

Information for the attention of the Royal Commission into the Victoria Police Management of Informers, relating to 3838/Lawyer X and her involvement with the Petra Taskforce.

This document is written for the information of the Royal Commission, to bring to its attention the involvement of Lawyer X as a witness in the Petra Taskforce investigation of the murders of Terrence and Christine HODSON; and concerns that Victoria Police disbanded this Taskforce in order to protect the secrecy of the fact that Victoria Police was utilising Lawyer X as a registered informer.

I wish to make it clear from the outset that at no time during my dealings with Lawyer X was I aware that she was a registered informer for Victoria Police, nor did Petra Taskforce utilise Lawyer X as an informer. Lawyer X was a witness in the Petra Taskforce investigation into the murders of Terrence and Christine HODSON, who made a signed statement in her own name and was later referred to as Witness F, in order to protect her identity as a witness.

At the time of the HODSON murders in 2004 I was attached to the Victoria Police Homicide Squad as a Detective Senior Constable. Following discovery of the murders of Terrence and Christine HODSON, my team and I attended at their home in Kew, where they had been murdered and an investigation commenced. I was the lead investigator in this matter. Detective Sergeant Sol SOLOMON was my immediate supervisor at that time.

SOLOMON has recently provided me with a copy of a signed statement which he has made, dated 15 January 2019. This statement was made by SOLOMON to inform the Royal Commission of the Petra Taskforce involvement with Lawyer X during the HODSON murder investigation. SOLOMON requested that I forward his statement to the Royal Commission. I have attached a copy of SOLOMON's statement to this document. As SOLOMON has provided a comprehensive account in his attached statement, I will not repeat that information. There are however some matters which I will expand on.

Early suspects

On page 2 of SOLOMON's statement, SOLOMON stated that by April 2007 the investigation was active however we had not yet identified any clear and definite suspects. It should be noted that ex-Victoria Police officer Paul DALE was identified as a suspect very early on in the investigation. This was due to the fact that DALE and another ex-Victoria Police officer David MIECHEL had been charged along with Terrence HODSON with offences stemming from a burglary at a house in Dublin Street Oakleigh. The house had contained significant quantities of drugs and cash and was the subject of a Victoria Police Drug Squad/MDID investigation at that time. HODSON was at that time a Victoria Police registered informer who was being handled by MIECHEL and DALE, who were attached to the Drug Squad/MDID. MIECHEL and HODSON were arrested in the vicinity of the address on the night of the burglary. HODSON later made a statement to the Victoria Police Ethical Standards Department regarding both DALE and MIECHEL's involvement in the planning of the burglary. HODSON was to be a prosecution witness against MIECHEL and DALE in the Court proceedings for those charges.

DALE and MIECHEL were arrested on 17 May 2004 and interviewed regarding the murders. DALE provided an alibi which was investigated and it was confirmed that DALE was in Bendigo at the time of the murders. MIECHEL also provided details of his movements over that weekend. DALE and MIECHEL remained persons of interest to the investigation.

Another significant suspect named Mark SMITH was also identified during the Homicide Squad phase of the investigation. SMITH was an associate of HODSON. During the investigation of SMITH, on 18

September 2004 a search warrant was executed at SMITH's home in Queensland and during that search 31 pages of Victoria Police Information Reports were located and seized. Analysis of those documents identified that they were from 10 separate Information Reports, prepared by MIECHEL and DALE, containing information provided to them by HODSON. Subsequent investigations revealed that these Information Reports were sent from a fax machine connected to Tony MOKBEL. Subsequent investigations into the whereabouts of Mark SMITH at the time of the murders identified that he was in Queensland on the weekend of the murders.

The WILLIAMS statement

In March 2007, as I understand it, Detective Senior Sergeant Jim O'BRIEN and Detective Sergeant Stuart BATESON were in communication with Carl WILLIAMS regarding unrelated investigations. WILLIAMS indicated that he could make a statement regarding his corrupt relationship with DALE and his knowledge of the HODSON murders. As a result, I attended at Barwon Prison with BATESON and obtained a statement from WILLIAMS. WILLIAMS signed that statement on 24 April 2007.

The WILLIAMS statement was the catalyst for the formation of the Petra Taskforce, to which SOLOMON and I were seconded. The initial functions of the Taskforce were to investigate the WILLIAMS statement with a view to determining the accuracy of his information, and to continue the HODSON murder investigation.

Contacts with Lawyer X

During the investigation it became apparent that Lawyer X was associating with numerous persons of interest to the investigation. SOLOMON and I wished to ask Lawyer X a number of questions relating to our investigation. I compiled a list of matters which we wished to speak with Lawyer X about, which became known as the Questionnaire. I was required to submit the Questionnaire through the chain of command for approval. I did not know why this was necessary at the time and I do not know who provided the ultimate approval for SOLOMON and myself to meet with Lawyer X to discuss the matters contained within the Questionnaire. Following approval of the Questionnaire, we were provided approval to contact Lawyer X and request to meet with her. We were instructed not to discuss matters other than those contained within the Questionnaire with Lawyer X.

