



NSW POLICE FORCE

P190B
Version 4.2 (07/05)

STATEMENT OF POLICE

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In the matter of:	Moses Kellie
Place:	Maroubra Police Station
Date:	07 December 2009

Name:	Peter Bishop	Tel. No:	[REDACTED]
Rank:	Sergeant		
Station/Unit:	Eastern Beaches 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 45 years of age.
3. I am currently attached to Strike Force Annand. Strike Force Annand is a State Crime Command, Homicide Squad led Strike Force formed to investigate the death of Anthony Cawsey in Centennial Park on the 26 September 2009. Strike Force Annand is working out of the Maroubra Police Station.
4. On the 3 October 2009, Strike Force Annand conducted a canvass of Centennial Park between 04:30 am and 06:00 am. Police were situated on Grand Drive adjacent McKay Oval. A Command Post was established there. See attachment A, marked 'CP'.
5. About 05:15 am I walked along the pathway that runs parallel to the southern bank of Busby Pond. I stopped at a point on that path adjacent to the rear McKay playing fields and where the body of Anthony Cawsey was found at 05:56 am on the 29 September 2009.

Witness:

DEBRA BETTS

Signature:

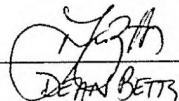
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**Statement of Peter Bishop
In the matter of Moses Kellie**

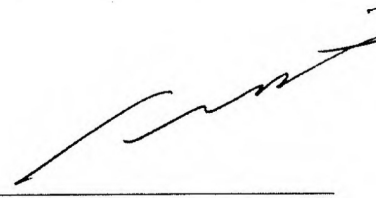
6. Whilst stopped at that location I observed a male who I now know to be Moses Kellie walking west through the trees on the northern perimeter of the rear McKay Playing Fields and just below the path running adjacent the southern shore of Busby Pond. **See attachment A, marked 'DB' (Detective Bishop) & 'MK' (Moses Kellie).**
7. I saw that Kellie was wearing a black hood and a dark coloured jacket, long pants and leather sandals. I approached Kellie and had a conversation with him. **Kellie then accompanied me to the Police Command Post.**
8. At the Command Post I had a conversation with Moses Kellie. Following that Conversation I said to Kellie, "Can you show me where you have been living in the park." He said, "last night I stayed in the shelter because it was raining." He then pointed back towards the McKay playing fields. I said, "Can you show me where you slept last night." Detective Johnson and I then followed Kellie across the McKay and Mission playing fields to the sand stone pavilion situated off Park Drive between Busby Pond and Randwick Pond. **See attachment A, area labelled 'Shelter Pavilion'.**
9. In that Pavilion Kellie indicated a bench in the rear south western corner of the pavilion. There was no property there. I said to Kellie, "Where are your belongings." He said, "This is all I have." Indicating what he was wearing. I said, "Can you take us to where you normally sleep." Detective Johnson and I then followed Kellie back across the Mission and McKay playing fields across Grand Drive to an area marked on the map as 'SW Paddock'. **See attachment A, marked 'SW Paddock'.**
10. There Kellie indicated a large tree, beneath the foliage of that tree I saw a quantity of soiled clothing scattered about, a number of film canisters, various papers and food packaging. The campsite looked as if it had been abandoned for some time with various items covered with fallen vegetation and dirt. To the south west of that tree adjacent a clump of trees Kellie also indicated a wooden park bench placed on top of a wooden board. **See attachment A, area marked 'CS 1' (Camp site 1), 'WB' (Wooden bench) within area labelled on map as SW Paddock.**

Witness:



Dennis Betts

Signature:



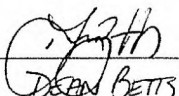
Peter Bishop

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**Statement of Peter Bishop
In the matter of Moses Kellie**

