

ROYAL COMMISSION INTO THE MANAGEMENT
OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Tuesday, 21 May 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	Ms R. Enbom Ms K. Argiropoulos
Counsel for State of Victoria	Ms E. Hilliard
Counsel for Nicola Gobbo	Mr P. Collinson QC Mr R. Nathwani
Counsel for DPP/SPP	Ms A. Martin
Counsel for Person 12	Mr A. Furstenberg
Counsel for Campbell	Mr L. Hartnett
Counsel for Media	Mr J. Cashen

10:11:50 1 COMMISSIONER: Yes Mr Winneke.
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10:11:54 3 MR WINNEKE: I appear with Mr Woods and Ms Tittensor,
10:11:57 4 Commissioner.
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10:11:57 6 COMMISSIONER: Yes, thank you.
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10:11:57 8 MR COLLINSON: I appear with Mr Nathwani for Ms Gobbo.
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10 10 COMMISSIONER: Yes, thanks Mr Collinson.
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10:12:00 12 MS ENBOM: I appear with Ms Argiropoulos for Victoria
10:12:04 13 Police.
10:12:04 14
15 COMMISSIONER: Thanks Ms Enbom. I think in respect of the
10:12:07 16 media - the State, we have?
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10:12:08 18 MR CASHEN: Yes, Your Honour.
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20 COMMISSIONER: Sorry, just a moment. The State?
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22 MR HARTNETT: If the Commissioner pleases, my name's
10:12:17 23 Hartnett and I'm instructed by (indistinct) & Associates
10:12:18 24 and I seek leave to appear on behalf of the witness who is
10:12:21 25 about to be called, Mr Steven Campbell.
10:12:23 26
27 COMMISSIONER: Yes, we have a few matters to deal with
10:12:23 27 before then but I'll note your appearance in respect of
10:12:25 28 that witness, thank you.
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10:12:32 31 MS HILLIARD: Elizabeth Hilliard for the State.
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33 COMMISSIONER: Thank you.
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10:12:40 35 MS MARTIN: Ms Martin for the DPP and OPP.
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37 COMMISSIONER: In respect of the media application, it's
10:12:44 37 Mr Cashen from MacPherson Kelley.
10:12:46 38
10:12:52 39
40 MR CASHEN: Yes.
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42 COMMISSIONER: If we deal with the media matter first.
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44 Over the weekend, and I'm hoping this might shorten
10:12:55 44 the media matter, over the weekend I became aware of
10:12:59 45 correspondence dated 14 May from MacPherson Kelley
10:13:03 46 Solicitors acting on behalf of various news publishers to
10:13:05 47

10:13:09 1 the Commission.
10:13:15 2
10:13:15 3 MR WINNEKE: I'm not sure the microphones are on, it is
10:13:16 4 quite difficult to hear.
10:13:21 5
10:13:50 6 COMMISSIONER: Over the weekend, I became aware of
10:13:52 7 correspondence dated 14 May from MacPherson Kelley
10:13:55 8 solicitors acting on behalf of various news publishers to
10:13:58 9 the Commission. I've since been informed that the ABC also
10:14:03 10 wishes to join in the matters raised in that letter.
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10:14:10 12 I have provided a copy of that correspondence to
10:14:13 13 Victoria Police, the State of Victoria and the DPP.
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10:14:16 15 The letter raises, "Major concerns with the extent of
10:14:20 16 suppression orders being applied for by Victoria Police
10:14:22 17 during the course of the Royal Commission" and questions
10:14:29 18 whether these orders are, "Creating a new regime of
10:14:32 19 secrecy" and whether they are detracting from "the plain
10:14:36 20 interest in the Commission being conducted in public view".
10:14:39 21 The letter submits, "That any application for suppression
10:14:42 22 made by Victoria Police, and indeed by any other person,
10:14:46 23 should be subjected to appropriate scrutiny". I appreciate
10:14:51 24 the concerns of the news publishers and thank them for
10:14:57 25 their letter.
26
10:14:58 27 Historical suppression and non-publication orders and
10:15:01 28 constant public interest immunity claims sometimes make my
10:15:06 29 task in moving this Commission forward in public akin to a
10:15:10 30 boxer fighting a match with one hand tied behind his back
10:15:14 31 and the other bruised and bleeding, but I am still upright
10:15:19 32 and focused on a positive conclusion.
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10:15:24 34 Despite the letter I would hope that it is crystal
10:15:26 35 clear that I place emphasis on the desirability of holding
10:15:30 36 the hearings of this Commission in public wherever possible
10:15:33 37 and that I scrutinise all applications appropriately,
10:15:36 38 whatever they are, before making determinations. But as
10:15:39 39 the letter demonstrates, this may not always be obvious to
10:15:43 40 the public or the media because applications for
10:15:46 41 suppression, non-publication or private hearings and my
10:15:49 42 reasons for granting or refusing them are not always in
10:15:52 43 public. Sometimes this is unavoidable as the presence of
10:15:56 44 any member of the public, even respected, responsible
10:15:59 45 accredited media could put a person's life at risk and so
10:16:04 46 would not be in the public interest, despite the
10:16:08 47 desirability of holding hearings in public.

10:16:11 1 Sometimes however, as the author of the letter
10:16:13 2 correctly identifies, it will be appropriate for accredited
10:16:16 3 media to make submissions and to be present during closed
10:16:20 4 hearings dealing with such applications or resulting from
10:16:24 5 them.
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10:16:24 7 The issues raised in the letter are challenging ones.
10:16:30 8 The letter first proposes that any party making an
10:16:34 9 application for an order under s.26 of the *Inquiries Act*
10:16:37 10 provides the Commission with at least 48 hours notice, that
10:16:42 11 there be supporting affidavit or oral evidence and that
10:16:46 12 media representatives be given notice and the opportunity
10:16:50 13 to be legally represented. There is certainly merit in
10:16:53 14 that proposal in some cases, but unfortunately the proposal
10:16:59 15 would be unworkable in other cases. Frequently these
10:17:05 16 matters emerge unexpectedly in evidence, are
10:17:09 17 straightforward and uncontroversial, for example they are
10:17:13 18 the subject of existing court suppression orders or are
10:17:17 19 clearly public interest immunity informer privilege and
10:17:19 20 they require speedy summary determination to enable the
10:17:22 21 work of the Commission to progress in a timely way.
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10:17:25 23 On the present material I reject that blanket
10:17:29 24 suggestion whilst recognising that there will be many
10:17:32 25 instances where this is the appropriate approach moving
10:17:35 26 forward.
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10:17:37 28 The second proposal is that accredited media have
10:17:40 29 access to the hearing room during the hearing and
10:17:43 30 determinations of applications for suppression,
10:17:46 31 non-publication, closed hearings and the like. The author
10:17:50 32 submits that journalists, "Are experienced court reporters
10:17:54 33 who are accustomed to observing proceedings over which
10:17:58 34 suppression orders exist and complying with those orders".
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10:18:01 36 As I have foreshadowed there may be cases where that
10:18:04 37 is appropriate but each case will have to be determined on
10:18:08 38 its own merits. The author suggests that whenever an
10:18:11 39 application of this type is made the proceedings be paused
10:18:15 40 to allow journalists in the media overflow room where the
10:18:19 41 hearing is live-streamed to move to the principal hearing
10:18:23 42 room so as to hear and understand the application.
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10:18:26 44 A major difficulty with this suggestion is that it
10:18:28 45 would take some minutes and could significantly interfere
10:18:32 46 with the timely disposal of the Commission's work. I have
10:18:36 47 discussed this matter with the Commission's Director of

10:18:40 1 Media and Communication. On the present material I prefer
10:18:44 2 her proposed suggestion that if there is a court order or
10:18:49 3 the public interest requires matters to be heard in closed
10:18:52 4 hearing and it is not in the public interest to exclude
10:18:55 5 accredited media, then accredited media be permitted to
10:19:01 6 remain in the Commission hearing room unless I order
10:19:05 7 otherwise.

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10:19:09 9 The live stream of the private hearing to the media
10:19:13 10 overflow room would then continue until I order otherwise
10:19:19 11 but all people other than accredited media will be directed
10:19:24 12 to leave the media overflow hearing room. The accredited
10:19:29 13 media would of course be subject to a suitable suppression
10:19:34 14 or non-publication order.

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10:19:37 16 In my view moving forward and treating each case on
10:19:43 17 its own merits, on the material presently before the
10:19:47 18 Commission I think this is the best way to appropriately
10:19:50 19 balance the competing tensions between two critical issues,
10:19:55 20 public access to these hearings and protecting those who
10:20:00 21 are at risk of physical harm.

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10:20:05 23 If there are contrary submissions I will hear them now
10:20:09 24 and a copy of the letter will be tendered as Exhibit 1 in
10:20:15 25 this matter.

10:20:15 26 #EXHIBIT 1 - Media letter.

10:20:17 27
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10:20:18 29 COMMISSIONER: Mr Winneke, did you have anything to say?

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10:20:20 31 MR WINNEKE: No, I don't, Commissioner.

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10:20:22 33 COMMISSIONER: Yes. Mr Cashen?

10:20:24 34
10:20:24 35 MR CASHEN: Just two points, Commissioner. The first is I
10:20:28 36 accept the proposition that seems to be put that it's
10:20:32 37 unworkable to have 48 hours notice before.

10:20:34 38
10:20:35 39 COMMISSIONER: Some cases it will be workable, some cases
10:20:36 40 it won't but these usually arise at short notice and they
10:20:41 41 usually need a quick decision and often times they're quite
10:20:46 42 uncontroversial and it would not be practical in every
10:20:49 43 matter to do that. But there will be cases where it is
10:20:53 44 appropriate. Indeed, there is perhaps a matter coming up
10:20:56 45 in respect of Mr Paterson's statement that may possibly be
10:21:00 46 one such matter but we'll treat everything on a case by
10:21:01 47 case basis.

10:21:01 1
10:21:02 2 MR CASHEN: What I would submit is that as much notice as
10:21:05 3 possible be given. As the Commission has indicated, I have
10:21:08 4 been told there may be an application this morning for a
10:21:12 5 suppression order. I don't know the nature of it, but my
10:21:13 6 office can certainly get someone out here very quickly if
10:21:17 7 need be, half an hour or an hour's notice if that's
10:21:23 8 possible, could make an enormous difference to whether or
10:21:23 9 not the matter could be agitated without any disruption to
10:21:25 10 the Commission. We would ask that the parties be directed
10:21:28 11 to give as much notice as possible to do that. I can give
10:21:31 12 my details to the media, relevant media liaison people and
10:21:37 13 we can ensure we can come down and agitate it as necessary.
10:21:40 14
10:21:40 15 COMMISSIONER: If you do that, Mr Cashen, the Commission
10:21:44 16 will try and give you as much notice as it can of these
10:21:48 17 matters.
10:21:48 18
10:21:48 19 MR CASHEN: I'm grateful. The second point I'd make is
10:21:51 20 that the Commission should be aware that where suppression
10:21:55 21 orders have been made in other courts, and they may be over
10:21:58 22 highly protected witnesses, Crown witnesses, those
10:22:01 23 suppression orders have been circulated to all accredited
10:22:04 24 media. By definition all of those courts circulate those
10:22:08 25 orders. So the Commission should assume that in most
10:22:12 26 cases, I certainly expect all cases, if the Commission is
10:22:16 27 concerned about accredited media being told information
10:22:19 28 that's suppressed by other courts, they're already aware of
10:22:22 29 that information. That's the way the suppression order
10:22:25 30 systems works in those courts. It's circulated - - -
31
10:22:27 32 COMMISSIONER: But the making of the suppression orders in
10:22:29 33 those courts I have to say would not always involve the
10:22:34 34 media being informed of all the matters because the court
10:22:37 35 may have determined that they were too sensitive to - - -
10:22:40 36
10:22:41 37 MR CASHEN: It may.
10:22:41 38
10:22:42 39 COMMISSIONER: So it's not as though you necessarily know
10:22:44 40 all of the information.
10:22:45 41
10:22:46 42 MR CASHEN: No, the orders themselves.
10:22:47 43
10:22:47 44 COMMISSIONER: The orders themselves I understand. You
10:22:49 45 sometimes know about orders that we don't know about.
10:22:51 46
10:22:51 47 MR CASHEN: Yes, and it may be that in itself lets

10:22:54 1 journalists come into the room in the first place, hear the
10:22:57 2 nature of the application without the Commission being
10:23:00 3 worried about breaching the orders.
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5 COMMISSIONER: Yes.
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10:23:03 7 MR CASHEN: That first step, if they're able to come into
10:23:05 8 the room a where they can see what's happening, take
10:23:08 9 instructions and I can be notified so we can be here if
10:23:12 10 necessary.
10:23:12 11
10:23:12 12 COMMISSIONER: Indeed, the Commission may well be assisted
10:23:15 13 by your submissions. And the other thing is some of these
10:23:18 14 suppression orders we're now discovering go back decades.
10:23:22 15
10:23:22 16 MR CASHEN: Yes.
10:23:22 17
10:23:23 18 COMMISSIONER: And we're presently doing our best to
10:23:25 19 unravel those that can be unravelled.
10:23:28 20
10:23:28 21 MR CASHEN: Yes.
10:23:29 22
10:23:29 23 COMMISSIONER: These things take some time.
10:23:31 24
10:23:32 25 MR CASHEN: Yes, I understand.
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10:23:33 27 COMMISSIONER: Yes, thank you. Ms Enbom, did you want to
10:23:35 28 say something?
10:23:38 29
10:23:39 30 MS ENBOM: Three matters, Commissioner. The first is that
10:23:42 31 the bulk of the evidence so far has been given in an open
10:23:46 32 hearing. The hearing, the only evidence that has been
10:23:52 33 heard in camera has been evidence, evidence about human
10:23:59 34 sources and the identity of human sources is highly
10:24:06 35 sensitive and the subject of a core PII claim. So whilst,
10:24:17 36 of course, the question of whether or not the media should
10:24:20 37 be present during closed hearings should be assessed and
10:24:25 38 determined on a case by case basis, I expect Victoria
10:24:30 39 Police's position will be where the evidence is being heard
10:24:33 40 in camera about the identity of a human source, then that
10:24:37 41 information is so sensitive that the press shouldn't be
10:24:40 42 present and only those who need to be in the hearing room
10:24:43 43 should be. So that's the first matter.
10:24:46 44
10:24:46 45 COMMISSIONER: Is that the way these matters are dealt with
10:24:49 46 in the courts? You might want to take instructions on
10:25:00 47 that. We're going to have to deal with these major issues

10:25:03 1 on a case by case basis. I would be assisted by knowing
10:25:08 2 whether there is a procedure in the courts or whether it's
10:25:11 3 dealt with on a case by case basis.

10:25:14 4
10:25:14 5 MS ENBOM: Yes, yes. The position that Victoria Police has
10:25:17 6 taken is so as not to hold up the Commission's proceedings
10:25:21 7 and so as to provide full cooperation, PII claims haven't
10:25:27 8 been made over the identity of human sources in that the
10:25:31 9 position has been taken that evidence shouldn't be given.
10:25:35 10 The position has been taken that that evidence should be
10:25:38 11 given in a closed hearing. So the Commission should
10:25:41 12 receive the evidence about these human sources but it
10:25:44 13 should be in a closed hearing, rather than a blanket PII
10:25:48 14 claim being made to the effect that the Commission
10:25:50 15 shouldn't receive the evidence at all. But I will consider
10:25:55 16 the matter that you've raised.

10:25:57 17
10:25:58 18 The second matter is one raised by Mr Cashen in which
10:26:03 19 he submitted that the press receive all suppression orders
10:26:07 20 and are therefore familiar with the reporting restrictions.
10:26:11 21 It's the suppression orders that on occasion have forced
10:26:17 22 the Commission into an in camera hearing.

10:26:20 23
10:26:20 24 COMMISSIONER: Or the use of pseudonyms and the like.

10:26:22 25
10:26:22 26 MS ENBOM: Yes.

10:26:23 27
10:26:23 28 COMMISSIONER: That's exactly right. That's exactly right.

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10:26:27 30 MS ENBOM: Yes, so they were the two matters I wish to
10:26:30 31 raise. Of course Victoria Police does not have any
10:26:32 32 objection whatsoever to the media being given notice of
10:26:36 33 applications for suppression orders, nor any objection to
10:26:39 34 the media being heard on those applications and as soon as
10:26:45 35 we are instructed to make an application we will notify the
10:26:49 36 Commission so that Mr Cashen can be notified. They are the
10:26:52 37 three matters, Commissioner.

10:26:53 38
10:26:53 39 COMMISSIONER: Yes. I don't think any of those matters
10:26:56 40 raised by either you or Mr Cashen detract from my
10:27:00 41 suggestion as to how we move forward in the future.

10:27:02 42
10:27:02 43 MS ENBOM: No.

10:27:02 44
10:27:03 45 COMMISSIONER: Thank you. Did the State wish to say
10:27:05 46 anything?
10:27:05 47

10:27:06 1 MS HILLIARD: No, thank you.
10:27:06 2
10:27:07 3 COMMISSIONER: Or the DPP?
10:27:08 4
10:27:09 5 MS MARTIN: No Commissioner.
10:27:10 6
10:27:10 7 COMMISSIONER: I think that satisfactorily deals with that
10:27:13 8 matter. There will be some applications about matters of
10:27:17 9 giving evidence and so forth later this morning, Mr Cashen,
10:27:21 10 so if you want to stay around you're most welcome.
10:27:25 11
10:27:25 12 MR CASHEN: Otherwise can I be excused?
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10:27:29 14 COMMISSIONER: Yes, thank you. The next matter I wanted to
10:27:32 15 touch on was the matter of Mr Solomon's statement.
10:27:41 16
10:27:42 17 MR WINNEKE: Commissioner, there's a matter which has come
10:27:43 18 to the attention of the Commission which is of some
10:27:49 19 concern. Mr Sol Solomon who was a member of Victoria
10:27:51 20 Police, a member of the Homicide Squad who has perhaps an
10:27:57 21 intimate knowledge and significant involvement in the
10:27:59 22 matters that this Commission is looking into, provided a
10:28:03 23 statement to Victoria Police, in fact made a statement
10:28:08 24 which was witnessed by a member of Victoria Police,
10:28:12 25 Detective Sergeant Ricky Miller, and that statement was
10:28:15 26 emailed to a Victoria Police member, or a Landow member on
10:28:21 27 about 15, on 15 January 2019. The email forwarding the
10:28:29 28 statement to the Landow investigator Mr Woltsche, Wayne
10:28:35 29 Woltsche, made it clear, and indeed asked Mr Woltsche to
10:28:40 30 provide this statement to the Royal Commission, and indeed
10:28:46 31 subsequent to that Solomon followed up with Mr Woltsche
10:28:50 32 directly on the telephone on one or more occasions as to
10:28:54 33 whether or not the statement had been provided to the Royal
10:28:56 34 Commission. It was provided ultimately to the Royal
10:29:00 35 Commission on 15 May 2019, so - I'm sorry, it was provided
10:29:09 36 to the police by the Commission, it having come into the
10:29:13 37 Commission's possession otherwise, on 15 May 2019. And the
10:29:20 38 Commission's concerned as to why that statement hasn't been
10:29:23 39 provided by Victoria Police, by Landow, at all despite the
10:29:29 40 fact that Notices to Produce were being issued to it by the
10:29:34 41 Commission since January of 2019. It's troubling,
10:29:41 42 Commissioner, that that statement hasn't been provided by
10:29:43 43 Victoria Police.
10:29:44 44
10:29:44 45 COMMISSIONER: It certainly is, especially when Mr Solomon
10:29:50 46 provided his statement to Victoria Police by email on 15
10:29:54 47 January stating, amongst other things, "I had close

10:29:59 1 involvement with 3838, Lawyer X, during my time at the
10:30:04 2 Petra Task Force when I was leading the investigation into
10:30:06 3 the murders of Terrence and Christine Hodson. The recent
10:30:10 4 revelations in the media have compelled me to provide a
10:30:14 5 statement of my involvement with her and all the issues
10:30:16 6 which took place during this time which impacted on the
10:30:19 7 operation of the Task Force and its ability to achieve its
10:30:23 8 objectives. Please provide this to the Royal Commission".
10:30:26 9 And that was on 15 January.

10:30:30 10

10:30:30 11 MR WINNEKE: Obviously the Commission is concerned not only
10:30:32 12 about that but whether there are any materials which are in
10:30:35 13 the possession of Victoria Police which haven't been
10:30:37 14 provided.

10:30:37 15

10:30:38 16 COMMISSIONER: Absolutely.

10:30:38 17

10:30:39 18 MR WINNEKE: And would like to know who in Victoria Police
10:30:44 19 determined not to provide it to the Commission, if indeed
10:30:47 20 there was such a determination.

