# 10.40am: The Gap police station officer-in-charge Sgt Gregory Matthies told the court he helped to set up the Brookfield Showgrounds as a command post on April 21, 2012.

He said Baden-Clay spoke to the accused at the Brookfield Showgrounds and the conversation was recorded on his digital recorder.

On the recording, Baden-Clay was heard to say "sh\*thouse" when the officer asked him how he was feeling.

He told Sgt Matthies his wife was on the couch watching the footy show the night before she went missing.

"I woke up just after 6 and she wasn't there, that's not unusual," he said, adding that he thought she'd gone for a walk.

Baden-Clay said his wife was going to a conference and was "really excited about it" on the day she went missing.

He said his wife told her she wanted to leave about 7am.

"I got up and started doing my usual routine, had a shave, a bit after 6am, and I checked my emails, and then I was a bit surprised Sarah wasn't up because our middle daughter is always up at the sparrows, so I went in and she was awake in her room but not up," he said.

He said he started shaving after that and was running about when he cut himself.

"I asked Sarah to help me put a Band-Aid on it," he said.

Baden-Clay said it would usually take his wife 45 minutes to get ready in the morning and he sent her a text at 6.20am.

"Good morning, hope you slept well, where are you? None of the girls are up yet," he read the text message out to the officer.

He told the officer one of his daughters suggested her phone was on silent when he texted her again at 6.41am.

"I was getting concerned, 'where are you, the app doesn't say either'...," he said.

Baden-Clay described to Sgt Matthies the two different routes his wife would usually walk along, adding "she wasn't a runner".

"We hardly ever do Boscombe Rd because it's so steep and it just goes up and up and up and up, it's possible but it's unlikely," he said.

He said one of them was always in the house.

"I started to get concerned and I rang my parents and they live at Kenmore," he said.

"My dad and my sister, my sister is down from Townsville, they both came down straight away and my sister started searching."

Baden-Clay said his father came to the house to look after the kids and he was dressed and "ready to go by that stage".

He told the officer he drove around Brookfield to look for his wife.

"I was just checking everywhere," he said.

"Yesterday morning, if I were to have a bet, I would have said she would have done Gold Creek (Rd) to the school to get out and be quick back," he said.

He said they were going on a family holiday in a couple of weeks with friends and his wife was hoping to lose some weight because "she wanted to look good for that annual holiday".

Baden-Clay said his wife would usually take her phone with her on her walks.

"She's been predominantly up, we've had our ups and downs, she's predominantly up at present," he said of his wife's mood.

"I've been through that a fair bit already, we have had our challenges and we are working through them, including financial challenges with the business and that sort of thing."

He said his wife's best friend was Kerry-Anne Walker, who lived at Bardon.

Baden-Clay said his wife had never talked about self-harming.

"She has had a history of depression and that sort of thing but that's pretty well managed by her medication and that sort of thing but it never lead to her being..."

His voice was heard to trail of in the recording as he told police his wife loved their children.

The officer started to tell Baden-Clay he had been told there were some marital issues in the relationship.

Baden-Clay was heard to lean in and ask him to "keep it down" a bit.

"The children had their school cross country on Thursday so they were all tuckered out, so that's probably why there were still sleeping," he said.

"They don't train for it or anything."

Sgt Matthies thanks Baden-Clay for speaking with him.

"These types of searches are really difficult because you really don't have a defined starting time," he said.

Baden-Clay tells him his wife was wearing grey three-quarter length pants and a similar top.

"The day before, or maybe Wednesday, she wore a 'sloppy Joe' because it's a bit cool at 5.30am," he said.

He said he wanted to go looking for his wife but he had been told not to.

### 10.50am: The 67th witness in the trial is police photographer Sgt Brett Schnitzerling.

He told the court he photographed the Baden-Clay's Holden Captiva.

He said he removed children's toys from the back of the car and folded the rear seats so they were in an upwards position to photograph them.

"When I photographed that, I noticed staining or something similar to the side and I indicated that to Sen-Constable Kelly," he told the jury of finding the blood stain on the rear boot driver's side panel.

"It seemed quite significant at the time because we wouldn't normally place a ruler there."

Sgt Schnitzerling said a hair found near to the stain was photographed and packaged for examination.

He said the swabs of the stain were also taken.

In cross-examination by barrister Michael Byrne QC, for Baden-Clay, Sgt Schnitzerling agreed he initially thought the stain looked like a drink stain.

## 11am: The 68th witness in the trial is police photographer and acting Sen-Sgt Kenneth Leitch.

He told the court he was asked to photograph the Baden-Clay Holden Captiva at a police facility on April 23, 2012.

