

ROYAL COMMISSION INTO THE MANAGEMENT
OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Tuesday, 30 April 2019

Led by Commissioner: The Honourable Margaret McMurdo AC

Also Present

Counsel Assisting: Mr C. Winneke QC
 Mr A. Woods
 Ms M. Tittensor

Counsel for Victoria Police Mr S. Holt QC
 Ms R. Enbom
 Ms K. Argiropoulos

Counsel for State of Victoria Ms C. Button SC

Counsel for Nicola Gobbo Mr P. Collinson QC
 Mr R. Nathwani

Counsel for DPP/SPP Ms K. O'Gorman

10:04:51 1 COMMISSIONER: Yes, could I ask for appearances, please.
10:04:55 2
10:04:56 3 MR WINNEKE: Commissioner, I appear with Mr Woods and
10:04:58 4 Ms Tittensor to assist.
10:04:59 5
10:04:59 6 COMMISSIONER: Thank you.
10:05:00 7
10:05:01 8 MR COLLINSON: I'm with Mr Nathwani for Ms Gobbo.
10:05:03 9
10:05:03 10 COMMISSIONER: Thank you.
10:05:04 11
10:05:04 12 MR MORRISSEY: I seek leave to appear. My name is
10:05:08 13 Morrissey and I seek leave to appear for Mr Strawhorn.
10:05:10 14
10:05:10 15 COMMISSIONER: Yes, thank you Mr Morrissey.
10:05:14 16
10:05:14 17 MR HOLT: I appear with my learned friend Ms Enbom and
10:05:15 18 Ms Argiropoulos for Victoria Police.
19
10:05:17 20 COMMISSIONER: Thank you, Mr Holt.
10:05:17 21
10:05:18 22 MS BUTTON: Commissioner, it's Ms Button for the State of
10:05:21 23 Victoria.
10:05:21 24
10:05:22 25 COMMISSIONER: Thanks Ms Button.
26
27 MS O'GORMAN: Ms O'Gorman for the DPP.
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10:05:24 29 COMMISSIONER: Thanks Ms O'Gorman. Yes Mr Winneke.
10:05:27 30
10:05:28 31 MR WINNEKE: Commissioner, Mr Strawhorn is the first of a
10:05:30 32 number of witnesses in which we propose to look into some
10:05:34 33 aspects of the relationship between Victoria Police and
10:05:38 34 Ms Gobbo in the period around 98 through to 2002/3.
10:05:47 35 Mr Strawhorn has provided a statement and I understand
10:05:53 36 Mr Morrissey is going to lead or tender that statement.
10:05:58 37 Can I say this, Commissioner, that there are aspects of
10:06:02 38 that statement and the evidence that Mr Strawhorn will give
10:06:07 39 which we understand will be the subject of a claim for
10:06:11 40 public interest immunity because that evidence will concern
10:06:17 41 informers other than Ms Gobbo. As has been stated before,
10:06:23 42 it's certainly the desire to present as much of the
10:06:26 43 evidence as possible in public, although I anticipate that
10:06:33 44 Mr Holt will suggest that there are certainly significant
10:06:38 45 aspects of the evidence which cannot be so given. I gather
10:06:44 46 Mr Holt may wish to raise that issue now and I suppose the
10:06:50 47 point is can we do it on a piecemeal basis or is it

10:06:57 1 something that really needs to be dealt with upfront? It
10:07:00 2 may well be Mr Holt can give us some assistance there.
10:07:03 3
10:07:04 4 COMMISSIONER: All right then. Of course we are still
10:07:06 5 operating on the 15 minute delay with streaming, aren't we?
10:07:10 6
10:07:10 7 MR WINNEKE: We are. Yes, we are.
10:07:11 8
10:07:11 9 COMMISSIONER: Mr Holt, I understand that there's public
10:07:15 10 interest immunity in not having the names of informers
10:07:18 11 disclosed but why could we not have the witness give
10:07:21 12 evidence referring to the first [REDACTED]
10:07:25 13 [REDACTED]
10:07:29 14 [REDACTED].
10:07:31 15
10:07:31 16 MR HOLT: No, Commissioner, there are potentially four. We
10:07:34 17 communicated with the Royal Commission about that. But
10:07:36 18 there are certainly three of particular concern. Can I
10:07:40 19 deal with it piecemeal and in reverse order.
10:07:44 20
10:07:44 21 COMMISSIONER: Yes.
10:07:45 22
10:07:45 23 MR HOLT: If the Commissioner has Mr Strawhorn's statement.
10:07:48 24 Paragraphs - and I'll do this as coyly as I can, to avoid
10:07:53 25 the need for us to go into private hearing.
10:07:54 26
10:07:54 27 COMMISSIONER: Sure.
10:07:55 28
10:07:56 29 MR HOLT: Paragraphs 27 and 28 each name a person.
10:07:58 30
10:07:58 31 COMMISSIONER: Sorry. I mustn't have the current one.
10:08:04 32 Does someone have an affidavit for me? I've seen them and
10:08:08 33 I've seen the proposed redacted one. Does anyone have a
10:08:12 34 hard copy? The one I have, there's only 21 paragraphs.
10:08:17 35
10:08:18 36 MR WINNEKE: I can hand up, Commissioner.
10:08:21 37
10:08:22 38 COMMISSIONER: Yes, I know, I've seen those two statements.
10:08:26 39 I've read them and marked them up but, I'm sorry, I don't
10:08:30 40 have them with me.
10:08:31 41
10:08:31 42 MR WINNEKE: I can hand up a red box version.
10:08:33 43
10:08:34 44 COMMISSIONER: Okay, that'll be fine. That's what I'd done
10:08:36 45 with MY statement which I haven't brought with me, I'm
10:08:40 46 sorry.
10:08:42 47

10:08:43 1 MR WINNEKE: No, I think you've got the unbox red version.
10:08:49 2
10:08:49 3 COMMISSIONER: Thank you. Yes.
10:08:50 4
10:08:52 5 MR HOLT: Page 7, paragraphs 27 and 28.
10:09:00 6
10:09:00 7 COMMISSIONER: Yes.
10:09:03 8
10:09:06 9 MR HOLT: Those relate to - ignoring the informer number,
10:09:13 10 that's a separate question, but it names two persons and
10:09:15 11 the person named in the first line of 27.
10:09:18 12
10:09:18 13 COMMISSIONER: Yes.
10:09:19 14
10:09:19 15 MR HOLT: And then, among other places, in the last line of
10:09:22 16 28.
10:09:23 17
10:09:23 18 COMMISSIONER: Yes.
10:09:24 19
10:09:24 20 MR HOLT: Both of those persons either were or may have
10:09:28 21 been informers. The Commissioner will be aware we only
10:09:31 22 received the statement, no criticism at all, very recently,
10:09:35 23 but in any event, and obviously on its face, those issues
10:09:39 24 raise very significant concerns about human safety if those
10:09:43 25 persons were identified. Any exploration of those, in our
10:09:48 26 submission, at least carries a very significant risk of
10:09:50 27 identification of those persons. It may be that those
10:09:52 28 aren't the names that are of particular interest to the
10:09:57 29 Commission, we're not sure, but those are certainly names
30 where if they were to be explored we would respectfully ask
31 - - -
10:09:57 32
10:09:58 33 COMMISSIONER: They probably are of interest to the
10:10:01 34 Commission given the widening of the Terms of Reference to
10:10:04 35 all people with legal obligations of privilege and
10:10:07 36 confidentiality.
10:10:08 37
10:10:09 38 MR HOLT: I should have qualified that. In relation to
10:10:11 39 this particular period that we're talking about at present
10:10:14 40 they may not be entirely essential. But in any event,
10:10:18 41 given that that information, particularly that in 28, is
10:10:19 42 only recently in our hands and we presume only very
10:10:23 43 recently in the hands of the Commission, it may well be
44 that the Commissioner and counsel assisting the Commission
10:10:25 45 wish to explore that issue and if so our respectful
10:10:28 46 submission would be that that ought be done in a short
10:10:30 47 private hearing to understand that there is more detail

10:10:33 1 that will then require further examination or
10:10:35 2 investigations to be undertaken.
10:10:36 3
10:10:36 4 COMMISSIONER: So why could that not be done by using
10:10:43 5 Person 4 or Person 3?
10:10:47 6
10:10:48 7 MR HOLT: The short answer at present, Commissioner, is I
10:10:51 8 don't have instructions to that effect and I just seek some
10:10:53 9 time to take them. We made this claim on Friday with the
10:10:56 10 proposal that, with the offer in effect that Victoria
10:11:00 11 Police would not assert public interest immunity in respect
10:11:03 12 of publication within a closed hearing because that would
10:11:06 13 be a sufficiently safe environment, in effect, for these
10:11:08 14 issues to be explored. I would simply need the opportunity
10:11:12 15 to take instructions to see whether it could be done on an
10:11:18 16 anonymised basis and I'd just simply seek the time to do
10:11:24 17 that, Commissioner. That hasn't been proposed to us
10:11:24 18 previously. And I should say, the difficulty is whilst
10:11:27 19 anonymisation, on its face, often is a sensible way of
10:11:34 20 proceeding, we simply don't know in the absence of
10:11:34 21 instructions, which we can obtain quickly, as to whether
10:11:35 22 there are nonetheless risks because of other facts that may
10:11:39 23 be explored or identified in the capacity then of people to
10:11:40 24 identify who those persons might be where there are genuine
10:11:44 25 safety concerns about those issues.
10:11:46 26
10:11:46 27 COMMISSIONER: How long will it take you to get those
10:11:48 28 instructions?
10:11:49 29
10:11:50 30 MR HOLT: I'm not sure, Commissioner, but I expect to be
10:11:54 31 able to do it relatively quickly. Senior people are aware
10:11:56 32 of this issue so it should be something I can take
10:11:58 33 instructions relatively quickly.
10:12:00 34
10:12:00 35 COMMISSIONER: Are you not pressing for any redactions
10:12:02 36 before then to his statement?
10:12:04 37
10:12:04 38 MR HOLT: No, Commissioner, we provided a redacted version
10:12:07 39 of the statement with explanations for public interest
10:12:09 40 immunity claims and we've received no response from the
10:12:12 41 Commission as to any difficulty with those claims. They've
10:12:15 42 been assessed and explained. We would ask that the
10:12:20 43 statement - - -
10:12:21 44
10:12:21 45 COMMISSIONER: I didn't understand that they'd been
10:12:24 46 accepted.
10:12:24 47

