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## New South Wales Police

STATEMENT in matter of: KIRK PHILLIPS -  
CHARGED - MURDER.

Place: Redfern Police Station.  
Date: 06 May, 1992.

Name: YANNAKIS Richard Anthony  
Address: Redfern Detectives Office.  
Occupation: Detective Constable First Class.

Tel. No: [REDACTED]  
Tel. No: [REDACTED]

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a witness.
2. The statement is true to the best of my knowledge and belief and I made it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
- 3 I am 28 years of age.
4. About 10.00am on Saturday, 11 January, 1992, with Plainclothes Constable BULLOCK and other Police I attended the corner of Eveleigh Street and Holden Street at Redfern. There I saw a two storey derelict house at that intersection. I then attended to a number of inquiries at that location. During the course of these inquiries I was handed a "TOOHEYS DRAUGHT" beer bottle and a "TELEGRAPH MIRROR" newspaper by Constable First Class VAN LEEUWEN. A short time later, I returned to Redfern Police Station and handed these items to Constable VAN DER HOEK.
5. On Monday, 13 January, 1992, at Redfern Police Station, I spoke with Mr.

Witness: [Signature]Signature: [Signature]

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Robert McPherson MALCOLM. With him and Plainclothes Constable BULLOCK, I attended the Royal Prince Alfred Hospital, Intensive Care Unit, where Mr. MALCOLM entered a room where a male person was laying. He then told me something. We then returned to Redfern Police Station and I obtained a statement form him.

6. On Tuesday, 21 January, 1992, with Plainclothes Constable BULLOCK I attended Royal Prince Alfred Hospital and spoke with Doctor Mark DEXTER. I then obtained a Sexual Assault Kit, No. 5956. I then attended the Crime Scene Unit at the Sydney Police Centre and handed same to Crime Scene Unit Police. I then returned to Redfern Police Station.

7. About 9.20am on Wednesday, 06 May, 1992, I saw Constable First Class HIRSCH with the defendant, Kirk PHILLIPS in the Detectives Office at Redfern Police Station. I then had a short conversation with Constable HIRSCH and Constable TREVILLION.


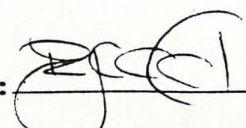
8. A short time later, Detective Senior Constable THOMAS, Plainclothes Constable TREVILLION and myself entered the interview room where the defendant was seated. I then said to the defendant,

"Kirk, I am Detective YANNAKIS. This is Detective THOMAS and Constable TREVILLION. I am making inquiries in relation to the assault of a man named Robert MALCOLM on the 10th of January this year at Redfern in which he subsequently died as a result of that assault. Do you understand that?"

He said,

"Yeah."

I then said,

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"I propose to ask you a number of questions in relation to this matter in the form of a record of interview. Do you understand that?"

He said,

"Yeah."

I then said,

"Are you prepared to take part in an electronically recorded record of interview?"

He said,

"Yeah."

I then said,

"The whole of this interview will be recorded electronically using video and audio cassette tapes. At the conclusion of the electronically recorded record of interview you will be given a copy of the audio tape. Do you understand that?"

He said,

"Yeah."

I then said,

You are not obliged to say anything unless you wish to do so, but whatever you say will be electronically recorded and may be used in evidence. Do you understand that?"

He said,

"Yeah."

9. Constable TREVILLION then left the room and returned a short time later with three audio tapes and one video tape. The tapes were then placed into the interview machine. The machine was then activated by Constable TREVILLION.

10. I then asked the defendant a number of questions. Those questions, together with the defendant's answers to those questions were recorded electronically.

Witness: BM9000

Signature: [Signature]

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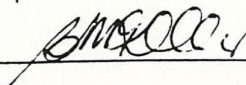

11. A short time later the interview was suspended and Constable TREVILLION left the room and returned a short time later with Sergeant CORLISS and the defendant's father, Richard BLAIR. Constable TREVILLION then re-activated the interview machine and I introduced the defendant to Sergeant CORLISS. I then left the interview room.

12. A short time later Sergeant CORLISS came out from the interview room and I had a short conversation with him. I then re-entered the interview room and removed the tapes from the machine. The defendant was then given his copy of the audio tape. I then sealed the video and audio tapes together in the presence of the defendant and his father and the defendant signed his name on the seal.

E X H I B I T I PRODUCE THE VIDEO AND AUDIO CASSETTE TAPES

13. During my interview with the defendant, I showed him a copy of his two page statement made at Redfern Police Station on 11 January, 1992.

E X H I B I T I PRODUCE THAT STATEMENT

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14. I then handed the defendant a sheet of paper and a pen and I said to him,  
"During the interview, you said you wanted to make a written  
statement. I want you to understand that you are not obliged to make  
any statement unless you wish to do so, but whatever statement you  
make may be used in evidence. Do you understand that?"

The defendant said,

"I've changed my mind. I don't wanna make a statement now."

I then said,

"Well the choice is yours."

He said,

"No I don't want to now."

15. A short time later the defendant was conveyed to the Sydney Police Centre  
and charged.

Witness: 

Signature: 

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

Signature: 