

**IN THE CORONERS COURT OF MELBOURNE
AT MELBOURNE**

No. 1710 and 1711 of 2004

IN THE INQUESTS into the deaths of Christine and Terence Hodson

CONFIDENTIAL AFFIDAVIT REGARDING NICOLA GOBBO

Deponent: Detective Inspector John O'Connor

Date Sworn: 16 May 2014

Filed on behalf of the Chief Commissioner of Police, an interested party

Prepared by:

Victorian Government Solicitor's Office

Level [REDACTED]

Melbourne VIC 3000

Attn: Monika Pekevaska

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DX: 300077, Melbourne

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Fax: [REDACTED]

Ref: [REDACTED]

I, John O'Connor of Level 6, 412 St Kilda Road, Melbourne, in the State of Victoria, Detective Inspector of Victoria Police, make oath and say as follows:

1. I make this confidential affidavit on behalf of the Chief Commissioner of Police (CCP) on the basis that it only be reviewed by the State Coroner and Counsel Assisting the State Coroner.
2. I understand that the CCP has applied for an order that this affidavit be confidential. It contains highly sensitive material, and should not be published unless the Court orders otherwise.
3. I am a Detective Inspector at Victoria Police and the Officer In Charge of the Undercover Unit which is part of the Covert Services Division of Victoria Police I have held this position since 2013.
4. From 2010 to 2013, I was the Officer in Charge of the Source Development Unit which is part of the Covert Services Division of Victoria Police.
5. I have been a member of Victoria Police since 1985. Throughout my career in Victoria Police I have been primarily involved in the investigation of criminal offences particularly serious and organised crime. I have been stationed at the [REDACTED] [REDACTED] St Kilda Crime Investigation Branch and Prahran Crime

John O'Connor

[Signature]

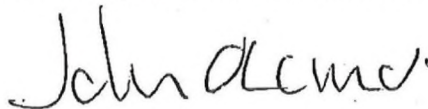
Investigation Branch as a Detective. As a Detective Sergeant, I have been stationed at the ^{PII} [REDACTED] the Crime Department Tactical Response Squad and Caulfield Crime Investigation Unit. At Senior Sergeant level I have been the Officer In Charge of the Cobram Police Station and South Melbourne Police Station. At Detective Inspector level I have been the Officer In Charge of the Source Development Unit, which managed all high risk informers for Victoria Police and I am presently the Officer In Charge of the Undercover Unit.

6. I have years of experience in recruiting, managing and maintaining the anonymity of informers. My role as the Officer In Charge of the Source Development Unit was to oversee the recruitment and management of high risk human sources that provided extremely valuable information to Victoria Police on serious and organised crime. This information has contributed to numerous convictions of criminals for serious and organised crime in Victoria and across Australia.
7. I make this affidavit on behalf of the CCP and from my own knowledge except where otherwise indicated. Where I depose as to information that is not within my knowledge, I believe that information to be true.
8. Nicola Gobbo (**Gobbo**) was registered as an informer in 2005. She was deregistered as an informer in 2009. I verily believe that prior to Gobbo providing any information to Victoria Police and being registered as an informer, Gobbo was assured that her identity would be protected and would not be disclosed.
9. As a registered informer, Gobbo provided information to Victoria Police in relation to various serious and organised crime figures in Victoria, some of whom are notorious and violent convicted criminals.
10. The ability of Victoria Police to utilise and recruit informers is inherently dependant on the fact that such informers have a high level of confidence that their anonymity and personal safety is of paramount importance to Victoria Police, law enforcement and the judicial process.
11. I am concerned about the publication or disclosure in open Court of any of the following information:

John Acme



- 11.1 the name or image of Gobbo in connection with the Hodson Inquest or any information that would identify or tend to identify Gobbo in connection with the Hodson Inquest (**Inquest Information**);
- 11.2 any information derived from, or connected with, the Hodson Inquest that would identify or tend to identify Gobbo in connection with the Magistrates Court of Victoria proceeding *Davey v Dale & Collins* (No X01602682) or Supreme Court of Victoria proceeding *DPP (Cth) v Dale* (No SCR 2012 0012) (**Dale Proceedings Information**); or
- 11.3 any information derived from, or connected with, the Hodson Inquest stating or implying that Gobbo is or was an informer for Victoria Police or otherwise identifying or tending to identify Gobbo as an informer for Victoria Police (**Informer Information**).
12. The Inquest Information, the Dale Proceedings and the Informer Information links Gobbo with the fact she was a police informer. In my opinion, if the Inquest Information, the Dale Proceeding Information, or in particular the Informer Information, was published or referred to in open Court this would make someone greatly fearful about becoming an informer because the release of information that enables an informer's identity to be ascertained erodes the likelihood that future informer anonymity would be maintained. The publication of the Informer Information or the disclosure of that information in open Court would also make existing informers very fearful that their anonymity will not be maintained by Victoria Police.
13. In my opinion, the consequence of the fear that an informer's anonymity will not be maintained will inhibit Victoria police's ability to obtain information and to recruit informers. This will undermine a key element of the Victoria Police response to the investigation of all crime, and in particular serious organised crime.
14. This opinion is based on my experience with recruiting, protecting and assessing risk to informers, as well as my experience about the use of information obtained from the public in investigating and prosecuting serious crime in Victoria.
15. The publication of information enabling people to ascertain that a person was an informer for Victoria Police has already made it difficult for Victoria Police to recruit informers. In my opinion, the publication of the article titled "You Pay Killer's School



Fees" by the Herald Sun on 19 April 2010, has inhibited people from becoming informers because of a fear that their identity as an informer would also be revealed.

Now produced and shown to me and marked **JC-1** is a copy of this article.

