

Queensland Police Service  
Court Brief (General)

Defendant: BADEN-CLAY, GERARD ROBERT

Case file Id: CO1200093170

**Charge(s)**

**Total no. charges for defendant: 2**

Charge 1 of 2 // [CC] 302&305 Murder

That on or about the 19th day of April 2012 at BRISBANE in the State of Queensland one GERARD ROBERT BADEN-CLAY murdered ALLISON JUNE BADEN-CLAY

*and further*

Charge 2 of 2 // [CC] 236(b) Misconduct with corpse by interfering

That on or about the 19th day of April 2012 at BRISBANE in the State of Queensland one GERARD ROBERT BADEN-CLAY IMPROPERLY INTERFERED WITH A DEAD HUMAN BODY

**The facts in relation to this matter are as follows:**

**Facts of the charge 1 of 2**

The victim in this matter Allison June BADEN-CLAY is a 43 year old mother of three young girls. The defendant now before the court, Gerard Robert BADEN-CLAY is her husband.

The deceased was last seen by independent witnesses leaving a hairdressing appointment at about 6.30pm on Thursday 19 April 2012. According to the defendant he last saw the victim watching television at their home address, 593 Brookfield Road Brookfield, at about 10pm that evening as he went to bed. According to his version he awoke at about 6am on Friday 20 April 2012 to find her not home and assumed she had gone for a morning walk.

At about 7.15am on the morning of Friday 20 April 2012 the victim was reported missing to police by the defendant. A Missing Person investigation code named Operation Kilo Intrigue commenced that morning. As a result of the ongoing investigations including witness and forensic evidence, the defendant now before the court became a person of interest.

At about 11.00am on 30 April 2012 the victim's body was located under a bridge over the Kholo Creek on Mount Crosby Road Anstead.

It will be alleged that the victim was murdered during the late evening of Thursday 19 April 2012 or early morning of Friday 20 April 2012 at the family home or elsewhere by her husband, the defendant. It will be further alleged that the victim's body was disposed of by the defendant at the bridge location where it was found on or about Friday 20 April 2012.

Investigations have identified significant evidence implicating the defendant in the murder of his wife. This includes inconsistencies in versions provided to police and other witnesses and forensic examinations of the defendant's mobile phone including records indicating internet searches for topics related to self incrimination at relevant times.

When first spoken to by police, the defendant was observed to have significant scratches to his left cheek. Expert opinion is that the injuries are inconsistent with razor cuts as stated by the defendant and consistent with fingernail scratches. Other injuries were also observed.

Forensic examinations of the defendant's Holden Captiva has identified blood in the rear seat which has been identified as belonging to the deceased. By his own admission, the defendant was driving this vehicle on the morning of 20 April 2012.

Extensive financial investigations reveal that the defendant is in a dire financial position with debts of over \$1,000,000. A significant amount of this debt was immediately due by 30 June 2012. The defendant stands to gain a significant amount of money from life insurance policies for the deceased. Investigations indicate recent inquiries regarding these accounts made by the defendant prior to the disappearance of his wife.

On Wednesday 13 August 2012 the defendant was located at Toowong Village Shopping Centre by detectives. He was arrested for murder and conveyed to the Indooroopilly Police Station. He refused to take part in a formal record of interview and was transported to the Brisbane City Watchhouse and charged.

**Evidence - [where available at time of commencement of proceedings]**

**E.R.O.I.:**  
Nil EROI

**Physical Items:**  
Many exhibits have been seized by police.

**Certificates/Orders:**  
Available at time of FBOE.

**Documents:**  
Full list available at time of FBOE.

**Photographs/Video:**

**Witnesses - [where known at time of commencement of proceedings]**

**Category:**  
Statements have been taken from in excess of 300 witnesses.

**Facts of the charge 2 of 2**

**Property**

Charge 1 of 2: Total value: \$0.00

Charge 2 of 2: Total value: \$0.00

Restitution/compensation sought: \$0.00

Details:

**Forfeiture/pecuniary penalty order sought:** No      **Previous history:** No history

**Antecedents:** The defendant GERARD ROBERT BADEN-CLAY is a male, 41 years of age, currently residing at 593 BROOKFIELD RD, BROOKFIELD, QLD 4069.