The jury was shown a photo of the family car from the rear, with the boot open and the rear seats folded into an upward position.

He said he was present when the stain was examined using a chemical called luminol.

Sen-Sgt Leitch said he took a photograph in complete darkness on a long exposure while the officer sprayed the luminol chemical in the car.

He said a positive reaction glowed violet blue.

The jury was shown a photograph of the positive luminol reaction on the rear left-hand corner of the car, near to the buckle above the driver's side wheel arch.

It showed the stain lit up in blue with small rivulets running down towards the floor of the car.

The jury was shown a photo of the opposite side of the car where there had not been a positive reaction to the luminol test.

### 11.20am: The 69th witness in the trial is senior forensic scientist for Queensland Health, Amanda Reeves.

She told the court she was asked to test for DNA.

Ms Reeves said all cells in the human body, except for red blood cells, contained DNA although hair could be difficult to extract it from.

She said she received reference samples from Allison Baden-Clay, Gerard Baden-Clay, Geoffrey and Priscilla Dickie, Olivia Walton and from Kerry-Anne Walker. She agreed she later received samples from some of Ms Baden-Clay's daughters.

She said she received five fingernails from the right hand with the remnants of pink nail polish on them.

Ms Reeves said brown dirt and larvae was present on the nails and she took a swab for DNA analysis.

She said she could build an incomplete DNA profile from one of the nails but could not extract samples from the other four.

"Decomposition is probably a big one, during the decomposition process there are chemicals that are produced that basically interfere with the ability to see a DNA profile," she said.

She said DNA could breakdown over time, as well, especially if exposed to the elements.

Ms Reeves said "touch DNA" involved transferring DNA to a surface after touching it.

She said she received a sample of five fingernails from the left hand.

Ms Reeves said incomplete profiles were obtained from two of the samples.

She said the DNA profile of sample four showed low levels of the possibility of a secondary DNA contributor but were below the level of the threshold guidelines she would use to guide testing in the laboratory.

"In this instance, whilst I can see some peaks they weren't above that threshold so I didn't believe they were suitable for comparison," she said.

Ms Reeves showed the jury how she looked for DNA profiles over the nine segments that made up a person's cellular make-up.

She said she examined a toothbrush and a hairbrush to build reference DNA samples.

Ms Reeves said she could obtain only a complex and incomplete profiles from the hairbrush.

She said it was only possible to test for DNA in the part of the hair that was sheathed within the scalp.

Ms Reeves said a swab of the blood sample found in the Holden-Captiva matched the reference sample for Ms Baden-Clay.

She said the probability it was a person's DNA other than Ms Baden-Clay's was one in 5,600 billion.

Ms Reeves said she attempted to obtain DNA profiles from two rings found on the body but was unsuccessful.

She said a DNA profile was obtained from a towel in the Baden-Clay's bathroom and it matched the reference profile belonging to Gerard Baden-Clay.

She said the probability of the sample belonging to someone else was one in 590,000 billion.

Ms Reeves said scrape tests of Baden-Clay's fingernails showed the possibility of a second DNA contributor but the levels were too low to compare.

In cross-examination by barrister Michael Byrne QC, for Baden-Clay, Ms Reeves said the DNA sample from the fingernail on the left hand contained "very low levels" of a possible second contributor.

"It's a possibility there was not a second contributor," she said.

#### The trial resumes at 11.45am.

# 12.40pm: The 70th witness in the trial is Detective Sen-Constable Cameron McLeod, who is currently assigned to Taskforce Maxima.

He said he was the officer who arrested Gerard Baden-Clay.

Sen-Constable McLeod said it was 13km between the Baden-Clay family home to the place where Allison Baden-Clay's body was found under the Kholo Creek Bridge.

He said it would take between 13 and 20 minutes to drive between the two places, depending on the traffic.

Sen-Constable McLeod said he was present at an interview with the accused when he told police he cut himself shaving.

He said he requested Baden-Clay's razor on April 21, 2012.

Sen-Constable McLeod said Baden-Clay gave the razor to police and it was wrapped in Glad Wrap.

He said medication was found in the house, including Maxolon, Amoxycillin (both antibiotics) and three asthma puffers.

Sen-Constable McLeod said Ms Baden-Clay's phone was never found.

He said her phone was triangulated between three cell towers to within a 4km radius.

He said the location of the phone triangulation pinpointed an address on Boscombe Rd.

The jury was shown parts of Ms Baden-Clay's journal.