16. The fact that Mr Williams was killed following the publication of the article further inhibited people from becoming informers for Victoria Police for the same reason. It further indicates to existing informers that if their identity is revealed, they may be seriously injured or die.
17. I am acutely aware of the dangers placed on a person if they are exposed as an informer to other criminals or if it becomes generally known by the public that they are assisting police. I have first-hand knowledge of this when I was handling an informer whilst attached to the Crime Department Tactical Response Squad in [REDACTED]. I had a registered informer who was providing intelligence on serious organised crime figures, who was [REDACTED] by the principle target of the investigation as he was suspected of assisting the police. Fortunately the informer [REDACTED] and was [REDACTED]. The principle target was later convicted of [REDACTED] in the Supreme Court of Victoria in [REDACTED].
18. I am aware that Gobbo is the person referred to as 'Lawyer X' in the following media articles:
- 18.1 'Lawyer a Secret Police Informer' from the Herald Sun, 31 March 2014 (1st edition);
- 18.2 'Underworld Lawyer a Secret Police Informer' from the Herald Sun (online), 31 March 2014;
- 18.3 'Murder Probe Compromised' from the *Herald Sun*, 1 April 2014 (print and online versions);
- 18.4 'Gangsters "Betrayed" by Informer Lawyer' from *The Australian* (online), 1 April 2014;
- 18.5 'Mokbel "told of lawyer" informer' from *The Australian*, 2 April 2014; and

John Alford

[Signature]

18.6 'Fight for Truth' from the Herald Sun, 2 April 2014 published through a media monitor feed.

Now produced and shown to me and marked **JC-2** is a copy of the above referred articles.

19. In my view, the publication of any further information that could lead to a person ascertain the identity of Gobbo as an informer for Victoria Police will add to the fear that an informer's identity will not remain anonymous.

20. If any harm were to come to Gobbo following publication of the Inquest Information, the Dale Proceedings Information, or in particular the Informer Information, this combination would very significantly inhibit the willingness of persons to act as informers.

SWORN at
in the State of Victoria
on 16 May 2014

Before me:

)
)
)



.....
John O'Connor



.....
Monika Pekevka
An Australian Legal Practitioner within the
meaning of the *Legal Profession Act 2004*
[Redacted]
Melbourne Vic 3000

**IN THE CORONERS COURT OF MELBOURNE
AT MELBOURNE**

No. 1710 and 1711 of 2004

IN THE INQUESTS into the deaths of Christine and Terence Hodson

CERTIFICATE IDENTIFYING EXHIBIT

Deponent: Detective Inspector John O'Connor

Date Sworn: 16 May 2014

Filed on behalf of the Chief Commissioner of Police, an interested party

Prepared by:

Victorian Government Solicitor's Office

PII [REDACTED] Exhibition Street

Melbourne VIC 3000

Attn: Monika Pekevka

Email: monika.pekevka@[REDACTED]

Solicitor Code: 7977


DX: PII [REDACTED], Melbourne

Tel: [REDACTED]

Fax: [REDACTED]

Ref: [REDACTED]

This is the exhibit marked "JC-1" now produced and shown to JOHN O'CONNOR at the time of swearing his affidavit on 16 May 2014.


.....

Monika Pekevka
An Australian Legal Practitioner within the
meaning of the *Legal Profession Act 2004*

[REDACTED]
Melbourne Vic 3000

Exhibit "JC-1"
"You Pay Killer's School Fees" by the Herald
Sun on 19 April 2010

Appendices: Page 595 of 887

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MEDIA MONITORS



Herald Sun
18-Apr-2010
 Page: 1
 General News
 By: Padraic Murphy
 Region: Melbourne
 Circulation: 514000
 Type: Capital City Daily
 Size: 699.85 sq.cms
 Frequency: MTWTFSS-

EXCLUSIVE Police pick up tab for Carl's daughter

YOU PAY KILLER'S SCHOOL FEES

Padraic Murphy

TAXPAYERS forced out \$8000 to pay the private school fees of the daughter of murderer and underworld figure Carl Williams and ex-wife Roberta.

A letter seen by the *Herald Sun* reveals the payment, which was made by Victoria Police.

Report, Page 4



SENTIA
INFLUENCE INFORM INSIGHT



Herald Sun, Melbourne
02 Apr 2014, by Anthony Dowsley

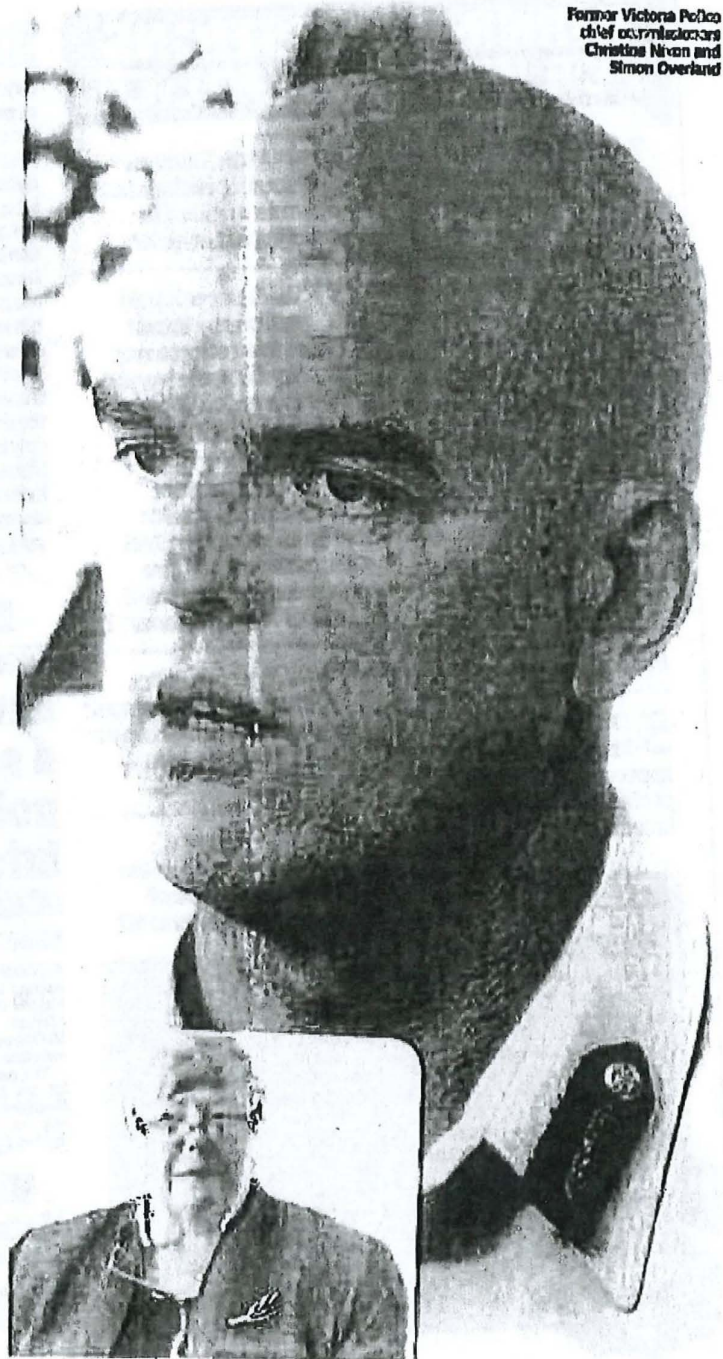
General News, page 1 - 1,810.00 cm²
Capital City Daily - circulation 399,638 (MTWTFSS-)

