

## THE ARMED ROBBERY OFFENCES:

**Richard Kennedy Committal deps "Safety fears"-Pages 389 L16-392L18. OK and I've leased**

*Numerous vehicles from your lot? --- That's right, yeah. OK, regular customer? ---That's it.*

*From probably October, November, December, January, February,*

*March, monthly, I had vehicles that were leased in your lot? --- That's right.*

*It wasn't just a van? --- Nah. It was - numerous vans? ---That's right.*

*OK, even a Chrysler van? ---A Voyager, seven seater, yeah. That's the one? ---Yeah.*

*Do you recall that - when that was leased? ---Not offhand I don't know.*

*OK, I had it probably about a month or so, six weeks? ---I'm not certain to the exact time but*

*I know you had it a while. OK, do you recall at one time I mentioned to you that I was*

*Actually - stripped the rear seats out and was living in the back of it?---I remember you*

*Saying something like that yeah. OK, all the vehicles I had leased from your car lot, they*

*Always kept clean and returned - I made sure they were vacuumed and looked after?---*

*That's right, I didn't have a problem. Sometimes they probably come back returned cleaner*

*Than when they were when they went out?---That's right, yeah.*

*Did you - also lease Adam Khoury a vehicle? ---I rent that many people vehicles, I couldn't*

*Tell ya the names or anything like that. Do you recall who I'm talking - do you know who I'm*

*Talking about?---Not really nah. **The person that was killed in January February? ---I don't -***

**Yeah I - is that the fellow in North Melbourne? Yes? ---Yeah.**

*OK. Do you ever recall conversations with me that - about this person?*

MS WILLIAMS: What's the relevance of this Your Honour?

ACCUSED: Nah we'll get to that in a sec. HER HONOUR: What is the relevance?

ACCUSED: Because I was concerned for my safety here, and the same person that was responsible is a main suspect in that OK, had me targeted in his scopes too, there was concerns. I was living in a back of a van at one point.

HER HONOUR: I don't think he can answer that though, he can't help you with that.

ACCUSED: Yeah but he - I had conversation that I was concerned for my safety.

HER HONOUR: With him?

ACCUSED: Yes I did, I'm quite sure I had conversations, the same person that was responsible - Had issues OK, that's why I'm paranoid - that's why - this first sign of someone has identified himself to police OK, I'm a bit - how can I say it, "Edgy" - - -

HER HONOUR: All right hold on just one sec, do you ever recall any conversation about Adam Khoury? ---Roughly I do yeah. All right.

ACCUSED: Was it do you recall a conversation that you indicated that when I mentioned that he was dead, that you said that you actually lent - he had a vehicle leased out to you - at The time, leased from your yard at the time?---I know that he was renting a car of us yeah.

OK, and did I also indicate that I would scout the area, what sort of vehicle model it was, and I'd look around and try and find it for you?---Yeah at the time the police were involved as Well, they were looking around as well yeah. Yeah, and I'd say also, I live not far from that Area? --- That's right yeah. I'm staying probably five minutes, two minutes from that death Site? ---Yeah. That I would look around? ---That's right. And all to no avail? ---That's right,

Yeah. OK, and - and he was an associate also of John Higgs? ---I don't know. OK, all right, do You recall that I took my daughter on school holidays over the Christmas break to get away

From the area? ---Yeah (indistinct). Do you know, do you recall that I'd removed her from the Area because I was concerned for her safety? ---Oh I don't know about that. That I decide to Get away and get on the other side of town because it's school holidays? ---Yeah I remember You saying something about that yeah. OK, all right. Did I ever mention to you that I Believed that there was a contract out on my life?

HER HONOUR: Anyway let's stick to the statement.

ACCUSED: Yeah I just, well - that's an important facet, really it is.

HER HONOUR: Well - - -

ACCUSED: I was concerned that's why I moved, I moved my daughter, I moved her - the Mother of the child away, because I was concerned for their safety and then seriously - - -

HER HONOUR: He can't answer that.

ACCUSED: OK all right. Did I ever mention to you that I felt there's a contract out on my life

At the time? ---I can't recall. OK, you're not sure a hundred per cent

--No I'm not sure. Did you ever see me armed at all with weapons? --Yeah. <sup>11</sup>

**Det Scott Poynder evidence Committal Page. - 528 L1-28.** That inter - that application was granted.

You were conveyed back to the St Kilda Road Police Station by myself and other members - - -OK - - -

? - - - - where we then conducted a record of interview - the one about which you're speaking now.

OK. See that's the thing - my memory's very hazy and I have very - I don't have a clear recollection of

it. That's why I wanted to ask you what occurred because it was very patchy and during that

interview did I indicate that I had grave concerns for my safety --Yes, you did. That's why (indistinct)

an individual that has been investigated and charged with a number of violent offences? ---Yes. That

---

<sup>11</sup> Melbourne Magistrates Court Evidence March 2013.

was part of the - the interview that I did with you went for two hours and twenty minutes and during the course of that you did say things along those lines. **OK and I indicated that I was concerned for my safety and those close to me?** ---Yes, you did. **Loretta?** ---Yes. **My daughter?** ---Yes. **OK. Myself?** ---Yes. **OK. That I actually had a - at the time of my arrest - I at the time of his arrest I still had a tracker under his vehicle?** ---You were making discussions about that person and the situation at the time. **OK and did you ever locate a tracker from under his vehicle?** ---A – no we didn't but it - one was recovered from his vehicle. <sup>11</sup>

**Det Scott Poynder evidence Committal Page. - 532 L1- 534 L1.** Emmanuel Alexandrides. Are

*You familiar with this?*---Yes - brief details of that. *OK and they - the police wished to interview me and they had to clear it through you first before they're able to proceed?* ---No,

That's not correct. *That's what you mentioned in the last proceedings, that they had to contact Piranha or something and clear it with.* Do you recollect coming out to see me? ---

The actual fact of it is that the senior constable from a traffic management unit who's the lead investigation in those matters, he's never done a 464B Application. He does very little in the criminal field and he's contacted me for advice because he knows that I've got a relationship with you and I've offered to help him and do an interview with him.

