

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

1 PROCEEDINGS IN CAMERA:

2
3 COMMISSIONER: Yes Mr Winneke:

4
5 MR WINNEKE: Now, Mr Strawhorn, I want to ask you about - -
6 -

7
8 MR HOLT: I'm sorry, can I just confirm that we are - the
9 doors and the feed to the other room is disconnected?
10 Thank you.

11
12 MR WINNEKE: Just so we have the time frame right, we've
13 got the arrests in Hamadan and Carron occur I think in
14 November of 1997, 18 November 97?---Yes.

15
16 And I think you've got the summary, or one of the documents
17 you have with you is the summary in relation to Operation
18 Carron, correct?---Yes.

19
20 You've provided that to investigators?---I did.

21
22 You've read it?---Yes.

23
24 And in any event you've got a recollection of, as a general
25 proposition, those events?---Some recollection, yes.

26
27 Yes, all right. Then briefs are prepared after the arrests
28 and they're handed over to the accused people in around
29 early 1998?---Well, I'd assume so.

30
31 All right?---Whatever the time frame required to prepare
32 those briefs.

33
34 And you're involved because you're in charge of the
35 operation in the preparation of briefs?---No.

36
37 Or at least in an oversight capacity?---Not necessarily.

38
39 Not necessarily, but can you explain to the Commissioner
40 what role you had after the arrest phase of the
41 operation?---After the arrest phase I believe I was
42 promoted to a Detective Senior Sergeant into another unit
43 at the Drug Squad.

44
45 And thereafter you say your involvement was reduced or nil
46 in relation to this?---Reduced in that I certainly made
47 statements in relation to the briefs of evidence and I was

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

11:48:50 1 a required witness when the committal came about.
11:48:53 2
11:48:58 3 Can I ask you this: Kruger and Bowden approach Nicola
11:49:08 4 Gobbo on or about 2 February 1998, right, and would it
11:49:14 5 surprise you to hear that they tell her that her employer
11:49:20 6 is a crook, he should be in gaol, but if not at least not
11:49:25 7 practising law. Would that surprise you to hear
11:49:30 8 that?---The first time I've heard that.
11:49:31 9
11:49:32 10 The first you've heard of that, all right. And asked her
11:49:36 11 if she was aware of anything and she was involved in
11:49:40 12 anything with respect to her employer?---First I've heard
11:49:43 13 of that.
11:49:44 14
11:49:45 15 And tell her that her name is mentioned on tapes, the DPP,
11:49:53 16 Leon Parker, et cetera, are aware of it and mud sticks and
11:49:57 17 she should get a raincoat soon, you wouldn't have been
11:50:01 18 aware of anything like that?---No.
11:50:03 19
11:50:03 20 And you say that's the first you've heard of - - -?---It
11:50:06 21 is.
11:50:06 22
11:50:10 23 - - - anything of that sort. And were you aware of any
11:50:14 24 ongoing investigation with respect to her employer?---My
11:50:18 25 knowledge of that is that an investigation was undertaken
11:50:22 26 by Assets Recovery.
11:50:24 27
11:50:24 28 So you were aware of that, were you?---Certainly.
11:50:27 29
11:50:28 30 When did you become aware of that?---Probably when I
11:50:33 31 returned to unit 2, Division 2, as a Senior Sergeant some
11:50:39 32 time probably early 99.
11:50:41 33
11:50:42 34 99, all right. You were never aware of any attempt to get
11:50:47 35 any information in relation to her employer?---I was
11:50:54 36 advised by Mr Bowden at some points while I was a Senior
11:50:59 37 Sergeant in unit or Division 1 that Ms Gobbo had offered
11:51:05 38 information against her employee, employer I should say,
11:51:11 39 but that was the extent of my knowledge.
11:51:13 40
11:51:16 41 Are you aware that Bowden and Kruger said to her - I
11:51:24 42 apologise, I should have said Kruger, for the purpose of
11:51:27 43 the exercise it probably doesn't matter, in any event
11:51:30 44 Kruger, said to her that they were aware of her
11:51:37 45 priors?---No.
11:51:38 46
11:51:39 47 You were aware that she had priors?---Yes.

.30/04/19

1091

STRAWHORN XXN - IN CAMERA

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

11:51:42 1
11:51:42 2 Weren't you?---Yes.
11:51:43 3
11:51:45 4 And indeed how did you find out that?---You're saying
11:51:49 5 plural there, is it plural priors or prior?
11:51:53 6
11:51:54 7 Priors, what were you aware of and when?---I was aware, and
11:51:58 8 I believe it was, could have been 96 or 97, I had been
11:52:03 9 advised that she had been charged at some point.
11:52:07 10
11:52:07 11 Yes. Who advised you of that?---[REDACTED]
11:52:14 12
11:52:15 13 [REDACTED] indeed told you, didn't he, that he [REDACTED]
11:52:20 14 - - - ?---Correct.
11:52:21 15
11:52:22 16 - - - [REDACTED] to her and [REDACTED]?---Correct.
11:52:25 17
11:52:25 18 And you were aware of that in 1996?---Whenever [REDACTED]
11:52:31 19 became an informer, it was around that period.
11:52:34 20
11:52:35 21 You wanted her to assist you in providing evidence against
11:52:41 22 her employer, didn't you?---No. I had no interest in that.
11:52:45 23
11:52:45 24 No interest in that?---None whatsoever.
11:52:47 25
11:52:47 26 COMMISSIONER: Who did you understand was her de facto or
11:52:49 27 partner?---No idea of the name. It has been mentioned in
11:52:54 28 the papers of recent times.
11:52:56 29
11:52:56 30 Brian Wilson, does that ring a bell?---No, nothing rings a
11:53:00 31 bell in relation to that.
11:53:02 32
11:53:03 33 MR WINNEKE: Do you say you were told by [REDACTED] in
11:53:05 34 about 1996 about her prior?---I believe it was around that
11:53:10 35 period. I think he [REDACTED] - he was charged
11:53:14 36 some time mid-96 at the end of Phalanx and it was a period
11:53:22 37 of time before he [REDACTED]. It could have been
11:53:25 38 another six months or seven months but that was one of the
11:53:28 39 things he did mention to me.
11:53:29 40
11:53:30 41 At that stage what were the circumstances - how did that
11:53:34 42 come up, that Gobbo had been involved in - - - ?---It was
11:53:38 43 just a conversation he threw in there.
11:53:40 44
11:53:40 45 So when you first became aware of Ms Gobbo you were aware
11:53:46 46 that she had priors for, or a prior for being in possession
11:53:51 47 of drugs?---I believe that would be right.

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

11:53:53 1
11:53:53 2 You believe that's right?---Yes.
11:53:54 3
11:53:54 4 And did you tell anyone that?---I honestly don't recall if
11:54:01 5 I did or did not.
11:54:03 6
11:54:03 7 Do you think you might have told Mr Kruger and Senior
11:54:07 8 Sergeant Bowden about that?---I'm pretty confident if they
11:54:10 9 checked the records they'd be able to find that out
11:54:13 10 themselves, but that's possible.
11:54:17 11
11:54:17 12 It's possible?---It's possible. I'm not saying I didn't,
11:54:20 13 I'm saying it's quite possible.
11:54:22 14
11:54:23 15 The reality is you knew that Ms Gobbo, when she was working
11:54:27 16 for her employer, had been - - - ?---Correct.
11:54:35 17
11:54:37 18 - - - supplied drugs by [REDACTED]?---In the past.
11:54:39 19
11:54:39 20 In the past?---Correct.
11:54:40 21
11:54:40 22 That's something that was a matter of some relevance as far
11:54:43 23 as you were concerned?---It was historical.
11:54:47 24
11:54:47 25 It might be historical but nonetheless it's part of a
11:54:50 26 solicitor's history?---Correct.
11:54:53 27
11:54:55 28 Did you know that Mr Bowden and Mr Kruger had approached
11:55:01 29 Ms Gobbo?---No.
11:55:03 30
11:55:07 31 And you say that there was no - okay, I withdraw that. And
11:55:15 32 it hadn't been discussed at all within the Drug Squad, you
11:55:18 33 say?---Not, not that I'm aware of. As I said I was in a
11:55:23 34 separate unit at the time.
11:55:24 35
11:55:24 36 Were you cross-examined during the course of any hearings
11:55:27 37 in relation to Phalanx?---Yes.
11:55:30 38
11:55:30 39 And was your credit attacked during the course of any of
11:55:35 40 those hearings?---Quite probable.
11:55:37 41
11:55:40 42 By counsel instructed by Ms Gobbo's employer, one
11:55:44 43 assumes?---I can't recall. I honestly - you're going back,
11:55:48 44 I think that was 97 committals.
11:55:52 45
11:55:52 46 What I suggest to you is that around 97 you were quite keen
11:55:56 47 to have the employer, solicitor 1, prosecuted?---I had no

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

11:56:03 1 interest.
11:56:03 2
11:56:03 3 No interest at all, all right. Can I ask you to have a
11:56:07 4 look at a letter, Mr Strawhorn.
11:56:09 5
11:56:09 6 COMMISSIONER: Did you want to tender that document of the
11:56:14 7 - the transferred document with the names of [REDACTED]
11:56:16 8 and Solicitor 1 on it?
11:56:18 9
11:56:18 10 MR WINNEKE: I will, I'll come back to that.
11:56:20 11
11:56:20 12 COMMISSIONER: All right then.
11:56:21 13
11:56:21 14 MR WINNEKE: I'll tender that, Commissioner. Have you got
11:56:41 15 a copy of that letter there?---Yes.
11:56:47 16
11:56:47 17 COMMISSIONER: Sorry, I've just been handed the transfer
11:56:51 18 document, we'll tender that now.
11:56:53 19
11:56:53 20 MR WINNEKE: Yes Commissioner.
11:56:55 21
11:56:56 22 #EXHIBIT RC82 - Transfer document.
11:57:00 23
11:57:00 24 COMMISSIONER: That will also be placed in a sealed
11:57:03 25 envelope.
11:57:03 26
11:57:03 27 MR WINNEKE: What that is in front of you is a fax from the
11:57:06 28 OPP to you on 17 December 1997 from M Pellisier, is that
11:57:14 29 right?---Is that a fax to who?
11:57:16 30
11:57:16 31 To you?---Where does it say that?
11:57:20 32
11:57:20 33 Have a look at the front page.
11:57:22 34
11:57:22 35 COMMISSIONER: They've given me the document. Has he got
11:57:25 36 this document?
11:57:26 37
11:57:27 38 MR WINNEKE: Just hold that up. Yes. Just have a look at
11:57:31 39 the front page?---Yes.
11:57:34 40
11:57:45 41 It appears to be a fax to you, doesn't it?---It does.
11:57:48 42
11:57:50 43 And if you look at the letter contained in it, it says
11:57:55 44 this, that - and it's a letter from Solicitor 1 to a
11:58:04 45 Mr Paul Duggan, Phillips Fox Solicitors, right. You know
11:58:09 46 Mr Duggan?---I do.
11:58:11 47

.30/04/19

1094

STRAWHORN XXN - IN CAMERA

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

11:58:17 1 And in addition to that there's a letter of the same date
11:58:20 2 to Mr Peter Reid, do you see that?---Yes.
11:58:26 3
11:58:26 4 A number of faxes, letters which were sent. The first one
11:58:30 5 is - and if you read the, it may well be that it's been
11:58:36 6 stapled on the wrong side. There are five pages. The
11:58:41 7 first is a letter - I withdraw that - to Mr Rochford, do
11:58:48 8 you see that, 17 December 97, Mr Mark Rochford? It's page
11:58:53 9 number 2 of the fax, it's Solicitor 1. "Further to the
11:58:57 10 discussion between Mr Rochford and Mr Punshon on the 16th,
11:59:00 11 we enclose a copy of letter forwarded to Mr Reid for your
11:59:05 12 record and further action", do you see that?---Yes, I'm
11:59:10 13 just reading that.
11:59:11 14
11:59:11 15 You know who Mark Rochford is?---Yes.
11:59:14 16
11:59:14 17 He was a prosecutor?---He was.
11:59:16 18
11:59:17 19 He was involved in the prosecution of - - - ?---Phalanx.
11:59:20 20
11:59:20 21 The Carron matters, is that right?---He could have been.
11:59:24 22
11:59:24 23 The next letter is a letter from Solicitor 1 to Mr Reid.
11:59:30 24 "You would be aware that over the last several weeks we've
11:59:34 25 endeavoured to negotiate resolution of your police matters
11:59:36 26 by Solicitor 1 discussing the matter with prosecution as
11:59:40 27 well as by retaining Mr Roy Punshon of counsel to negotiate
11:59:44 28 with the DPP. On Tuesday 16 December we were informed by
11:59:48 29 Mr Punshon that police had informed the prosecution that
11:59:52 30 they will only be interested to speak to you and consider a
11:59:55 31 proposal as to bail and other matters if you are able to
11:59:58 32 assist police in relation to their inquiries. The only
12:00:00 33 matter that the police have indicated they seek your
12:00:02 34 assistance is any evidence that you may provide the police
12:00:07 35 concerning Solicitor 1 and his activities. In the light of
12:00:12 36 this it would be in your interest for you to seek and
12:00:16 37 obtain independent advice from another solicitor and
12:00:18 38 investigate the possibility of you assisting police", and
12:00:22 39 then he refers to Mr Paul Duggan, a solicitor at Phillips
12:00:28 40 Fox. And then there is another letter from again Solicitor
12:00:33 41 1 to Paul Duggan, Phillips Fox, of the same date. So you
12:00:37 42 were provided with those or sent those three letters on 17
12:00:43 43 December 97, I suggest?---It was faxed to the Drug Squad
12:00:47 44 under my name.
12:00:48 45
12:00:48 46 To your attention?---Yes.
12:00:51 47

.30/04/19

1095

STRAWHORN XXN - IN CAMERA

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

12:00:51 1 At a time when you were in charge of this operation,
12:00:54 2 correct?---Correct.
12:00:55 3
12:00:56 4 Do you still say that you were not interested in getting
12:00:58 5 any evidence against Solicitor 1?---Correct.
12:01:03 6
12:01:04 7 You still maintain that, do you?---Correct.
12:01:07 8
12:01:07 9 How do you maintain that in the light of that fact?---I
12:01:10 10 certainly have no recollection of these documents.
12:01:12 11
12:01:13 12 You're saying you have no recollection at all?---Correct.
12:01:16 13
12:01:16 14 It's a question of recollection, it's not a question of - -
15 -?---Exactly.
16
12:01:19 17 - - - the knowledge that you had at that stage?---Correct.
12:01:21 18
12:01:21 19 What I suggest to you is at that stage you were quite
12:01:25 20 interested in getting information in relation to the
12:01:28 21 employer?---It certainly would appear that way.
12:01:31 22
12:01:32 23 And you accept that, do you?---Based on that how can I not?
12:01:37 24
12:01:37 25 That's something that you would have discussed with other
12:01:41 26 people within your team?---I have no recollection of it
12:01:45 27 now.
12:01:45 28
12:01:47 29 And if Kruger and Bowden, a couple of months later, are
12:01:52 30 going off to Gobbo and asking her if she's aware of
12:01:56 31 anything about him, it would, I suggest be something that
12:01:59 32 you were well and truly aware of at that time?---No, not at
12:02:05 33 all.
12:02:06 34
12:02:06 35 Disagree with that?---Yes, I do.
12:02:08 36
12:02:12 37 Did you continue or did you have any discussions with
12:02:17 38 Ms Gobbo about any information that she could provide to
12:02:25 39 investigators in relation to her employer?---I don't
12:02:29 40 believe I did.
12:02:31 41
12:02:32 42 Were you involved in any discussions with Mr Pope about
12:02:38 43 those matters?---I have no recollection of it but diary
12:02:44 44 entries show that I did.
12:02:46 45
12:02:49 46 Do you have a recollection of speaking to Mr Lim?---No.
12:02:56 47

.30/04/19

1096

STRAWHORN XXN - IN CAMERA

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

12:02:56 1 About these matters?---No.
12:02:58 2
12:03:00 3 And you say you've got no recollection of speaking to
12:03:02 4 Mr Kruger about these matters?---No. As I said I was in a
12:03:08 5 different unit - division at the time.
12:03:11 6
12:03:11 7 You say you have no recollection of speaking to Mr Bowden
12:03:14 8 about these matters?---No. The only recollection is
12:03:16 9 Mr Bowden speaking to me, as I alluded to, that on the
12:03:19 10 service of brief by Mr Kruger that she had offered
12:03:23 11 information.
12:03:24 12
12:03:25 13 And when was that?---Some time after she had offered
12:03:30 14 information. I cannot give you a specific on that, it's
12:03:33 15 just something that stuck in my mind.
12:03:35 16
12:03:40 17 When you were aware that - let's just operate on the
12:03:45 18 assumption around December of 97 you understood that there
12:03:49 19 were attempts being made to have evidence or get evidence
12:03:53 20 if you like or investigate the employer?---As I said my
12:04:00 21 only recollection was in 90, some time in 98 when it was
12:04:03 22 mentioned by Bowden. That document tells me different but
12:04:08 23 I have no recollection of it.
12:04:10 24
12:04:10 25 Let's just assume that that document came to your attention
12:04:13 26 in 97. Do you accept that?---I can accept my name's on the
12:04:21 27 fax sheet.
12:04:21 28
12:04:22 29 And at that stage - - - ?---I can't take it any further
12:04:24 30 than that.
12:04:24 31
12:04:24 32 No, I understand that. You're in charge of the
12:04:27 33 operation?---Yes - well, I was.
12:04:30 34
12:04:32 35 Certainly insofar as Mr Reid is concerned, you're not
12:04:37 36 interested in any information that he might be able to give
12:04:40 37 save for information about the employer, the
12:04:45 38 solicitor?---No. No, I agree.
12:04:49 39
12:04:55 40 COMMISSIONER: Mr Winneke, having now seen this document I
12:04:57 41 can't see any reason why that couldn't be, why it needs to
12:05:01 42 be in a sealed envelope, why it can't be put on the
12:05:04 43 website. Is there any reason?
12:05:05 44
12:05:06 45 MR WINNEKE: I don't see any reason, Commissioner. I
12:05:08 46 haven't tendered it yet but I do so. It's been prepared in
12:05:13 47 such a way that the name of the solicitor - - -

.30/04/19

1097

STRAWHORN XXN - IN CAMERA

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

12:05:18 1
12:05:18 2 COMMISSIONER: I don't think the names of [REDACTED] are
12:05:22 3 in there, are they?
12:05:23 4
12:05:24 5 MR WINNEKE: No, I don't believe so.
12:05:25 6
12:05:26 7 COMMISSIONER: You're content with that, Mr Holt?
12:05:28 8
12:05:29 9 MR HOLT: We don't see any issues at all on the face of the
12:05:30 10 document.
12:05:30 11
12:05:30 12 COMMISSIONER: I might be confused but this is Exhibit 82,
12:05:33 13 is that right? You haven't tendered it yet?
12:05:39 14
12:05:39 15 MR WINNEKE: No, I tender it.
12:05:40 16
12:05:40 17 COMMISSIONER: There was another document that you were
12:05:43 18 questioning him about earlier. Is that this document or a
12:05:47 19 different document? The transfer document - - -
12:05:47 20
12:05:48 21 MR WINNEKE: That was a different document, Commissioner.
12:05:49 22
12:05:49 23 COMMISSIONER: Is that the one we tendered?
12:05:51 24
12:05:52 25 MR WINNEKE: The other one has been tendered. I'm not
12:05:54 26 tendering this document.
12:05:54 27
12:05:54 28 COMMISSIONER: I don't think my associate has that
12:05:57 29 document. It might still be with the witness.
12:05:59 30
12:06:00 31 MR WINNEKE: I apologise.
12:06:01 32
12:06:01 33 COMMISSIONER: That's the document that's 82 and that's a
12:06:05 34 document that does need to be placed in a sealed envelope.
12:06:08 35
12:06:09 36 MR HOLT: That's the position, Commissioner. I'm sure it
12:06:12 37 can be redacted appropriately, but for present purposes -
12:06:15 38 - -
12:06:15 39
12:06:16 40 COMMISSIONER: Can we get the document that's Exhibit 82,
12:06:18 41 please, I haven't seen it?
12:06:20 42
12:06:20 43
12:06:22 44 #EXHIBIT RC83 - Fax of December 97 to the witness.
12:06:28 45 Strawhorn.
12:06:54 46
12:06:55 47 COMMISSIONER: Just while Mr Winneke is busy for a minute,

.30/04/19

1098

STRAWHORN XXN - IN CAMERA

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

12:06:58 1 can I ask you about this document that has just been
12:07:01 2 tendered as 82. You said you found this document amongst
12:07:04 3 your files when you yourself were prosecuted?---Correct.
12:07:07 4
12:07:07 5 They were given to you by the DPP?---Correct.
12:07:10 6
12:07:10 7 And you don't know the relevance of it or why it was given
12:07:13 8 to you?---No, I don't.
12:07:15 9
12:07:15 10 Thank you. Yes.
12:07:19 11
12:07:23 12 MR WINNEKE: Can you think of any reason why those
12:07:25 13 documents, that is that acknowledgement of transfer or the
12:07:29 14 land transaction document would have been in your materials
12:07:32 15 insofar as your prosecution was concerned?---No.
12:07:34 16
12:07:35 17 And likewise the Carron summary?---No.
12:07:38 18
12:07:39 19 Do you say they were part of the brief against you or were
12:07:43 20 not?---No, they weren't.
12:07:44 21
12:07:44 22 Sorry?---No, they weren't.
12:07:45 23
12:07:45 24 They weren't?---No.
12:07:46 25
12:07:48 26 So if that's the case do you know how they come to be in
12:07:51 27 your possession?---No, I don't. I assumed that because
12:07:55 28 they were in that folder, one of the folders from the legal
12:07:58 29 team, that it was part of subpoenaed material. Bear in
12:08:04 30 mind there was a large, large amount of subpoenaed
12:08:06 31 material.
12:08:07 32
12:08:07 33 I follow. I follow that. All you can say is there
12:08:10 34 appeared to be documents that were in your
12:08:12 35 possession?---Correct.
12:08:13 36
12:08:13 37 Which concerned Nicola Gobbo and you produced those
12:08:16 38 documents to the police?---Did it concern Nicola Gobbo?
12:08:25 39 No, it was for my refreshment of the time frame.
12:08:29 40
12:08:30 41 Can you cast your mind back and explain how you came into
12:08:35 42 possession of that transferred document or that
12:08:38 43 document?---Yes, I can.
12:08:39 44
12:08:40 45 Between [REDACTED] Yes. How did you come into
12:08:43 46 possession of it?---It was provided to me by [REDACTED]
12:08:46 47

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

12:08:47 1 In what circumstances?---I believe it was a request from
12:08:49 2 the Assets Recovery to see if that document existed.
12:08:53 3
12:08:53 4 Was that prior to you going to the Asset Recovery - -
12:09:00 5 -?---I believe that was after Assets took over the
12:09:04 6 investigation.
12:09:04 7
12:09:05 8 How did the document, how did you come to ask [REDACTED]
12:09:08 9 about that?---Because I was asked by Assets to inquire with
12:09:11 10 [REDACTED].
12:09:12 11
12:09:12 12 Who asked you?---The investigating members from Assets
12:09:16 13 Recovery, I can't tell you which one.
12:09:19 14
12:09:26 15 You obviously had a discussion with [REDACTED] about
12:09:30 16 it?---Yes.
12:09:31 17
12:09:31 18 And what was the nature of that discussion?---Did he have
12:09:35 19 that document.
12:09:35 20
12:09:36 21 About the document, did you talk to him about the
12:09:38 22 document?---I can't take it any further than what I've
12:09:41 23 said.
12:09:41 24
12:09:42 25 Did you ever have any discussions with Ms Gobbo about
12:09:46 26 whether or not that was a regular transaction, that is
12:09:52 27 between [REDACTED]---No, I don't believe I have.
12:10:00 28
12:10:06 29 Now, in relation to [REDACTED]?---Yes.
12:10:09 30
12:10:12 31 You charged him I take it with trafficking in amphetamines
12:10:20 32 between June of [REDACTED] - sorry, in June of [REDACTED], is that
12:10:27 33 correct?---I think the charge related to that time frame
12:10:31 34 but I believe he was charged mid-[REDACTED]
12:10:33 35
12:10:34 36 And possession of cannabis [REDACTED]---Yes, he had some cannabis
12:10:38 37 [REDACTED] at home.
12:10:41 38
12:10:41 39 And he received a wholly suspended sentence, [REDACTED] year
12:10:46 40 wholly suspended sentence in about December of [REDACTED] is that
12:10:49 41 right?---Probably, I can't - - -
12:10:51 42
12:10:51 43 You would have I assume been present at court?---Most
12:10:55 44 likely.
12:10:55 45
12:10:55 46 And probably provided him with some sort of [REDACTED]
12:10:58 47 [REDACTED] or at least the court?---Either that or gave

.30/04/19

1100

STRAWHORN XXN - IN CAMERA

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

12:11:01 1 evidence.
12:11:01 2
12:11:25 3 Either that or gave evidence. I just want to ask you about
12:11:27 4 a meeting that you had on 11 May 1998. I wonder if you
12:11:35 5 could - in fact just hang on. Could we put up this
12:11:58 6 document, VPL.0004.0059.0025. 0005.0059.0001 to start
12:12:31 7 with. You haven't got it? No. Try this,
12:13:21 8 VPL.0005.0059.0025. I'm sorry, 0001.
12:13:27 9
12:13:27 10 COMMISSIONER: Can you give the number again, Mr Winneke,
12:13:30 11 please? Just start from the beginning please.
12:13:30 12
12:13:31 13 MR WINNEKE: VPL.0005.0059.0001. That's a meeting you had
12:14:09 14 on 11 May 1998. You've got that in your statement?---I
12:14:17 15 have, 11/0.
12:14:19 16
12:14:19 17 It's clear enough that in May of 98?---Correct.
12:14:21 18
12:14:22 19 You're still involved, you're going to have meetings with
12:14:25 20 the OPP, right?---Correct.
12:14:27 21
12:14:27 22 With the prosecutor, is that right?---Correct.
12:14:29 23
12:14:30 24 Mr Andrew Jackson I think, is that right?---Yes.
12:14:32 25
12:14:33 26 Pellisier, Ms Gobbo is there?---Correct.
12:14:36 27
12:14:36 28 And that's a meeting concerning Jackson?---Correct.
12:14:38 29
12:14:39 30 So whatever the situation might be in terms of your
12:14:42 31 position within the Drug Squad you're certainly involved at
12:14:45 32 that stage in discussions about what's going on with
12:14:48 33 Mr Jackson, right?---Correct.
12:14:53 34
12:15:00 35 And if we go to I think p.25 of that one. I'm sorry, we're
12:15:27 36 having technical difficulties. Have you got your diaries
12:15:31 37 in front of you there?---No. I do have the relevant dates
12:15:42 38 in my statement that summarises them.
12:15:45 39
12:15:45 40 I follow that. All right. Now, that's a meeting you have
12:15:53 41 concerning Jackson. Now at that stage I take it you're
12:16:00 42 aware who Gobbo is acting for, you're aware that she's
12:16:07 43 acting for Arnautovic I take it?---Unsure about that one.
12:16:12 44
12:16:12 45 You're aware the firm is acting for Reid?---Yes.
12:16:16 46
12:16:16 47 And acting for [REDACTED]?---Correct.

