



## FINAL REPORT

**From:** Michael Davson  
**To:** Paul Taggart  
**Date:** 27 March 2007  
**Subject:** Operation \*Khadi\* \* POL/06/643 & POL/06/484 Final Report

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## RECEIPT OF COMPLAINT

In May 2006, the Office of Police Integrity (OPI) was approached by the Victoria Police Ethical Standards Department (ESD) to assist an investigation into a series of allegations pertaining to members of the Brighton Police Station.

A joint investigation was conducted by OPI Senior Investigation Officer Michael DAVSON and VICPOL Detective Inspector Lindsay ATTRILL. Victoria Police were the lead agency for the investigation with OPI assisting. This OPI final report is derived from that report with facts and quotes unchanged.

## BACKGROUND

On 16 August 2004, <sup>John Brown</sup> [redacted] and <sup>Pii</sup> [redacted] of Brighton Police arrested Azzam AHMED [redacted] and Terrence WOOD [redacted] for drug offences outside [redacted] Brighton. A quantity of ecstasy, amphetamines and \$15,000 was seized by the police. Both offenders were conveyed to Moorabbin Police Station and interviewed where WOOD was released on bail and AHMED remanded in custody, as he was already on bail for other serious drug related offences.

Approximately one week following the arrest of AHMED and WOOD, <sup>John Brown</sup> [redacted] was approached by <sup>Pii</sup> [redacted] in the Sergeant's office at Brighton Police Station and asked if he had taken money when AHMED and WOOD had been arrested. <sup>John Brown</sup> [redacted] denied any impropriety and enquired where this information originated. <sup>Pii</sup> [redacted] could not, or would not, provide any further information about the allegation. <sup>Pii</sup> [redacted] stated he became aware of the rumour concerning the alleged theft of money during a two day

contested bail application for AHMED which was attended by <sup>John Brown</sup> (10 and 11 November 2004).

On 10 November 2004 at Melbourne Magistrate's Court prior to a Bail Revocation Application for Azzam AHMED, Nicola GOBBO, who was acting for Ahmed, approached counsel acting for the Office of Public Prosecutions, Mr. Jack VANDERSTEEN and alleged <sup>John Brown</sup> had stolen \$5,000 when AHMED was arrested. However, GOBBO did not mention the allegation during court proceedings. AHMED's bail was revoked and he was remanded in custody.

On 14 December 2004, <sup>John Brown</sup> was approached by former Detective Sergeant David WATERS and former Detective Senior Constable Steven CAMPBELL on the ground floor of Melbourne Magistrate's Court near the lift area. At the time WATERS and CAMPBELL were facing serious drug offences.

WATERS queried <sup>John Brown</sup> as to whether he was involved in a matter Nicola GOBBO was dealing with and told him she had done him a huge favour stating, *\*Trust me mate, she has probably saved your job\**. The comments upset <sup>John Brown</sup> who believed these comments related to the earlier allegation he had stolen \$5,000 from AHMED. Following this impromptu meeting with WATERS and CAMPBELL, <sup>John Brown</sup> reported the conversation immediately to Jack VANDERSTEEN at the OPP offices.

On 17 June 2005, [REDACTED] was drinking with other off duty police at Kyatt's Hotel, Brighton, when she was approached by Steve BOYLE who spoke to her privately and away from her colleagues. BOYLE allegedly told her, *\*I've been asked to come to tell you to tell <sup>John Brown</sup> to stay off work. It's Mockbe's money and he's pissed off. It's from a good source.*

Senior Sergeant Richard SHIELDS, who was present at the hotel, informed leading Senior Constable Tony RICHARDSON that he would attend to obtaining closed circuit television as part of an investigation into this conversation. Senior Sergeant SHIELDS did not follow through with this.

<sup>John Brown</sup> has been off work on Work Cover for a stress related illness since 8 February 2005 and there is no indication at this stage when he is likely to return to work.

On 9 September 2004 <sup>PII</sup> [REDACTED] <sup>PII</sup> [REDACTED] and <sup>John Brown</sup> executed a Search Warrant pursuant to the Drugs, Poisons and Controlled Substances Act at [REDACTED] Brighton and arrested Scott FARAGHER <sup>PII</sup> [REDACTED] for various offences. As a result, Scott FARAGHER made a formal complaint alleging he was assaulted by the arresting members. FARAGHER further alleged a shotgun and ammunition was wiped against his person to

provide DNA evidence that would falsely implicate him for firearms offences. He also alleged that the police injected a blood filled syringe to his head region.

FARAGHER made threats of violence towards <sup>John Brown</sup> [REDACTED] and <sup>P/I</sup> [REDACTED] when being conveyed from the arrest scene to Moorabbin Police Station and later repeated similar threats concerning the three members to Senior Sergeant Paul CAMPBELL and Sergeant Wayne CARTER when making a statement complaining about his treatment by the police.

As a result of the threats by FARAGHER, a THASM (Threats Against Serving Members) File was created for <sup>John Brown</sup> [REDACTED] and <sup>P/I</sup> [REDACTED] however the original reports and documents went missing and a retrospective THASM File was created approximately 15 months after the threats were made (THASM File OTH0027 refers).

