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NOTICE

This Consolidation of the COMMISSIONS OF INQUIRY ACT 19504989 was produced as a ready reference work by the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct. It is not an official consolidation approved by Parliamentary Counsel. For this reason the edition should not be presented or quoted in any legal proceedings. For such purposes it is suggested that it will still be necessary to refer to the latest official consolidation and subsequent amendments.

QUEENSLAND

COMMISSIONS OF INQUIRY ACT 19504989

Commissions of Inquiry Act of 1950, 15 Geo. 6 No. 2

As amended by

Commissions of Inquiry Act Amendment Act of 1954, 3 Eliz. 2 No. 38

Commissions of Inquiry Act Amendment Act of 1987, No. 59

Commissions of Inquiry Act Amendment Act 1988, No. 30

Commissions of Inquiry Act and Other Acts Amendment Act 1988, No. 58

Corrective Services (Consequential Amendments) Act 1988, No. 88

Commissions of Inquiry Act Amendment Act 1989, No. 2

Acts Interpretation Act and Another Act Amendment Act 1989, No. 28

An Act to Make Further and Better Provision for Facilitating
Inquiries by Commissions of Inquiry

[ASSENTED TO 13 DECEMBER 1950]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows: -

1. Short title. This Act may be cited as the *Commissions of inquiry Act 1950-1 989*

2. Repeal of 1 Geo. 5 No. 26 and 20 Geo. 5 No. 2. Savings. *The Official Inquiries Evidence Act of 1910* and *The Official Inquiries Evidence Act Amendment Act of 1929* are hereby repealed:

Provided that, but without prejudice to "The Acts Shortening Acts"-

(a) Such repeal shall not affect-

(i) The validity, invalidity, effect, or consequences of anything already done or suffered;

- (ii) Any indemnity or immunity in respect of any past act or thing; or
- (iii) The proof of any past act or thing, or the admissibility or inadmissibility of evidence with regard thereto;
- (b) For the purpose of continuing and completing any inquiry (commenced before the passing of this Act) into or with respect to any matter or matters, by a Commission appointed prior to and subsisting at the passing of this Act, both of such repealed Acts shall be deemed to continue in force as if this Act has not been passed;
- (c) In any Act any reference to or citation of “*The Official Inquiries Evidence Acts, 1910-1929*”, or either of those repealed Acts, shall be deemed to be a reference to or citation of this Act;
- (d) All regulations made under the repealed Acts and in force at the passing of this Act, so far as the same are not inconsistent with this Act, shall, unless the contrary is expressly provided herein, remain in force under, and be deemed to have been made for the purposes of, this Act and may be repealed, varied, amended, or otherwise modified under this Act:

Provided that general regulations made under this Act shall supersede and have the effect of repealing such first-mentioned regulations.

3. Application of Principal Act as amended to existing Commissions.

(1) The provisions of the *Commissions of Inquiry Act 1950-1989* apply to and with respect to-

- (a) every Commission of Inquiry appointed after the commencement of this Act;
- and
- (b) every Commission of Inquiry appointed before the commencement of this Act that has not completed its inquiry at the commencement of this Act:

Provided that an act done or omission made before the commencement of this Act shall not constitute an offence by reason only of an amendment of the Principal Act made by this Act.

(2) In subsection (1) the expression “Commission of Inquiry” has the meaning assigned to the term “Commission” by the Principal Act.

Meaning of Terms. In this Act, unless the context otherwise indicates or requires, the following terms shall have the meanings respectively assigned to them, that is to say: -

“Authority of a deputy to the Commission” means the powers, authorities, duties and functions which a deputy to a Commission is authorised to exercise or perform in accordance with this Act;

“Chairman” - The Chairman of any Commission, whether appointed by the instrument creating the Commission or

otherwise, including the person for the time being acting as chairman: In cases where a Commission is constituted by a sole commissioner, the term means such commissioner;

“Commission” - Any Commission of Inquiry issued by the Governor, by and with the advice of the Executive Council of this State, under his hand and the public seal of the State, and includes the members of the Commission, or a quorum thereof, or the sole commissioner in cases where the Commission is constituted of a sole commissioner, sitting for the purposes of the inquiry;

Where by an instrument other than a Commission of Inquiry as aforesaid the Governor in Council appoints a person or persons to make an inquiry into or with respect to any matter or matters and declares in that instrument of appointment or in a separate instrument that this Act or specified provisions of this Act shall be applicable for the purposes of that inquiry then for the purposes of so applying this Act or, as the case may be, the provisions of this Act specified as aforesaid the term “Commission” includes that instrument or appointment and the person, or persons, or a quorum of the persons thereby appointed sitting for the purposes of the inquiry thereunder;

“Commissioner” - Any person to whom a Commission is issued (whether as one of several members of a Commission or as sole commissioner);

“Deputy to a Commission” means a person who is appointed a deputy to a Commission

“Person” - Includes any body corporate;

“Reasonable excuse” - (In relation to any act or omission by a witness or a person summoned to attend before a Commission as a witness) means an excuse which would excuse an act or omission of a similar nature by a witness or a person summoned to attend before a court of law as a witness;

“Record” - Any collection of data in whatever form it may be held and includes data held on film, disc, tape, perforated roll or other device in which visual representations or sounds are embodied so as to be capable, with or without the aid of another process or instrument, of being reproduced therefrom;

“This Act” - This Act and all regulations for the time being in force under and for the purposes of this Act.

4. Application of Act. (1) Wherever a Commission or Inquiry is issued by the Governor, by and with the advice of the Executive Council of this State, under his hand and the Public Seal of the State, the provisions of this Act, shall apply to and with respect to the inquiry.

This Act shall also apply to and with respect to any inquiry which has not been commenced before the passing of this Act under a Commission of Inquiry issued as aforesaid prior to and subsisting at the passing of this Act.

(2) Wherever this Act or specified provisions of this Act are declared by the Governor in Council to be applicable for the purposes of an inquiry under a Commission, other than a Commission of Inquiry as referred to in subsection one of this section, then the provisions of this Act or, according as declared by the Governor in Council, those specified provisions of this Act shall apply to and with respect to the inquiry.

4A. Interaction of Commission with courts etc. (1) Whenever by a Commission of Inquiry issued by the Governor, by and with the advice of the Executive Council of this State, under his hand and the Public Seal of the State-

- (a) A Commission constituted by a Judge of the Supreme Court, or whereof such a Judge is Chairman, is appointed to make an inquiry; and
- (b) The matter or matters into or with respect to which that inquiry is to be made includes or include any matter or matters, or the making directly or indirectly of inquiry into or with respect to any matter or matter, into or with respect to which a court, tribunal, warden, coroner, justice or other person (other than the Supreme Court or the Industrial Court of Queensland and other than a Judge of the Supreme Court or a member of the said Industrial Court) is required or authorised under or pursuant to any enactment or law of this State to inquire,

then that court, tribunal, warden, coroner, justice or other person shall have no jurisdiction to and shall not make, continue or proceed with that inquiry thereinto.

(2) The Attorney-General may inform a court, tribunal, warden, coroner, justice or other person that the Governor in council has under consideration the matter of the issue of such a Commission of Inquiry as is specified in subsection one of this section to make an inquiry the matter or matters whereof will include-

- (a) Any matter or matters; or
- (b) The making directly or indirectly or inquiry into or with respect to any matter or matters, into or with respect to which that court, tribunal, warden, coroner, justice or other person is required or authorised under or pursuant to any enactment or law of this State to inquire.

The Attorney-General may so inform any of the aforesaid by his agent, by prepaid post letter, or by telegram.

The information shall be sufficiently given to a court or tribunal if it is given in any manner aforesaid to the registrar or clerk thereof or the person by whom it may be constituted, or, if it may be constituted by two or more persons, any of them.

Upon being informed as aforesaid a court, tribunal, warden, coroner, justice, or other person shall have no jurisdiction to and shall not make, continue or proceed with the inquiry to which the information relates during the period of one month next following the giving of the

information or, if the Commission of Inquiry is issued before the expiration of that period, at all.

(3) A certificate by the Attorney-General stating that the matter or matters into or with respect to which inquiry is to be, is being, or has been made pursuant to such a Commission of Inquiry as is specified in subsection one of this section includes or include-

- (a) Any matter or matters; or
- (b) The making directly or indirectly of inquiry into or with respect to any matter or matters,

as specified in that certificate into or with respect to which the court, tribunal, warden, coroner, justice or other person mentioned in that certificate is required or authorised under or pursuant to the enactment or law of this State referred to in that certificate to inquire shall be admissible in evidence and shall be conclusive proof of all and every the matters aforesaid certified to therein.

Such a certificate may be published in the Gazette and thereupon and thereby shall be deemed to have been put in evidence before a court, tribunal, warden, coroner, justice or other person affected thereby (whether mentioned therein or not) and shall bind that court, tribunal, warden, coroner, justice or other person accordingly.

(3A) Every court, tribunal, warden, coroner, justice or other person referred to in subsections (1) and (2), including those courts and persons excluded by paragraph (b) of subsection (1) shall take judicial notice of -

- (a) the identity of the Attorney-General at the time information is given under subsection (2) or a certificate is made under subsection (3);
 - (b) the signature of that Attorney-General on any notification of information given under subsection (2);
- and
- (c) the authorization by that Attorney-General of the giving of information under subsection (2) or the publication of a certificate under subsection (3).

(4) A Commission may continue to make and complete its inquiry and report and may do all such acts and things as are necessary or expedient for those purposes notwithstanding that any other proceedings may be in or before any court, tribunal, warden, coroner, justice or other person and notwithstanding any order made by a court with respect thereto.

(5) The provisions of this section apply according to their terms whether the inquiry (other than that to be made by a Commission) or proceedings referred to therein commenced before or after the issue of the relevant Commission of Inquiry.

5. Power to summon witness and require production of books etc.

(1) A chairman may, by writing under his **hand**-

(a) summon any person to attend before the Commission at a time and place named in the summons and then and there to give evidence;
and

(b) require any such person to produce to the Commission such books, documents, writing and records or property or things of whatever description in his custody or control as are specified in the writing.

(2) A person served with a writing under a chairman's hand referred to in subsection (1) shall-

(a) comply in all respect with the summons and requirements contained in the writing;

or

(b) within the prescribed period satisfy the chairman that he has a reasonable excuse for not complying as required by paragraph (a),

unless he is not a person to whom this subsection applies.

Penalty: 200 penalty units or imprisonment for one year.

In paragraph (b), the expression "the prescribed period" means -
the period specified in the writing under the chairman's hand within which the person served with the writing is to satisfy the chairman as referred to in that paragraph;

or

if no such period is specified, at any time before the date on which that person is required to attend before the Commission.

(2A) Where an Order in Council has declared that a

chairman's writing made under subsection (1) is to take precedence over any oath taken, affirmation made, or provision of an Act, which oath, affirmation or provision might afford reasonable excuse for not complying with any writing of a chairman made under subsection (1)

(a) the obligation to act in accordance with the oath or affirmation, or with the provision shall not constitute such reasonable excuse;

(b) the person bound by the oath or affirmation, or by the provision shall not be taken-

(i) to have breached the oath or affirmation;

(ii) to have committed an offence against the provision;

or

(iii) to have rendered himself liable to disciplinary action, by reason of his complying with the chairman's writing.

(2B) An Order in Council referred to in subsection (2A) may be made whether or not a chairman's writing has been made under subsection (1) at the time the order is made.

(3) Subsection (2) applies to —

- (a) a person who is served in Queensland with a writing under a chairman's hand, being such as is referred to in subsection (1);
and
- (b) a person who is served outside Queensland with a writing under a chairman's hand, being such as is referred to in subsection (1), if that person was present in Queensland or was ordinarily resident in Queensland or had an asset in Queensland, at the time the Commission of Inquiry was issued or at any time thereafter.

(4) The fact that a person has been served outside Queensland with a writing under a chairman's hand shall not constitute reasonable excuse for the purposes of subsection (2), if that person is one to whom subsection (2) applies.

5A. Procedure upon non-compliance with s.5(2). (1) Upon an *ex parte* application made by or on behalf of a chairman and upon production in the matter of the application of the chairman's certificate that he is satisfied a *prima facie* case exists that a person has failed to comply with section 5(2) and thereby has committed an offence against this Act a Stipendiary Magistrate to whom the application is made shall forthwith issue a warrant for the apprehension of that person.

(2) A warrant issued under subsection (1) shall authorize the apprehension of the person and his detention in custody for the purposes of —

- (a) answering a charge of the offence constituted by the failure to comply with section 5(2);
and
- (b) securing his attendance before the Commission as required pursuant to section 5

until he be admitted to bail or released, conditionally or otherwise, by order of the chairman or a judge of the Supreme Court

(3) If a warrant issued under subsection (1) is to be executed in Queensland it may be executed by any member of the Police Force or by any person to whom it is addressed and the person executing the warrant, and every person acting in aid of him, is authorized to break and enter any place, building, vehicle, aircraft or vessel for the purpose of executing the warrant, using such force as is necessary.

(4) The issue of a warrant under subsection (1) or the apprehension, detention or punishment of the person for whose apprehension the warrant is issued does not relieve that person from any other liability had by him to be punished for his failure to comply with the writing

under a chairman's hand served on him or excuse him from complying with section 5(2) in respect of that writing.

5B. Attendance of prisoner or patient before Commission. (1) Where a chairman requires the attendance before a Commission of-

- (a) a prisoner, the chairman may, by writing under his hand served on the appropriate general manager, direct the general manager to produce the prisoner named or described in the writing at the time and place stated therein;
- (b) a patient detained in a hospital pursuant to the *Mental Health Services Act 1974* or that Act as amended and in force for the time being, the chairman may, by writing under his hand served on the appropriate hospital administrator, direct the hospital administrator to produce the patient named or described in the writing at the time and place stated therein.

(2) A direction served under subsection (1) is sufficient warrant or authority to the general manager or hospital administrator for producing such prisoner or patient, as the case may be, who shall be produced accordingly.

(3) In this section the term "prisoner" and the term "general manager" has the meaning assigned to the term by the *Corrective Services Act 1988* and the term "hospital" and the term "hospital administrator" has the meaning assigned to the term by the *Mental Health Services Act 1974* 1988.

6. Oaths, affirmations, and declarations. Any commissioner may administer an oath to any person appearing as a witness before the Commission, whether the witness has been summoned or appears without being summoned, and may take and receive an affirmation or declaration instead of an oath, as a witness and as the Presiding Judge respectively in an action or trial in the Supreme Court.

The provisions of "*The Oaths Acts, 1867-1924*", with any necessary adaptations, shall apply and extend wherever possible to each and every oath, affirmation, and declaration administered, made, or taken, as the case may be, under this section.

7. Duty of witness to continue in attendance. Every person who has attended before a Commission pursuant to a summons shall thereafter appear and report himself from day to day unless excused by the chairman of the Commission until he is released from further attendance by the chairman.

If any person as aforesaid without being so excused, fails to so appear and report himself he shall for the purposes of this Act be deemed to have failed to attend before the Commission in obedience to his summons.

8. (1) Arrest of witness failing to attend. If any person served with a summons to attend before the Commission as a witness fails to attend before the Commission in obedience to his summons and no reasonable excuse is offered to the satisfaction of the chairman for such failure,

the chairman may, on proof of the service of the summons, issue a warrant for his apprehension.

(2) Warrant in the first instance or before return of summons. If the chairman is satisfied by evidence upon oath (or by affirmation or declaration instead of upon oath where if the evidence were given by a witness before the Commission such evidence may be given by affirmation or declaration instead of upon oath), which oath, affirmation, or declaration he is hereby authorised to administer or take, as the case may be, that it is probable that a person whose evidence is desired and may be relevant to the inquiry by the Commission will not attend before the Commission to give evidence without being compelled so to do, or is about to or is making preparations to leave the State and that his evidence may not be obtained by the Commission if that person so departs, the chairman may issue his warrant for the apprehension of that person.

A warrant may be issued under this subsection in the first instance without or before the issuing of a summons under section (5) of this Act to the person whose evidence is desired or the warrant may be issued at any time after the issuing of the summons and before the time named in the summons for that person to attend before the Commission.

(3) A warrant issued under this section shall authorise the apprehension of the witness and his being brought before the Commission, and his detention in custody for the purpose of securing his appearance before the Commission as required by this Act until he is released by order of the chairman.

(4) A warrant issued under this section may be executed by any member of the Police Force, or by any person to whom it is addressed, and the person executing it shall have power to break and enter any place, building, or vessel for the purpose of executing it.

(5) The issuing of any warrant or the apprehension and detention of any witness under this section shall not relieve the witness in question from any liability to be punished for his failure to attend before the Commission in obedience to his summons.

9. (1) Contempt of a Commission. A person who, having been served with a summons to attend before a Commission as a witness, fails to attend before that Commission in obedience to that summons shall be guilty of contempt of that Commission.

Neither liability to be punished nor punishment under section (10) of this Act for that contempt shall excuse the offender from attending before the Commission in obedience to his summons, and the chairman may enforce his attendance by warrant.

(2) Further contempts of a Commission. A person who-

- (i) Having been served with a summons of other writing under the hand of a chairman requiring production by him to a Commission of any book, document, writing, record, property

or thing of whatever description fails to produce as required that which is in his custody or control; or

- (ii) being called or examined as a witness before a Commission, refuses to be sworn or to make an affirmation or declaration or refuses or otherwise fails to answer any question put to him by the Commission or any commissioner, which the chairman is satisfied is relevant to the inquiry; or
- (iii) Wilfully threatens or insults-
 - a Commission;
 - any commissioner;
 - any barrister, solicitor or other person appointed, engaged or seconded to assist a Commission;
 - any witness or person summoned to attend before a Commission;
 - or
 - any barrister, solicitor or other person having leave to appear before a Commission;
- (iv) by writing or speech used words false and defamatory of a Commission, or any commissioner; or
- (v) misbehaves himself before a Commission; or
- (vi) interrupts the proceedings of a Commission; or
- (vii) obstructs or attempts to obstruct a Commission, a commissioner, or a person acting under the authority of the chairman, in the exercise of any lawful power or authority; or
- (viii) does any other thing which, if a Commission were a court of law having power to commit for contempt, would be contempt of that court; or
- (ix) publishes, or permits or allows to be published, any evidence given before a Commission or any of the contents of a book, document, writing or record produced at the inquiry which a Commission has ordered not to be published,

shall be guilty of contempt of the Commission concerned.

10. Punishment of contempt of a Commission. (1) Any contempt, under any of the provisions of section nine of this Act, of a Commission may be punished by the chairman as hereinafter provided in this section.

(2) In a case where the chairman is not a Judge of the Supreme Court, that chairman-

- (a) may punish the offender summarily by imposing upon him such penalty not exceeding one hundred dollars as the chairman thinks fit; or
- (b) may, in lieu of himself punishing the offender, certify the contempt under his hand to the Supreme Court.

(3) In a case where the chairman is a Judge of the Supreme Court, that chairman-

- (a) may punish the offender in the like manner and to the like extent as if that contempt were a contempt of the Supreme Court committed by that offender in or in relation to an action or trial in the Supreme Court presided over by that Judge; or
- (b) may, in lieu of himself punishing the offender, certify the contempt under his hand to the Supreme Court.

(4) An act or omission by a witness or by a person summoned to appear before a Commission as a witness shall not be punished under this section by the chairman, or by a Judge of the Supreme Court who is not the chairman, as contempt of the Commission concerned where that witness or person satisfies the chairman or, as the case may be, that Judge of reasonable excuse for his act or omission.

(5) Where the chairman certifies the contempt of a Commission to the Supreme Court-

- (a) the Supreme Court shall thereupon enquire into the alleged contempt;
- (b) having regard to the evidence produced against or on behalf of the person charged with contempt and any statement that may be offered on behalf of that person the Supreme Court (if satisfied that the person is guilty of the contempt) may punish or take steps for the punishment of the person in like manner and to the like extent as if the person had committed the contempt in or in relation to proceedings in the Supreme court;

and

- (c) the Rules of the Supreme Court, as in force for the time being, shall with any necessary adaptations, apply and extend accordingly.

(6) Where a contempt of a Commission is committed in the face of that Commission no summons need be issued against the offender, nor need any evidence be taken on oath, but he may be taken into custody then and there by a member of the Police Force by order of the chairman, and called upon to show cause why he should not be punished by that chairman.

(7) In the case of a contempt of a Commission under any of the provisions of paragraphs (iii), (iv), (viii) and (ix) of subsection two of section nine of this Act committed otherwise than in the face of that Commission the chairman may, by writing under his hand, summon the offender to attend before that Commission at a time and place named in the summons to show cause why he should not be punished by the chairman for that contempt.

If that person fails to attend before the Commission in obedience to the summons, and no reasonable excuse to the satisfaction of the

chairman is offered for such failure, the chairman may, on proof of the service of the summons, issue a warrant to apprehend that person and bring him before the Commission to show cause as aforesaid.

(8) In the case of a contempt of a Commission under any of the provisions of paragraph (iii), (v) and (vi) of subsection two of section nine of this Act the offender may be excluded from the place where that Commission is sitting by order of the chairman, and the chairman may, whether the offender is so excluded or not, punish the offender or certify the offence as hereinbefore in this section provided.

11. Enforcement of and appeals against summary punishments imposed under this Act. (1) The provisions of *The Justices Acts 1886-1949*, relating to the discretion of adjudicating justices in directing that the amount of a penalty or costs shall be recoverable by execution against the goods and chattels of the offender (and in such case as part of their decision ordering the term for which the offender is to be imprisoned in default of sufficient distress) or in the alternative in directing that in default of payment of such penalty or costs either immediately or within a time to be fixed by the adjudicating justices the offender shall be imprisoned for any period not exceeding the maximum period fixed by the scale of imprisonment for non-payment of money shall be had and may be exercised by a chairman who is not a Judge of the Supreme Court in respect of the summary punishment of an offender for a contempt of a Commission.

(2) Any summary punishment of a person for a contempt of a Commission may be enforced under *The Justices Acts 1886-1949*, as if that punishment were a penalty imposed upon conviction for an offence by justices sitting as a court of petty sessions, and for the purposes of the enforcement as aforesaid of that punishment the chairman who imposed it may-

- (a) draw up under his hand' an order in or to the effect of the form in which a conviction or order by justices sitting as a court of petty sessions is drawn up under *The Justices Acts 1886-1949*;
- (b) make and sign all such other instruments under, and in or to the effect of the respective forms prescribed by *The Justices Acts 1886-1949* as are required or authorised by that Act to be made and signed by justices with respect to a conviction or order made by them when sitting as a court of petty sessions; and
- (c) cause to be filed in the office of a clerk of petty sessions at a place for holding courts of petty sessions the order referred to in paragraph (a) of this subsection and any instrument or instruments referred to in paragraph (b) of this subsection drawn up or made and signed by him.

(3) Any summary punishment imposed for a contempt of a Commission may be appealed against under *The Justices Acts 1886-1949*, as if that punishment were a penalty imposed upon conviction for an offence by justices sitting as a court of petty sessions at the place

where the office of the clerk of petty sessions in which the order in respect of that punishment referred to in paragraph (a) of subsection two of this section is filed is situated, and the provisions of those last-mentioned Acts relating to appeals from decisions of justices shall apply and extend accordingly.

12. Service of summons and executions of warrant. The provisions of *The Justices Acts 1886-1949*, relating to the service and proof of service of summonses and the execution of, and imprisonment or detention in custody under, warrants issued for the apprehension of witnesses and defendants who fail to appear in answer to their summonses shall, subject to any necessary adaptations thereof, apply and extend to and with respect to summonses and warrants issued under this Act.

13. Powers of chairman if a Judge of the Supreme Court. (1) If the chairman of a Commission is a Judge of the Supreme Court the provisions of this section shall have effect.

(2) For the purposes of the inquiry, including the punishment of contempts of the Commission, the chairman shall have all such jurisdiction, powers, rights, and privileges as are vested in the Supreme Court or any Judge thereof in or in relation to any action or trial, in respect of the following matters:-

- (a) Compelling the attendance of witnesses;
- (b) Compelling witnesses to answer questions which the chairman deems to be relevant to the inquiry;
- (c) Compelling the production of books, documents, and writings;
and
- (d) Punishing persons guilty of contempt of the Commission or of disobedience of any order or summons made or issued by the chairman,

and the provisions of *The Supreme Court Acts 1861-1949* and of the Rules of Court thereunder shall, subject to all necessary adaptations thereof, apply and extend accordingly.

(3) Nothing in this or any other section of this Act shall limit the powers, rights, and privileges of the chairman under any other provision of this Act, excepting that a person shall not be punished both under this section and under a provision of any other section of this Act for one and the same offence.

14. (1) Answers and documents. Nothing in this Act shall make it compulsory for any witness before a Commission ~~to~~

- (i) disclose to the Commission any secret process of manufacture;
- (ii) produce any book, document, writing or record or property or thing of whatever description, if he has a reasonable excuse for refusing.

(1A) A person attending before a Commission is not entitled-

- (a) to remain silent with respect to any matter relevant to the Commission's inquiry upon the chairman's requiring him to give evidence with respect to that matter;

(b) to refuse or fail to answer any question that he is required by the chairman to answer;

or

(c) to refuse or fail to produce any book, document, writing, record, property or thing that he has been summoned to produce or required by the chairman to produce,

on the ground that to do otherwise would or might tend to incriminate him.

(2) Statements made by witness not admissible in evidence against him.

(a) A statement or disclosure made by any witness in answer to any question put to him by a Commission or any commissioner or before a Commission shall not (except in proceedings in respect of contempt of the Commission or of an offence or a conspiracy by the witness with another person to commit an offence against any of the sections of *The Criminal Code*, specified in section twenty-two of this Act) be admissible in evidence against him in any civil or criminal proceedings.

(b) A book, document, writing, record, property or any thing produced by a witness is not and it is declared never was a statement or disclosure to which paragraph (a) applies.

(3) Protection to and liability of witnesses. Every witness summoned to attend or appearing before a Commission shall have the same protection and shall, in addition to the penalties provided by this Act, be subject to the same liabilities as a witness in any action or trial in the Supreme Court.

Nothing in this subsection shall be construed to prejudice the operation of subsection (1A).

15. When acts or omissions to be separate offences. Where an act or omission for which a person is liable to be punished under this Act for contempt of a Commission is done or omitted to be done by him on two or more days, that person shall be liable to be punished for the thing done or omitted to be done by him on each and every one of those days as if it were a separate contempt of that Commission.

16. (1) Power to prohibit publication of evidence. A Commission may order that any evidence given before it, or the contents of any book, document, writing or record produced at the inquiry, shall not be published.

(2) Power of tribunal as to exclusion of public. A Commission shall not refuse to allow the public or any portion of the public to be present at any of the sittings of the Commission unless in the opinion of the Commission it is in the public interest expedient so to do for reasons connected with the subject-matter of the inquiry or the nature of the evidence to be given.

17. Commission not to be bound by rules as to procedure or evidence. A Commission in the exercise of any of its functions or powers, shall

not be bound by the rules or practice of any court or tribunal as to procedure or evidence, but may conduct its proceedings and inform itself on any matter in such manner as it thinks proper, and, without limiting in any way the operation of this section, the Commission may refer any technical matter to an expert and may accept his report as evidence.

18. Power to sit at any time and place. A Commission may sit at any time and in any place for the purpose of exercising any of its powers or functions, and may adjourn its sittings from time to time and from place to place.

19. (1) Power of Commission as to inspection and copies of documents, etc. A Commission, or any commissioner, or a person thereto authorised in writing by the chairman, as the case may be, may inspect any books, documents, writings, records, property or thing of whatever description produced before the Commission, and may retain them for such reasonable period as it or he thinks fit.

(2) A Commission, or any Commissioner or a person thereto authorized in writing by the chairman of the Commission, may enter upon and inspect any land, building, place, vehicle, aircraft or vessel, and inspect any books, documents, writing, records, property or thing of whatever description, the entry upon or the inspection of which appears to it or him to be requisite.

(3) The Commission or a person who inspects any books, documents, writings, records, property or thing of whatever description under subsections (1) and (2) may make or take a copy of all or part of any books, documents, writings, records, property or thing of whatever description, as may be relevant to the inquiry.

(4) In this section the term "a copy" includes-

- (a) a photograph;
- (b) a photocopy; and
- (c) a reproduction, duplication or facsimile however made.

(5) The occupier or owner of any land, building, place, vehicle, aircraft or vessel, entered upon or inspected or proposed to be entered upon or inspected under subsection (2) shall provide all reasonable facilities and assistance for the effective exercise of powers under this section.

Penalty: 200 penalty units or imprisonment for one year.

19A Search for and seizure of evidence. (1) If a chairman is satisfied, by evidence upon oath (or by affirmation or declaration instead of upon oath where, if the evidence were given by a witness before the Commission, such evidence may be given by affirmation or declaration instead of upon oath), which oath, affirmation or declaration the chairman is hereby authorized to administer or take, as the case may be, that

there is reasonable ground for suspecting that there is in any place, building, vehicle, aircraft or vessel -

- (a) any book, document, writing or record or property or thing of whatever description relevant to the Commission's inquiry, with respect to which an offence has been or is suspected on reasonable grounds to have been committed;
- or
- (b) any book, document, writing or record or property or thing of whatever description relevant to the Commission's inquiry, whether animate or inanimate and whether living or dead, as to which there are reasonable grounds for believing that it would, of itself, or by or on scientific examination, afford evidence of the commission of an offence;
- or
- (c) any book, document, writing or record or property or thing of whatever description relevant to the Commission's inquiry as to which there are reasonable grounds for believing that it is intended to be used for the purpose of committing an offence,

the chairman may issue his warrant addressed to all members of the Police Force or to any member or members thereof named in the warrant, which shall authorize each person to whom it is addressed to enter (using such force as is necessary) and to search such place, building, vehicle, aircraft or vessel and all persons found therein and to seize any such book, document, writing or record or property or thing found therein and to bring it before the Commission.

(2) A warrant issued under subsection (1) shall be executed only by day unless the warrant expressly authorizes it to be executed by night, in which case it may be executed at any time.

(3) A person who seizes or takes any book, document, writing, record, property or thing for the purposes of a Commission, whether under a warrant or otherwise, shall forthwith bring it before the chairman.

19B. Commission's custody of books etc. (1) The chairman may cause any book, document, writing or record or property or thing of whatever description produced to a Commission, whether or not it is tendered in evidence, to be kept in such custody as he directs (he, taking reasonable care for its preservation)-

- (a) until the Commission has completed its inquiry and report and thereafter for a time reasonable for the purpose of establishing whether paragraph (b) is or is likely to be relevant to the case;
- and
- (b) if a person is committed for trial for an offence committed with respect to such book, document, writing, record, property or thing or an offence committed in such circumstances that the book, document, writing, record, property or thing would

be likely to afford evidence at the trial, until it is produced in evidence at the trial.

(2) If no person is committed for trial for an offence referred to in paragraph (b) of subsection (1) the book, document, writing, record, property or thing kept in custody pursuant to a chairman's direction shall be returned to the person from whom it was seized or taken unless the chairman acting under authority conferred on him by law directs that it be disposed of otherwise.

19C. Authority to use listening devices. (1) Section 43(1) of the *Invasion of Privacy Act 1971-1981* does not apply to or in relation to the use of a listening device within the meaning of that Act by a person, authorized in writing to use a listening device by a chairman, under and in accordance with an approval in writing given by a judge of the Supreme Court in relation to any particular matter specified in the approval.

(2) **An** application for such approval -

(a) shall be made by or on behalf of the chairman and shall be accompanied by his certificate that he is satisfied by evidence upon oath (or by affirmation or declaration instead of upon oath where, if the evidence were given by a witness before the Commission, such evidence may be given by affirmation or declaration instead of upon oath), which oath, affirmation, or declaration the chairman is hereby authorized to administer or take, as the case may be, that there are reasonable grounds for suspecting that the use of a listening device may produce information relevant to the Commission's inquiry with respect to any offence;

and

(b) shall be made *ex parte* and be heard in the judge's chambers.

No notice or report relating to the application shall be published and no record of the application or of any approval or order given or made thereon shall be available for search by any person except by direction of a judge of the Supreme Court.

(3) In considering such an application a judge of the Supreme Court shall have regard to-

(a) the gravity of the matters being investigated;

(b) the extent to which the privacy of any person is likely to be interfered with;

and

(c) the extent to which the prevention or detection of the offence in question is likely to be assisted,

and the judge may grant his approval subject to such conditions, limitations and restrictions, and may grant such powers and authorities including an authority to enter any place, building, vehicle, aircraft or vessel, using such force as is necessary, as are, in his opinion, necessary in the public interest and as are specified in his approval.

(4) A person who used a listening device under and in accordance with an approval given under this section to overhear, record, monitor or listen to any private conversation to which he is not a party shall not communicate or publish the substance or meaning of that private conversation other than to the chairman who authorized him to use the device or other person nominated by the chairman to receive such information.

Information obtained by the use of a listening device under and in accordance with an approval given under this section shall not be used for any purpose, including the Commission's inquiry in connexion with which the approval was obtained, without the chairman's approval or a further approval of a judge of the Supreme Court obtained in the same manner as is prescribed by subsections (2) and (3).

(5) As soon as is practicable after a record (in writing or in any other form) has been made of information obtained by the use of a listening device under and in accordance with an approval given under this section the chairman shall cause so much of the record to be destroyed as does not relate, directly or indirectly, to the commission of an offence or to any other matter relevant to the Commission's inquiry.

20. Protection for participants in Commissions. (1) Every commissioner shall, in the exercise of his duty as commissioner and every deputy to a Commission shall, whilst exercising the authority of a deputy to the Commission, have the same protection and immunity as a Judge of the Supreme Court.

(2) Without limiting the protection and immunity given a commissioner, deputy to a Commission by subsection (1), a commissioner, deputy to a Commission or any barrister, solicitor or other person appointed, engaged or seconded to assist a Commission shall not incur any liability on account of any act or thing that he does or purports in good faith to do-

- (a) in pursuance of the Commission of Inquiry issued by the Governor in Council;
- (b) in or in relation to the inquiry or in respect of any matter arising in or out of the inquiry;
- (c) in or in relation to any report or recommendation made by or to the Commission;
- (d) in or in connexion with the efficient conduct of the Commission's inquiry

21. Examination of witnesses by counsel, etc. Any barrister or solicitor appointed by the Crown to assist a Commission, any person authorised by a Commission to appear before it, or any barrister or solicitor authorised by a Commission to appear before it for the purpose of representing any person, may, so far as the Commission thinks proper, examine or cross-examine any witness on any matter which the Commission deems relevant to the inquiry, and any witness so examined

or cross-examined shall have the same protection and be subject to the same liabilities as if examined by a commissioner.

22. Indictable offences in connection with inquiry by a Commission.

For the purposes of removing any doubt as to the application of sections one hundred and twenty, one hundred and twenty-three, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, and one hundred and thirty respectively of *The Criminal Code* to and with respect to any inquiry into or with respect to any matter or matters by any Commission, it is hereby declared that any reference therein to a "judicial proceeding" shall be deemed to be a reference to an inquiry by a Commission, any reference therein to a "tribunal" shall be deemed to be a reference to a Commission, and any reference therein to the holder of a judicial office, howsoever worded, shall be deemed to be a reference to "a commissioner" within the meaning of this Act and that those sections shall be read subject to all such other adaptations thereof as are necessary for purposes of their application as hereinbefore in this section provided.

22A. Evidential effect of certificates. Where in proceedings of whatever nature before any court, justices, tribunal, or in any inquiry, examination or arbitration it is relevant to prove -

(a) any matter related to an inquiry pursuant to a Commission;

or

(b) the taking of any step by a person purporting to act pursuant to any power or authority conferred by this Act,

a certificate purporting to be that of the chairman of the Commission or of a deputy to the Commission as to such matter or the taking of such step shall, upon its production in the proceedings, be evidence and, in the absence of evidence to the contrary from a source other than the chairman or deputy, conclusive evidence of the matters contained in the certificate.

23. Dismissal by employers of witness. Any employer who dismisses any employee from his employment, or prejudices any employee in his employment, for or on account of the employee having appeared as a witness before a Commission, or for or on account of the employee having given evidence before a Commission, shall be guilty of a misdemeanour and liable upon conviction upon indictment to a penalty not exceeding one thousand dollars or to imprisonment for a period not exceeding one year.

24. (1) Allowances to witnesses. Any witness appearing before a Commission shall be paid a reasonable sum for the expenses of his attendance in accordance with the scale prescribed by the regulations for the time being in force for the purposes of this Act.

(2) In the absence of a prescribed scale, the chairman of the Commission may authorise the payment of such sum as he deems reasonable.

(3) The claim to allowance of any witness appearing before a Commission, certified by the chairman of the Commission shall be paid

by the Treasurer out of moneys to be appropriated by Parliament for the purpose.

(4) The Governor in Council may from time to time make regulations under and for the purposes of this Act, prescribing a scale of allowances to be paid to any witness summoned under this Act for his travelling expenses and maintenance while absent from his usual place of abode.

(5) All regulations made or purporting to be made under and for the purposes of this Act shall be published in the Gazette, and thereupon shall be judicially noticed.

25. Offences. (1) A person who contravenes or fails to comply with any provision of this Act, for which contravention or failure to comply this Act prescribes a penalty, commits an offence against this Act.

(2) A person who commits an offence against this Act may be punished therefor by way of summary proceedings upon the complaint of a chairman or a person authorized in that behalf by a chairman.

(3) In any summary proceedings the description in the complaint of the complainant as a chairman or a person authorized by a chairman to lay the complaint shall be sufficient proof thereof.

(4) Nothing in this section relates to an act, refusal, failure or omission of any person that constitutes and is dealt with as a contempt of a Commission.

26. Regulations. The Governor in Council may from time to time make regulations not inconsistent with the Act with respect to all matters that in his opinion are necessary or expedient for achieving the objects and purposes of this Act or that may be convenient for the proper administration of this Act or the proper conduct of Commissions generally or of a particular Commission.

27. Appointment of a deputy to a Commission. (1) The Governor in Council may at any time approve that such number of persons as may be specified be each appointed as deputy to a Commission.

(2) Upon the approval of the Governor in Council as prescribed in subsection (1), a chairman, with the approval of the Attorney-General, may by writing under his hand appoint a person to be a deputy to a Commission upon such terms and conditions and for such period as the Attorney-General approves;

(3) A deputy to a Commission is not a commissioner or a member of a Commission.

28. Functions of a deputy to a Commission. (1) A deputy to a Commission shall, according as he is authorised in writing under the hand of the chairman-

- (a) sit with the Commission during any sittings approved by the chairman but without any power to decide or participate by voting in relation to any matter arising for decision at those sittings;

- (b) conduct on behalf of the Commission, without the attendance of any member of the Commission, any sittings approved by the chairman and, where required, make a report or recommendation in relation thereto to the Commission;
- (c) assist the Commission in such manner and to such extent as the chairman decides, including without limiting the generality of the foregoing by the exercise of any power which is exercisable by or which may be granted to the Commission or to a commissioner (other than such powers as are expressly reserved to the chairman) under this Act.

(2) A deputy to a Commission shall, in the exercise of the authority of a deputy to the Commission, at all times and in all respects be subject to the control and act in accordance with the directions of the chairman.

(3) A deputy to a Commission, in the conduct of a sittings on behalf of a Commission shall have power to decide all issues which arise: **Provided Always** that a deputy to a Commission may, and shall if directed by the chairman, refer an issue which arises (which may include the issue of whether the sittings should continue to be conducted by the deputy to a Commission) for decision to the chairman for determination and may adjourn a sittings to enable the chairman to decide that issue.

29. Effect of exercise of authority of deputy to the Commission. (1) Where a deputy to a Commission exercises the authority of a deputy to the Commission, all steps taken, documents issued and evidence taken or produced before him shall as directed by the chairman be deemed to be steps taken, documents issued and evidence taken or produced before that Commission.

(2) References in this Act (other than in Sections 3, 4, 4A and 13(1)) and in all documents issued under this Act to a Commission, a commissioner or a member of a Commission shall be construed as including references to a deputy to a Commission who acts within his authority of a deputy to the Commission.

(3) References in Sections 7 and 14(1A) to a chairman shall be construed as including references to a deputy to a Commission who acts within his authority of a deputy to the Commission.

30. Reference by Commission to evidence etc. before deputy to a Commission. (1) A Commission may take into account and to such extent as it thinks appropriate, rely upon any evidence or other material given or produced before a deputy to a Commission and upon any report and any recommendation of that deputy to the Commission.

- (2) A Commission may in its discretion disclose-
 - (a) whether or not a report or recommendation has been or will be made to it by a deputy to a Commission;
 - (b) the terms of any such report or recommendation;

(c) whether or not or to what extent, if any, that report or recommendation has been or will be taken into account or relied upon by the Commission.

(3) A person shall not, without the written permission of the chairman, make disclosure (otherwise than to the Commission) of any of the matters referred to in subsection (2).

Penalty: 200 penalty units or imprisonment for one year.

(4) Subsection (3) does not apply to a disclosure of a matter that had previously been disclosed by the Commission.

30A. Delegation to deputy to a Commission. Notwithstanding the provisions of Section 28(1), a chairman, with the approval of the Attorney-General, may by writing under his hand delegate either generally or specifically any or all of the powers, duties or functions conferred upon the chairman under this Act (except this power of delegation) or any other Act to a deputy to the Commission: Provided that those powers, duties and functions which by this Act may only be exercised or performed by a chairman who is a judge of the Supreme Court may not be delegated except to a deputy to a Commission who is a judge of the Supreme Court.

(2) A delegation under this section may be made subject to conditions and limitations as is set out in the instrument of delegation.

(3) Where more than one deputy to a Commission has been appointed, the chairman may make a delegation under this section to any or all of the deputies to the Commission and may make a delegation of the same power, duty or function concurrently to more than one deputy to the Commission.

(4) Where a deputy to a Commission exercises or performs any of the powers, duties or functions delegated to him under this section, the power, duty or function shall be deemed to have been exercised or performed by the chairman.

(5) A delegation made under this section is revocable at any time by writing under the hand of the chairman.

(6) A delegation made under this section does not derogate from the power of a chairman to act personally in relation to any matter.

31. Commission may make separate reports, etc. A Commission may, at the discretion of the chairman, make any separate reports, whether interim or final, and any separate recommendations concerning any of the subject matters of its inquiry.

32. Receipt of Commission Report. (1) Where a report of a Commission is received by a Minister of the Crown and the Legislative Assembly is not sitting, the Minister may deliver a copy of a report to the Clerk of Parliament who may, in accordance with the order of the Speaker, print the report.

(2) A report printed in accordance with subsection (1) shall be deemed for all purposes to have been tabled in and printed by order

of the Legislative Assembly and shall be accorded all the immunities and privileges of a report tabled in and ordered to be printed by order of the Legislative Assembly.

(3) A report printed in accordance with subsection (1) shall be tabled in the Legislative Assembly on the next day of sitting.

[758A]



Queensland Government Gazette

EXTRAORDINARY

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TUESDAY, 26 MAY, 1987

[No. 43A

ORDER IN COUNCIL

At the Executive Building, Brisbane, the twenty-sixth day of May, 1987

Present:

His Excellency the Governor in Council

IN pursuance of the provisions of "*The Commissions of Inquiry Acts 1950 to 1954*" and all other powers him thereunto enabling, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby appoint

GERALD EDWARD FITZGERALD, one of Her Majesty's Counsel to make full and careful inquiry with respect to the following matters: -

1. Whether during the period 1st June, 1982 to 26th May, 1987-

(a) Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte, Hector Brandon Hapeta or any of them and, if so, which of them or any person on behalf of any of them was or were directly or indirectly concerned with or involved in the use, keeping, management or control of premises in Queensland for any of the following purposes or purposes connected therewith:-

(i) Prostitution;

(ii) Unlawful gambling; or

(iii) The sale or disposal by any other means of illegal drugs.

(b) Any member of the police force has been guilty of misconduct or neglect or violation of duty in relation to:

(i) the policing of any such premises;

(ii) the conduct of the business or the operations or the use of any such premises;

(iii) the enforcement of the law in respect of any breaches thereof alleged or reported to have been committed in relation to the conduct of the business or operations or the use of such premises.

(c) Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte or Hector Brandon Hapeta and, if so, which of them or any person on behalf of any of them directly or indirectly provided or attempted to provide any benefit or favour, whether financial or otherwise, to, for or on behalf of any member of the police force for or in connection with the neglect, failure or refusal of any member of the police force to enforce the law or see to its enforcement in respect of any breaches thereof alleged or reported to have been committed in relation to the premises referred to in paragraph 1 (a) hereof or any of them.

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- (d) Any member of the police force or any person on his or her behalf directly or indirectly received, agreed to receive or sought or was offered any benefit or favour, whether financial or otherwise, for or on account of his or her neglect, failure or refusal to enforce or see to the enforcement of the law in respect of any breaches thereof alleged or reported to have been committed in relation to the use of the premises referred to in paragraph 1 (a) hereof or any of them.
- (e) If any member of the police force or any person on his or her behalf directly or indirectly received, agreed to receive, sought or was offered any such benefit or favour, what member or other person and in what respect.

2. Whether on or about the 8th September, 1983:—

- (a) Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte, Hector Brandon Hapeta or any of them and, if so, which of them or any person or persons on behalf of any of them directly or indirectly made a payment of \$50,000 to any political party in Queensland and, if so, the purpose for which he or they made such payment.
- (b) Any person and, if so, who, directly or indirectly received for or on behalf of any political party in Queensland, any such payment from or by Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte or Hector Brandon Hapeta or any of them or any person or persons on behalf of any of them and, if so, the purpose for which such payment was received.

3. Whether existing legislation and procedures are adequate to ensure that conduct of the kind referred to in paragraphs 1 (b), (c) and (d) hereof is detected and reported to appropriate persons and, if not, what amendments to existing legislation or procedures or new legislation or procedures are necessary or desirable to achieve that purpose.

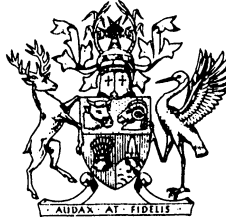
In this Order in Council, the term "member of the police force" includes not only a current member of the police force under and within the meaning of the *Police Act 1937-1985* but also any person who was during the aforementioned period 1st June, 1982 to 26th May, 1987 a member of the police force.

AND TO MAKE FULL AND FAITHFUL REPORT AND RECOMMENDATIONS touching the aforesaid subject matter of inquiry and to transmit the same to The Honourable the Deputy Premier, Minister Assisting the Treasurer and Minister for Police: And doth hereby order and declare that the provisions of "*The Commissions of Inquiry Acts 1950 to 1954*" shall be applicable for the purposes of this inquiry.

And the Honourable the Deputy Premier, Minister Assisting the Treasurer and Minister for Police is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

[1841A]



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WEDNESDAY, 24 JUNE, 1987

[No. 73A

ORDER IN COUNCIL

At the Executive Building, Brisbane, the twenty-fourth day of June, 1987

Present:

His Excellency the Governor in Council

IN pursuance of the provisions of "*The Commissions of Inquiry Acts 1950 to 1954*" and all other powers him thereunto enabling, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby amend the Order in Council made under the said Act and powers and published in the *Gazette* on 26 May, 1987, at page 738A, by omitting all the provisions of the said Order in Council relating to the subject matter of the inquiry and substituting the following:-

"1. Whether during the period since 1 January 1977-

- (a) Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte, Hector Brandon Hapeta or any of them and, if so, which of them or any person on behalf of any of them was or were directly or indirectly concerned with or involved in the use, keeping, management or control of premises or any other, and if so what, activities in Queensland for any of the following purposes or purposes connected therewith:-
- (i) Prostitution;
 - (ii) Unlawful gambling; or
 - (iii) The sale or disposal by any other means of illegal drugs in connection with prostitution or illegal gambling.

- (aa) Any other person or persons, and if so who, was or were (otherwise than as a customer or client) directly or indirectly concerned with or involved in the use, keeping, management or control of premises or any other, and if so what, activities, in any of the major population centres on or near the east coast of Queensland for any of the following purposes or purposes connected therewith:
- (i) Prostitution;
 - (ii) Unlawful gambling; or
 - (iii) The sale or disposal by any other means of illegal drugs in connection with prostitution or illegal gambling.

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- (b) Any member of the police force has been guilty of misconduct or neglect or violation of duty in relation to:
- (i) the policing of any such activities or premises;
 - (ii) the conduct of the business or the operations or the use of any such premises;
 - (iii) the enforcement of the law in respect of any breaches thereof alleged or reported to have been committed in relation to any such activities or the conduct of the business or operations or the use of such premises.
- (c) Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte or Hector Brandon Hapeta and, if so, which of them or any other person, and, if so who, directly or indirectly provided or attempted to provide any benefit or favour, whether financial or otherwise, to, for or on behalf of any member of the police force for or in connection with the neglect, failure or refusal of any member of the police force to enforce the law or see to its enforcement in respect of any breaches thereof alleged or reported to have been committed in relation to the activities or premises referred to in paragraphs 1 (a), (aa) or (b) hereof or any of them.
- (d) Any member of the police force or any person on his or her behalf directly or indirectly received, agreed to receive or sought or was offered any benefit or favour, whether financial or otherwise, for or on account of his or her neglect failure or refusal to enforce or see to the enforcement of the law in respect of any breaches thereof alleged or reported to have been committed in relation to the activities or the premises referred to in paragraphs 1 (a), (aa) or (b) hereof or any of them.
- (e) If any member of the police force or any person on his or her behalf directly or indirectly received, agreed to receive, sought or was offered any such benefit or favour, what member or other person and in what respect.

2. Whether between 1 st July and 31 st December, 1983:-

- (a) Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte, Hector Brandon Hapeta or any of them and, if so, which of them or any person or persons on behalf of any of them directly or indirectly made a payment of \$50,000 to any political party in Queensland and, if so, the purpose for which he or they made such payment.
- (b) Any person and, if so, who, directly or indirectly received for or on behalf of any political party in Queensland, any such payment from or by Gerald Bellino, Antonio Bellino, Vincenzo Bellino, Vittorio Conte or Hector Brandon Hapeta or any of them or any person or persons on behalf of any of them and, if so, the purpose for which such payment was received.

3. Whether existing legislation and procedures are adequate to ensure that conduct of the kind referred to in paragraphs 1 (a), (aa), (b), (c) and (d) hereof is detected and reported to appropriate persons and, if not, what amendments to existing legislation or procedures or new legislation or procedures are necessary or desirable to achieve that purpose.

4. Any other matter or thing appertaining to the aforesaid matters or any of them which to you shall seem meet and proper in the public interest.

In this Order in Council, the term "member of the police force" includes not only a current member of the police force under and within the meaning of the *Police Act 1937-1985* but also any person who was at any time during the period referred to in paragraph 1 hereof a member of the police force."

And the Honourable the Deputy Premier, Minister Assisting the Treasurer and Minister for Police is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council



[3579A]



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THURSDAY, 25 AUGUST, 1988

[No. 153A

ORDER IN COUNCIL

At Parliament House, Brisbane the twenty-fifth day of August, 1988

Present:

His Excellency the Governor in Council

IN pursuance of the provisions of the *Commissions of Inquiry Act 1950-1988* and all other powers him thereunto enabling, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby amend the Order in Council made under the said Act and published in the Gazette on 26th May, 1987, at pages 758A-758B. as amended by an Order in Council published in the Gazette on 24th June, 1987, at pages 184 1 A-1 841 B, by omitting the provisions of paragraph 4 thereof relating to the subject matter of the inquiry and substituting the following:-

“4. Any other matter or thing appertaining to the aforesaid matters or any of them or concerning possible criminal activity, neglect or violation of duty, or official misconduct or impropriety the inquiry into which to you shall seem meet and proper in the public interest.”

And the Honourable the Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

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IN QUEENSLAND
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COMMISSION STAFF

Persons who are working for the Commission of Inquiry or who have done so at any time since its appointment on 26 May 1987.

1. Staff**Deputies to the Commission**

CROOKE Q.C., G. W.

WOLFE, P.M.

Senior Counsel Assisting

DRUMMOND Q.C., D. P.

MULHOLLAND Q.C., R. A.

Statute Drafting

MURRAY Q.C., L.J.

Counsel and Legal Officers

BUTLER, B. J.

CALLANAN, J. D.

CARMODY, T. F.

de PLATER, P. B.

DEVLIN, R. P.

HUNTER, J. R.

KELLY, P. D.

LAMBRIDES, S. H.

LONG, G. P.

MARTIN, R. G.

MARXSON, R. A.

NEEDHAM, R. M.

PHILP, A. R.

POINTING, R. J.

RUTLEDGE, P. F.

SMITH, F. H.

Clerk to the Commission

KENZLER, R.J.

Consultants

BAIN, R.G.

BRAZIL, P.

FORSTER, P.H.

HASTIE, P.A.

KELLY, J.J.

MARJASON A. R.

SIMONS M. J.

WEBER, M. A.

WOJCIECHOWSKI, P.

Accountants

DUUS, R. A.

McADAM, K. P.

McCALLUM P. B.

MURR, N. J.

SCOTT, M. A.

THOMAS, A. W.

Secretary and Administrative Support Staff

CLEARY, B. J.

DENTON, M. J.

GRIMA, S. G.

JUMPERTZ, T.

LYNCH, G. L. (Secretary)

MILLER, J. W.

O'BRIEN, N. B.

SOSSO, J. F.

TOLHURST, J. P.

Investigative Support Officers

ASCOUGH, P. L.
MARHEINE, G.
MUNRO, D. W.

PRESTON, A. M.
RODEN, L. M.
WAGNER, J. D.

Information Retrieval Officers

CLEARY, J. G.
FORBES, G. A.
GOULDING, G. M.

REILLY, M. A.
SIEMON, C. E.
SIGSTON, M.

Computer Systems Officers

CHIANG, L. H.
McKEW, S.

SPENCE, S. E.

Chairman's Secretary

KENNEDY, V.

Secretarial/Keyboard Staff

BENEDICT, M. E. (Secretary to
Mr. Crooke, Q.C.)
BOEL, S. E.
BOLTON, M. A. (Secretary to
Mr. Mulholland Q.C.)
CLAREBURT, G. M.
CROSS, R. M.
FITZHENRY, M. P.
FOX, M. A.
FROST, S.
GRAHAM, V. A.
GROVE, J. A.
HARRISON, A. C.
HARVEY, B. L.
HEWITT, E. W.
MacKENZIE, V. G.
McCORMICK, C.

McGARRY S. A.
McLEOD, L. M.
MAHONY, F. M.
MEDHURST, J. M.
MURPHY, K. I.
NUTTALL, R. N.
PAULING, R. L.
RYAN, D. A. (Chairman's Relieving
Secretary)
SILWOOD, S. E.
SIMO-SWER, R. A.
SMITH, D.M. (Secretary to Mrs. Wolfe)
THOMPSON, P. M.
VEIVERS, S. K.
WALLIS, J.
WASSON, L.
WHITE, D. R.

Prosecution Task Force

The Prosecution Task Force was formed in August, 1988. It was the forerunner to the Office of the Special Prosecutor. The following personnel were attached to this Task Force.

Counsel and Legal Officers

CALLANAN, J. D.
DONALDSON, A. J.

HUNTER, S. R.

Support Staff

JOHNSON, L. M.
PAGE, C. L.

SINCLAIR, A. H.

2. Police Personnel

Detective Inspectors

COUGHLIN, E. J.
FLYNN, K.G.
HUEY, J. W.

O'REILLY, K. F.
O'SULLIVAN, J. P.
RADFORD, G. J.

Detective Senior Sergeants

KING, W. J.
NOLAN, G. A.
O'DONNELL, J. W.

POWELL, D. C.
PRASKE, M. C.
SMITH, P. J.

Senior Sergeants

GROGAN, B. W.

WELLINGS, L. J.

Detective Sergeants I/C

GUILD, P.
HEDGES, K. J.
HENDERSON, A. C.
KRUGER, S. B.
O'DONNELL, W. J.
OLIPHANT, J. T.

RICHARD, J. C.
ROCKETT, M. D.
STAFFORD, D. A.
VINCENT, R. E.
WATT, S. J.

Sergeants I/C

CARNES, J. T.
LAWLER, S. J.

MILLER, K. R.

Detective Sergeants 2/C

BAKER, D. K.
CAREW, T. R.
GORDON, J. A.
HARRIS, G. J.
HUEY, H. L.
KROSCH, B. D.
LIDICKY, J. A.

RAND, H. A.
RAYNER, D. E.
REEVES, C. R.
SEARLE, G. P.
WALTON, G. W.
WILSON, S. P.

Sergeants 2/C

CLARK, R. P.
FOX, M. D.
KEAM, B. L.
MONAGHAN, M. J.
NOWELL, I. A.

PICHUGOV, P.
SAUNDERS, G. K.
THALLON, R. L.
WATT, J. M.

Detective Senior Constables

ANDERSON, A. K.
BARHAM, C. R. D.
BRAY, R. G.
BRINUMS, T.
BRISBIN, R. J.
BURGE, K. D.
DOYLE, P. L.
HANLON, C. J.

HATCHWELL, D. W.
KIDD, T. W.
KING, P. L.
KNAPP, W. H.
MAEJI, K.
SCHOT, J. D.
WRIGHT, D. A.

P. C. Senior Constables

ACREMAN, G. O.
DOYLE, S. T.
EMBELTON, S. J.
HAY, B. J.
MOWAT, S. W.