.30/04/19

1101

STRAWHORN XXN - IN CAMERA

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

12:16:18 1
12:16:25 2 Subsequently you're still involved at the committal
12:16:30 3 stage?---Yes.
12:16:30 4
12:16:33 5 It's after the committal stage that you speak to [REDACTED]
12:16:39 6 [REDACTED] correct?---Yes.
12:16:41 7
12:16:42 8 And - - - ?---It was at the committal.
12:16:47 9
12:16:49 10 Yes. 14 September your diary reveals that you attend court
12:16:56 11 with Kruger regarding the operation, right? You attend
12:17:01 12 upon the OPP, right? And you subsequently attend on 16
12:17:10 13 September, correct?---Yes. 16th of when, sorry?
12:17:17 14
12:17:18 15 16 September?---Sorry, I was looking at the wrong date. I
12:17:20 16 don't have that date with me.
12:17:22 17
12:17:22 18 Perhaps if you can just have a look at this hard copy
12:17:25 19 document?---Thank you. 16 September, yes.
12:17:40 20
12:17:40 21 So 14, 16, 17 September, 18 September, you're attending and
12:17:47 22 you're involved in the prosecution of Operation Carron, is
12:17:51 23 that right?---It would appear to be the case.
12:17:53 24
12:17:54 25 And then you're aware that there was a deal made with
12:18:00 26 respect to [REDACTED], pleaded guilty before Judge Jones.
12:18:07 27 Aware of that?---No.
12:18:09 28
12:18:09 29 No. You would have been at the time I assume?---It's
12:18:12 30 possible.
12:18:13 31
12:18:13 32 Well it's not possible, it's likely, isn't it?---No, it's
12:18:17 33 possible.
12:18:17 34
12:18:18 35 Then on 13 October your diaries indicate that you meet
12:18:25 36 solicitor Gobbo and a potential informer?---Yes.
12:18:29 37
12:18:29 38 And that turns out to be [REDACTED]---Correct.
12:18:32 39
12:18:33 40 And there's, it's an assessment process for the purposes of
12:18:39 41 determining whether or not the information might be of any
12:18:42 42 use?---Correct.
12:18:43 43
12:18:49 44 At that stage were you aware that [REDACTED] were also
12:18:58 45 interested in your potential informer, [REDACTED]
12:19:09 46 were you aware of that?---No. Let me just clarify that.
12:19:16 47 [REDACTED] had a very strong history in drug

.30/04/19

1102

STRAWHORN XXN - IN CAMERA

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

12:19:20 1 trafficking and I believe most investigative agencies in
12:19:25 2 the State were aware of him.
12:19:26 3
12:19:26 4 It wouldn't surprise you - - - ?---None whatsoever.
12:19:30 5
12:19:30 6 - - - if [REDACTED] was interested. Did you know a person by
12:19:36 7 the name of [REDACTED] at [REDACTED], [REDACTED]?---The name is not
12:19:38 8 familiar.
12:19:39 9
12:19:39 10 What about [REDACTED], would you have been aware of - -
12:19:45 11 - ?---I know the name.
12:19:47 12
12:19:47 13 You do?---I can't put a face to him but I know the name.
12:19:51 14
12:19:51 15 All right. Subsequent to that meeting you did register
12:19:55 16 [REDACTED]---I would assume so.
12:19:59 17
12:20:12 18 Were you aware or when did you become aware that Ms Gobbo
12:20:16 19 was no longer working for Solicitor 1?---I'm unsure of
12:20:20 20 that. I'm unsure.
12:20:21 21
12:20:21 22 I take it you became aware that - - - ?---At some point I
12:20:25 23 became aware of that but I can't really say when.
12:20:28 24
12:20:30 25 Can I ask you about [REDACTED], [REDACTED]?---Yes.
12:20:34 26
12:20:35 27 Is he a person who you had some contact with over the
12:20:38 28 years?---Yes.
12:20:38 29
12:20:39 30 And in what way?---He represented a number of people who
12:20:45 31 became registered informers.
12:20:48 32
12:20:50 33 Was there a reason for that as far as you were
12:20:53 34 concerned?---Mainly to look after their interests and
12:20:57 35 ensuring that they got the best probably deal from Victoria
12:21:00 36 Police that they could get.
12:21:02 37
12:21:02 38 If there was some suggestion of a person perhaps rolling
12:21:05 39 and becoming either an informer or giving evidence, then
12:21:08 40 you might be inclined to send that person off to
12:21:12 41 [REDACTED]?---Certainly, um, I remember he approached me
12:21:18 42 initially through one particular case which I think
12:21:24 43 resulted in him looking after the interests of [REDACTED]
12:21:26 44 from Operation Phalanx. Now that was a rather drawn out
12:21:30 45 and long affair with [REDACTED] and he certainly needed
12:21:34 46 legal representation and he provided that. I believe he
12:21:42 47 also provided legal representation for a couple of others

.30/04/19

1103

STRAWHORN XXN - IN CAMERA

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

12:21:45 1 but I'm - - -
12:21:45 2
12:21:46 3 [REDACTED] in relation to Phalanx, [REDACTED]?---Correct.
12:21:52 4
12:21:53 5 COMMISSIONER: Did you say he acted for Ms Gobbo?---No, no.
12:22:00 6
12:22:01 7 I'm having some trouble hearing you?---I apologise for
12:22:05 8 that. No, he didn't, not that I'm aware of.
12:22:09 9
12:22:09 10 No, I just misheard you?---I'll speak more clearer, or I'll
12:22:15 11 attempt to.
12 12
13 Thank you.
14
12:22:18 15 MR WINNEKE: Just on that, on the question of, for example,
12:22:24 16 [REDACTED] in relation to Phalanx?---Yes.
12:22:27 17
12:22:28 18 You I take it spoke to that person [REDACTED]
12:22:31 19 [REDACTED] at some stage during the course of the
12:22:34 20 investigator after he was charged, is that right?---Who are
12:22:36 21 we talking about, Phalanx?
12:22:38 22
12:22:38 23 [REDACTED] that you mentioned in relation to
12:22:41 24 Phalanx?---No, he hadn't been charged with anything.
12:22:43 25
12:22:43 26 Right. And he'd been - all right. You mentioned though
12:22:50 27 that he had been represented by [REDACTED]?---He became
12:22:53 28 represented with [REDACTED] at the conclusion of our
12:22:56 29 investigations or prior to the conclusion of our
12:22:59 30 investigations.
12:23:00 31
12:23:02 32 One assumes he had been, ultimately was charged, is that
12:23:05 33 right?---No, you're wrong, sir.
12:23:06 34
12:23:06 35 It was for legal advice?---Correct.
12:23:10 36
12:23:11 37 [REDACTED], did you provide him or suggest that he get some
12:23:16 38 legal assistance from any particular person?---Not that I'm
12:23:20 39 aware of.
12:23:21 40
12:23:25 41 Do you know how it came to be, for example, in that letter
12:23:28 42 that we saw before in December of 1997 that the first
12:23:32 43 solicitor, Solicitor 1, was referring [REDACTED] to [REDACTED]
12:23:36 44 [REDACTED]?---No.
12:23:37 45
12:23:38 46 Would that surprise you that he did that given that it was
12:23:42 47 a person who you had used, or at least you had suggested

.30/04/19

1104

STRAWHORN XXN - IN CAMERA

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

12:23:46 1 people to see?---Not at all.
12:23:48 2
12:24:07 3 In your diary of 23 November 1998 there's a record "12.30
12:24:13 4 clear to conference South Melbourne, barrister [REDACTED], OPP
12:24:17 5 Parker and member"?---What date was that, sir?
12:24:20 6
12:24:21 7 23 November 1998, have you got that there?---I have.
12:24:32 8
12:24:32 9 Do you know what that relates to?---No. What year is that?
12:24:36 10
12:24:36 11 1998?---No.
12:24:40 12
12:24:44 13 Have a look at .0032?---I believe that could have been
12:24:52 14 Phalanx.
12:24:53 15
12:24:53 16 In relation to Phalanx?---I believe so.
12:24:55 17
12:25:11 18 We've got that in front of you on the screen there, do you
12:25:14 19 see that?---Yes. Because if you go back to the 19th of the
12:25:18 20 11th, I've actually rang [REDACTED] while he was in
12:25:23 21 another - re the court case for Phalanx coming up.
12:25:26 22
12:25:27 23 I'm sorry, can you repeat that?---Yes. If you look at the
12:25:28 24 [REDACTED] of the [REDACTED] it records that I actually rang [REDACTED]
12:25:32 25 [REDACTED] re the Phalanx case. That's on the [REDACTED], there
12:25:42 26 was activity at court re one of the persons charged with
12:25:45 27 Phalanx. So I'm confident that all that related to
12:25:50 28 Phalanx.
12:25:51 29
12:26:13 30 If we can move on then to December of 1998?---Yes.
12:26:24 31
12:26:27 32 Can you see your entry there, it records that in the
12:26:30 33 morning you went to Tullamarine, you collected - -
12:26:34 34 -?---Correct.
12:26:34 35
12:26:35 36 - - - [REDACTED]
12:26:36 37
12:26:37 38 COMMISSIONER: We've got the - - - ?---Sorry, which date
12:26:40 39 was that?
12:26:41 40
12:26:41 41 We've got it up on the screen now.
12:26:44 42
12:26:44 43 MR WINNEKE: 33?---The 16th, yes.
12:26:47 44
12:26:49 45 If we go to .33, 07.45 in the morning, have we got that
12:26:57 46 there, down the bottom, "To Tulla"?---That's the 3rd of
12:27:08 47 December, is it?

.30/04/19

1105

STRAWHORN XXN - IN CAMERA

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

12:27:10 1
12:27:10 2 I think you'll find it's 3 December. What it appears to
12:27:14 3 say is at 7.45 you go to Tullamarine, you collect Detective
12:27:20 4 [REDACTED] of New South Wales, is that right?---Yes.
12:27:23 5
12:27:29 6 And you're with - if we go over the page and you're with
12:27:41 7 Chris Nottman, is that right?---Yes, Detective Inspector at
12:27:45 8 the time.
12:27:45 9
12:27:46 10 And you and Mr Nottman obviously have a discussion with
12:27:53 11 [REDACTED] and [REDACTED], is that right?---That's correct.
12:27:58 12
12:27:58 13 That is [REDACTED]---That is correct.
12:28:00 14
12:28:03 15 This is subsequent to you having discussed with Ms Gobbo
12:28:09 16 the prospect of [REDACTED] in fact providing
12:28:15 17 information?---No.
12:28:18 18
12:28:18 19 It's prior to that, is it?---Sorry, it's after it. It's
12:28:23 20 after.
12:28:24 21
12:28:24 22 Did Ms Gobbo say to you that she wanted to be involved in
12:28:28 23 any discussion that you had with [REDACTED]?---[REDACTED]
12:28:32 24 [REDACTED] wanted Ms Gobbo to be involved in every
12:28:36 25 discussion.
12:28:37 26
12:28:37 27 Is that right? Right?---He was adamant about having his
12:28:42 28 rights protected. He had an extremely deep mistrust and
12:28:46 29 hatred for the police and as far as he was concerned she
12:28:51 30 had to be present with everything.
12:28:53 31
12:28:54 32 Had to be?---Had to be present at every decision made. I
12:28:56 33 made that very clear at the initial meeting that was not
12:29:00 34 going to happen.
12:29:00 35
12:29:00 36 That wouldn't happen?---Correct.
12:29:02 37
12:29:02 38 Were you content for her to be present on occasions or
12:29:05 39 not?---I believe the only occasion was the first meeting on
12:29:09 40 the 13th of the 10th.
12:29:11 41
12:29:12 42 And what about subsequent to that?---May have been but
12:29:17 43 unless it's documented there I can't go any further with
12:29:20 44 it.
12:29:20 45
12:29:20 46 Do you recall going with her to Sydney?---Sorry?
12:29:24 47

.30/04/19

1106

STRAWHORN XXN - IN CAMERA

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

12:29:25 1 Do you recall going with her to Sydney?---Yes, well that
12:29:28 2 meeting that you're talking about now.
12:29:29 3
12:29:30 4 On 3 December?---That's where the Superintendent from
12:29:32 5 Sydney came down to actually have a meeting with [REDACTED]
12:29:37 6 [REDACTED] to determine whether it was worthwhile taking him
12:29:40 7 up to Sydney to have a discussion before the Crime
12:29:44 8 Commission.
12:29:44 9
12:29:44 10 Right, okay. And the purpose of going to Sydney was for
12:29:48 11 him to have a discussion before the Crime
12:29:51 12 Commission?---Correct, to provide any information/evidence
12:29:54 13 that he could.
12:29:55 14
12:29:55 15 I take it then that on 16 December you meet Gobbo, you meet
12:30:04 16 [REDACTED], you go to Sydney?---At Tullamarine, go to
12:30:08 17 Sydney, get picked up at Sydney, taken to the Crime
12:30:12 18 Commission and basically come back.
12:30:14 19
12:30:14 20 Is it your understanding that she would be present during
12:30:18 21 the course of [REDACTED] investigation before the - -
12:30:22 22 -?---Certainly she was there to provide his legal advice.
12:30:26 23
12:30:29 24 In point of fact you met with Ms Gobbo I think on 7
12:30:36 25 December before - - - ?---That's correct.
12:30:38 26
12:30:41 27 And do you recall what that was about, that meeting?---No,
12:30:43 28 look I certainly don't recall that meeting but common
12:30:46 29 assumption is that it was to discuss the trip to Sydney and
12:30:50 30 arrangements. That would be a reasonable assumption.
12:30:55 31
12:31:02 32 Do you have any recollection of that flight to and from
12:31:07 33 Sydney and discussions that you had with Ms Gobbo?---No,
12:31:11 34 no.
12:31:11 35
12:31:13 36 Was it your understanding that she was merely representing
12:31:19 37 - - - ?---Correct.
12:31:19 38
12:31:20 39 - - - [REDACTED]---Correct.
12:31:21 40
12:31:22 41 Did you get the impression that she wanted to provide you
12:31:25 42 with any information that might be able to assist you and
12:31:28 43 also improve the position of [REDACTED]---No.
12:31:31 44
12:31:32 45 No. All right. Is that the first time that you'd had any
12:31:38 46 sort of extended contact with Ms Gobbo, that is the trip to
12:31:42 47 Sydney and return?---Yes, certainly an hour on the plane

.30/04/19

1107

STRAWHORN XXN - IN CAMERA

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

12:31:46 1 there and back.
12:31:48 2
12:32:00 3 Were you aware that Ms Gobbo continued to have contact with
12:32:09 4 Mr [REDACTED] ---No.
12:32:11 5
12:32:12 6 Insofar as [REDACTED] is concerned, you were the handler,
12:32:19 7 is that right?---I think that's probably a reasonable
12:32:22 8 expectation that she would have.
12:32:24 9
12:32:24 10 Why is that?---If he was providing assistance to the Crime
12:32:29 11 Commission in Sydney, that was nothing that I had anything
12:32:32 12 to do with. So she'd still be representing his interests
12:32:39 13 there.
12:32:40 14
12:32:41 15 Can I just ask you about a - just excuse me. Can I ask you
12:32:53 16 about this: there's a note in Ms Gobbo's diaries, and I'll
12:32:59 17 ask you to accept this, that [REDACTED] re [REDACTED]
12:33:05 18 [REDACTED], sample, et cetera, to be done in Sydney next
12:33:12 19 week. Must be done fairly urgently because operation
12:33:16 20 coming to a close". Are you able to translate what that
12:33:20 21 might mean?---I have no knowledge of any investigation that
12:33:23 22 took place in Sydney.
12:33:24 23
12:33:24 24 Okay?---Nor was I entitled to know under the secrecy of the
12:33:28 25 Crime Commission.
12:33:29 26
12:33:30 27 Then it says this, "Re block of land. Wayne says he has
12:33:35 28 documentation to prove the land is tainted". Are you able
12:33:41 29 to shed any light on that?---No, but I'm assuming that's
12:33:44 30 the document we're talking about.
12:33:46 31
12:33:46 32 Yes?---What date was that, sir?
12:33:49 33
12:33:50 34 That's on 2 February 1999?---I can't comment any further on
12:33:56 35 that.
12:33:56 36
12:33:58 37 Pardon?---I can't take that matter any further.
12:34:00 38
12:34:01 39 One assumes that was a discussion you had with her about
12:34:05 40 that document I assume?---One can assume. But whether
12:34:11 41 that's a tainted sale I've got no idea.
12:34:14 42
12:34:15 43 Did you have a discussion with Wayne, sorry, with her about
12:34:21 44 - just excuse me. What she's also got is this: in her
12:34:38 45 handwriting there's a note to this effect, that she would
12:34:45 46 "speak to Wayne S, will explain something about the loss of
12:34:52 47 [REDACTED] business, will take statement off him" - there's

.30/04/19

1108

STRAWHORN XXN - IN CAMERA

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

12:35:09 1 a note to this effect that [REDACTED] New South Wales
12:35:13 2 Crime Commission, [REDACTED] Chief
12:35:18 3 Inspector of the Drug Squad at the time.
12:35:20 4
12:35:20 5 And a note to this effect, "Want [REDACTED], 'Fuckin' die
12:35:27 6 in purgatory'". Do you know of anything along those
12:35:31 7 lines?---Doesn't sound good.
12:35:33 8
12:35:33 9 No. "One, explanation of land application, he will speak
12:35:37 10 to Wayne." So do you recall speaking to [REDACTED]
12:35:42 11 about a land application?---No, I do not.
12:35:44 12
12:35:46 13 So no recollection of that?---No.
12:35:48 14
12:35:59 15 Chris Nottman was your senior officer at the Drug Squad, is
12:36:03 16 that right?---Correct.
12:36:04 17
12:36:05 18 Do you know whether he had any dealings with [REDACTED],
12:36:09 19 [REDACTED] --I don't know.
12:36:11 20
12:36:12 21 Do you know whether he had any dealings with Ms Gobbo?---I
12:36:15 22 don't know.
12:36:15 23
12:36:15 24 Are you able to assist the Commission with respect to any
12:36:19 25 other police officers at the Drug Squad in the time that
12:36:21 26 you were there who had informal dealings with
12:36:27 27 Ms Gobbo?---No.
12:36:27 28
12:36:27 29 None at all?---None at all.
12:36:29 30
12:36:37 31 Did you continue to have dealings with [REDACTED] and
12:36:42 32 Ms Gobbo throughout 1999?---1999, yes.
12:36:49 33
12:36:54 34 Were you aware that Ms Gobbo had met [REDACTED] subsequently
12:37:09 35 in February of 99 in Sydney?---No.
12:37:13 36
12:37:20 37 Can I ask you this: were you aware that members of
12:37:27 38 Victoria Police had a listening device transcript material
12:37:33 39 of Ms Gobbo reporting matters to her employer?---No.
12:37:39 40
12:37:39 41 Were you aware that [REDACTED] had telephone intercepts of her
12:37:47 42 telephone?---No. Excuse me, sir, what time frame is this?
12:37:57 43
12:37:57 44 This is in February of 1999?---No.
12:38:00 45
12:38:02 46 Were you ever aware that police or other investigators,
12:38:05 47 [REDACTED] had LD material of Ms Gobbo speaking to any

.30/04/19

1109

STRAWHORN XXN - IN CAMERA

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

12:38:10 1 people?---No.
12:38:10 2
12:38:11 3 None at all?---None at all.
12:38:12 4
12:38:12 5 No knowledge, all right. You met Ms Gobbo in March of 1999
12:38:27 6 regarding - - - ?---Yes.
12:38:29 7
12:38:29 8 - - - [REDACTED]?---Yes.
12:38:30 9
12:38:31 10 Did you meet Ms Gobbo at a place called the Lion's
12:38:38 11 Domain?---I don't even know where that is. It doesn't
12:38:42 12 sound familiar to me.
12:38:43 13
12:38:43 14 Where do you recall meeting Ms Gobbo in March of 99?---I
12:38:48 15 have no idea.
12:38:48 16
12:38:48 17 As a general proposition if you met Ms Gobbo where would it
12:38:54 18 be?---Generally at a café, probably in South Melbourne. I
12:38:58 19 have a recollection - - -
12:38:59 20
12:38:59 21 Any particular café?---I have a recollection of one meeting
12:39:02 22 only in South Melbourne in a café opposite the supermarket
12:39:06 23 there, I don't even know the name of the café.
12:39:10 24
12:39:10 25 The Blue Train café?---No. Could have been. Could have
12:39:15 26 been, I don't know.
12:39:15 27
12:39:16 28 You don't have a recollection of that?---No.
12:39:19 29
12:39:19 30 What about the Paper Shop Deli in Clarendon Street?---That
12:39:24 31 sounds familiar. It's probable.
12:39:27 32
12:39:28 33 And do you recall what the purpose of that meeting
12:39:30 34 was?---No. What date was that one, sir?
12:39:37 35
12:39:37 36 I'll come to that. Just excuse me.
12:39:40 37
12:39:40 38 COMMISSIONER: Was that March 99?
12:39:43 39
12:39:43 40 MR WINNEKE: No. You say that - what I'm suggesting to you
12:39:47 41 is there was a meeting at a place called the Lion's Domain
12:39:52 42 in March of 99?---I don't even - - -
12:39:54 43
12:39:55 44 That's separate to a café, would that indicate that you'd
12:39:58 45 met her perhaps on another occasion at a café?---There's
12:40:02 46 two meetings mentioned there - oh no, it's only the one.
12:40:04 47 One mentioned in March of 99, I don't know where that was.