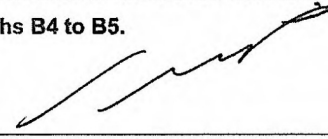
11. Detective Johnson, Kellie and I then returned to the Command Post. There I spoke with Detectives Johnson and Smith. A short time later I saw Kellie leave Centennial Park with Detective's Johnson and Smith.
12. On the 16 October 2009, about 11.00pm whilst off duty I received a telephone call and had a conversation with Detective Sergeant Todd from the Eastern Suburbs Local Area Command.
13. On the 17 October 2009, between 04:30am and 06:30am Strike Force Annand conducted a second canvass this time targeting the major entrances and exits to Centennial Park. Following that Canvass Detectives from Strike Force Annand and Eastern Beaches Detectives commenced searching Centennial Park for Moses Kellie.
14. About 11:00 am on the 17 October 2009, I spoke with Detective Johnson on the unpaved pathway that runs along the southern bank of Busby Pond. Whilst I was speaking with Detective Johnson he indicated a row of foliage on the northern side of the path. That foliage obscured the view of Busby Pond. Coming from within that foliage I could hear what sounded like commercial radio. I also saw a wire extending up into the vegetation. I looked for an entry point through the foliage but could find none. With Detective's Johnson and Lewin I separated some foliage and climbed down a 1.5 meter embankment to the Foreshore of Busby Pond. To my right (east) I saw drain pipe opening into Busby Pond. In front of that drain pipe I saw a large quantity of what appeared to be rubbish including food packaging, bottles and various other items. Sitting in the entrance to the drain pipe was Moses Kellie who was reading a magazine and drinking from a VB bottle of beer. Detective Johnson said, "Moses remember me, I am Scott Johnson from Maroubra Police Station". Kellie said, "Yes" and stood up. Detective Johnson said, "This is Sergeant Bishop." **See attachment A, marked 'BPC' (Busby Pond Campsite). See attachment B, photographs B1 to B3.**
15. I said, "Take him to the top and conduct a search of him." I then saw on the western side of the drain pipe a pair of brown leather sandals and three black handled knives. I then looked into the drain pipe and saw what appeared to be a sleeping bag and a number of back packs." Detective's Johnson & Lewin, Kellie and I climbed back up the embankment to the pathway were Detectives Hicks and Cobby were waiting. I then had a conversation with the other police and Detective Johnson and I erected a crime scene barrier around the foreshore perimeter of the camp site. **See attachment B, photographs B4 to B5.**

Witness: _____



DEAN BETTS

Signature: _____



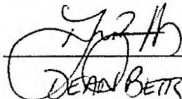
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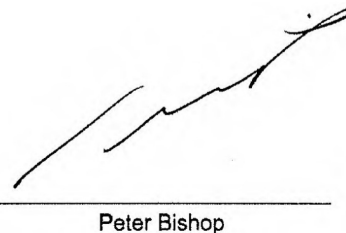
16. Detective Johnson and I then returned to Maroubra Police Station where I obtained a number of items of equipment including a video camera, exhibit bags, gloves and disposable overalls. Detective Johnson and I then returned to Centennial Park.
17. About 12:32pm I had a conversation with Moses Kellie. Following that conversation Moses Kellie, Detectives Lewin, Hicks, Johnson and I went to the men's toilet situated in the Mission Playing fields. There Detectives Lewin and Hicks took possession of Moses Kellie's clothing. Each individual item of clothing was placed in a paper evidence bag and Detective Lewin recorded each item on Property Seizure/Exhibit Form B02261. That conversation and seizure of Kellie's clothing was recorded electronically by Detective Johnson. One of the items of clothing seized was a black zip up jacket. **(Exhibit ref: D794168, Item 1. Property Seizure/Exhibit form B02261, item 1.)**
18. About 1254 pm Detective Johnson and I climbed back down the embankment and assessed the campsite. At that time Detective Johnson electronically recorded the campsite using a digital video camera. Detective Johnson and I then commenced looking through the property. I saw Detective Johnson remove an iphone **(Exhibit ref: D794168 item 10, Property Seizure/Exhibit Form B02661 item 10.)** from a black/blue high sierra brand back pack **(Exhibit ref: D794170 item 9, Property Seizure/Exhibit Form B02663 item 34.)** See **attachment B, photographs B6.** At that point I assessed the campsite to be unhygienic; I also saw that many of the items in the campsite were infested with spiders.
19. Detective Johnson and I climbed back up the embankment and using the police radio I requested assistance from the Police Rescue Squad and Crime Scene Unit.
20. I then walked over to Moses Kellie and said, "Is that your iphone that was in the back pack?" He said, "Yes, it's no good it's blocked." I said, "Where did you get it from?" He said, "The op shop." I said, "What op shop." He said, "Bondi Junction". I said, "Which one?" He said, "The op shop in Bondi Junction." I then handed the iphone to Detective Lewin.

