



NSW POLICE FORCE

P190B

Version 4.5 (05/2015)


STATEMENT OF POLICE

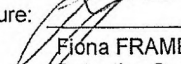
In the matter of: SF Annand Murder of Anthony CAWSEY 2009
Place: Holroyd Local Area Command
Date: 1 April 2016

Name: Fiona FRAME **Tel. No:** [REDACTED]
Rank: Detective Sergeant
Station/Unit: Holroyd Detectives

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 37 years of age.
3. Between 2007 and 2012, I was a Detective Senior Constable attached the State Crime Command, Homicide Squad. During this period I was assigned to Strike Force Annand. This Strike Force was formed to investigate the murder of Anthony CAWSEY and was a joint investigation between the Homicide Squad and Eastern Beaches LAC.
4. About 8:00am on Saturday the 26th of September 2009 I attended Centennial Park in order to provide an on call homicide response in relation to a deceased male who I now know to be Anthony CAWSEY. Upon attending the location I spoke to Detective Sergeant LEGGAT and a number of other police who were situated near the crime scene on a path near Busby Pond.
5. At the location I saw the body of the victim Anthony CAWSEY lying face down on the ground. His head was pointing in the direction of a grass embankment and his feet were pointing towards the track and Busby Pond. CAWSEY was dressed in blue short sleeve shirt, black g-string, dark blue tracksuit pants with white stripes down the side and a pair of women's brown

Witness: 
 Mark ROOTS
 Detective Senior Constable
 Holroyd Detectives
 1 April 2016

Signature: 
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boots. His tracksuit pants had been pulled down, exposing his buttocks. There was a dark coloured base ball hat positioned near the crown of his head with the peak under his forehead. The palms of both his hands were covered in blood.

6. After the body of Anthony CAWSEY had been moved I saw that he was wearing a black midriff top underneath his blue shirt. Both items of clothing were pulled up, exposing his waist. The waist line of his tracksuit pants were positioned just above his knees. He was wearing a pair of pink coloured women's underwear. There was blood pooling on the victim's body and the immediate area surrounding it.
7. After a period of time I left the crime scene and attended Maroubra Police Station to conduct a number of enquiries.
8. About 3:00pm I returned to the crime scene and had a conversation with Sergeant BUSBY from the Police Diving Unit in relation to the search his team had conducted along the shore line of Busby Pond.
9. Following this I had a conversation with Inspector Norris the Operational Support Group Co-ordinator in relation to the search his team were conducting of Centennial Park. At the conclusion of the search I was handed a number of items.
10. I returned to Maroubra Police Station where I booked up each item as an exhibit, with the following exhibit book reference numbers:

Item 1 of D763177 – 1 X Membership card from DeWhat blue membership in the name of N. Wade –Brown membership number [REDACTED]

Item 2 of D763177 – 1 X CD labelled "Electro"

Item 3 of D763177 – 1 X White tissue/ wet ones.

Item 4 of D763177 – 1 X Cigarette butt.

Item 5 of D763177 – 1 X Glow stick

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Item 6 of D763177 – 1 X Button

Item 7 of D763177 – 1 X Rusty butter knife

Each of the items were placed into an individual exhibit bag and sealed. I handed the items to Sergeant Farrenc.

I NOW PRODUCE A COPY OF EXHIBIT RECEIPT D763177

11. On the 28th of September 2009, I contacted the Police Media Unit in order to obtain a copy of all media items published in relation to the murder of Anthony CAWSEY.
12. On the 29th of September 2009 Plain Clothes Constable Ray Malhoun and I travelled to The Institute of Forensic Medicine at Glebe. There I witnessed the post mortem examination of the body of Anthony CAWSEY conducted by Dr Rebecca Irvine. Senior Constable Richard CRIMMINS from Forensic Services Group was also present.
13. On Thursday 1st of October 2009 I completed the P377 examination form and conveyed the following exhibit items to the Division of Analytical Laboratories and handed them to Jennifer DUNN :

Item 1 of D763188 - Item 1 - Pair of blue track pants

Item 2 of D763188 - Item 2 - Blue shirt

Item 6 of D763188 - Item 6 - Black g-string

Item 7 of D763188 - Item 7 - Purple underwear

Item 13 of D763188 - Item 13 - Penis swab

Item 14 of D763188 - Item 14 - Rectal swab

Item 15 of D736188 - Item 15 - Left fingernail clippings

Item 16 of D763188 - Item 16 - Right fingernail clippings

Item 24 of D763188 - Item 24 - Blood for grouping

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I NOW PRODUCE A COPY OF THE P377 FORM DATED 1/10/2009 IN RELATION TO EXHIBIT NUMBERS D763188

14. On the 5th of October 2009 I received a disc from the Media Unit containing all articles and items related to the murder of Anthony CAWSEY that had been in the media between the 26th September 2009 and the 5th of October 2009. This item was entered into the SF Annand master tape register, reference no. MTR608/11.