.30/04/19

1110

STRAWHORN XXN - IN CAMERA

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

12:40:08 1
12:40:08 2 Do you know what the meeting was about?---The diary records
12:40:13 3 it's in relation to [REDACTED]
12:40:17 4
12:40:17 5 COMMISSIONER: Sorry, I didn't catch that answer?---Sorry,
12:40:20 6 the diary states it was in relation to [REDACTED]
12:40:23 7
12:40:23 8 [REDACTED]--I can't take it any further than that.
12:40:26 9
12:40:27 10 MR WINNEKE: All right.
12:40:40 11
12:40:41 12 WITNESS: Could you possibly tell me where the Lion's Den
12:40:44 13 is, it might refresh a memory?
12:40:46 14
12:40:46 15 MR WINNEKE: I don't know?---That doesn't help me, sir.
12:40:50 16
12:40:50 17 All right, we'll see if we can find out. Do you have a
12:40:57 18 recollection of meeting - I take it you know Jeff Pope, is
12:41:05 19 that right?---Look I know the name. I had met him in the
12:41:11 20 past.
12:41:11 21
12:41:11 22 A police officer by the name of Jeff Pope?---I've heard of
12:41:15 23 him.
12:41:15 24
12:41:16 25 Who became a senior member of the Police
12:41:19 26 Force?---Apparently he is now, he wasn't when I left.
12:41:21 27
12:41:21 28 Do you recall having a meeting with him and Kruger and a
12:41:26 29 person by the name of Segrave at the Emerald Hotel?---No, I
12:41:30 30 don't recall that and I was quite adamant it didn't occur
12:41:34 31 but it's in my diary so clearly it must have.
12:41:37 32
12:41:39 33 The Emerald Hotel is a pub near the St Kilda Road police
12:41:44 34 station?---I think it's somewhere in South Melbourne. I
12:41:47 35 couldn't even tell you the street it's in.
12:41:49 36
12:41:49 37 Do you recall how it came about that Ms Gobbo was
12:41:55 38 introduced to the Asset Recovery Squad?---I can only make
12:41:58 39 assumptions but I have no recollection.
12:42:01 40
12:42:01 41 Doing the best you can, what do you think?---My assumption
12:42:05 42 is this, that when I came in and took over of management of
12:42:12 43 the operations for unit 2, that seems to be when movement
12:42:23 44 was made in relation to talking to assets about taking over
12:42:28 45 an investigation or running an investigation into the
12:42:33 46 information provided previously by Ms Gobbo.
47

.30/04/19

1111

STRAWHORN XXN - IN CAMERA

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

12:42:36 1 Yes?---Because I'm pretty confident a couple of weeks
12:42:39 2 before that meeting my diary shows that I met with Assets
12:42:42 3 with Mr Kruger at the office. Fair assumption it would
12:42:47 4 have been to discuss that, whether they were interested in
12:42:50 5 conducting that investigation, which leads to the hand over
12:42:56 6 in May.
12:42:57 7
12:42:57 8 I take it you understood that the purpose of it was to
12:43:00 9 provide information in relation to the movement to Assets
12:43:04 10 and in particular in relation to her
12:43:09 11 employer?---Reasonable, reasonable assessment.
12:43:11 12
12:43:12 13 It was your understanding that she would be an informer,
12:43:18 14 that is Ms Gobbo?---Correct. If they undertook an
12:43:22 15 investigation.
12:43:23 16
12:43:23 17 As far as you were concerned as at May of 1999 the
12:43:28 18 proposition was coming from the Drug Squad?---Correct.
12:43:33 19
12:43:33 20 That this lawyer might well be an informer and provide
12:43:37 21 useful information?---To an investigative area, yes.
12:43:41 22
12:43:42 23 And one concerning her employer?---Correct.
12:43:47 24
12:43:47 25 Right. And two, concerning her client or her former
12:43:52 26 client, Mr Reid?---No, not at all.
12:43:55 27
12:43:55 28 No. When you say not at all, you didn't understand that
12:44:02 29 was the case?---My understanding is it related to Solicitor
12:44:06 30 1.
12:44:06 31
12:44:06 32 Solicitor 1, right. Did you have any idea that he had been
12:44:10 33 involved in activities that concerned people who he had
12:44:16 34 acted for?---Who are we talking about, Solicitor 1 or - - -
12:44:20 35
12:44:20 36 Yes, Solicitor 1?---I didn't know a lot about what that
12:44:26 37 information was.
12:44:26 38
12:44:26 39 You had in your possession when investigators spoke to you
12:44:31 40 that land document, right?---I believe I received that
12:44:35 41 after.
12:44:36 42
12:44:36 43 In any event, we've taken you to a discussion where, about
12:44:41 44 the possibility that there was a tainted property or
12:44:43 45 tainted transaction, right?---Yes.
12:44:45 46
12:44:45 47 You understood that that concerned [REDACTED] and [REDACTED]

.30/04/19

1112

STRAWHORN XXN - IN CAMERA

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

12:44:51 1 [REDACTED] correct.
12:44:53 2
12:44:53 3 But did you also understand that it potentially involved
12:44:57 4 [REDACTED]?---No.
12:44:59 5
12:45:03 6 What was your understanding about the information that
12:45:07 7 Ms Gobbo would provide investigators which would be of use
12:45:10 8 to them?---I didn't have a deep understanding of what it
12:45:14 9 was.
12:45:15 10
12:45:15 11 You must have had some idea?---I had some idea.
12:45:18 12
12:45:18 13 You introduced her to investigators?---Correct. It
12:45:28 14 involved fraud matters, simple as that.
12:45:29 15
12:45:30 16 That was on 20 May. I withdraw that, 12 May?---Yes.
12:45:35 17
12:45:35 18 Of 1999?---Yes.
12:45:37 19
12:45:39 20 And you say you can't recall the meeting?---No.
12:45:41 21
12:45:45 22 Did you find out subsequently that she had been
12:45:50 23 registered?---It's possible but I have no recollection of
12:45:54 24 it.
12:45:54 25
12:45:59 26 Can I ask you to have a look at this document,
12:46:06 27 VPL.0005.0007.0189.
12:46:45 28
12:46:45 29 COMMISSIONER: Just while we're waiting for that, in terms
12:46:48 30 of Exhibit 82, which is the transfer document, as I think
12:46:55 31 you foreshadowed, Mr Holt, we should be able to get that
12:47:03 32 into a redacted form with Solicitor 1 and [REDACTED] and
12:47:06 33 [REDACTED]
12:47:07 34
12:47:09 35 MR HOLT: We would expect so.
12:47:11 36
12:47:11 37 COMMISSIONER: With all the identifying bits and pieces of
12:47:12 38 where the property is and so forth taken out.
12:47:15 39
12:47:16 40 MR HOLT: We'll attend to that, Commissioner, and liaise
12:47:20 41 with counsel assisting.
12:47:21 42
12:47:21 43 COMMISSIONER: If you'd look after that over the lunch
12:47:27 44 break, thank you.
12:47:28 45
12:47:28 46 MR HOLT: We will, Commissioner.
12:47:35 47

.30/04/19

1113

STRAWHORN XXN - IN CAMERA

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

12:47:41 1 MR WINNEKE: This is an investigation log which was
12:47:44 2 prepared by Mr Pope, but what he says on 20 May 99 is that
12:47:49 3 he spoke to Wayne Strawhorn - perhaps - no, don't put that
12:47:55 4 up. Can you have a look at that, Mr Strawhorn?---Yes.
12:48:04 5
12:48:05 6 MR HOLT: Commissioner, there is an agreed redacted version
12:48:07 7 of this document that's already in.
12:48:11 8
12:48:12 9 COMMISSIONER: Is it in the system?
12:48:13 10
12:48:13 11 MR HOLT: I think it's in the system, I think it may even
12:48:16 12 have been tendered. It is in a redacted version.
12:48:20 13
12:48:20 14 MR WINNEKE: What it indicates is that he's spoken to you,
12:48:24 15 proposed the idea of obtaining statements from [REDACTED]
16 [REDACTED] which he'd be in a position to facilitate, stated
12:48:29 17 that he would make approaches in the near future, that's on
12:48:32 18 the 20th. Then on the 26th it appears that he spoke to [REDACTED]
12:48:36 19 [REDACTED] who stated that they were in a position to
12:48:38 20 introduce, [REDACTED] being Ms Gobbo, "Introduce [REDACTED]
12:48:47 21 [REDACTED] to us on the 27th of May" and further arrangements would
12:48:52 22 be made with you?---Yes.
12:48:54 23
12:48:54 24 Do you recall that occurring?---No, I do recall, based on
12:48:59 25 my diary entries at some point I did, I think I introduced
12:49:04 26 [REDACTED] to them, to Assets, at their request.
12:49:09 27
12:49:09 28 That's an independent recollection you've got, is it?---No,
12:49:12 29 it's only based on diary entries.
12:49:15 30
12:49:19 31 It's clear enough that you've certainly had discussions
12:49:22 32 with Ms Gobbo at around this time, you'd accept
12:49:28 33 that?---About?
12:49:29 34
12:49:29 35 About these matters?---I don't think they show that.
12:49:33 36
12:49:33 37 Do you accept that you've spoken to Ms Gobbo about [REDACTED]
12:49:36 38 [REDACTED]-Certainly when we were at the meeting at the hotel,
12:49:40 39 there's no doubts there would have been a general
12:49:42 40 discussion, logical.
12:49:44 41
12:49:47 42 At that stage you're aware - obviously there were
12:49:54 43 proceedings against a number of people who you had charged
12:49:59 44 as part of Operation Carron, one of whom was a fellow by
12:50:04 45 the name of Arnautovic, you're aware of that?---Certainly.
12:50:07 46
12:50:10 47 Had you had any discussions with the OPP about

.30/04/19

1114

STRAWHORN XXN - IN CAMERA

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

12:50:14 1 Mr Arnautovic's trial?---Not that I recall. If there's a
12:50:19 2 diary entry there, I wouldn't doubt it.
12:50:21 3
12:50:29 4 On 21 May there was a discussion that you had with the OPP
12:50:37 5 regarding the trial of Mr Arnautovic, 21 May in your
12:50:42 6 diary?---Obviously I did.
12:50:43 7
12:50:44 8 There we are. Okay. [REDACTED] --Yes.
12:50:54 9
12:50:55 10 You had registered I think initially in [REDACTED] is that
12:51:03 11 correct?---It would have been either there or early [REDACTED]
12:51:06 12
12:51:06 13 You're aware that [REDACTED] had a role in both
12:51:11 14 Operation [REDACTED] and Operation [REDACTED], is that
12:51:17 15 right?---Correct. Sorry - - -
12:51:19 16
12:51:19 17 Operation [REDACTED]?---Yes.
12:51:21 18
12:51:21 19 Operation [REDACTED]?---Yes.
12:51:25 20
12:51:25 21 Firstly in relation to [REDACTED], what was his involvement in
12:51:29 22 that?-- [REDACTED] drug purchase, followed by [REDACTED]
12:51:38 23 [REDACTED]
12:51:42 24
12:51:42 25 You might need to speak up. Who did he [REDACTED]
12:51:47 26 [REDACTED]?--- [REDACTED] to I
12:51:53 27 believe [REDACTED] and then [REDACTED] was
12:52:01 28 basically approached by [REDACTED]
12:52:03 29
12:52:04 30 Approached by [REDACTED] ---Correct.
12:52:06 31
12:52:06 32 Can you explain that, can you expand on that, how did that
12:52:08 33 transpire?---My understanding from - my memory of it is the
12:52:13 34 [REDACTED] was portraying that he had a fair amount
12:52:17 35 of money and was looking to buy larger volumes of drugs and
12:52:21 36 after [REDACTED], [REDACTED] became
12:52:27 37 aware of this and he actually turned up at the next meeting
12:52:31 38 and then started doing the deals [REDACTED]
12:52:34 39
12:52:34 40 What about in relation to Operation [REDACTED]?---Yes.
12:52:38 41
12:52:39 42 Was he involved there?---Again I believe same scenario,
12:52:45 43 [REDACTED] to deal with [REDACTED]
12:52:50 44
12:52:58 45 Was it your understanding that - perhaps I'll withdraw
12:53:04 46 that. In May of 99 it appears that Arnautovic's matter was
12:53:18 47 going to trial, you understood he was pleading not

.30/04/19

1115

STRAWHORN XXN - IN CAMERA

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

12:53:22 1 guilty?---I take your word for that.
12:53:24 2
12:53:24 3 It appears you've spoken to the OPP?---Correct.
12:53:27 4
12:53:27 5 The fact of the matter is he runs a trial, I think it
12:53:30 6 proceeds in about December of 99. In fact there were a
12:53:37 7 couple of trials, the first one proceeded in front of Judge
12:53:41 8 [REDACTED] I think, the jury was discharged, the trial went off
12:53:44 9 to about [REDACTED] of [REDACTED], does that - - - ?---None
12:53:47 10 whatsoever.
12:53:48 11
12:53:49 12 - - - assist your recollection?---None whatsoever.
12:53:52 13
12:53:53 14 Gone completely?---It has.
12:53:55 15
12:54:07 16 I've got some documents that I'd like to show you if I may.
12:54:40 17 Commissioner, I've got some documents that are not on the
12:54:47 18 system but which we've been recently provided I want to ask
12:54:51 19 the witness about. It may well be a convenient time, I can
12:54:54 20 do that after lunch.
12:54:56 21
12:54:56 22 COMMISSIONER: Okay. Now, how much longer do you think
12:55:01 23 you'll be with the witness in closed session on the first
12:55:05 24 part that involves Ms Gobbo? What I'm really wanting to
12:55:11 25 know is are we going to be in closed session all afternoon,
12:55:14 26 because if that's the case we should let those who are
12:55:17 27 interested outside know that.
12:55:19 28
12:55:20 29 MR WINNEKE: I would imagine, Commissioner, I'll be a while
12:55:23 30 longer, so I'll probably say another hour or thereabouts if
12:55:27 31 not more.
12:55:28 32
12:55:28 33 COMMISSIONER: Bearing in mind that you'll try and do as
12:55:31 34 many topics that can be done in open hearings as possible.
12:55:36 35
12:55:36 36 MR WINNEKE: I will, Commissioner. I don't know if there's
12:55:38 37 going to be a huge amount of those but - - -
12:55:42 38
12:55:42 39 COMMISSIONER: All right.
12:55:43 40
12:55:43 41 MR WINNEKE: Look, I think there's another hour or
12:55:46 42 thereabouts in relation to this sort of stuff, this
12:55:50 43 material which we understand needs to be in closed hearing.
12:55:55 44
12:55:55 45 COMMISSIONER: Yes, and then you've got paragraphs 27 and
12:55:58 46 28 as well.
12:55:59 47

.30/04/19

1116

STRAWHORN XXN - IN CAMERA

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

12:55:59 1 MR WINNEKE: Yes.
12:56:01 2
12:56:01 3 COMMISSIONER: So there'll be some cross-examination by
12:56:03 4 you, Mr Collinson or Mr Nathwani?
12:56:09 5
12:56:09 6 MR NATHWANI: I was going to suggest prior to being asked
12:56:11 7 to leave in relation to paragraphs 27 and 28 we
12:56:14 8 cross-examine on - - -
12:56:15 9
12:56:15 10 COMMISSIONER: Exactly, how long will you be?
12:56:19 11
12:56:20 12 MR NATHWANI: Ten to 15 minutes.
12:56:20 13
12:56:20 14 COMMISSIONER: Yes. Mr Holt?
12:56:21 15
12:56:22 16 MR HOLT: At this stage nothing, Commissioner.
12:56:23 17
12:56:23 18 COMMISSIONER: And probably nothing from the State or the
12:56:26 19 DPP. And will you be a little while in re-examination,
12:56:30 20 Mr Morrissey?
12:56:32 21
12:56:33 22 MR MORRISSEY: I'm likely to be a short while.
12:56:36 23
12:56:36 24 COMMISSIONER: A short time.
12:56:37 25
12:56:37 26 MR MORRISSEY: Yes.
12:56:38 27
12:56:38 28 COMMISSIONER: It really sounds as though it's probably
12:56:40 29 going to be mostly closed session this afternoon, doesn't
12:56:43 30 it? It doesn't seem too likely we're going to get much
12:56:48 31 change out of the day.
12:56:49 32
12:56:50 33 MR WINNEKE: I think unlikely, Commissioner.
12:56:52 34
12:56:52 35 COMMISSIONER: Yes, all right. That can be said. If we
12:56:53 36 can try and get that redacted copy of Exhibit 82 up during
12:56:57 37 the lunch break and we'll adjourn now until 2 o'clock.
38
12:57:38 39 <(THE WITNESS WITHDREW)
12:57:39 40
12:57:39 41 LUNCHEON ADJOURNMENT
42
43
44
45
46
47

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

12:57:39 1 UPON RESUMING AT 2.00 PM:
14:12:18 2
14:12:18 3 COMMISSIONER: Yes Mr Winneke.
14:12:20 4
14:12:21 5 MR WINNEKE: Thanks Commissioner.
14:12:22 6
14:12:23 7 <WAYNE GEOFFREY STRAWHORN, recalled:
14:12:26 8
14:12:26 9 MR WINNEKE: Mr Strawhorn, I wanted to ask you some
14:12:29 10 questions about [REDACTED] I think there's a
14:12:32 11 document I'd like to show you which you may have seen
14:12:35 12 briefly?---I had a brief scan of that, yes.
14:12:37 13
14:12:38 14 Do we have a copy of that document?---Thank you.
14:12:48 15
14:12:49 16 What that appears to be, I'm not going to tender it all,
14:12:53 17 but it appears to be an informer management file activity
14:12:58 18 log in relation to [REDACTED] is that
14:13:02 19 right?---Correct.
14:13:02 20
14:13:03 21 In that document there are references to communications
14:13:09 22 between you as the handler?---Yes.
14:13:13 23
14:13:13 24 And there are references to the controller of [REDACTED]
14:13:20 25 [REDACTED], right?---That's correct.
14:13:21 26
14:13:22 27 Initially - - - ?---Sorry, the handler part's correct.
14:13:26 28
14:13:26 29 The handler part. In relation to the control I think - -
14:13:31 30 -?-- [REDACTED]
14:13:32 31
14:13:33 32 Mr Bowden was the controller, Detective Senior Sergeant
14:13:34 33 Bowden, and then later on I think it might have been - - -
14:13:39 34 ?---Inspector Nottman.
14:13:41 35
14:13:41 36 Inspector Nottman, correct?---Correct.
14:13:42 37
14:13:42 38 When was he first registered as far as that document
14:13:45 39 indicates?---According to this it was the 12th of March 97.
14:13:49 40
14:13:50 41 97?---Correct.
14:13:52 42
14:13:53 43 Yes. There is some reference to an earlier registration.
14:13:59 44 Do you know whether or not that is correct, that he had
14:14:02 45 been registered earlier? If you go to page - - -
14:14:08 46 ?---There's a reference to - - -
14:14:09 47

.30/04/19

1118

STRAWHORN XXN - IN CAMERA

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

14:14:10 1 If you go to about p.5?---Yes, there is a reference there.
14:14:17 2
14:14:17 3 Were you aware of that, that he'd been earlier registered
14:14:21 4 with the Major Fraud Group?---Yes, I was.
14:14:24 5
14:14:25 6 And indeed it's part of the application I think that he had
14:14:28 7 been?---Correct.
14:14:28 8
14:14:29 9 Yes, all right. What it also contains are a number of
14:14:40 10 information reports; is that right?---Yes, it does.
14:14:44 11
14:14:48 12 The one I want to ask you about in particular is I think on
14:14:56 13 about p.8 of the document and this concerns, and this is 27
14:14:59 14 May 99?---Yes, I have that document.
14:15:01 15
14:15:02 16 I've been asking you questions about - - - ?---You have.
14:15:04 17
14:15:05 18 - - - your involvement in this matter leading up to about
14:15:08 19 this time, you understand that?---I do.
14:15:10 20
14:15:10 21 It appears that on this occasion you've created an
14:15:15 22 information report?---I have.
14:15:17 23
14:15:17 24 About a meeting with [REDACTED] and [REDACTED]
14:15:24 25 [REDACTED]?---Correct.
14:15:24 26
14:15:24 27 That meeting related to a current trial against
14:15:31 28 [REDACTED]?---Yes.
14:15:31 29
14:15:32 30 What you say is this: "This date I met with [REDACTED]
14:15:38 31 [REDACTED] and solicitor [REDACTED]. Meeting related to current
14:15:42 32 trial against [REDACTED] where defence will be that
14:15:46 33 [REDACTED] supplied large amount of heroin to
14:15:49 34 [REDACTED] then with me orchestrated [REDACTED]
14:15:55 35 and buy from [REDACTED] and then locked up [REDACTED]
14:16:01 36 Agent provocateur defence in that [REDACTED] only became
14:16:05 37 involved through my manoeuvring as supplier and
14:16:09 38 buyer"?---Correct.
14:16:09 39
14:16:22 40 I hand that up to the Commissioner if I can. Firstly,
14:16:36 41 that's an information report that you prepared,
14:16:39 42 correct?---That is, that is true.
14:16:41 43
14:16:45 44 What you do is you go on and say that [REDACTED] had
14:16:48 45 agreed to give evidence to contradict this defence. The
14:16:53 46 [REDACTED] has not made statements or been called as a Crown
14:16:56 47 witness. [REDACTED]'s advice is that [REDACTED]

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

14:17:03 1 not give evidence. I will claim privilege to all questions
14:17:08 2 put trying to identify [REDACTED]", right?---Yes.
14:17:11 3
14:17:13 4 Was that a reference to the fact that if you were to give
14:17:17 5 evidence in the trial?---Yes.
14:17:19 6
14:17:19 7 You would make a claim for privilege arising out of public
14:17:25 8 interest immunity; is that correct?---Correct.
14:17:26 9
14:17:26 10 [REDACTED] privilege?---Yes.
14:17:27 11
14:17:28 12 And with a view to not identifying the fact that - or not
14:17:35 13 identifying [REDACTED]?---Correct.
14:17:36 14
14:17:36 15 Right. Now, can I ask you this: how was it that you were
14:17:41 16 aware of the defence that was going to be raised?---I can't
14:17:52 17 tell you. I do not know.
14:17:55 18
14:17:55 19 I'm sorry?---I do not know.
14:17:56 20
14:17:57 21 You do not know?---No. I have no recollection of this
14:18:02 22 document.
14:18:02 23
14:18:02 24 No, I understand. But it's clear that's a document that
14:18:05 25 you created?---Correct. Absolutely correct.
14:18:07 26
14:18:07 27 You understand that - or you recall a meeting between
14:18:13 28 [REDACTED] and [REDACTED] and yourself?---No.
14:18:17 29
14:18:17 30 You don't have any recollection of that?---None whatsoever.
14:18:21 31
14:18:22 32 You don't dispute the fact that there was that meeting?---I
14:18:25 33 can't dispute it.
14:18:25 34
14:18:26 35 No. You understand that you, or you were aware that at
14:18:34 36 that time Ms Gobbo was acting for [REDACTED]?---I wasn't
14:18:37 37 aware of that. But if I was I have no recollection of it.
14:18:40 38
14:18:41 39 Okay, let's get this clear. The fact is that Ms Gobbo was
14:18:45 40 representing [REDACTED], do you accept that?---If you say
14:18:47 41 so, sir.
14:18:48 42
14:18:48 43 Okay. If you were involved in discussions concerning this
14:18:54 44 trial it would follow you would have been aware that
14:18:59 45 Ms Gobbo was representing [REDACTED]?---It's a possibility.
14:19:02 46 I'm not going to create that link.
14:19:04 47