10:30:49 21

10:30:50 22 COMMISSIONER: Ms Enbom, are you able to assist?

10:30:52 23

10:30:55 24 MS ENBOM: The statement was sent to Victoria Police on 15
10:30:58 25 January this year by email. The statement wasn't produced.

10:31:02 26

10:31:03 27 COMMISSIONER: With a request that it be sent to the
10:31:05 28 Commission.

10:31:05 29

10:31:05 30 MS ENBOM: That's correct. And it wasn't produced. There
10:31:11 31 was no intention whatsoever to deliberately withhold this
10:31:16 32 document from the Royal Commission. I have some
10:31:18 33 instructions but I want to ask some more questions about
10:31:21 34 those instructions before I provide to you, Commissioner, a
10:31:24 35 full explanation of why the document wasn't produced.

10:31:27 36

10:31:27 37 COMMISSIONER: And when will you be in a position to do
10:31:31 38 that, Ms Enbom?

10:31:32 39

10:31:33 40 MS ENBOM: At the end of the day.

10:31:34 41

10:31:34 42 COMMISSIONER: All right then. Of course, as Mr Winneke
10:31:37 43 foreshadows, the Commission wants to know how many other
10:31:40 44 statements there are in this category that you have that
10:31:42 45 haven't been provided by Victoria Police.

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10:31:45 47 MS ENBOM: Yes.

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10:31:45 2 COMMISSIONER: When you read Mr Solomon's statement, which
10:31:47 3 we'll get to in due course, it's one that some people might
10:31:53 4 think that Victoria Police didn't want it provided to the
10:31:57 5 Commission or found it at least uncomfortable for it to be
10:32:01 6 provided to the Commission.
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8 MS ENBOM: Yes.
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10:32:02 10 COMMISSIONER: It's an inference that could reasonably be
10:32:05 11 drawn.
10:32:05 12
10:32:06 13 MS ENBOM: Yes, and I understand the concern but Victoria
10:32:09 14 Police's approach to this Royal Commission to date has been
10:32:13 15 to provide full cooperation.
10:32:14 16
10:32:14 17 COMMISSIONER: You keep telling us that but then there are
10:32:18 18 counter indications.
10:32:20 19
10:32:21 20 MS ENBOM: It certainly hasn't taken an adversarial
10:32:25 21 approach to this Royal Commission. It has worked closely
10:32:28 22 with the solicitors assisting in order to provide all
10:32:31 23 relevant information. This statement, which is a
10:32:34 24 controversial statement, was not produced to the Royal
10:32:38 25 Commission but it wasn't deliberately withheld and a full
10:32:41 26 explanation will be provided to satisfy you, Commissioner,
10:32:44 27 that it wasn't deliberately withheld.
10:32:47 28
10:32:47 29 COMMISSIONER: And at the same time there should probably
10:32:51 30 be an audit, an overview to see if there are other
10:32:54 31 statements in this category.
10:32:56 32
10:32:56 33 MS ENBOM: Yes, I'm not aware of any but an audit should be
10:32:59 34 conducted.
10:32:59 35
10:33:00 36 COMMISSIONER: I'm sure it wasn't withheld at the direction
10:33:02 37 or with the knowledge of counsel so the fact that you're
10:33:07 38 not aware of them might not be a good indication that there
10:33:10 39 aren't more there.
10:33:11 40
10:33:11 41 MS ENBOM: Yes, I'm not aware of any others but of course
10:33:16 42 we must check.
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44 COMMISSIONER: And you weren't aware of this one, you see.
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10:33:17 46 MS ENBOM: And we must assure you there are no others but
10:33:22 47 no decision was made within Victoria Police to withhold

10:33:28 1 this document from the Commission because it is a
10:33:30 2 controversial one and it needs to be fully explained and it
10:33:36 3 will be.
10:33:37 4
10:33:38 5 COMMISSIONER: All right, thank you. We'll hear more about
10:33:40 6 that shortly. I know the statement of Mr Solomon really
10:33:48 7 comes into a different context, were you wanting to tender
10:33:51 8 it at this stage in this application or do you want to
10:33:53 9 leave it for later?
10:33:55 10
10:33:55 11 MR WINNEKE: Commissioner, it's the intention to deal with
10:33:59 12 it thoroughly in due course. If it's tendered now it would
10:34:03 13 need - well I think perhaps if I can sit on that for a
10:34:07 14 moment, Commissioner.
10:34:07 15
10:34:08 16 COMMISSIONER: Certainly.
10:34:08 17
10:34:08 18 MR WINNEKE: I won't seek to tender it at this moment.
10:34:11 19
10:34:11 20 COMMISSIONER: All right then.
10:34:12 21
10:34:13 22 MR WINNEKE: Commissioner, if we're ready to proceed.
10:34:15 23
10:34:15 24 COMMISSIONER: Not quite. I think I should deal with
10:34:19 25 another matter. I think there are a number of matters that
10:34:36 26 we're waiting on Victoria Police to - - -
10:34:46 27
10:34:46 28 MR WINNEKE: Commissioner, there are a number of matters in
10:34:49 29 terms of redactions.
10:34:50 30
10:34:51 31 COMMISSIONER: Yes.
10:34:52 32
10:34:52 33 MR WINNEKE: Which require attention to enable them,
10:34:59 34 transcripts and evidence to be put on to the public website
10:35:03 35 so as members of the public can read it. There are a
10:35:06 36 number of them. A letter has been sent to solicitors for
10:35:14 37 the police yesterday and that letter sets out the various
10:35:20 38 documents and I'm not certain at this stage, I haven't
10:35:23 39 spoken to my learned friends, as to whether or not that's
10:35:26 40 been looked at and they're in a position to address that
10:35:29 41 yet.
10:35:32 42
10:35:32 43 COMMISSIONER: It might be - would you prefer, Ms Enbom, to
10:35:34 44 deal with that later in the day too? Do you have a copy of
10:35:38 45 the letter?
10:35:39 46
10:35:40 47 MS ENBOM: I do. I got that at about quarter to 1 this

10:35:43 1 morning.
10:35:44 2
10:35:44 3 COMMISSIONER: Oh dear.
10:35:45 4
10:35:46 5 MS ENBOM: I haven't yet got detailed instructions in
10:35:49 6 relation to the matters raised.
10:35:51 7
10:35:51 8 COMMISSIONER: We will deal with it tomorrow.
10:35:52 9
10:35:53 10 MS ENBOM: Yes. My general instructions, but I need
10:35:57 11 detailed ones, are that a lot of the matters in the letter
10:36:00 12 have been addressed. It might be that there is just a
10:36:03 13 communication breakdown between this side and that side.
10:36:06 14 I'm hoping that's the case, because that's a better
10:36:09 15 scenario than us not having attended to these matters, but
10:36:12 16 I will get some instructions after court today.
10:36:14 17
10:36:15 18 COMMISSIONER: All right, and we'll mention it again
10:36:17 19 tomorrow morning.
10:36:18 20
10:36:19 21 MS ENBOM: Thank you Commissioner.
10:36:20 22
10:36:20 23 COMMISSIONER: That takes us to the first witness.
10:36:23 24
10:36:24 25 MR WINNEKE: The first witness is Steven Campbell.
10:36:27 26 Mr Woods is going to lead evidence from that witness,
10:36:30 27 Commissioner.
10:36:30 28
29 COMMISSIONER: Yes.
30
10:36:30 31 MR HARTNETT: If the Commission pleases. I've touched on
10:36:32 32 two medical reports both dated 15 May which have been
10:36:37 33 conveyed to both Mr Woods and to the Commission. I would
10:36:43 34 seek the Commission's approval for my client to give
10:36:47 35 evidence from a remote facility.
10:36:51 36
10:36:52 37 COMMISSIONER: Yes, those medical reports should be
10:36:57 38 tendered as Exhibit 1 in this application.
10:37:03 39
10:37:03 40
10:37:03 41 #EXHIBIT 1- Medical reports.
10:37:06 42
10:37:06 43 MR HARTNETT: Yes. I have a copy of them.
10:37:10 44
10:37:10 45 COMMISSIONER: The Commission has a copy and they can be
10:37:12 46 tendered. Those medical reports do establish that your
10:37:20 47 client is unwell and would, his health would be

10:37:30 1 significantly improved by him giving evidence by telephone
10:37:34 2 remotely but it will still be a public hearing.
10:37:43 3
10:37:43 4 MR HARTNETT: Of course. Thank you, Commissioner.
10:37:45 5
10:37:45 6 COMMISSIONER: Yes. Before I make that final ruling I
10:37:48 7 should ask if anybody has any contrary submissions.
10:37:52 8 Victoria Police have seen the medical reports, Ms Enbom?
10:37:56 9
10:37:56 10 MS ENBOM: I haven't seen those but I don't seek to make a
10:37:59 11 contrary submission, but there are a number of matters that
10:38:03 12 I need to discuss with Mr Woods before this witness
10:38:07 13 commences his evidence. If the Commissioner is prepared to
10:38:10 14 provide us with ten minutes to do that.
10:38:12 15
10:38:12 16 COMMISSIONER: Yes.
10:38:13 17
10:38:13 18 MR WOODS: I take it they're proposed redactions to a
10:38:17 19 police document relating to the witness. It might be - - -
10:38:20 20
10:38:21 21 COMMISSIONER: Perhaps I should make the order clearer. I
10:38:23 22 suppose I should in light of what we discussed, is
10:38:27 23 Mr Cashen here for the media?
10:38:30 24
10:38:30 25 MR WOODS: I think he might be outside with his clients
10:38:33 26 actually.
10:38:33 27
10:38:34 28 COMMISSIONER: All right.
10:38:37 29
10:38:38 30 MR WOODS: He is streamed into that room.
10:38:41 31
10:38:41 32 COMMISSIONER: Here he is. Perfect timing, Mr Cashen. I
10:38:44 33 don't know whether you heard there's an application for
10:38:46 34 this witness to give evidence in public but remotely by
10:38:49 35 telephone.
10:38:50 36
10:38:50 37 MR CASHEN: Yes.
10:38:50 38
10:38:51 39 COMMISSIONER: Medical reports have been shown to the
10:38:55 40 Commission which show that his health is precarious and
10:38:59 41 that giving evidence in this way would minimise the damage
10:39:03 42 to his health from the trauma of giving evidence in this
10:39:06 43 Commission and subject to submissions made I'm inclined to
10:39:11 44 allow that application.
10:39:13 45
10:39:13 46 MR CASHEN: Yes, I've taken some preliminary instructions
10:39:16 47 and there's no objections as far as I'm aware at the

10:39:22 1 moment.
10:39:22 2
10:39:23 3 MS ENBOM: Commissioner, while Mr Cashen is still here, the
10:39:25 4 two matters I wish to discuss with Mr Woods are PII, which
10:39:30 5 is a not matter that concerns Mr Cashen but the second
10:39:32 6 matter does and that is that the next witness Person 12, as
10:39:36 7 I understand it, will be making an application for either
10:39:38 8 an in camera order or a non-publication order. I
10:39:43 9 anticipate the determination of that application will
10:39:47 10 affect how this witness, Campbell, is to give evidence.
10:39:51 11
10:39:52 12 COMMISSIONER: So we need to determine that application
10:39:54 13 beforehand.
10:39:54 14
10:39:54 15 MS ENBOM: Yes.
10:39:55 16
10:39:55 17 COMMISSIONER: That's probably the next step then, is it?
10:39:59 18
10:39:59 19 MS ENBOM: Yes, it is.
10:40:00 20
10:40:01 21 COMMISSIONER: So is someone here representing Person 12?
10:40:07 22
10:40:08 23 MS TITTENSOR: I understand Mr Furstenberg might be in a
10:40:10 24 room with Person 12 currently, Commissioner.
10:40:16 25
10:40:16 26 COMMISSIONER: Yes. We'd better get Mr Furstenberg in for
10:40:22 27 this application.
10:40:22 28
10:40:23 29 MS TITTENSOR: Thank you, Commissioner.
10:40:32 30
10:40:32 31 MS ENBOM: It may be worthwhile, Commissioner, standing
10:40:34 32 down to allow Mr Woods and I to talk to Mr Furstenberg
10:40:43 33 about the application and we can also deal with the PII
10:40:51 34 claims at the same time.
10:40:51 35
10:40:51 36 COMMISSIONER: All right then. If I can ask you to keep
10:40:53 37 Mr Cashen informed as much as you are able, as well as the
10:40:57 38 other interested parties.
39
40 MS ENBOM: Yes.
41
42 COMMISSIONER: Yes, adjourn thank you.
10:41:29 43
10:41:30 44 (Short adjournment.)
11:14:34 45
11:14:34 46 COMMISSIONER: Yes Mr Winneke.
11:14:35 47

11:14:36 1 MR WINNEKE: Commissioner, just before we commence with
11:14:39 2 Mr Campbell, Mr Woods is going to deal with Mr Campbell.
11:14:44 3 It's proposed to take Mr Campbell through his evidence in
11:14:49 4 public session, albeit Mr Campbell won't be in the hearing
11:14:55 5 room. I'm not too sure whether the microphones are
11:15:02 6 working, one assumes they're not working.
11:15:04 7
8 COMMISSIONER: No, they don't seem to be working again.
11:15:04 9 We're having some problems today. So if we speak up
11:15:05 10 loudly.
11:15:05 11
11:15:14 12 MR WINNEKE: Mr Campbell's evidence concerns Ms Gobbo but
11:15:17 13 at a point in time during the course of Mr Campbell's
11:15:21 14 evidence he will give evidence about matters touching upon
11:15:29 15 another person who is represented by Mr Furstenberg. Now,
11:15:35 16 it's proposed that that evidence be given in open hearing
11:15:42 17 and live-streamed.
11:15:45 18
11:15:45 19 COMMISSIONER: This is Person 12?
11:15:47 20
11:15:47 21 MR WINNEKE: Person 12. Now, I understand, and Person 12
11:15:52 22 will be giving evidence after Mr Campbell and again it's
11:15:58 23 proposed that that evidence, subject to any application
11:16:02 24 that Mr Furstenberg may have, should be given live so as
11:16:07 25 the public can hear it as the evidence is being given and
11:16:11 26 people can sit in court and listen to it. I understand
11:16:14 27 that Mr Furstenberg has an application to make about that
11:16:18 28 matter and perhaps if that matter, application is to be
11:16:23 29 made, it ought be made before the commencement of
11:16:26 30 Mr Campbell's evidence because as I've indicated it's
11:16:30 31 proposed that Mr Campbell's evidence will touch upon those
11:16:33 32 issues.
11:16:33 33
11:16:34 34 COMMISSIONER: And as I understand it if Person 12 doesn't
11:16:37 35 give evidence today, Mr Campbell's evidence could not be
11:16:42 36 completed today.
11:16:44 37
11:16:44 38 MR WINNEKE: That's correct.
11:16:45 39
11:16:45 40 COMMISSIONER: And that would have an impact on his
11:16:48 41 significant health problems.
11:16:50 42
11:16:51 43 MR WINNEKE: The Commission has reports from doctors
11:16:54 44 concerning his health and that's the reason why an order
11:16:58 45 has been made to the effect that he give evidence from a
11:17:01 46 remote location.
11:17:03 47

11:17:03 1 COMMISSIONER: I think the position is, as I've stated. No
11:17:07 2 doubt instructions can be taken from Mr Campbell and
11:17:10 3 Mr Campbell's legal representatives will have something to
11:17:13 4 say about it, but as I understand it it's plain that if
11:17:18 5 Mr Campbell's evidence doesn't finish today and he has to
11:17:21 6 come back, that will have a significant negative impact on
11:17:25 7 his very real health issues.
11:17:27 8
11:17:27 9 MR WINNEKE: That may well be the case. In addition to
11:17:30 10 that, Commissioner, we'd be very keen to get on with our
11:17:33 11 job.
11:17:33 12
11:17:34 13 COMMISSIONER: All right. I need to hear from Person 12's
11:17:37 14 legal representative Mr Furstenberg.
11:17:39 15
11:17:39 16 MR FURSTENBERG: If the Commissioner pleases.
11:17:40 17
11:17:40 18 COMMISSIONER: Your application is what?
11:17:42 19
11:17:42 20 MR FURSTENBERG: There is a preliminary matter, I seek
11:17:46 21 leave to appear for Person 12.
11:17:48 22
11:17:48 23 COMMISSIONER: Yes, you're given leave.
11:17:50 24
11:17:50 25 MR FURSTENBERG: Thank you. Commissioner, the application
11:17:51 26 is for Person 12 to give his evidence in camera. To
11:17:54 27 outline the application I'd seek to actually make the
11:17:59 28 application in camera. The matters that I wish to raise
11:18:09 29 touch upon the reasons for - - -
11:18:12 30
11:18:12 31 COMMISSIONER: All right. What do you say, Ms Enbom?
11:18:14 32
11:18:15 33 MS ENBOM: Victoria Police supports the request that the
11:18:18 34 application be heard in camera.
11:18:20 35
11:18:20 36 COMMISSIONER: Does the State have anything to say?
11:18:22 37
11:18:23 38 MS HILLIARD: No Commissioner.
11:18:23 39
11:18:24 40 COMMISSIONER: The DPP?
11:18:26 41
11:18:26 42 MS MARTIN: No Commissioner.
11:18:27 43
11:18:27 44 COMMISSIONER: Mr Winneke?
11:18:28 45
11:18:28 46 MR WINNEKE: If the application is heard publicly and that
11:18:31 47 deprives Mr Furstenberg or at least Person 12 of the fruit

11:18:35 1 of his application, then it would be a waste of time, so I
11:18:39 2 accept, Commissioner, that it would be appropriate that the
11:18:41 3 application be made in private.
11:18:43 4
11:18:43 5 COMMISSIONER: All right then. Mr Cashen?
11:18:45 6
11:18:45 7 MR CASHEN: Your Honour, I see no reason why journalists
11:18:48 8 shouldn't be able to observe this application.
11:18:50 9
11:18:50 10 COMMISSIONER: I understand.
11:18:52 11
11:18:52 12 MR CASHEN: They're well aware of [REDACTED] - - -
11:18:54 13
11:18:54 14 COMMISSIONER: Mr Furstenberg, do you have any difficulty
11:18:56 15 with journalists being present with a non-publication
11:19:01 16 order?
11:19:01 17
11:19:02 18 MR FURSTENBERG: Given the sensitive nature of the evidence
11:19:06 19 that might be called it would be my submission that
11:19:09 20 journalists not be present during the making of the
11:19:12 21 application, depending ultimately on the ruling and what
11:19:15 22 may follow. If the application is transcribed it would be
11:19:21 23 there.
11:19:21 24
11:19:22 25 MS ENBOM: Commissioner, I'm sorry to interrupt.
11:19:23 26
11:19:24 27 COMMISSIONER: Nothing else, Mr Furstenberg?
11:19:25 28
11:19:26 29 MR FURSTENBERG: No Commissioner.
11:19:26 30
11:19:28 31 MS ENBOM: I'm sorry to interrupt but I understand, I
11:19:28 32 didn't hear it but I understand Mr Cashen just
11:19:39 33 inadvertently used Person 12's name.
11:19:42 34
11:19:43 35 COMMISSIONER: That will be struck from the record.
11:19:44 36
11:19:45 37 MS ENBOM: Commissioner, Victoria Police's position is
11:19:46 38 Mr Cashen should not be present during the hearing of part
11:19:51 39 of the application to hear Person 12's evidence in camera.
11:19:57 40 I can't expand on that at the moment but there is a core
11:20:05 41 PII issue that will arise during the in camera application
11:20:10 42 and Victoria Police wouldn't want anyone present, other
11:20:13 43 than those that need to be here. I can explain that in
11:20:19 44 camera.
11:20:20 45
11:20:21 46 COMMISSIONER: Is it possible in a couple of sentences to
11:20:23 47 write it on a piece of paper or is it more complicated?