**Employment:**

Queensland Police Service  
Court Brief (General)

Defendant: BADEN-CLAY, GERARD ROBERT

Case file Id: CO1200093170

Defendant

Name: BADEN-CLAY, GERARD ROBERT

Place of birth: BOURNEMOUTH

Date of birth: 09/09/1970

Occupation:

Address: 593 BROOKFIELD RD



Suburb/town:	BROOKFIELD	State:	QLD	Postcode:	4069
Photo no.:	2012000042328	Build:	Proportionate	Hair:	Brown
Gender:	Male	Height (cm):	180cm	Work phone:	
Marital status:		Self-defined ethnicity:	(Non Indigenous)	Home phone:	0732665088
			Complexion:	Light/fair	Mobile phone:
					0400456100

License: Number: 029952453  
State: QLD

Victim:

Family name:	BADEN-CLAY	Given name(s):	ALLISON JUNE
Date of birth:	[REDACTED]	Gender:	Female
Person ID#:	[REDACTED]		
Occupation:	[REDACTED]		
Address:	[REDACTED]		
Suburb/town:	[REDACTED]	State:	[REDACTED] Postcode: 4069
Home phone:	[REDACTED]	Work phone:	[REDACTED] Mobile phone: [REDACTED]
Mailing address:	[REDACTED]		

Action officer: I certify that the facts as outlined in this court brief are a true and accurate summary of all of the facts concerning this investigation as presently known to me.

_____	C. A.	MCLEOD	#4013544	_____	13/06/2012
(Rank)	(Initials)	(Family name)	(Reg. no.)	(Signature)	(Date)

Brief checker: (a) The facts outlined in this form QP 9 substantiate each element of the charge referred. Yes  No

(b) This form QP 9 has been completed in accordance with QPS requirements. Yes  No

_____	_____	_____	_____	_____	_____
(Rank)	(Initials)	(Family name)	(Reg. no.)	(Signature)	(Date)



## Queensland Police Service Charge List

BRISBANE MAGISTRATES COURT (ROMA STREET) at COURT - BRISBANE MAGISTRATES COURT, BRISBANE CITY, QLD 4000

First Appearance: 14/06/2012 09:00

District: BRISBANE

Division: CENTRAL

### Details of Person

Surname: BADEN-CLAY

Given Name(s): GERARD ROBERT

Address: 593 BROOKFIELD RD, BROOKFIELD, QLD 4069

Date of Birth: 09/09/1970 Place of Birth: BOURNEMOUTH

Gender: MALE

Indigenous: (NON INDIGENOUS)

Date Charged: 13/06/2012 17:59

### Details of Charge

#### Charge 1 of 2

Bench Charge Sheet reference: 1201843819

Criminal Code (CC) - [CC] 302&305 Murder

That on or about the 19th day of April 2012 at BRISBANE in the State of Queensland one GERARD ROBERT BADEN-CLAY murdered ALLISON JUNE BADEN-CLAY

AND FURTHER

Address of offence: 593 BROOKFIELD RD, BROOKFIELD, QLD 4069

Occurrence no.: QP1200378191

QPS Reference: Senior Constable C. MCLEOD, 4013544, INDOOROOPIILLY CIB

### Details of Charge

#### Charge 2 of 2

Bench Charge Sheet reference: 1201843878

Criminal Code (CC) - [CC] 236(b) Misconduct with corpse by interfering

That on or about the 19th day of April 2012 at BRISBANE in the State of Queensland one GERARD ROBERT BADEN-CLAY IMPROPERLY INTERFERED WITH A DEAD HUMAN BODY

Address of offence: CREEK - KHOLO CREEK, MOUNT CROSBY, QLD 4306

Occurrence no.: QP1200378191

QPS Reference: Senior Constable C. MCLEOD, 4013544, INDOOROOPIILLY CIB



QUEENSLAND POLICE SERVICE  
OBJECTION TO BAIL AFFIDAVIT



In the Supreme Court held at Queensland

Detective Senior Constable Cameron Andrew McLEOD

-v-

Gerard Robert BADEN-CLAY

I, **Detective Senior Constable Cameron Andrew McLEOD** of **Indooroopilly Criminal Investigation Branch, Brisbane**

in the State of Queensland, police officer, make oath and say as follows:

- I am the investigating officer in respect of the charges alleged against the within named defendant.
- All the facts, allegations and other matters referred to within the Annexure(s) marked with the letter 'A' attached to this affidavit are true and correct to the best of my knowledge and belief.