STALLING, R. P.
TAYLOR, M. G.
VEIVERS, G. D.
WILLIAMS, A. J.

Senior Constables

AINSWORTH, M. W.
CARNES, G. J.
COOK, M. J.
CROWLEY, M. J.
DINNEN, J. M.
GLASER, N. B.

MAHON, C. M.
PATCHING, R. P.
PFUHL, A.
PIERCE, R. G.
SAUL, W. N.

Detective Constables I/C

GRANT, S. J.

SMITH, A. W.

P. C. Constables I/C

ANDERSON, I. B.
BERGIN, P. J.
CLARKE, P. J.
MAGEROS, M.

MURPHY, K. P.
PAPOUTSAKIS, J.
STERNBERG, D. M.

Constables I/C

GREEN, D. G.
HERRMANN, R. M.
MORSCH, M. L.

SMITH, B. C.
SUTHERLAND, G.

P. C. Constables

ROWAN, M. A.

THOMPSON, I. A.

Constables

ACHURCH, R. J.
BOYCE, P. F.
CAMERON, P. D.
HAYWARD, S. P.
LLOYD, G. V.
MOSS, D. F.
MURPHY, B. D.
NAY, M. W.

RUSSELL, J. D.
SCOTT, T. J.
STRAUBINGER, D. M.
TOPP, R. E.
WADE, S. P.
WARREN, M. J.
WILSON, R.

Technical Officers - Gr. III

McMURTRIE, S. K.

RUGGERI, M. A.

Scientific Officer - Gr. III

MAXWELL, S. L.

NOTE: Seven (7) Investigative Police Officers have been seconded to the Commission since mid 1987. Six (6) of these Officers have served with the Commission during its full term.

Detective Inspector J. P. O'SULLIVAN.
Detective Inspector K. G. FLYNN (to September, 1987).
Detective Senior Sergeant J. W. O'DONNELL.
Detective Senior Sergeant M. C. PRASKE (from 5/1087)
Detective Senior Sergeant P. J. SMITH.
Detective Sergeant 1/C K. J. HEDGES.
Detective Sergeant 1/C R. E. VINCENT.
Detective Sergeant 2/C T. R. CAREW.

Many of the other police officers were originally members of Independent Task Forces which were formed during 1988 and supervised by the Commission.

Task Force "A" was formed on 18 April 1988 and later absorbed into the Commission.

Task Force "B" was formed on 8 August 1988, and transferred to the Office of the Special Prosecutor on 6 March 1989.

Task Force "C" was formed on 5 October 1988 and was seconded to the Queensland Corrective Services Commission on 1 February 1989.

Staff of the Court Reporting Bureau who recorded the Evidence

DRURY C R	RAMSAY L A
DOOLEY N K	ISDALE A L
MORRISON B W	MARTIN J A
FULLERTON G C	WEBSTER V J
DRURY G V	ALZINO D M
GANLEY P M	KOROBY I S
HARRIS D J	PHILLIPS B L
CHASE E L M	ELLIS R
CHEAL G A	KEATING M S
EVANS D M	DOUGLAS R J
TAYLOR R L	SHAW M I
BALFOUR S C	DAVIS S
CURRAN V A	OSMOND L J
DRURY C T M	HARRIS A J
BAILEY T P	CAREW-REID V L
JAEGER C A	HINDLEY S D
CASEY R J	BRUUN C A
GORDON R A	COLWILL S M
LUDEWIG R A	RUSHTON S A
TAYLOR B M	TUCK S L
HORSFALL L	BATTEL T L
BIGNELL L J	BOARDMAN L S
RYNGIEL A M	O'BRIEN S T
HOWARD J A	WILD E A
ROBRA L K	GREEN K M
FOX D A	CASPARI R G

The Commission also acknowledges the assistance of Mr Earle Rawlings, the Chief Court Reporter, the transcribing staff and his clerical officers who daily produced on average over 40 copies of the transcript of about 100 pages within 2 hours of the rising of the Commission.

State Government Protective Security Service Staff

The following officers of the Queensland State Government Protective Security Service performed duty at the Commission's offices and at the public sittings.

Senior Protective Security Officers

J Hale	P Kennedy
K Alexander	D McKernan
D Armstrong	W Nicoll
P Buttigieg	* M Phillips
R Chamberlain	N Henderson
K Haack	J Quine
C Jamieson	B Seiler
B Jarvie	L Salmon
D Kellet	K Traucnieks

Protective Security Officers

A Beauchamp	D Horn
J Bliss	G Marxon
J Clarkson	J O'Farrell
S Collingwood	G Ogden
I Fels	D Stone
T Greig	M Stuyt
B Hoare	

* The Commission acknowledges the personal assistance given by Mr Phillips to the Chairman.



COMMISSION OF INQUIRY

THE COMMISSIONS OF INQUIRY ACTS 1950 TO 1954

A Commission of Inquiry has been appointed by His Excellency the Governor with the advice of the Executive Council in relation to possible activities involving:

- (i) prostitution,
- (ii) unlawful gambling,
- (iii) the sale of illegal drugs
- (iv) associated misconduct by members of the Queensland Police Force; and
- (v) payments by named persons to one or more political parties in Queensland and the purpose of any such payment.

The Order-in-Council by which the Commission of Inquiry was constituted was published in an Extraordinary Queensland Government Gazette on Tuesday, 26 May 1987 and copies may be obtained free of charge from the Commission.

Investigations are being carried out on behalf of the Commission into the matters in respect of which it is required to report and make recommendations.

Any person or organization with information or documentation which relates to any such matter, or which may otherwise assist the Commission, for example by indicating a possible line of investigation, is requested to communicate with the Commission as soon as possible.

All communications should be directed initially to the Secretary of the Commission either by writing to the address stated below or by telephoning the number indicated.

Procedures will be implemented within the Commission to ensure that confidentiality is maintained with respect to the identity of persons who assist the Commission and the information and documents which they provide in so far as that is appropriate and consistent with the discharge of the Commission's functions.

Further, any person who feels particular concern may upon request have his or her communication referred directly to Counsel Assisting the Commission.

The Commission's preliminary hearing was held at 10.15 a.m. on Friday, 12 June 1987 and it is presently anticipated that the full Commission hearings will commence on 13 July 1987.

The Commission's hearing will ordinarily be held in Court 29 on the 4th Floor in the District Courts Section of the Law Courts Building, George Street, Brisbane.

For additional information, contact the Secretary of the Commission, Mr. John Sossó.

The address of the Commission is:
Level 2, Watts House, 95 North Quay, Brisbane

The postal address of the Commission is:
P.O. Box 157, North Quay, 4002.

The Telephone number of the Commission is: 221 2261



COMMISSION OF INQUIRY

THE COMMISSIONS OF INQUIRY ACTS 1950 TO 1954

NOTICE OF COMMENCEMENT OF HEARINGS

The Substantive Hearings of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct will commence on Monday, 27th July, 1987, at 10.15 a.m.

These Hearings of the Commission will be held in Court 29 on the 4th Floor in the District Courts Section of the Law Courts Complex, George Street, Brisbane.

The Commission of Inquiry has been appointed by His Excellency the Governor with the advice of the Executive Council in relation to possible activities involving:

- (i) prostitution,
- (ii) unlawful gambling,
- (iii) the sale of illegal drugs,
- (iv) associated misconduct by members of the Queensland Police Force; and
- (v) payments by named persons to one or more political parties in Queensland and the purpose of any such payment.

Any person or organization with information or documentation which relates to any such matter, or which may otherwise assist the Commission, for example by indicating a possible line of investigation, is requested to communicate with the Commission as soon as possible. Confidentiality will be maintained with respect to the identity of persons who assist and the information and documentation they provide, insofar as that is appropriate and consistent with the discharge of the Commission's functions.

For additional information, contact the Secretary of the Commission, Mr. Gary Lynch.

The address of the Commission is:
Level 2, Watts House, 95 North Quay, Brisbane

The postal address of the Commission is:
P.O. Box 157, North Quay, 4002

The Telephone number of the Commission is: 221 2261
Facsimile: 22 1 3593

**Commission of Inquiry into Possible Illegal Activities
and Associated Police Misconduct**

APPLICATION FOR INDEMNITY

I _____ of _____ request that I be granted immunity from prosecution in respect of offences which I have committed against the law of Queensland which I now disclose to Counsel or staff associated with the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct and I agree to provide any further information requested on condition that, in the event that my application for immunity is refused, no statement by me to the Commission's Counsel or staff in connection with my application for immunity will, except by compulsion of a lawful authority, be given by them in evidence on the hearing of any charge against me unless if such statement had been made before the Commission evidence of it would have been admissible under sub-section 14 (2) of the Commissions of Inquiry Act 1950-1989.

I FURTHER AGREE that the above condition will not apply in any of the following events:

- (1) That I fail to continue with my application for immunity or engage in any delay;
- (2) That I fail or refuse to co-operate with the Commission and assist it as fully and frankly as possible;
- (3) That I am, by statement or omission, untruthful in the information which I provide to the Commission;
- (4) That I refuse to accept, or breach, any condition of any immunity which may be offered or granted to me.

DATED this _____ day of _____, 1989.

WITNESS

**Commission of Inquiry into Possible Illegal Activities
and Associated Police Misconduct**

INDEMNITY

I, PAUL JOHN CLAUSON, Minister for Justice and Attorney-General for the State of Queensland do hereby undertake that no prosecution will be brought against _____ of Brisbane in the said State, in respect of any offence by him which are disclosed in a _____ () page written statement dated the _____ day of _____ 1989 and signed by the said _____ a copy of which is now produced to me and signed by me on the first and last pages

PROVIDED THAT such undertaking shall not apply:

- (1) If any offence was committed by the said _____ in connection with the provision of or the contents of such statement or any part thereof;
- (2) unless the said _____ has made full and true disclosure in the said statement of all information within his knowledge which is material to the Terms of Reference of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct or which is capable of implicating any other person in the commission of an offence against Part III of the Criminal Code or any indictable offence with a maximum penalty of fourteen (14) years or greater;
- (3) if such statement contains any false allegation concerning any person;
- (4) unless the said _____ if required to do so, gives evidence in accordance with the said statement before the said Commission of Inquiry and in any proceedings in which he is required to give evidence by the Director of Prosecutions or the Crown Solicitor;
- (5) if any offence is committed by the said _____ in connection with any false evidence given by him;
- (6) unless the said _____ ensures that, until such time as he gives evidence before the Commission of Inquiry, the fact that he has had discussions with the staff of the Commission of Inquiry and the fact that this indemnity has been granted do not become known to any person other than his legal advisers and his immediate family;
- (7) unless the said _____ until he is advised in writing by the Director of Prosecutions and the Crown Solicitor that he is no longer required as a witness in any proceedings;
 - (a) complies fully with any requirements of Senior Counsel Assisting the Commission of Inquiry, the Director of Prosecutions or the Crown Solicitor concerning his place of residence, activities, protection or any other matter;
 - (b) does not leave or reside out of the State of Queensland without having first obtained the permission in writing of Senior Counsel Assisting the Commission of Inquiry, the Director of Prosecutions and the Crown Solicitor; and
 - (c) complies fully with any directions given to him in writing by Senior Counsel Assisting the Commission of Inquiry, the Director of Prosecutions or the Crown Solicitor with respect to any matters relating to his giving evidence before the Commission of Inquiry or in any proceedings, including directions as to his return to the State of Queensland, if necessary, to give such evidence;
- (8) until two copies of this undertaking have been handed personally to the said _____ and he has acknowledged the conditions stated herein by signing and returning one such copy.

DATED this _____ day of _____, 1989.

PAUL CLAUSON
Minister for Justice
and Attorney-General

P.O. Box 157, North Quay, Brisbane, 4002
Level 6, 160 Ann Street, Brisbane, 4000
Telephone: (07) 221 2261
Facsimile: (07) 221 3593

Secretary: Mr G. L. Lynch
Telephone: (07) 221 2261

Witnesses granted conditional indemnity from prosecution.

Former Police Officers	Others
John William Boulton	**“MT Brown”
Harry Reginald Burgess	“Katherine James”
Noel Francis Peter Dwyer	“Trevor”
Jack Reginald Herbert	Anthony Wallace
*Noel Thomas Kelly	
Graeme Robert Joseph Parker	

* N T Kelly was granted an indemnity in respect of offences committed other than offences of perjury committed in the course of his evidence before the Inquiry.

** The Chairman directed on 24-11-88 that the correct name of this witness Kevin David Phillips be no longer subject to a confidentiality ruling (p. 20236)

Alphabetical List of Witnesses who appeared before the Commission

*"ABBOT Miss"
ABERDEEN John Martin
ALLEN Thomas Glen
ALLWOOD Stanley John
*"ANDERSON Mrs"
ANDERSON Christopher Ian
ANDREWARTHA Barry John
ARMSTRONG Warren Earl
ARNDT Denis Keith
ASCOUGH Paul Leslie
ASHCROFT Rickey Paul
ATKINSON Andre Leonard
ATKINSON Robert
BALDEY Marilyn Joy
BALE Stewart Thomas
BARBI Noel Ronald
BAX Ishabel Helen
BAX Robert Dean
*"BELL Miss"
BELL David
BELL Peter Albert
BELLINO Antonio
BELLINO Geraldo
BELLINO Vincenzo
BJELKE-PETERSEN Johannes
*"BLAKE Miss"
BORINETTI Ronald James
BOULTON John William
BOWD Bruce
BRACKEN Leonard Roy
BRAITHWAITE Donald John
BRAME Anthony Grant
BRENNAN Terry James
BRIDGES Kenneth George
†"BROWN Mr"
*"BROWN Mary"
BROWN Neville John Raymond
BRUTON Patrick Joseph
BRYETT Keith Stanley
BULGER Allen Stewart
BURGESS Harry Reginald
*"BURNS Angela"
BUTLER Brendan John
BYRNE Cedric Phillip
CAMILLERI Joe
CAMPBELL George
CARMICHAEL Peter John
CARROLL Thomas Leonard
CHANNELLS Terence Gregory
CLAPPER Roy Glen
*"COLLINS Gail"
CONTE Vittorio
COOK Brian John
CRAWFORD Trevor James
CROCKETT Stephen William
CRUICKSHANK Neil Herbert
DALDY-ROWE Bruce John
DALE Edward James
DARGUSCH Roland
DARVENIZA Paul Matthew
DAUTEL Peter Edward
DAY Gordon Thomas
DEVENEY Eric Gregory
DI CARLO Salvatore
DICKIE Phillip John
DICKSON Garnett Alexander
DIJKMANS John Jacob
DI LIONE Aldo
DILLON Colin William Maxwell
DITTMAR Leonard Walter
DORRIES Kevin Lindsay
DOWRICK Alan Kenneth

DUNIS Viktor
 DUNN Kerry George
 DUUS Ross Andrew
 DWYER Noel Francis Peter
 EADIE Andrew Frank
 EARLY Gregory Lance
 *"EAST Mr"
 EDINGTON Ronald Leslie
 EDWARDS Terence Peter
 EUSTACE George James
 EUSTACE James George
 FALZON Gerard
 FALZON Victor
 FARRAH Callil Herbert
 FLYNN Kevin George
 FORREST Peter Geoffrey
 *"FOX Miss"
 *"FRANK"
 FRASER Glen Murray
 GARDE John Henry
 GIBSON Terrence Maxwell
 GIVEN Ross Alexander
 GLOVER Basil Joseph
 GOSS Tonya Roxanne
 GOTTWALD John Peter
 GOTZ Eric William
 GRAHAM Errol James
 *"GRAHAM Mrs"
 GRAY Stephen John
 GREAVES William Francis
 *"GRIFFITHS Marie"
 GRIMLEY Kenneth Joseph
 GRIMLEY Lola Frances
 GULBRANSEN Norman Sydney
 HALL Andrew David
 HALTER Neville Charles
 HAMREY John Raymond
 HANCOCK Perry Brian
 HANEY Thomas John
 HAPETA Hector Brandon
 HARRIOTT Charles
 *"HARRIS Mrs"
 HASENKAM Milton
 HASTIE Leslie James
 HAWES Norman James
 HAWGOOD Keith Graham
 HAWKE Anthony Michael
 HAYES Colin Michael
 HEAD Ronald Victor
 HEDGES Kevin James
 HENRY Brian Leslie
 HERBERT Jack Reginald
 HERBERT John
 HERBERT Margaret Agnes
 HICKEY Patrick John
 HICKS Basil James
 *"HIGGINS Miss"
 *"HILL Michael"
 HINZE Russell James
 HOCKINGS Ernest
 HOPPNER Bernard George
 HOULEY Maxwell John
 HOWES Susan Jane
 HUEY John William
 HUGHES James Frederick
 HUMPHREYS Michael John
 HUTCHINSON Robert William
 INGRAM Douglas Joseph
 *"JAMES Katherine"
 JANES Gary Alan
 JEPPESEN William Daniel A.
 JOHNSON Christopher Douglas
 JOHNSTON Kendall Charles
 JONES Colin John
 *"JONES Nicole"
 KEENAN Francis William
 KELLY Noel Thomas
 KENDALL Ronald Austin
 KENT Barry George
 KESL Axel

KIDCAFF Andrew Francis
 KING Trevor Ronald
 *"KING Miss"
 KIRKMAN Ralph Gordon
 KLEINHANSS Ian Joseph
 KUMMEROW Mark
 LANE Donald Frederick
 LARSEN Erik Peter
 LAW Jeanette
 LAW Terrence Geoffrey
 *"LEE Jamie"
 *"LEIGH Ricky"
 LEWIS Terence Murray
 LEWIS Ronald William
 LOEL James Beresford
 LOVI Paul William
 LUMSDEN Charles Grant
 LYONS Edward Houghton
 LYONS John Robert
 LYONS Lawrence James
 MacDONALD Vernon Alister
 MacFARLANE Peter Godfrey
 *"MacKENZIE Sandra"
 MacNAMARA Barry Andrew Robert
 MAHER Geoffrey Francis
 MAHONEY Dean
 MAIDMENT Bradley Ralph
 MANGAN Denis Eugene
 MANNING Graham Allan
 MARHEINE Gregory Keith
 MARXSON Robert Ashley
 MAWN Vincent James
 MAYNARD Frederick George
 McADAM Kenneth Paul
 McCALLUM Patrick Bernard
 McCANN Ross John
 McCLENNAN Ronald Edward
 McDONNELL Catherine Anne
 McDONNELL Joseph Keith
 McIVOR John Richard
 McMAHON Beverley Anne
 McMAHON Patrick John
 McMAHON Terence
 MEARS Noel James
 MELLIFONT Terrence Joseph
 MERCHANT Neil John
 METCALFE Richard Lounder T.
 MIDSON Merissa Kay
 MILES Ian Robert
 *"MILLER Brooke"
 *"MILLER Sue"
 MOORE Rodney
 MORRIS Elvie Margaret
 MULHOLLAND Peter
 *"MUNRO Greg"
 MURPHY Robert Eugene
 MURPHY Vincent John
 MURR Neville John
 *"MURRAY Miss"
 NEAVE Michelle Lenore
 NESBITT Kevin James
 NEWMAN Carol Louise
 NEWMAN Trevor Alfred
 NEWTON Christine
 NGHIEM Minh
 NGHIEM Thanh Duong
 NGHIEM Thanh H a i
 NICHOLAS Lance Michael
 NYST Christopher Stephen John
 O'BRIEN Barrie Cornelius
 OCKHUYSEN Leo Nicholas
 O'CONNELL Terence John
 O'DONNELL James William
 O'HARA Brian Kevin
 O'MEARA Brendan
 O'SULLIVAN James Patrick
 O'SULLIVAN John McEwan
 *"PAGE Miss"
 PALMER Frank Frederick
 PARKER Alan John

PARKER Graeme Robert Joseph
 PARSON Mavis Irene
 PATTERSON Diane
 PEARSON Colin
 PEARSON John William
 PEARSON Keith John
 PEMBROKE Alan James
 PERRY Trevor Lyndsay
 PHILLIPS Peter Frank
 PITMAN Brian Alan
 PLANT Howard
 POOLE Gary
 *"PORTER Miss"
 POWELL Nigel Donald
 PRASKE Mervyn Charles
 PREGLIASCO Serge
 QUINN John Connolly
 RADCLIFFE Barry Neil
 RAINE Raymond William
 RANN Susan Claire
 RAPP Geoffrey John
 REASON Paul
 REDMOND Ronald Joseph
 *"REID Mr"
 *"RICHARDS Jane"
 RICHMOND Gary Cooke
 RIGNEY Ross
 ROBERTS Tegwyn
 ROBERTSON Benjamin Harold
 ROBERTSON Hector
 ROBINSON Arthur Anthony
 ROBINSON David Graham
 ROBINSON John Edward
 ROSSOW Victor Alby
 ROYES Brian Anthony
 RUSSELL Peter
 RYAN John Wayne
 RYNDERS Ronald Michael
 SAKZEWSKI Bryan Paul
 SALIBA Gerald
 SAMIOS Nick
 SAUNDERS Lorelle Anne
 SAUNDERS Maria
 SAUNDERS Stanley Derwent
 SAWFORD Robert George
 SCANLAN Kenneth Charles
 SCOTT Margaret Ann
 SECKER Mervyn
 SHAMBROOK Robert Malcolm
 SHEPHERD John Albert
 SHIELS David Arthur Ross
 *"SHORT Miss"
 SIEBER Brian Leonard George
 SILVERSTEIN Ronald David
 *"SIMPSON Miss"
 SISSONS John
 SLADE Christine
 SLADE James George
 SMEE Marilyn Elizabeth
 SMITH David Benjamin
 SMITH Paul Martin
 SMITH Philip John
 SMITH Phillip Darcy
 *"SPENCE Miss"
 SPENCER Wesley Maxwell
 *"STANDISH Monique"
 *"STEWART Anne"
 STEWART Errol Graham
 STROHFELDT Kenneth Douglas
 SUMMERFIELD Clyde William
 SUSCHINSKY Margaret Mary
 SWAN Graham Stuart
 TAYLOR Malcolm John
 TEAGUE Donald
 THOMAS Anthony Wayne
 THOMPSON Colin James
 THOMPSON Dale Raymond
 *"THORNE Ann"
 THURECHT Adrian Mark
 TIBBLES Allan Moncaster

TILLEY Ann Marie	WHITE Douglas John
TOMLIN Norman Allan	WHITE Gregory Keith
*"TREVOR"	WHITE Leonard Onus
VINCENT Ronald Edward	WHITNEY Margaret Ann
VOIGT Louis James	WHITROD Raymond Wells
VOIGT Raymond Percival	WIJTENBURG Andre-Jeane
*"VON BOLEN Amanda"	WILBY Bruce Anthony
WALKER Daniel William	WILLIAMS Graham James
WALLACE Anthony	WILSON Shane Richard
WAUGH James Steele	WOODHOUSE Derrick Raymond
WEEKES Kelvin John	WOODS Matthew Douglas
WELLINGS Lytton John	YIP Gerard Anthony
WELSH Antoinette Dorothy	ZILLMAN William Frederick
WELSH Keith William	

Total: 339

* Persons permitted to give evidence under assumed names to conceal their identity. Correct names known to the Commission.

† The Chairman directed that the correct name of this witness Kevin David PHILLIPS be no longer subject to a confidentiality ruling (p223)

**Persons and Organizations granted leave to appear in person or by their
Legal Representatives before the Commission****Persons:**

ACKERIE Steve	DWYER Noel Francis Peter
ALLEN Thomas Glen	EADIE Andrew Frank
ARMSTRONG Warren Earl	EUSTACE George James
ATKINSON Thomas Sydney Charles	EUSTACE James George
BARNES Alan Frederick	EUSTACE Lillian Mary
BASHA Anthony George	EVANS Carmel
BAX Ishabel Helen	FALZON Gerard
BAX Robert Dean	FALZON Michael Paul
BELLINO Antonio	FEENEY Ronald
BELLINO Gerado	FINCH James Richard
BELLINO Vincenzo	FORREST Peter Geoffrey
BELLINO Vincenzo Jnr.	GARDE John Henry
BERLIAT Kristine	GIBBS Robert James
BJELKE-PETERSEN Sir Johannes	GREAVES William Francis
BRIDGES Kenneth Lloyd	GRESKE Suzanne
BULGER Allen Stewart	HAGAN Robert Joseph
BURET Jean-Pierre Andre	HALLAHAN Glen Patrick
BURET Susan Rae	HANEY Thomas John
BURGESS Harry Reginald	HAPETA Hector Brandon
BYRNE Cedric Phillip	HAWES Norman James
CAMPBELL Frederick Alexander	HAWKE Anthony Michael
CARROLL Thomas Leonard	HAYES Robert Brian
CLAXTON Dr Colin James	HERBERT Jack Reginald
CHAPMAN Douglas	HERBERT Margaret Agnes
COBB Robert William	HICKS Basil James
COBB Sandra Catherine	HING Jack
CONTE Vittorio	HINZE Russell James
CROCKER Geoffrey Luke	“JAMES Katherine”
CROCKER Julie Margaret	KELLY Noel Thomas
CURREY Sydney William	KEMP Kristin
DI CARLO Salvatore	KENDALL Ronald Austin
DIJKMANS John Jacob	KINGSNORTH Ronald
DITTMAR Leonard Walter	KNOX Sir William Edward
DORRIES Kevin Lindsay	KORNHAUSER Emil

LANE Donald Frederick
 LEE Norman Edward
 LE GROS Peter Cecil
 LEWIS Sir Terence Murray
 LICKISS William Daniel
 LIU Eddie
 LO Harry
 LYONS Sir Edward Houghton
 MacNAMARA Barry Andrew Robert
 MCCARTHY Carol
 MCCARTHY Peter
 McCLENNAN Robert Edward
 McDONNELL Catherine Anne
 McIVOR John Richard
 McMAHON Patrick John
 McMAHON Terence
 MELLIFONT Terrence Joseph
 MERCHANT Neil John
 MESKELL John
 MIDSON Merissa Kay
 "MILLER Brooke"
 MOORE Rodney
 MURPHY Anthony
 NICHOLAS Lance Michael
 NICHOLLS Ernest Lindsay

PARKER Graeme Robert J.
 PEARSON Colin
 PEARSON Dr Keith John
 PRATT His Hon. Judge Eric
 OSBORNE William Patrick
 ROBERTSON Hector
 ROBINSON Arthur Anthony
 RYAN Beverley Anne
 RYAN Neil Patrick
 RYNDERS Ronald Michael
 SEYMOUR Kevin Will
 SHINE Patrick John Joseph
 SMITH David Benjamin
 SMITH Paul Martin
 STAFFORD Keith Charles
 SUE Gawain
 TAYLOR Malcolm John
 THOMAS Robert John
 TILLEY Ann Marie
 WELSH Antoinette Dorothy
 WELSH Keith William
 WHITE Terence Anthony
 YIP Gerard Anthony
 YORKE Charles Philip
 ZILLMAN William Frederick

The Acting Commissioner of Police, the Deputy Commissioner, the Assistant Commissioners and all persons who previously occupied those positions.

Organizations:

*Australian Broadcasting Corporation
 Australian Labor Party (State of Queensland)
 †Brisbane Television Ltd
 Bryna Pty Ltd trading as New Image Photographics
 Commonwealth Banking Corporation
 Council of the City of the Gold Coast
 Custom Credit Corporation Ltd
 †David Syme & Co
 *Government of Queensland
 †John Fairfax & Son Ltd

National Australia Bank Ltd
 National Party of Australia
 Queensland Council for Civil Liberties
 *Queensland Newspapers Pty Ltd
 *Queensland Police Union of Employees
 *Queensland Police Officers' Union
 Queensland Law Society Inc.
 †Queensland Television Ltd
 Seymour Developments Pty Ltd
 -/Universal Telecasters Ltd

* The legal representatives of these organisations attended regularly throughout the hearings of the Inquiry.

† The legal representatives of these organisations attended once to make a submission.

EXHIBITS

27 July 1987

WITNESS: Sir Terence Murray LEWIS, Commissioner of Police

- 1 Chart of responsibilities of Senior Police as at 18.11.86 (p 96)
- 2 Chart of responsibilities of Senior Police as at 6.7.87 (p 96)
- 3 Report of Sir Terence LEWIS (Brown cover) (p 113)
- 4 Report of Sir Terence LEWIS (Blue cover) (p 133)

Restrictions on Inspection of Exhibit 4

- (a) First two pages of 9.216 not available for inspection (see pp 139-141 of transcript)
- (b) Annexure B: fully available to those with leave to appear before the Commission, but only first page and NOT lists of names otherwise available for inspection (see pp 133-136 of transcript)

28 July 1987

- 5 Annual Reports (IO)-Police Department 1977-1986 (p 143)
- 6 Commissioner's circulars re travel concessions on public transport allowed police officers and various other concessions and discounts permitted (16 pages) (p 143)
- 7 Telegraph clipping 9.9.77 "Clampdown on Massage Parlours" (p 159)
- 8 Courier-Mail clipping 9.8.79 "7 Massage Parlours close after raids". (p 160)
- 9 Sunday-Mail clipping 24.4.83 "All-out War on Vice" (p 160)
- 10A Courier-Mail clipping 13.1.87 "No evidence of prostitutes, says Minister" (p 161)
- 10B Telegraph clipping 19.1.87 "Gunn hits back in Prostitution Row" (p 162)

WITNESS: Ronald Joseph REDMOND, Deputy Commissioner of Police

- 11 Police Department internal memos re liaison between Licensing Branch, Drug Squad and B.C.I. (15 pages in all) (p 209)
- 12 Statement of Ronald Joseph REDMOND (p 218)

29 July 1987

WITNESS: Kevin Lindsay DORRIES

- 13 List of prostitution offences for Cairns 1982-1987 (3 pages) (p 279)

30 July 1987

WITNESS: Donald John BRAITHWAITE, Assistant Commissioner (Personnel)

- 14 List of Police Officers who served in Licensing Branch (8 pages) (p 344)
- 15 Statement of Donald John BRAITHWAITE (p 347)

WITNESS: Joseph Keith McDONNELL, Retired Deputy Commissioner of Police

- 16 Statement of Joseph Keith McDONNELL (p 391)
17 Official procedures relating to investigations of Complaints against police. (p 392)

3 August 1987

WITNESS: Sir Terence Murray LEWIS

- 18 Statement of Sir Terence LEWIS dated 3.8.87 (red cover) (p 411)
19 File relating to Mr. Dingle's complaints regarding massage parlours at Albion (p 4.14)
20 Large bundle of correspondence re Summary Offences Bill, covering letter dated 6.7.84 (p 414)
21 Courier-Mail clipping 10.7.87 "Brothels still operating as Inquiry nears" (p 419)
22 Letter dated 15.12.58 from Solicitor-General to the Under Secretary Department of Labour and Industry (3 pages) (p 427)
23 Memorandum dated 21.5.80 to Commissioner from Inspector W.G. Anderson (p 435)
24 Three internal police Department memoranda re Sturgess Report covering one dated 28.5.86 (7 pages) (p 440)
25 Memorandum to Deputy Premier and Minister for Police from Commissioner dated 29.5.87 re massage parlours (p 457)
26 Courier-Mail clipping 9.2.84—"O'Gorman: Police powers frightening" (p 457)
27 Letter dated 6.6.83 to Commissioner of Police from N. R. Barbi, solicitor, re harassment by police at premises at 142 Wickham Street, Fortitude Valley and letter dated 10.6.83 acknowledging receipt of letter (p 479)
28 Extracts from Sir Terence Lewis' diary (6 pages) (p 483)
29 Sunday Mail clipping 20.4.86 "The Police keep tabs on illegal casino". Sunday Mail clipping (undated) (p 488)

WITNESS: John Malachi DONOGHUE, Assistant Commissioner (Training and Legal)

- 30 Statement of John Malachi DONOGHUE (p 495)

WITNESS: Allan John HILKER, Assistant Commissioner (Administration)

- 31 Statement of Allan John HILKER (p 501)

WITNESS: Douglas Alan SMITH (Sergeant)

- 32 Queensland Police Department Licensing Branch Handout No. 8 (p 529)
33 Comment Vol 10 No 1 (p 530)
34 Cabinet Documents 24.9.75-28.8.84 (7 sets of documents) (p 547)
35 Statement of Douglas Alan SMITH (p 549)
36 Queensland Police Department Lecture No 701-prostitution (esp p 27 onwards) (p 556)
37 Statistics on unlawful gaming 1965-1975 (p 570)

5 August 1987

WITNESS: Donald TEAGUE, Superintendent Gold Coast District

- 38 Record of number of prostitutes and persons charged with prostitution related offences for Gold Coast Police district March 1980—May 1987 (p 607)
39 Statement of Donald TEAGUE (4 pages) (p 609)

6 August 1987

40 Memorandum dated 5.8.87 to Commissioner of Police from Detective Inspector J. S. Waugh re corrections to list of massage parlours as published in Courier Mail 4.8.87 (p 661)

WITNESS: Noel Francis Peter DWYER

41 Extract from Telecommunications (General) By-laws (p 705)

10 August 1987

WITNESS: James Steele WAUGH, Detective Inspector, Licensing Branch

42 Memorandum re payment of moieties and rewards at the Licensing Branch (p 870)

11 August 1987

43 Letter dated 4.8.87 from Regional Superintendent K.L. Dorries clarifying his evidence given 29.7.87 (P 931)

44 Statement of John Kevin Vincent O'Gorman dated 1.8.87 relating to procedures for promotion to ranks of Sergeant Second Class, Sergeant First Class and Senior Sergeant (p 932)

17 August 1987

45 Letter dated 11.8.87 to Hector Brandon Hapeta from Commission (p 942)

46 Letter dated 11.8.87 to Geraldo Bellino from Commission (p 945)

47 Letter dated 11.8.87 to Vittorio Conte from Commission (p 945)

48 Letter dated 11.8.87 to Antonio Bellino from Commission (p 948)

18 August 1987

WITNESS: Hector Brandon Hapeta

49 Teledex of H. B. Hapeta (p 1050)

WITNESS: Geraldo BELLINO

50 Photograph of entrance of World by Night Strip club (p 1073)

51 R.E.I.Q. contract dated 12.5.84 of land at 1015 Ipswich Road Moorooka (4 pages) (p 1120)

52 R.E.I.Q. Contract dated 23.2.84 of land at 93 Brunswick Street Fortitude Valley (2 pages) (p 1135)

53 List of property owned or formerly owned by Geraldo Bellino with purchase prices and selling prices if sold (2 pages) (p 1151)

19 August 1987

54 Transcript of trial held in District Court Brisbane before Judge Kimmins on 2.4.87 Bellino v. Sissons (56 pages and 3 pages of judgment) (p 1223)

55 Courier Mail clipping 3.4.87 "Businessman denies massage parlour link" (p 1223)

20 August 1987

WITNESS: Vittorio CONTE

- 56 Eight (8) bank statements of Vittorio Conte and A. K. Holloway at ANZ Bank Petrie Bight Branch 15.10.79-17.9.80 (p 1278)
- 57 Thirty-two (32) bank statements of the joint account of A. K. Holloway and Vittorio Conte 18.9.80-25.1.82 (p 1279)
- 58 Four (4) bank statements of Decian Pty. Ltd. 27.10.8 1-25.1.82 at ANZ Bank Coorparoo (p 1280)
- 59 Three (3) savings account passbooks of Vittorio Conte at ANZ Bank (p 1284)
- 60 Business Names details at office of Commissioner for Corporate Affairs of "World by Night" (P 1285)
- 61 Application of Vittorio Conte for a telephone service at 719 Stanley Street Woolloongabba dated 24.5.83 (p 1300)
- 62 Certificate of incorporation of Timcorp Pty. Ltd. and Corporate Affairs Office documents (6 pages) (P 1311)
- 63 List of gaming premises as at 1.1.83, 1.1.84, 1.1.85 (2 pages) (p 1353)
- 64 Sunday Sun clipping 18.4.82 "Bank is Broken at Casino" (p 1361)

25 August 1987

WITNESS: Antonio BELLINO

- 65 Three (3) mastercard/visa cash advance vouchers for Antonio Bellino (p 1565)
- 66 Covering letter to N. R. Barbi dated 13.8.85 re Fanilila Pty. Ltd. with statements of shareholders loan accounts (5 pages) (p 1569)
- 67 Three (3) sheets of the plans of the Roxy (p 1575)
- 68 General tenancy agreements made 8.10.86 between K.N. Holdings Pty. Ltd. and Hoa Viet Club (P 1578)
- 69 Photograph of the Roxy (p 1582)
- 70 Photograph of doorway to Roxy (p 1582)
- 71 Photograph of billiard table in a room looking from inside to the entrance (p 1582)
- 72 Photograph of inside of room looking away from Brunswick Street (p 1583)
- 73 Photograph of room with three doors (p 1583)
- 74 Photograph of rear of Roxy showing fire escape (p 1585)
- 75 Sheet of paper showing name and address of Mr.s Antonio Bellino's employer-(NOT FOR PUBLICATION) (p 1670)

27 August 1987

WITNESS: Philip John DICKIE

- 76 Various Courier-Mail clippings of articles written by Mr. Dickie (6 pages, 1 to 10 stories) (p 1703)
- 77 Copy of three (3) newspaper clippings (p 1703)
- 78 Table showing prosecutions for period December 1986—April 1987 (3 pages) (p 1706)
- 79 Copy of newspaper advertisements (15 pages) (p 1708)
- 80 Copy of Yellow Pages advertising (11 pages) (p 1709)
- 81 Schedule prepared by Mr. Dickie (2 pages) (p 1709)
- 82 Photograph of premises at 187 Barry Parade Fortitude Valley (p 1712)
- 83 Photograph of premises at 187 Barry Parade Fortitude Valley (close up) (p 1712)

- 84 Business Name Certificate of Top of the Valley 187 Barry Parade Fortitude Valley (p 1713)
- 85 Corporate Affairs documents re Cedlin Pty. Ltd. (7 documents) (p 1713)
- 86 Working document recording information obtained from Brisbane City Council (p 1714)
- 87 Photograph of premises at 608 Wickham Street Fortitude Valley (p 1715)
- 88 Photograph of premises at 608 Wickham Street Fortitude Valley (p 1715)
- 89 Photograph of premises at 608 Wickham Street Fortitude Valley (close up of the door) (p 17 15)
- 90 Valuer-General's Certificate of 608 Wickham Street Fortitude Valley (p 1716)
- 91 Business Names Search of Quick Courier Service (p 1716)
- 92 Valuer-General's Certificate of 24 Logan Road Woolloongabba (p 1719)
- 93 Photograph of premises at 24 Logan Road Woolloongabba (p 1720)
- 94 Photograph of Cosmo International at 584 Stanley Street Woolloongabba (p 1721)
- 95 Business Name search of Cosmo International Health Spa 584 Stanley Street Woolloongabba (P 1722)
- 96 Photograph of house at 612 Brunswick Street New Farm (p 1722)
- 97 Copy of page from Sturgess Report (para 8.48-8.53) (p 1723)
- 98 Valuer-General's Certificate of 612 Brunswick Street, New Farm, owned by Ann M Tilley, P 0 Box 776 Toowong 4066 (p 1724)
- 99 Corporate Affairs documents re Figchester Pty. Ltd. (8 documents) (p 1725)
- 100 Business Names search of the Red Light Adult Bookshop 1/624 Brunswick Street New Farm (p 1726)
- 101 Photograph of a house at 667 Main Street Kangaroo Point (p 1726)
- 102 Valuer-General's Certificate of 667 Main Street Kangaroo Point (p 1727)
- 103 Brisbane City Council rate printout of 667 Main Street Kangaroo Point (p 1727)
- 104 Photograph of a house at 137 Baines Street Kangaroo Point (p 1729)
- 105 Valuer-General's Certificate of 137 Baines Street Kangaroo Point (p 1729)
- 106 Brisbane City Council rates printout of 137 Baines Street Kangaroo Point (p 1729)
- 107 Photograph of house at 123 Baines Street Kangaroo Point (p 1730)
- 108 Valuer-General's certificate for 123 Baines Street Kangaroo Point (p 1730)
- 109 Business Names Search of Aloha Escorts 405 Old Cleveland Road Coorparoo (P 1731)
- 110 Copy of Brisbane City Council rate notice of 4 Leicester Street Coorparoo (p 1731)
- 111 Photograph of house at 405 Old Cleveland Road Coorparoo (p 1731)
- 112 Photograph of shop One Double Seven Fashion Accessories at 177 Old Cleveland Road Coorparoo (P 1733)
- 113 Photograph of house at 11 Brown Street Camp Hill (p 1734)
- 114 Photograph of house at 75 Bellwood Street Darra (p 1736)
- 115 Brisbane City Council rates printout of 75 Bellwood Street Darra (p 1737)
- 116 Photograph of a house at 197 Latrobe Terrace Paddington (p 1738)
- 117 Photograph of a house at 38 Hudson Road Albion (p 1739)
- 118 Business Names Search of Venus Shop (p 1740)
- 119 Business Names Search of Love Art 187 Barry Parade Fortitude Valley (p 1742)
- 120 Photograph of the Red Light Book Shop 624 Brunswick Street New Farm (p 1742)
- 121 Photograph of the Venus Shop 52 Hudson Road Albion (p 1742)

31 August 1987

WITNESS: Harry Reginald BURGESS

122 Conversation: N. F. P. Dwyer to H. R. Burgess late June 198 1-(NOT FOR PUBLICATION OR INSPECTION) (p 1778)

Released 26/10/87 (~3390)

123- Conversation: J. R. Herbert to H. R. Burgess-(NOT FOR PUBLICATION OR INSPECTION)
128 (p 1820, p 1821, p 1823)

123 Released 26/10/87 (p 3390)

126-
128

N.B. Exhibits 124, 125 remain confidential
(See p 3426 of transcript)

2 September 1987

WITNESS: "Katherine JAMES"

129 Full and correct name of "Katherine James"-(NOT FOR PUBLICATION OR INSPECTION)
(P ~~1923~~)

130 Text of conversation between "Katherine James" and Geraldo Bellino-(NOT FOR PUBLICATION OR INSPECTION) (p 1947)

Released 26/10/87 (p 3390)

3 September 1987

131 Conversation-John Stopford and "Katherine James"-(NOT FOR PUBLICATION OR INSPECTION) (p 2033)

131A Conversation John Stopford and "Katherine James"-(NOT FOR PUBLICATION OR INSPECTION-tendered 8.9.87) (p 2 199)

132 Statement by "Katherine James" dated 27.4.78
(4 pages) (NOT FOR PUBLICATION OR INSPECTION-copy which will delete all information by reference to which witness might be identified will be available for inspection) (See p 2050 of transcript)

7 September 1987

133 Photograph of the front of Pinocchios (p 2102)

134 Photograph of stairway of Pinocchios (p 2102)

135 Photograph showing the sign "Tropical Inn Tea Lounge" (p 2102)

136 Name and date of birth of "Katherine James' " first husband-(NOT FOR PUBLICATION OR INSPECTION) (p 2 117)

137 Name of owner of premises at 187 Barry Parade who paid "Katherine James" \$300 a week for use of her name-(NOT FOR PUBLICATION OR INSPECTION) (p 2119)

Released 26/10/87 (p 3390)

138 Name and address of place where "Katherine James" did her apprenticeship in hairdressing-(NOT FOR PUBLICATION OR INSPECTION) (p 2128)

139 Name of "Katherine James' " bank account and the branches at which they are held-(NOT FOR PUBLICATION OR INSPECTION) (p 2138)

FOR IDENTIFICATION-(NOT FOR PUBLICATION OR INSPECTION)

A Photograph of back of building

B Photograph of brick wall

- C Photograph of a room
 - D Plan of a building
 - E Two (2) Statements-
 - (1) **By** R. N. FREIER dated 24.7.78 (2 pages) (See Exhibit 1466)
 - (2) Handwritten statement (2 pages)
- (NOT FOR PUBLICATION OR INSPECTION) (p 2196)

8 September 1987

- 140 Conversation: G. Crocker and "Katherine James"-(NOT FOR PUBLICATION OR INSPECTION) (P 2200)
- 141 **A** Copy of allegation and accompanying letter from Commission to Mr. T. S. C. Atkinson dated 1.9.87 (p 2232 of transcript)
- B** Copy of the page of "Katherine James' " statement
- 142** Name of private psychiatrist of "Katherine James"-(NOT FOR PUBLICATION OR INSPECTION) (p 2293)

IDENTIFICATION

- F** Statement of V. A. MacDONALD
(NOT FOR PUBLICATION OR INSPECTION-copy for inspection delete any name or other identifying details re "Katherine James") (p 2179 of transcript)
- G** Statement of Paul Arthur COOK
(NOT FOR PUBLICATION OR INSPECTION-copy omitting name or any other identifying details re "Katherine James" may be inspected) (p 2262 of transcript)

9 September 1987

- 143 Names of three people present at home at Coorparoo raided by police officers including Edwards (p 2314)-(NOT FOR PUBLICATION OR INSPECTION) Released 26/10/87 (p 3390)
- 144** Name of police officer to whom "Katherine James" acted as informant (p 2615)-(NOT FOR PUBLICATION OR INSPECTION)
- 145 Name of police officer in whose flat at East Brisbane "Katherine James" once met Maynard (p 2319)-(NOT FOR PUBLICATION OR INSPECTION) Released 26.10.87 (p 3390)
- 146 Name of hotel at which "Katherine James" worked (p 2349)-(NOT FOR PUBLICATION OR INSPECTION)
- 147 Residential address at which Neville Ross visited "Katherine James" (p 2354)-(NOT FOR PUBLICATION OR INSPECTION)
- 148 Sketch plan (p 2368)

10 September 1987

- 149 Copy Bench Charge Sheet dated 24.4.81-(NOT FOR PUBLICATION OR INSPECTION-a copy deleting any reference to witness's name and other identifying details may be inspected) (p 2385)
 - 150 Name of person from whom "Katherine James" purchased 187 Barry Parade (p 2403; p 2407)
 - 151 Name of police officers-(NOT FOR PUBLICATION OR INSPECTION) (p 2470)
- ### IDENTIFICATION
- H** Name of two persons
(NOT FOR PUBLICATION OR INSPECTION) (p 2407)

- I Name of woman charged allegedly from "Katherine James" acting as agent with Moczynski-(NOT FOR PUBLICATION OR INSPECTION) (p 2449)
- J Name of two persons in whose investigation on alleged drug dealings "Katherine James" is alleged to have assisted as an agent-(NOT FOR PUBLICATION OR INSPECTION) (P 2449)
- K Copy of two pages of official notebook of Detective Moczynski (pp 2455-2456)
(NOT FOR PUBLICATION OR INSPECTION-copy for inspection have name of witness and any identifying details deleted) Now Exhibit 1463A 7/10/88
- L Copy of two pages of official notebook of Detective Moczynski-(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete name and details identifying witness) (p 2458) Now Exhibit 1463B 7/10/88

14 September 1987

- 152 Name of person alleged to have lived with "Katherine James" in 1974 at Ross Street and Given Terrace, Paddington-(NOT FOR PUBLICATION OR INSPECTION) (p 25 14) Released 26/10/87 (p 3390)

IDENTIFICATION

- M Copy extract from official diary of Detective Moczynski-(NOT FOR PUBLICATION OR INSPECTION) Copies available for inspection shall have names deleted (p 25 10) Now Exhibit 1463C (7/ 1 0/88)
- N Copy extract from official diary of Detective Moczynski-(NOT FOR PUBLICATION OR INSPECTION) (p 2511) Now Exhibit 1463D (7/10/88)
- O Copy extract from official diary of Detective Moczynski-(NOT FOR PUBLICATION OR INSPECTION) (p 2513) Now Exhibit 1463E (7/10/88)
- P Copy extract from official diary of Detective Moczynski-(NOT FOR PUBLICATION OR INSPECTION) (p 25 15) Now Exhibit 1463F (7/10/88)

WITNESS: Philip John DICKIE
(Recalled and further examined)

- 153 Two (2) photographs of premises at 142 Wickham Street, Fortitude Valley-formerly Bubbles Bath House (p 2537)
- 154 Page from 1987 Yellow Pages (p 2538)
- 155 Brisbane City Council Rate print-out of 544 Queen Street (p 2542)
- 156 Business Name Search of World by Night (p 2543)
- 157 Corporate Affairs documents re Hamilrose Pty. Ltd. (3 pages) (p 2544)
- 158 Photograph of 235 Brunswick Street, Fortitude Valley (p 2545)
- 159 Brisbane City Council rate print-out of 235 Brunswick Street, Fortitude Valley (p 2545)
- 160 Copy extract from Corporate Affairs Office re Fanilila Pty. Ltd. (p 2548)
- 161 Photograph of 719 Stanley Street, Woolloongabba (p 2548)
- 162 Brisbane City Council rate print-out of 719 Stanley Street, Woolloongabba (p 2549)
- 163 Two (2) photographs of premises at 443 Adelaide Street, City (p 2550)
- 164 Photograph of the Roxy, 210 Brunswick Street, Fortitude Valley (p 2553)
- 165 Brisbane City Council rate print-out of 210 Brunswick Street, Fortitude Valley (p 2553)
- 166 Photograph of back of the Roxy showing fire escape (p 2554)
- 167 Photograph of premises at 141 Brunswick Street, Fortitude Valley ("House of the Rising Sun") (p 2556)
- 168 Copy of documents from Corporate Affairs Office re Timcorp Pty. Ltd. (5 pages) (p 2557)
- 169 Photograph of premises at 625 Main Street, Kangaroo Point (p 2558)

- 170 Valuer-General's certificate for 625 Main Street, Kangaroo Point (p 2558)
- 171 Photograph of premises at 29 Sandgate Road, Albion (p 2560)
- 172 Valuer-General's certificate for 29 Sandgate Road, Albion (p 2560)
- 173 Photograph of premises at 30 Wellington Street, East Brisbane ("Caesar's Bath House") (p 2560)
- 174 Photograph of premises at 81 Sylvan Road, Toowong (p 2562)
- 175 Valuer-General's certificate for 81 Sylvan Road, Toowong (p 2563)
- 176 Photograph of premises at 27 Sankey Street, Highgate Hill (p 2563)

15 September 1987

- 177 Album of photographs with two sheets of names (p 2569)
- 178 Three (3) exercise books and photographs of same containing credit card, cheque and travellers' cheque records for 68 Princess Street (p 2570)
- 179 Diary and photocopy of same (p 2571)
- 180 Diary and photocopy of same (p 2571)
- 181 Photograph of 1015 Ipswich Road, Moorooka known as "The Gentle Touch" (p 2572)
- 182 Large chart headed Tilley/Hapeta Group (p 2572)
- 183 Large chart headed Bellino Group Premises (p 2572)
- 184 Mr. Dickie's record of telephone conversation with Police Media Office, 17.4.87 (p 2585)
- 185 Micro-tape and transcript of press conference conducted by Inspector Ross Beer on 24.4.87
- 186 Corporate Affairs Office Search of Mike's Submarines Australia (p 2593)
- 187 Facsimile of Mr. Dickie's questions and Police Department answers (p 2594) (7 pages)
- 188 Letter from Mr. A. Bellino's solicitor (Mr. Zaghini) dated 13.5.87 to Editor, Queensland Newspapers Pty. Ltd. and reply dated 19.5.87 (p 25 16)
- 189 Three newspaper articles written by Mr. Dickie (p 2633)
- 190 Sunday Mail article dated 1.12.85 written by Leisha Harvey and Philip Dickie (p 2634)
- 191 Various newspaper articles (p 2638)
- 192 Photocopy of transcript of proceedings before Macrossan J. dated 5.12.84 (p 2640)
- 193 Hearsay information by Mr. Dickie (p 2640)-NOT FOR PUBLICATION OR INSPECTION

16 September 1987

WITNESS: COLIN WILLIAM MAXWELL DILLON

- 194 Bottle of Chivas Regal Royal Salute in Cloth Cover (p 2667)
- 195 Photocopies of pages from a foolscap size book (p 2678)
- 196 Running notes of the Licensing Branch-NOT FOR PUBLICATION OR INSPECTION-Copy having name of witness "Katherine James" deleted may be inspected (p 2686)
- 197 Memorandum to Detective Inspector Parker dated 19.11.82 re cancellation of telephone service at Xanadu Health Studio, 504 Stanley Street, Mater Hill-(NOT FOR PUBLICATION OR INSPECTION)-Copy available for inspection to have names and other identifying details re "Katherine James" deleted (p 2686)
- 198 Occurrence sheet dated 20.12.82-(NOT FOR PUBLICATION OR INSPECTION)-Copy omitting name or other details identifying "Katherine James" may be inspected (p 2715) (See Exhibit 270)

17 September 1987

- 199 Receipt re spectacles of A. Bellino from Trevor Henderson, optometrist dated 14.5.87 (p 2741)
- 200 Certain modus operandi of Licensing Branch (p 2746) - (NOT FOR PUBLICATION OR INSPECTION)
- 201 Names of police officer at whose farewell function Jack Herbert attended (p 2756) - (NOT FOR PUBLICATION OR INSPECTION) Released 26/10/87 (p 3390)

13 October 1987

WITNESS: John SISSONS

- 202 Residential address of John SISSONS - (NOT FOR PUBLICATION OR INSPECTION) (p 2767)

WITNESS: Nigel Donald POWELL

- 203 Alleged name of the largest s.p. bookmaker in Queensland - (NOT FOR PUBLICATION OR INSPECTION) (p 28 13)
- 204 Carbon copy of sheet of page dated 22.10.82 containing allegations that police officers were receiving money from prostitutes - (NOT FOR PUBLICATION OR INSPECTION) (p 2830)
- 205 Information Sheet dated 26.4.83 concerning Hector Hapeta - (NOT FOR PUBLICATION OR INSPECTION - copy for inspection to have names of the persons the subject of the information deleted) (p 2836)
- 206 Name of former police officer in Licensing Branch - (NOT FOR PUBLICATION OR INSPECTION) (P 2837)
- 207 Information Sheet dated 1.5.83 concerning Hector Hapeta - (NOT FOR PUBLICATION OR INSPECTION - copy for inspection to have names deleted) (p 2838)
- 208 Handwritten notes of Acting Inspector A. Bulger of interview with an informant (5 pages - one blank) - (NOT FOR PUBLICATION OR INSPECTION) (p 2841)
- 209 Carbon copy of report dated 27.5.83 compiled from interview - (NOT FOR PUBLICATION OR INSPECTION - copy for inspection to delete name of informant and other persons concerning whom allegations are made based simply on hearsay assertions of the informant) (p 2841)
- 210 Name of police officer - (NOT FOR PUBLICATION OR INSPECTION) (p 2845)

14 October 1987

- 211 Photocopy of Information Sheet dated 8.6.83 (p 2850)
- 212 Information Sheet dated 11.6.83 regarding Sibyl's and Pharoahs Night Clubs - (NOT FOR PUBLICATION OR INSPECTION - copy with names deleted may be inspected) (pp 2853 and 2863)
- 213 Photocopy of a Report dated July 1982 of persons prosecuted as a result of raid in Cairns (2 pages) (P 2863)
- 214 Name of detective who arranged for Hector Hapeta to return to Queensland and the name of the Detective Inspector of the Licensing Branch (p 2867) - (NOT FOR PUBLICATION OR INSPECTION) Released 26/10/87 (p 3390)
- 215 Photocopies of Certificate dated 28.6.78 of West Midlands Police; reports dated 20.11.79, 11.4.80 and 19.7.83 and letter from Commissioner dated 28.10.83 (p 2876)
- 216 Various police reports (9 pages) - NOT FOR PUBLICATION OR INSPECTION - copy for inspection to have names deleted) (pp 2906, 2918)
- 217 Memorandum dated 5.5.83 from Detective Inspector, Licensing Branch to Assistant Commissioner, Operations (2 pages) (p 2920)

15 October 1987

WITNESS: Allen Stewart BULGER
218 Statement of Allen Stewart BULGER (p 2936)

WITNESS: Edward James DALE
219 Statement of Edward James DALE (p 2939)

WITNESS: Terence Peter EDWARDS
220 Statement of Terence Peter EDWARDS (p 2940)

WITNESS: Christopher Douglas JOHNSON
221 Statement of Christopher Douglas JOHNSON (p 2941)

WITNESS: Peter Godfrey MACFARLANE
222 Statement of Peter Godfrey MACFARLANE (p 2942)

WITNESS: Ross John MCCANN
223 Statement of Ross John MCCANN (p 2943)

WITNESS: Bradley Ralph MAIDMENT
224 Statement of Bradley Ralph MAIDMENT (p 2944)

WITNESS: Rodney MOORE
225 Statement of Rodney MOORE (p 2945)

WITNESS: Barrie Cornelius O'BRIEN
226 Statement of Barrie Cornelius O'BRIEN (p 2946)

WITNESS: Tegwyn ROBERTS
227 Statement of Tegwyn ROBERTS (p 2948)

WITNESS: Gregory Keith WHITE
228 Statement of Gregory Keith WHITE (p 2949)

[EXHIBITS 218-228, 233 NOT BE AVAILABLE FOR INSPECTION OR COPYING UNTIL FURTHER DIRECTION AND THAT COPIES OF SUCH EXHIBITS WHICH ARE AVAILABLE FOR INSPECTION HAVE DELETED THEREFROM DETAILS OF THE NAMES OF INFORMANTS, OR THE HOME ADDRESS OF THE MAKER OF THE STATEMENT, OR ANY FINANCIAL INFORMATION RELATING TO THE MAKER OF THE STATEMENT] (p 2936)