10:12:25 1 MR HOLT: We made the submission, Commissioner.
10:12:27 2
10:12:27 3 COMMISSIONER: All right, you've made the submission,
10:12:30 4 right. I'm saying to you, why can't we - for example,
10:12:35 5 what's the problem with knowing the name of the - starting
10:12:39 6 with paragraph 8, where the first one is, what's the
10:12:42 7 problem with knowing the Operation name, which I'm sure has
10:12:45 8 been referred to in other parts of evidence.
10:12:48 9
10:12:48 10 MR HOLT: I'm sorry, Commissioner?
10:12:49 11
10:12:49 12 COMMISSIONER: Paragraph 8 is the first redaction.
10:12:51 13
10:12:51 14 MR HOLT: Yes.
10:12:52 15
10:12:52 16 COMMISSIONER: First proposed redaction, the Operation
10:12:54 17 name. That's already been referred to and it's already on
10:12:57 18 the public record. Why should that go out?
10:13:01 19
10:13:02 20 MR HOLT: I'm instructed, Commissioner, that the details in
10:13:06 21 the statement which are sought to be redacted over which
10:13:10 22 the PII claim is made is because of the capacity of that
23 information to be put together with other information to be
10:13:14 24 able to identify or carry a significant risk of identifying
10:13:15 25 the identity of that informer. So it might not be - these
10:13:19 26 are not necessarily immediately apparent on their face but
10:13:23 27 they effectively can be put together as a jigsaw puzzle by
10:13:26 28 those who might wish to identify who those persons are and
29 then they will be people who wish to identify who those
30 persons are.
10:13:30 31
10:13:31 32 COMMISSIONER: That's already on the public record so I'm
10:13:33 33 not prepared to allow that one as a public interest
10:13:36 34 immunity claim. What I suggest then - you know, nor the
10:13:43 35 next one at the committal proceedings and the date.
10:13:48 36
10:13:49 37 MR HOLT: Commissioner, the difficulty is that those are
10:13:52 38 precisely, with respect, those are precisely the sorts of
10:13:55 39 details which can be then discovered and put together by
10:13:57 40 persons who will be interested in a - - -
10:13:59 41
10:13:59 42 COMMISSIONER: I understand that submission but it's
10:14:01 43 already on the public record. So if those people want to
10:14:04 44 do that they already can do it.
10:14:07 45
10:14:08 46 MR HOLT: No, but what this does, Commissioner, it gives
10:14:09 47 them essentially source documentation which permits them to

10:14:11 1 put those inquiries together and I'm instructed that that
10:14:14 2 carries genuine risks of safety to persons who were
10:14:18 3 informers. As I say, Commissioner, I apologise, we had
10:14:22 4 provided these explanations and redactions I think very
10:14:24 5 late last week, having been provided with Mr Strawhorn's
10:14:27 6 statement. If the Commissioner is against us essentially
10:14:30 7 in respect of these matters we'd seek the opportunity to
10:14:35 8 provide affidavit evidence so these matters can be assessed
10:14:38 9 on a proper basis.

10:14:39 10
10:14:39 11 COMMISSIONER: Why haven't you got that ready now?

10:14:41 12
10:14:42 13 MR HOLT: Commissioner, because we've operated in
10:14:45 14 accordance with what we understood to be the protocol, in
10:14:47 15 effect, which is to identify what those public interest
10:14:50 16 immunity claims were. We were asked for a redacted copy of
10:14:53 17 the statement, which we assumed was for the purposes of
10:14:55 18 production, without any indication there was to be any
10:14:58 19 difficulty, notwithstanding numerous conversations between
10:15:01 20 both counsel and solicitors assisting and us. Had that
10:15:05 21 been the position we would have, of course, been in a
10:15:08 22 position to do so, Commissioner. In respect of the risks
10:15:11 23 to that person, those have already been the subject of a
10:15:14 24 confidential affidavit which the Commissioner has which was
10:15:17 25 filed a number of weeks ago. So those aspects of it are
10:15:22 26 already known to the Commissioner. I'm instructed the
10:15:24 27 details that are raised carry the risk, in combination with
10:15:26 28 other matters, of identifying a human source, and that is a
10:15:30 29 matter which is, with respect, protected on a core basis by
10:15:36 30 public interest immunity.

10:15:36 31
10:15:36 32 COMMISSIONER: All right. In the interests of going
10:15:37 33 forward we can tender the statement unredacted and it
10:15:41 34 doesn't become public, is that sufficient?

10:15:44 35
10:15:45 36 MR HOLT: And for our position, Commissioner, if the
10:15:46 37 Commissioner wished to make as much of Mr Strawhorn's
10:15:51 38 evidence as possible public as this point, there will also
10:15:54 39 be no difficulty with the redacted statements being
10:16:00 40 provided, being tendered and published, subject of course
10:16:01 41 to whatever future order the Commissioner might make or any
10:16:03 42 review of that ruling.

10:16:03 43
10:16:04 44 COMMISSIONER: I'm not happy with the redacted statement
10:16:06 45 because it doesn't flow as a narrative and it could very
10:16:10 46 easily have been made to flow as a narrative by using some
10:16:13 47 pseudonyms, Person 1, 2, 3, et cetera.

10:16:17 1
10:16:17 2 MR HOLT: As I say, Commissioner, I'm content of course to
10:16:20 3 seek to take those instructions.
10:16:20 4
10:16:21 5 COMMISSIONER: At this stage the unredacted document,
10:16:24 6 statement can be tendered.
10:16:37 7
10:16:38 8 MR HOLT: Commissioner, in respect of that unredacted
10:16:40 9 statement, I respectfully seek an order that that
10:16:42 10 unredacted statement to be tendered subject to further
10:16:44 11 order by the Commissioner, that it be retained in a sealed
10:16:46 12 envelope, given that it directly names at least two human
10:16:50 13 sources.
10:16:50 14
10:16:50 15 COMMISSIONER: Well, the Commission obviously needs access
10:16:53 16 to it.
10:16:54 17
10:16:55 18 MR HOLT: Of course, Commissioner. It's simply to ensure
10:16:59 19 its security. It's not in any sense to suggest that the
10:17:03 20 Commission itself shouldn't have access to the document.
10:17:14 21 What I'm proposing is that the witness will give evidence
10:17:16 22 by referring to these people in a way where the details -
10:17:21 23 for example, he could say, "The first recollection I have
10:17:25 24 of contact with Ms Gobbo relates to persons charged in an
10:17:30 25 investigation I conducted in November 1997", that Ms Gobbo
10:17:40 26 was acting for one of the defendants and "who approached
10:17:53 27 and spoke to me. This led to Ms Gobbo, who was acting on
10:17:57 28 behalf of the defendant, telephoning me and arranging a
10:17:59 29 meeting on behalf of and with the client. I met Gobbo and
10:18:01 30 the client where I discussed the process and requirements
10:18:04 31 of becoming an informer. Arrangements were made to
10:18:10 32 introduce Person 1 to an interstate counterpart", et
10:18:15 33 cetera.
10:18:15 34
10:18:16 35 MR HOLT: Commissioner, can I indicate that's with respect
10:18:17 36 precisely the sort of approach that counsel assisting - - -
10:18:19 37
10:18:19 38 COMMISSIONER: But this is unredacted. I'm only reading
10:18:24 39 parts of the unredacted statement here.
10:18:26 40
10:18:26 41 MR HOLT: Yes, Commissioner.
10:18:28 42
10:18:30 43 COMMISSIONER: Now you're telling me that's going to add
10:18:31 44 up.
10:18:32 45
10:18:32 46 MR HOLT: No, I'm not saying anything about the details we
10:18:36 47 sought to have redacted, that we make a public interest

10:18:43 1 immunity claim over, in combination, on our instructions,
2 carry the risk of identifying the human source which in
3 turn carries significant risks to the human safety of that
10:18:47 4 human source. That is, with respect, our only concern.
10:18:50 5 The way in which counsel assisting the Commissioner have
10:18:54 6 dealt with these sorts of issues to date, and of course
10:18:57 7 they become more acute as we move forward, we accept that,
8 but the way they've been deal with today is to do precisely
9 what, I think, with respect, the Commissioner is
10:19:01 10 suggesting, which is to deal with things in a general
10:19:04 11 manner that doesn't lead to that kind of identification.
10:19:07 12 We have no difficulty with that. Our respectful submission
10:19:11 13 is that Commission wishes to in relation to these
10:19:12 14 particular human sources hear in effect entirely free
10:19:15 15 evidence about those issues which the Commissioner may well
10:19:20 16 need to fulfil your task, then we are content for that to
10:19:23 17 be done in a closed hearing, even though that would in
10:19:26 18 itself not ordinarily be done. Ordinarily a public
19 interest immunity claim would not even permit that to
10:19:28 20 occur. We are, with respect, attempting to assist the
10:19:31 21 Commission by effectively offering that process, so
10:19:34 22 suggesting we could deal even with the names of those
10:19:37 23 people in a short closed hearing to discover those issues
10:19:42 24 so the Commission can ask whatever questions it needs to
10:19:46 25 about those particular persons using their names with
10:19:48 26 appropriate non-publication orders, and then, as a result
27 of that process, to be able to deal with matters in public
10:19:54 28 hearing to the greatest extent possible without placing
10:19:58 29 human life at risk. So that's the proposal, with respect,
10:19:59 30 Commissioner. And as the Commissioner will appreciate,
10:20:01 31 this is not a Victoria Police statement, it's a statement
10:20:03 32 that came to us late last week, and so we're attempting to
10:20:08 33 deal with it in a way that manages those risks which we're
10:20:14 34 certain the witness would accept that.

