

Witness statement of Nicholas Cheok. Bold for emphasis only.

This statement, consisting of 6 page(s) signed by me is true to the best of my knowledge and belief. I know that this statement is to be used for the purpose of a prosecution and that if it contains material which I know to be false or misleading, I will be guilty of an offence.

Dated the 14th of July 1996

Signed: N.CHEOK

Witnessed by (name): J.G. KEANE

Of (address):

MAJOR CRIME TASK FORCE SOUTH AUSTRALIA

Signature of Witness: J G KEANE

I have lived at my present address in South Australia for about the past ten years. I live there with my mother, Frida Cheok, and my brother Adrian who is aged twenty four years.

During the month of April, 1996, my mother and I went to Tasmania. My mother had a conference to go to over there and I went along with her for a holiday. We went there on Monday, the 22nd of April, 1996, arriving in Hobart and we were to leave there on the following Monday, the 29th of April.

Debra Rabe is a work colleague of my mother's and I have met her on a few occasions in the past. She was at the same conference that my mother was at. The conference only went for about three days and after that, Debra showed my mother and I some of the sights of Tasmania.

On Sunday, the 28th Of April, 1996, Debra took my mother and I and Debra's young niece, Ashley, on a trip to Pt. Arthur. We left Hobart as about 10.00am that morning. Debra was driving her car, I don't know what sort of car it was but it was a small red one.

Initially, we went to some other places sightseeing and we got to Pt. Arthur at about 1.40pm that afternoon. Debra was still driving at that time and I was in the front left passenger seat. My mother was in the rear left passenger seat and Ashley was in a child's seat in the back on the right hand side.

I am mildly short sighted such that I can not read small writing unless I am close up and although I wasn't wearing my glasses at the time, I could see quite clearly anything that was ahead of me.

As we approached the toll booth at the entrance to Pt. Arthur, I saw a BMW, which I think was a white colour, stopped on the road and it was in our lane facing us. On the left hand side of the BMW I saw a yellow Volvo station sedan which was also facing us but was on the correct side of the road.

My attention was first drawn to the cars by Debra saying something like, "What's that car doing on the wrong side of the road."

At about 3.15pm on Friday, 5th of July, 1996, Detective Keane of the South Australia Major Crime Task Force, showed me a photostat of a drawing which is now marked NEC.1. On this drawing I wrote in the letter A which indicated the position on the road where Debra stopped her car as she approached the toll gate. I wrote in the letter B which was about the position of the

whitish coloured BMW and the letter C which indicates the position where the Volvo station sedan was parked.

The Volvo was an old type of car and I saw something like roof racks on the top and I think there was a surfboard on the top. When Debra stopped her car, we were only about a station sedan's length, not much more, from the front of the BMW and because of the position of the cars we were much closer to the BMW than the Volvo.

The Volvo was diagonally across from ours and was about two sedan car lengths away. These positions on the road that I have marked are only to the best of my memory now because it looks a bit different to what it was when I was actually there on the day. I subsequently signed my name and wrote in the time and date on the form marked NEC.1. When Debra had stopped her car, I saw a male person aged about 65, with whitish hair and wearing glasses, in the driver's seat of the BMW and a lady in the front passenger's seat . She had dark brownish, shortish hair, and was about 52 years old.

Both of these people were making worried gestures or hand signals as if to say stop and pointing for us to go back. Debra was saying, "I wonder what's wrong?" and mum said, "Something's wrong here, I think we should just go." I wasn't saying anything, I think I turned the car radio down but I couldn't hear anything from outside our car.

Then I saw a man get out of the rear seat, driver's side, of the Volvo station sedan and just stand on the road near where he got out of the car. I didn't take much notice of this man but he was probably in his mid sixties and was of average height. I think that I saw this man, I noticed a woman about 45 years, in the front passenger seat of the Volvo. I was mainly looking at the people in the BMW initially. I then saw a male person get out of the driver's seat of the Volvo. He had long blonde hair which was down below his shoulders, solid build, about six foot tall and was about 25 years old. He had jeans and a windcheater on, dark coloured, but I don't remember exactly what colour. He was taking to the man that had got out of the back seat of the Volvo but I couldn't hear what they were saying.

They were standing fairly closely together and I could see that they were talking to each other. The older guy was standing near the back of the Volvo, between the Volvo and the BMW. The driver got out of the Volvo and walked over to him. Debra said, "They're arguing" and I looked again at them and from their body language I could tell they were arguing. My mum was saying, "Let's go, we should go."

Up to this time, from the time we stopped in the car, about three minutes had gone past. I then saw the blonde haired male look at he people in the BMW and I distinctly remember him looking towards us as he walked around the front of the Volvo, and he went to the left side of the Volvo towards the rear.

From my position I could see what the blonde male was doing and I couldn't really say if he was at the rear of the car or at the rear left door of the Volvo. I then saw him walk around the back of the Volvo and back to where he was standing when he was talking to the older male. This older male had just stayed standing in the same place as when he got out of the Volvo.