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Former Victoria Police
chief commissioners
Christine Nixon and
Simon Overland



Herald Sun, Melbourne
02 Apr 2014, by Anthony Dowsley

General News, page 1 - 1,810.00 cm²
Capital City Daily - circulation 399,638 (MTWTFSS-)

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ID247253487

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BURNING QUESTIONS FOR VICTORIA POLICE

1 WHY has Victoria Police not commented on the appropriateness of the use of Lawyer X as a registered Informer and will it comment now?

2 IS Victoria Police satisfied the use of Lawyer X has not compromised any convictions of criminals?

3 WHEN did Lawyer X become a registered Informer?

4 HOW many clients, if any, did Lawyer X inform on to Victoria Police?

5 DOES Victoria Police believe it has acted appropriately in its professional standards involving Lawyer X?

6 WAS the "human source" division shut down as a result of its handling of Lawyer X?

7 WAS Lawyer X paid millions by Victoria Police in an effort to stop details about the lawyer's role as a police informant emerging?

8 WHICH current and former senior officers - including Chief Commissioners - have knowledge of the role of Lawyer X as an Informant?

9 DID Victoria Police inform any government figures of the use of Lawyer X as an informant and if so, who?

10 WAS Chief Commissioner Ken Lay aware of the use of Lawyer X as an informant?

THE POLICE RESPONSE

VICTORIA Police had never confirmed whether any such person has been a police informant as the law is unclear.

While we might like to make comment we're restricted by a whole range of issues around the management of human sources and our duty to the public.

What the recent media coverage has done - regardless of whether Lawyer X was a police informant

or not - is put the person at the centre and it's for that reason along with the broader integrity of the human source unit by most processes and those involved that we will not be commenting on any individual matters.

Victoria Police regularly reviews its human source management procedures. Such reviews do not do, in public view for obvious reasons, including source safety and with respect to Victoria Police keeping a record of the awareness of such reviews and reforms in this area to ensure the highest level of review.



Herald Sun

Extraordinary events over the past 48 hours have raised such deeply concerning questions over the integrity of Victoria Police that the Herald Sun believes Premier Denis Napthine has no alternative but to order a royal commission. The Victorian public is entitled to be told the details of what may be failures at the highest levels of the force revealed in this newspaper on Monday. FULL EDITORIAL, PAGE 22

MONDAY

Herald Sun Lawyer a secret police informer

EXCLUSIVE

ANTHONY DOWSLEY

A PROMINENT underworld lawyer was recruited by Victoria Police to inform on criminal figures running Melbourne's drug trade for more than a decade.

The controversial move to list the lawyer, whom the Herald Sun has chosen to name only as Lawyer X, as a registered informant gave the

TUE DAY

Herald Sun

Under police cover
LAWYER X

ESSENTIA
INFLUENCE INFORM INSIGHT



Herald Sun, Melbourne
02 Apr 2014, by Anthony Dowsley

General News, page 1 - 1,810.00 cm²
Capital City Daily - circulation 399,638 (MTWTFSS-)

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Fight for truth as police head to court

FROM PAGE 1

On Monday, force command held crisis meetings as one of the biggest secrets in the organisation's history began to be unearthed.

Just as the police signalled their intent to seek the injunction last night, Shadow Attorney General Martin Pakula called for greater transparency on the issue.

"These reports are concerning and I think Victorians would be concerned about what might have gone on," Mr Pakula said.

"Victorians do have a right to know."

Among concerning revelations already published regarding Lawyer X, the *Herald Sun* has reported:

A POLICE taskforce into multiple murders was shut down to protect Lawyer X despite senior police wanting to push on with it;

LAWYER X pocketed a multi-million dollar payout to keep silent, and as compensation;

LAWYER X spoke often with late drug kingpin Carl Williams, though it is not suggested the contact was inappropriate.

Senior lawyers have sugges-

ted the use of Lawyer X was both unethical and undermined several inquiries. a bid to protect Lawyer X." anthony.dowsley@heraldsun.com.au

There are concerns that several jailed organised crime figures will now appeal their convictions, arguing their right to justice may have been compromised.

Describing the revelations as "unprecedented", one lawyer said: "I would think there would be a massive influx of appeals."

Johnston said: "We believe Victorians deserve to know the details of what we had intended to publish in today's newspaper."

Johnston said the *Herald Sun* would continue investigating the Lawyer X scandal and explore all legal avenues in a bid to publish the details the court ordered pulled shortly before first edition deadline at 8pm.