10:20:15 35
10:20:15 36 COMMISSIONER: Why don't we start with Mr Morrissey taking
10:20:29 37 - we'll tender the unredacted statement and it'll be placed
10:20:36 38 in a sealed envelope with an order only to be opened,
10:20:41 39 marked "Only to be opened by the order of the Commissioner
10:20:51 40 and then we can tender the redacted statement for public
10:20:56 41 use and then Mr Morrissey, I gather, will want to take your
10:21:08 42 witness through the statement, is that what's being
10:21:10 43 proposed?

10:21:12 44
10:21:13 45 MR MORRISSEY: It hadn't been proposed, Commissioner.

10:21:14 46
10:21:15 47 COMMISSIONER: No? That's all right.

10:21:17 1
10:21:17 2 MR MORRISSEY: I was simply going to rely upon the
10:21:19 3 statement - - -
10:21:19 4
10:21:20 5 COMMISSIONER: You're just going to tender it, excellent,
10:21:21 6 that's fine. And then allow questions to be asked.
10:21:26 7
10:21:26 8 MR MORRISSEY: Yes.
10:21:27 9
10:21:28 10 COMMISSIONER: Everyone has heard what I have in mind. We
10:21:29 11 have a 15 minute delay on streaming in any case. [REDACTED]
10:21:32 12 [REDACTED]
10:21:37 13 [REDACTED]
10:21:41 14 [REDACTED]
10:21:49 15 [REDACTED]
10:21:55 16 [REDACTED]
10:22:02 17 [REDACTED]
10:22:06 18 [REDACTED]
10:22:06 19
10:22:07 20 MR MORRISSEY: Yes.
10:22:07 21
10:22:07 22 COMMISSIONER: Does anyone else want to say anything about
10:22:10 23 what I propose?
10:22:11 24
10:22:11 25 MR HOLT: Commissioner, might I respectfully request a five
10:22:16 26 minute adjournment to take instructions on that basis. I'm
10:22:18 27 sorry, Commissioner, but once the cat's out of the bag it's
10:22:22 28 out of the bag and I need to take some instructions.
10:22:48 29
10:22:48 30 COMMISSIONER: Yes, all right then.
10:22:51 31
10:22:51 32 (Short adjournment.)
10:42:46 33
10:42:46 34 COMMISSIONER: Yes, Mr Holt.
10:42:46 35
10:42:46 36 MR HOLT: Yes, Commissioner, I have instructions to attempt
10:42:50 37 to proceed on that basis and I've had discussions with all
10:42:52 38 of our learned friends at the Bar table who we think all
10:42:54 39 understand the need for caution and the lack of specificity
10:42:57 40 about detail. There was a list, as we understood it,
10:42:59 41 coming down but there were some printing opportunities. I
10:43:02 42 simply wanted to have an opportunity to review that first
10:43:02 43 to make sure that there weren't any complications, I'm
10:43:05 44 sorry, Commissioner.
10:43:05 45
10:43:05 46 COMMISSIONER: Right. That was my impatience, I got
10:43:11 47 impatient.

10:43:12 1
2 MR HOLT: No, we were told that there were some
10:43:15 3 difficulties with the printer on this floor.
10:43:16 4
5 COMMISSIONER: That's right.
6
7 MR HOLT: But I just want to check it to make sure there
8 are no issues.
9
10 COMMISSIONER: I understand, but we can start. Let's start
10:43:16 10 with the tendering of the statements. Thanks very much
10:43:18 11 Mr Holt. Yes Mr Morrissey.
10:43:21 12
10:43:23 13
10:43:23 14 MR MORRISSEY: If it please the Commission I call Wayne
10:43:26 15 Strawhorn.
10:43:38 16
10:43:39 17 COMMISSIONER: Oath or affirmation, Mr Strawhorn?---Oath.
10:43:43 18
10:43:44 19 <WAYNE GEOFFREY STRAWHORN, sworn and examined:
10:43:52 20
10:43:52 21 COMMISSIONER: Yes Mr Morrissey.
10:43:56 22
10:43:56 23 MR MORRISSEY: Thanks Commissioner. Mr Strawhorn, what's
10:43:58 24 your full name?---Wayne Geoffrey Strawhorn.
10:44:02 25
10:44:02 26 Were you previously employed by Victoria Police from 1974
10:44:05 27 to early 2003?---I was.
10:44:06 28
10:44:07 29 Are you now retired?---I am.
10:44:08 30
10:44:09 31 Did you make a statement for the purposes of this
10:44:14 32 Commission dated 18/4/2019?---I did.
10:44:24 33
10:44:25 34 Do you have a marked copy of it in front of you there?---I
10:44:27 35 do.
10:44:27 36
10:44:28 37 Can I just ask that this unmarked original be provided to
10:44:32 38 Mr Strawhorn. Would you just look at the document that's
10:44:36 39 being provided to you and is that an unmarked, an
10:44:41 40 unredacted statement dated 18/4/2019?---Yes, it is.
10:44:57 41
10:44:58 42 Is that your statement?---Yes, it is.
10:45:00 43
10:45:00 44 Are the contents of that statement true and correct?---To
10:45:03 45 the best of my knowledge and belief they are.
10:45:06 46
10:45:06 47 Yes, Commissioner, I tender that statement.

10:45:10 1
10:45:12 2 #EXHIBIT RC79 - Statement of Wayne Geoffrey Strawhorn.
10:45:19 3
10:45:20 4 COMMISSIONER: That statement will be placed in a sealed
10:45:21 5 envelope and marked "To be opened only on order of the
10:45:26 6 Commissioner".
10:45:27 7
10:45:28 8 MR MORRISSEY: Thank you Mr Strawhorn. Would you just wait
10:45:31 9 there for the questions that are coming.
10:45:32 10
10:45:33 11 COMMISSIONER: Thank you Mr Morrissey. Yes, Mr Winneke,
10:45:34 12 are you going to tender the redacted statement now?
10:45:36 13
10:45:37 14 MR WINNEKE: Yes, I will. Mr Strawhorn, do you have a copy
10:45:40 15 of the redacted version of the statement?
10:45:47 16
10:45:48 17 COMMISSIONER: No.
10:45:49 18
10:45:49 19 MR WINNEKE: Redacted with black - no, all right?---No, I
10:45:52 20 don't.
10:45:54 21
10:45:55 22 I wonder if we can get a copy of that. We'll get to that,
10:46:01 23 Commissioner, because it's being printed as I understand
10:46:04 24 it. I'll tender it when I get it in my hands but in the
10:46:08 25 meantime I'll just start asking some questions.
10:46:11 26
10:46:12 27 COMMISSIONER: Yes.
28
29 <CROSS-EXAMINED BY MR WINNEKE:
30
10:46:18 31 Just have a look at that, Mr Strawhorn. Just hand it up to
10:46:21 32 Mr Strawhorn. Mr Morrissey's kindly provided me that and
10:46:30 33 it has someone's writing on it or someone's writing on it.
10:46:32 34 Just have a look at that. You might want to compare it
10:46:43 35 with your statement and satisfy yourself that it's - - -
10:46:51 36 ?---It does appear to be a copy of it.
10:46:53 37
10:46:54 38 It does appear to be. What I'll do is tender a copy of a
10:46:58 39 redacted version. I won't tender Mr Morrissey's statement.
10:47:02 40 We'll get a fresh redacted version of it so as it can go on
10:47:07 41 the court - - -
10:47:08 42
10:47:09 43 MR HOLT: We have one we can provide, Commissioner, if that
10:47:12 44 assists.
10:47:13 45
10:47:13 46 COMMISSIONER: Thank you. There you go, sir, we have a
10:47:15 47 clean copy of the redacted statement.

10:47:20 1
10:47:21 2 MR WINNEKE: I tender that. Perhaps Mr Strawhorn better
10:47:23 3 see it. If we can hand that other one back so Mr Morrissey
10:47:32 4 has a copy of it. I tender that, Commissioner.
10:47:39 5
10:47:40 6 #EXHIBIT RC80 - Redacted version of statement of Wayne
10:47:47 7 Geoffrey Strawhorn.
10:47:48 8
10:47:48 9 MR WINNEKE: Mr Strawhorn, I just want to ask you a couple
10:47:51 10 of questions about your experience. You were obviously a
10:47:54 11 member of the Victoria Police Force for many years and you
10:47:57 12 started back in 1974 when you entered the Police
10:48:00 13 Academy?---That is true.
10:48:01 14
10:48:04 15 Then the progress through the Police Force is set out in
10:48:10 16 your statement and I needn't go to that. But you became a
10:48:13 17 detective initially in the late 70s and you were performing
10:48:19 18 investigative duties at Russell Street and the Elsternwick
10:48:24 19 CIB and then specialist investigations at the Break-in
10:48:31 20 Squad and the Racing Squad. Can you tell the Commission
10:48:36 21 about the sort of instructions or education that you got
10:48:39 22 back in those days about, firstly, a suspect's right to
10:48:44 23 silence, right to see a lawyer and so forth. I know that's
10:48:48 24 changed over the years but can you give the Commission a
10:48:50 25 bit of a potted history of your learnings and
10:48:53 26 understandings of those matters?---My learnings and
10:48:56 27 understandings were basically what we were taught at the
10:49:00 28 time and what we did at the time, that is a right to
10:49:04 29 silence and a right to legal advice with a suspect.
10:49:10 30
10:49:10 31 Were those things that young police officers were taught
10:49:13 32 pretty early on in their careers?---Yes.
10:49:15 33
10:49:16 34 And were those concepts that, from your understanding, that
10:49:23 35 virtually every police officer - it would be second nature
10:49:26 36 to a police officer I assume?---I would assume so. I would
10:49:29 37 expect so.
10:49:30 38
10:49:30 39 And should be, shouldn't it?---It should be.
10:49:33 40
10:49:37 41 Insofar as a suspect was given the opportunity to see a
10:49:45 42 legal practitioner, again from your experience can you
10:49:48 43 explain to the Commission how that occurred and what
10:49:53 44 efforts were put in place to enable a person to speak to a
10:49:59 45 lawyer privately?---Certainly. They were given the
10:50:02 46 opportunity to do so, to make a phone call, and basically
10:50:05 47 nothing would take place until that had taken place, until

