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OPI TELIM DOC / 07/24584
 A/C CORNELIUS' NOTES RE OP BRIARS
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 on 3.10.7
 at 1230hrs.

Briars / Contacts with Linnell and Ashby Chronology – Prepared following briefing from Graham Ashton on 14 September 2007, for the information of OPI.

Month	Developments
January 2007	<ul style="list-style-type: none"> Late January, received a verbal briefing from DC Overland re possible police involvement in murder of Chartress-Abbott and the possibility that we may establish a taskforce to investigate. Matter was pending as a statement from an informant was still under preparation / consideration.
February 2007	<ul style="list-style-type: none"> 9 February 2007, at 1600hrs, I was briefed by DC Overland re Operation Clonk (investigation into murder of Chartress Abbott). Discussed need to establish taskforce, due to suspected police involvement. I suggested Supt Rod Wilson might head the taskforce. 19 February 2007, about 1600hrs, following a MCMC steering committee meeting at St Kilda Road. I was provided with a draft direction pertaining to the establishment of a taskforce, as discussed on 9 February 2007. The draft was subsequently shredded when I received the final version. 20 February 2007, at 0900hrs, I met with DC Overland to discuss the establishment of taskforce Briars. We also discussed the establishment of a reference group to advise the Chief Commissioner and ourselves in relation to the management of government and media issues which might arise in relation to the operation of the taskforce. I then gave effect to various administrative arrangements within ESD to support the establishment of the taskforce over the following week. 26 February 2007, at 1530hrs, I met with George Brouwer, Graham Ashton, CCP and Simon Overland at George Brouwer's office to discuss the establishment of a taskforce (Taskforce Briars) to investigate police involvement in the murder of Chartress-Abbott. Agreed the taskforce should be conducted from covert premises, with the highest levels of confidentiality to be maintained. Shared resources between VicPol and OPI to be covered by an agency agreement. 26, February 2007, at 1645hrs, I met with Steve Linnell and CCP, in the CCP's Office re the pending release of the OPI "Past Patterns, Future Directions" report, to discuss media comment in relation to its release.

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	<ul style="list-style-type: none"> • 27 February 2007, at 1530hrs, I met with Rod Wilson, Wayne Taylor, Peter O'Neill, Nicole McKechnie, Penny Maroulis, [REDACTED], Steve Linnell and Fin McRae re the pending release of the Ombudsman's report into the TPA bullying allegations and the pending release of the OPI "Past Patterns, Future Directions" report. The purpose of the meeting was to agree on media strategy / comment regarding the release of both reports.
March 2007	<ul style="list-style-type: none"> • 1 March 2007, at 1130hrs, I attended a meeting with CCP, Simon Overland, Ken Latta, Alastair Milroy, Andy Allen, Steve Linnell, at the CCP's Conference Room. The purpose of the meeting was to discuss the establishment of Taskforce Briars and the establishment of this group as a CCP advisory group, to provide advice to the CCP in relation to managing issues with the government and media in relation to the taskforce. It was agreed that Frank Costigan QC would also be invited to join the group. The advisory group was to be separate from the taskforce Board of Management and should not receive operational briefings from the taskforce. This was in order to maintain confidentiality and to avoid any perception arising that the taskforce was being influenced by political or media considerations. To assist in briefing the advisory group, DC Overland gave a powerpoint presentation in relation to the taskforce and the issue likely to be the subject of consideration by the CCP advisory group. DC Overland stressed the need for confidentiality and the documents present were marked "Highly Protected". DC Overland also provided a copy of the draft terms of reference. DC Overland also stressed the confidential nature of the briefing material, indicating that it was being made available to assist in the development of advice for the CCP. The meeting also determined that Steve Linnell would have carriage of the development of a media strategy and that he would be afforded access to the terms of reference document to allow him to prepare the strategy. At no time was anyone given authority to disclose the contents of the briefing beyond the participants in the meeting. Meeting participants were requested to return circulated documentation prior to leaving the meeting. • 1 March 2007, 1300hrs, met with Graham Ashton for regular liaison meeting. Joined by DC Overland during course of meeting to discuss Briars

