

NSW Police Force

SUMMARY BRIEF OF EVIDENCE COVERING SHEET

H81615839



Brief Manager		
Date Received		
Brief Checked		
	<i>Supervisor (sign)</i>	<i>Brief Manager (sign)</i>
Date Checked		
	<i>Supervisor</i>	<i>Brief Manager</i>
Comments		

Accused: TONY SMITH

Offence/s: Use carriage service to menace/harass/offend

Court: DOWNING CENTRE LOCAL COURT
10 June 2025
FOR HEARING

Police in Charge: CON CLAUDINE DELLENTY

Station: KINGS CROSS LOCAL AREA COMMAND

Telephone: 02 83560099

Email: 54672@police.nsw.gov.au

Date served on Accused (or legal rep.): _____

Method of Service:

INCLUSIONS:

Copy of Brief (Itemised contents to be attached)	☐	Local Court Listing Advice	☐
Copy of Court Attendance Notice/s	☐	Witness List	☐
A Statement of Facts	☐	Bail Documents	☐
Notice to defendants as to rights re: statements	☐	Unavailable dates for all witnesses	☐
Criminal History/Traffic History Reports	☐		

To be verified by Brief Manager

NSW Police Force

CONTENTS OF BRIEF OF EVIDENCE

Accused: TONY SMITH

Offences: Use carriage service to menace/harass/offend

Brief Items		
No.	Item	Verified by B.M.
1	Witness List	Y.M
2	Summary of Evidence	Y.M
3	Local Court Listing Advice	Y.M
4	Court Attendance Notice	Y.M
5	Facts Sheet	Y.M
6	Victim Statement	Y.M
7	Documents provided by Victim	Y.M
8	Instagram Record	Y.M
9	Subscriber/CCR	Y.M
10	Recording of Instagram Posts	Y.M
11	Criminal History	Y.M
12	Unavailable Dates	Y.M
		Y.M

Outstanding Brief Items		
No.	Item	Verified by B.M.
1		

RECEIVED
27/5/25
yakshin

**STATEMENT OF A WITNESS**

In the matter of: Police -V- Anthony SMITH
Place: Kings Cross Police Station
Date: 01/12/2023

Name: Isaac RUSHTON

STATES:

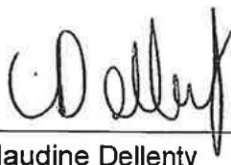
1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 34 years of age.
3. I have known Anthony SMITH since late 2019. Anthony and I were in an intimate relationship for a couple of years. In August 2022 I obtained an Apprehended Domestic Violence Order against Anthony SMITH. This is order I was named the protected person and Anthony SMITH was the defendant. The conditions of the order are
 1. Anthony SMITH must not do any of the following to protected people, or anyone I have a domestic relationship with.

A) assault or threaten me

B) stalk, harass or intimidate me

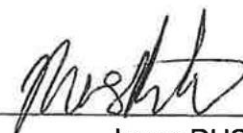
C) intentionally or recklessly destroy or damage any property or harm any animal that belongs to me or is in my possession

Witness:



Claudine Dellenty
Constable
Kings Cross Police Station
01/12/2023

Signature:

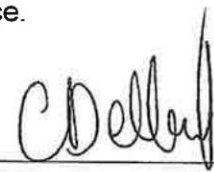


Isaac RUSHTON
Kings Cross Police Station
01/12/2023

Statement of Isaac RUSHTON
In the matter of Police -V- ANTHONY SMITH

2. Anthony SMITH must not approach me or contact me in any way, unless the contact is through a lawyer.
4. This order is currently enforceable until the 14th August 2024
5. As a child, my nickname growing up was "Erksy", no one should know this other than my family as I never mentioned it growing up – I hated being called this.
6. On the 17th of July 2023 and 18th July 2023, I received messages from an unknown profile on Instagram, to which I did not respond detailing a narrative of ancient Greece. Initially I was not aware of the profile, however at a later date the profile picture was updated displaying a photo of Anthony. The profile username was "uernam_here".
7. Although my name was not mentioned, the message referenced experiences and situations I had encountered with Anthony SMITH in the past, The narrative did not bear my name, however it referred to me as my childhood nickname "Erksy", as result I believe these messages were sent from Anthony Smith.
8. I know the narrative is about me as it states in it "His mother a beacon of love and solace, departed from this earthy realm in late January". My mother passed away on the 29TH of January 2021.
9. On the 4th of September 2023 I was asleep in my bed. When I woke up I observed that I had a missed phone call on my mobile phone from Anthony SMITH. Anthony had called me at 2:17am. He did not leave a message on my phone. I had Anthony's phone number saved in my phone as Anthony SMITH, his phone number is 0433 813 180. I did not give Anthony permission to call me or contact me. This is his main phone number which he had throughout the duration of our relationship.
10. On the 23rd of November 2023 a friend of mine informed me about disturbing videos and images on Instagram that involved me and discussed me. I briefly skimmed through the page though did not want to watch in detail as it was too distressing to me but I have provided it all to police.