*Did you know where this - today the Emanuel Alexandrides - do you know anything about*

*This person?* ---No. **Do you know if he's been in - to custody before?** ---Yes, he has. OK. **Do**

**You know if he was involved in an incident with me - - MS WILLIAMS: Has this got any**

Relevance, Your Honour, to these matters.

---

<sup>11</sup> Melbourne Magistrates Court Evidence March 2013.

*ACCUSED: Yeah, it is because they're connected. These two men, Your Honour.*

HER HONOUR: Which two? *ACCUSED: Preston and Alexandrides.*

HER HONOUR: But they're not connected with this case.

*ACCUSED: Yes but My concerns were that Alexandrides is living right behind where I am at*

*Kylie's place in Ormond Street. He sees me four occasions, reports me to the police four*

*Occasions, OK, to institute an Apprehended Violence Order, OK. Now I don't whether he's*

*Still in contact with Preston or no.*

HER HONOUR: I'll tell you what. Because this committal is about these offences, let's stick

To the facts in relation to this committal and you can speak to the witness separately about

Those issues. ACCUSED: OK.

HER HONOUR: Because certainly if you're tired as well, we need to get through - -

*ACCUSED: Yes. I understand. I understand. I'm just trying to see - I had a lot of concerns -*

*Grave reservations for my safety,* HER HONOUR: Yes.

*ACCUSED: As come out through this officer, and Dick - Mr Kennedy and I did convey to*

*Him my concerns and that I actually departed - I transferred my - my daughter to a different*

*Location to - - -*

HER HONOUR: Well certainly you discuss that with this witness, or anybody else.

ACCUSED: OK, all right.

HER HONOUR: But, should I say - because we're dealing with this committal let's try and

Stick to the issues here and it may be that you don't - -

*ACCUSED: Yeah, it's complicated - seriously it's a little bit complex - it's not as quite as cut*

*And dried as it is, there's a lot of underlying factors for my concerns.*

HER HONOUR: Yes, yes.

**ACCUSED: And you know, and being armed and stuff like that and maybe engaging in certain activities to make sure that people are safe, you know? And to move them from different locations, because they may have been compromised.**<sup>11</sup>

**Committal Evidence Page 628 L11-25.** ACCUSED: I was just gonna say Your Honour, can I give this,

enter this also as exhibits? HER HONOUR: What is it? **ACCUSED: It's just graphic injuries of the -**

**sustained during a horrific attempt on my life, and causing me to be concerned for my safety.** HER

HONOUR: Yes but we'll address that - we'll address that towards the end of the committal when you

need to decide what you want to do in terms of giving evidence. **ACCUSED: It's the stalking too, it's**

**the same person that is seen, it's connected and it was in the yard - is seen and sees me at the**

**location as identified, OK on four occasions. OK, who's connected to Gavin Preston OK?** HER

HONOUR: All right well - - **ACCUSED: And that's documented too.**<sup>11</sup>

**Mr Holt: Page 68 L12-13 The vast majority of the references, and I will take Your Honour to the key ones.**<sup>21</sup>

SAUL DID NOT TAKE HIS HONOUR TO KEY ISSUES, WAS TOLD THEN NEGATES!

**Page 207 L25 -26 Mr Holt: Your Honour, I'm instructed to seek to tender two sets of photographs,**

**Page 207 L28 -31 Mr Holt: I don't expect there'd be a concession as to weight at all, but I seek to**

**tender them. The first are photo's of Kylie Millers flat. Page 208 L3 -5 Mr Holt: and seek to tender**

**them in the sense that they demonstrate just how exposed Kylie Miller's flat was.**

---

<sup>11</sup> Melbourne Magistrates Court Evidence March 2013.

<sup>11</sup> Melbourne Magistrates Court Evidence March 2013.

<sup>21</sup> Supreme Court of Victoria from dates of 28th -30th May 2014. Before His Honour Justice T. Forrest

**Page 208 L5 - 9 Mr Holt:** Your Honour will see the flat building. It's the first flat on the right up the stairs, if Your Honour looks at those photographs. **This is the building where Mr Alexandrides was seen by Mr Binse as well, Your Honour will recall. Page 208 L10 - 12 His Honour:** Are you content for me to just look at these? I'm concerned that if I receive them as exhibits they may become a public document. I don't think they should be.

**Page 208 L13 Offender:** She's moved.

**Page 208 L14 - His Honour:** Alright, I'll receive them as an exhibit.

**Page 208 L17 # EXHIBIT E – Photographs of Kylie Millers Flat.**

**Page 208 L18 - His Honour:** And that's the first floor, with an exposed veranda. **Page 208 L19**

**Mr Holt:** Yes, **Your Honour.** *Page 208 L20 Offender: Right as you go up the stairs.*

**Page 208 L21**

**Mr Holt:** Right as you go up the stairs, as that indicated. **Page 208 L22 –**

**His Honour:** Yes, alright.<sup>21</sup>.

---

<sup>21</sup> Supreme Court of Victoria from dates of 28th -30th May 2014. Before His Honour Justice T. Forrest