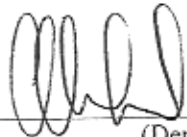
AFFIDAVIT


of  
**Detective Senior Constable Cameron Andrew McLEOD**

Sworn by the above named deponent at Brisbane  
(Place)

aforsaid this 19th day of June, 2012  
(Date) (Month) (Year)

Director of  
Public  
Prosecutions,  
Brisbane

  
(Deponent)

  
(Justice of the Peace)





**QUEENSLAND POLICE SERVICE**  
**OBJECTION TO BAIL AFFIDAVIT ANNEXURE**



**A**

**Instructions:**

1. Original to be attached to court brief (QP 9) for information of prosecutor when objection to bail is warranted
2. Copy to station file.
3. Copy to Director of Prosecutions without delay, by fax (fax no. 07 3220 0035) or personally.
4. Forms to be sworn.

**Investigating police officer's details**

Family name: MCLEOD Given name(s): Cameron Andrew  
 Rank: Det Sen Con Reg. no.: 13544 Police station: Indooroopilly CIB  
 Contact phone no.: 33779433

**Defendant's details**

Family name: BADEN-CLAY Given name(s): Gerard Robert  
 Date of birth: 09/09/1970  
 Usual address: 593 Brookfield Road  
 Suburb/Town: BROOKFIELD State: QLD Postcode: 4069  
 Occupation: Real Estate Agent

Has previous criminal history? ..... Yes  No  (If Yes, attach copy.)

Statute, section and short title of offence(s):

**Criminal Code Sec 302+305 Murder**  
**Criminal Code Sec 236 Misconduct with Regard to Corpses**

**Note: Attach copies of all Bench Charge Sheets**

**PART 1 Indictable offences alleged to have been committed whilst on bail/used a firearm, etc.**  
**(Show cause –section 16(3) Bail Act 1980)**

- (a) Has an offence been committed against the *Bail Act*? ..... Yes  No
- (b) Is the defendant alleged to have committed the indictable offence(s) whilst on bail for any other indictable offence(s)? ..... Yes  No
- (If YES, answer all remaining questions; if NO, answer question (e) only)
- (c) What was the previous indictable offence for which the defendant was granted bail?
- (d) What was the date and court in which bail was granted for the previous offence?
- (e) Was a firearm, offensive weapon or explosive substance used, or threatened to be used, in the commission of the offence with which the defendant is charged? ..... Yes  No

**PART 2 Summary of facts—Unacceptable risk if released on bail**  
**Section 16(1) and 16(2) of the Bail Act**

- (a) If released, in your opinion, would the defendant:

- (i) fail to appear and surrender? ..... Yes  No
- (ii) commit an offence? ..... Yes  No
- (iii) endanger the safety and welfare of the public? ..... Yes  No
- (iv) interfere with witnesses or otherwise? ..... Yes  No
- (v) obstruct the course of justice in relation to  
himself/herself or another person? ..... Yes  No
- (b) In your opinion, should the defendant remain in custody  
for his/her own protection or welfare? ..... Yes  No

**Provide facts to substantiate the marked boxes. Include details of the following relevant particulars:**

- (i) the nature and seriousness of the offence(s);
- (ii) the character, antecedents, associations, home environment, employment, background and place of residence of the defendant;
- (iii) the history of previous grants of bail to the defendant;
- (iv) (if applicable) evidence additional to the court brief implicating the defendant.

(Note: section (iv) is of importance. Unless it appears there is a strong crown case, bail may well be granted. As far as you can, list the evidence available to prove each element of the offence(s) charged. FACTS, not opinions, are essential here.)