On 21 February 2008 SOLOMON and I called Lawyer X and made an appointment to meet with her. The initial meeting occurred on 26 February 2008, with further meetings taking place on 28 February and 5 March 2008. During these meetings SOLOMON and I asked Lawyer X about matters contained within the Questionnaire. Lawyer X did not provide any privileged information during these meetings and was not acting as an informer, but answered questions which the investigation had raised.

Following those meetings, analysis of various telephone numbers of interest identified that DALE was operating a "safe phone" in a false name, and this safe phone was communicating with other phones, including a phone suspected of being operated by Lawyer X in a false name. On 17 November 2008 SOLOMON and I again spoke to Lawyer X by appointment regarding her knowledge of DALE's safe phone. Lawyer X admitted that she was in communication with DALE using a safe phone operated in a false name, and that the phone had been provided to her by Azzam AHMED. AHMED had been identified as being involved in the operation of the house in Dublin Street Oakleigh. I advised Lawyer X that I may ask her to make a statement regarding her possession of the phone and her contact with DALE on his safe phone, but I did not formally request her to make a statement at that time.

On 26 November 2008 DALE appeared before a coercive examination at the Australian Crime Commission. During that examination the matters detailed in WILLIAMS' statement were put to DALE,

including the corrupt relationship between WILLIAMS and DALE, and WILLIAMS' assertion that DALE had approached WILLIAMS to arrange the murder of Terrence HODSON.

Following that ACC examination, DALE called Lawyer X by phone and asked to meet her. DALE and Lawyer X were friends, but Lawyer X was not acting for DALE, nor had she previously. Lawyer X called SOLOMON, as detailed in SOLOMON's statement. Lawyer X offered to record a meeting with DALE.

As a result, on 3 December 2008 I met with Lawyer X in company with Detective Senior Sergeant Shane O'CONNELL from the Petra Taskforce. The purpose of the meeting was to confirm that Lawyer X was in fact prepared to record her meeting with DALE. Lawyer X confirmed that she had offered to record the meeting and was still prepared to do so.

On 6 December 2008 O'CONNELL and I again met with Lawyer X to confirm the meeting, which had been arranged for the following day.

On 7 December 2008 O'CONNELL and I met with Lawyer X prior to her meeting with DALE. Lawyer X was provided a covert recording device. Lawyer X then left and met with DALE. At the completion of the meeting we again met with Lawyer X and retrieved the covert recording device. Lawyer X indicated that during the meeting DALE had passed her a piece of paper on which he had written "ACC".

I then reviewed the covert recording. During the recorded conversation between DALE and Lawyer X, DALE indicated that WILLIAMS had made a statement and that the statement was very accurate. DALE knew the details of the WILLIAMS statement from the questions put to him during the ACC examination. This admission to the accuracy of the WILLIAMS statement was very significant, because the statement related to DALE and WILLIAMS' corrupt relationship and DALE approaching WILLIAMS to arrange the murder of Terrence HODSON.

On 11 December 2008 O'CONNELL and I again met with Lawyer X. I advised her that the recording was very significant and I requested her to make a statement. Lawyer X asked me how important it was that she make a statement and I told her that it may be the difference between DALE being charged or not charged regarding the HODSON murders. Lawyer X advised me that she would consider my request.

I was later advised that Lawyer X had agreed to make a statement and arrangements were then made for a statement to be obtained from her.

On 1 January and 2 January 2009 SOLOMON and I met with Lawyer X and obtained a statement from her. The statement was made in her own name. Lawyer X made it clear that she had never represented DALE in any matter and there was no issue of legal professional privilege. Lawyer X signed her statement on 7 January 2009.

On 13 February 2009 DALE was charged with the murder of Terrence HODSON.

On 11 March 2009 SOLOMON and I met with Lawyer X. The purpose of the meeting was to check on her welfare. Lawyer X expressed no concerns regarding her welfare.

I had no further contact with Lawyer X until SOLOMON and I flew to Queensland and met with Lawyer X on 20, 21 and 22 August 2009. The purpose of that meeting was for Lawyer X to review the covert recording of her meeting with DALE and compare the recording to the transcript of the recording. This recording review and transcript comparison was requested by Lawyer X.

I was not present for a welfare check with Lawyer X on 29 December 2009 which SOLOMON refers to on page 12 of his statement.

On 8 February 2010 SOLOMON and I met with Lawyer X and served on her a witness summons to attend and give evidence at the committal hearing of DALE at the Melbourne Magistrates Court. My memory is that Lawyer X had a walking stick or walking frame and oxygen bottle to provide her oxygen at the time we met with her. Lawyer X stated that she was not medically capable of giving evidence.

