ninth disappearance of a criminal patient on day leave from the Fairfield hospital in the past year.



Wanted man: Neville Garden.

Family relives murder terror

By TANYA GILES

THE family of a man shot by deranged gunman Neville Garden said yesterday they were distressed and angry he had escaped.

"The system is wrong if they can't keep these bastards in jail," one upset family member said.

John Voliotis, 50, died soon after being shot in the neck as he locked the rear security door of his Mildura milk bar on New Year's Day in 1994.

His wife, Paula, saw her husband fall to the ground. She then felt something pass through her hair as Garden fired two more shots.

The family member said Mrs Voliotis had been very upset since the escape.

"Paula is trying to get on with her life. She has been through hell and back," the woman said.

Other family members said the escape brought back the grief they suffered when they lost their loved one.

"It is very distressing," a family member said.

Mrs Voliotis has moved out of her Mildura home while police continue their hunt for Garden.

Garden's parents, who also live in the area, could not be contacted at their home.



Gunned down: the shop where John Voliotis was shot dead.

Killer's passport scandal

FROM Page 1

It is believed Garden was picked up by a taxi and taken to a camping shop after his escape.

He may also have rented a campsite in the Dandenongs.

When a search of the male toilets and the Southbank area failed to find any sign of Garden, the two nurses returned to the Fairfield hospital before formally raising the alarm, 65 minutes after his escape.

Police crime squads chief Commander Rod Lambert said he wanted to know how Garden was able to obtain his passport and licences.

"Certainly the institution that he was in would have had some idea that he was doing that, we believe, and they're among a number



Neville Garden

of unanswered questions that we're going to try and find the answers to when this matter is over," he said.

"We're convinced at this stage that there was a certain amount of preparation in relation to this. It wasn't a spontaneous event."

Cdr Lambert said the planning was evident in

NEVILLE COLIN GARDEN

AGE: 45

Obese, with brown hair, blue eyes and a goatee beard

Reported sightings in the city and outer areas, including Dandenong

Police believe he may have returned to the Mildura area, near the New South Wales border

Police advise anyone who sees him to call 000

the fact that Garden took a large sum of money with him, possibly his passport and his known actions since his escape.

He said Garden's passport had not been found since he escaped, although there was no indication he had used it to flee the country.

Cdr Lambert criticised the Thomas Embling

Hospital for playing down the serious risk Garden posed to those he may come into contact with.

He said detectives hunting Garden were confident he had remained in Victoria until Tuesday night, but New South Wales police — particularly around the Wentworth area where Garden once lived — have joined the hunt.

Police were last night unable to confirm claims that while in Thomas Embling, Garden, who believed ASIO and the CIA had placed tracking devices in his teeth, had sent dozens of threatening letters to people he believed were out to get him.

Hospital director Prof Paul Mullen yesterday failed to return repeated calls from the *Herald Sun*, having earlier attacked the newspaper for revealing Garden was on the loose and considered dangerous by police.

Having initially played down the risk Garden posed to the community, Professor Mullen yesterday conceded Garden was a man with a history of violence and no one should approach him except police.

INSIDE out, Page 19

Herald Sun, 29 March 2001, page 4

Fugitive heading for jail

FUGITIVE killer Neville Garden is likely to serve the remainder of his 18-year sentence in a prison.

Garden was recaptured while asleep in a tent on the Mallacoota Inlet foreshore — four days after escaping from two nurses while on a day trip from a psychiatric hospital.

The paranoid schizophrenic was carrying more than \$3000 and was equipped with extensive camping gear.

Garden, 45, spent last night in a secure unit of the Melbourne Assessment Prison after being flown back under armed guard.

The *Herald Sun* understands Garden is unlikely to return to the Thomas Embling Hospital.

Corrections sources said Garden was likely to spend the rest of his 18-year sentence for the 1994 killing of a Mildura milk bar owner in prison with appropriate medical care.

And Supreme Court judge Justice Frank Vincent will chair a review of leave arrangements at the Thomas Embling Hospital.