When the blonde haired male walked back to the older male, that's when I saw that he was carrying a gun or something. It was just a large gun to me. I don't know much about

guns but it reminded me of an Arnold Schwarzenegger type gun. I imagined it to be a rifle or shotgun actually. I only remember him carrying the one gun. I couldn't tell exactly the colour, it was mostly blackish colour, but in some areas were different colours, slightly greyish.

There was a bit more talking, about ten seconds, between the blonde haired male and the older man and then the blonde haired male lifted up the gun and pointed it at the chest of the older man and something was said but I didn't hear what was said, and then I heard the blast, like a firecracker sound, and the older man's chest just seemed to cave in and he fell to the ground and laid on the ground and didn't move.

We were just starting and I can't remember who, but someone in our car said, "He's just shot that guy. I can't believe it, he's just got shot."

I then saw the driver of the BMW open his door and get out and he walked around the front of the BMW towards the back in the general direction of the blonde haired male and the older man who was lying on the ground. A few words were spoken between him and the blonde haired male but again I couldn't hear what was said and then the blonde haired male raised the gun and shot the male who had just got out of the BMW. The blonde haired male was half turned to us when he shot the second man. I think he shot the second man in the chest area. When the blonde haired male shot both men, he was very close to them.

I would say the gun was only inches away from the chest of the second man when he shot him and the gun was right up to the first man's chest when he shot him. At some time, just before the shooting started, a small blue coloured car pulled up and stopped behind Debra's car. I have indicated the position of this blue car by the letter D on the drawing marked NEC.1.

My mum was telling this car to move and when it finally reversed, it did so very fast and screeched it's tyres. Debra then casually put her car into reverse and as she was reversing, I saw the blonde haired male walk around the front of the Volvo and then open the front passenger door of that car. I could see him standing behind the open door of the Volvo and saw him reach into the car towards the woman who was still sitting in the passenger seat. We had barely moved, probably only about two car lengths, when I saw the blonde haired male reach towards the woman.

At the same time as the blonde haired male dragged this woman out of the car he shot her and very quickly after that another shot. At this time, the woman in the BMW was still sitting in the front left passenger seat. I didn't see what happened to her because Debra had reversed away from the area.

Just before going out of view of the toll gate area, I think I recall seeing the blonde haired male walking past the front of the Volvo towards the BMW but I didn't see anything after that. Debra reversed up the road to a side road before reversing into the side road and then she drove forward away from the toll gate area.

We went a short way down the road and stopped at the deli on the left hand side. Just before we got to the deli I could hear some more gunfire, those same cracking noises. We saw some people standing out in front and mum and I said, "Call the police, three people have been shot at the toll gate."

They looked worried and went inside. Mum and I said to Debra, "Let's go," and Debra said, "We have to stop other people going in there." Debra then drove to a service station on the right hand side of the road, just a short way from the deli, and she parked in the car park area which faces onto the road.

The blue car that had pulled up behind us at the toll booth was parked at the service station also. There was other cars parked in this area as well. By the time we got to the service station, people were standing around and would have heard the gun fire too and would have known what was going on. I saw people using mobile phones. In fact, I tried to ring the police on Debra's mobile but it was a no service area for analogue mobiles. While we were parked at the service station, I saw a large white car drive past on the main road heading towards the toll gate. About a minute later, this same car came racing into the car park area of the service station and parked between our car and the blue car. Debra said, "The woman in that car is hysterical" and mum agreed.

The driver of the white car got out and spoke to the driver of the blue car. We were still in the car park driving towards the exit behind two other cars when I saw the BMW come down the road from the direction of the toll gate with the same blonde haired male driving.

He stopped the BMW on the road, in about the middle of the road, just before the exit from the car park that we were heading towards. I think that was when everyone panicked and got into their cars. Since the gunshots would have been clearly audible from the car park, people knew to ring the police. I think the exact point that most people hopped into their cars was when the blonde haired male got out of the BMW with the gun. The blonde haired male was looking around and then looked in our direction, in fact, he looked straight at our car and I was extremely worried and thinking we might be his next victims.

I was petrified and imagined him shooting us through the windows. He got out of the car carrying the gun and was looking around. There were two cars in front of us, the first car was going to turn left from the exit onto the main road. Debra was going to follow this car and she also turned right. When we turned onto the main road, I saw the blonde haired male standing pretty close to the first car that was ahead of us and which was going to turn left. I didn't see what happened after we drove out onto the main road because I was too scared I was making an effort not to look back and didn't hear anymore gun shots.

Debra kept driving for about twenty five minutes before she stopped. I did not see any reason why the blonde haired male shot the people at the toll booth, they did not provoke or attack him in any way, there was absolutely no reason for it at all.

I have since seen photos of Martin Bryant on television and in the newspapers and I can positively say that the man I saw shoot the people at the toll booth is the same man shown in those photos, but the hair on the man at the toll booth was a bit longer than is shown in the photos."

End of Witness Statement

QUESTIONS AND NOTES

Jim Pollard and Rose Nixon were sitting in Rose's husband's BMW.

Their friends, Robert and Helene Saltzmann, were sitting in the Volvo with the gunman and a hot, smoking rifle.