WITNESS: Nigel Donald POWELL (recalled and further examined)
229 Alleged name of person employed by Queensland Turf Club who has been compromised-(NOT FOR PUBLICATION OR INSPECTION) (p 2965)
230 Alleged name of police officer who appeared to have money following the Cairns raid-(NOT FOR PUBLICATION OR INSPECTION) (p 2970)
231 Name of police officer who informed witness that person named above had a wallet full of money - (NOT FOR PUBLICATION OR INSPECTION) (p 2971)
232 Blue foolscap book containing name of working prostitutes, establishments and names of owners - (NOT FOR PUBLICATION OR INSPECTION) (p 2974)

WITNESS: Dale Raymond THOMPSON
233 Statement of Dale Raymond THOMPSON (p 2989)

WITNESS: James George SLADE (further examined)

- 234 Photocopy of record of interview between Detective Inspector R. Dargusch and Detective Constable l/c J.G. Slade in presence of Detective Inspector B.P. Webb dated 2.7.85 -(NOT FOR PUBLICATION OR INSPECTION) (pp 3006-3007, 3013)
- 235 Name of informant-(NOT FOR PUBLICATION OR INSPECTION) (p 3007)
- 236 Photocopy of record of interview between Detective Inspector R. Dargusch and Detective Inspector First Class J.G. Slade in presence of Detective Inspector E.J. Coughlin dated 30.7.85—(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to have name of police officer deleted from Question 14 and the details of the ABCI operation deleted from the answer to Question 27) (pp 3016-3017)

19 October 1987

- 237 Conversation between James Slade and Senior Sergeant Alan Barnes-(NOT FOR PUBLICATION OR INSPECTION) (p 3035)—Released 26/10/87 (p 3390)
- 238 Diagram of sitting arrangements around a table at the Police Club (p 3070)

IDENTIFICATION

- Q Name and pseudonym of an informant-(NOT FOR PUBLICATION OR INSPECTION) (P 307)
- R Photocopy of record of interview between Detective Inspector R. Dargusch and P.C. Senior Constable Ian William Jamieson in the presence of Detective Inspector B.P. Webb dated 2 July 1985
- (NOT FOR PUBLICATION OR INSPECTION) (p 3081) (Now Exhibit 244)

20 October 1987

WITNESS: Colin James THOMPSON

- 239 Photocopy statement of Colin James Thompson dated 1.7.85—(NOT FOR PUBLICATION OR INSPECTION-edited copy for inspection) (pp 3 116-3 117)
- 240 Conversation of what Senior Constable Jamieson said that Detective Senior Sergeant Barnes said to Constable Slade-(NOT FOR PUBLICATION OR INSPECTION) (p 3 123)
- 241 Name of Person who had knowledge of the meetings-(NOT FOR PUBLICATION OR INSPECTION) (p 3125)
- 242 Name of former police officer-(NOT FOR PUBLICATION OR INSPECTION) (p 3133) Released 26/10/87 (p 3390)
- 243 Name of informant-(NOT FOR PUBLICATION OR INSPECTION) (p 3159)

WITNESS: Roland DARGUSCH

- 244 Photocopy of record of interview between Detective Inspector R. Dargusch and P.C. Senior Constable Ian William Jamieson in the presence of Detective Inspector B.P. Webb dated 2.7.85 - (NOT FOR PUBLICATION OR INSPECTION-copy for inspection to have certain matters deleted) (pp 3161- 3162)
- 245 Photocopy of record of interview between Detective Inspector R. Dargusch and Detective Senior Sergeant A.F. Barnes in the presence of Detective Inspector B.P. Webb dated 23.7.85 -(NOT FOR PUBLICATION OR INSPECTION-edited copy for inspection) (p 3 162)
- 246 Photocopy of handwritten statement of Detective Inspector G.R.J. Parker dated 26.7.85 (p 3163)
- 247 Photocopy of transcript of interview between Detective Inspector R. Dargusch and Geraldo Bellino dated 31.7.85 (p 3163)
- 248 Photocopy of Report of Detective Inspector R. Dargusch dated 1.8.85 into allegations made by Detective Constable First Class J.G. Slade against Detective Senior Sergeant A.F. Barnes-(NOT FOR PUBLICATION OR INSPECTION-edited copy may be inspected) (p 3163)

249 Four names not mentioned to Detective Inspector Dargusch-(NOT FOR PUBLICATION OR INSPECTION) (p 3 165)—Released 26/10/87 (p 3390)

21 October 1987

WITNESS: Robert Malcolm SHAMBROOK

250 Name of person-(NOT FOR PUBLICATION OR INSPECTION) (p 3233)—Released 26/10/87 (P 330)

251 Conversation between Shambrook and an informant-(NOT FOR PUBLICATION OR INSPECTION) (p 3247)

252 Name of police officer at Licensing Branch as described in previous exhibit-(NOT FOR PUBLICATION OR INSPECTION) (p 3247)

253 Certain police officers who were the subject of allegations regarding sexual contact with prostitutes - (NOT FOR PUBLICATION OR INSPECTION) (p 3274)

254 Name of person Shambrook contacted-(NOT FOR PUBLICATION OR INSPECTION) (p 3280) - Released 26/10/87 (p 3390)

22 October 1987

WITNESS: Nigel Donald POWELL (further examined)

255 Photograph of five persons including Geraldo Bellino and Lou Argyrou (p 3313)

256 Name of police officer at Licensing Branch-(NOT FOR PUBLICATION OR INSPECTION) (p 3318)—Released 26/10/87 (p 3390)

257 Memorandum dated 10.2.81 signed by Detective Senior Sergeant G.R.J. Parker and four pink slips containing particulars of clients-(NOT FOR PUBLICATION OR INSPECTION-edited copy for inspection to delete identifying details) (pp 3319- 3320)

258 Name of police officer and station and name of another person to whom witness related details of Nev. Ross receiving money from Andrew-(NOT FOR PUBLICATION OR INSPECTION) (P 332)

WITNESS: Robert George SAWFORD

259 * Statement of Robert George SAWFORD (p 3326)

WITNESS: Derrick Raymond WOODHOUSE

260 * Statement and addendum of Derrick Raymond WOODHOUSE (p 3327)

WITNESS: Nick SAMIOS

261 * Statement of Nick SAMIOS

* EXHIBITS 259, 260, 261-(NOT FOR PUBLICATION OR INSPECTION-a copy for inspection to have the residential address and financial details of the maker deleted and also the names of any informants)

WITNESS: Graham James WILLIAMS

IDENTIFICATION

S Photocopy of two brief sheets related to prostitution offences-(NOT FOR PUBLICATION OR INSPECTION) (pp 3357-3358)

WITNESS: Colin James THOMPSON (further examined)

262 Microcassette tape and transcript of conversation between Slade and Jamieson-(NOT FOR PUBLICATION OR INSPECTION-edited copy may be inspected) (p 3369)

- 263 Photocopy of report by Detective Inspector C.J. Thompson dated 17.5.84 (p 3373)
264 Application for transfer of J.G. Slade dated 18.6.85 (p 3374)
265 Authorised Commissioned Officer's Report of J.G. Slade (p 3376)

27 October 1987

WITNESS: Harry Reginald BURGESS (further examined)

- 266 Photocopies of two Indemnities dated 28.8.87 and 13.10.87 respectively granted to Harry Reginald Burgess (p 3508)
267 Memorandum dated 2 1.4.82 of Assistant Commissioner, Crime and Services to Assistant Commissioner, Operations re Renato VINCEZI in relation to the "Shady Lady" massage parlour. Report dated 14.8.82 of Detective Sergeant H.R. Burgess-(NOT FOR PUBLICATION OR INSPECTION-edited copy may be inspected) (p 35 11)
268 Memorandum dated 6.3.85 by Detective Sergeant T. Ross to Detective Inspector, Licensing Branch relating to premises at 34 Hartley Street, Banyo-(NOT FOR PUBLICATION OR INSPECTION-edited copy may be inspected) (p 35 17)
269 Memorandum dated 9.5.84 by Detective Sergeant H.R. Burgess to Detective Inspector Licensing Branch and memorandum of Constable C.D. Johnson to Detective Inspector, Licensing Branch re prostitution organization in Brisbane (NOT FOR PUBLICATION OR INSPECTION-edited copy may be inspected) (p 3526)
270 Photocopy of Occurrence Sheet dated 20.12.82 (NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete reference to "Katherine James' " identity) (p 3530) (Refer exhibit 198)

28 October 1987

WITNESS: David Arthur Ross SHIELDS

- 271 Sketch map of gambling premises in Wickham Street (p 36 10)
272 Sketch map of gambling premises in Stanley Street (p 3620)
273 Sketch map of gambling premises in Ann Street (p 3624)

FOR IDENTIFICATION

T Names of s.p. bookmakers (p 3637)—(NOT FOR PUBLICATION OR INSPECTION)

29 October 1987

WITNESS: Andre Leonard ATKINSON

- 274 Information sheet dated 28.9.84 of Senior Constable A.L. Atkinson re suitability of premises at 87 Old Cleveland Road, Stones Corner for massage parlour (p 3650)
275 Information sheet dated 4.10.84 of Senior Constable A.L. Atkinson re Escort agency operating at 58 Apollo Road, Bulimba (p 3653)
276 Bottle (750 mls) of Johnnie Walker Red Label Scotch Whisky (p 3658)

WITNESS: Keith Stanley BRYETT

- 277 Report dated 27.12.84 of Detective Sergeant K.S. Bryett re Licensing Branch activities in relation to illegal gambling-(NOT FOR PUBLICATION OR INSPECTION-edited copy available for inspection) (p 3696)

FOR IDENTIFICATION

U Names of s.p. bookmakers-(NOT FOR PUBLICATION OR INSPECTION) (p 3674)

- V Hearsay evidence regarding Mr. Parker's elevation to Assistant Commissioner-(NOT FOR PUBLICATION OR INSPECTION) (p 3705)
- W Name of a former police officer who by reputation had an association with an ethnic community-(NOT FOR PUBLICATION OR INSPECTION) (p 3729)

2 November 1987

WITNESS: Noel Francis Peter DWYER (further examined)

- 278 Handwritten Statement of Noel Francis Peter Dwyer dated 1.9.87 (9 pages) (p 3763)
- 279 Text of telephone conversation, dated 3 18.87 by Noel Dwyer to Commissioner Lewis-recorded by Superintendent G.L. Early (p 3817)

3 November 1987

- 280 Courier Mail clipping 14.10.81
Telegraph clipping 15.10.81
"No Proof on Casinos"
Courier Mail clipping 16.10.81
"City Casinos all lies says Hinze"
(P 378)

FOR IDENTIFICATION

- X Photocopy QP9: R. v. Terrence McMahon-(NOT FOR PUBLICATION OR INSPECTION) (p 3894) Now Exhibit 716 (p 9246) (16 May, 1988)
- Y File of documents relating to Terrence McMahon and two others (30 pages)-(NOT FOR PUBLICATION OR INSPECTION) (p 3894) Now Exhibit 717 (p 9246) (16 May, 1988)

4 November 1987

WITNESS: Graeme Robert Joseph PARKER

- 281 Payment Schedule of corrupt monies received by witness (p 3931)
- 282 Photocopy of report dated 5.7.83 to Assistant Commissioner Operations from Detective Inspector G.R.J. Parker re: Unlicensed night clubs operating in Brisbane and suggested amendments to the Liquor Act. (p 3966)

5 November 1987

- 283 Memorandum dated 2 1.4.87 to Detective Inspector Licensing Branch from Assistant Commissioner, Crime and Services, G.R.J. Parker re Courier Mail article published 15.4.87 "Police seek tougher vice laws, more men" and reply dated 24.4.87 by Detective Inspector A.S. Bulger (pp 4013, 4065)
- 284 Information sheet dated 26.2.83 by Sergeant N.C. Ross re suspected brothel at "The Gardens" Unit 204, Alice Street, Brisbane-(NOT FOR PUBLICATION OR INSPECTION-edited copy for inspection) (p 4054, 4065)

9 November 1987

- 285 Photocopies of three Indemnities dated 16.9.87, 15.10.87 and 2.11.87 respectively granted to Graeme Robert Joseph Parker (p 4080)

- 286 Photocopies of three statements dated 16.9.87, 14.10.87 and 2.11.87 respectively of Graeme Robert Joseph Parker (pp 4080, 4099)
- 287 Memorandum dated 8.8.86 Commissioner of Police to Assistant Commissioner, Crime and Services re operations of premises at 142 Wickham Street, Fortitude Valley for illegal gambling, his reply dated 11.8.86; Memorandum dated 12.8.86 to Assistant Commissioner, Crime and Services to Detective Inspector Licensing Branch re the formation of a joint task force and reply dated 8.9.86 - (NOT FOR PUBLICATION OR INSPECTION-edited copy for inspection) (p 4113)
- 288 Name of an informant-(NOT FOR PUBLICATION OR INSPECTION) (p 4158)

10 November 1987

- 289 Photocopy of telegram dated 7.5.87 to Mr. Jack Reginald Herbert from Peter Manning, Executive Producer, Four Corners and reply telegram dated 8.5.87 (p 4215)
- 290 "Sunday Mail" clipping 24.4.83 "All-out war on Vice" and letter dated 29.4.83 to Editor in Chief, Queensland Newspapers Pty. Ltd. from Gilshenan & Luton re Graeme Robert Joseph Parker (P 4239)

11 November 1987

- 291 Memorandum dated 30.4.87 to Commissioner of Police from the Hon. W.A.M. Gunn M.L.A. Deputy Premier, Minister Assisting the Treasurer and Minister for Police re Questions submitted to Police Department by the Courier Mail (p 4257)

WITNESS: Keith Graham HAWGOOD

- 292 Application for enrolment on Electoral Roll of John Herbert, 29 Jordan Terrace, Bowen Hills dated 23.9.86 (p 4310)
- 293 Application for enrolment on Electoral Roll of John Herbert, Rawnsley Street, Dutton Park dated 14.4.85 (p 4311)
- 294 Application for enrolment on Electoral Roll of John Herbert, Surfers Paradise dated 23.5.87 (P 4311)
- 295 Application for enrolment on Electoral Roll of Jack Reginald Herbert and Margaret Agnes Herbert, 29 Jordan Terrace, Bowen Hills dated 24.7.86 (p 4319)

WITNESS: Inspector James Patrick O'SULLIVAN

- 296 Plastic envelopes containing ten white envelopes with various writings on each, seized in a police operation on 24.6.87 at 50 Holman Street, Kangaroo Point known as Fantasy Photographics (P 4323)

12 November 1987

- 297 Photography album containing photographs and descriptions taken on raid on Fantasy Photography, 50 Holman Street, Kangaroo Point. (May be inspected with the identity of the working girls concealed) (p 4330)

WITNESS: Philip John SMITH (Detective Sergeant First Class)

- 298 Large green cash book of Hobhill Pty. Ltd. taken possession of on raid on 24.6.87 on Fantasy Photography (p 4343)
- 299 One Bankcard imprinter of Hobhill Pty. Ltd., Kangaroo Point 4868816 (p 4343)
- 300 Teledex taken possession of on 26.6.87 from Fantasy Photography, 50 Holman Street, Kangaroo Point (Surnames of working girls to be deleted from copy for inspection) (pp 4344, 4345)
- 301 Handwritten list taken possession of at 50 Holman Street, Kangaroo Point (p 4344)

- 302 Fifteen full sheets and one part sheet of various days takings (p 4344)
- 303 Seven pay envelopes with the names of staff on four of them. (Copy for inspection to have surnames deleted) (p 4344)
- 304 Ten pink sheets of paper containing names of the staff and the suggestions, enclosed in a large envelope marked "Suggestion Box" (p 4345)
- 305 Calling card for Fantasy Photography (p 4345)
- 306 Calling card for Fantasy Playtimes (p 4346)
- 307 Undertaking printed on a yellow sheet of paper (p 4346)
- 308 Notice printed on a blue sheet addressed "To All Our Clients" containing a variety of "fantasy dress costumes" (p 4347)
- 309 Extract from Licensing Branch Index re Fantasy Photography at Beeston Street and at Holman Street of the visits made by the Licensing Branch to those premises and the action taken (p 4350)

(END OF WITNESS' EVIDENCE)

- 310 Statement of Leo Siong Kong Ting
- 311 Photocopy of amended taxation assessments of Warren Armstrong (p 4362)

16 November 1987

WITNESS: Ronald David Silverstein

- 312 Financial documents under letter dated 28.5.87 from L.S.D. Service Pty. Ltd. (Mr. Silverstein's notations on these documents not sought to be tendered) (p 4378)
- 313 Financial documents under letter dated 21.6.87 from L.S.D. Services Pty. Ltd. (p 4378)
- 314 Financial documents under letters dated 29.6.87 and 27.8.87 respectively (p 4379)

WITNESS: Victor Alby Rossow (Senior Sergeant)

- 315 Photocopy of report dated 21.3.83 re suspected unlawful gaming in Fortitude Valley and other places (p 4382)
- 316 Carbon copy of report dated 3 1.3.83 re suspected unlawful gaming taking place at Fortitude Valley (P 4382)

WITNESS: Ronald David Silverstein (further cross-examination)

- 317 Copy of undated letter from Hon. W.A.M. Gunn re trust account of Mr. Paul McGuire (p 4434)

17 November 1987

WITNESS: "Anne STEWART"

- 318 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4467)
- 319 Reaction of Warren Armstrong when witness admitted that she had been to see the Commission - telephone conversation 2 1.7.87 (p 4498)
- 320 Later telephone conversation of Warren Armstrong with witness in which threats were made (P 4499)

WITNESS: "Jane RICHARDS"

- 321 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4518)

WITNESS: "Mary BROWN"

- 322 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4522)
- 323 Typical example of a daily sheet completed after each shift (p 4539)
- 324 Fourteen photocopies of photographs of police officers identified by witness (p 4552)

B November 1987

WITNESS: "Sue MILLER"

- 325 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4575)
326 Fourteen photocopies of photographs of police officers (p 4593)

WITNESS: "Marie GRIFFITHS"

- 327 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4602)
328 Twelve photocopies of photographs of police officers (p 4620)

WITNESS: "Nicole JONES"

- 329 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4634)
330 Eight photocopies of photographs of police officers (p 4654)

(END OF WITNESS' EVIDENCE)

19 November 1987

- 331 Certified copies of documents from Commissioner of Corporate Affairs relating to Hobhill Pty. Ltd. (8 pages) (p 4656)
332 Certified copies of documents from Commissioner of Corporate Affairs relating to Nomway Pty. Ltd. (11 pages) (p 4556)
333 Certified copies of documents from Commissioner of Corporate Affairs relating Citilass Pty. Ltd. (10 pages) (p 4657)
334 Certified copy of Certificate of Title in relation to 50 Holman Street, Kangaroo Point (p 4657)
335 Certified copy of a Memorandum of Transfer relating to the acquisition of premises at 50 Holman Street by Citilass Pty. Ltd. (p 4657)
336 Certified copy of application for registration of a business name of Fantasy Photography (p 4657)
337 Certified copy of extract from Commissioner of Corporate Affairs of business names details in relation to Fantasy Photography (p 4657)
338 Certified copy of application for registration of a business of Fantasy Playtimes (p 4657)
339 Certified copy of extract from Commissioner of Corporate Affairs of business names details of Fantasy Playtimes (p 4657)
340 Statement of Frederick David Marginson, the Acting Revenue Officer of the South East Queensland Electricity Board with annexures thereto relating to the electricity service at 50 Holman Street and 32 Beeston Street (6 pages) (p 4657)
341 Statement of Glen Murray Fraser, Telecom Investigator, with annexures thereto relating to details as to applications for a telephone service at 32 Beeston Street and 50 Holman Street (10 pages) (P 468)
342 Pink folder containing the A.N.Z. Bankcard/Visa card records of merchant transactions in relation to Hobhill Pty. Ltd. (p 4658)
343 Pink folder containing the records held by Westpac Banking Corporation relating to dealings with Bankcard/ Mastercard of Hobhill Pty. Ltd. (p 4658)
344 Pink folder containing American Express merchant records relating to Hobhill Pty. Ltd. (5 pages) (P 468)
345 Pink folder containing records of the Metropolitan Permanent Building Society of an account held by Warren Earl Armstrong (2 pages) (p 4659)

- 346 Pink folder containing records of the Commonwealth Trading Bank in relation to two accounts the first being Nomway Pty. Ltd. and the second, Warren Earl Armstrong (12 pages) (p 4659)
- 347 Pink folder containing records of the A.N.Z. Bank in relation to an account held by Hobhill Pty. Ltd. (31 pages) (p 4659)
- 348 Pink folder containing records of Westpac Banking Corporation in relation to an account held by Hobhill Pty. Ltd. (5 pages) (p 4659)

WITNESS: James Beresford LOEL

- 349 Black minute book of Hobhill Pty. Ltd. (p 4666)

WITNESS: Stewart Thomas BALE

- 350 Money received docket from J.R. Lipski re purchase of shelf company Hobhill Pty. Ltd. (p 4670)
- 351 Memo dated 27.8.86 re telephone call to Warren Armstrong's office (p 4670)
- 352 Yellow document relating to the change of directors involving the appointment of James Robert Lipski and Peter Charles Downing (p 4672)
- 353 Copy of two (2) powers of attorney and the authorization (p 4674)

WITNESS: Margaret Ann SCOTT

- 354 Schedule A relating to examination of Green Analysis Book (exhibit 298) (2 pages) (p 4692)
- 355 Schedule B relating to Shift sheet entries (exhibit 302) (p 4692)
- 356 Schedule C relating to all the banking and building society accounts in the name of W.E. Armstrong, Nomway Pty. Ltd. and Hobhill Pty. Ltd. (p 4694)
- 357 Schedule D: Summary of the cheques made out to Warren Earl Armstrong by Hobhill Pty. Ltd. for the A.N.Z. Bank Account number 361536927 (p 4694)
- 358 Schedule E: Cheques made out to Catherine Anne McDonnell from Hobhill Pty. Ltd. from the same A.N.Z. Bank Account including the total of the amounts and the dates on which they were cashed (p 4694)
- 359 Schedule F: Cheques received by Nomway Pty. Ltd. from Hobhill Pty. Ltd. from the A.N.Z. Bank Account, the dates cashed, the cheque numbers and the total amount (p 4694)
- 360 Schedule G: Credit card merchant turnovers received by Hobhill Pty. Ltd. (p 4694)
- 361 Schedule H: Summary of the cheques received by Warren Earl Armstrong from Nomway Pty. Ltd. through the Commonwealth Bank of Australia Account No. 413214789, the dates cashed, the cheque number and the total (p 4695)

WITNESS: Noel Ronald BARBI

- 362 Photocopy of stamped original contract of sale dated 22.10.82 by Peter Bell and Associates Pty. Ltd. and Brian O'Hara Pty. Ltd. as vendors to Cosimo Rullo, Gerald0 Bellino and Vittorio Conte (5 Pages) (P 4712)
- 363 Trust Account Authority dated 8.10.83 (preamble contains an example of Mr. Barbi's handwriting) (P 4713)
- 364 Photocopy of sheet of handwriting from file (p 4714)
- 365 Photocopy of file note dated 2 1.10.82 in typed block letters (p 47 15)
- 366 Mr. Barbi's file, number 548 of 1982 re purchase from Brian O'Hara (p 4720)
- 367 Photocopy of file note identified by figure 450/84 at the side (p 4724)
- 368 Type written file note dated 28.8.84 re "Bellino and Conte purchase from Di Leone" (p 4725)
- 369 Photocopy of agreement dated 11.9.84 between Gerald0 Bellino and Vittorio Conte acknowledging indebtedness to the vendor, Di Leone of \$50,000 by payments of \$10,000 per calendar month (P 4725)
- 370 Photocopy of handwritten file note dated 11.9.84 in which Di Leone acknowledged receipt of the sum of \$10,000 from V. Conte and G. Bellino (p 4726)
- 371 Mr. Barbi's file number 450/84 re purchase of property at 29 Jordan Terrace, Bowen Hills (p 4727)

- 372 Mr. **Barbi's** file number N.B. 478/85 re sale to J.R. Herbert and M.A. Herbert by G. Bellino and V. Conte of 29 Jordan Terrace, Bowen Hills (p 4731)
- 373 Certified copy of Certificate of Title in relation to transaction of O'Hara and Bell to Geraldo Bellino and V. Conte (p 4732)
- 374 Certified copy of Memorandum of Transfer from Bell and O'Haro to Rullo, Geraldo Bellino and Conte (p 4732)
- 375 Certified copy of Memorandum of Transfer from Geraldo Bellino, V. Conte, and Cosimo Rullo to two of them Gerald Bellino and V. Conte dated 1.10.84 (p 4733)
- 376 Certified copy of Certificate of Title relating to 29 Jordan Terrace (p 4733)
- 377 Certified **copy** of Memorandum of Transfer from Aldo and Filomena Di Lione to Geraldo Bellino and V. Conte (p 4733)
- 378 Certified **copy** of Memorandum of Transfer from Geraldo Bellino and V. Conte to J.R. Herbert and M.A. Herbert (p 4733)

30 November 1987

WITNESS: Ronald William LEWIS

- 379 Name of bank and branch manager named in massage parlour records (p 4787)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Errol James GRAHAM, Senior Sgt. Rockhampton

- 380 24 Photographs of police officers (p 4817)

1 December 1987

WITNESS: James William O'DONNELL, Detective Senior Sergeant

- 381 Large pink instruction notice attached to a kitchen cupboard at 131 Sugar Road, Maroochydore (P 4838)
- 382 Sheet showing jobs done on 26.6.87 (p 4838)
- 383 Envelope enclosing Commonwealth Bank merchant statement in the name of Handy Spares, 131 Sugar Road, Maroochydore (p 4839)
- 384 Three invoices from Sunshine Coast Newspaper Co. Pty. Ltd. addressed to Handy Spares (p 4840)
- 385 Envelope enclosing marketing letter addressed to Ron King, 131 Sugar Road, Maroochydore (P 4840)
- 386 Block of business cards advertising "Sugar and Spice" (p 4840)
- 387 Two blocks of business cards advertising "Pillow Talk" and "Touch of Elegance" (p 4840)
- 388 Roster for six girls (p 4840)
- 389 Telecom account in the name of Mr. R.J. Thomas, 13 1 Sugar Road, Maroochydore (p 4841)
- 390 S.E.Q.E.B. account in the name of R.J. Thomas, 131 Sugar Road, Maroochydore (p 4841)
- 391 Envelope enclosing marketing letter addressed to Mr. R. Thomas, 131 Sugar Road, Maroochydore (P 4841)
- 392 Two photographs of First Avenue, Maroochydore showing location of escort agency at 28 First Avenue, and the Maroochydore Police Station 150 yards away (p 4843)
- 393 Block of business cards advertising "Dial a Darling", 28 First Avenue, Maroochydore (p 4843)
- 394 List of strip prices for different areas around the Sunshine Coast (p 4843)
- 395 "House menu" showing various prices for different times in relation to the activity required (P 4843)
- 396 Two rosters showing seven working girls and times worked (p 4844)

- 397 Area price list showing different areas on the Sunshine Coast and different rates and the taxi fares to and from (p 4844)
- 398 Summons with a signed plea of guilty attached addressed to a female showing that she kept certain premises "to wit a house situated at 28 First Avenue and known as Darlings" for the purpose of prostitution (p 4844)
- 399 Pink bookings book (p 4844)
- 400 A minute of conviction due on 12 March 1987 in relation to a female (p 4844)
- 401 Notebook setting out areas and prices (p 4844)
- 402 Book of photographs with captions -relating to 131 Sugar Road, Maroochydore and 28 First Avenue, Maroochydore respectively (p 4845)

WITNESS: "Ann THORNE"

- 403 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4849)
- 404 Handwritten lease agreement between witness and Sue Jackson in relation to the premises at 28 First Avenue, Maroochydore-(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to have name of witness deleted) (p 4859)
- 405 Newspaper article in local newspaper of 24.5.87 in relation to a statement by the Police Inspector that there were no brothels on the Sunshine Coast (p 4862)
- 406 Two photographs of the front and back respectively of 28 First Avenue, Maroochydore (p 4880)
- 407 Two photographs of the front and back respectively of 131 Sugar Road, Maroochydore (p 4880)
- 408 Photocopies of two receipts for \$4,000 and \$1,000 respectively paid by the witness to Sue Jackson for the lease-(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to have name of witness deleted) (p 4880)

WITNESS: "Jamie LEE"

- 409 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4884)
- 410 Photograph of premises at 59 Kingsford Smith Parade, Maroochydore (p 4885)
- 411 Application form and carbon copy of driver's licence issued in a false name to witness (p 4890)
- 412 Photograph of Hector Hapeta (p 4898)

FOR IDENTIFICATION ONLY

- Z Plan of "Goodtime Charlie's" (p 4938)—(NOT FOR PUBLICATION OR INSPECTION)

2 December 1987

WITNESS: "Sandra McKenzie"

- 413 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4947)
- 414 Name of a female who introduced witness to Mr. Thomas-(NOT FOR PUBLICATION OR INSPECTION) (p 4970)

WITNESS: "Angela BURNS"

- 415 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 4972)
- 416 Photographs of police officers (p 5007)

(END OF WITNESS' EVIDENCE)

- 417 Letter to the Commission dated 25.11.87 from Mr. Robert Y. Chan (therapeutic dietician) (p 5008)

WITNESS: "Monique STANDISH"

- 418 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 5008)
- 419 Carbon copy of learner's permit (p 5016)

WITNESS: "Gail COLLINS"

420 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 5049)

3 December 1987

WITNESS: "Greg MUNRO"

421 Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 5090)

422 Photograph of the interior of "Goodtime Charlie's" (p 5 100)

WITNESS: John Peter GOTTWALD

423 Copy of criminal record of witness

424 Photograph of a house at Wallace Estate on the Eumundi-Noosa Road at which Jim Barber set up equipment for gambling (p 5 124)

425 Name of a motel at Noosa Heads at which witness was manager for two years (p 5 126)

426 Undated letter received by witness from Paul Kent (p 5152)

7 December, 1987

WITNESS: Robert ATKINSON, Detective Sergeant 2/c

427 Three photographs of gambling equipment and patrons on premises raided on 23.9.83 (p 5 162A)

428 Five photographs of gambling equipment seized in second raid (p 5 165)

429 Statement of Robert Atkinson (p 5168)

430 Certified copy from Commissioner of Corporate Affairs in relation to business name Handy Spares (P 5183)

WITNESS: Norman Allan TOMLIN

431 Carbon copy of report dated 6.7.85 made by witness relating to allegations by Terrence James Brennan concerning certain operators of prostitution in Rockhampton paying money to police (P 5185)

432 Thirteen photographs of Callaghan Park racetrack (p 5 195)

FOR IDENTIFICATION

AA Red business card of The Love Heart Adult Shop (p 5213)—(NOT FOR PUBLICATION OR INSPECTION)

433 Copy of report dated 8.3.85 by Detective Sergeant M. J. Taylor relating to prostitution in Rockhampton (p 5231)

433A See 5.12.88

433B

8 December 1987

434 Handwritten notes of interview between witness and Terry James Brennan (p 5259)

FOR IDENTIFICATION

BB Photocopy of flight details of Mario Gianfreda between 2.8.85 and 25.10.85 (p 5269) - (NOT FOR PUBLICATION OR INSPECTION)

303 Envelope enclosing marketing letter aaddressed to Ron King 13 1 Sugar Road, Maroochydore (P 4840)

386 Block of business cards advertising "Sugar and Spice" (p 4840)

387 Two blocks of business cards advertising "Pillow Talk" and "Touch of Elegance" (p 4840)

388 Roster for six girls (p 4840)

389 Telecom account in the name of Mr. R.J. Thomas, 13 1 Sugar Road, Maroochydore (p 4841)

WITNESS: Graham Allan MANNING

435 Roster for the months of October and November at the North Rockhampton Police Station
(P 5284)

WITNESS: Terry James BRENNAN

436 Police file (p 5318) (p 5379)

9 December 1987

FOR IDENTIFICATION

c c Fingerprint forms (p 5355)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Ronald Michael RYNDERS

437 Photocopy of six pages of Inspector Reid's diary (p 5408)

438 Photocopy of page 103 from Superintendent Rynders diary (p 5408)

439 Memorandum by Detective Hayes to Sunshine Coast police relating to Terry Brennan (p 5440)

440 Original of Constable Tomlin's notebook plus a photocopy of relevant pages (p 5440)

WITNESS: Terry James BRENNAN

441 Photograph of police officer Noel Hattwell (p 5451)

10 December 1987

442 Photocopy of telex messages for period 6-9 December (p 5493)

FOR IDENTIFICATION

DD Two sheets containing photographs of male persons (p 5494) (NOT FOR PUBLICATION
OR INSPECTION)

WITNESS: Neville John Raymond BROWN

443 Photocopies of articles written in the Rockhampton "Morning Bulletin" (p 55 12)

WITNESS: Benjamin Harold ROBERTSON

444 Schedule of breach action taken in the Central Region relating to prostitution (p 5523)

1 February 1988

WITNESS: John William BOULTON

445 Statement of John William Boulton dated 17.12.87 (p 5627)

(Restricted-Only admitted into evidence insofar as it relates to matters in respect of which the witness gave his evidence, and the direction given in respect of inspection and copying shall apply accordingly)

446 Report of Det. Snr. Sgt. Boulton to Det. Inspector, Licensing Branch dated 4.1.85 concerning execution of search warrants at Cavil Court, Surfers Paradise (p 5634)

2 February 1988

447 Name of alleged bookmaker-(NOT FOR PUBLICATION) (p 5678)

FOR IDENTIFICATION ONLY-(NOT FOR PUBLICATION) (p 5684)

EE Traffic offence notice file concerning Mr. Hing. (Now Exhibit 465)

FF Traffic offence notice file concerning Mr. Hing. (Now Exhibit 466)

GG Traffic offence notice file concerning Mr. Hing. (Now Exhibit 464)

WITNESS: "Mr. Brown" (Kevin David PHILLIPS) (Confidentiality removed-24 Nov 1988.) (p 20236)

448 Correct name of witness-(NOT FOR PUBLICATION) (p 5685) (See above)

FOR IDENTIFICATION ONLY

HH Small maroon address book-(NOT FOR PUBLICATION) (pp 5728, 5738)

449 Brochure of the Malcolm Sue Kung-Fu School (p 5739)

3 February 1988

450 Name of Mr. Brown's partner to whom Mr. Brown said while referring to Mr. Hinze, "Do you know who that is?"-(NOT FOR PUBLICATION) (p 5779)

451 Name of property at Cecil Plains on which Mr. Brown buried documents in 1985—(NOT FOR PUBLICATION) (p 5 78 7)

452 Name of Australian Federal police officer who had the documents in his possession before they were buried-(NOT FOR PUBLICATION) (p 5788)

4 February 1988

453 Name of police officer who assisted "Mr. Brown" in preparing his application for use of the Police Gymnasium Police Headquarters to train police officers in martial arts (pp 5954, 5955)

454 "Mr. Brown's" letter and police file on request by "Mr. Brown" to use Police Gymnasium to teach police officers martial arts (p 5955)—(NOT FOR PUBLICATION-copy for inspection to omit name of witness)

455 Current photograph of the building on the corner of Gipps Street and Wickham Street (p 5968)

456 Print out from the Brisbane City Council from their records of registration of restaurants for 27.1.82 showing 63 Gipps Street occupied by the Golden Dragon Cafe (p 5968)

457 Report from Det. Smithers in Townsville dated 8.3.85 (p 5973)

458 Report from Det. Smithers dated 16.4.85 (p 5973)

8 February 1988

WITNESS: Adrian Mark THURECHT

459 Schedule of overseas travel of witness from 1980 onwards (p 6015)

460 Schedule of overseas travel of Gawain Sue (p 6015)

FOR IDENTIFICATION ONLY

II Telex of witness-(NOT FOR PUBLICATION) (p 6035)

461 Cancelled passport of witness (p 6 108)

(END OF WITNESS' EVIDENCE)

- 462 Letter dated 3.2.88 from M E. Morris, office manager of Brisbane Crematorium Ltd. (p 6111)
- 463 Report of Detective Brightwell dated 10.10.84, statement from Tak Kong Hooi, statement from David Lien Lu, withdrawal of complaint by Malcolm Sue and a withdrawal of complaint by Tak Kong Hooi and a directive from Inspector Cain that the gun be returned to Malcolm Sue (p 6111)

FOR IDENTIFICATION ONLY

- JJ Letter dated 14.2.85 with traffic notice issued 7.2.85 to Mr. J. Hing (p 611 1)-(NOT FOR PUBLICATION)-(Now Exhibit 467)
- K K Letter dated 14.9.87 to Mr. Jack Hing and Mr. Hing's letter dated 25.8.87 to District Supt. of Traffic relating to a traffic offence notice, issued 7 August 1987 (p 611 1)-(NOT FOR PUBLICATION)-(Now Exhibit 468)

9 February 1988

WITNESS: Vincent John MURPHY

- 464 Traffic offence notice dated 6.4.82 relating to Mr. Hing (formerly Exhibit GG for identification) (p 6120)
- 465 Traffic offence notice dated 2 1.2.84 relating to Mr. Hing (formerly Exhibit EE for identification) (p 6127)
- 466 Traffic offence notice dated 24.11.84 relating to Mr. Hing (formerly Exhibit FF for identification) (p 6130)
- 467 Traffic offence notice dated 7.2.85 relating to Mr Hing (formerly Exhibit JJ for identification) (p 6131)
- 468 Traffic offence notice dated 7.8.87 relating to Mr. Hing (formerly exhibit K K for identification) (p 6132)
- 469 Traffic offence notice dated 9.2.85 relating to Mrs.. Elizabeth Hing (p 6136)

WITNESS: Paul Matthew DARVENIZA

- 470 Firearms' licence applications of Malcolm Sue Security Services (p 6212)
- 470A See 15.2.88
- 470B

WITNESS: Phillip Darcy SMITH

- 471 Night wireless log dated 25.9.82 (p 6230)

10 February 1988

WITNESS: Douglas Joseph INGRAM

- 472 Business card of witness relating to. the Golden Dragon restaurant (p 6267)

(END OF WITNESS' EVIDENCE)

15 February 1988

- 470A Firearms licence applications and licences granted to Malcolm Sue Security Services Co. since 1982 (p 6432)

- 470B Schedule of firearm licences held by Malcolm Sue Security Services Co. (p 6432)
- 473 Declaration by Christopher John Le Faucheur, Assistant Director of the International Movement Records Sub-Section, Department of Immigration, Local Government and Ethnic Affairs, Canberra A.C.T. relating to the cards completed by outgoing and incoming persons to Australia and what happens to those cards. Also a search of all such cards for Gawain Sue, Adrian Mark Thurecht, Paul Martin Smith, Stefan Ackerie, Malcolm Sue and Kit Gate Sue. Also accompanying passenger cards for above persons (in large binder) (p 6432)

WITNESS: Paul Martin SMITH

- 474 Sketch drawn by witness of the layout of the ground floor of Kung-fu House at the relevant time. (p 6453)

16 February 1988

FOR IDENTIFICATION ONLY

JJ Extract from transcript of a conversation between witness and Henry Sue concerning Malcolm Sue and Stefan Ackerie (p 6463)—(NOT FOR PUBLICATION)

WITNESS: Ronald Austin KENDALL

FOR IDENTIFICATION ONLY

KK Name of female with whom witness was having a relationship-correct name on left-hand side and name by which she will be referred to on the right-hand side (p 6550)—(NOT FOR PUBLICATION)

LL Name of female whose name appears on the left-hand side of sheet to whom the escort agency was released (p 6571)—(NOT FOR PUBLICATION)

17 February 1988

- 475 Handwritten letter (2 pages) dated 16.2.88 from Mr. G. McIntyre, solicitor, and a page from the Cairns Post newspaper dated 17.12.87 (p 6579)
- 476 Photocopy of books of account (p 6598). Originals tendered 24.2.88 (p 7034)
- 477 Two pages from the Cairns Post one dated 30.10.86 and the other 30.3.87 bearing advertisements of the businesses operated by the witness (p 6600)
- 478 Four pages of a photocopied bank statement of the witness for the period December 1986 to October 1987 (p 6614)
- 479 Photocopy of a bank statement from the Commonwealth Bank-(NOT FOR PUBLICATION - copy for inspection to delete the name of the account) (p 6614)

FOR IDENTIFICATION ONLY

MM Name and address of female who holds the jewellery as security-(NOT FOR PUBLICATION) (p 6654)

18 February 1988

- 480 Statement of Acting Detective Senior Sergeant Santo Mammino relating to a casino raid in Cairns in 1982 (3 pages) (p 6689)
- 481 Statement of Senior Sergeant Daniel Black police prosecutor in Cairns dated 29.10.87 (2 pages) (P 6689)
- 482 Name, address and telephone number of where witness worked in New Zealand (p 6691)

- 483 Copy of letter dated 17.12.87 to the Editor, The Cairns Post from G.M.G. McIntyre (solicitor) stating that witness would not voluntarily give evidence to Commission of Inquiry (p 6723)
- 484 Four pages of criminal record of witness (p 6744A)

WITNESS: Paul REASON (Constable)

FOR IDENTIFICATION ONLY

- NN Maroon safety deposit box and key delivered from Cairns by witness (delivered into the possession of the Commission staff) (p 6745)
- 485 Copy of statement of Inspector Jock Archie MacDonald dated 18.2.88 relating to the safety deposit box (p 6746)

WITNESS: "Miss Abbott"

FOR IDENTIFICATION ONLY

- 0 0 Name of female sent on bookings-(NOT FOR PUBLICATION) (p 6760)
- PP Name of female who supplied witness with "speed" -(NOT FOR PUBLICATION) (p 6780)
- 486 Small book belonging to witness containing names and telephone numbers (p 6774)
- 487 Lease agreement made 15.8.86 between Ronald Austin KENDALL and witness relating to various businesses-(NOT FOR PUBLICATION-copy for inspection to delete name of witness) (pp 6794, 6803)

22 February 1988

- 488 Transcript of sentencing remarks of de Jersey J. made 14.12.87 when sentencing Bruce John DALDY-ROWE (p 6884)

WITNESS: "Mrs.. Graham"

FOR IDENTIFICATION ONLY

- QQ Correct name of witness on left hand side of sheet (p 6885)—(NOT FOR PUBLICATION)
- 489 Photocopy of various photographs including one identified as Vittorio Conte (p 6893)
- (END OF WITNESS' EVIDENCE)

- 490 Transcript dated 14.12.87 of sentence of Bruce John Daldy-Rowe (p 6895)

FOR IDENTIFICATION ONLY

- RR Letter sent by Daldy-Rowe to the Commission (NOT FOR PUBLICATION) (p 6897)
- SS Name of judge and the subject of a "scandalous allegation which was quite unwarranted on the basis of any evidence given"-Chairman at p 6871 (see pp 6859, 6861, 6863)
- ORDER SUPPRESSING PUBLICATION OF ANY IDENTIFYING DETAILS OF JUDGE (pp 6870-687 1, 6897-6998)

23 February 1988

WITNESS: "Miss SPENCE"

FOR IDENTIFICATION ONLY

- TT Correct name of witness (p 6934)—(NOT FOR PUBLICATION)

WITNESS: Richard Louder Thomas METCALFE (Sergeant first class)

- 491 Photocopy of Occurrence Sheet of 22.12.86 particularly the entry made by witness "Information re illegal gambling casino" (p 698 1)
- 492 Statement of Bernard R. Jeannert, Swiss Watchmaker, dated 14.1.88 to Sergeant Metcalfe (p 7001)

24 February 1988

- 493 Anonymous letter dated 2.1.87 to the Premier from "a concerned voter" relating to illegal gaming in Cairns (p 7025)
- 494 Letter dated 7.1.87 from the Premier's Private Secretary forwarding the above letter to the Private Secretary to the Deputy Premier and Minister assisting the Treasurer and Minister for Police for his attention (p 7026)
- 495 Memorandum dated 10.2.87 by Det. Sgt. Carr to Det. Inspector Licensing Branch re illegal casino, known as "The Club" situated at 59 Spence Street, Cairns (p 7026)
- 496 Letter dated 11.3.87 to the Premier from the Deputy Premier reporting on the above activities (P 7026)

FOR IDENTIFICATION ONLY

UU Name of person who allegedly saw Superintendent Cal Farrah in the illegal casino (p 7028) - (NOT FOR PUBLICATION)

(END OF WITNESS' EVIDENCE)

- 497 Ten QP9's relating to the police raid on the illegal gaming casino (p 7033)
- 498 Transcript of Court proceedings dated 11.12.87 in relation to Daldy-Rowe (p 7033)
- 499 Transcript from the Magistrates Court, Cairns dated 16.12.87 relating to Ronald Austin Kendall (P 7034)
- 476 Original two books of account (p 7034) (the originals having been obtained from the Magistrates Court, Cairns are tendered in lieu of the photocopied extracts)

WITNESS: Ronald Austin KENDALL

(recalled and re-examined)

- 500 Photocopy of business cards and an invoice from Paper Tiger (p 7042)
- 501 Bank statement for the Manager, Jade's Take-aways, Cairns 4 pages) (p 7047)

FOR IDENTIFICATION ONLY

v v Two black plastic folders containing documents and two smaller red spined note books (p 7047)—(NOT FOR PUBLICATION)

WITNESS: Anthony Grant BRAME (Det. Sergeant 2/c)

FOR IDENTIFICATION ONLY

WW Memorandum dated 3.7.79 to the Commissioner from F. Clifford, Assistant Commissioner, Operations relating to report prepared by witness (p 7068)—(NOT FOR PUBLICATION)

WITNESS: Gordon Thomas DAY (Det. Senior Sergeant)

- 502 Chronological chart of the prostitution breaches in the Cairns area since 1986 (4 pages) (p 7072)
- 503 Photocopy of report dated 3 1.5.82 compiled by witness relating to the illegal casino at Unit B8 Traveltown, Cairns (p 7072)

- 504 Various documents found by witness in wastepaper basket during a gaming raid on 12.2.86:
- Use and care instructions for Frigidaire refrigerator in the name of R. Cantarella
 - Telephone account in the name of Messrs. T. & I. Conte, Lot 3 Barclays Road, Brimsmead
 - Australia Post lodgment document addressed to Vic. Conte from T. Conte
 - Letter dated 29.1.86 to Manager, Cairns Businessmans Club from Coca-Cola Bottlers North Queensland Pty. Ltd., receipt dated 6.2.86, invoice from Coca-Cola Bottlers to J. Erlandsen, two Australia Post lodgment documents (p 7076)

WITNESS: "Miss KING"

FOR IDENTIFICATION ONLY

x x Correct name of witness (p 7084)—(NOT FOR PUBLICATION)

- 505 Photocopy of nine photographs of which the witness selected number 6 (p 7087)

FOR IDENTIFICATION ONLY

YY Assumed name used by witness at the Executive Bath House in which she was breached and dealt with for an offence between 20.11.83 and 22.12.83 (p 7091)—(NOT FOR PUBLICATION)

WITNESS: Philip John SMITH (Det. Sergeant 1/c)

- 506 File marked "Geoffrey Crocker Gaming Charges - Cairns, 23.9.82" taken possession of on 27.11.87 at the offices of Mr. Noel Barbi, solicitor (p 7096)

WITNESS: Brian Alan Pitman (Superintendent)

- 507 Police Department files relating to C.H. Farrah and K.L. Dorries from which witness obtained information (numbered documents 1 to 13) (p 7099)
- 508 Original statutory declaration dated 23.2.88 of Stephen OLLE manager of Harbourside Village Inn, The Esplanade in Cairns together with the guest account records (p 7099)
- 509 Original statutory declaration dated 23.2.88 of David Kenneth Stevenson, a software consultant attached to the Cairns Colonial Club together with the guest account records (p 7099)

WITNESS: Paul Leslie ASCOUGH

- 510 Photocopy of guests' account arranged in chronological order and highlighted selected telephone calls in three colours-pink for premises used for prostitution, blue for police and green for known gamblers (Schedule B) (p 7 101)
- 511 Schedule of selected telephone numbers setting out in chronological order the motel from which the call was made, the number and the subscriber (Schedule F) (p 7 101)
- 512 Cairns Accommodation Schedule showing the dates certain persons were in Cairns (Schedule D) (P 7101)
- 513 Computer records obtained from Travelodge, Brisbane in respect of Ronald Austin Kendall (Schedule C) (p 7 102)
- 514 Schedule of relevant telephone calls made from the Travelodge prepared from computer printout in relation to Ronald Austin Kendall (p 7 102)

29 February 1988

- 515 Diaries of Sir Terence LEWIS (p 7 108)

WITNESS: Terence John O'CONNELL

- 516 Working arrangements for the investigation of Allegations of Corruption and Malpractice by members of the Queensland Police Force signed by R.W. Whitrod Commissioner of Police and dated 20.8.75 (p 7110)

517 Commissioner's newsletter No. 195 dated 28.8.75—part headed "Internal Investigation" (p 7111)

FOR IDENTIFICATION ONLY

z z List compiled by witness of the names of police officers he presently recalls who required further investigation (pp 7 114, 7 ~~115~~ FOR PUBLICATION)

AB Two folders of statements taken by witness during investigation (p 7115)—(NOT FOR PUBLICATION)

518 Report dated 7.12.76 by Commander T. O'Connell to his superiors at New Scotland Yard (p 7 118)

519 Report dated 14.3.77 addressed to the Honourable T.G. Newbery M.L.A. into the investigation into the Queensland Police Force (p 7128)

520 Report dated 15.12.76 by Commander O'Connell for the Lucas Inquiry (p 7132)

1 March 1988

521 Memorandum dated 30.9.75 to the Commissioner of Police from Detective Chief Superintendent T. O'Connell relating to his investigation (p 7232)

(END OF WITNESS' EVIDENCE)

522 Terms of Reference of the Committee of Inquiry headed by Lucas J. (p 7235)

523 Transcript dated 17.1.77 of evidence of T. J. O'Connell before Lucas Committee of Inquiry (P 7235)

2 March 1988

WITNESS: Raymond Wells WHITROD

FOR IDENTIFICATION ONLY

AC Report dated 25.2.70 by Det. Sgt. A. Murphy relating to the increasing incidence of prostitution in Brisbane and suggested amendments to the Vagrants Gaming and Other Offences Act (p 7405)—(NOT FOR PUBLICATION)

524 Memorandum dated 3 1.8.7 1 to the Officer in Charge, Licensing Branch from Commissioner Whitrod relating to Det. Sgt. l/c A. Murphy's secondment for duty at the Juvenile Aid Bureau as from 6.9.71 (p 7419)

525 List of office bearers and Executive members of the Queensland Police Union of Employees from 1970 to the present under a covering letter dated 20.1.88 (p 7439)

FOR IDENTIFICATION ONLY

AD Name of police officer who it was alleged by criminals arranged breaking offences and secured recovery of the property but only returned one-third to the owners (p 7457)—(NOT FOR PUBLICATION)

AE Name of police officer who was suspected of passing counterfeit notes which had disappeared from Melbourne in a Western Queensland town (p 7459)—(NOT FOR PUBLICATION)

(END OF WITNESS' EVIDENCE)

526 Statutory declaration and statement of N.S. Gulbransen (p 7463)

7 March 1988

- 527 Extract from Telegraph newspaper of 30.11.76, p. 1
- Extract from Courier-Mail of 1.12.76 including a large photograph of Hon. T.G. Newbery M.L.A., Mr. Lewis and Mr. Whitrod (Tendered by Sir Terence Lewis) (pp 7450,7467)
- WITNESS: William Daniel Alexander JEPPESEN (recalled and further examined)
- 528 Small red address book which contained the name of Mr. Jack Herbert seized by witness in a raid in 1978 on premises owned by Mr. Bax who was convicted for sp. bookmaking (p 7477)
- 529 Small brown address book containing the name of Nev Ross seized by witness on 22.3.78 when Margaret Otto was charged with sp. bookmaking (p 7477)
- 530 Information Sheet dated 19.78 from Constable Marlin (p 7478)
- 531 Notes of the witness dated 17.4.78 (p 7482)
- 532 Report of witness dated 20.4.76 to the Commissioner of Police relating to the Licensing Branch (P 7484)
- 533 Memorandum of witness dated 20.4.76 to Det. Senior Sgt., Licensing Branch (p 7484)
- 534 Report dated 30.3.78 relating to an incident at the Brisbane Health Studio (p 7488)
- 535 Notes of witness dated 19.9.78 (p 7499)
- 536 Report of witness dated 17.10.78 relating to an article published in the Sunday Sun on 24.9.78 (P 7499)
- 537 Report dated 4.10.78 of Sgt. Volz with a note by Senior Sgt. Kimmorley relating to the newspaper article (p 7499)
- 538 Report of Sgt. P.E. Dautel dated 18.12.78 relating to a threat to kill Constable KG. Dunn by Constable Marlin (p 7508)
- 539 Note of witness dated 22.12.78 relating to a conversation with Constable Podlich (p 7508)
- 540 Report of Constable B.R. Marlin dated 5.1.79 relating to an application to resign (p 7509)
- 541 Various letters tendered by Mr. Callinan Q.C. relating to Laura Shaw who was charged and later convicted of offences under the Health Act-tendered in response to an entry in Sir Terence Lewis' diary of 4.6.84 which mentioned the Honourable N. Harper M.L.A., then Minister for Justice and Attorney-General (p 75 12)
- 542 Ten audio cassette tapes, transcripts of the tapes and schedule of interviews conducted by witness with various persons during May and June 1978 (p 75 13)
- 543 Police file relating to the investigation concerning the Licensing Branch at the end of 1978 (p 75 14)
- 544 Envelope and a letter dated 11.6.79 from Inspector Basil Hicks in Rockhampton to witness and statement by Inspector Hicks advising witness that an attempt may be made to "set him up" (P 7516)
- 545 Letter dated 19.6.79 to Commissioner of Police with a copy to Inspector Jeppesen, Brisbane Mobile Patrols from Inspector Hicks relating to the above matter (p 75 16)
- 546 Report of Constable S. Kirnos dated 6.5.77 relating to activities on the Gold Coast and that Constable F. Davey was the link between the Licensing Branch and a C.I. Branch officer on the Gold Coast and the criminal element there (p 7517)
- 547 Information sheet of Senior Constable McKecknie of the Licensing Branch dated 4.8.77 relating to the suspected sp. betting operations of a man called Bill McIntyre at 36 Barota Street, Coopers Plains and that police officers Tony Murphy and Pat Glancy were visitors there and drank regularly with him (p 7518)
- 548 Extract from Queensland Parliamentary Debates dated 13.3.79 relating to a speech by Mr. Wright regarding sp. bookmaking (p 7523)
- 549 Copy letter addressed to Assistant Commissioner MacDonald dated 10.5.79 from Inspector Jeppesen's solicitors, Skinner & Smith relating to the fact that information in Inspector Jeppesen's possession does involve officers senior to Superintendent Keen (p 7524)

- 550 Letter dated 27.8.86 to the Hon. W.A.M. Gunn M.L.A. from Skinner & Smith requesting assistance from the Crown in relation to Mr. Jeppesen's civil litigation which was a sequel to the Southport case and a reply dated 8.9.86 from the Hon. N.J. Harper, Minister for Justice and Attorney-General rejecting any legal or moral liability in the Crown (p 7530)
- 551 Information sheet dated 3 1.8.76 relating to information on a man called R.J. AMBROSE a suspected sp. bookmaker and a copy envelope which came from a raid at Mr. Bax's home (p 7531)
- 552 Report of Det. Sgt. B.J. Glover dated 19.11.76 to Officer in Charge, Licensing Branch relating to suspected sp. betting on Sunshine Coast involving a man named ~~Percy~~ (p 7532)
- 553 Chart compiled from police records of service in Licensing Branch from 1978 to 1980 (p 7532)
- 553A (See 10.3.88 herein)
- 553B (See 17.3.88 herein)

8 March 1988

- 554 Note of witness dated 22.3.78 (p 7576)
- 555 Note of witness dated 25.4.78 (p 7582)
- 556 List of transfers and promotions (p 7641)

(END OF WITNESS' EVIDENCE)

- 557 File from the Magistrates Court relating to the Southport case (p 7644)
- 558 Transcripts of two tape recordings said to emanate from Mr. Davey (p 7645)
- 559 Extract from file 540M7525 relating to the incident at the hotel at Cleveland (p 7645)
- 560 Report of the Committee of Inquiry chaired by Lucas J. (p 7645)

9 March 1988

WITNESS: Kerry George DUNN

- 561 Name of informant (pp 7683, 7708)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Bruce Anthony WILBY

- 562 Statement and notes from his official police diary of Senior Constable B.A. Wilby relating to a charge of using a common betting house against Peter Seidenkranz on 22.11.78 (p 7725)

10 March 1988

- 563 Report of the Auditor-General as to an audit of the Licensing Branch from 4.2.78 to 17.1.79 (p 7747)
- 553A Schedule of destinations of those moved out of the Licensing Branch (p 7746)

WITNESS: Peter Edward DAUTEL (Detective Inspector)

