

**Royal Commission
Into the Management of Police Informants.**

Statement of David John Waters.

1. My full name is David John Waters and I reside at an address which is known to the Royal Commission.
2. I am currently self-employed as an earthmoving contractor. I left school in what was called form four. I completed several diploma courses whilst undertaking training whilst I was employed by the Victoria Police.
3. I was previously employed by the Victoria Police from January, 1978 through to January, 2000. My employment with Victoria Police included operational duties in both the uniform and the Criminal Investigation Branch(CIB).
4. I worked at suburban Police stations , Criminal Investigation Branches and in the Major Crime Squad. I attained the rank of Detective Sergeant whilst I was stationed at the St Kilda CIB. I finished my employment with Victoria Police, whilst stationed at St Kilda CIB.

History of involvement with Nicola GOBBO. Question two.

5. I first met Nicola GOBBO in the later part of the 1990's originally whilst attending the various court precincts, predominately, in Melbourne. I do recall meeting her outside of work hours at functions and licensed premises however the specifics of these meetings now elude me. I do not recall having specific conversations with her at this stage and only can recall seeing her and being cordial.



6. During ^{PII} [REDACTED] 2003 I was appearing at the Melbourne Magistrates Court as an accused in a committal hearing. I was charged along with three other Police members and ^{PII} [REDACTED]. Myself and the three police members were represented by Mr Geoff CHETTLE, Barrister, and ^{PII} [REDACTED] represented by separate Barristers. ^{PII} [REDACTED] was represented by Nicola GOBBO.
7. At the completion of the committal hearing all six accused were committed to stand trial in the Melbourne County Court. ^{PII} [REDACTED] accused pleaded guilty to a charge which was unrelated to the allegations against the Police accused. As a result of this Nicola GOBBO then appeared for ^{PII} [REDACTED] ^{PII} [REDACTED] accused, ^{PII} [REDACTED]. After the committal hearing I was informed by my Solicitor, Tony HARGRAVES, that ^{PII} [REDACTED] had made a statement concerning the allegations against me.
8. ^{PII} [REDACTED] stated that he had been involved in the ^{PII} [REDACTED] and so had one of the Police accused ^{PII} [REDACTED]. He also stated that myself and the other two Police accused had no idea about what had happened. **This statement was organised whilst he was being represented by Nicola GOBBO.** The allegations were denied by all the accused Police and the statement he provided made no sense factually. The DPP then organised for another committal hearing to take place.



9. At the second Committal Hearing [REDACTED] refused to take the oath and acknowledge his new statement. The matter then proceeded to trial, in [REDACTED] 2005, where the allegations were contested. Myself and the three other accused were found not guilty.
10. During the trial, and at the end of the Prosecution case, the Prosecutor sought an indication from the defence as to which defendants would be giving evidence. The Prosecutor asked the trial Judge to elicit this from the defence, which the Judge refused to do. I was represented by Mr David O'DOHERTY, Barrister, at the trial. During the course of the trial, and I believe after the Prosecution case had closed, my Barrister was approached by Nicola GOBBO. The approach was outside the court precinct and totally unsolicited.
11. **Nicola GOBBO asked my Barrister, questions concerning the defence strategies and other matters that caused Mr O'DOHERTY to become concerned.** At that stage the questions seemed strange and were asked for no apparent reason as they related to privileged matters and were no concern of hers. It is now apparent that they were an attempt to undermine the defence case.
12. During 2003, I received a summons to appear at the Melbourne Magistrates Court regarding an application pursuant to Sec 56A of the Magistrates Court Act. This was an application to have me orally examined, as I would not make up a statement against another person.



13. Nicola GOBBO, was also a friend of a friend of mine and she advised him that she could help me regarding the 56A application. GOBBO volunteered this service however I was in no doubt that she was acting for me and I was reliant on what she told me concerning the application and legal advice.
14. I informed my solicitor, Warren Peacock, that GOBBO was going to appear for me at the application and he spoke with her. From memory the application was adjourned on two occasions due to commitments of GOBBO. The matter was finalised in October, 2003 from memory.
15. During 2005 and 2006 I spoke with Nicola GOBBO more regularly, predominantly in social surroundings as she was friends with other acquaintances of mine. I would often see her on the streets around the court precinct and hotels in the city area. On occasions I would have drinks with her and other friends. She also came to several parties and social occasions I had organised as a guest of a friend of mine.
16. I first became aware of an investigation concerning allegations made by ^{Mr Gregory} on the 26th of June, 2007, as a result of a phone call I received from a friend of mine, Peter ALEXANDER. From memory he asked me if I had heard of a task force or if I knew that a task force was looking at allegations regarding the bail of ^{Mr Gregory} I advised him that I didn't know what he was talking about concerning ^{Mr Gregory} bail, as I had no knowledge or involvement with it. ALEXANDER then said words to the effect, "That's right you didn't have anything to do with it."



