

THE PORT ARTHUR MASSACRE WAS MARTIN BRYANT FRAMED?

Australians were told that Martin Bryant had been responsible for the massacre at Port Arthur two days after it happened. Bryant himself didn't find out for another nine weeks.

Part 2 of 3

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The police interrogation

On 4 July 1996, two police detectives who had been appointed by Superintendent Jack Johnston to handle the Port Arthur investigation, Inspectors Ross Paine and John Warren, interviewed Martin Bryant about the case at some length.¹ Despite the extreme seriousness of the crimes for which he was being held responsible, Bryant was interrogated without legal counsel present. This outrageous circumstance is exposed in the interview record which begins with Bryant being informed that his lawyer (David Gunson) had "no problem" with the interview taking place without his participation.

Inspector Paine: Look Martin, you've obviously got a, a, an interest in firearms as well?

Martin Bryant: Well, I have had an interest in firearms.

Paine: How many guns do you own?

Bryant: I own, umm, a shotgun and a semi-automatic and another semi-automatic. Three altogether.

Paine: Where'd you get those guns?

Bryant: Oh, umm, I can't really say, I haven't got my lawyer here, so.

Paine: Well, we have spoken to your lawyer and he knows that we're talking to you.

Bryant: He knows, he knows.

Paine: And aah, has no problem with that so, aah.

As we shall see, this was an extremely devious means of approaching the Port Arthur issue because, at this stage, Bryant still had no idea of the charges that were about to be foisted upon him and therefore had no idea that the interview concerned the subject that would determine his entire future. In fact, on 5 July, the very day following the interview, Bryant was officially charged in the Hobart Supreme Court with 69 criminal charges arising from the Port Arthur incident. Prior to that, the only crime with which he had been charged was the murder of Kate Elizabeth Scott, who had been a victim of the shootings in the Broad Arrow Café. According to the official record, Bryant was charged with her death in a bedside hearing on 30 April 1996:

Paine: Do you know why you're here?

Bryant: Know why I'm here, well Inspector Warren was saying in the Royal [Hobart Hospital] that I was on one murder count.

Given the incredible magnitude of the allegations that were presented to Bryant for the first time during the 4 July interrogation, a lawyer should certainly have been in the room. In such circumstances, the intellectually challenged Bryant was obviously no good judge of his own interests. Furthermore, Bryant had been placed under a guardianship order in 1994 and was therefore not competent to decide whether a lawyer ought to have been present or not. Only a legally appointed guardian had the right to make that call.

To compound the sins of the Tasmanian criminal justice system, the interview was most unprofessionally conducted. The equipment frequently malfunctioned and the conversation was constantly interrupted. The result is said to be atrocious. However, there was no necessity to conduct the interview on 4 July and it could easily have been—indeed, *should* have been—postponed to such a time as the equipment was working properly. After all, the Port Arthur massacre was the biggest murder case in Australian history. Such adverse conditions therefore had to have been created deliberately. The unprofessional

conduct of the interview also suggests that both Paine and Warren knew that Bryant would never be properly defended and even that the case would never go to trial. As a Tasmania Police officer has admitted in an email to researcher Noel McDonald, the videotape was of such poor quality that "the defence would have had a field day if it had been presented" in court.²

Why would Paine and Warren have persisted in such a long interview if there was a high risk of Bryant's lawyer objecting to the tape's presentation in court?

On account of the deliberate negligence by which the videotape was made and the fact that the tape itself has never been released, we cannot be certain that anything attributed to Bryant in the printed record of the interrogation matches what he said. The transcript also omits a great deal of what he did say: a very substantial portion of the conversation has been withheld. Pages 1–9, 18, 23, 32–35, 40, 44–46, 79–81, 92–97 and 116–41 were deleted in their entirety, while most of pages 10, 91, 142 and 145 and parts of pages 17, 31, 36, 39, 41, 43, 47, 74, 78, 98, and 115 were also deleted.³

Even the pages that *were* released cannot be trusted entirely. No fewer than 80 of Bryant's comments have been rendered as "inaudible". Since there is a suspicious tendency for "inaudible" responses to appear in crucial parts of the conversation—particularly parts where Bryant's version of events contradicts that of his interrogators—it is hard to resist the conclusion that the material was excised as a means of withholding exculpatory material, e.g., references to potential alibi witnesses. In addition, it may have contained important clues as to how his movements and actions were manipulated prior to the massacre as a means of making him the scapegoat for it. If the official account of the massacre is true and the killings were perpetrated by a lone nut inexplicably run amok, there can be no good reason to withhold any sections of the transcript from the public at all.

Despite its massive shortcomings, the interrogation transcript remains invaluable as a record of Martin Bryant's side of the story. It is a great pity that Australians have condemned him without ever

taking on board what he had to say on the very first occasion on which he was confronted with the accusation of having perpetrated the Port Arthur massacre.

For those convinced of Bryant's innocence, the transcript also sheds a great deal of light on the devious processes by which he was framed. A careful reading of the transcript establishes beyond doubt that the police manipulated him into a situation in which the most heinous allegations could be raised against him, and he had absolutely no means of challenging them—no means, that is to say, other than his own extremely limited intelligence, which psychiatrist Ian Joblin states is roughly equal to that of an 11-year-old.