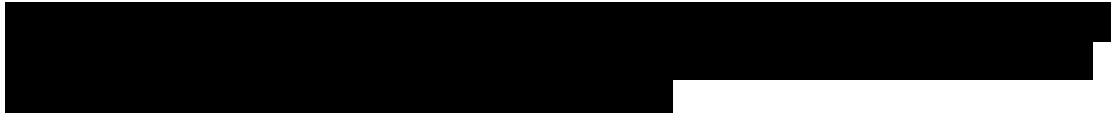
11:20:27 1
11:20:28 2 MS ENBOM: I can write it on a piece of paper.
11:20:29 3
11:20:30 4 COMMISSIONER: If you do that. And best writing, please.
11:20:36 5
11:20:37 6 MS ENBOM: Of course. I'll need to sit down.
11:20:38 7
11:20:39 8 COMMISSIONER: Of course. Mr Winneke, have you seen this?
11:21:18 9
11:21:19 10 MR WINNEKE: Have I seen - - -
11:21:20 11
11:21:20 12 COMMISSIONER: The piece of paper I've just been handed?
11:21:22 13
11:21:23 14 MR WINNEKE: No, I haven't Commissioner.
11:21:24 15
11:21:25 16 COMMISSIONER: Could you show it to Mr Winneke please. Who
11:21:29 17 else do you say should or shouldn't be present, Ms Gobbo's
11:21:33 18 legal representatives?
11:21:34 19
11:21:35 20 MS ENBOM: Yes, no objection to Ms Gobbo's representatives
11:21:38 21 remaining here. Perhaps, Commissioner, while Mr Winneke is
11:22:04 22 speaking to others about that note, [REDACTED] gave evidence
11:22:10 23 last week - - -
11:22:11 24
11:22:11 25 COMMISSIONER: I better make that note Exhibit 1 in this
11:22:14 26 application.
11:22:15 27
11:22:15 28 #EXHIBIT 1 - Note.
11:22:18 29
11:22:19 30 COMMISSIONER: And it will be placed in a sealed envelope
11:22:21 31 not to be opened without order of the Commission. Does the
11:22:24 32 State need to see it or the DPP?
11:22:26 33
11:22:27 34 MS ENBOM: No Commissioner.
11:22:28 35
11:22:28 36 MR WINNEKE: I think the state should see it, Commissioner.
11:22:32 37
11:22:32 38 COMMISSIONER: Yes, they probably should. Yes, I didn't
11:23:08 39 understand that that aspect of Person 12's life would be
11:23:11 40 being touched on in the evidence before this Commission.
11:23:14 41
11:23:14 42 MR WINNEKE: Commissioner, if that aspect is a matter which
11:23:18 43 is necessarily the subject of Mr Furstenberg's application,
11:23:24 44 then it may well be appropriate for this, or that part of
11:23:30 45 the hearing to be in private, that is in the absence of
11:23:36 46 anyone but the interested parties. However, I don't
11:23:41 47 understand that Mr Furstenberg's application deals with

11:23:44 1 that aspect of it. If it does, I'm wrong, but insofar as
11:23:50 2 it relates to the reasons why Person 12's evidence needs to
11:24:01 3 be in private session, for reasons to do with reputation or
11:24:11 4 damage and the like, well then that's a matter that can be
11:24:14 5 dealt with in the presence of the media. This person was a
11:24:21 6 witness, didn't give evidence but insofar as persons
11:24:28 7 involved in the proceeding being prosecuted were concerned
11:24:31 8 he was a witness and made a statement or statements, I'm
11:24:34 9 not too sure of the exact number, whether it be one or
11:24:39 10 more. Now, that's really the area that's proposed, that
11:24:47 11 it's proposed by the Commission to examine his evidence and
11:24:53 12 not about anything else and certainly not about matters
11:24:56 13 that are on that note that the Commissioner has seen.
11:24:58 14
11:24:59 15 COMMISSIONER: You won't be touching on those matters?
11:25:01 16
11:25:01 17 MR WINNEKE: As I understand it those matters won't be
11:25:04 18 touched upon but I suppose we're talking now about
11:25:07 19 Mr Furstenberg's application.
11:25:08 20
11:25:09 21 COMMISSIONER: To be fair then Ms Enbom supported the
11:25:12 22 application on the basis of Exhibit 1. So that's Victoria
11:25:17 23 Police's application now as well on that basis.
11:25:20 24
11:25:20 25 MR WINNEKE: It's not clear from Mr Furstenberg whether
11:25:23 26 that is an issue that he proposes to traverse in his
11:25:27 27 application to have this matter heard in camera.
11:25:29 28
11:25:29 29 COMMISSIONER: True, true, but Victoria Police are
11:25:31 30 traversing it in their application so we do have to deal
11:25:34 31 with it.
11:25:35 32
11:25:35 33 MR WINNEKE: I understand that. Perhaps we should hear
11:25:37 34 what Mr Furstenberg has to say first about it.
11:25:39 35
11:25:39 36 COMMISSIONER: The first thing is that your submission is
11:25:42 37 that that aspect of Person 12's life will not be being
11:25:49 38 explored by the Commission.
11:25:51 39
11:25:51 40 MR WINNEKE: That's correct. That's correct.
11:25:53 41
11:25:53 42 COMMISSIONER: And if it were, you'd concede that would
11:25:56 43 have to be done in closed hearing?
11:25:58 44
11:25:59 45 MR WINNEKE: Yes, I do.
11:25:59 46
11:25:59 47 COMMISSIONER: We've got that much done. So that probably

11:26:04 1 gives you some comfort, Ms Enbom.
11:26:07 2
11:26:08 3 MS ENBOM: I don't - I hear what Mr Winneke says but I
11:26:11 4 don't see how that's possible given that the matter on that
11:26:15 5 - it's recorded on Exhibit 1, was the subject of evidence
11:26:20 6 given in camera last week, evidence given by [REDACTED]. [REDACTED]
11:26:26 7 [REDACTED].
11:26:28 8
11:26:29 9 COMMISSIONER: Yes, but it's in camera.
11:26:30 10
11:26:31 11 MS ENBOM: Yes.
11:26:31 12
11:26:31 13 COMMISSIONER: So it's not public.
11:26:32 14
11:26:33 15 MS ENBOM: No. So I would have envisaged that the
11:26:35 16 cross-examination of Person 12 would go to the issue - - -
11:26:38 17
11:26:39 18 COMMISSIONER: If it does, it's conceded that must be done
11:26:42 19 in camera.
11:26:42 20
11:26:43 21 MS ENBOM: Yes. I also understand that Person 12's legal
11:26:48 22 representative does wish to address Exhibit 1.
11:26:51 23
11:26:51 24 COMMISSIONER: I understand. We're just clarifying things.
11:26:54 25 If you understand that anything to do with the matter in
11:26:57 26 Exhibit 1 is to be dealt with in closed hearing.
11:27:01 27
11:27:01 28 MS ENBOM: Yes.
11:27:01 29
11:27:02 30 COMMISSIONER: Does that satisfy your application?
11:27:05 31
11:27:05 32 MS ENBOM: I don't think it does.
11:27:08 33
11:27:09 34 COMMISSIONER: Because?
11:27:09 35
11:27:10 36 MS ENBOM: Because there are some suppression orders that
11:27:16 37 we need to address.
11:27:18 38
11:27:18 39 COMMISSIONER: Which ones are they?
11:27:21 40
11:27:21 41 MS ENBOM: I'll hand up the three relevant ones. These are
11:27:34 42 three orders that were provided to me by the Commission
11:27:38 43 yesterday afternoon so I wasn't aware of them when [REDACTED]
11:27:41 44 gave evidence.
11:27:43 45
11:27:43 46 COMMISSIONER: Yes, we seem to keep finding new ones.
11:27:47 47 Well, very old ones but new to the Commission.

11:27:49 1
11:27:50 2 MS ENBOM: Yes, yes. So the first one, I would want to
11:27:59 3 address - - -
11:28:00 4
11:28:00 5 COMMISSIONER: The first one, we've got Person 12, so the
11:28:03 6 identity is not there and we've got the agreement that
11:28:07 7 anything to do with him in that capacity must be done in
11:28:14 8 closed hearing. So that's dealt with, isn't it?
11:28:17 9
11:28:18 10 MS ENBOM: Yes, yes.
11:28:18 11
11:28:18 12 COMMISSIONER: Next one?
11:28:20 13
11:28:20 14 MS ENBOM: The next one is an image order and then there's
11:28:25 15 the third one - - -
11:28:26 16
11:28:27 17 COMMISSIONER: We can deal with that one too. I'm happy to
11:28:29 18 deal with that.
11:28:29 19
11:28:29 20 MS ENBOM: The third one is the order of Justice Nettle.
11:28:31 21
11:28:32 22 COMMISSIONER: Yes.
11:28:32 23
11:28:32 24 MS ENBOM: I understand that Person 12's legal
11:28:35 25 representative wants to make some submissions about the
11:28:39 26 breadth of that order, so what that order is directed to.
11:28:43 27 Whether it's directed only to the matter recorded on the
11:28:46 28 Post-it Note in Exhibit 1 or whether it goes further and is
11:28:49 29 directed to the other matter that was the subject of
11:28:57 30 [REDACTED] evidence last week. And I'm - I think Person
11:29:06 31 12's legal representative is probably best placed to deal
11:29:09 32 with that issue given that I understand he has acted for
11:29:16 33 Person 12 for some time and may be aware of all his
11:29:19 34 background.
11:29:21 35
11:29:21 36 COMMISSIONER: All right.
11:29:26 37
11:29:34 38 MS ENBOM: Victoria Police is concerned about the
11:29:37 39 discussion we've been having over the last few minutes and
11:29:41 40 that this is in an open hearing and not presently the
11:29:47 41 subject of a non-publication order.
11:29:52 42
11:29:52 43 COMMISSIONER: I'm certainly happy to make a
11:29:55 44 non-publication order unless there are any contrary
11:29:58 45 submissions.
11:30:00 46
11:30:00 47 MS ENBOM: It doesn't look like it, Commissioner.

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MS ENBOM: Thank you, Commissioner. So I would urge - given that there are some complexities around this and a need to address the matter on the Post-it Note that forms Exhibit 1, I would urge the Commissioner to move into an in camera hearing without - - -

COMMISSIONER: There's no argument about that, that's conceded. The Commission concedes that anything to do with that must be done in a closed hearing.

MS ENBOM: Yes, but - - -

COMMISSIONER: So what is there more to - - -

MS ENBOM: I understand Person 12's application goes a lot further than that.

COMMISSIONER: Let's hear it, Mr Furstenberg.

MR FURSTENBERG: The application is that given the sensitive nature of the application there should be no one present in the in camera hearing other than those who should necessarily be here and that media and media's lawyers, at least initially ought to be excluded. The application - - -

COMMISSIONER: It's accepted, you saw what was written on Exhibit 1.

MR FURSTENBERG: Yes.

COMMISSIONER: And that's accepted and it's accepted that that cannot be touched on in open hearing.

MR FURSTENBERG: We're talking at the moment in very careful terms obviously given the sensitive nature. It would be very difficult to make the application openly and coherently if consideration needed to be given as to who might be in the room at the time.

COMMISSIONER: Could you write on a piece of paper what the sensitive matters are that would require the media to be

11:31:54 1 removed from the hearing room?
11:34:08 2
11:34:09 3 MR FURSTENBERG: I've done my best in terms of the
11:34:12 4 handwriting, I apologise in advance.
11:34:14 5
11:34:15 6 COMMISSIONER: Thank you. Let me see it first, please. I
11:34:49 7 see. Yes, show that to counsel, please.
11:34:55 8
11:34:56 9
11:34:56 10 #EXHIBIT 2 - Handwritten note by Mr Furstenberg.
11:35:03 11
11:35:03 12 COMMISSIONER: In essence your submission is that bio data
11:35:09 13 and other information will come out and it will mean things
11:35:13 14 can be pieced together.
11:35:14 15
11:35:15 16 MR FURSTENBERG: It's all interwoven.
11:35:18 17
11:35:19 18 COMMISSIONER: And you support that application, Ms Enbom?
11:35:21 19
11:35:21 20 MS ENBOM: Yes, Commissioner.
11:36:06 21
11:36:06 22 COMMISSIONER: Show it to counsel for the State and the
11:36:09 23 DPP, thank you. I had understood that matters of concern
11:36:20 24 were redacted from the statement of Person 12 and those
11:36:30 25 matters had either been agreed or were to be argued before
11:36:33 26 me before he gave evidence.
11:36:39 27
11:36:39 28 MR WINNEKE: Commissioner, it may well - - -
11:36:42 29
11:36:42 30 COMMISSIONER: It's Mr Woods' witness I think.
11:36:45 31
11:36:45 32 MR WINNEKE: No, Ms Tittensor.
11:36:46 33
11:36:46 34 COMMISSIONER: Is it your witness or Ms Tittensor's
11:36:51 35 witness?
11:36:51 36
11:36:52 37 MR WINNEKE: Ms Tittensor's witness. As to whether or not
11:36:54 38 it's been redacted, there's not agreement about the
11:36:57 39 redactions as I understand it.
11:36:59 40
11:37:00 41 COMMISSIONER: It's something I will have to rule on in due
11:37:02 42 course.
11:37:02 43
11:37:03 44 MR WINNEKE: Commissioner, I've read the material which is
11:37:05 45 on Exhibit 2.
11:37:06 46
11:37:07 47 COMMISSIONER: Yes.

11:37:07 1
11:37:07 2 MR WINNEKE: Insofar as the application that Mr Furstenberg
11:37:11 3 makes is going to touch upon matters which concern the
11:37:16 4 subject which is written on Exhibit 1, then it may be
11:37:21 5 necessary for that to be dealt with in closed court, I
11:37:25 6 accept that, insofar as that application touches upon those
11:37:31 7 matters.
11:37:31 8
11:37:32 9 COMMISSIONER: And what do you say about the bio data? If
11:37:35 10 it can be established that that could be, some fact could
11:37:41 11 be relevant, that could be dealt with before the evidence
11:37:43 12 is given.
11:37:44 13
11:37:44 14 MR WINNEKE: That's a different matter and that may relate
11:37:47 15 to - it doesn't necessarily relate to the matter which is
11:37:50 16 written down on Exhibit 1 in this application, but insofar
11:37:55 17 as the application touches upon matters which are written
11:37:58 18 down on Exhibit 1, then the way in which we've been
11:38:03 19 conducting proceedings to date, it suggests that only those
11:38:07 20 persons who in effect need to know should be present, I
11:38:11 21 accept that.
11:38:11 22
11:38:11 23 COMMISSIONER: Mr Furstenberg's argument is that matters
11:38:14 24 will come out that indirectly reveal the matter in Exhibit
11:38:21 25 1.
11:38:21 26
11:38:21 27 MR WINNEKE: That may or may not be, but that's something
11:38:24 28 that he may wish to raise in his application and - - -
11:38:28 29
11:38:28 30 COMMISSIONER: Sorry, that is his application.
11:38:29 31
11:38:30 32 MR WINNEKE: As I understood it, the first application is
11:38:33 33 an application that no one be present in his application.
11:38:37 34 There are two applications it seems to me.
11:38:39 35
11:38:39 36 COMMISSIONER: Okay. I thought we'd got over that by
11:38:42 37 writing it down on a piece of paper.
11:38:44 38
11:38:44 39 MR WINNEKE: Not as I understand it.
11:38:46 40
11:38:46 41 COMMISSIONER: I'm not prepared at this stage to order that
11:38:49 42 the press be excluded from the hearing room, having made
11:38:54 43 the non-publication order. All right.
11:38:58 44
11:38:58 45 MR FURSTENBERG: If the Commissioner pleases.
11:39:00 46
11:39:00 47 COMMISSIONER: So what's your application then,

11:39:02 1 Mr Furstenberg, is there another one? Again you might wish
11:39:06 2 to write matters down on a piece of paper if you think
11:39:09 3 they're sensitive.
11:39:10 4
11:39:11 5 MR FURSTENBERG: Broadly speaking, Commissioner, my
11:39:14 6 application is for the entirety of Person 12's evidence to
11:39:18 7 be given in camera. The basis for the application, or
11:39:27 8 there are two bases for the application and I propose to
11:39:32 9 call some evidence in relation to that. The first is
11:39:36 10 concerns for Person 12's safety. I won't go into that at
11:39:46 11 this stage. The second application - the second - - -
11:39:49 12
11:39:50 13 COMMISSIONER: So you'll call evidence on that?
11:39:52 14
11:39:52 15 MR FURSTENBERG: Yes.
11:39:52 16
11:39:53 17 COMMISSIONER: I think that probably will have to be done
11:39:55 18 in camera.
11:39:56 19
11:39:56 20 MR FURSTENBERG: The second - - -
11:39:57 21
11:39:58 22 COMMISSIONER: You'd ask for it to be done in camera?
11:40:00 23
11:40:00 24 MR FURSTENBERG: I would ask for that to be done in camera,
11:40:03 25 Thank you Commissioner. The second limb - - -
11:40:06 26
11:40:07 27 MR WINNEKE: Can I just make - get the situation clear.
11:40:10 28 Are we streaming at the moment? No. I'm sorry.
11:40:17 29
11:40:19 30 MR FURSTENBERG: The second limb of the application is
11:40:23 31 damage to reputation and I'll call some evidence in
11:40:29 32 relation to that but broadly speaking Person 12 is an
11:40:34 33 individual who spent approximately 15 years in prison and
11:40:38 34 he's now on parole. I understand some may say what damage
11:40:45 35 to what reputation but the fact is he's now on parole,
11:40:51 36 working, not associated with his criminal past, trying to
11:40:59 37 rebuild his reputation. His concern is if there was
11:41:05 38 publication of the evidence that he'll be required to give
11:41:10 39 to this Commission, the past will be rehashed and in turn
11:41:14 40 that will damage all the gains that he's made whilst on
11:41:19 41 parole, thereby causing damage to his reputation and
11:41:27 42 seriously impacting his rehabilitation. So to broadly
11:41:33 43 outline, they're the two limbs of the application and
11:41:36 44 perhaps for the Commission - I say this - I'll withdraw
11:41:49 45 that. Perhaps I'll call evidence at this stage.
11:41:52 46
11:41:52 47 COMMISSIONER: Are you going to call evidence on that

11:41:55 1 second issue as well or only on the first?
11:41:59 2
11:42:00 3 MR FURSTENBERG: On both issues, and I intend to call
11:42:03 4 Person 12 to give that evidence.
11:42:04 5
11:42:05 6 COMMISSIONER: And do you say the media shouldn't be
11:42:07 7 present for that?
11:42:08 8
9 MR FURSTENBERG: That's correct.
10
11:42:09 11 COMMISSIONER: Yes.
12
11:42:10 13 MR FURSTENBERG: Because matters perhaps touching on
11:42:12 14 Exhibit 1 and Exhibit 2 might be given in evidence. In
11:42:15 15 respect to the first limb of the application and
11:42:18 16 potentially in respect of the second limb as well.
11:42:21 17
11:42:21 18 COMMISSIONER: You should remember in the terms of the
11:42:23 19 first limb what's been said. It's accepted that anything
11:42:26 20 touching on that has to be in closed hearing.
11:42:29 21
11:42:29 22 MR FURSTENBERG: Yes.
11:42:30 23
11:42:30 24 COMMISSIONER: So I don't know what we're arguing about
11:42:32 25 there, so keep that in mind. All right, well now, I think
11:42:36 26 I've ordered that it should be closed hearing now. So
11:42:40 27 anyone who's not a legal representative of one of the
11:42:44 28 parties or involved with the Commission should leave the
11:42:46 29 courtroom at this point while we hear evidence. You say
11:42:52 30 the media should leave? It's too sensitive for the media
11:42:57 31 to remain? Ms Enbom, you'd support that?
11:43:01 32
11:43:01 33 MS ENBOM: Yes, Commissioner, I do.
11:43:02 34
11:43:02 35 COMMISSIONER: Mr Winneke, what do you say?
11:43:05 36
11:43:06 37 MR WINNEKE: Commissioner, if it doesn't concern matters
11:43:11 38 which are referred to in Exhibit 1 in our submission
11:43:14 39 there's no need for the media to be absent. There's a
11:43:18 40 non-publication order that the Commission has made with
11:43:21 41 respect to this application and that stands. Unless and
11:43:31 42 until the evidence is adduced which touches upon matters of
11:43:34 43 public interest immunity, then in our submission a
11:43:38 44 non-publication order would suffice.
11:43:42 45
11:43:43 46 COMMISSIONER: Mr Cashen?
11:43:44 47

11:43:45 1 MR CASHEN: I'm in the Commission's hands to a large degree
11:43:48 2 given I haven't seen Exhibits 1 and 2. What I would say if
11:43:51 3 it is closed I'd request that so far as possible the
11:43:55 4 matters relating to Exhibits 1 and 2 be heard, evidence
11:43:59 5 taken on those, and then I'd be permitted back into the
11:44:04 6 hearing room to hear the remainder of the evidence so I can
11:44:08 7 make submissions on those matters.

11:44:10 8
11:44:10 9 COMMISSIONER: I'm just a little worried whether - I do
11:44:14 10 hope the evidence isn't going to touch on the matters in
11:44:17 11 Exhibit 1, which I've already made the Commission's
11:44:20 12 position very clear on. But anyhow, all right. I think at
11:44:24 13 this stage I'd better exclude the media to deal with the
11:44:28 14 evidence relating to Mr Furstenberg's application and I'll
11:44:33 15 revoke that order as soon as I'm able. Thanks Mr Cashen.

11:44:45 16
11:44:45 17 MR HARTNETT: Should I exclude myself?

11:44:52 18
11:44:52 19 COMMISSIONER: Probably, but what does Ms Enbom say?
11:44:57 20 Ms Enbom, do you say Mr Hartnett should not be present
11:44:59 21 whilst this evidence is given?

