

STATEMENT in the matter of:
Sexual Assault upon Michelle Lee
LA ROUSSE

Place: Mosman
Police Station
Date : 23 May 1996

Name: Michelle Lee LA ROUSSE
Address: 24/13 Cranbrook Ave, CREMORNE
Occupation: Pensioner

Tel. No.: 99530709

STATES:-

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

2. I am 32 years of age.

3. I was born in New Zealand on the 29th of January, 1964. I moved to live in Australia in 1987. I went to a flatmate agency and began share accommodation with a Mr [REDACTED] married [REDACTED] and they purchased a home at Haberfield. I moved into that home and continued on as a flatmate. During this time [REDACTED] ([REDACTED] brother) and [REDACTED] moved into the house for a short time. I have been friends with them ever since.

4. [REDACTED] and [REDACTED] got married in approximately 1989. I attended their wedding at a church in Strathfield. [REDACTED] and [REDACTED] have had two children since then. [REDACTED] who is four in August and [REDACTED] who is three in December.

5. On Friday the 10th of May, 1996, I attended [REDACTED] and [REDACTED] residence at [REDACTED], [REDACTED]. Myself and [REDACTED] had been invited to a lingerie party and I was staying over that evening. I picked [REDACTED] up from her work in the City and we then

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drove to her house at Guildford. [REDACTED] got changed and then we drove to [REDACTED] house and arrived about 7.30pm. I then left the house and went to a bottleshop at the end of the street and bought a 2 litre cask of wine for [REDACTED]. On returning to the house, I helped [REDACTED] put the kids to bed. [REDACTED] and I made sandwiches for the party. The lingerie party was a wine and cheese evening. As we were making the sandwiches people started to arrive. The party began about 8.30pm.

6. During the evening I was drinking wine. I believe I had approximately four to five glasses of wine and two glasses of port between the hours of 8.30pm and 2-2.30pm. There were about seven or eight ladies at the party. [REDACTED] husband [REDACTED] came home between 12.30am and 1.00am. The second last guest left at about 1.00am - 1.30am.

7. I went to bed around 2.00am - 2.30am. I felt that I had had enough to drink and decided to go to bed. I would say that I was fairly affected by the wine that I had drunk. I slept in [REDACTED] room which is quite a big room. It has my queen size bed in it as well as [REDACTED] single bed and bedroom furniture which includes a wardrobe, a duchess and side table.

8. Before I got into bed, I went to the bathroom and cleaned my teeth and washed the makeup off my face. I got a hot water bottle from either the bathroom or linen cupboard and went and filled it up in the kitchen. I said goodnight to [REDACTED] [REDACTED] and [REDACTED] and then went to [REDACTED] bedroom.

9. As [REDACTED] was asleep I did not turn the light on in the bedroom. I took my clothes off and roughly folded them and placed

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on top of my bag which was beside the side table at the head of the bed. I got changed into my pyjamas which are thermal underwear. I put socks on my feet. I then got into bed with the hot water bottle placed near my feet. I fell asleep almost immediately on my left side. I know I was on my left side because my right side has been injured and I don't sleep on that side.

10. I don't know what the time it was but I was awoken out of what I believe to be a deep sleep by really severe pain around my cervix area. I could feel somebody's hand on my abdomen. I felt a persons body pushed up against my back. I was lying on my right side which I never lie on. I didn't realise where I was at first. I must have thought that I was at home because I said, [REDACTED], get off me. My stomachs hurting. Leave me alone." ([REDACTED] was my previous boyfriend) I was still half asleep. I can remember pushing at his arm with my left hand as I was saying this. The person then spoke to me. He said, "No your misunderstanding. It's [REDACTED]." The pain of his penis banging up against my cervix continued and I then woke up fully and realised what was happening. His penis felt firm. I can't say whether or not he ejaculated. I thought, "Oh my god, [REDACTED] in bed with his hand around me and having sex with me." I spun around in bed quickly and said, "What do you think you're doing. Leave me alone. Get out." I was kicking him and I kept repeating, "Get out" and words to that affect. I could see that [REDACTED] was naked. I remember his knees were bent. I can't remember seeing his penis. I didn't even look. It must have been really early in the morning when it happened because the room was lit from natural light enough for me to see him. He sat up in bed and I remember seeing his back and his bottom as he stood up. He left the room without saying a word.

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11. I then pulled all the blankets up around me and layed there in shock. I had my eyes closed thinking to myself "Oh my God. Oh my God." I realised my pyjamas pants were not on. I tried to remember whether or not I put them on. I remember looking for them in the dark before I went to bed. I opened my eyes and he was standing naked again in the room beside the bed. I thrashed my legs around, kicking madly at him saying, "Get out or I'll yell." [REDACTED] did not say anything. After about what seemed to be 15-30 seconds he eventually left the room. He turned calmly almost like a robot and walked out. I just layed there in shock. Then I looked and saw my pyjamas pants down the foot of the bed, away from the rest of my clothes. I don't know how they got there.

12. I'm not sure how long I layed there before [REDACTED] woke up and went out of the room. I stayed in bed not knowing what to do. I eventually got up about 9am.