**The defendant in this matter is charged with the murder of his wife, Allison Baden-Clay ("the deceased") and interfering with her corpse by disposing of her remains in Kholo Creek, near Karana Downs.**

The defendant is a 41 year old male person who resides at a rental property at Brookfield. He currently resides there with his three young daughters. Prior to her death, the deceased also resided at the Brookfield address with him and their daughters. The defendant is currently self-employed as a Real Estate Agent in the Western Suburbs of Brisbane.

There have been no previous grants of bail to the defendant.

On the morning of Friday, 20 April 2012, the defendant reported his wife missing to police.

The defendant stated to police that he last saw his wife at 10pm on Thursday 19th April 2012 and woke at 6:15am the next day to find her missing. On 20 April 2012 at 7:15am, the defendant called '000' and reported the deceased as missing.

Uniform police officers attended the defendant's home address at about 8.00am that morning. Police observed that the defendant had what appeared to be a number of severe scratch marks on his face. The defendant volunteered to police, almost immediately that he had cut himself shaving. Uniform police were concerned about the defendant's comments and appearance. CIB detectives were called to attend.

The defendant initially spoke to police on 20 April 2012. This was the only time that the defendant has provided a version of event to police. Other than consenting to a Forensic Procedure Order on 21 April 2012 (see below), the defendant has not otherwise cooperated with police in relation to the investigation. The defendant did not assist in the search for the deceased during the period she was missing and did not attend the Command Centre set up in the Brookfield area.

In the brief version offered by the defendant on 20 April 2012 he stated that he went to sleep in his bedroom at about 10pm on 19 April 2012. The defendant then advised that he was a heavy sleeper and that the deceased was still up watching the "Footy Show" on television. The defendant stated that he woke up at about 6am on 20 April 2012 and observed that his wife was not in the house.

The defendant told police that he did not know if the deceased had slept in the bed with him that night.

The defendant initially told police and other witnesses that it was usual for the deceased to take a morning walk on week days and that he was concerned that morning because the deceased was due to attend a work seminar and had planned to leave the house at 7am. The defendant told his sister Oliva Walton of the deceased's walking route at about 6:30am on 20 April 2012. The defendant told another witness, Elise Nielsen, a long term friend of the deceased, that the deceased normally went for a walk at about 10pm in the evening. The defendant identified two possible walking routes to uniform police, however, three hours later told the deceased's parents that he did not know her walking route. That is, within a few hours the defendant provided four differing accounts about the walking routines undertaken by the deceased. Enquiries with the deceased's parents and close friends indicated that the deceased was not known to walk for exercise and was unlikely to have gone walking late at night. Extensive enquiries were conducted along the suggested walking routes with no persons coming forward having witnessed anyone matching the deceased's description walking at either of these times in this area.

At the time of reporting the deceased missing, the defendant told police that he had had an affair with another woman (Toni McHugh), which the deceased had knowledge of. The defendant said that the affair was no longer occurring and had ended in September 2011. The defendant told police that he and the deceased were attending counselling services and that the counsellor had advised them that they should talk about the infidelity and relationship issues but to limit it to 15 minute blocks at night. They had last seen the counsellor on 16 April 2012. The defendant told police that he and the deceased had had a conversation on the evening of 19 April 2012 but would not tell police the exact topics discussed.

Investigators located a journal kept by the deceased where she had made entries dated 18 April 2012 with a list of questions for the defendant including "how were hotels paid for, did 'she' ever say that she felt bad because the defendant was married, how many people in the office knew, did the defendant regret the whole thing or just being caught?". The journal entry included a hand drawn map of Toni McHugh's home believed to be in the defendant's handwriting. Police believe that this demonstrates that there had been some discussion about the affair between the deceased and the defendant on 18 or 19 April 2012.

The defendant told police that he thought it was out of the ordinary for his wife not to come home and he was not aware of any place or location that she would go. He told police that the deceased suffered from depression but was unlikely to self-harm or commit suicide.

Police subsequently began an investigation into the disappearance of the deceased and declared the home residence of the defendant a crime scene and conducted a forensic examination on the dwelling and the vehicles located at the dwelling.