"Our reports in the past two days have left the police force facing some serious integrity questions, including the decision to shut a taskforce investigating a multiple homicide, in

iSENTIA
INFLUENCE · INFORM · INSIGHT



Herald Sun, Melbourne
02 Apr 2014, by Anthony Dowsley

General News, page 1 - 1,810.00 cm²
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**POLICE GO TO COURT TO STOP HERALD SUN FROM
TELLING YOU MORE EXPLOSIVE REVELATIONS**

FIGHT FOR TRUTH **LAWYER X**

**ANTHONY DOWSLEY, JON KAILA
AND MARK BUTTLER**

THE *Herald Sun* was last night locked in a Supreme Court fight to publish sensational new details on Lawyer X, which it believes is of extreme public interest.

Just after 7pm, Victoria Police took the extraordinary action of seeking an injunction preventing the newspaper from publishing explosive new details on the force's use of the lawyer as an informant.

The revelations raise major questions over the actions of some of Victoria's most senior police officers.

But as a result of the gag application, the *Herald Sun* was last night forced to remove the details from the newspaper pending the Supreme Court's ruling.

Herald Sun editor Damon Johnston said that Victorians deserved to know the full truth behind Lawyer X.

"The police last night moved to prevent us from publishing important details that go to the heart of how our police and justice system is run,"

Johnston said.

The *Herald Sun* has learned the police's use of Lawyer X was a critical issue in the police command crisis that claimed the jobs of former police chief Simon Overland and his deputy Sir Ken Jones and subsequently contributed to the demise of Victorian Premier Ted Baillieu. Sir Ken had serious misgivings over the handling of Lawyer X, it is understood.

The police's push for a gag on further reporting on Lawyer X also comes despite calls grow for a royal commission and the scandal starts to become an election issue.

The *Herald Sun* has previously reported Lawyer X was recruited to inform on some of Australia's biggest criminals over more than a decade.

The newspaper has also revealed police were split in two factions over the use of Lawyer X. Senior police were warned the force's actions could endanger lives.

CONTINUED PAGE 6

whether granted and senior police
corrupted through the use of the
information and whether police
were justified in offering such in-
formation to secure in-
formation. It would also require the
payment of a large, confidential
sum of money by police in the
lawyer, independent of the in-
formation about whether Mr. Lee
and son will receive police in-
formation about whether Mr. Lee
was tipped off about pending
murder charges before he fled to
the United States. It is who provided
the information.
The first said Vietnam's
role of police. It is who provided
the information and possibly
provided information to police
if they have acted as registered
informers since 1996 and pro-
ceeded to represent people
people will be asking, have I
been compromised," he said.
"Something needs to be said
about the role of the police in all
this for years we have been
calling for a royal commission
You have got to look at the in-
part of police corruption in the
justice system and how things
have been compromised."
A spokesman for Victorian
Attorney-General Robert Clark
said the allegations were a mat-
ter for the state's Independent
Broad-based Anti-Corruption
Commission but the opposition
says BAC operates under an
"open framework."

AUS022004-VI

Mokbel told of lawyer informant

(SIP) L. GRAND

GANGLAND killer Carl Williams suspected a prominent defence lawyer of providing information to police and warned drugs associate Tony Mokbel against using the lawyer in future cases.

The Australian has learned of a confrontation between Williams and the lawyer in which Williams accused the lawyer of lying to him about whether other gangland clients were providing statements to police about his criminal activities.

Yet despite suspecting the lawyer of supplying information to Victoria's Pura taskforce investigating a series of unsolved gangland murders, Williams remained in contact with the lawyer.

Mokbel and his family members ignored Williams's concerns and continued to deal with the lawyer.

It is alleged the lawyer was first registered as a police informant in 1996 and helped police until 2010. The lawyer, who is still registered to practise in Victoria, has denied being a police informant and any wrongdoing.

Rob Stary, a high-profile criminal lawyer who represented Mokbel in his major drug cases, said a defence lawyer had been used as a police informant, it would create a "nightmare" for the justice system.

Mr Stary called for a royal commission to restore public confidence.

Any inquiry would examine

THE AUSTRALIAN

Gangsters 'betrayed' by informer lawyer

CHIP LE GRAND THE AUSTRALIAN APRIL 01, 2014 12:00AM

GANGLAND figures represented by a lawyer who reportedly doubled as a registered police informant should seek an immediate review of their convictions, a prominent Melbourne defence lawyer has urged.

George Defteros, who has represented some of the same high-profile clients as the unnamed lawyer, said if the reports were true, the conduct of the lawyer and the preparedness of the police to use the lawyer as an informant were "disgraceful".

"Any accused that was represented by this lawyer should very quickly seek to review his case," Mr Defteros told The Australian.

"The police force should not be a conduit for allowing this lawyer to get away with breaches of ethical standards and legal professional privilege that go back centuries."

The Herald Sun reported the lawyer was a police informant throughout the city's gangland war. At various times, the lawyer acted for key gangland figures, several of whom became prized police witnesses. The lawyer denies the claim and any wrongdoing.

Victoria Police has threatened legal action to prevent the lawyer's name from being published. The decision to rely on the lawyer as an informant and potential witness reportedly split the most senior ranks of Victoria Police.

Concerns about the lawyer's alleged dual role were yesterday expressed by other defence solicitors, barristers, and a judge who presided over a case in which the lawyer acted for a gangland figure.

"If somebody acting as a defence counsel is a police informer, it would compromise the honesty and endeavour of the person," the judge said.

Legal Services Commissioner Michael McGarvie said whether a lawyer breached client privilege by acting as a police informer depended on what information was passed on. "There is no ban on a lawyer being an informer. It is about converting client instructions and privileged information into reports."

A leading criminal law solicitor disagreed: "It is about as disastrous as it gets in terms of breach of ethics. There would be some former clients in (prison) reading this who would be particularly upset."

A gangland solicitor who worked alongside the lawyer in a high-profile case said the entire legal process had been undermined.