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	<p>arrangements, including the terms of an agency agreement and accommodation, possibly on 7th floor of the OPI building.</p> <ul style="list-style-type: none">• On 5 March 2007, at 0930 I received by hand from DC Overland a written direction to establish Taskforce Briars. The direction set out the terms of reference and administrative arrangements to be considered in the establishment of the taskforce. I caused a highly protected file cover, Taskforce Briars (ACHP121) to be created by my executive assistant, Ms Thiedman. Upon receipt of the file cover, I placed the above correspondence on the file and retained it and subsequent papers in my locked safe. Highly Protected files such as this are retained in a locked B class safe within my office. I am the only person with a key to that safe. All subsequent correspondence, notes and reports relating to this matter have been retained on file in that safe.• I confirmed my recommendation to DC Overland the appointment of Supt Rod Wilson to lead the taskforce. Over the following days, I had a number of discussions with DC Overland, and Mr Graham Ashton, to settle administrative arrangements and confirm the details of the terms of reference, with a view to the development of an agency agreement between the Victoria Police and the OPI, with respect to the establishment of the Taskforce.• I am aware that DC Overland briefed Supt Wilson about the Taskforce terms of reference and proposed administrative arrangements on 13 February 2007. This is the first occasion on which I am aware of Supt Wilson being briefed with full details about the matter. I had discussions with Supt Wilson to settle the terms of my response to DC Overland's direction that I establish a taskforce.• On 14 March 2007, I advised DC Overland, in writing, of the administrative arrangements put in place to establish the taskforce and our agreement to the terms of reference for the taskforce. I also provided DC Overland with a copy of a draft agency agreement between the OPI and the Victoria Police, with respect to the establishment of the taskforce. This draft agreement was provided to me by Mr Graham Ashton and was titled "Operation Neon". Both my written briefing to DC Overland and the draft agency agreement stressed the confidential nature of the investigation, the application of the "need to know principle" and the information
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	<p>security arrangements put in place to protect details of the taskforce activities being the subject of unauthorised disclosure.</p> <ul style="list-style-type: none"> On 15 March 2007, at 1100hrs, I attended the inaugural meeting of the taskforce Briars Board of Management. The meeting was also attended by DC Overland, Graham Ashton, Rod Wilson and ^{Officer Terrasse} Officer Terrasse (minute taker). The meeting considered a written briefing paper provided by the taskforce commander, Supt Rod Wilson. In the course of his briefing, Supt Wilson confirmed that the "need to know principle" would apply to the taskforce and that no details pertaining to its activities were to be recorded on ESD's ROCSID database. The meeting also settled the terms of the agency agreement, which were to be settled by Supt Wilson in final form, for signature. On 22 March 2007, I signed the final version of the agency agreement, now titled "Taskforce Briars". 26 March 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson.
April 2007	<ul style="list-style-type: none"> 2 April 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson. 10 April 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson. Supt Wilson submitted a draft investigation plan, dated 10 April 2007, for consideration. The BoM requested a risk assessment be provided to accompany the investigation plan. 16 April 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson. A revised Investigation Plan, dated 16 April 2007, which included a risk assessment was approved by the BoM. The risk assessment highlighted document security, information access and information leaks as extreme risks with catastrophic consequences, noting that a key mitigation strategy was that all media enquiries were to be dealt with by the BoM. 24 April 2007, at 1130hrs, the taskforce BoM met to consider a briefing from Supt Wilson. The briefing also considered a revised risk assessment for the taskforce, with the residual risk arising from a leak to the media remaining "high", after risk treatments were taken into account. 30 April 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson
May 2007	<ul style="list-style-type: none"> 1 May 2007, at 1400, the taskforce BoM met to consider a briefing from Supt Wilson.