Police investigations established that the deceased had been planning on attending a real estate conference on the 20 April 2012. Enquiries identified that the deceased had had her hair done at a local Kenmore hairdresser on the afternoon of the 19 April 2012 leaving at 6:30pm. The hairdresser, Monique Waymouth, was interviewed and stated that the deceased was having her hair done as she was attending a real estate conference the next day (20 April 2012). A second hairdresser who was present, Kirsten Woodrow, stated that it was unusual from conversations she had with the deceased about having her hair done for the event, that she would go walking or exercising prior to attending the conference. Both Waymouth and Woodrow stated that they did not see any injuries to the deceased when she was at the hair salon that evening.

On the morning of Saturday, 21 April 2012, the defendant attended a doctor at a Kenmore Medical Practice. At this time the defendant told the treating medical practitioner that he had been



requested by police to attend the doctor and to have his injuries documented. He further requested a copy of his notes, stating that he would give them to police. Police did not request the defendant to do this and were unaware at that stage that the defendant had seen a medical practitioner. Later that day, the defendant attended a second medical practice in Taringa and again had his injuries documented. Medical opinion is that the marks to the defendant's face are unusual and unlikely to have been caused by shaving.

On Saturday 21 April 2012, the defendant, through his solicitor underwent a Forensic Procedure Order in relation to examination of his injuries. The defendant's chest area was examined with police noting a number of scratch like injuries to his torso and neck areas. Police photographed these injuries. The defendant stated that the scratches to his neck were from a caterpillar bite at the school cross country event on 18 April 2012. Police have obtained witness statements that indicate that the defendant commented at the cross country event that he had just removed a caterpillar from his neck and observed a small mark to the defendant's neck.

This examination further revealed a recent injury to his right palm consistent with a scratch with a sharp object. The defendant stated that he had received this injury whilst he was changing a light bulb at a house he was preparing for open house. An employee of the Century 21 business, Jody Meynell, was present at this time and refuted this claim that the injury was sustained during the preparation of the open house.

On Sunday 22 April 2012, police obtained a further Forensic Procedure Order to examine the defendant with the assistance of the Forensic Medical Officer. Immediately prior to attending the police station for examination, the defendant was involved in a single vehicle traffic accident in which his vehicle struck a concrete wall at the Indooroopilly Shopping Centre. The Forensic Crash Unit attended the accident scene. The defendant has not been formally interviewed in relation to the traffic accident. Preliminary opinion by the Forensic Crash Unit indicates that there is no evidence of the defendant's vehicle braking prior to impact with the wall. At the accident scene, the defendant commented to an ambulance officer that he was driving and looked down at his phone and must have hit the wall. The defendant attended the Royal Brisbane Hospital and was examined by the Forensic Medical Officer at that time. Again, medical opinion was that the facial injuries to the defendant were not consistent with shaving cuts and were consistent with scratches.

Police have conducted a forensic analysis of the defendant's mobile phone. This phone is an iPhone with internet access capabilities. An examination of the phone has revealed a number of internet searches on the phone that police believe are relevant to the investigation:

- On 18 April 2012 at 10:08pm, the defendant searched 'taking the Fifth'. This internet search led to results including 'self incrimination'. This search result was then accessed through the Wikipedia website.
- On 20 April 2012 at 7:09am (the day the deceased is reported missing by the defendant) the defendant searched the term "self-incrimination" on the internet.
- On 20 April 2012 at 7:14am, the defendant attempted to access the Queensland Police service homepage (The defendant did not call '000' until 7:15am after conducting all of these searches).
- On 20 April 2012 at 9:34am, the defendant searched for psychiatrists in the Brisbane West area.

Further examination of the defendant's phone revealed that at 8:29pm on the 19 April 2012, the defendant's phone was connected a charger. At 8:45pm, his phone was removed from the charger. On 20 April 2012 at 1:48am, the defendant's phone is again connected to a charger. At 6:18am, the defendant's phone is removed from the charger. Police believe this indicates the defendant was awake at various times through the night inconsistent with his version that he was a heavy sleeper and did not wake until just after 6am.

