

EXHIBIT BS

STATEMENT in the matter of:
Death of FOLBIGG children

Place: Singleton
Police Station
Date : 19 November 1999

Name: Bernard Michael RYAN
Address: Singleton Police Station Tel. No.: 02 65787499
Occupation: Detective Senior Constable of Police STATES:-

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. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

2. I am 32 years of age.

3. I am the officer in charge of an operation code named 'Open Bay'.

4. On 8 July 1999 New South Wales police commenced to listen to and record communications upon telephone service number 02 65721624.

5. On 16 July 1999, a listening post was established to monitor and record conversations via listening devices installed in premises at 8 Millard Close, Singleton. The devices were activated at 11pm that night and continued until 9.10am on 4 August 1999. During this period conversations were listened to by various police listed on the original warrants. All conversations at the premises were recorded on video master (Long play) cassette tapes. Audio tapes were also used to record particular conversations which were deemed relevant at

Witness: _____


D. Wells
Det Sgt
19.11.99

Signature: _____



STATEMENT (continued) in the matter of: Death of FOLBIGG children
Name: Bernard Michael RYAN

the time. An audio and video log was maintained during the course of the listening device which was utilised by the police performing duty in the listening post.

EXHIBIT: I NOW SEEK TO PRODUCE AUDIO AND VIDEO LOG.

5. About 9am on 13 August 1999 I went to the Telephone Interception Branch in Sydney where I spoke with Senior Constable Craig MURRAY who had been assigned as the case officer at the 'Branch' relating to Operation Open Bay. I then listened to conversations which had been recorded by way of a telephone interception upon telecommunications service number 02 65721624. I listened to a conversation between persons I know as Craig FOLBIGG and Tanya SCHMIDT which took place at 5.55pm on 26 July 1999.

EXHIBIT: I NOW SEEK TO PRODUCE TRANSCRIPT AT0001.

6. I also listened to a conversation between persons I know as Craig FOLBIGG and Carol NEWITT (Craig's sister) which took place at 7.12pm on 26 July 1999.

EXHIBIT: I NOW SEEK TO PRODUCE TRANSCRIPT AT0002.

7. I also listened to a conversation between an unknown female and Craig FOLBIGG which took place at 7.38pm on 26 July 1999.

EXHIBIT: I NOW SEEK TO PRODUCE TRANSCRIPT AT0003.

8. About 1pm on 24 September 1999, I went to the New South Wales Police State Technical Investigation Branch in Sydney and spoke with Senior Constable Van Dyk who handed me master video

Witness: _____

Signature: _____

STATEMENT (continued) in the matter of: Death of FOLBIGG children
Name: Bernard Michael RYAN

tapes L26, L30, L32, B28, B30, B42 and B70. Certain recordings on these master tapes had been enhanced and then recorded on two compact discs. Senior Constable Van Dyk also handed me two compact discs marked Operation Open Bay STIB 99/0910.

EXHIBIT: I NOW SEEK TO PRODUCE CD 1 OF 2 (5 TRACKS)

EXHIBIT: I NOW SEEK TO PRODUCE CD 2 OF 2 (4 TRACKS)

9. About 6.40pm on 8 October 1999, I took the two compact discs (99/0910) to AAD Media Group situated at 23 Elvidge Crescent, Kotara South where I handed them to Mr Bob CARRUTHERS for further enhancement.

10. About 11am on 11 November 1999, I went to AAD Media Group where Mr CARRUTHERS returned the two compact discs to me. He also handed me another two compact discs containing the same recordings which had been further enhanced.

EXHIBIT: I NOW SEEK TO PRODUCE DISC 1 OF 2 - AAD MEDIA GROUP

EXHIBIT: I NOW SEEK TO PRODUCE DISC 2 OF 2 - AAD MEDIA GROUP.

11. During the course of the listening device I listened to the conversations of both Kathy and Craig FOLBIGG. In addition, I have spoken to both of these people on many occasions and I am familiar with their voices.

12. Between 15 November 1999 and 19 November 1999 I examined various recorded conversations of both Kathy and Craig FOLBIGG obtained via the listening devices. As a result, I completed the following transcriptions:

Witness: _____




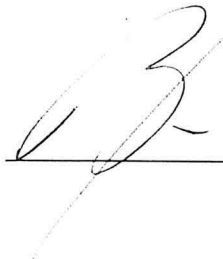
Signature: _____



STATEMENT (continued) in the matter of: Death of FOLBIGG children
Name: Bernard Michael RYAN

- (a) Transcription 1 - master tape L26
- track 1 on CD 1 of 2
- (b) Transcription 2 - master tape B28
- track 3 on CD 1 of 2
- (c) Transcription 3 - master tape L30
- track 4 on CD 1 of 2
- (d) Transcription 4 - master tape B30
- (e) Transcription 5 - master tape B30
- track 1 and 2 on CD 2 of 2.
- (f) Transcription 6 - master tape L40
- (g) Transcription 7 - master tape L46

Witness:  _____

Signature:  _____