10:50:09 1 they'd had that contact and been given his rights.
10:50:12 2
10:50:12 3 If someone was at a police station and they'd just been
10:50:16 4 interviewed, would they be allowed to do that in
10:50:20 5 private?---I would expect so.
10:50:21 6
10:50:23 7 Was that the understanding, that police officers wouldn't
10:50:27 8 be permitted to listen to lawyers?---Yes, that is correct.
10:50:30 9
10:50:31 10 What about your understanding of concepts such as legal
10:50:35 11 professional privilege, those sorts of issues, were those
10:50:38 12 matters that were taught to you?---I'm sure it would have
10:50:43 13 come up during courses that I did a very long time ago.
10:50:47 14
10:50:48 15 Right. Obviously those courses would have been, what, when
10:50:56 16 you first became a police officer?---Exactly, yes.
10:50:58 17
10:50:59 18 Training courses?---You had detective training courses, you
10:51:01 19 had your initial course, there were other courses as I've
10:51:04 20 mentioned in my statement.
10:51:05 21
10:51:05 22 Yes, all right. I mean the purpose is, I assume, so that a
10:51:13 23 suspect, a person who's charged, has the opportunity to
10:51:16 24 speak to a lawyer absolutely freely to give that lawyer
10:51:22 25 instructions to enable that lawyer to give them legal
10:51:28 26 advice?---Correct.
10:51:29 27
10:51:29 28 That's something that would be second nature to all police
10:51:32 29 officers, or they'd understand that I assume?---Yes.
10:51:35 30
10:51:44 31 Can I ask you about your movement into the Drug Squad. Was
10:51:58 32 your first involvement as a detective in the Drug Squad in
10:52:03 33 the late 90s when you were a Detective Sergeant, mid to
10:52:10 34 late - I'm sorry, mid to late 80s, I apologise?---I'd agree
10:52:16 35 with that, yes.
10:52:16 36
10:52:17 37 And are you able to explain how the Drug Squad was set up
10:52:25 38 when you first became involved in the Drug Squad?---I was
10:52:32 39 one of many Detective Sergeants as a team leader in the
10:52:36 40 Drug Squad at the time. We were certainly based in a
10:52:41 41 different location then, which was the old Russell Street
10:52:46 42 headquarters, and it was a bit of a rabbit warren, there
10:52:49 43 was an upstairs section, downstairs section, there were
10:52:54 44 multiple sections in there. Different units. I'll refer
10:52:55 45 to them as units.
10:52:55 46
10:52:55 47 How many units were there from your recollection?---From

10:52:59 1 that timeframe I honestly can't recall, but certainly when
10:53:01 2 we transferred across to the new building in St Kilda Road
10:53:04 3 it was four investigative units and one technical unit.
10:53:09 4 When I say technical unit, intel unit I meant. That was
10:53:13 5 the analysts.
10:53:13 6
10:53:14 7 All right?---So I would assume that transferred across in
10:53:18 8 the same format.
10:53:19 9
10:53:22 10 Were you in charge of a unit, let's talk about when you
10:53:27 11 transferred to Russell Street, were you in charge of one of
10:53:31 12 the units?---No, not at all. The Senior Sergeant's in
10:53:35 13 charge of the unit. I was a Detective Sergeant, a member
10:53:39 14 of one of the units in charge of a team of three detective.
10:53:45 15
10:53:45 16 What year do you recall transferring over to Russell
10:53:49 17 Street?---I believe that was around 95.
10:53:51 18
10:53:51 19 Sorry, St Kilda Road?---St Kilda Road, sorry, around 95 I
10:53:54 20 believe.
10:53:54 21
10:53:54 22 At that time do you recall what unit you were
10:54:01 23 in?---Initially?
10:54:03 24
10:54:03 25 Yes?---No.
10:54:04 26
10:54:06 27 In 95 you'd transferred into Division 2?---Yes, I went into
10:54:11 28 a different unit.
10:54:12 29
10:54:12 30 Right?---Whether that was an immediate transfer there or a
10:54:17 31 little bit after I can't be 100 per cent about, but
10:54:20 32 certainly I did go into Unit 2 which was then the
10:54:22 33 Clandestine Laboratory Unit.
10:54:24 34
10:54:24 35 Right, okay. The statement that you've tendered, can you
10:54:29 36 tell the Commission how you made that statement, was it
10:54:37 37 based on any notes, diaries that you had or was it based on
10:54:43 38 recollection only?---Based on recollection, which I really
10:54:46 39 had to delve into the deep dark past to get to.
10:54:50 40
10:54:51 41 Delve into your recollection?---Correct.
10:54:53 42
10:54:53 43 Yes, all right. You got diaries I take it, is that right,
10:54:59 44 were they provided to you?---Yes, we certainly went and, I
10:55:06 45 think to Corrs to have a look at diary entries.
10:55:07 46
10:55:08 47 Do you recall when that was when you went to Corrs?---Two

10:55:12 1 weeks ago. Two or three weeks ago, I can't say.
10:55:15 2
10:55:15 3 Prior to that you'd spoken to investigators; is that
10:55:19 4 right?---Yes, on three occasions.
10:55:20 5
10:55:20 6 And the first occasion, as I understand it, was on 1 March
10:55:24 7 of this year, you spoke to Woltsche and Pattie; is that
10:55:31 8 right?---That is correct.
10:55:31 9
10:55:32 10 At that stage were you aware that you were going to be
10:55:36 11 spoken to about your recollection of these matters?---No, I
10:55:39 12 actually thought it was estate agents turning up at my
10:55:44 13 door.
10:55:44 14
10:55:46 15 You had a discussion with police officers?---I did.
10:55:49 16
10:55:52 17 You were asked questions about I think at that stage 3838
10:55:59 18 which we now know is Nicola Gobbo?---Yes.
10:56:02 19
10:56:02 20 You had some recollections of her?---I did.
10:56:05 21
10:56:06 22 You were asked whether you had dealt with her - in what
10:56:10 23 ways you'd dealt with her; is that right?---Correct.
10:56:12 24
10:56:16 25 At that stage is that the first time you had brought these
10:56:20 26 or heard her name for quite some time; is that
10:56:25 27 right?---Sorry, could you repeat that, please?
10:56:28 28
10:56:28 29 When you spoke to these police officers is that the first
10:56:31 30 time that you turned your mind to - - - ?---Exactly.
10:56:38 31
10:56:44 32 Subsequently you spoke to those police officers again I
10:56:48 33 think on 4 March?---It was.
10:56:51 34
10:56:51 35 About three days later?---Yes, they turned up on Friday 1
10:56:55 36 March. They came back on 4 March.
10:56:57 37
10:56:57 38 Yes. And then they came back on 20 March; is that
10:57:02 39 right?---Well, I can't be positive about that date but I
10:57:05 40 wouldn't doubt it.
10:57:06 41
10:57:06 42 Yes, all right. Were you ever given a copy of notes that
10:57:09 43 had been taken as a result of those discussions?---No.
10:57:12 44
10:57:13 45 You haven't seen them?---No.
10:57:14 46
10:57:15 47 I might come back to those if you don't mind. What I want

10:57:39 1 to do is ask you about a couple of matters that you were
10:57:42 2 involved in. Do you recall being involved in an operation
10:57:48 3 called Operation Phalanx?---I do.
10:57:52 4
10:57:52 5 I think you make reference to it at paragraph 16 of your
10:57:55 6 statement. Can you explain to the Commission broadly
10:58:02 7 speaking what that operation was about?---Operation Phalanx
10:58:10 8 commenced in about 92, 93. It targeted a very high level
10:58:17 9 drug trafficker. I don't know whether I should be
10:58:20 10 mentioning names at this point.
10:58:22 11
10:58:22 12 I don't think there's any secret that it involved a
10:58:26 13 gentleman by the name of Higgs?---John William Samuel
10:58:35 14 Higgs, yes, that is correct.
10:58:35 15
10:58:37 16 And obviously other people, is that correct?---He was the
10:58:40 17 number one target and we expanded the investigation because
10:58:44 18 of his large amount of associates and he ended up running
10:58:47 19 that investigation for three or four years. Final arrest
10:58:54 20 took place I believe mid-96 after the burglary that took
10:58:54 21 place.
10:58:55 22
10:58:55 23 After the burglary at St Kilda police station; is that
10:58:59 24 right?---Correct. Clarify that, not St Kilda police
10:59:04 25 station, the Drug Squad offices.
10:59:06 26
10:59:06 27 Can you explain what that was about, what happened?---Yes.
10:59:09 28 A brief was being prepared against Mr Higgs and co-accused,
10:59:14 29 and there were quite a few of them. A room had been put
10:59:19 30 aside for the preparation of that brief in the Drug Squad
10:59:22 31 offices. Due to the amount of time that took place between
10:59:27 32 the commencement of the operation and the conclusion other
10:59:30 33 members involved in the investigation had moved on so
10:59:33 34 effectively there was only a couple left there that had
10:59:36 35 knowledge of it. That brief was being put together in a
10:59:40 36 locked area for security sake.
10:59:42 37
10:59:42 38 Yes?---During the period of Christmas of 95 and 6 January
10:59:55 39 96 unlawful entry was made into that room and a heap of
11:00:02 40 original documents, tapes and other evidence were
11:00:07 41 unlawfully removed.
11:00:08 42
11:00:08 43 Was that January 96 or 97 to the best of your
11:00:13 44 recollection?---96.
11:00:13 45
11:00:14 46 96, right?---To the best of my recollection.
11:00:17 47

11:00:21 1 The arrests occurred after that?---There had been a number
11:00:24 2 of arrests at various stages up to that point but this was
11:00:27 3 the main evidence that we had which involved importations
11:00:30 4 in serious drug trafficking. That meant that we had to
11:00:38 5 re-establish that evidence, take further statements from
11:00:41 6 the person who'd provided most of the evidence, who at that
11:00:45 7 stage was overseas, before we could take any further
11:00:48 8 action. Once we had all that and redid the statements, had
11:00:52 9 them resigned, probably mid-96 arrests took place, final
11:01:00 10 arrests by that phase.