- 564 Report of witness dated 11.4.79 relating to activities of witness on afternoon of 22.11.78 (p 7748)
- 565 Further report of witness dated 25.6.79 relating to action taken in relation to Peter Seidenkranz on 22.11.78 (p 7750)
- 566 Handwritten notes of conversation of 12.12.78 between witness and Constable B.R. Marlin

(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete the correct name of the witness "Katherine James") (pp 7752, 7754)

- 567 Report of witness dated 18.12.78 concerning the threat to kill Constable **K.G. Dunn**, the original of which was handed to Assistant Commissioner Clifford on 19.12.78 (p 7754)
- 568 Report of witness dated 2.1.79 relating to an incident in which his car burst into flames (p 7757)
- 569 Copy of pages from the diary of witness dated 4.5.79 recording information received that high ranking police officer had informed Det. Sgt. Webb and Det. Sgt. Trost that witness involved in prostitution in Sandgate - Redcliffe area (names of juveniles have been deleted) (p 7759)
- 570 Copy of pages from the diary of witness dated 1.6.79 relating to information received from an informant that witness was supposed to be following police around trying to get something on them (p 7760) (names of juveniles deleted)
- 571 Copy of pages from the diary of witness dated 17.9.79 relating to a conversation overheard by witness in the corridor at police headquarters (p 7761)
- 572 Report of witness dated 30.9.79 relating to reconsideration of transfer to Ingham (Uniform) (Surplus) (p 7762)
- 573 Police Department file in relation to the prosecution of Peter Seidenkranz (p 7792)
- WITNESS:** Trevor Alfred NEWMAN (Detective Senior Constable)
- 574 Pages 17 to 43 of witness' notebook dated 22.11.78 (p 7802)

14 March 1988

- 575 Two notebooks of witness for periods 27.2.79 to 13.4.79 and from 13.4.79 to 27.7.79 respectively (P 784)
- WITNESS:** Basil James HICKS
- 576 List of witness' service in the Police Force (p 7852)
- FOR IDENTIFICATION ONLY
- AF Schedule and transcript of various interviews with Shirley Brifman (p ~~784~~ FOR PUBLICATION OR INSPECTION)
- 577 Schedule of C.I.U. charges brought against police and civilians during the time witness was at the C.I.U. (p 7874)
- 578 Schedule from police records of convictions for racing and betting offences from 1964-1965 to 1985-1986 (p 7882)
- 579 Schedule from police records of prostitution offences and convictions from 1975-76 to 1985-86 (P 7882)
- 580 Schedule from police records of gaming offences for period 1975-76 to 1985-86 (p 7882)
- 581 Schedule from police records of liquor offences for period 1975-76 to 1985-86 (p 7883)
- 582 Schedule and various folders containing transcripts of recorded conversations made in 1974 between Pitts and others (p 7888)
- 583 Various folders of transcripts of recorded conversations made in October and December 1974 between Pitts and others (p 7888)
- 584 Direction dated 15.11.76 to Inspector Hicks from Commissioner Whitrod directing the destruction of certain C.I.U. records (p 7900)
- 585 Copy of statement dated 30.11.76 by witness relating to the destruction of the above files (p 7904)
- 586 Report of witness dated 7.2.77 relating to his duties in the Internal Investigations Unit (p 7905)
- 587 Reply dated 10.2.77 from the Commissioner of Police relating to the above (p 7905)
- 588 Further correspondence between the witness and the Commissioner of Police relating to the Internal Investigations Unit: witness' letter dated 17.2.77; Commissioner's reply dated 17.3.77 and witness' further report of 23.3.77 (p 7905)

FOR IDENTIFICATION ONLY

AG Letter dated 25.9.78 from Mr. R.J. Borinetti; Acting Chief Superintendent, Brisbane Prison Complex to Commissioner Lewis attaching a record of conversation dated 21.9.78 between Inspector Hicks and "Katherine James" (p 7918) (NOT FOR PUBLICATION OR INSPECTION) Now Exhibit 595 (16.3.88)

589 Copy of witness' statement made to Commander T. O'Connell (p 7918)

15 March 1988

590 Prison records relating to "Katherine James" and two schedules, one showing State police visitors to "Katherine James" while in prison and the other relating to the various occasions on which Mrs. James was removed from prison, the date and the destination (p 7927) (NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete the correct name of the witness "Katherine James")

591 Parole file of witness "Katherine James" (p 7927)—(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete the correct name of "Katherine James")

592 Relevant entries in the diaries of Sir Terence Lewis from 20.2.78 to 22.5.80 (p 7928) (copy for inspection to delete the correct name of "Katherine James")

593 Extracts from the diaries of former Deputy Commissioner V.A. MacDonald (p 7928)

594 Minutes from meeting of members of the Queensland Police Union of Employees held at Festival Hall on 29.7.71 (p 8005)

FOR IDENTIFICATION ONLY

AH Transcript of evidence of B.J. Hicks at the Stuart/Finch trial; Transcript of tape recording of conversation between Det. Sgt. Hicks and John Andrew Stuart on 7.3.73 with a covering letter dated 13.3.73 to Superintendent D. Buchanan from V.M. Barlow, Acting Commissioner of Police-(NOT FOR PUBLICATION OR INSPECTION) (pp 7997, 8019)

16 March 1988

WITNESS: Ronald James BORINETTI

FOR IDENTIFICATION ONLY

AI File of which the Commission took possession of from the safe of Sir Terence Lewis on the day he was stood down (p 8059)—(NOT FOR PUBLICATION OR INSPECTION)

595 Letter dated 25 September 1978 from Mr. R. J. Borinetti to Mr. Terry Lewis attaching a record of conversation dated 21 September 1978 between Inspector Hicks and "Katherine James" (p 8068) (formerly Exhibit AG for identification) (Copy for inspection to delete correct name of the witness known as "Katherine James")

596 Statutory declaration of the witness dated 15 March 1988 (p 8079)

WITNESS: Basil Joseph GLOVER (Detective Inspector)

597 Summary of service of witness in the Police Force (p 8 115)

17 March 1988

WITNESS: Ross RIGNEY (Retired Superintendent)

598 Details of witness' service in the Police Force (p 8157)

599 Report of Detective Inspector Rigney dated 12.10.79 relating to the staff of the Licensing Branch (P 8161)

600 Report of Detective Inspector Rigney dated 11.12.79 relating to the audit report on the Licensing Branch (p 8162)

- 601 Moiety book established by witness implementing new procedures (p 8164)—(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete, except for the first entry, details appearing in the left hand column)
- 553B Schedule of staff movements in and out of the Licensing Branch from 1.2.80 to 1.6.81 (p 8172)
- 602 List of instructions worked out by witness to comply with the requirements of the moiety book (P 888)
- (END OF WITNESS' EVIDENCE)
- 603 Statutory declaration sworn 16.3.88 of M.H.W. Lewis former Comptroller-General of Prisons (p 8184)—(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete correct name of witness "Katherine James")
- 604 Magistrate Court depositions in relation to the official corruption charge against G.P. Hallahan relating to Knight (p 8184)
- 605 Magistrates Court deposition in relation to G.P. Hallahan involving Donald Ross Kelly (p 8184)

26 April 1988

Gold Coast Bracket of Evidence

(Mrs. P.M. Wolfe, Deputy to the Commission presiding)

WITNESS: Eric Gregory DEVENEY (Det. Sgt. 2/c)

- 606 Details of witness' service in the Police Force (p 8203)

(END OF WITNESS' EVIDENCE)

- 607 Police file relating to the dismissal of Detective P.J. Shine from the Police Force-covering letter dated 19.6.84 to Minister for Lands, Forestry and Police from the Commissioner of Police (p 8269)

WITNESS: "Miss Bell"

FOR IDENTIFICATION ONLY

AJ Correct name of witness-(NOT FOR PUBLICATION OR INSPECTION) (p 8270)

AK Correct name of female mentioned in evidence who will be referred to as "Miss Fox"- (NOT FOR PUBLICATION OR INSPECTION) (p 8270)

- 608 Criminal history and brief sheets of witness (p 8276)

WITNESS: "Miss Fox"

- 609 Criminal history of witness (p 8290)

27 April 1988

WITNESS: Dr. Kendall Charles JOHNSTON

- 610 Extract from records of the Gold Coast Hospital relating to a head injury suffered by Frank Palmer (P 8309)

WITNESS: Frank Frederick PALMER

- 611 Pages 52, 53 and 64 of book recording monthly takings from various escort agencies operated by witness (p 8318)

- 612 Record of criminal history of witness (p 8319)

- 613 Photocopy of statement dated 1.12.83 of Frank Frederick Palmer given to Police Internal Investigations relating to the payment of monies to Det. Teg. Roberts (p 8325)
- 614 Copy of Notice of Intention to Allege Previous Summary Convictions dated 6.2.86 relating to keeping premises for the purpose of prostitution by witness (p 8334)
- FOR IDENTIFICATION ONLY
- AL A correct name of person known as "Angie" -(NOT FOR PUBLICATION OR INSPECTION) (p 8329)
- AM Correct name of "Miss Simpson"-(NOT FOR PUBLICATION OR INSPECTION) (P 8329)
- AN Correct name of "Brooke Miller"-(NOT FOR PUBLICATION OR INSPECTION) (P 837)
- 615 Particulars in Register of Directors, Principal Executive Officers and Secretaries relating to Oldpine Pty. Ltd. (p 8339)
- 616 Exercise book in which witness recorded conversation with Bob Walker (p 8359)
- 617 Photocopies of cheque butts for Oldpine Pty. Ltd. (p 8361)
- 618 Photocopy of ANZ Bank cheque dated 23.9.86 in the sum of \$400 drawn on the account of Oldpine Pty. Ltd. (p 8361)
- 619 Letter dated 25.3.86 opening an account at ANZ Bank in the name of Oldpine Pty. Ltd. (p 8367)
- 620 Various bank statements and account card of Oldpine Pty. Ltd. at ANZ Bank, Pacific Fair Branch, Broadbeach (p 8367)
- 621 Photocopies of Bank statements of Oldpine Pty. Ltd. at Westpac, Pacific Fair, Gold Coast- (P 836)
- 622 Various Court briefs (QP 9 forms) relating to the charges brought against witness (p 8369)

28 April 1988

- 623 Handwritten diagram of interior of witness' house showing position of kitchen and office (p 8404)
- 624 Article from the Gold Coast Bulletin of 7.5.86 (p 8480)

WITNESS: Noel James MEARS

- 625 Small photograph of Ron King (p 8482)
- 626 Two photographs of Geisha Bath House (p 8488)
- 627 Photocopy of standard form contract (p 8492)

3 May 1988

WITNESS: "Michael HILL"

FOR IDENTIFICATION ONLY

- AO Correct name of witness (pp 8505, 85 12)-(NOT FOR PUBLICATION OR INSPECTION)
- 628 Criminal history of "Michael Hill" (p 85 11)

WITNESS: Stephen William CROCKETT

- 629 Two colour photographs of Dolphin Arcade, Surfers Paradise and shops therein (p 8541)
- 630 Photocopy of statement of witness dated 17.10.86 concerning his association with Frank Palmer (P 854)
- 631 Cassette tape and transcript (48 pages) of telephone conversation between witness and Bob Walker (pp 8548, 8552)

632 Chart of twelve photographs of which the witness identified No. 4 as being Jack Hepburn (p 8558)

FOR IDENTIFICATION ONLY

AP Name of police officer to whom witness spoke regarding brothels (p 8574)—(NOT FOR PUBLICATION OR INSPECTION)

4 May 1988

633 Various fitness reports and other material relating to witness (p 8627)

634 Application to resign, details of service, and District Officer's comments concerning the witness (P 8628)

635 Report of witness dated 5.11.84 recommending that the charge of stealing against Frank Frederick Palmer be withdrawn; also various statements relating to the charge (p 8628)

WITNESS: Brendan John BUTLER

636 Contemporaneous note dated 23.8.87 concerning Mr. Crockett's identification of a photograph of Jack Reginald Herbert as being "Hepburn" (p 8635)

WITNESS: "Miss PORTER"

FOR IDENTIFICATION ONLY

AQ Correct name of witness (p 8638)—(NOT FOR PUBLICATION OR INSPECTION)

AR Correct name of the witness "Miss Blake" (p 8643)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: "Miss SHORT"

FOR IDENTIFICATION ONLY

AS Correct name of witness (p 8653)—(NOT FOR PUBLICATION OR INSPECTION)

637 Criminal history of witness (p 8663)

5 May 1988

WITNESS: "Miss MURRAY"

FOR IDENTIFICATION ONLY

AT Correct name of witness (p 8673)—(NOT FOR PUBLICATION OR INSPECTION)

638 Criminal history of witness (p 8680)

WITNESS: "Miss BLAKE"

639 Criminal history of witness (p 8695)

FOR IDENTIFICATION ONLY

AU Name of manager of the bookshop at 140 Ferry Road (p 8697)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: "Mr. Ricky LEIGH"

FOR IDENTIFICATION ONLY

AV Correct name of witness (p 8699)—(NOT FOR PUBLICATION OR INSPECTION)

AW Criminal history of witness (p 8702)—(NOT FOR **PUBLICATION OR INSPECTION**)

Note: Exhibit 651 is a copy of this exhibit available for inspection

WITNESS: Terence Gregory CHANNELLS

- 640 Memorandum of witness dated 12.7.85 to Commissioner of Police regarding the conversion of Windmill Motel, 2586 Gold Coast Highway, Broadbeach into a brothel (p 8710)
- 641 Memorandum of witness dated 14.8.85 to District Officer, Gold Coast District regarding Mr. Noel James Mears the owner of the Windmill Motel (p 8710)
- 642 Memorandum dated 29.7.85 from Superintendent M.G. Jackson to the Regional Superintendent concerning Mr. Ronald King (p 8711)
- 643 Memorandum of witness dated 28.11.85 to Commissioner of Police relating to the Geisha Bathhouse (P 8712)
- 644 Memorandum dated 27.4.83 from Det. Inspector G.R.J. Parker to Assistant Commissioner, Operations relating to alleged gaming on premises of Golden Orchid Units, Surfers Paradise (p 87 14)
- 645 Memorandum dated 2.5.83 from Det. Inspector G.R.J. Parker to Assistant Commissioner, Operations relating to the alleged gaming operating from premises in "Karp Court", Southport (p 8715)
- 646 Memorandum of witness dated 23.9.86 to District Officer, Gold Coast District requiring a comprehensive report outlining the investigations concerning the serious assault committed on Frank Palmer on 15.8.86 (p 8724)
- 647 Memorandum dated 13.12.85 of W.J. McArthur, Assistant Commissioner, Crime and Services to Det. Superintendent, Metropolitan Criminal Investigation Branch concerning various matters relating to the Gold Coast (p 8725)
- 648 Memorandum dated 27.12.85 to the Commissioner of Police from witness concerning Consorting Squad detectives visiting the Gold Coast (p 8726)
- 649 Memorandum dated 22.11.85 from Commissioner of Police to Regional Superintendent, South Eastern Region concerning the newly established Gold Coast Casino Crime Squad (p 8727)
- 650 Various documents concerning investigation for corruption and transfer of Senior Constable T. Roberts from Gold Coast (C.I.B.) to C.I. Branch, Brisbane (p 8730)

(END OF WITNESS' EVIDENCE)

- 651 Criminal history of "Mr. Ricky Leigh" (p 8768) (Note:—This exhibit has the correct name of the witness omitted.
Confidential Exhibit AW for identification is a unexpurgated copy of this exhibit).

9 May 1988

WITNESS: "Brooke MILLER"

- 652 Statement of witness dated 29.2.84 concerning sexual intercourse with Det. Teg Roberts (p 8772)
- 653 Criminal history of witness (p 8789)
- 654 Statement of witness dated 14.10.86 and witnessed by Det. Sgt. P.C. Le Gros (p 8789)

FOR IDENTIFICATION ONLY

AX Name of friend of witness present with her when Palmer signed the \$14,000 cheque (p 8819)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Gary Cooke RICHMOND

- 655 Memorandum dated 23.9.86 from R.J. Redmond, Assistant Commissioner, Operations to Commissioner of Police concerning information from the ABCI relating to the arson of a massage parlour and extortion etc. (p 8840)

FOR IDENTIFICATION ONLY

AY Name of police officer who introduced witness to Mr. Crockett (p 8850)—(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: "Miss Amanda VON BOLEN"

FOR IDENTIFICATION ONLY

AZ Correct name of witness (p 8863)—(NOT FOR PUBLICATION OR INSPECTION)

656 Folder of twelve photographs (p 8864)

WITNESS: Robert William HUTCHINSON

657 Statement of witness dated 28.3.88 with four attachments (p 8868)

10 May 1988

WITNESS: "Mr. Reid"

FOR IDENTIFICATION ONLY

BC Correct name of witness (p 8872)—(NOT FOR PUBLICATION OR INSPECTION)

658 Colour photograph of eight persons including the witness and Tony Bellino (p 8876)

659 Colour photograph of roulette wheel in the casino in Cavill Mall (p 8879)

FOR IDENTIFICATION ONLY

BD Three colour photographs taken in the casino in Cavill Mall showing gambling tables and witness' family (p 8879)—(NOT FOR PUBLICATION OR INSPECTION)

BE Correct name of witness referred to as "Mr. East" (p 8879)—(NOT FOR PUBLICATION OR INSPECTION)

660 Photograph of police officer witness identified as "Neil" (p 8885)

661 Photograph of police officer witness identified as "Mick" (p 8885)

662 Photograph of police officer witness identified as "Jeff" (p 8886)

WITNESS: "Miss PAGE"

FOR IDENTIFICATION ONLY

BF Correct name of witness (p 8898)—(NOT FOR PUBLICATION OR INSPECTION)

(END OF WITNESS' EVIDENCE)

663 Large folder containing various information such as in whom the title is held, information on police files including operators, the owners of premises, various visits by police which resulted in the girls being booked on the various brothels on the Gold Coast; also summary for each of the brothels listing the information contained (p 8910)

664 Police file of Geisha Bath House including a report of 28 June 1985 by Senior Constable Le Gros of the Gold Coast C.I.B. which records an interview with Ronald King, report of Det. Sergeant R. Moore to the Det. Inspector, Licensing Branch dated 29.7.85, and other correspondence relating to what activity was called for by various police officers in relation to the Geisha Bath House. (P 8911)

665 Report dated 26.6.87 by Det. Sergeant P.R. ~~Hockmen~~ in relation to the fire at Mr. Palmer's brothel at 30 Bundall Road, Bundall on 22.9.86 (p 8911)

666 First and last pages of a 56 page report by Inspector Meskell dated 7.10.86 concerning the assault on Frank Palmer; also memorandum dated 11.11.86 from Superintendent Teague to Regional

Superintendent M.G. Jackson and memorandum of Mr. Jackson of 11.11.86 forwarding the file to the Commissioner of Police (p 8911)

WITNESS: James Patrick O'SULLIVAN

- 667 Plate attached to a yellow piece of paper taken from a credit card machine taken possession of on 24.6.87 from the Geisha Bath House (p 8914)
- 668 Photocopy of credit card information (p 8914)
- 669 Blue exercise book described as "Request Book and Escorts 20/1-30/6" taken possession of at the Geisha Bath House (p 8914)
- 670 Colour photograph of witness seated at the reception desk at Geisha Bath House (p 8915)
- 671 Colour photograph of portion of upstairs office area (p 8915)
- 672 Four colour photographs depicting bedrooms, spa bath at Geisha Bath House (p 89 16)
- 673 Criminal history of Ronald James Kingsnorth also known as King (p 8917)

WITNESS: Margaret Ann SCOTT

- 674 Profit and loss statements and balance sheets of a company Rothbor Pty. Ltd. trading as "Broadbeach Wholesalers" for the years ended 30.6.85, 30.6.86 and 30.6.87 (p 8919)
- 675 Photocopy of signature card for the National Australia Bank, Rothbor Pty. Ltd. account, at the Broadbeach branch (p 8920)
- 676 Photocopies of merchant agreements in relation to various credit card facilities (p 8920)
- 677 Summary of information received from the banks to assess whether there was any correspondence between the banking information and the profit and loss statements (p 8921)
- 678 Sample deposits of the Rothbor Pty. Ltd. account (p 8922)
- 679 Financial information for years ended 1985, 1986 and 1987 in respect of Lindket Pty. Ltd. as trustee for the Lindket Trust trading as Gentlemen's International (p 8922)
- 680 Financial information in respect of Nandahall Pty. Ltd. (p 8923)

WITNESS: Margaret Mary SUSCHINSKY

- 681 Photocopy of pages 96 to 99, 138 to 141 of witness' notebook and of pages 40 to 43 and 82 to 85 of witness' diary (p 8936)
- 682 Service copy of the complaint and summons endorsed with the witness' oath of service (p 8936)
- 683 Signed plea of guilty dated 14.12.85 (p 8936)
- 684 Bundle of documents including a bench complaint sheet reporting a conviction and a fine of \$100, advice of conviction sent to David Stewart Roberts, 11 Cavill Avenue, Surfers Paradise and a warrant report (p 8937)

WITNESS: "Mr. EAST" (For correct name refer to Exhibit BE for identification)

- 685 Samples of handwriting of witness (p 8966)

11 May 1988

WITNESS: Gregory Keith MARHEINE

- 686 Resume of witness in relation to his qualification and experience as a Forensic Document Examiner (P 8994)

WITNESS: Andrew David HILL (Town Planner)

- 687 Statement of witness dated 16.3 1988 (p 9000)
- 688 Photocopy letter dated 7.9.84 to Mr. R.E. Borbidge M.L.A from the Honourable R.J. Hinze, Minister for Local Government, Main Roads and Racing concerning the operation of massage parlours in residential areas (p 9001)

- 689** Extract from minutes of a meeting of the Gold Coast City Council of 3 1.10.86 (p 9002)
- 690** Photocopy letter dated 22.4.87 from the Director of Local Government to the Town Clerk, Gold Coast City Council relating to proposed amendments to the town planning scheme (p 9002)
- 691 Photocopy letter dated 29.4.88 from the Acting Director of Local Government to the Town Clerk, Gold Coast City Council relating to amendments to the Town Planning Scheme in respect of brothels (p 9003)

WITNESS: "Miss SIMPSON" (For correct name refer to Exhibit AM for identification)

FOR IDENTIFICATION ONLY

AG Name of daughter of witness (p 9009)—(NOT FOR PUBLICATION OR INSPECTION)

- 692** Criminal history of witness (p 9011)
- 693** Statement of witness dated 11.10.85 witnessed by Det. Sergeant P.C. Le Gros at the Broadbeach, C.I.B. (p 9019)

(END OF WITNESS' EVIDENCE)

- 694** Criminal histories of nine persons mentioned as proprietors of businesses of prostitution on the Gold Coast (p 9023)

(Evidence relating to in-line Machines)

WITNESS: Colin PEARSON (retired Under Secretary, Department of Justice)

- 695** Submission considered by Joint Government Parties relating to "In Line" Entertainment Machines with a covering memorandum dated 11.4.74 to the Art Unions Officer, Department of Justice from C. Pearson, Executive Officer, Administration Division (p 9026)
- 696** Various extracts from the Queensland Parliamentary Debates relating to in-line gambling machines (P 9035)
- 697** Series of reports and memoranda relating to enquiries made by police into allegations made in Parliament (p 9037)
- 698** Report of the Hon. Mr. Justice Moffitt of Allegations of Organized Crime in Clubs in New South Wales, 1974 and a Synopsis of the Report (p 9038)
- 699** Corporate Affairs documents relating to VIM1 Pty. Ltd. and Queensland Automatics (p 9041)

WITNESS: George CAMPBELL (Amusement Machine distributor and operator)

- 700** Photocopy of two diagrams of in-line machines (p 9071) (p 9083) and two originals

12 May 1988

WITNESS: Joe CAMILLERI (Art Union's Officer, Charities and Association Branch, Department of Justice)

- 701 Statement of witness dated 12.5.88 with various departmental memoranda attached (p 9084)

WITNESS: Bryan Paul SAKZEWSKI (Chartered Accountant)

- 702** Green cash book and an inserted page (p 9134)

WITNESS: Peter RUSSELL (Advertising and travel agent)

- 703** Justice Department file relating to lucky number tickets (p 9142)

WITNESS: Denis Eugene MANGAN (Amusement Machine technician)

704 Seven original collection docketts for Queensland Automatics (p 9157)

(END OF IN-LINE EVIDENCE)

16 May 1988

705 Transcript of taped interview dated 11.2.88 between Terry McMahon in the presence of his solicitor Brian Cronin and an officer of the Commission, Mr. Robert Marxson (p 9218)

WITNESS: Salvatore Di CARLO (former police officer)

706 Report dated 2.9.79 by Inspector Jeppesen on witness' performance (p 9223)

707 Report dated 31.1.80 by Inspector Rigney on witness' performance (p 9223)

708 Report of witness dated 1.11.79 submitted in support of request to remain in the Licensing Branch (P 9227)

709 Report dated 2.11.79 of Inspector Rigney supporting witness' request to remain in the Licensing Branch (p 9227)

710 Extract from the diary of Sir Terence Lewis dated 22.11.79 with relevant section highlighted (P 9229)

711 Five large black and white photographs of the equipment seized at Mr. Terry McMahon's house, the handwriting appearing on two of the photographs is that of the witness (p 9236)

712 Police notebook of witness recording interview with Mr. Terry McMahon (p 9237)

713 Letter dated 4.2.87 (sic) from Mr. Robert Marxson of the Commission of Inquiry to Primrose Couper Cronin and Rudkin, solicitors for Mr. Terry McMahon seeking confirmation that a photocopy of pp 112 and 113 of witness' notebook contained Mr. Barry Cronin's initials and a letter dated 4.2.88 in reply from those solicitors confirming that the initials are those of Mr. Barry Cronin (p 9240)

714 Two original complaints - one in respect to School Road, Yeronga, and one in respect to 87 Caven Street, Annerley both signed by the witness and Mrs. E.M. Ear-waker J.P (p 9243)

715 Partly completed complaint and partly completed warrant with covering letter from Primrose Couper Cronin and Rudkin dated 11.12.87 to the Commission of Inquiry (p 9244)

716 QP 9 form covering charges against Terry McMahon (p 9246)—(formerly Exhibit X for identification-see 3.11.87 herein)

717 Police file relating to Terry McMahon (p 9246) (formerly Exhibit Y for identification see 3.11.87 herein)

718 Report of Inspector Dwyer dated 2.4.80 recommending that witness be transferred from the Licensing Branch (p 9247)

719 Two pages of notes from the police file of the witness - one page containing a note by Assistant Commissioner Hale and by Assistant Commissioner Hayes, both dated 2.4.80; the other page containing a note by Sgt G. Early dated 9.5.80 directing that a note that a betting charge was withdrawn because of poor police work be placed on witness' file (p 9247)

720 Fitness report of witness by Inspector Dwyer dated 10.6.80

721 Application by witness dated 2.11.83 for transfer back to plainclothes duty with a favourable report by Senior Sergeant P.B.E. Wilson (p 9250)

722 Copy memorandum dated 8.11.85 from Superintendent R.A. Smith regarding police prosecutor's Training Course and reference to the witness having failed the course (p 9252)

723 Selective documents dealing with witness' conduct from police file covering the period 1976 to the witness' discharge on 20.5.87 (p 9254)

723A Memorandum of Assistant Commissioner T.S.C. Atkinson to Deputy Commissioner Duffy dated 14.9.82 regarding the withdrawal of disciplinary charges against Constable Di Carlo (p 9648) (See 24.5.88)

17 May 1988

FOR IDENTIFICATION ONLY

- BH Name of person who told witness that Jim Kennedy used to have lunch with Terry Lewis at Milano's Restaurant on a regular basis (p 9286)—(NOT FOR PUBLICATION OR INSPECTION)
- BI Four sheets of paper containing notes (p 9327) (Tendered by Mr. B. Hoath of counsel for Terry McMahon)-(NOT FOR PUBLICATION OR INSPECTION) Now Exhibit 1257 (9.8.88)

18 May 1988

- 724 Statement of witness relating to his questioning of Jack Archibald Robinson (p 9385)
- 725 Photocopy of a report of witness dated 14.8.79 relating to work witness performed on the Gold Coast from 23.7.79 to 29.7.79 (p 9390)

WITNESS: Barry Neil RADCLIFFE (former Telecom Employee)

- 726 Pages 3 to 44 of witness' notebook (p 9402)
- 727 Five page report of witness dated 29.1.80 relating to various offences by Terry McMahon (p 9402)
- 728 Note of information of witness dated 30.1.80 obtained from Mr. Szykarski, a senior switching engineer relating to tests carried out on a telephone at Terry McMahon's residence (p 9411)
- 729 Report of witness of 11.11.80 concerning an interview with Mr. Ken Harkin a Telecom employee regarding certain telephone equipment in the possession of Terry McMahon (p 9411)
- 730 Pages 1 to 13 of interview dated 29.12.79 between McMahon and Telecom Investigation officers (P 944)
- 731 Pages 1 of 2 and 2 of 2 of interview of Terry McMahon at Police Headquarters on 29.12.79 (P 944)
- 732 Pages 2 and 3 of interview of 22.1.80 of Terry McMahon with Telecom Investigation Officer (P 944)
- 733 Photocopy three complaints and summonses taken out and served on Terry McMahon (p 9415)
- 734 Report of witness dated 8.1.8 1 relating to the three charges against Terry McMahon and the outcome of those charges in the Magistrates Court (p 9415)

WITNESS: Ronald Victor HEAD (former Telecom employee)

- 735 Photocopy of telex dated 19.12.79 from O.T.C. in Papua New Guinea advising of non-metering of a particular telephone (pp 9430, 9440)
- 736 Unnumbered single sheet headed "Interrogatory between Investigation Officers Head and Radcliffe to Terry McMahon on 29.12.79" (p 9441)
- 737 Undated minute of witness seeking approval to proceed against Terry McMahon (p 9446)
- 738 Photocopy letter dated 23.5.80 from Mr. McMahon's solicitors to Telecom relating to the charges brought against him (p 9447)

19 May 1988

WITNESS: Dr. Peter MULHOLLAND (Psychiatrist)

- 739 Police Department medical file of Mr. Salvatore Di Carlo (p 9454)
- 740 Two medical reports of Dr. Mulholland dated 9.12.87 and 10.2.88 respectively (p 9457)

WITNESS: Noel Francis Peter DWYER (retired Inspector, Licensing Branch) (Resworn and further examined)

- 741 Handwritten note by R.B. Hayes Assistant Commissioner, Operations recommending the transfer of Di Carlo (p 9504)
- 742 Memorandum dated 2.4.80 of Detective Inspector N.F.P. Dwyer seeking the transfer of Di Carlo (P 9506)

WITNESS: Robert Ashley MARXSON (Legal Officer, Commission of Inquiry)

- 743 Memorandum dated 10.12.87 to Superintendent Walker from G.W. Crooke Q.C. requesting a search be made and a written report furnished in respect of a missing report; a statement of John Patrick Thomson dated 3.2.88 relating to this matter (p 9538)
- 744 Memorandum dated 10.12.87 by witness relating to a telephone call by Brian Cronin, solicitor acting for Terry McMahon (p 9539)

23 May 1988

WITNESS: Bernard George HOPPNER (retired Superintendent)

- 745 Statement of witness dated 11.2.88 (p 9553)

WITNESS: Terrence McMAHON

- 746 Indemnity receipt dated 29.4.80 for Terrence McMahon from Licensing Branch (p 9583)
- 747 Document dated Saturday 22.12.79 headed Eagle Farm containing racing information (p 9583)
- 747A (See 5.12.88 herein)

WITNESS: Beverley Anne McMAHON

- 748 Statement of witness dated 18.5.88 (p 9608)

WITNESS: Bruce BOWD

- 749 Record of interview of witness with Brendan Butler on Friday, 23.10.87 (p 9623)
- 750 Partial criminal history of witness from February 1981 to the present (p 9624)

24 May 1988

- 723A Memorandum of Assistant Commissioner T.S.C. Atkinson to Deputy Commissioner Duffy dated 14.9.82 regarding the withdrawal of disciplinary proceedings against Constable Di Carlo (p 9648)
- 751 Various reports from the Toowoomba Police file and newspaper cuttings (p 9652)
- 752 Photocopy of QP9 of Gordon Donald Teys relating to the charge of using a common betting house on 24.4.79 (p 9652)

WITNESS: Dean MAHONEY (General Manager, Four Seasons Hotel)

- 753 Various documents relating to reservations and guest registration at Four Seasons Hotel Toowoomba of which were charged to the account of Bruce Bowd (p 9662)
- 754 Computer printout of various transactions of Bruce Bowd at the Four Seasons Hotel Toowoomba (P 966)

WITNESS: Raymond William RAINE (Sergeant 2/c, Traffic Branch)

- 755 Report dated 17.8.87 of Sgt R.I. Raine with a comment by Constable D.C. Morley relating to the circumstances regarding the arrest of Bruce Bowd at Toowoomba on 15.8.87 (p 9676)

(END OF WITNESS' EVIDENCE)

- 756 Memorandum dated 17.8.87 by Inspector K.D. Strohfeldt requiring reports from various police officers regarding the arrest of Bruce Bowd and the documents in his possession (p 9680)

- 757 Report of Constable C.D. O'Shea dated 17.8.87 relating to the property in the possession of Bruce Bowd when charged at the Toowoomba watchhouse on 15.8.87 (p 9680)
- 758 Report of Sgt G.L. Noyes dated 17.8.87 regarding property in the possession of Bruce Bowd when charged on 15.8.87 (p 9680)
- 759 Report of Senior Constable R.C. Lewis dated 18.8.87 concerning the circumstances regarding the arrest of Bruce Bowd (p 9682)
- 760 Report of Detective Senior Constable D.L. Seng dated 20.8.87 regarding the arrest of Bruce Bowd (P 982)
- 761 Report of Detective Senior Constable D.R. Keys dated 20.8.87 regarding the arrest of Bruce Bowd (P 9683)
- 762 Report of PC. Constable E.A. MacDonald dated 20.8.87 regarding the arrest of Bruce Bowd (P 983)
- 763 Report of Detective Sergeant B.A. Tighe dated 20.8.87 concerning the arrest of Bruce Bowd (P 984)
- 764 Report of Senior Constable D.J. Borwick dated 27.8.87 concerning the arrest of Bruce Bowd (P 984)
- 765 Report of Detective Senior Constable R.S. Leadbetter dated 20.8.87 concerning the arrest of Bruce Bowd (p 9685)
- 766 Report of Sergeant G.J. Zeidler dated 20.8.87 concerning the arrest of Bruce Bowd (p 9685)
- 767 Memorandum dated 28.8.87 from Inspector K.D. Strohfeldt to Officer in Charge, C.I. Branch, Toowoomba directing investigation of Bruce Bowd for unlawful bookmaking (p 9685)
- 768 Memorandum dated 2 1.10.87 from Inspector K.D. Strohfeldt to Commissioner of Police relating to the s.p. betting activities of Bruce Bowd (p 9686)
- 769 Report of Det. Senior Sergeant G.F. Pike dated 12.10.87 regarding s.p. betting activities of Bruce Bowd (p 9687)
- 770 Statement of Det. Sergeant W.R. Veivers dated 21.9.87 concerning the raid on Bruce Bowd's premises on **16.9.87** (p 9687)
- 771 Photocopy transcript of sentencing remarks by His Honour Judge Forno Q.C. dated 22.2.88 at District Court Toowoomba in R. v. Bruce Bowd (p 9687)

WITNESS: Neville John MURR (Financial Analyst, Commission of Inquiry)

- 772 Various schedules setting out some of the financial matters in relation to Bruce Bowd's betting activities (p 9688)
- 773 Letter dated 19.5.88 to Commission of Inquiry from Grant R. Bowie, Financial Controller, Conrad International Hotel and Jupiters Casino recording the gaming loss of Bruce Bowd during the period December 1985 to date (p 9691)
- 774 Five copies of Income Tax Returns of Bruce Bowd for 1.7.82 to 30.6.86 (p 9692)
- 775 Two bundles of cheques made out to J. Herbert by B. Bowd and to B. Bowd by J.R. Herbert respectively (p 9692)
- 776 Two documents from National Australia Bank being manager's notes relating to Bruce Bowd (P 992)
- 777 Photocopies of various cheques made out to Conrad International by Bruce Bowd referred to in witness' report (p 9692)
- 778 Wrestpoint Casino cheques drawn by Mr. Bowd on his account with the National Bank in Wrestpoint Casino (p 9692)

WITNESS: Bruce BOWD (re-examined)

- 779 Ten photocopy accounts of Mr. Bowd to Mr. J. Herbert relating to betting, covering both winning and losing days (p 9716)

25 May 1988

WITNESS: Robert Dean BAX

- 780 Summons to witness to attend before the Commission of Inquiry with particulars of service endorsed on it (p 9771)
- 781 Letter dated 19.4.88 to witness from Commission of Inquiry in which witness gives undertakings required by the Commission (p 9771)
- 782 Letter dated 29.4.88 from Commission of Inquiry to witness' solicitors Seymour Nulty requiring the witness to produce relevant documents (p 9772)
- 783 Copy letter dated 29.4.88 from Seymour Nulty to Commission of Inquiry seeking permission for witness to depart Queensland to travel to Tweed Heads on 7.5.88 (p 9772)
- 784 Letter dated 11.5.88 from Commission of Inquiry to Seymour Nulty requiring witness to produce further documentation (p 9773)
- 785 List of documents received by the Commission from R. Bax Jnr. on 24.5.88 (p 9773)
- 786 Card opening bank account dated 25.6.82 in the names of Robert James and Edna James (p 9777)
- 787 Card opening bank account dated 21.10.63 in the name of Robert North (p 9780)
- 788 Card opening bank account dated 25.6.82 in the names of Robert Murray and Ellice Robert (P 9793)
- 789 Card opening bank account dated 25.6.82 in the names of Robert Tracey and Sandra Tracey (P 9795)
- 790 Card opening bank account dated 25.6.82 in the name of Robert James and Ellice James (p 9796B)

WITNESS: Patrick Bernard McCALLUM (Financial Analyst, Commission of Inquiry)

- 791 Statement of financial position as at 16.7.87 of IS. Grimley and L.F. Grimley (p 9823)
- 792 Financial report prepared by witness relating to s.p. bookmaking activities of Kenneth Joseph Grimley and Lola Frances Grimley (p 9824)

26 May 1988

WITNESS: Stanley John ALLWOOD

- 793 Schedule prepared from witness' taxation returns (p 9909)
- 794 Answers provided by witness to questionnaire relating to his financial affairs (pp 993 1, 9936)

30 May 1988

WITNESS: George James EUSTACE

- 795 Copy letter dated 18.3.88 to Commission of Inquiry from Gayler, Cleland and Dunstan, solicitors relating to witness' financial position (p 10008)

WITNESS: "FRANK"

FOR IDENTIFICATION ONLY

BJ Correct name of witness (p 10012)-(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Patrick Bernard McCALLUM (Financial Analyst, Commission of Inquiry)

- 796 Financial report of witness dated 24.5.88 relating to R.D. Bax, I.H. Bax, ES. Thomas and E. James (p 10028)

WITNESS: Robert Dean BAX (re-examined)

797 Copy letter dated 26.5.87 to Commission of Inquiry from Seymour Nulty with copy letter attached dated 13.1.88 to Mr. James from Westpac Banking Corporation, Tweed Heads branch relating to his account (p 10053)

798 Copy letter dated 1 OS.88 from Commissioner of Stamp Duties relating to witness being a bookmaker (p 10060)

799 Two tax returns for years 1.7.85 to 30.7.87 for R.D. Bax and E.S. Thomas (p 10073)

800 Printout from witness' Bell Page service; also letter from Bell Page describing how the paging system works (p 10085)

WITNESS: Mrs. Ishabel Helen BAX

801 Nine tax returns of witness from 1.7.79 to 30.6.87 (p 10087)

WITNESS: Kevin James NESBITT (Technical Officer, Police Department)

802 Report of witness dated 2.5.88 relating to the testing of audio transmitting devices (p 10090)

WITNESS: Francis William KEENAN

803 Sheet containing details of witness' bank account opened on 23.11.81 (p 10102)

804 Licensing Branch collator sheet relating to the witness (p 10107)

FOR IDENTIFICATION ONLY

BK Name of person (p 10115)-(NOT FOR PUBLICATION OR INSPECTION)

805 Copy of witness' tax returns for period 1974 to 1987 (pp 10104, 10115)

31 May 1988

806 Page of Brisbane Telephone Directory with the name Dalglish P.A. 5 Edwin Wyn W highlighted (p 10128)

WITNESS: James Patrick O'SULLIVAN (Detective Inspector, Commission of Inquiry)

807 Two notes of paper containing telephone numbers taken from former Assistant Commissioner Parker's warrant folder (p 10131)-(NOT FOR PUBLICATION OR INSPECTION) Unrestricted 9.8.88 (p 14196)

808 Page with witness' surname and a telephone number and with other information obliterated (p 10131)

809 Copy letter dated 15.10.87 from witness to Telecom investigators containing telephone numbers (p 10132)-(NOT FOR PUBLICATION OR INSPECTION) Unrestricted 9.8.88 (p 14196)

810 Copy letter dated 15.10.87 containing note witness wrote to Mr. Crooke Q.C. on 16.11.87 (p 10132)-(NOT FOR PUBLICATION OR INSPECTION) Unrestricted 9.8.88 (p 14196)

811 Copy letter dated 15.10.87 to Telecom Investigators containing a telephone number and with other information obliterated (p 10132)

WITNESS: Graeme Robert Joseph PARKER (resworn and further examined)

FOR IDENTIFICATION ONLY

BL Two pages containing names of various persons (p 10150)-(NOT FOR PUBLICATION OR INSPECTION)

812 Photocopy of confidential Exhibit 807 with witness' handwriting marked in green (pp 10135, 10156)-(NOT FOR PUBLICATION OR INSPECTION) Unrestricted 9.8.88 (p 14196)

WITNESS: Norman James HAWES (Manager, Commonwealth Bank, Manly)

813 Photocopy file relating to the account of Frank KEENAN at the Commonwealth Bank, Manly (p 10166)

WITNESS: Kenneth Joseph GRIMLEY

814 Letter dated 11.5.88 to Messrs Gilshenan & Luton from Commission of Inquiry requesting a statement of witness' financial details (p 10168)

815 Letter dated 26.5.88 to Messrs Gilshenan & Luton from Commission of Inquiry regarding witness (p 10168)

WITNESS: Norman James HAWES (further examined)

816 Photocopy of bank file relating to the account in the name of "Frank CLAY" (p 10188)

816A (See 1.6.88 herein)

817 Original bank documents relating to the savings investment account of "George Thomas JONES" account number 5001148 (pp 10200, 10283, 10285)

1 June 1988

818 Bank documents relating to the account number 5000332, at the Commonwealth Bank, Manly in the name of "Frank CLAY" (p 10272)

819 Bank documents relating to the account number 12719, at the Commonwealth Bank, Manly in the name of "George Thomas JONES" (p 10274)

820 Bank documents relating to the account, number 5000770, at the Commonwealth Bank, Manly in the name of "George Thomas JONES" (pp 10278, 10285)

821 Bank documents relating to the account, number 736243, at the Commonwealth Bank, Manly in the name of "George Thomas JONES" (p 10280)

(All details on second page to be excised except those relating to "JONES , G.T.)

816A Various bank documents relating to the account of Frank CLAY (p 1028 1)

822 History card of Raymond William BUCKLEY account number 16461 at the Commonwealth Bank, Manly (p 10287)

WITNESS: Kenneth Joseph GRIMLEY (Re-sworn and further examined)

823 Extracts from the various bank and building society accounts of K. & M. GRIMLEY (p. 10296)

824 Licensing Branch collator sheet relating to witness (p 10299)

WITNESS: James Patrick O'SULLIVAN (Inspector, Commission of Inquiry)

825 Photocopy of confidential Exhibit 807 with all details excised except three telephone numbers, some figures and a name (p 10300)

826 Copy of letter dated 15.10.87 by witness to Telecom Investigators containing note witness wrote to Mr. Crooke Q.C. dated 16.11.87 and with other details obliterated except three telephone numbers (p 10300)

2 June 1988

WITNESS: Leonard Walter DITTMAR

827 Photocopy of an application dated September 1987 made by witness for a mobile telephone (p 10345)

828 Extract from Sunday Sun Newspaper of 10.1.82 headed "Tweed s.p. crackdown by Raiders" (p 10355)

- WITNESS:** Geoffrey Francis MAHER
- 829 Copy of Telecom card of witness relating to the connection of telephone service to 313 Adelaide Street and 145 Eagle Street (p 10365)
- WITNESS:** Leonard Walter DITTMAR
- 830 Names written by witness in black biro of s.p. betting clients; other writing in blue biro that of Mr. Drummond Q.C. (pp 10386, 10406)
- 831 Sheet of paper on which witness has written the name "Terry Mellifont" (p. 10406)
- WITNESS:** Glen Murray FRASER (Telecom Investigator)
- 832 Telecom User Guide to Mobile telephones (p. 10422)
- WITNESS:** Carol Louise NEWMANN (Clerk, Licensing Branch, Police Department)
- 833 Licensing Branch Collator Sheet relating to Mr. Dittmar (p. 10427)

6 June 1988

- WITNESS:** Neville John MURR (Financial Analyst Commission of Inquiry)
- 834 Income Tax returns of Leonard Walter DITTMAR for the years July 1984 to June 1987 (p 10458)
- 835 Income Tax returns for L.W.D. Financial Services for the years July 1984 to June 1987 (p 10458)
- 836 Notice by L.W.D. Financial Services cancelling registration under the Money Lenders Act (p 10459)
- 837 Photocopy of extract from L.W.D. Financial Services cash book (p 10460)
- 838 Report of witness in relation to Leonard Walter Dittmar with six schedules attached (p 10461)
- 839 Names and associated names drawn from the deposit book entries and cheque book butts of Leonard Walter Dittmar (p 10465)

The Chairman presiding

- WITNESS:** Glen Murray FRASER (Telecom Investigator)
- 840 Telecom records relating to service 3501788 connected to the residence of L.W. Dittmar, 3 Hilltop Avenue, Chermside (p 10480)

FOR IDENTIFICATION ONLY

- BM Computer printout of diverted telephone calls from Mr. Dittmar's telephone on 27, 29 and 30 April.88 and the duration of those calls (p 10481)-(NOT FOR PUBLICATION OR INSPECTION IN COMPLIANCE WITH COMMONWEALTH LAW)
- BN Computer printout of diverted telephone calls from Mr. Dittmar's cellular telephone from 1 May to the present (p 10483)-(NOT FOR PUBLICATION OR INSPECTION IN COMPLIANCE WITH COMMONWEALTH LAW)
- 841 Telecom records relating to service 257 15 11 in the name of Mr. Wilson (p 10485)

7 June 1988

Deputy to Commission presiding

- WITNESS:** Leonard Walter DITTMAR
- 842 Various deposit books used by witness (p 10527)
- 843 Various cheque butts used by witness (p 10527)

- 844 Photocopy extract from 26.4.84 from the Westpac Bank, 295 Brunswick Street, Fortitude Valley in relation to witness' account (p 10535)
- 845 Photocopy facsimile of application for a private box and service record of P.O. Box 9, Fortitude Valley (p 10552)
- 846 Extract from records of Office of Commissioner for Corporate Affairs containing details of the registered business name "David Green and Associates" (p 10557)
- 847 Extract from records of Office of Commissioner for Corporate Affairs containing details of the registered business name "Ross Agencies" (p 10559)

FOR IDENTIFICATION ONLY

- BO Handwritten list of police officers, both present and former that the witness knows (p 10561)-(NOT FOR PUBLICATION OR INSPECTION) Now Exhibit 1256 (9.8.88)
- 848 Handwritten list of the business premises at which witness operated his S. P. betting operations in the last ten years (p 10569)
- 849 Photocopy of witness' telephone book and diary (p 10588)

8 June 1988

FOR IDENTIFICATION ONLY

BP Name of mutual friend who asked witness to contact Mr. D. Sturgess Q.C., Director of Prosecutions (p 10643)-(NOT FOR PUBLICATION OR INSPECTION) Non-publication order lifted (p 10787; 9.6.88)

WITNESS: Matthew Douglas WOODS (Solicitor)

- 850 Letter dated 8.6.88 from the Commission of Inquiry to Messrs Poteri Woods & Co. relating to Mr. Len Dittmar (p 10659)
- 851 Letter dated 8.6.88 from Messrs Poteri Woods & Co., solicitors, to Commission of Inquiry relating to transcript of evidence (p 10661)

WITNESS: Leonard Walter DITTMAR

- 852 Handwritten statement and typed copy of that statement by person named in confidential exhibit BP for identification relating to meeting between him, the witness and Mr. Sturgess Q.C. on 3.6.88 (COPY FOR INSPECTION TO DELETE NAME OF THE MAKER OF THE STATEMENT AND A NON-PUBLICATION ORDER EXISTS AS TO HIS ADDRESS) (pp 10677, 10681) (Restriction lifted p 10787)

WITNESS: Anthony Michael HAWKE

- 853 Information sheet dated 5.5.81 relating to witness' operations at the Brothers Rugby League Club at the Grange (p 10689)
- 853A (See 5.12.88 herein)

FOR IDENTIFICATION ONLY

BQ Bundle of financial documents of witness (p 10704)-(NOT FOR PUBLICATION OR INSPECTION) (Exhibit withdrawn 9.6.88) (p 10728)

9 June 1988

WITNESS: Robert Dean BAX

- 854 Photocopy of witness' current telephone book (p 10760)

WITNESS: Terrence Joseph MELLIFONT

- 855 Draft response of witness to questionnaire from the Commission of Inquiry (p 10761)

(All details on second page to be excised except those relating to "JONES , G.T.)

