

This document has been redacted for Public Interest Immunity claims made by Victoria Police. These claims are not yet resolved.

My name is Stephen Gavanas.

My date of birth [REDACTED]

In 2006 received a sentence of all up of 13 years and 3 months with a non-parole period of 10 years. On appeal 12 months was reduced from my non parole period. This sentence was an overlapped sentenced from NSW and Victoria.

I am currently serving a balance of parole period for those matters from Victoria, which is due to expire in July 2019.

I am awaiting sentence in NSW on other matters on 11 April 2019.

I am currently an inmate at the Macquarie Correctional centre in Wellington NSW.

When I was first arrested on the matters that I was ultimately was sentenced for as stated above, Ms Nicola Gobbo was the first legal representative that came to see me at the Melbourne assessment prison. (MAP)

Ms Gobbo appeared for me in Court on mention matters and I think from memory she appeared for me on a bail application related to the matters mentioned above.

I had social dealing with Ms Gobbo prior to my arrest. Leading up to my arrest in Victoria, I was having conversations with Ms Gobbo about my NSW matters.

Some things are difficult to remember given the time, and also the time pressure I feel in making this submission, without proper legal assistance.

When Ms Gobbo came and saw me at the MAP, she came with Stephen Anddrinakis. Ms Gobbo spoke to me first, then Stephen came in after me and Ms Gobbo had already spoken at some length. I am concerned that conversations I had with Ms Gobbo where not appropriately kept confidential.

I am concerned things I told Ms Gobbo as my legal representative were passed onto police and that affect my trial and matters.

I had co-accused Mr Cooper and Horthy Mokbel and also Mohummed El Khoder.

Mr Cooper was a crown witness at my case, and I am aware that he had a relationship where he and Ms Gobbo were [REDACTED]. I only just received a letter from the ODPP a few days ago.

I have concerns numerous concerns about Mr [REDACTED] and Gobbo and Police.

I was known in 2006 as Oggie. When Ms Gobbo first saw me at the MAP she sat down and said 'Oggie, I feel sick for you, just plead guilty, and you will get 10 or 15 on the bottom, hopefully 10.' This was before we had a brief, 2 days after my arrest, and before I had told her anything. I am entirely not confident that Ms Gobbo actually tried to properly best represent my interests, even though I did go to trial.

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After she gave the plea advice, conversations were had about why I would plead guilty. I have no confidence now that those conversations were appropriately confidential.

I have much more I would like to say, but being a prisoner in NSW makes that difficult.

NSW Legal Aid has told me they do not have a formal arrangement in place to represent my interests in this matter. NSW Legal Aid has given me some information about what Victorian Legal Aid are trying to do to assist people.

At this point I do not have any proper legal assistance.

I would like to assist the Commission, and I would like assistance to examine my convictions and trial in Victoria in 2006.



DIRECTOR of
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3 December 2018

Mr Stephen Gavanas
[REDACTED]

BY EXPRESS POST

Dear Mr Gavanas,

Disclosure of information relevant to your conviction

I have an ongoing obligation of disclosure to inform you of material assessed as relevant or possibly relevant to a prosecution, even after conviction. My purpose in writing to you is to comply with that duty of disclosure by providing the following information.

There is material in the possession of Victoria Police which shows that between 16 September 2005 and 12 January 2009, Victoria Police used a legal practitioner as a registered human source (otherwise known as a police informer). That same legal practitioner acted as your lawyer during the period when she was registered as a police informer.

On 28 November 2018, I became aware that the legal practitioner provided information about you to Victoria Police, which information may have been subject to legal professional privilege or a duty of confidentiality.

There has been extensive litigation in the Supreme Court of Victoria, the Court of Appeal, and the High Court of Australia. The citations for the relevant judgments are below for your information:

1. *AB and EF v CD* (pseudonyms) [2017] VSC 350
2. *EF v CD & AB* [2017] VSC 351
3. *AB v CD & EF; EF v CD; EF v CD & AB* [2017] VSCA 338
4. *AB v CD; EF v CD* [2018] HCA 58

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Please note that although I expect you will know the identity of the legal practitioner referred to above, there are current suppression orders of the High Court of Australia and the Supreme Court of Victoria Court of Appeal that prohibit publication of the real name or image of the legal practitioner in connection with these proceedings.

You should not interpret the fact of this disclosure to you as constituting a concession that there has been any miscarriage of justice, or as expressing a view that a court or other tribunal may find that there has been any miscarriage of justice.

It is entirely a matter for you what steps (if any) you choose to take in light of this disclosure. You may wish to seek legal advice about any legal avenues that may be open to you as a result of this disclosure.

Yours faithfully,



Kerri Judd QC

Director of Public Prosecutions



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8 February 2019

Mr Stephen Gavanas
[REDACTED]

BY REGISTERED POST

Dear Mr Gavanas,

Disclosure of information relevant to your conviction

I write further to my letter of 3 December 2018. In that letter I advised you that I had become aware of the following information:

- Between 16 September 2005 and 12 January 2009, Victoria Police extensively used a legal practitioner as a registered human source (otherwise known as a police informer).
- The legal practitioner acted as your lawyer during the period she was also registered as a police informer.
- The lawyer provided information about you to Victoria Police. This information may have been subject to legal professional privilege or a duty of confidentiality.

You may wish to seek legal advice about how this disclosure may affect your conviction. If you do not have a lawyer, you could seek assistance from Victoria Legal Aid. They can be contacted on 1300 792 387.

Unless we hear further from you or your lawyer, we will not seek any further information from Victoria Police about your case.

Yours faithfully,

Kerri Judd QC

Director of Public Prosecutions



DIRECTOR of
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12 March 2019

Stephen GAVANAS
Macquarie Correctional Centre
PO Box 128
WELLINGTON NSW 2820

Dear Mr Gavanas,

Letters sent by the Director of Public Prosecutions Victoria

On 3 December 2018, the Director of Public Prosecutions addressed a letter to you for delivery to [REDACTED]. The letter was subsequently returned.

On 11 December 2018, we were advised by Victoria Police of a different address and resent the original letter for delivery to [REDACTED].

On 8 February 2019, the Director of Public Prosecutions addressed a second letter to you for delivery at the same above address: [REDACTED] which required a signature upon delivery. The letter was undelivered and we were notified that you were not residing at the property.

On 8 March 2019, our office was advised that you are currently located at Macquarie Correctional Centre, NSW 2820.

As such, please find attached the correspondence that was initially sent to you from the Director dated 3 December 2018, 11 December 2018 and 8 February 2019.

Yours faithfully,

Associate to the DPP