

ROYAL COMMISSION INTO THE MANAGEMENT
OF POLICE INFORMANTS

Held in Melbourne, Victoria

On Thursday, 28 November 2019

Led by Commissioner: The Honourable Margaret McMurdo AC

Also Present

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

Counsel for Victoria Police Ms R. Enbom SC

Counsel for State of Victoria Mr C. McDermott

Counsel for Nicola Gobbo Mr R. Nathwani

Counsel for DPP/SPP Ms K. O'Gorman

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

Counsel for John Higgs Ms C. Dwyer

Counsel for Faruk Orman Mr M. Koh

Counsel for AFP Ms I. Minnett

09:35:33 1 COMMISSIONER: Yes, I think appearances are largely as they
09:35:36 2 were yesterday, save that we have Ms Enbom today for
09:35:39 3 Victoria Police, Mr McDermott for the State, Ms O'Gorman
09:35:42 4 for the DPP and Mr Koh for Faruk Orman. Just before we go
09:35:48 5 into closed hearing, Ms Enbom, because we're not sitting
09:35:54 6 for a few days it's probably a good time just to mention a
09:35:58 7 few statements that we're still waiting on. Mr Lardner's
09:36:02 8 statement, we've been told for a long time it's about to be
09:36:06 9 finalised and we still don't have it.
09:36:09 10
09:36:09 11 MS ENBOM: Yes. I saw an email yesterday that it has been
09:36:15 12 signed and it's being produced today.
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09:36:18 14 COMMISSIONER: It's going to be?
09:36:19 15
09:36:20 16 MS ENBOM: It will be produced today.
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09:36:22 18 COMMISSIONER: So we can ask for a Notice to Produce now,
09:36:25 19 is that right?
09:36:26 20
09:36:26 21 MS ENBOM: Yes.
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09:36:26 23 COMMISSIONER: That's excellent, thank you. Just a couple
09:36:28 24 of other statement. Shane O'Connell, last week we were
09:36:32 25 told may be finalised this week, but more likely next.
09:36:35 26 Then Mr Holt said it remains next last time. We still
09:36:39 27 don't have it. Any update on that one?
09:36:41 28
09:36:42 29 MS ENBOM: I think I read an email about that one yesterday
09:36:46 30 as well.
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09:36:46 32 COMMISSIONER: If you and your instructors could give it a
09:36:48 33 hurry up, please.
09:36:50 34
09:36:51 35 MS ENBOM: Yes, I'll do that.
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09:36:52 37 COMMISSIONER: Thank you. And Officer Pearce. Last we
09:36:53 38 heard there was some concern about his health and the
09:36:57 39 Commission was going to be updated. We haven't heard
09:36:59 40 anything more.
09:37:00 41
09:37:00 42 MS ENBOM: I'll get some instructions about that and
09:37:03 43 provide an update.
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09:37:03 45 COMMISSIONER: If you can chase that up.
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47 MS ENBOM: Yes.

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09:37:05 2 COMMISSIONER: Bernie Edwards. Mr Holt said last week that
09:37:09 3 he expected it to be finalised this week subject to issues
09:37:11 4 of emails. Again, if you and your instructors could follow
09:37:18 5 that up as a priority.

09:37:19 6
09:37:20 7 MS ENBOM: Yes.

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09:37:21 9 COMMISSIONER: And the good news is we've been told Lucinda
09:37:25 10 Nolan's statement is now ready and the Commission has just,
09:37:27 11 last night we were told that and the Commission has just
09:37:30 12 issued a Notice to Produce. Hopefully we'll receive that
09:37:34 13 one today.

09:37:35 14
09:37:35 15 MS ENBOM: Yes. I'll ensure that happens, Commissioner.

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09:37:37 17 COMMISSIONER: Thank you. Mr Bateson, if you could return
09:37:40 18 to the witness box, and I remind you are, of course, on
09:37:43 19 your former oath. And we're now going into closed hearing.

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09:37:48 21 Pursuant to s.24 of the Inquiries Act, access to the
09:37:51 22 Inquiry during the evidence of Commander Bateson commencing
09:37:57 23 at 9.35 am is limited to legal representatives and staff
09:38:02 24 assisting the Royal Commission, the following parties with
09:38:02 25 leave to appear in the private hearing and their legal
09:38:06 26 representatives: The State of Victoria, Victoria Police,
09:38:08 27 including Media Unit representatives, Graham Ashton, DPP
09:38:12 28 and OPP, Commonwealth DPP, Ms Gobbo, SDU handlers, AFP,
09:38:19 29 ACIC, the legal representatives of the following parties
09:38:21 30 with leave to appear, John Higgs, Pasquale Barbaro, Faruk
09:38:25 31 Orman, Andrew and Mandy Hodson and Mr Cooper. Media
09:38:29 32 representatives accredited by the Royal Commission are
09:38:31 33 allowed to be present in the hearing room. The hearing is
09:38:33 34 to be recorded but not streamed or broadcast. Subject to
09:38:36 35 any further order there is no publication of any materials,
09:38:38 36 statements, information or evidence given, made or referred
09:38:41 37 to before the Commission which could identify or tend to
09:38:43 38 identify the persons referred to as Witness A, Witness B,
09:38:48 39 Witness X, Mr Cooper, any member of the Source Development
09:38:50 40 Unit or their whereabouts. A copy of this order is to be
09:38:54 41 posted on the door of the hearing room.

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43 (IN CAMERA HEARING FOLLOWS)

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