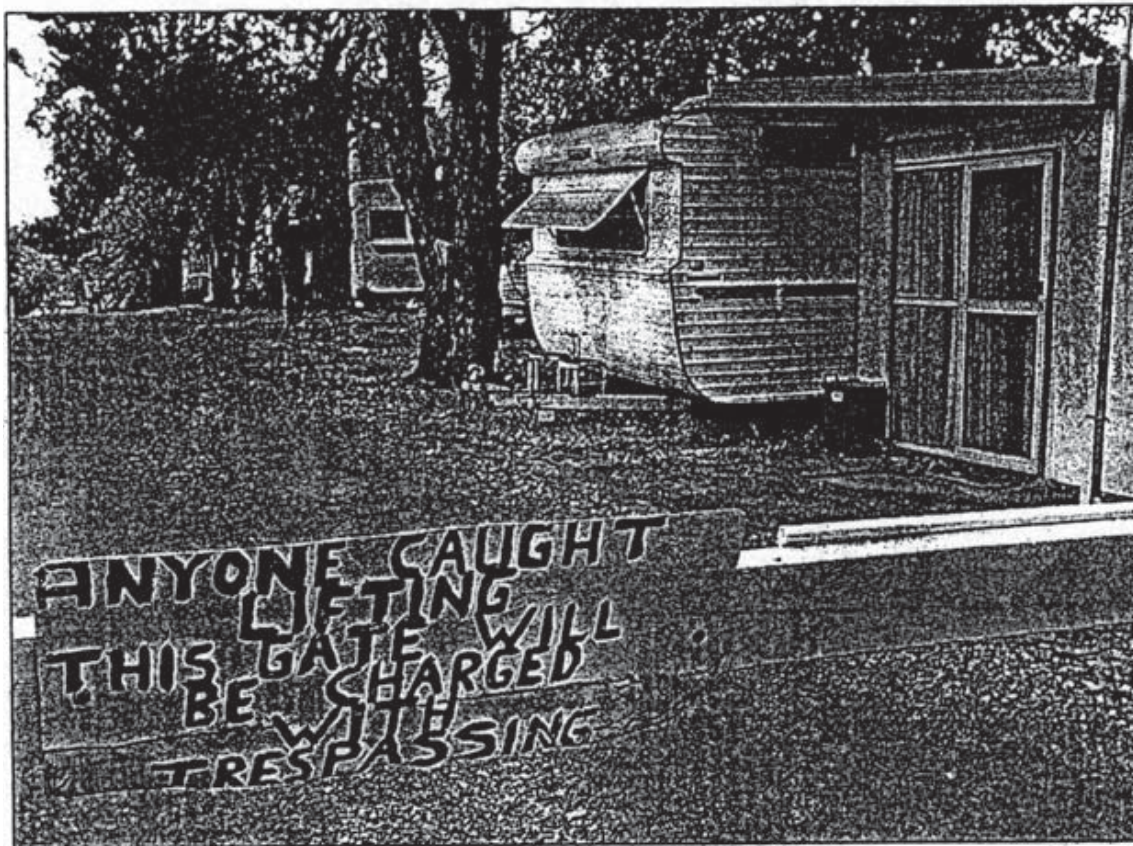
REPORTS, Pages 2-3



Caught: Neville Garden arrives back in Melbourne. Picture: CAMERON L'ESTRANGE

Herald Sun, 30 March 2001, page 1

Killer now



Hiding: the Shawlands caravan park in Dandenong, where fugitive Neville Garden was seen this week.
Picture: TREVOR PINDER

By PETER
MICKELBROUGH,
chief police reporter

FUGITIVE killer Neville Garden was today in prison, where he is likely to serve the rest of his 18-year sentence.

Garden was recaptured yesterday while asleep near Lake Mallacoota — four days after escaping while on a day-trip from a psychiatric hospital.

The paranoid schizophrenic was flown back to Melbourne under armed guard after a statewide manhunt. He spent last night in a secure unit of the Melbourne Assessment Prison.

