



NSW POLICE FORCE

P190A

Version 4.2 (07/05)

## STATEMENT OF A WITNESS

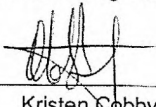
<b>In the matter of:</b>	Centennial Park Homicide
<b>Place:</b>	Eastern Beaches Local Area Command
<b>Date:</b>	28 October 2009

<b>Name:</b>	Mark Kay
--------------	----------

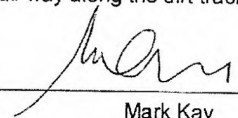
### STATES:

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 49 years of age.
3. Over the past five years I have lived in the suburbs surrounding Centennial Park. I travel a lot, but when I'm home in Sydney, I walk through Centennial Park at least once, sometimes twice a day. I walk my dog through the park between the hours of 6 and 7 in the morning and between 3 and 3:30pm in the afternoon.
4. I enter the park through the gates at the intersection of Moore Park Road and Oxford Street. I pretty much always walk the same path through the park, I walk down along Lang Road, then I walk onto the dirt path that runs along Busby's pond. I walk along that with Busby's pond on my left, I keep walking straight, cross over Parkes Drive and Dicken's Drive, until I reach Grand Drive. I then follow Grand Drive back up to Oxford Street, where I exit the park through the same gates that I entered.
5. On the afternoon on Friday 25<sup>th</sup> September 2009 I went for my walk in Centennial Park as usual. I entered the park around 3.00pm and started my walk down Lang Road and then onto the dirt track that runs along Busby's pond. Approximately half way along the dirt track I noticed

Witness: \_\_\_\_\_

  
 Kristen Cobby  
 Plain Clothes Constable  
 Maroubra Detectives  
 28<sup>th</sup> October 2009

Signature: \_\_\_\_\_

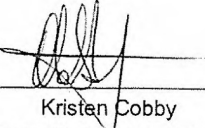
  
 Mark Kay  
 28<sup>th</sup> October 2009

**Statement of Mark Kay**  
**In the matter of Centennial Park Homicide**

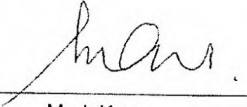
a man emerge from the densely bushed area that was on my right. He was about 30 metres away from me when I first noticed him. (I have marked on a map of Centennial Park an "A" which indicates where I was when I first saw this man and a "B" where the man was when I first saw him emerge from the bushes). He continued to walk towards my general direction. At first I thought it was one of the regular homeless men that I often see in the park, but as he came closer, I realised that it was a man that I'd never seen in the park before.

6. This man caught and held my attention because it was a very hot day that day and this man was wearing long black trousers and a zipped up dark silver or black hooded jacket and he had the hood pulled up over his head. As he came closer I saw that he had dark brown complexion and appeared to have Indonesian or Malay facial features. By this I mean his eyes were more oval then slanted. He looked as though he would be around 30 years of age and appeared to be around the same height as me, which is around 6ft 1" tall. He was an average build, not skinny and not stocky.
7. He continued to walk towards me and when he was about 15 metres away, he made eye contact with me. He was looking at me very intensely and did not look away. I maintained eye contact for a few seconds, before looking away. I kept walking and when I looked up at him, he continued to stare at me. I looked away and looked back three or four eyes and each time I looked back he continued to look at me. This made me feel uncomfortable and also even made me concerned for an elderly lady that was walking a small dog behind me. I didn't see this as normal behaviour to stare at somebody like that who you don't know and the man came across to me as being aggressive. I watched him walk towards the path behind me and he continued to walk alongside the path in the opposite direction to me. After a short time I lost sight of him and I continued on my walk.
8. The next morning I arrived at Centennial Park around 7am to go on my usual walk. I entered the park, walked down Lang Road, but as I went to walk onto the dirt path that runs along Busby's Pond I saw that it was all blocked off by Police tape and there were Police Officers everywhere. I went around the blocked off area and cut through the fields. As I walked along parallel to the dirt path, I could see police officers up on the path and a short distance away

Witness: \_\_\_\_\_

  
 Kristen Cobby  
 Plain Clothes Constable  
 Maroubra Detectives  
 28<sup>th</sup> October 2009

Signature: \_\_\_\_\_


  
 Mark Kay  
 28<sup>th</sup> October 2009

**Statement of Mark Kay**  
**In the matter of Centennial Park Homicide**

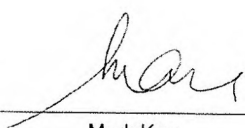
from them I could see, what appeared to me to be a body lying on the dirt path. I continued my walk through the park and went back home.

9. During the day I started thinking about the strange man that I had seen the day before in nearly the exact same spot, as the Police had sealed off that morning and I wondered if it was related. That afternoon about 3.30pm I returned to Centennial Park again for my walk. I walked down Lang Road and when I got the part that was blocked off I approached a Police Officer and told him about the strange male that I had seen the day before in the park. The Police Officer took my contact details down and told me that the police would be in touch with me at a later stage.
10. On the 29<sup>th</sup> September 2009 I received a phone call from a Detective at Maroubra, asking me to attend the station to provide a statement, but I was overseas in California. He told me that he would be in contact with me when I returned back to Australia.
11. On the 28<sup>th</sup> October 2009 I received a phone call from Kristen Cobby from Maroubra Detectives, who requested me to attend Maroubra Police Station. I attended there about 2.00pm that day, where I provided this statement.

Witness: \_\_\_\_\_

  
 Kristen Cobby  
 Plain Clothes Constable  
 Maroubra Detectives  
 28<sup>th</sup> October 2009

Signature: \_\_\_\_\_

  
 Mark Kay  
 28<sup>th</sup> October 2009

Page 3 of 3