

**Royal Commission  
into the Management of Police Informants**

**Supplementary Statement of Stephen James Waddell**

**States:**

- 1 My full name is Stephen James Waddell.
- 2 On 17 September 2019, I signed a statement for the Royal Commission and on 13 February 2020, I appeared at the Royal Commission to give evidence.
- 3 During my oral evidence, I was asked whether I had been shown or had access to any further materials at the time since I made my statement. I was also asked whether there had been any further discussion in relation to emails that I did not have access to at the time I prepared by statement. As I said in my oral evidence, the only materials I had access to in preparing to give evidence were the documents referred to in my statement.
- 4 I have been informed by my solicitors that since I gave evidence, my emails from the relevant period have been located and have been or will be produced to the Royal Commission. I am informed by my solicitors that the reasons why my relevant emails were not produced before I gave oral evidence will be explained in correspondence from my solicitors to the Royal Commission.
- 5 I have now had an opportunity to review my emails that relate to the evidence that I have given to the Royal Commission and have identified the following emails, which are of particular significance.
- 6 In paragraph 48 of my statement, I refer to the fact that the statement taken from Ms Gobbo in Bali included some notes of various follow up enquiries. During my oral evidence, I was asked questions about this. For example, at page 14045 of the transcript, I was asked about the sentence "*I did not see Waters independently of Campbell until after I appeared for Waters in a 56A application in respect of the Strawhorn matter*", which appears on page 1 of the Bali statement. On 9 June 2009 at 1.09pm, I sent an email to Detective Inspector Peter De Santo in relation to this issue and at 1.24pm, DI De Santo responded to my queries.<sup>1</sup> My

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<sup>1</sup> VPL.6083.0006.1741.



recollection is that the dates that appear in Ms Gobbo's statement in relation to this issue had been provided by her when DSS Iddles and I took her statement in Bali and that I had followed up this issue with DI De Santo to confirm.

7 In paragraphs 53-54 and 58 of my statement, I refer to a subpoena served by Tony Mokbel and to the fact that Gerard Maguire was engaged to provide advice in relation to it. The approach taken by the Briars Taskforce in responding to the subpoena and the advice received is set out in the following emails:

- (a) an email from Mr Maguire to Detective Sergeant Grant Kelly and me that I received on 6 July 2009 at 10.23am;<sup>2</sup>
- (b) an email from Mr Maguire to me that I received on 8 July 2009 at 10.20am;<sup>3</sup>
- (c) an email from Vicky Prapas of the OPP to Mr Maguire and me that I received on 29 July 2009 at 10.44am;<sup>4</sup>
- (d) an email from Ms Prapas to Mr Mokbel's barrister, which was copied to me and was sent on 29 July 2009 at 3.38pm;<sup>5</sup>
- (e) an email from Mr Maguire to me that I received on 30 July 2009 at 4.58pm in relation to a telephone conversation between Mr Maguire and Mr Mokbel's barrister about access to Briars documentation;<sup>6</sup>
- (f) an email from Mr Maguire to me that I received on 30 July 2009 at 5.15pm, which set out Mr Maguire's proposed response to an email he had received from Mr Mokbel's barrister;<sup>7</sup>
- (g) an email from the Legal Services Unit of Corrections Victoria to Mr Maguire, which was copied to me and that I received on 30 July 2009 at 2.14pm;<sup>8</sup>
- (h) an email from Mr Maguire to me that I received on 7 August 2009 at 4.23pm;<sup>9</sup>

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<sup>2</sup> VPL.6083.0003.2903.

<sup>3</sup> VPL.6083.0003.1310.

<sup>4</sup> VPL.6083.0002.5745.

<sup>5</sup> VPL.6083.0003.2900.

<sup>6</sup> VPL.6083.0003.2713.

<sup>7</sup> VPL.6083.0004.5051.

<sup>8</sup> VPL.6083.0005.6803.