- 816A Various bank documents relating to the account of Frank CLAY (p 10281)
- 822 History card of Raymond William BUCKLEY account number 16461 at the Commonwealth Bank, Manly (p 10287)

WITNESS: Kenneth Joseph GRIMLEY (Re-sworn and further examined)

14 June 1988

WITNESS: Kenneth Paul McADAM (Financial Analyst, Commission of Inquiry)

- 856 Schedule identifying both the taxable income on the first assessment of Colin Michael HAYES for the period of 1980-81 to 1986-87 and the taxable income according to the amended assessments for the years 1980-81 to 1984-85 (p 10857)
- 857 Income Tax Returns of Colin Michael HAYES for the years July 1980 to June 1987 (p 10857)
- 858 Schedule of analysis of account used for bookmaking held by Colin Michael HAYES at the National Australia Bank, Coolangatta and information revealed in two income tax returns where such income is declared (p 10858)
- 859 Summary of names obtained from the cheque butts dealing with payments by Colin Michael HAYES in the period December 1984 to July 1986 (p 10858)
- 860 Summary prepared from the deposit book of Colin Michael HAYES (p 10859)
- 861 Sheet containing photocopy of two cheques both drawn on the National Australia Bank, one made out to Bruce BOWD drawn on C.M. & B.L. HAYES No. 2 account and the other to cash drawn on the account of Bruce BOWD (p 10861)
- 862 Various notices and amendment notices of assessment relating to Colin Michael HAYES (p 10864)

WITNESS: Colin Michael HAYES

- 863 Handwritten note of witness stating what he would have told Mr. Butler at the interview if he had given accurate information (p 10880)
- 864 Affidavit of Det. Inspector John MESKELL dated 30.6.87 relating to the activities of Colin Michael HAYES at Seagulls Rugby League Football Club, Tweed Heads, (p 10888)
- 865 Photocopy of Bureau of Criminal Intelligence information sheet dated 24.11.86 relating to information from Inspector MESKELL regarding the sp. bookmaking activities of Colin Michael HAYES (p 10888)
- 866 Extract of transcript and audio tape recording of interview of Colin Michael HAYES with Mr. Butler of the Commission of Inquiry (p 10902)
- 867 Sheet of paper containing names and telephone numbers taken possession of by police when witness arrested for sp. bookmaking on 6.12.86 (pp 1088 1, 10928)
- 868 Extract from telephone directory highlighting name "**J.A. SHEPHERD**" (pp 1088 1, 10928)

15 June 1988

WITNESS: John Albert SHEPHERD

- 869 Licensing Branch collator sheet relating to witness (p 10938)
- 870 Pages from witness' telex (p 10968)
- 871 Small black address book of witness (p 10968)
- 872 Licensing Branch collator cards for R.S.L. Club at Surfers Paradise (p 11026)

WITNESS: Patrick John HICKEY

- 873 QP9 form relating to witness and Raymond SAUNDERS charged that on 20.4.85 in the Ayr Hotel they acted as bookmakers (p 11041)
- 874 Extract from current telephone directory with Dan HICKEY, 15 Coutts Street, Bulimba and P.J. HICKEY, 54 Cowper Street, Bulimba highlighted (p 11044)
- 875 Report of Det. Snr. Sgt. W.B. Smithers dated 8.3.85 relating to the sp. bookmaking activities of witness and others (p 11045)
- Note: previously tendered-see Exhibit 457

16 June 1988

- 876 Affidavit of Clyde Raymond FERRIS sworn 29.6.85, and an accompanying note headed "to whom it may concern" signed by Mr. Ferris bearing stamp indicating it was received by the Minister for Lands, Forestry and Police on 2.7.85 (p 11065)
- 877 Acknowledgement of receipt of Mr. Ferris' affidavit by the Acting Minister for Lands, Forestry and Police dated 9.7.85 (p 11066)
- 878 Report dated 12.8.85 by Detective Inspector G.R.J. Parker to Assistant Commissioner Operations relating to s.p. betting activities of P.J. HICKEY (p 11067)
- 879 Report dated 2.9.85 by Det. Snr. Sgt. W.B. Smithers relating to his informant Ferris, and the s.p. betting activities of P.J. HICKEY (p 11068)
- 880 Report dated 19.6.85 of Det. Snr. Sgt. W.B. SMITHERS relating to an s.p. betting network operating in Brisbane (p 11069)
- 881 Letter dated 18 September 1985 from the Commissioner of Police to Det. Inspector Bulger concerning allegations of police protection of unlawful s.p. betting activities from Mr. C.R. FERRIS and requesting the matter be finalised (p 11069)
- 882 Report dated 23.9.85 by Det. Inspector A.S. BULGER in response to letter of 18.9.85 from the Commissioner of Police (p 11069)
- 883 Letter dated 20.9.85 to Minister of Police from Ray FERRIS enquiring as to progress of investigations relating to the contents of his affidavits (p 11070)
- 884 Letter dated 27.9.85 to Mr. FERRIS from the Hon. W.H. GLASSON, Minister for Lands, Forestry and Police (p 11070)
- 885 Letter dated 3.10.85 to the Minister for Lands, Forestry and Police from the Commissioner of Police regarding the investigations into Mr. FERRIS' allegations (p 11070)
- 886 Report dated 20.11.85 of Det. Inspector A.S. BULGER relating to Mr. FERRIS' allegations (p 11070)
- 887 Letter dated 2 1.11.85 to the Minister for Lands, Forestry and Police from the Commissioner of Police with a suggested draft reply to Mr. FERRIS (p 11072)
- 888 Letter dated 25.11.85 to Mr. FERRIS from the Minister for Lands, Forestry and Police relating to his allegations of unlawful bookmaking (p 11072)
- 889 Letter dated 13.1.86 to the Commissioner of Police from the Director of Prosecutions regarding the allegations of Mr. Ferris of illegal bookmaking (p 11072)
- 890 Letter in reply dated 16.1.86 to Mr. D.G. Sturgess Q.C., Director of Prosecutions from the Acting Commissioner of Police concerning the additional information provided by Mr. Ferris (p 11074)
- 891 Letter dated 22.1.86 from the Director of Prosecutions to the Commissioner of Police suggesting that further investigations be carried out by the Licensing Branch (p 11076)
- 892 Report dated 25.1.86 by Det. Snr. Sgt. W.B. SMITHERS regarding allegations of s.p. bookmaking (p 11076)
- 893 Letter dated 18.2.86 from Mr. M.P. IRWIN, Deputy Director of Prosecutions, Townsville to Det. Inspector A.S. BULGER enclosing a copy of Det. Snr. Sgt. Smithers' confidential report (p 11076)
- 894 Letter dated 21.2.86 to Assistant Commissioner, Operations from Det. Inspector Bulger stating that consideration is now being given to prosecuting Patrick HICKEY (p 11076)
- 895 Letter dated 17.8.87 by Det. Snr. Sgt. W.B. SMITHERS stating that during extensive police investigations he found no evidence of police corruption or impropriety and also reporting on the convictions of HICKEY and SAUNDERS (p 11076)
- 896 Extract from a report dated 1.5.88 by Det. Inspector W.B. SMITHERS provided to the Commission in which he details this particular investigation-comprising pp. 1 and 2 and pp. 50 to 62 (p 11077)
- WITNESS: Shane Richard WILSON (Telecom Investigator)
- 897 Printout from Telecom records relating the history of telephone service (07)395-7269 (p 11081)

WITNESS: Patrick John HICKEY

- 898 Page from the current telephone directory highlighting Mr. C.J. JONES, 93 Edmonston Street, Newmarket (p 11083)
- 899 Photocopy of list containing witness' and Mr. C.J. Jones' telephone numbers and a typewritten list of telephone numbers (the latter found in Mr. G.R.J. Parker's possession after his resignation) (p 11090)
- 900 Police report dated March 1979 identifying various groups of s.p. bookmakers (p 11110): part of report re Stanley Derwent SAUNDERS (p 12977) (tendered 19.7.88)
- 901 Extract from a statement of G.R.J. Parker dated 14.10.87 provided to the Commission comprising the first and last page and p. 22 dealing with s.p. bookmaking (p 11110)

WITNESS: Colin John JONES

- 902 Two applications by witness dated 2.11.87 and 3.12.87 respectively for a mobile telephone (p 11118)

(End s.p. betting evidence)

20 June 1988

WITNESS: Ann Marie TILLEY

- 903 Magistrates Court file (with a covering letter dated 6.6.88 from the Clerk of the Court) relating to the conviction of witness on 16.9.82 on a charge of using premises for the purposes of prostitution (p 11177)
- 904 List of premises operated by witness and Hector HAPETA from 1982 to May 1987
(Note:-subject to qualifications of witness in her evidence) (p 11188)
- 905 Photocopy of Licensing Branch street indexes of 18.3.80 for 2 Latrobe Street, East Brisbane (p 11203)

21 June 1988

FOR IDENTIFICATION ONLY

- BQ Extract from interview between witness and Mr. Crooke Q C and Mr. Rutledge on 8.11.87 in Sydney (p 11249)-(NOT FOR PUBLICATION OR INSPECTION)
- BR Extract from interview between witness and Mr. Crooke Q C on 8.11.87 and extract from an interview between witness and Mr. Rutledge on 7 June 1988 (p 11252)-(NOT FOR PUBLICATION OR INSPECTION)
- 906 Photocopy of a drivers licence in the name of Millicent Hanson (p 11254)

WITNESS: "Miss Higgins"

FOR IDENTIFICATION ONLY

BS Correct name of witness (p 11274)-(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Ann Marie TILLEY

- 907 Customer record card of Millicent Hanson (p 11298)
- 908 Customer record card of Fairlaw Pty. Ltd. (p 11299)
- 909 Customer record card of The Kitten Club Cabaret (p 11301)
- 910 Customer record card of John French and Ann Lorraine French (p 11302)
- 911 Customer record card of Suzanne Barnes (p 11303)
- 912 Customer record card of Anne Marie Baldwin (p 11303)
- 913 Specimen of witness' handwriting (p 11303)

WITNESS: Alan Keith DOWRICK (Manager, National Australia Bank, Coorparoo Branch)

- 914 Customer record card of John Goode (p 11311)
915 Photocopies of three cheques signed by Ann Marie Tilley (p 11330)

22 June 1988

WITNESS: Gerard Anthony YIP (Lending executive with Custom Credit Corporation)

- 916 Assets and liabilities form dated 13.5.86 of Hector HALL and Ann Marie HALL (p 11359)
917 Large transaction proposal of Cedlin Pty. Ltd. (p 11359)

WITNESS: Margaret Ann SCOTT

- 918 Statement of financial position of Ann Marie Tilley with Schedules attached (p 11367)

WITNESS: Ann Marie TILLEY

- 919 Memorandum of Transfer dated 14.9.87 from Bronwyn May FORD and Ann Marie TILLEY to Mr. and Mrs.. Iliev (75 Bellwood Street Darra) (p 114 10)
920 Memorandum of Transfer dated 13.8.87 between Cedlin Pty. Ltd. and Tradwin Pty. Ltd. (650 Ann Street Fortitude Valley) (p 11410)
921 Memorandum of Transfer dated 5.6.87 between Ann Marie Tilley and Arkstern Pty. Ltd. (6 12 Brunswick Street) (p 11410)
922 Memorandum of Transfer dated 3.6.87 between Cedlin Pty. Ltd. and Linkstar Pty. Ltd. (137 Baines Street Kangaroo Point) (p 11410)
923 Memorandum of Transfer dated 5.6.87 between Cedlin Pty. Ltd. and Benhigh Pty. Ltd. (24 Logan Road Woolloongabba) (p 114 10)
924 Memorandum of Transfer dated 25.8.87 between Figchester Pty. Ltd. and Trump Holdings Pty. Ltd. (667 Main Street) (p 11410)
925 Memorandum of Transfer dated 26.8.87 between Hector Brandon Hall and Trump Holdings Pty. Ltd. (608 Wickham Street) (p 11411)
926 Memorandum of Transfer dated 25.8.87 between Arkstern Pty. Ltd. and Trump Holdings Pty. Ltd. (612 Brunswick Street) (p 11411)
927 Memorandum of Transfer dated 25.8.87 between Linkstar Pty. Ltd. and Trump Holdings Pty. Ltd. (137 Baines Street Kangaroo Point) (p 11411)
928 Memorandum of Transfer dated 25.8.87 between Benhigh Pty. Ltd. and Trump Holdings Pty. Ltd. (24 Logan Road Woolloongabba) (p 11411)
929 Memorandum of Transfer dated 25.8.87 between Figchester Pty. Ltd. and Trump Holdings Pty. Ltd. (667 Main Street Kangaroo Point) (p 11411) (See Exhibit 924)
930 Contract of Sale dated 26.8.87 between Figchester Pty. Ltd. and Trump Holdings Pty. Ltd. (667 Main Street Kangaroo Point) (p 11412)

23 June 1988

FOR IDENTIFICATION ONLY

BT Operational procedures dated 9.2.87 for SPIRS computer system (p 11474)-(NOT FOR PUBLICATION OR INSPECTION)

24 June 1988

- 931 Magistrates Court file of witness on a charge that between 4.2.81 and 14.3.81 she kept premises for the purpose of prostitution; including Notice of Intention to Allege previous convictions (p 11504)

27 June 1988

- 932 Corporate Affairs documents relating to Arkstern Pty. Ltd. (p 11656)
933 Corporate Affairs documents relating to Benhigh Pty. Ltd. (p 11656)
934 Corporate Affairs documents relating to Linkstar Pty. Ltd. (p 11656)
935 Corporate Affairs documents relating to Cedlin Pty. Ltd. (p 11656)
936 Corporate Affairs documents relating to Figchester Pty. Ltd. (p 11656)
937 Corporate Affairs documents relating to Yangoora Pty. Ltd. (p 11656)
938 Corporate Affairs documents relating to Fairlaw Pty. Ltd. (p 11656)
939 Corporate Affairs documents relating to Quick Courier Service (p 11657)

(Evidence relating to in-line Machines)

28 June 1988

WITNESS: Arthur Anthony ROBINSON

- 940 Extract from diary of Sir Terence Lewis highlighting the entry for 20.3.78 (p 11697)

FOR IDENTIFICATION ONLY

BU Name of person (p 11721)-(NOT FOR PUBLICATION OR INSPECTION)

BV Name of person (p 11729)-(NOT FOR PUBLICATION OR INSPECTION)

- 941 Cutting from Courier-Mail dated 11.1.75 headed "Club raid on game machine" (p 11733)
942 Processing record with photograph attached and application for an Australian passport in the name of Bryan Maxwell THOMPSON (p 11733)
943 Photocopy of application for permit dated 6.9.76 for four entertainment machines in the name of Austral Amusement Company (p 11766)
944 Photocopy of permit dated 21.9.76 to Austral Amusement Company for four in-line machines (p 11768)

29 June 1988

WITNESS: Barry Andrew Robert MacNAMARA

- 945 Statement dated 28.6.88 of Stephen Richard WILLIAMS, an Inspector (Communications/Electronics) Department of Works as to his copying of micro cassette tape on to a standard size cassette tape and his attempts to enhance the quality of the recording (p 11828)
946 Statement dated 29.6.88 of John David CALLANAN Counsel Assisting the Inquiry certifying to his listening to the two tapes and to making transcripts of same; transcripts of both tapes attached (p 11828)
947 Notice of discharge of witness from bankruptcy dated 6.1.8 1 (p 11830)
948 Micro cassette tape No 1 (p 11836)
949 Micro cassette tape No 2 (p 11836)

30 June 1988

- 950 Cassette tape recording of "Tape 2"-enhanced version (p 11916)
- 951 Letter on Queensland Automatics letterhead dated 14.7.87 to Wally SHELDON headed "On Instruction from Mr. Rooklyn" (p 11930)
- 952 Letter on Queensland Automatics letterhead from Barry MacNamara advising of his retirement from Queensland Automatics on 14.5.87 (p 11930)

s.p. Bookmaking Bracket of Evidence

WITNESS: Ralph Gordon KIRKMAN

- 953 Extract from 1981 Brisbane Telephone Directory highlighting the name of R.G. KIRKMAN (p 11942)
- 954 Extract from 1982 Brisbane Telephone Directory highlighting the name of R.G. KIRKMAN (pp 11943, 11948)
- 955 Photocopy documents dated 10.11.69 relating to telephone service 3556654 in the name of Ralph Gordon KIRKMAN (p 11948)
- 956 Photocopy documents dated 9.2.82 relating to telephone service 3556000 (p 11948)

WITNESS: Anthony Wayne THOMAS (Financial Analyst, Commission of Inquiry)

- 957 Income Taxation Returns of Andrew Frank EADIE for years July 1976 to June 1980 (4 returns) (p 11962)
- 958 Income Taxation Returns of Andrew Frank EADIE for years July 1985 to June 1987 (2 returns) (p 11963)
- 959 Financial analysis of witness dated 29.6.88 of taxation returns of Andrew Frank EADIE (p 11964)

WITNESS: Andrew Frank EADIE

- 960 Court brief of witness relating to a charge that on 3 1.5.80 at Lindum he did permit premises to be used as a common betting house (p 11970)
- 961 Court brief of Elia Ilda EADIE relating to a charge that on 3 1.5.80 at Lindum she did use premises as a common betting house (p 11970)
- 962 Court brief of Bruce Edwin LEE relating to a charge that on 3 1.5.80 at Lindum he had in his possession instruments of betting on horse racing (p 11970)
- 963 Police information sheet dated 27.10.82 relating to s.p. betting activities of witness at Hemmant Hotel (p 11971)

WITNESS: Shane Richard WILSON (Telecom Investigator)

- 964 Photocopy of a microfiche record from Telecom records relating to two telephone services, 3934639 and 3967534 (p 11974)
- 964A Service card relating to service provided to Mr. Eadie (p 13107) (tendered 20.7.88)

WITNESS: Andrew Frank EADIE

- 965 Police information sheet dated 2.3.85 relating to an anonymous telephone call to the effect that a person was conducting s.p. betting operations at the Hemmant Hotel (p 11979)
- 966 Photocopy sheet containing two telephone numbers being an extract from confidential exhibit 807 (p 11983)

4 July 1988

WITNESS: Anthony Wayne THOMAS (Financial Analyst, Commission of Inquiry)

967 Financial report of witness and accompanying schedules (p 12006)

WITNESS: Terrence Joseph MELLIFONT

968 Name of friend to whom witness made a loan (p 12015)-(NOT FOR PUBLICATION OR INSPECTION)

969 Name of a southern registered bookmaker (p 12016)-(NOTFOR PUBLICATION OR INSPECTION)

970 Name of a principal of Tavefile, the company name of a registered bookmaker in New South Wales (p 12018)-(NOT FOR PUBLICATION OR INSPECTION)

971 Photocopy of cheque with the name "Gay Panossian" dated 1.9.86 (p 12030)

972 Licensing Branch collator sheet in relation to Ronald Edward PRATT and an Occurrence Sheet dated 19.9.83 (p 12039)

973 Licensing Branch collator sheet in relation to Terry MELLIFONT (p 12043)

WITNESS: Neville Charles HALTER

974 Document authorising various persons whose signatures appear to operate on the "Vaughn Knox" account (p 12048)

WITNESS: Ian Joseph KLEINHANSS

975 Photocopy of two cheques endorsed by witness (p 12063)

976 Various financial documents relating to the "Vaughn Knox" account (p 12067)

WITNESS: Patrick Bernard McCALLUM (Financial Analyst, Commission of Inquiry)

977 List prepared by witness taken from the cheque butts of the Threeway Syndicate which bear the notation "V. Knox" (p 12070)

978 Financial reports prepared by witness dated 4.7.88 relating to the "Vaughn Knox" account (p 12071)

WITNESS: Barry John ANDREWARTHA

979 Licensing Branch collator sheet and two police reports of December 1979 and March 1980 respectively relating to witness (p 1208 1)

5 July 1988

(In-Line Machines)

WITNESS: John Henry GARDE

980 Signature card for account in the name "John DOUGLAS" dated 26.2.74 (p 12114)

981 Photocopy report on detrimental effects of poker machines dated 9.7.80 prepared on direction of Cabinet (p 12123)

982 Photocopy of page of Sir Terence Lewis' diary dated Sunday 7.12.80 (p 12131)

FOR IDENTIFICATION ONLY

BW Name of politician said by witness to be a friend of Mr. Herbert and Mr. Lewis (p 12132)-(NOT FOR PUBLICATION OR INSPECTION)

983 Schedule of the history of directors, secretaries and shareholders of Vimi Pty. Ltd. (p 12134)

- 984 Photocopy certificate of incorporation, notice of registered address and particulars of directors of Garderob Pty. Ltd. (p 12135)
- 985 Photocopy certificate of incorporation, notice of registered address and particulars of directors of Boundary Nominees No. 1 Pty. Ltd. (p 12135)
- 986 Photocopy certificate of incorporation, notice of registered address and particulars of Arappa Holdings Pty. Ltd. (p 12138)
- 987 Article from the "National Times on Sunday" 15.11.87 headlined "Bally Scandal surfaces at corruption inquiry" (p 12 142)

(s.p. Betting)

- 988 Criminal history of Hector ROBERTSON and two court briefs in relation to matters appearing on the criminal history (p 12146)
- 989 Police report dated 9.8.78 and signed by Inspector W.D.A. JEPPESEN relating to Hector ROBERTSON and Jonathan Charles HARWOOD (p 12146)
- 990 Criminal history of Jonathan Charles HARWOOD and a police brief sheet relating to one of the matters appearing in the criminal history (p 12147)

(In-line Machines)

- 991 Summaries prepared from the books of Queensland Automatics showing annual receipts for in-line machines for the years 1983 to 1987 inclusive (p 12159)

6 July 1988

(s.p. Betting)

- 992 Photocopy of certified copy of transactions on the account of "John Douglas" (p 12203)

WITNESS: Leslie James HASTIE (former police officer)

- 993 Statement of witness dated 20.9.83 relating to his undercover activities at the Edinburgh Castle Hotel, Kedron and the s.p. bookmaking activities of Ronald Edward PRATT (p 12212)
- 994 Statement of Robert George SAWFORD relating to the arrest of Ronald Edward PRATT on s.p. bookmaking charges (p 122 12)

WITNESS: Anthony Wayne THOMAS (Financial Analyst, Commission of Inquiry)

- 995 Various schedules showing an analysis of the transactions of account of Terrence Geoffrey LAW (p 12241)

WITNESS: Terrence Geoffrey LAW

- 996 Photocopy Telecom records relating to telephone services of witness (p 12255)
- 997 Photocopy sheet containing names and telephone numbers being an extract from confidential exhibit 807 (p 12273)

7 July 1988

WITNESS: Cedric Phillip BYRNE

- 998 Photocopy sheet containing witness' telephone numbers being an extract from confidential exhibit 807 (p 12342)
- 999 Memorandum dated 11.3.85 from Inspector Parker to the Detective Senior Sergeant, Licensing Branch, relating to the s.p. bookmaking activities of witness (p 12346)
- 1000 Licensing branch information sheet dated 13.4.85 from Detective Sergeant R. Moore relating to observations made of witness' residence concerning s.p. bookmaking activity (p 12348)

- 1001 Memorandum dated 11.11.85 by Detective Sergeant R. Moore to Detective Inspector Bulger relating to observations carried out at witness' residence and at Aspley Hotel relating to s.p. bookmaking (p 12349)
- 1002 Photocopy of Licensing Branch collator sheets in the name of Cedric Byrne (p 12349)
- WITNESS:** Shane Richard WILSON (Telecom Investigator)
- 1003 Photocopy of Telecom records relating to telephone services 3595264 and 3595389 respectively connected to witness' residence at 6 Culworth Street, West Chermside (p 12360)
- WITNESS:** Anthony Wayne THOMAS (Financial Analyst, Commission of Inquiry)
- 1004 Financial report of Cedric Phillip BYRNE prepared by witness (p 1236 1), also taxation returns (p 12408)

11 July 1988

- WITNESS:** Cedric Phillip BYRNE
- 1005 Financial statement of witness (p 12412)
- WITNESS:** Neville John MURR (Financial Analyst, Commission of Inquiry)
- 1006 Financial report with taxation returns (6) attached for years July 1982 to June 1987 of William Frederick ZILLMAN (p 12437)
- WITNESS:** William Frederick ZILLMAN
- 1007 Memorandum dated 12.5.80 by Acting Detective Inspector G.R.J. Parker relating to information that off the course betting being carried on by a builder named ZILLMAN of Askew Street, Holland Park West. Reports dated 9.2.8 1 and 8.4.81 as to surveillance of residence. Licensing Branch collator sheet relating to witness (p 12449)
- 1008 Handwritten list of names of punters who betted with witness from 1985 to October 1987 (p 12508)
- 1009 Colour photograph of a male person (p 12508)
- WITNESS:** Keith William WELSH
- 1010 Letter dated 30.6.88 from Commissioner of Stamp Duties certifying that witness was licensed to field as a bookmaker by the Queensland Harness Racing Board during November 1984 to the present (p 12509)
- WITNESS:** John Jacob DIJKMANS (Accountant, Westpac Bank, Kippa Ring)
- 1011 Diary note of witness relating to Keith WELSH's application for a loan of \$6,000.00 (p 125 16)
- 1012 Application dated 24.7.87 by Keith WELSH and Antoinette Dorothy WELSH for a personal loan of \$6,000.00 from the Westpac Banking Corporation (p 12520)
- WITNESS:** Anthony Wayne THOMAS (Financial Analyst, Commission of Inquiry)
- 1013 Financial report prepared by witness relating to Keith William WELSH with taxation returns for years 1982 to 1987 (p 12522)

12 July 1988

- WITNESS:** Antoinette Dorothy WELSH
- 1014 Report dated 10.5.84 of Sergeant C.W.M. DILLON relating to off the course betting operation conducted by K. WELSH of 14 Tunderun Court, Deception Bay (p 12544)

1015 Report dated 1.10.85 of Constable P.J. KENYON confirming address of William Hector WELSH and Antoinette Dorothy WELSH (p 12562)

WITNESS: Keith William WELSH

1016 Telecom records dated 27.3.83 relating to telephone service 2031894 to witness' residence (p 12581)

1017 Handwritten list of names of punters who have betted with witness (p 12586)

1018 Memorandum dated 2 1.11.83 from Assistant Commissioner, Operations, R.J. Redmond to Detective Inspector Parker, Licensing Branch relating to information that sp. betting operations were being conducted at Deception Bay (p 12588)

1019 Questionnaire and financial statement of witness (p 12590)

1020 File of documents relating to Antoinette Dorothy WELSH and action taken to recover the fine imposed upon conviction for sp. betting (p 126 11) (tendered by Mr. C. CARRIGAN for the State Government)

WITNESS: William Frederick ZILLMAN

1021 Original trust deed relating to family trust (p 126 12)

1022 Red minute book of W C B Constructions Pty. Ltd. (p 12612)

1023 Questionnaire and financial statement of witness (p 126 14)

WITNESS: Kenneth Paul McADAM (Financial Analyst, Commission of Inquiry)

1024 Financial report prepared by witness relating to Patrick John McMAHON, taxation returns, Schedule 4, documents of Jack Reginald HERBERT seized in London at the time of his arrest, bank statements of T.M. and A. McMAHON account (p 12621)

13 July 1988

1025 Cheque deposit summary of selected clients of P. J. McMahan (p 12629)

WITNESS: Patrick John McMAHON

1026 Photocopy extract from Report of Royal Commission headed by F.X. Costigan Q.C. relating to witness-V01 4 Chapter 3 p 35 (p 12687)

1027 Statutory declaration of Superintendent Errol Gregory WALKER relating to a search of collator card index at the Licensing Branch with cards which the search revealed attached (p 12702)

WITNESS: Thomas Glen ALLEN

1028 Photocopy of application for telephone service in the name of "Glennan Robert ALLENTON" at Rodman Centre, Karp Court, Bundall (p 12716)

1029 Photocopy Licensing Branch Street Index Collator for Rodman Centre, Karp Court, Bundall (Suite 6) (p 12719)

1030 Letter dated 3.12.86 from Cannan & Peterson to G A WOCKNER, solicitor relating to a lease of Office No. 6, Rodman Centre, Karp Court, Bundall. Letter dated 18.5.88 from Wockner Partners to Commission of Inquiry enclosing various documents (p 12721)

14 July 1988

1031 Handwritten list of punters who betted with witness and premises used by witness for sp. betting operations in the last four years (p 12740)

1032 Names of police officers that witness has met (p 12740)

1033 Telecom records relating to three telephone services of witness (p 12747)

- 1034 Application for a private box at Surfers Paradise dated 27.5.7 1 and an Australia Post service record card (p 12758)
- 1035 Telecom records relating to telephone service 396377 in the name of Derwent Mining Company Pty. Ltd. (p 12759)
- 1036 New South Wales police file relating to various betting offences by witness and other persons (p 12761)
- 1037 Records of National Australia Bank of 4.12.79 relating to an overdraft of witness supported by a term deposit of \$6,000.00 lodged with the bank by a "Glen Thomas SMITH" (p 12764)
- 1038 Two colour photographs of Colonial Square Shopping Centre, Loganholme in which witness ran an s.p. betting operation for John LYONS in the first half of 1987 (p 12766)
- 1039 Names of persons who were to witness' knowledge involved in the importation of drugs (p 12784)-(NOT FOR PUBLICATION OR INSPECTION)
- 1040 Names of persons who were to witness' knowledge convicted of drug offences (p 12784)-(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Michelle Lenore NEAVE (Secretary, employed by Shillington Specialised Properties, Underwood)

- 1041 Photocopy of a rental card in respect of Shop 14 let to Anthony Mardy Marketing (p 12793)
- 1042 Photocopy of envelope in which the last rental payment was received with the sender's address on the back (p 12794)

WITNESS: Thomas Glen ALLEN

- 1043 Handwritten list of acquaintances of witness who had drug convictions (p 12795)-(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Margaret Ann SCOTT (Financial Analyst, Commission of Inquiry)

- 1044 Financial report with schedules attached on Thomas Glen ALLEN prepared by the witness (p 12802)

WITNESS: John Robert LYONS

- 1045 Report dated 24.8.87 Det. Sergeant R.J. MCCANN relating to suspected s.p. bookmaking activity of witness (p 12822)

WITNESS: Kenneth Paul McADAM (Financial Analyst, Commission of Inquiry)

- 1046 Two taxation returns of John R. LYONS for the years 1.7.85 to 30.7.87 (p 12831)
- 1047 Financial report of John Robert LYONS with schedules attached prepared by witness (p 12832)

18 July 1988

WITNESS: John Robert LYONS

- 1048 Photocopy bank signature card and authorization for signatories (p 12844)
- 1049 Photocopy signature card dated 15.5.86 of account in the name of "John O'Brien" (p 12845)
- 1050 Photocopy four keycard saving account deposit slips (p 12850)
- 1051 Photocopy Telecom cards relating to services 526295 520631 in the name of John O'Brien (p 12855)
- 1052 Letter dated 30.6.88 from Brian Gibbs Homes Pty. Ltd. showing payment received for the cost of construction of a house; deposit slips at Commonwealth Bank attached (p 12865)

FOR IDENTIFICATION ONLY

- BX Name of police officer known to witness (p 12871)-(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Marilyn Joy BALDEY (Freelance Artist)

1053 Original of witness' notes of conversation with Mrs.. SAUNDERS (p 12880)-(NOT FOR PUBLICATION OR INSPECTION)

1054 Photocopy of witness' notes with a name deleted of conversation with Mrs.. Saunders (p 12880)

FOR IDENTIFICATION ONLY

BY Name of person (p 12880)-(NOT FOR PUBLICATION OR INSPECTION)

WITNESS: Maria SAUNDERS

1055 Notes of witness and specimen of her handwriting (pp 12909, 12911)

WITNESS: Stanley Derwent SAUNDERS

1056 Notes in witness' handwriting on the back of document recording an interview with officers of the Commission (p 129 18)

1057 Name of three police officers who drank with witness (p 12919)

1058 Photocopy application dated 24.10.85 of Derwent Mining Pty. Ltd. for an overdraft of \$15,000.00 (p 12933)

1059 Licensing Branch collator sheet relating to witness (p 12938)

1060 Photocopy cheque dated 10.5.84 drawn on Derwent Mining Pty. Ltd., account with the National Australia Bank (p 12941)

1061 Photocopy page of witness' deposit book dated 5.12.85 signed by Mr. Allen (p 12942)

1062 Colour photograph of 2 1 Vista Street, Surfers Paradise (p 12950)

19 July 1988

1063 Summaries and printouts of deposits of witness' accounts (p 12968)

1064 List of telephone numbers in witness' handwriting taken from one of the books which witness' accountant made available to the Commission (p 12973)

1065 Photocopy of inward betting slips of witness (p 12973)

1066 Five colour photographs of house, the subject of Exhibit 1059 (p 12980)

1067 One colour photograph of house (p 12980)

WITNESS: Margaret Ann SCOTT (Financial Analyst, Commission of Inquiry)

1068 Report prepared by witness relating to Stanley Derwent Saunders; also taxation returns of Stanley Derwent Saunders and Derwent Mining Pty. Ltd. (p 12985)

WITNESS: John William BOULTON (former police officer)

1069 Extract of record of interview between witness and R. MARXSON dated 3.12.87 (p 12992)

(END OF WITNESS' EVIDENCE)

1070 Extract from police notebook of Detective Sergeant Leo OCKHUYSEN dated 5.10.84 relating to a visit to 11 Thelma Avenue, Labrador (p 12993)

WITNESS: Stanley Derwent SAUNDERS

1071 Extract from Telegraph dated 26.3.79 headed "Stan S" denies sp. link. Extract from Gold Coast Bulletin dated 20.3.79 headed "Top Cop Denies sp. Cover" (p 13001) (Tendered by Mr. T.S.C. Atkinson)

WITNESS: Margaret Ann SCOTT

WITNESS: John McEwan O'SULLIVAN (General Manager, T.P.D. Distributors (Q))

- 1109 Memorandum dated 6.3.87 to General Manager, Wholesale Operations T.P.D. Distributors (Q.) to General Manager, T.P.D. Distributors (Q.) relating to the robbery of stock in Mackay in April 1986 (p 13480)
- 1072 Memorandum dated 3.6.88 to D. Drummond from witness relating to her visit to W. B. BAYNE, Accountant, Surfers Paradise (p 130 12)

The Chairman presiding

WITNESS: Margaret WHITNEY (Telecom investigator)

- 1073 Computer printout from Telecom records covering the period 25.1.88 to 30.1.88 of cellular telephone service 018722428 in the name of Mr. DITTMAR; computer printout of same cellular telephone service showing numbers to which calls were diverted from 1.5.88 (p 13027)
(NOT FOR PUBLICATION OR INSPECTION IN COMPLIANCE WITH TELECOMMUNICATIONS INTERCEPTION LEGISLATION (COMMONWEALTH)) (includes Exhibit "BM" for identification)
- 1074 Extract from Telecom records in the name of T.J. FARRAR relating to two telephone services to the premises at 21 Vista Street, Surfers Paradise (p 13028)
Note: copy for inspection to delete names of other subscribers
- 1075 Extract from Telecom records relating to telephone service 075 317253 in the name of Mrs.. E. FARRAR connected to 21 Vista Street, Surfers Paradise (p 13029)

Note: copy for inspection to delete details of other subscribers
- 1076 Photocopy of service card relating to service 390409 connected to Penthouse 2, Panorama Towers, Watson's Esplanade, Surfers Paradise in the name of Jack Reginald HERBERT (p 13030)
- 1077 Original Telecom card relating to telephone service 522470 connected to 29 Jordan Terrace, Bowen Hills in the name of Margaret Agnes NEVIN (p 13030)

(END OF WITNESS' EVIDENCE)

- 1078 Photocopy contract dated 2.12.85 relating to sale of land at 29 Jordan Terrace, Bowen Hills from Gerald0 BELLINO and Vittorio CONTE to Jack Reginald HERBERT and Margaret Agnes HERBERT (p 13031)
- 1079 Schedule of calls from ALLAN phones to HERBERT and NEVIN phones and two computer printouts relating to service 354087 and 351876 respectively (p 13036) (NOT FOR PUBLICATION OR INSPECTION IN COMPLIANCE WITH TELECOMMUNICATIONS INTERCEPTION LEGISLATION (COMMONWEALTH))

The Deputy to the Commission presiding:

WITNESS: Thomas Glen ALLEN

- 1080 Photograph of male person identified by the witness as "Jim CASSIDY" (name used when betting) and "Charlie" (p 13048)

20 July 1988

WITNESS: Brian Leonard George SIEBER

- 1081 Photocopy criminal history of witness (p 13069)
- 1082 Photocopy authorization dated 29.7.77 to Commercial Bank of Australia Ltd., Surfers Paradise for Stanley Derwent SAUNDERS to operate witness' account (p 13069)
- 1083 Application for private box service at Tweed Heads Post Office of Brian SIEBER dated 2.4.75 (p 13070)
- 1084 Photocopy deposit slips in relation to witness' account at the Post Office Centre, Surfers Paradise (p 13098)
- 1085 Photocopy deposit slips in relation to witness' account, the three lower forms being deposits of cheques drawn on Derwent Mining Pty. Ltd. (p 13099)

WITNESS: Kenneth Paul McADAM (Financial Analyst, Commission of Inquiry)

- 1086 Income Tax Return of B. L. G. SIEBER for year 1.7.83 to 30.6.84 (p 13101)
1087 Summary of a sample of cheques and deposits during the period 18.4.84 to 2.6.88 from the account of Mr. SIEBER (p 13 102)
1088 Two diary notes dated 19.8.83 and 6.10.83 respectively made by Mr. SIEBER's bank manager (p 13103)
1089 Report prepared by witness relating to Brian Leonard George SIEBER (p 13 103)

WITNESS: Margaret Ann WHITNEY (Telecom Investigator)

- 1090 Photocopies of extracts from the 1972-73 and 1973-74 telephone directories highlighting A. F. EADIE (p 13104)
964A Service card relating to service provided to Mr. EADIE (p 13 107)

WITNESS: Leo Nicholas OCKHUYSEN (Detective Sergeant I/C, C.I. Branch, Oxley)

- 1091 Photocopy extracts from witness' official diary for Saturday 6.10.84 (p 13 111)
1092 Licensing Branch Occurrence Sheets for 5, 6 and 7.10.84 (p 13119)
1093 Licensing Branch collator card relating to 1/2 1 Vista Street, Surfers Paradise (p 13 124)
1094 Licensing Branch memorandum relating to premises at 1/2 1 Vista Street, Surfers Paradise dated 18.3.85 with witness' memorandum dated 1.4.85 on it (p 13124)

WITNESS: Terrence Maxwell GIBSON (Advisor, Racing Services, Dept. of Local Government)

- 1095 Report of witness (p 13 144)

WITNESS: Robert Ashley MARXSON (Legal Officer, Commission of Inquiry)

- 1096 Statement of witness relating to s.p. betting (p 1315 1)

21 July 1988

DRUGS: Mackay

WITNESS: Anthony WALLACE (Indemnity granted)

- 1097 Photocopy receipt dated 20.11.84 issued by the Mackay C.I. Branch relating to the return of certain property to witness (p 13175)
1098 Name of a person (p 13248)-(NOT FOR PUBLICATION OR INSPECTION)

FOR IDENTIFICATION ONLY

BZ Names of two police officers who were the subject of a complaint by witness in about 1985 or 1986 (p 13348)-(NOT FOR PUBLICATION OR INSPECTION)

25 July 1988

WITNESS: Ernest HOCKINGS (Detective Senior Constable Mackay C.I. Branch)

- 1099 Two colour photographs of floor safe at Victor FALZON's residence (p 13280)

FOR IDENTIFICATION ONLY

CD Name of owners of property on which there was a drug plantation (p 13290)-(NOT FOR PUBLICATION OR INSPECTION)

CE Statutory declaration of Brian Rodney MARLIN (p 13294)-(NOT FOR PUBLICATION OR INSPECTION)

1100 Photocopy of pages 120-125 of official notebook of Detective Senior Constable B.R. MARLIN dated Wednesday 6.8.86 (p 13332)

WITNESS: Victor FALZON

1101 Statutory declaration of witness dated 30.5.88 (p 13370)

WITNESS: Susan Claire RANN (Rental Manager, Jaquer Real Estate, Buderim)

1102 Schedule A to the Statutory declaration of witness being compiled from the records of the building society of the transactions from the account (p 13379)

1103 Pink typewritten notes prepared by witness relating to a telephone conversation between witness and John KOLENCE on 30.6.88 (p 13381)

1104 Typewritten notes of a telephone conversation between witness and John KOLENCE on 19.7.88 (p 13391) Extract from diary showing handwritten notes made by witness of telephone conversation with John KOLENCE dated 19.7.88 (p 13401) (tendered 26.7.88)

26 July 1988

1105 Statutory declaration of Constable Wayne JENKINSON dated 6.6.88 (p 13406)

WITNESS: Maxwell John HOULEY (retired Sergeant 2/C, Mackay)

1106 QP9 Court brief of Michael Paul FALZON relating to a charge that on 6.8.86 at Mackay he had in his possession a prohibited plant (p 13423)

1107 Commissioner's Circular dated 20.9.83 relating to the election of prosecutors under s 1301 of the Health Act (p 13423)

1108 Statement of Peter John HIGHAM concerning the presence of Detective Senior Sergeant John KOLENCE in the office of Gerard John FALZON (p 13443)

WITNESS: John McEwan O'SULLIVAN (General Manager, T.P.D. Distributors (Q))

1109 Memorandum dated 6.3.87 to General Manager, Wholesale Operations T.P.D. Distributors (Q.) to General Manager, T.P.D. Distributors (Q.) relating to the robbery of stock in Mackay in April 1986 (p 13480)

WITNESS: Mark KUMMEROW (Detective Senior Constable, Mackay C.I. Branch)

1110 Letter dated 26.7.88 from Australian Guarantee relating to the loan details of Mark Kummerow (p 13507)

27 JULY 1988

WITNESS: Patrick Joseph BRUTON (Inspector Grade I of Police, District Officer, Mackay)

1111 Statutory declaration of witness dated 27.7.88 with various annexures (p 13546)

WITNESS: Alan John PARKER (Sergeant, Mackay Police District Office)

1112 Photocopy application dated 12.5.88 for special leave of Detective Senior Sergeant J.C. KOLENCE
Photocopy application dated 18.5.88 for sick leave of Detective Senior Constable B.R. MARLIN (p 13564)

1113 Copy covering letter dated 2.6.88 to Sergeant Alan PARKER from the Commission of Inquiry;
Statutory declaration of Sergeant Alan PARKER dated 2 1.7.88, with a schedule attached; draft
Statutory declaration of Sergeant Alan PARKER (p 13572)

WITNESS: Neville John MURR (Financial Analyst, Commission of Inquiry)

- 1114 Statutory declaration of witness with schedules attached relating to John Charles KOLENCE (p 13590)
- 1115 Statutory declaration of Steve TISSIZIS relating to Harry PAPPAS (p 13593)
- 1116 Statutory declaration of Detective Sergeant 2/C Ian POWELL, Mackay C.I. Branch relating to the surveillance of a marijuana plantation (p 13600)

(BRACKET OF EVIDENCE RELATING TO SOLICITORS' CONDUCT)

WITNESS: Susan Jane HOWES (Law Clerk)

- 1117 Photocopy trust account receipt dated 1.8.86 from A.W. Bale & Son to "J.R. LIPSKI" (p 136 10)

28 JULY 1988

- 1118 "T.P.D." File Chronology-Mackay (p 136 13)

WITNESS: Thomas John HANEY (solicitor)

- 1119 Two cards from witness' trust account ledger relating to clients "M. NEILL" and "J.R. & M.A. HERBERT" respectively (p 13644)
- 1120 Release of Bill of Mortgage of the mortgagors J.R.& M.A. HERBERT by the mortgagee "Margaret NEILL" (p 13646)
- 1121 Handwritten note from the file of Takbes Pty. Ltd. (p 13651)
- 1122 Photocopy trust account ledger card of Takbes Pty. Ltd. (p 13651)
- 1123 Contributory loan statement of a loan to Takbes Pty. Ltd. (p 13652)
- 1124 Copy covering letter dated 17.1.85 to Mr. & Mrs.. H. HALL from Shakespeare & Haney enclosing copy of Agreement of Sale relating to their purchase of shares in Yangoora Pty. Ltd.; also Agreement of Sale of shares in Yangoora Pty. Ltd. to Harry Briggs and Dianne Lewis (p 13656)
- 1125 Unexecuted company documents relating to Yangoora Pty. Ltd. (p 13657)
- 1126 Copy covering letter dated 26.3.85 to Mr. H. HALL from Shakespeare & Haney enclosing copy letter received from the Gold Coast City Council relating to a massage parlour operating from certain premises (pp 13660, 13661)
- 1127 Contract of Sale dated 9.1.85 between Burleigh International Pty. Ltd. and Rabshar Pty. Ltd. as vendors and Cavalmao Pty. Ltd. and/or Nominee as purchaser (p 13660)
- 1128 Authority dated 4.1.85 of Cavalmao Pty. Ltd. signed by witness as a director of Yangoora Pty. Ltd. (p 13662)
- 1129 Bill of Mortgage with Yangoora Pty. Ltd. as mortgagor and John Convery and others as mortgagee (p 13666)
- 1130 Contributory loan statement of a loan to Yangoora Pty. Ltd. lent by John Convery and others (p 13669)
- 1131 Two contributory loan statements of a loan to Takbes Pty. Ltd. and Yangoora Pty. Ltd. respectively (p 13669)
- 1132 Undertakings to the Commission of Inquiry signed by Daniel John CONVERY in the presence of Mr. Marxson (p 13669)
- 1133 Contract of Sale dated 23.5.85, the purchaser being Yangoora Pty. Ltd. signed by "H. BRIGGS" (p 13670)
- 1134 Photocopy of Bill of Mortgage between Yangoora Pty. Ltd. and Warren James NEWLING (p 13672)
- 1135 Photocopy of transfer from Yangoora Pty. Ltd. to Trump Holdings Pty. Ltd. (p 13675)

FOR IDENTIFICATION ONLY

CF Photograph of Ann Marie TILLEY and another person (p 13677)-(NOT FOR PUBLICATION OR INSPECTION)

3 August 1988

WITNESS* Iance Michael **NICHOLAS**

- 1136 Various company documents relating to Takbes Pty. Ltd. (p 13678)
- 1137 Transfer from Takbes Pty. Ltd. to Trump Holdings Pty. Ltd. (p 13681)
- 1138 Copy letter dated 14.8.86 from Shakespeare & Haney to Mr. H. HALL relating to Takbes Pty. Ltd. (p 13681)
- 1139 Bill of Mortgage of Arkstern Pty. Ltd. to Ducatoon Pty. Ltd. (p 13703)
- 1140 Bill of Mortgage of Benhigh Pty. Ltd. to Ducatoon Pty. Ltd. (p 13703)

1 August 1988

- 1141 Photocopy cash consignment note dated 25.8.87 of Australian Cargo the sender being Shakespeare & Haney the receiver Mrs. Ann Hall (p 13708)
- 1142 Handwritten note of various properties of Hapeta and Tilley (p 137 12)
- 1143 Handwritten notes of various properties of Hapeta and Tilley (p 13712)
- 1144 Six partly drafted leases (p 137 12)
- 1144A (See 5.12.88 herein)
- 1144B (See 8.12.88 herein)

WITNESS: Stephen John GRAY (partner Scattini Rigby & Gray, solicitors)

- 1145 Letter dated 6.3.84 to Cedlin Pty. Ltd. from Scattini Rigby & Gray relating to the purchase from Stereotype (No 278) Pty. Ltd. of property at 24 Logan Road, Woolloongabba (p 13747)
- 1146 Photocopy contract dated 14.2.84 of sale of 24 Logan Road, Woolloongabba by Stereotype (No 278) Pty. Ltd. to Cedlin Pty. Ltd. (p 13747)
- 1147 Copy letter dated 22.2.84 to Commissioner of Land Tax from Scattini Rigby & Gray seeking advice as to whether any land tax is outstanding in respect to the above property (p 13747)
- 1148 Letter dated 11.5.84 to Scattini Rigby & Gray from Chambers McNab Tully & Wilson relating to the sale by Stereotype (No 278) Pty. Ltd. to Cedlin Pty. Ltd. (p 13747)
- 1149 Copy letter dated 17.5.84 from Scattini Rigby & Gray to Mr. H. B. Hall relating to the purchase of property from Stereotype (No 278) Pty. Ltd. by Cedlin Pty. Ltd. (p 13747)
- 1150 Handwritten note of witness (p 13749)
- 1151 Copy letter dated 18.5.84 to Cedlin Pty. Ltd. from Scattini Rigby & Gray relating to new contracts for the purchase of 24 Logan Road, Woolloongabba (p 13749)
- 1152 Original copy contract of sale dated 2 1.5.84 of sale of property from Stereotype (No 278) Pty. Ltd. to Cedlin Pty. Ltd. (p 13749)

WITNESS: John Connelly QUINN (solicitor, Chambers McNab Tully & Wilson)

- 1153 Various letters and diary notes from file of Chambers McNab Tully & Wilson relating to sale of property from Stereotype (No 278) Pty. Ltd. to Cedlin Pty. Ltd. (p 13765)
- 1154 Photocopy transfer as lodged in the Titles Office and Form 48 (p 13767)

WITNESS: Stephen John GRAY

- 1155 Copy letter dated 30.5.84 to Cedlin Pty. Ltd. from Scattini Rigby & Gray relating to purchase of property (p 13772)
- 1156 Copy letter dated 16.8.84 to Mr. B Englert from Scattini Rigby & Gray relating to a valuation of property at 24 Logan Road, Woolloongabba (p 13772)
- 1157 Certified copy of notification of change of ownership to the Valuer-General's Office showing consideration of \$140,000 (p 13772)
- 1158 Contract of sale dated 12.10.83 of sale of property from Kemsley Enterprises Pty. Ltd. to Hector HALL. Agreement made 12.10.83 between Kemsley Enterprises Pty. Ltd. and Hector HALL (p 13775)
- 1159 Typewritten diary note of witness made 13.12.83 (p 13776)

- 1160 Copy letter dated 5.1.84 to Kemsley Enterprises Pty. Ltd. from Scattini Rigby & Gray showing various calculations (p 13782)
- 1161 Copy letter dated 5.1.84 to Mr. H Hall from Scattini Rigby & Gray relating to the purchase from Kemsley Enterprises Pty. Ltd. (p 13782)
- 1162 Handwritten receipt by witness dated 16.12.83 relating to the receipt of 8 bundles of \$500.00 (p 13782)
- 1163 Original amended contract of sale dated 12.10.83 of property from Kemsley Enterprises Pty. Ltd. to Hector Hall (p 13782)
- 1164 Agreement made 12.10.83 between Kemsley Enterprises Pty. Ltd. and Hector Hall (p 13790)
- 1165 Two Form F, one for \$180,000.00 and the other for a mixture of \$180,000.00 and \$140,000.00 (p 13790)
- 1166 Letter dated 16.11.83 to Mr. H Hall from Scattini Rigby & Gray re purchase from Kemsley Enterprises Pty. Ltd. (p 13790)
- 1167 Handwritten file note of witness referring to H. HALL which states "12,000 to A C H" (p 13790)
- 1168 Two pages of handwritten notes and calculations of settlement figures made by witness (p 13790)
- 1169 Photocopy of section 48 declaration and Memorandum of Transfer (p 13791)
- 1170 Certified copy of Valuer-General's form dated 5.1.84 relating to the notification of Change of Ownership (Form VG-1) (p 13791)

2 August 1988

WITNESS: Peter Albert BELL

- 1171 Guarantee dated 7.4.82 (p 13796)

WITNESS: Barry George KENT (Bank Manager, Westpac)

- 1172 Photocopy diary note of witness dated 7.2.85 relating to a loan of \$100,000 by G. Bellino to purchase property at 29 Jordan Terrace, Bowen Hills (p 13819)

WITNESS: Gregory Keith MARHEINE (Forensic document examiner)

- 1173 Sheet of specimen signatures of Aldo Di Lione (p 13828)

WITNESS: Aldo Di LIONE

- 1174 Memorandum of Transfer relating to property at 29 Jordan Terrace, Bowen Hills (p 13829)

WITNESS: David Benjamin SMITH (Real Estate Agent)

- 1175 Handwritten note of witness showing calculations (p 13881)

WITNESS: Peter Geoffrey FORREST

- 1176 Sales envelope of Benjamin Smith Real Estate relating to the sale to witness of Laidlaw Parade property from J. R. Herbert (p 13894)
- 1177 Sales envelope of Benjamin Smith Real Estate relating to the sale of "Southbank" property to J. R. Herbert from witness (p 13894)

(END OF WITNESS' EVIDENCE)

- 1178 Statutory declaration made on 29.7.88 of Detective Sgt l/c Philip John SMITH relating to investigation concerning Cyril John McDONALD Justice of the Peace (p 13895)

3 August 1988

WITNESS: Lance Michael NICHOLAS

- 1179 Photocopy cheque dated 8.6.87 drawn on the TAB of Queensland account at Fortitude Valley, "Pay L. Nicholas \$22,000.00" endorsed on the back "L. Nicholas, please pay to credit J R Herbert" (p 13928)
- 1180 Photocopy document of witness' note to J. R. Herbert detailing winnings on the races (p 13929)
- 1181 Duplicate deposit book (p 13931)
- 1182 Unexecuted agreement for tenancy between J. R. Herbert & M. A. Herbert and G. Ainsworth (p 13937)
- 1183 Four receipts made out to G. Ainsworth (p 13937)
- 1184 Bundle of owner's cards and the tenant's cards (p 13937)
- 1185 File of witness with respect to the sale from Forbes to Herbert of Lot 10 Forbes Industrial Estate (p 13948)
- 1185A Letter tendered 7.9.88
- 1186 Photocopy of witness' receipt dated 8.2.88 to L. Wilson (p 13954)
- 1187 Tenant's cards (p 13954)
- 1188 Tenant's cards for 82 Racecourse Road (p 13958)
- 1189 Rental cards of witness (p 13959)
- 1190 Duplicate deposit book (p 13965)
- 1191 Photocopy duplicate deposit slip (p 13966)

(END OF WITNESS' EVIDENCE)

- 1192 Solicitors' Handbook 1983 issued in October 1983 by the Queensland Law Society Incorporated. Covering letter from S. S. Carter, solicitor to the Queensland Law Society Incorporated (p 13983)

(s.p. betting evidence)

WITNESS: John Richard McIVOR (registered bookmaker)

- 1193 Criminal history of Janice Ellen McIVOR (p 13991)
- 1194 Criminal history of Stanley Derwent SAUNDERS (p 13991)
- 1195 Document prepared by witness setting out his financial details (p 13994)

4 August 1988

FOR IDENTIFICATION ONLY

CG Names of police officers with whom witness is closely acquainted (p 14010)-(NOT FOR PUBLICATION OR INSPECTION)

- 1196 Bank document detailing witness' financial position as at 3.2.82 (p 14014)

WITNESS: Neville John MURR (Financial Analyst, Commission of Inquiry)

- 1197 Financial report prepared by witness relating to John Richard McIVOR (p 140 17)
- 1198 Two pages of handwritten notes obtained from Mr. McIvor's accountants (p 14020) (previously referred to as Exhibit CH for identification (p 14016)
- 1199 Six pages of handwritten notes obtained from Mr. McIvor's accountants (p 14020)
- 1200 Photocopy of six cheques drawn on J. R. McIVOR's account payable to C. Yorke (p 14025)

(END OF WITNESS' EVIDENCE)

1201 Extract from the Racing and Betting Act 1980 (p 14030)

WITNESS: Douglas John WHITE

1202 Replies of witness to questionnaire as to his financial affairs (p 14041)

WITNESS: William Francis GREAVES

1203 Photocopy bank signature specimen card and accompanying bank document dated 19.8.87 (p 14046)

1204 Application to Australia Post dated 26.10.84 for a private box in the name of William THOMAS (p 14049)

1205 Bank document dated 9.6.83 in the name of W. THOMAS (p 14052)

1206 Photocopy statement from Westpac Bank Coorparoo in the name of W. THOMAS (p 14053)

1207 Application to Australia Post for a private box dated 29 March 1983 in the name of Warren THOMAS (p 14057)

FOR IDENTIFICATION ONLY

CH Photocopy Telecom record card showing Kenneth James MARKS as subscriber to telephone service located at Unit 6, 82 Racecourse Road Ascot (p 14057)-(NOT FOR PUBLICATION OR INSPECTION) Now Exhibit 1218; 8.8.88

1208 Photocopy four cheque butts showing payments to Telecom (p 14061)

1209 Photocopy four cheque butts with cheque butt 241092 being made out to Telecom (p 14061)

1210 Photocopy two cheque butts with one dated October 1985 made out to Telecom (pp 14061, 14067)

WITNESS: Kenneth Paul McADAM (Financial Analyst, Commission of Inquiry)

1211 Financial report prepared by witness relating to William Francis GREAVES (p 14069)

8 August 1988

WITNESS: William Francis GREAVES

1212 Photocopy Certificate of Title in relation to premises at 327 George Street, Brisbane and photocopy Valuer General's Department print out showing owners in the period October 1981 to November 1984 to have been Brian Michael OGILVIE, Bruce William McHUGH and William James HURLEY (p 14097)

1213 Licensing Branch report dated 9.11.85 of Det Sgt R. Moore stating that witness' premises at Kangaroo Point and his motor vehicle had been searched and no evidence connecting him with s.p. betting located (p 14100)

1214 Licensing Branch report dated 11.8.87 of Det Sgt 2/c R. J. McCann stating that witness' premises at Whitecliffe Street Albion Heights had been searched and that Miss Smith was present (p 14101)

1215 Licensing Branch information sheet dated 19.2.87 of Det Sgt 2/c R. J. McCann stating that witness was operating as an s.p. bookmaker (p 14102)

1216 Various police department reports relating to the witness and his s.p. betting activities (p 14103)

1217 Photocopy Licensing Branch collator cards relating to witness (p 14103)

WITNESS: Margaret Ann WHITNEY (Telecom Investigator)

1218 Photocopy Telecom record card showing Kenneth James MARKS as subscriber to telephone service located at Unit 6, 82 Racecourse Road Ascot (p 14130) (previously marked Exhibit CH for identification-refer 4.8.88 herein)

1219 Photocopy page from 1984 Brisbane telephone directory highlighting an entry MARKS, KJ 82 Racecourse Road Ascot telephone number 2687075 (p 14131)

- 1220 Two Telecom service cards-one relating to telephone number 2687362 the subscriber being K.J. MARKS, 6/82 Racecourse Road Ascot and the other to telephone number 2687162 to the same subscriber and address (p 1413 1)
- 1221 Photocopy from Telecom's microfiche records showing telephone number 2687277 the subscriber being K.J. MARKS c/- Nicholas Realty, St Paul's Terrace (p 14132) (copy for inspection to delete all details except those relating to K. J. MARKS) (p 14133)
- 1222 Photocopy from Telecom's microfiche records showing telephone number 2627011 the subscriber being Mr. W. THOMAS, Flat 5, 24 Whitecliffe Street, Albion Heights (p 14132)
- 1223 Photocopy page 1985 Brisbane telephone directory highlighting an entry for W. THOMAS 24 Whitecliffe Street, Albion Heights telephone number 262 7011 (p 14133)
- 1224 Photocopy Telecom microfiche record showing Mr. W. HILLS 5/24 Whitecliffe Albion Heights having telephone service 2622804 (p 14133)
- 1225 Telecom service card relating to telephone service 2627127 showing Warren THOMAS 5/480 Sandgate Road, Clayfield as the subscriber (p 14134)
- 1226 Photocopy various Telecom service cards relating to telephone service 3914361 (p 14135)
- 1227 Computer printout from Telecom records relating to telephone service 3914362 the current subscriber being Mr. W. F. GREAVES Cnr River Tee and Paton Street, Kangaroo Point (p 14135)
- 1228 Photocopy page 1983 Brisbane telephone directory highlighting W. THOMAS Food Broker 327 George Street telephone service 2290688 (p 14135)
- 1229 Photocopy microfiche from Telecom records relating to telephone service 2990688 the subscriber being W THOMAS (p 14137)
- 1230 Photocopy microfiche from Telecom records relating to telephone service 2990688 the subscriber being WW & J THOMAS trading as Thomas Advertising; also the same subscriber had telephone services 2290030 and 2290830 (p 14138)
- 1231 Photocopy microfiche from Telecom records relating to telephone service 2290388 (p 14138) Note: see comments of Mr. Butler, Counsel Assisting, regarding this exhibit at p 14 138
- WITNESS:** Thomas Leonard CARROLL (registered bookmaker and company director)
- 1232 Photocopy Australia Post application dated 15.7.85 for private box in the name of FAZILIKA PTY. LTD. (p 14144)
- 1233 Photocopy corporate affairs documents in relation to Kalblue Pty. Ltd. (p 14147)
- 1234 Photocopy corporate affairs documents from Victoria in relation to Fazilika Pty. Ltd. (p 14147)
- 1235 Letter dated 10.5.88 from the Commissioner of Stamp Duties relating to Thomas Leonard CARROLL certifying he was licensed to field as a bookmaker since 30.1.87 (p 14 147)
- WITNESS:** Neville John MURR (Financial Analyst, Commission of Inquiry)
- 1236 Financial report and schedules prepared by witness relating to Thomas Leonard CARROLL (p 14160A)
- 1237 Summary from cash book in relation to payments from Kalblue Pty. Ltd. to P. McMahon (p 14160A)
- 1238 Summary from cash book in relation to payments from Kalblue Pty. Ltd. to R. Scott (p 14160)
- 1239 Photocopy cheque dated 18.7.86 in the sum of \$18,000.00 to T. Carroll drawn on Queensland Police Credit Union Ltd. (p 14160)
- WITNESS:** Thomas Leonard CARROLL
- 1240 Four handwritten pages prepared by witness in reply to a questionnaire provided by Commission of Inquiry (p 14162) Note: previously marked Exhibit CI for identification (p 14160)

9 August 1988

- 1241 Licensing Branch information sheet dated 9.2.87 relating to Carroll and Bob SCOTT operating as s.p. bookmakers (p 14173)

- 1242 Licensing Branch reports dated 16.6.87 and 20.2.87 relating to the s.p. bookmaking activities of Carroll and Scott (p 14174)
- 1243 Licensing Branch collator cards relating to Thomas Edward CARROLL (p 14177)
- WITNESS:** Neville John MURR
- 1244 Working sheets obtained from Mr. Carroll's accountant (p 14186)
- 1245 Taxation returns of Kalblue Pty. Ltd. for the years 1985 1986 and 1987 (p 14186)
- 1246 Financial report and bank signature cards prepared by witness relating to Ross Agencies (p 14199)
- (END OF WITNESS' EVIDENCE)
- 1247 Statement of Detective Senior Sergeant M. C. PRASKE relating to attempts to locate and serve with summonses Max GRUNDY and David George GREENSMITH (p 14199)
- 1248 Listing of page references of Commission transcript re Max GRUNDY, David George GREENSMITH and Ross Agencies and their involvement in s.p. bookmaking (p 14200)
- 1249 Statutory declaration dated 2.8.88 of Stanley BOND; response of Stanley BOND to questionnaire from the Commission as to his financial position (p 14200)
- 1250 Listing of page references of Commission transcript re Stanley BOND and his involvement in s.p. bookmaking (p 14200)
- 1251 Various police reports and Licensing Branch collator card relating to the s.p. bookmaking activities of Stanley BOND (p 14200)
- WITNESS:** Kenneth Paul McADAM (Financial Analyst, Commission of Inquiry)
- 1252 Financial report with schedules prepared by witness relating to Stanley BOND and Patricia Lorraine BOND (p 14202)
- (END OF WITNESS' EVIDENCE)
- 1253 Various police reports and court briefs relating to Harold HUNTER, Jack SHEPHERD and Bruce Gordon WHITEMAN (p 14203)
- 1254 Various court briefs and police reports relating to the s.p. bookmaking activities of Hector ROBERTSON (p 14203)
- 1255 Photocopy court brief relating to Jonathan Charles HARWOOD (p 14203)
- 1256 Handwritten list of police officers both present and former known to Leonard Walter DITTMAR (p 14203) (previously marked Exhibit BO for identification-see 7.6.88 herein)
- 1257 Four betting slips (p 14203)(previously marked Exhibit BI for identification-see 17.5.88 herein)
- 1258 Criminal history of Patrick John HICKEY (p 14203)
- 1259 Criminal history of Francis William KEENAN (p 14204)
- 1260 Criminal history of Leonard Walter DITTMAR (p 14204)
- 1261 Criminal history of Robert Dean BAX (p 14204)
- 1262 Criminal history of Andrew Frank EADIE (p 14204)
- 1263 Eight letters from Commissioner of Stamp Duties relating to various persons who have been and who have not been licensed to field as bookmakers (p 14204)
- WITNESS:** Patrick Bernard McCALLUM (Financial Analyst, Commission of Inquiry)
- 1264 Computer printout of summary of information relating to financial transactions (p 14207)
- WITNESS:** Lytton John WELLINGS (Sergeant l/c Criminal Intelligence Analyst, Commission of Inquiry)
- 1265 Chart showing connections between persons involved in s.p. bookmaking (p 142 10)

