

New South Wales Police

STATEMENT in matter of:
 Murder of Robert Hart MALCOLM on
 11/01/92.

Place: Redfern Police Station
 Date: 10 June, 1992

Name: Michael William KANE

Address: C/- Redfern Police Station

Tel. No: [REDACTED]

Occupation: Plain Clothes Constable of Police

Tel. No:

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 23 years of age.
4. About 9.30am on Tuesday 9 June, 1992 with Detective Constable STARR I was in Darlinghurst Road, KINGS CROSS. At this time I saw a person known to me as Richard John GREEN standing outside the Cosmopolitan Coffee Lounge in Darlinghurst Road.
5. Detective STARR and I approached GREEN and showed our police identification badges. Detective STARR said,
 " Come, here. What's your name?"
 He said,
 " Richard John GREEN."

Witness: _____

J. J. Phillips
 Detective Sergeant

Signature: _____

M. W. Kane

P190A.

Page No: 2

STATEMENT (continued) in matter of: Murder of Robert Hart MALCOLM on
11/01/92. Name: Michael William KANE

Detective STARR then spoke to GREEN in relation to another matter. Detective STARR and I then conveyed GREEN to the Redfern Police Station.

6. On our ^{for passengers, in rear on own.} way back to Redfern Police Station Detective STARR said to GREEN,

" Where are you living?"

He said,

" With my missus at Petersham. I helped you blokes out over that assault."

Detective STARR said,

" Which assault?"

He said,

" Doesn't matter. I've had people put guns to my head 'cause I saw Kirk do it, [REDACTED]. Hang on, I couldn't see Kirk do it 'cause I wasn't there."

Detective STARR said,

" I believe you are talking about the death of Robert MALCOLM. You are not obliged to say anything further about this matter unless you wish to do so, but whatever you say I will record and it may later used as evidence. Do you understand that?"

He said,

" Mate, Yeah. I mean I organised the ambulance."

Detective STARR said,

" What assault are you referring to?"

He said,

" The one in Eveleigh Street. The dead bloke they locked two blokes up for."

Witness: _____

[Signature]
Detective Sergeant

Signature: _____

[Signature]

P190A.

Page No: 3

STATEMENT (continued) in matter of: Murder of Robert Hart MALCOLM on
11/01/92. Name: Michael William KANE

7. On arrival at the police station GREEN was taken to an interview room within the Detectives Office.

8. Detective STARR said,

" Do you wish to part take in an electronic record of interview about the murder of a person called Robert MALCOLM at Redfern on the 11th of January, 1992. You are not obliged to say anything unless you wish to do so, but whatever you do say will be recorded electronically and may be later used as evidence. Do you understand that?"

He said,

" No. For what. Next time I see something like that I fucking walk away."

Detective STARR said,

" Do you wish to read the notes I made of our conversation earlier?"

He said,

" Yeah."

Detective STARR then handed his official police notebook, No. F82352, to GREEN and he appeared to read the entry.

9. Detective STARR said to GREEN,

" Are they a correct record of our conversation?"

He said,

" No and I'm not signing nothing. Where's Mr. PEAKY. Your not the detective involved with it. Have youse got him."

Detective STARR said,

" Who?"

Witness: _____

[Signature]
Detective Sergeant

Signature: _____

[Signature]

P190A.

