



NSW POLICE FORCE

P190B

Version 4.5 (05/2015)

STATEMENT OF POLICE

In the matter of:	Regina v Moses KELLIE
Place:	Homicide Squad, 1 Charles Street, Parramatta NSW 2150
Date:	14 th October 2015

Name:	Melanie Staples	Tel. No:	██████████
Rank:	Detective Senior Constable		
Station/Unit:	Homicide Squad - Unsolved Homicide Team		

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 40 years of age.
3. I am currently the officer in charge of Strike Force Annand, the investigation into the murder of Anthony CAWSEY in Centennial Park on 26 September 2009.
4. On 6 October 2015, Detective Senior Constable Julia BRADLEY and I went to Wagga Wagga Police Station to speak with the Accused, Moses KELLIE. Arrangements had been made for the Accused to be brought to Wagga Wagga Police Station from Junee Correctional Centre pursuant to a Section 25 order.
5. Shortly before 10:40am I went to the Custody Room and spoke to the custody manager Senior Constable Peter MOON. I also met and spoke with Gail MANDERSON, an independent person who had agreed to act as a Support Person for the Accused during our interactions with him.

Witness:

Rowena Clancy
Detective Senior Constable
Homicide Squad
15 October 2015

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6. About 10:40am, Detective Senior Constable BRADLEY and I approached the dock and had a conversation with the Accused who was seated inside. This conversation was electronically recorded by Detective BRADLEY. The conversation was as follows:

I said: Moses my name is Detective Senior Constable Melanie STAPLES from the Homicide Squad.

The Accused said: Yeah.

I said: And this is Julia BRADLEY she is also from the Homicide Squad.

Detective BRADLEY said: Hi.

The Accused said: Yeah.

I said: We have asked you to, we've got an order for you to come here today so that we can ask you some further questions regarding an incident that happened in Centennial Park.

The Accused said: Yeah.

I said: My conversation that we are having with you now is being recorded.

The Accused said: Yeah.

I said: I'd like to - you have been brought here to the Custody Manager's Room ---

The Accused said: Yes.

I said: ---and you have been explained your rights.

The Accused said: Yes.

I said: And you have been given the Part 9A and you've had those rights read to you?

The Accused said: Yes.

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I said: OK. Um, Moses I just want to formally tell you that you are under arrest for murder today.

The Accused said: Yes.

I said: What I intend to do is um bring you into the interview room where I will explain what the allegation is ---

The Accused said: Yes.

I said: ---and explain the circumstances to you.

The Accused said: Yes.

I said: Do you understand that?

The Accused said: Yes.

I said: Do you have anything to say at this stage?

The Accused said: No.

I said: Ok, we have a support person here called Gail MANDERSON ---

The Accused said: Yes.

I said: --- who will sit in the room with us during the interview.

The Accused said: Yeah.

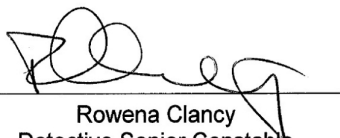
I said: And she will be present - and if you would like to ---

Detective BRADLEY said: Caution.

I said: --- be offered to um, I think you have been offered the opportunity to call a solicitor if you would like to ---

The Accused said: Yes.

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I said: --- and you can do that at any time.

The Accused said: Ok.

I said: I will just formally caution you.

The Accused said: Yes.

I said: You don't have to say or do anything if you don't want to.

The Accused said: Yes.

I said: Do you understand that?

The Accused said: Yes.

I said: And anything you say or do will be recorded and may later be used in court. Do you understand that?

The Accused said: Yes.

I said: Alright what I would like to do Moses is take you into the interview room ---

The Accused said: Yes.

I said: --- and sit you in there. We will start the recording and we will ask you some further questions and explain the situation to you.

The Accused said: Ah ok.

I said: Ok.

The Accused said: Yes.

Detective BRADLEY said: Do you just want to follow me Moses?

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7. We then left the custody area and went into an interview room. The Accused and Ms MANDERSON sat at the end of the table and Detective BRADLEY and I sat on either side of the recording equipment. Prior to commencing the interview I heard Detective BRADLEY explain to the Accused that the interview would be electronically recorded on three DVDs and that he would receive a copy of the interview.
8. At 10:43am, Detective BRADLEY and I commenced an electronically recorded interview with the Accused in the presence of Ms MANDERSON. My questions and any answers the Accused gave to those questions were electronically recorded. The reference number for this interview was R0393327.
9. During the interview, the Accused drew a map which depicted his version of events regarding the robbery. The map showed where the Accused first saw the male; the cafe the Accused went to inside Centennial Park; and the location where the robbery occurred. The Accused signed and dated this diagram.

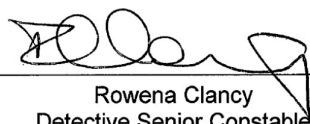
I PRODUCE THE MAP/ DIAGRAM DRAWN BY MOSES KELLIE DURING THE INTERVIEW ON 06/10/2015

10. During the interview, I showed the Accused a number of photographs of knives. These photographs included photographs of the knives located in the drain campsite on 17 October 2009 and a silver knife located in Kensington Pond. There were five photographs in total.