A day in the life of an unwitting patsy

Most Australians will be astounded to discover that in this interview Bryant not only denied carrying out the massacre but also related an entirely different narrative of the events of 28 April 1996 than that which has been presented to the public by the authorities.

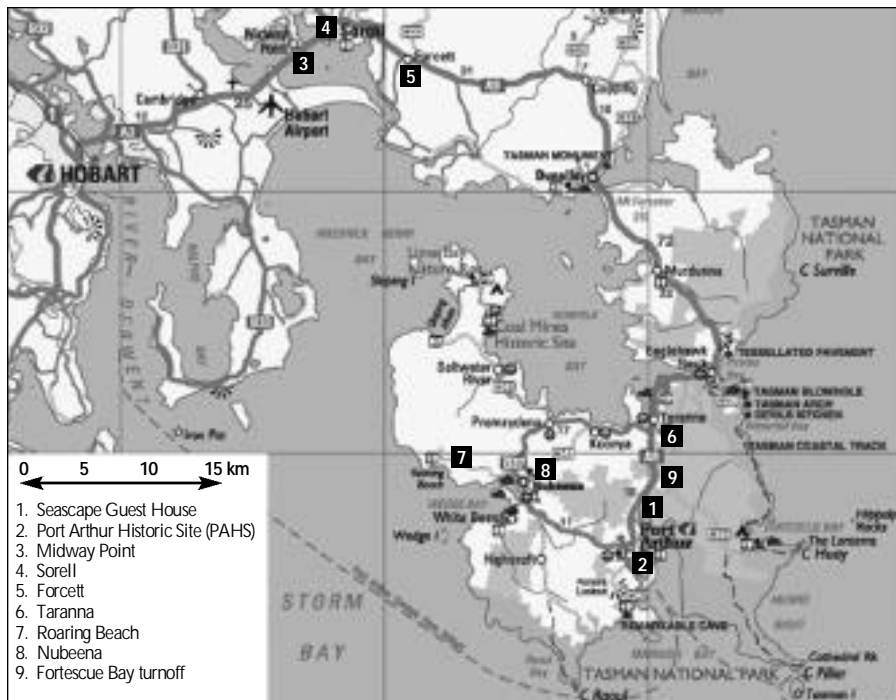
According to the official story put to the Hobart Supreme Court by Tasmania's Director of Public Prosecutions, Damian Bugg, QC, Bryant had set his alarm clock for 6 am, left his house in Clare Street, New Town, Hobart, at 9.47 am precisely (the time he allegedly activated his house alarm), and drove to Seascapes guest house, making stops at Midway Point (to buy a cigarette lighter), Sorell (to buy a bottle of tomato sauce), Forcett (to buy a cup of coffee) and Taranna (to buy petrol).

When he arrived at Seascapes, he murdered the owners, David Martin and his wife Sally, and loaded the building with firearms and ammunition that he had presumably brought with him in his car from Hobart. Bryant then proceeded to the Port Arthur Historic Site (PAHS), stopping to chat for five or 10 minutes with a neighbour of the Martins, Roger Larner, and to buy a small amount of marijuana on the way.

Bryant, on the other hand, told Inspectors Warren and Paine that he did not set his alarm clock at all that morning and that he rose at

7 or 8 am. He left the house around 11 am—"when the sun came up and it got a bit warm"—without turning on his house alarm, which he had last done on the previous occasion he went to Melbourne. He then drove to Roaring Beach on the western side of the Tasman Peninsula, stopping only once along the way—at the Sorell Bakery, where he bought a cappuccino. He emphatically denied having stopped at Midway Point to buy a cigarette lighter, at the Sorell service station supermarket to buy a bottle of tomato sauce—"Why would I want tomato sauce for?" he asked Inspector Warren—or at Taranna to buy petrol (he says the Volvo's tank was already full when he left Hobart).

Bryant says that after stopping at Sorell he proceeded via Taranna to Roaring Beach, where he surfed for about 20 minutes and noticed two other people bodysurfing in short wetsuits at the other end of the beach. After drying off in the sun, he went to Nubeena where he stopped for coffee and a toasted sandwich at "a little shop near the school". After this, he says he drove past the PAHS to visit the Martins at Seascapes Cottage.



Map of southeast Tasmania, indicating the main locations mentioned in this article.

Everything that happened after he set out for Seascapes is extremely obscure. Indeed, after Nubeena, Bryant's narrative of the day's events dissolves into what seems more of a nightmare sequence than anything else, for Bryant implicates himself in criminal acts which, as we shall see, he cannot possibly have carried out in reality, including an act that we know was actually perpetrated by someone else.

As we have already seen, Bryant's recollections of his doings on the morning of 28 April 1996 are not implausible; what's more, they are almost certainly true. There are no witness statements from staff at either the Sorell Bakery or the "little shop" in Nubeena contradicting Bryant's claim to have been there that day. It is also difficult to envisage a motive for Bryant to lie about the stops he made between Hobart and Roaring Beach. What would he have had to gain by denying that he had stopped at Midway Point, Forcett and Taranna? Whether he made four stops or just the one at Sorell made no difference to the allegations against him. Why would he lie about where he stopped to buy a coffee? His statement contradicts that of Gary King, a casual employee of the Shell service station at Forcett, who told police that he sold a coffee to "a young bloke" with "long blonde [*sic*] curly hair" who was driving a Volvo with "a surf board on top". But what does it matter whether Bryant bought a coffee at Sorell or Forcett? No matter where he bought it, it sheds no light on his alleged responsibility for the massacre.