.30/04/19

1120

STRAWHORN XXN - IN CAMERA

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

14:19:05 1 You'd had discussions with Ms Gobbo in the days, weeks
14:19:09 2 prior to this meeting, had you?---Correct.
14:19:11 3
14:19:14 4 And did you have notes of all of your discussions with
14:19:19 5 Ms Gobbo?---I believe so.
14:19:21 6
14:19:22 7 Do you say that you've written down everything that
14:19:24 8 occurred in discussions between you and Ms Gobbo?---No.
14:19:26 9
14:19:27 10 It may well be that Ms Gobbo mentioned to you that she was
14:19:30 11 representing [REDACTED], mightn't it?---Anything's
14:19:34 12 possible.
14:19:34 13
14:19:35 14 How do you account for the fact that you're aware of what
14:19:39 15 the defence might be?---I can't.
14:19:41 16
14:19:41 17 You can't?---No.
14:19:42 18
14:19:42 19 Okay. Did you ultimately give evidence in the trial?---I
14:19:50 20 have no recollection of it but I may have.
14:19:53 21
14:19:53 22 You may have, all right. Are you aware as to whether or
14:19:57 23 not whether [REDACTED] was involved in this operation was a
14:20:05 24 matter which was before the court in the trial, do you
14:20:09 25 know?---It would not have been before the court, no.
14:20:13 26
14:20:13 27 It would not have been?---No.
14:20:15 28
14:20:17 29 Why do you say that?---Unless he was going to be a Crown
14:20:21 30 witness he would not have been before the court.
14:20:23 31
14:20:24 32 And the fact that there had been an involvement of [REDACTED]
14:20:32 33 [REDACTED] you say wouldn't have been made known to the
14:20:36 34 defence?---No.
14:20:44 35
14:20:44 36 COMMISSIONER: Or to the prosecution?---It's a possibility.
14:20:49 37
14:20:49 38 You don't know?---No.
14:20:50 39
14:20:51 40 May or may not have happened?---May or may not have.
14:20:54 41
14:20:55 42 Thank you.
14:20:55 43
14:20:56 44 MR WINNEKE: This is a meeting which occurred between you
14:20:58 45 and [REDACTED] and [REDACTED]?---Correct.
14:21:00 46
14:21:00 47 Right. [REDACTED] is a solicitor to whom you had sent other

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

14:21:07 1 people who were or were intending or were possibly going to
14:21:11 2 roll over?---He did represent persons who [REDACTED],
14:21:15 3 yes.
14:21:16 4
14:21:18 5 Do you believe that you would have spoken to any
14:21:20 6 representative of the Crown concerning your understanding
14:21:24 7 that there was going to be a defence raised in the nature
14:21:28 8 of what you've described as a provocative agent?---I can't
14:21:35 9 answer that.
14:21:35 10
14:21:35 11 Don't know?---No.
14:21:36 12
14:21:37 13 I asked you before about your learnings and understandings
14:21:43 14 of obligations with respect to rights to silence and so
14:21:50 15 forth?---Correct.
16
14:21:50 17 Can you tell the Commission what you knew then, that is in
14:21:55 18 1999, about obligations of disclosure to material to
14:22:01 19 defence, what do you say about that?---If it was evidence
14:22:05 20 that was going to be relied upon at a court case it was
14:22:09 21 disclosed to the defence.
14:22:10 22
14:22:10 23 So if it was evidence that you as a police investigator
14:22:14 24 would rely on to prosecute a person?---Correct.
14:22:17 25
14:22:17 26 You understood that there was an obligation to disclose
14:22:20 27 that to the defence?---Correct.
14:22:21 28
14:22:22 29 What about if it was information which may provide the
14:22:25 30 defence with an opportunity to challenge the case that's
14:22:28 31 being brought against it, what was your understanding about
14:22:31 32 that?---As I sit here I'm not in a position to answer that.
14:22:35 33
14:22:36 34 As an experienced detective obviously back then and no
14:22:40 35 longer but certainly with the experience that you've got,
14:22:43 36 what's your understanding about disclosure obligations?---I
14:22:48 37 can't answer that.
14:22:51 38
14:22:52 39 Do you not have an understanding of the obligations of
14:22:55 40 disclosure?---Not at this moment.
14:22:58 41
14:22:58 42 MR MORRISSEY: That question ought be clarified because the
14:23:01 43 laws of disclosure have changed since the Criminal
14:23:05 44 Procedure Act was enacted. It should be just clear that
14:23:08 45 we're speaking of what he understood the law to be back
14:23:10 46 then as opposed to now.
14:23:12 47

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

14:23:12 1 COMMISSIONER: All right then.
14:23:13 2
14:23:13 3 MR WINNEKE: Can I put it broadly then?---Yes, if you
14:23:16 4 would.
14:23:16 5
14:23:16 6 In 1997 if something was relevant to an accused person in
14:23:20 7 terms of running their defence, if it was relevant, did you
14:23:22 8 understand that it needed to be disclosed?---I believe
14:23:25 9 that'd be right.
14:23:25 10
14:23:26 11 So if it may have been of some assistance to them, as a
14:23:31 12 general proposition would that have been your
14:23:33 13 understanding?---Yes.
14:23:34 14
14:23:37 15 As to whether or not this information that's set out in
14:23:43 16 this information report was conveyed to the defence, do you
14:23:46 17 know whether anything of that sort was or was not?---I
14:23:50 18 don't believe it would have been.
14:23:50 19
14:23:50 20 You don't believe it would have been?---No.
14:23:52 21
14:23:53 22 Okay. Did you have available to you lawyers within the
14:24:01 23 Police Force who you could go to and ask for advice?---Yes.
14:24:05 24
14:24:05 25 About these sorts of things?---Correct.
14:24:07 26
14:24:07 27 You did?---Yes.
14:24:08 28
14:24:09 29 Right. In relation to this investigation did you go and
14:24:13 30 speak to any lawyers about - - - ?---When you say this
14:24:17 31 investigation are you talking about this particular
14:24:19 32 information?
14:24:20 33
14:24:20 34 Yes, [REDACTED], this particular matter?---There was - no.
14:24:25 35 No.
14:24:25 36
14:24:26 37 In relation to the prosecution of [REDACTED] did you ever
14:24:29 38 speak to any person?---I don't believe so.
14:24:31 39
14:24:31 40 Right, okay. Would it have been possible for you to go and
14:24:37 41 find someone and ask for advice about that?---It would have
14:24:41 42 been, correct.
14:24:42 43
14:24:42 44 Do you think you might have raised it with Mr Rochford, for
14:24:47 45 example?---I can't answer that, I don't know.
14:24:49 46
14:24:50 47 Okay. What about the prosecutor - I'm sorry. It may well

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

14:24:55 1 have been it was [REDACTED] I think, I'm corrected who
14:25:00 2 prosecuted the trial. Did you raise it with
14:25:03 3 [REDACTED]?---I can't answer that.
14:25:04 4
14:25:06 5 Do you know whether or not it was conveyed to the court
14:25:13 6 during the course of the - remember I said the trial
14:25:19 7 commenced I think earlier on in 99, lost a jury. Do you
14:25:23 8 know whether there were any discussions in the course of
14:25:26 9 that first trial about whether or not [REDACTED] was
14:25:34 10 involved in the proceeding?---No, I don't know.
11
14:25:38 12 Do you know whether or not there were any discussions?---I
14:25:41 13 don't know.
14:25:41 14
14:25:41 15 Do you know whether there were any discussions about
14:25:44 16 whether you personally had been involved in this
14:25:47 17 investigation, was that something that was before the
14:25:49 18 court, do you know, or not?---I don't know.
14:25:50 19
14:25:54 20 The reality is that both you and [REDACTED] had been
14:25:59 21 involved in this investigation?---Correct.
14:26:01 22
14:26:02 23 And [REDACTED] had obviously played a fairly significant
14:26:06 24 role in - - - ?---Yes.
14:26:08 25
14:26:09 26 - - - matters leaning towards or matters concerning this
14:26:12 27 investigation?---That is true.
14:26:13 28
14:26:37 29 It's certainly apparent from that information report that
14:26:40 30 the question of [REDACTED]'s involvement was something
14:26:45 31 that was of concern to [REDACTED]?---Yes.
14:26:57 32
14:26:57 33 COMMISSIONER: Are you wanting to tender that?
14:27:00 34
14:27:00 35 MR WINNEKE: I'll tender that information report.
14:27:02 36
14:27:03 37 MR HOLT: I'm sorry, Commissioner.
14:27:04 38
14:27:05 39 MR WINNEKE: Just if I can tender it in this form and it
14:27:09 40 may well be that it will need to be redacted in due course.
14:27:12 41
14:27:12 42 COMMISSIONER: I was going to mark it Exhibit 84 and in the
14:27:16 43 sealed envelope and then we'll have a redacted copy made
14:27:19 44 available on the website.
14:27:20 45
14:27:20 46 MR HOLT: Yes. Commissioner, this is the material that was
14:27:23 47 given in a briefing on Saturday by Assistant Commissioner

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

14:27:26 1 Paterson to counsel assisting and so it's been given on a
14:27:32 2 very quick basis because for obvious reasons it was
14:27:32 3 important for this week's hearings. So if it can be
14:27:35 4 tendered on that basis and it can either be redacted or it
14:27:39 5 may be that we'll make a submission that it needs to remain
14:27:42 6 a confidential exhibit but I have no difficulty to its
14:27:47 7 tender on the basis that's proposed.

14:27:47 8
14:27:47 9 MR WINNEKE: I thank my learned friend and I might say I
14:27:49 10 thank Assistant Commissioner Paterson for bringing it to
14:27:53 11 our attention too.

14:27:55 12
14:27:55 13 COMMISSIONER: Excellent. Now there's an ongoing
14:27:58 14 obligation for the Commission to refer any material that
14:28:03 15 needs disclosure to the DPP.

14:28:06 16
14:28:06 17 MR WINNEKE: Yes.

14:28:07 18
14:28:07 19 COMMISSIONER: As I understand it [REDACTED] has made a
14:28:11 20 submission to the Commission complaining about Ms Gobbo's
21 role in his conviction that this document relates to.

22
23 MR WINNEKE: Yes.

24
14:28:18 25 COMMISSIONER: And therefore this is a document that should
14:28:19 26 be disclosed to the DPP. Obviously they're represented
14:28:22 27 today. We should take that as a disclosure to the DPP.

14:28:26 28
14:28:27 29 MS O'GORMAN: Commissioner, we're represented but we're yet
14:28:30 30 to receive a copy of the document.

14:28:32 31
14:28:32 32 COMMISSIONER: I think that's very important, that you
14:28:34 33 receive a copy of the document as part of our disclosure
14:28:35 34 obligations, wouldn't you agree, Mr Winneke?

14:28:37 35
14:28:37 36 MR WINNEKE: Commissioner, I agree. I think it ought go to
14:28:41 37 the DPP. I'm not too sure at this stage - I've got a copy
14:28:46 38 of it here if they're willing to accept it in the form that
14:28:49 39 it's in. If there's no objection I'll provide it to them.

14:28:54 40
14:28:54 41 MR HOLT: I'm sorry, Commissioner, might I just approach my
14:28:58 42 learned friend for the DPP for a moment because - and I'll
14:29:00 43 explain why. Commissioner, there is, as the Commission
14:29:02 44 will be aware, a process of disclosure between Victoria
14:29:05 45 Police and the DPP for the purposes then of disclosure to
14:29:05 46 persons affected by these matters, which is ongoing.
14:29:08 47 [REDACTED]'s matter, as we formally advised the

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

14:29:11 1 Commission of a number of weeks ago, has, in light of the
14:29:16 2 material that's been disclosed, been placed into that
14:29:17 3 process and given a priority. This material from the
14:29:20 4 weekend ups the significance of that and in fact the
14:29:23 5 evidence that Mr Strawhorn has given also does the same, so
14:29:26 6 my expectation is that a package of material will be
14:29:29 7 provided to the DPP very shortly. The reason I wish to
14:29:32 8 approach our learned friend is that the DPP has been very
14:29:35 9 clear, that it does not want to receive material which
14:29:38 10 remains the subject of a public interest immunity claim
14:29:38 11 directly, but rather through that process in that
14:29:43 12 controlled fashion, if I can indicate that. The Director
14:29:45 13 has made very clear her view that if she receives a
14:29:48 14 document of this kind she would consider it would need to
14:29:52 15 be immediately disclosed essentially in unredacted form
14:29:57 16 without any consideration of those PII issues. It may well
14:29:59 17 be that our learned friend needs to take some instructions
14:30:01 18 about that. But can I indicate, we Commissioner, that we
14:30:04 19 are in the process of, and will take into account the
14:30:08 20 evidence given today and the additional documents from the
14:30:08 21 weekend of putting together in effect a disclosure package
14:30:10 22 to go to the DPP in a way which will allow those public
14:30:15 23 interest immunity matters to be identified, but will also
14:30:16 24 ensure that matters which properly go to the heart of the
14:30:20 25 question of whether [REDACTED]'s conviction ought be
14:30:20 26 reviewed in another place, in effect, can in fact be taken.

14:30:24 27
14:30:24 28 COMMISSIONER: I appreciate your obligations and your
14:30:27 29 efforts to meet them but the Commission also has
14:30:29 30 obligations so - - -

14:30:33 31
14:30:34 32 MS O'GORMAN: Commissioner, if I could indicate my
14:30:35 33 instructions are that in the circumstances where that
14:30:37 34 document has been tendered before the Commission, my
14:30:40 35 instructions are to ask that a redacted form of that
14:30:43 36 version be provided to the DPP as soon as possible.

14:30:47 37
14:30:48 38 COMMISSIONER: Only a redacted version?

14:30:49 39
14:30:50 40 MS O'GORMAN: Yes.

14:30:51 41
14:30:51 42 MR HOLT: And that's what we propose attending to,
14:30:51 43 Commissioner. And I can indicate, in light of the evidence
14:30:52 44 today and the material identified and given by Assistant
14:30:56 45 Commissioner Paterson on the weekend, that will be made a
14:30:58 46 priority.

14:30:59 47

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

14:30:59 1 COMMISSIONER: All right.
2
3 MR HOLT: And we will, of course, keep the Commission
4 advised through counsel and solicitors assisting of that
5 process.
6
14:31:00 7 COMMISSIONER: I would expect the redacted version to refer
14:31:02 8 to [REDACTED] so that it was a narrative that was
14:31:07 9 understandable.
14:31:08 10
14:31:08 11 MR HOLT: Commissioner, plainly enough the DPP is being
14:31:11 12 represented in these proceedings in the closed hearing.
14:31:14 13
14:31:14 14 COMMISSIONER: And understands [REDACTED] is.
14:31:17 15
14:31:17 16 MR HOLT: And will also understand significance of the
14:31:19 17 questioning which has just occurred and the extent to which
14:31:22 18 that reflects on issues relating to [REDACTED] s
14:31:23 19 conviction. So we well understand that, Commissioner, and
14:31:26 20 we'll keep the Commission advised.
14:31:27 21
14:31:27 22 COMMISSIONER: Thank you. Yes Mr Winneke.
14:31:29 23
14:31:29 24 MR WINNEKE: Thank you, Commissioner. I gather you had a
14:31:53 25 meeting, and obviously you've made notes in your diary at
14:32:04 26 various meetings you had with Ms Gobbo, and I think in your
14:32:07 27 records you indicate that on 9 June you had a meeting with
14:32:17 28 Ms Gobbo regarding not [REDACTED] but [REDACTED]
14:32:23 29 [REDACTED]---Correct.
14:32:23 30
14:32:28 31 It appears that - one assumes that that was by way of
14:32:34 32 further discussions with Ms Gobbo about, in effect, what
14:32:39 33 you could do for [REDACTED]?---What the current status is,
14:32:44 34 yes.
14:32:44 35
14:32:45 36 Yes. As I understand it the situation was that [REDACTED]
14:32:55 37 hadn't been dealt with, and indeed he wasn't dealt with for
14:32:58 38 quite some time - - - ?---Correct.
14:32:59 39
14:33:00 40 - - - afterwards and as things conspired ultimately you
14:33:09 41 weren't able to provide the letter of assistance that - - -
14:33:12 42 ?---Because there was no assistance.
14:33:14 43
14:33:16 44 - - - was hoped for at that stage?---Correct.
14:33:18 45
14:33:18 46 At that stage you understood that there was assistance
14:33:19 47 being provided, is that what you understood?---Yes, but it

.30/04/19

1127

STRAWHORN XXN - IN CAMERA

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

14:33:22 1 wasn't assistance that was going to get him to the comfort
14:33:26 2 level he required.
14:33:26 3
14:33:27 4 Right. Certainly as far as you were concerned - - -
14:33:30 5 ?---There was not enough going on.
14:33:32 6
14:33:32 7 As to whether he was providing information to other people,
14:33:37 8 in particular New South Wales, that's something that you're
14:33:39 9 not aware of?---Correct.
14:33:41 10
14:33:41 11 Is that right?---Correct.
14:33:42 12
14:33:42 13 You do say that there was another operation, I think you
14:33:46 14 refer to this in your statement, that he did provide
14:33:49 15 information in relation to and that was a matter of an
14:33:52 16 operation called [REDACTED]; is that right?---Correct.
14:33:56 17
14:33:58 18 Ultimately did he provide valuable information in relation
14:34:03 19 to [REDACTED]?---Yes, extremely.
14:34:07 20
14:34:07 21 Extremely. If we go through your records - if we have a
14:34:32 22 look at your records, on 9 June 99 your diary records
14:34:36 23 indicate that at 2.30 you meet solicitor Gobbo re [REDACTED]
14:34:42 24 [REDACTED] and that goes through to 16:00, so it seems to be
14:34:48 25 about an hour and a half meeting?---It would appear so.
14:34:52 26
14:34:54 27 Is it, do you say, likely that during the course of that
14:34:58 28 hour and a half there would have been discussions only in
14:35:01 29 relation to [REDACTED]?---Yes, I do.
14:35:06 30
14:35:06 31 Only [REDACTED], yeah?---Yes.
14:35:10 32
14:35:10 33 Where do you think that meeting took place?---I can't tell
14:35:12 34 you, no idea.
14:35:13 35
14:35:14 36 No idea. We understand I think there were two places that
14:35:21 37 we've discussed so far, one was called the Lion's something
14:35:29 38 or rather, Domain?---Not familiar with that one.
14:35:32 39
14:35:32 40 Box Hill, does that ring a bell?---No.
14:35:34 41
14:35:36 42 Wouldn't stray that far?---Definitely not.
14:35:38 43
14:35:39 44 The other one I think was - - - ?---We'll stick with
14:35:43 45 Clarendon Street, South Melbourne.
14:35:44 46
14:35:45 47 Clarendon Street. So that's more likely?---It is. It is.

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

14:35:47 1
14:35:47 2 It may well be that you met with her at another café or
14:35:50 3 another place in the locale?---Quite possible.
14:35:57 4
14:35:57 5 It would have been a discussion, one assumes, over a cup of
14:36:00 6 coffee?---Yes.
14:36:01 7
14:36:01 8 Did you ask her questions about other matters that she was
14:36:04 9 involved in?---No.
14:36:05 10
14:36:06 11 There was obviously no small talk at all?---There's always
14:36:12 12 small talk.
14:36:13 13
14:36:13 14 You're an investigator and obviously you're keen to get any
14:36:21 15 information that you can. She's acting for criminals. You
14:36:22 16 didn't ask her about anything that she was up to?---Never
14:36:26 17 did, never would.
14:36:29 18
14:36:30 19 Never did?---Never would.
14:36:31 20
14:36:31 21 What do you think you would have discussed for an hour and
14:36:37 22 a half or thereabouts?---Which date are we talking about?
14:36:42 23 9 June.
14:36:43 24
14:36:43 25 [REDACTED]?---9 June 99. Which date are we at?
14:36:52 26
14:36:53 27 I'm sorry?---I'm having trouble with the date. Which date
14:36:55 28 are we talking about?
14:36:57 29
14:36:58 30 I think we said 9 June 99?---Yes, I have it, yes.
14:37:02 31
14:37:02 32 Yes?---Certainly.
14:37:06 33
14:37:07 34 Let's assume the meeting was in excess of an hour?---That
14:37:10 35 would be more like it.
14:37:12 36
14:37:13 37 How would you talk about [REDACTED] for that period
14:37:16 38 of time?---No. Can't answer that. I have no recollection
14:37:19 39 of the meeting.
14:37:19 40
14:37:19 41 No, I understand that but let's just assume your diary
14:37:22 42 records are accurate?---My diary records would be accurate.
14:37:25 43
14:37:26 44 I mean, hypothetically, I know this is difficult because
14:37:29 45 you can't recall?---Correct.
14:37:30 46
14:37:30 47 What conceivably would you speak to a barrister who

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

14:37:34 1 represents [REDACTED], for about an hour and a
14:37:37 2 half?--No, not an hour and a half.
14:37:41 3
14:37:41 4 Let's say - - - ?---Stick with the hour, that fits within
14:37:44 5 the time frames of leaving an office and getting back to
14:37:46 6 the office.
14:37:46 7
14:37:47 8 Let's say an hour?---I like that.
14:37:49 9
14:37:49 10 What would you be talking about?---All of my diary records
14:37:53 11 is re [REDACTED]
14:38:00 12
14:38:00 13 You haven't made any notes anywhere else about what you
14:38:04 14 discussed?---Unless there's an information report.
14:38:06 15
14:38:06 16 One assumes that nothing that was discussed was of any
14:38:09 17 significance?---One would assume so.
14:38:10 18
14:38:10 19 Because otherwise you would have made notes of what had
14:38:13 20 been discussed?---Correct. At that stage, yes. As I said,
14:38:17 21 I can only assume that it was dealing with what the status
14:38:21 22 was with [REDACTED]
14:38:22 23
14:38:23 24 Right. Did you believe that at any stage you asked her to
14:38:30 25 provide any other information that she might be able to
14:38:33 26 provide which could be of assistance to you with respect to
14:38:37 27 Operation [REDACTED] or any other operation that you were
14:38:41 28 involved in?---No.
14:38:41 29
14:38:42 30 You say there's no reason that you would ask her to provide
14:38:45 31 that sort of information?---No.
14:38:46 32
14:38:51 33 If we go through your diaries again. You see that on 29
14:38:55 34 June - perhaps I'll put this to you. On 29 June 99
14:39:05 35 Ms Gobbo has a note in her diary to the effect that she
14:39:13 36 called Wayne Strawhorn. It appears that that's been ticked
14:39:17 37 which might suggest that she did in fact call you. You
14:39:23 38 don't have any recollection of having any discussion with
14:39:25 39 her?---No.
14:39:26 40
14:39:36 41 To be fair I think your diary indicates that on that date
14:39:39 42 you were on leave. You go on leave, I think you've got a
14:39:45 43 rest day or RD on the 27th and then 28, 29, 30, 31, 2nd
14:39:51 44 you're on leave, right? That might give us some idea then.
14:40:06 45 On 29 July 99 in your day book?---Yes.
14:40:09 46
14:40:11 47 There's a note that you ring Nicola, "coffee before 2

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

14:40:16 1 pm"---I think that's a list of things to do for the day.
14:40:20 2
14:40:21 3 Right.
14:40:23 4
14:40:23 5 MR HOLT: Commissioner, can I just approach my learned
14:40:25 6 friend very briefly. I apologise for the interruption.
14:40:30 7
14:40:30 8 (Discussion at Bar table.)
14:40:44 9
14:40:45 10 MR WINNEKE: I'm asked in relation to the information
14:40:46 11 report that I have provided that I seek its return.
14:41:01 12
14:41:02 13 COMMISSIONER: The unredacted copies of the - - -
14:41:04 14
14:41:04 15 MR WINNEKE: The unredacted copies, I've had them returned.
14:41:07 16
14:41:09 17 COMMISSIONER: - - - of Exhibit 84, yes.
14:41:12 18
14:41:12 19 MR WINNEKE: Commissioner, I put matters in relation to
14:41:16 20 that document to the witness. I haven't obviously put all
14:41:19 21 of the matters in the document to the witness so some of
14:41:22 22 the matters have been ventilated in court, clearly closed
14:41:25 23 court, but they've been returned to me at the request of
14:41:31 24 Mr Holt and I'll hang on to them.
14:41:33 25
14:41:33 26 COMMISSIONER: Yes.
14:41:34 27
14:41:39 28 MR WINNEKE: To come back to your - you say that on 29 July
14:41:45 29 99 it's a to-do; is that right?---If it's in the day book
14:41:50 30 it is a list of things to be done.
14:41:53 31
14:41:56 32 Do you have any reason or any belief as to why you would
14:42:01 33 have contacted her?---No.
14:42:02 34
14:42:04 35 Right. If we can have a look at your diary. Have you got
14:42:11 36 your diary there, on the 29th?---I have.
14:42:16 37
14:42:16 38 COMMISSIONER: What date is it now, 29th of - - -
14:42:20 39
14:42:20 40 MR WINNEKE: 29 July.
14:42:21 41
14:42:21 42 COMMISSIONER: Thank you.
14:42:22 43
14:42:22 44 WITNESS: Yes, I have that.
14:42:23 45
14:42:27 46 MR WINNEKE: I wonder if we could put this - it may well be
14:42:31 47 we could put this up, VPL.0005.0059.0056. It's there, well