<sup>9</sup> **VPL.6083.0004.1234.**



- (i) an email that I sent to Mr Maguire on 10 August 2009 at 12.21pm, attaching a number of transcripts of interview;<sup>10</sup>
- (j) emails that I received from Gerard Maguire on 11 August 2009;<sup>11</sup>
- (k) an email from Mr Maguire to me that I received on 12 August 2009 at 2.17pm;<sup>12</sup>
- (l) an email from Mr Maguire to me that I received on 13 August 2009 at 8.37am;<sup>13</sup>
- (m) an email from Mr Maguire to me that I received on 19 August 2009 at 11.20am;<sup>14</sup>
- (n) an email from Mr Maguire to Grant Kelly and me that I received on 25 August 2009 at 11.36am;<sup>15</sup> and
- (o) an email from Mr Maguire to me that I received on 31 August 2009 at 8.08am.<sup>16</sup>

8 Having reviewed those emails, I now recall that in addition to Mr Maguire, both Ms Prapas and Mr Tinney of the OPP reviewed the materials produced by Victoria Police under subpoena by Mr Mokbel. Mr Maguire provided advice in relation to the PII claims and Mr Tinney reviewed at least some of the documents in unredacted form to satisfy himself that the PII claims were appropriate.

9 In paragraph 68 of my statement, I refer to the fact that Ms Gobbo's statement was being used in SDA and TI affidavits. During my oral evidence, I said (at pages 14077-14078) that it was perfectly appropriate for Ms Gobbo's statement to be used in this way and that the full unvarnished truth about the evolution of Ms Gobbo's inconsistent statements was in the affidavit.

10 On 5 October 2009, I sent an email that attached a draft copy of a TI affidavit that referred to the information that Ms Gobbo had provided.<sup>17</sup> On 12 and 14 October 2009, I received updated versions of the affidavit by email.<sup>18</sup> The draft affidavit refers to the information Ms Gobbo provided in her chambers on 14 January 2008 at paragraph 115<sup>19</sup> and the information

<sup>10</sup> VPL.6083.0024.0931.

<sup>11</sup> VPL.6083.0004.4453; VPL.6083.0006.1465.

<sup>12</sup> VPL.6083.0004.7852.

<sup>13</sup> VPL.6083.0006.3886.

<sup>14</sup> VPL.6083.0003.2275.

<sup>15</sup> VPL.6083.0003.2425.

<sup>16</sup> VPL.6083.0002.8444.

<sup>17</sup> VPL.6083.0024.0652.

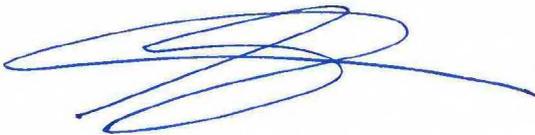
<sup>18</sup> VPL.6083.0002.5984; VPL.6083.0002.7256.

<sup>19</sup> VPL.6083.0002.7330 at .7373.

she gave in Bali at paragraph 126.<sup>20</sup> Paragraph 127 of the affidavit then sets out what Ms Gobbo told us in relation to the inconsistency between her statements in 2008 and 2009.

- 11 During my oral evidence, I said (at page 13999 and page 14052) that I recalled either Mr Iddles or I put to Ms Gobbo that what she told us in Bali was inconsistent with what she told us in her chambers in January 2008 and that Ms Gobbo told us that she had been reflecting on the matter and that her best recollection was that she had been present in Jim Valos' office and Mark Perry was present and that he made the admission directly to her. I observe that my oral evidence is consistent with what is recorded in paragraph 127 of the draft affidavit.
- 12 I do not know when the affidavit was sworn. I observe that I received a further draft affidavit on 26 February 2010, however, I expect that this relates to a renewal application.<sup>21</sup>
- 13 In paragraph 74 of my statement, I refer to the fact that ultimately, the OPP decided that Ms Gobbo's statement need not be finalised because it would not be of any great assistance in the prosecution of David Waters. On 18 May 2010 at 9.15am, I sent an email to Abbey Hogan of the OPP attaching a copy of Ms Gobbo's statement, requesting an assessment as to the value of the statement in respect of Waters in particular.<sup>22</sup> The response to this email is referred to in paragraph 74 of my first statement.
- 14 While I did not specifically refer to the Perry admission in my 18 May email, I observe that I sent Ms Hogan the full statement that had been taken from Ms Gobbo. As I explained in my oral evidence, I did not specifically refer to the Perry admission because I had already formed the view that Ms Gobbo's evidence on this issue was unreliable.

Dated: 20 February 2020



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Stephen James Waddell

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<sup>20</sup> VPL.6083.0002.7330 at .7378.

<sup>21</sup> VPL.6083.0002.7704.

<sup>22</sup> VPL.6083.0022.6216.