17. I thought nothing further of this matter. I then received a subpoena to appear at the Office of Police Integrity(OPI) in secret hearings. At this stage I still did not know whether there were allegations concerning me. The matter was adjourned, and, until the second hearing I still had no idea about any allegations that concerned me being involved in the murder of Shane Chartres-Abbot. I believe this was the 12th of September, 2007.
18. After receiving the subpoena to appear at the OPI, I contacted GOBBO. I approached her with the intention of seeking her assistance, when I appeared at the OPI hearing. She advised me that she was unable to appear for me, however she stated that she could provide me with legal advice whenever I needed.
19. Allegations were eventually put to me, which I denied, and which alleged that I had knowledge concerning the planning, execution and subsequent alleged cover up of the murder of Mr CHARTRESS-ABBOTT. I still deny these allegations. I was prohibited from telling any person, including my wife, what the OPI hearings were about and what was discussed.
20. I took GOBBO up on the offer of legal advice and I called to see her on a number of occasions during this period. I deliberately did not announce my pending arrival as I was concerned that Police members would involve GOBBO by electronically monitoring her phone or office.



21. Within a day of the OPI hearing my Doctor, John JORY and my Solicitor, Warren PEACOCK were contacted by Nick Mc KENZIE from the Age newspaper. Mc KENZIE asked them both questions concerning my appearance at the OPI hearings and he also detailed extensive material concerning the allegations that were put to me during the confidential hearings. Mc KENZIE then wrote a several page article in the Age newspaper giving an accurate account of my appearance at the OPI hearings.
22. The involvement of Nick Mc KENZIE was subject to a complaint to the OPI, however the OPI didn't want to know about it and certainly did nothing about this breach of their secrecy requirements. Within days of this article being published I was contacted by Nicola GOBBO.
23. I spoke with Nicola GOBBO continuously at this time concerning the allegations that had been put to me during the OPI hearings and aired in the media. I spoke with her in the belief it was for the purpose of obtaining legal advice from her and I was reliant on what she told me. I engaged Warren PEACOCK to act as my Solicitor, for any potential bail application, if I was to be charged with any offence. I instructed Warren PEACOCK that GOBBO had offered her' services and we should brief her to act in any future bail application. At that time in 2007, she had a reputation as a bail specialist in the Supreme Court.



24. Warren PEACOCK did speak with GOBBO concerning her being retained to appear for me if the situation arose.
25. I believe that on or about the 12th of September, 2007, I called past to see GOBBO and she advised me that she had reliable information that Fmr. Sen/Sgt Iddles and Fmr. Assistant Commissioner Overland had had a confrontation. She told me that Overland was insistent that myself and Peter Lalor be charged with the murder of Chartress-Abbott and Iddles refused to. It was based on this conversation that I believed I may have been charged with the murder. At this stage there was an implied retainer, that GOBBO would appear for me if required at any future bail application.
26. I relayed this information to Peter Lalor whilst at the OPI building. I believe this was on the 12th of September, 2007. This information was correct as it later appears in the affidavit prepared by Fmr. Supt Rod Wilson.
27. From the middle of 2007, up until 2010 I spoke with Nicola GOBBO on numerous occasions concerning the allegations against me and defence strategies including the alibi's I had for various important times/dates during the period of the alleged criminal conduct. On occasions she would call me and on other occasions I would know where to find her and just meet her unarranged. The following are a brief outline of some of the matters discussed, in confidence, with her for the purpose of legal advice.