I NOW PRODUCE A DISC CONTAINING MEDIA ARTICLES

15. At 12:30pm on Saturday 17th October 2009 I was recalled to duty as a campsite had been located in Centennial Park near Busby Pond. I attended a briefing with Detective Sergeant LEGGAT, Detective Sergeant BISHOP and Sergeant RYAN. At this time I saw a male of black African appearance standing on the dirt track near the campsite. I now know this male to be the accused Moses KELLIE.
16. Detective Sergeant LEGGAT and I went through dense scrub and onto the mud flat area. There I saw a campsite near a concrete storm water pipe. The camp site was littered with rubbish, personal clothing and other items. The scene was documented by Sergeant RYAN and a number of exhibits were seized.
17. About 4:00pm whilst still in Centennial Park Detective Sergeant LEGGAT and I had a conversation with the accused Moses KELLIE.

Detective Sergeant LEGGAT said, "Detective Frame and I are investigating the murder of Anthony Cawsey in Centennial Park in the early hours of Saturday the 26/09/2009. I'd like to speak to you about this at Maroubra Police Station. Is that ok?"

He said, "Yep".

Detective Sergeant LEGGAT said, "I want you to understand that you are not obliged to say or do anything unless you wish to do so, as anything you say or do may later be used in evidence. Do you understand that?"

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He said, "Yep".

Detective Sergeant LEGGAT said, "You are not under arrest. Do you understand that?"

He said, "Yep".

Detective Sergeant LEGGAT said, "You would be coming back as a volunteer and you would be free to leave at anytime. Do you understand that?"

He said, "Yep".

18. A short time later I attended Maroubra Police Station. There I went with Detective Sergeant LEGGAT and the accused Moses KELLIE to an interview room.

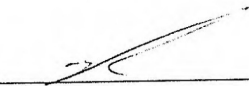
Detective Sergeant LEGGAT said, "Detective Frame and I are investigating the murder of Anthony CAWSEY near a pond in Centennial Park in the early hours of Saturday 26/09/2009. I want you to understand that you are not obliged to say or do anything unless you wish to do so, as anything you say or do may later be used in evidence. Do you understand that?"

He said, "Yep":

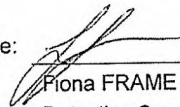
Detective Sergeant LEGGAT said, "I intend to ask you further questions in relation to this matter, those questions together with any answer you may give will be recorded electronically."

19. At 5:05pm Detective Sergeant LEGGAT activated the ERISP machine and it malfunctioned. Detective Sergeant LEGGAT, the accused Moses KELLIE and I went to another interview room near the Maroubra Detectives office. Detective Sergeant LEGGAT and I asked the accused Moses KELLIE a number of questions, those questions together with the answers that he gave were electronically recorded. The whole of the interview was recorded in that manner with intrak reference number R0112440.
20. During the course of the electronically recorded interview Detective Sergeant LEGGAT asked the accused Moses KELLIE if he was prepared to return to Centennial Park with police to conduct an electronically recorded walk through which he agreed to.

