

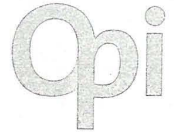
exhibits <sup>item 2</sup>  
re Gobbo  
hearing  
(not own  
motion)

**OPI HEARINGS—19 July 2007**

**OPERATION OBOE  
CASE NUMBER: 06 / 182**

**EXHIBIT LIST**

<b>EXHIBIT NUMBER</b>	<b>DETAILS</b>
1.	Delegation
2.	Own Motion Determination
3.	Section 19B(1) Order for 19 July 2007
4.	Section 19B(2) Order for 19 July 2007
5.	Summons and associated materials re GOBBO
6.	
7.	
8.	
9.	
10.	
11.	
12.	
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17.	



## POLICE REGULATION ACT 1958

### Section 102F

## DIRECTOR, POLICE INTEGRITY INSTRUMENT OF DELEGATION

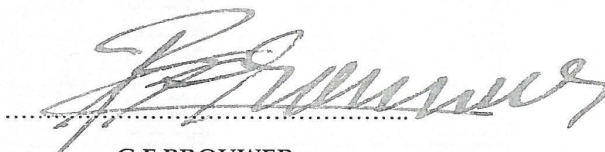
Pursuant to section 102F (1) of the *Police Regulation Act 1958*, I, **GEORGE EUGENE BROUWER**, Director, Police Integrity for the State of Victoria -

- 1) HEREBY revoke all delegations by instrument under section 102F of the *Police Regulation Act 1958* of any power of the Director, Police Integrity under the *Police Regulation Act 1958* or any other Act made to **GERALD EDWARD FITZGERALD** prior to the execution of this instrument; and
- 2) HEREBY delegate to **GERALD EDWARD FITZGERALD** the following powers:
  - a) *Police Regulation Act 1958* -
    - i) all powers of the Director, Police Integrity under the *Police Regulation Act 1958*, other than:
      - the power of delegation under section 102F(1) of the *Police Regulation Act 1958*;
      - any power under section 86KB(2) of the *Police Regulation Act 1958*; and
      - any power/obligation under section 102K of the *Police Regulation Act 1958*;
  - b) *Evidence Act 1958* -
    - i) all powers of the Director, Police integrity under sections 17, 18, 19 19A, 19B, 20 and 20A of the *Evidence Act 1958*.
- 3) The delegation of powers to **GERALD EDWARD FITZGERALD** by this instrument is made subject to the following conditions and limitations :
  - a) the delegated powers are to be exercised for the purposes of and for purposes incidental to an investigation commenced by a Determination under section 86NA of the *Police Regulation Act 1958* executed by the Director, Police Integrity on 21 May 2007.

This is a true copy  
of the original  
as supplied to me.

*Nickie Elliott*

Victoria Margaret Jean Elliott  
An Australian Legal Practitioner (within the  
meaning of the *Legal Profession Act 2004*)  
Office of Police Integrity  
Level 3, 459 Collins Street  
Melbourne VIC 3000

  
G E BROUWER  
DIRECTOR, POLICE INTEGRITY

Date: 22 June 2007

Office of Police Integrity Victoria



exhibit 2

DIRECTOR, POLICE INTEGRITY



DETERMINATION TO CONDUCT AN INVESTIGATION  
PURSUANT TO SECTION 86NA OF THE POLICE  
REGULATION ACT 1958

Pursuant to section 86NA of the Police Regulation Act 1958, I George Eugene Brouwer, Director, Police Integrity, have determined to conduct an investigation on my own motion into the following matters:

- 1 The circumstances surrounding the disclosure of a police file (or any part of it) relating to Victoria Police informer Terrence Hodson, now deceased, to any person, including but not limited to:
  - (a) the involvement of Paul Noel Dale, a former member of Victoria Police, and/or some other current or former member of Victoria Police (with any associates or assistance):
    - (i) in the file's disclosure; and/or
    - (ii) directly or indirectly in the deaths of Terrence Hodson and Christine Hodson
  - (b) the identity of any person to whom the file was disclosed; and
  - (c) the connection, if any, between the disclosure of the file and the deaths of Terrence Hodson and Christine Hodson on or about 15 May 2004.
- 2 Links between the deaths of Terrence Hodson and Christine Hodson and
  - (a) any direct or indirect associations between former or current Victoria Police members who have served at Brunswick Police station; and
  - (b) any direct or indirect relationships between any current or former members of Victoria Police and Antonios Mokbel and/or Carl Williams, or associates of either Mokbel and Williams.

