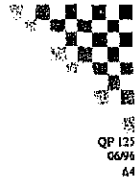




QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Statement No.:		Date:	15/10/2004
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Statement of:


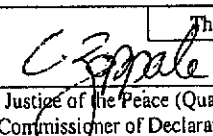

Name of witness:	Stanislaw Adam KIELBASKA	Date of birth:	10/12/1954	Age:	49
Occupation:	Director				

Police officer taking statement:

Name of police officer:	K J GEHRINGER	Rank:	DSC	Reg. No.:	10581
Region/ Command/ Division:	Northern	Station:	Townsville CIB		

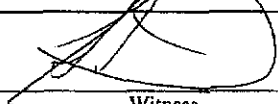
Stanislaw Adam KIELBASKA states:

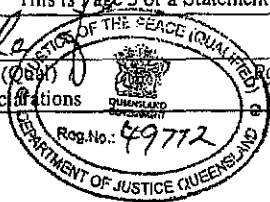
- I am a male person 49 years of age and reside at lot 42 Kuranda Crescent Kuranda. My contact details are w) 07 40938870 m) 0418777551.
- In October 2003 I was the General Manager of Mike Ball Dive Expeditions PTY LTD. On Wednesday the 22nd of October 2003 Craig STEPHEN the Operations manager came into my office and told me certain things (that there had been an incident on the Spoilsport which was moored at the Yongala dive site. He told me that a female person had had a diving accident and was deceased).
- I then arranged to fly down to Townsville from Cairns with Craig and we arrived a short time after the Spoilsport had arrived back in Townsville. Upon arrival I went directly to the boat and spoke to the crew and passengers that were present.
- At about 11pm I left the boat and went to the Townsville Police Station. Whilst at the Station I met Gabe WATSON. I offered him my condolences and informed him that we had arranged accommodation and that Craig would share a room with him to assist in any way possible. I did not speak to him about what had happened at all that night.
- I am aware that Gabe and Craig Stayed in one room at the Holiday Inn in Townsville and I also stayed in another room.

This is Page 1 of a Statement comprising 3 Page(s).	
 Witness	 Justice of the Peace (Qual) Commissioner of Declarations
 Police Officer Reg. No. 49772	

CONTINUED STATEMENT OF: Stanislaw Adam KIELBASKA

6. I had made arrangements to have breakfast with Craig and Gabe the following morning however the next day only Craig came down for breakfast and he told me Gabe was in the room on the phone and had told him he wasn't hungry.
7. Craig and I then had some breakfast and when we had finished we both went back to the room where Gabe was. When we got to the room Gabe was on the phone, I believe he was talking to the US Consulate.
8. I stayed in the room for about half an hour while he was on the phone. When he had finished I asked him if there was any more we could do and informed him Craig could stay with him until 1pm when a counsellor would be attending that I had arranged. I also informed him that I had spoken to the insurer's and they had told me that they would cover the cost of having Tina flown back to the States. From there I went to the airport and returned to Cairns.
9. During this time I made hand written notes in a work pad I had. I have provided Police with a signed copy of those notes.
10. **I AM ABLE TO PRODUCE A COPY OF THOSE NOTES.**
11. On the 27th of October 2003 I received a phone call from Col Mc KENZIE the president of Dive QUEENSLAND and also a partner in SSI, Scuba Schools International. He told me certain things (that he had received a compliant from a dive shop, in the USA who had certified Tina and that they had informed him Tina should not have been allowed to dive the Yongala without a guide).
12. On the 29th of October 2003 I received another call from Col Mc KENZIE who told me certain things (that he had heard from his business partner in SSI who had further heard from the dive shop in the USA that during Tina's training she had had significant difficulties and had to repeat some of her training dives. Also that she had been very

	This is Page 3 of a Statement comprising 3 Page(s).	
	Witness	Justice of the Peace (Qual) Commissioner of Declarations Police Officer



CONTINUED STATEMENT OF: Stanislaw Adam KIELBASKA

nervous and did not want to do the course and was pressured into doing it by her partner Gabe).

13. At the time I received those conversations with McKENZIE I made hand written notes in my work pad. I have provided Police with a signed copy of those notes.

14. **I AM ABLE TO PRODUCE A COPY OF THOSE NOTES.**

15. On the 12 of November 2003 I was forwarded an e-mail from an employee Laura WATERS who is the manager of our USA reservation desk. The email was originally from John and Tina GRAVES who were passengers on the trip when Tina had died. The e-mail contained concerns Tina GRAVES had in relation to conversations she had had with Gabe after the diving incident in which Tina WATSON had died.

16. I have provided Police with a copy of that forwarded e-mail.

17. **I AM ABLE TO PRODUCE THAT E-MAIL**

18. On the 15th of October 2004 after receiving a call from Detective Sergeant Gary CAMPBELL of the Townsville CIB I attended the Cairns Police Station and provide tis statement.

OATHS ACT 1867 (DECLARATION)

I Stanislaw Adam KIELBASKA do solemnly and sincerely declare that:

- (1) This written statement by me dated 15/10/2003 and contained in pages numbered 1 to 3 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 I know to be false.

and I make this solemn declaration conscientiously believing the same to be true and virtue of the provisions of the Oaths Act 1867

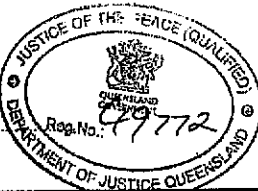
.....Signature

Taken and declared before me at Cairns

This 15th day of October 2004

Witness

C. Zappale
Justice of the Peace /
Commissioner of Declarations
Other (Please State)



This is Page 3 of a Statement comprising 3 Page(s).

Witness

C. Zappale
Justice of the Peace (Qual)
Commissioner of Declarations