28. After the OPI hearings initially she asked questions of me in a general sense for example, "What evidence could they have against you?" "Where could they find corroboration for these allegations?" This type of questioning from a criminal barrister, from whom I was seeking legal advice appeared to be strange at first however I didn't think anything of it and spoke candidly with her. I spoke openly with her as I believed the conversations were between a client and legal advisor, in other words, subject to privilege.
29. Again, there was an implied retainer, I was reliant on what she told me and at no stage did she tell me that she could not act for me. She encouraged me to seek her counsel on all matters relating the potential criminal charges.
30. One of the main allegations concerned meetings at the [REDACTED] Carlton, where it was alleged by ^{Mr Gregory} that several meetings took place during which the murder of CHARTRES-ABBOTT was discussed. It was alleged that ^{Mr Gregory} requested and was given the address of CHARTRES-ABBOTT during these meetings and that it was organised for ^{Mr Gregory} to surrender himself into custody on the day of the murder so as to provide an alibi.
31. He alleged that the surrendering himself into custody was organised by myself, Peter LALOR and Bob MATHER. The time these meetings allegedly took place was between 28th of May, 2003 and 3rd of June, 2003 according to ^{Mr Gregory} | ^{Mr Gregory} originally reinforced these dates by referring to the commencement of CHARTRESS-ABBOTT's rape trial as a reference point.



32. When this was discussed with GOBBO, I stated it was impossible to put the people nominated together in that [REDACTED] as alleged by ^{Mr Gregory} during these dates and that I would have been elsewhere. The evidence of ^{Mr Gregory} changed after this concerning the time frame for the meetings and the organising of the address.
33. When I was getting legal advice from her concerning any potential bail application she raised the prospect of funding the bail application through the Police Association. GOBBO said words to the effect, "Wont you speak to MULLETT and apply for funding from the Police Association". This was mentioned a number of times when I was speaking with her even though I told her that I would not be eligible for funding.
34. In another conversation I had with her, in late 2009 or early 2010, she told me that she had some reliable information concerning a statement that ^{Mr Gregory} had made. She told me ^{Mr Gregory} had made a statement alleging that he gave me the gun on the morning of the murder, just after it had occurred. I told her that was a complete fabrication of evidence and untrue. I denied seeing ^{Mr Gregory} that morning and informed her that I was elsewhere.
35. I told her on the morning of the shooting I was at Poyntons nursery café in Moonee Ponds having breakfast with an employee of the City of Moonee Valley. My company was employed by the City of Moonee Valley at that time and I was due to travel to Western Australia the following day. We were organising the work schedule for my employees for the next month whilst I



would be away. This was an alibi for the allegations raised by ^{Mr Gregory} in his final statement.

36. This statement was taken in May, 2012, and it alters what he did after the murder and changes what he did after allegedly providing me with the firearm after the murder. For the first time in six years and after his first [REDACTED] statements, he recalls going to the Moonee Ponds junction.

37. On the 12th of May, 2012 the final statement was taken from ^{Mr Gregory} by Det S/Sgt IDDLES. This is the first time that ^{Mr Gregory} alleges the gun was given to me, six years after he first started fabricating evidence against myself and others.

38. During the statement ^{Mr Gregory} was constantly prompted by IDDLES regarding the material in it. In the statement, the last paragraph on page one and the first paragraph on page two, there is the throwaway line, [REDACTED] had plans to do some thing's for himself, personnel things, which involved me driving him to the Moonee Ponds Junction". **This statement was taken in May, 2012, several years after GOBBO told me of its existence.** This was an obvious attempt to undermine the alibi I articulated to her.

39. I have now become aware of members of Victoria Police tasking GOBBO to contact me and to provide me with false information, lies, in an attempt to dictate the result, of what I believed was legal professional privileged advice.

40. I believe that by tasking GOBBO to provide me with false information, Victoria Police undermined the process of client legal privilege and elicited information that was subject to legal professional privilege.

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41. By tasking GOBBO to meet with me and provide me with false information, Victoria Police were in now controlling the legal advice I was receiving from GOBBO.

Use of Mrs GOBBO as a human source. Question 3.

42. I first became aware of that a solicitor had provided assistance to Victoria Police when there was an article in the HeraldSun newspaper, titled Lawyer X. Initially I was not sure who the solicitor was however I guessed it was GOBBO.
43. GOBBO had sent me a text message in or around 2013. In the text message she stated words to the effect, "That if Simon and his band of traitors think they are going to get away with this, they have another thing coming." Based on that text message and the subsequent media story, in 2014, I assumed it was GOBBO.
44. During the Supreme Court trial of Angelos GOUSIS and others, for the murder of CHARTRESS-ABBOTT, I became aware of evidence that ^{Mr Gregory} provided during re-examination. He stated one of the reasons he confessed to the murder of CHARTRESS-ABBOTT, 'Was due to conversations he had with his solicitor, Nicola GOBBO, who told him what was being said about it.'
45. I did not have any formal notification of GOBBO's involvement until the High Courts' decision to release her name. I have become more aware of the extent of her providing information and assisting Victoria Police, during the public hearings at this Royal Commission.

Question four.