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- 3 May 2007, at 1047hrs, I copied Stephen Linnell and Nicole McKechnie, a copy of an e-mail I sent to some of my staff regarding the conduct of the Kit Walker investigation. I forwarded the e-mail to Linnell and McKechnie in order to provide them with background in relation to media interest which had been generated in relation to the Kit Walker investigation. I did not authorise the release or further dissemination of that e-mail.
- 7 May 2007 – 11 May 2007, I was in Sydney on study leave and so did not attend the taskforce meeting.
- 15 May 2007, at 1130hrs, the taskforce BoM met to consider a briefing from Supt Wilson.
- 18 May 2007, at 1100hrs, I attended a meeting of the CCP advisory group. Also present were DC Overland, Alastair Milroy, Steve Linnell, Andy Allen. At the meeting, Steve Linnell provided a copy of the draft media strategy which he had been tasked with preparing at the previous meeting. The draft strategy was marked "highly confidential". I secured my copy of the draft media strategy with the Briars file secured in the safe in my office.
- On the morning of 24 May 2007, I received a telephone call from Mr Paul Mullett. He indicated he was in the building and wished to meet with me on a confidential basis. He would not tell me what the subject matter was as it was confidential and he believed that I would understand why he did not want to talk about it on the phone, after he had a chance to discuss the matter with me. I agreed to meet him. At 1230hrs, Mr Mullett attended my office in the company of Mr Greg Davies of the Police Association. I took notes of the meeting. Mr Mullett told me that his concerns related to the Kit Walker investigation. He was concerned that he had what he described as credible information from a reliable source that his phone was being recorded and that he was the subject of operational surveillance. He said that he had held this concern over the past two weeks as a result of several people saying independent of each other that "his phones were off". He said that he had also been told about where he had been seen, by people who had no other way of knowing about his movements. I told Mr Mullett that I was not aware of his phones being intercepted and I also indicated that I had not authorised any surveillance in relation to him. He indicated that he may put his

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	<p>concerns in writing and seek my written response. He said he wanted confirmation of whether either electronic or physical surveillance was being conducted in relation to his activities. He indicated that if this was the case, he would regard such activities a very serious interference by the employer with the operations of a union. I noted his concern that he believed that surveillance was being conducted on him in a sustained way. I asked him what caused him to have this belief. He again said that his belief was based on that fact that the source of the information had confirmed with him various places he had attended, information which the source could only have known as a result of surveillance. Mr Mullett also indicated that he was concerned that he was aware of at least two ESD staff who had, in his opinion, lost their objectivity. Mr Mullett also advised that if ESD had any matters which it wished to speak with him about, then he was prepared to answer those questions there and then. I advised Mr Mullett that I would await his letter.</p> <ul style="list-style-type: none"> • 28 May 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson. I advised the BoM of the details of my meeting with Mr Mullett on 24 May 2007. • 31 May 2007, my office received a letter dated 25 May 2007, from Mr Greg Davies of the TPA, in relation to the meeting I had with himself and Mr Mullett on 24 May 2007. I have chosen not to reply to the letter for operational reasons.
June 2007	<ul style="list-style-type: none"> • 4 June 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Wilson. • 12 June 2007, at 0900hrs, the taskforce BoM met to consider a briefing from Supt Wilson. • 22 June 2007, at 0800hrs, the taskforce BoM met to consider a briefing from Supt Wilson. At this meeting Supt Wilson briefed us about media interest from Age journalist Nick McKenzie. We were advised that McKenzie met with S. Sgt Ron Iddles on 19 June 2007. McKenzie told Iddles that he was aware that taskforce Petra was working on Hodson and that taskforce Briars was working on "the vampire". McKenzie also alluded to a source which had mentioned the ^{Mr Gregory} connection and some TPA involvement. It was Supt Wilson's assessment that McKenzie had been leaked a lot of information. Agreed that Overland / Ashton would meet with McKenzie.

