

**FORM 13
WITNESS SUMMONS**

Rule 24

Court Ref Y00423897

IN THE MAGISTRATES' COURT
OF VICTORIA AT MELBOURNE

TO: The Chief Commissioner of Police
Victoria Police
C/- Subpoena Management Unit
Victoria Police Centre
637 Flinders Street
MELBOURNE VIC 3000

DETAILS OF THE CASE

NAME OF PERSON CHARGED: PAUL NOEL DALE
SUMMARY OF THE CHARGES: MURDER
WHO FILED THE CHARGES?: LEADING SENIOR CONSTABLE DAVEY

TONY HARGREAVES & PARTNERS
LAWYERS
LEVEL 11
533 LT. LONSDALE STREET
MELBOURNE VIC 3000

TELEPHONE: 9605 3250

What you have to do.

You must bring this Summons with you and

- come to Court to give evidence in the proceeding.
- come to Court to give evidence and also produce at the hearing the following documents or things that are in your possession or control:
- produce at the hearing the following documents or things that are in your possession or control:

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SCHEDULE**Definitions Section**

Meaning of "document" or "documentation"

Where a request is made in this schedule for the production of a "document" and/or "documentation" that request is to be read as requiring production of the item in whatever form it might take and this includes but is not restricted to:

- (a) any document in writing including handwritten notes;
- (b) any printed document;
- (c) any item that has been created, transmitted or stored electronically;
- (d) emails and attachments;
- (e) any photograph;
- (f) C.D.'s, audio cassettes, disc tape, sound tape or other device in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom as well as any transcripts relating to any such recordings;
- (g) any video tapes, DVD's, any film, negative, tape or other device in which one or more visual images are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom as well as any transcripts relating to any such recordings;
- (h) anything whatsoever on which is marked any words figures letters or symbols which are capable of carrying a definite meaning to a person conversant with them and, where applicable, drafts of any such documents.
- (i) microfilm and microfiche;
- (j) any book, maps, plans or drawing;
- (k) any label, marking or other writing which identifies or describes anything of which it forms a part of or to which it is attached by any means whatsoever;
- (l) printed statements and, where applicable, any draft or handwritten copy of any such statement;
- (m) statutory declarations or affidavits and where applicable any draft or hand written copy of such documentation;
- (n) diary entries, daybook entries or similar documents howsoever described;
- (o) minutes of any meeting; and
- (p) reports, information reports, intelligence reports, briefing papers and debriefing papers, memoranda or similar by whatever name such material might be described and, where applicable, any draft or handwritten copy of any such material.

ITEMS TO BE PRODUCED

The documents and things you must produce are as follows:-

1. All documents that the Chief Commissioner and/or Victoria Police have either agreed to provide, or are ordered to provide, to Rodney Collins in relation to a Witness Summons he has issued regarding his charge of murdering Terence Hodson.
2. A copy of any Warrant obtained pursuant to the *Surveillance Devices Act*, the *Listening Devices Act*, the *Telecommunications (Interception) Act*, and the *Telecommunications (Interception and Access) Act* in relation to any investigation into the death of Terence and/or Christine Hodson.
3. A copy of any Warrant obtained pursuant to the *Surveillance Devices Act*, the *Listening Devices Act*, the *Telecommunications (Interception) Act*, and the *Telecommunications (Interception and Access) Act* in relation to any investigation involving Paul Noel Dale.
4. In relation to Nicola Gobbo, all documents, including, but not limited to the following:-
 - i. All documents forwarded to or received from the ^{PII} [REDACTED] including recordings and transcripts of any discussions, examinations or interviews in which she was a participant;
 - ii. All documents forwarded to or received from the Office of Police Integrity in relation to Ms Gobbo including recordings and transcripts of any discussions, examinations or interviews in which she was a participant;
 - iii. All documents in relation to any letter of comfort, indemnity, or any other form of assistance to be provided to Ms Gobbo by Victoria Police in anticipation of, or resulting from, her involvement in the prosecution of Paul Dale;
 - iv. A copy of any Warrant obtained by Victoria Police pursuant to the *Surveillance Devices Act*, the *Listening Devices Act*, the *Telecommunications (Interception) Act*, and the *Telecommunications (Interception and Access) Act* involving any telephone or premises occupied or controlled by Ms Gobbo;
 - v. Any tape recording or transcript of any tape recorded conversation obtained as a result of any Warrant in which Ms Gobbo is a participant;
 - vi. All documents relevant to any investigation into Nicola Gobbo regarding the commission, or possible commission of a criminal offence, including any Brief of Evidence and record of interview.
 - vii. All documents relating to any conversation, discussion or interview conducted with Ms Gobbo regarding:-
 - Her agreement to wear a listening or recording device whilst speaking to Paul Dale;