The *Herald Sun* understands Garden is unlikely to return to Thomas Embling Hospital after being discharged as a patient under the Mental Health Act on Monday.

Corrections sources said Garden would most likely stay in prison with appropriate treatment for his condition.

Police believe Garden, 45, may have planned his escape — including obtaining a passport and driver's licence — with the unwitting help of his carers. He had more than \$3000 cash as well as extensive camping gear.

In other developments yesterday:

JUSTICE Frank Vincent, head of the Parole Board and a Supreme Court judge, was named by the State Government to chair a review of leave arrangements at Thomas Embling Hospital.

A **SEBOND** voluntary patient at the neighbouring State Forensic Service is alleged to have attacked a child after "absconding" — allegedly raping a six-year-old girl at a YMCA.

FORENSICARE, which runs Thomas Embling Hospital, promised to co-operate fully with a review of its leave procedures.

Police pounced on Garden — who shot dead Mildura milk bar owner John Voliotis outside his store in 1994 — after the fugitive was noticed in the Gippsland township of Mallacoota early yesterday. The town's lone officer watched Garden for more than two hours before back-up arrived to help make the arrest.

Court told patient assaulted girl, 6

A **VOLUNTARY** patient with sex convictions walked out of a mental health institution and sexually assaulted a young girl, a court was told yesterday.

The institution is next door to the hospital where killer Neville Garden was housed until his escape while on a supervised day trip last Sunday.

Melbourne Magistrates' Court was told yesterday that Darren Russell Seiler — a voluntary patient at the Statewide Forensic Service facility in Fairfield — told staff he was "going to make things worse for himself" before grabbing a six-year-old girl and assaulting her two hours later.

The court heard Mr Seiler was followed by SFS staff before the alleged attack Monday afternoon.

The court was told a male staff member followed Mr Seiler into

By PAUL ANDERSON

parkland and was "attempting to entice him back to the facility" with a promise he would not be put into "seclusion".

"He (the staff member) said: 'If you come back now we won't have to take that course of action'," Sen-Det David Bishop, of Greensborough CIU, said.

The court heard Mr Seiler replied: "I'm in trouble now so I'm just going to make things worse for myself."

Sen-Det Bishop told the court Mr Seiler went to the YMCA complex in Macleod where he spied on a young girl.

The court heard the girl left her mother to throw a banana peel in a nearby bin when Mr Seiler carried her to a secluded stairway and stripped and sexually assaulted her.

Detectives arrested Mr Seiler, 20,

the next day and conducted a record of interview.

Police found biological matter at the scene and he also walked police through a video re-enactment.

Magistrate Lisa Hannon heard Mr Seiler had "absconded on at least two or three other occasions" from the institution.

In mid-December last year he was interviewed by sexual crime squad detectives over three incidents where he was allegedly loitering around children's athletics meetings and primary schools in Abbotsford and Collingwood.

Ms Hannon granted police permission to take a DNA sample from Mr Seiler, who is facing a charge of sexually penetrating a child under 16.

The magistrate then remanded him in custody.

safe behind bars



Bill McConalogue was looking out his front window on to Lake Mallacoota foreshore about 9am yesterday when he noticed a large man walk past.

He joked to his wife: "There's that fat man with a beard that they're looking for."

When he noticed the man's new backpack and sleeping bag, he became convinced it was Garden who had walked past and lain down beneath a clump of trees.

"I think the mosquitoes got the better of him, so he came out and lay on the grass in the sun and he just lay there sleeping for a good hour."

He said about six police arrived and four of them approached Garden.

"They just sat down beside him and rolled him over and cuffed him and searched his bag and walked him up to the back of the house."

When Garden did not want to be put in the back of the police van, he was allowed to sit on the back seat.

It is believed Garden may have travelled as far as Genoa by bus, hitching the final 25km to Mallacoota on Wednesday.

"He was very tired. He's basically been camping out and staying out in the open from what we can gather. That probably contributed to the fact that he didn't give us any resistance," Cdr Rod Lambert said.