11:01:03 11
11:01:07 12 I don't want you to name the solicitor, but was there a
11:01:13 13 solicitor, a particular solicitor who had been instructed
11:01:16 14 to represent a number of those people who had been
11:01:20 15 charged?---I believe that's the case. I do recall
11:01:23 16 attending an office with one of my detectives serving
11:01:27 17 paperwork at some point.

11:01:28 18
11:01:29 19 Yes?---And it was part of the committal proceedings.

11:01:31 20
11:01:31 21 Right?---I can't tell you exactly when that was. I know
11:01:35 22 which suburb it was but I won't mention that.

11:01:38 23
11:01:38 24 No, all right. And you've got in mind the name of the
11:01:40 25 particular solicitor?---Certainly have.

11:01:42 26
11:01:42 27 Perhaps for the purpose of this exercise we might call him
11:01:46 28 Solicitor 1?---Okay.

11:01:48 29
11:01:48 30 COMMISSIONER: That's, just in terms of the narrative
11:01:51 31 that's already the pseudonym given to this solicitor, isn't
11:01:55 32 it, in the Commission?

11:01:57 33
11:01:57 34 MR WINNEKE: I'll make it clear. Ms Gobbo was employed by
11:02:00 35 a particular solicitor?---Correct.

11:02:02 36
11:02:02 37 Is it the same solicitor?---Yes.

11:02:04 38
11:02:04 39 Yes, okay, all right. Did you form a view as to whether or
11:02:19 40 not the solicitor we're talking about, whether that
11:02:24 41 particular solicitor had been used by his clients for the
11:02:30 42 purposes of cleaning money?---At that point in time, no.

11:02:35 43
11:02:35 44 Did you later form that view?---Certainly I'd formed no
11:02:43 45 view whatsoever.

11:02:43 46
11:02:44 47 Right, all right. Did you ever read an article by John

11:02:54 1 Silvester in which there was a reference to something of
11:02:57 2 that sort?---When was that article?
11:03:01 3
11:03:01 4 About 2013 after Mr Higgs had been subsequently imprisoned.
11:03:11 5 Is that something that comes to mind?---No. If I read that
11:03:15 6 article but I certainly don't recall it.
11:03:17 7
11:03:17 8 You don't recall it, okay. Were you aware that in 1997
11:03:42 9 Ms Gobbo was working for that solicitor?---Yes.
11:03:48 10
11:03:50 11 I take it you'd had dealings with the solicitor over a
11:03:55 12 number of years because of his involvement in representing
11:04:00 13 - - - ?---Correct.
11:04:01 14
11:04:01 15 - - - relatively high profile alleged drug
11:04:05 16 traffickers?---Yes.
11:04:06 17
11:04:07 18 You'd also had dealings with Ms Gobbo in that way; is that
11:04:15 19 right?---In what period?
11:04:16 20
11:04:16 21 In 1997. Do you recall that?---Yes, the end of 97 I
11:04:24 22 believe.
11:04:24 23
11:04:25 24 Are you aware of a view within the Drug Squad, perhaps a
11:04:30 25 negative view, about that solicitor?---No.
11:04:34 26
11:04:35 27 In 1997 or thereabouts?---No.
11:04:36 28
11:04:37 29 Never?---Never.
11:04:38 30
11:04:39 31 All right. Can I ask you, in 1997 are you able to explain
11:04:49 32 what your position was with respect to the Drug Squad?
11:04:56 33 Were you in the Clandestine Unit at that stage, the drug
11:05:02 34 unit, I'm sorry?---Yes, I was.
11:05:04 35
11:05:06 36 Did that unit have any involvement with other units which
11:05:10 37 were carrying out investigations within the Drug
11:05:13 38 Squad?---Certainly we were all in the same floor.
11:05:16 39
11:05:16 40 Yes?---And we certainly all knew each other.
11:05:19 41
11:05:19 42 Yes?---But our involvement with each other's investigations
11:05:22 43 was minimal.
11:05:23 44
11:05:23 45 Was it?---Yes.
11:05:23 46
11:05:25 47 Can I ask you about a particular operation called Operation

11:05:29 1 Carron?---Yes, I know that one.
11:05:30 2
11:05:31 3 You were involved in that operation?---I was.
11:05:33 4
11:05:34 5 What was your involvement in that operation?---I led the
11:05:37 6 investigative team and basically managed and conducted that
11:05:42 7 investigation.
11:05:42 8
11:05:45 9 What unit was conducting that, was it your unit or was it
11:05:49 10 another unit?---Clandestine Laboratory Unit.
11:05:54 11
11:06:02 12 Kruger, was he in that unit?---Yes.
11:06:05 13
11:06:05 14 MR HOLT: Sorry, Commissioner, that's a matter of
11:06:08 15 suppression.
11:06:09 16
11:06:09 17 COMMISSIONER: Yes. If the record could have that name
11:06:10 18 removed and we'll replay that?---Mr Kruger was in that
19 particular unit.
20
11:06:12 21 That particular police officer has a pseudonym - - - ?---I
22 understand.
23
11:06:14 24 - - - for the inquiry which is Kruger, so if you're
11:06:20 25 referring to that police officer if you could in future use
11:06:23 26 Kruger.
11:06:23 27
11:06:24 28 MR WINNEKE: I'll ask the question again. You're aware
11:06:27 29 that Mr Kruger was involved in that operation?---Yes.
11:06:29 30
11:06:30 31 Was he in your team?---No.
11:06:32 32
11:06:32 33 Whose team was he in?---I can't say at that time.
11:06:35 34
11:06:35 35 Was he in - do you recall a person by the name of
11:06:40 36 Bowden?---Yes.
11:06:41 37
11:06:41 38 Was he a Sergeant?---No, Mr Bowden was a Senior Sergeant.
11:06:45 39
11:06:45 40 He was a leader of that team?---He was a leader of that
11:06:48 41 unit. Operations manager for that unit.
11:06:50 42
11:06:51 43 Yes, okay. You were in effect the director of the
11:06:59 44 operation. What role does that - can you explain then what
11:07:03 45 role you had, what did you do?---In that investigation, if
11:07:08 46 you're basically the team leader running that investigation
11:07:14 47 you establish the parameters of the investigation, direct

11:07:18 1 the investigators, generally direct any informer that may
11:07:25 2 be involved. Basically you pretty well run the
11:07:34 3 investigation, as much as you're allowed to.
11:07:37 4
11:07:37 5 And would you speak to the other police officers about what
11:07:40 6 they were doing?---The investigative team, yes, yes.
11:07:45 7
11:07:45 8 And how frequently would you seek to them?---If it's your
11:07:49 9 team you're talking to them all the time, every day.
11:07:51 10
11:07:55 11 On a daily basis, I assume, is that correct?---Correct.
11:07:56 12
11:07:57 13 Do you recall how many people there were in the
11:07:59 14 investigative team that were involved in Operation
11:08:03 15 Carron?---No.
11:08:03 16
11:08:03 17 As a matter of course would it vary as between
11:08:05 18 operations?---It varies as the investigation expands and
11:08:07 19 from memory that expanded a fair bit.
11:08:13 20
11:08:13 21 It was a fairly large operation?---It was.
11:08:16 22
11:08:16 23 Did it take in other operations?---Yes, it did.
11:08:21 24
11:08:21 25 In particular an operation called Hamadan, is that
11:08:27 26 right?---Yes, it split, it split into two different
11:08:29 27 directions.
11:08:31 28
11:08:32 29 [REDACTED]
11:08:35 30 [REDACTED]
11:08:36 31
11:08:36 32 [REDACTED]
11:08:43 33 [REDACTED]
11:08:47 34 [REDACTED]
11:08:49 35
11:08:49 36 [REDACTED]
11:08:56 37 [REDACTED]
11:08:59 38
11:08:59 39 [REDACTED]
11:09:05 40 [REDACTED]
11:09:05 41
11:09:05 42 [REDACTED]
11:09:09 43 [REDACTED]
11:09:12 44
11:09:12 45 [REDACTED]
11:09:16 46 [REDACTED]
11:09:19 47 [REDACTED]

11:09:21 1
11:09:22 2
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11:09:49 8
11:09:53 9
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11:09:54 11
11:09:56 12
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11:09:59 14
11:10:02 15
11:10:07 16
11:10:10 17
11:10:12 18
11:10:13 19
11:10:15 20
11:10:17 21
11:10:17 22
11:10:19 23
11:10:20 24
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11:10:27 26
11:10:28 27
11:10:56 28
11:10:56 29
11:11:00 30
11:11:03 31
11:11:03 32
11:11:05 33
11:11:06 34
11:11:08 35
11:11:11 36
11:11:16 37
11:11:16 38
11:11:34 39
11:11:50 40
11:11:53 41
11:11:56 42
11:12:01 43
11:12:08 44
11:12:10 45
11:12:10 46
11:12:13 47

Right?---[REDACTED]

MR WINNEKE: We might need to resort to a document which you can be shown. I wonder if you could have a look at - we've got a document that will be shown you?---Thank you.

[REDACTED]

Right, okay. I wonder if I can show you a document.

COMMISSIONER: That document with the names of Person 1 to 5 will be Exhibit 81.

#EXHIBIT RC81 - Document with names of Persons 1-5.

COMMISSIONER: At the conclusion of this witness's evidence it can be placed in a sealed envelope and to be marked "only to be opened on order of the Commissioner".

MR WINNEKE: Yes, just excuse me. I'd like to show you a document if I could. Obviously we're not going to name the people in the document and the document's not going to be published into its complete form for the purposes of this exercise at the moment but can you tell the Commission what that is, firstly?---It appears to be some sort of property document.

Right?---Whether it's a transfer document, a sale document, I don't know.