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July 2007	<ul style="list-style-type: none"> • 2 July 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Insp Steve Waddell. • 9 July 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Insp Steve Waddell. Waddell advised that Iddles had a further meeting with McKenzie, this date (1430hrs), regarding his plans to write an article which related to Gatto's links to a number of ex police officers. Final version of the Operational MOU signed by all parties, per VAGO requirements. • 16 July 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. • 23 July 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. DCOverland to meet with Ron Iddles and Wilson re timing of Kit Walker aspect of the investigation. • 30 July 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. Agreed that Kit Walker matter be delayed due to operational reasons. Wilson and Iddles to meet with the whistleblowers on 23 July 2007, to seek their continued patience.
August 2007	<ul style="list-style-type: none"> • 6 August 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. • 13 August 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. • 20 August 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. The briefing included details (dates) of proposed OPI hearings in relation to key suspects. The BoM was also advised that it was believed that McKenzie might be planning to run his story on 1 September 2007. • 27 August 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. • 29 August 2007, the CCP advisory group (CCP, DC Overland, Andy Allen, Steve Linnell, Frank Costigan, Alastair Milroy, myself) met to discuss media issues.
September 2007	<ul style="list-style-type: none"> • 3 September 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. • 5 September 2007, at 0830, I met with DC Overland and Steve Linnell, to discuss the need for a revised media strategy pertaining to Briars, given that the operation was about to go to the overt phase. We briefed Linnell about the proposed batting order and our theory on the case, to assist him in understanding what the media strategy should allow for. We did not