On 19 November 2004 Inspector Alan CARLISLE interviewed Scott FARAGHER and <sup>Ms Road</sup> [REDACTED] at the Brighton address as part of his investigation into FARAGHER's complaints (ESD File C2-1/932/2005 refers).

During the interview, FARAGHER and <sup>Ms Road</sup> [REDACTED] alleged they received a letter from <sup>John Brown</sup> [REDACTED] and another Sergeant <sup>P/I</sup> [REDACTED] were under 24 hour surveillance because they were in fear of their lives and were authorised to carry a firearm off duty owing to threats made by FARAGHER. Inspector CARLISLE believed this was reference to the THASM File for the three members.

Inspector CARLISLE later expressed concerns as to the veracity of the THASM file (ESD File C3-2/3327/2005 refers).

Further allegations arising concerning members at Brighton Police Station were:

An allegation that [REDACTED] is engaged in an inappropriate relationship with William DOBELL, a convicted criminal, and is considering entering into an enterprise with a person called DOBELL to purchase the Daily Planet Massage Parlour in Elsternwick.

An allegation that [REDACTED] of South Melbourne CIU (formerly of Brighton Police Station) has access to ecstasy and supplied ecstasy to female colleagues and friends at Brighton (ESD File 27829 refers).

## **OTHER ISSUES**

There are a number of identified peripheral issues identified and/or considered during the course of this investigation :

### **(a) Review of investigation into allegations of Duty Failure by [PII]**

ESD File C2-1/932/2005 concerned allegations by [PII] John Brown that [PII] was negligent in his handling of an ESD complaint file, thereby putting [PII] John Brown's health and safety at risk. The original investigation of this complaint was conducted by Superintendent Trevor PARKS who determined the allegation to be **Not Substantiated**

Review of this investigation, while it did not alter the original determination, identified a number of deficiencies with the investigation that required further close examination.

Issues addressed in further investigation of the complaint included several missing polaroid photographs taken by Senior Sergeant Paul CAMPBELL of alleged injuries to Scott FARAGHER and alleged comments by Inspector CARLISLE to [PII] and [PII]

Investigation of this particular aspect also highlighted the extent of the hostility and lack of respect between Inspector CARLISLE and [PII]. Although the investigation (on the balance of probability) identified negligence by [PII] regarding the loss of the photographs, there was no evidence of any conduct or action by Inspector CARLISLE that would have put [PII] John Brown's health and safety at risk.

### **(b) Senior Sergeant Richard SHIELDS 26049**

During the course of this investigation the ESD investigator was required to interview various witnesses in relation to the Section 68(1) proposed action against Senior Sergeant Richard SHIELDS 26049 by the Chief Commissioner. Statements were obtained from the following members:

- (i) Superintendent Ian Fraser WINN
- (ii) Inspector Alan CARLISLE
- (iii) Detective Senior Sergeant Simon HUMPHREY 25549
- (iv) Sergeant Donald GALLAHAR 25559
- (v) Sergeant Herbert Andreas LONSING 22754
- (vi) Acting Sergeant Michael Joseph WILMOTT 24990

- (vii) Leading Senior Constable Vince MORTALE 31971
- (viii) <sup>John Brown</sup>
- (ix) Senior Constable Sharon Maree DARCY 26120
- (x) Senior Constable Trent Rothwell MURPHY 30213
- (xi) Senior Constable Lisa DOBBIE 30789
- (xii) Senior Constable Dawn EDDINGTON 33404

Some issues raised in the statements taken were directly and indirectly relevant to Operation Khadi (e.g. inappropriate relationships by members of the Force and management issues at Brighton Police Station).

████/4188/2005 (VICPOL \* Allegation of Improper Behaviour at Brighton) allegations Senior Sergeant Richard SHIELDS 26049 wilfully releasing information to the media contrary to VPM Instructions 208.2.4 and 208.2.6. SHIELDS was suspended and could not be interviewed.

████/3969/2005 (VICPOL \* Concerns regarding property at Moorabbin. Allegations Senior Sergeant Richard SHIELDS 26049 failed to follow correct Victoria Police procedures in relation to the recording and lodging of property seized by the police. SHIELDS was suspended and could not be interviewed.

Senior Sergeant Richard SHIELDS 26049 was dismissed from the Force by Chief Commissioner Christine Nixon pursuant to Section 68(1) of the *Police Regulation Act* 1958 on 22 September 2006. Files █████/4188/2005 and █████/3969/2005 have been diarised pending an appeal by SHIELDS. In the event the decision by the Chief Commissioner is overturned and SHIELDS is reinstated, consideration should be given that he be interviewed and appropriate discipline charges considered.

### (c) Health and Wellbeing at Brighton Police Station

On 23 November 2006 the Region 1 Bayside Inspector, Inspector Jeff FORTI advised he has been conducting one to one interviews with staff and that the general feeling emanating from the interviews is that Brighton Police Station has been settling down and morale is improved. Some members remain dissatisfied (Senior Constable Mal LEWIS, Senior Constable Dawn EDDINGTON) however District management is confident the past issues affecting performance and morale at the station are being adequately addressed.