11:12:13 1
11:12:15 2 It appears to be a document with the names of Person 1 and
11:12:22 3 Person 2 on it?---Correct.
11:12:23 4
11:12:23 5 Is that right?---And Solicitor 1.
11:12:25 6
11:12:25 7 And Solicitor 1. The date of that document?---25 July 96.
11:12:33 8
11:12:33 9 96. That's a document which you had in your possession; is
11:12:42 10 that right?---I did.
11:12:42 11
11:12:42 12 You provided that document to police investigators?---I
11:12:48 13 did.
11:12:48 14
11:12:48 15 To Landow investigators and to the Commission?---Correct.
11:12:52 16
11:12:52 17 Can you tell the Commission when you came into possession
11:12:55 18 of that document?---I have no idea when I came into
11:12:59 19 possession of that document. I didn't even know I had it
11:13:02 20 to be honest.
11:13:03 21
11:13:04 22 Where was the document?---It was in a file of documents, a
11:13:08 23 folder of documents which were documents that were part of
11:13:11 24 a - provided by the prosecution during my trials.
11:13:19 25
11:13:21 26 Right, okay. That document you were able to produce to
11:13:31 27 investigators?---Correct.
11:13:33 28
11:13:34 29 How was it that you came to produce that document, were you
11:13:37 30 asked to produce any particular or look for any particular
11:13:42 31 document?---No, when they turned up on the Friday, during
11:13:45 32 the weekend I was trying to reflect on investigations that
11:13:49 33 were conducted during that period and what documents I may
11:13:54 34 have to refresh my memory.
11:13:55 35
11:13:55 36 Yes?---In a plastic sleeve there was that document plus
11:13:59 37 another thick document which I - - -
11:14:01 38
11:14:01 39 Right. Which was a document related to Operation
11:14:04 40 Carron?---Correct.
11:14:05 41
11:14:05 42 The summary?---Yes.
11:14:07 43
11:14:07 44 Clearly you were asked, I assume, to locate documents which
11:14:10 45 may be relevant to the issue of Nicola Gobbo, your
11:14:15 46 knowledge of Nicola Gobbo, anything to do with Nicola
11:14:18 47 Gobbo; is that right?---If that was put, that was put.

11:14:21 1
11:14:22 2 Well, why then did you produce that document?---Well I was
11:14:26 3 look for timeframes and reflection on what occurred and
11:14:32 4 when.
11:14:32 5
11:14:33 6 Right?---Because I knew that my involvement with Ms Gobbo
11:14:35 7 came about after the conclusion of Carron.
11:14:38 8
11:14:38 9 Right?---So that certainly gave me some dates to allow me
11:14:46 10 to reflect on.
11:14:47 11
11:14:47 12 Right. So having reflected on that you went and found that
11:14:50 13 document?---Correct.
11:14:51 14
11:14:56 15 Can I ask you to provide a little bit more detail. Why
11:15:00 16 specifically was that document relevant to the question of
11:15:03 17 Nicola Gobbo?---It wasn't. It was in with the Operation
11:15:08 18 Carron summary that I provided.
11:15:09 19
11:15:09 20 Right?---Actually it's when they, when the investigators
11:15:14 21 asked something about a property transfer I produced that
11:15:17 22 document.
11:15:17 23
11:15:18 24 They asked you something about a property transfer?---Yes,
11:15:21 25 correct, a property document.
11:15:22 26
11:15:22 27 Yes, okay?---I said, "Is this the document you're talking
11:15:26 28 about?"
11:15:27 29
11:15:27 30 Which investigators asked you about that?---The two members
11:15:31 31 who came out.
11:15:32 32
11:15:32 33 So that's Woltsche and Pattie; is that right?---Correct.
11:15:37 34
11:15:39 35 Was that on the first occasion they spoke to you or the
11:15:42 36 second occasion?---No, second occasion.
11:15:44 37
11:15:44 38 What did they say, what was the question?---Basically how
11:15:50 39 that document came into being in my possession.
11:15:54 40
11:15:54 41 They asked you that?---I think so.
11:15:58 42
11:15:58 43 What I'm trying to ascertain - - - ?---Yes, please, get to
11:16:01 44 the point.
11:16:01 45
11:16:01 46 Why did you choose that document?---Because it was in the
11:16:04 47 same sleeve with the Operation Carron summary.

11:16:08 1
11:16:08 2 Yes, all right?---That's why.
11:16:10 3
11:16:11 4 You knew that Ms Gobbo acted for one of those people,
11:16:15 5 didn't you?---Yes.
11:16:15 6
11:16:15 7 Which one?---We'll call him Person 2.
11:16:21 8
11:16:21 9 Hey?---Sorry? Are you talking in relation to this
11:16:25 10 document?
11:16:25 11
11:16:26 12 Yes?---Yes, Person 2.
11:16:28 13
11:16:28 14 What about the other one?---I'm unsure. Person 1, I'm
11:16:32 15 unsure.
11:16:33 16
11:16:34 17 It must have been, it must have occurred to you when you
11:16:37 18 handed that document over that Ms Gobbo acted for one of
11:16:40 19 those people?---Yes.
11:16:41 20
11:16:41 21 And indeed you'd had quite a few dealings with Ms Gobbo in
11:16:45 22 relation to one of those people, hadn't you?---I had some
11:16:49 23 dealings, yes.
11:16:50 24
11:16:50 25 And are you able to tell the Commission, firstly, how you
11:16:56 26 came to be aware that Ms Gobbo acted for one of those
11:17:02 27 people and what your involvement was with Ms Gobbo and that
11:17:06 28 person, and I'm talking specifically about Person 2?---Yes,
11:17:12 29 I will.
11:17:13 30
11:17:13 31 Yes?---At the conclusion of the investigation, once charges
11:17:17 32 were laid against members of that, Person 2, I spoke to
11:17:23 33 Person 2 after he'd been charged to advise him of his
11:17:27 34 options for a penalty reduction which would be to be an
11:17:32 35 informer. He didn't make any comment whatsoever in
11:17:38 36 relation to that. He virtually remained silent all through
11:17:42 37 all proceedings with him.
11:17:43 38
11:17:44 39 Can I stop you there. Is that after he was - - - ?---After
11:17:47 40 he was charged, yes.
11:17:48 41
11:17:49 42 After he was charged?---Correct.
11:17:51 43
11:17:51 44 That's around 18 November 1997?---Correct, yes. If that
11:17:55 45 was - - -
11:17:56 46
11:17:56 47 COMMISSIONER: Was Nicola Gobbo present then?---No.

11:17:58 1
11:17:59 2 Thank you?---No. At the committal Person 2 actually came
11:18:11 3 and sat down beside me outside the court and spoke to me
11:18:14 4 and it was not - and it was just a general conversation. I
11:18:19 5 think he was basically feeling me out and it was after that
11:18:22 6 I got contacted by Ms Gobbo on behalf of Person 2 to have a
11:18:28 7 meeting to discuss the parameters of him becoming an
11:18:31 8 informer.
11:18:33 9
11:18:34 10 MR WINNEKE: How did that meeting come about? How did the
11:18:37 11 contact - did she approach you or ring you?---I believe it
11:18:42 12 was phone contact.
11:18:43 13
11:18:43 14 Had you had any contact with her before?---I don't believe
11:18:46 15 so.
11:18:46 16
11:18:46 17 Right. As in relation - I'm talking about generally
11:18:52 18 speaking had you dealt with her?---We could have bumped
11:18:58 19 into each other at court hearings but I certainly have no
11:19:01 20 recollection of any dealings with her prior to that.
11:19:04 21
11:19:04 22 Right. You said before that as a general proposition in 97
11:19:09 23 you would speak to the employer in relation to clients who
11:19:15 24 you'd been involved in investigating and charging?---Sorry,
11:19:20 25 I'm - - -
11:19:21 26
11:19:21 27 You said before that in 1997 you would have had discussions
11:19:26 28 with the employer, that is her employer, in relation to
11:19:32 29 clients generally who the Drug Squad had charged?
11:19:35 30
11:19:35 31 COMMISSIONER: Solicitor 1?---I don't recall any specific
11:19:38 32 conversation I had with him about that.
11:19:40 33
11:19:40 34 MR WINNEKE: As a general - I'm talking generally. I asked
11:19:44 35 you before generally when you'd spoken - - - ?---Generally
11:19:49 36 if we bumped into each other at court it would be a brief
11:19:53 37 hello.
11:19:53 38
11:19:53 39 And you bumped into Ms Gobbo generally - - - ?---That's
11:19:58 40 quite possible, quite probable.
11:20:00 41
11:20:03 42 So the occasion that she'd contacted you in relation to
11:20:03 43 Person 2, it wasn't the first time you'd ever spoken to
11:20:08 44 her?---It was the first time I recall having a conversation
11:20:11 45 with her.
11:20:11 46
11:20:13 47 Your first specific recollection?---Correct, because of the

11:20:14 1 importance of Person 2.
11:20:15 2
11:20:16 3 Yes, all right. Were you aware that she, or certainly her
11:20:19 4 firm was representing other people charged in relation to
11:20:23 5 Operation Carron?---I believe the firm represented many,
11:20:27 6 many people charged by many sections of the Drug Squad.
11:20:31 7
11:20:31 8 Yes, but in relation to Operation Carron you were aware
11:20:36 9 that she represented other people that you'd charged?---She
11:20:43 10 may have.
11:20:43 11
11:20:43 12 On 11 May 98 your diary records that you met with the OPP,
11:20:54 13 [REDACTED], Pellisier, Ms Gobbo, Kruger regarding [REDACTED]
11:20:59 14 [REDACTED]?---Correct.
11:21:00 15
11:21:06 16 He was another person who had been charged?---He was the
11:21:10 17 offshoot of Hamadan.
11:21:11 18
11:21:12 19 You were aware that she was also representing a fellow
11:21:18 20 called Arnautovic?---No.
11:21:22 21
11:21:22 22 You don't recall that now?---No.
11:21:24 23
11:21:26 24 In 1997 one assumes you would have been all over it and you
11:21:30 25 would have been aware that she was, or at least the firm
11:21:34 26 and she were representing Arnautovic?---No.
11:21:38 27
11:21:38 28 You wouldn't have been aware of that in 97?---I'm not aware
11:21:43 29 of that now. I have no recollection of it.
11:21:44 30
11:21:45 31 Let me just ask this though. Let's just assume that this
11:21:46 32 operation led to charges against Arnautovic, that is
11:21:53 33 operation Hamadan?---Correct. That it did.
11:21:55 34
11:21:56 35 You would have been aware when you were the leader of this
11:22:00 36 investigation, which included Hamadan and Carron, that
11:22:04 37 Arnautovic would have been charged?---I was certainly aware
11:22:08 38 of that.
11:22:08 39
11:22:09 40 [REDACTED]
11:22:14 41 [REDACTED]
11:22:18 42 [REDACTED]
11:22:22 43 [REDACTED]
11:22:25 44 [REDACTED]
11:22:26 45 [REDACTED]
11:22:32 46 [REDACTED]
11:22:34 47 [REDACTED]