46. I have now been made aware that Victoria Police established a steering committee and a board of management to oversee the activities of GOBBO. Other members of Victoria Police, that I am aware of, as having knowledge of GOBBO's activities have been established through the current Royal Commission hearings.
47. During the course of Angelos GOUSIS's trial for the murder of Lewis MORAN, I am aware that the defence made an application for certain documents through subpoena applications. Victoria Police defended the production of the documents and used the Victorian Government Solicitor to defend the application.
48. The prosecutor in that matter was Andrew TINNEY, he has been involved in prosecution of various trials which defendants had engaged Nicola GOBBO regarding legal advice or actually appeared for them.
49. Andrew TINNEY and a representative of the DPP, Kylie VAN AKER, attended in the prison to speak with ^{Mr Gregory} prior to his giving evidence at the committal hearing for GOUSIS re the murder of Lewis MORAN. They attended with Det/Sgt TRICIAS and Det/Sgt HUNT and it has been recorded that they discussed edited statement number one, number two and an edited transcript.
50. During a recorded conversation between Det/Sgt TRICIAS and ^{Mr Gregory} ^{Mr Gregory} raises concerns about the defence cross examining him about certain matters at the MORAN committal. Det/Sgt TRICIAS reassures him it won't be a problem as the defence only has the edited statements.



51. GOBBO has been involved with ^{Mr Gregory} since he was arrested in 2004. She has played a role in assisting him to make statements and deals with the Police, the prosecution would have to have known of her involvement.

Question five.

52. The authorisation for the use of GOBBO came from the board of management and the steering committee. The members of these boards and committees comprised of predominantly Fmr Ass/Com OVERLAND, Ass/Com CORNELEUS, Chief Com ASHTON. There have been various high-ranking members of the Victoria Police involved in the board and committee but ultimately authorisation came from all the senior members whom allowed her involvement to continue.

53. Front line supervisors who were experienced, educated Police members authorised and condoned her continued use by doing nothing to stop it.

Question six.

54. Detailed previously, see question two answers.

Question seven.

55. I have been made aware that GOBBO was providing information to Fmr Det Supt DeSanto in and around October 2003. DeSanto was the informant for the 56A application which was heard at the Melbourne Magistrates Court.

56. DeSanto was well aware that GOBBO was providing me with legal advice and appearing for me at the 56A application, yet he recorded details of our defence which he had been provided by GOBBO.

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57. I became aware of this when DeSanto gave evidence and produced information reports at this Royal Commission. During the relevant period in 2003 I believe I was subject to substantial electronic monitoring by members of Victoria Police. A search of application materials relevant to that surveillance would establish whether GOBBO had any input to support the applications.
58. When I gave evidence at the 56A application it was apparent that the prosecution had intimate knowledge of matters they put to me. I now know that this was due to GOBBO providing the details of our privileged conversations.
59. In and around May, 2005, GOBBO approached my defence Barrister, David O'Doherty, and asked questions concerning the strategies the defence were going to adopt whilst I was facing trial. The questions caused David O'Doherty to become alarmed and suspicious of her motives and as a result she was not told anything.
60. The result of a successful approach of this nature could have only benefited the prosecution. The informant in that matter was Fmr Det Sen/Sgt TAPAI.
61. From around September, 2007 through to 2010, I spoke with GOBBO concerning the allegations regarding the murder of CHARTRESS-ABBOTT. It is now apparent from matters already raised at this Royal Commission, that GOBBO was continually providing information to members of the Purana/Briars Task Forces, the Source Development Unit and Police Command.
62. Whilst I would speak to GOBBO concerning a number of matters when I was with her, the dominant purpose of the conversations was to obtain legal



advice. For members of Victoria Police involved in the use of GOBBO against me, to say they were only gathering information gleaned in a social setting is a blatant lie.

63. I have not read a single information report or heard a recording where she is detailing matters of a general nature, re the weather, football or the any other social conversation. All matters refer to or are intrinsically linked to the Briars Task Force investigation.

64. Members of Victoria Police could have sent any number of people to see me in an undercover capacity, however they knew that I would speak openly and frankly to someone whom I considered to be my legal advisor. They knew that I was reliant on what GOBBO was advising me and that's why they exploited the client lawyer relationship.

65. The information that GOBBO provided members of Victoria Police as a result of our privileged conversations appears to be everything we discussed based on reports I have seen. That information was given to various Police members in a number of areas of Victoria Police.