Bryant also told Inspector Warren that he had paid for his coffee with gold coins from the glove compartment of his car. Yet Gary King says the man paid in five- and ten-cent coins. Another discrepancy is that Bryant told Warren that he had had no more than \$10 to \$15 with him that day, and all the money was in gold coins in the glove box of his car. Yet according to service station attendant Christopher Hammond, the "Bryant" who bought petrol at Taranna paid \$15 in two notes. Why would Bryant lie about these trivial matters?

But if it is hard to see what Bryant had to gain by lying about his trip from Hobart, it is easy to see what a Bryant impersonator would have stood to gain by making four stops along the way to Port Arthur. While Bryant stopped just once, which is not at all unusual for a trip that would only have taken an hour and a quarter, the impersonator would have wanted to attract as much attention to himself as possible within this short period. Thus he made pointless purchases—items that he could easily have brought with him from Hobart if he needed them—and paid for three out of four of them with small change in order to increase the likelihood that shopkeepers would recall the incidents afterwards. The multiple stops were necessary to ensure that after the massacre, a body of evidence existed that seemed to confirm that Bryant had travelled to Port Arthur that morning. The theory that an impersonator made four stops on the way to Port Arthur makes a good deal more sense than the idea that it was necessary for Bryant to conceal having made those stops.

Two further circumstances invite the conclusion that the stops were those of a Bryant impersonator. First, one of the four witnesses, Angelo Kessarios, who sold "Bryant" a cigarette lighter at Midway Point, recalled being perplexed that "Bryant" did not recognise him. The most plausible explanation is that Kessarios had encountered an impersonator. Clearly, Kessarios did not know

Bryant so well that he could avoid being taken in by a double, while the double did not know Bryant's background so well that he knew he ought to behave more familiarly. Second, Gary King said in his statement that the "Bryant" he'd encountered on the Sunday morning commented that he [King] served him "a nice cup of coffee" the previous Tuesday. King did not confirm that he'd had a previous encounter with "Bryant". Whether or not this is a memory lapse on King's part, there is nothing on record to suggest that the *real* Bryant visited Forcett on the Tuesday.

Incident at the Fortescue Bay turnoff

The bizarre twist in Bryant's narrative begins "At the Fortescue Bay turnoff, just, ohh, about three or four minutes away from the Martins' farm" on the Hobart side of Seascapes.⁴ Bryant confessed, "unfortunately I held up a car, I took ah, I saw this car I liked and got, umm, held up the person in the car and kidnapped him". The car was "a nice-looking BMW" occupied by three people, a male, a female and a child. Bryant says he ordered the man inside the boot of the car and made the female and the child get inside his Volvo. Why did he take the man hostage? "I was a bit worried that if he didn't go, he'd go off in my car," Bryant explained. After commandeering the BMW solely because he "liked" it (he states that his intention was simply to take it for a drive), Bryant sped off towards Seascapes at 140 km/h.

What is striking about this story is that it combines elements from two different events that took place shortly after the massacre inside the Broad Arrow Café: the PAHS gunman's hijacking of a gold-coloured BMW sedan belonging to Ken and Mary Rose Nixon and his subsequent taking of a

hostage, Glenn Pears, who had been the driver of a white Corolla with a female passenger, Zoe Hall, outside the Port Arthur General Store. Bryant is not simply being forgetful here:

Inspector Warren: Do you remember seeing a white, ah, small Japanese car, like a Corolla?

Bryant: Corolla, no. Not at all.

But if Bryant's story about hijacking a car at the Fortescue Bay turnoff does not resemble any one incident in the official narrative of the massacre, it matches perfectly an incident discussed by "Jamie"—protagonist of the Seascapes siege—in a telephone conversation with police negotiator Sgt Terry McCarthy that took place shortly after 5 pm on 28 April:

Sgt McCarthy: Now you were talking just a little bit about the, um, Rick having come from Fortescue Bay. Can you just enlighten me as to what happened there?

Jamie: Yeah, yeah; I got him and managed to get him, his wife, she, he wanted to participate, um, in the kidnapping in, instead of his wife. I thought alright, quick...get in, get into the car and I've got him as a hostage.

McCarthy: Okay, okay, now you were in your, your car there, were you?

Jamie: Yes.

McCarthy: Right. You're in your car and you wha, what, pulled them up? They were driving along in a car, is that correct?

Jamie: That's correct.

McCarthy: Alright, and and what, how did you stop them, Jamie?

Bryant implicates himself in criminal acts which, as we shall see, he cannot possibly have carried out in reality.

Jamie: Had to get a rifle.
McCarthy: Oh I see, right, so you, you, you were standing on the road, they drove up and you pointed...
Jamie: Yeah.
McCarthy: ...the rifle at them and they stopped.
Jamie: Oh yes.
McCarthy: Is that right?
Jamie: Yes, that's correct.
McCarthy: Okay, an, and what did you...you were planning on taking these people hostage?
Jamie: That's right.
McCarthy: Right. Why, why Jamie? Do you want to tell me why?
Jamie: Oh man, ya [inaudible]... You, that's what you're getting paid for, I me...
McCarthy: Well, I'd like to hear it from you.
Jamie: No, na, na, no.
McCarthy: Is there any...reason why you took these particular people?