"You cannot have interest with Victoria Police and act as a defence counsel for anyone," the solicitor said. "Even if you are not divulging information about that specific case, it is just a gross conflict of interest."

facebook

NEWS

Beat health cover rises

Shop around and save

THE largest health fund premiums increase for nine years will see them rise by an average \$250 a year from today — but customers can save if they shop around.

Health insurance brokers say consumers could save up to \$2,000 a year on their premiums if they shop smart.

"Many consumers are brand loyal but they could be paying for more than they need," said Grant Waldeck of comparethemarket.com.au.

A couple with one child saved \$1,700 a year when they examined their needs and switched funds.

"She hadn't compared health insurance for over eight years and over that time could have saved \$16,000," Mr Waldeck said.

Busy mum Elaine Hurst confirms the wisdom of shopping around. She switched health funds twice before finding a product that delivered triple the optical cover, 100 per cent dental cover as well as cover in a private hospital for half the price she was paying.

Families who are too old to need cover for pregnancy and the young and healthy could tailor health cover to eliminate insurance for services they don't need, he said.

SUE DUNLEVY
HEALTH REPORTER

Price was not the best way to determine the best health insurance product because two policies could have a \$3 premium difference but one could give back thousands more in claims or services, he warned.

Health fund premiums have risen in excess of inflation for more than a decade and a typical family policy now costs \$3,500 to \$4,000 a year.

The price for millions of members rose by up to \$1,200 a year after the previous government introduced a means test of the 30 per cent tax subsidy.

"A lot of people are thinking twice about maintaining their health insurance because of premium rises and the impact of shrinking coverage of policies," a Consumers Health Forum spokesman said.

Health fund nib was granted the largest premium rise of 7.99 per cent by Health Minister Peter Dutton. Medibank premiums go up an average of 6.49 per cent, and BUPA by an average of 6.35 per cent.

But under changes introduced by Labor, the private health insurance tax rebate will cover less of the increase. sue.dunlevy@news.com.au

Fresh surge in campaign sign-ups

AN insurance discount deal has sparked a surge in the number of people joining the Big Insurance Switch campaign.

Consumer movement One Big Switch, which is running the campaign, announced at the weekend that it had unlocked a discount of up to 40 per cent off the standard Coles Insurance combined home and contents cover, for eligible applicants.

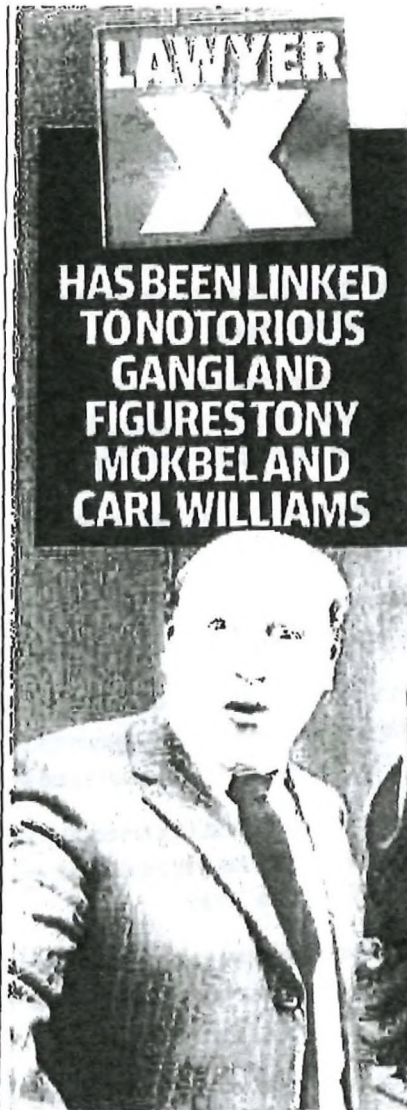
Since the middle of last week the number of campaign participants has jumped from 50,000 to more than 65,000, including more than 5000 signing up since Sunday.

ANTHONY KEANE

"Obviously people have been telling their friends and family." One Big Switch campaign director Joel Gibson said.

"We hope that other insurers will respond, and that means the opportunity we have unlocked will create competition across the whole market. We will be watching very closely."

The deal is open until May 2 to people who join the Big Insurance Switch campaign. Those who have not yet joined can still do so. onebigswitch.com



Kill probe compromised

FROM PAGE 1

The *Herald Sun* can also reveal Lawyer X was a confidant to slain underworld boss Carl Williams and mixed with jailed gangland boss Tony Mokbel.

Senior legal figures and police say the *Herald Sun*'s revelation over the Lawyer X informer deal warrants a Royal Commission or an IBAC corruption inquiry. Some police suggest it was unethical and undermined several inquiries.

Concerns have also now been raised that many jailed organised crime figures could appeal against convictions, arguing their right to a fair trial may have been compromised.

"It is unprecedented. I don't know if it is lawful, what the police have done," one senior lawyer said.

"I would think there would be a massive influx of appeals."

The police saw Lawyer X as a key player in helping end the gangland war and solve major police corruption cases.

But the *Herald Sun* can reveal a major probe into a multiple murder was derailed after

the relationship with Lawyer X soured.

Investigators were told they were being reassigned immediately, and there was barely any handover to another taskforce, also since been disbanded.

That case has now effectively been shelved in what a police source has labelled the "height of corruption".

It is not suggested that that corruption had anything to do with Lawyer X.

A settlement was struck with Lawyer X to pocket a multi-million dollar sum and a commitment to not call the lawyer in a criminal trial.

In other developments, it can be revealed:

LAWYER X spoke regularly by phone to the late drug kingpin Williams.

The lawyer was also friendly with one of Melbourne's biggest drug traffickers, Mokbel.

POLICE yesterday moved to deny claims that Lawyer X had a relationship with a high-ranking officer.

LAWYER X was at once stage subject to a tug of war between

two separate units of the police force.

The lawyer has been called as a witness in a forthcoming case.

It is not suggested Lawyer X's contact with Mokbel and Williams was inappropriate.

