

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

MEMORANDUM TO COUNSEL

DATE: Friday, 18 February 2005
FROM: Valos Black & Associates (Nicola Gobbo)
TO: Mr Colin Lovitt Q.C.
RE: [REDACTED]

Counsel is provided with the following background, details and instructions in relation to [REDACTED]

BACKGROUND

[REDACTED] has been a friend of Carl Williams for many years and through Carl, became friends with [REDACTED]. A cynical investigator would say that his friendship with Carl was based around amphetamine trafficking, though our client has never been charged with any drug trafficking. It is evident in [REDACTED] record of interview that he regards himself as a friend of Carl Williams and admits to having assisted [REDACTED] obtain an [REDACTED] in which to [REDACTED] following his release from prison.

[REDACTED] was arrested, charged and remanded in custody on [REDACTED] 2004. He has never applied for bail. At the time of his arrest he was undergoing a suspended sentence which was imposed by His Honour [REDACTED] on [REDACTED] 2004.

The suspended sentence arises from a [REDACTED] which resulted in [REDACTED] pleading guilty to [REDACTED] and [REDACTED] in circumstances where he went to the [REDACTED] of a [REDACTED] who was going through a [REDACTED] [REDACTED] from [REDACTED]. The [REDACTED] and [REDACTED] ran a [REDACTED] and [REDACTED] along with a number of other persons, attended the [REDACTED] and prevented the

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It also includes numerous surveillance logs from the Victoria Police surveillance unit which commenced on 27 June 2003 and continued on and off through to 25 October 2003 none of which include [REDACTED] as a target or relate to the relevant period in respect of these charges, namely the week leading up to and including the date of Saturday [REDACTED] 2003. The additional material includes listening devices which really relate to [REDACTED] home and cars as well as [REDACTED] home commencing in September 2003. All of this relates to and subsequently in part is contained in the brief of evidence relating to the murder of [REDACTED] which does not concern [REDACTED]. The additional material contains Police/Investigator diary notes and day book entries.

We are able to provide Counsel with a copy of these notes but Counsel is advised that there is little if anything of relevance contained therein. At least anything that may be of interest has been blacked out.

A Summons was issued on behalf of [REDACTED] and returnable on [REDACTED] 2005. Counsel will find enclosed a **copy of that Summons and the written response from the Victorian Government Solicitor** on behalf of the Chief Commissioner of Police. We anticipate receipt receiving additional material pursuant to that Summons prior to the commencement of the Committal. A further Summons is to be filed and served in relation to the records or use of [REDACTED] e-tag given that this may assist in relation to determining what his movements were or weren't in the week leading up to and including [REDACTED] 2003.

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The last issue to be covered by way of summons relates to numerous mobile phones used by [REDACTED] during the relevant period. We anticipate that a Summons to each mobile phone service provider asking for call charge records will also be returnable prior to the committal commencing.

Should Counsel consider it appropriate to issue any further Summonses for any other material please advise and we will file and serve them accordingly.

PERSONAL BACKGROUND

For Counsel's information only, it is apparent that [REDACTED] had become a person of interest to the Purana Taskforce as a result of his associations with a number of alleged "underworld" figures. It is [REDACTED] belief that the reason why he is charged is largely on the basis of the Purana Taskforce trying to make his life and that of [REDACTED] [REDACTED] as difficult as possible with a view to him doing a deal and giving evidence against Carl Williams. Under no circumstances will [REDACTED] entertain any deal whatsoever. Since his arrest in relation to these charges, he has been the subject of: -

- A Summons and examination at the Australian Crime Commission;
- A Summons and examination at the [REDACTED] [REDACTED] [REDACTED] for [REDACTED];
- A Section 464 Application to be taken from [REDACTED] Prison to be interviewed in relation to the death of [REDACTED] (there is no evidence whatsoever that he was involved in [REDACTED] death and he has not been charged); and
- An examination and audit by the Australia Taxation Office.