Although we never learn the reason, it is subsequently established that the name of the male hostage was Rick, a 34-year-old man from (Fort) Lauderdale, Florida, that his wife was a very highly educated woman with a good job, and that the child was only a year old:

McCarthy: Now Jamie, we were talking earlier on about, ar, Rick and the fact that you kidnapped him from Fortescue Bay.

Jamie: That's correct. Yeah.
McCarthy: Do you want to tell me about that?

Jamie: Not really, no.
McCarthy: Well, you talked about, you talked about, ah, his wife and, er, his child and, um, we're having difficulties locating his wife and child.

Jamie: Yes, she's only 12 months old, the little child, I found out from him.

McCarthy: Right. What, from him?
Jamie: Umm.

McCarthy: Right. What about his wife? Do you know anything about his wife?

Jamie: Um, sh, yeah, I do.
McCarthy: Right.

Jamie: I know...
McCarthy: Can you tell me something about it?

Jamie: I know how high up in things she is. Yeah.
McCarthy: I'm sorry?

Jamie: I know how high up she is in the different areas.
McCarthy: How, how high up? What do you mean by that, Jamie?

Jamie: In work, higher than what you are...
McCarthy: The...

Jamie: ...the intelligence and everything, university and everything.

McCarthy: Oh right, is she, she's only, she, er, a university, er...

Jamie: Oh, she's passed that; she's got full-time work, but I'm not going to let you know.

When the conversation returned to Rick—who Jamie told McCarthy was a lawyer—Jamie launched into the most bizarre statements, one of which implies that Jamie actually knew Rick's wife:

McCarthy: ...we're having problems locating Rick's wife.
Jamie: Where is she?
McCarthy: Well, we don't know because we're not real sure who Rick is.
Jamie: Oh I don't know, she went round to, um, to Fortescue Bay.
McCarthy: How do you know that, er, Jamie?
Jamie: She headed round that way.
McCarthy: She headed around that way?
Jamie: Yeah. Couldn't get...
McCarthy: Right. Well (cough)
Jamie: ...away quick enough.
McCarthy: Well (cough), if, if, um, if Rick's there, would you mind asking...
Jamie: Well...
McCarthy: ...him what his surname is if you don't know?
Jamie: ...apparently, um, she's had a pretty hard life until she met, um, thingamabob...

McCarthy: She...
Jamie: ...here.
McCarthy: Yeah.
Jamie: Rick and, um, he's great, she's a great lady, they're both professional people.
McCarthy: Right. What do, what does, ah, what does she do?
Jamie: Um, well, I can't tell you that.
McCarthy: Why not?
Jamie: Cause I don't know.

Whatever we think about the astounding number of bizarre things

Jamie told Sgt McCarthy over the phone on the evening of 28 April, the above excerpts establish that the incident cannot be connected with the massacre at Port Arthur. For Jamie—whether he was Bryant or not—clearly cannot have been hijacking the Nixons' gold BMW or taking Glenn Pears hostage near the Port Arthur General Store at the same time that he was hijacking a BMW and taking "Rick" hostage at the Fortescue Bay turnoff.

Did the Fortescue Bay turnoff carjacking really take place?

Given that the incident at the Fortescue Bay turnoff is described by both "Jamie" (on 28 April) and Martin Bryant (on 4 July), it is striking that there is no record anywhere of a 34-year-old man from Fort Lauderdale, Florida, and his family being the victims of a carjacking that day. The likelihood, therefore, is that the incident never took place and that Bryant very largely imagined his own participation in a scenario whose outlines he could only have learned about from others.

Most people are aware, due to the unprecedented wave of false accusations of rape and child abuse that swept the United States in the 1980s, of the existence of false memory syndrome. As Dr Elizabeth Loftus, Professor of Psychology at the University of Washington, writes in *The Myth of Repressed Memory* (1994): "We can easily distort memories for the details of an event that you did experience. And we can also go so far as to plant entirely false

Bryant very largely imagined his own participation in a scenario whose outlines he could only have learned about from others.

memories—we call them rich false memories because they are so detailed and so big."

Less well known is the fact that pseudomemories can emerge in self-incriminating forms. The textbook case is that of Paul Ingram, an American man accused of sexual abuse by his two daughters, who in the late 1980s "produced an astonishing series of self-incriminating 'memories'" relating to his alleged membership of a satanic cult which had supposedly sacrificed 25 babies. According to John Frow, what is striking about the Ingram case is the "breathtaking readiness on the part of its major players to form lasting 'memories' on very slight provocation": not only Ingram and his daughters but a son, his wife and two of his colleagues implicated in the supposed satanic cult and in ongoing abuse of the daughters, either at some time remembered major and almost certainly non-existent crimes or at least suspected their own complicity even if not remembering it; and Ingram "remembered", and came firmly to believe in, a pseudomemory suggested to him by a sociologist working as a consultant for the prosecution.⁵

People of extremely low intelligence—as well as those with certain types of mental illness—are probably even more capable of persuading themselves to believe that they have done terrible things which in fact they have not done, than people of average intelligence. According to Richard Ofshe, a sociologist at the University of California, Berkeley, obtaining confessions from mentally disabled people "is like taking candy from a baby".⁶ That such persons have generated false, self-incriminating memories that have led to their being imprisoned or even executed is a documented fact. Two examples are given in Bob Woffinden's 1987 book *Miscarriages of Justice*, including those of Timothy Evans, who confessed to killing his wife, and Margaret Livesey, who confessed to the murder of her son. Neither was guilty. Thus, with respect to

Bryant's admissions regarding the Fortescue Bay turnoff carjacking, we would seem to be looking at a classic case of the mentally deficient person confessing to a crime that he believes he must have committed, even if he doesn't actually remember doing so or know why he would have done such a thing.