.30/04/19

1131

STRAWHORN XXN - IN CAMERA

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

14:42:42 1 done. 29?--Yes. Yes, I can see that.
14:42:48 2
14:42:49 3 What can you glean from that? Let's assume that you're in
14:42:53 4 the office from 8 am through to 3.20 and, what have you
14:42:58 5 got, correspondence, inquiries, administration?--Correct.
14:43:00 6
14:43:04 7 Now that's your diary. Now in your day book there's a
14:43:09 8 reference to "ring Nicola, coffee before 2 pm". Do you
14:43:13 9 know whether that occurred?--No, no idea.
14:43:15 10
14:43:16 11 Okay. It might have occurred in that time, in the period
14:43:20 12 before 15:20?--Do you have a copy of my day book there?
14:43:26 13
14:43:27 14 I can do that. Just excuse me. If we can go VPL.0005 -
14:43:43 15 it's number 1. Same document but p.1. Do you see
14:44:02 16 that?--I do.
14:44:02 17
14:44:03 18 So you've obviously got - you've got things to do after
14:44:07 19 2 pm but you've got time to speak - - - ?--That is a list
14:44:14 20 of things that I, had to be done for that day. Whether I
14:44:18 21 did any of them is another matter.
14:44:20 22
14:44:21 23 Are you able to - I know this is difficult looking back now
14:44:30 24 but are you able to give the Commission any information as
14:44:32 25 to why you would have been giving her a call?--I can only
14:44:36 26 assume at that time frame we were still dealing with
14:44:39 27 [REDACTED] That's my assumption.
14:44:42 28
14:44:42 29 Are you able to say whether anything was going on at that
14:44:46 30 stage which meant that it was pressing to contact her after
14:44:49 31 having already had a discussion with her for about an hour,
14:44:52 32 say, the month before?--I'm looking at the entry above it.
14:44:55 33
14:44:55 34 Yes?--Whether that's relevant or not, I don't know.
14:44:59 35
14:45:00 36 Why would that be relevant?--It says "do a report for
14:45:07 37 [REDACTED] ASAP". I'm assuming that's a report for court. I
14:45:12 38 have no recollection of who [REDACTED] is.
14:45:16 39
14:45:17 40 I assume it's [REDACTED], is it?--Yes.
14:45:19 41
14:45:20 42 What you say is that it may well be that the report in
14:45:21 43 relation to that person could be something to do with
14:45:24 44 Nicola?--It could be. Could be. I don't know.
14:45:27 45
14:45:34 46 1st of the 8th 99 in your day book, "Ring Nicola". Page
14:45:59 47 number 3. Move down to the next one. Do you see that on 3

.30/04/19

1132

STRAWHORN XXN - IN CAMERA

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

14:46:04 1 August?---I do.
14:46:05 2
14:46:06 3 "Ring Nicola" crossed out?---Yes.
14:46:07 4
14:46:08 5 Does that suggest that you've done it?---It would.
14:46:10 6
14:46:11 7 Do you know what that would have been about?---No. 3rd of
14:46:16 8 the 8th, 99.
14:46:17 9
14:46:18 10 I'm sorry?---That's all right, I'm just mumbling to myself
14:46:22 11 to get the date. No, I can't answer that.
14:46:39 12
14:46:39 13 Okay. If we go through to - I can tell you that on 19
14:46:50 14 November - just excuse me. 19 August your diary records a
14:47:15 15 meeting with the OPP, Pellisier. This is VPL.0004 - 5, I'm
14:47:24 16 sorry, 0059.0060?---Yes, I have that.
14:47:40 17
14:47:45 18 You record a meeting at the OPP with Pellisier, Phil
14:47:52 19 Raimondo, Susie Cameron; is that right?---Yes.
14:47:57 20
14:47:57 21 Regarding [REDACTED]?---Correct.
14:48:00 22
14:48:02 23 Then the following - I've said the name.
14:48:03 24
14:48:03 25 COMMISSIONER: It's a closed hearing.
14:48:05 26
14:48:05 27 MR WINNEKE: I shouldn't say.
14:48:06 28
14:48:06 29 COMMISSIONER: The name can be redacted and - - -
14:48:09 30
14:48:10 31 MR HOLT: It's a closed hearing, Commissioner, we've
14:48:12 32 indicated there's no difficulty with that.
14:48:14 33
14:48:15 34 COMMISSIONER: Yes. [REDACTED]
14:48:16 35
14:48:17 36 MR WINNEKE: Obviously the transcript will need to be
14:48:18 37 amended accordingly.
14:48:21 38
14:48:22 39 COMMISSIONER: [REDACTED]
14:48:24 40
14:48:25 41 MR WINNEKE: And then the following day your diary records
14:48:27 42 meeting Ms Gobbo regarding [REDACTED]
14:48:33 43 again?---Correct.
14:48:33 44
14:48:33 45 Right? It's in your day book as well, you're clear to
14:48:41 46 meet?---Correct, other duties.
14:48:44 47

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

14:48:48 1 [REDACTED] do you know who that is?---Sorry, where are we at?
14:48:53 2
14:48:53 3 If you go to your day book at 10.45, "Clear to meet [REDACTED]
14:48:59 4 Gobbo re [REDACTED]"?---I haven't got the day book.
14:49:04 5
14:49:06 6 VPL.0005.0059.0001 at p.7?---What date is this, sir?
14:49:19 7
14:49:20 8 20 August 99?---Okay. That's 7, .7. Do you see that? Can
14:50:13 9 you interpret that meeting?---I'm trying to. It's
14:50:31 10 certainly got me meeting, it seems to be initial [REDACTED] This
14:50:37 11 is on the day book. Then "Gobbo re [REDACTED]
14:50:43 12 then an unregistered informer at the social club and
14:50:50 13 Bentwood Motors and then to the Pharmacy Board.
14:50:50 14
14:50:50 15 Was that all in the one - - - ?---One outing.
16
14:50:53 17 Or was it a number of different ones?---A number of
14:50:54 18 different activities.
14:50:54 19
14:50:55 20 [REDACTED] do you know who that might be?---Yes.
14:50:59 21
14:51:00 22 Are you able to say?---Yet to be adjudicated on.
14:51:11 23
14:51:12 24 Is the first name [REDACTED]---[REDACTED] Ex Drug Squad
14:51:20 25 member.
14:51:20 26
14:51:21 27 When you say yet to be adjudicated on?---Well I don't know
14:51:24 28 whether it's appropriate to mention his name. I believe
14:51:26 29 that - - -
14:51:26 30
14:51:27 31 COMMISSIONER: Was he a covert operative?---No, but he's
14:51:29 32 currently subjected to non-disclosure of his identity.
14:51:33 33
14:51:33 34 There's an order, is there?---There is.
14:51:36 35
14:51:36 36 You'd better not mention it then, thank you.
14:51:39 37
14:51:39 38 MR WINNEKE: Perhaps I can ask this. Was that a separate
14:51:41 39 meeting to the one that you had with Ms Gobbo?---Yes.
14:51:43 40 Correct. Unrelated.
14:51:44 41
14:51:44 42 Unrelated, okay.
14:51:49 43
14:51:50 44 MR HOLT: Sorry, Commissioner, if I can assist, we think
14:51:52 45 it's likely that that name is suppressed in relation to
14:51:55 46 other proceedings.
14:51:56 47

.30/04/19

1134

STRAWHORN XXN - IN CAMERA

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

14:51:57 1 COMMISSIONER: That's what the witness has said.
14:51:58 2
14:51:59 3 MR HOLT: Yes, and we think that's correct, so we'll make
14:52:00 4 some urgent inquiries to confirm for the Commission.
14:52:03 5
14:52:04 6 MR WINNEKE: If it's not related to Ms Gobbo well then
14:52:08 7 there's no issue, they can hold off on any further
14:52:11 8 enquiries. If Mr Strawhorn says they're not related - - -
14:52:16 9 ?---They're not related.
14:52:17 10
14:52:18 11 We accept that. Can I ask you about this: there's a
14:52:23 12 reference to, on 19 November in Ms Gobbo's records, to the
14:52:28 13 effect that she calls you or spoke to you on 19 November.
14:52:34 14 There's no reference in your diary about that matter but
14:52:39 15 subsequently on 26 November 99 your diary records that you
14:52:47 16 meet with Ms Gobbo re. Now, do you see a note that you've
14:52:51 17 got on 26 November 1999?---Yes.
14:52:56 18
14:52:58 19 It's referred to in your statement. You talk about a
14:53:02 20 person by the name of ██████████ ---Yes.
14:53:04 21
14:53:04 22 It may well be that we might need to give another number
14:53:08 23 out for the purpose of the exercise?---I have no
14:53:10 24 recollection of who ██████████ is or what the reference is to.
14:53:14 25
14:53:15 26 I might be able to enlighten you?---Thank you.
14:53:18 27
14:53:18 28 If you have a look at a document that I'm about to show
14:53:25 29 you. I've got a document - just before I do I want to ask
14:53:43 30 you, in your diary records you have a reference to meeting
14:53:46 31 with Gobbo re ██████████ in your day book - and you've got an
14:53:51 32 8.15 meeting with barrister Gobbo re ██████████ to 9 o'clock at
14:53:58 33 the office?---Yes.
14:53:59 34
14:53:59 35 On the 26th Ms Gobbo's got a record that she met with you
14:54:06 36 at 8 am at the Paper Shop Deli, right? I think we've
14:54:12 37 established that that's a café in Clarendon Street or
14:54:15 38 thereabouts in South Melbourne; is that right?---Yes.
14:54:18 39
14:54:19 40 Do you have any recollection of that?---No.
14:54:20 41
14:54:21 42 Okay. It appears that Ms Gobbo represented a person by the
14:54:29 43 name of ██████████ at a committal process on 29 November 1999
14:54:42 44 and makes a note of a discussion or to discuss with you the
14:54:50 45 matter that she's dealing with and that appears to be
14:54:53 46 ██████████ right? If you go to your diary on 10 December. Do
14:55:12 47 you see that on 10 December?---Which reference am I looking

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

14:55:20 1 at?
14:55:21 2
14:55:21 3 To meet [REDACTED] re [REDACTED]?---Yes.
14:55:31 4
14:55:32 5 At 15:35 to meet N/G and [REDACTED]?---Okay.
6
14:55:49 7 Perhaps I'll show you this document. It might give you a
14:55:52 8 bit more understanding of what this is all about?---It
14:55:54 9 will.
14:55:54 10
14:56:21 11 If you can just read that?---Yes, I've read that.
14:56:52 12
14:56:56 13 Firstly, that's an information report I take it?---It is.
14:56:59 14
14:57:00 15 The information was received on 10 December so that is
14:57:04 16 consistent with your diary entry?---It is.
14:57:06 17
14:57:07 18 It concerns a person who has been introduced to you by a
14:57:15 19 barrister who recently represented him in a Vice Squad
14:57:20 20 Asian Squad case, et cetera, right?---Yes.
14:57:23 21
14:57:23 22 "Through the court case has concluded", there's a
14:57:28 23 redaction, "was keen to meet me. Reason for this is that
14:57:32 24 this redaction application has been on hold pending the
14:57:35 25 outcome of the court. He was convicted and got a suspended
14:57:39 26 sentence last week". It appears then that she's brought
14:57:42 27 him down to meet you. Do you have any recollection of
14:57:47 28 that?---No, none whatsoever.
14:57:48 29
14:57:50 30 Do you know what it concerned?---No.
14:57:52 31
14:57:52 32 Clearly you were involved in Operation [REDACTED],
14:57:56 33 correct?---Yes.
14:57:57 34
14:57:57 35 And it appears that she's brought down someone to speak to
14:58:02 36 you who might be able to assist you in relation to
14:58:05 37 Operation [REDACTED]?---Where does it mention [REDACTED]?
14:58:10 38
14:58:10 39 If you go to the first page?---I don't see that mentioned
14:58:16 40 there at all.
14:58:17 41
14:58:18 42 "Subject meetings with (redacted) Operation [REDACTED]"?---I
14:58:25 43 have to take your word for that.
14:58:27 44
14:58:27 45 COMMISSIONER: Can you see it there? It's above the first
14:58:30 46 horizontal line?---Sorry, yes, I was looking in the body of
14:58:33 47 it.

.30/04/19

1136

STRAWHORN XXN - IN CAMERA

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

14:58:36 1
14:58:36 2 MR WINNEKE: Does that bring to mind - - - ?---No.
14:58:42 3
14:58:42 4 - - - this matter?---No, it doesn't.
14:58:43 5
14:58:44 6 Clearly it appears to be from your diary note [REDACTED] is [REDACTED]
14:58:50 7 [REDACTED] and we may need to redact that. Did he become an
14:58:54 8 informer?---I have no recollection of him.
14:58:57 9
14:58:58 10 Right. But do you accept that it appears to be the case
14:59:02 11 that Ms Gobbo has brought down someone to you to provide
14:59:09 12 information to assist you in relation to your investigation
14:59:14 13 of Operation [REDACTED]?---Unfortunately with the redacted
14:59:30 14 parts out I'm having trouble understanding a fair bit of
14:59:34 15 it.
14:59:34 16
14:59:35 17 Would it be fair to say that we could come to the
14:59:38 18 conclusion that Ms Gobbo was in fact recruiting informers
14:59:42 19 for you?---I can't answer - I can't comment on that.
14:59:46 20
14:59:47 21 [REDACTED] do you know whether he had cropped up in
14:59:51 22 Operation Carron at all?---I don't even - as I said, I
14:59:56 23 don't even recognise the name.
14:59:57 24
14:59:57 25 You provided a document which was by way of a summary in
15:00:00 26 relation to Operation Carron and if I suggest to you that
15:00:03 27 he does crop up in relation to Operation Carron in
15:00:07 28 association with [REDACTED] would that be something
15:00:10 29 that you can recall or not?---No.
15:00:12 30
15:00:12 31 Okay, all right.
15:00:13 32
15:00:13 33 COMMISSIONER: Do you know if the reference to the
15:00:15 34 barrister on p.2 of this document is Nicola Gobbo or not,
15:00:22 35 Mr Strawhorn?---No.
15:00:23 36
15:00:23 37 You don't know that?---No.
15:00:25 38
15:00:25 39 MR WINNEKE: But if the situation is that, if we go to your
15:00:28 40 diary it says here at 15:35 to meet NG and [REDACTED]
15:00:40 41 that would follow, wouldn't it?---Yes, I'd agree with that.
15:00:44 42
15:00:44 43 I take it you don't recollect the meeting, you're not in a
15:00:47 44 position to call to mind where it occurred?---No.
15:00:50 45
15:00:50 46 Are you surprised looking back now that your relationship
15:00:54 47 with Ms Gobbo was such that she would be contacting you and

.30/04/19

1137

STRAWHORN XXN - IN CAMERA

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

15:00:58 1 bringing informers to you?---No.
15:01:00 2
15:01:01 3 You're not?---Not at all.
15:01:03 4
15:01:04 5 Why's that?---I can't see why I would be surprised.
15:01:07 6
15:01:07 7 It appears that this person had already been dealt with in
15:01:11 8 the Magistrates' Court?---It would appear so.
15:01:12 9
15:01:12 10 I'm sorry?---It would appear so.
15:01:14 11
15:01:14 12 Can you think of any reason why Ms Gobbo would feel the
15:01:18 13 need to be assisting you or bringing informers to
15:01:23 14 you?---No, I don't know what the motivation was there.
15:01:25 15
15:01:26 16 Okay, all right. You say that you hadn't given Ms Gobbo
15:01:34 17 any reason to feel the need to provide you with
15:01:37 18 assistance?---Not at all.
15:01:37 19
15:01:41 20 And you hadn't put any pressure on her to do so?---No.
15:01:44 21
15:01:46 22 And so for whatever reason it was you can't assist the
15:01:49 23 Commission?---No, I cannot.
15:01:52 24
15:01:53 25 COMMISSIONER: At this point it might be useful if Exhibit
15:02:06 26 81, the list of informers' names, had added to it as
15:02:12 27 [REDACTED] Would you agree, Mr Holt?
15:02:17 28
15:02:17 29 MR HOLT: Yes, I would. It's only - and I know we've
15:02:21 30 started this way already, it's the use of the word informer
15:02:23 31 in that pseudonym which is of a concern. I wonder if it
15:02:26 32 might just be [REDACTED] because I don't think it's
15:02:29 33 necessarily clear yet as to precisely what role he had. It
15:02:33 34 says something if we use that word. But I agree with the
15:02:36 35 process that's proposed.
15:02:40 36
15:02:40 37 MR NATHWANI: Can we park that until I cross-examine
15:02:42 38 because I will be suggesting that [REDACTED] was engaged
15:02:46 39 with Mr Strawhorn initially as an informer but that didn't
15:02:49 40 come to fruition, and I can flesh that out in due course,
15:02:52 41 but [REDACTED] may be appropriate.
15:02:55 42
15:02:56 43 COMMISSIONER: Informer of may be appropriate or
15:03:01 44 inappropriate?
15:03:02 45
15:03:03 46 MR NATHWANI: Appropriate.
15:03:03 47

.30/04/19

1138

STRAWHORN XXN - IN CAMERA

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

15:03:05 1 COMMISSIONER: Mr Holt suggested [REDACTED], which might make
2 it easier for you to cross-examine that he was an informer
15:03:11 3 initially or not, I don't know.
15:03:11 4
15:03:12 5 MR HOLT: I don't think pseudonym's need to provide any
15:03:15 6 information other than the fact that it's a pseudonym.
15:03:17 7
15:03:18 8 COMMISSIONER: And to help the narrative.
15:03:20 9
15:03:21 10 MR HOLT: Precisely so, Commissioner. [REDACTED] we would
15:03:28 11 prefer.
15:03:28 12
15:03:28 13 COMMISSIONER: Mr Winneke, do you have any problem with
15:03:30 14 that?
15:03:30 15
15:03:31 16 MR WINNEKE: No, I don't. Commissioner. I should say this,
15:03:33 17 that I don't have an unredacted copy of this document so
15:03:37 18 I'm not too sure whether this person was ever given an
15:03:38 19 informer number or not.
20
21 COMMISSIONER: No, I don't know either.
22
15:03:39 23 MR WINNEKE: Mr Strawhorn, you can receive information from
15:03:42 24 people who are registered or unregistered I
15:03:46 25 assume?---Correct.
15:03:46 26
15:03:47 27 COMMISSIONER: Anyway, it's appropriate that he be
15:03:54 28 anonymised? Mr Holt, it's appropriate that he be
15:03:59 29 anonymised?
15:04:01 30
15:04:01 31 MR HOLT: It is entirely appropriate, Commissioner.
15:04:03 32
15:04:04 33 COMMISSIONER: Let's have a look at Exhibit 81, which is in
15:04:07 34 a sealed envelope. We'll get that out and amend that. So
15:04:22 35 you'll want the past transcripts then to now refer to
15:04:27 36 person - to be corrected, will you, so they refer to Person
15:04:33 37 1, Person 2, Person 3, et cetera?
15:04:36 38
15:04:37 39 MR WINNEKE: Commissioner, the only point would be this, I
15:04:39 40 suppose, I'm not too sure whether [REDACTED] or [REDACTED] has
15:04:45 41 found it's way into this inquiry. I suspect it has
15:04:48 42 already.
15:04:48 43
15:04:48 44 COMMISSIONER: No, it hasn't. We have Solicitor 1,
15:04:53 45 Barrister 1. We haven't got Person 1 yet.
15:05:00 46
15:05:00 47 MR WINNEKE: I don't suppose it really matters.