11:22:35 1
11:22:35 2 MR HOLT: Sorry, Commissioner, can I just be heard? I just
11:22:37 3 wonder whether what's just been said in the course of the
11:22:40 4 last 30 seconds, in light of what had been earlier been
11:22:44 5 said, now permits absolute identification of human sources
11:22:49 6 and I'm going to ask for the last period to be excised and
11:22:51 7 if we need to move into closed hearing I ask for that to be
11:22:52 8 done now, otherwise I wish to be heard about further steps.
11:22:55 9
11:22:55 10 COMMISSIONER: All right.
11:22:56 11
11:22:56 12 MR HOLT: The first thing I ask is that the web casting be
11:23:00 13 stopped so that last 15 minutes is not played.
11:23:03 14
11:23:04 15 COMMISSIONER: Yes. Just the last question or - - -
11:23:05 16
11:23:06 17 MR HOLT: No, I'd like - the problem is, as I indicated
11:23:08 18 this morning, it's the jigsaw effect.
11:23:10 19
11:23:11 20 COMMISSIONER: Yes, but is it the last question that you're
11:23:13 21 concerned about?
11:23:14 22
11:23:14 23 MR HOLT: No, I actually ask that we now not play the last
11:23:16 24 15 minutes so that I can be heard and these matters can be
25 properly dealt with because I'm concerned now about the way
11:23:20 26 in which even if the - the last question was the last piece
11:23:22 27 of the puzzle, so that needs to be go unquestionably, but I
11:23:27 28 remain concerned about the way in which the matters can now
11:23:29 29 be put together.
11:23:30 30
11:23:30 31 COMMISSIONER: Would you like it replayed and we'll talk
32 about what part you want stopped. Let's be specific about
33 this.
34
11:23:34 35 MR HOLT: I'm content to do that, Commissioner. I wonder
11:23:38 36 whether these issues, if my learned friend wishes to pursue
11:23:42 37 these issues, and I understand why the Commission wishes
11:23:44 38 to, I respectfully reiterate our request that that be done
11:23:48 39 in closed hearing. At the moment we're in a position where
11:23:50 40 material has now been said which it does not take a lot to
11:23:52 41 work out.
11:23:53 42
11:23:53 43 COMMISSIONER: Yes. I'm wanting to know from what point do
11:23:57 44 you say it should be struck out of the hearing, of the
11:24:04 45 transcription?
11:24:04 46
11:24:07 47 MR HOLT: The last question and answer.

11:24:08 1
11:24:09 2 COMMISSIONER: We can easily do that. Rather than sort of
11:24:12 3 jumping in and out of public and private hearings, perhaps,
11:24:17 4 Mr Winneke, if you're going to pursue a line of questioning
11:24:22 5 now that might lead to the identity of the informer being
11:24:27 6 exposed it might be better to come back to that in a
11:24:31 7 private hearing, or if you are able to continue without
11:24:35 8 that happening?
11:24:42 9
11:24:42 10 MR WINNEKE: Well, look, I'll see if I can do it and skirt
11:24:48 11 around there.
11:24:48 12
11:24:48 13 COMMISSIONER: All right then. Let's see how we go. You
11:24:51 14 stand up, Mr Holt, and you tell me if you're concerned, all
11:24:55 15 right.
11:24:55 16
11:24:55 17 MR HOLT: Yes. Thank you, Commissioner.
11:25:03 18
11:25:16 19 MR WINNEKE: If I come back to this proposition, that
11:25:21 20 around that period of time, 1997 through to 1998, you're
11:25:28 21 aware of the involvement of Ms Gobbo and her employer in
11:25:33 22 the representation of various people involved in this
11:25:36 23 operation?---Yes.
11:25:37 24
11:25:38 25 Right, okay. You say that - this is something that there
11:25:48 26 was no objection earlier, but subsequent to the committal
11:25:51 27 proceeding you had a discussion with Person 2?---And
11:26:00 28 Ms Gobbo, yes.
11:26:00 29
11:26:01 30 And Ms Gobbo.
11:26:02 31
11:26:02 32 COMMISSIONER: Person 2 and Ms Gobbo?---Correct.
11:26:04 33
11:26:06 34 MR WINNEKE: Yes, thank you Commissioner. Can you explain,
11:26:12 35 firstly, the discussion that you had with Ms Gobbo and if
11:26:16 36 you're able to give the specifics of it or at least the
11:26:20 37 gist of it that would be useful?---The specifics I can't.
11:26:23 38 I do recall a meeting.
11:26:24 39
11:26:24 40 Yes?---Basically it was to advise on what the requirements
11:26:29 41 would be.
11:26:31 42
11:26:31 43 The requirements?---Of Person 2.
11:26:33 44
11:26:33 45 Yes?---To get a discount that he was after.
11:26:37 46
11:26:37 47 Yes?---And the parameters that needed to be gone through

11:26:45 1 for that.
11:26:46 2
11:26:48 3 That was a discussion which occurred at the Drug Squad or
11:26:53 4 elsewhere?---No, it was elsewhere.
11:26:55 5
11:26:55 6 Do you recall where it occurred?---I believe it was a café
11:26:58 7 in St Kilda Road.
11:26:59 8
11:27:00 9 Do you recall the name of the café?---No.
11:27:02 10
11:27:08 11 Would you have made a note of that conversation?---I would
11:27:12 12 have expected so.
11:27:13 13
11:27:22 14 Subsequent to that conversation what
11:27:26 15 occurred?---Arrangements were made to attend the Crime
11:27:39 16 Commission in Sydney.
11:27:40 17
11:27:40 18 Was that something that you had arranged with
11:27:48 19 Ms Gobbo?---My view was pretty straightforward. The
11:27:50 20 suppliers of the heroin to Person 2 were Sydney based.
11:27:56 21
11:27:56 22 Yes?---And there was a long history of that and clearly the
11:28:04 23 best discount that Person 2 would get would be to do some
11:28:13 24 work on those suppliers in Sydney.
11:28:15 25
11:28:16 26 Yes?---So subsequently the hierarchy of the Drug Squad
11:28:21 27 liaised with New South Wales and arrangements were made to
11:28:26 28 take Person 2 up to Sydney.
11:28:29 29
11:28:30 30 COMMISSIONER: Sorry, that needs to be struck from the
11:28:31 31 record, thank you. That's Person 2?---I apologise. I'll
11:28:35 32 turn that document over.
11:28:36 33
11:28:36 34 That's okay. Keep the document in front of you. We've got
11:28:39 35 this delay system?---I apologise for that.
11:28:42 36
11:28:44 37 MR HOLT: Commissioner, that name's now been given in an
11:28:46 38 open courtroom in the hearing in circumstances - - -
11:28:49 39
11:28:49 40 COMMISSIONER: I direct the name of that person is not to
11:28:51 41 be published.
11:28:53 42
11:28:54 43 MR HOLT: Commissioner, this is the difficulty with
11:28:55 44 respect.
45
46 COMMISSIONER: Well we just have to work around it. We can
11:28:56 47 work around it.

11:28:56 1
11:28:56 2 MR HOLT: This is about the protection of something which
11:28:58 3 is core protected by public interest immunity, that is the
11:29:01 4 name of a human source, with respect, and I reiterate our
11:29:04 5 application to have these issues dealt with in closed
11:29:08 6 court. We've now seen two instances where with the best
11:29:11 7 will in the world names are being used or indications are
11:29:13 8 being given which are sufficient to identify the names of
11:29:18 9 human sources. The resources which will need to be
11:29:19 10 deployed to deal with those risks even on the basis of what
11:29:20 11 has just been said by Victoria Police are profound because
11:29:23 12 the risks are serious and I respectfully ask that these
11:29:26 13 issues be dealt with in private hearing and, if not,
11:29:31 14 Commissioner, then I ask that this issue be referred as a
11:29:35 15 question of law to the Supreme Court.
11:29:36 16
11:29:37 17 COMMISSIONER: All right. What do you say, Mr Winneke?
11:29:39 18
11:29:40 19 MR WINNEKE: Commissioner, as I understand it the name
11:29:43 20 that's been given won't - - -
11:29:48 21
11:29:48 22 COMMISSIONER: I can make a direction that it not be
11:29:52 23 published outside this courtroom and it's struck from the
11:29:56 24 record. And I so direct, that the name not be published
11:30:01 25 outside this hearing room.
11:30:03 26
11:30:03 27 MR WINNEKE: Commissioner, that name is on the piece of
11:30:05 28 paper that Mr Strawhorn has in front of him. The people, I
11:30:09 29 would imagine, have heard your ruling and therefore it
11:30:15 30 can't be published outside of this room. We'll continue on
11:30:22 31 that basis. As far as my submission is concerned, that can
11:30:27 32 be done.
11:30:27 33
11:30:28 34 MR HOLT: We assert, Commissioner, the public interest
11:30:30 35 immunity claim that we've made in respect of the material
11:30:32 36 that is now being examined which relates to and risks as
11:30:38 37 has been demonstrated twice this morning the identification
11:30:38 38 of human sources and we maintain the position on our
11:30:42 39 instructions that if the Commission wishes to address this
11:30:46 40 issue it can do so in a private hearing. We do not assert
11:30:52 41 public interest immunity in respect of a private
11:30:53 42 hearing with proper orders in place that would allow for
11:30:54 43 proper protections to be made.
11:30:54 44
11:30:55 45 COMMISSIONER: Yes, I understand. Does anybody else want
11:30:56 46 to be heard on this point? No. I think we'll deal with
11:31:01 47 the rest of this topic in a private hearing, but if you