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	<p>authorise him to discuss the briefing with any other party.</p> <ul style="list-style-type: none">• 7 September 2007, The Age (Nick McKenzie) published an article in relation to the Kit Walker investigation. That night, Stateline ran a story in relation to the Kit Walker Investigation. I had a discussion with Steve Linnell in relation to the article and the anticipated Lateline report, with a view to preparing an appropriate media response, which was that we would offer no comment due to the fact that the matter was subject to investigation. I was concerned about the level of detail in both reports. Linnell put it to me that the source of the leak must be coming from OPI. I indicated that I did not believe this was the case and that I understood, based on earlier advice from Crime Department, that the source of the leak may be [REDACTED]. Linnell wanted to know if there was anything we could do about it. I indicated that I thought that an investigation / prosecution was unlikely to be successful.• 10 September 2007, at 1600hrs, the taskforce BoM met to consider a briefing from Supt Rod Wilson. We were advised that the arrest phase was still six weeks away.• 11 September 2007, at 1010hrs, DC Overland and I received an e-mail from Supt Wilson advising us that SSgt Iddles had met with Nick McKenzie earlier that morning. McKenzie showed Iddles his proposed story. The story names Lalor, Waters and Chartres-Abbott. The story is set to run next Saturday. He confirmed that he would be meeting with Overland on Thursday. Supt Wilson advised me by phone that he believed there must be a leak close to the taskforce, given the extent of detail in the article.• 12 September 2007, about 0830hrs, I attended Steve Linnell's office and advised him that I intended to suspend Sgt Peter Lalor, pending further advice from Supt Rod Wilson, which I expected about midday. I briefed Linnell about the pending suspension because I expected there to be media interest in the issue and that it was therefore likely that his office would receive enquiries about the matter. I made it plain to Linnell that Lalor's identity was not to be disclosed. Linnell asked me to remind him of where Lalor "fitted" within the Briars operation. I understood he was asking for this information to assist him in updating the Briars media strategy. I gave Linnell a
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	<p>verbal summary of our latest understanding of Lalor's involvement in the matter. I did this on the basis that my advice to him would remain confidential. During the course of the discussion Linnell asked me what my thoughts were about the source of the leak which was evidently feeding the media stories being prepared by Nick McKenzie and Josephine Cafagna. I indicated that I understood from information I had received from Crime Department that the source may have been [REDACTED]. Linnell put it to me that the source may have been a well placed source at OPI. I indicated that I thought this was unlikely. I advised Linnell that I would provide a briefing note for release, following Lalor's suspension.</p> <ul style="list-style-type: none">• 12 September 2007, at 1200hrs, I met with DC Overland and Mr Graham Ashton at the OPI office to discuss Briars matters. About 1230hrs, following Peter Lalor's attendance at a private OPI hearing and on advice from Supt Rod Wilson, I suspended him with pay.• 12 September 2007, at 1300hrs, DC Overland and I met with Supt Wilson and S.Sgt Iddles to discuss timing of the arrest phase of the Briars operation. We sought a detailed explanation of the reasons for delaying the arrest phase and not proceeding sooner. We were advised that a further 6 weeks of investigation was required before we would have a brief sufficient to sustain charges against the police targets. We accepted the operational advice. DC Overland advised me that he would brief Steve Linnell about the anticipated time frame, in order to allow him to update the Briars media strategy.• 12 September 2007, at 1635 hrs, I sent an e-mail briefing to Steve Linnell, confirming Lalor's suspension. The e-mail was marked confidential and advised that the name of the suspended member should not be released to the media, "due to the confidentiality requirements attaching to the investigation".• 14 September 2007, Nick McKenzie article published in The Age.• 14 September 2007, at 1030hrs, I met with Mr Graham Ashton at his office. I was briefed about unauthorised disclosures in relation to Briars being made by Steve Linnell to unauthorised parties (Noel Ashby) and a destabilisation campaign being run by them. He authorised me to discuss the matters
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	<p>canvassed in that meeting with the CCP. I understood that she had already been briefed.</p> <ul style="list-style-type: none"> • 14 September 2007, (early afternoon) I had a telecon with Supt Wilson. He advised that S.Sgt Iddles had been advised by Nick McKenzie that he was aware that there was conflict between the Briars Board of Management and the investigators about the timing of the arrests. Supt Wilson was very concerned that this proved the existence of a high level leak, possibly within OPI, as it was clear that there were very limited parties to those discussions. I advised Graham Ashton of these concerns. He advised he would raise the issue with George Brouwer. • 14 September 2007, (late afternoon/early evening) I received a telephone call from CCP advising that I could brief DC Overland about the matters which I had been briefed about by Graham Ashton. • 14 September 2007, (evening), I briefed DC Overland about my earlier briefing from Graham Ashton. • 17 September 2007, 0830, I met with CCP and DC Overland re the briefing from Graham Ashton.
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Details of meetings with AC Ashby

August 2006	<ul style="list-style-type: none"> • 11 August 2006, at 1230hrs AC Ashby met with Sgt Mick Simpson and myself to discuss drink driving patterns of VicPol members. This meeting was in response to ESD briefing Ashby about this issue. It was also agreed that consideration should be given to having the AC Traffic hear all driving related discipline hearings as a way of establishing consistent outcomes.
June 2007	<ul style="list-style-type: none"> • 25 June 2007, at 0930hrs, at the request of AC Ashby, we met in my office to discuss an discipline hearing he had conducted into Noonan. He wanted to raise organisational issues with me. These issues related to delays in progressing the file. I briefed him about recent changes made to the operation of the DAU and the fact that DAU case officers are now assigned to support investigation teams. We also agreed that our established policy of having the AC Traffic continue to hear road traffic related matters would continue as this was allowing for the setting of consistent discipline outcomes.

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July 2007	<ul style="list-style-type: none">13 July 2007, at 1100hrs, I met with AC Ashby over coffee to discuss ethical leadership with AC Ashby, following an exchange between us at the recent Corporate Committee meeting regarding the "attitude test".
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Prepared by Luke Cornelius

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