- 1266 Chart showing financial interactions between persons involved in s.p. bookmaking (p 14210)
1267 Chart produced from a composite of evidence and financial information showing connections with Jack Reginald HERBERT (p 142 12)

(End of bracket of evidence relating to s.p. bookmaking)

Evidence Relating to Police Misconduct, Licensing Branch, Brisbane

WITNESS: Noel Thomas KELLY (Senior Sergeant, Uniform Section Woolloongabba)

- 1268 Statement of witness' service in the Police Force (subject to corrections at p 142 13) (p 142 13)
1269 Envelope of documents found in Jack Herbert's belongings in England concerning massage parlour owners, prostitutes, police and various s.p. bookmaking activities on the Gold Coast (p 14259)-(NOT FOR PUBLICATION OR INSPECTION)
1270 Envelope of documents recovered from a unit owned by Jack Herbert at Panorama Towers (p 1426 1)-(NOT FOR PUBLICATION OR INSPECTION)
1271 Photocopy note found amongst Jack Herbert's belongings in England (pp 14239, 14263) (Original note tendered 8.9.88 and placed with photocopy)

10 August 1988

- 1272 Statutory declaration sworn on 4.8.88 (p 14267)-(NOT FOR PUBLICATION OR INSPECTION)
1273 Statutory declaration sworn on 8.8.88 (p 14267)-(NOT FOR PUBLICATION OR INSPECTION)
1274 Statutory declaration sworn on 8.8.88 (p 14267)-(NOT FOR PUBLICATION OR INSPECTION)
1275 Statutory declaration of Mark Edward WOOLNOUGH 8.8.88 (p 14267)-(NOT FOR PUBLICATION OR INSPECTION)
1276 Submissions as to the obtaining of the conversation between John HERBERT and Noel Thomas KELLY on 15.3.88 (p 14268)-(NOT FOR PUBLICATION OR INSPECTION)
1277 Two audio cassette tapes (p 14268)
1278 One video cassette tape (p 14269)
1279 Transcript of private conversation between John HERBERT and Noel Thomas KELLY on 15.3.88 (p 14269)
1280 Extract from the Sun newspaper of Tuesday 1 5.3.88 headlined "No deal as freed Herberts fly home" (p 14317)
1281 Note written by witness-enclosed in a plastic envelope (p 14339)

11 August 1988

WITNESS: "Mrs. ANDERSON"

IDENTIFICATION ONLY

- CJ Correct name of witness (p 14341)-(NOT FOR PUBLICATION OR INSPECTION)
1282 Address of the house which witness rented to Warren ARMSTRONG (p 14342)-(NOT FOR PUBLICATION OR INSPECTION)
1283 Name of solicitor recommended by Mr. Bulger to Mr. Armstrong (p 14350)-(NOT FOR PUBLICATION OR INSPECTION)

15 August 1988

- 1284 Photocopy letter dated 15.8.88 to the Commission from A. W. Bale & Son solicitors for A. S. Bulger with attached medical certificate from Dr Ian Miles (p 14395)
- 1285 Letter in reply dated 15.8.88 to A. W. Bale & Son from the Commission (p 14395)

The Chairman presiding

- 1286 Photocopy note in Mr. Bulger's handwriting relating to his medical certificate (p 14408)

16 August 1988

The Deputy to Commission presiding

WITNESS: Allen Stewart BULGER (Inspector, Operations Centre)

- 1287 Names of persons Jack Herbert and witness discussed as possible heads of the Inquiry (p 14432)-
(NOT FOR PUBLICATION OR INSPECTION)
- 1288 Extract from Police Rules-r 80(2)(a)(vi) (p 14448)
- 1289 Photocopy document setting out contacts between witness and Jack Herbert (p 14448)

FOR IDENTIFICATION ONLY

CK Name of police officer said by witness to be over-friendly with Warren Armstrong
(p 14453)-(NOT FOR PUBLICATION OR INSPECTION)

- 1290 Photocopy handwritten note (p 14470) (Original tendered 8.9.88)
- 1291 Photocopy of witness' betting book (p 14479)
- 1292 Photocopy six rent letters (p 14487)
- 1293 Specimen signatures of J Mitchell (p 14487)
- 1294 Lease application in the name of Jack Mitchell (p 14496)
- 1295 Reich lease and the Reich rental advices (p 14496)
- 1296 Photocopy of the Mitchell lease (p 14496)
- 1297 Management agreement between Mr. and Mrs. Bulger and the agent (p 14496)
- 1298 Answers of witness to Commission's questionnaire (p 14496)

18 August 1988

- 1299 Photocopies of betting sheets of Mr. Voigt and Mr. Stewart bookmakers (p 145 19)

WITNESS: Patrick Bernard McCALLUM (Financial Analyst, Commission of Inquiry)

- 1300 Report and accompanying schedules prepared by witness relating to the financial affairs of Mr. Bulger (p 14527)
- 1300A Supplementary report (refer 22.8.88 herein)
- 1301 Westpac Bank deposit slip dated 3.8.87 in the sum of \$4611.15 (p 14533)
- 1302 Bundle of documents relating to the purchase of the house at 103 Billan Street, Carina in the name of Anthony Bulger and the loan documentation relating to that purchase (p 14534)
- 1303 Analysis of payment into Anthony Bulger's loan account, Westpac Bank, Cannon Hill and photocopy deposit slips (p 14534)

(END OF WITNESS' EVIDENCE)

- 1304 Two statutory declarations and annexures of Judith Diane STEPHENS, property manager employed by PRD Realty Coolangatta relating to the signing of the Mitchell lease document on 12.3.86 (p 14535)
- 1305 Report dated 1.8.88 of handwriting expert Gregory Marheine with ten annexures examined by Mr. Marheine (p 14536)
- 1305A See 8.9.88 herein
- 1305B See 8.9.88 herein
- 1306 Statutory declaration of Brendan John BUTLER, Counsel Assisting, sworn 11.8.88 deposing to the finding of exercise book examined by Mr. Marheine among Jack Herbert's belongings in London (p 14536)
- 1307 Statutory declaration sworn 15.8.88 of Leyland Howard JONES, senior technical officer and fingerprint expert relating to the examination of fingerprints on the six rent letters (p 14536)

WITNESS: Allen Stewart BULGER

- 1308 Photocopy 1988 Queensland Police Credit Union Calendar showing the rental for 1,988 from the unit at Dry Dock Road (p 14556)
- 1309 Report of witness dated 4.7.86 to Assistant Commissioner, Crime and Services responding to criticism of the Licensing Branch in the Sturgess Report (p 14569)
- 1310 Report dated 29.9.86 of witness to Assistant Commissioner, Crime and Services indicating Licensing Branch activity following on from criticism in the Sturgess Report (p 14579)
- 1311 Report dated 3 1.12.86 of witness to Assistant Commissioner, Crime and Services being a further update on activity by the Licensing Branch (p 1458 1)
- 1312 Report dated 10.4.87 of witness to Assistant Commissioner, Crime and Services relating to Licensing Branch activity (p 14582)
- 1313 Report of witness dated 13.1.86 (sic) relating to prostitution in response to a Courier Mail article dated 12.1.87 (p 14588)
- 1314 Report of Det. Sgt. J. A. Lidicky dated 26.11.86 relating to Hector Brandon Hapeta and associates and involvement in prostitution and other criminal activity (p 14606) (p 169 18) Note: Non-publication order concerning witness "Trevor" in this report)
- 1315 Report dated 5.12.86 headed "Strictly Confidential" to the Commissioner from Detective Inspector C. J. Thompson, Bureau of Criminal Intelligence relating to Detective Sgt. Lidicky's report (p 14607)
- 1316 Photocopy three QP9s dated 28.7.86, 30.7.86 and 18.8.86 respectively relating to Warren Armstrong (p 14615)

22 August 1988

FOR IDENTIFICATION ONLY

- CL Given name of female who gave evidence as Mrs.. Stewart (p 14626)-(NOT FOR PUBLICATION OR INSPECTION)
- 1317 Statement of Detective Senior Constable Peter Thomas OWENS dated 22.12.87 (p 14643)
- 1318 Statement of Constable David William James SCOTT dated 22.12.87 (p 14644)
- 1319 Transcript of record of interview between Gary Croke Q.C. and Inspector Allen Bulger held on 31.7.87 (p 14644)
- 1320 Report of witness dated 15.5.84 relating to damage to an unmarked police car and property stolen therefrom (p 14660)
- 1321 Photocopy of criminal offence report dated 15.5.84 in relation to the above occurrence (p 14660)
- 1322 Licensing Branch Occurrence Sheet for Friday 11.5.84 (p 14660)
- 1323 Statement of Raymond Arthur SECKOLD dated 17.9.87 relating to the brothel opened at 59 O'Connell Street, Kangaroo Point in November 1985 (p 14685)

- 1324 Report of witness dated 8.9.86 relating to illegal gambling at 142 Wickham Street, Fortitude Valley and the raid codenamed Operation Claytons (p 14685)
- 1325 Licensing Branch collator sheets relating to 7 19 Stanley Street, Woolloongabba (p 14685)

WITNESS: Patrick Bernard McCALLUM

- 1300A Supplementary report prepared by witness relating to Mr. Bulger's financial affairs (p 14687)

23 August 1988

WITNESS: Allen Stewart BULGER

- 1326 Photocopy approved listings of proprietors recorded with the Queensland Association of Massage Therapists Inc (Tendered by Mr. Doug Spence solicitor for Queensland Newspapers Pty. Ltd.) (p 14778)

(END OF WITNESS' EVIDENCE)

24 August 1988

- 1327 Statutory declaration of Ross Gregory MARTIN sworn 19.8.88 relating to various prostitution offences; also computer printouts of searches made (p 14820)

WITNESS: Callil Herbert FARRAH (Retired Regional Superintendent of Police)

- 1328 Details of witness' police service (p 14821)
- 1329 Statutory declaration of Paul Leslie ASCOUGH sworn 29.7.88 relating to investigations of telephone calls made by Mr. V. Conte in Cairns; also records and computer printouts attached (p 14865)
- 1330 Memorandum dated 9.3.87 to Detective Inspector Churchill from witness relating to the advice of Mr. K. de Lacey M.L.A. that police may be involved in illegal gambling in Spence Street, Cairns and directing his investigation (p 14879)
- 1331 Official diary of witness containing entry of 9.3.87 (p 14879)
- 1332 Statutory declaration of Glen Murray FRASER (Telecom Investigator) sworn 18.3.88 particularly p 3 relating to telephone service 070 541340 (p 14880)

FOR IDENTIFICATION ONLY

CM Name of person Mr. John GAYLER M.P. said he would have a talk to (p 14887)-(NOT FOR PUBLICATION OR INSPECTION)

25 August 1988

FOR IDENTIFICATION ONLY

CN Name of police officer (p 14947)-(NOT FOR PUBLICATION OR INSPECTION)

(END OF WITNESS' EVIDENCE)

- 1333 Statutory declaration of Neal Francis KENT (Commissioner of Transport) sworn 19.8.88 relating to the meeting at which Superintendent V. J. MURPHY and Mr. Don LANE M.L.A. were present (p 14953)

WITNESS: Noel Thomas KELLY (dismissed Senior Sergeant; indemnity granted in respect of offences committed other than offences of perjury committed in the course of evidence in these proceedings) (p 14955)

FOR IDENTIFICATION ONLY

- c o Name of a senior police officer who allegedly approached Assistant Commissioner Parker and told him that the son of his friend has been summonsed for under-age drinking and requested that no action be taken (p 14997)-(NOT FOR PUBLICATION OR INSPECTION)

29 August 1988

- 1334 Police file relating to Michael HAWKE's s.p. bookmaking activities at premises at 650 Brunswick Street, New Farm (p 15034)

FOR IDENTIFICATION ONLY

- CP Name of police officer said to be a personal friend of an s.p. bookmaker in New South Wales named LEE (p 15036)-(NOT FOR PUBLICATION OR INSPECTION)
- 1335 Photocopy extract of official notebook of witness dated 20.8.87 relating to Warren ARMSTRONG. (p 15042)

FOR IDENTIFICATION ONLY

- CQ Name of police officer from whom Detective Sergeant McCANN said he obtained material which included a copy of Exhibit 1269 (p 15068)

Note: Name of this police officer released in the public sittings of the Inquiry (p 15070)

- CR Name of police officer serving in the BCIQ from whom Detective Sergeant McCANN obtained material which included Exhibit 1270 (p 15072)-(NOT FOR PUBLICATION OR INSPECTION)

Name released 31.8.88 (p 15269)

- 1336 Memorandum from G. R. J. PARKER to all staff attached to the Licensing Branch from 1.6.82 to 26.5.87 seeking statements on the matters outlined therein (p 1508 1)
- 1337 Memorandum dated 8.6.87 by Superintendent E. G. WALKER outlining details to be included in draft statements (p 15081)
- 1338 Schedule of payments received by witness (p 15093)
- 1339 Statutory declaration of Brendan John BUTLER sworn 25.8.88 relating to the telephone number of Charles Philip YORKE 108 Ryans Road, St Lucia (p 15 112)
- 1340 Telecom computer printout relating to YORKE's telephone number as being 07 37 106 10 (p 15 112)
- 1341 Schedule showing the organisation of the Licensing Branch as at 17.9.86 (p 15 112)

30 August 1988

- 1342 Police file relating to Hector HAPETA's involvement in prostitution and drugs (p 15 141)
- 1343 Police file relating to unlawful games at premises at Cavill Avenue, Surfers Paradise (p 15 141)
- 1344 Report of 12.5.86 by Detective Inspector A.S. BULGER of his and witness' meeting with Sir Edward WILLIAMS following upon Sir Edward's remarks regarding s.p. bookmaking (p 15 145)

31 August 1988

FOR IDENTIFICATION ONLY

- c s Name of person (p 15248)-(NOT FOR PUBLICATION OR INSPECTION)

(Tendered through Mr. Callinan Q.C. for the State Government)

CT Name of person (p 15249)-(NOT FOR PUBLICATION OR INSPECTION)
(Tendered through Mr. Callinan Q.C. for the State Government)

- 1345 Report of witness dated 3.3.86 to Commissioner of Police relating to overtime and weekend penalty work requirements for 1986-1987 of the Licensing Branch (p 15251)
- 1346 List of 26 police officers mentioned in witness' evidence (p 15272)
- 1347 Letter dated 1.7.88 to the Commission from the Deputy Director General of Health and Medical Services relating to the association of prostitution and drug use in Queensland (p 15275)
- 1348 Page 28 from witness' statement to the Commission (p 15279)

The Chairman and Deputy to the Commission presiding:

WITNESS: Jack Reginald HERBERT (indemnity granted)

- 1349 Extract from the Queensland Industrial Gazette as to award payments to police officers of various ranks from 1960 to the present (p 15287)

FOR IDENTIFICATION ONLY

CU Name of person who was staying at Tony MURPHY's residence on Stradbroke Island on an occasion when witness visited (p 15323)-(NOT FOR PUBLICATION OR INSPECTION)

Note:-Chairman's comments regarding this exhibit (pp. 15323-1 5324)

c v Names of three persons (on separate sheets of paper marked A, B, C) Bob JOHNSTON told witness were involved in the "joke" before witness went to the Licensing Branch (p 15327). Sheet marked "C" with the name of Brian HAYES no longer confidential (p 15328)

1 September 1988

FOR IDENTIFICATION ONLY

- CW Names of two persons one of whom was a friend of a juror at the trial of witness, **FREIER** and MCINTYRE-as related to witness by FREIER and MCINTYRE (p 15359)-(NOT FOR PUBLICATION OR INSPECTION)
- CX Name of the person who was involved in the approaches to witness, FREIER, MCINTYRE, George PEARCE and Lance NICHOLAS (p 15362)-(NOT FOR PUBLICATION OR INSPECTION)
- CY Conversation in which Gerry HARVEY informed witness that money was being paid to certain persons (p 15377)-(NOT FOR PUBLICATION OR INSPECTION)
- 1350 Extracts from the Sunday Sun of 11.5.80 and 18.5.80 (p 15403)

5 September 1988

- 1351 List of residences occupied by witness and his wife 1952-1987 (p 15427)-
FOR IDENTIFICATION ONLY
- c z Conversation told to witness by MCINTYRE about a juror at their trial (p 15472)-(NOT FOR PUBLICATION OR INSPECTION)
- 1352 Statutory declaration of John Barry ALEXANDER, Postmaster, East Brisbane Post Office relating to private box opened by witness and the receipt of security mail (p 15478)
- 1353 Statutory declaration of Lester Anthony LEWIS, Postal Manager Kingaroy Post Office relating to lodgment documents (p 1548 1)
- 1354 Photocopy memorandum dated 14.11.83 by Detective Inspector G.R.J. PARKER stating that Harold Edward PRICE was located at unit 4/68 Thorn Street, Kangaroo Point in possession of instruments of betting (p 15500)

Chairman sitting alone:

6 September 1988

- 1355 Photocopy note said by witness to be in Mrs. HERBERT's handwriting authorising Gerry and Densyl BELLINO to drive a motor vehicle (p 15535)
- 1356 Photocopy statement of S.W. CROCKETT being page 3A of Exhibit 1269 wherein CROCKETT records observing witness meeting and obtaining an envelope from WALKER (p 15579)

7 September 1988

FOR IDENTIFICATION ONLY

DE Name of police officer in Rockhampton Vic CONTE told witness was a friend of his (p 15602)—(NOT FOR PUBLICATION OR INSPECTION)

- 1357 Police examination results of Harry BURGESS (p 15616)
- 1358 Police examination results of Graham LEADBETTER (p 15616)
- 1359 Police examination results of O.D. BARRATT (p 15618)
- 1360 Schedule of witness' real property transactions from 1970 (p 15647)
- 1185A Photocopy letter dated 20.11.80 from Nicholas Realty to witness relating to the proposed purchase of industrial lands situated at Wecker Road, Mt. Gravatt (p 15660)
(Exhibit placed with Exhibit 1185)

FOR IDENTIFICATION ONLY

DF Name of a person Benjamin SMITH told witness was involved in a similar transaction when purchasing a unit at "Southbank" of not declaring the full value on the contract (p 15661)—(NOT FOR PUBLICATION OR INSPECTION)

8 September 1988

- 1305A Further report of Gregory MARHEINE, forensic document examiner (p 15684)
- 1305B Specimen signatures by witness of the signature "J. Mitchell" (p 15684)
(Both exhibits placed with Exhibit 1305 tendered 18.8.88)
- 1361 Statutory declaration of Harry Reginald BURGESS sworn 7.9.88 relating to his receiving in 1980 from DWYER questions that appeared on the examination paper (p 15685)
- 1362 Letter from Automatic Totalisators dated 12.8.88 giving a record of list of cheques in favour of J. HERBERT covering the period 11.7.84 to 8.7.87 (p 15696)
- 1363 Note signed by Mr. Neville MURR, Financial Analyst with the Commission of Inquiry, of list of T.A.B. cheques in favour of J.R. HERBERT (p 15697)

FOR IDENTIFICATION ONLY

DG Name of person mentioned who might head the Inquiry (p 15722A)—(NOT FOR PUBLICATION OR INSPECTION)

- 1364 Photocopy of note in witness' handwriting recording what Graeme PARKER told witness he was going to write in his official diary (p 15726)
- 1365 Extract from Graeme PARKER's official diary for 3.5.87 recording a telephone call from an informant "J.H." (pp. 15725, 15734)
- 1366 Letter from Dr. P. BUCKINGHAM of Mudgeeraba Medical Centre dated 19.8.88 concerning a consultation from Glen ALLAN on 1.6.87 regarding a painful left eye (p 15734)
- 1367 Photocopy of a card on which witness has recorded code numbers for various persons (p 15743)

- 1271 Originals of both these exhibits tendered and placed with photocopies tendered previously
1290 (pp 15744, 15751)
- 1368 Two small yellow cards recording names, addresses and telephone numbers (p 15754)
- 1369 Three documents (one of cardboard, one yellow slip, one piece of notepaper) showing dates of
telephone calls between witness and persons in Australia (p 15761)
- 1370 Foolscap sheet and four pieces of paper recording notes in witness' handwriting (p 15767)

12 September 1988

- 1371 Small red address book (p 15775)-(NOT FOR PUBLICATION OR INSPECTION)
- 1372 Letter and envelope received by witness' daughter from Hazel LEWIS (p 15779)
- (ENVELOPE NOT FOR PUBLICATION OR INSPECTION)
- 1373 Green folder of pages in witness' handwriting of notes made from the transcript of evidence
(p 15780)
- 1374 Typewritten statement with handwritten alterations prepared by witness (p 15787)
- 1375 Handwritten note of telephone conversation witness had with Gerry BELLINO on Sunday 13.3.88
(p 15791)
- 1376 Document headed "Distribution of funds from illegal activities, payments per month" (p 15808)
- 1377 Large documents headed "Licensing Branch movements in and out etc." (p 15808)
- 1378 Schedule showing amounts of money received by individuals and the time periods (p 15808)
- 1379 A time line showing the names of the various police officers named by witness and their periods
of service in the Licensing Branch (p 15829)
- 1380 List of police officers represented before the National Hotel Royal Commission 1963-1 964 (p 15829)
- 1381 Copy evidence given by witness at the National Hotel Royal Commission (p 15847)

13 September 1988

- 1382 Ring with large pearl said by witness to have been purchased from G.P. HALLAHAN (p 15858)
- 1383 Colour photograph taken by Tony MURPHY of witness standing in front of a portrait of H.M.
The Queen (p 15865)
- 1384 Extract from Courier Mail of Wednesday 14.10.8 1 headed "Three 'Mafia' Casinos named"
(p 15926)
- 1385 Two extracts from Courier Mail dated 17.10.8 1 and 15.10.8 1 containing cartoons satirizing police
inactivity on the illegal casinos (p 15928)
- 1386 Extract from the Courier Mail dated 10.12.84 headed "The men of evil who prey on children"
(p 15928) (See Exhibit 1416)

14 September 1988

- 1387 Two large black and white photographs of Detectives GLANCY, LEADBETTER, A. MURPHY,
BARNES and Bruce WHITE (p 16024)

19 September 1988

- 1388 Photocopy of Certificate of Death of Pamela Rae ROBINSON (p 16139)
(Tendered by Mr. A.A. ROBINSON during his cross examination)

- 1389 Letter dated 18.10.82 to Mr. T. LEWIS from Honourable D.F. LANE M.L.A. Minister for Transport regarding complaints received of alleged illegal gaming at 667 Ann Street, Fortitude Valley; reply dated 14.12.82 to the Honourable D.F. LANE M.L.A. from the Honourable W.H. GLASSON M.L.A., Minister for Lands, Forestry and Police (p 16168)
(Tendered by V.K. COPELY Q.C. for D.F. LANE)
- 1390 File of letters relating to a complaint from the Principal, All Hallows School relating to massage parlours operating in Brunswick Street/Water Street (p 16169)
(Tendered by V.K. COPELY Q.C. for D.F. LANE)
- 1391 Extract from Courier-Mail dated Tuesday, 13.1.87, headed "No evidence of prostitutes, says Minister" (p 16 170)
(Tendered by V.K. COPELY Q.C. for D.F. LANE)
- 1392 Folder of various documents relating to the guest lists of functions held in support of D.F. LANE and whether Jack HERBERT attended (p 16173)
(Tendered by V.K. COPELY Q.C. for D.F. LANE)
- 1393 Photocopy application for indemnity of Jack Reginald HERBERT dated 7.3.88 (p 16 187)
- 1394 Blank electoral enrolment form; photocopy electoral enrolment form of J.R. HERBERT, Jordan Terrace, Bowen Hills dated 24.7.86; photocopy electoral enrolment form of M.A. HERBERT, Jordan Terrace, Bowen Hills dated 24.7.86 (p 16215)
- 1395 Photocopy of four page indemnity dated 25.8.88 granted by the Honourable Paul CLAUSON, Minister for Justice and Attorney-General to Jack Reginald HERBERT (p 16224)

20 September 1988

- 1396 Report dated 29.9.86 of Detective Inspector John MESKELL relating to the investigation of the assault upon Frank PALMER on 14.8.86 (p 16298)-(NOT FOR PUBLICATION OR INSPECTION)-copy for inspection to delete all names save King, Palmer and Walker and the names of police officers
(Tendered by Mr. J. MESKELL during his cross-examination)

21 September 1988

- 1397 Photocopy letter in witness' handwriting dated 9.9.87 to his solicitor (p 16399)

FOR IDENTIFICATION ONLY

DH Name of person who witness thinks may have been of assistance to Sir Terence LEWIS in disposing or dealing with his money (p 16423)-(NOT FOR PUBLICATION OR INSPECTION)

22 September 1988

FOR IDENTIFICATION ONLY

- DI Reasons why witness considers that person named in Exhibit DH for identification was of assistance to Sir Terence LEWIS in dealing or disposing of money (p 16449)-(NOT FOR PUBLICATION OR INSPECTION)
- DJ Certain words written down (p 16450)-(NOT FOR PUBLICATION OR INSPECTION)
- 1398 Photocopy contract made 18.5.87 between Jack Reginald HERBERT and Margaret Agnes HERBERT and William John CLARKE and Dorothy CLARKE regarding the sale of 29 Jordan Terrace, Bowen Hills (p 16474)

The Deputy to the Commission presiding:

WITNESS: Keith John PEARSON (Medical practitioner and s.p. bookmaker)

1399 Letter dated 26.8.88 to witness' solicitors Chambers McNab Tully & Wilson from the Commission advising that evidence may be called affecting witness and notifying the nature of that evidence (p 16513)

WITNESS: Gary Alan JANES (former s.p. bookmaker at Buffalo Club)

1400 Indemnity certificate addressed to the witness at the Buffalo Club, Fortitude Valley and signed by Sgt. 2/c Rod Moore (p 165 19)

1401 Statutory declaration of Det. Sgt. 2/c Rodney Moore made 19.9.88 regarding the interview with Gary Alan JANES at the Buffalo Club on 27.7.85 concerning his s.p. bookmaking activities. Also photocopy of the record of interview, the Licensing Branch Occurrence Sheet, the criminal offence report, and the indemnity certificate (p 16529)

1402 Licensing Branch running sheet covering 5.8.85 and 6.8.85 signed by Detective Sergeant MOORE relating to the visit to the Buffalo Club (p 16530)

26 September 1988

1403 Statement of Superintendent Errol Gregory WALKER dated 23.9.88 relating to various searches undertaken to locate the report referred to by Detective Sergeant 2/c R. MOORE in Attachment A; various other attachments numbered A-O; Statutory declaration of Mark SIGSTON interviewing officer, Commission of Inquiry taken 26.9.88 regarding a search undertaken in Licensing Branch Extract book (p 16533)

WITNESS: Allan Moncaster TIBBLES (President, Buffalo Club, Fortitude Valley)

1404 Photocopy Commonwealth bank cheque dated 29.7.85 in the sum of \$2,622.00 to G. JANES drawn on the Buffalo Memorial Club account. Photocopy Commonwealth bank cheque dated 29.7.85 for "cash" in the sum of \$3,000.00 drawn on the Buffalo Memorial Club account. Photocopy two cheque butts for the above amounts. Two extracts from the Buffalo Club's cash book-one showing payments and the other showing receipts (p 16537)

WITNESS: Alan James PEMBROKE (former police officer 1953-1962)

1405 Photocopy criminal offence report of Licensing Branch dated 10.5.61 in relation to Neil Herbert CRUICKSHANK on a charge of using a common betting house. Photocopy criminal offence report of Licensing Branch dated 8.5.61 in relation to Clarence John PARSONS on a charge of using a common betting house (p 16543)

1406 Report dated 24.4.61 of Sub-Inspector HOLLIDAY relating to matters reported by members of the Licensing Branch during the 48 hours ended at 9.00 a.m. on Monday 24.4.61, with the arrests of PARSONS and CRUICKSHANK highlighted (p 16543)

1407 Report dated 1.9.62, of Sub-Inspector WEX relating to the resignation of Detective Constable A.J. PEMBROKE on 19.2.62 (p 16556)

WITNESS: Axel KESL

1408 Bundle of cards on which is recorded personal details concerning clients of prostitutes (p 16584)-(NOT FOR PUBLICATION OR INSPECTION)

FOR IDENTIFICATION ONLY

DK Name of person who Hector HAPETA told witness 'the success of [prostitution operations] hinges' (p 16594)-(NOT FOR PUBLICATION OR INSPECTION)

1409 Yellow exercise book used by witness when operating on the Gold Coast for HAPETA (p 16597)

FOR IDENTIFICATION ONLY

DL Name of person charged at the same time as "John the Jeweller" (p 16600)-(NOT FOR PUBLICATION OR INSPECTION) (Restriction lifted-now Exhibit 1418-28.9.88)

27 September 1988

1410 Eight extracts from the Courier Mail and the Telegraph of 20.5.81, 21.5.81, 19.6.81, 20.6.81 relating to files containing personal details of clients seized from escort agencies (p 16626)

WITNESS: Andrew Francis KIDCAFF (Detective Senior Sergeant, Licensing Branch)

1411 Statement of Detective Senior Sergeant A.F. KIDCAFF with Schedule A attached relating to the various premises operated by Hector HAPETA for the purposes of prostitution (p 16638)

Note: Original copy of statement not for publication or inspection. Copy for inspection has certain names deleted.

1412 Three large plastic binders containing photocopies of the card index system kept at the Licensing Branch relating to the premises of Hector HAPETA; also a two page schedule at the front (p 16639)-(NOT FOR PUBLICATION OR INSPECTION)

1413 Statutory declaration of Shane Richard WILSON, Telecom investigator, relating to searches undertaken regarding various telephone numbers (p 16658)

1414 Six blue folders containing photocopies of advertisements from the Courier Mail newspaper covering the period from 1.1.81 through to 30.6.84 (p 16658)

1415 Two boxes of binders containing various details relating to the Hapeta-Tilley premises (p 16708)

WITNESS: Christine NEWTON

FOR IDENTIFICATION ONLY

DM Names of three persons (p 16725)-(NOT FOR PUBLICATION OR INSPECTION)

1416 Extract from Courier Mail newspaper of Monday, 10.12.84 headed "The Men of evil who prey on children" (p 16726) (See Exhibit 1386)

WITNESS: Margaret Ann SCOTT (Financial Analyst, Commission of Inquiry)

1417 Report of witness relating to documents and reports seized by the Commission from the premises known as the "Mad Porn" (p 16729)

Note: Non-publication order in respect of anything identifying Trevor (See p. 16792, p. 16745)

28 September 1988

1418 Name written down by Axel KESL being the name of a man charged with John the Jeweller (p 16744) (formerly Exhibit DL for identification)

WITNESS: TREVOR

(Non-publication order of testimony of witness which identifies the witness by his surname and no photograph, sketch or drawing of witness to be made) (p 16745)

FOR IDENTIFICATION ONLY

DN Name of the Sydney dealer from whom Hapeta told witness he obtained 100 LSD pills (p 16760)-(NOT FOR PUBLICATION OR INSPECTION)

DO Full name of witness (p 16760)-(NOT FOR PUBLICATION OR INSPECTION)

1419 Information regarding witness' time at 137 Baines Street at the end of 1986, early 1987 (p 16776)-(NOT FOR PUBLICATION OR INSPECTION)

- 1420 Conversation about the payment of protection in Sydney at which witness was present between HAPETA and another person in Sydney (p 16793)-(NOT FOR PUBLICATION OR INSPECTION)
- 1421 Information told by Ian BUTTERWORTH to witness (p 16794)-(NOT FOR PUBLICATION OR INSPECTION)
- 1422 Confidential information (p 168 10)-(NOT FOR PUBLICATION OR INSPECTION)
- 1423 Confidential information (p 168 13)-(NOT FOR PUBLICATION OR INSPECTION)
- 1424 Confidential information (p 168 14)-(NOT FOR PUBLICATION OR INSPECTION)
- 1425 Confidential information (p 168 15)-(NOT FOR PUBLICATION OR INSPECTION)
- 1426 Confidential information (p 168 19)-(NOT FOR PUBLICATION OR INSPECTION)
- 1427 Confidential information (p 168 19)-(NOT FOR PUBLICATION OR INSPECTION)
- 1428 Confidential information (p 16822)-(NOT FOR PUBLICATION OR INSPECTION)
- 1429 What witness was told happened to about 20 lots of the heroin (p 16826) (NOT FOR PUBLICATION OR INSPECTION)
- 1430 Statutory declaration showing that tape-recording has been legally made and can be admitted into evidence (p 16828)-(NOT FOR PUBLICATION OR INSPECTION)
- 1431 Statutory declaration of Andrew Russell MARJASON, officer attached to Commission of Inquiry relating to the tape recordings (p 16829)
- 1431A (See 4.10.88 herein)

29 September 1988

- 1432 Statutory declaration sworn 29.9.88 of Linda Marion McLEOD, stenographer attached to the Commission of Inquiry, relating to the transcription of selected portion of the conversation recorded on the cassette tape; attached and marked with the letter A is the transcript of the portion of the conversation (p 16844)
- 1432A (See 4.10.88 herein)
- 1433 Business card for "The Mad Porn" with a telephone number written on the back (p 16858)
- 1434 Large photograph album (p 16872)
- 1435 Statutory declaration of Richard James POINTING sworn 28.9.88 attaching a statement regarding a cassette tape recording and also the transcript (p 16876)
- 1435A (See 4.10.88 herein)
- 1436 Six photographs of police officers (p 16902)

3 October 1988

- 1437 Statutory declaration of Timothy Francis CARMODY, Counsel Assisting the Commission of Inquiry, relating to the showing to the witness TREVOR six photographs which have been marked Exhibit 1436 (p 16904)
- 1438 Confidential information (p 169 12)-(NOT FOR PUBLICATION OR INSPECTION)
- 1439 Confidential information (p 169 12)-(NOT FOR PUBLICATION OR INSPECTION)
- 1440 Confidential information (p 169 12)-(NOT FOR PUBLICATION OR INSPECTION)

FOR IDENTIFICATION ONLY

- DP Name of Licensing Branch police officer (p 16927)-(NOT FOR PUBLICATION OR INSPECTION)
- DQ Names of persons who were concerned HAPETA would give them up (p 17007)-(NOT FOR PUBLICATION OR INSPECTION)

4 October 1988

WITNESS: James Patrick O'SULLIVAN (Detective Inspector, Commission of Inquiry)

- 1441 Extract of conversation between Detectives VINCENT and O'DONNELL and Hector HAPETA on Friday 16.9.88 (p 17015)
- 1441A Cassette tape recording of the above conversation (p 17015)
- 1431A Two cassette tapes, the transcript of which is Exhibit 143 1 (p 17015)
- 1432A Cassette tape, the transcript of which is Exhibit 1432 (p 17015)
- 1435A Cassette tape, the transcript of which is Exhibit 1435 (p 17015)
- 1442 Three colour photographs showing various stages of opening up of the paper towel taken possession of from HAPETA (p 17020)
- 1443 Three colour photographs showing an envelope in which witness placed another envelope that had been sealed by Detective HAMREY when he took possession of the 10 bags from RICCIHARDO's residence (p 1702 1)
- 1444 Photocopy certificate of Stephen Maxwell TRAVERS, analyst, Government Chemical Laboratory relating to an analysis of contents of plastic bags handed to him by Detective Inspector J.P. O'SULLIVAN (p 17022)
- 1445 Statement of Blair Clive WEBBER, Senior Technical Officer of Police and a Fingerprint Expert relating to the examination of certain objects given him by Detective Inspector J.P. O'SULLIVAN (p 17023)
- 1446 Statement dated 24.9.88 of Constable Regan Mary CARR, Constable of Police relating to the fingerprinting of Daniel John CONVERY and Jeffrey Shane JONES on 17.9.88 (p 17023)

WITNESS: John Raymond HAMREY, Detective Senior Constable, Independent Task Force C

- 1447 One colour photograph of envelope with witness' initials across the seal (p 17028)

WITNESS: Margaret Agnes HERBERT

- 1448 List of police officers or former police officers (p 17035)
- 1449 List of sp. bookmakers (p 17075)
- 1449A (Previously Exhibit DR for identification-See 5.12.88 herein)

5 October 1988

- 1450 Four overseas airline tickets (p 17 127)
- 1451 Specimen signatures of witness (p 17171)

FOR IDENTIFICATION ONLY

DR Extract from a newspaper relating to the settlement of defamation action that Detective Sergeant Anthony MURPHY had against Queensland Newspapers (p 17210)-(NOT FOR PUBLICATION OR INSPECTION) Now Exhibit 1449A (5.12.88)

- 1452 Memorandum dated 2.1.64 of Senior Constable J.R. HERBERT relating to being served with a subpoena to attend and give evidence at the National Hotel Royal Commission (p 17212)

FOR IDENTIFICATION ONLY

DS Name of a person (p 17226)-(NOT FOR PUBLICATION OR INSPECTION)

6 October 1988

WITNESS: John HERBERT

- 1453 Two pages facsimile transmitted handwritten letter of witness dated 6.2.88 relating to his meeting with Hector HAPETA in Sydney on Friday 5.2.88 (p 17256)

- 1454 Two small pages of notes and telephone numbers in witness' handwriting (p 17288)
- 1455 Photocopy pages in witness' handwriting relating to witness' roster (p 17288)
- 1456 Statutory declaration of Anne HERBERT sworn 510.88 (p 17353)
- 1457 Statutory declaration of Michael Roy ALCOCK, former police officer relating to the arrest of Hector HAPETA on Friday 1.11.85 charged with driving under the influence of alcohol (p 17353)

(Bracket of evidence relating to the statement by "Katherine James" concerning Inspector Basil Hicks)

7 October 1988

WITNESS: Vernon Alister MacDONALD (former Deputy Commissioner of Police)

- 1458 Statement of Roland Graham LEADBETTER (p 17369)-(NOT FOR PUBLICATION OF INSPECTION-pp. 4 and 5 of statement may be inspected (p 17372))
- 1459 Statutory declaration of Gregory Keith MARHEINE forensic document examiner sworn 30.9.88 relating to the examination of alleged statement by "Katherine JAMES" (being Exhibits 132, 1468) (p 17387)-(NOT FOR INSPECTION OR PUBLICATION-Copy for examination and inspection to delete any reference identifying "Katherine JAMES")
- 1460 Statutory declaration of Christopher Ian ANDERSON forensic document examiner sworn 5.10.88 relating to the examination of the alleged statement by "Katherine JAMES" (p 17388)-(NOT FOR PUBLICATION OR INSPECTION-copy for inspection to delete any reference identifying "Katherine JAMES")

FOR IDENTIFICATION ONLY

DT Name of a director of a company who approached witness while witness was employed in the Treasury Department and had as one of his duties the investigation of casino applications (p 17406)-(NOT FOR PUBLICATION OR INSPECTION)

- 1461 Statutory declaration of Noeline BEAKEY former police officer sworn 27.9.88 relating to the interview of "Katherine JAMES" (p 17409)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1462 Statutory declaration sworn 27.9.88 of Doreen Amelia WEST, Sergeant l/c, relating to the interview of "Katherine JAMES" (p 17409)—(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1463 Statutory declaration sworn 21.6.88 of Jerzey MOCZYNSKI, Detective Sergeant l/c relating to the witness "Katherine JAMES" (p 17409)—(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1464 Statutory declaration sworn 27.9.88 of Pauline Rhonda STONE, Sergeant l/c relating to her activities while a member of the Crime Intelligence Unit (p 17409)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to contain certain deletions)
- 1463A Copy two pages of official notebook of Detective MOCZYNSKI (p 17410) (formerly Exhibit K for identification*)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1463B Copy two pages of official notebook of Detective MOCZYNSKI (p 17410) (formerly Exhibit L for identification*)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1463C Copy extract from official diary of Detective MOCZYNSKI (p 17410) (formerly Exhibit M for identification**)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")

- 1463D Copy extract from official diary of Detective MOCZYNSKI (p 17410) (formerly Exhibit N for identification**)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1463E Copy extract from official diary of Detective MOCZYNSKI (p 17410) (formerly Exhibit O for identification**)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- 1463F Copy extract from official diary of Detective MOCZYNSKI (p 17410) (formerly Exhibit P for identification**)-(NOT FOR INSPECTION OR PUBLICATION-copy for inspection to delete any reference identifying "Katherine JAMES")
- * See 10.9.87 herein
- ** See 14.9.87 herein
- 1465 Official police diary of witness covering the period in question with expurgated photocopies of the relevant entries available for inspection (p 17441)
- 1466 Photocopy statement dated 24.7.78 of Reginald Neal FREIER with expurgated copy available for inspection (p 17442)
- Note: this exhibit was previously tendered as part of Exhibit E for identification (see 7.9.87 herein)
- 1467 Original statement in witness' handwriting of "Katherine JAMES' " father with an expurgated photocopy for inspection (p 17443)
- Note: previously part of Exhibit AI for identification
- 1468 Original statement of "Katherine JAMES" (p 17443) Note: previously part of Exhibit AI for identification-(NOT FOR INSPECTION OR PUBLICATION-Photograph of "Katherine JAMES" attached to statement removed and retained as part of Exhibit AI for identification)
- 1469 Statutory declaration of Alison BARKER, prison officer relating to the removal from the prison of "Katherine JAMES" (p 17444)-(NOT FOR INSPECTION OR PUBLICATION-expurgated copy deleting any reference identifying "Katherine JAMES" may be inspected)
- 1470 Prison gate book with photocopies of the relevant entries for inspection (p 17444)
- 1471 Prison file book with schedule prepared by the Commission showing the movements of "Katherine JAMES' " file (p 17445)-(NOT FOR INSPECTION OR PUBLICATION)
- 1472 Superintendent's Request Book with photocopy of relevant page dated 20.4.78 (p 17445)-(NOT FOR INSPECTION OR PUBLICATION)
- 1473 Statutory declaration of Moya McEWAN, prison officer relating to "Katherine JAMES" (p 17446)-(NOT FOR INSPECTION OR PUBLICATION-expurgated copy for inspection)
- 1474 Statutory declaration of Patricia Catherine WALSH, retired prison officer, relating to "Katherine JAMES" (p 17446)-(NOT FOR INSPECTION OR PUBLICATION-expurgated copy for inspection to delete any reference identifying "Katherine JAMES")
- 1475 Statutory declaration of Margaret Beverley GODRICH relating to "Katherine JAMES" (p 17446)-(NOT FOR INSPECTION OR PUBLICATION-expurgated copy for inspection to delete any reference identifying "Katherine JAMES")
- 1476 Statutory declaration of Clyde Elton LANG, retired prison officer relating to "Katherine JAMES" (p 17447)-(NOT FOR INSPECTION OR PUBLICATION-expurgated copy for inspection to delete any reference identifying "Katherine JAMES")

10 October 1988

- WITNESS: Gregory Lance EARLY, Regional Superintendent of Police, North Coast Region
- 1477 Photocopy application for recreation leave dated 29.6.78 of P.C. Constable N.A. BEAKEY (p 17473)
- 1478 Pink telephone message memo dated 3.7.87; letter dated 22.6.87 on Chinatown Garden Restaurant letterhead to Sir Terence LEWIS from Harry LOWE seeking an Honours Award; also Mr. LOWE's personal particulars attached (p 17478)

WITNESS: Gregory Keith MARHEINE

FOR IDENTIFICATION ONLY

DU Four large charts showing representations of “Katherine JAMES’ ” handwriting (p 17530)-
(NOT FOR INSPECTION OR PUBLICATION)

WITNESS: Christopher Ian ANDERSON (forensic document examiner)

FOR IDENTIFICATION ONLY

DV One large chart showing representations of “Katherine JAMES’ ” writing (p 17549)-(NOT
FOR INSPECTION OR PUBLICATION)

Various Statutory declarations of Gregory Lance EARLY:

- 1479A Statement dated 6.10.87; statutory declaration dated 7.7.88 (p 17549)
- 1479B Statement dated 8.2.88; statutory declaration dated 7.7.88 (p 17550)-(NOT FOR INSPECTION
OR PUBLICATION-a copy with certain deletions may be inspected)
- 1479c Statement dated 12.2.88; statutory declaration dated 7.7.88 (p 17550)
- 1479D Statement dated 18.2.88; statutory declaration dated 7.7.88 (p 17550)
- 1479E Statement dated 8.4.88; statutory declaration dated 7.7.88 (p 17550)-(NOT FOR INSPECTION
OR PUBLICATION-a copy with certain deletions may be inspected)
- 1479F Statement dated 26.5.88; statutory declaration 7.7.88 (p 17550)-(NOT FOR INSPECTION OR
PUBLICATION-a copy with certain deletions may be inspected)
- 14796 Statement dated 30.5.88; statutory declaration 7.7.88 (p 17551)
- 1479H Statement dated 10.6.88; statutory declaration dated 7.7.88 (p 17551)-(NOT FOR INSPECTION
OR PUBLICATION)
- 1479I Statement dated 1.8.88; statutory declaration dated 3.8.88 (p 1755 1)-(NOT FOR INSPECTION
OR PUBLICATION)
- 14795 Statutory declaration and statement dated 19.9.88 (p 1755 1)
- 1479K Statutory declaration and statement dated 28.9.88 (p 17551)
- 1479L Statutory declaration dated 7.10.88 (p 17551)
- 1479M Statutory declaration dated 7.10.88 (p 17551)
- 1479N Statutory declaration dated 10.10.88 (p 1755 1)
- 14790 See 5.12.88 herein

**(Bracket of evidence relating to Sir Edward Lyons’ drink driving offence of
18.12.1981)**

WITNESS: Peter John CARMICHAEL (Senior Constable of Police, Breath Analysis Section, Traffic
Branch)

- 1480 White copy of certificate of Breath Analysis dated 18.12.8 1 handed to Sir Edward LYONS
(p 17557)
- 1481 Photocopy of Bench Charge Sheet dated 18.12.8 1 prepared by witness in the name of Sir Edward
Houghton LYONS (p 17558)

11 October 1988

- 1482 Extract from the Sunday Mail newspaper of 20.12.81 headed “Knight faces drive charge” (p 17569)

WITNESS: Leonard Roy BRACKEN (Senior Sergeant of Police, Traffic Branch)

- 1483 Statement of witness dated 11.5.82 relating to Sir Edward LYONS’ involvement in a drink driving
charge (p 17595)

WITNESS: Peter John CARMICHAEL

- 1484 Statement of witness dated 11.5.82 (p 17603)
1485 Unsigned statement of witness dated 1.4.82 (p 17603)
1486 Statutory declaration dated 11.10.88 of James Patrick O'SULLIVAN, Detective Inspector attached to the Commission of Inquiry, relating to certain documents seized from the residence of Sir Terence LEWIS (p 17605)
1486A See 5.12.88 herein

WITNESS: Brian John COOK (Senior Constable, Goodna police)

- 1487 Statutory declaration of witness dated 21.9.88 (p 17605)
1488 Statutory declaration of Kathleen RYNDERS dated 4.10.88 (p 17609)
1489 Statutory declaration of Dante SQUASSONI dated 30.9.88, retired police inspector (p 17609)

(End of bracket of evidence concerning Sir Edward Lyons)

The Chairman presiding:

WITNESS: Sir Terence Murray LEWIS

- 1490 Statement of witness (p 17610)
1491 Report dated 11.3.86 to Deputy Commissioner from witness relating to the Sturgess Report; Report dated 13.6.86 to the Minister for Police from witness relating to the Sturgess Report; Report dated 28.5.86 from J.K. McDONNELL, Deputy Commissioner to Commissioner relating to the Sturgess Report (p 17614)

12 October 1988

- 1492 Financial statement of Sir Terence LEWIS and Lady LEWIS with a covering letter dated 17.9.87 from Morris Fletcher & Cross (p 17692)
1493 Extract from The Daily Sun newspaper of Thursday, 5.11.87 with paragraph in "Comment" with Evan WHITTON highlighted (p 17724)
1494 Statement dated 21.6.88 of Inspector Peter Joseph FREESTONE, former personal assistant to Sir Terence LEWIS with a covering letter dated 6.7.88 addressed to Sir Terence LEWIS on Gilshenan & Luton letterhead (p 17725)
1495 Letter dated 15.2.88 to Brian W. FOSTER from Mr. C.E.K. HAMPSON Q.C.; letter dated 11.2.88 to Mr. C.E.K. HAMPSON Q.C. from Brian W. FOSTER (p 17725)
1496 Two page statement dated 10.8.78 by Mervyn Gordon ROBERTS and witnessed by T.M. LEWIS relating to Inspector Basil HICKS (p 17725)
1497 Notes in witness' handwriting dated 29.12.81 regarding meeting with Inspector HICKS (p 17725)
1498 Handwritten statement by Mona Ellen LEWIS dated 13.8.87 regarding horse betting activities (p 17726)
1499 Statement of Lilly May GOULD dated 17.9.87 (p 17726)
1500 Handwritten statement dated 20.6.88 of Kevin KENT relating to horse betting activities (p 17726A)
1501 Letter from Ann HERBERT to Lady LEWIS with envelope attached (p 17731)

Note: copy for inspection to delete writer's address and her married surname

- 1502 Statutory declaration of Patrick DUFF dated 6.10.88 relating to witness' mother's betting activities (p 17750)
1503 'Copy itinerary of Hon. W.A.M. GUNN on his visit to Police Headquarters on Monday 7.7.86 (p 17750)

13 October 1988

- 1504 Seniority list of commissioned police officers for 1986 and 1987 (p 17752)
- 1505 Police Department file relating to poker machines (p 17756)
- 1506 Three colour photographs taken at the wedding of Ann HERBERT (p 17762)
- 1507 Undated letter from Tony MURPHY to witness; also letter on New Zealand Police letterhead from Bryon STEWART (p 17773)
- 1508 Various appointment books of witness (p 17781)
- 1509 Two pages of notes in witness' handwriting headed "MURPHY next A.C." (p 17799)
- 1510 Statutory declaration of Forbes Huston SMITH dated 8.10.88 concerning a search made of witness' diaries and appointment books (p 17805)
- 1511 Handwritten note by a female named DI BLASI who was associated with Paul MEADE (p 178 14)
- 1512 Statutory declaration of Jerzy MOCZYNSKI concerning surveillance he carried out on Paul MEADE in relation to sp. bookmaking (p 178 18)
- 1513 Statutory declaration of Jeffrey Robert HUNTER concerning the interview with Serge PREGLIASCO (p 17834)
- 1514 Photocopy of work card of Serge PREGLIASCO from the Crest Hotel (p 17834)

17 October 1988

- 1515 Letter dated 14.9.88 to Sir Terence LEWIS from O.D. BARRATT enclosing a letter of same date to the Commission of Inquiry setting out Mr. BARRATT's results in his police examinations; also Certificate of Course Completion dated 1.3.76; letter dated 5.6.76 to Mr. BARRATT from the Commonwealth Police (p 17859)
- 1516 Transcript of tape recorded interview of witness with Mr. T. WAKEFIELD dated 7.1.80 (p 17866)
- 1517 Statutory declaration of Robert Martin NEEDHAM, Counsel Assisting, dated 17.10.88 relating to the search made of the residence of Sir Terence LEWIS (p 17869)
- 1518 Transcript of Sir Terence LEWIS' evidence before the Williams Royal Commission (p 17878)
- 1519 Page from Sir Terence LEWIS' notebook for 3.1.78 (p 17883)
- 1520 Page from Sir Terence LEWIS' notebook of 20.3.78 (p 17883)
- 1521 Extract from telephone directory of 1979- 1980 highlighting "Playtime 192 Albert" (p 17908)
- 1522 Extract from telephone directory of 198 1 highlighting "Playtime 192 Albert" (p 17908)
- 1523 1980 pocket book of witness (p 17908)
- 1524 1982 pocket book of witness (p 17913)
- 1525 1983 pocket book of witness (p 179 14)
- 1526 Guidelines for statement for Sir Terence LEWIS (p 17949)
- 1527 1981 pocket book of witness (p 17949)

18 October 1988

- 1528 Letter dated 18.10.88 addressed to Mr. D. DRUMMOND Q.C. from witness requesting inquiries be made with a view to locating any reports relating to information passed to N.S.W. police in about 1980 or 1981 relating to s.p. bookmakers (p 17952)
- 1529 Statement of witness dated 14.9.87 responding to allegations made by H.R. BURGESS (p 17968)
- 1530 Pp. 49, 52 and 55 of the statement of T.S.C. ATKINSON dated 12.9.88 (p 17969)
- 1531 P. 10 of the statement of Robert Brian HAYES dated 10.11.87 (p 17971)

FOR IDENTIFICATION ONLY

DW Reason why witness transferred his interest in the residence at 12 Garfield Drive to his wife (p 17972)-(NOT FOR PUBLICATION OR INSPECTION)

- 1532 Photocopy of contract of sale dated 20.9.87 of witness' share of property at 12 Garfield Drive, Paddington Heights to his wife Hazel Catherine LEWIS (p 17977)
- 1533 Valuation of residence situate at 12 Garfield Drive, Paddington (p 17979)
- 1534 Photocopy receipt Stamp Duties Office, Brisbane dated 22.9.87 (p 17980)
- 1535 Photocopy receipt Registrar of Titles' Office dated 22.9.87 in the sum of \$259.00 (p 17982)
- 1536 Photocopy receipt dated 17.11.85 from Deacon & Milani being for payment of fees for house transfer (p 17982)
- 1537 Photocopy statutory declaration of Rodney Edwin KERR, Acting Commissioner of Stamp Duties dated 10.10.88 (p 17983)
- 1538 Photocopy letter dated 21.9.87 to witness from the Honourable W.A.M. GUNN M.L.A. directing him to stand aside as Commissioner of Police (p 17994)
- 1539 Photocopy release of debt of \$175,000.00 by witness dated 20.9.87 (p 17994)
- 1540 Photocopy letter dated 26.10.87 from Deacon & Milani to Sir Terence and Lady LEWIS enclosing a memorandum of fees (p 17994)
- 1541* Letter dated 12.8.86 from Thynne & Macartney, solicitors, to Sir Terence LEWIS relating to a defamation action by Mr. Justice VASTA and enclosing the statement of claim (p 17998)
- 1542* Letter dated 19.8.86 from Thynne & Macartney solicitors, to Sir Terence LEWIS regarding a defamation action by Mr. Justice VASTA and enclosing the statement of claim (p 18000)
- 1543 Photocopy handwritten note dated 1.7.82 to witness from Angle VASTA regarding an invitation to lunch (p 18015)
- 1544 Extract from the Courier-Mail newspaper dated Friday 3.12.82 headed "Palace no to 'Sir Terry' " (p 18024)
- 1545 Handwritten note dated 18.5.83 from Angleo VASTA to witness relating to a lunch invitation (p 18035)
- *Note* The contents of these exhibits cannot be published except for the matters relating to the allegation concerning the friendship between witness and Mr. Justice VASTA (p 18005)

19 October 1988

- 1546 Yellow folder containing agenda topics (p 18054)
- 1547 List of appointments to and retirements from the Supreme Court (p 18078)
- 1548 Handwritten note dated 7.11.85 to witness from Mr. Justice VASTA (p 18087)
- 1549 Handwritten note dated 5.3.86 to witness from Mr. Justice VASTA (p 18088)
- 1550 Seating arrangements at dinner on 4.3.86 at which witness was the host (p 18088)
- 1551 Transcript of evidence dated 10.9.86 of the assessment of damages before Master Lee Q.C. in the action Vasta v. Dvnwest Ptv. Ltd. & Ors. (p 18 102)
- 1552 Letter dated 26.8.86 from Thynne and Macartney, solicitors, to Sir Terence LEWIS enclosing a two page statement by Sir Terence LEWIS dated 25.8.86 (p 18106)
- WITNESS:** Anthony Wayne THOMAS, (Accountant, Commission of Inquiry)
- 1553 Statutory declaration of Anthony Wayne THOMAS, accountant with the Inquiry, and a cash flow analysis (p 18 109)
- 1554 Photocopy of trust account receipt dated 28.8.80 for the cash sum of \$2175.00 received from T.M. & H.C. LEWIS (p 18 114)
- 1555 Seven taxation returns of witness for years 1980 to 1987 (p 18115)
- 1556 Statutory declaration of Colin Don BUTT, credit officer with Mathers Ltd. dated 6.10.88 annexing monthly statements of the charge account of Lady LEWIS (p 18121)
- 1557 Schedule summarising how witness went about assessing living expenses (p 18 124)