Crown prosecutor Danny Boyle revealed pages headed "affirmations" and "My Gratitude List" as well as a few entries intermingled with children's drawings, scribbles and pieces that had been cut out.

He said at the back of the diary were further entries from 2010.

Sen-Constable McLeod read an entry from April 18, 2012.

It showed a list of hand-written questions:

Movies – drive together, how many times, what see, dinner?, scared of being seen, kiss/hug

Snowy: drive together, seats down, lie there afterwards, how many tis? Do afterwards? Drive home?

Layout of house: sit together, couch/...

Bday – had three – remember 1? How paid for hotels?

Did she ever say – I feel bad because you're married?

- How many people in office knew that you knew? How did that feel?
- Really hurt had so many opportunities to tell me. let me believe it was all my fault and therefore I was at your mercy.
- Peter said balls in your court, forced me to bow to you think that's where you wanted me.
- Do you regret the whole thing or just being caught? (A line was ruled through this)
- Were you prepared to live with the guilt if I hadn't find out

- You said I was so different, laughed. Why? Afterwards – why so mean? – laughed at undies, told me I smelled. I couldn't go back to her even if I wanted to.

Pictures – large portrait – with her?

The last entry said: "made me sick in stomach".

The jury was shown a list of phone calls and cell tower locations made on April 19, 2012.

Sen-Constable McLeod identified a call from Ms Baden-Clay to a hair dressers at 4.38pm that day.

He also identified a call from Toni McHugh to the accused that lasted 415 seconds at 5.03pm.

Sen-Constable McLeod identified a call from Toni McHugh to Baden-Clay lasting 573 seconds at 5.15pm.

He said another call was registered from Ms McHugh to the accused lasting 796 seconds at 5.25pm.

Another call was registered from Ms McHugh to her own phone number at 5.40pm, lasting approximately four seconds.

He said a call was made from Ms Baden-Clay to the Baden-Clay home number at 6.26pm, lasting just one second.

He said Ms Baden-Clay called the accused in a call lasting 21 seconds at 6.27pm.

The jury was shown a series of text messages sent by Baden-Clay to his staff members that night.

He said a text was sent from Olivia Walton to Ms Baden-Clay at 8.15pm

Sen-Constable McLeod said Baden-Clay sent a text to his wife at 8.22pm.

He said Ms Baden-Clay's phone was registered with the Kenmore tower at 8.57pm.

He said the Ms Baden-Clay's phone was identified by the Fig Tree Pocket cell tower the next morning 6.27am.

Sen-Constable McLeod said a phone tower could be picked up by another cell tower depending on the volume being experienced by different towers in the area.

He said Baden-Clay telephoned his wife at 6.32am and the call lasted 34 seconds, likely to have been a voicemail message.

He said a call was registered from the Baden-Clay home phone to Elaine Baden-Clay, the mother of the accused, at 6.44am.

Sen-Constable McLeod said a call from Baden-Clay to his wife was recorded 6.45am, lasting eight seconds.

He said Baden-Clay called his mother again at 6.46am, lasting for 115 seconds.

Sen-Constable McLeod said Baden-Clay called Indooroopilly Police Station at 6.53am.

He said Olivia Walton sent an SMS message to Baden-Clay at 6.55am and shortly afterwards, he phoned her.

He said Nigel Baden-Clay called the accused on a call lasting 55 seconds at 6.56am.

Sen-Constable McLeod said Wendy Mollah sent a text message to Ms Baden-Clay's phone at 6.56am.

He said Baden-Clay called his wife again at 7.02am, with the call lasting 12 seconds.

Another was made from the phone of the accused to Ms Baden-Clay at 7.03am and again, from the home phone, at 7.06am.

He said Baden-Clay phoned Kate Rankin at 7.09am.

He said Baden-Clay contacted PoliceLink at 7.15am.

"It's the general phone number for requesting police assistance," he said.

Sen-Constable McLeod said Baden-Clay phoned 000 at 7.15.27 seconds.

He said Baden-Clay phoned his wife again at 7.35am.

The jury was shown a log where the Baden-Clay home number called Ms Baden-Clay's phone again at 8.48am.

He said the Baden-Clay home line called Fiona Christ's home phone number at 9.31am.

Another call from Baden-Clay to Geoffrey Dickie was registered at 9.51am.

He said Baden-Clay phoned a number belonging to Vanessa Fowler 9.52am.

Sen-Constable McLeod said Baden-Clay called Kerry-Anne Walker at 9.58am.

1.05pm: Detective Sen-Constable Cameron McLeod said the police investigation was thorough from the day she was reported missing on April 20, 2012.