11:45:06 22
11:45:06 23 MS ENBOM: Can I just get some instructions on that matter
11:45:09 24 please, Commissioner?

11:45:38 25
11:45:38 26 There's no objection to Mr Campbell's legal
11:45:41 27 representatives remaining in the in camera hearing,
11:45:45 28 Commissioner.

11:45:47 29
11:45:48 30 COMMISSIONER: Mr Furstenberg?

11:45:50 31
11:45:51 32 MR FURSTENBERG: No.

11:44:41 33
11:44:41 34 (IN CAMERA HEARING FOLLOWS)

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13:17:17 1 UPON RESUMING AT 2.00 PM:
2
3 UPON RESUMING IN OPEN COURT:
14:08:03 4
5
14:08:03 6 COMMISSIONER: I understand the next witness is on the
14:08:05 7 telephone. Mr Campbell, are you on the telephone?---Yes,
14:08:09 8 Commissioner.
14:08:09 9
14:08:09 10 Yes, thanks Mr Campbell. The Commission appreciates that
14:08:17 11 you are not well and that you've made some considerable
14:08:20 12 effort to be here today. That's much appreciated. I
14:08:24 13 understand you take the oath?---Yes, please, Commissioner.
14:08:26 14
14:08:26 15 Could you hold the Bible in your right hand and you'll be
14:08:29 16 sworn now.
14:08:31 17
14:08:31 18 <STEPHEN CAMPBELL, sworn and examined:
14:08:51 19
14:08:52 20 COMMISSIONER: Yes Mr Woods.
14:08:53 21
14:08:54 22 MR WOODS: Commissioner, I'm happy to tender the statement
14:08:58 23 if Mr Hartnett is happy for me to do so. Mr Campbell, it's
14:09:02 24 Mr Woods here, counsel assisting the Commission. You can
14:09:06 25 hear me?---Yes, thank you Mr Woods.
14:09:07 26
14:09:07 27 You've provided a statement to the Commission dated 16 May
14:09:11 28 2019?---Yes, that's correct.
14:09:14 29
14:09:14 30 And the contents of that statement are true and
14:09:18 31 correct?---Yes, that's correct.
14:09:19 32
14:09:20 33 Commissioner, I tender that statement.
14:09:23 34
14:09:24 35 #EXHIBIT RC135 - Statement of Steven Campbell.
14:09:30 36
14:09:31 37 Mr Campbell, you were employed at Victoria Police between
14:09:34 38 June 1988 and May 2006; is that correct?---Yes, that's
14:09:40 39 correct.
14:09:40 40
14:09:41 41 And you went through the Police Academy I take it in the
14:09:44 42 first half of 98, is that the case - 1988?---I believe I
14:09:53 43 started at the Police Academy in that June of 1988.
14:09:57 44
14:09:58 45 I see. I understand, all right. Then you went through
14:10:02 46 various positions that are listed at paragraph 5 of your
14:10:06 47 statement. In particular you were at the Embona Task Force

14:10:11 1 in St Kilda from August 1988 until July 2000; is that
14:10:15 2 right?---Yes.
14:10:16 3
14:10:16 4 And Fitzroy CIB from July 2000 until April 2003?---Yes.
14:10:24 5
14:10:25 6 You haven't had access to your diary or day books for the
14:10:29 7 purpose of making this statement; is that right?---That is
14:10:32 8 correct.
14:10:33 9
14:10:33 10 Do you expect that those diary and day books will have
14:10:37 11 matters that are relevant to your evidence before the
14:10:39 12 Commission?---Sorry, Mr Woods, can you repeat that
14:10:44 13 question, please?
14:10:45 14
14:10:46 15 Do you expect that your diaries and day books that were
14:10:49 16 left at Fitzroy CIB will have material that's relevant to
14:10:54 17 your evidence before the Commission?---Possibly.
14:10:58 18
14:10:59 19 I've just been told your diaries and day books have been
14:11:03 20 produced to the Commission today. I might need an
14:11:07 21 opportunity to go through those but in any event we'll move
14:11:11 22 through your evidence as we can. You say in paragraph 12
14:11:14 23 of your statement that you had a previous intimate personal
14:11:20 24 relationship with Ms Gobbo; is that right?---Yes.
14:11:23 25
14:11:23 26 And you met some time around 1998?---I'm uncertain of the
14:11:32 27 specifics of the date but it could be somewhere between
14:11:37 28 1998 and 2000.
14:11:38 29
14:11:38 30 You were at Embona Task Force at the time, do you remember
14:11:41 31 that?---I believe that's the case.
14:11:42 32
14:11:44 33 When you met Ms Gobbo - you understand the difference
14:11:48 34 between a barrister and solicitor I take it?---I think so,
14:11:53 35 yes.
14:11:53 36
14:11:53 37 And when you met her she was a barrister at that time, not
14:11:56 38 a solicitor, as in she had her own chambers and was
14:12:00 39 self-employed, is that your memory?---Sorry, I can't
14:12:05 40 recall.
14:12:05 41
14:12:08 42 I want to show you a document and if the operator could
14:12:12 43 bring this up just on my screen to start with. The
14:12:15 44 document that I think one of the Commission staff has with
14:12:18 45 you there is MIN.0001.0001.0003 and what I'm asking to be
14:12:29 46 turned to is p.14. Mr Campbell, you might let me know when
14:12:33 47 that's in front of you. This is a diary, a court book of

14:12:39 1 Ms Gobbo's between November 98 and March 99. If the
14:12:44 2 operator could just focus on those bottom pages, the bottom
14:12:51 3 entry on the far left-hand of the page and just bring only
14:12:56 4 that up on the screen?---Yes, I have that page in front of
14:12:59 5 me now, Mr Woods.
14:13:00 6
14:13:00 7 Just if you could focus only - bring up only the bottom
14:13:05 8 left-hand side. Yes. Do you see on the version that
14:13:06 9 you've got in front of you on the right-hand side of the
14:13:09 10 page there's 18/12/98 and then what's in front of us on the
14:13:14 11 left-hand side of the page down the bottom is "informant:
14:13:17 12 Detective Steve Campbell" and a phone number, do you see
14:13:21 13 those things?---I can see my name and phone number, I can't
14:13:28 14 see the date but I'm - - -
14:13:31 15
14:13:31 16 Have you got a version in front of you that's got redacted
14:13:35 17 parts of it or is it a clean version?---It's redacted.
14:13:39 18
14:13:39 19 I might ask that the person provide to you the clean
14:13:43 20 version of that document so that you're able to identify
14:13:46 21 the date on the far top right. While that's happening,
14:13:51 22 what I'm going to suggest to you is that it was in this
14:13:56 23 matter, and can you see the accused name on the top
14:14:00 24 right-hand side of the your page, that you first met
14:14:02 25 Ms Gobbo and that was on 18 December 1998, do you accept
14:14:08 26 that that was the case?---I don't think I've got the right
14:14:15 27 document in front of me at the moment, Mr Woods.
14:14:16 28
14:14:18 29 I'm after a document, an unredacted document,
14:14:24 30 MIN.0001.0001.0003. If there's not an unredacted version
14:14:30 31 with you I'll just get you to look at the redacted version.
14:14:34 32 Do you see - - - ?---I have the unredacted one in front of
14:14:37 33 me now.
14:14:38 34
14:14:39 35 Okay, good. You see the date on the top right-hand side,
14:14:42 36 18/12/98?---Correct, yes.
14:14:45 37
14:14:45 38 On the bottom left-hand side is "informant: Detective
14:14:49 39 Steve Campbell" and your phone number; is that
14:14:52 40 right?---Yes.
14:14:52 41
14:14:52 42 You see an accused's name just to the left-hand side of the
14:14:56 43 18th of the 12th 98 date. What I'm suggesting to you is
14:15:00 44 that this was the occasion on which you first met Ms Gobbo
14:15:02 45 and it was at the Melbourne Magistrates' Court, that was
14:15:05 46 the accused's name and you were the informant in that
14:15:08 47 matter, are you able to confirm that?---Apologies. I can't

14:15:27 1 see the accused person.
14:15:30 2
14:15:30 3 It's the name, as I understand it, just underneath that
14:15:34 4 date to the left-hand side of it, initials KH?---Thank you.
14:15:44 5 I can read that and see that there now, yes.
14:15:48 6
14:15:48 7 Is that a name that you have any recollection of?---No.
14:15:50 8
14:15:51 9 The Magistrate's name Mr Tobin, the top of the left-hand
14:15:57 10 page, is that a Magistrate you have any memory of a matter
14:16:02 11 of yours proceeding before?---No.
14:16:03 12
14:16:04 13 Are you able to - the Commission understands that this was
14:16:09 14 the date on which you first met Ms Gobbo. You're not able
14:16:12 15 to say that that's not the case, you simply don't remember;
14:16:17 16 is that right?---That's correct.
14:16:17 17
14:16:23 18 It's correct in any event that you met Ms Gobbo in
14:16:26 19 circumstances where you were an informant and she was
14:16:31 20 defence counsel and it was a matter in the Melbourne
14:16:34 21 Magistrates' Court, do you recall that?---I believe so.
14:16:39 22
14:16:40 23 On that occasion a discussion took place between the two of
14:16:43 24 you, you invited her for a coffee and you had a coffee down
14:16:47 25 at the Metropolitan Hotel on the corner of Little Lonsdale
14:16:53 26 and William Streets; is that right?---I can't recall that,
14:16:58 27 no.
14:16:58 28
14:16:58 29 In any event, after the first meeting a relationship
14:17:01 30 between you and Ms Gobbo ensued; is that right?---Yes.
14:17:03 31
14:17:04 32 That relationship, was it an exclusive relationship, was it
14:17:11 33 a casual relationship - at first I'm talking about
14:17:15 34 here?---It was a casual relationship.
14:17:17 35
14:17:18 36 Was it ever anything more than that? Was it an exclusive
14:17:22 37 relationship at any time during the time that you were
14:17:25 38 seeing Ms Gobbo?---No.
14:17:27 39
14:17:30 40 Is it correct that Ms Gobbo during the period of your
14:17:33 41 relationship spent a number of nights staying at your house
14:17:38 42 during the relationship?---Yes.
14:17:41 43
14:17:44 44 At the time you met Ms Gobbo were you aware or did she tell
14:17:51 45 you that she had been a police informer on two previous
14:17:54 46 occasions to the time when you met her?---No.
14:17:57 47

14:17:58 1 Did you know Tim Argall at the time that you met
14:18:02 2 Ms Gobbo?---I know who he is, yes.
14:18:07 3
14:18:07 4 Was a friend of yours at that time or someone you'd known
14:18:11 5 beforehand or afterwards?---He was someone that I knew
14:18:16 6 previously. I wouldn't say he was a friend, no.
14:18:18 7
14:18:18 8 Were you aware of his relationship with Ms Gobbo at the
14:18:22 9 time you first met her?---No.
14:18:23 10
14:18:23 11 How about Jeff Pope, was that a person you were familiar
14:18:27 12 with at the time you met Ms Gobbo?---I know who Mr Pope is,
14:18:30 13 yes.
14:18:31 14
14:18:31 15 And did you know at that time?---Did I know him at that
14:18:37 16 time?
14:18:37 17
14:18:38 18 Did you know Mr Pope in late 1998 when you met
14:18:43 19 Ms Gobbo?---Yes.
14:18:43 20
14:18:44 21 And had you had a - had he been your boss somewhere or how
14:18:48 22 did you know him?---I believe I'd worked with him some
14:18:51 23 years earlier.
14:18:52 24
14:18:53 25 Were you aware of any relationship between, professional or
14:19:00 26 otherwise, between Mr Pope and Ms Gobbo?---No.
14:19:03 27
14:19:05 28 What about Paul Dale, is that someone you knew at that time
14:19:08 29 in 1998?---Yes.
14:19:16 30
14:19:19 31 Is he someone you'd worked with somewhere or how did you
14:19:22 32 know him?---I knew him from - I met him when I did
14:19:26 33 Detective Training School which - sorry, I don't know the
14:19:32 34 dates but it may have been the year before or 96, 97 or 98.
14:19:37 35 I'm sorry, I don't know the date.
14:19:39 36
14:19:39 37 Are you aware of whether Mr Dale was socialising with
14:19:42 38 Ms Gobbo around the time that you met or had been
14:19:45 39 beforehand, before you met Ms Gobbo that is?---No, I don't
14:19:50 40 know that.
14:19:50 41
14:19:57 42 What about after you met Ms Gobbo, were you aware of a
14:20:01 43 friendship between Mr Dale and Ms Gobbo any time after
14:20:06 44 98?---Only from what I've read in the media.
14:20:14 45
14:20:16 46 Were you at functions where the two of them were or you
14:20:18 47 never saw them together, what's the situation there?---I

14:20:23 1 don't recall seeing them together.
14:20:26 2
14:20:27 3 Do you recall Paul Dale talking about Nicola Gobbo to
14:20:29 4 you?---No.
14:20:31 5
14:20:35 6 The relationship between you and Ms Gobbo continued I take
14:20:39 7 it on a casual or intermittent basis for I think you say
14:20:43 8 five or six years, so that was until some time in 2006. I
14:20:48 9 take it that's when you left Victoria?---Yes.
14:20:52 10
14:20:55 11 Were there periods of seeing each other a lot or was it
14:21:01 12 purely intermittent when you bumped into each other?---No,
14:21:07 13 I think it was more intermittent.
14:21:09 14
14:21:14 15 There's some offences that [REDACTED]
14:21:19 16 [REDACTED] You
14:21:21 17 understand what I'm asking about there?---Yes.
14:21:24 18
14:21:26 19 Was the relationship with Ms Gobbo occurring on and off at
14:21:35 20 least during the period of [REDACTED]
14:21:38 21 [REDACTED], [REDACTED]
14:21:40 22 [REDACTED] ---Yes.
14:21:41 23
14:21:42 24 Right. Did the relationship between the two of you
14:21:51 25 continue at any time while you were living in Western
14:21:54 26 Australia?---I don't believe so. I don't know, I don't
14:22:09 27 believe so.
14:22:09 28
14:22:12 29 From the time you met Ms Gobbo until February 2003 when you
14:22:18 30 were suspended [REDACTED], I
14:22:22 31 take it throughout that entire period you were an active
14:22:27 32 and serving police member?---Yes.
14:22:33 33
14:22:35 34 You would have been attending court regularly during that
14:22:39 35 period I take it?---Yes.
14:22:41 36
14:22:42 37 And you would have seen Nicola Gobbo fairly regularly at
14:22:47 38 court on those attendances; is that right?---Yes.
14:22:52 39
14:22:56 40 Your attendance at court during the period 98 to 2003 was
14:23:06 41 generally in the capacity as an informant or as a police
14:23:09 42 witness or was it both?---As a police officer, yes.
14:23:20 43
14:23:22 44 But also as an informant in, I take it, some criminal
14:23:25 45 matters, that's one of the reasons why you were attending
14:23:28 46 court, in general I'm talking about here?---Sorry, when I
14:23:33 47 say police informant I mean the police person that charges

14:23:36 1 the accused.
14:23:37 2
14:23:38 3 Yes, sorry, I should be clear. That's precisely the
14:23:41 4 context in which I'm using that word. I'd like another
14:23:46 5 document to be brought up and this can be brought up
14:23:48 6 generally on the screen. I'm going to ask that an OPP
14:23:53 7 Prism report be put in front of you. To the operator this
14:23:57 8 is OPP.0001.0004.0025. The page that I'd like to be
14:24:15 9 brought up on the screen ends in 0102. Can you see the
14:24:27 10 matter I'm talking about there? There's four
14:24:33 11 entries?---We're just locating that document, Mr Woods.
14:24:35 12
14:24:36 13 That's okay, you take your time. Tell me when that's in
14:24:39 14 front of you?---I have that document now, Mr Woods.
14:24:42 15
14:24:43 16 As I read those entries it seems to be that there are two
14:24:47 17 sets of charges that were mentioned for a plea on 7th of
14:24:54 18 the 12th 99 and then later on 11th of the 2nd 2000 against
14:25:03 19 one accused; is that correct?---Yes, that's looks correct.
14:25:06 20
14:25:07 21 There was a Mr Dowsley who was a prosecutor on the first
14:25:11 22 occasion and a Mr Burke who was the prosecutor on the
14:25:15 23 second occasion, do you accept that?---Yes.
14:25:16 24
14:25:17 25 Do you recall dealing with either of those two as a
14:25:20 26 prosecutor in the matters that you were the informant
14:25:23 27 in?---No, I'm sorry, I don't.
14:25:26 28
14:25:27 29 That's okay. Do you have any recollection of the accused
14:25:29 30 person there who's named in that central column?---No, I
14:25:33 31 don't.
14:25:33 32
14:25:33 33 You accept, though, that you were the police informant in
14:25:37 34 relation to those two sets of charges as indicated on the
14:25:41 35 right-hand column, do you agree with that?---Based on this
14:25:44 36 document, yes.
14:25:44 37
14:25:45 38 And that defence counsel on both those occasions was Nicola
14:25:49 39 Gobbo?---Yes.
14:25:50 40
14:25:58 41 That document can be taken down. What I'd like the
14:26:01 42 operator to bring up now is just on my screen, if that's
14:26:04 43 possible at first instance, MIN.0001.0001.0004. This is
14:26:14 44 Ms Gobbo's court book in the period November 98 to March
14:26:31 45 99. In particular, if the operator could take the document
14:26:34 46 in front of me to p.6 and if the person with you could also
14:26:38 47 turn to p.6 of that document?---Just trying to locate that

14:26:57 1 document now, Mr Woods.
14:26:58 2
14:26:58 3 That's okay. If you need assistance it's court book
14:27:20 4 November 98 to March 99, volume 4, MIN.0001.0001.0004?---I
14:27:33 5 think we have it now, Mr Woods.
14:27:34 6
14:27:34 7 Then on p.6 of that document, if I can have that brought up
14:27:40 8 generally on the screen, there's an entry on 18 January
14:27:50 9 99?---Yes.
14:27:50 10
14:27:51 11 Let me know when you've got that. You've got that in front
14:27:54 12 of you?---Yes, I have, Mr Woods.
14:27:57 13
14:27:58 14 From the information available to the Commission the entry
14:28:02 15 that we have in front of us there which is P-0 Steve
14:28:08 16 Campbell re address for that person appears to be an entry
14:28:12 17 that is relevant to the matter of Genis that I was
14:28:18 18 referring to a moment ago that went before the court in
14:28:20 19 late 99 and 2000. Do you have a memory, firstly, of that
14:28:26 20 contact from Ms Gobbo and, secondly, in relation to that
14:28:30 21 name Louis Hill that's recorded there?---No, I don't.
14:28:37 22
14:28:38 23 That's 18 January 99. Can the operator now bring up
14:28:51 24 MIN.0001.0003.09 - I've got 006 but that might not be
14:29:02 25 correct. I think it might be just 0006 is the last number
14:29:07 26 there. This is Ms Gobbo's court book from August 99 to
14:29:11 27 December 99. I'm not sure whether you caught that where
14:29:14 28 you are but it's MIN.0001.0003.0006 and Ms Gobbo's court
14:29:27 29 book from August 99 to December 99. Page 2 of that
14:29:43 30 document on the bottom left. Do you have that in front of
14:29:47 31 you at the moment, Mr Campbell? If you don't I can easily
14:29:51 32 read it out to you again?---I think I have it now,
14:29:54 33 Mr Woods.
14:29:54 34
14:29:56 35 The first page of that should have a handwritten date on
14:29:58 36 the top left 2nd of the 12th 99?---Yes.
14:30:03 37
14:30:04 38 What I'm after is the second page on the bottom left, there
14:30:07 39 is an entry there that relates to the matter of Genis, do
14:30:15 40 you accept that? 2nd of the 12th, 99?---Sorry, bottom of
14:30:20 41 the page that has the 2nd of the 12th on it, yes.
14:30:23 42
14:30:24 43 Given the fact that this plea was first to be listed,
14:30:27 44 according to the OPP's Prism report, on the 7th, you accept
14:30:32 45 that this was Ms Gobbo preparing to represent the accused
14:30:38 46 in that matter, that's the case given the content of that
14:30:42 47 document, do you agree, and its timing?---I accept that,

14:30:48 1 yep.
14:30:48 2
14:30:52 3 Page 4 and 5 of that document, so over a couple more pages,
14:31:01 4 again on the top right-hand side again, now this is the day
14:31:06 5 before the plea was first listed to proceed, you see that
14:31:10 6 Ms Gobbo is preparing for that matter there, is that right,
14:31:16 7 from what you can read of that document?---Yes, I think I
14:31:28 8 have that page.
14:31:29 9
14:31:30 10 Then just travelling over to the next page, which is p.5 of
14:31:33 11 the document, top left-hand side you'll see the words
14:31:36 12 "Genis application for an adjournment" and these were notes
14:31:40 13 that were made the day before Ms Gobbo appeared in that
14:31:44 14 matter and sought an adjournment of the plea, do you agree
14:31:46 15 with that?---Yes, I have that page in front of me.
14:31:51 16
14:31:51 17 Indeed, on the top right-hand side there's the note the 2nd
14:31:55 18 of the 11th 2000 plea, which accords with the date in the
14:32:00 19 Prism record, so you'd accept, I take it, what had occurred
14:32:03 20 here was that Ms Gobbo was attending court on that occasion
14:32:06 21 seeking the plea in the matter that you were an informant
14:32:13 22 in be adjourned off and was successful in that application
14:32:16 23 and it was adjourned until 11 February 2000, do you agree
14:32:20 24 with that?---I accept that, yes.
14:32:21 25
14:32:36 26 What I might do, if I could just have a moment. I might
14:32:40 27 need to turn to another page. I want to step through some
14:32:52 28 other diaries. Again they're not your diaries but I need
14:33:02 29 to show them to you. These are Ms Gobbo's own diaries and
14:33:09 30 I'll be cautious only to bring up relevant parts of that
14:33:11 31 diary. Firstly, MIN.0002.0001.0005, if that could be
14:33:24 32 brought up on the screen in front of me and if you are able
14:33:28 33 to turn to that document where you are, Mr Campbell, so it
14:33:31 34 says "99 Diary Filo Fax" on the front of it?---Yes, I have
14:33:48 35 that 99 Diary Filo Fax cover page.
14:33:52 36
14:33:53 37 If the operator could bring up p.8 on my monitor and then
14:33:58 38 just focus on the bottom words of p.8. I'm not quite sure
14:34:07 39 - that's okay as it is. There's a redaction there that I
14:34:11 40 think shouldn't be there. Do you have a clean version in
14:34:14 41 front of you, Mr Campbell, or is yours redacted?---No, I
14:34:19 42 believe I have the clean version.
14:34:20 43
14:34:21 44 The words at the bottom of that page, so this is an entry
14:34:26 45 on 22 March 99 and has the words "Steve Campbell", then an
14:34:36 46 arrow down "Lethal Weapon 4", and then an arrow down "Home
14:34:40 47 7 am", do you see those words?---Yes, I do.

