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'I didn't stop as I was a criminal'

David Braithwaite
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The driver of the car involved in a fatal crash that sparked the Macquarie Fields riots has told an inquest he did not stop for police when pursued because he was a "criminal" and didn't stop for police.

Jesse Kelly, 22, took the stand at Westmead Coroner's Court today after being granted immunity by Deputy State Coroner Carl Milovanovich from any further criminal or civil action arising from his evidence.

When asked why he didn't stop when two constables in an unmarked white Mitsubishi Magna activated their emergency lights on the evening of February 25, 2005, Kelly replied: "I'm a criminal - I run from the police, I don't pull over for them."

Dressed in prison greens, Kelly, currently serving a 5½-year sentence for dangerous driving occasioning death, described the events in which Matthew Robertson, 19, and a 17-year-old boy whose name is suppressed, died in a crash following a 30-second police chase.

At the time of the pursuit, Kelly was the alleged head of a gang targeted by police for a series of suspected car thefts and home invasions.

Police previously said that the night before the fatal crash, they lost track of a stolen Commodore, and that night the two constables stumbled across it being driven by Kelly by chance.

Cross-examined by the police barrister, Kelly admitted the police car made no contact with the white Commodore he was driving.

An internal police inquiry already cleared the two constables of any wrongdoing.

Kelly told the court he "just sped up" when he saw the police car, and was not aware of his speed.

"I sped up around the corner ... the car started drifting left. I didn't think to put the brake on or nothing, I really don't know what happened.

"I just started drifting left and the next thing I know I'm running."

Kelly said he had not realised his two passengers were injured or that the car was badly damaged.

"I didn't turn back to look ... I just jumped out and ran."

Kelly told the court he was later told two people had died in the accident and he knew "straightaway" it was his two passengers.

The inquest continues.