



QUEENSLAND POLICE SERVICE  
STATEMENT OF WITNESS



QP 0125  
01/06  
08

Occurrence #: \_\_\_\_\_

Statement no.: 1 Date: 21/05/2012

Statement of

Name of witness: ASH, Kieron

Date of birth: \_\_\_\_\_ Age: \_\_\_\_\_ Occupation: Police Officer

Police officer taking statement

Name of police officer: ASH, Kieron

Rank: Constable Reg. no.: 24880

Region/Command/Division: Metropolitan North Station: Indooroopilly

Statement:

Kieron ASH :

1. I am a Constable of Police currently stationed at Indooroopilly Station.
2. I recall Friday the 20<sup>th</sup> of April 2012. I was rostered to work a 6am to 2pm shift, in a car crew with Constable Leah HAMMOND our call sign was M466.
3. At 7.30am we were tasked a job from Police communications via the radio to attend the address of 593 Brookfield Road Brookfield in relation to a reported missing person.
4. Constable Leah HAMMOND and I arrived at the address at 8.00am. As we drove up the drive way I observed a female person walking three children down the front stairs and putting them into a vehicle parked in the driveway. There was an older model silver Holden Statesman parked directly in front of the house facing down the driveway, a white Toyota Prado was parked across the driveway and a silver Holden Captiva was reversed parked under a carport at the left of the house. There was also a blue sedan parked at the end of the drive facing the house and I parked our police vehicle behind this sedan.
5. At this time there was male person standing at the top of the stairs, this male person then walked over to our Police vehicle and introduced himself to us. He said that his name was Gerard BADEN-CLAY and that he was the one who called Police to report his wife as missing. He told us that his wife's name was Allison BADEN-CLAY.


(Witness's signature)

(Justice of the Peace (Qual.)/  
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: ASH, Kieron

6. Gerard then said that the other female person with the children was his sister, as he had called her and asked her to take his children to school. Gerard then asked me to move our police vehicle to allow his sister to drive the children to school in the blue sedan. Soon after his sister drove out of the driveway with the three children in the blue sedan.
7. I now know this female person to be Olivia Walton.
8. Another male person appeared from inside the house and also walked to over to the where we were standing in the driveway and immediately put his arm around Gerard shoulders. Gerard then introduced this person as his father. I said hello to this person, then asked Gerard if it was ok if we spoke to him in private. Gerard said "Yes" then asked his father to go back and wait in side the house. His father then left and walked back inside the house.
9. I now know this male person to be Nigel BADEN-CLAY.
10. At this time I observed then Gerard was dressed in business attire with a tie and cuff links. I also observed that Gerard had several large scratches running down the right hand side of his face, starting at his cheek and then went along his jaw line and continuing down onto his neck area.
11. I then had a conversation with Gerard, were I asked him about the details of why his thought his wife Allison was missing. Gerard told Police that his wife Allison goes for a walk each morning around a few of the neighbouring streets for approximately 2klms, but wasn't sure how long it took her as he said sometimes she stops for a rest. Gerard said that he last saw his wife at 10pm the night be for just prior to him going to bed, sitting on the their lounge watching the "Footy Show" on television. I asked Gerard if he knew what time Allison got up that morning to go for her walk, he said the he was unsure as Allison some times slept on the couch or in another room.
12. I then asked Gerard if every thing was ok between him and Allison? Gerard then said "Look there is something I should tell you". He then explained and that he had recently admitted to having and affair with another female. Gerard said "because I have had an affair things aren't great between Allison and I and we have been seeing a marriage councillor, but she no longer trusts me". Gerard then asked me to kept this information confidential stating that his father and sister did not know about the affair.




(Witness's signature)

(Justice of the Peace (Qual.)/  
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: ASH, Kieron

13. I then asked Gerard how he came to get the scratches on his face and he said " I cut him myself shaving this morning as I was in a hurry, trying to get the girls ready etc".
14. Gerard then told Police how he had concerns for Allison when she didn't return home on time after taking her walk. I asked Gerard who long Allison normally took to take her walk, Gerard said he didn't know but thought she would have been back by now as she had a conference to attend in the City with a work colleague.
15. Gerard then told Police that he had been out searching for Allison in her car the silver Holden Captiva, that was reversed parked in under the carport. Gerard said that he had driven around a few of the local streets that Allison normally walked along. He said that he couldn't find her and had to return home to get his daughters up, give them breakfast and get the ready for school, as well as get himself ready by having a "Shit, Shower and Shave".
16. Gerard also said that his sister had been out looking for Allison as well by driving up and down the local streets where Allison may have walked, but she too didn't find Allison.
17. I asked Gerard if he had definitely taken the Holden Captiva to search for Allison and then when he got home he reversed it around the Toyota Prado and back underneath the carport. Gerard said that he did and that it was easy for him to reverse around the Prado.
18. I then asked Gerard, if he, Constable HAMMOND and my self could go inside his house in order to get the details required to take a missing persons report. Gerard then walked us in side his house and sat down at the dinning table. Constable HAMMOND then had a conversation with Gerard asking him questions to complete the missing persons report.
19. While Constable HAMMOND had a conversation with Gerard, I observed Gerard's body language when answering questions. I noticed that when Gerard was asked questions about himself he would hold his head up straight and make direct eye contact and when asked questions about his wife Allison he would look down at the floor or table and fidget with his hands. Gerard appeared very confident about him self but agitated when having to answer questions about Allison.
20. After a few minutes of listening to the conversation between Gerard and Constable HAMMOND I interrupted and asked Gerard if I could have a quick look through his house. He said "sure that's fine".