14:34:44 1
14:34:44 2 I take it this was an occasion where you spent the evening
14:34:49 3 with Ms Gobbo, do you have a recollection of that?---No, I
14:34:55 4 don't have a recollection of that.
14:34:56 5
14:34:56 6 But you accept that that diary is a record of what occurred
14:34:59 7 on that night, which was, I assume, a movie and then
14:35:06 8 staying the night, wherever it was?---Oh look, I don't know
14:35:11 9 if I - - -
14:35:13 10
14:35:13 11 The diary might be incorrect?---I'm reluctant to speak for
14:35:22 12 someone else's diary.
14:35:23 13
14:35:23 14 I understand. Can we turn over to p.10 of that document,
14:35:27 15 the bottom entry. The next words are - it says there
14:35:37 16 "Celtic Club: Steve Campbell", arrow down, "my house". Am
14:35:45 17 I right to understand the Celtic Club was a place where you
14:35:50 18 met Ms Gobbo from time to time? Can you still hear me,
14:36:08 19 Mr Campbell?---I'm sorry, Mr Woods, I don't have a specific
14:36:11 20 recollection of this day.
14:36:13 21
14:36:13 22 You might not have a specific recollection of that. I'm
14:36:16 23 asking was the Celtic Club a frequent place where you would
14:36:23 24 see or meet Ms Gobbo during the six years this intermittent
14:36:27 25 relationship was carried out?---No.
14:36:28 26
14:36:29 27 You don't have any memory of seeing her at the Celtic Club
14:36:32 28 at all?---No, I don't.
14:36:37 29
14:36:38 30 Could you bring up the next page which is p.11. So "Steve
14:36:46 31 Campbell my house" the day before. The next day, Saturday
14:36:51 32 22nd, "Steve leaves" and then your name amongst a list of
14:36:54 33 other people. You accept that on this occasion this was a
14:37:01 34 night where you had spent the night together?---I don't
14:37:05 35 have a specific recollection of the date but it is
14:37:08 36 possible, yes.
14:37:08 37
14:37:08 38 That wouldn't be unusual though during that period I take
14:37:11 39 it, because you did have the intermittent relationship that
14:37:15 40 you've referred to earlier?---Yes.
14:37:16 41
14:37:17 42 If you could turn now to p.12 of that same document. At
14:37:26 43 the top of p.12 there is an email address of Mr Pope, do
14:37:36 44 you see that in front of you?---Yes.
14:37:39 45
14:37:41 46 And do you understand why Ms Gobbo was corresponding with
14:37:44 47 Mr Pope during this May 99 period, is that something you

14:37:47 1 knew about?---No.

14:37:49 2

14:37:53 3 Again, at the bottom of the page there's another reference

14:37:56 4 that says, firstly, "Wayne", and then at the bottom it has

14:37:59 5 an arrow saying "Jeff Pope". Again, doing the best you

14:38:03 6 can, can you remember any contact between Ms Gobbo and

14:38:07 7 Mr Pope during that period of time?---No.

14:38:10 8

14:38:11 9 Over to the next page, this is MIN.0002.0005.0013, p.13.

14:38:22 10 There's a "call Steve Campbell" and then three stars next

14:38:26 11 to your name. Do I take it from your diary entries that

14:38:30 12 this was a period of time in which the relationship was

14:38:33 13 more frequent than it was during other times, would that be

14:38:37 14 a fair assessment?---Perhaps, yes.

14:38:40 15

14:38:44 16 There are a number of other references during that period

14:38:46 17 that I might not need to take you to. Just a couple more

14:38:52 18 while we've got the document open. So this is p.22 of that

14:38:58 19 same document and an entry down the bottom of that page.

14:39:09 20 Again, are you able to say whether that was an instance of

14:39:15 21 you meeting Ms Gobbo at the Celtic Club or is it the case

14:39:18 22 you don't have any memory of that?---I don't recall that.

14:39:20 23

14:39:23 24 Page 29 of that same document. Again, there's a reference

14:39:34 25 to the Celtic Club. The Celtic Club was a place you went

14:39:39 26 to I take it?---Actually no. I don't - I didn't frequent

14:39:50 27 the Celtic Club. I might have been there a couple of times

14:39:54 28 ever I think.

14:39:56 29

14:39:56 30 So it wasn't a regular place that you went to?---No.

14:39:59 31

14:40:03 32 Then I'd like to go over to p.60 of that same document and

14:40:15 33 just the bottom entry there, "Steve Campbell's house". You

14:40:21 34 accept that's a reference to you?---Yes.

14:40:23 35

14:40:23 36 And you accept it's a reference to Ms Gobbo attending your

14:40:26 37 house on 11 October 99?---Perhaps, yes.

14:40:28 38

14:40:32 39 Across to p.63, at the top of the page, this is 14 October

14:40:40 40 99, "Steve C re tonight" double exclamation mark. Do you

14:40:46 41 accept that's a reference to Ms Gobbo seeing you or

14:40:51 42 proposing to see you on that night?---Possibly, yes.

14:40:54 43

14:40:54 44 And continuing into November of 99, on p.76 of that same

14:41:03 45 document, this is Monday 29 November, there's an entry

14:41:10 46 there again saying "Steve Campbell's house", and you'd

14:41:14 47 accept that that indicates the relationship was ongoing

14:41:18 1 pretty much throughout the period of 1999, do you accept
14:41:22 2 that?---Yes.
14:41:28 3
14:41:31 4 The records that we were looking through a little bit
14:41:35 5 earlier in relation to that Prism court document indicated
14:41:42 6 that after this period of time, in fact only just after
14:41:47 7 this November date, Ms Gobbo was appearing for an accused
14:41:53 8 in a particular matter in which you were the informant.
14:41:56 9 Now you've accepted that and that's correct, isn't
14:41:59 10 it?---Yes.
14:42:00 11
14:42:02 12 Are you aware whether the accused in that proceeding was
14:42:09 13 aware of the sexual relationship that had been occurring
14:42:12 14 between you, the police informant, and Ms Gobbo, being that
14:42:19 15 accused person's barrister?---I'm not aware of that.
14:42:22 16
14:42:23 17 Do you have any recollection of Ms Gobbo telling you about
14:42:26 18 that relationship?---No, I don't.
14:42:28 19
14:42:31 20 About advising the accused about that fact?---No.
14:42:34 21
14:42:34 22 Can I suggest to you if Ms Gobbo did tell you that, it was
14:42:38 23 something that you would now recall?---Perhaps, yes.
14:42:45 24
14:42:45 25 Can I suggest as well that as the informant in a criminal
14:42:48 26 matter you yourself would want to be satisfied, given the
14:42:52 27 relationship that had been persisting between you and
14:42:55 28 Ms Gobbo through 99, you yourself would want be to
14:42:58 29 satisfied that this accused person knew about and there was
14:43:01 30 full disclosure about the relationship between you and
14:43:04 31 defence counsel?---Sorry, Mr Woods, can you ask that
14:43:11 32 question again, please?
14:43:12 33
14:43:13 34 It's just that you as the informant, as the police
14:43:15 35 informant in this matter, would want to satisfy yourself
14:43:19 36 that the accused person knew about the relationship between
14:43:21 37 you and Ms Gobbo, that's the sort of thing you would want
14:43:26 38 to be sure of as an informant when the matter was
14:43:29 39 proceeding before the court?---I would believe that
14:43:48 40 Ms Gobbo would be the - the onus is on Ms Gobbo to inform
14:43:54 41 her client of that.
14:43:55 42
14:43:56 43 As a sworn police member though you'd accept that you have
14:44:00 44 some obligation as well as an informant because you have no
14:44:04 45 control of whether or not Ms Gobbo is telling her client,
14:44:07 46 that it would be appropriate at least to ask Ms Gobbo
14:44:10 47 whether it was disclosed to her client, do you agree with

14:44:13 1 that?---I can understand that, yes.
14:44:14 2
14:44:15 3 It would have been an appropriate thing to do?---Yes.
14:44:17 4
14:44:17 5 You agree, I take it, that if that relationship between you
14:44:23 6 and Ms Gobbo wasn't disclosed to the accused person, then
14:44:28 7 it runs the real risk of, well, firstly appearing quite
14:44:36 8 improper, do you agree with that?---Yes.
14:44:39 9
14:44:39 10 You'd accept that an accused in that situation could have
14:44:44 11 no faith that they'd been dealt with justly or equitably by
14:44:51 12 the legal system, do you agree with that?---Perhaps, yes.
14:44:53 13
14:44:58 14 Commissioner, at this point in time there are some
14:45:03 15 questions that I'd like to ask Mr Campbell that were under
14:45:08 16 discussion earlier this morning. As I understand it that
14:45:15 17 would happen in particular circumstances where the live
14:45:17 18 stream will be cut, unless I've misunderstood.
14:45:20 19
14:45:20 20 COMMISSIONER: To comply with the order about
14:45:25 21 non-publication in respect of ██████████, is that right?
14:45:29 22
14:45:29 23 MR WOODS: Yes.
14:45:30 24
14:45:30 25 COMMISSIONER: Before we do that, Mr Campbell, can I ask
14:45:33 26 you this: do you remember, apart from the case of John
14:45:36 27 Genis that you've been taken to through the court records,
14:45:39 28 do you remember any other cases where you were involved
14:45:42 29 either as a witness or a police informant and Nicola Gobbo
14:45:45 30 was appearing for the accused person?---No, Commissioner.
14:45:49 31
14:45:50 32 Thank you.
14:45:52 33
14:45:53 34 MR WOODS: Commissioner, I've just had a discussion about a
14:45:59 35 matter. I'm proposing to deal with these other issues. I
14:46:06 36 understand the situation will be that the stream will be
14:46:09 37 cut but media will be allowed and other people will be
14:46:15 38 allowed to be in the room and that pursuant to your orders
14:46:18 39 it will be a matter of there being no reporting of any
14:46:21 40 information that identifies or tends to identify a
14:46:23 41 particular person. If I've misunderstood then I apologise
14:46:27 42 but I understand that's the way the order would work, and
14:46:32 43 so if that's to occur I'd seek to now move on to those
14:46:36 44 topics.
14:46:37 45
14:46:38 46 COMMISSIONER: Are you comfortable with that, Ms Enbom?
14:46:41 47

14:46:41 1 MS ENBOM: I am save for one matter. I understand that the
14:46:44 2 order requires the person to be referred to as [REDACTED]
14:46:48 3 but [REDACTED]
14:46:52 4 [REDACTED]
14:46:57 5 [REDACTED]
14:47:01 6 [REDACTED]
14:47:05 7 [REDACTED]
14:47:09 8
14:47:09 9 COMMISSIONER: There's not going to be any publication of
14:47:11 10 this, that's the whole reason we're going into - - -
14:47:14 11
14:47:14 12 MS ENBOM: No, there is. So the cross-examination that is
14:47:16 13 to be undertaken now, as I understand it, is not directed
14:47:20 14 to the matter on the Post-it Note, it's directed to the
14:47:23 15 other matter that is to be heard in open court but the
14:47:29 16 subject of the suppression order.
14:47:30 17
14:47:30 18 COMMISSIONER: The suppression order relates generally to
14:47:33 19 identity.
14:47:34 20
14:47:35 21 MS ENBOM: Yes.
14:47:35 22
14:47:35 23 COMMISSIONER: It's not specifically to the identity of him
14:47:38 24 relevant to Exhibit 1 in the previous application.
14:47:42 25
14:47:43 26 MS ENBOM: No, that's right. But if it was Mr Woods was to
14:47:46 27 now cross-examine the witness about [REDACTED] [REDACTED]
14:47:51 28 [REDACTED].
14:47:55 29
14:47:55 30 COMMISSIONER: Yes.
14:47:56 31
14:47:56 32 MS ENBOM: That's to occur in open court and that can be
14:47:58 33 the subject of reporting as long as - - -
14:48:01 34
14:48:01 35 COMMISSIONER: I think it's to be done in - we're not going
14:48:06 36 to stream it in case that be publication.
37
38 MS ENBOM: Yes.
39
14:48:09 40 COMMISSIONER: So streaming will stop.
14:48:12 41
14:48:12 42 MS ENBOM: Yes, that's my understanding.
14:48:14 43
14:48:15 44 COMMISSIONER: And it's not published on the website,
45 right?
46
47 MS ENBOM: Yes.

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14:50:02
14:50:06
14:50:07

COMMISSIONER: The streaming would stop and then there's also a non-publication order in respect of any information that could lead to the identity of [REDACTED]

MS ENBOM: Yes, and my submission is that by referring to him in a report tomorrow as [REDACTED], so [REDACTED] - so the witness Campbell was cross-examined about [REDACTED]. If that was the report in tomorrow's paper, that would be information that would tend to identify [REDACTED] because of [REDACTED]

COMMISSIONER: No, no, I do understand what you're saying. But what I'm saying is if it tends to identify him they can't publish it at all under the order.

MS ENBOM: That's right.

COMMISSIONER: So what's the problem?

MS ENBOM: Well I don't think they'd - - -

COMMISSIONER: We'll all be cross-eyed.

MS ENBOM: I don't think that was the intention, I think the intention was that the press would be able to report the matters that Mr Woods is about to deal with in cross-examination as long as the reporting doesn't tend to identify him. So if we give him a new pseudonym at least the press will be able to report the evidence in general terms. If we don't give him a new pseudonym the press won't be able to report it at all.

COMMISSIONER: That's right. Is there anyone from the media here?

MR LE GRAND: Yes, Your Honour.

COMMISSIONER: Do you want to be heard on what the media's preferred position is as to whether you'd prefer to work with a pseudonym or be hamstrung with the order that you

14:50:09 1 can't publish anything that would tend to identify the
14:50:12 2 identity of [REDACTED]
14:50:14 3
14:50:14 4 MR LE GRAND: I think the Commission will understand that
14:50:16 5 the existing order is where information tends to identify.
14:50:19 6 That puts on restrictions on the media reporting beyond
14:50:23 7 simply the identifying or identity or indeed the image of
14:50:27 8 the witness.
14:50:27 9
14:50:28 10 COMMISSIONER: Yes, it does put the - - -
14:50:30 11
14:50:31 12 MR LE GRAND: Those sort of orders are order that we're
14:50:33 13 used to working around in other cases. We understand that
14:50:35 14 there's factual details of his circumstances that won't be
14:50:38 15 able to be reported because of that and so that's really
14:50:40 16 something that we have to take into the totality of the
14:50:41 17 reporting.
14:50:41 18
14:50:42 19 COMMISSIONER: Are you content to deal with that - the
14:50:46 20 order as it stands rather than getting another pseudonym so
14:50:53 21 that you can report about another person under a different
14:50:55 22 pseudonym?
14:50:57 23
14:50:58 24 MR LE GRAND: I'm not that clear on - it's hard to know
14:51:02 25 without knowing what the matters are that are about to be
14:51:06 26 led in evidence. Whether or not you want to do another
14:51:09 27 pseudonym or not, that probably doesn't matter. We have
14:51:13 28 quite a few now so one more's probably not going to hurt.
14:51:16 29 But nonetheless, as long as the Commission understands that
14:51:19 30 the media understand our responsibilities in terms of
14:51:21 31 whatever we report and the full context of what we report,
14:51:24 32 not having enough information in total to identify him or
14:51:27 33 tend to identify.
14:51:27 34
14:51:27 35 COMMISSIONER: Yes. You seem to certainly understand the
14:51:29 36 obligation the media has in respect of the order made
14:51:36 37 before lunch. I don't know that we need another pseudonym
14:51:39 38 in the light of that.
14:51:40 39
14:51:40 40 MS ENBOM: If the reporters don't use [REDACTED] in the
14:51:44 41 reports tomorrow it's not a problem. So they could refer
14:51:46 42 to him as a witness, a person or - - -
14:51:47 43
14:51:47 44 COMMISSIONER: What is being said is that they're very
14:51:49 45 careful, they understand their obligations under the orders
14:51:53 46 that are made and they're very careful to ensure they abide
14:51:56 47 by them.

14:51:57 1
14:51:57 2 MS ENBOM: Yes. Yes, I hear that. Victoria Police's
14:52:00 3 position would be if they were to report the evidence and
14:52:03 4 refer to ██████████ that would be reporting information that
14:52:07 5 would tend to identify him. So as long as that's know.
14:52:10 6
14:52:11 7 VOICE (from body of court): And, Your Honour, we can work
14:52:12 8 around - I mean, for instance, we might just refer to him
14:52:13 9 as ██████████. There's plenty of those, that's not
14:52:15 10 going to identify anyone.
14:52:16 11
14:52:16 12 COMMISSIONER: All right then. I think - does anybody else
14:52:19 13 want to say anything?
14:52:21 14
14:52:22 15 MR FURSTENBERG: I'd just seek some clarification in
14:52:24 16 relation to the order because when the Commission announced
14:52:29 17 it's order immediately prior to lunch, it was
14:52:32 18 non-publication of anything that would tend to identify
14:52:35 19 him. The written order as I've seen it as shown to me by
14:52:37 20 counsel assisting talks about prohibition on reporting,
14:52:39 21 rather than publication.
14:52:43 22
14:52:44 23 COMMISSIONER: That might be right, I don't know. I
14:52:45 24 haven't - - -
14:52:48 25
14:52:49 26 MR FURSTENBERG: I don't think it is the same thing.
14:52:50 27
14:52:51 28 MR WINNEKE: Can I say this: the written order that I do
14:52:52 29 have says that no report of any information - when the
14:52:56 30 Commissioner announced the order it was quite clear that
14:52:59 31 you said there be no publication of any information.
14:53:02 32 That's why we're proposing to shut down the live stream, so
14:53:07 33 the Commission doesn't breach the same order.
14:53:07 34
14:53:08 35 COMMISSIONER: So it should be no publication. I've
14:53:10 36 amended the order.
14:53:12 37
14:53:12 38 MR FURSTENBERG: I'm think there is a distinct difference
14:53:14 39 between the use of the two words.
14:53:14 40
14:53:14 41 COMMISSIONER: There is. There is a difference. That will
14:53:18 42 be amended so that it reflects the order actually
14:53:21 43 pronounced. We're now ready to go into - I'm satisfied
14:53:26 44 it's necessary to now go into a closed hearing.
14:53:33 45
14:53:33 46 MR WOODS: Just to shut down the stream, I understand.
14:53:35 47

14:53:35 1 COMMISSIONER: Okay. We're not going into closed hearing
14:53:41 2 but to make sure that we don't offend our own order we will
14:53:45 3 stop the streaming on to the web but the streaming to the
14:53:53 4 media room will continue.
14:53:56 5
14:53:57 6 MR WOODS: Yes, that's appropriate, Commissioner. I'll get
14:54:06 7 some confirmation that's occurred. It has occurred.
8
14:54:09 9 I'm sorry about that delay, Mr Campbell, are you still
14:54:12 10 with us?---Yes, Mr Woods.
14:54:14 11
14:54:14 12 I just want to ask about, firstly, your period of time at
14:54:19 13 Embona Task Force was 98 to July 2000; is that
14:54:26 14 right?---Yes, I believe so.
14:54:27 15
14:54:28 16 And the focus of Embona, from what I've been able to
14:54:32 17 ascertain, was armed robberies, is that what the focus
14:54:36 18 was?---Yes.
14:54:37 19
14:54:37 20 And where were you physically stationed at the time?---At
14:54:42 21 St Kilda.
14:54:42 22
14:54:46 23 We've made reference to it earlier but you talk in your
14:54:49 24 statement about [REDACTED]
14:54:52 25 [REDACTED]
14:54:56 26 [REDACTED] and that's the period of time I want to ask
14:54:59 27 you about, so you understand where we're focusing?---Yes.
14:55:03 28
14:55:03 29 You were a Detective Senior Constable at the time that you
14:55:07 30 were charged; is that right?---Yes.
14:55:09 31
14:55:10 32 And you were 34 years old at that time or
14:55:18 33 thereabouts?---Thereabouts.
14:55:19 34
14:55:19 35 [REDACTED]
14:55:26 36 [REDACTED]
14:55:30 37 [REDACTED]
14:55:35 38 [REDACTED]
14:55:37 39 [REDACTED]
14:55:39 40
14:55:40 41 [REDACTED]
14:55:46 42
14:55:46 43 You do have that document in front of you I take it,
14:55:50 44 Exhibit 81, that has some names and pseudonyms on it, but
14:55:54 45 in any event you know who [REDACTED] is?---Yes, thank you.
14:55:58 46
14:55:59 47 [REDACTED]

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[REDACTED]

You were charged with those offences - firstly, you were interviewed for those matters in April of 2002; is that right?---Yes.