Witness:



Claudine Dellenty
Constable
Kings Cross Police Station
01/12/2023

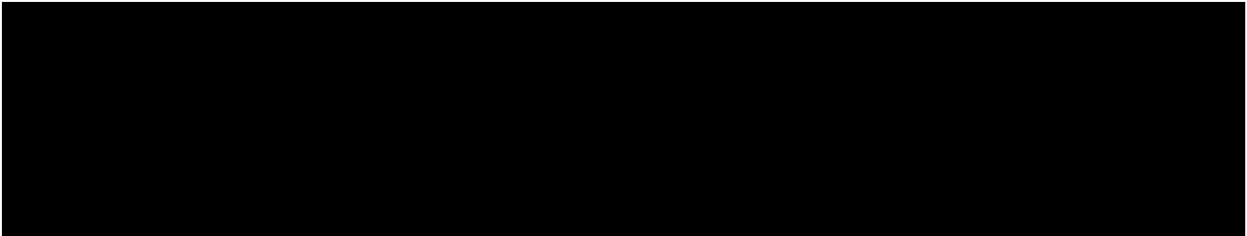
Signature:



Isaac RUSHTON
26th November 2023

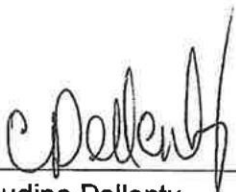
Statement of Isaac RUSHTON
In the matter of Police -V- ANTHONY SMITH

11. On the 24th of November 2023 the same friend shared with me the Instagram profile which posted these disturbing videos. I identified this profile "legal abuse" as being Anthony SMITH's Instagram profile due to the nature and content of the post being specific information to him.
12. These posts on Instagram caused me to feel distress and concerned for my safety. I feel these is harassment as he the sheer quantity and volume of posts are frequent and extensive.



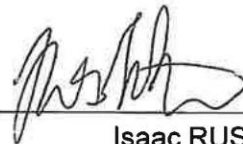
14. I note I did not give anyone permission for these images to be distributed online.
15. As a result of him targeting my friends and family, I've lost several connections and contact with the people following the account.

Witness:



Claudine Dellenty
Constable
Kings Cross Police Station
01/12/2023

Signature:



Isaac RUSHTON
26th November 2023



STATEMENT OF POLICE

In the matter of: Police V SMITH
Place: Kings Cross Police Station
Date: 27/05/2025

Name: Claudine DELLENTY **Tel. No:** 8356 0099
Rank: Constable
Station/Unit: Kings Cross

STATES:

1. This statement made by me accurately sets out the evidence that 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 will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am 27 years of age
3. On 1st December 2023, I was working in full police uniform at Kings Cross Police Station as a front counter Constable. The victim now known to me as Isaac Rushton attended the desk alongside a support friend and stated he had been previously speaking with various Constables of the station about making a domestic related report and was finally ready to make a statement.
4. Police checks revealed the Constables he had been speaking with were not available at that time. I received a handover from the Sergeant with a quick run down on what was spoken about noting that there was very limited information at the time as the victim did not wish to provide a statement.

Witness:

Jacob CANNY
Constable
Kings Cross Police Station
27/05/2025

Signature:

Claudine DELLENTY
Constable
Kings Cross Police Station
27/05/2025

Statement of Claudine Dellenty
In the matter of Police v Smith

5. I then took the victim into the witness room where he provided me a victim statement on historical breaches of Apprehended Domestic Violence Orders.
6. The victim further showed me missed calls and messages that the accused – known to me as his ex partner Anthony SMITH, had made during a no contact AVO however, I noted they had occurred almost six months prior.
7. The victim then showed me a public Instagram he believed to belong to the accused which showed a Brief of Evidence from a prior charge listing the accused as the Defendant, and victim as Person In need of Protection. This included statements, officer in charge name and station and in home CCTV of the victim.
8. A screen-recording of the Instagram was taken that day.
9. I then completed relevant blue portals in relation to Subscriber details and META data which are now included in the brief.
10. I was informed the accused was not residing in NSW and made various avenues to locate him in QLD but was unsuccessful. I was able to reach the accused via email where the Future Court Attendance Notice was served.
11. I was received an array of emails in response from the accused since it's service. The accused has since been issued a direction to cease email communication with me directly due to the volume and nature of emails I was receiving in relation to the matter. He was informed by my Duty Officer should he wish to speak to me about the matter, to bring a legal representative otherwise see his local police station to report any new or historical matters unrelated to mine.

Witness:



Jacob CANNY
Constable
Kings Cross Police Station
27/05/2025

Signature:



Claudine DELLENTY
Constable
Kings Cross Police Station
27/05/2025

Service Instagram
Internal Ticket Number 8393011
Target 54996030906
Account Identifier legalabuse
Account Type InstagramUser
Generated 2024-02-05 06:41:06 UTC
Date Range 2022-09-01 00:00:00 UTC to 2023-12-01 23:59:59 UTC

Ncmec Reports NCMEC Cybertips: NCMEC cybertip reports associated to the account of the sender.
Definition CyberTip ID: Unique identifier associated with the cybertip.
Time: Date and time the NCMEC cybertip was sent.
Responsible Id: Identification number of the sender's Facebook account associated with the NCMEC cybertip report.

NCMEC No responsive records located
CyberTip Numbers

Name Name: Provided by the account holder.
Definition First: First name provided by the account holder.

Name **First** Thee Accused

Emails Emails: Captures the listed email address associated with the account.
Definition

Registered tigz.smith@gmail.com (Verified)
Email Addresses

Vanity Vanity: Username associated with the account.
Definition

Vanity Name legalabuse

Registration Registration Date: Date and time of account creation.
Date Definition

Registration 2022-08-24 10:19:28 UTC
Date

Registration Ip Registration Ip: IP address associated with account creation.
Definition

Registration Ip 110.175.194.174