As part of this investigation, police seized a number of the defendant's motor vehicles. Police have conducted examinations of these vehicles. Examination of the defendant's Holden Captiva vehicle,

revealed an amount of blood on the plastic trim inside the vehicle in the boot area where there was a third row of fold down seats on the driver's side of the vehicle. The quantity of blood was sufficient that there were two runs of blood coming from the contact point to the floor of the vehicle. There was also a blonde hair adhering to the blood stain. This blood has been confirmed as the deceased's blood. Police are still awaiting results from further examination in relation to the blonde hair. At the time of the deceased's disappearance, the Baden-Clay family had only purchased this vehicle new, some eight weeks earlier.

On 30 April 2012, a canoeist on the Brisbane river in the Kholo Creek area saw what he observed to be a deceased person on the eastern bank of the creek. Police attended and retrieved the deceased person from the creek bank. The body was later identified as being the deceased. The defendant was familiar with the area where the deceased was located having been the letting agent for a nearby property for a period of time including being involved with evictions and disputes in relation to the property where police were called. This location is 14 kilometres from the Baden-Clay residence, which is a considerable walking distance from the Baden-Clay residence.

A post-mortem examination was conducted on the deceased. The deceased was found to have suffered a chip to her bottom left eye tooth, however, final results in relation to this examination are still pending. The cause of death is "not yet determined". To date there has been no evidence of natural causes of death with all the vital organs (with exception of the decomposed brain) being normal.

Police have obtained a number of witness statements from Toni McHugh, the woman that the defendant was having the long term affair with. Enquiries have indicated that the defendant had been having extra-marital affairs with at least three women since 2008.

Toni McHugh stated that the defendant was planning to leave the deceased and come to live with her. Toni McHugh stated to police the affair was still ongoing at the time of the deceased's disappearance and the defendant told her that he could not afford a divorce. Toni McHugh stated the defendant told her he would sort out his financial situation and they would be together by 1 July 2012. Toni McHugh stated she was unaware that the defendant was having affairs with other women at the same time. Toni McHugh advised that she was to attend a real estate conference in Brisbane on the morning of 20 April 2012 and she became aware that the deceased was also attending the conference. Toni McHugh stated that she became upset very upset and suggested to the defendant that he tell the deceased that she was attending the conference. She is unaware if the defendant did this.

Investigations have revealed that the defendant has maintained contact with McHugh since the deceased's death and has been utilising a public phone to contact her, nearby his business premises. McHugh told police that the defendant contacted her after the deceased's disappearance and told her that they needed to "lay low". McHugh advised that the defendant would contact her via email using the pseudonym of Bruce Overland.

A forensic examination of the mobile phone and computers utilised by the defendant and McHugh recovered data indicating that they had been involved in an ongoing sexual relationship. One of those recovered emails from Bruce Overland to McHugh dated 03 April 2012 at 5:40pm stated, "I have given you a commitment and I intend to stick to it. I will be separated by 1 July" going on to state his love for McHugh.

Police have obtained a witness statement from a woman who cared for the children on 26 April 2012. One of the children, Sarah, stated that "I am sorry I know I am not allowed to say anything until the debrief at night". The witness had not heard the Baden-Clay children use a term such as "debrief" before.

Investigations have revealed that the defendant is in severe financial difficulties and that he owed in excess of \$1,000,000 to family, friends, associates and financial institutions. Debts include:

- \$275,000 to three friends in 'Gentlemen's agreements';
- \$200,000 to Jocelyn Frost in a contracted agreement which is due for payment by 30 June 2012;
- \$90,000 to Benjamin Bassingthwaigthe in a contracted agreement also due for payment by 30 June 2012;
- \$75,000 to Charles Tarbey, the Chief Executive Officer of Century 21 Australia;
- \$15,000 in outstanding franchise fees to Century 21 Australia;
- \$45,000 credit card debt. The credit card is beyond it's credit limit;
- Guarantor for a \$335,000 mortgage against a property at Paradise Point that is owned by a company, World of Top Step Pty Ltd, (WOTS), which the Australian Securities Investment Commission have both the defendant and the deceased listed as the company directors;
- \$58,000 to his parents that was identified through a financial analysis;

All debts have been confirmed by individual creditors through witness statements with the exception of the debt to the defendant's parents. That debt was identified by financial analysis. The defendant's parents declined to provide a statement in relation to this issue. Through a financial analysis it was found that the defendant and deceased jointly had shares. At this time those shares are in a margin loan account. The total value of those shares was approximately \$135,000. The defendant has drawn \$67,000 out of that margin account.