.30/04/19

1139

STRAWHORN XXN - IN CAMERA

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

15:05:05 1
15:05:05 2 MR HOLT: We have a [REDACTED] but not a [REDACTED]. I wonder
15:05:09 3 if they should all be persons. It's just otherwise the
15:05:10 4 process of creating the anonymisation in fact sends a
15:05:11 5 substantive message which might in truth be incorrect, or
15:05:16 6 might be correct but nonetheless shines a better light on
15:05:18 7 the point, so we would respectfully submit that [REDACTED]
15:05:23 8 through [REDACTED] and then we can continue with those numbers.
15:05:27 9
15:05:27 10 COMMISSIONER: Yes. It could be seen as a pejorative term
15:05:30 11 in some circumstances I suppose where it may be arguable as
15:05:35 12 to whether they were in fact informers or not I guess. It
15:05:38 13 might be best to use the more neutral term of person.
15:05:43 14
15:05:43 15 MR WINNEKE: If the Commission pleases.
15:05:45 16
15:05:45 17 COMMISSIONER: I'll amend the document so that the word
15:05:48 18 [REDACTED] is changed to [REDACTED] in respect of [REDACTED]
15:05:52 19 to [REDACTED]. When you're doing the redacted transcript of the
15:05:57 20 private hearings we'll use the terms [REDACTED] to [REDACTED].
15:06:03 21
15:06:04 22 MR HOLT: Thank you Commissioner.
15:06:05 23
15:06:05 24 COMMISSIONER: And I'll add in [REDACTED]. It
15:06:15 25 might help this witness if we make a similar amendment on
15:06:21 26 the document in front of you. Have you done that already?
15:06:24 27 Thanks very much Mr Strawhorn. Yes Mr Winneke.
15:06:41 28
15:06:42 29 MR WINNEKE: I tender that information report,
15:06:45 30 Commissioner.
15:06:51 31
15:06:52 32 #EXHIBIT RC85 - Information report.
15:06:58 33
15:06:59 34 COMMISSIONER: I'm wondering if we can make a bit more
15:07:01 35 sense of it by telling us where [REDACTED] can be used in it.
15:07:10 36 Mr Holt, if you could take the original document. Where's
15:07:13 37 the original - the original redacted document? Is that
15:07:17 38 before the witness I think. Do you have document - the
15:07:21 39 information report of 30 December there?---Yes.
15:07:24 40
15:07:25 41 In front of you. Would you mind handing that, Associate,
15:07:30 42 to Mr Holt. Just to make some sense of this, Mr Holt,
15:07:34 43 should that be [REDACTED]
15:07:40 44
15:07:40 45 MR HOLT: No, Commissioner, it shouldn't. It's a different
15:07:46 46 entry. Might we do this properly and just do it over - I
15:07:51 47 can do this - rather than wasting the Commissioner's time

.30/04/19

1140

STRAWHORN XXN - IN CAMERA

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

15:07:55 1 now - - -
15:07:56 2
15:07:56 3 COMMISSIONER: The only thing is I just want it to meet
15:07:57 4 what I want from it.
15:07:59 5
15:08:00 6 MR HOLT: Thank you Commissioner, yes. No, that wouldn't
15:08:03 7 be that, that relates to a different person.
15:08:05 8
15:08:06 9 COMMISSIONER: That needs to be redacted.
15:08:07 10
15:08:08 11 MR HOLT: Yes.
15:08:08 12
15:08:08 13 COMMISSIONER: Under information is that [REDACTED] there,
15:08:12 14 the first redaction?
15:08:15 15
15:08:15 16 MR HOLT: No Commissioner.
15:08:16 17
15:08:17 18 MR WINNEKE: I wonder, Commissioner, if we could be
15:08:19 19 provided with an unredacted version of that document so as
15:08:23 20 it can be tendered but then in addition to the redacted
15:08:25 21 version, that might be of some assistance.
15:08:28 22
15:08:28 23 MR HOLT: I had understood that an unredacted version had
15:08:31 24 in fact been provided in accordance with the protocol
15:08:35 25 subject to some further minor redactions and there are some
26 matters which I was about to raise that I'd like to show my
15:08:38 27 friend in the unredacted version because they've become
15:08:38 28 relevant to the course of questioning in any event.
15:08:39 29
15:08:40 30 COMMISSIONER: Should we have a short adjournment for you
15:08:42 31 to do that?
15:08:44 32
15:08:44 33 MR HOLT: I just need to take some very quick instructions
15:08:46 34 on that and then I think we can advance matters.
15:09:31 35
15:09:31 36 MR WINNEKE: Thanks Commissioner, that would be useful.
15:09:32 37
15:09:56 38 (Short adjournment.)
39
15:21:27 40 COMMISSIONER: Yes, Mr Winneke.
15:21:27 41
15:21:28 42 MR WINNEKE: Thanks, Commissioner. Now, you've got I think
15:21:32 43 an unredacted version of that which we've all got now and
15:21:36 44 it seems to provide a bit more information?---A bit more
15:21:40 45 clarity.
15:21:41 46
15:21:41 47 If I can perhaps just set the scene. If you can accept

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

15:21:44 1 this proposition, that it appears that Nicola Gobbo has
15:21:52 2 called you on about 19 November and then she's met you on
15:22:04 3 26 November regarding [REDACTED] that seems to be the
15:22:12 4 situation as far as your records are concerned?---If the
15:22:14 5 records say that.
15:22:15 6
15:22:18 7 And she's met you, it appears to be she's met you at the
15:22:24 8 Paper Shop Deli?---Most likely.
15:22:25 9
15:22:26 10 Then three days later - you say, "I can't recall what that
15:22:30 11 discussion was about, clearly it relates to someone called
15:22:35 12 [REDACTED]?---Correct.
15:22:36 13
15:22:36 14 And it appears to be the case, if you accept this, that a
15:22:39 15 person by the name of [REDACTED] is an associate of
15:22:44 16 [REDACTED]?---Yes.
15:22:48 17
15:22:50 18 She's appeared for [REDACTED] in a committal proceeding on 29
15:22:56 19 [REDACTED] and there are allegations or charges concerning
15:23:05 20 PSP without licence - one assumes that is prosecution
15:23:11 21 [REDACTED]?---I take your word for
15:23:13 22 it.
15:23:13 23
15:23:13 24 Between [REDACTED] and [REDACTED] 98, [REDACTED], one
15:23:19 25 assumes [REDACTED] h, and indeed in your information
15:23:24 26 report that appears to be the case because you say she's
15:23:28 27 recently represented him in a Vice Squad /Asian Squad
15:23:34 28 case?---Correct.
15:23:34 29
15:23:35 30 There appear to be discussions going on, resolution of
15:23:39 31 charges and then subsequent to that - - - ?---Resolution of
15:23:45 32 charges for who?
15:23:48 33
15:23:48 34 For [REDACTED]?---Okay.
15:23:50 35
15:23:50 36 And he was convicted and got a - - - ?---Is that the
15:23:53 37 charges through the Drug Squad or from the Vice Squad?
15:23:57 38
15:23:57 39 No, the Vice Squad I assume?---Okay.
15:23:59 40
15:23:59 41 And he gets a suspended sentence?---That's what it says,
15:24:03 42 yes.
15:24:03 43
15:24:04 44 "He gets a [REDACTED] suspended sentence last week", that
15:24:07 45 seems to be consistent with what I'm putting to you, that
15:24:10 46 is that she's acted for him, she's had a discussion with
15:24:14 47 you about him before appearing?---It appears so.

.30/04/19

1142

STRAWHORN XXN - IN CAMERA

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

1
15:24:16 2 Set the scene. Then it says here that, [REDACTED] is hoping
15:24:20 3 that a favourable report could be submitted to the
15:24:24 4 [REDACTED] to assist his
15:24:27 5 application"?---Correct.
15:24:27 6
15:24:28 7 Do you understand, can you make any sense of that from
15:24:31 8 looking at that information report?---From what I am
15:24:36 9 reading he had [REDACTED] application before whatever the
15:24:42 10 board is.
11
15:24:43 12 Yes?---He was being introduced to me to provide information
15:24:46 13 on drug trafficking and if that was successful he was
15:24:49 14 hoping to get a favourable report to go before the
15:24:53 15 [REDACTED].
15:24:57 16
15:25:00 17 In effect what Ms Gobbo appears to be doing here is
15:25:06 18 introducing him to you so as he can provide information to
15:25:11 19 you?---Correct.
15:25:12 20
15:25:12 21 In return for him getting a benefit of sorts?---Correct.
15:25:16 22
15:25:16 23 If you go over to the first page, the information appears -
15:25:26 24 it seems that [REDACTED] has been making attempts to meet
15:25:30 25 with the so-called Doncaster man/gang to arrange a block
15:25:34 26 deal?---Correct.
15:25:35 27
15:25:35 28 So that's something he is trying to do for you?---Correct.
15:25:38 29
15:25:38 30 That's concerning [REDACTED]?---Correct.
15:25:40 31
15:25:40 32 And there's the method set out there?---Correct.
15:25:44 33
15:25:45 34 Then the intermediary is [REDACTED]?---Correct.
15:25:49 35
15:25:51 36 So it appears that [REDACTED], in effect, inserts himself into
15:25:56 37 this operation in some way, is that right or not, that's
15:26:00 38 the plan?---No, he was a target at that point.
15:26:03 39
15:26:03 40 He was a target?---Yes.
15:26:04 41
15:26:05 42 Can you explain that?---I just did. He was [REDACTED]
15:26:08 43 for the people [REDACTED].
15:26:10 44
15:26:10 45 He is not getting any financial benefit from the
15:26:13 46 deal?---That's what it says.
15:26:15 47

.30/04/19

STRAWHORN XXN - IN CAMERA

1143

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

15:26:15 1 And he is trying to put [REDACTED] and [REDACTED]
15:26:20 2 together?---Correct.
15:26:20 3
15:26:20 4 Was it known that he was the target?---[REDACTED]?
15:26:25 5
15:26:25 6 Yes?---I'm unsure. He certainly came into that equation as
15:26:29 7 the [REDACTED] between [REDACTED].
15:26:31 8
15:26:36 9 When did you become aware of [REDACTED]?---I can only base it
15:26:42 10 on this information report, because when you go to the back
15:26:47 11 of it it's got all the details of - it's also in the red.
15:26:56 12
15:26:56 13 One assumes you had spoken to [REDACTED] - again, I
15:27:00 14 withdraw that, [REDACTED] about it?---That would have been
15:27:05 15 the first time he actually came into the investigation.
15:27:08 16
15:27:08 17 I'm sorry?---That would have been the first time that he
15:27:11 18 came into that investigation.
15:27:12 19
15:27:12 20 One assumes you had already spoken to [REDACTED] about
15:27:17 21 it?---About him?
15:27:18 22
15:27:18 23 Yes?---I can't answer that based on this document.
15:27:21 24
15:27:21 25 You'd met with him, you'd met with him previously on a
15:27:26 26 number of occasions?---On what occasion? Yes, that's
15:27:29 27 right, that was prior to this deal.
15:27:31 28
15:27:31 29 Immediately prior to this you met with [REDACTED] I'm
15:27:35 30 sorry, again I've - we'll need to amend the transcript,
15:27:39 31 Commissioner, I've mentioned the name twice, I shouldn't
15:27:41 32 have and I'm generally going reasonably well.
15:27:45 33
15:27:45 34 COMMISSIONER: Thank you. [REDACTED] it should be, shouldn't
15:27:57 35 it?
15:27:58 36
15:27:59 37 MR WINNEKE: [REDACTED] ---Okay, yes.
15:28:18 38
15:28:18 39 I'm sorry?---Yes.
15:28:19 40
15:28:20 41 Yes, you had met with him immediately prior?---Correct.
15:28:31 42 Yes, I had met with [REDACTED] prior to that meeting with
15:28:35 43 Ms Gobbo and [REDACTED]
15:28:37 44
15:28:37 45 [REDACTED] you're doing it as well?---Yes. [REDACTED]
15:28:43 46
15:28:43 47 [REDACTED] I'll adjust my records.

.30/04/19

1144

STRAWHORN XXN - IN CAMERA

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

15:28:48 1
15:28:48 2 Can I ask you this, this involvement of Ms Gobbo in this
15:28:51 3 transaction - - - ?---She had no involvement in that
15:28:55 4 transaction.
15:28:55 5
15:28:55 6 I follow that, but in speaking to you about him, in effect
15:29:02 7 - - - ?---Her bringing forward her clients to try and get a
15:29:06 8 benefit for them if they performed certain services.
15:29:10 9
15:29:10 10 Yes?---Yes.
15:29:11 11
15:29:12 12 Do you say that that was something that Ms Gobbo typically
15:29:15 13 did insofar as your dealings with her?---On that occasion
15:29:19 14 she did.
15:29:19 15
15:29:19 16 On other occasions?---Can you assist me with any?
15:29:23 17
15:29:23 18 Can you assist the Commission? Do you know or not?---No.
15:29:28 19
15:29:28 20 You say you don't recall or - - - ?---Certainly [REDACTED]
15:29:32 21 [REDACTED] was.
15:29:33 22
15:29:33 23 Yes, yes?---But that was at his direction.
15:29:40 24
15:29:48 25 Bearing in mind that the assistance that he's trying to get
15:29:52 26 is in relation to [REDACTED]?---I'm very confident
15:29:59 27 he didn't get that.
15:30:00 28
15:30:00 29 It's unlikely, isn't it?---Correct.
15:30:02 30
15:30:02 31 It's a pretty significant piece of information to give the
15:30:06 32 Drug Squad about though, isn't it?---About what?
15:30:08 33
15:30:08 34 About his involvement in this Operation [REDACTED], that is
15:30:18 35 his intermediary role?---That wasn't a role, he was
15:30:23 36 actually [REDACTED]
15:30:24 37
15:30:24 38 I follow that, I follow that. But this is the first
15:30:29 39 occasion this comes to your attention?---It would appear
15:30:33 40 so.
15:30:33 41
15:30:34 42 And he is in effect nominating himself to provide
15:30:44 43 assistance to you so as he can get some sort of benefit
15:30:47 44 from you in relation to [REDACTED]
15:30:52 45 [REDACTED]?---Correct.
15:30:52 46
15:30:52 47 I take it what you say is he didn't get any, it's unlikely

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

15:30:58 1 that you gave him that assistance?---Very unlikely.
15:31:02 2
15:31:02 3 Do you think he was charged?---I have no idea.
15:31:04 4
15:31:05 5 Is it likely he would have been charged?---Over [REDACTED]
15:31:08 6 [REDACTED] side of it?
15:31:09 7
15:31:10 8 Yes?---I don't believe that went anywhere. I don't believe
15:31:14 9 there was [REDACTED].
15:31:15 10
15:31:21 11 Do you recall, is it likely that the discussion you'd had
15:31:24 12 with Ms Gobbo when you met at the café a few days prior
15:31:30 13 would have involved a discussion about these matters?---I
15:31:33 14 don't know.
15:31:34 15
15:31:35 16 Looking at the time frame and what occurred - -
15:31:38 17 -?---Possible, it's possible.
15:31:40 18
15:31:40 19 It's more than possible, it's probable, isn't it?---It is.
15:31:45 20
15:31:49 21 I think what you've said in your statement is the
15:31:54 22 communications that you've had - before I move on,
15:31:59 23 Commissioner, perhaps I should tender and hand up the
15:32:04 24 unredacted or the red box version of the document so as it
15:32:08 25 can be placed in an envelope.
15:32:11 26
15:32:12 27 COMMISSIONER: I think - that will be Exhibit 85.
15:32:15 28
15:32:15 29
15:32:17 30 #EXHIBIT RC85 - Unredacted/red box version.
15:32:19 31
15:32:20 32 COMMISSIONER: And that will be placed in a sealed
15:32:22 33 envelope. Did you say there was an unredacted version that
15:32:39 34 the witness was given following the break?
15:32:42 35
15:32:42 36 MR HOLT: If that can be returned to us I'd be grateful,
15:32:43 37 Commissioner.
15:32:43 38
15:32:44 39 COMMISSIONER: You don't want that one tendered?
15:32:45 40
41 MR HOLT: That I think is the one that - - -
42
43 COMMISSIONER: Is going to be tendered in the - - -
44
15:32:46 45 MR HOLT: The unredacted version to go into the - - -
15:32:50 46
15:32:50 47 COMMISSIONER: The unredacted version will be sealed but is

.30/04/19

1146

STRAWHORN XXN - IN CAMERA

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

15:32:53 1 there a redacted version which can be tendered and placed
15:32:57 2 on the website?
15:32:58 3
4 MR HOLT: There's a redacted version, Commissioner, that
15:32:59 5 can be tendered and placed on the website. I've heard what
15:33:00 6 the Commissioner said today about trying to make sure the
15:33:01 7 narrative flows better and I was simply going to offer that
15:33:06 8 we might try and improve that overnight.
15:33:06 9
15:33:06 10 COMMISSIONER: Do that overnight. All right, thank you.
15:33:07 11 Thank you, Mr Holt.
15:33:13 12
15:33:13 13 MR WINNEKE: Thank you, Commissioner. If I can just go to
15:33:18 14 your statement, Mr Strawhorn?---Yes.
15:33:20 15
15:33:35 16 In paragraph 11 you set out what you believe are the
15:33:41 17 communications that you've had with Ms Gobbo in relation to
15:33:45 18 [REDACTED]?---Correct.
15:33:47 19
15:33:48 20 And thereafter you set out a number of communications and
15:33:54 21 meetings and so forth which you've gleaned from your
15:33:57 22 diaries?---Yes.
15:33:58 23
15:33:59 24 And you say, "I believe these are the only contacts I had
15:34:02 25 with Ms Gobbo during the period relating to registered
15:34:05 26 informer" well, we'll call him [REDACTED], and these
15:34:12 27 contacts related to her representation of that
15:34:15 28 person?---Correct.
15:34:15 29
15:34:16 30 "Perusal of the diary and day book records other occasions
15:34:21 31 where I had contact with Ms Gobbo, details of those
15:34:22 32 contacts are as follows" and then you've dealt with that
15:34:28 33 matter of [REDACTED] when we've now expanded upon?---Yep.
15:34:32 34
15:34:32 35 Correct?---Correct.
15:34:33 36
15:34:34 37 It appears that you spoke again to Ms Gobbo in June of
15:34:44 38 2000. It may well be that it's not in your diaries or your
15:34:51 39 day book. We've asked for those diaries but they're not in
15:34:56 40 court apparently. But in any event from you perusing your
15:35:02 41 diaries you didn't find any other communications that you
15:35:05 42 had with her?---I didn't peruse the diaries. I perused and
15:35:09 43 I was provided with the diary with notations of.
15:35:12 44
15:35:12 45 Is that right, you've only been provided with copies?---No,
15:35:16 46 I had the diaries but they were marked at certain spots
15:35:19 47 that they wanted my comments on.

.30/04/19

1147

STRAWHORN XXN - IN CAMERA

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

15:35:20 1
15:35:20 2 You didn't go any further afield from those spots that had
15:35:23 3 been marked?---No.
15:35:25 4
15:35:25 5 COMMISSIONER: The Commission is going to get a copy of the
15:35:27 6 diaries?
15:35:29 7
15:35:30 8 MR WINNEKE: We've got copies of those pages, we don't have
15:35:34 9 the full - - -
15:35:39 10
15:35:40 11 MR HOLT: Commissioner, we gave at the Commission's
15:35:43 12 request, counsel assisting access to the whole original
15:35:45 13 diaries. Further pages were identified that the Commission
15:35:48 14 wanted and we have provided those. We are happy to go
15:35:50 15 through that process again if there are other pages the
15:35:54 16 Commission wishes to receive.
15:35:55 17
15:35:55 18 MR WINNEKE: Thank you.
15:35:56 19
15:35:56 20 COMMISSIONER: Yes.
15:35:56 21
15:35:59 22 MR WINNEKE: It may be, and I want to suggest to you that
15:36:02 23 it is the case, that you met with Ms Gobbo in about June of
15:36:06 24 2000 and I take it you don't have any specific recollection
15:36:13 25 of meeting in June of 2000?---Have you got a diary or day
15:36:17 26 book entries?
15:36:18 27
15:36:20 28 What I want to suggest to you is that Mr Nottman met with
15:36:28 29 you and Ms Gobbo in June of 2000. Do you recall meeting
15:36:36 30 with Nottman and Ms Gobbo?---No.
15:36:40 31
15:36:40 32 Can you think of a reason why you might have met with
15:36:45 33 Gobbo?---No.
15:36:46 34
15:36:47 35 Mr Nottman says this, "My own personal knowledge of
15:36:56 36 Ms Gobbo is whilst I was attached to the Drug Squad at the
15:36:59 37 request of then Detective Senior Sergeant Wayne Strawhorn I
15:37:02 38 accompanied him to a coffee shop near our workplace at 412
15:37:07 39 St Kilda Road and had coffee with her". It goes on and
15:37:12 40 says, "I'm not aware of whether Strawhorn or Gobbo
15:37:15 41 instigated this meeting. I don't recall any specific
42 reason why Strawhorn requested or invited me to attend the
15:37:20 43 meeting however I assume he wanted corroboration and/or a
15:37:23 44 second person present. Prior to this meeting I'd never met
15:37:28 45 or spoken to Ms Gobbo and I haven't met or spoken to her
15:37:31 46 since. My recollection is that the meeting may have gone
15:37:34 47 for between 15 to 30 minutes. Three of us present. No

.30/04/19

1148

STRAWHORN XXN - IN CAMERA

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

15:37:37 1 recollection of what was specifically discussed", save that
15:37:43 2 he says he recalled it was unremarkable and as far as he
15:37:47 3 was concerned was of no interest to himself or to the Drug
15:37:51 4 Squad?---Sorry, what was the last bit?
15:37:53 5
15:37:53 6 So far as he was concerned the meeting was of no interest
15:37:57 7 to himself or the Drug Squad?---Okay.
15:37:59 8
15:37:59 9 I take it that doesn't assist you?---No, not a thing.
15:38:02 10
15:38:04 11 "I'm certain that Ms Gobbo did not provide any information
15:38:07 12 about criminal activities of her clients or any other
15:38:10 13 person and there was no discussion about Ms Gobbo providing
15:38:14 14 information or of her being a human source. I do recall
15:38:19 15 that Strawhorn thought she may be a useful contact in the
15:38:23 16 legal fraternity, however I didn't take that to extend to
15:38:26 17 providing information about clients and/or criminal
15:38:29 18 activities". What do you say about the suggestion that you
15:38:34 19 thought that she would be a useful contact to have in the
15:38:37 20 legal fraternity?---I have no recollection of that
15:38:41 21 conversation or of that comment.
15:38:42 22
15:38:43 23 I understand that, but as to the proposition of you
15:38:47 24 thinking that she'd be a useful person to know, what do you
15:38:52 25 say?---No.
15:38:52 26
15:38:53 27 Did you ever consider that she would be a useful person to
15:38:57 28 know in the legal fraternity?---No.
15:38:59 29
15:38:59 30 So you would disagree with that proposition?---Yes.
15:39:02 31
15:39:02 32 Okay. Can I ask you about Task Force Kayak. What you say
15:39:19 33 is - just excuse me a minute. Commissioner, I'm just
15:39:50 34 exploring whether or not this is something that can be done
15:39:54 35 in public.
15:39:54 36
15:39:54 37 COMMISSIONER: Yes, I was checking that myself. It would
15:39:57 38 be good if it could be.
15:40:04 39
15:40:05 40 MR WINNEKE: I'm looking at paragraphs 13 and 14, 15 and
15:40:11 41 then - - -
15:40:11 42
15:40:11 43 COMMISSIONER: Yes, there's nothing there.
15:40:13 44
15:40:14 45 MR HOLT: Yes, Commissioner, so long as obviously the names
15:40:18 46 and pseudonyms are used.
15:40:19 47

.30/04/19

1149

STRAWHORN XXN - IN CAMERA

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

15:40:19 1 COMMISSIONER: Yes.
15:40:20 2
15:40:20 3 MR WINNEKE: I've been using [REDACTED] with respect to
15:40:25 4 paragraph E. [REDACTED] I'd be using the pseudonyms.
15:40:39 5 Perhaps before we do that maybe I can deal with paragraphs
15:40:46 6 27 and 28, Commissioner.
15:40:48 7
15:40:49 8 COMMISSIONER: Remember we're going to do that in the
15:40:52 9 absence of Mr Nathwani, so if you're going to, if all
15:40:58 10 you're going to do now in private hearing is 27 and 28,
15:41:03 11 we'll do that after Mr Nathwani, because he can't be here
15:41:07 12 for that, you see.
15:41:08 13
15:41:08 14 MR WINNEKE: Righto. Perhaps he can - - -
15:41:11 15
15:41:11 16 COMMISSIONER: If you've finished with everything that
15:41:14 17 needs to be done in private apart from 27 and 28, we'll
15:41:20 18 allow for cross-examination now in respect of the private
15:41:25 19 hearings part.
15:41:37 20
15:41:38 21 MR WINNEKE: I think that's probably a reasonable course to
15:41:40 22 take, Commissioner.
15:41:41 23
15:41:42 24 COMMISSIONER: Thank you, Mr Nathwani.
15:41:43 25
26 <CROSS-EXAMINED BY MR NATHWANI:
27
15:41:44 28 Thank you Commissioner. Mr Strawhorn, can I just go back
15:41:47 29 please to 1993, Ms Gobbo's prior that you became aware of.
15:41:53 30 You've obviously told us [REDACTED] was the person who
15:41:58 31 supplied the drugs to Gobbo and her then partner?---That's
15:42:02 32 what he said.
15:42:02 33
15:42:02 34 When did you become aware of him providing that information
15:42:07 35 to you?---I would say it was when [REDACTED]
15:42:14 36 [REDACTED], so that puts us at the start of 97 I believe.
15:42:17 37
15:42:17 38 Do you have any information as to who - put it this way,
15:42:22 39 did [REDACTED] provide the information that resulted in the
15:42:26 40 police undertaking the raid on Gobbo's property?---I don't
15:42:30 41 believe so. He was pretty much an unknown quantity.
15:42:33 42
15:42:33 43 The reason I ask is were you aware of the practice or did
15:42:37 44 you undertake the practice back then, this is the 90s, of
15:42:40 45 protecting a source by, in effect, calling a police officer
15:42:46 46 and providing a Crime Stoppers report which would anonymise
15:42:51 47 the source?---No, never heard of it.