66. The information which she provided to Victoria Police concerning my potential alibis was utilised by members of the Briars Task force to change the evidence of ^{Mr Gregory} so as to make his lies work around my alibis. This includes alleged meetings at the [REDACTED] which never took place as supported by my movements and ^{Mr Gregory} original statements. His evidence was then changed to expand on the times and dates to accommodate my movements.

67. Members of the Briars task force facilitated the change in ^{Mr Gregory} statements, however Det/Sgt TRICIAS had approximately 700 plus phone calls with ^{Mr Gregory}. This was revealed at the CHARTRESS-ABBOTT murder trial.
68. The last statement taken from ^{Mr Gregory} by Fmr Det Sen/Sgt IDDLES clearly move: ^{Mr Gregory} location to suit my alibi for the morning of the murder of CHARTRESS-ABBOTT. This alibi was provided to GOBBO by me based on information she told me concerning a statement ^{Mr Gregory} had made. This was false information which resulted in my alibi being declared.
69. The constant changing of ^{Mr Gregory} statements and evidence can be attributed to GOBBO's involvement in the investigation. This will be expanded on when answering question eight. The result of information provided to Police by GOBBO resulted in Victoria Police attempting to fit myself and Peter LALOR up for the murder of CHARTRESS-ABBOTT. Victoria Police did fit up Angelos GOUSIS and Warren SHEA for the murder of CHARTRESS-ABBOTT; they were subsequently found not guilty predominantly due to the lies of ^{Mr Gregory} being exposed.

Question eight.

70. The answer to this question needs to have an explanation of the background of ^{Mr Gregory} involvement in the murder investigation regarding the death of CHARTRESS-ABBOTT, to show how GOBBO assisted with the manipulation of the evidence.
71. CHARTRESS-ABBOTT was murdered on the 4th of June, 2003. ^{Mr Gregory} was arrested in April, 2004 for the murder of Lewis CAINE. During [REDACTED] and [REDACTED] 2004 [REDACTED] [REDACTED] was called to appear at the

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████████████████████^{Mr Gregory} tried to prevent ██████████
by contacting members from the Purana Task Force and informing them that
he wanted to confess to the Lewis MORAN murder.

72. He was lying throughout the confessions which resulted in the Police
abandoning the process on several occasions. At this stage ^{Mr Gregory} was aware
that he was facing a sentence of life in prison due to his extensive criminal
history. He was trying to prevent this by cooperating with members of the
Purana Task Force.

73. At no stage did he mention to them the murder of CHARTRESS-ABBOTT
which had occurred less than twelve months earlier. During October, 2004
whilst speaking with ██████████^{Mr Gregory} states he will confess to
██████ murders just to show up the Police and "Make a laughing stock of the
whole lot of them".

74. On the 27th of September, 2005, Fmr Det Insp RANKIN of the Homicide
Squad, conducted a press release regarding the unsolved murder of
CHARTRESS-ABBOTT. The press release appeared in both print and electronic
mediums.

75. On the 17th of May, 2006, a meeting was convened between Fmr Ass Com
OVERLAND and ^{Sandy White-O} ██████████ From information I am now in
possession of OVERLAND was concerned that I could potentially have been
in a position to expose the activities of Victoria Police using a Barrister as an
informer. OVERLAND was aware that I was talking to GOBBO at this time.

76. OVERLAND based this on the false belief that I was in contact with ██████████
who was a friend of mine. ██████████ apparently worked at the Informer

Management Unit of Victoria Police. OVERLAND falsely believed that [REDACTED] could tell me that GOBBO was an informer. As of May, 2006, a simple check of phone records would have shown that I had not spoken with [REDACTED] for at least six years.

77. The false concerns of OVERLAND would have been relayed to GOBBO, who in turn would have become paranoid that I could expose her activities and destroy her life.

78. On the 18th of May, 2006, the day after the meeting between OVERLAND and Sandy White-O Mr Gregory writes the word "Vampire" on his hand when he is talking to Det Sgt TRICHIAS. I believe that GOBBO had spoken to Mr Gregory prior to TRICHIAS.

79 Mr Gregory then starts a process of negotiation prior to committing himself to a statement regarding the murder of CHARTRESS-ABBOTT. Part of the deal he sought, was to receive a fully concurrent, minimum term with the sentence he was already serving.

80. From July, 2006 through to November, 2006, Mr Gregory provides various members of the Purana Task force and Homicide Squad with the [REDACTED] statements. The statement requires six interviews with Mr Gregory over the period of completing the statement. There are breaks of up to three weeks between the instalments during the taking of the statement.

