

STEPHEN ANDRIANAKIS & ASSOCIATES

Barristers & Solicitors

Our Ref: SA3972

7 August 2020

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Solicitors Assisting the Royal
Commission into the
Management of Police Informants

RE: JOHN HIGGS

On behalf of Mr John HIGGS enclosed herein is Submissions in Response to
Counsel Assisting's Submissions.

Yours faithfully,

STEPHEN ANDRIANAKIS & ASSOCIATES

Stephen Andrianakis and Associates

SUBMISSIONS OF MR JOHN HIGGS

TO THE ROYAL COMMISSION INTO THE MANAGEMENT OF POLICE

INFORMANTS¹

Date of document: 7 August 2020
 Filed on behalf of: John Higgs
 Prepared by: David Grace QC and Caitlin Dwyer
 Instructed by: Stephen Andrianakis
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1. Mr Higgs submits that there is sufficient evidence before the Commission to conclude that Ms Gobbo acted for Mr Higgs in the proceeding referred to in counsel assisting's submissions as the 'tomato tins' proceeding.
2. Counsel Assisting has stated that, "It appears that Ms Gobbo did not act for Mr Higgs in relation to the 'tomato tins' proceeding".²
3. However, the evidence before the Commission includes the following:
 - (a) Ms Gobbo worked as an employee solicitor for Solicitor 1 in 2010 and 2011;³
 - (b) Solicitor 1 was representing Mr Higgs;⁴
 - (c) Ms Gobbo conducted work for Mr Higgs through Solicitor 1;⁵
 - (d) Ms Gobbo was involved in advising Mr Higgs in the course of his trial.⁶

¹ Please note, material referred to in these submissions may tend to identify person's in respect of whom suppression orders have been made and therefore are provided on a confidential basis.

² Counsel Assisting submissions with respect to Terms of Reference 1 and 2 ('**Counsel Assisting Submissions**'), Volume 3, [227].

³ Transcript of Hearings of the Royal Commission into the Management of Police Informants ('**RCT**'), 13460.12-18 (Gobbo); Exhibit RCO072b (Statement of **Solicitor 1**), [22].

⁴ RCT, 13451.5-6 (Gobbo).

⁵ RCT, 13451.8-11 (Gobbo); Exhibit RCO072b (Statement of **Solicitor 1**) [22].

⁶ Exhibit RCO072b (Statement of **Solicitor 1**) [26.e]-[27].

This document has been redacted for Public Interest Immunity claims made by Victoria Police. These claims are not yet resolved.

4. It is noted that this evidence is consistent with the evidence referred to in Counsel Assisting's submissions, namely, Ms Gobbo's attendance upon Mr Higgs in custody at the time of his arrest and between the jury verdict and plea hearing.⁷
5. As such, it is submitted that Categories 1A, 1B and 2B apply in Mr Higgs' case.

David Grace QC
Caitlin Dwyer
Counsel for Mr Higgs

⁷ Counsel Assisting Submissions, Volume 3, [227].