.30/04/19

1150

STRAWHORN XXN - IN CAMERA

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

15:42:54 1
2 Were you aware of the practice of doing it?---No.
3
15:42:56 4 As far as her prior conviction was concerned, or her prior,
15:42:59 5 do you recall telling very early in the piece Kruger that
15:43:03 6 she had that prior conviction?---It's a possibility but I
15:43:07 7 don't recall.
15:43:07 8
15:43:09 9 Do you accept it was something you used as leverage as
15:43:15 10 against Nicola Gobbo in your conversations with her?---Not
15:43:17 11 at all.
15:43:17 12
15:43:18 13 And you're sure about that?---Absolutely.
15:43:18 14
15:43:18 15 Right. You've obviously been clear to the best of your
15:43:21 16 recollection that you were not interested in her former
15:43:24 17 employer, is that right?---Correct. I only say that
15:43:30 18 because there was nothing we could investigate.
15:43:34 19
15:43:34 20 Can I just deal with that. Do you remember anything about
15:43:35 21 Operation Ramsden, anything about it?---Do you have a
15:43:39 22 target name?
15:43:40 23
15:43:40 24 I don't but can I just read what Mr Pope's statement
15:43:45 25 says?---Okay.
26
15:43:45 27 See if that helps?---The Assets Recovery Squad.
15:43:47 28
15:43:48 29 I understand. He says this at paragraph 9 of his statement
15:43:50 30 and I'll just read out the paragraph?---Thank you.
15:43:52 31
15:43:53 32 "27 April 99 I first became aware of the Operation Ramsden
15:43:58 33 investigation by the Drug Squad"?---Yes.
15:44:01 34
15:44:01 35 Right? "On 28 April 99", so the next day, "Sergeant
15:44:07 36 Segrave and I met with you and Kruger at the Drug
15:44:11 37 Squad"?---Yes.
15:44:12 38
15:44:12 39 We know from Kruger's notes that meeting was an hour and 20
15:44:17 40 minutes, okay. It says, "I cannot recall what was
15:44:22 41 discussed at this meeting however the investigation log
15:44:25 42 indicates that I was told about the investigation into her
15:44:27 43 former employer and that Ms Gobbo, a former employee, might
15:44:33 44 have information relevant to that investigation"?---I
15:44:36 45 wouldn't dispute that.
15:44:37 46
15:44:38 47 Just putting together that statement for someone who's not

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

15:44:42 1 well appraised of how the operation system works, that
15:44:46 2 suggests an operation name was in place, do you agree?---An
15:44:50 3 operation from Assets Recovery, yes.
15:44:53 4
15:44:53 5 No, the statement reads, "On 27 April 99 I first became
15:44:56 6 aware of the Operation Ramsden investigation by the Drug
15:45:02 7 Squad", so not Asset Recovery. What he then does the next
15:45:05 8 day is he then talks about meeting you, Kruger and Segrave
15:45:08 9 to discuss what you've been told?---Yes.
15:45:11 10
15:45:12 11 And what you've been told and what was of interest up to
15:45:15 12 then that caused it to be an operation name was her former
15:45:18 13 employer, agreed?---Correct.
15:45:20 14
15:45:20 15 So do you agree, at the very least, you, and I use that not
15:45:25 16 just you but the Drug Squad, had an interest in her former
15:45:29 17 employer to the extent - - - ?---When you say had an
15:45:32 18 interest, information had been provided which was not
15:45:34 19 investigated by the Drug Squad, it wasn't within our ambit,
15:45:37 20 and that information was then provided to an investigative
15:45:41 21 body to look at it.
15:45:41 22
15:45:42 23 Do you agree that on the occasions or some of the occasions
15:45:44 24 you met Ms Gobbo you told her that in effect if her former
15:45:50 25 employer was to be convicted she would also be guilty by
15:45:53 26 association?---Never said.
15:45:56 27
15:46:00 28 If we can go, please, to the hand over then to Mr Pope.
15:46:07 29 It's obvious from your diary entries and in fact Ms Gobbo's
15:46:12 30 that after she was handed over to Pope 12 May 99 at the
15:46:16 31 Emerald Hotel you continued to have contact with her,
15:46:19 32 agreed?---Yes, I did.
15:46:20 33
15:46:21 34 Do you accept that during that time you discussed her
15:46:24 35 former employer and the information she was providing to
15:46:28 36 Pope?---No, I don't.
15:46:29 37
15:46:29 38 Do you accept that you became aware that she was in an
15:46:33 39 intimate relationship with Mr Pope?---No, that is wrong.
15:46:37 40
15:46:38 41 Had you ever become aware of her being intimate with
15:46:41 42 Mr Pope?---No, not at all.
15:46:43 43
15:46:43 44 As far as - and I'll move on to another topic, I'm trying
15:46:49 45 to jog your memory, it has been suggested that Ms Gobbo was
15:46:52 46 the person who brought ██████████ to - - - ?---Yes.
15:46:57 47

.30/04/19

1152

STRAWHORN XXN - IN CAMERA

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

15:46:57 1 I'm trying to remember him as well. [REDACTED] was a very
15:47:01 2 close associate, very good friend of [REDACTED], agreed?---I
15:47:05 3 can't answer that.
15:47:05 4
15:47:06 5 If you look at your, at that information report - - -
15:47:11 6
15:47:12 7 COMMISSIONER: Exhibit 81.
15:47:13 8
15:47:13 9 MR NATHWANI: Yes, mine is redacted but it doesn't matter.
15:47:16 10 Last page - - -
15:47:17 11
15:47:17 12 COMMISSIONER: It's not Exhibit 81, sorry.
15:47:19 13
15:47:19 14 MR NATHWANI: Sorry, Commissioner.
15:47:21 15
15:47:21 16 COMMISSIONER: Which one was it you wanted?
15:47:25 17
15:47:25 18 MR NATHWANI: It was the one that was redacted and then
15:47:29 19 unredacted.
15:47:30 20
15:47:30 21 COMMISSIONER: 85.
15:47:31 22
15:47:31 23 MR NATHWANI: That's right. Just the last page of 3. Have
15:47:35 24 you got the redacted version in front of you?---No.
15:47:38 25
15:47:39 26 At the middle of the page involved there is the
15:47:42 27 investigator comment. Above that it says, "Added by" a
15:47:47 28 number, two lines above that it says "DIS known associate
15:47:51 29 Romanian heroin traffickers". [REDACTED]?---Yes.
15:47:54 30
15:47:56 31 Was, would fall in that category, fair?---Yes, absolutely.
15:48:00 32
15:48:00 33 I'm trying to jog your memory if I can. He was, and this
15:48:04 34 is [REDACTED] a good friend of [REDACTED] and [REDACTED] had
15:48:10 35 suggested that he meet with you and asked that Gobbo be
15:48:15 36 present when that happened, now is that a
15:48:18 37 possibility?---No.
15:48:19 38
15:48:19 39 You don't think that [REDACTED] on the basis of providing
15:48:22 40 information to you said in fact there's someone else who -
15:48:25 41 - - ?---No.
15:48:26 42
15:48:26 43 You just don't accept that?---No, I don't.
15:48:28 44
15:48:28 45 Just dealing with how people provided information to you
15:48:32 46 back then. Often people would provide information for
15:48:35 47 letters of comfort?---Correct.

.30/04/19

1153

STRAWHORN XXN - IN CAMERA

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

15:48:36 1
15:48:37 2 There was no written agreement between parties back then,
15:48:40 3 was there? So for example [REDACTED]?---No.
15:48:45 4
15:48:45 5 Didn't have a written agreement from you that if he assists
15:48:50 6 - - - ?---No.
15:48:50 7
15:48:51 8 As it turns out [REDACTED] there's quite a lot of contact
15:48:54 9 with Ms Gobbo about [REDACTED]?---Yes.
10
15:48:56 11 Because he wasn't sentenced for a very, very long
15:48:59 12 time?---That is true.
13
15:48:59 14 Six or seven years, something like that?---I'm not sure
15:49:02 15 when the sentencing date was but there was a fair gap.
15:49:06 16
15:49:06 17 The way it occurred back then was either the person, for
15:49:10 18 example [REDACTED] would come to you direct?---Yes.
15:49:12 19
15:49:12 20 Or their lawyer would come to you saying they would be
15:49:15 21 prepared to assist if either you provide [REDACTED]
15:49:19 22 [REDACTED] or as far as [REDACTED] concerned - - - ?---I
15:49:24 23 agree with that.
15:49:24 24
15:49:25 25 And as far as [REDACTED] is concerned, not [REDACTED]
15:49:26 26 [REDACTED] but in fact, "Assist me if you can with [REDACTED] if
15:49:30 27 I can provide you with information to whoever necessary to
15:49:34 28 help my cause"?---Yes.
15:49:35 29
15:49:36 30 There was nothing appropriate about, as far as you could
15:49:39 31 see, a lawyer doing that on the instruction of their
15:49:42 32 client?---No.
15:49:42 33
15:49:43 34 And as best you can recall, you can't recall [REDACTED] but
15:49:48 35 Ms Gobbo certainly didn't act for anyone he provided
15:49:53 36 information in relation to?---I don't believe there was any
15:49:57 37 substantial information provided or arrests or I would have
15:50:02 38 remembered him.
15:50:04 39
15:50:04 40 And I know you were going to be asked questions later about
15:50:08 41 Operation Kayak and the like. It's right that Ms Gobbo was
15:50:13 42 instructed as counsel to represent a number of those people
15:50:16 43 or a few of those people?---I believe so, yes.
15:50:18 44
15:50:18 45 And your discussions as far as they were concerned, they
15:50:21 46 were in relation to plea resolution or the case itself, do
15:50:25 47 you agree with that?---I don't know. By the time that came

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

15:50:29 1 around I was no longer at the Drug Squad.
15:50:31 2
15:50:31 3 Understood. Thank you, very much.
4
15:50:36 5 COMMISSIONER: Mr Holt?
15:50:38 6
15:50:39 7 MR HOLT: No nothing, Commissioner, thank you.
15:50:41 8
15:50:41 9 MR NATHWANI: Sorry, there is one thing I forgot to ask,
15:50:43 10 forgive me. It's my fault. Going back to her former
15:50:48 11 employer?---Yes.
15:50:49 12
15:50:51 13 You obviously when you first became involved with [REDACTED]
15:50:55 14 [REDACTED]?---Yes.
15:50:56 15
15:50:56 16 Took, went interstate with Ms Gobbo and [REDACTED]---Yes.
15:51:00 17
15:51:00 18 Introduced them to [REDACTED]--Yes.
15:51:03 19
15:51:04 20 He then handled [REDACTED] and Ms Gobbo as far as the
15:51:10 21 interstate inquiry within that State was
15:51:12 22 concerned?---Correct.
15:51:12 23
15:51:12 24 We've heard you've been asked questions about it, that
15:51:15 25 Ms Gobbo was told by [REDACTED] that you the police, Victoria
15:51:23 26 Police, had a telephone intercept on her phone?---That's
15:51:27 27 the first I've heard of that.
15:51:28 28
15:51:29 29 Were you aware of a transcript of it being said that she
15:51:32 30 was reporting back to Lewenberg pressure that was being put
15:51:35 31 on her?---No.
32
15:51:36 33 Do you recall in that context receiving a fax from her
15:51:40 34 former employer asking you to leave her alone?---No.
15:51:44 35
15:51:45 36 Didn't see it, didn't happen or you just can't recall?---It
15:51:47 37 didn't happen.
15:51:48 38
15:51:48 39 As far as you're concerned?---As far as I'm concerned.
15:51:50 40
15:51:51 41 Would you have seen it had it gone to the Drug Squad
15:51:54 42 generally, were you the overall in charge?---I was never in
15:51:57 43 charge, there was a Superintendent in charge and I was a
15:52:00 44 fair way off that.
15:52:01 45
15:52:01 46 Thank you. Thank you Commissioner.
15:52:03 47

.30/04/19

1155

STRAWHORN XXN - IN CAMERA

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

15:52:04 1 COMMISSIONER: No questions?
15:52:05 2
15:52:06 3 MS O'GORMAN: No, Commissioner.
15:52:07 4
15:52:07 5 COMMISSIONER: In that case, Mr Nathwani, you've got an
15:52:10 6 early day.
15:52:11 7
15:52:12 8 MR NATHWANI: Mr Winneke I thought wanted to return to
15:52:16 9 Operation Kayak, I assume that will be tomorrow?
15:52:20 10
15:52:20 11 COMMISSIONER: Yes, that will be in public tomorrow.
12
13 MR NATHWANI: Thank you.
14
15 COMMISSIONER: So pursuant to s.24 of the *Inquiries Act*
15:52:23 16 access to the inquiry is now limited to legal
15:52:25 17 representatives and staff assisting the Royal Commission
15:52:28 18 and the following parties with leave to appear in the
15:52:31 19 private hearing and their legal representatives, namely the
15:52:34 20 State of Victoria, Victoria Police, Director of Public
15:52:37 21 Prosecutions and Office of Public Prosecutions and Wayne
15:52:40 22 Strawhorn.
23
15:52:40 24 There is a non-publication order in relation to the
15:52:44 25 unredacted transcript, redacted transcript will be printed
15:52:48 26 later. It will be published later rather. Proceedings are
15:52:52 27 to be recorded but not streamed and a copy of this notice
15:52:55 28 is to be placed on the hearing room door.
29
15:53:02 30 Yes, Mr Winneke.
15:53:06 31
15:53:07 32 MR WINNEKE: Thank you, Commissioner. I note the time, if
15:53:09 33 I can conveniently deal with paragraphs 27 and 28, I won't
15:53:12 34 be long.
15:53:12 35
15:53:13 36 COMMISSIONER: That will be good if we can finish that off
15:53:15 37 today, it means we can start tomorrow again in public.
15:53:18 38
15:53:18 39 MR WINNEKE: We can come back in the morning in relation to
15:53:21 40 the remainder.
15:53:22 41
15:53:23 42 COMMISSIONER: Yes, I'm happy to sit later.
15:53:26 43
15:53:26 44 MR WINNEKE: Now, Mr Strawhorn, you were asked questions
15:53:29 45 obviously about question 12, I think, go to p.70 of your
15:53:38 46 statement?---Sorry?
15:53:39 47

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

15:53:41 1 You were asked questions about other providers of
15:53:44 2 information or human sources who may well have had
15:53:48 3 obligations similar to those of Ms Gobbo?---Yes.
15:53:50 4
15:53:51 5 Firstly, did you ever take a view or form a view about
15:53:56 6 whether or not it would be appropriate or otherwise to get
15:54:00 7 information from such people?---It depended on what the
15:54:05 8 information was.
15:54:06 9
15:54:06 10 Right. Can you expand on that?---Well certainly, let's say
15:54:12 11 number 27 on that.
15:54:15 12
15:54:16 13 MR HOLT: Excuse me Commissioner, may I approach my friend?
15:54:19 14
15:54:20 15 MR WINNEKE: Yes. I was going to use the names, [REDACTED]
15:54:30 16 [REDACTED] I think you've got it there?---Yes, you have.
15:54:35 17
15:54:38 18 If we do it this way. Obviously the person in the first
15:54:41 19 paragraph, paragraph 27, it seems to be [REDACTED]
15:54:46 20 [REDACTED]?---It is.
15:54:46 21
15:54:47 22 And then the other one is [REDACTED] right?---Yes.
15:54:53 23
15:54:53 24 Speaking, as a general proposition, the question I asked
15:54:57 25 was appropriate or otherwise and you say look, it
15:55:01 26 depends?---Correct.
15:55:01 27
15:55:01 28 On what?---Well, the circumstances that I had been involved
15:55:05 29 in were pretty much limited to these two circumstances, so
15:55:10 30 I really can't expand much further than that.
15:55:12 31
15:55:13 32 I assume then that you take the view that in certain
15:55:18 33 circumstances it would be appropriate to seek and receive
15:55:22 34 information from a legal practitioner?---To receive, yes.
15:55:26 35
15:55:26 36 To receive, and if the person's an informant to seek
15:55:31 37 information I assume as well?---Correct.
15:55:32 38
15:55:32 39 To task the person to get information?---Sorry?
15:55:36 40
15:55:36 41 To task, to engage them to get information?---Well it
15:55:40 42 hasn't happened so I can't really - - -
15:55:43 43
15:55:43 44 I understand that?---You're doing hypotheticals.
15:55:46 45
15:55:46 46 We are, we're dealing with hypotheticals?---Let's deal with
15:55:50 47 the hypothetical of 27 because that was actually not a

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

15:55:54 1 hypothetical.
15:55:55 2
15:55:55 3 If you prefer to do it that way?---I do, because they did
15:55:58 4 occur.
15:55:59 5
15:55:59 6 All right?---Let's not make it up, let's actually deal with
15:56:03 7 the reality.
15:56:03 8
15:56:04 9 Mr Strawhorn, the Commission has to deal with a number of
15:56:08 10 matters?---I understand.
15:56:09 11
15:56:09 12 Obviously some of them concern people who don't actually
15:56:11 13 exist and other matters concern what ought to be the case.
15:56:14 14 In any event if you want to deal with that, let's ask you
15:56:17 15 about [REDACTED] What happened?---Um, once [REDACTED]
15:56:26 16 [REDACTED] was arrested over an importation he decided that
15:56:31 17 he would like to provide information to get [REDACTED]
15:56:35 18 [REDACTED]
15:56:35 19
15:56:36 20 Yes?---And did in fact provide information.
15:56:38 21
15:56:38 22 Right. And as far as you were concerned you saw no problem
15:56:44 23 with receiving information from - - - ?---In those
15:56:48 24 circumstances, no.
15:56:49 25
15:56:53 26 Are you able to say what the information was?---Yes, the
15:56:55 27 information related to a cocaine supplier interstate and
15:57:02 28 customers that he supplied cocaine too.
15:57:07 29
15:57:07 30 You say that the information wasn't actioned?---Correct.
15:57:09 31
15:57:09 32 Is there any reason why not?---Yes.
15:57:11 33
15:57:11 34 What was the reason?---Because we were not interested in
15:57:14 35 that information.
15:57:15 36
15:57:18 37 Did you prepare information reports or anything like
15:57:22 38 that?---Possibly. I can't - - -
15:57:25 39
15:57:25 40 As a matter of course if someone is offering to provide you
15:57:30 41 information - - - ?---Correct.
15:57:30 42
15:57:31 43 - - - gives you information one assumes you make a note of
15:57:33 44 it at least?---Yes.
15:57:34 45
15:57:34 46 And where did you make notes of that?---I would assume it
15:57:38 47 would have been in a day book but I'm very confident it was

.30/04/19

1158

STRAWHORN XXN - IN CAMERA

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

15:57:42 1 a recorded conversation.
15:57:44 2
15:57:45 3 As in part of an interview process or simply a covert
15:57:50 4 recording?---Simply a covert recording.
15:57:53 5
15:57:53 6 And was it after he'd been arrested?---And charged.
15:57:57 7
15:57:57 8 And charged?---Correct.
15:57:58 9
15:57:59 10 And had he sought, had he engaged a legal practitioner at
15:58:05 11 that stage?---Yes.
15:58:06 12
15:58:06 13 I mean obviously [REDACTED]?---Correct.
15:58:11 14
15:58:11 15 A big boy and he was probably able to make up his own
15:58:15 16 mind?---He was.
15:58:15 17
15:58:15 18 You say that the information wasn't something that you
15:58:18 19 just, you determined to action?---Correct.
15:58:21 20
15:58:21 21 Because it was of no use?---It may have been but it wasn't
15:58:27 22 what we were after.
15:58:29 23
15:58:29 24 When you say it may have been?---It may have been of use if
15:58:32 25 we went to Sydney but we had no intention of going to
15:58:36 26 Sydney.
15:58:36 27
15:58:38 28 Did you have any discussions with anyone, any of your
15:58:42 29 superior officers about whether you'd action that
15:58:45 30 information?---Yes.
15:58:46 31
15:58:46 32 And do you recall who you discussed it with?---Whoever the
15:58:51 33 Inspector or Chief Inspector were at the time.
15:58:54 34
15:58:54 35 You say you have no recollection of who that was?---I'm
15:58:57 36 pretty sure Mr Newton was aware.
15:58:59 37
15:58:59 38 Mr Newton?---Correct.
15:59:00 39
15:59:03 40 Do you recall who it was that you were with when he was
15:59:07 41 arrested and charged?---Yes, I do.
15:59:09 42
15:59:10 43 Who was that?---Federal Agent [REDACTED] of the Australian
15:59:15 44 Federal Police.
15:59:16 45
15:59:16 46 Anyone else?---He was the fellow who was with me when this
15:59:20 47 discussion took place.

.30/04/19

1159

STRAWHORN XXN - IN CAMERA

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

15:59:22 1
15:59:24 2 COMMISSIONER: How do you spell Federal Agent [REDACTED] name
15:59:28 3 please?---[REDACTED]
15:59:33 4
15:59:34 5 Thank you.
15:59:34 6
15:59:35 7 MR WINNEKE: I take it this occurred, what, at the Drug
15:59:39 8 Squad?---Federal Police.
15:59:40 9
15:59:40 10 Federal Police?---Correct.
15:59:42 11
15:59:43 12 Were you recording the conversation or was your - - - ?---I
15:59:47 13 believe [REDACTED] was.
15:59:48 14
15:59:48 15 And as far as you're aware he had a recording device on him
15:59:53 16 and recorded the conversation?---I believe that was the
15:59:55 17 case.
15:59:55 18
15:59:55 19 Do you know whether he spoke to any superior of his
15:59:58 20 organisation or not?---I have no idea.
16:00:01 21
16:00:01 22 You don't know whether that information was actioned by the
16:00:03 23 Federal Police?---No, I know it wasn't.
16:00:05 24
16:00:05 25 You know it wasn't?---It was State matters.
16:00:08 26
16:00:08 27 I'm sorry?---It was State matters, not federal matters.
16:00:12 28
16:00:14 29 Whose decision was it not to action the information?---It
16:00:17 30 was a joint decision between myself and my hierarchy.
16:00:22 31
16:00:22 32 That's the senior officer who you - - -?---Correct,
16:00:26 33 correct.
16:00:26 34
16:00:26 35 Do you know what happened to the tape?---No, I do not.
16:00:29 36
16:00:30 37 As a matter of course what would have happened to the
16:00:34 38 tape?---I can't answer that. I can't speak for the Federal
16:00:37 39 Police.
16:00:37 40
16:00:38 41 Would it have been your practice in a circumstance like
16:00:41 42 this to [REDACTED] ---Probably would have.
16:00:48 43 Probably would have in that circumstance.
16:00:51 44
16:00:59 45 The information that he provided clearly, as far as you
16:01:02 46 were concerned, didn't relate to information that he had
16:01:05 47 gleaned in his capacity as [REDACTED], is that

.30/04/19

1160

STRAWHORN XXN - IN CAMERA

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

16:01:07 1 right?---No, no, it was cocaine, who he sold cocaine to.
16:01:12 2
16:01:12 3 I follow that. If he had provided information that he'd
16:01:17 4 gleaned in the capacity [REDACTED] would
16:01:21 5 you have been willing to accept that information?---No.
16:01:23 6
16:01:24 7 Why not?---Depends on what that information was.
16:01:28 8
16:01:29 9 Right?---I'll clarify that.
16:01:30 10
16:01:30 11 If it was useful information that he gleaned in his
16:01:33 12 capacity [REDACTED] ---It depended on what the
16:01:35 13 information was.
16:01:36 14
16:01:36 15 Give us an example of information that you might be - -
16:01:39 16 -?---Well if he was advising me that [REDACTED] was
16:01:41 17 going to commit mass murder the next day I'd certainly take
16:01:46 18 note of that and do something about it. If he was advising
16:01:50 19 me about [REDACTED] he gave to [REDACTED]
16:01:52 20 [REDACTED] I'd have no interest in it
16:01:57 21 and he wouldn't tell me.
16:01:58 22
16:01:58 23 No, I follow. If he provided information that he'd gleaned
16:02:02 24 in relation to [REDACTED]
16:02:05 25 trafficking in drugs would that have been something that
16:02:08 26 might have been of interest to you?---Absolutely.
16:02:10 27
16:02:10 28 Regardless of how he came into that information?---You're
16:02:13 29 talking about his supplying drugs or?
16:02:16 30
16:02:16 31 No, I'm talking about information, and again we've got back
16:02:19 32 to the hypothetical?---We have, and I won't - let's not go
16:02:23 33 there.
16:02:23 34
16:02:23 35 You're not going to go there?---Hypotheticals.
16:02:26 36
16:02:26 37 As far as you're concerned as a Detective, if you get
16:02:30 38 information in relation to drug trafficking?---If that - -
16:02:32 39 -
16:02:32 40
16:02:33 41 Just listen?---I will.
16:02:34 42
16:02:34 43 If you get information in relation to drug trafficking
16:02:38 44 that's within your area?---Yes.
16:02:40 45
16:02:40 46 Are you concerned where it comes from?---No.
16:02:43 47

.30/04/19

1161

STRAWHORN XXN - IN CAMERA

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

16:02:45 1 So it doesn't matter whether it comes from him in his
16:02:48 2 capacity [REDACTED] if it's information that
16:02:52 3 would enable you to make an arrest would you use it?---I'd
16:02:56 4 certainly look at it.

16:02:57 5
16:02:57 6 You'd look at it?---Of course.

16:02:58 7
16:02:59 8 Did you ever receive any instruction in your training about
16:03:04 9 privileged information and whether it can be used or
16:03:06 10 whether it can't be used?---I'm pretty sure we did at some
16:03:09 11 point but I'm not in a position to comment when that was.