Enquiries to date have failed to identify any legitimate means of salvaging his debt or finances prior to July 2012 in order to meet his commitment to McHugh without a large influx of funds from these insurance policies.

During the course of the investigation, police have identified that the deceased had two life insurance policies and a superannuation policy. On the 12 April 2012 in the week leading up to the deceased's death, the defendant contacted one insurer, about one of the deceased's policies but was not provided with any information as he was not the policy holder. Call Charge Records indicated that this call was placed from the Century 21 office of which the defendant is the principal. Death benefits and superannuation monies for the deceased total an amount of approximately \$967,000. A further query was made on the 17 April 2012 by the Baden-Clay financial advisor on a life insurance policy of the deceased.

On 30 April 2012, soon after the defendant was advised that a body had been located, the defendant's financial advisor made a further query with one of the deceased's life insurers. On 1 May 2012, prior to a confirmed identification of the deceased, this life insurer was advised by the defendant's financial advisor of a pending claim on that policy. The defendant urgently sought a death certificate to be issued for the deceased. When a certificate was issued, on 21 May 2012, the defendant lodged claims in relation to each of these policies and had further asked that these claims be expedited.

The defendant has no criminal history.

Police believe that there is a strong circumstantial case against the defendant for the murder of his wife.

It is accepted that since the deceased's death, that the defendant is the primary care giver for the three children. However, it is submitted that this is not a relevant consideration given the defendant has been charged with the murder of the deceased. The children are now subject of a Temporary Assessment Order issued under the Child Protection Act 1999 (Qld) and are in the care of the deceased's parents.

Police believe that the defendant is a risk of interfering with witnesses in the investigation including his three children and the woman he has been having a relationship with. Further, many of the witnesses related to the defendant's financial situation, which police believe is the motive for this crime, are persons with whom the defendant would be expected to have direct contact with if released on bail. There is evidence that the children have reported being involved in "debriefs" in relation to the investigation. There is evidence that the defendant is still in telephone contact with Toni McHugh and has told her that they need to 'lay low'.

Police believe that the defendant is a risk of failing to appear in relation to the charges against him. The charge of murder is serious offence for which there is a mandatory sentence of life imprisonment. Furthermore, the defendant is in possession of a passport and has previously resided overseas. Prior to arrest, he resided in rental accommodation.

The defendant is in significant debt in excess of \$1,000,000 including a \$290,000 sum that is payable by 30 June 2012. It is believed that the defendant was reliant on the deceased's life insurance payment to finance some of those debts. Insurance monies will not be payable to the defendant now that he is charged with the deceased's murder. Police believe that this increases the risk of flight by the defendant to avoid facing both the charges against him and facing creditors to which he owes significant sums of money.

The defendant, through emails and other conversations with Toni McHugh, has evinced an intention to commit to a relationship with her and has maintained contact with her since the deceased's disappearance including using pay phones, Voice Over Internet Protocols and "covert" email accounts.

Lawfully intercepted telephone calls on one of the defendant's phone lines supports that the defendant has used his parents to assist him in covertly contacting Toni McHugh on his behalf. The defendant has also faced intense media scrutiny in relation to this matter significantly increasing the pressure upon him to flee the jurisdiction.

Police believe that the defendant should be refused bail in all the circumstances.

I, Cameron Andrew MCLEOD of Indooroopilly CIB, in the State of Queensland, police officer, make oath and say that I am one of the investigating police officers with respect to the matter referred to within the schedule and all the facts and circumstances contained in it are true to the best of my knowledge.

SWORN at Brisbane this 19th day of June, 2012 herein before me.

*[Signature]*  
(Deponent's signature)

*[Signature]*  
(Justice of the Peace)



This and the number of preceding pages numbered one to Seven marked with the letter 'A' referred to in the affidavit of Debtch Senior Constable Cameron Andrew McLeod sworn before me this 19th day of June, 2012.

*[Signature]*  
(Deponent's signature)

*[Signature]*  
JP (Qual)  
of the Peace