Criminal Bar Association chairman Peter Morrissey, SC, said there was a prospect of appeals if "evidence was improperly obtained".

"If a criminal is convicted because of information or evidence produced by a lawyer allegedly acting for them but in fact informing upon them, there are very real prospects of an appeal based on the evidence being improperly obtained," he said.

Victoria Police refused to comment on concerns regarding its informer program.

Premier Denis Napthine said it was up to the Chief Commissioner whether to order any further probes.

Legal sources said Lawyer X could have acted as a police informer without necessarily breaching ethical duties to

Herald Sun Lawyer a secret police informer

EXCLUSIVE

ANTHONY DOWSLEY

A PROMINENT underworld lawyer was recruited by police to inform on

Yesterday's scoop

wards clients. The *Herald Sun* doesn't suggest Lawyer X acted inappropriately.

Rumours of an affair between a high-ranking former officer and Lawyer X have also been denied.

The officer denied to the *Herald Sun* any intimate relationship, a denial reinforced by Victoria Police late yesterday.

"The allegations of an affair are strenuously denied by the former police officer concerned," police spokesman Charles Morton said.

The senior officer's departure last year had "nothing whatsoever to do with this unfounded allegation," he said.

But Lawyer X has said there was a sexual relationship almost two decades ago.

anthony.dowsley@news.com.au

Murder probe compromised

ANTHONY DOWSLEY

A POLICE taskforce into multiple murders was shut down to protect a high-profile lawyer used as an informer.

Lawyer X, who the *Herald Sun* revealed yesterday was recruited to inform on senior crime figures for years, also pocketed a multi-million dollar payout to keep silent, and as compensation, as the relationship unravelled.

The murder taskforce was abruptly disbanded despite then deputy commissioner Sir Ken Jones wanting to push on, while raising concerns over the handling of informers and witnesses.

CONTINUED PAGE 4



ST MORE
TY
GS
ENTS

PAGE 5

TASTE LIFTOUT

EAT
WELL,
PAY LESS

The *Herald Sun* has learned an email was sent from a high ranked policeman sitting on a steering committee overseeing a major investigation, inquiring if Lawyer X could be withdrawn from a Supreme Court trial.

It is understood Victoria Police and the Commonwealth Office of Public Prosecutions were at loggerheads over how to deal with the issue.

It resulted in more than half the charges being dropped against the accused before the matter went to trial.

High-ranking former and current police officers have questioned the ethics in engaging such a high-risk informer, saying it was "not best practice", with some calling for a royal commission.

Lawyers are required not to disclose information received from clients on cases they are representing them on, which is privileged. It is not suggested Lawyer X divulged information directly involving cases.

The lawyer has denied ever being a registered police informer or doing anything inappropriate.

- facebook
 - twitter
 - linkedIn
 - google +
 - reddit
 - email
-

News

Herald Sun

Law & Order

Underworld lawyer a secret police informer

- by:Anthony Dowley
- From: Herald Sun
- March 31, 2014 12:18AM

EXCLUSIVE: A PROMINENT underworld lawyer was recruited by Victoria Police to inform on major criminal figures operating in Melbourne for more than a decade.

The controversial move to list the lawyer - who the *Herald Sun* has chosen to name only as Lawyer X - as a registered informer gave the force unprecedented access to information on some of Australia's biggest drug barons, hitmen and others involved in Melbourne's gangland war.

The force's biggest secret in turning a high-profile criminal lawyer into an informer brings in to question police ethics in cultivating "human sources", which went spectacularly wrong.

It ended with Victoria Police's then chief commissioner Simon Overland intervening.

The *Herald Sun* can also reveal a taskforce was then shut down without notice or explanation as investigators began probing whether Lawyer X had helped circulate more than 30 highly sensitive information reports stolen from the St Kilda Rd Police Complex in 2003.

The investigation was taken over by another taskforce, which is believed did not pursue the lawyer.

The *Herald Sun* last night agreed to remove certain information from this article after the police went to the Supreme Court to seek an injunction against the paper.

The police made the extraordinary gagging application at 11pm, four hours after the paper gave the force a detailed account of the article.

Police lawyers argued in the Supreme Court that the *Herald Sun* would be in breach of confidences in revealing previously unknown facts about investigations into high-profile criminals.

Police dropped the application after the newspaper took out details it believed were not central to the story.

The paper can reveal, just prior to the taskforce being shut down, then Deputy Commissioner Sir Ken Jones addressed investigators, who had spent six years working on the case, encouraging them to continue their work.

Sir Ken, who had concerns on the handling of informers and witnesses, left the force and was targeted by the Office of Police Integrity after a public fallout with Mr Overland.

The force's "human sources" unit was also shut down and re-formed.

Mr Overland stepped in after overseeing the spectacular demise of a case he desperately wanted to solve.

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WEATHER

TODAY
RAIN 17
MAX 31
 Mostly sunny

TOMORROW
MAX 31
 Partly cloudy

WEDNESDAY
MAX 29
 A few showers

THURSDAY
MAX 30
 Possible shower



SATURDAY LOTTO: Draw
 3411 22, 26, 31, 29, 10, 41
 Supp: 25, 27
 Div 1: 11 winners,
 \$1909,090.91
 Div 2: \$8993.85
 Div 3: \$1074.30, Div 4: \$30.85
 Div 5- \$20.80 Div 6: \$12.45
 SUPER 6: 1, 9, 2, 5, 5, 8
 Div 1: jackpots to \$70,000



LUCKY LINE: Draw 2009 4, 8, 14, 17, 21, 30, 32, 37, LUCKY 35: Draw 1766 5, 1, 0, 1 BUCKY: Draw 1764 15, 9, 13, 24, 2 BLACK LUCKY: Draw 1778 1, 14, 16, 28, 31, 34, 37, 38, 40, 35, 33, 38, 39, 41, 40, 73, 75, 77, 78, 80, LUCKY FLYING STRAITS: Draw 2009 24, 30, 33, 13, 38, 71, 8, 17, 45, 58, 34, 2, 14, 66, 74, 22, 34, 37, 35, 61, 28, 12, 18, 64, 28, 33, 49, 80, 42, 56, 75, 42, 62, 70, 27, 72, 37, 67, 40, 7, 31, 18, 4, 23, 11, 41, 84, 20, 20.