And the charges came a bit over six months later in [REDACTED] 2003?---Yes.

You were suspended, I take it, at the time that the charges arrived; is that correct?---That's correct.

A committal was held later in 2003. I assume you recall attending the committal?---Yes.

[REDACTED] is that correct?---Yes.

The trial took some time to come on but it occurred in [REDACTED]

14:58:57 1 2005 and that's about the time you recall the trial
14:59:01 2 occurring?---Yes.
14:59:03 3
14:59:05 4 Ultimately all of you were acquitted of those
14:59:09 5 charges?---Yes.
14:59:10 6
14:59:11 7 Who was representing you, who was the barrister who was
14:59:14 8 representing you throughout that proceeding?---I had
14:59:19 9 different representation at the committal and at the trial.
14:59:24 10
14:59:25 11 Do you remember who that representation was at the
14:59:27 12 committal?---It was [REDACTED].
14:59:30 13
14:59:32 14 What about at the trial?---[REDACTED].
14:59:35 15
14:59:38 16 Were [REDACTED] and [REDACTED] representing [REDACTED]
14:59:42 17 [REDACTED] did each person have their own counsel?---At the
14:59:50 18 committal [REDACTED] represented [REDACTED]
14:59:54 19 [REDACTED].
14:59:55 20
14:59:55 21 Okay?---And at the trial we all had, [REDACTED]
15:00:05 22 [REDACTED].
15:00:06 23
15:00:07 24 Ms Gobbo was representing [REDACTED] through the committal
15:00:13 25 and the trial, is that right? Sorry, through the
15:00:24 26 committal?---Yes.
15:00:25 27
15:00:30 28 The Commission's been provided information that not long
15:00:34 29 after the committal [REDACTED]
15:00:41 30 [REDACTED] and
15:00:45 31 that's something you were aware of some time after the
15:00:50 32 committal I take it?---Yes.
15:00:54 33
15:00:56 34 You're aware that [REDACTED] was sentenced on the basis that
15:01:02 35 they'd provided - they were to [REDACTED]
15:01:07 36 [REDACTED]
15:01:09 37 [REDACTED] ---Yes.
15:01:11 38
15:01:14 39 And that ultimately [REDACTED] didn't live up to that
15:01:18 40 promise and [REDACTED], did you know that?---Yes.
15:01:21 41
15:01:24 42 Did Ms Gobbo talk to you - firstly, did she talk to you
15:01:31 43 about the charges that were [REDACTED]
15:01:34 44 [REDACTED]
15:01:37 45 [REDACTED] is that something that the two of you
15:01:43 46 discussed?---Yes.
15:01:44 47

15:01:44 1 And you discussed it openly, you were seeking advice from
15:01:47 2 her?---Yes, I did.
15:01:48 3
15:01:53 4 Was that in a formal setting in her chambers or was that
15:01:56 5 informal?---I think it was both.
15:02:05 6
15:02:06 7 Do you know if [REDACTED] were aware that
15:02:10 8 Ms Gobbo was providing you advice, or was that something
15:02:15 9 you were doing separately to that [REDACTED]?---Sorry,
15:02:22 10 Mr Woods, can you ask that question again, please?
15:02:26 11
15:02:26 12 Sure. What I want to know is did you talk to [REDACTED]
15:02:29 13 and to [REDACTED] or any solicitor that was - [REDACTED]
15:02:33 14 [REDACTED]
15:02:38 15 to [REDACTED]?---Yes, I
15:02:46 16 do.
15:02:46 17
15:02:47 18 Was that [REDACTED] Yes, thank you, it was
15:02:50 19 [REDACTED]
15:02:52 20
15:02:52 21 Yes?---And I changed solicitors before [REDACTED].
15:02:58 22
15:02:58 23 I see, I see. Did everyone change solicitors or did some
15:03:02 24 stay with [REDACTED]?---I think one stayed with
15:03:09 25 [REDACTED] and [REDACTED] went elsewhere.
15:03:13 26
15:03:18 27 Do you recall talking to Ms Gobbo at the time that you were
15:03:20 28 charged or some time around then, some time shortly after
15:03:27 29 the time you were charged?---I remember speaking to her the
15:03:30 30 day I was charged.
15:03:31 31
15:03:33 32 You were seeking advice from her about what to do?---Yes.
15:03:37 33
15:03:37 34 And did you continue to seek advice from her during the
15:03:42 35 committal?---Not so much during the committal, no.
15:03:56 36
15:03:57 37 What about between the time you were charged and the
15:04:01 38 committal, there was some period of time, a number of
15:04:04 39 months between then. Did you only seek her advice once or
15:04:08 40 was it on an ongoing basis prior to the committal?---No, it
15:04:12 41 was towards when I was first charged and particularly those
15:04:18 42 early days I was seeking more advice.
15:04:20 43
15:04:21 44 Yes?---As time went by I was seeking less advice and I had
15:04:26 45 other legal representation in place at that stage.
15:04:30 46
15:04:31 47 I take it that when you were talking to Ms Gobbo and

15:04:34 1 seeking advice it was a direct approach from you to her
15:04:38 2 without perhaps going through solicitors or more formal
15:04:42 3 channels like that?---Ms Gobbo approached me the day I got
15:04:49 4 charged and offered assistance.
15:04:52 5
15:04:53 6 You accepted that assistance?---Yes, I did.
15:04:57 7
15:05:02 8 Did you tell her the fact that you were interviewed about a
15:05:07 9 year, about eight months before the date of being
15:05:18 10 charged?---I don't recall whether - sorry, I don't recall.
15:05:21 11
15:05:22 12 No, I understand. Do you remember showing her a record of
15:05:29 13 interview?---No, I don't recall doing that.
15:05:31 14
15:05:36 15 I want to bring up a couple of documents. Starting with
15:05:47 16 Ms Gobbo's court book from September 2001 to January 2002,
15:05:52 17 the number of this document is MIN.0001.0008.0008. If you
15:06:07 18 could turn to p.3 of that document there is a - and just
15:06:18 19 bring up the right-hand page, the left-hand page is blank.
15:06:21 20 I take it on the copy in front of you there's a long list
15:06:25 21 of people's names?---Just finding the document now,
15:06:30 22 Mr Woods.
15:06:30 23
15:06:30 24 That's okay. If you'd like me to read out the number again
15:06:33 25 or the description of the document I'm happy to do
15:06:37 26 it?---I've been asked if you wouldn't mind reading it out
15:06:39 27 again, please.
15:06:40 28
15:06:40 29 It's MIN.0001.0008.0008. This is a court book from
15:06:50 30 September 2001 to January 2002?---I have that document now,
15:07:12 31 Mr Woods.
15:07:12 32
15:07:13 33 You see your name there amongst a long list of other people
15:07:18 34 which appears to be an invitation list to some kind of
15:07:21 35 function, do you agree with that? Do you see the
15:07:35 36 surrounding names on that document or is it
15:07:37 37 redacted?---I've just got that one now, Mr Woods. I can
15:07:40 38 see my name in amongst a list of names.
15:07:48 39
15:07:49 40 If you look at the page above it which you'll see there,
15:07:52 41 you'll see the date is 17 January 2002. I'll ask the
15:08:00 42 question, do you accept that that appears to be a list of
15:08:03 43 people who were invited to a particular function? You'll
15:08:06 44 see halfway down there's a list of names at the top and
15:08:09 45 then the word "invited" and a semicolon and a number of
15:08:14 46 people from various criminal solicitors' offices and
15:08:21 47 clerks' offices and numbers next to them of people who were

1 invited to the function. It's not named on the paper but
15:08:23 2 that's a list of people, I take it you'd agree, that are
15:08:26 3 invited to that particular function?---Okay, yes, I see
15:08:29 4 that list.
15:08:30 5
15:08:30 6 You accept that around this mid-point of January 2002
15:08:39 7 you're either friendly or intimate relationship with
15:08:43 8 Ms Gobbo was continuing through this early part of
15:08:52 9 2002?---Possibly, Mr Woods, yes.
15:08:53 10
15:08:53 11 She was inviting you to functions in any event, you agree
15:08:56 12 with that, to this function?---Other than what I'm reading
15:09:05 13 here I don't recollect the function, no.
15:09:08 14
15:09:09 15 We might go to another document. This is
15:09:20 16 MIN.0002.0002.0001 and it's a 2003 Law Institute diary. A
15:09:33 17 personal diary of Ms Gobbo's. I'll just wait until you
15:09:37 18 have that document with you or I can give you that
15:09:39 19 description again if that helps. Just let me know when
15:10:00 20 you've got that or if you'd like me to read the number
15:10:02 21 out?---I think I have that document now, Mr Woods.
15:10:05 22
15:10:05 23 It should say on the front page - on the far right-hand
15:10:10 24 side there's a black seam that says Law Institute Diary of
15:10:21 25 2003. What I want to do is to turn to p.21 of that diary
15:10:22 26 and that can be brought up on the screen. Let me know when
15:10:25 27 you've got p.21 in front of you. It's Thursday 17 April
15:10:29 28 2003 in particular I want to ask you about?---Yes, I have
15:10:35 29 that.
15:10:36 30
15:10:36 31 This is, as I say, 17 [REDACTED] 2003. You'd been interviewed
15:10:44 32 in [REDACTED] 2002 and you were charged in [REDACTED] 2003.
15:10:50 33 They're the correct dates, aren't they?---Sorry, Mr Woods,
15:10:55 34 can you repeat that for me, please?
15:10:57 35
15:10:57 36 You were interviewed in [REDACTED] 2002 and charged in [REDACTED]
15:11:00 37 2003?---Yes, that's correct.
15:11:02 38
15:11:02 39 And you were suspended at that time that you were
15:11:04 40 charged?---Yes, that's correct.
15:11:06 41
15:11:11 42 A couple of months later here on 17 April it says, "Steve
15:11:17 43 Campbell couch". Do I take it - what am I understand that
15:11:23 44 to mean, do you have any recollection of what occurred on
15:11:25 45 that occasion?---No, I don't, Mr Woods.
15:11:29 46
15:11:29 47 Turning over the page. I'm looking now at 022 and it's 25

15:11:38 1 April. It says, "Steve Campbell [REDACTED] this is Anzac
15:11:46 2 Day, "Richmond". Do you see those words?---Yes, I do
15:11:50 3 Mr Woods.
15:11:51 4
15:11:51 5 Do you remember who [REDACTED] is?---No, I don't.
15:11:53 6
15:11:55 7 Might it be [REDACTED]?---It may well have been.
15:12:00 8
15:12:00 9 Do you recall [REDACTED] and you both seeking advice
15:12:04 10 from Ms Gobbo in relation to the charges?---No, I don't
15:12:09 11 know about [REDACTED].
15:12:11 12
15:12:13 13 But I assume it's the case that you have a recollection of
15:12:18 14 [REDACTED] being on friendly terms with Ms Gobbo during
15:12:22 15 this period of time; is that right?---Yes.
15:12:24 16
15:12:32 17 Was Ms Gobbo acting, to your knowledge, for [REDACTED] at
15:12:39 18 this time? It was quite some time prior to the committal
15:12:43 19 but do you know when she came on board for [REDACTED]?---No,
15:12:49 20 I'm sorry, I don't know that.
15:12:51 21
15:12:54 22 I might take you to some document just a bit further along
15:12:59 23 and this is p.34 of that same document. I'll get the
15:13:04 24 operator to bring up the - there it is. This is Friday 18
15:13:10 25 July and you'll see the words there "subpoena argument,
15:13:14 26 [REDACTED]". Firstly, do you recall there being
15:13:19 27 subpoenas issued on behalf of any of [REDACTED] prior
15:13:24 28 to the committal occurring?---I'm sorry, Mr Woods, I don't
15:13:35 29 recall.
15:13:35 30
15:13:35 31 Do you recall Ms Gobbo making an argument before the court
15:13:41 32 in relation to subpoenaed material at any stage prior to
15:13:47 33 the trial commencing?---No, I don't.
15:13:51 34
15:13:52 35 Do you recall there being difficulties with police
15:13:55 36 disclosure and questions as to whether or not the
15:13:59 37 prosecution had disclosed everything they needed to in
15:14:04 38 order for you to [REDACTED]?---No, I
15:14:09 39 don't.
15:14:09 40
15:14:11 41 But I take it you do accept, as the diary says, there was a
15:14:16 42 subpoena argument on that day in relation to the charges
15:14:19 43 against [REDACTED]?---From the diary, yes.
15:14:23 44
15:14:35 45 If Ms Gobbo's fee book indicates that she was acting on
15:14:41 46 behalf of [REDACTED] from 31 May 2003, you'd accept that
15:14:48 47 that would be correct given the fact that it was a few

15:14:52 1 months before the committal commenced?---Yes.
15:14:56 2
15:14:58 3 And you would have known at the time, I take it, because of
15:15:02 4 your relationship with Ms Gobbo and the social relationship
15:15:06 5 that continued, that Ms Gobbo was acting for [REDACTED]
15:15:10 6 [REDACTED]---Possibly, yes.
15:15:12 7
15:15:16 8 Going to p.43 of that same document. It appears - let me
15:15:27 9 know when you've got p.43 in front of you?---I have it now.
15:15:33 10 I have the redacted version, Mr Woods.
15:15:36 11
15:15:36 12 That's okay, I think we can work with the redacted version.
15:15:40 13 [REDACTED] and others committal commencing on [REDACTED] the 15th
15:15:43 14 for five days, that accords with your recollection I take
15:15:47 15 it that this is when - - -
15:15:48 16
15:15:48 17 COMMISSIONER: [REDACTED] the 15th.
15:15:50 18
15:15:51 19 MR WOODS: This is when the committal occurred. I'm sorry?
15:15:53 20
15:15:54 21 COMMISSIONER: [REDACTED] the 15th.
15:15:55 22
15:15:55 23 MR WOODS: I might have said the wrong thing. [REDACTED] the
15:15:57 24 15th of [REDACTED]-Mr Woods, I'm not certain of the dates
15:16:02 25 but I have no reason to disbelieve this.
15:16:04 26
15:16:06 27 You accept then that this is an accurate record of when the
15:16:10 28 committal took place?---Yes.
15:16:12 29
15:16:12 30 And [REDACTED] was acting for you at this stage?---Yes.
15:16:16 31
15:16:17 32 And indeed he was acting for [REDACTED]
15:16:20 33 [REDACTED] ---Yes.
15:16:24 34
15:16:27 35 On the second day of the committal it says "day 2". In
15:16:34 36 fact you've got the redacted version such as the one on the
15:16:38 37 screen. The version I have in front of me says "day 2
15:16:40 38 committal" on the [REDACTED] and then at 6 pm that evening it
15:16:43 39 says "Steve Campbell times 1". Can you assist the
15:16:47 40 Commissioner with what that entry might mean? Do you have
15:16:50 41 a recollection?---No, I don't.
15:16:52 42
15:16:52 43 Was your relationship with Ms Gobbo, your sexual
15:16:58 44 relationship with Ms Gobbo, persisting during the committal
15:17:01 45 itself?---Yes.
15:17:02 46
15:17:08 47 Then as you go to the [REDACTED] being the final day of the

15:17:11 1 committal, and the version I've got here says "five day" of
15:17:15 2 the committal which is unfortunately redacted on that
15:17:17 3 version. Down the bottom it says, "Steve C dinner (times
15:17:23 4 3)". Do you recall having dinner with Ms Gobbo on the
15:17:27 5 final night of the committal?---I don't recall that, no.

15:17:30 6
15:17:31 7 Are you able to assist with what the "times 3" might be,
15:17:36 8 given it said "times 1" on the [REDACTED] night?---No, I
15:17:40 9 don't.

15:17:40 10
15:17:40 11 And then on the Saturday, the next night, it says, "Dinner
15:17:44 12 and movie, Steve C". You'd accept that that's a reference
15:17:48 13 to you?---Yes.

15:17:51 14
15:17:51 15 And then there's an arrow down to "breakfast Steve, Sunday
15:17:59 16 morning", do you accept that?---Yes.

15:18:01 17
15:18:02 18 Were you spending most or all or some evenings together
15:18:05 19 through the committal?---Yes.

15:18:06 20
15:18:07 21 Every evening?---I don't know if it was every evening but
15:18:12 22 some evenings, yes.

15:18:13 23
15:18:14 24 Were you staying at her house or was she staying at
15:18:17 25 yours?---I think it was my house.

15:18:27 26
15:18:29 27 I want to bring up another document and there's not too
15:18:33 28 many more to go through you'll be pleased to hear. This
15:18:37 29 one is MIN.0002.0002.0002. This is a 2004 personal diary
15:18:50 30 of Ms Gobbo, and just to place that in time while that's
15:18:55 31 coming up, the committal had occurred in [REDACTED] 2003 and
15:18:59 32 the trial didn't occur until [REDACTED] 2005, so this is a diary
15:19:05 33 taken somewhere in between those two, do you understand
15:19:08 34 that?---Yes. I have that diary now, Mr Woods.

15:19:18 35
15:19:19 36 Could you turn, firstly, to p.5 of that document.
15:19:32 37 Mr De Santo has given evidence - firstly, you're aware that
15:19:37 38 Mr De Santo was a member of the ESD in the early
15:19:42 39 2000s?---Sorry, Mr Woods, I didn't get any of that.

15:19:45 40
15:19:45 41 Were you aware that Mr Peter De Santo was a senior member
15:19:48 42 of the ESD in the early 2000s?---Yes, I am.