Garden, who had \$3037 with him when caught, had bought his backpack, sleeping bag, canteen and other camping gear in Dandenong South about 10am on Monday.

He then called a taxi to take him about 1km to Shawlands Caravan Park.

This was the only confirmed sighting of Garden until his arrest yesterday.

Before being flown to Melbourne with members of the armed offenders squad, Garden was given medication for his mental illness and diabetes.

Cdr Lambert said the search for Garden had eaten up considerable police resources.

Police had responded to many reported sightings and 15 members of the armed offenders squad took part in the hunt.

But as Garden was a mental patient at the time he fled, he cannot be charged over his escape.

Garden's cousin, Pauline Walker, said she believed he was making his way to Broken Hill to visit his children. "He misses his kids," she said.

Ms Walker said she was angry at Thomas Embling Hospital for allowing Garden to escape.

"The system stinks, it really stinks," she said. "If these people are so dangerous, why let him out on day leave and get a passport? They are trying to cover up (their mistakes)."

Ms Walker said she believed Garden was not a dangerous man and escaped because "something had gone wrong" at the hospital.

"He must have been frightened or upset to want to leave. I have known him since we were kids," she said. "He is a kind and gentle person. He has got a heart of gold."

The clinical director of Forensic, Professor Paul Mullen, again re-

fused to speak to the *Herald Sun* about how Garden came to escape or was allowed to renew his passport and driver's and crane operator's licences.

The panel set up to review day leave provisions at the hospital will also include Correctional Services Commissioner Penny Armitage and representatives of the Office of the Chief Psychiatrist and Victoria Police.

Justice Vincent will also conduct a separate review into community access for involuntary clients of Statewide Forensic Services and provisions for their restraint and seclusion.



Escape gear: Iain Kaig shows camping gear similar to that he sold to Garden.
Picture: TREVOR PINDER

Garden stocked for survival in the bush

THE first clues that fugitive killer Neville Garden was "going bush" came when he stocked up with camping gear.

The overweight Garden, who calls himself a bushman, went on a shopping spree at a camping supply store in Dandenong South the day after his dramatic escape.

Garden bought a backpack worth \$180, a zero-degree sleeping bag for \$65, an army canteen for \$9.95, assorted cutlery and other goods worth about \$280.

Aussie Disposals store manager Iain Kaig said Garden went into the store on the South Gippsland Highway about 10am on Monday and browsed for about 15 minutes.

Warnings about the escapee were yet to have been made public.

"He seemed quite calm. No trouble at all, just your normal customer," Mr Kaig said.

"He wanted to get some dehydrated food. He was going out bush.

"He also said he had lost his wife and two kids and was lonely. He told me he wanted to go up north to look for work.

"He could hide anywhere with that gear — the bush, an industrial estate — as long as it wasn't too cold, it could keep him going for a while."

Garden then gave Mr Kaig a taxi business card and asked him to call him a cab.

When the taxi arrived a short time later, Garden travelled about 1km to Shawlands Caravan Park, a cheap site next to a service station.

The park manager said Garden asked for a caravan for the night, but when he was told none were free he went to another camping store to

By TANYA GILES

buy a tent for \$39.95 and an inflatable mattress.

He then set up camp for the night, but left the next day in a hurry.

The manager, who did not want to be identified, said Garden did not cause any disturbances during his stay. "He was a thorough gentleman. Didn't even nick a piece of soap," he said.

A resident at the caravan park, Kelly, told how she had met Garden at Thomas Embling Hospital about two years ago.

"He is a pleasant man. Very friendly, not intrusive at all," she said. "He was a good friend. He was

always there for me when I needed a bit of support."

Kelly said while she had never seen Garden violent while on his medication, she could not say how he would act if he felt upset or angry.

"Because he is such a big man he can look very scary," she said.

"I just hope they don't hunt him down like a dog. That will frighten him."

Local Megan Barrow said she was concerned about her safety when she realised she had been working only metres away from the deranged killer.

"It is very scary, very scary, that someone like that was so close to me," she said.

Herald Sun, 30 March 2001, page 4