81. Each time the Police return to interview Mr Gregory and continue taking the statement, it appears that he has remembered further details. I have no doubt that this was due to contact he had with GOBBO. This is based on a

transcript of an interview between ^{Mr Gregory} Det Sgt TRICHIAS and Fmr Det Insp O'BRIEN in [REDACTED] 2007.

82. ^{Mr Gregory} informs OBRIEN and TRICHIAS that he is concerned with her ability to get into the prison and go from one crew to another, her conspiring and running rings around people. This is a reference to GOBBO conspiring with people in prison, including himself. He refers to this again during re-examination at the murder trial of GOUSIS, SHEA and PERRY.
83. When asked why he came forward when he wasn't on the radar for the murder ^{Mr Gregory} replies that one of the reasons was, 'Due to conversations I had with my solicitor, Nicola GOBBO, who told me what was being said about this matter'.
84. These two claims by ^{Mr Gregory} show that GOBBO was involved in the manipulation of evidence in this murder investigation and subsequent trial.
85. During the taking of the first statement ^{Mr Gregory} refers to other former members of the Victoria Police force as being involved in the murder. On the 13th of September, 2006 he indicates that he obtained the address of the victim from myself and Fmr Det Sgt SAUNDERS. This appears in information reports prepared by Det Sgt TRICHIAS. On the 27th of September, 2006, ^{Mr Gregory} states that myself, SAUNDERS, Fmr Det CAMPBELL and Fmr Det ALEXANDER were all involved in the murder.
86. The members talking to ^{Mr Gregory} must have been able to prove that ^{Mr Gregory} was lying about these matters, as the names of these members apart from myself, do not appear anywhere in ^{Mr Gregory} statements. They are only recorded in information reports.



87. GOBBO has been involved in assisting Police to help ^{Mr Gregory} fabricate evidence against myself, Peter LALOR, Angelos GOUSIS and Warren SHEA.
88. When ^{Mr Gregory} raised concerns with OBRIEN and TRICHIAS concerning GOBBO conspiring and visiting persons in prison, they acted as if they were not complicit with her. They had to have been involved and consented to it, otherwise there would be information reports, briefing papers and other documents alluding to their concerns about her actions.

Question nine.

89. I am not directly aware of any concerns raised by members of Victoria Police or any other Government Department employees.

Question ten.

90. As per the answer to question nine.

Question eleven.

91. The only awareness I have of discussions within Victoria Police concerning the use of GOBBO as a human source, came from radio interviews where Fmr Det Sen Sgt IDDLES outlined issues he had with GOBBO and how he informed senior members of Victoria Police about those concerns.

Question twelve.

92. I have never had contact with CHARTRESS-ABBOTT or even knew who he was until Victoria Police attempted to fit me up for his murder.

Question thirteen.

93. I have no knowledge of these matters.

Question fourteen.



94. I have no knowledge of any other person as a human source whom was subject to legal obligation of confidentiality.
95. I have knowledge that during the early 1990's it was a requirement to place the name of informers into an envelope to be stored at the Detective Inspector's Office. The outside of the envelope had a code written on it and only the member involved with the informer had knowledge of the name of the person written inside the envelope.
96. Members fabricated the names of persons, including Prime Ministers, high profile legal person and fictional characters when putting details inside the envelopes. This was a common practice and a sign of resistance to the process.

Question fifteen.

97. I initially attended at the Victoria Police Academy in 1978 and completed recruit training. All constables who graduated had to pass various modules of training. This include the process of arresting persons, informing them of their right to silence. This was governed by the Judges Rules, I believe back then.
98. I attended and passed Detective Training School in 1986. The course included instruction on arrest, search and seizure. This again included the cautioning of suspects regarding their rights to remain silent and to be able to contact a solicitor. At this stage I don't believe it was part of the mandatory requirements prior to interviewing, it was part of the Judges Rules.



99. Search and seizure were extensively covered which included requirements when searching premises such as a solicitors' office. The instructions given stipulated that it was a mandatory requirement that if a solicitor or other person claimed legal privilege over documents, subject to the search, that you were unable to view those documents. They had to be sealed and conveyed to the issuing magistrates for direction.
100. This was explained as legal professional privilege. During these lectures the subject of legal professional privilege was covered. It was explained that all communications between a legal practitioner and their client concerning the allegations being investigated were subject to legal privilege. The thrust of the lectures were, you could not ask what was discussed nor listen into or record conversations that were subject to legal professional privilege.
101. When I attended the Sergeants Course(Sub Officers) the subject of legal professional privilege was covered. This included the search and seizure of documents subject to legal privilege as well as amendments to the Crimes Act which required the reading of a persons' rights to them. This was under sec 464 of the Crimes Act and it covered the admissibility of confessions. A person when interviewed in relation to an indictable offence had to have their rights read to them and it had to be recorded. This included the right to contact a legal advisor and the right to remain silent.
102. During all training regarding legal privilege and a suspects' rights it was explained that if the obligations of the Police member were not



complied with it could lead to confessions being held to be inadmissible as well as potential liability of the members.