It is possible to reconstruct the laborious mental process that would have led the hapless Bryant to believe that he had actually perpetrated the Fortescue Bay turnoff carjacking. When the interview with Inspectors Warren and Paine began, Bryant knew no more than that he was being detained on a single charge of murder. He had no idea what had happened, who had died or why he was being held responsible. Building an explanation on the basis of certain facts that must have been leaked to him about the case, presumably by a doctor and "security guards" (who may in fact have been intelligence agents feeding him carefully selected tidbits of information), he finally believed himself to have commandeered a BMW at gunpoint and taken the male driver hostage. Although Bryant knew that the man he thinks he took hostage had subsequently died, he did not admit having killed him intentionally. He stated that, as he was knocking on the door of

Seascope Cottage, he heard the vehicle explode. His assumption was that his hostage had died in the explosion:

Warren: Do you, you've already said that you remembered me going to see you at the hospital?

Bryant: Ohh yes. Mmm.

Warren: And that I told you that you were being charged with...

Bryant: A murder count.

Warren: A murder.

Bryant: Yeah.

Warren: What recollection have you got of that?

Bryant: Must've been the hostage, the bloke in the BMW must've died.

If the vehicle exploded while he was knocking on the door of Seascope, how can the explanation for his burns be that he was in the car when it ignited?

How can he possibly not remember where he was when he "got burnt"?

Although Bryant did not recall having set the vehicle on fire, he realised that the explosion had to have started somehow. After concluding (erroneously, as we shall see) that only he could have started the fire, he tried to imagine what he would have to have done to have caused it. He decided that he must have transferred "two or three" plastic drums of petrol from the Volvo to the BMW, tipped the petrol all over the car, and then lit it using a match (or a lighter) that he must have found inside his jacket pocket. Having decided that this is how he had set fire to the car, Bryant seized upon the fire as an explanation for his burns: "I must've been in the car when it went up, 'cos I got burnt." He reasoned that the whole mess that had landed him in gaol had been the result of "a bad thing", by which he meant "playing with fire" as he had done when he was 10 years old.

The problems with Bryant's story are immediately apparent. First, there is the matter of where he was when the explosion took place. If the vehicle exploded while he was knocking on the door of Seascope, how can the explanation for his burns be that he was in the car when it ignited? How can he

possibly not remember where he was when he "got burnt"? Second, there is the problem of how the explosion started. Bryant told Inspectors Warren and Paine that he had not been carrying anything with him that he could have used to start a fire. So how could this non-smoker happen to find himself carrying something in his shirt pocket that proved useful for precisely this purpose? And how can he possibly not recall whether the object was a set of matches or a cigarette lighter?

Clearly, Bryant was foundering for an explanation that would account for the burns to his body and his subsequent loss of liberty. Since he was not trying to evade responsibility for the carjacking and the subsequent explosion, he found himself in the dilemma of a person who accepts that he is guilty but is having great difficulty envisaging the precise circumstances in which he committed the offences. Thus Bryant's recurring use of "must have": he "must've" played with fire, he "must've" transferred petrol drums into the BMW, the hostage "must've" still been in the car when it exploded. In short, Bryant was desperately hypothesising. If he had really been responsible for the explosion and not seeking to deny it, how can he possibly not remember

what he had done to cause it? If he was suffering from post-traumatic amnesia, how is it that he was able to recall everything clearly enough that had happened prior to the carjacking?

Between his arrest on 29 April and his interrogation on 4 July, therefore, Bryant seems to have performed mental cartwheels in an effort to devise a scenario that would explain how his misfortunes had come about. By this date, he had confabulated a scenario in which he had commandeered a BMW and set it alight. As we saw, the scenario bears only superficial similarities to the gunman's actual capture of the Nixons' vehicle—an event that was viewed by several witnesses including Jim Laycock, who knew Bryant but did not recognise the gunman as Bryant.

Although the real gunman seized the Nixons' BMW near the PAHS tollbooth, Bryant believes he hijacked a BMW at the Fortescue Bay turnoff. Since he cannot even get the location right, his confession to having captured the vehicle and taken a hostage has to be dismissed as sheer fantasy. However, on account of its resemblance to the scenario recounted to Sgt McCarthy by "Jamie", its key elements (the BMW, the hostage, the petrol drums, the explosion) had to have been suggested to him somehow. The question is: how?