Why didn't they run away from the gunman, like everyone else was doing?

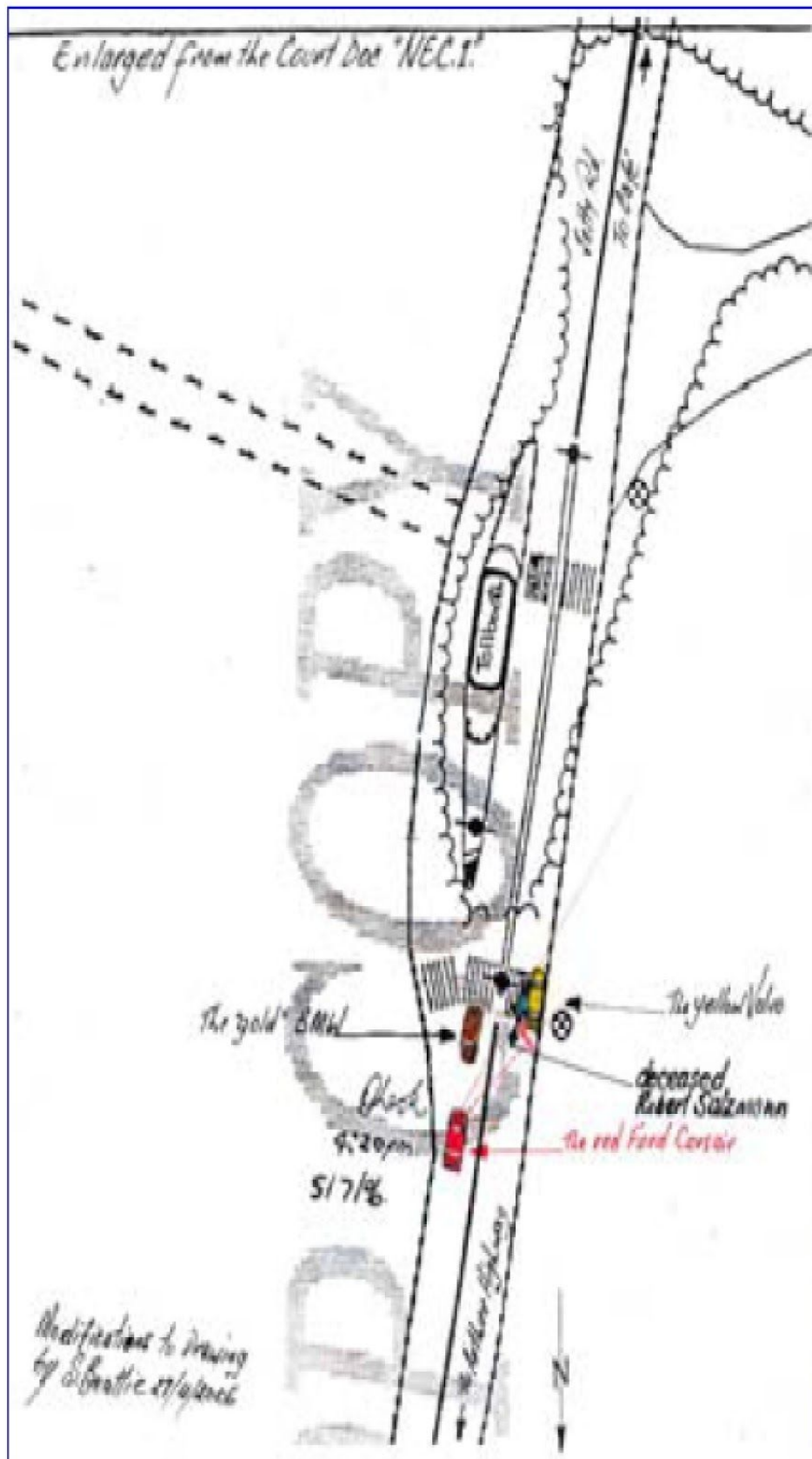
Why didn't Robert Saltzmann remove the ammunition from the rifle? He had been in the army with Jim Pollard, so he would have had at least rudimentary firearms safety lesson in basic training.

Why did the two women stay in the vehicles, waiting to be shot, while the men were executed nearby? There were vehicles and trees for cover, they could have sprinted in opposite directions, giving the gunman a choice of shooting at one first, while the other got away.

Given that this statement was taken in July 1997, almost 3 months after the event, and those three months contained saturation media coverage with Martin Bryant's photo, it is possible to say that Nicholas Cheok's memory was "tuned" by the photos and he truly believes that the man at the toll booth was the man in the photograph. Memories, even traumatic ones, can be altered:

<https://www.ncbi.nlm.nih.gov/pubmed/16483115>

<https://www.psychologytoday.com/us/blog/beastly-behavior/201605/trauma-ptsd-and-memory-distortion>



Enlarged from the
Court Doc NEC1

Jetty Rd
To Cafe

Tollbooth

The gold BMW
The Yellow Volvo
Deceased Robert
Salzman
Cheek signature,
date/time
The red Ford
Corsair

To Arthur Highway