ARE YOU A QUIZ MASTER?



As one of our most sought after quiz masters, you will be in demand for your quiz nights. If you are a quiz master, you will be in demand for your quiz nights. If you are a quiz master, you will be in demand for your quiz nights. If you are a quiz master, you will be in demand for your quiz nights.

INQUIRIES
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 08 9272 2000

Objects are just sea junk

THE frustrating riddle of Malaysia Airlines flight MH 370 has deepened, with planes and ships working the new search zone 1800km west of Perth failing to find any wreckage.

Hopes that numerous coloured objects spotted from the air might be debris from the crashed plane were dashed after objects hauled aboard the Chinese vessel *Havon 01* and Australia's *HMAS Success* turned out to be sea junk.

It now appears the Indian Ocean is strewn with garbage, misleading analysts who thought they were studying satellite images of possible debris fields from the jet.

The search has shifted 1100km north after calculations by international aviation experts working in Malaysia, who estimated, based on radar data, that MH 370 flew faster and burned more fuel than previously thought.

In the absence of any other significant leads, the search not only presses on, it has intensified. The Chief of Navy, Vice Admiral Ray Griggs, visited the naval support vessel, *Ocean Shield*, in Fremantle to inspect it being loaded with a pinger locator, which is hoped may locate the plane's black box before its batteries expire in around seven days.

The device will be towed

to fly 648km north of the Antarctic mainland to investigate an emergency distress beacon activated by a fishing vessel.

About 30 Chinese family members of passengers on board MH 370 arrived in Kuala Lumpur yesterday in a bid to see high-ranking Malaysian officials and demand answers.

Malaysian Airlines said it would fly families to Perth only after official confirmation that wreckage had been found.

Prime Minister Tony Abbott has appointed former Defence chief Angus Houston to co-ordinate Australia's search, which involves ships and planes from seven nations after Malaysia finally joined the search.

As eight ships and 10 planes worked in the new search zone yesterday, one of Australia's RAAF Orion P3s was diverted



about the search area listening for pings from the black box. The ship also took aboard an autonomous underwater vehicle, or AUV, which will be programmed to search in patterns at depths between 2000m and 4000m.

Lawyer a police agent

FROM PAGE 1

Extraordinarily, the agreement Lawyer X reached with the force stipulated the lawyer would not be called as a witness by Victoria Police or be contacted by taskforce officers.

Mr Overland signed off on the deal after overseeing the 'spectacular demise of a case he desperately wanted to solve.'

The Herald Sun has learned an email was sent from a high-ranked policeman sitting on a steering committee overseeing a major investigation, inquiring if Lawyer X could be withdrawn from a Supreme Court trial.

It is understood Victoria Police and the Commonwealth Office of Public Prosecutors were at loggerheads over abandoning Lawyer X's testimony.

The court was told the testimony was to protect the lawyer's life.

It resulted in more than half the charges being dropped against the accused before the matter went to trial. That man, was acquitted of all charges.

High-ranking former and current police officers have questioned the ethics in engaging such a high-risk informer, saying it was "not best practice", with some officers calling for a royal commission.

Lawyers are required not to disclose information received from clients on cases they are representing them on, which is privileged.

It is not suggested Lawyer X divulged information directly involving cases.

Lawyer X's clients included gangland figures and high-profile drug traffickers.

The lawyer has denied ever being a registered police informer or having done anything inappropriate.

withheld by Herald Sun on 12/03/2014



Bob Downes opens the Melbourne International Comedy Festival. Picture: ELLEN SMITH

FLOOD OF LAUGHTER HITS CITY STREETS

MELBOURNE has caught the laughter bug with punters flooding the city for the opening weekend of the Comedy Festival.

Packed venues, restaurants and bars signalled the start of the month-long cultural event, which has brought more than 1000 artists together to put on a record 478 shows.

Festival general manager Damien Hodgkinson said attendance figures were not yet available, but "we're really buoyed by the response so far".

"We think we're tracking similarly to last year, which

was a bumper festival, so we are all feeling very optimistic," he said.

Fans have been raving about their favourite shows on social media, although some have complained about the war in temperature in some venues.

Mr Hodgkinson said festival staff were monitoring comedy rooms to ensure they were working well, as well as helping audiences to navigate the massive program.

"Being 470-odd shows, our challenge is helping people digest the program in the best



way and find what they want to see," he said.

He suggested people read reviews, talk to family and friends, watch clips of comedians on the festival website and visit the Festival Club, which put on a mixed bill of artists every night at the Hippo Bar on Swanston St.

"Also the blackboard at the Melbourne Town Hall is a bit of a comedy tradition. It

lists all of the events in and around the CBD and is a really great way to get a rundown of what's happening hour by hour," he said.

"I was standing outside the Town Hall last night and the city was buzzing. The festival is a really special time in Melbourne."

For the first time this year, Herald Sun reviews online have a "rate this show" panel for audiences to give their own star rating.

REVIEWS, PAGE 37

FOR THE COMEDY FESTIVAL NEWS AND REVIEWS, VISIT HERALDSUN.COM.AU

Crash kills female passenger

A WOMAN is dead and a man was fighting for life last night after a head-on highway smash in the state's west.

The woman, who died at the scene, was a passenger in one of two vehicles that collided on the Western Highway, near Stawell, about 1pm yesterday.

A man driving the car was critically injured and taken to The Alfred hospital.

A woman driving the second car was taken to Stawell Hospital for observation and her two child passengers, who suffered minor injuries, were taken to the Royal Children's Hospital.

Police have appealed for witnesses to contact Crime Stoppers on 1800 333 000 or visit the website, www.crimestoppers.com.au.