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- Her agreement to become a witness or make a statement in the prosecution of Paul Dale;
 - Her being charged with any criminal offence;
 - Any inducement, threat or benefit in relation to her becoming a witness in the prosecution of Paul Dale.
5. The letter from the Australian Crime Commission referred to by Detective Sergeant Solomon during the Bail Application of Paul Noel Dale before Justice Byrne on 6 August 2009, at pages 32 and 33 of the transcript
6. In relation to the witness Carl Williams, all documents, including, but not limited to the following:-
- i. All documents forwarded to or received from the ^{PII} [REDACTED] including transcripts of any examinations or interviews;
 - ii. All documents forwarded to or received from the Office of Police Integrity regarding Mr Williams including transcripts of any examinations or interviews resulting from any conversation, interview or discussion between Mr Williams and any member of Victoria Police;
 - iii. All documents in relation to any letter of comfort, indemnity, or any other form of assistance or benefit to be provided to Mr Williams by Victoria Police;
 - iv. A copy of any Warrant obtained by Victoria Police pursuant to the *Surveillance Devices Act*, the *Listening Devices Act*, the *Telecommunications (Interception) Act*, and the *Telecommunications (Interception and Access) Act* involving any telephone or premises used, occupied or controlled by Mr Williams;
 - v. All documents in relation to the removal of Carl Williams from prison over the Christmas period 2008 - 2009;
 - vi. All documents relevant to any inducement, benefit, advantage or favour that may be provided to Carl Williams as a result of his co-operation in the prosecution of Paul Noel Dale and/or Rodney Collins;
 - vii. Any document relevant to, or in any way connected with any sentencing submission that will be made by the Office of Public Prosecutions or any member of Victoria Police in relation to the Application for leave to appeal against sentence issued in the Court of Appeal by Carl Williams;
 - viii. All documents in relation to any Application to the prison authorities to remove Carl Williams from prison;
 - ix. Any tape recording or transcript of any tape recorded conversation obtained as a result of any Warrant;
 - x. All documents, including tape recordings and transcripts of any conversation conducted between any member of Victoria Police and Carl Williams in relation to the death of Terence Hodson or Paul Noel Dale;
 - xi. Any tape recording or transcript of any tape recorded conversation between George and Carl Williams.
7. In relation to the witness George Williams, all documents, including, but not limited to the following:-

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- i. All documents forwarded to or received from the [REDACTED] in relation to Mr Williams including transcripts of any examinations or interviews;
 - ii. All documents forwarded to or received from the Office of Police Integrity regarding Mr Williams including transcripts of any examinations or interviews resulting from any conversation, interview or discussion between Mr Williams and any member of Victoria Police Force;
 - iii. All documents in relation to any letter of comfort, indemnity, or any other form of assistance or benefit to be provided to Mr Williams by Victoria Police;
 - iv. A copy of any Warrant obtained by Victoria Police pursuant to the *Surveillance Devices Act*, the *Listening Devices Act*, the *Telecommunications (Interception) Act*, and the *Telecommunications (Interception and Access) Act* involving any telephone or premises used, occupied or controlled by Mr Williams;
 - v. All documents in relation to the removal of George Williams from prison over the Christmas period 2008 - 2009;
 - vi. All documents relevant to any inducement, benefit, advantage or favour that may be provided to George Williams as a result of his co-operation in the prosecution of Paul Noel Dale and/or Rodney Collins;
 - vii. Any document relevant to, or in any way connected with any sentencing submission that will be made by the Office of Public Prosecutions or any member of Victoria Police in relation to the Application for leave to appeal against sentence issued in the Court of Appeal by George Williams;
 - viii. All documents in relation to any Application to the prison authorities to remove George Williams from prison;
 - ix. Any tape recording or transcript of any tape recorded conversation obtained as a result of any Warrant;
 - x. All documents, including tape recordings and transcripts of any conversation conducted between any member of Victoria Police and George Williams in relation to the death of Terence Hodson or Paul Noel Dale.
8. Statements, including draft statements, of all persons who would or might be called as witnesses for the Prosecution in relation to Paul Noel Dale and/or Rodney Collins being charged with the murder of Terence Hodson.
 9. Details of all prior convictions, findings of guilt, and antecedent reports of all witnesses who would or might be called as witnesses for the Prosecution.
 10. All photographs taken during the course of this investigation.
 11. All call charge records and reverse call charge records obtained during the course of this investigation.
 12. All diary entries, day book entries, notes, information reports, briefing reports (whether in written or electronic form) made by any member of Victoria Police during the course of the investigation into the death of Terence Hodson.
 13. All audio tapes, video tapes, information reports, notes, transcripts, diary entries, day book entries and all other documents (whether in written or electronic form) concerning any discussion, interview, debriefing or conversation with:-
 - i. Any witness in this investigation;

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- ii. Any person who would or might be called as a witness for the Prosecution in this investigation;
 - iii. Any person suspected of or investigated in relation to the commission of an offence or offences, being the subject of this investigation.
14. All listening device, telephone intercept, and surveillance logs regarding Paul Noel Dale.

If you are required to give evidence, you must attend at the hearing.

If you fail to attend the hearing or give evidence in accordance with this document a Warrant for your arrest may be issued.

You may produce this Summons and the documents or things referred to above to the Registrar of the Magistrates' Court at Melbourne by hand or by post, in either case so that the Registrar receives them not later than two (2) days (excluding Saturdays, Sundays or other holidays) before the date on which you are required to attend.


Where will the case be heard?

Where you must go: The Magistrates' Court at Melbourne
 Address: 233 William Street, Melbourne
 When: 1 February 2010

Details about this Summons:

Issued at Melbourne

Issued by:

 Judith McDonnell
 Registrar
 Magistrates' Court of Victoria

27-1-10

Date:

REGISTRAR

Summons filed by Tony Hargreaves & Partners, Solicitors for the Defendant.