Witness:



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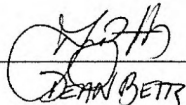
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In the matter of Moses Kellie**

21. About 12.30 pm Detectives Leggat and Frame arrived at the scene.
22. A short time later Sergeant Ryan from the Sydney Crime Scene Unit attended the scene I had a discussion with him and showed him the campsite. Sergeant Ryan then took a number of photographs of the campsite. **Some of those photographs are attached to this statement as attachments B & E.** Those photographs depict what I saw at the campsite and refer to in this statement.
23. About 1:45pm Senior Constables Benton and Waring from the Police Rescue Unit arrived. Senior Constables Benton and Waring used machetes to cut an entry point through the foliage. They also supplied heavy duty rubber gloves and assisted in removing the items from the campsite to the grass area where the exhibits were assessed, packaged and recorded.
24. After assessing the campsite and determining that it was unhygienic and infested with spiders the following procedure was adopted. All items from the campsite (with the exception of rubbish) were removed and handed up the embankment and placed on the grass area abutting the embankment. That area had been roped off with crime scene tape. There Detective Sergeant Leggat and I assessed each item. All items were removed from the Campsite, assessed packaged and recorded between 14:00 pm and 4:17pm.
25. The items to be seized were then handed to Detective Lewin who took possession of them. Detective Lewin with the assistance of Constable Cobby placed each item into a paper exhibit bag and recorded the item in the Property Seizure/Exhibit Forms B02261, B02262 & B02263. **See attached Property Seizure/Exhibit Forms B02261, B02262 & B02263. Attachment C.**
26. When the search was recommenced about 2pm I saw Detective Johnson removed from the same black /blue high sierra brand back pack as the iphone, the following items. One grey Nokia mobile telephone (**Exhibit ref: D794168 item 10, Property Seizure/Exhibit Form B02661 item 11.**), two white sock containing a quantity of coins and one grey sock containing a quantity of coins. (**Exhibit ref: D794168 item12, D794169 items 1 & 2, Property Seizure/Exhibit Form B02661 item 12, 13 & 14.**)

Witness:


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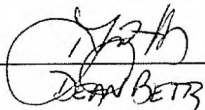

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27. Among the property removed from the campsite and assessed by myself was one black hood (Exhibit ref: D794169 item 4, Property Seizure/Exhibit Form B02662 item 16) and one black hooded jacket with a logo for combined roofing on the front left chest area. (Exhibit ref: D794170 item 8, Property Seizure/Exhibit Form B02663 item 33) The black unattached hood was the same hood as I had seen Kellie wearing on the morning of the 3 October 2009.
28. Also located in the campsite was a News Papers dated 13 October 2009 and 19-20 September 2009. (Exhibit ref: D794171 item 1, Property Seizure/Exhibit Form B02663 item 39)
29. On the 4 November 2009 at Maroubra Police Station with the assistance of Detectives Lewin and Cobby, I photographed the exhibits from the campsite. Each exhibit bag was opened individually; the items were handled with disposable gloves and placed on new brown paper. After each item was photographed and resealed in the exhibit bag, the brown paper and gloves were disposed off. Each item was photographed using this procedure. Attached to this statement are photographs of the following exhibits seized from the campsite.
30. Black zip up jacket seized from Kellie. Referred to in paragraph 17. (Exhibit ref: D794168, Item1. Property Seizure/Exhibit form B02261, item 1.) **See attachment D1.**
31. Black/blue high sierra brand back pack. Referred to in paragraph 18. (Exhibit ref: D794170 item 9, Property Seizure/Exhibit Form B02663 item 34.) **See attachment D2.**
32. Black hood referred to in paragraph 27. (Exhibit ref: D794169 item 4, Property Seizure/Exhibit Form B02662 item 16) **See attachment D3.**
33. Black hooded jacket with a logo for combined roofing on the front left chest area. Referred to in paragraph 27. (Exhibit ref: D794170 item 8, Property Seizure/Exhibit Form B02663 item 33) **See attachment D4.**