What I propose is that, once they were in total control of Bryant's environment—and after his arrest, Bryant was subjected to weeks on end of virtual solitary confinement—government agents specialising in mind control convinced Bryant that, due to the traumatic nature of the events in which they alleged he had been involved, he was suffering from psychogenic amnesia (memory blockages). They would have offered to help him "recover" his lost memories. Psychiatrists known to have worked with Bryant who may have been involved in such a memory recovery program would include Dr Fred E. Emery, of the notorious brainwashing specialists the Tavistock Institute, who died on 10 April 1997, that is, only a year after Port Arthur—a fact that might well be regarded as suspicious—and Emeritus Professor Ivor Jones of the University of Hobart, who headed the two floors of Royal Hobart Hospital which were devoted to psychiatric studies at the time Bryant was being detained there.

The best explanation, therefore, is that we are looking at a case of artificially induced memories. Bryant would have been subjected to the whole arsenal of coercive psychological techniques that are used to break down resistance and enhance suggestibility. Techniques likely to have been employed for the purpose of making him receptive to pseudo-memories would include sleep deprivation, electric shock treatment, hypnosis, "deep sleep" therapy, torture and the administration of beta-blockers like Propranolol.

By such methods, Bryant's suggestibility would have been elevated to the point that he was fully capable of mistaking a mere narrative for authentic memories.

Such a program would probably have been supplemented by a short video portraying the events themselves. I conjecture that an

individual disguised as Bryant—presumably the Port Arthur gunman himself—perpetrated the Fortescue Bay turnoff carjacking, but that the episode was a mere charade performed for the benefit of a video camera.

The entire sequence of events would have been filmed for the purpose of brainwashing Bryant into believing that he had been the actual perpetrator, that he was the man shown in the film. The video camera was then taken by the gunman to the PAHS, where it was abandoned in the Broad Arrow Café as a means of ensuring that it reached the police.

If Bryant was subjected to repeated viewings of such footage while under the influence of the appropriate psychoactive drugs, he would have wound up believing quite sincerely that what he had seen portrayed so vividly on the screen had in fact been his own memories.

This theory helps explain a hitherto obscure circumstance: the fact that the Port Arthur gunman, despite being sufficiently burdened already with a heavily stuffed sports bag, was also lugging around with him a large black video camera. Although the camera was discarded at the café and is known to have been recovered by police, it has not been heard of since.

As it is most unlikely that the gunman would have encumbered himself with this object for no reason, the camera had to have played a role in the drama.

Although I cannot prove that the camera contained footage of the Fortescue Bay turnoff incident, it might well have contained footage of some kind. If it didn't, it's hard to see why the official narrative of the case entirely glosses over the matter of whether there was anything on the camera.⁷

Although Bryant's confabulated scenario failed to match the official account of his alleged deeds, it was serviceable enough for the purpose of forging a link with the sinister activities of the real gunman. Inspectors Paine and Warren would have felt gratified that, for all its logical problems, Bryant's scenario contained four episodes that feature in the official account of the Port Arthur massacre: (i) arriving at Seascope (ii) in a stolen BMW (iii) with a male hostage in the

boot and (iv) setting the BMW alight. Nonetheless, Bryant's scenario can be rejected as false because at least three known facts about the case directly contradict it.

First, the BMW was actually set on fire by Constable Andrew M. Fogarty of the Special Operations Group (SOG), who was the first police officer to arrive at Seascope. According to a police insider—apparently Superintendent Bob Fielding, who arrived at the police operations centre at Taranna about half an hour after the incident occurred—Fogarty had fired a phosphorus grenade at the vehicle in order to prevent it from being used as an escape vehicle. (The drums of petrol which Bryant had allegedly brought with him from Hobart that morning, but which no eyewitness actually reported seeing, may therefore be completely fictitious.)

Second, while Bryant believes that the BMW driver was still in the boot when the explosion occurred, the body of the hostage—

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Glenn Pears—was discovered inside Seascapes, not inside the BMW, suggesting that the gunman had freed him from the boot of the BMW and escorted him into the house.

Third, the burns to Bryant's body were in reality sustained the next day during the Seascapes fire. (He emerged from Seascapes on the morning of 29 April 1996 with his back in flames.)⁸

In short, although Bryant's story constitutes an admission of criminal acts, *it does not add up to an admission of responsibility for any events that actually took place that day*. Damian Bugg, QC, was therefore misleading the Court when, on 19 November 1996, he declared that "Jamie"—who he assumed to have been Bryant—had admitted stealing the Nixons' BMW and taking Glenn Pears hostage. In fact, "Jamie", as we've seen, had only related a parallel event involving "Rick" from Florida. Bryant did no more than "confess" to the same episode.

Bryant's distinctive appearance and vehicle

When his police interrogation began, the only significant information Bryant knew about the events of 28–29 April is that Seascapes had burned down and a number of people had perished in the fire. He said he obtained the information not from Inspectors Paine and Warren (who seem to have been surprised to learn that he knew this), but from "a doctor, and security guards". What few Australians know is that Bryant was saddened to hear about Seascapes' destruction and expressed sorrow for the Martins' loss. "Worked hard all their lives, renovating; took them years to build it, renovate it and to start it all up, and it's just so sad to see; apparently it's burnt down, it's so sad to see it burnt down," he lamented.