11:31:03 1 want to continue on other topics now and do as much as you
11:31:07 2 can in public hearing, Mr Winneke.
11:31:09 3
11:31:09 4 MR WINNEKE: Commissioner, look, I think whilst we're on it
11:31:13 5 I'd rather deal with this issue and ask questions of
11:31:17 6 Mr Strawhorn about it now.
11:31:18 7
11:31:18 8 COMMISSIONER: All right.
11:31:22 9
11:31:23 10 WITNESS: May I apologise to the Commissioner for that,
11:31:25 11 that was just a slip.
11:31:26 12
11:31:26 13 COMMISSIONER: No, no.
11:31:27 14
11:31:28 15 MR HOLT: Commissioner, in light of what's occurred this
11:31:30 16 morning, the matters that are in paragraphs 27 and 28 of
11:31:33 17 Mr Strawhorn's statement, which are matters with respect
11:31:36 18 that upon review this morning it would seem very difficult
11:31:38 19 to explore to any degree without risk of identification
11:31:40 20 should also be dealt with in private hearing and that might
11:31:45 21 conveniently be done now if we're otherwise going to deal
11:31:47 22 with it.
23
24 COMMISSIONER: Yes.
25
11:31:47 26 MR HOLT: Can I indicate this, in respect to that private
11:31:49 27 hearing, that is in respect of paragraphs 27 and 28, if the
11:31:53 28 Commissioner accedes to our submission, our submission is
11:31:56 29 that all parties at the Bar table would remain present
11:31:59 30 other than Ms Gobbo's representatives. Those two do not
11:32:03 31 have anything to do, as we understand it, with her, they
11:32:08 32 relate to other aspects of the Commissioner's work.
11:32:11 33
11:32:12 34 COMMISSIONER: That seems reasonable Mr Holt. What do you
11:32:13 35 say, Mr Winneke?
11:32:14 36
11:32:14 37 MR WINNEKE: That seems reasonable, Commissioner.
11:32:15 38
11:32:15 39 COMMISSIONER: Mr Collinson? It doesn't seem to have
11:32:20 40 anything to do with your client.
11:32:22 41
11:32:23 42 MR COLLINSON: No.
11:32:27 43
11:32:28 44 MR NATHWANI: Obviously I understand who Person 3 is.
11:32:32 45
11:32:33 46 COMMISSIONER: Sorry, this is Person 4 and 5.
11:32:35 47

11:32:36 1 MR NATHWANI: I'm sorry, part of the difficulties we've got
11:32:38 2 is a completely redacted statement so I don't know who's
11:32:40 3 referred to - - -
11:32:40 4
11:32:40 5 COMMISSIONER: Have you not been shown that.
11:32:43 6
11:32:43 7 MR NATHWANI: No, we've not been given any documents in
11:32:48 8 unredacted form.
11:32:50 9
11:32:50 10 COMMISSIONER: Is there an issue in showing them what this
11:32:52 11 is about? I suppose there is.
11:32:54 12
11:32:55 13 MR HOLT: Might I be able to speak our learned friends and
11:32:58 14 we might be able to resolve it quickly.
11:33:00 15
11:33:01 16 COMMISSIONER: Yes.
11:33:11 17
11:33:12 18 MR NATHWANI: Given the undertaking we've been given, which
11:33:16 19 we of course accept, from Mr Holt that it doesn't impinge
11:33:17 20 on Ms Gobbo at all we don't have any submissions to make.
11:33:19 21
11:33:19 22 COMMISSIONER: No, it doesn't, and if it's changed and it
11:33:22 23 did impinge well I'd make sure that due process is followed
11:33:26 24 and you were given access to the transcript and allowed to
11:33:29 25 appear.
11:33:29 26
11:33:30 27 MR NATHWANI: We understand that. Thank you.
11:33:30 28
11:33:31 29 COMMISSIONER: Mr Winneke, if I could just make this point
11:33:33 30 then, if we are going to go into private hearing to deal
11:33:36 31 with the rest of this current topic and the topics in 27
11:33:39 32 and 28, I still want us to then resume in public hearing so
11:33:45 33 that as much as possible of this witness's evidence can be
11:33:49 34 given in public.
11:33:50 35
11:33:50 36 MR WINNEKE: I agree, Commissioner.
11:33:51 37
11:33:52 38 COMMISSIONER: Yes, all right then.
11:34:00 39
11:34:01 40 MR WINNEKE: Perhaps we can have a - - -
11:34:02 41
11:34:02 42 COMMISSIONER: Under s.26 of the *Inquiries Act* I've already
11:34:10 43 made an order prohibiting the publication of the name of
11:34:14 44 the person last mentioned by the witness outside this
11:34:19 45 courtroom and under s.24 of the *Inquiries Act* I make an
11:34:34 46 order excluding, for the time being, all persons from the
11:34:41 47 proceedings other than the legal representatives assisting

11:34:47 1 the Commission, those appearing for Mr Strawhorn, the
11:34:53 2 Victoria Police, the State of Victoria and the DPP.
11:35:00 3
11:35:00 4 MR NATHWANI: Sorry, I understood that we - - -
11:35:02 5
11:35:02 6 COMMISSIONER: You'll be here for the first part.
11:35:05 7
11:35:06 8 MR NATHWANI: Exactly.
11:35:06 9
11:35:08 10 COMMISSIONER: Yes, quite right. I'll vary that order when
11:35:12 11 it's necessary. For the time being that order will also
11:35:15 12 allow Ms Gobbo's legal representatives to be present.
11:35:19 13
11:35:19 14 I'd now ask all people, all others to leave the courtroom.
11:35:23 15 Mr Winneke, did I understand you wanted a short
11:35:26 16 adjournment?
11:35:26 17
11:35:27 18 MR WINNEKE: Look I think if we could have a short
11:35:32 19 adjournment that might be of some assistance.
11:35:34 20
11:35:34 21 COMMISSIONER: All right then. Thank you. We'll have a
11:35:38 22 short adjournment.
11:35:58 23
11:35:58 24 (Short adjournment.)
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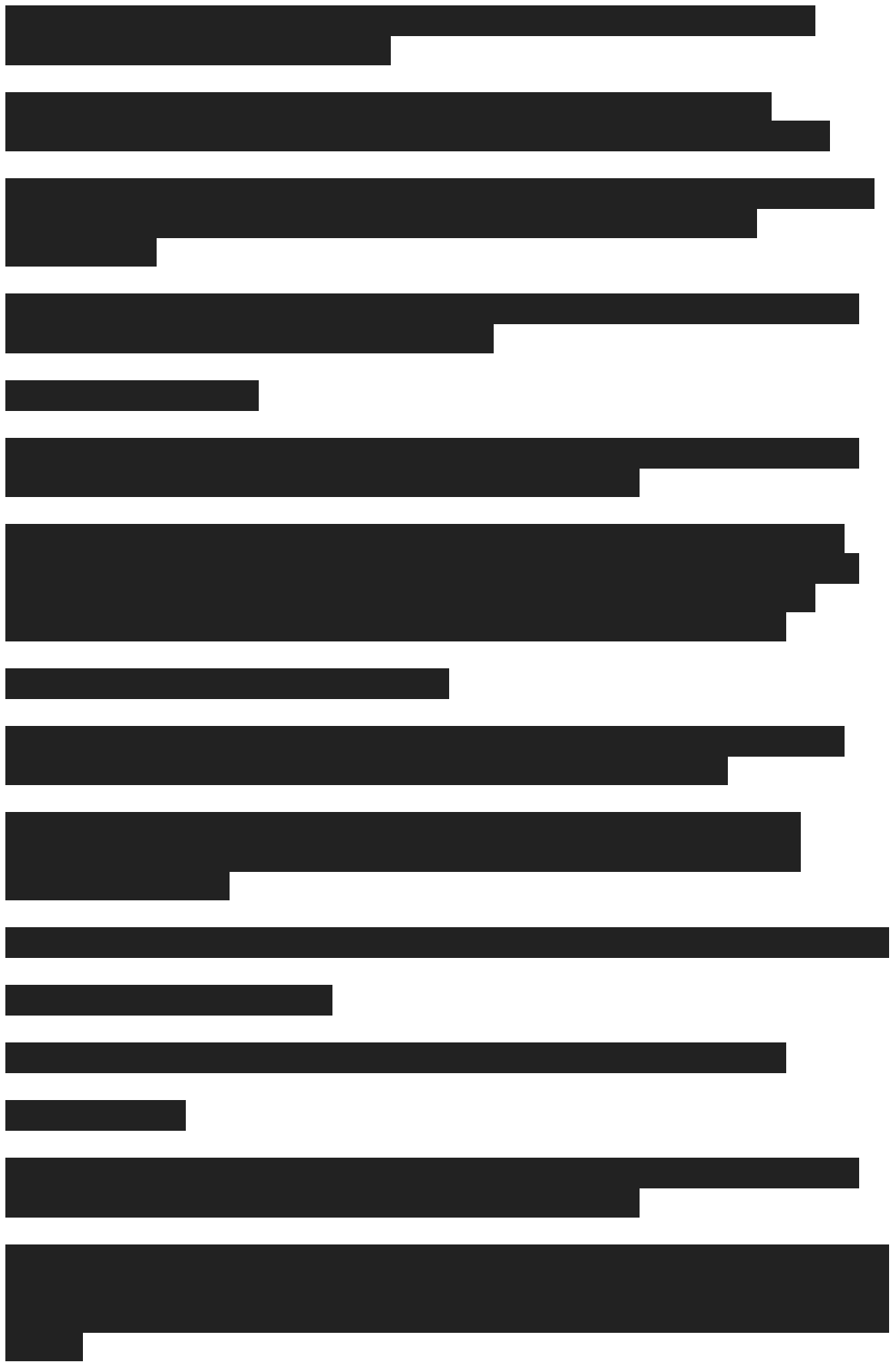
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