Witness:


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Signature:

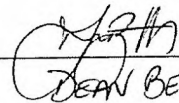

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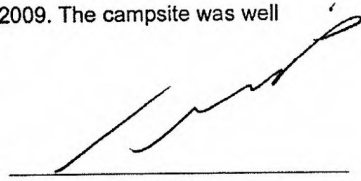
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In the matter of Moses Kellie**

34. Sergeant Ryan from the Crime Scene Unit took a number of photographs of the campsite. Those photographs depict what I saw at the campsite and refer to in this statement. Some of those photographs are attached to this statement as **attachment E**.
35. News Papers dated 13 October 2009 and 19-20 September 2009. Referred to in paragraph 28. (Exhibit ref: D794171 item 1, Property Seizure/Exhibit Form B02663 item 39) See **attachment E1 to E3**.
36. On the 2 November 2009 the iphone (**Exhibit ref: D794168 item 10, Property Seizure/Exhibit Form B02661 item 10.**) was examined at Pemulwuy by Officers from the State Electronic Evidence Branch. That examination was conducted under the supervision of a Crime Scene Officer to preserve any forensic evidence. That examination extracted the imei number 011809005031928 from the iphone. That imei number was searched on the police COPS computer system using an object search. That object search revealed that the iphone was taken during a robbery with wounding in Lang Road Centennial Park at 2.30 am on the 11 October 2009. Police Event E38998219 relates.
37. Enquires were initiated through the New South Wales Police Operational Information Agency in relation to SIM card number 3409509075397 removed from the Nokia phone (**Exhibit ref: D794168 item 10, Property Seizure/Exhibit Form B02661 item 11.**). A reply was received on the 16 November 2009 from Optus. That reply indicated that the SIM card was registered to phone number 0423673208 subscribed by Moses Kellie, born 05/04/1985 of 20 Fletcher Street, Marrickville NSW 2204. Date of connection 11/10/2009.
38. A person search of the Police Computer System COPS shows that the last known residential address for Moses Kellie was 20 Fletcher Street, Marrickville NSW.
39. On the 09/11/2009 Detective's Bishop, Lewin and Cobby conducted a search of the south western corner of Centennial Park. The search focused on areas of thick vegetation and areas that may provide shelter to Moses Kellie. A campsite was found in the bushes that separate the McKay playing fields and the Mission fields. The bushes also run adjacent on either side of a drainage gully that drains from the Busby pond through the drain pipe in which Moses Kellie was found to be residing on the 17/10/2009. The campsite was well hidden and not visible. See **attachment A, marked 'CS2'**

Witness:


DEAN BETTS

Signature:


Peter Bishop

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40. The campsite was video recorded by Det Lewin and photographs were taken by Detective Cobby. All items were photographed and a number of exhibits were taken. The items seized included a Carribee back pack, newspapers dated in period 19-22/09/2009. Also located were a number of sketch pads with Moses Kellie's name written in them.

41. At no time on the 3 October 2009 did Moses Kellie mention or indicated to me the Busby Pond campsite or the McKay/Mission Fields campsite.

42. On the 16 November 2009, I had a Conversation with Detective Senior Constable Davis from the Surry Hills Local Area Command at Maroubra Police Station.

Witness: _____

[Handwritten Signature]
DEAN BETTS
D.C. S/CS
21/12/2009

Signature: _____

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Peter Bishop

Witness: _____

Signature: _____

Peter Bishop