This is a true copy  
of the original  
as supplied to me.

*Natasha Elliott*

Victoria Margaret Jean Elliott  
An Australian Legal Practitioner (within the  
meaning of the Legal Profession Act 2004)  
Office of Police Integrity  
Level 3, 459 Collins Street  
Melbourne VIC 3000

3 Whether Victoria Police are properly investigating the deaths of the Hodsons, including but not limited to:

- (a) whether the investigation has been correctly prioritised, adequately resourced and in all other respects pursued to the fullest extent possible;
- (b) whether possible links between the deaths of the Hodsons and any current or former members of Victoria Police have been fully, properly and promptly investigated, including but not limited to:
  - (i) former or current Victoria Police members' possible direct or indirect connection to, or involvement in the events culminating in the Hodsons' deaths ;
  - (ii) former or current Victoria Police members' possible hindrance or obstruction of the investigation of the deaths;
  - (iii) any impediments to the investigation created by improper associations between current and former members of Victoria Police;

Date: 21 May 2007

  
GEORGE EUGENE BROUWER  
DIRECTOR, POLICE INTEGRITY

Case Number: POL/06/182



exhibit 4



**DIRECTOR, POLICE INTEGRITY**

*Evidence Act 1958 (Vic), Section 19B(1)*

*Police Regulation Act 1958 (Vic), Section 86PA(1)*

**ORDER**

I, Gerald Edward Fitzgerald, being a person to whom the Director, Police Integrity has pursuant to section 102F of the Police Regulation Act 1958 delegated certain powers including his powers under section 19B of the *Evidence Act 1958* and being satisfied that the exclusion of the public from the hearing being conducted by me on 19<sup>th</sup> July 2007 at the Office of Police Integrity, 459 Collins Street, Melbourne would facilitate the conduct of the investigation to which the said hearing relates and would be in the public interest,

**HEREBY ORDER** the exclusion of the public from the said hearing.

**DATED:** 19<sup>th</sup> July 2007

A handwritten signature in black ink, appearing to be 'G. Fitzgerald', written over a dotted line.

**DELEGATE OF THE DIRECTOR, POLICE INTEGRITY**

**Office of Police Integrity Victoria**

exhibit 3



**DIRECTOR, POLICE INTEGRITY**

*Evidence Act 1958 (Vic), Section 19B(2)*

*Police Regulation Act 1958 (Vic), Section 86PA(1)*

**ORDER**

I, Gerald Edward Fitzgerald, being a person to whom the Director, Police Integrity has pursuant to section 102F of the Police Regulation Act 1958 delegated certain powers including his powers under section 19B of the *Evidence Act 1958* and having on 19<sup>th</sup> July 2007 made an order under section 19B(1) of the *Evidence Act 1958* excluding the public from the hearing being conducted by me on 19<sup>th</sup> July 2007 at the Office of Police Integrity, 459 Collins Street, Melbourne,

**HEREBY PROHIBIT** the publication of the whole or any part of the proceedings of the said hearing or of any information derived from the hearing or part of it except by or with the leave of the Director.

**DATED:** 19<sup>th</sup> July 2007

  
.....  
**DELEGATE OF THE DIRECTOR, POLICE INTEGRITY**

**NOTE:**

A copy of the above order is posted pursuant to sub-section (3) of section 19B of the Evidence Act 1958.

Pursuant to section 19B(4) of the Evidence Act 1958, a person who contravenes an order made and posted under sub-sections (2) and (3) of section 19B of the Evidence Act 1958 is liable to a penalty of 30 penalty units or imprisonment for 3 months.

Office of Police Integrity Victoria



Exhibit 5



11 July 2007

Ms Nicola Gobbo  
172 William Street  
Melbourne Victoria 3000

Dear Ms Gobbo

**Re: Service of Summons SE 388**

You have been served with a summons to attend before the Director, Police Integrity or his delegate to give evidence as specified in the summons.

This summons is accompanied by a confidentiality notice requiring that you keep confidential the existence of the summons and the subject-matter of the investigation to which it relates, except for the purposes which are set out on the face of the confidentiality notice.

If you wish to have legal representation you should contact your solicitor or Victoria Legal Aid (telephone 9269 0133) for advice. Disclosing the existence of the summons or the subject matter of the investigation for the purpose of seeking legal advice in relation to the summons will not breach your obligation of confidentiality.