On 23 February 2010 an event chronology relating to the HODSON investigation was prepared for the OPP. During the course of preparing this chronology of events, it was identified that Lawyer X may have been involved as a conduit in the transmission of Victoria Police Information Reports from DALE to MOKBEL before the documents were faxed to Queensland.

On 16 March 2010 an application was made to set aside Lawyer X's witness summons. The Court granted a three month stay due to Lawyer X's medical condition. Following that, a letter was received from Lawyer X's solicitors advising that her medical condition had deteriorated and that she was now wheelchair bound. Surveillance on the day the letter was received showed Lawyer X walking unaided up the front steps to her accommodation.

On 19 April 2010, WILLIAMS, who was a key prosecution witness was murdered.

On 21 April 2010 I attended a meeting with Assistant Commissioner CORNELIUS and was advised that the Homicide Squad was investigating the murder of WILLIAMS and a new Taskforce, Driver, was being established to investigate the circumstances surrounding his murder.

In late April or early May 2010 Lawyer X lodged a writ against Victoria Police. This matter is covered in the statement of SOLOMON. The information I would add is that on 25 May 2010 I provided a copy of the brief of evidence against DALE to VGSO for the defence of the writ and on 2 June 2010 I provided VGSO with surveillance footage of Lawyer X which disproved her claims that she was wheelchair bound.

On 4 June 2010 the charges relating to the HODSON murders were withdrawn following the murder of WILLIAMS.

On 9 June 2010 Petra Taskforce held a conference to discuss further avenues to be pursued in the investigation. As a part of this conference it was decided that investigations should be commenced to determine whether Lawyer X had any involvement in the unlawful releasing of the HODSON Information Reports to elements of the criminal underworld. As a result of the conference, a document was prepared outlining the intended future investigative directions of the Taskforce, including the intention to investigate Lawyer X. This document was provided to the Petra Taskforce Steering Committee, advising the Steering Committee of the intention to investigate Lawyer X.

In August 2010 the writ against Victoria Police was settled with Lawyer X. It seemed highly unusual to me and others that the writ could be settled so quickly, and for what I understood to be a considerable sum, given that I had provided physical evidence to VGSO which suggested Lawyer X's claimed physical state of health was not completely accurate.

Around 16 August 2010 a document was received at the Petra Taskforce. The document was a written direction from the Chief Commissioner that Petra Taskforce staff have no further contact with Lawyer X. This was a staggering and perplexing direction to issue, given that the Steering Committee knew that we suspected Lawyer X of being involved in the unlawful distribution of the HODSON Information Reports and knew that [REDACTED]

and that Lawyer X was a critical witness for a future Coronial Inquest into the HODSON murders and would be a critical witness in a future prosecution of DALE for providing false information to the ACC. I refused to sign the direction, as did SOLOMON I believe. I do not recall if other members of the Taskforce refused to sign the direction, but it was certainly returned without all Taskforce staff consenting to the direction to have no further contact with Lawyer X.

On 18 August 2010 Assistant Commissioner MALONEY advised that the Petra Taskforce was disbanded. We were advised that the HODSON investigation would be taken over by Driver Taskforce and that no investigators from Petra would continue on the investigation.

The Driver Taskforce did not make any further headway in the HODSON murder investigation and to my knowledge did not investigate Lawyer X.

Throughout the entire time I was investigating the HODSON murders, both at the Homicide Squad and at the Petra Taskforce I was unaware that Lawyer X was in fact a registered informer.

It is now apparent that Lawyer X was a registered informer with Victoria Police. It is my belief that the fact that Lawyer X was a police informer played a significant role in the decision to disband the Petra Taskforce; and by extension had a significant detrimental effect on the investigation of the HODSON murders. Whilst not privy to the discussions of the Petra Taskforce Steering Committee and Police Command, I draw the conclusion that Police Command considered the Petra Taskforce's efforts to solve a double murder caused a risk of exposing the fact that Lawyer X was a registered informer. This conclusion is based on the following factors: the Taskforce was responding to a large number of defence subpoenas for information; Lawyer X would be required to give evidence and therefore be subject to cross examination; the Taskforce proposed to investigate Lawyer X; and members of the Taskforce refused to comply with a direction to cease all contact with Lawyer X. All of these factors put Lawyer X's role as a registered informer at risk of being exposed. I believe that Victoria Police made the decision to disband the Petra Taskforce in order to reduce the risk of this unethical relationship between Lawyer X and Victoria Police being exposed. In doing so those responsible for that decision effectively nobbled the HODSON murder investigation and denied the HODSON family any chance for justice.

This document has been prepared for the information of the Royal Commission into Victoria Police Management of Informers.



Cameron Davey

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