15:19:52 43
15:19:54 44 [REDACTED]
15:20:03 45 [REDACTED]
15:20:10 46 [REDACTED]
15:20:13 47 [REDACTED] Firstly, you don't dispute that that conversation

15:20:17 1 occurred between Nicola Gobbo and Peter De Santo?---No.
15:20:24 2
15:20:24 3 And you don't dispute the fact, in fact I'm sure it's
15:20:28 4 well-known to you, that in fact [REDACTED]
15:20:32 5 [REDACTED]
15:20:39 6 [REDACTED] ---Yes.
15:20:40 7
15:20:43 8 You also understood that [REDACTED]'s legal
15:20:47 9 representative at the time that [REDACTED]
15:20:51 10 [REDACTED] ---Sorry,
15:21:01 11 Mr Woods, can you repeat the question again, please?
15:21:04 12
15:21:12 13 COMMISSIONER: It was that you were aware that [REDACTED]
15:21:15 14 [REDACTED]
15:21:24 15 [REDACTED]?---Yes, that is
15:21:40 16 correct.
15:21:40 17
15:21:41 18 MR WOODS: Did you have discussions with Ms Gobbo at the
15:21:46 19 time, either in January 2004 or prior to that, about [REDACTED]
15:21:53 20 [REDACTED] intention to [REDACTED]
15:21:56 21 [REDACTED]?---Not that I recall.
15:22:00 22
15:22:00 23 When did you find out? I mean I'm sure you will remember
15:22:04 24 the moment when it was explained to you that this person
15:22:07 25 was about to give evidence against [REDACTED],
15:22:10 26 do you remember when that happened?---No, I don't recall.
15:22:13 27
15:22:15 28 Can I suggest that you would have some memory of being
15:22:20 29 slightly put out by the fact that this person who was being
15:22:24 30 represented by someone that you were having a sexual
15:22:28 31 relationship with was going to provide evidence against [REDACTED]
15:22:32 32 [REDACTED], that's how you would have
15:22:38 33 felt at the time, wouldn't you?---I don't recall.
15:22:42 34
15:22:43 35 You have no recollection at all of the time that [REDACTED],
15:22:48 36 it became clear to you that [REDACTED]
15:22:52 37 [REDACTED] ---No, I
15:22:57 38 don't.
15:22:57 39
15:22:57 40 COMMISSIONER: Do you remember if you first found out about
15:23:00 41 it from the police or through your lawyers or through
15:23:03 42 Nicola Gobbo?---I'm sorry, Commissioner, I don't recall.
15:23:11 43
15:23:12 44 All right, thank you.
15:23:15 45
15:23:15 46 MR WOODS: In any event, is it the case that throughout
15:23:19 47 [REDACTED] and [REDACTED] of 2004, so this is in between the

15:23:26 1 committal - a long way before the trial, but you were
15:23:30 2 continuing to see Ms Gobbo on an intermittent basis?---Yes.
15:23:36 3
15:23:36 4 Are we talking once a month, once a week, more frequent
15:23:40 5 than that? Do you have any recollection?---I'm sorry, I
15:23:43 6 don't recall.
15:23:43 7
15:23:48 8 The document here in front of me is a [REDACTED]
15:23:52 9 [REDACTED], there's two entries for "dinner
15:23:57 10 Steve". Was dinner a thing that you regularly had with
15:24:00 11 Ms Gobbo?---On occasion, yes.
15:24:03 12
15:24:06 13 Are you able to say whether on these occasions the "Steve"
15:24:09 14 that's referred to there was you?---Not from the diary at
15:24:22 15 the moment, no.
15:24:22 16
15:24:23 17 Is the Emerald Hotel a place where you would frequent with
15:24:29 18 Ms Gobbo?---Yes, I have been there with Ms Gobbo.
15:24:32 19
15:24:33 20 Can you turn the page over to p.6 and you'll see on Tuesday
15:24:43 21 6 January there's "Dinner 7.30 Emerald, Steve?---Yes, I see
15:24:49 22 that.
15:24:49 23
15:24:49 24 Given your evidence about seeing Ms Gobbo at the Emerald,
15:24:54 25 your relationship intermittently occurring throughout the
15:24:59 26 time, can we understand that this is likely a reference to
15:25:03 27 having dinner with you at the Emerald Hotel?---Yes, quite
15:25:07 28 possibly.
15:25:07 29
15:25:08 30 A couple of pages over at 8. Tuesday 20 January is the
15:25:16 31 date that Mr De Santo has given evidence that he was
15:25:21 32 advised that [REDACTED]
15:25:27 33 [REDACTED]. There's no reference to that there,
15:25:32 34 I'm just advising you of that date. A few days later on
15:25:38 35 Saturday the 24th - is your birthday Saturday the 24th of
15:25:45 36 January, sorry, on the 24th of January?---No, it's the
15:25:48 37 25th.
15:25:48 38
15:25:49 39 She's mis-diarised your birthday as the day before there.
15:25:55 40 I assume there was some kind of function there or get
15:25:59 41 together for your birthday on the 24th of January, but
15:26:02 42 that's a reference to you; is that correct?---Yes.
15:26:03 43
15:26:23 44 At p.23 of that document you'll see a diary entry there,
15:26:37 45 "Steve C", and I should say to put it in context, it is
15:26:42 46 amongst other professional, clearly, conferences that
15:26:49 47 Ms Gobbo was having throughout that day in pretty quick

15:26:54 1 succession, one at 12 o'clock, one at 2.30 and one very
15:27:01 2 soon after yours at 3 pm. Might this have been one of the
15:27:05 3 occasions when you were seeking advice from Ms Gobbo?---I
15:27:09 4 can't recall.
15:27:09 5
15:27:09 6 It's a half hour meeting in May ██████-I'm sorry, I don't
15:27:17 7 recall that meeting.
15:27:18 8
15:27:20 9 Do I understand the situation to be there are only really
15:27:23 10 two contexts in which you saw Ms Gobbo through this
15:27:26 11 period - you were suspended at the time - they were either
15:27:30 12 personal contact, not in a professional capacity, or when
15:27:39 13 you were seeking advice from her?---Possibly, yes.
15:27:45 14
15:27:46 15 And given the fact that this was a half hour conference,
15:27:51 16 I'm suggesting to you that this was an occasion on which
15:27:54 17 between the committal and the trial that you were seeking
15:27:58 18 advice from Ms Gobbo. Do you accept firstly that you did
15:28:02 19 seek some advice from her after the committal and before
15:28:04 20 the trial?---Yes, I may well have done that.
15:28:11 21
15:28:12 22 And in fact this is a likely occasion for it to happen
15:28:15 23 because unlike the other social occasions that are
15:28:21 24 diarised, this is a half hour meeting book-ended by two
15:28:25 25 other meetings in which you appear to have met with her on
15:28:29 26 that Friday, do you accept that?---I accept that I'm in the
15:28:32 27 diary, yes. I don't recall the nature of the meeting.
15:28:34 28
15:28:48 29 Could you just bear with me for a moment, Mr Campbell. In
15:29:12 30 the year that you were charged and the committal occurred,
15:29:15 31 in fact not long after the committal, do you recall
15:29:20 32 attending ██████ ██████ in 2003? Do you have a memory
15:29:25 33 of that? If you can't recall let me assist you?---Please.
15:29:47 34
15:29:48 35 Mr De Santo has given evidence to the Commission that he
15:29:57 36 essentially bumped into Ms Gobbo at the ██████ on ██████
15:30:04 37 ██████ 2003 and that she was in the company of you and
15:30:07 38 ██████ and that you were attending a function in the ██████
15:30:13 39 ██████. Does that jog your memory?---I can remember being at
15:30:21 40 the ██████ and I can remember meeting Mr De Santo.
15:30:26 41
15:30:27 42 Can you remember the conversation that occurred?---I don't
15:30:32 43 remember the conversation. I can recall Mr De Santo at the
15:30:35 44 end of it shaking my hand and wishing me good luck.
15:30:39 45
15:30:40 46 So I take it you discussed or at least it was understood
15:30:44 47 that he knew about the charges that you were facing?---Yes.

15:30:46 1
15:30:49 2 So who were the other people that you attended with on that
15:30:53 3 day? Did you start the day with Ms Gobbo? Did you bump
15:31:02 4 into her at the [REDACTED]-I don't have a recollection of the
15:31:06 5 day but it's likely that I would have gone there with
15:31:10 6 [REDACTED].
15:31:10 7
15:31:11 8 Is it likely that you were attending a particular function
15:31:14 9 there or are you just in a public area?---[REDACTED] had
15:31:27 10 members' tickets and that's - so we were in the members'
15:31:34 11 area and that's where I me, I recall seeing Mr De Santo.
15:31:36 12
15:31:39 13 You remember Ms Gobbo being with you during that
15:31:41 14 conversation?---Not specifically.
15:31:48 15
15:31:49 16 Do you remember Ms Gobbo being there on the day?---No, I
15:32:01 17 don't.
15:32:01 18
15:32:02 19 Do you dispute Mr De Santo's recollection of the
15:32:05 20 conversation that had occurred between him - - - ?---No.
15:32:08 21
15:32:11 22 - - - Ms Gobbo, [REDACTED] and you?---No, not at all.
15:32:14 23
15:32:15 24 Do you recall socialising or seeing or having anything to
15:32:21 25 do with any known criminals on that day at the [REDACTED] in
15:32:26 26 2003, without naming anyone?---Not specifically, no.
15:32:37 27
15:32:39 28 I want to ask you, there's a document in front of you that
15:32:45 29 says Exhibit 81 and I want to ask you a little bit about
15:32:50 30 Person 13 on that list. I don't want you to say that
15:32:56 31 person's name. Can you see that name there?---Yes,
15:33:06 32 Mr Woods.
15:33:07 33
15:33:07 34 Is that a name that's familiar to you?---Yes, it is.
15:33:11 35
15:33:12 36 Are you aware of Ms Gobbo having a personal or professional
15:33:18 37 relationship with that individual?---I don't recall.
15:33:25 38
15:33:26 39 Do you recall ever meeting Person 13?---Yes.
15:33:30 40
15:33:31 41 Do you recall Ms Gobbo talking to you about Person
15:33:35 42 13?---No.
15:33:35 43
15:33:38 44 The context in which you met Person 13, could you describe
15:33:42 45 that for the Commissioner, please?---That individual
15:33:55 46 attended on a couple of occasions at a hotel that I used to
15:34:01 47 drink at.

15:34:02 1
15:34:03 2 And was introduced to you, I take it?---Yes.
15:34:07 3
15:34:11 4 That was the Canada Hotel, I take it?---Yes.
15:34:14 5
15:34:15 6 And do you remember Ms Gobbo attending at that hotel as
15:34:19 7 well?---Yes.
15:34:20 8
15:34:20 9 Do you remember seeing the two of those people, Ms Gobbo
15:34:23 10 and Person 13, socialising at that place?---No, I don't.
15:34:30 11
15:34:35 12 Do you remember them being at the hotel at the same
15:34:40 13 time?---No, I don't.
15:34:42 14
15:34:46 15 To finish off the non-streamed part of the hearing,
15:34:51 16 Commissioner, there's a final document I want to take the
15:34:54 17 witness to. This document for the person with you there,
15:35:01 18 Mr Campbell, is numbered VPL.2000.0001.9713. Although the
15:35:13 19 version in front of you might be a redacted version, we're
15:35:20 20 looking at 9718. It is an ICR summary of extracts. Can
15:35:37 21 you let me know when you've got 9718 open in front of you,
15:35:40 22 Mr Campbell?---I have 9718 now, Mr Woods.
15:35:44 23
15:35:45 24 I'd like to firstly explain to you what we understand this
15:35:48 25 document to be. You're aware, I take it, now from media
15:35:54 26 reports that between 2005 and 2009 Ms Gobbo was a
15:36:00 27 registered human source with the Source Development
15:36:04 28 Unit?---Yes.
15:36:05 29
15:36:08 30 Just so I understand, do you understand much about the
15:36:10 31 process of human source management as it was at the time
15:36:14 32 when you were still in the force?---No.
15:36:18 33
15:36:19 34 It's the case that there's information obtained from a
15:36:26 35 human source and that is kept in something called an
15:36:32 36 informant contact report and then it's disseminated to the
15:36:37 37 wider police by way of an information report, are you
15:36:41 38 familiar with either of those terms?---I've heard of the
15:36:47 39 term information report previously.
15:36:48 40
15:36:49 41 In any event this is a document that we understand has been
15:36:52 42 put together which summarises various contacts that
15:36:57 43 Ms Gobbo's handlers had with her during that period of time
15:37:02 44 and that puts them together in one quite lengthy document
15:37:08 45 and summarises each of the items of information that were
15:37:11 46 provided. So with that in mind - in fact, sorry, just
15:37:16 47 before we go into the detail of that. Are you aware of

15:37:19 1 Ms Gobbo providing information to police at any time to
15:37:23 2 assist their enquiries?---Only from what I've learnt in the
15:37:32 3 media.

15:37:33 4
15:37:33 5 So not when your intermittent relationship was happening,
15:37:39 6 you didn't know anything about it at that time?---That's
15:37:42 7 correct.

15:37:42 8
15:37:46 9 There's some information here that Ms Gobbo has provided to
15:37:51 10 her handlers. I understand that you were not privy to her
15:37:55 11 providing this information but the information does mention
15:38:02 12 you so I want to put to you what she was telling the police
15:38:05 13 at the time. So this entry here, this is on 25 March 2006.
15:38:09 14 As I understand it you left to go interstate some time
15:38:13 15 after that in 2006; is that right?---That's correct.

15:38:15 16
15:38:17 17 She's telling her handlers that [REDACTED] has told her, HS is
15:38:23 18 the human source or Nicola Gobbo, [REDACTED] told her that
15:38:26 19 [REDACTED] is trying to get back into VicPol and that
15:38:30 20 if [REDACTED], who we've talked about before, "said certain
15:38:36 21 things it would improve [REDACTED] prospects. Human source
15:38:39 22 told him", that being [REDACTED] "that [REDACTED] was a lot
15:38:42 23 more worried about his own court matters". Firstly, was it
15:38:45 24 correct that in 2006 you were wanting to rejoin Victoria
15:38:48 25 Police?---No.

15:38:50 26
15:38:52 27 Is this information that's been provided to the police
15:38:54 28 correct or incorrect?---Incorrect.

15:38:58 29
15:39:01 30 The next entry, "[REDACTED] is often at the Great Western Hotel
15:39:09 31 in the city on Friday night".

15:39:11 32
15:39:11 33 COMMISSIONER: Can I just clarify that. It was incorrect
15:39:12 34 that you were trying to get back into VicPol, but are you
15:39:17 35 able to say whether [REDACTED] told Ms Gobbo that that was the
15:39:22 36 position?---It's incorrect that I was trying to get back
15:39:25 37 into VicPol and I'm unaware of [REDACTED] saying that to
15:39:29 38 Ms Gobbo.

15:39:30 39
15:39:30 40 But he would have had no reason to believe that from you,
15:39:33 41 is that what you're saying?---That's correct.

15:39:35 42
15:39:35 43 Thank you.

15:39:36 44
15:39:37 45 MR WOODS: Would you have been communicating with [REDACTED] in
15:39:39 46 the months prior to your departure to go to - remember this
15:39:43 47 is about six months or a bit more, about eight months after

15:39:46 1 the trial. Did you continue to communicate with [REDACTED]
15:39:52 2 after the trial and the acquittal?---Yes.
15:39:54 3
15:39:54 4 In fact the next entry talks about [REDACTED] being often at
15:40:00 5 the Great Western Hotel and that she'd seen him there with
15:40:04 6 [REDACTED] and I assume that's something
15:40:07 7 that occurred throughout this period of time; is that
15:40:10 8 right?---That's correct, yes.
15:40:11 9
15:40:11 10 And that you would see Gobbo there intermittently there on
15:40:21 11 those nights; is that right?---Yes.
15:40:23 12
15:40:23 13 Your relationship was continuing throughout this period at
15:40:26 14 least intermittently with Ms Gobbo? If you're not able to
15:40:37 15 say, that's okay?---I just want to clarify, the date of
15:40:41 16 this information is?
15:40:42 17
15:40:42 18 25 March 2006?---I believe at that stage it was just social
15:40:49 19 contact with Ms Gobbo.
15:40:50 20
15:40:52 21 Is there any reason why the sexual relationship ended?---I
15:40:59 22 was in a relationship with somebody else.
15:41:02 23
15:41:05 24 Over the next page, this is still 25 March 2006, so this is
15:41:11 25 still information that Ms Gobbo is providing to her handler
15:41:14 26 on that occasion. "Human source admits to going out with
15:41:20 27 ex-member Steve Campbell in 98 and 99." She describes it
15:41:27 28 as "going out with". Would you describe it as "going out
15:41:31 29 with" or was it something more casual than that?---I would
15:41:36 30 describe it as more casual.
15:41:37 31
15:41:37 32 Do you think she's correct to say you were going out with
15:41:40 33 each other at the time or was it only a casual
15:41:43 34 relationship?---It was casual.
15:41:46 35
15:41:46 36 COMMISSIONER: But it continued well beyond 1999; is that
15:41:50 37 right?---Yes, that's correct.
15:41:51 38
15:41:51 39 Thank you.
15:41:53 40
15:41:53 41 MR WOODS: In fact in your statement I think you say for
15:41:57 42 five or six years or so?---Yes.
15:41:59 43
15:41:59 44 At the bottom of that page is the entry "ex member Paul
15:42:04 45 Dale", and then going over to continue that entry on the
15:42:07 46 next page, it says, "He's very good mates with" a
15:42:13 47 particular police officer of St Kilda CIU. "They're well

1 known at the local bar, Port Melbourne. Human source
15:42:20 2 believes Dale is mates with Sergeant Marty Alison. Police
15:42:24 3 Officer 1", who you'll see on the table in Exhibit 81 in
15:42:33 4 front of you, do you see that name there?---Yes.

15:42:36 5
15:42:38 6 So human source believes that Dale is mates with Alison,
15:42:43 7 that person, as well as ex members Saunders and Steve
15:42:47 8 Campbell. Is it correct that at the time of this entry,
15:42:50 9 being 25 March 2006, that you were mates with, firstly,
15:42:55 10 Marty Alison?---I don't think I've ever met Marty Alison.

15:43:04 11
15:43:05 12 Were you friendly though with Paul Dale at the time?---I
15:43:09 13 wouldn't say I was friendly with Paul Dale.

15:43:11 14
15:43:11 15 Had you been friendly with Paul Dale previously?---I had
15:43:17 16 worked and participated in Detective Training School with
15:43:22 17 Paul and I would say I've only probably seen him twice
15:43:28 18 outside of a work setting.

15:43:30 19
15:43:33 20 Could turn over to p.9724, please. There's just a couple
15:43:43 21 more matters?---Sorry, Mr Woods, we're just having a bit of
15:43:46 22 trouble finding the document you're referring to.

15:43:48 23
15:43:48 24 It's 9724 of that same document. It should have
15:43:56 25 VPL.0002.0001.9724?---Yes, thank you, I have that now,
15:44:01 26 Mr Woods.

15:44:01 27
15:44:04 28 You'll see there on the document in front of you that on 4
15:44:11 29 August 2006 Ms Gobbo has told her handler that she'd seen
15:44:17 30 [REDACTED] and it says that each
15:44:22 31 of those gentlemen want Ms Gobbo to go and see [REDACTED],
15:44:29 32 who we spoke about earlier, and make a statement that says
15:44:32 33 the ESD pressured him to make false statements regarding
15:44:37 34 bail - [REDACTED]

15:44:41 35 [REDACTED]

15:44:45 36
15:44:46 37 MR FURSTENBERG: I'm not sure, Commissioner, if the live
15:44:49 38 stream is still on but if we're getting back into - - -

15:44:51 39
15:44:51 40 MR WOODS: No, it's not on. This is the last couple of
15:44:55 41 bits and pieces I need to deal with. I was trying to
15:44:56 42 confirm that it's the last couple of things before we turn
15:45:00 43 it back on. [REDACTED]

15:45:04 44 [REDACTED]
15:45:08 45 [REDACTED]
15:45:14 46 [REDACTED]
15:45:17 47 [REDACTED] and that would then enable the [REDACTED] to

15:45:21 1 get the funding for the criminal matters [REDACTED]
15:45:25 2 [REDACTED]. Firstly, do you remember a
15:45:28 3 conversation to that effect occurring?---No, I don't.
15:45:30 4
15:45:30 5 Who funded the defence of the [REDACTED]
15:45:37 6 [REDACTED]?---Ultimately the [REDACTED].
15:45:39 7
15:45:40 8 But I take it that in August 2006 that still wasn't
15:45:44 9 ratified by [REDACTED] and [REDACTED]
15:45:47 10 were still out of pocket at that stage?---I cannot recall
15:45:55 11 the date range at the moment but that is - that could well
15:46:02 12 be correct.
15:46:02 13
15:46:03 14 Do you remember the date that you moved interstate, or the
15:46:05 15 month?---Yes, I went to Western Australia in May of 2006.
15:46:22 16
15:46:25 17 At that stage when you went to Western Australia do you
15:46:29 18 remember whether the issue of funding had been resolved at
15:46:31 19 that date or was it still outstanding?---It was still
15:46:36 20 outstanding.
15:46:36 21
15:46:37 22 Was it outstanding for a few months after you arrived in
15:46:41 23 WA?---Yes, it was.
15:46:42 24
15:46:44 25 It might well be correct then that in August 2006, I'm not
15:46:49 26 suggesting the rest of it is correct for now, but in August
15:46:52 27 2006 it was still the case that [REDACTED]
15:46:56 28 [REDACTED]
15:47:04 29 [REDACTED] ---Yes.
15:47:05 30
15:47:08 31 It's next recorded in that entry that that had to be done
15:47:11 32 by [REDACTED]. Do you remember there being some time
15:47:15 33 pressure associated with getting the legal funding
15:47:19 34 reimbursed to you?---No, I don't.
15:47:22 35
15:47:22 36 [REDACTED]
15:47:27 37 [REDACTED]
15:47:31 38 [REDACTED]
15:47:37 39 [REDACTED]
15:47:40 40 [REDACTED]
15:47:43 41 [REDACTED]
15:47:47 42 [REDACTED] No, I don't.
15:47:48 43
15:47:48 44 Can that be right? [REDACTED]
15:47:52 45 [REDACTED]
15:47:55 46 [REDACTED] Yes, but I just don't
15:48:03 47 recall that right now.