Before we recount the process by which Bryant was first made aware of his alleged responsibility for the Port Arthur massacre, it is necessary to remind the reader once again that neither forensic nor eyewitness evidence exists to link him to it. The case against him depends entirely upon two circumstantial factors: the distinctiveness of his personal appearance and that of his 1979-model yellow Volvo. The police framing of Bryant for the massacre therefore included obtaining concessions from him as to the distinctiveness of his appearance and that of his Volvo.

The matter of his appearance was raised spontaneously by Bryant himself, but was instantly capitalised upon by Inspector Warren, who deviously connected it to "Port Arthur", even though Bryant hadn't mentioned that location himself:

Warren: Martin, getting back to that point about the hostage, you taking the hostage because you didn't want him telling the police. What didn't you want him telling the police?

Bryant: That I took his, umm, car.

Warren: But I mean, if you'd have left him on the side of the road, he wouldn't have known where you could've driven.

Bryant: Yeah, but he could've let them know that there was a chap with blonde [*sic*] hair, took me car, stole me car. So I sort of put him in the boot to be safe.

Warren: So you thought your looks that day were distinctive, and if someone said they saw a chap with blonde hair...

Bryant: Mmm.

Warren: ...at Port Arthur on that particular day?

Second, the Volvo:

Warren: We have lots of people who are telling us that they saw you at Port Arthur and your car.

Bryant: Well, it must've been another, there's other Volvos...

Warren: With surfboards on the top? With someone with long blonde hair driving them or getting out of them?

Bryant: There's not many with surfboards on top.

As we shall see below, these concessions left Bryant little wiggle room when police confronted him with a photograph of what seemed to be his yellow Volvo parked at Port Arthur. Once they had succeeded in having Bryant admit the distinctiveness of his appearance and that of his Volvo, Inspectors Paine and Warren had to do one more thing before they could confront him with the accusation that he had perpetrated the massacre inside the Broad Arrow Café: they had to convince him that he had entered the PAHS that day.



Photograph of the yellow Volvo abandoned by the gunman near the PAHS toll booth as he exited the site.

To do so, Warren confronted Bryant with generalised references to eyewitness sightings of himself which he was ill-placed to contest, having already conceded the distinctiveness of his appearance and of his Volvo:

Warren: Well, what would you say if I told you that you were seen going into Port Arthur and in fact you were at the toll gate?

Bryant: I couldn't've been.

Warren: And more than that, that you did complain about the price of admission.

Bryant: Umm, I don't remember going in, into Port Arthur or going through the toll

gate at all.

Warren: Well, as you said a minute ago, you, your description of the long blonde hair does make you, umm, stand out from the crowd.

Bryant: Mmm, exactly.

Warren: What about your yellow Volvo?

Bryant: That would, wouldn't it? That would stand out.

Later in the interview, Warren showed him a photograph of a vehicle that Bryant conceded looked like his own Volvo:

Warren: Martin, I want you to have a look at this photo. It's photo number zero one one two. In it is a car I believe to be yours and it's depicted adjacent to the toll booth.

Bryant: Couldn't be mine. Where'd you get that? I don't remember being stationary [inaudible]...

Warren: Do you agree that that could be a surfboard on the top?

Bryant: Yes, I think it probably is.

Warren: And it's certainly similar to your, ahh, your car?

Bryant: Mmm.

Warren: The registration number of this vehicle I think is CG two eight three five.

Bryant: I don't remember the registration.

Warren: Well that's your car. So that certainly suggests it because that's the exit road at the toll booth, that your car had been.

Bryant: How could the car be there when I didn't go, go there in the first place [inaudible]...?

Warren: As I said, sorry, as I've said, we have, there are lots of people saying that they saw you in the Port Arthur site and your car in the Port Arthur site.

Bryant: Mmm, I can't recall that.

That Inspector Warren twice told Bryant that "lots of people" had seen him at Port Arthur is a clear-cut case of police mendacity. Police witness statements show that the eyewitnesses had seen a man with long blond hair—who, on account of numerous discrepancies, could not have been Bryant. Furthermore, as we saw in the previous article, only one person who actually knew Bryant observed the Port Arthur shooter in action. That person, Jim Laycock, got a good enough look at the gunman to estimate his age but told police that he "did not recognise the male as Martin Bryant". Another witness, Michael Copping, who knew Bryant "by casual contact", saw the gunman driving the Volvo but did not indicate in his police statement that the man had been Bryant.

In addition, it should be noted that Warren claimed that "Bryant" had complained about the price of admission to the PAHS. Although he made this statement twice during the interview, both PAHS employees who said that they accepted the money from the Volvo driver, Aileen Kingston and Steven Howard, stated the exact opposite in their respective witness statements. Kingston related: "I was expecting an argument about the entrance fee from the Volvo driver as he looked to me that he didn't have a lot of money. This didn't eventuate, and the driver produced \$50.00 and I gave him the change with the tickets as well as a briefing, and he then drove off towards the site." Inspector Warren seems to have been so determined to stick to a prefabricated script that he felt free to disregard information supplied by actual eyewitnesses.

And what about the Port Arthur massacre itself? Towards the end of the interrogation, Inspectors Warren and Paine finally broached the subject for which they had spent several hours laying the groundwork. After again denying that he had even been at Port Arthur on 28 April, Bryant reacted as any reasonable person would when charged with crimes as heinous as the Broad Arrow Café shootings:

Warren: We believe you went into Port Arthur. Had a slight argument with the toll gate person about the price on entry. We believe you then went to park your car and an attendant or someone...

