

Transcript

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Compere: **VIRGINIA TRIOLI** Summary ID: **X00082107629**
Item: **CONTINUING INTERVIEW WITH VICTORIA POLICE CHIEF COMMISSIONER GRAHAM ASHTON.**
INTERVIEWEES: GRAHAM ASHTON, VICTORIA POLICE CHIEF COMMISSIONER

Audience:	Male 16+ 19000	Female 16+ 24000	All people 43000
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VIRGINIA TRIOLI: We're not all the way through the Lawyer X Royal Commission although we have heard from the key witness Nicola Gobbo over the last few days. It seems that really the key question at the heart of any scandal really, whether it be here or elsewhere, really hasn't been answered, which is who knew what when?

The DPP, Kerri Judd, has clearly called out what Victoria Police failed to disclose to judges in three separate trials - including one before the full bench of the High Court - that Nicola Gobbo had been registered as an informer in 1999. And that goes to evidence that you gave as well where you say that you knew that Miss Gobbo had been a source but you didn't know the full extent of her use in 2011.

But when evidence was given to the High Court - including your written submissions to the High Court, Graham Ashton - you knew she was a source, isn't that all that you need to know? When you know that this high profile barrister was one who really only

represented these kinds of characters, that therefore she was that kind of a source? And that was really all you need to know? And all you need is tell the High Court back then?

GRAHAM ASHTON: The High Court?

VIRGINIA TRIOLI: Yes. That's what- the submissions that were made to the High Court.

GRAHAM ASHTON: Yeah, the submissions made to the High Court were much more recently in relation to the action that we took with the APP. [Indistinct] ...

VIRGINIA TRIOLI: [Interrupts] But they're related to her and events relating to Nicola Gobbo between 1996 and 2001. And it made no reference to any earlier registration of her as a source according to what this judge said.

GRAHAM ASHTON: [Talks over] Oh no. All the information, all the information that went to the courts were on the best information we had at the time, and certainly information provided to the High Court was similarly. The DPP- the APP, and the Head of the APP certainly clarified just the other day that she felt that that reportage was- mischaracterised what she was saying.

VIRGINIA TRIOLI: No, no. What she- and let's be clear about this, what she wanted to get characterise- what she said was mischaracterised was the line in *The Age* about you misleading the High Court. So she took issue with that line, but I'm not saying that here. And I'm quoting still

from her statement which was delivered to the Royal Commission which was that the Victoria Police failed to disclose to judges in three separate trials. I'm not using the word misleading, but those written submissions made no reference to any earlier registration of Nicola Gobbo as a source. Look, what this comes down to is that she was registered as a source, you knew and others knew that she was registered as a source. If you didn't think at that stage that she was perhaps being the supergrass that she turned out to be, what did you think she was doing?

GRAHAM ASHTON:

Well, your premise at the start of that is that because someone is a lawyer automatically prohibits them from assisting police. That's not-

VIRGINIA TRIOLI:

[Interrupts] Well that kind of a lawyer with those kinds of clients, yeah it follows logically.

GRAHAM ASHTON:

Well I think from the evidence I think it's been shown that her relationship with the criminal community was broader than simply being a lawyer in relation to that pure sense of a lawyer-client relationship - I think that's been clearly provided in evidence. The mere fact that someone is a lawyer and assist police is not in of itself prohibited. It's the nature of that information, it's what's provided and this is what the Royal Commission is about - trying to establish how far that crossed the line, and if it's crossed the line, how has it happened, and to make recommendations that it can't happen again. That's what it's about.

VIRGINIA TRIOLI: It just seems to fail the pub test or the sniff test that anyone like that who might be registered as an informant - you just can't imagine they'd be called upon by police during the tragedy and the drama of the Gangland Wars to inform on anything else but.

GRAHAM ASHTON: Well I think it exactly passes the pub test, quite the contrary, where police are trying to deal with very serious offending at that time. And if you cast your mind back to that time we've had a lot of serious issues in relation to Gangland Wars the police were trying to deal with-

VIRGINIA TRIOLI: [Talks over] No one argues with that, hence the securing of certain services.

GRAHAM ASHTON: And that- and you had somebody that was at that time talking to police and they were- their relationship with the community- criminal community was broader than, as it's been established, broader than simply a lawyer-client relationship and police endeavoured to act on that information. I don't think that fails any pub test.

VIRGINIA TRIOLI: What impression- just finally and we'll get to calls right now. What impression do you think all of this has left in the mind of the public when it comes to Victoria Police, and how it operates in relation to this source and potentially other sources? Do you think its cast a shadow over your reputation?

GRAHAM ASHTON: Look, I think most people to the extent that they follow it would think that police have gone- in some ways

have gone too far in trying to investigate that crime. But as I move around the community people want to talk about issues that are happening to them - like graffiti, like criminal damage, like hoon and coon driving, road offences, bushfires, these sorts of things that people deal with. And the overwhelming- I get feedback I get from police- from the community about police is that they're supportive of their police when they recognise the hard work that police do and there's exceptions to that of course, and I understand that.

But when these things are surveyed as they are every year at the Commonwealth level, people understand and trust the police. They have really nearly 90 per cent support from the community and that doesn't tend to waiver but it's- we've got to make sure that we always do the right thing and that's part of learning from this Royal Commission, is to try and make sure that we don't sort of find ourselves in that situation ever again, Virginia.

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