13. I was in the family room reading [REDACTED] and [REDACTED] a story. [REDACTED] came into the room. He spoke to [REDACTED], he said something about Noddy. [REDACTED] then said to me, "Will you drop me off at my car?" I said, "No. [REDACTED] can." I then left the room. [REDACTED] dropped him off at his car. When [REDACTED] got back, the kids were sitting up in bed with me reading books.

14. [REDACTED] had to do some shopping, so I stayed and looked after the kids. I was trying to pull myself together so I could tell her what happened and to try and deal with it because I couldn't function. [REDACTED] came back and made some lunch. I had a shower and kept going over and over what I was going to say to her. I sat down for lunch with [REDACTED] and the kids and every time I went to

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tell her, instead of telling her I kept saying, "I'm sorry I didn't help you with the dishes." I left [REDACTED] house about 1.30pm.

15. I drove down [REDACTED] St and turned right into [REDACTED] Street. I then turned the car around and drove up [REDACTED] Street and pulled up. I then thought "No I can't tell her." I then turned around to drive home and thought, "No I have to tell her. I can't deal with this on my own." I then turned the car around again. I did this about ten times before I said to myself out loud, "How do you tell one of your closest friends that her husband raped you?" I then just burst into tears. I just sat in the car crying for about five minutes.

16. There was a phone box nearby. I rang my friend [REDACTED] and I told her what happened. I said, "[REDACTED] it's me. The most horrific thing has happened." I just burst into tears. [REDACTED] said, "Why what happened?" I said, "[REDACTED] raped me last night." [REDACTED] said, "What?" I said, "[REDACTED] raped me last night. He came into my room, got into bed with me and was having sex with me when I woke up." [REDACTED] said, "Come over." I hung up and drove over to her place at [REDACTED].

17. [REDACTED] looked up the phone book. She said, "I'll ring the rape crisis centre, they'll know what to do." She spoke to a couple of people from the Rape Crisis Centre. An appointment was made for me to go to the Sexual Assault Service at Westmead Hospital.

18. I was met by a doctor (I don't remember her name) and a counsellor named [REDACTED]. I told them what had happened and the doctor recorded it. I was then examined by the doctor. The

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doctor took a blood test, swabs and conducted an internal examination. I was then given the Morning After Pill. [REDACTED] took me back to her house. I stayed the night.

19. On Sunday the 12th of May, 1996, at 8.30am I phoned [REDACTED] at her home. I said, "I have to talk to you about something. Can you come out to the car and speak to me? I'll be there in about one hour." She said, "Is everything alright?" I said, "I'll tell you when I see you. Don't tell anybody."

20. About half an hour later, the telephone rang at [REDACTED] house. I answered the phone. I said, "[REDACTED] phone." The caller said, "I've got the wrong number." I said, "Hang on a minute. Who do you want to talk to?" The caller said, "[REDACTED]." I said, "She's just in the bathroom. Can I tell her who is calling?" The caller said, "Michelle, it's me [REDACTED]. How are you?" I said, "Not very well [REDACTED]." He said, "Oh I'm sorry." I think I said, "It's a bit late for that." I was crying by this stage. [REDACTED] had come out of the bathroom and told me to hang up the phone. I was very upset.

21. A few seconds after I hung up, the phone rang again. [REDACTED] answered it. It was [REDACTED] again. They had a conversation.

22. I rang [REDACTED] and said, "[REDACTED] is going to come and get you [REDACTED] and bring you over here, if that's alright with you." [REDACTED] left for [REDACTED] at about 9.45am. When [REDACTED] returned with [REDACTED] at around 10.15am, [REDACTED] told me that [REDACTED] had told her what happened. She said, "[REDACTED] told me what happened. This won't come between our friendship. I hope we can still be friends. [REDACTED] told me you said "No"." I then told her in detail my story. I drove her back

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to her house. I said, "Whether you stay with [REDACTED] or you leave him it's your choice but either way he needs to get help." I then drove home.

23. On Sunday the 19th of May, 1996, [REDACTED] and the children came to my place and then we went to the Zoo. I bought the kids and icecream and we sat down to eat them. [REDACTED] said to me, "[REDACTED] (she spelt it out because of the kids) is booked into an organisation called Centre something to see a counsellor." I said, "Good. Does he acknowledge what he's done. That he R.A.P.E.D. (spelt out) me." [REDACTED] said, "Oh my god I didn't realise. I thought he just got into bed with you." I said, "No [REDACTED] he was in full swing when I woke up." [REDACTED] said, "You must have wondered why I was treating it the way I was. I didn't realise. I've been feeling angry to." The kids started running around so she said, "We'll talk about it tomorrow."

24. I have been attending counselling sessions with [REDACTED] since the assault occurred. I have seen Dr [REDACTED] once. I have also been seeing a Sexual Assault counsellor from the Royal North Shore Hospital named [REDACTED]. I have seen her twice so far and I have an appointment tomorrow.

25. As a result of the sexual assault, I'm afraid to go to bed and I'm even more afraid to go to sleep. I have been having bad dreams and wake up in the middle of the night. I don't like being alone which is very unusual for me because I usually like to be alone. I can't shut the bedroom door.

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26. I did not give [REDACTED] permission to assault me in anyway.

27. At this time I would like to make a complaint, however I do not wish the police to prosecute at this stage.

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Signature: M. Lee ROUSSE