Bryant: Park the car.

Warren: ...said you couldn't park in a certain spot, so you didn't and sometime later you did move your car to that spot. We believe you went to the Broad Arrow Café with that bag over there, containing some guns and your video camera. You purchased a meal, you went outside, sat down, and then went back into the café. Took one.

Bryant: But you might've. That's like me saying to you, that you were down there.

Warren: But the difference is, Martin, my car wasn't down there and I haven't been identified as being down there and I wasn't down there. And then you took one of the guns out of your bag and opened fire in the café.

Bryant: Why would I do that? I mean...

Warren: I don't know, you tell me.

Bryant: Why, why would anyone do a thing like that, what?

Warren: Well, you tell us.

Bryant: [inaudible]

Warren: That's what we want to know Martin, why.

Bryant: What, what, would, I wouldn't hurt a person in my life.

Inspector Warren then reminded Bryant that he had already admitted having done someone some harm that day:

Warren: Well, you've already said you'd put the man in your boot of the car.

Bryant: Only, yes, yes.

Warren: Then you've set fire to the car and you thought that he was in the boot.

Bryant: [inaudible]

Warren: So how do you explain that?

Bryant: It was a bad thing...

Bryant: Well, I shouldn't've gone and kidnapped him and the BMW. It's the wrong thing. That and, that, and in the, being caught with not having a driver's licence. So they're the two things I've done wrong. I don't know why I stole the BMW in the first place. I wish I'd [inaudible].

**His low IQ, in a nutshell,
is the real reason why he
seems destined to spend the
rest of his life in prison.**

Bryant found himself checkmated. By having him admit that he had done one bad deed that day, Inspector Warren effectively deprived him of a case for asserting that he would not be the kind of person who would murder 35 people! Although the taking of a hostage is clearly not a crime of the same magnitude as mass murder, most readers will think that Bryant has been caught up in his own lies and that the truth will unravel, inch by inch.

The problem with the case Inspectors Paine and Warren presented to Bryant,

however, is that it relied upon assertions, not evidence. Apart from the aforementioned image of a yellow Volvo—not necessarily his—parked at the Port Arthur toll gate, they showed Bryant no visual evidence—no photographs, not even the video allegedly made by American tourist James Balasko which purports to show the gunman at the scene—that would decide the matter. What's more, they showed the accused man nothing of a forensic nature—fingerprints or DNA—that could substantiate their extraordinary allegations.

In other words, when it came to convincing Bryant that he had been responsible for the most appalling crime in recent Australian history, as late as 4 July 1996 Inspectors Paine and Warren still had nothing to fall back on except the distinctiveness of his appearance and that of his car. However, it is not hard to see that both are things that could easily have been imitated by someone involved in a plot to set up Bryant; indeed, the conspicuous absence of any other kind of evidence against him renders such a scenario a virtual certainty. Unfortunately, Bryant's intellectual limitations are such that he was incapable of graduating to the relatively complex idea that someone had emulated his appearance in order to set him up. His low IQ, in a nutshell, is the real reason why he seems destined to spend the rest of his life in prison.

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The Port Arthur Massacre: Was Martin Bryant Framed?

Continued from page 18

Endnotes

1. The transcript can be read online at <http://home.overflow.net.au/~nedwood/transcript.html> or http://members.fortunecity.com/able_j/transcript.html.

Note that the extracts used in this article have been slightly modified in the interests of readability.

2. Noel McDonald, *A Presentation of the Port Arthur Incident*, 2001, p. 173.

Admittedly, "an edited version of this interview"—two hours long—was played in court on 19 November 1996.

However, this was in the context of a sentencing hearing, not a trial (McDonald, pp. 174, 176).

That day, Bryant's second lawyer, John Avery, told the judge that he was "not troubled" by the decision to play the tape—a statement which raises questions about Avery's view of his obligations to his client.

3. McDonald, pp. 175–76.

4. Since Bryant's intention after he left Nubeena was to visit the Martins at Seascapes, there was no reason for him to

go past Seascapes as far as the Fortescue Bay turnoff. This means that Bryant must have driven from Nubeena to the Fortescue Bay turnoff via Taranna. But this contradicts Bryant's recollections elsewhere in the same interview of having driven past Port Arthur without stopping. This contradiction is the first clue to the fact that the whole story is imaginary.

5. John Frow, "Recovering Memory", *Australian Humanities Review*, December 1996; article available online at <http://www.lib.latrobe.edu.au/AHR/archive/Issue-Dec-1996/frow.html>.

6. See http://www.religioustolerance.org/false_co.htm.

7. The idea that videotapes were used to persuade Bryant to accept responsibility for the Port Arthur massacre and the murders at Seascapes is not a far-fetched one. Later in this series, I examine a videotape which seems to have been fabricated months after the massacre for the purpose of convincing Bryant that he had been present at Port Arthur that day.

8. McDonald (pp. 119–27) discusses several other problems with Bryant's account.

About the Author:

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Correction:

In the previous article in this series (NEXUS vol. 13, no. 4), I stated that Martin Bryant is left-handed. I have since been informed that in fact he is right-handed, and that confusion has arisen over this issue because of a statement he made to police in which he said that he had taught himself to shoot left-handed.