



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Occurrence #: _____

Statement no.: _____ Date: 26/04/2007

Statement of

Name of witness: KAYTON, Melinda Higgins

Date of birth: 17/01/1978 Age: 29 Occupation: Teacher

Police officer taking statement

Name of police officer: KNOWLES, Scott William

Rank: Det Sen Sgt Reg. no.: 6932

Region/Command/Division: State Crime Operations Command Station: Homicide Investigation Group

Statement:

Melinda Higgins KAYTON states:

I am a married woman, 29 years of age, and I reside at 23 Eddings Lane, Alabaster. My home phone number is 205 663 8653 and cell is 205 901 7811. I am currently employed as a teacher however I am currently on leave.

I have known Tina since 1996 or 1997 just after she moved to Alabama. I met her through work and also the fact that we were going to college together. We were good friends. I would describe Tina as very outgoing and bubbly. She was very sweet. We had a lot in common.

I didn't meet Gabe until they were engaged. We were always setting up things to go out bowling and things like that but something would always crop up and we wouldn't get there. In the end I never met Gabe until they were engaged. I found Gabe to be quiet and reserved. Not as outgoing or vocal as Tina but as they say opposites attract.

I'm not too sure when it was that she told me, whether it was before or after the engagement but Tina told me that she was learning scuba diving. She seemed to be very excited about learning it. She would tell

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

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(Police officer's signature)

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me when she was going to the diving school and things like that. She never told me about any problems that she had, if she had any.

Tina also told me that she was going to Australia for her honeymoon and she was excited about going diving on the Great Barrier Reef.

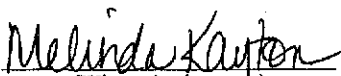
The relationship between Tina and her mum was a difficult one. Her mother did not approve of any of her boyfriends and things like that. Tina was previously engaged to Scott McCulloch however this engagement was broken off by Tina. Her mother did not approve of the relationship but that was not the sole reason that Tina broke it off. Tina dated someone in between Scott and Gabe but I never met him. I remember that he had red hair and attended the wedding. After this person she started dating Gabe. I know that her mother did not approve of this relationship either and would put a strain on any relationship she had.

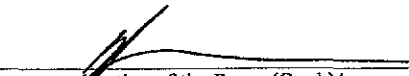
I was a bridesmaid at Tina's wedding. The night before the wedding there was some problems between Gabe and Tina's mother. It occurred during the rehearsal and her mother stormed out of the rehearsal.

After they had left on their honeymoon I later got a message via my husband that Don Lambert, the owner of the pharmacy that we had both worked at, that Tina had had an accident and that she had drowned in Australia. I went over to her mother's house and she was telling us about something going wrong and that Gabe's face mask had been knocked off and she had struggled and had drowned. He was trying to grab her and that she was floating away.

I know that I was told later that this wasn't the case. I think that this also came from Cindy either directly or through someone else. I have heard a number of different versions of what happened but I don't know what exactly happened because I wasn't there.

I know that Gabe returned home and the next time I saw him was at the viewing. I spoke briefly with him at that time but nothing about what happened. I had heard that when he was flying back I had heard that he had to land in New Zealand because his ears had been bothering him. I asked him at the funeral how


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his ears were and he said he didn't know what I was talking about. He later said 'yeah yeah yeah they're fine when he realised what I was talking about.

I remember that at the viewing I started thinking that some things were unusual. I remember that Gabe's mother took me to the casket because I wasn't sure if I could do it. I remember that while I was there Gabe's mother was making a big song and dance about how it was important for Gabe that Tina be buried with her wedding and engagement rings and she just kept going on about it. I think that it was unusual that she kept going on about it.

At the funeral I remember that neighbour of the families had anything to do with each other. I remember just as the curtains were closing that I saw Gabe with Tina's casket and I remember that he put a piece of paper into the casket. I think it was an envelope but I'm not sure.

From the funeral I went to the burial. I remember that Tina's dad walked beside the horse and carriage while Gabe drove to the burial in a car. I remember at the burial that someone was handing out flyer to say that they were having a get together that night and to bring our photos and things like that and that we would have a get together and remember Tina.

I went that night and I showed up with all my little things from Tina. There weren't a whole lot of friends from Tina there; they were mostly Gabe's friends. They were having drinks and eating nibbles.

I was asking Gabe things about the trip and he was telling me about things he had done and he and his mother had done after Tina had died. He didn't really mention anything that Tina and he had done. He did have a lot of photographs of things in Australia. I remember thinking that a lot of the photographs were taken after Tina had died when he and his mum went somewhere. I remember that there was one photograph of Tina standing near a sign saying do not get into the water for fear of drowning or something like that. I remember thinking that that was a weird photo to put in there in that it foreshadowed what was going to happen.

The video of the holiday was then taken out. I remember someone saying that it ma be a little weird to watch. There were two videos. The first one was everything up to when Tina had died with the second

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video of everything after. I remember on the first video Tina was on the video packing her bag. I remember that Gabe was walking up to her filming and he made a comment something like "Smile in case you drown and don't come back" or something like that. He also filmed a plaque at the aquarium which spoke about the number of shark attacks in Australia. It was just some of the things on the video that we thought were too weird.

Once that finished I was pretty upset about the video and he was going to show a second video of all the things that he and his mum had done. I didn't want to stay for that video and my husband and I just left the party. It had been a very long and stressful day. It just seemed more like a party that night not anything to remember Tina.

The only thing that Gabe has told me was that Tina had panicked and knocked his mask off. That he remembers Tina floating away and he was looking into her eyes and that he would always have to remember that. There was nothing he could do.

I have not spoken with him since that day but at Christmas time that year he sent me a Christmas Card. I thought that this was unusual because it had a wedding picture on the outside and on the inside he wrote something like "Guess who the good looking one is. Get in touch with me in the New Year and we will get together and look at pictures." I didn't get into contact with him.

I have not had any other dealings with Gabe since that time.

Melinda Kayton

M. H. KAYTON

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