This summons is also accompanied with a document 'Information to Assist Summoned Witnesses' which provides an outline of rights and obligations relevant to the conduct of the hearing. It is in your interests to familiarise yourself with the contents of this document, and if you seek legal advice, to ask your legal representative also to read the document. At the commencement of the hearing you will be asked by the Director's Delegate whether you have read and understood the document and you will be given the opportunity to ask any questions about the content of the document.

Your attention is directed to advice on the face of the summons concerning the possible consequences of failure to comply with the requirements of the summons.

Office of Police Integrity Victoria

On attendance at OPI on the hearing date, you are requested to attend at the OPI reception desk located at Level 3, 459 Collins Street, Melbourne. Access to OPI reception is via the south tower lifts (through the food court) at 459 Collins Street. The concierge on the ground floor level can assist you in locating the lifts if required. At OPI reception you will be asked to present photographic ID and be photographed for the purposes of being issued with a security pass which you will be required to wear at all times whilst you are at OPI. An OPI officer will escort you from the reception area to the OPI Hearing Room.

For your information, public toilets are located on the ground floor (south tower lift lobby). If you require particular assistance (wheelchair access etc) please notify the contact person listed below.

If you or your solicitor have any other queries, please feel free to contact Team Leader Stephen Wotton on (03) 8635 6131



G L Ashton AM  
**ASSISTANT DIRECTOR, POLICE INTEGRITY**

exhibit 5



## DIRECTOR, POLICE INTEGRITY

### *Evidence Act 1958 – Section 17*

## SUMMONS TO GIVE EVIDENCE

Summons No: SE 388

TO: Ms Nicola Gobbo  
172 William Street  
Melbourne Victoria 3000

Pursuant to section 86NA of the Police Regulation Act 1958 ("the Act") the Director, Police Integrity ("the Director") is conducting an investigation on his own motion in respect of:

- The circumstances surrounding the disclosure of a police file or any part of it and, in particular, the circumstances surrounding the unauthorised disclosure of, or information from, a confidential and sensitive Victoria Police information report between September 2003 and June 2004.

Pursuant to section 86PA of the Act and section 17 of the Evidence Act 1958 the Director may summon in writing any person to attend before him at a time and place named in the summons and then and there to give evidence material to the subject-matter of inquiry;

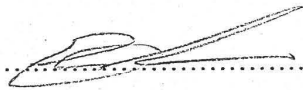
Pursuant to section 102F of the Police Regulation Act 1958 the Director, Police Integrity has by instrument dated 21 June 2007 delegated to me, Graham Leonard Ashton, Assistant Director Police Integrity, a member of staff of the Office of Police Integrity and a person who has taken an oath or made an affirmation under section 102D(3), the powers of the Director under section 86KA of the Police Regulation Act 1958.

A handwritten signature, likely of Graham Leonard Ashton, in dark ink.

Office of Police Integrity Victoria

YOU ARE HEREBY SUMMONED:

- (a) to attend before the Director or his delegate at 11:00am on Thursday 19 July 2007 at Level 3, 459 Collins Street, Melbourne, and
- (b) then and there to give evidence for the purposes of the said investigation.

  
GRAHAM ASHTON APM  
ASSISTANT DIRECTOR, POLICE INTEGRITY

Date: 11 July 2007

NOTE:

1. Section 20A of the Evidence Act 1958 provides that a person whose attendance has been required by summons served under Section 17 is required to attend at the time and place to which the inquiry is adjourned or postponed without the issue or service of any further summons.
2. Section 86P(1)(b) of the Police Regulation Act 1958 provides that the Director may determine whether a person may have legal or other representation.
3. Section 19 of the Evidence Act 1958 provides that every person who is served with a summons and who fails without reasonable excuse to attend or to produce any documents in his custody, possession or control which he is required by the summons to produce is guilty of an offence punishable upon conviction by a fine of not more than 15 penalty units or imprisonment for a term of not more than three months.
4. Section 86PD of the Police Regulation Act 1958 provides that if a person who has been served with a summons fails to attend before the Director, the Director may apply to a magistrate for a warrant to arrest the person served.
5. Section 86K of the Police Regulation Act 1958 provides that a person who
  - (a) without lawful excuse (proof of which lies upon the person) wilfully obstructs hinders or resists the Director in the exercise of his powers under Part IVA of the Police Regulation Act 1958;
  - (b) without lawful excuse (proof of which lies upon the person) refuses or wilfully fails to comply with any lawful requirement of the Director in the exercise of his powers under Part IVA; or
  - (c) wilfully makes a statement which the person knows to be false or misleading in a material particular or misleads or attempts to mislead the Director in the exercise of his powers under Part IVA –is guilty of an offence.  
Penalty: 10 penalty units or imprisonment for 12 months or both.