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21. At 7:37pm on Saturday 17/10/2009, Detective Sergeant LEGGAT and I commenced an electronically recorded walkthrough with the accused Moses KELLIE near the water bubbler in Centennial Park. I operated the video camera. A decision was made to stop the video recording due to poor lighting. Arrangements were made with the accused Moses KELLIE to return to the site at 10:30am on Monday 19/10/2009 to conduct a walkthrough interview. After driving to Bondi, Detective Sergeant LEGGAT and I dropped the accused Moses KELLIE off in Centennial Park.
22. About 9:30am on Monday the 19/10/2009 I submitted a request to the Forensic Imaging Section requesting their assistance to conduct a video walkthrough with the accused Moses KELLIE at Centennial Park.
23. Detective Sergeant LEGGAT and I attended Centennial Park, however we were unable to locate the accused Moses KELLIE. Following this Detective Sergeant LEGGAT and I made numerous attempts to locate the accused Moses KELLIE without success.
24. About 7:30am on Thursday the 29th of October 2009 Detective Sergeant LEGGAT and I were conducting a search of Centennial Park in an effort to locate and speak to the accused Moses KELLIE. At this time a search of an area of the park adjacent to Allison Road at Randwick was searched. This area contained a number of piles of wood chips and a number of humpies constructed out of tree branches. A short distance away I saw a large tree with a large canopy. Underneath the tree was a campsite which contained newspapers, bottles, an old umbrella, the cushion section from a chair, items of clothing and rubbish.
25. Underneath the tree I saw a khaki green jumper, black and grey jacket, black rain jacket, board shorts, a pair of green socks, a pair of red/blue socks, a hat and a number of rags. Enquiries with Detectives Bishop and Lewin confirmed that this was the campsite that the accused Moses KELLIE had shown them previously on the 3rd October, 2009.
26. Arrangements were made for the campsite to be examined by Detective Sergeant FLIPPENCE and Senior Constable NEIDERLE from Sydney Crime Scene. A number of exhibit items were

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seized by officers from Crime scene. At the conclusion of the examination I was handed the following items:

Item 1 of D794215 – Four films and one canister

Item 2 of D794215 - Green jumper

Item 3 of D794215 – Black/ grey jacket

Item 4 of D794215 – Blue/ grey t-shirt

Item 5 of D794215 – Black rain jacket

Item 6 of D794215 - Board shorts with Australian flag pattern

Item 7 of D794215 – Green socks

Item 8 of D794215 – Red, white & blue socks

Item 9 of D794215 – Bag containing towel rag, green shirt, blue hat and blue/orange towel

27. I conveyed these items to Maroubra Police station where they were booked up with exhibit reference number D794215. I handed these items to Sgt Jordan.

I NOW PRODUCE A COPY OF EXHIBIT RECEIPT D794215

28. About 3:45pm on Wednesday 22nd of September 2010 I was advised that male by the name of [1370] DOB: [REDACTED]1978 had presented himself to Manly Police Station and stated that he was responsible for murdering Anthony CAWSEY in Centennial Park about 12 months ago.

29. As a result of this information I met Detective Sergeant Anthony AGNEW at Manly Police Station. Detective Sergeant AGNEW and I conducted an electronic interview with [1370] [1370]. As [1370] suffers from a mental illness his mother [REDACTED] was also present as a support person. The whole of the interview was recorded electronically with intrak reference number R0155736.

I NOW PRODUCE A COPY OF ELECTRONICALLY RECORDED INTERVIEW R155736

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30. During the interview [1370] stated that had met Anthony CAWSEY through a friend. He believed he had murdered Anthony CAWSEY. During the interview the version he supplied was not consistent with the manner in which Anthony CAWSEY died. During the interview [1370] showed signs that he was suffering from a mental illness.

31. About 9:55pm a forensic procedure of a buccal swab was conducted on [1370]. Due to his mental illness his mother [REDACTED] consented to the procedure being conducted and was present when the forensic procedure was conducted. Lynette and [1370] were provided with a copy of the Forensic Procedure Information Sheet Volunteer – Child over 10 years of age or incapable person, which they both signed. [REDACTED] also signed Forensic Procedure consent form number 7659 for a volunteer – Child or incapable person.

I NOW PRODUCE A COPY OF THE FORENSIC PROCEDURE INFORMATION SHEET VOLUNTEER CHILD OVER 10 YEARS OF AGE OR INCAPABLE PERSON DATED 22/09/2010

I NOW PRODUCE A COPY OF THE FORENSIC PROCEDURE CONSENT FORM NO. 7659


32. I completed the forensic procedure and obtained a buccal swab from [1370], with barcode number XPS00002661. The sample was placed into a bag and sealed. It was sent to DAL for examination.

I NOW PRODUCE A COPY OF THE P967 FORM IN RELATION TO BUCCAL SWAB NO. XPS00002661

33. About 10:40pm Detective Sergeant AGNEW, [1370] and I travelled to [REDACTED] South Creek Road, Cromer. There [1370] used his key and entered the premises of Australian Bronze and returned with an orange coloured eagle brand box cutter knife. He handed Detective Sergeant AGNEW the knife. The knife was booked up as an exhibit, reference number item 1 of D828613 at Manly Police Station.


I NOW PRODUCE EXHIBIT RECEIPT NO. D828613

Witness:



Mark Roots
Detective Senior Constable
Holroyd Detectives
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Signature:



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Detective Sergeant
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