- 1558 1984 Household Expenditure Survey, Australia, Detailed Expenditure Items (Australian **Bureau of Statistics**) (p 18 128)
- 1559 Statutory declaration of Robert John LARSEN, managing director of J. Larsen Pty. Ltd., Locksmith, dated 11.10.88 regarding a purchase of a safe by witness (p 18 133)
- 1560 Statutory declaration of John James HOPGOOD, Sergeant 1/c, dated 11.10.88 regarding the purchase of two safes for witness' residence (p 18133)
- 1561 Statutory declaration of Maureen Josephine GEE an accountant employed by Bell Brothers regarding furniture purchased by witness and paid for in cash (p 18134)
- 1562 Statutory declaration of Dennis Leslie RICHARDSON, Manager of Don Stewart & Co., retailer of home appliances, dated 6.10.88 regarding a number of purchases made by witness and paid for in cash (p 18134)
- 1563 Statutory declaration of Merry1 DUCAT principal of Merry1 Ducat Interiors dated 7.10.88 relating to the interior design of the Lewis residence (p 18134)
- 1564 Statutory declaration of Clarke Frank CAMERON managing director of Kelwin Carpets Pty. Ltd. dated 5.10.88 regarding the provision of carpet for the Lewis residence (p 18 134)
- 1565 Statutory declaration of Roy Charles PRINCE, furniture removalist relating to the removal of witness' furniture in 1986 and 1987 (p 18 134)

WITNESS: Sir Terence Murray LEWIS (further re-examined)

- 1566 Letter from witness' architect dated 28.8.87 enclosing the final account and payment certificate showing the final contract sum was \$411,165.00 for the house (p 18147)

20 October 1988

- 1567 Extract from the Courier Mail newspaper of 27.9.83 concerning the possible appointment of Mr. A. VASTA Q.C. to the Supreme Court (p 18152)
- 1568 Statutory declaration of W.H. GLASSON, Minister of Land Management dated 29.9.88 (p 18154)
- 1569 Statutory declaration of P.D. KELLY, Legal Officer with the Commission dated 5.10.88 (p 18158)
- 1570 Chronology of events dated 20.12.84 prepared by Detective Inspector R. DARGUSCH relating to allegations against former Senior Constable D.W. MOORE and criticism of the Police Department (p 18162)
- 1571 Report of Constable G.M. JONES dated 20.4.82 relating to suspected homosexual activities of Constable David Moore (p 18 162)
- 1572 Statutory declaration of Francis Michael RYNNE, former Superintendent of Police dated 5.10.88 (p 18165)
- 1573 Statutory declaration of T.S.C. ATKINSON, former Deputy Commissioner of Police dated 26.9.88 relating to D.W. MOORE (p 18 166)
- 1574 Statutory declaration of Kerry KELLY, former police officer, dated 21.9.88 relating to D.W. MOORE (p 18172)
- 1575 Statutory declaration of Robert Douglas STEWART, Press Secretary to Mr. W.H. GLASSON, Minister for Land Management (p 18214)
- 1576 Statutory declaration of Brian Patrick WEBB, retired police officer, dated 20.9.88 (p 18234)
- 1577 Photocopy Police Complaints Tribunal media release dated 10.12.84 relating to its intention to investigate allegations that members of the Police Force have been involved in conduct of a nefarious nature involving adults and infants (p 18234)
- 1578 Report dated 25.4.86 of Detective Inspector B.P. WEBB and Detective Inspector R. DARGUSCH on the Sturgess Report (p 18245)

24 October 1988

- 1579 Report dated 14.6.88 by Detective Inspector K.C. SCANLAN, Bureau of Criminal Intelligence regarding the functions of the BCIQ (p 18258) [RESTRICTION ON PUBLICATION AND INSPECTION-final four paragraphs of p. 2 commencing "Some personnel are trained . . ."I
- FOR IDENTIFICATION ONLY
- DX Report dated 20.4.88 by Detective Inspector K.C. SCANLAN, BCI concerning the association of suspected crime figures and a police officer (p 18263)-(NOT FOR PUBLICATION OR INSPECTION)
- 1580 Edited copy of the above report (p 18263)
- FOR IDENTIFICATION ONLY
- DY Note in witness' handwriting (p 18263)-(NOT FOR PUBLICATION OR INSPECTION)
- 1581 Police Department file relating to male prostitution [Edited copy deleting certain names shall be available for inspection] (p 18271)
- 1582 Statutory declaration dated 29.7.88 of William John McARTHUR, retired Assistant Commissioner of Police (p 18271)
- 1583 Minutes of conference held on 27.12.84 to discuss child exploitation (p 18274)
- 1584 Statutory declaration of Detective Inspector Kenneth Allan MARTIN dated 21.9.88 relating to male prostitution (p 18274)
- 1585 Extract from the Telegraph newspaper of 14.12.84 headed "Doubt on Child Porn. Inquiry" (p 18283)
- 1586 Statutory declaration of Neville John HARPER Minister for Primary Industries dated 12.10.88 (p 18284)

25 October 1988

- 1587 Report of an Inquiry into Sexual Offences Involving Children and Related Matters-"the Sturgess Report" (p 18348)
- FOR IDENTIFICATION ONLY
- DZ Keys in number references in report re sexual offences involving children and related matters (p 18349)-(NOT FOR PUBLICATION OR INSPECTION)
- 1588 Statutory declaration of Detective Inspector DARGUSCH (p 18362)
- 1589 Cabinet Submission dated 4.1.86 on the "Sturgess Report" and the Cabinet Minute (p 18364)
- 1590 Two letters dated 1.1.86 and 14.1.86 respectively to the Honourable W.H. GLASSON M.L.A. from the Honourable N.J. HARPER M.L.A. enclosing extracts from the Sturgess Report (p 18364)
- 1591 "Vedette" December 1984-article headed "Commissioner on Loyalty" (p 18376)
- 1592 Statutory declaration of Joseph Keith McDONNELL, retired Deputy Commissioner of Police dated 10.10.88 (p 18385)
- 1593 Memorandum dated 20.1.86 from the Honourable N.J. HARPER to his Under Secretary regarding extracts from the Sturgess Report being made available to various Ministers (p 18387)
- 1594 Memorandum dated 17.12.86 (sic) from G.R.J. PARKER, Assistant Commissioner Crime and Services to the Commissioner relating to the Sturgess Report (p 18387)
- 1595 Report dated 17.2.86 by Detective Inspector B.P. WEBB to Detective Superintendent, Metropolitan CI Branch relating to the Sturgess Report (p 18388)
- 1596 Memorandum dated 6.2.86 from the Commissioner to Assistant Commissioner (Training and Legal) seeking comments on the Sturgess Report (p 18395)
- 1597 Memorandum dated 6.2.86 from the Commissioner to Assistant Commissioner (Crime and Services) seeking comments on the Sturgess Report (p 18396)

- 1598 Memorandum dated 11.3.86 to the Deputy Commissioner from the Commissioner relating to the Sturgess report (p 18398)
- 1599 Letter dated 2.4.86 from Mr. Gunn to Mr. Harper relating to the Sturgess Report (p 18401)
- 1600 Extracts from the diaries of witness relating to reading matters (p 18404)
- 1601 Statutory declaration dated 25.10.88 of Gwendoline BUTLER, Principal Private Secretary to the Honourable W.A.M. GUNN M.L.A. (p 18410)
- 1602 Memorandum dated 28.7.86 from the Commissioner to Assistant Commissioner, Crime and Services (p 18418)
- 1603 Memorandum dated 29.7.86 from Assistant Commissioner PARKER to the Commissioner relating to the Licensing Branch (p 18419)
- 1604 Memorandum dated 29.8.86 from the Minister of Police to the Commissioner asking the Commissioner to proceed with the draft response for him to forward to Mr. HARPER (p 18419)
- 1605 Memorandum dated 29.8.86 of Commissioner directing that Detective Inspector COOK confer with Inspector WEEKES of the Legal and Training Section for the purpose of having a draft response to the Sturgess Report prepared (p 18420)
- 1606 Statutory declaration of Detective Senior Sergeant Gavin James RADFORD dated 19.10.88 relating to the "targetting" of Hector HAPETA by the B.C.I. (p 18421)

26 October 1988

The Deputy to the Commission presiding

- 1607 Press release dated 23.7.80 by the Honourable R.J. HINZE M.L.A. (p 18447)
- 1608 Cabinet submission by Dr. L.R. EDWARDS, Deputy Premier and Treasurer dated 12.10.8 1 relating to the introduction of casino operations to Queensland (p 18453)
- 1609 Photocopy letter dated 10.10.8 1 from the Victoria Police Assistant Commissioner (Crime) J.R. HALL to Mr. T.M. LEWIS regarding Emile KORNHAUSER (edited copy for inspection) unedited. letter of above with statement of Mr. A. ZION attached [RESTRICTED] (p 18455)
- 1610 Extract from Hansard being pages 3216, 3217, 3380, 338 1, 3365 relating to the Registration of Plans (H.s.p. (Nominees) Pty. Limited) Enabling Bill dated 15 April 1980 (p 18477)
- 1611 Registration of Plans (H.S.P. (Nominees) Pty. Limited) Enabling Act 1980 (p 18478)
- 1612 Extract from the Government Gazette 21.2.8 1 p 501 relating to the appointment on 17.2.8 1 of Superintendent T.S.C. ATKINSON as Assistant Commissioner (p 18479)
- 1613 Statutory declaration of Sir Llewellyn Roy EDWARDS dated 11.10.88 (p 18482) [An edited copy be available for inspection]
- 1613A (See 5.12.88 herein)
- 1613B (See 8.12.88 herein)
- 1614 Letter dated 20.11.8 1 to the Commissioner of Police from the Under Treasurer relating to casino applications (p 18505)
- 1615 Letter with report attached from the Australian Federal Police to the Commissioner of Police dated 15.1.82 relating to E. KORNHAUSER (p 18506) [RESTRICTED-an edited copy of the letter may be inspected]
- 1616 Letter dated 8.2.82 from Mr. R.J. HINZE to Dr. L.R. EDWARDS relating to the casino applications [RESTRICTED] (p 18511) [an edited copy of the letter may be inspected]
- 1617 Draft letter of above to Dr. EDWARDS [RESTRICTED-an edited copy may be inspected] (p 18513)
- 1618 Draft letter to Dr. EDWARDS with handwritten alterations by Sir Terence LEWIS highlighted (p 18516) [RESTRICTED-an edited copy may be inspected]

27 October 1988

- 1619 Letter dated 11.2.82 from Dr. L.R. EDWARDS to Mr. R.J. HINZE relating to police reports of casino applicants (p 18534)
- 1620 Letter dated 12.2.88 to Dr. EDWARDS from Mr. HINZE attaching various police reports (p 18550)-(NOT FOR PUBLICATION OR INSPECTION)
- 1621 Letter dated 2.2.82 from Mr. Kornhauser's Accountants to Mr. E. KORNHAUSER, attaching a letter (p 18550)-(NOT FOR PUBLICATION OR INSPECTION)
- 1622 Confidential police report concerning Mr. E. Kornhauser (p 1855 1)-(NOT FOR PUBLICATION OR INSPECTION) (p 18553)
- 1623 Letter dated 6.2.82 to Dr. EDWARDS from Mr. HINZE concerning the background of applicants for casino licenses (p 1855 1)-(NOT FOR PUBLICATION OR INSPECTION) (p 18553)
- 1624 Interview conducted on 10.2.82 between Mr. E. KORNHAUSER and police officers (p 18553)-(NOT FOR PUBLICATION OR INSPECTION)
- 1625 Statutory declaration of Llewellyn Roy EDWARDS dated 24.10.88 (p 18555)

The Chairman presiding

- 1626 Letter dated 6.9.82 to Mr. W. O'CONNOR Public Defender from Dr. K.J. MORRISON, Assistant Government Medical Officer relating to KOSSARIS and THOMPSON being injected with heroin whilst in custody (p 18596)
- 1627 Letter dated 13.9.82 to the Commissioner of Police from the Public Defender regarding the above (p 18596)
- 1628 Press release dated 10.12.82 relating to police supplying heroin to persons whilst in custody (p 18601)
- 1629 Statutory declaration of Frank CLAIR dated 27.10.88 (p 18601)
- 1630 Memorandum dated 27.10.88 from the General Manager of the TAB to the Commission of Inquiry relating to the appointment of Mr. Tony MURPHY as the TAB agent at Dunwich (p 18611)

28 October 1988

- 1631 Statutory declaration of Anthony Wayne THOMAS dated 28.10.88 with schedules attached (p 18622)
- 1632 Overseas and domestic travel list of witness (p 18636)

FOR IDENTIFICATION ONLY

- EF Two page document relating to witness' Commonwealth Bank Mastercard (p 18639)-(NOT FOR PUBLICATION OR INSPECTION)
- 1633 Photocopy AMEX statement and remittance advice of witness (p 18640)
- 1634 Statutory declaration of Dennis RICHARDSON, manager of Don Stewart & Co. dated 28.10.88 (p 18645)
- 1635 Photocopies of pages from Don Stewart & Co. cash receipts journal containing entries of all the six appliances bought by cash by witness (p 18648)
- 1636 Statutory declaration of Nathan KUPERHOLZ, solicitor, dated 28.10.88 (p 18648)
- 1637 Statutory declaration of Anthony Wayne THOMAS, Chartered Accountant, Commission of Inquiry, dated 28.10.88 relating to the wedding reception at the Mayfair Crest International Hotel of the children of Sir Terence and Lady Lewis (p 18649)
- 1638 Statutory declaration of Anthony Wayne THOMAS dated 10.10.88 relating to the frequency of recorded bets in the witness' diaries (p 18655)

- 1639 Statutory declaration of Anthony Wayne THOMAS dated 6.10.88 relating to the entries **in the** witness' diaries concerning horse races (p 18664)
- 1640 Statutory declaration of Michael PELLING, jockey, dated 4.10.88 relating to Mrs.. Mona LEWIS (p 18677) [RESTRICTED-an edited copy may be inspected]
- 1641 Statutory declaration of Patrick DUFF, horse trainer, dated 7.10.88 (p 18679) [RESTRICTED-an edited copy may be inspected]
- 1642 Statutory declaration of Kevin KENT, registered bookmaker dated 11.10.88 (p 18683)
- 1643 Statutory declaration of Anthony Wayne THOMAS dated 11.10.88 relating to betting sheets of Kevin KENT (p 18684)

31 October 1988

The Deputy to the Commission presiding

- 1644 Statutory declaration of Anthony Wayne THOMAS dated 6.10.88 relating to the TAB printout of Mrs.. Mona Lewis' account (p 18698)

FOR IDENTIFICATION ONLY

EG Newspaper extract headed "Police Chief counts his chances" (p 18700)-(NOT FOR PUBLICATION OR INSPECTION)

- 1645 Statutory declaration of Gino Giosue MILANI, solicitor of Deacon and Milani relating to the transfer of Sir Terence LEWIS' interest in his house to his wife (p 18705)
- 1646 Letter dated 20.10.88 to Commission of Inquiry from Gilshenan & Luton enclosing a statutory declaration of Gregory Lance EARLY dated 20.10.88 concerning a visit with Sergeant l/c MORRISH to the residence of Sir Terence LEWIS (p 18706) Note:- The attached extracts from Mr. EARLY's diary are restricted (p 18722)
- 1647 Statutory declaration of Allan Dale MORRISH, Sergeant l/c, formerly Personal Assistant to Assistant Commissioner PARKER dated 24.10.88 (p 18706)
- 1648 Bundle of seven statements from witness' credit union account (p 18712)
- 1649 Statutory declaration of Margaret Ann WHITNEY, Telecom investigator, dated 18.10.88 (p 18732)
- 1650 Executive Council Minute dated 15.11.76 concerning the promotions and assignments of Commissioned Officers of Police (p 18732)
- 1651 Two foolscap pages in witness' handwriting (p 18738)
- 1652 Typewritten notes taken by the Commission of Inquiry from witness' office (p 18741)
- 1653 Four typewritten pages with handwritten additions of names of police officers or former police officers (p 18744)

WITNESS: Anthony Wayne THOMAS

- 1654 Lever arch file marked "T.M. and H.C. LEWIS" supplied to the Commission by witness containing financial information in relation to tax returns, bank accounts, bank statements etc. (p 18745)
- 1655 Two lever arch files of material supplied by Mr. BAKER relating to tax returns, work papers, investments in films etc. of witness (p 18745)
- 1656 Folder containing vouchers for claims on the Police Department, Amex statements and mastercard statements relating to domestic and overseas travel of witness (p 18746)
- 1657 Specifications for the construction of the residence of Sir Terence and Lady LEWIS at 12 Garfield Drive, Paddington Heights (p 18746)

WITNESS: Terence Murray LEWIS

FOR IDENTIFICATION ONLY

- EH Names of persons who may have undertaken the inquiries among police officers of the information contained in Exhibit 1652 (p 18747)
- EI Name of a person out of the Police Force in November 1976-December 1976 who may have produced Exhibit 1652 (p 18748)-(NOT FOR PUBLICATION OR INSPECTION)
- 1658 Statutory declaration of Barry Keith MUCHE, Protocol Officer, Premier's Department dated 27.10.88 relating to certain documents which are attached concerning T.M. LEWIS (p 18749)
- 1659 Statutory declaration of Stanley Thomas WILCOX former Private Secretary to the Premier, dated 27.10.88 (p 18750)
- 1660 Statutory declaration of Joan Veronica DINGWELL, formerly attached to the Private Secretariat of the Premier, dated 28.10.88 (p 1875 1)
- 1661 Note in witness' handwriting (p 18779)
- 1662 Two pages of handwritten notes by G.L. EARLY recording a telephone message from the Premier (p 18784)
- 1663 Handwritten note recording a message from John WALSH, Premier's Department saying Premier wants an investigation of Dr. MURPHY relating to alleged breaches of the Electoral Act (p 18786)

1 November 1988

- 1664 List of social functions attended by Sir Terence LEWIS since 1.1.86 to September 1987 (p 18788)
- 1665 Statutory declaration of Errol Gregory WALKER, Superintendent of Police, dated 19.10.88 relating to a search of the Commissioner's office records for reports relating to information passed to the New South Wales police in about 1980 or 198 1 in relation to s.p. bookmakers (p 18789)
- 1666 Statutory declaration of Forbes Huston SMITH, legal officer, Commission of Inquiry, dated 1.11.88 relating to a search made of Sir Terence LEWIS' diaries, notebooks, etc. for all references to the word "informant" (p 1879 1)
- 1667 Statutory declaration of Jeffrey Robert HUNTER, legal officer, Commission of Inquiry, dated 31.10.88 relating to files located in the Executive Building and attached letter dated 31.5.78 (p 18796)
- 1668 Letter dated 8.9.78 to the Minister for Mines, Energy and Police from the Commissioner of Police relating to promotions and assignments of Commissioned Officers of Police with Cabinet submission attached (p 18803)
- 1669 Cabinet Minute relating to promotions and assignments of Commissioned Officers of Police (p 18803)
- 1670 Statutory declaration of Stephen Homer LAMBRIDES, Legal officer, Commission of Inquiry, dated 1.11.88 relating to a search of Cabinet Minutes (p 18803)
- 1671 Letter to Minister for Mines, Energy and Police from the Commissioner of Police attaching a Cabinet Submission relating to the promotions and assignments of police officers (p 18804)
- 1672 Cabinet Minutes of 18.9.78 approving above Submission (p 18804)
- 1673 Memorandum dated 30.5.86 of Inspector BULGER showing the length of time various police officers had been in the Licensing Branch (p 18806)
- 1674 Notes, most in witness' handwriting, referring to meeting with someone at 1.15 p.m. on 24.11.78 (p 18809)
- 1675 Notes, some in witness' handwriting recording received on 27.11.78 from P.C. Constable MARLIN (p 18810)
- 1676 Cabinet submission to transfer Inspector JEPPESEN out of the Licensing Branch on 4.1.79 prepared by V.A. MacDONALD Acting Commissioner of Police (p 18815)
- 1677 Cabinet Minute dated 9.1.79 indicating that the above submission was withdrawn (p 18815)
- 1678 Statutory declaration of Robert Ashley MARXSON, solicitor assisting the Commission of Inquiry, attaching a letter received from Morris Fletcher & Cross, solicitors, on 29.10.87, being a letter dated 30.1.79 to Mr. J. BJELKE-PETERSEN from Constable MARLIN (p 18816) (Note: attached

letter is RESTRICTED-a copy for inspection to delete "Katherine JAMES' " correct name appearing on p 2)

- 1679 Cabinet Minute dated 13.2.79 approving the removal of Inspector JEPPESEN from the Licensing Branch and the appointment of Inspector RIGNEY with an attached letter dated 9.2.79 to the Minister for Police from the Commissioner of Police (p 188 16)
- 1680 Statutory declaration of James Patrick O'SULLIVAN, Detective Inspector, attached to the Commission, dated 3 1.10.88, relating to the removal of the contents of a safe in the office of Sir Terence LEWIS on 22.9.87 (p 18818)
- 1681 File in a manilla folder marked "LicensingB.R." taken from the safe in the office of Sir Terence LEWIS (p 188 19) (Restricted)-(p 18875)
- 1682 Record of Interview held 3.5.79 between Inspector A. Murphy and Constable K.G. DUNNE (p 18820)
- 1683 Statutory declaration of James Patrick O'SULLIVAN, Detective Inspector, dated 3 1.10.88 relating to two files concerning the alleged house breaking at the home of former Inspector W.D.A. JEPPESEN, taken from the safe in Sir Terence LEWIS' office (p 18822)
- 1684 Two files referred to above (p 18822)
- 1685 Extract from the service record of Sir Terence LEWIS (p 18831)
- 1686 Statutory declaration of John William DAUTEL former Detective Sergeant 1/c, dated 14.10.88 relating to the execution of a search warrant on Jack Reginald HERBERT's residence on 13.12.74 (p 18834)

The Chairman presiding:

- 1687 Statutory declaration of Peter Douglas KELLY, legal officer, Commission of Inquiry, dated 26.10.88 attaching correspondence passing from the Police Department to the Minister of Police and to the Minister for Justice relating to the Sturgess report (p 18848)
- 1688 Extract from Hansard of 18.2.86 (pp 3497-3500) relating to Mr. HARPER's statement concerning the Sturgess report and Mr. GUNN's appointment as Minister for Police (p 18848)
- 1689 Statutory declaration of Desmond Gordon STURGESS, Director of Prosecutions dated 3 1.10.88 relating to a meeting with Sir Terence LEWIS at Police Headquarters on 2.3.87 (p 18849)
- 1690 Extract from the Sunday Mail newspaper dated 17.5.87 headed "Lewis replies" (p 18855)

3 November 1988

- 1691 Amended statement of claim in T.M. Lewis v. A.B.C. W.850 of 1982 (p 18892)
- 1691A (See 5.12.88 herein)
- 1692 Amended statement of claim in A. Murphy v. A.B.C. W.851 of 1982 (p 18955)

4 November 1988

- 1693 Letter dated 25.6.82 from A. MURPHY, Assistant Commissioner, Crime and Services to the Deputy Commissioner enclosing a report dated 17.6.82 by Detective Inspectors BRADBURY and INGHAM relating to the publication and distribution of a newsletter named "The Woolloongabba Worrier" (p 18999)

FOR IDENTIFICATION ONLY

- EJ Notes concerning Constable Brian MARLIN [Tendered by Mr. BOWDEN] (p 19013)-
(NOT FOR PUBLICATION OR INSPECTION)
- 1694 Letter dated 27.8.86 to Mr. GUNN, Minister for Police from Skinner and Smith, solicitors, seeking the assistance of the Crown for the defence in W.2001 of 1978-Saunders v. Pitts, Horgan, Jeppesen (p 19026)

7 November 1988

- 1695 Blank Form F-Statutory declaration (p 19119)
- 1696 List in witness' handwriting of persons known to him having the initials "A.C." (p 19139)
- 1697 Report dated 27.4.82 from Detective Inspector D. BRADBURY to Assistant Commissioner, Crime and Services relating to the conduct of Constable B.J. COOK, Woolloongabba Police Station (p 19163)
- 1698 Report dated 29.4.82 of Assistant Commissioner, Crime and Services, A. MURPHY to the Deputy Commissioner concerning the above matter (p 19163)
- 1698A See 5.12.88 herein
- 1698B See 5.12.88 herein
- 1699 Undated type written three page letter addressed to "Dear Terry", from "Tony" (p 19180)

8 November 1988

- 1700 Statutory declaration of Gary Patrick LONG, legal officer assisting the Inquiry dated 8.11.88 relating to the movements of the various officers mentioned in Exhibit 1701; also police personnel records of those police officers (p 19190)
- 1701 Typewritten six page letter dated 23.12.76 addressed "Dear Terry" (p 19205)
- 1702 Extract from front page of Courier Mail newspaper Friday 14.1.77 headed "New unit to check police" (p 19206)
- 1703 Letter dated 28.4.75 to the Minister for Police from Commissioner WHITROD relating to the promotions of commissioned police officers (p 19208)
- 1704 Letter dated 28.11.75 to the Minister for Police from Commissioner WHITROD relating to the promotions of commissioned police officers (p 19208)
- 1705 Letter dated 10.12.75 to the Hon. J. Bjelke-Petersen from Queensland Police Union of Employees relating to the promotion of A. MURPHY (p 19209)
- 1706 Letter dated 7.1.77 to the Minister for Police from Commissioner LEWIS relating to promotions of commissioned officers of police (p 19209)
- 1707 Letter dated 4.8.77 to the Minister for Police from Commissioner LEWIS relating to promotion of commissioned police officers (p 19210)
- 1708 Letter dated 18.10.77 to the Minister for Police from Commissioner LEWIS relating to the promotion of commissioned police officers (p 19211)
- 1709 Extract police seniority list 1977 and 1978 (p 19211)
- 1710 Letter dated 12.2.80 to the Minister for Police from Commissioner LEWIS relating to the upgrading of Superintendent A. MURPHY (p 19211)
- 1711 Letter dated 11.2.8 1 to the Minister for Police from Commissioner LEWIS relating to the appointment of Deputy Commissioner and Assistant Commissioner (p 19212)
- 1712 Letter to Minister for Police from Commissioner LEWIS relating to the promotion of police officers (p 19212)
- 1713 Letter dated 1.10.82 to Commissioner LEWIS from Assistant Commissioner A. MURPHY notifying his intention to opt for early retirement (p 19214)
- 1714 Extracts of the Report of the Royal Commission of Inquiry into Drug Trafficking by STEWART J. dated February 1983 (p 19215)
- 1715 Bundle of documents dealing with the promotion and transfer system (p 19218)
- 1716 Bundle of documents relating to the transfer and promotion of A.F. BARNES (p 19223)

- Note: Paragraph 2 of the summary and attachments relating to that paragraph are not available for publication or inspection (p 19240)
- 1717 Bundle of documents relating to the transfer and promotion of R. RIGNEY (p 19226)

- 1718 Bundle of documents relating to the transfer and promotion of N.F.P. DWYER (p 19228)
- 1719 Bundle of documents relating to the transfer and promotion of AS. BULGER (p 19233)
- 1720 Bundle of documents relating to the transfer and promotion of G.R.J. PARKER (p 19240)
- 1721 Bundle of documents relating to the transfer and promotion of H.R. BURGESS (p 19241)
- 1722 Bundle of documents relating to the transfer and promotion of N.T. KELLY (p 19241)
- 1723 Bundle of documents relating to the transfer and promotion of J.W. BOULTON (p 19241)
- 1724 Bundle of documents relating to the transfer and promotion of R.B. HAYES (p 19242)
- 1725 Bundle of documents relating to the transfer and promotion of C.H. FARRAH (p 19242)
- 1726 Extract from the Police seniority list 1987 (p 19244)
- 1727 Schedule showing Inspectors and Senior Sergeants in the Licensing Branch 1978-1987 and the Assistant Commissioners responsible (p 19257)
- 1728 Letter dated 10.3.87 to the Minister for Police from Commissioner LEWIS concerning the transfer of Inspector J.S. WAUGH to the Licensing Branch (p 19258)

FOR IDENTIFICATION ONLY

- EK Person who told witness of Mr. S. PREGLIASCO's alleged intemperance (p 19259)-(NOT FOR PUBLICATION OR INSPECTION)
- 1729 Letter dated 17.7.87 to Commission of Inquiry from Morris, Fletcher & Cross enclosing the completed questionnaire and draft statements of T.M. LEWIS (p 19278)

9 November 1988

WITNESS: Donald Frederick LANE (member for Merthyr)

- 1730 Statutory declaration of witness dated 2.11.88 (p 19293)
- 1731 Factual statement of witness dated 1.3.88 with annexures A to Y (Marked as Exhibit A to Exhibit 1730) (p 19293)
- 1732 Financial statement dated 1.3.88 [Annexure B to Exhibit 1730] (p 19293)
- 1733 Affidavit of witness dated 6.10.88 relating to the allegations by Superintendent Vince MURPHY (p 19293) [Exhibit C to Exhibit 1730]
- 1734 Statement of D.F. LANE dated 21.10.88 relating to general living expenses from mid-1984 through to mid-1987 (p 19293) Also annexures A to W [Annexure D to Exhibit 1730]
- 1735 Statement of D.F. LANE dated 7.11.88 responding to matters raised in Mr. NEEDHAM'S letter of 4.11.88 which is attached (p 19296)
- 1736 Letter dated 2 1.10.88 to the Commission from Robertson O'Gorman (Mr. LANE's solicitors) (p 19298)
- 1737 Statutory declaration of Harold David WILSON, former licensee of the Grand Hotel, dated 20.10.88 (p 19309)
- 1738 Financial report of witness 1.7.77 to 30.6.87-updated 2.11.88 (p 19317)
- 1739 Financial report of witness-updated 7.11.88 (p 193 17)
- 1740 Voucher for \$243.50 for an official luncheon held by witness (p 19352)
- 1741 Voucher for \$400.00 being an advance to expenses for official visit to New Zealand 1.8.85-5.8.85 (p 19354)
- 1742 Statutory declaration of John Stewart McFARLANE dated 25.10.88 (p 19362)
- 1743 Statutory declaration of Neva MAXIM dated 24.10.88 (p 19362)
- 1744 Extract from the National Party campaign handbook (p 19369)
- 1745 Statement of Paddy John STEPHENS dated 8.1.88 (p 19379)
- 1745A See 8.12.88 herein

10 November 1988

- 1746 Statutory declaration of Philip John SMITH police officer seconded to the Inquiry dated 9.11.88 with eight photographs of farm machinery attached (p 19391)
- 1747 Statutory declaration of Raymond Alan LAWTON dated 9.11.88 relating to some farm machinery (p 19393)
- 1748 Statutory declaration of Tom BITE dated 25.10.88 (p 19393)
- 1749 Statutory declaration of Detective Sergeant l/c Philip John SMITH dated 8.11.88 relating to certain race horses (p 19395)
- 1750 Extracts from the Courier Mail newspaper of 3.1.85 and 10.1.85 (p 19397)
- 1751 Statutory declaration of Alfredo SORBELLO dated 4.11.88 relating to his contribution of \$20000 to Mr. LANE (p 19399)
- 1752 Statutory declaration of witness dated 25.10.88 relating to his contact with Sir Terence LEWIS (p 19413)
Note:-Three names in the third line of paragraph 8 are not for publication (p 19415)
- 1753 Statutory declaration of Ida Margaret MACKAY, former Electorate Secretary to witness, dated 12.10.88 (p 19430)
Note:-Paragraph halfway down p 6 not for publication (p 19430)

FOR IDENTIFICATION ONLY

- EL Person who was mentioning Mr. LANE'S name in relation to bingo permits (p 19433)-
(NOT FOR PUBLICATION OR INSPECTION)

11 November 1988

- 1754 Correspondence relating to the nomination of Mr. Harry LOWE for an Honour (p 19488)
- 1755 Statutory declaration of Detective Inspector James Patrick O'SULLIVAN relating to attending at the office of Sir Terence LEWIS at Police Headquarters on 14.4.88 and taking possession of certain documents which are attached (p 19491)
- 1756 Letter dated 9.9.81 to Mr. J. Bjelke-Petersen enclosing a detailed itinerary of overseas visit by Mr. LANE (p 19491)
- 1757 Statutory declaration dated 3 1.10.88 of John Ashley BROUGH, Sergeant l/c relating to the issuing of a traffic offence ticket on 13.11.84 to the driver of Mr. LANE's ministerial car (p 19494)
- 1758 Police Department file of Douglas James BRADLEY relating to the above traffic offence (p 19494)
- 1759 Statutory declaration of Allen Maxwell HODGES, former Minister for Police dated 9.11.88 relating to Mr. LANE's activities in getting rid of Commissioner WHITROD (p 19502)
- 1760 General ledger report of cash deposits (p 195 13)
- 1761 Excerpts from Cabinet Minutes of 27.5.86 and 4.8.86 (p 19514)
- 1762 Research paper by the Parliamentary Research Service itemising ministerial expenses for 1978-1979 to 1985-1986 with accompanying material (p 19526)
- 1763 Letter of resignation dated 25.10.83 to Miss C. MASON, General Secretary, Liberal Party of Australia from Mr. LANE (p 19531)
- 1764 Joint Press Statement dated 25.10.83 by Mr. LANE and Mr. AUSTIN (p 19532)
- 1765 Letter dated 14.12.82 to Mr. LANE from Mr. GLASSON in reply to Mr. LANE's letter of 18.10.82 to Commissioner LEWIS relating to illegal gaming at 667 Ann Street, Fortitude Valley (p 19532)
- 1766 Interview sheet dated 10.6.86 relating to a complaint concerning a brothel (p 19533)
- 1767 Document headed T.M. LEWIS-Diary Extracts showing contact between Mr. LANE and Commissioner LEWIS (p 19537)
- 1768 Extract from the Sunday Sun newspaper of 22.4.79 relating to the Peel Report (p 19541)

- 1769 Extract from the Courier Mail newspaper of 13.6.77 relating to the Liberal Party State convention calling for the establishment of an independent tribunal to deal with complaints against police (p 19542)
- 1770 Four newspaper extracts dated January 1988 relating to poker machines (p 19545)
- 1771 File from November 1972 sent to witness from the Amusement Machine Operators' Association of Queensland dealing with the introduction of poker machines (p 19545)

14 November 1988

- 1772 Executive Council minute relating to the appointment of Sir Edward LYONS to the T.A.B. on June 1981 (p 19552)
- 1773 Cabinet Minutes of 10.12.84 and 17.12.84 (p 19555)

FOR IDENTIFICATION ONLY

- EM Names of two New South Wales police officers who were lunching with Mr. ROOKLYN (p 19583)-(NOT FOR PUBLICATION OR INSPECTION)
- EN Name of retired police officer living on Bribie Island who may have given to Jack HERBERT Mr. LANE's address on Bribie Island (p 19585)-(NOT FOR PUBLICATION OR INSPECTION)-see Exhibit 1774
- 1774 Formerly Exhibit EN for identification-confidentiality removed (p 19597)

FOR IDENTIFICATION ONLY

- EO Names of companies which donated to the National Party Merthyr campaign funds which received government contracts (p 19598)-(NOT FOR PUBLICATION OR INSPECTION)
- EP Names of person who formed a special committee for Mr. LANE's re-election who received government contracts (p 19598)-(NOT FOR PUBLICATION OR INSPECTION)
- 1775 Interlocutory judgment dated 15.10.87 in Bielke-Petersen & Ors. v. Burns & Anor. W.995 of 1986-McPherson J. (p 19633)
- 1776 Extract from Queensland Parliamentary Debates 26.2.87 pp. 311-3 13 relating to the funding of private defamation actions by the Cabinet (p 19637)

FOR IDENTIFICATION ONLY

- EQ Names of two Cabinet Ministers who made exclamations when Mr. LANE told them he would have to disclose matters about ministerial expenses and cash advances (p ~~1964~~) (NOT FOR PUBLICATION OR INSPECTION) Now Exhibit 1777 (p 19650)

15 November 1988

- 1777 Name of two Cabinet Ministers (p 19650) [previously Exhibit EQ for identification]
- 1778 Extracts from the Treasurer's Instructions (p 19654)
- 1779 Corporate Affairs records relating to KALDEAL Pty. Ltd. (p 19682)
- 1780 Extract from Police Rules p. 20 (p 19689)
- 1781 Extract from Police Rules p. 21 (p 19693)
- 1782 Pleadings in seven Supreme Court actions for defamation commenced in 1986 by members of Cabinet (p 19703)
- 1783 Statutory declaration of William Angus Manson GUNN dated 15.11.88 (p 19709)
- 1784 Statutory declaration of Martin James TENNI dated 15.11.88 (p 19715)
- 1785 Statutory declaration of Geoffrey Hugh MUNTZ dated 15.11.88 (p 197 15)
- 1786 Two Cabinet Minutes dated 3.3.86 and 10.6.86 relating to Cabinet authorising defamation actions (p 19722)

1787 Special Report by the Auditor-General-the Peel Report-1 978 (p 19723)

16 November 1988

WITNESS: Russell James HINZE

- 1788 Statement by R.J. HINZE dated 10.12.87 (p 19736)
- 1789 Statutory declaration of R.J. HINZE dated 10.12.87 (p 19736)
- 1790 Statutory declaration of R.J. HINZE dated 6.10.88 (p 19736) Note:- edited copy for inspection
- 1791 Statutory declaration of R.J. HINZE dated 20.10.88; Letter dated 30.9.88 to Messrs. Short, Punch & Greatorix from the Commission (p 19739)
- 1792 Statement of R.J. HINZE dated 14.11.88 (p 19740)
- 1793 Statutory declaration of R.J. HINZE dated 14.11.88 (p 19740)
- 1794 Statutory declaration of Fay Jeanette HINZE dated 13.10.88 (p 19740)
- 1795 Statutory declaration of Fay Jeanette HINZE dated 20.10.88 (p 19740)
- 1795A See 28.11.88 herein
- 1796 List of police officers or former police officers Mr. HINZE regarded as "straight police" (p 19744)
- 1797 Statutory declaration of Sir William KNOX dated 16.11.88 (p 19771)
- 1798 Statutory declaration of Christopher Geoffrey CHENOWETH, solicitor (p 198 10)

17 November 1988

- 1799 Statutory declaration of Robert Ashley MARXSON legal officer attached to the Commission dated 17 November, 1988 and accompanying schedules [19815]

FOR IDENTIFICATION ONLY

ER Documents produced with the above statutory declaration (p 19815)-(NOT FOR PUBLICATION OR INSPECTION)

- 1800 Statutory declaration of Robert Ashley MARXSON dated 15.11.88 with schedule detailing the source from which the documents came (p 19815)
- 1801 Folder of documents relating to Colwal Pty. Ltd. (p 19816)
- 1802 Letter dated 24.11.80 from Lowanna Pty. Ltd. to Mr. B. Carey, Colwal Pty. Ltd. (p 198 16)
- 1803 Various minutes of meetings of management committee (p 19834)
- 1804 Three documents relating to the directors Colwal Pty. Ltd. (p 19840)
- 1805 File of documents relating to Kanni Pty. Ltd., also statutory declarations of Robert Eugene MURPHY dated 17.11.88 and Malcolm John REVIE dated 16.11.88 (p 19840)
- 1806 Statutory declaration of Grahame William PHILLIPS, Westpac bank employee, dated 15.11.88 (p 19846)
- 1807 Statutory declaration of Robert Charles DARLING, Westpac bank employee, dated 10.11.88 (p 19846)
- 1808 Statutory declaration of Edwin Alfred CHEESMAN, retired bank officer dated 10.11.88 (p 19846)
- 1809 Bundle of indexed documents being HANSARD reports and newspaper cuttings from 28.3.82 to 7.4.82 (p 19856).
- 1810 Statutory declaration of John Arthur ALLEN, Westpac bank officer, dated 15.11.88 (p 19870)
- 1811 Statutory declaration of Kenneth John BURLEY, retired bank officer, dated 10.11.88 (p 19871)
- 1812 Statutory declaration of David Angus McELWEE, Westpac Bank officer dated 13.11.88 (p 19871)
- 1813 Balance sheet as at 30.6.82 and Profit and Loss Statement of Gemini Court Joint Venture (p 19876).

- 1814 Statutory declaration of Geoffrey John RAPP dated 15.11.88 (p 19879)
- 1815 Page from journal of Gemini Court Joint Venture -Balance Sheet as at 30.4.83 (p 19879)
- 1816 Statutory declaration of Noel Bevan YARROW, Westpac bank employee, dated 15.11.88 (p 19880)
- 1817 Balance sheet as at 30.6.84 and Profit and Loss Statement of Gemini Court Joint Venture (p 19881)
- 1818 Balance Sheet of Gemini Court Joint Venture as at 20.5.85 also Profit and Loss Statement (p 19885)
- 1819 Page from journal of Kanni Pty. Ltd. dated 30.6.85 (p 19885)
- 1820 Statutory declaration of Peter Richard McKECHNIE dated 17.11.88 denying misuse of public money (p 19891).

18 November 1988

- 1821 Blue folder containing financial documents in relation to the \$450,000.00 loan (p 19894)
- 1822 Blue folder of documents relating to the Gemini Court joint venture being terminated (p 19909)
- 1823 Yellow folder of documents relating to the penthouse unit 128 in Gemini Court (p 19924)
- 1824 Pink folder of documents relating to the Nikrairie loan (p 19931)
- 1825 Cabinet Minutes of 9.3.81 and 12.3.81 (p 19957)

21 November 1988

- 1826 Bundle of documents relating to ESSVEE Pty. Ltd. (p 19959)
- 1827 Statutory declaration of Ronald Ewan McMASTER dated 15.11.88 (p 19959)
- 1828 Statutory declaration of Alan HITCHCOCK dated 18.11.88 (p 19959)
- 1829 Letter from D.E.I. THOMPSON & Co., solicitors, dated 23.1.81 to Mr. R.J. HINZE (p 19960)
- 1830 Bundle of documents relating to Mr. E. KORNHAUSER (p 19975)
- 1831 Balance Sheets for 1984 to 1987 financial years of the Waverley Park Stud Pty. Ltd. (p 20013)
- 1832 Document relating to the Waverley Park Stud Pty. Ltd. loan (p 20013)
- 1833 Statutory declaration of Emil KORNHAUSER dated 17.11.88 (p 20015)
- 1834 Statutory declaration of Keith HALL, Accountant, dated 28.10.88 (p 20015)
- 1835 Statutory declaration of Gerald MOSES, Accountant, dated 6.10.88 (p 20015)
- 1836 Statutory declaration of Gerald Henry MOSES dated 20.11.88 (p 20016)
- 1837 Statutory declaration of Ray BRICKNELL dated 7.10.88 (p 20016)
- 1838 Statutory declaration of Arthur Vey ANGOVE, former Town Clerk, Gold Coast City Council dated 8.11.88 (p 20016)
- 1839 Statutory declaration of Norman Cohn RIX, former Gold Coast Alderman dated 7.10.88 (p 20016)
- 1839A (See 22.11.88 herein)
- 1840 Folder of documents relating to the Leslie Corporation (~20021)
- 1841 Statutory declaration of John Francis LANGSWORTH, Chartered Accountant dated 17.10.88 (p 20021)
- 1842 Documents relating to COWRIE Pty. Ltd. (p 20048)
- 1842A (See 5.12.88 herein)
- 1843 Statutory declaration of Roger John BURT dated 19.10.88 (p 20049)

22 November 1988

- 1839A Statutory declaration of Leo Arthur HIELSCHER, retired Under Treasurer, dated 21.11.88 (p 20062)
- 1844 Financial documents relating to the LESLIE CORPORATION (p 20063)
- 1845 Balance Sheet for financial years 30.6.82 to 30.6.85 of Waverley Park Stud Pty. Ltd. (p 20064)
- 1846 Folder of documents relating to Cooper Korbl & Co. (p 20066)
- 1846A (See 25.11.88 herein)
- 1847 Statutory declaration of George HERSCU dated 19.10.84 (p 20084)
- 1848 Folder of documents relating to SEYMOUR Developments Pty. Ltd. (p 20092)
- 1849 Statutory declaration of Kevin Will SEYMOUR, director of Seymour Developments Pty. Ltd., dated 4.11.88 (p 20097)
- 1849A (See 24.11.88 herein)
- 1849B (See 24.11.88 herein)
- 1849C (See 28.11.88 herein)
- 1849D (See 5.12.88 herein)
- 1850 Statutory declaration of Robert Andrew Creeth BRICE, Accountant, dated 17.11.88 (p 20097)
- 1851 Document on Lowanna Pty. Ltd. letterhead headed "Big Rooster land" (p 20110)
- 1852 Folder of documents relating to the loan from N. RIX (p 20112)
- 1853 Folder of documents relating to the loan from Mr. S. TRUSCOTT (p 20115)
- 1854 Folder of documents relating to the Simmons loan (p 20123)
- 1854A (See 23.11.88 herein)
- 1854B (See 23.11.88 herein)
- 1855 Folder of documents relating to NOEUR Pty. Ltd. (p 20127)
- 1855A (See 23.11.88 herein)
- 1855B (See 23.11.88 herein)
- 1855C (See 23.11.88 herein)
- 1855D (See 25.11.88 herein)
- 1856 Statutory declaration of John Colin BARLETT dated 11.11.88 (p 20127)
- 1857 Folder of documents relating to Pabbay Pty. Ltd. (p 20142)

23 November 1988

- 1858 Statutory declaration of Fay Jeanette HINZE dated 22.11.88 (p 20153)
- 1859 Statutory declaration of John David Andrew PUNCH, solicitor, dated 23.11.88 (p 20153)
- 1860 Statutory declaration of Marilyn Elizabeth SMEE, bookkeeper, dated 23.11.88 (p 20153)
- 1861 Folder of documents relating to Bill Acceptance Corporation (p 20153)
Statutory declaration of Stephen Grant CORNFORD, Corporate Lending Manager, Bill Acceptance Limited, dated 22.11.88;
Statutory declaration of Peter Francis HUTCHINSON, financial consultant, dated 10.11.88 (p 20157)
- 1862 Two statutory declarations of Stephen Homer LAMBRIDES, legal officer attached to the Commission of Inquiry dated 20.11.88 (p 20172)
- 1862A (See 5.12.88 herein)
- 1863 Statutory declaration of Geoffrey Henry BURCHILL dated 17.11.88 (p 20173)
- 1864 Statutory declaration of Geoffrey Henry BURCHILL dated 20.11.88 (p 20173)

- 1865 Statutory declaration of Geoffrey Henry BURCHILL dated 2 1.11.88 (p 20173)
- 1866 Folder of documents relating to Geoffrey BURCHILL transactions (p 20173)
- 1854A Statutory declaration of Trevor WATT, solicitor, dated 23.11.88 (p 20180)
- 1854B Statutory declaration of Philip John SMITH, Detective Sergeant l/c, Commission of Inquiry, dated 13.10.88 (p 20180)
- 1855A Statutory declaration of Fred LIPPIATT, solicitor, dated 23.11.88 (p 20180)
- 1855B Statutory declaration of Owen Patrick YONG GEE, Chartered Accountant, dated 2.11.88 (p 20181)
- 1855C Corporate Affairs documents relating to MARYLEBONE Pty. Ltd. (p 20181)
- 1867 Statutory declaration of Ross Arthur DUUS, Financial Analyst, Commission of Inquiry, dated 23.11.88 (p 20181)
- 1867A (See 5.12.88 herein)

24 November 1988

- 1868 Folder of documents containing extracts from Hansard relating to the investment of T.A.B. funds with Rothwells Ltd., Merchant Bank and credit betting and an opinion by Hampson Q.C. dated 26.4.85 tabled in Parliament relating to credit betting activities of Sir Edward LYONS (p 20251)
- 1869 Folder of documents relating to the Coomera River and Maralinga Pty. Ltd. (p 20263)
- 1870 Folder of documents relating to the granting of the T.A.B. agency at Oxenford (p 20265)
- 1871 Extract from the Bulletin magazine dated 3.3.8 1 "Civil liberty group alleges police malpractice" (p 20293)
- 1849A Statutory declaration of Kevin Will SEYMOUR dated 13.11.88 (p 20309)
- 1849B Statutory declaration of Alan Francis BARBELER, solicitor, dated 23.11.88 (p 20309)
- 1872 Opinion dated 29.4.85 from Mr. K. MacKenzie Q.C. Acting Solicitor General and Mr. D.G. Sturgess Q.C., Director of Prosecutions relating to Sir Edward Lyons's credit betting activities on the T.A.B. (p 20316)
- 1873 Media Release dated Tuesday, 12.5.87, from Mr. W.A.M. GUNN M.L.A., Minister for Police relating to the establishment of an Inquiry (p 20318)

25 November 1988

WITNESS: Robert Eugene MURPHY (Chartered Accountant)

- 1874 Balance Sheet as at 30.6.86 and Profit and Loss Statement of Gemini Court Joint Venture; three pages of workings by witness (p 20346)
- 1875 Income Tax Return of Gemini Court Joint Venture for 1986-1987 financial year (p 20348)
- 1876 Folder of documents taken from the office of Coopers and Lybrand, Surfers Paradise relating to Colwal Pty. Ltd. (p 20361)
- 1877 Six documents relating to the resignation of directors from Colwal Pty. Ltd. (p 20361)
- 1878 Statutory declaration of Ross Andrew DUUS, Chartered Accountant, Commission of Inquiry, dated 24.11.88 (p 20363)

(END OF WITNESS' EVIDENCE)

- 1879 Statutory declaration of Geoffrey Henry BURCHILL, Consultant Engineer, dated 25.11.88 (p 20391)
- 1880 Folder of documents relating to Kanni Pty. Ltd. (p 20398)
- 1855D Statutory declaration of John Colin BARTLETT dated 21.11.88 (p 20399)
- 1881 Statutory declaration of Francis Patrick McLAUGHLIN, solicitor, dated 23.11.88 (p 20399)

- 1882 Schedule of offences under the Racing and Betting Act (p 20399) [Note: edited copy may be inspected]
- 1846A Documents relating to the Cooper Kobl loan to Kanni Pty. Ltd. (p 20399)
- FOR IDENTIFICATION ONLY
- ES Medical report dated 11.11.88 relating to Mr. HINZE (p 20399)
- ET Medical report dated 11.11.88 relating to Mrs.. Fay HINZE (p 20399)—(NOT FOR PUBLICATION OR INSPECTION)
- 1883 Statutory declaration of Ross Andrew DUUS dated 23.11.88 annexing bank records (p 20400)
- 1884 Statutory declaration of Warren Nathan ATLAS dated 24.11.88 (p 20400)
- 1884A (See 9.12.88 herein)
- 1885 Copy of the Summary Offences Bill 1982 (p 20405)
- 1886 Handwritten note addressed “Marilyn” taken from Waverley Park Stud by officers of the Commission (p 20415)
- 1886A (See 9.12.88 herein)
- 1887 Documents dated 11.11.88 being explanations to the Australian Taxation Office (p 20417)
- 1888 Letter dated 24.2.88 from Short, Punch and Greatorix, solicitors, to Messrs. Coopers & Lybrand annexing another explanation dated 24.2.88 (p 20417)

28 November 1988

The Deputy to the Commission presiding

- 1795A Statutory declaration of Fay Jeanette HINZE dated 25 November, 1988 (p 20432)
- 1849C Statutory declaration of Kevin Will SEYMOUR dated 25 November 1988 (pp 20432, 20531)
- 1889 Schedule of police officers or former police officers with summaries of their statutory declarations (p 20435)
- The following statutory declarations of police officers or former police officers were tendered: (pp. 20435-20436)
- 1890 ANDERSON, William George dated 26 July 1988
- 1891 ARNDT, Denis Keith dated 29 July 1988
- 1892 ATKINSON, Thomas Sydney Charles dated 11 July 1988
- 1892A ATKINSON, Thomas Sydney Charles dated 29 August 1988
- 1892B ATKINSON, Thomas Sydney Charles dated 14 September 1988
- 1892C ATKINSON, Thomas Sydney Charles dated 24 October 1988
- 1892D ATKINSON, Thomas Sydney Charles dated 26 September 1988 [RESTRICTED-edited copy for inspection]
- 1893 BARNES, Alan Frederick dated 12 August 1988 [RESTRICTED-edited copy for inspection]
- 1894 BARTELS, Errol Reginald dated 29 July 1988 [RESTRICTED-edited copy for inspection]
- 1895 BARTLETT, Ivan Warwick dated 26 July 1988
- 1896 BASTIN, Brian Edward dated 28 July 1988
- ~~1896A~~ BASTIN, Brian Edward dated 28 July 1988
- ~~1896B~~ BASTIN, Brian Edward dated 28 July 1988
- ~~1896C~~ BASTIN, Brian Edward dated 4 October 1988
- 1897 BATTERHAM, Bruce James dated 20 July 1988
- 1898 BEER, Ross Malin dated 25 July 1988
- ~~1898A~~ BEER, Ross Malin dated 25 July 1988

1898B BEER, Ross Malin dated 25 July 1988
1899 BELL, Lawrence Bryan dated 26 October 1988 [RESTRICTED-edited copy for inspection]
1900 BOULTON, John William dated 19 July 1988
1901 BRANCH, Dennis Charles dated 29 August 1988
1902 BURGESS, Harry Reginald dated 28 July 1988
1903 CACCIOLA, Domenico dated 6 October 1988
1903A CACCIOLA, Domenico dated 17 November 1988
1904 CARR, Gregory Thomas dated 15 July 1988
1904A CARR, Gregory Thomas dated 15 July 1988
1904B CARR, Gregory Thomas dated 15 July 1988
1904C CARR, Gregory Thomas dated 15 July 1988
1905 CHURCHILL, Sydney Ernest (Junior) dated 8 August 1988
1906 COLBY, Michael Francis dated 2 1 July 1988
1907 COLLINS, Gregory John Carden dated 11 July 1988
1908 COUSINS, Graham Joseph dated 11 July 1988
1909 CRANE, Gordon Charles dated 19 September 1988
1909A CRANE, Gordon Charles dated 7 October 1988
1910 CURREY, Sydney William dated 12 September 1988
1911 DAVEY, Frank William dated 11 July 1988
1911A DAVEY, Frank William dated 30 September 1988
1912 DILLON, Colin William Maxwell dated 13 July 1988
1912A DILLON, Colin William Maxwell dated 13 July 1988
1912B DILLON, Colin William Maxwell dated 13 July 1988
1913 EDWARDS, Clement Frederick dated 26 September 1988
1914 EMMERSON, Rodney Cecil dated 11 July 1988
1914A EMMERSON, Rodney Cecil dated 11 July 1988
1915 FITZPATRICK, George Richard dated 26 July 1988
1915A FITZPATRICK, George Richard dated 6 October 1988
1915B FITZPATRICK, George Richard dated 17 October, 1988
1916 FLEMING, Percival James dated 4 October 1988
1917 FREIER, Reginald Neal dated 14 July 1988
1917A FREIER, Reginald Neal dated 18 October 1988
1917B FREIER, Reginald Neal dated 18 October 1988 [RESTRICTED-edited copy for inspection]
1918 GALLAGHER, Michael Henry dated 18 July 1988
1919 GILMONT, Michael Gordon dated 27 July 1988
1919A GILMONT, Michael Gordon dated 5 September 1988
1920 GLANCY, Patrick James dated 28 July 1988
1920A GLANCY, Patrick James dated 29 July 1988
1920B GLANCY, Patrick James dated 13 September 1988
1920C GLANCY, Patrick James dated 5 October 1988
1921 GLOVER, Basil Joseph dated 12 September 1988
1921A GLOVER, Basil Joseph dated 23 September 1988
1922 GRAY, Mervyn Henry dated 8 July 1988
1922A GRAY, Mervyn Henry dated 8 July 1988
1922B GRAY, Mervyn Henry dated 20 September 1988

1923 GRIMPEL, Charles Christopher dated 8 July, 1988
1924 HALLAHAN, Glen Patrick dated 19 October 1988 [RESTRICTED-edited copy may be inspected]
1925 HARRIS, William Jeffrey dated 29 July 1988
1926 HATTWELL, Noel George dated 7 July 1988
1926A HATTWELL, Noel George dated 7 July 1988
1926B HATTWELL, Noel George dated 7 July 1988
1926C HATTWELL, Noel George dated 26 September 1988
1927 HAYES, Robert Brian dated 29 July 1988
1928 HOCKEN, Phillip Roy dated 12 July 1988 [RESTRICTED-edited copy for inspection]
1929 JACKSON, Mark Gerard dated 8 August 1988
1930 KIDCAFF, Andrew Francis dated 9 September 1988
1931 KINROSS, Bradley William dated 13 July 1988
1932 KOLENCE, John Charles dated 8 August 1988
1933 LE GROS, Peter Cecil dated 13 July 1988
1933A LE GROS, Peter Cecil dated 13 July 1988
1933B LE GROS, Peter Cecil dated 13 July 1988
1933c LE GROS, Peter Cecil dated 13 July 1988 [RESTRICTED-edited copy for inspection]
1934 LEADBETTER, Roland Graham dated 22 July 1988
1934A LEADBETTER, Roland Graham dated 6 October 1988
1934B LEADBETTER, Roland Graham dated 19 October 1988 [RESTRICTED-edited copy for inspection]
1935 LIND, Graeme Clifford dated 8 September 1988
1935A LIND, Graeme Clifford dated 7 November 1988
1936 LINDSAY, Leith Reid dated 8 July 1988 [RESTRICTED-edited copy for inspection]
1937 LYNCH, Calvin Drewe dated 8 July 1988 [RESTRICTED-edited copy for inspection]
1938 MacDONALD, Vernon Alister dated 29 July 1988 [RESTRICTED-edited copy for inspection]
1939 MARTIN, Kenneth Allan dated 27 September 1988
1940 MATTINGLEY, Richard Vernon dated 19 October 1988
1941 MAYNARD, Frederick George dated 9 July 1988
1941A MAYNARD, Frederick George dated 9 July 1988 [RESTRICTED-edited copy for inspection]
1942 McCANN, Ross John dated 25 July 1988
1942A McCANN, Ross John dated 25 July 1988
1942B McCANN, Ross John dated 25 July 1988
1942C McCANN, Ross John dated 25 July 1988 [RESTRICTED-edited copy for inspection]
1943 McDONNELL, Graham John dated 28 July 1988
1944 MCKAY, Michael dated 31 August 1988 [RESTRICTED-edited copy for inspection]
1945 McRAE, Rodrick Donald dated 1 August 1988
1945A McRAE, Rodrick Donald dated 1 August 1988 [RESTRICTED-edited copy for inspection]
1946 MESKELL, John dated 12 July 1988
1947 MICHAEL, Warwick George dated 29 July 1988
1947A MICHAEL, Warwick George dated 7 October 1988
1948 MOSKWA, Josef dated 27 July 1988
1948A MOSKWA, Josef dated 28 September 1988
1948B MOSKWA, Josef dated 7 October 1988
1948C MOSKWA, Josef dated 19 October 1988
1949 O'BRIEN, Barrie Cornelius dated 13 October 1987