### (d) <sup>John Brown</sup>

During this investigation Inspector Alan CARLISLE raised concerns <sup>John Brown</sup>  
<sup>John Brown</sup> may have been working whilst on Work Cover Sick Leave.

**Email 14.11.06**

- \* On 9 September 2004 he commenced duty at Moorabbin at about 2210 hrs as OIC of the cells;
- \* He was informed Scott Faragher [REDACTED] Brighton was being interviewed for firearms and drug offences and was being remanded in custody. The attending members were [REDACTED] [REDACTED] and John Brown [REDACTED];
- \* At about 2350hrs he spoke to Faragher in relation to his treatment by the police. Faragher alleged he had been assaulted at his house when he was handcuffed. Photos were taken of the alleged injuries. Faragher complained of soreness to his ribs and face and minor grazes to his face and ribs;
- \* The FMO (Dr. Morgan) was contacted but advised Carter Faragher could be examined by a Custodial Nurse as he was being remanded in custody;
- \* At about 1005hrs Senior Sergeant Campbell attended and had a conversation with Faragher before taking a complaint statement while he remained present;
- \* He did not recall at any time, Faragher making any threats concerning the arresting members;
- \* However, Faragher was rude, argumentative and obnoxious as he made his complaint about his treatment by the three arresting members.

[REDACTED]  
Brighton Police Station

**Statement 22.11.05**

- \* In March 2005 she was confirmed as a [REDACTED] while stationed at Brighton. She is currently a Peer Support Officer and Leda Officer (Equity & Diversity);
- \* In November 2004 Sergeant Richard Shields arrived at Brighton. She has since felt anxious, harassed, intimidated and confused while working at Brighton. She is aware of the close relationship between Shields and Inspector Alan Carlisle. She is cautious of Shields because of this close relationship he has with Carlisle;



- \* When [REDACTED] returned a short time later, there was general conversation in the group and it was agreed the conversation should be recorded and he left to get some paper and a pen from the police station next door;
- \* He approached a hotel manager in the hallway. He cannot recall his name but would recognise him again;
- \* He didn't view the notes made by [REDACTED]. He spoke to her the following day but not in any detail. Richard Shields was following it up;
- \* He didn't follow the matter up with Shields as he believed Shields would be thorough. However, months later he discovered nothing had been done;
- \* After [REDACTED] returned to join the group after speaking with Boyle she was visibly shaken, pale and had a look of disbelief on her face. She initially would not discuss the conversation with Boyle;
- \* He didn't speak to Richard Shields on the night of the incident. Shields didn't appear surprised with the details he conveyed about the incident but listened intently and acknowledged he would follow it up;
- \* He clearly recalls no one at his table (including [REDACTED] being intoxicated when he arrived at the hotel prior to the meeting between Bole and [REDACTED];
- \* He cannot recall if Shields entered the hotel by himself or with others. Shields drinking with other patrons when he Richardson left the hotel. He doesn't know who they were;
- \* He doesn't recall if [REDACTED] spoke to Shields on the night of the incident;
- \* He cannot recall if Nicola Gobbo was at the hotel that night although he does recall her being there on one occasion. He only knows her through the media and hasn't met her personally.

**Peter Brezing**  
**Detective Senior Constable 30576**  
**Moonee Valley CIU**

**Statement 28.8.06**

- \* On 14 August 2004 he was a Detective Sergeant attached to the Major Drug Investigation Division and was the \*On Call\* member overnight;
- \* He was accessible to any member who required advice relating to any drug investigation while \*On Call\*;
- \* At about 2355hrs 16 August 2004 he received a call from Detective Senior Constable Van Hammond of Crime 551 and provided advice to Brighton 303 <sup>John Brown</sup> and Constable Griffith);  
<sup>John Brown</sup>
- \* He also had a conversation with <sup>Pii</sup> [REDACTED] and was informed <sup>Ms Road</sup> [REDACTED] lived at [REDACTED] Brighton however the address did not mean anything to him;
- \* It was his belief <sup>Pii</sup> [REDACTED] and Van Hammond were assisting Brighton 303 at the arrest scene and a quantity of drugs and cash had been seized;
- \* At 2355 hours he contacted Detective Senior Constable Peter Brezing of the MDID and discussed the arrest of Ahmed. Brezing advised he would make further enquiries with the arresting officers from Brighton the following morning. He gave some advice to Van Hammond;
- \* At about 0018 hours on 17 August 2004 he attempted contacting Detective Senior Sergeant Barker from the MDID about the arrest of Ahmed;
- \* At 0800 hrs Tuesday 17 August 2004 he contacted <sup>John Brown</sup> [REDACTED] and was advised approximately 2000 ecstasy tablets and a quantity of speed had been seized and that Ahmed had not made admissions;
- \* He requested a Briefing Note from <sup>John Brown</sup> [REDACTED] regarding the arrests.

**Michael Sewell**  
**Detective Senior Constable 28960**  
**Chelsea CIU**

**Statement 19.9.06**

- \* On <sup>Pii</sup> [REDACTED] August 2004 he was performing duties as an Acting Sergeant at Moorabbin Police Station on Night Shift;