

ROYAL COMMISSION INTO THE MANAGEMENT
OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Friday, 6 September 2019

Led by Commissioner: The Honourable Margaret McMurdo AC

Also Present

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

Counsel for Victoria Police Mr S. Holt QC

Counsel for State of Victoria Mr C. McDermott

Counsel for Nicola Gobbo Mr R. Nathwani

Counsel for DPP/SPP Ms A. Martin

Counsel for CDPP Ms R. Avis

Counsel for Police Handlers Mr G. Chettle
 Ms L. Thies

Counsel for John Higgs Ms C. Dwyer

Counsel for Faruk Orman Ms S. Wallace

Counsel for Pasquale Barbaro Mr C. Wareham

Counsel for AFP Ms I. Minnett

09:37:36 1 COMMISSIONER: Yes, I note that the appearances are as they
09:37:39 2 were yesterday, save that Ms Martin is appearing for the
09:37:43 3 DPP. Yes. Just whilst we're in open hearing, we'll just
09:37:51 4 deal with the leave application for Mr Dale.

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09:37:56 6 MR HOLT: Yes. As I indicated yesterday, we don't wish to
09:38:00 7 be heard on leave and we don't wish to be heard on
09:38:02 8 presence, Commissioner.

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10 MR McDERMOTT: Nor does the State.

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09:38:04 12 COMMISSIONER: No, all right then. We'll now go into
09:38:07 13 closed hearing with this witness. And the people allowed
09:38:12 14 to be present now include Paul Dale and his legal
09:38:25 15 representatives, each of whom have given the undertaking
09:38:35 16 not to disclose any information in respect of these closed
09:38:41 17 - have given the undertaking in the same terms as the legal
09:38:45 18 representatives of the other parties with leave to appear.
09:38:49 19 All right then. Yes, Ms Tittensor.

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21 (IN CAMERA HEARING FOLLOWS)

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UPON RESUMING IN PUBLIC HEARING:

MS TITTENSOR: If we can go please to Mr White's diary, it's VPL.0100.0096.0354.

COMMISSIONER: What date is this?

MS TITTENSOR: This is 14 August 2006, Commissioner. If we can just scroll up so we can see the date. See the date on the screen there, Mr O'Brien, 14 August?---Yes.

Then if we scroll over to the next page. You'll see at 14:20 there's a communication with one of the handlers, I think it's handler Green, in relation to 3838?---Yes.

And it indicates that the handler has told the controller, Mr White, from you, Jim O'Brien of Purana, "Telephone intercept shows Milad trying to get in touch with human source, appears he wants [REDACTED]"?---Yes.

And there's a discussion, "Re the possibility of a trap to test if the human source is assisting the police", do you see that?---Yes, I do.

Do you have any corresponding entry in your diary?---Sorry, can you just remind me the date again?

It's 14 August 2006?---No, I don't. I was actually in a meeting with the Deputy Commissioner.

Perhaps I've just had something raised with me, Commissioner. It may be it might be safer if we take the private hearing route. I apologise for that. We're within the - - -

COMMISSIONER: It was a noble try. It was a noble attempt. Yes, all right then. The same orders that were apposite two or three minutes ago apply again now.

(IN CAMERA PROCEEDINGS FOLLOW)