I PRODUCE THE FIVE PHOTOGRAPHS OF KNIVES SHOWN TO MOSES KELLIE DURING THE INTERVIEW ON 06/10/2015

11. During the interview, I showed the Accused a number of photographs taken of the items recovered from the campsite which was discovered on 9 November 2009. This campsite was located within bushes that run adjacent on either side of a drainage gully that drains from Busby's Pond through the drain pipe where Moses Kellie was found to be residing on 17 October 2009. The location is further described as being approximately 50 metres south of the path that runs adjacent to the southern bank of Busby's Pond.

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12. I showed the Accused a total of 16 photographs of items located inside this campsite. These items included a black backpack, bongo drum, DVD, Brut aftershave, newspapers dated 20 September 2009 and 22 September 2009, and two notebooks which contained hand-drawn pictures, notes and the Accused's name. The Accused denied ownership of these items or use of this campsite.

I PRODUCE THE PHOTOGRAPHS OF CAMPSITE LOCATED ON 09/11/2009 - AS SHOWN TO MOSES KELLIE DURING THE INTERVIEW ON 06/10/2015

13. During the course of the interview, I used an aerial photograph of part of Centennial Park to describe various locations to the Accused. The aerial photograph centred around Busby's Pond. As the interview progressed I marked the following locations on the map:

X 'A' = Drain campsite used by Moses KELLIE; located on 17 October 2009

X 'B' = Bush campsite located on 9 November 2009

X 'C' = The position where Anthony CAWSEY's body was located on 26 September 2009

X = Robertson Road Gate

I PRODUCE THE AERIAL PHOTOGRAPH OF CENTENNIAL PARK AS USED DURING THE INTERVIEW WITH MOSES KELLIE ON 06/10/2015

14. At 11:40am, the interview concluded. Detective BRADLEY left the interview room for the purpose of locating an independent officer to adopt the interview. I remained in the interview room with the Accused and Ms MANDERSON. A short time later, Detective BRADLEY returned to the interview room with Leading Senior Constable Simon CARBERRY. Detective BRADLEY and I then left the interview room to allow Leading Senior Constable CARBERRY to speak with the Accused in the presence of Ms MANDERSON.

15. At 11:47am, Detective BRADLEY and I re-entered the interview room and the recording of the interview was concluded.

I PRODUCE A DISC CONTAINING THE ELECTRONICALLY RECORDED INTERVIEW WITH MOSES KELLIE ON 06/10/2015; RECORDING NUMBER R0393327

I PRODUCE A TRANSCRIPT OF THIS INTERVIEW WITH MOSES KELLIE ON 06/10/2015

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16. At the conclusion of the interview, the Accused was taken back to the charge room.

17. I then attended to updating and completing the Facts Sheet for the Accused and to charging him with the murder of Anthony CAWSEY.

I PRODUCE THE COURT ATTENDANCE NOTICE FOR H [REDACTED]

I PRODUCE THE FACTS SHEET FOR H [REDACTED]

18. About 1:15pm, I went with the Accused and Detective BRADLEY from the custody area to the forensic procedure room. The Accused indicated that he would consent to the DNA forensic procedure. The Accused also affirmed that he had read the suspect information sheet in relation to the taking of a DNA sample and that he did not wish to contact a legal representative regarding this procedure.

19. At 1:20pm, I commenced a video recording that recorded Detective BRADLEY and the Accused during the taking of the forensic procedure. The consent process and the taking of the DNA sample, by way of buccal swab, were all electronically recorded. The barcode for the DNA sample was XPS00050083. This process and the recording were concluded at 1:31pm.

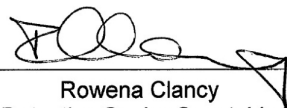
I PRODUCE THE VIDEO RECORDING OF THE TAKING OF THE FORENSIC PROCEDURE

20. At 10:50am on 7 October 2015, Detective Senior Constable BRADLEY and I attended Wagga Wagga Local Court. I made an application for a search warrant before Registrar Martin KANE for records held by Corrective Services NSW in relation to the Accused. The search warrant application was for the premises known as Junee Correctional Centre, 197 Park Lane, Junee. The Registrar granted search warrant 80/15 for these premises.

I PRODUCE SEARCH WARRANT 80/15 (WAGGA WAGGA LOCAL COURT)


21. At 11:55am on 7 October 2015, Detective BRADLEY and I attended Junee Correctional Centre, 197 Park Lane, Junee. At 12:08pm, I executed search warrant 80/15 and served a copy of the Occupier's Notice upon Jason WHITE. Jason WHITE provided us with a printout of the electronic case notes for Moses KELLIE, MIN: [REDACTED] (119 pages in total). Jason WHITE also provided three volumes of Case Management Files for Moses KELLIE. Detective

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BRADLEY and I reviewed the content of these files and made photocopies of certain hardcopy records.

**I PRODUCE THE ELECTRONIC CASE NOTES FOR MOSES KELLIE; AND SELECTED
HARDCOPY RECORDS FROM THE CASE MANAGEMENT FILE FOR MOSES KELLIE**

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