He said a forward command post was set up at the Brookfield Showgrounds where a running log was kept if people attended with information.

Sen-Constable McLeod said he searched the log and found a mention of Ms Apps being door-knocked at her home residence but there were no other entries to indicate further contact with her.

He agreed there was extensive media coverage of the search.

"There was a large volume of information that was being reported to the police, yes," he said.

Sen-Constable McLeod said he saw a woman walking along Boscombe Rd but a woman had come forward identifying herself as that person.

He said he visited a number of pharmacies in the area to obtain records of prescriptions obtained by Allison Baden-Clay.

Sen-Constable McLeod said the Prado was involved in a traffic accident on April 16, 2012.

He said Baden-Clay was driving and side-swiped another car on Moggill Rd at Taringa.

He agreed Baden-Clay was working on renovating a house nearby.

Sen-Constable McLeod said he was told a body was found at 11am on April 30, 2012.

He said he went to Kholo Creek yesterday to look at potential access to the creek from various sites.

He used a map to show the jury where Kholo Creek Bridge was as well as Little Ugly Creek.

Sen-Constable McLeod said they met a resident who lived on Wirrabara Rd to inspect entry into the creek.

He said they also visited the Tyamolum scout camp off Bunya Rd and walked down to the creek, which was approximately 1.5km upstream of the Kholo Creek Bridge.

He pointed out another bridge where Kholo Creek could be accessed, roughly 4.6km upstream of the bridge.

Sen-Constable McLeod said there were rocks and fallen tree branches in the creek.

He said it was generally densely foliaged with steep river banks in the area around Kholo Creek Bridge.

He said Kholo Creek was not within the police search area up until the time the body was found.

Sen-Constable McLeod said the investigation included financial examinations and agreements in relation to the sale of the rent roll.

The jury was shown an agreement for sale of shares and units that belonged to Jocelyn Frost, Benjamin Bassingthwaite and Baden-Clay's real estate business on November 23, 2011.

He tendered a deed of variation that related to the same parties and a second guarantor, called Settle Westside Pty Ltd, dated December 20, 2011.

The jury was shown a number of clauses which set out payments of \$180,000 to Ms Frost and \$90,000 to Mr Bassingthwaite be made by June 30, 2012.

In cross-examination by barrister Michael Byrne QC, for Baden-Clay, he agreed the accused was willing to speak and co-operate with police.

He agreed that had taken place even after the accused had consulted a lawyer.

He agreed Baden-Clay provided his razor to police.

Sen-Constable McLeod said it took between 13 and 20 minutes to drive one way from the Baden-Clay home at Brookfield to the Kholo Creek Bridge at Anstead.

He agreed a return trip would take twice as long.

## 2.35pm: The 71st witness in the trial is Indooroopilly CIB Detective Sgt Christopher Canniffe.

He said he played a role in the investigation concerning the disappearance into the death of Allison Baden-Clay.

In cross-examination by barrister Michael Byrne QC, for Baden-Clay, he agreed he had a number of conversations with the accused on April 20, 2012 that were not recorded.

Mr Byrne read through Sgt Canniffe's statement which recorded his conversation with Baden-Clay on that day.

He agreed Baden-Clay told him it was okay for police to search his home more thoroughly, even look through drawers.

He agreed the accused told him he was happy for them to "do what was necessary".

Sgt Canniffe said he told Baden-Clay he wanted to take possession of the house at least overnight, possibly longer.

He agreed the accused told him that would be okay.

"You can do anything you want I just want to find my wife," he agreed Baden-Clay told him.

### 2.45pm: The Crown has closed its case against Gerard Baden-Clay.

Baden-Clay has pleaded not guilty in the Supreme Court in Brisbane to murdering his wife Allison on April 19, 2012.

The Prosecutor tendered a number of admissions to the court, including a text message from the accused to his wife at 6.41am on April 20, 2012.

"Al, getting concerned. Where are you? The app doesn't say either? H and S now up. I'm dressed and about to make lunches. Please just text me back or call! Love, G."

He also tendered a copy of assets and liabilities belonging to the Baden-Clays that totalled \$74,663.

The jury saw a number admissions made by the defendant in relation to the trial, relating to generally uncontested facts, such as the timing of phone calls, the sending of emails between Bruce Overland and Toni McHugh, the purchase of cars and interviews conducted by police.

It also contained an admission that a diagram showing a unit plan that was drawn in the journal of Allison Baden-Clay was done by the hand of the accused.

It included an admission the couple had not paid any amounts owing on a Westpac credit card between January 24 and May 30, 2012.