The state road toll is now 67, compared with 61 this time last year.

JUNIOR FOOTY RULES OVERHAUL



MONDAY, MARCH 31, 2014

\$130 HERALDSUN.COM.AU

WE'RE FOR VICTORIA

Herald Sun

Lawyer a secret police informer

EXCLUSIVE

ANTHONY DOWSLEY

A PROMINENT underworld lawyer was recruited by Victoria Police to inform on criminal figures running Melbourne's drug trade for more than a decade.

The controversial move to list the lawyer, whom the Herald Sun has chosen to name only as Lawyer X, as a registered informer gave the force unprecedented access to information on some of Australia's biggest drug barons and hitmen, including alleged corrupt police and others involved in Melbourne's gangland war.

The force's biggest secret in turning a high-profile criminal lawyer into an informer brings into question police ethics in cultivating "human sources", which went spectacularly wrong after the informer became a witness in one of Australia's biggest criminal investigations.

The case unravelled after another witness was killed.

It ended with Victoria Police's then chief commissioner Simon Overland agreeing to a settlement with Lawyer X.

The Herald Sun can also reveal a taskforce was then shut down without notice or explanation as investigators began probing whether Lawyer X had helped circulate more than 30 highly sensitive information reports stolen from the St Kilda Rd police complex in 2003.

The investigation was taken over by another taskforce, which is believed did not pursue the lawyer.

Just prior to the taskforce being shut down, then deputy commissioner Sir Ken Jones addressed investigators, who had spent six years working on the case, encouraging them to continue their work.

Sir Ken, who had concerns on the handling of informers and witnesses, left the force and was a target of the Office of Police Integrity after a public fallout with Mr Overland. The force's "human sources" unit was also shut down and re-formed.

CONTINUED PAGE 4

TAXPAYERS FACE MASSIVE CLEAN-UP BILL



TRASHED



A house of horrors has been so badly trashed by public housing tenants that taxpayers face a \$20,000 clean-up bill. Six tenants, including children, abandoned the Northcote home, leaving a mountain of junk, smashed windows, hole-riddled walls and mould.



FULL REPORT: PAGES 6-7

HAVE YOUR SAY heraldsun.com.au

ROOS RACE AWAY FROM DOGS SPORT



BY GEORGE, YOU'VE GROWN P9



CHEERS & RUNS FOR LUKE P2



**IN THE CORONERS COURT OF MELBOURNE
AT MELBOURNE**

No. 1710 and 1711 of 2004

IN THE INQUESTS into the deaths of Christine and Terence Hodson

CERTIFICATE IDENTIFYING EXHIBIT

Deponent: Detective Inspector John O'Connor

Date Sworn: 16 May 2014

Filed on behalf of the Chief Commissioner of Police, an interested party

Prepared by:

Victorian Government Solicitor's Office

PII [REDACTED] Exhibition Street

Melbourne VIC 3000

Attn: Monika Pekevskva

Email: monika.pekevskva@[REDACTED]

Solicitor Code: 7977


DX: PII [REDACTED], Melbourne

Tel: [REDACTED]

Fax: [REDACTED]

Ref: [REDACTED]

This is the exhibit marked "JC-2" now produced and shown to JOHN O'CONNOR at the time of swearing his affidavit on 16 May 2014.


.....

Monika Pekevskva
An Australian Legal Practitioner within the
meaning of the *Legal Profession Act 2004*

[REDACTED]
Melbourne Vic 3000

Exhibit "JC-2"
Copy of Media Articles



Herald Sun
19-Apr-2010
Page: 1
General News
By: Padraic Murphy
Region: Melbourne
Circulation: 514000
Type: Capital City Daily
Size: 688.85 sq.cms
Frequency: MTWTFSS-

We pay \$8000 for daughter to attend top private college Carl's school 'break'

Padraic Murphy

TAXPAYERS paid the private school fees for the daughter of multiple murderer, drug dealer and underworld figure Carl Williams.

The \$8000 payment was made by Victoria Police command for Williams' child to attend a top private school.

A letter written by the Victorian Government Solicitor's Office, and signed by its managing principal solicitor in February, shows police admit they paid for Williams' daughter to attend the school.

The letter refers to "the payment of school fees for (Mr Williams') child in the amount of approximately \$8000".

The prestigious school has several campuses, rolling sports fields and a country property for camps.

It boasts about its academic achievement.

Williams, who is serving a 35-year prison sentence for several murders, was a key player in Melbourne's brutal underworld war that claimed about 30 lives and took police more than a decade to bring under control.

The letter also shows that Victoria Police offered to pay a \$750,000 debt owed to the tax office by George Williams, as first revealed by the Herald Sun in February.

That offer was withdrawn following legal advice.

The Herald Sun is unable, for legal reasons, to outline why the school fee payment was made.

Williams' former partner Roberta was tight-lipped.

"I've got no comment about that, but you have a great night," Ms Williams said.

The State Government and

Victoria Police command refused to comment about the school payment.

Opposition crime prevention spokesman Andrew McIntosh said Premier John Brumby and Police Minister Bob Cameron should explain why Victorian taxpayers picked up the bill.

Crime Victims Support Association president Noel McNamara said the school payment showed a disregard for Williams' victims.

"What's going on in there? They say the underworld looks after their own, but now it seems force command has taken the view we've got to look after them too," Mr McNamara said.

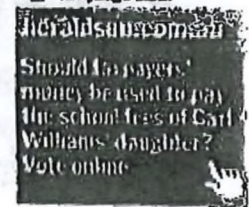
"It was bad enough when they took George and Carl on their little holiday down the coast. Are they going to pay the university fees as well?"

In sentencing Williams,

Supreme Court judge Jerry King said there were "no other appropriate penalties for crimes of this nature, gangland executions carried out ... in the presence of frightened men, women and children".

Justice King said she was convinced Williams could become a cult hero.

"You are a killer, and a cowardly one who employed others to do the actual killing," the judge said.



Carl Williams