  
(Witness's signature)

(Justice of the Peace (Qual.)/  
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(Police officer's signature)

CONTINUED STATEMENT OF: ASH, Kieron

21. I checked then main bedroom and ensuite as well as the main bathroom, I could not see any evidence of tissues, towels or blood that was consistent with Gerard previously stating that the scratches on his face was a shaving cut he had received that morning.
22. I then returned to the dining table with Gerard and Constable HAMMOND, I then asked Gerard what belongings he thought Allison may have taken with her and what clothes she may have been wearing. He said that Allison had left her belongings behind except for her mobile phone and that she was probably wearing a grey T'shirt and grey gym shorts with runners. Gerard then walked over to the entrance of the main bedroom and picked up a handbag that he said was Allison's. He then brought that handbag over to the dinning table and emptied out some of the contents stating that he of her belongings was still in the hand bag.
23. I then returned to the dining table with Gerard and Constable HAMMOND, I then asked Gerard what belongings he thought Allison may have taken with her and what clothes she may have been wearing. He said that Allison had left her belongings behind except for her mobile phone and that she was probably wearing a grey T'shirt and grey gym shorts with runners. Gerard then walked over to the entrance of the main bedroom and picked up a handbag that he said was Allison's. He then brought that handbag over to the dinning table and emptied out some of the contents stating that he of her belongings was still in the hand bag.
24. I then informed Constable HAMMOND that I was going out side to get something out of the car. I then walked outside the house and stood beside our Police vehicle. Once outside I called the Brisbane West Duty Officer who at the time was Senior Sergeant Narelle CURTIS. I informed her of the address that we where at and the details of Allison's disappearance as described to Police so far, by Gerard. During this conversation I also informed Senior Sergeant Narelle CURTIS that I was uncomfortable with the version that Gerard had given us so far and asked her if she could attend the address. Senior Sergeant Narelle CURTIS told me that she would leave as soon as possible and that she would be bringing Sergeant Jackson with her.

  
(Witness's signature)(Justice of the Peace (Qual.)/  
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: ASH, Kieron

25. I then waited for Senior Sergeant Narelle CURTIS and Sergeant JACKSON to arrive, they arrived at approximately 8.45am. I observed Senior Sergeant Narelle CURTIS and Sergeant JACKSON introduce them selves to Gerard and walk in side the house and sat down with Gerard at the dining table.
26. Sergeant JACKSON produced a digital recorder and informed Gerard that he would be recording their conversation. Senior Sergeant Narelle CURTIS and Sergeant Jackson then had a conversation with Gerard, as I sat and observed. A few minutes later Allison's mobile phone was discussed and I asked Gerard if I could go outside and search his two vehicle's parked outside in the driveway for Allison's mobile phone, the two vehicles being the silver Holden Captiva and the white Toyota Prado.
27. I then walked outside and search both vehicles but did not located Allison's mobile phone. In the silver Holden Captiva, I did locate in the dash board a empty box of medication prescribed to Allison, I placed this box on the front bonnet of the vehicle.
28. Shortly after Gerard's sister Olivia WALTON arrived back at the address after having taken the children to school. She went upstairs into the house, but quickly returned back downstairs. I asked her what the girls had been told this morning, she said "that Gerard told the girls shortly after 6am that mummy had gone for a walk and probably fell down a hole wand would not be back" she then asked "is that's ok".
29. Whilst still standing outside and at the bottom of the stairs, Gerard's father Nigel BADEN-CLAY then came down stairs and went underneath the house and came back out with a vacuum cleaner and a green garden hose and began to load these items into the rear boot of the Holden statesman. The Gerard also came downstairs and told me that he had arranged for his father to give him a hand doing some odd real estate jobs today and needed the hose vacuum cleaner.
30. Sergeant JACKSON then appeared at the top of the stairs and informed me that he did not want any one else to leave the premises and not to allow Nigel BADEN-CLAY to continue putting things in the Holden Statesman. Sergeant JACKSON then called out to Nigel BADEN-CLAY and told him that he didn't want any one to leave and not to move any more items from the house. Sergeant JACKSON then returned back inside the house.

  
(Witness's signature)

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CONTINUED STATEMENT OF: ASH, Kieron

- 31. Senior Sergeant Narelle CURTIS then came outside and walked down stairs to where I was standing, her and I then had conversation. During this conversation Senior Sergeant Narelle CURTIS informed me that she would be taking over the investigation.
- 32. The rest of my involvement with this matter on this day, was recorded on the crime scene running logs entered for this day.
- 33. I have had further involvement in this matter by assisting in the missing persons search for Allison BADEN-CLAY, of the Brookfield area on various other days. I have also been requested by Sergeant JACKSON to man the crime scene and speak with members of the public on other shifts that I have worked.

**Kieron ASH Justices Act Acknowledgement**

**Justices Act 1886**

I acknowledge by virtue of section 110A(5)(c)(ii) of the Justices Act 1886 that:

- (1) This written statement by me dated 21/05/2012 and contained in the pages numbered 1 to 6 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

.....Signature  
 Signed at 10:26 am this 21<sup>st</sup> day of May 2012.

.....  
 (Witness's signature)

(Justice of the Peace (Qual.)/  
 Commissioner for Declarations's signature)

.....  
 (Police officer's signature)