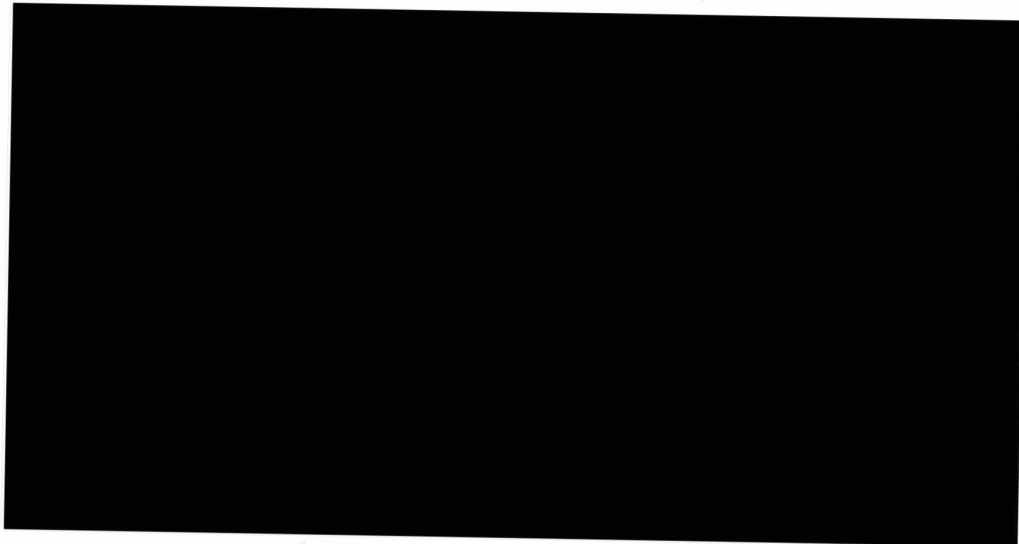
Page No: 4

STATEMENT (continued) in matter of: Murder of Robert Hart MALCOLM on
11/01/92. Name: Michael William KANE

He said,

" Got Kirk. How can I give evidence against
someone. If I seen this happening I'd pull it
up."

Detective STARR said,



Detective STARR said,

" What did you mean by saying earlier that people
put guns to your head?"

He said,

" They pointed em at me."

Detective STARR said,

" Who pointed the guns at you?"

He said,

" Don't worry I've got witnesses. I'd like a
solicitor now. That's it."

Detective STARR said,

" O.K. , I'll arrange for you to contact a
solicitor. Do you have a solicitor you'd like
to contact?"

He said,

" No, don't worry."

Detective STARR said,

Witness: _____

A. J. Phillips
Detective Sergeant

Signature: _____

[Handwritten Signature]

P190A.

Page No: 5

STATEMENT (continued) in matter of: Murder of Robert Hart MALCOLM on
11/01/92. Name: Michael William KANE

" I'll have a sergeant come in and read these
notes to you. Do you understand that?"

He said,

" Yeah."

Detective STARR said,

" Do you want a copy of these notes?"

He said,

" No."

Detective STARR said,

" Any reason why you don't want a copy?"

He said,

" No, I don't want fucking more of this."

Detective STARR said,

" Do you wish to read these notes?"

He said,

" Yes."

10. Detective STARR handed to GREEN his official police
notebook, No.F82352, and he appeared to read the entry.

Detective STARR said,

" Are they a correct record of our
conversation?"

He

said,

" Yeah."

Detective STARR said,

" Do you wish to sign these notes as to their
being a correct record of our conversation?"

He said,

" Mate, Yeah. They are boss. I just want to
get it all over with, the truth mate, tell the
truth."

Detective STARR handed to GREEN his official police
notebook, No.F82352 and he signed each page of the

Witness: _____

M. J. Phillips
Detective Sergeant

Signature: _____

M. W. Kane

STATEMENT (continued) in matter of: Murder of Robert Hart MALCOLM on
11/01/92. Name: Michael William KANE

entry. Detective STARR then left the room with the notebook. A short time later returned to the room with Sergeant MAHONY. Detective STARR said,

" This is Sergeant MAHONY."

Detective STARR handed his police notebook to Sergeant MAHONY and Detective STARR and I left the room.

11. A short time later Sergeant MAHONY left the room and handed back Detective STARR's notebook and a one page document to Detective STARR. I saw Sergeant MAHONY had signed Detective STARR's notebook and the one page document. Detective STARR and I returned to the room and Detective STARR had a conversation with GREEN about another matter. Detective STARR said to GREEN,

" I may want to speak to you later about the death of Robert MALCOLM. Do you understand that?"

He said,

" Yes."

Detective STARR said,

" I'll copy these notes for you."

He said,

" If you want. Otherwise don't worry."

Detective STARR then made a complete copy of the entry and handed it to GREEN.

12. Detective STARR and I then conveyed Richard GREEN to the Sydney Police Station in relation to another matter.

Witness:

J. J. Phillips
Detective Sergeant

Signature:

M. W. Kane