16:03:12 12
16:03:14 13 If we can move on to - - -

16:03:17 14
16:03:17 15 MR MORRISSEY: Hold on a moment, sorry, there's a bit of a
16:03:19 16 gap there in my respectful submission. The question needs
16:03:22 17 to be put, if that's the line of questioning, would he use
16:03:25 18 privileged information if he knew it to be privileged,
16:03:28 19 because we didn't get to that point. So I'd submit that
16:03:32 20 that question ought to be put.

21
16:03:34 22 MR WINNEKE: All right, I'll put it.

16:03:35 23
16:03:35 24 COMMISSIONER: I'm sure Mr Winneke is happy to put it.

16:03:38 25
16:03:39 26 WITNESS: No.

16:03:39 27
16:03:39 28 MR WINNEKE: The answer is no?---Correct. Just on that,
16:03:42 29 when we had listening devices installed in relation to that
16:03:47 30 particular person, that's a matter we really had to have
16:03:50 31 looked at pretty strongly for that very reason.

16:03:54 32
16:03:54 33 Yes. And when you say you'd have to look at it pretty
16:03:57 34 strongly, would you get legal advice sometimes?---Legal
16:04:01 35 advice was up to the Supreme Court.

16:04:02 36
16:04:02 37 I'm sorry?---Legal advice in those circumstances went to
16:04:06 38 the Supreme Court.

16:04:07 39
16:04:08 40 Legal advice went to the Supreme Court?---To that height.

16:04:12 41
16:04:13 42 Let's say you're listening to a TI, there's a discussion
16:04:19 43 between a client and his lawyer, you get information which
16:04:22 44 may be the subject of - - - ?---We don't listen to the
16:04:26 45 telephone intercepts, the staff at that section do and they
16:04:28 46 were under instructions.

16:04:31 47

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

16:04:31 1 Okay. The sort of information that you get, you were
16:04:34 2 talking about which went to the Supreme Court, I take it
16:04:37 3 before it gets to the Supreme Court if you had it you'd
16:04:42 4 need to speak to someone about it?---Correct.
16:04:44 5
16:04:44 6 Whether it could be used?---Correct.
16:04:46 7
16:04:46 8 Who would the first port of call be?---Are you talking
16:04:50 9 about the listening devices application or are you talking
16:04:51 10 about - - -
16:04:51 11
16:04:51 12 I'm talking about information which has come into your
16:04:55 13 possession which you're concerned may be the subject of
16:05:00 14 LPP?---Yes, I'd certainly be seeking legal advice from our
16:05:03 15 legal department, if not the OPP.
16:05:06 16
16:05:06 17 Who would you go to in the department?---There is a legal
16:05:09 18 section in the police department.
16:05:12 19
16:05:12 20 I follow that. It's a simple matter for you or any other
16:05:16 21 police officer if you have a legal concern to go to that
16:05:18 22 department?---Correct.
16:05:19 23
16:05:19 24 And they would provide you advice about those sorts of
16:05:22 25 things?---Correct.
16:05:23 26
16:05:23 27 In the same way as if you've got a concern about whether or
16:05:27 28 not something should be disclosed?---Yes.
16:05:29 29
16:05:29 30 To a person you have charged, that is something you could
16:05:33 31 quite simply get legal advice about?---Yes.
16:05:35 32
16:05:36 33 COMMISSIONER: Did you ever get legal advice from the legal
16:05:39 34 department in the police service about legal professional
16:05:43 35 privilege?---Not that I can recall.
16:05:44 36
16:05:45 37 Not that you can recall, okay, thank you. Or from the
16:05:50 38 DPP?---Not that I can recall.
16:05:51 39
16:05:51 40 Thank you.
16:05:53 41
16:05:57 42 MR WINNEKE: If I can now move on to paragraph 28. In
16:06:02 43 mid-2001 you had dealings with [REDACTED] of
16:06:12 44 [REDACTED] I should say. And that person had a lawyer
16:06:22 45 who is [REDACTED]---Yes.
16:06:26 46
16:06:31 47 And [REDACTED] you say wasn't complying with

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

16:06:34 1 instructions and that was creating major issues with
16:06:37 2 respect to investigations being undertaken?---Correct.
16:06:41 3
16:06:42 4 Into Task Force Kayak. You spoke to the lawyer?---I did.
16:06:47 5
16:06:47 6 About the difficulties?---I did.
16:06:49 7
16:06:50 8 And he invited you to a meeting?---He did.
16:06:53 9
16:06:54 10 He provided you with information that had been provided to
16:06:57 11 him from his client in confidence and you say he had
16:07:03 12 instructed his, that is the [REDACTED] instructed his
16:07:08 13 lawyer not to pass on the information?---Correct.
16:07:11 14
16:07:12 15 You say that you - were you at this meeting with the lawyer
16:07:20 16 on your own?---Yes, I was.
16:07:22 17
16:07:23 18 Or with some other - - - ?---I was.
16:07:25 19
16:07:25 20 Did you make notes of that meeting?---Not, not at the
16:07:29 21 location that I was at.
16:07:30 22
16:07:30 23 But as to what occurred at the meeting you made notes?---I
16:07:34 24 certainly made notes I'm sure back at the office.
16:07:36 25
16:07:37 26 They'd be in your diary or your day book?---They could have
16:07:40 27 been a report that went to another section.
16:07:42 28
16:07:42 29 It may well be that there's an information report in
16:07:44 30 relation to that?---There's a fair chance there is a
16:07:48 31 written report.
16:07:48 32
16:07:49 33 Indeed you reported this information to Detective
16:07:52 34 Superintendent Newton?---Immediately on my return.
16:07:54 35
16:07:54 36 Immediately on your return and you may well have even put
16:07:59 37 it into an IR and you later introduced the Ethical
16:08:04 38 Standards members Fontana and De Santo to the
16:08:09 39 lawyer?---Correct.
16:08:10 40
16:08:10 41 And they took over the dealings after this?---With [REDACTED]
16:08:15 42 correct.
16:08:15 43
16:08:16 44 [REDACTED] All right. Did you have any other dealings with
16:08:20 45 [REDACTED] --No.
16:08:22 46
16:08:25 47 Do you know how the lawyer came to represent the

.30/04/19

1164

STRAWHORN XXN - IN CAMERA

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

16:08:31 1 informer?---I believe he had represented him in past
16:08:35 2 matters.
16:08:35 3
16:08:36 4 Right?---And was representing him all the way through his
16:08:40 5 informing.
16:08:42 6
16:08:42 7 All right then. Were you involved in the arrest of the
16:08:54 8 informer in the first place?---The informer we're talking
16:08:59 9 about now?
16:09:00 10
16:09:00 11 Yes?---Yes.
16:09:01 12
16:09:02 13 And do you recall where that arrest took place?
16:09:04 14
16:09:04 15 COMMISSIONER: Is that [REDACTED]
16:09:06 16
16:09:07 17 MR WINNEKE: [REDACTED]
16:09:08 18
16:09:09 19 COMMISSIONER: [REDACTED] yes.
16:09:12 20
16:09:13 21 WITNESS: At his home address and I can't recall where that
16:09:15 22 was.
23
16:09:16 24 MR WINNEKE: Was that the one in [REDACTED] or a different
16:09:19 25 address?---A different one.
16:09:21 26
16:09:21 27 Did you initially introduce him to [REDACTED]?---May have at
16:09:30 28 - I may have at some point but I'm, can't be 100 per cent
16:09:36 29 on that.
16:09:36 30
16:09:36 31 Insofar as your involvement with this particular aspect of
16:09:40 32 it, as far as you were concerned it wasn't something that
16:09:44 33 you felt it was appropriate for you to deal
16:09:47 34 with?---Exactly.
16:09:47 35
16:09:48 36 And you handed it off?---Exactly.
16:09:50 37
16:09:50 38 Yes, thanks very much.
16:09:51 39
16:09:52 40 COMMISSIONER: Did you appreciate at that stage that there
16:09:54 41 was legal professional privilege issues?---Yes, I did,
16:09:57 42 straight away.
16:09:58 43
16:09:58 44 Did you discuss that with Detective Superintendent
16:10:01 45 Newton?---Yes, we were all well aware.
16:10:04 46
16:10:06 47 And any others, did you discuss it with De Santo?---I

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

16:10:10 1 believe the two members from Ethical Standards came to a
16:10:13 2 meeting with myself and Mr Newton and I have no doubt that
16:10:16 3 was discussed.
16:10:17 4
16:10:17 5 Were you there at that meeting?---Yes.
16:10:19 6
16:10:19 7 You're confident that - - - ?---Very confident.
16:10:22 8
16:10:22 9 - - - the legal professional privilege issues were
16:10:24 10 discussed?---Correct.
16:10:25 11
16:10:25 12 Was there any discussion about getting legal advice?---Not
16:10:28 13 that I recall.
16:10:30 14
16:10:30 15 Thank you.
16:10:31 16
16:10:32 17 MR WINNEKE: Perhaps just before, whilst the witness is
16:10:40 18 here and we're in private, I wonder if Mr Strawhorn could
16:10:43 19 be shown a document which is entitled police member veteran
16:10:47 20 contact. Perhaps if that's a convenient time,
16:11:01 21 Commissioner?
16:11:01 22
16:11:01 23 COMMISSIONER: I was rather hoping to finish the private
16:11:04 24 hearing today.
16:11:06 25
16:11:06 26 MR WINNEKE: I was going to deal with one matter only,
16:11:11 27 Commissioner.
16:11:11 28
16:11:11 29 COMMISSIONER: Yes.
16:11:11 30
16:11:12 31 MR WINNEKE: Perhaps if I hand this to Detective Strawhorn
16:11:14 32 and then I'll be able to - or Mr Strawhorn now and he might
16:11:18 33 be able to help us out while we're here.
16:11:22 34
16:11:22 35 COMMISSIONER: Thank you.
16:11:24 36
16:11:24 37 MR WINNEKE: Just have a look at that document. You recall
16:11:27 38 I asked you questions before about discussions that you had
16:11:31 39 with Woltsche and Pattie?---Yes.
16:11:33 40
16:11:34 41 Just have a look at that document because perhaps I might
16:11:37 42 ask you - - - ?---Yes, sir.
16:12:05 43
16:12:06 44 Firstly, I'm going to tender it but if we go through the
16:12:13 45 notes of the discussions. Is there anything on that first
16:12:21 46 page in relation to that first discussion which you take
16:12:24 47 issue with? Let's assume that the first blank concerns

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

16:12:31 1 Solicitor 1, I assume it does?---Yes, I'd accept that. I
16:12:45 2 have no issue with that.
16:12:46 3
16:12:47 4 You take no issue. The next blank was a source. Are you
16:12:52 5 able to say whether that was, underneath that redaction,
16:12:58 6 whether that was, that's [REDACTED]---I believe
16:13:05 7 it's [REDACTED]
16:13:06 8
16:13:06 9 You believe it's [REDACTED]---Yes.
16:13:08 10
16:13:09 11 The next one?---Which one are we talking about now?
16:13:21 12
16:13:22 13 The last two blanks on that page?---Right.
16:13:25 14
16:13:25 15 Do you know who those would be, using the pseudonyms that
16:13:32 16 we've been dealing with? Is that Solicitor 1?---I believe
16:13:35 17 so.
16:13:35 18
16:13:39 19 So you don't take any issue with that
16:13:50 20 proposition?---Certainly it's a bit more expansive than
16:13:53 21 what I said.
16:13:53 22
16:13:54 23 In your evidence?---No, what I said at the time.
16:13:56 24
16:13:56 25 You believe that that's more expansive than what you
16:14:00 26 said?---Correct.
16:14:00 27
16:14:00 28 What do you think the true position is as far as your
16:14:03 29 recollection is concerned, assuming that's Solicitor
16:14:07 30 1?---It's probably, pretty close. I mean at the time I was
16:14:10 31 a little bit surprised and shocked to have people front up
16:14:14 32 wanting to talk about the past.
16:14:15 33
16:14:15 34 You might have said that - - - ?---It's quite possible.
16:14:18 35
16:14:18 36 And you don't disagree with that as a general proposition,
16:14:22 37 is that what you're saying?---No, no, no.
16:14:27 38
16:14:27 39 If you go over the page?---Yep.
16:14:33 40
16:14:33 41 And do you agree with what appears on the second
16:14:41 42 page?---The top part.
16:14:42 43
16:14:42 44 Top part?---Yeah, I agree.
16:14:45 45
16:14:45 46 Second part? If I can ask you about that second line,
16:15:10 47 second dot point in that second part, "Bowden mentioned to

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

16:15:15 1 me on one occasion that Gobbo was registered by" - - -
16:15:18 2
16:15:18 3 COMMISSIONER: This is relevant to Gobbo, shouldn't her
16:15:22 4 lawyers be here for this?
16:15:24 5
16:15:25 6 MR WINNEKE: Well, it may well be, Commissioner, that -
16:15:28 7 perhaps they should be.
16:15:31 8
16:15:31 9 COMMISSIONER: We did give them that undertaking, that if
16:15:34 10 anything arose that was of relevance to them it would be
16:15:37 11 done either in public or before them.
16:15:40 12
16:15:41 13 MR WINNEKE: Perhaps we can deal with that in the morning.
16:15:46 14
16:15:46 15 MR HOLT: And I may be able to answer some of the questions
16:15:52 16 that our learned friend is seeking to get the answers to
16:15:54 17 now overnight in a way that might avoid a closed hearing.
16:15:54 18
19 COMMISSIONER: That would be good.
20
21 MR HOLT: We'll undertake to try if we can, Commissioner.
22
16:15:55 23 COMMISSIONER: Have you got that document back, whatever it
16:15:57 24 was, or do you want to tender it?
16:16:00 25
16:16:00 26 MR WINNEKE: Perhaps I'll tender it when we have a better
16:16:03 27 understanding - - -
16:16:03 28
16:16:04 29 COMMISSIONER: Yes, I think you should wait until the legal
16:16:06 30 representatives are here. You want the document returned
16:16:11 31 to you?
16:16:11 32
16:16:12 33 MR WINNEKE: Yes, thanks Commissioner.
16:16:12 34
35 COMMISSIONER: Yes, thank you. Associate, could you return
16:16:13 36 the document to Mr Winneke. Thank you. Mr Holt, any
16:16:13 37 cross-examination?
16:16:14 38
16:16:15 39 MR HOLT: No, I don't, Commissioner, thank you.
16:16:17 40
16:16:18 41 COMMISSIONER: Ms Button, any cross-examination?
16:16:19 42
16:16:19 43 MS BUTTON: No, Commissioner.
44
16:16:23 45 COMMISSIONER: Ms O'Gorman?
16:16:23 46
16:16:23 47 MS O'GORMAN: No.

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

16:16:25 1
16:16:25 2 COMMISSIONER: Any re-examination?
16:16:27 3
16:16:27 4 MR MORRISSEY: I'm not sure whether I have, I'll need to
16:16:30 5 consider whether I have any other re-examination about the
16:16:33 6 closed session material but I have got one matter that I
16:16:38 7 should raise now and perhaps I won't have any more, so
16:16:40 8 perhaps if you indulge me for one question in
16:16:45 9 re-examination now.
10
11 <RE-EXAMINED BY MR MORRISSEY:
12
16:16:47 13 Mr Strawhorn, it's concerning the last matter, that being
16:16:52 14 the situation that developed in respect of ██████████ after
16:16:57 15 which I think that's what's found at paragraph 28?---Yes.
16:17:02 16
16:17:04 17 Was there an operational situation that developed which
16:17:08 18 explains how - - - ?---Yes.
16:17:11 19
16:17:12 20 - - - matters unfolded there and could you explain that to
16:17:15 21 the Commission?---Correct. At the time ██████████ was
16:17:24 22 operating as a very, very high level informer who was
16:17:30 23 providing evidence against extremely serious criminals,
16:17:35 24 including - I won't detail them. His handlers were two
16:17:43 25 members of the Drug Squad and issues had come about where
16:17:48 26 the informer was not complying with instructions that were
16:17:54 27 being passed through me to the handlers and subsequently
16:17:58 28 the investigation was, had drawn to a stand still. He was
16:18:03 29 an extremely difficult person to deal with and thoroughly
16:18:07 30 enjoyed playing both sides of the fence I'd say. He was
16:18:12 31 really annoying. We were at a stage where the operation
16:18:17 32 was coming to a conclusion and we needed certain evidence
16:18:21 33 to be gathered prior to that. I was getting quite a bit of
16:18:26 34 pressure from the hierarchy to bring the operation to a
16:18:29 35 conclusion but without certain actions it couldn't be done.
16:18:35 36 I spoke to ██████████ about the problems we were having and
16:18:40 37 how if certain things - if we couldn't conclude the job.
16:18:45 38
16:18:45 39 COMMISSIONER: Sorry, that name should be struck off the
16:18:47 40 transcript?---I apologise.
16:18:50 41
16:18:50 42 That should be ██████████ about it, and how my
16:18:56 43 hand was being forced. There were certain things put in
16:19:02 44 place for the protection of ██████████ but he wasn't
16:19:06 45 complying with meetings - - -
16:19:09 46
16:19:09 47 COMMISSIONER: That's ██████████---Oh, here we go again.

.30/04/19

1169

STRAWHORN RE-XN - IN CAMERA

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

1
16:19:10 2 We can do it?---I apologise, it's getting to the end of the
16:19:13 3 day.
16:19:13 4
16:19:14 5 We're nearly there?---Yes, [REDACTED] He was failing to
16:19:17 6 turn up for those. It was very difficult to get anything
16:19:22 7 completed.
16:19:22 8
16:19:23 9 MR MORRISSEY: Pause there, and I'll ask you to recommence
16:19:25 10 at that point. But in short, and if anyone needs to expand
16:19:29 11 on this they can seek to do so, was there a risk to [REDACTED]
16:19:34 12 [REDACTED]-Very extreme. Extreme risk.
16:19:37 13
16:19:37 14 By which you mean a physical risk?---Yes.
16:19:40 15
16:19:40 16 Yes, very well. Could you return to your narrative,
16:19:43 17 please?---So when I rang [REDACTED] to - - -
16:19:46 18
16:19:47 19 Sorry.
16:19:48 20
16:19:48 21 COMMISSIONER: We'll cross that from the record again and
16:19:50 22 it's [REDACTED]---I'll have a quick drink and start again.
16:19:55 23
16:19:56 24 Yes, sure?---It's when I spoke to [REDACTED] about this, the
16:20:04 25 difficulties we were having, it's then that he invited me
16:20:09 26 to have a meeting with him. It was quite clear that he
16:20:12 27 wanted to, he was struggling to go against his client's
16:20:16 28 instructions in speaking to me about the problems that his
16:20:20 29 client was having, but he did, and when he did, and I
16:20:26 30 became aware of what they were I advised him that I was
16:20:29 31 going to have to report this to my superiors and I was
16:20:33 32 going to have to arrange members from the Ethical Standards
16:20:39 33 Department to come and have a discussion with him about it,
16:20:40 34 which he agreed that that would be the case, that he'd be
16:20:42 35 happy to talk to them but his client would not talk to
16:20:46 36 Ethical Standards Department. So we were left in the
16:20:49 37 position at that point where there was some severe
16:20:52 38 criminality going on between [REDACTED] and the person, the
16:21:01 39 police members handling him and that had to be dealt with
16:21:05 40 and that's where ESD came in and took over that side of the
16:21:08 41 investigation.
16:21:08 42
16:21:09 43 COMMISSIONER: So here you're talking about corruption
16:21:11 44 within the Police Force?---Extreme.
16:21:14 45
16:21:14 46 Do I understand you to be inferring at least that [REDACTED]
16:21:20 47 [REDACTED]---Yes.

.30/04/19

1170

STRAWHORN RE-XN - IN CAMERA

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

16:21:22 1
16:21:22 2 Was giving this information in at least what he believed
16:21:27 3 were the best interests of his client?---Correct. His
16:21:29 4 client had told him not to tell anyone, in particular me,
16:21:32 5 about what was going on, but the lawyer saw that the best,
16:21:38 6 in the best interests of his client he had to pass that
16:21:42 7 information on.
16:21:46 8
16:21:46 9 MR MORRISSEY: May I put a question about that?
16:21:47 10
16:21:48 11 COMMISSIONER: Of course.
16:21:48 12
16:21:49 13 WITNESS: I may expand if you'd like.
16:21:51 14
16:21:51 15 MR MORRISSEY: I'll just put it more generally. If it
16:21:54 16 needs to be expanded others can ask. Did it appear to you
16:21:58 17 that [REDACTED] was torn between respecting his professional
16:22:04 18 confidence on the one hand?---Absolutely.
16:22:06 19
16:22:06 20 And protecting the physical well-being of his client on the
16:22:12 21 other?---Absolutely.
16:22:13 22
16:22:14 23 You took that to be that when he did approach you, you took
16:22:15 24 him to be looking after the latter interest?---I wasn't
16:22:17 25 aware what he was going to discuss with me but there was no
16:22:19 26 doubts that was the case. He knew that his client - - -
16:22:20 27
16:22:21 28 COMMISSIONER: As far as you know did he continue to act
16:22:24 29 for [REDACTED] --I believe so. Once [REDACTED] was handed
16:22:27 30 over to the Ethical Standards Department, along with [REDACTED]
16:22:31 31 [REDACTED] that was my last involvement or knowledge of - but
16:22:36 32 certainly [REDACTED] did assist Ethical Standards Department
16:22:47 33 greatly.
16:22:48 34
16:22:48 35 MR MORRISSEY: If it becomes necessary you're in a position
16:22:50 36 to provide details about what went on between [REDACTED] ---I
16:22:55 37 am.
16:22:55 38
16:22:55 39 And the handlers if that becomes relevant?---I am.
16:22:59 40
16:22:59 41 That is the only matter I wish to raise.
16:22:59 42
16:23:03 43 COMMISSIONER: Thank you.
16:23:03 44
16:23:03 45 MR HOLT: Commissioner, might I just ask one question
16:23:03 46 arising from that in the closed hearing?
16:23:03 47

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

1 COMMISSIONER: Yes.
2
3 <CROSS-EXAMINED BY MR HOLT:
4
16:23:04 5 Mr Strawhorn, in respect of [REDACTED] and if I can draw
16:23:08 6 your attention to paragraph 28 of your statement?---Yes.
16:23:10 7
16:23:11 8 Do you have that there? You note that in 2001 you had
16:23:13 9 dealings with that person, [REDACTED] --Correct.
16:23:15 10
16:23:16 11 What in fact was your formal role in respect of [REDACTED]
16:23:20 12 [REDACTED] --I ran the investigation that caused [REDACTED] to be
16:23:25 13 arrested and charged.
16:23:26 14
16:23:26 15 Let's be clear - - - ?---So that was the first part.
16:23:30 16
16:23:30 17 - - - were you the controller for [REDACTED] --And I became
16:23:35 18 the controller for [REDACTED] as an informer.
16:23:38 19
16:23:39 20 COMMISSIONER: Thank you. Ms Button, Ms O'Gorman, nothing
16:23:40 21 arising?
16:23:41 22
16:23:42 23 MS BUTTON: No Commissioner.
16:23:43 24
16:23:44 25 MS O'GORMAN: No Commissioner.
16:23:46 26
16:23:46 27 COMMISSIONER: Mr Winneke, anything in re-examination?
16:23:48 28
16:23:48 29 MR WINNEKE: No Commissioner.
16:23:49 30
16:23:49 31 COMMISSIONER: That then concludes the private hearings for
16:23:51 32 the time being. We'll need you back again tomorrow morning
16:23:54 33 at ten o'clock?---Yes.
34
16:23:55 35 Thank you. And don't take any documents that you didn't
16:23:59 36 bring with you, please?---I brought nothing.
16:24:02 37
16:24:02 38 Good, thank you?---Thank you Commissioner.
16:24:05 39
16:24:05 40 Thank you. We'll adjourn until ten o'clock tomorrow, thank
16:24:29 41 you.
42
43 <(THE WITNESS WITHDREW)
16:24:30 44
16:24:33 45 ADJOURNED UNTIL WEDNESDAY 1 MAY 2019
46
47

.30/04/19

1172

STRAWHORN XXN - IN CAMERA