15:48:04 1
15:48:05 2
15:48:10 3
15:48:15 4
15:48:15 5
15:48:20 6
15:48:24 7
15:48:40 8
15:48:41 9
15:48:44 10
15:48:51 11
15:48:55 12
15:49:01 13
15:49:05 14
15:49:06 15
15:49:07 16
15:49:08 17
15:49:10 18
15:49:11 19
15:49:13 20
15:49:15 21
15:49:15 22
15:49:18 23
15:49:22 24
15:49:24 25
15:49:24 26
15:49:29 27
28
29
15:49:30 30
15:49:31 31
32
33
15:49:35 34
15:49:35 35
15:49:36 36
15:49:37 37
15:49:39 38
15:49:39 39
15:49:42 40
15:49:43 41
15:49:43 42
15:49:46 43
15:49:46 44
15:49:50 45
15:49:50 46
15:49:53 47

But you accept the fact that that animosity continued past the trial date and the acquittal?---Yes.

[REDACTED]

And in fact that was a topic of conversation, I would assume, between [REDACTED], the fact that this person had been offering to provide information that was going to severely adversely affect your interests, that was something that [REDACTED] would have talked about from time to time?

MR O'CONNOR (from remote witness room): Mr Woods, would you mind if the witness had a brief moment?

MR WOODS: No, no, that's fine. It's up to the Commissioner, I should say.

COMMISSIONER: No, certainly. We'll have a short adjournment. Just before we do that, how much longer are you going to be?

MR WOODS: Only about ten minutes, I think, Commissioner.

WITNESS: Let's do it.

MR O'CONNOR (from remote witness room): The witness would rather, if it's going to be ten minutes, to just proceed in order to finish.

WITNESS: Mr Woods, let's just keep going.

COMMISSIONER: Just a minute. There will be other cross-examination.

MR COLLINSON: I just have about three questions. Five minutes.

COMMISSIONER: Other cross-examination?

MR HARTNETT: Nothing, Your Honour.

COMMISSIONER: It sounds as though if only have about ten or 15 minutes to go but look I'm happy to give you a short

15:49:57 1 adjournment and then we can come back and finish
15:49:57 2 it?---Thank you, Commissioner. I'd just like to keep
15:50:00 3 going, please, and finish it.
15:50:02 4
15:50:03 5 I understand. Thank you.
15:50:03 6
15:50:03 7 MR WOODS: I'll be as quick as I can, Mr Campbell. In fact
15:50:07 8 there might be a few matters that I don't need to go to
15:50:11 9 that we might ask for a written response in due course
15:50:16 10 given the circumstances so I'll be as quick as I
15:50:16 11 can?---Thank you Mr Woods.
15:50:18 12
15:50:19 13 Turning over to p.9739 of that document. This is 31 August
15:50:26 14 2007, so you had well and truly left Victoria at this stage
15:50:35 15 and there was an entry - so again this is a document that
15:50:39 16 Ms Gobbo, that records information that Ms Gobbo has
15:50:43 17 apparently provided to her handlers. On 31 August 2007
15:50:49 18 there's an entry that says - you might need to scroll down
15:50:56 19 a little bit. I'm sorry, it's not according with my one.
15:50:59 20 Is that p.9738? She's providing information there. She
15:51:10 21 says, "Steve Campbell". Just above that if you could
15:51:17 22 operator, just a tiny bit higher. "Steve Campbell, ex
15:51:21 23 detective police. She has not heard from Steve tonight.
15:51:24 24 She expects him to ring/txt when he is in town. [REDACTED]
15:51:29 25 [REDACTED] offered for her to go to lunch tomorrow but she will
15:51:29 26 only go if Steve invites her as she is not comfortable
15:51:34 27 around this drinking crowd". I take it this was a trip
15:51:39 28 that you would have had from time to time from WA back to
15:51:43 29 Victoria? Was that the case, that you came back during the
15:51:47 30 time that you were away?---That's correct. Sorry, what was
15:51:52 31 the date of that, please, Mr Woods?
15:51:54 32
15:51:54 33 31 August 2007?---Yes, okay.
15:51:56 34
15:51:57 35 Then over to the next page, 9739, there's an entry that
15:52:01 36 says, "SDU management. Human source tasked that she is to
15:52:06 37 ring me straight away re any calls or contact with [REDACTED]
15:52:10 38 or Campbell. Understood". Did you know that throughout
15:52:15 39 2007 any contact you had with Ms Gobbo she was reporting to
15:52:19 40 her human source managers?---No.
15:52:22 41
15:52:24 42 I just want to check. There's just a few brief questions,
15:52:41 43 Commissioner, that I can do with the live stream connected.
15:52:47 44 They're not of great moment. If we need to ask questions
15:52:50 45 of the witness while the live stream's not connected
15:52:54 46 perhaps now would be the time to do it.
15:52:57 47

15:52:57 1 COMMISSIONER: Yes. Yes, Mr Collinson.
2
3 <CROSS-EXAMINED BY MR COLLINSON:
4
15:52:59 5 Mr Campbell, my name is Collinson, I'm one of the counsel
15:53:04 6 for Ms Gobbo. I just had really one topic to put to you.
15:53:07 7 It concerns some questions you were asked about the
15:53:11 8 occasion when you first were told by somebody that [REDACTED]
15:53:17 9 [REDACTED]
15:53:23 10 [REDACTED]. Do you recall being
15:53:26 11 asked questions about that?---Yes, I do.
15:53:29 12
15:53:30 13 Just to help you date my question, the committal date was
15:53:36 14 identified as starting around [REDACTED] 2003. If I just
15:53:44 15 ask you to accept for this purpose, if you might, that on
15:53:48 16 [REDACTED] was charged with [REDACTED] and I want
15:53:57 17 to ask you - well, let me ask you this first. I think
15:54:01 18 you'd accept, wouldn't you, that the occasion when you did
15:54:04 19 find out this information about [REDACTED] intending to give
15:54:10 20 evidence against [REDACTED]
15:54:13 21 [REDACTED]
15:54:27 22
15:54:28 23 Just doing the best you can, I want to just ask you if you
15:54:36 24 can reflect and ask yourself whether it's possible that one
15:54:40 25 of your representatives at the committal hearing, such as
15:54:43 26 [REDACTED], might have been the person or persons that
15:54:46 27 conveyed to you that [REDACTED] was intending to give evidence
15:54:50 28 against you? Is that possible?---It could well have been.
15:54:53 29
15:54:53 30 Do you have a specific recollection about it or have I
15:54:57 31 triggered a recollection?---No, I don't.
15:54:59 32
15:54:59 33 Yes. No further questions.
15:55:01 34
15:55:02 35 COMMISSIONER: Are there any other questions?
15:55:04 36
15:55:04 37 MS ARGIROPOULOS: No, Commissioner.
15:55:05 38
15:55:05 39 COMMISSIONER: So the live streaming can resume now. There
15:55:13 40 are just a few more questions now for you. We're nearly
15:55:21 41 done, Mr Campbell. Yes, Mr Woods.
15:55:23 42
15:55:24 43 MR WOODS: There's just one final document and it's a
15:55:26 44 statement, it's VPL.0002.0001.1461 and it's a statement
15:55:35 45 that Mr Davey took from Ms Gobbo in his investigation
15:55:43 46 relating to the murder of the Hodsons. I'll just check
15:55:58 47 that I've read that number out?---We're still trying to

15:56:01 1 find it, Mr Woods.
15:56:02 2
15:56:03 3 It doesn't matter too much if not. There's only a couple
15:56:05 4 of sentences and I can probably read them out to you. Just
15:56:11 5 for the operator it's VPL.0002.0001.1461?---Yes, I have
15:56:23 6 that now, the redacted version.
15:56:25 7
15:56:25 8 Just to place this in time. This gentleman taking the
15:56:30 9 statement was Cameron Davey who's apparently a Detective
15:56:32 10 Senior Constable Cameron Davey. He was taking a statement
15:56:34 11 from Ms Gobbo on 7 January 2009 and he was obviously asking
15:56:39 12 her a number of questions. At 1462, it says, "The police
15:56:57 13 have asked me whether I know a person named Stephen
15:57:00 14 Campbell. Stephen is a person I know and have called on
15:57:03 15 occasions. I've called him on both his mobile phone and on
15:57:07 16 his home phone. I may have used the phones Ahmed gave me
15:57:12 17 to call these people and places". Do you see those words
15:57:16 18 there?---Yes.
15:57:20 19
15:57:20 20 Are you aware, were you aware before me showing you this
15:57:24 21 document that Ms Gobbo was spoken to as part of the
15:57:27 22 investigation into the Hodsons' murders?---No.
15:57:32 23
15:57:35 24 Did you have more than one phone number on which you would
15:57:39 25 call Nicola Gobbo?---No.
15:57:41 26
15:57:42 27 Did you receive phone calls from Nicola Gobbo on more than
15:57:46 28 one phone?---I don't believe so.
15:57:49 29
15:57:50 30 On your mobile phone you have no memory of receiving phone
15:57:54 31 calls from Nicola Gobbo on more than one mobile
15:57:59 32 number?---No.
15:57:59 33
15:58:08 34 Thank you, they're all the questions.
15:58:09 35
15:58:09 36 COMMISSIONER: Thank you. Nothing arising out of that?
15:58:11 37
15:58:12 38 MR COLLINSON: No.
15:58:13 39
15:58:13 40 COMMISSIONER: What about tendering some exhibits, did you
15:58:15 41 want to tender any of these exhibits?
15:58:18 42
15:58:18 43 MR WOODS: Yes, I do. Thank you for reminding me of that.
15:58:21 44 Look, Commissioner, if it's convenient I can - - -
15:58:24 45
15:58:24 46 COMMISSIONER: Let the witness go first.
15:58:26 47

15:58:26 1 MR WOODS: Let the witness go, yes.
15:58:28 2
15:58:28 3 COMMISSIONER: Mr Campbell, thank you, we've finished with
15:58:30 4 you now so you're free to go. I know from the medical
15:58:34 5 reports that were tendered on your behalf earlier today
15:58:37 6 that you are getting some medical attention from your own
15:58:41 7 medical practitioners and probably they're the ones that
15:58:44 8 you want to stay with, but I do want to tell you that there
15:58:47 9 is assistance available through the Police Association if
15:58:52 10 you need further medical assistance, all right?---Thank
15:58:56 11 you, Commissioner.
15:58:56 12
15:58:57 13 Yes, thank you very much. You're free to go now?---Thank
15:59:01 14 you.
15:59:02 15
15:59:03 16 (Witness excused.)
17
15:59:05 18 <(THE WITNESS WITHDREW)
15:59:05 19
15:59:05 20 MR WOODS: Commissioner, I'm in your hands, if it's
15:59:07 21 convenient I think these can all be tendered in chambers, I
15:59:12 22 can simply provide a list and they can be put up but if
15:59:14 23 you'd like me to read through them I can do that now.
15:59:14 24
15:59:14 25 COMMISSIONER: Let's just tender them now publicly, thank
15:59:17 26 you.
15:59:18 27
15:59:18 28 MR WOODS: Firstly, I want to make it clear that there's no
15:59:22 29 intention that the medical material be made public.
15:59:25 30
15:59:25 31 COMMISSIONER: No, that was tendered separately in the
15:59:28 32 application we heard first this morning.
15:59:30 33
15:59:30 34 MR WOODS: The first document was the court book from
15:59:33 35 November 98 to March 99, volume 3. I don't know
15:59:40 36 whether - - -
15:59:40 37
15:59:40 38 COMMISSIONER: Sorry, what are those dates again?
15:59:45 39
15:59:45 40 MR WOODS: November 98 to March 99 I'm sorry, volume 3.
15:59:48 41
15:59:48 42 COMMISSIONER: This is the Nicola Gobbo court book, volume
15:59:51 43 3.
15:59:52 44
15:59:52 45 MR WOODS: That's right. And I'll just read the number for
15:59:52 46 the transcript: MIN.0001.0001.0003.
15:59:57 47

15:59:57 1 COMMISSIONER: Is it the whole court book or extracts?
16:00:02 2
16:00:02 3 MR WOODS: It's the extracts as redacted for now because
4 they've been redacted for a particular purpose for this
16:00:06 5 witness. That exhibit may change in due course but for now
16:00:09 6 it's just those extracts.
16:00:12 7
16:00:12 8 COMMISSIONER: All right. It's probably best if we just
16:00:15 9 leave it as those extracts as this exhibit and if you
16:00:19 10 tender other extracts later they'll be a new exhibit.
11
16:00:21 12 MR WOODS: Yes, all right.
16:00:21 13
16:00:22 14 #EXHIBIT RC136 - Redacted extracts of Nicola Gobbo's court
15:59:51 15 book, volume 3.
16:00:25 16
16:00:25 17 MR WOODS: Then there's Nicola Gobbo's 1999 personal diary.
16:00:30 18 That's MIN.0002:0001.0005.
16:00:37 19
16:00:38 20 COMMISSIONER: Is that all of it?
16:00:39 21
16:00:39 22 MR WOODS: In fact I think all of these are redacted
16:00:42 23 versions.
16:00:42 24
16:00:44 25 COMMISSIONER: Is it just extracts and redacted versions or
16:00:47 26 the whole thing has been redacted?
16:00:50 27
16:00:51 28 MR WOODS: Extracts.
16:00:52 29
16:00:53 30 #EXHIBIT RC137 - Redacted extracts of Nicola Gobbo's 1999
16:00:27 31 personal diary.
16:00:55 32
16:00:55 33 MR WOODS: Unfortunately there's a few more. Court book
16:01:00 34 August 99 to December 99, volume 1.
16:01:10 35
16:01:10 36 COMMISSIONER: Nicola Gobbo's court book, that's redacted
16:01:13 37 extracts again.
16:01:14 38
16:01:15 39 MR WOODS: Yes, it is. For the transcript that's MIN.0001.
16:01:29 40
16:01:30 41 #EXHIBIT RC138 - Redacted extracts of Nicola Gobbo's court
16:00:58 42 book August 99 to December 99, volume 1.
16:01:34 43
16:01:35 44 MR WOODS: The next is Nicola Gobbo's court book, redacted
16:01:38 45 extracts November 98 to March 99 volume 4. Again, the
16:01:47 46 number of that is MIN.0001.0001.0004.
16:01:52 47

16:01:53 1 COMMISSIONER: Again redacted extracts.
16:01:56 2
16:01:58 3 #EXHIBIT RC139 - Redacted extracts of Nicola Gobbo court
16:01:37 4 book November 98 to March 99, volume 4.
16:02:00 5
16:02:01 6 MR WOODS: The next is Nicola Gobbo court book August 99 to
16:02:04 7 December 99, volume 6.
16:02:10 8
16:02:10 9 COMMISSIONER: Is that August?
16:02:11 10
16:02:13 11 MR WOODS: August 99 to December 99, volume 6, redacted
16:02:16 12 extracts.
16:02:17 13
16:02:17 14 COMMISSIONER: Yes.
16:02:18 15
16:02:18 16 #EXHIBIT RC140 - Redacted extracts Nicola Gobbo court book
16:02:03 17 August 99 to December 99, volume 6.
16:02:20 18
16:02:21 19 MR WOODS: That's MIN.0001.0003.0006. The next is the OPP
16:02:33 20 Prism report. I think it's worth tendering - in fact it
16:02:37 21 was a redacted extract that was shown so we might just
16:02:40 22 stick with that now. That's OPP.0001.0004.0025.
16:02:51 23
16:02:51 24 COMMISSIONER: Yes.
16:02:54 25
16:02:54 26 #EXHIBIT RC141 - Redacted extract of OPP Prism report.
16:03:02 27
16:03:03 28 MR WOODS: Next is Nicola Gobbo's court book from December
16:03:06 29 2001 to January 2002, MIN.0001.0008.0008, redacted
16:03:14 30 extracts.
16:03:16 31
16:03:16 32 COMMISSIONER: Yes.
16:03:26 33
16:03:26 34 #EXHIBIT RC142 - Redacted extracts Nicola Gobbo's court
16:03:05 35 book from December 2001 to January 2002.
16:03:29 36
16:03:31 37 MR WOODS: Then Nicola Gobbo 2003 personal diary, which is
16:03:36 38 2003, MIN.0002.0002.0001.
16:03:44 39
16:03:47 40 COMMISSIONER: We've already got redacted extracts - no,
16:03:50 41 the 2003 diary, that's right. Thank you.
16:03:52 42
16:03:52 43 #EXHIBIT RC143 - Redacted extracts Nicola Gobbo 2003
16:03:32 44 personal diary.
16:04:00 45
16:04:00 46 MR WOODS: Next is the 2003 personal diary,
16:04:12 47 MIN.0002.0002.0002.

16:04:14 1
16:04:15 2 #EXHIBIT RC144 - Redacted extracts from 2003 personal
16:04:05 3 diary.
16:04:17 4
16:04:18 5 MR WOODS: Two more. There's the extract from the
16:04:22 6 statement of Nicola Gobbo to Cameron Davey on 7 January
16:04:28 7 2009. Again, it's just an extract from that.
16:04:37 8
16:04:37 9 COMMISSIONER: Sorry, the extract from what?
16:04:41 10
16:04:42 11 MR WOODS: Nicola Gobbo's statement to DSC Cameron Davey on
16:04:48 12 7 January 2009.
16:04:55 13
16:04:56 14 #EXHIBIT RC145 - Extract from statement of Nicola Gobbo to
16:04:24 15 D/S/C Cameron Davey on 7/01/09.
16:04:59 16
16:04:59 17 MR WOODS: Finally, there's the ICR summary of extracts and
16:05:04 18 it's a selection of entries from that and that's
16:05:11 19 VPL.2000.0001.9718.
16:05:14 20
16:05:14 21 COMMISSIONER: That's redacted extracts, is it?
16:05:16 22
16:05:17 23 MR WOODS: That's correct.
16:05:18 24
16:05:18 25 #EXHIBIT RC146 - ICR summary of extracts.
16:05:20 26
16:05:20 27 MR WOODS: Commissioner, I've got no intention to call
16:05:24 28 Mr Campbell back given the circumstances but as I said
16:05:27 29 earlier I'm told that his diaries and day books have been
16:05:31 30 brought to the Commission today. There'll need to be some
16:05:37 31 work done to match up the information we have with what
16:05:40 32 Mr Campbell's diaries have. How we deal with that, if
16:05:45 33 there's something important there, we'll work out in the
16:05:47 34 future.
16:05:48 35
16:05:48 36 COMMISSIONER: Yes, Mr Nathwani.
16:05:50 37
16:05:52 38 MR NATHWANI: Commissioner, as far as the court books and
16:05:54 39 diaries of Ms Gobbo are concerned before they're formally
16:05:59 40 published could we consider the redactions, only overnight,
16:06:04 41 as long as they're sent to us overnight.
16:06:04 42
16:06:07 43 COMMISSIONER: If you could do that overnight that would be
16:06:08 44 appreciated.
16:06:08 45
16:06:10 46 MR NATHWANI: As long as they're sent to me in time, as has
16:06:10 47 previously been done, there's no issue with that.

16:06:10 1
16:06:10 2 COMMISSIONER: We'll deal with any disputes in the morning.
3
16:06:15 4 MR NATHWANI: Absolutely.
16:06:15 5
16:06:15 6 MS ARGIROPOULOS: Commissioner, may I make a similar
16:06:17 7 request. Victoria Police has never seen the documents that
16:06:21 8 have just been tendered.
16:06:23 9
16:06:23 10 COMMISSIONER: Certainly. We'll get copies to both you and
16:06:26 11 Ms Gobbo's legal representatives overnight and we'll deal
16:06:31 12 with any disputes in the morning.
16:06:35 13
16:06:36 14 MR FURSTENBERG: Commissioner, can I make the same request
16:06:38 15 only insofar as any of those exhibits touch on [REDACTED]
16:06:38 16
16:06:39 17 COMMISSIONER: Yes, noted. And that will be done. All
16:06:41 18 right, I think Ms Enbom we were going to deal with
16:06:44 19 something today.
20
21 MS ENBOM: We were.
22
16:06:46 23 Commissioner: Do you want to deal with it or would you
16:06:47 24 rather leave it until tomorrow?
16:06:49 25
16:06:49 26 MS ENBOM: May I please have overnight to get the
16:06:53 27 instructions that I need?
16:06:54 28
16:06:55 29 COMMISSIONER: Yes, sure. All right then, we'll adjourn
16:06:56 30 until 10 o'clock tomorrow morning.
16:07:36 31
16:07:37 32 ADJOURNED UNTIL WEDNESDAY 22 MAY 2019
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