6. Section 86KB of the Police Regulation Act 1958 provides:
- (1) A person attending an investigation under this Part in answer to a summons under section 17 of the Evidence Act 1958 is guilty of a contempt of the Director if the person—
    - (a) fails without reasonable excuse to produce any document or thing the person is required by the summons to produce; or
    - (b) being called or examined as a witness, refuses to be sworn or to make an affirmation or, without reasonable excuse, refuses or fails to answer any question relevant to the subject-matter of the investigation; or
    - (c) engages in any other conduct that would, if the Director were the Supreme Court, constitute a contempt of that Court.
  - (2) If it is alleged or appears to the Director that a person is guilty of contempt of the Director, the Director may—
    - (a) issue a written certificate charging the person with contempt and setting out or attaching details of the alleged contempt; and
    - (b) issue a warrant to arrest the person.
  - (4) A person who is arrested under an arrest warrant—
    - (a) is to be brought before the Supreme Court forthwith to be dealt with according to law; and
    - (b) may be detained in police custody in the meantime.
7. If you are under the age of 16 years at the date hereof, you need not comply with this summons.

Any enquiry concerning this summons should be addressed to the Team Leader Investigations, Stephen Wotton, Level 3, 459 Collins Street, Melbourne. Phone: (03) 8635 6131.



exhibit 5



DIRECTOR, POLICE INTEGRITY

POLICE REGULATION ACT 1958 - SECTION 86KA(2)

CONFIDENTIALITY NOTICE

Summons No: SE 388

TO: Nicola Gobbo  
172 William Street  
Melbourne Victoria 3000

You have been served with the attached summons pursuant to section 86PA of the Police Regulation Act and Section 17 of the Evidence Act 1958 to attend before the Director, Police Integrity or his delegate at the time and place named in the summons;

TAKE NOTICE that the pursuant to section 102F of the Police Regulation Act 1958 the Director, Police Integrity has by instrument dated 21 June 2007 delegated to me, Graham Leonard Ashton, Assistant Director Police Integrity, a member of staff of the Office of Police Integrity and a person who has taken an oath or made an affirmation under section 102D(3), the powers of the Director under section 86KA of the Police Regulation Act 1958.

TAKE NOTICE that pursuant to sub-section 86KA(2) of the Police Regulation Act 1958, the Director hereby gives notice –

- (a) that the summons is a confidential document; and
- (b) that it is an offence to disclose to anyone else the existence of the summons or the subject-matter of the investigation to which it relates unless you have a reasonable excuse.

Office of Police Integrity Victoria

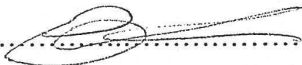
AND FURTHER TAKE NOTICE that section 86KA of the Police Regulation Act 1958 further provides:

- (3) If the Director gives notice under sub-section (2), you must not disclose to anyone else the existence of the summons or the subject-matter of the investigation to which it relates, unless you have a reasonable excuse.

Penalty: 120 penalty units or imprisonment for 12 months or both.

- (4) It is a reasonable excuse for you to disclose the existence of the summons or the subject-matter of the investigation to which it relates if—

- (a) the disclosure is made for the purposes of—
- (i) seeking legal advice in relation to the summons or an offence against sub-section (3); or
  - (ii) obtaining or providing information in order to comply with the summons; or
  - (iii) the administration of the Police Regulation Act; and
- (b) you inform the person to whom you make the disclosure that it is an offence to disclose to anyone else the existence of the summons or the subject-matter of the investigation to which it relates unless the person has a reasonable excuse.



GRAHAM LEONARD ASHTON AM  
ASSISTANT DIRECTOR, POLICE INTEGRITY

Date: 1/ July 2007

OFFICE OF POLICE INTEGRITY

exhibit 5

Summons  
RECORD OF SERVICE

The original Summons was served:

On: Nicola GOBBO  
At: 7/530 Lonsdale Street  
At: 14:00  
On: 11 July 2007  
By: GRAVES  
Summons Number: SE388

Documentation served on witness:

Summons Covering Letter	<input checked="" type="checkbox"/>
Summons	<input checked="" type="checkbox"/>
Confidentiality Notice	<input checked="" type="checkbox"/>
Information to Assist Summoned Witnesses (SE or SED only)	<input checked="" type="checkbox"/>
Employee Support Services Card (current Victoria Police members only)	<input type="checkbox"/>

.....*Sam Graves*..... (Officer - Signature)