103. I am aware that when the Victorian Charter of Human Rights and Responsibilities Act was enacted in 2006, members of the Victoria Police were given extensive instructions as to the implications of the Act on Policing. This appears to have fallen on deaf ears.

104. The disclosure of all documents when requested by the defence was common knowledge

Question sixteen.

Events relevant to 2009, Ron IDDLES/Nicola GOBBO statement.

105. During 2009 I was contacted by Peter Lalor, who had information received by Tony Hargreaves (Lalor's Solicitor). This contact took place, I believe around June, 2009. Hargreaves advised Lalor that a phone call had been received from Fmr Det Sen/Sgt Iddles re the status of the operation Briars investigation.

106. Hargreaves advised Lalor to pass the update onto myself. Iddles informed Hargreaves that the brief of evidence concerning the murder investigation had been returned from the DPP. The DPP had advised Victoria Police that there was insufficient evidence to prosecute any persons for the murder of Chartress-Abbot.

107. Iddles, further advised that the result of this would mean that the brief of evidence would be filed away and that if any further information was received it would be reactivated.
108. Hargreaves contacted Greg Davies(Secretary of the Police Association), and advised him of this update. The Police Association was funding Hargreaves to represent Peter Lalor.
109. It was within several days of Hargreaves contacting Davies, Davies was on the John Faine(ABC radio) program. Davies was discussing the result of the Fmr Det Insp Brian Rix's investigation and it was commented on by Faine, that it was poor form by VicPol dropping a letter in Rix's Pidgeon hole, exonerating him.
110. Davies then informed Faine of the result of the Briars investigation on air. Faine was surprised as he had heard nothing of it. Faine then spoke to Christine Nixon on air and she informed him that she had no knowledge of the result.
111. After Nixon's response, Ass Com Cornelius was interviewed on the radio program. Cornelius contradicted Iddles and Davies, stating that the investigation was not being filed and that it was still active and ongoing. There seems to be a serious contradiction between the DPP, Iddles and Cornelius here.



112. Up to this point the investigation had exhausted all avenues of enquiry, completely destroyed ^{Mr Gregory} evidence and cost the state of Victoria in excess of \$25 million dollars. All available material to use for the construction of affidavits for warrants and coercive hearings had been fully exploited and exhausted.
113. After the Cornelius interview on radio the investigation did recommence with coercive hearings and further telephone intercepts and I presume other warrants being utilised.
114. It was a concern in 2009 as to how this investigation could recommence and use coercive hearing and warrants again when the foundation materials for these applications had been exhausted.
115. After the Cornelius radio interview people were called to coercive hearings at the [REDACTED] Just by coincidence, people named in a statement supposedly made by GOBBO, were called to hearings along with many others. Telephone warrants were again put in place.
116. In recent weeks I have become aware of the statement which was obtained from Nicola Gobbo in May 2009. When I viewed this statement, I became concerned regarding the layout of the statement and blatant lies

which were contained in it. The statement appeared to have been cut and pasted, using different fonts and formats.

117. The statement has had parts of it embellished to alter the conversations between myself and Gobbo. This has been done to incriminate persons and distance herself from her legal professional privilege concerning the conversations we had.

118. It was Gobbo who approached me originally, offering help in a legal capacity. It was her that recommended I provide a prepared statement to the investigators when interviewed. She read over it for me and gave me her opinion of it, not as a friend but as a legal professional. I was not talking to her for friendly conversation I was talking to her in her capacity as a lawyer, for legal advice.

119. It is now apparent that Victoria Police was aware of this and were tasking her to have conversations with me. Victoria Police used this relationship, client/professional to their advantage because they knew I would be talking to her openly and frankly about the very matter they were investigating.

120. If the statement from Gobbo, in its current format, was taken legitimately, it would have been part of the brief of evidence that was referred to the DPP for a legal opinion in 2009. If this had been the case

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myself and Lalor would have been charged with the murder of Chartress-Abbot.

121. It is inconceivable, that after spending the time and money trying to charge us with murder that they did not use that statement if it was legitimately obtained. It is obvious it wasn't a legitimate statement and that is why it has never been used on a brief of evidence or been produced.

122. The two possibilities available as to why that statement was altered by falsifying evidence is 1, Someone was a practical joker, having fun with it, or 2 it was used for further criminal enterprise.

123. Due to the coercive hearings and the warrants that were executed after the Cornelius radio interview, it is apparent that the altered Gobbo statement was used to fabricate evidence in the form of affidavits for various warrants. After 2009 another ex FedPol member was in charge of the Australian Crime Commission.

124. With the fabricated material added to Gobbo's statement it would enable the Briars investigation to recommence. The only other matter I am aware of that came to light in 2009, was the new statement from the rape victim [REDACTED] In that statement she admits lying to the Police about Mark Perry.



125. She states that Perry actually confessed to her that he committed the murder of Chartress-Abbot and demonstrated to her how he did it. That demonstration, concerning the headlock and gun is the closest to the actual shooting as corroborated by the ballistic/pathology reports.
126. The affidavits would have in them words similar to, 'we now have a statement from a registered informer, human source or undercover operative that details a confession made to her by one of the suspects'. They would not need to say it was signed or un signed.
127. The application with the fabricated evidence would have been made with the knowledge that the affidavits requesting the warrants are virtually impossible to obtain. The fabricated statement would only have to be produced if it was requested by the issuing Judge, and therefore they believed that the statement would never be released publicly.
128. The Gobbo statement displays an utter contempt towards the Judiciary. Victoria Police have presented material to Judges in an attempt to obtain warrants and in doing so have completely misled the courts. This displays a propensity to deliberately mislead the courts that has been systemic throughout the Briars investigation.
129. The terms of reference concerning the use of Nicola Gobbo as a human source, can be applied to this the manufactured statement. Not only



is Gobbo involved in providing material against her client, it is an example of how Victoria Police have extended her involvement to their own advantage. Victoria Police has exploited her position further for their own corrupt purposes, to mislead the courts.

130. The murder investigation into the death of Shane Chartress-Abbott has been nothing short of a debacle. The original investigation was incompetent from the outset with no real commitment by Victoria Police to solve it. This can be corroborated by the fact that [REDACTED] who contacted Crime stoppers within 2 weeks of the murder nominating the people responsible, did not have a statement taken from him until four years later in 2007.

131. Other witnesses have outlined evidence against Mark Perry, which would be able to sustain a conviction but for the involvement of ^{Mr Gregory} _{Mr Gregory} tories from the outset have been driven by his own objectives which were to exact revenge and gain a benefit for himself. Constantly his evidence was proven to be false and fabricated.

132. It is still possible to solve this murder due to the double jeopardy rule no longer being available in Victoria. One of the prerequisites to file a charge of murder again, is to show that the administration of justice was undermined at the first trial. This can be shown by the perjured evidence of

Mr Gregory



133. ^{Mr Gregory} If was to be given the ultimatum, to tell the truth or removal of the lifetime suppression order regarding his identity be lifted, I think he would finally tell the truth. The suppression order was conditional that he tell the truth and provide evidence at the murder trial.

134. He was used by Victoria Police on at least four occasions to give evidence during murder trials. It is not hard to see the pattern of lying and manoeuvring by him and the Purana/Briars task forces.

135. It would not be a difficult task to compile the list of lies and inconsistencies during his involvement with the Purana and Briars task forces. I believe that if he were to be confronted with them, with the prospect of being resentenced he would tell the truth. Whilst he is a pathological liar, it is easier to prove he didn't shoot Chartress-Abbott than he did.

136. The only evidence that he committed the murder is his uncorroborated confession, for which he gained a number of benefits, including complete concurrency in sentencing.

137. It would certainly be a positive for the Royal Commission if they were able to finally reveal what happened to Chartress-Abbot and gain a



conviction for his murder. The murder investigation was perverted and undermined to suit the agendas of Fmr C/Comm OVERLAND and ^{Mr Gregory}

138. Throughout the period between 2004 and 2009, Victoria Police deliberately used two persons to help gain convictions ^{Mr Gregory} was used together with the Nicola GOBBO ^{Mr Gregory} would say anything to gain an advantage, including the giving of perjured evidence, which he has admitted to. Nicola GOOBO could manipulate persons based on the betrayal of her clients by informing the various Police Members of her client's intentions.

139. These matters can be substantiated by a further examination of the Briars Investigation.