1949A O'BRIEN, Barrie Cornelius dated 29 July 1988
1949B O'BRIEN, Barrie Cornelius dated 12 September 1988 [RESTRICTED-edited copy for inspection]
1950 OWENS, Peter Thomas dated 14 July 1988 [2 statutory declarations]
1950A OWENS, Peter Thomas dated 16 August 1988
1950B OWENS, Peter Thomas dated 5 September 1988
1951 PETERSEN, Ralph dated 25 July 1988
1951A PETERSEN, Ralph dated 13 September 1988
1952 PICKERING, Ronald Douglas dated 8 July 1988
1952A PICKERING, Ronald Douglas dated 13 October 1988 [RESTRICTED-edited copy for inspection]
1953 PODLICH, Owen Ross dated 14 July 1988
1953A PODLICH, Owen Ross dated 28 July 1988
1953B PODLICH, Owen Ross dated 28 July 1988
1954 POTTS, Leonard John dated 18 July 1988
1955 REDMOND, Ronald Joseph dated 29 July 1988
1955A REDMOND, Ronald Joseph dated 8 September 1988
1955B REDMOND, Ronald Joseph dated 24 October 1988
1956 REID, Eric Clifford dated 11 July 1988
1957 RIGNEY, Ross dated 20 September 1988
1958 ROBERTS, Tegwyn dated 12 July 1988
1959 SANDERS, William Bruce dated 15 August 1988
1960 SAWFORD, Robert George dated 18 July 1988
1960A SAWFORD, Robert George dated 18 July 1988
1960B SAWFORD, Robert George dated 18 July 1988
1960C SAWFORD, Robert George dated 16 September 1988
1960D SAWFORD, Robert George dated 22 October 1988 [RESTRICTED-edited copy for inspection]
1961 SCANLAN, Kenneth Charles dated 22 July 1988
1962 SCOTT, David William James dated 1 August 1988
1962A SCOTT, David William James dated 16 August 1988
1962B SCOTT, David William James dated 24 August 1988
1962C SCOTT, David William James dated 19 September 1988
1963 SEYMOUR, Earl Ronald dated 12 July 1988
1964 SHAMBROOK, Robert Malcolm dated 26 July 1988
1964A SHAMBROOK, Robert Malcolm dated 26 July 1988
1964B SHAMBROOK, Robert Malcolm dated 26 July 1988
1965 SHARRY, George David John dated 13 September 1988
1966 SMITH, David Rodney dated 26 July 1988
1967 SMITHERS, Warren Bourne dated 8 July 1988
1968 SOMMER, James Edward dated 27 July 1988 [RESTRICTED-edited copy for inspection]
1969 SPARKE, Michael Ernest dated 13 July 1988
1970 ST GEORGE, Ronald William dated 12 July 1988
1971 ST GEORGE, Nicholas Shane dated 26 July 1988
1972 STAIB, Clarence William dated 13 July 1988
1973 STAFFORD, Keith Charles dated 29 July 1988
1974 STALLEY, Arthur James dated 1 August 1988
1974A STALLEY, Arthur James dated 30 August 1988

- 1975 STEVENS, Phillip Allan dated 15 July 1988
- 1976 SUSCHINSKY, Margaret Mary dated 29 July 1988
- 1976A SUSCHINSKY, Margaret Mary dated 18 August 1988
- 1977 SYMES, Melvyn Francis dated 18 July 1988
- 1977A SYMES, Melvyn Francis dated 24 September 1988
- 1977B SYMES, Melvyn Francis dated 24 October 1988
- 1978 TAYLOR, William Trevelyn dated 15 September 1988
- 1979 TAYLOR, Malcolm John dated 8 August 1988
- 1980 TENCATE, John Clifford dated 1 August 1988
- 1981 THOMPSON, Dale Raymond dated 29 July 1988
- 1981A THOMPSON, Dale Raymond dated 29 July 1988 [RESTRICTED-edited copy for inspection]
- 1982 THOMPSON, Colin James dated, 14 July 1988
- 1982A THOMPSON, Cohn James dated 28 July 1988
- 1983 WALLACE, Michael Barry dated 9 September 1988
- 1983A WALLACE, Michael Barry dated 17 October 1988
- 1984 WAUGH, James Steele dated 13 July 1988
- 1984A WAUGH, James Steele dated 13 September 1988
- 1984B WAUGH, James Steele dated 4 November 1988
- 1985 WHITE, Bruce Reginald dated 27 September 1988
- 1985A WHITE, Bruce Reginald dated 19 October 1988
- 1986 WILKINSON, Grahame Douglas dated 28 September 1988
- 1987 WILSON, Neal Alexander dated 14 July 1988
- 1988 WOODHOUSE, Derrick Raymond dated 21 July 1988
- 1988A WOODHOUSE, Derrick Raymond dated 21 July 1988
- 1988B WOODHOUSE, Derrick Raymond dated 21 July 1988
- 1988C WOODHOUSE, Derrick Raymond dated 27 July 1988
- 1988D WOODHOUSE, Derrick Raymond dated 14 October 1988
- 1989 Schedule of persons other than police officers or former police officers together with summaries of their statutory declarations (pp 20435, 20437)
- Note: Asterisk on this Schedule indicates that the copy statutory declaration available for inspection has been edited

The following statutory declarations of the persons mentioned in the above schedule were tendered:
(p 20437)

- 1990 ACKERIE, Stefan dated 1 August 1988
- 1991 CALLIS, Michael dated 5 September 1988 [RESTRICTED-edited copy for inspection]
- 1992 JEFFREY, James Clinton dated 14 September 1988
- 1993 MOSKWA, Carolyn Lucy dated 27 July 1988
- 1994 ST GEORGE, Janine Gaye dated 26 July 1988

The Chairman presiding

WITNESS: Sir Edward Houghton LYONS

- 1995 Statutory declaration of Peter William LAMB, Assistant General Manager and Secretary of the Totalisator Administration Board dated 24 November 1988 (p 205 10)

29 November 1988

- 1996 Statutory declaration of Kenneth Paul McADAM, Chartered Accountant attached to the Commission of Inquiry dated 28.11.88 annexing a financial report into Kaldeal Pty. Ltd. '[RESTRICTED-Edited copy may be inspected] (p 20534)

FOR IDENTIFICATION ONLY

- EU Name of person (p 20542)-(NOT FOR PUBLICATION OR INSPECTION)
- EV Name of international company which donated money to Kaldeal Pty. Ltd. (p 20544) [Refer Exhibit 1997]
- EW Name of director of the above company (p 20545) (See Exhibit 2157)-(NOT FOR PUBLICATION OR INSPECTION)
- 1997 Name of company-previously confidential exhibit EV for identification (p 20547)
- 1998 Statutory declaration of Peter Bruce de PLATER, counsel attached to the Commission of Inquiry dated 25.11.88, relating to Queensland Railways' Main Line Electrification project (p 20547)
- 1999 Statutory declaration of Ross William DUNNING, Deputy Commissioner and Secretary of Queensland Railways dated 26.10.88 (p 20548)
- 2000 Statutory declaration of Douglas MENDOZA, retired Commissioner for Railways dated 18.11.88 (p 20548)
- 2001 Statutory declaration of Kenneth Paul McADAM, Chartered Accountant, Commission of Inquiry dated 24.11.88 (p 20548)
- 2002 Statutory declaration of Robert Lyndley SPARKES, President of the National Party of Australia-Queensland dated 25.11.88 (p 20548) [RESTRICTED-Edited copy may be inspected]
- 2003 Statutory declaration of Peter Douglas BEATTIE, former State Secretary of the Queensland Branch of the Australian Labor Party, dated 17.11.88 (p 20549)
- 2004 Statutory declaration of Gary NEAT, former State Director of the Liberal Party of Australia (Queensland Division) dated 10.11.88 (p 20549)
- 2005 Statutory declaration of James Alexander DALGLEISH, former State Secretary of the National Party of Australia-Queensland dated 19.10.88 (p 20549)
- 2006 Statutory declaration of Ralph Patrick DEVLIN, junior Counsel Assisting Commission of Inquiry, dated 18.11.88 relating to John Anthony Patrick STOPFORD (p 20549)
- 2007 Letter dated 23.11.83 to Sir Edward LYONS from J. BJELKE-PETERSEN, Premier and Treasurer regarding approved investment by the Totalisator Administration Board (p 20559)
- 2008 Statutory declaration of Peter Bruce de PLATER, counsel attached to the Commission of Inquiry dated 26.11.88 relating to the proposed private hospital in Nerang Street at Southport (p 20572)
- 2009 Letter from E.C. CUNIO to Hon. M.J. AHERN, Minister for Health and the Environment relating to the application by Janian Pty. Ltd. to erect a hospital at Southport (p 20574)
- 2010 Three letters dated 20.5.86, 17.7.86, 9.7.87 relating to Sir Edward LYONS' loan from W.R. Carpenter Australia Ltd. (p 20586)

FOR IDENTIFICATION ONLY

- EX Assets of F. & H. No. 8 Pty. Ltd. (p 20587)-(NOT FOR PUBLICATION OR INSPECTION)
- 2011 Handwritten letter dated 1.8.87 to Mr. J. WOSNER from Sir Edward LYONS (p 20597)
- 2012 Statutory declaration of Ralph Patrick DEVLIN, Counsel Assisting the Commission of Inquiry dated 23.11.88 relating to Sir Edward LYONS' financial affairs (p 20601)
- 2013 Statutory declaration of Mervyn Alexander EASTAUGHFFE, ANZ Bank employee, dated 23.11.88 (p 20603)
- 2014 Statutory declaration of Mervyn Alexander EASTAUGHFFE dated 25.11.88 (p 20608)
- 2015 Two pages from the interview of Sir Edward LYONS' with officers of the Commission of Inquiry (p 20619)

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- 2016 Statutory declaration of Edward Houghton LYONS dated 30.11.88 relating to his association with Mr. John WOSNER (p 20633)
- 2017 Extract from Police Act 1937-1 984, ss. 6, 14, 69C, 70 (p 20672)
- 2018 Extract from Commonwealth Electoral Act ss. 303-307 relating to disclosure of donations (p 20712)
- 2019 Extract from Queensland Parliamentary Debates, 2.3.82, (Sir Edward LYONS' drink driving offence) pp. 4292-4297 (p 20720)
- 2020 Extract from Queensland Parliamentary Debates, 26.2.86, p 3841 (Lindeman Island) (p 20726)
- 2021 Extract from Queensland Parliamentary Debates, 12.3.84, pp. 4045-4047 (Lindeman Island) (p 20726)
- 2022 Extract from Queensland Parliamentary Debates, 25.2.86 pp. 3783-3785 (Lindeman Island) (p 20730)
- 2023 Extract from Queensland Parliamentary Debates, 27.2.86 pp. 3900-3901 (Lindeman Island) (p 20730)
- 2024 Extract from Queensland Parliamentary Debates, 11.3.86 p. 3957 (Lindeman Island) (p 20730)
- 2025 Extract from Queensland Parliamentary Debates, 25.2.86 p. 3788 (Lindeman Island) (p 20730)
- 2026 Extract from the Criminal Code-Queensland: s. 114 Interfering with secrecy at elections; extracts from Elections Act, s. 59 (p 20732)
- 2027 Extract from the Queensland Parliamentary Debates, 13.12.83, p. 495 (Secret voting at State election) (p 20732)

1 December 1988

The Deputy to the Commission presiding

- 2028 Two opinions dated 24.2.87 and 15.4.87 of I.D.F. CALLINAN Q.C. relating to aspects of the Commonwealth Electoral Act [20775]
- 2029 Statement of Sir Edward LYONS and F. & H. (No. 8) Pty. Ltd.'s liquid assets as at 30.6.87 (p 20783)

The Chairman presiding

WITNESS: Sir Johannes BJELKE-PETERSEN

- 2030 Statutory declaration of Sir Johannes BJELKE-PETERSEN dated 27.10.88 (p 20785) [RESTRICTED]-edited copy may be inspected.
- 2031 Ministerial Statement made by R.J. HINZE relating to the "Nationwide" Programme, allegations against the Police Force; Queensland Parliamentary Debates, 4.3.82, pp. 4421-4422 (p 20823)
- 2032 Extract from the Daily Sun newspaper dated 10.1.85 headed "Detectives stand by Graft Claims" (p 20830)
- 2033 Cabinet Minute dated 2.7.84 and Submission relating to financial assistance be provided to senior police as a result of publicity surrounding the transfer of Detective Sergeant L.R. DICKSON (p 20833)

2 December 1988

- 2034 Letter dated 15 October 1976 to the Minister for Police from Commissioner WHITROD containing promotions and assignments of Commissioned Officers of Police (p 20858)
- 2035 Letter dated 8 October 1976 to Mr. R. W. WHITROD from the Queensland Police Officers' Union of Employees containing the Union Executive's nominations for promotion (p 20858)

- 2036 Letter dated 6 August 1976 to Mr. BJELKE-PETERSEN from Douglas C. MACTAGGART praising T. M. LEWIS (p 20878)
- 2037 Letter in reply dated 12 August 1976 from the Premier to Mr. D. C. MACTAGGART (p 20879)
- 2038 Transcript of tape recording of press conference with Mr. BJELKE-PETERSEN 3 August 1976 (p 20883)
- 2039 Report dated 2 August 1975 to Mr. HODGES, Minister for Police from Commissioner WHITROD relating to the complaint arising from University students demonstration 29 July 1976 (p 20883)
- 2040 Letter dated 10 August 1976 to J. BJELKE-PETERSEN from Mr. A. M. HODGES, Minister for Police (p 20885)
- 2041 Letter dated 10 August 1976 to Mr. BJELKE-PETERSEN from the General Secretary of the Queensland Police Union of Employees Mr. M. CALLAGHAN attaching extracts from the Commissioner's Newsletter (p 20886)
- 2042 Letter in reply dated 20 August 1976 to Mr. Callaghan from the Premier's Private Secretary (p 20887)
- 2043 Letter dated 24 August, 1976 to Mr. BJELKE-PETERSEN from Mr. M. CALLAGHAN, General Secretary, Queensland Police Union of Employees, expressing strong support for the Government (p 20889)
- 2044 Letter in reply dated 9 September 1976 to Mr. CALLAGHAN from the Premier (p 20889)
- 2045 Letter dated 17 September 1976 to Mr. J. BJELKE-PETERSEN from Mr. M. CALLAGHAN, General Secretary, Queensland Police Union of Employees (p 20890)
- 2046 Letter in reply dated 22 September 1976 from the Premier to Mr. M. CALLAGHAN (p 20890)
- 2047 Extract from the Sunday Mail newspaper of 4 September 1977 headed "Ban on Street Protestors to be imposed by Premier" (p 20895)
- 2048 Direction of V. A. MacDONALD, Acting Commissioner of Police dated 6 September 1977 relating to permits required for processions (p 20895)
- 2049 Cabinet Minute dated 18 September 1977 relating to an amendment to the Traffic Act (p 20896)
- 2050 Report dated 30 November 1977 to the Commissioner from Acting Superintendent J. E. PURCELL relating to recent demonstrations (p 20897)
- 2051 Report dated 28 March 1978 to the Commissioner from Acting Superintendent J. E. PURCELL relating to demonstrations (p 20897)
- 2052 Report dated 6 November 1978 to the Commissioner relating to persons arrested on charges arising out of demonstrations on 25 August 1978 and 30 October 1978 (p 20898)
- 2053 Letter dated 8 December 1978 from the Commissioner of Police containing supportive comments of the police by the Premier (p 20898)
- 2054 Various extracts from the Telegraph dated 18 October 1978 and the Courier Mail dated 18 October 1978 and the Australian dated 19 October 1978 relating to demonstrations opposing the shipment of live cattle (p 20899)
- 2055 Extract from the Police Journal, VEDETTE dated October 1978 p 4 containing an exchange of correspondence between the Premier and the Commissioner of Police (p 20899)
- 2056 Report of Chief Superintendent D. M. BECKER and Inspector T. S. C. ATKINSON relating to the police raid on Cedar Bay on Sunday 29 August 1976 (p 20905) RESTRICTED-copy for inspection to delete names of police informants (p 20911)
- 2057 Advice dated 15 November 1976 to the Commissioner of Police from the Solicitor-General relating to the report on the events at Cedar Bay (p 20905)
- 2058 Extract from Queensland Parliamentary Debates of 9 September 1976 relating to a sub judice matter wherein the Speaker advised Parliament that a writ for defamation had been issued by Sergeant Raymond George MARCHANT (p 20912)
- 2059 Extract from the Sunday Sun newspaper of 12 September 1976 headed "Front up to this Scandal" (p 20912)
- 2060 Extract from the Courier Mail newspaper dated 6 October 1976 headed "Top police people on Cedar Bay" (p 20913)

- 2061 Extract from the Courier Mail newspaper dated 7 October 1976 headed “Joh agrees to Cedar Bay inquiry” (p 20913)
- 2062 Editorial from the Courier Mail dated 5 October 1976 (p 20915)
- 2063 Extract from the Lucas Inquiry Report-para66 (p 20917)
- 2064 Extract from Courier Mail newspaper of Friday, 3 June 1977, headed “Police bash claim probe ends: No need for it, says Joh” (p 20918)
- 2065 Statement by the Minister for Justice and Attorney-General, Mr. LICKISS dated 15 June 1977 relating to the investigations of the complaint by Michael MIJATOVIC (p 20918)
- 2066 Extract from the Courier Mail newspaper of 7 June 1977 headed “Joh Rejects Bash Inquiry” (p 20918)
- 2067 Magistrates Court transcript dated 4 October 1977 before Mr. A. K. ANDERSEN SM, relating to police officers K. R. GREEN and W. C. KRONEMAN (p 20919)
- 2068 Extract from the Courier Mail newspaper of 5 October 1977 headed “Sympathy by Joh” (p 20920)
- 2069 Statutory declaration of James William John GRIFFIN, former Acting Secretary to the Cabinet of the Government of Queensland dated 30 November 1988 (p 20921)
- 2070 Various newspaper extracts-Sunday Mail of 24 April 1983; Daily Sun of 25 April 1983; Courier Mail of 27 April 1983; Courier Mail of 28 April 1983 (p 20924)
- 2071 Extract from Queensland Parliamentary Debates 2 March 1982 pp 4292-4297 relating to Sir Edward LYONS’ drink driving offence (p 20939) (previously tendered Exhibit 2019)
- 2072 Letter dated 19 September 1983 to Mr. T. M. LEWIS from Mr. C. PEARSON, Chief Returning Officer enclosing a letter dated 12 September 1983 from Mr. Terry GYGAR to the Returning Officer for the Electorate of Stafford (p 20941)
- 2073 Report dated 26 June 1981 of Senior Sergeant G. EARLY to Commissioner of Police relating to Senior Constable Keith McCANN and his dealings with Mr. Wiley FANCHER (p 20946)

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The Deputy to Commission presiding

- 433A Statutory declaration of Benjamin Harold ROBERTSON, former Regional Superintendent of Police, dated 29 November 1988 (p 20948)
- 433B Statutory declaration of Abdul Aziz ESSA, officer in charge of the Compliance and Criminal Deportation Section in the office of the Department of Immigration, Local Government and Ethnic Affairs, Brisbane, dated 1 December 1988 (p 20948)
- 2074 Schedule of police officers or former police officers together with summaries of their statutory declarations (p 20949)
 Note:-The asterisks on this schedule indicate that an edited copy only of the statutory declaration is available for inspection
- 2075 Statutory declaration of Robert CARTER dated 31 October 1988 (p 20950)
- 2076 Statutory declaration of Kerry George DUNN dated 27 July 1988 (p 20950)
- 2077 Statutory declaration of Peter FREESTONE dated 22 July 1988 (p 20950)
- 2078 Statutory declaration of Donald Frederick HOLLAND dated 15 August 1988 (p 20950)
- 2079 Statutory declaration of Desmond John LACEY dated 14 July 1988 (p 20950)
- 2080 Statutory declaration of Ronald William LEWIS dated 14 July 1988 (p 20950)
- 2081 Statutory declaration of Robin John LITTLE dated 15 July 1988 (p 20950) [RESTRICTED-edited copy may be inspected]
- 2082 Statutory declaration of Donald John McKEAN dated 20 July 1988 (p 20950)
- 2083 Statutory declaration of Kerry William NEYLON dated 13 July 1988 (p 20950) [RESTRICTED-edited copy may be inspected]
- 2084 Statutory declaration of Barrie Cornelius O’BRIEN dated 17 October 1988 (p 20950)

- 2085 Statutory declaration of Robert Ross PARKER dated 26 July 1988 (p 20950)
- 2086 Statutory declaration of Neil Francis STREETS dated 11 July 1988 (p 20950) [RESTRICTED-edited copy may be inspected]
- 2087 Statutory declaration of Stowell James WATT dated 29 November 1988 (p 20950)
- 2088 Schedule of names of thirteen people under the heading “Other persons”, together with summaries of their statutory declarations
 Note:-The asterisks on this Schedule indicate that an edited version only of the statutory declaration is available for inspection
- 2089 Statutory declaration of Vincenzo BELLINO dated 31 August 1988 (p 20950)
- 2090 Statutory declaration of Ronald James BORINETTI dated 7 November 1988 (p 20950)
- 2091 Statutory declaration of “Angela BURNS” dated 30 November 1988 (p 20951)
- 2092 Statutory declaration of Glen Murray FRASER dated 20 May 1988 (p 20951)
- 2093 Statutory declaration of John GAYLER dated 6 September 1988 (p 2095 1)
- 2094 Statutory declaration of Kelvin Charles GERSBACH dated 12 July 1988 (p 2095 1)
- 2095 Statutory declaration Philip James MCINTYRE dated 25 July 1988 (p 20951)
- 2096 Statutory declaration of Janet PAVEY dated 18 July 1988 (p 20951)
- 2097 Statutory declaration of Roderick Consett PROCTOR dated 21 July 1988 (p 2095 1)
- 2098 Statutory declaration of Peter SEIDENKRANZ dated 9 July 1988 (p 20951)
- 2099 Statutory declaration of Lynn Kathleen ST GEORGE dated 7 September 1988 (p 20951)
- 2100 Statutory declaration of Claude Alfred WHARTON dated 23 November 1988 (p 20951)
- 2101 Statutory declaration of Terence Anthony WHITE dated 30 November 1988 (p 20951)
- 2102 Schedule of names of Assistant Commissioners and former Assistant Commissioners who have provided statutory declarations together with a summary in each case (p 20951)
 Note:-The asterisk on this Schedule indicates that an edited copy of the statutory declaration may be inspected.
- 2103 Statutory declaration of Donald John BRAITHWAITE dated 28 July 1988 (p 20952)
- 2103A Statutory declaration of Donald John BRAITHWAITE dated 21 September 1988 (p 20952)
- 2104 Statutory declaration of Eric Royal CHERRY dated 29 July 1988 (p 20952)
- 2105 Statutory declaration of Francis CLIFFORD dated 20 July 1988 (p 20952)
- 2106 Statutory declaration of John Malachi DONOGHUE dated 28 July 1988 (p 20952)
- 2107 Statutory declaration of Leslie Robert DUFFY dated 29 July 1988 (p 20952)
- 2108 Statutory declaration of Charles Desmond DWYER dated 28 July 1988 (p 20952)
- 2109 Statutory declaration of Spencer Moray HALE dated 28 July 1988 (p 20952)
- 2110 Statutory declaration of Allan John HILKER dated 28 July 1988 (p 20952)
- 2111 Statutory declaration of Donald Farquhar McDONALD dated 29 July 1988 (p 20952)
- 2112 Statutory declaration of Terrence Peter McMAHON dated 29 July 1988 (p 20952)
- 2113 Statutory declaration of James Edward PURCELL dated 27 July 1988 (p 20952)
- 2114 Statutory declaration of Allen Maxwell HODGES dated 5 December 1988 (p 20952) [RESTRICTED-edited copy may be inspected]
- 2115 Statutory declaration of John Gilbert McKINNA former South Australian Commissioner of Police dated 29 September 1988 (p 20952)
- 2116 Statutory declaration of Leonard Lindsay BYTH, counsel assisting the Royal Commissioner in the “National Hotel Inquiry” dated 26 September 1988 (p 20953)
- 2117 Statutory declaration of Desmond Gordon STURGESS dated 10 October 1988 (p 20953) [RESTRICTED-edited copy may be inspected]
- 2118 Statutory declaration of Atray Vishal LAKSHMAN, Crown Prosecutor in the “Southport s.p. betting case” dated 6 October 1988 (p 20953)

- 2119 Statutory declaration of Thomas John HASSED, Secretary to Cabinet, dated 27 September 1988 (p 20953)
- 2120 Statutory declaration of Thomas Joseph MAHON, General Secretary of the Queensland Police Union of Employees dated 28 October 1988 attaching the official minutes of the Union for the years 1970 to 1977 inclusive (p 20953)
- 2121 Statutory declaration of Kevin Francis MURRAY, former private secretary to the former Minister for Transport, Mr. Don LANE, dated 28 November 1988 (p 20953)
- 2122 Statutory declaration of Stanley Thomas WILCOX, former private secretary to Sir Joh Bjelke-Petersen dated 4 December 1988 (p 20953) [RESTRICTED-edited copy may be inspected]
- 2123 Statutory declaration of Ronald Edward REID, Chief of Protocol, Office of State Affairs, Premier's Department, dated 28 September 1988 (p 20953)
- 1698A Statement of Brian Rodney MARLIN, Detective Constable of Police dated 17 March 1982 relating to alleged unlawful activities in the Licensing Branch (p 20954)
- 1698B Report dated 31 March, 1982 by Inspectors B. B. INGHAM and D. BRADBURY relating to alleged malpractice at the Licensing Branch 1979-1980 (p 20954)
- 2124 Report styled Licensing Branch Audit dated 18 November 1987 (p 20954)-(NOT FOR PUBLICATION OR INSPECTION)
- 1486A Statutory declaration of James Patrick O'SULLIVAN, Inspector of Police dated 1 December 1988 (p 20954)
- 853A Statutory declaration of Margaret Ann SCOTT, Accountant, Commission of Inquiry, dated 1 December 1988 relating to the financial affairs of Anthony Michael HAWKE (p 20954)
- 1449A Extract from the Courier Mail newspaper dated 21 December 1969 headed "Settlement of court cases" (previously Exhibit DR for identification-see 5.10.88 herein) (p 20954)
- 2125 Statutory declaration of Harold Nimmo JACOBS, retired Director of Local Government, dated 25 November 1988 (p 20954)
- 2126 Statutory declaration of Arthur MUHL, Assistant Director, Department of Local Government dated 29 November 1988 (p 20954)
- 1849D Statutory declaration of Robert John MASSON, Acting Senior Advisor, Racing Services, Department of Local Government, dated 2 December 1988 (p 20955)
- 1867A Statutory declaration of Ross Andrew DUUS, Chartered Accountant, Commission of Inquiry, dated 1 December 1988 (p 20955)
- 1862A Statutory declaration of Stephen Homer LAMBRIDES, Legal Officer, Commission of Inquiry dated 1 December 1988 (p 20955)
- 1691A Statutory declaration of Forbes Huston SMITH, Legal Officer, Commission of Inquiry dated 4 December 1988 (p 20955)
- 747A Statutory declaration of Forbes Huston SMITH, Legal Officer, Commission of Inquiry dated 29 November 1988 (p 20956)
- 1144A Statutory declaration of Tonya Roxanne GOSS, Detective Sergeant 2/c, Commission of Inquiry, dated 19 August, 1988 relating to the evidence of Ann Marie TILLEY (p 20956)
- 1842A Statutory declaration of James Edwin WEST, Queensland Manager, Legal, Westpac Banking Corporation, dated 1 December 1988 relating to the source of funds paid into a trust account held by COWIE Corporation (p 20956)
- 2127 Statutory declaration of Ronald Joseph REDMOND, Acting Commissioner of Police dated 2 December 1988 relating to a search of departmental records concerning policies of the Department and the Government concerning the policing of prostitution and/or unlawful gaming (p 20956)
- 2128 Statutory declaration of Andrew Ross PHILP, Legal Officer, Commission of Inquiry dated 1 December 1988
Note:-Annexure A to this statutory declaration is [RESTRICTED] (p 20956)
- 2129 Statutory declaration of Vernon Alister MacDONALD dated 29 November 1988 (p 20956) [RESTRICTED-edited copy may be inspected]
- 2130 Statutory declaration of Clifford John CRAWFORD, Inspector of Police dated 19 October 1988 relating to searches and inquiries undertaken concerning a report allegedly prepared by T. S. C.

- ATKINSON concerning an approach made to him by a Mr. Marshall BOYD concerning gaming on the Gold Coast (p 20956)
- 2131 Statutory declaration of Robert Ramsay DOUGLAS, Barrister, dated 2 December 1988 concerning a conversation had with Mr. Don LANE in 1973 regarding the voting preference of Mr. Justice J. A. DOUGLAS (p 20956)
- 2132 Statutory declaration of Victor Bruce SULLIVAN, former Cabinet Minister, dated 3 December 1988 regarding the circumstances surrounding the rejection of Mr. Justice Douglas for the position of Chief Justice in 1982 (p 20957)
- 1613A Excerpt from the statutory declaration of Llewellyn Roy EDWARDS dated 11 October 1983 (excerpt previously restricted) (p 20957)
- 2133 Report from the Special Gaming Squad dated 16 July 1987 with annexures (p 20957) [RESTRICTED]
- 2133A Pages 6 and 7 of the above report (p 20957)
- 2134 Four folders of reports relating to prostitution and massage parlours being 10 May and 18 May 1987 respectively (p 20957) [RESTRICTED]
- 1479-o Statutory declaration of Gregory Lance EARLY, former personal assistant to Sir Terence Lewis dated 31 October 1988 relating to Sir Edward Lyons' apprehension on a drink driving offence (p 20957)

The Chairman presiding

- 2135 News Release dated 8 September 1976 from the Premier relating to Cedar Bay (p 20959)
- 2136 Statutory declaration of Gary Patrick LONG, Barrister attached to the Commission of Inquiry, dated 1 December 1988 relating to Cabinet Minutes concerning defamation actions involving Government Ministers (p 20963)
- 2137 Statutory declaration of Linda WOO, Manager of the Financial Management Programme, Department of Justice, dated 30 November 1988 relating to costs involved in various defamation actions instituted by Sir Joh Bjelke-Petersen (p 20964)
- 2138 Statutory declaration of Gary Patrick LONG, Barrister attached to the Commission of Inquiry dated 2 December 1988 relating to a proposed Ministers Indemnity Bill (p 20964)
- 2139 Cabinet Minutes dated 3 June 1975, 28 February 1978, 7 March 1978, 17 November 1980 relating to liability of Crown employees (p 20966)
- 2140 Cabinet Minute dated 2 November 1981 relating to the indemnity for costs of Ministers of the Crown in legal actions (p 20966)
- 2141 Copy judgment of Lucas SPJ. dated 4 September 1981 in W 1503 of 1977, Sinclair v Bielke-Petersen; extract of a report of the appeal to the Full Court (p 20967)
- 2142 Cabinet policy decision of 21 June 1982 relating to legal liability of Crown employees (p 20968)
- 2143 Extract from Queensland Parliamentary Debates, 8 September 1981, pp 1880-1885 relating to legal costs incurred by Cabinet Ministers; Minute dated 10 September 1981 to the Private Secretary to the Premier from D. R. FRASER, Acting State Public Relations Officer relating to the unfavourable publicity received by the Premier as a result of alleged public funding of legal actions (p 20972)
- 2144 Cabinet Minutes dated 3 March 1986 and 17 March 1986 relating to public funding of legal actions (p 20972)
- 2145 Amended statement of claim W995 of 1986 in Bjelke-Petersen & Ors v Burns & Anor (p 20979)
- 2146 Report dated 13 February 1986 to the Premier and Treasurer from the Solicitor-General relating to the Auditor General's report concerning the Department of the Arts, National Parks and Sport and the Queensland Film Corporation (p 20983)
- 2147 Extract from Queensland Parliamentary Debates, 18 February 1986 pp 3494-3495, 3498-3503 relating to the Auditor General's report (p 20984)
- 2148 Extract from Queensland Parliamentary Debates, 19 February 1986 relating to the suspension of Mr. BURNS for five days from the House (p 20984)
- 2149 Extract from Queensland Parliamentary Debates, 25 February 1986, pp 543-544 recording the ruling by the Speaker that any debate relating to Mr. Allen CALLAGHAN was sub judice (p 20985)

- 2150 Report of the Select Committee of Privileges on the Sub Judice Convention dated December 1976 (p 20986)
- 2151 Cabinet Minute dated 10 June 1986 authorizing the Under Secretary, Department of Justice to make payments of fees associated with legal actions initiated by Ministers of the Crown (p 20987)
- 2152 Letter dated 27 February 1987 from the Premier to Mr. R. P. SAMMON, Crown Solicitor dispensing with the need for the Crown Solicitor to certify as to the reasonableness of costs from private solicitors instructed by the government; Cabinet Minute dated 30 March 1987 authorizing this change of procedure (p 20989)
- 2153 Statement of claim in W472 of 1983, Bjelke-Petersen v Queensland Television Ltd (p 20996)
- 2154 Statutory declaration of Christine Elizabeth SIEMON, Clerk attached to the Commission of Inquiry, dated 1 December 1988 relating to Cabinet documents concerning the placement in newspapers of State Government advertisements (p 20996)
- 2155 Statutory declaration of Graeme Allan FORBES, interviewing officer assigned to the Commission of Inquiry, dated 2 December 1988 (p 21002)

FOR IDENTIFICATION ONLY

- EY Name of person who brought to Sir Joh the person who donated \$100,000 to Kaldeal Pty. Ltd. (p 21009)-(NOT FOR PUBLICATION OR INSPECTION)
- 2156 Statutory declaration of Marjorie Ann WEBER, consultant assigned to the Commission of Inquiry dated 30 November 1988 (p 21026)
- 2157 Name of a person from Citra Constructions with whom Sir Edward Lyons dealt-previously Exhibit EW for identification (p 21031)(See 29.11.88 herein)
- 2158 Statutory declaration of Alexander Joseph GRANT, chief accountant of EPT Pty. Ltd. dated 29 November 1988
 Statutory declaration of John Douglas Forrest ANDERSON, Company Secretary of EPT Pty. Ltd., dated 29 November 1988
 Statutory declaration of Warwick James HIGGS, senior audit partner Duesburys, Chartered Accountants dated 29 November 1988
 Statutory declaration of Neil William ANDERSON, Chartered Accountant, Duesburys, dated 29 November 1988
- Faxed header dated 29 November 1988 from Messrs Allen Allen & Hemsley, solicitors for EPT PTY. LTD. (p 21049)
- 2159 Cabinet Minute dated 28 June 1983 giving the Bundaberg Hospitals Board approval to invite tenders for the construction of the new maternity hospital; report by Mr. Brian AUSTIN, Minister for Health relating to the hospital (p 2 105 1)
- 2160 Photocopy telex report dated 8 September 1983 from the Architects engaged by the Bundaberg Hospitals Board relating to a review and recommendations of tenders (p 2105 1)
- 2161 Memorandum dated 13 September 1983 to the Under Secretary, Department of Health from the Bundaberg Hospitals Board recording that the Board had recommended, in reliance on the architects' advice, acceptance of the Evans Harch tender (p 21052)
- 2162 Statutory declaration of Christine Elizabeth SIEMON, interviewing officer, Commission of Inquiry, dated 5 December 1988 relating to Cabinet documents concerning the awarding of a contract for the redevelopment of the Bundaberg Maternity Hospital in 1983 (p 21052)
- 2163 Media Release dated 7 October 1983 from Angelo BERTONI, Minister for Health announcing that Evans Harch Constructions Pty. Ltd. had been awarded the contract (p 21053)
- 2164 Report dated 10 October 1983 from the Contracts Branch, Department of Works recommending that the Evans Harch Constructions contract be accepted (p 2 1054)
- 2165 Report dated 20 October 1983 of meeting held 18 October 1983 with Mr. J. Mulheron, Acting Co-ordinator General, Mr. L. Hielscher, Under Treasurer, Mr. T. J MCCARTHY, Acting Under Secretary, Department of Health and officers from the Works and Health Departments concerning evaluation of tenders received for the redevelopment of the new maternity hospital at Bundaberg (p 21055)

- 2166 Report dated 20 October 1983 of Mr. R. GILES, Contracts Branch, Department of Works recommending acceptance of the Evans Harch contract (p 2 1057)
- 2167 Statutory declaration of Peter Douglas KELLY, barrister attached to the Commission of Inquiry dated 5 December 1988 (p 21059)
- 2168 Statutory declaration of Thomas James NOONAN retired police Chief Technical Officer and Officer in Charge of the Radio and Electronics Section, Commissioner's Office, dated 25 November 1988
Statutory declaration of Trevor HART, Principal Technical Officer, Queensland Police Department dated 23 November 1988
Statutory declaration of Colin George TAPSALL, Senior Technical Officer, Queensland Police Department, dated 31 October 1988 (p 2 1064)

6 December 1988

- 2168 Statutory declaration of Neville John MURR, financial analyst, Commission of Inquiry dated 6 December 1988 relating to the cyphering units and their cost (p 21067)
- 2169 Letter dated 23 January 1986 to the Commissioner of Transport from R. F. STOWE, Chairman, East-West Airlines relating to an application for further license with an application attached (p 21078)
- 2170 License dated 30 January 1986 issued by the Commissioner of Transport to East-West Airlines (p 21078)
- 2171 Press statement dated 25 January 1986 by the Premier and the Minister for Transport relating to East-West Airlines (p 2 1079)
- 2172 Letter dated 11 July 1986 to the Premier and Treasurer from the Minister for Transport relating to East-West Airlines operations (p 21080)
- 2173 Letter dated 19 August 1987 to Mr. N. F. KENT, Commissioner of Transport from East-West Airlines relating to the ownership of the airlines as from 31 July 1987 (p 21091)
- 2174 Statutory declaration of Timothy Francis CARMODY dated 30 December 1988 attaching a three page typewritten document headed "Suggested conditions of casino tender applications" (p 2 109 1)
- 2175 Statutory declaration of Terence Anthony WHITE, Member of Parliament dated 6 December 1988 relating to the appointment of the Chief Justice in 1982 (p 21108) [RESTRICTED-edited copy for inspection]
- 2176 Statutory declaration of Barry KROSCH, Detective Sergeant 2/c of Police assigned to the Commission of Inquiry, dated 6 December 1988 relating to an antecedent report on Mr. Angus INNES M.L.A. [RESTRICTED-edited copy may be inspected] (p 21130)
- 2177 Statutory declaration of Brendan John BUTLER, counsel assisting the Commission of Inquiry, dated 6 December 1988 relating to various searches carried out to locate an antecedent report on Mr. Angus INNES M.L.A. (p 21131)
- 2178 Statutory declaration of Richard James POINTING, Barrister seconded to the Commission of Inquiry dated 6 December 1988 relating to entries concerning Peter WHITE and Bruce BISHOP in Sir Terence Lewis' diaries (p 21134)
- 2179 Statutory declaration of James Patrick O'SULLIVAN, Detective Inspector of Police assigned to the Commission of Inquiry dated 6 December 1988 concerning an antecedent report under cover of a letter dated 9 October 1980 and signed by T. M. LEWIS located in the office of the Commissioner of Police on 14 April 1988 (p 21134) [RESTRICTED-edited copy may be inspected]
- 2180 Extract from the Queensland Parliamentary Handbook pp 208-224 relating to Cabinet Ministers and their portfolios (p 2 1140)
- 2181 Extracts from various newspapers in August 1976 with an index (p 21176)

7 December 1988

Deputy to Commission presiding

- 2182 Large black folder relating to the Internal Investigations Section of the Queensland Police Department (p 21178) [RESTRICTED-an edited copy may be inspected]

The Chairman presiding

- 2183 Folder of documents relating to Ciasom Pty. Ltd. (p 21179)
2184 Various newspaper extracts with index relating to alleged attempts to stop the Commission of Inquiry (p 21214)
2185 Folder of documents relating to Bjelke-Petersen Enterprises Pty. Ltd. Mining Act Exemption (p 21227)
2186 Folder of documents relating to Maralinga Pty. Ltd.-Milk Quota (p 21238)
2187 Folder of documents relating to Winchester South (p 21257)
2188 Folder of documents relating to Tarong Power Station (p 21264)

8 December 1988

Deputy to Commissibn presiding

- 174A Statutory declaration of John Mervyn ROBERTSON, Solicitor, dated 6 December 1988 (p 21287)
~~144B~~ Statutory declaration of Cyril James Radford MACDONALD dated 5 December 1988 (p 21287)
2189 Two statutory declarations of George Richard FITZPATRICK, Inspector of Police both dated 2 December 1988 (p 21288) [RESTRICTED-edited copy may be inspected]
2190 Statutory declaration of Denis John SHEPHERDSON, Sergeant 2/c, Officer in Charge of the Statistics Section, Information Bureau dated 7 December 1988 (p 21288)
2191 Annual Report 1988 of the Queensland Police Department (p 21288)
2192 Statutory declaration of James Patrick O'SULLIVAN, Detective Inspector of Police attached to the Commission of Inquiry dated 8 December 1988 (p 21288)
2193 Statutory declaration of Christine Elizabeth SIEMON, Clerk assigned to the Commission of Inquiry, dated 7 December 1988 (p 21288) [RESTRICTED-edited copy may be inspected]
2194 Corporate Affairs Commission documents relating to SKYWEST HOLDINGS Pty. Ltd. (p 21289)
2195 Corporate Affairs Commission documents relating to EAST-WEST AIRLINES (Queensland) Pty. Ltd. (p 21290)
2195A (See 9.12.88 herein)
2196 Corporate Affairs Commission documents relating to GRIFFIN HOLDINGS Ltd. (p 2 1290)
2197 Corporate Affairs Commission documents relating to W. R. CARPENTER Australia Ltd (p 2 1290)
2198 Statutory declaration of Ida Margaret MACKAY, a scrutineer for Liberal Party in the 1972 State Election, dated 6 December 1988 (p 21290)
2199 Statutory declaration of John Mervyn HINCKS, Chief Returning Officer for the State of Queensland, dated 18 October 1988 (p 21290)
2200 Statutory declaration of Donald Frederick LANE M.L.A. dated 6 December 1988 (p 21290) (RESTRICTED) Restriction lifted 9.12.88 (p 21442)
~~163B~~ Extract from statutory declaration of Sir Llewellyn Roy EDWARDS dated 11 October 1988 (p 2 129 1) (RESTRICTED) Restriction lifted 9.12.88 (p 21441)

The Chairman presiding

- 2201 Order in Council dated 18 November 1976 establishing a Committee of Inquiry headed by Mr. Justice LUCAS to inquire into the enforcement of criminal law in Queensland (p 213 18)
- 2202 Extract from transcript from the above Committee of Inquiry dated 13 December 1976 recording an undertaking given by the Government in respect of past and present members of the Police Force (p 21318)
- 2203 Extract from the Report of the above Committee of Inquiry pp iv-v relating to additional powers being granted to police (p 21320)
- 2204 Bundle of documents including copy judgment in Brook v Grimpel & Costello, newspaper cuttings concerning that case (p 21377)
- 2205 Cabinet Minutes dated 20 August 1973 relating to the promotion and assignment of Commissioned Officers of Police (p 21389)
- 2206 Transcript dated 8 October 1987 of interview of Channel 7 news of 6 October 1987 with Mr. R. WHITROD (p 21390)
- 2207 Extract from the Sunday Sun newspaper dated 10 July 1977 headed "Report gives police too much power-lawyer" (p 2 1400)

9 December 1988

- 2208 Bundle of documents relating to the mining leases involving Bjelke-Petersen Enterprises Pty. Ltd. and Kokan Mining Co. Ltd. (p 2 1415)
- 2209 Bundle of documents provided by Sir Joh Bjelke-Petersen's solicitors relating to the kaolin mining leases (p 2 1415)
- 2210 Letter dated 11 March 1986 to Ciasom Pty. Ltd. from European Asian Bank (p 2 1416)
- 2211 Internal memorandum dated 3 November 1986 of the European Asian Bank relating to the loan and referring to discussions between Mr. John CUMMINS (a director of Ciasom Pty. Ltd.) and Mr. Ian SHAW (Accountant) on behalf of Ciasom Pty. Ltd. with Mr. P. L. GLEESON of the Bank (p 21417)
- 2212 Letter dated 24 December 1986 from Kokan Mining Co. Ltd. to Flower & Hart advising that \$500,000 has been remitted to Ciasom Pty. Ltd. (p 2 1418)
- 2213 Letter dated 29 December 1986 to the European Asian Bank from Ciasom Pty. Ltd. confirming that the US equivalent of \$500,000 had been paid to the Bank (p 2 1418)
- 2214 Letter dated 14 January 1987 to Flower & Hart, solicitors from Shaw & Usher, chartered accountants, advising that approval had been given by all parties to extend time until 31 March 1987; attaching letters dated 9 January 1987 from Mrs.. BLACK and Senator Lady Bjelke-Petersen (p 21419)
- 2215 Facsimile transmission dated 21 December 1987 from Flower & Hart to Kokan Mining Co. Ltd. advising that Ciasom Pty. Ltd. have entered into negotiations with another party to dispose of the kaolin leases (p 21421)
- 2216 Internal memo of European Asian Bank dated 10 December 1987 recording a telephone conversation between Mr. J. CUMMINS of Ciasom Pty. Ltd. and Mr. J. STEPHENSON of the Bank (p 21423)
- 2217 Telex dated 9 December 1982 from Mr. E. Vogt, Sydney representative of the European Asian Bank to his head office relating to an approach by Sir Joh Bjelke-Petersen to refinance a farm property (p 2 1427)
- 2218 Telex dated 10 April 1985 from the Sydney office of the European Asian Bank to its Singapore office requesting the top-up payment of approximately \$735,000 be waived (p 21429)
- 2219 Internal memo dated 5 September 1986 of a meeting by Sir Joh Bjelke-Petersen with representative of the European Asian Bank to discuss revaluation of the security property due to the devaluation of the Australian dollar (p 2 1430)
- 2220 Extracts from Queensland Parliamentary Debates, 5 August 1986 and 6 August 1986 relating to the settlement of Sir Joh Bjelke-Petersen's defamation action of \$400,000 (p 21434)

- 2221 Extract from the evidence of Sir Joh Bjelke-Petersen at the Australian Broadcasting Tribunal dated 23 May 1988 inquiring into the defamation settlement by Mr. Bond (p 21434)
- 2222 Extract from the Courier-Mail newspaper of 16 November 1976 headed "Shock as police chief quits" (p 2 1436)
- 2223 Statutory declaration of Sir Edward Houghton LYONS dated 9 December 1988 detailing his association with Sir Dormer ANDREWS, Chief Justice (p 21440)
- 2224 Cabinet Minute dated 12 January 1982 appointing Sir Walter CAMPBELL Chief Justice; Cabinet Minute dated 12 January 1982 appointing Mr. Justice ANDREWS, the Senior Puisne Judge of the Supreme Court (p 2 1444)
- 2225 Statutory declaration of Neil DALY, former Cabinet Secretary, dated 9 December 1988 (p 21444)
- 2226 Statutory declaration of Timothy Francis CARMODY counsel assisting the Commission, dated 8 December 1988 relating to reports concerning the establishment of a power station in South-East and Central Queensland (p 21446)
- 2227 Extract from the Sunday Mail newspaper of 22 February 1981 relating to the tenders for the Winchester South coal lease (p 21447)
- 2228 Statutory declaration of Neil DALY, former Cabinet Secretary, dated 18 November 1988 (p 21447)
- 2229 Extract from the Telegraph newspaper of 10 March 1981 headed "Decision rules out cheap coal for power" relating to the tenders for the Winchester South lease (p 21450)
- 2230 Statutory declaration of Leslie John WYNN, Mines Department employee, dated 13 November 1988 (p 21450)
- 2231 Statutory declaration of Leslie John WYNN dated 8 December 1988 (p 21450)
- 2232 Statutory declaration of Jack Tunstall WOODS former Under Secretary, Department of Mines, dated 8 December 1988 (p 2145 1)
- 2233 Extracts from the Queensland Parliamentary Debates dated 15 April 1980, pp 3205-3206 recording the tabling of the draft proclamation by Mr. WARBURTON (p 21453)
- 2234 Extract from the Queensland Parliamentary Debates dated 16 April 1980, p 3306 relating to the draft proclamation tabled by Mr. WARBURTON (p 21454)
- 2235 Extract from the Queensland Parliamentary Debates dated 17 April 1980, p 3351 relating to the draft proclamation for exemption of land from the provisions of the Mining Act (p 21454)
- 2236 Statutory declaration of Kenneth Darrell GLUCH, Assistant Director General, Department of Mines, dated 7 December 1988 (p 21456)
- 2237 Statutory declaration of John Edward BRETT, retired Assistant Under Secretary, Department of Mines (p 21457)
- 2238 Statutory declaration of John Preston MORETON, Regional Engineer of the Central Region for the Queensland Water Resources Commission dated 8 December 1988 relating to the construction of the Tarbus Weir on the Mackenzie River (p 21460)
- 2239 Statutory declaration of Christine Elizabeth SIEMON, Clerk assigned to the Commission dated 8 December 1988 relating to Cabinet documents concerning the construction of a weir on the Mackenzie River (p 21463)
- 2240 Considerations of the recommendations of the Committee of Inquiry into the Enforcement of Criminal Law in Queensland by the Police Department (p 21463)
- 1886A Statutory declaration of Fay Jeanette HINZE (p 21464) [RESTRICTED-edited copy may be inspected]
- 1884A Statutory declaration of John David Andrew PUNCH, solicitor, dated 7 December 1988 (p 21464)
- 2241 Statutory declaration of Russell James HINZE dated 8 December 1988 (p 2 1464)
- 2195A Corporate Affairs documents relating to East-West Airlines (Operations) Limited (p 21464)
- 2242 Statutory declaration of Arthur Victor PITTS retired Superintendent of Police, dated 9 December 1988 (p 21464)
- 2243 Statutory declaration of Gary Patrick LONG, Barrister assisting the Commission, dated 9 December 1988 relating to Queensland Police Union and related correspondence obtained from the Premier's Department filing system (p 21464)

- 2244 Statutory declaration of Gary Patrick LONG, dated 9 December 1988 relating to the progress of the various defamation actions initiated by Sir Joh Bjelke-Petersen and others (p 2 1464)
- 2245 Statutory declaration of Gary Patrick LONG, dated 9 December 1988 relating to some evidence by Sir Terence LEWIS concerning the death of the Wilsons (p 2 1464)

7 February 1989

Exhibit No. 2246 was assigned to further documentation from Sir Joh Bjelke-Petersen's legal representative if it was provided (see p 21465)

To date no further documentation has been received.

The following statutory declarations were tendered (p 21470):

- 2246 Denis Keith ARNDT declared 13 December, 1988
- 2247 Andre Leonard ATKINSON declared 20 December, 1988
- 2248 Stephen Grant CORNFORD declared 7 December, 1988
- 2249 Frank William DAVEY declared 14 December, 1988
- 2250 Gregory Lance EARLY declared 14 October, 1988
- 2251 Reginald Neal FREIER declared 21 December, 1988
- 2252 Norman Edward LEE (undated)
- 2253 Terence Murray LEWIS declared 20 December, 1988
- 2254 Douglas Terence RYAN declared 20 December, 1988
- 2255 Robert George SAWFORD declared 12 December, 1988

The following submissions were tendered:

- 2256 Queensland Police Department
- 2257 Australian Journalists' Association
- 2258 Australian Journalists' Association
- 2259 Australian Prostitutes' Collective
- 2260 Queensland Bookmakers' Association
- 2261 Gilshenan & Luton (Queensland Police Union of Employees and Queensland Police Officers' Union of Employees)
- 2262 Gilshenan & Luton (Queensland Police Union of Employees and Queensland Police Officers' Union of Employees)
- 2263 Gilshenan & Luton (Queensland Police Union of Employees and Queensland Police Officers' Union of Employees)
- 2264 Police Board of New South Wales (Comments provided in relation to the submission of the Police Unions)
- 2265 Robertson O'Gorman (Queensland Law Society Incorporated)
- 2266 Queensland Law Society Incorporated
- 2267 John Aberdeen (former police officer)
- 2268 Redcliffe Leagues Club Ltd.
- 2269 Kris Berliat
- 2270 David Syme & Co. Ltd.
- 2271 Westpac Banking Corporation
- 2272 S.M. Hale (Retired Assistant Commissioner of Police)
- 2273 Emmanuel Anthony
- 2274 Thynne & Macartney (Queensland Newspapers Pty. Ltd.)
- 2275 John Dautel (former police officer)

2276 D.L. Dwyer (private submission)
2277 Australian Shorthand Reporter's Association
2278 Sergeant I/c Denise Burke
2279 Constable Troy Edmondson
2280 Queensland Professional Officers' Association
2281 Short Punch & Greatorix (R.J. Hinze)
2282 Morris Fletcher & Cross (Deputy and Assistant Commissioners)
2283 Acting Inspector B.C. O'Brien
2284 T.D. Martin (Vincenzo Bellino)
2285 Sir Terence Lewis
2286 R.B. Byrne & Co. (Colin Pearson, retired Under Secretary, Department of Justice)
2287 Peter Channell & Associates (Australian Labor Party (State of Queensland))
2288 Lyons (Emil Kornhauser)
2289 Lyons (His Honour Judge E.C.E. Pratt Q.C.) [RESTRICTED]
2290 Australian Broadcasting Corporation (T.W. Biggs & Biggs) [26 August, 1988]
2291 Australian Broadcasting Corporation [23 January, 1989]
2292 Citizens for Democracy (Queensland)
2293 Citizens for Democracy (Queensland) [30 November 1988]
2294 Citizens for Democracy (Queensland) [23 January, 1989]
2295 Clive Hackett
2296 L.G. O'Sullivan, Civil Liberties Council (A.C.T.) Inc.
2297 Malcolm Duce (The Institute of Internal Auditors-Australia) (Private Submission)
2298 Queensland State Service Union
2299 The Past and Present Policewomen's Association, Queensland
2300 Robertson O'Gorman (D.F. Lane)
2301 Detective Senior Sergeant T.P. Edwards
2302 Peter Mantle
2303 Glen Hallahan
2304 James MacLeod

List of Written Submissions Received by the Commission

ABERDEEN John The Acting Commissioner of Police, the Deputy Commissioner of Police and the Assistant Commissioners of Police and all persons who previously occupied those positions.	KEATS Bruce
ADAMS A R	KORNHAUSER Emil
ANTHONY Emmanuel Australian Broadcasting Corporation Australian Journalists' Association Australian Labor Party (State of Queensland) Australian Prostitutes' Collective Australian Shorthand Reporters' Association	KRAUSKY Brigitta LANE Donald F. LEWIS Sir Terence LUCAS K G MacLEOD James MANTLE Peter NEIL E T O'BRIEN Acting Detective Inspector B C PAGE Helen The Past and Present Policewomen's Association, Queensland PEARSON Colin Police Board of New South Wales
BELLINO Vincenzo	*PRATT Q C His Honour Judge E C E
BERLIAT Kris	PUTLAND Frank D
BUCHHORN Richard J	PYKE Peter M Queensland Bookmaker's Association Queensland Council for Civil Liberties Queensland Government Queensland Law Society Inc. Queensland Newspapers Pty Ltd Queensland Police Department Queensland Police Officers' Union of Employees Queensland Police Union of Employees Queensland Professional Officers' Association Queensland State Service Union
BURKE Sergeant I/C Denise	RADOVIC Glennis Redcliffe Leagues Club Ltd
CAMPBELL Roderick C Campaign Against Corruption Civil Liberties Council (A.C.T.) Inc. Citizens for Democracy (Queensland)	*RICHARDSON J RUSSELL Peter J Self Health for Queensland Workers in the Sex Industry STESSIGER M J TAYLOR Detective Sergeant M J WAKELY John Westpac Banking Corporation
CORTE A	WHITE Terence A.
DALLAS Barbara	WILSON Reverend L.A. (Police Chaplain)
DAUTEL John David Syme & Co Ltd	
DICKIE Phil	
DONOVAN R A	
†DUCE Malcolm (Institute of Internal Auditors-Australia) (Brisbane Chapter)	
†DWYER D L	
EDMONDSON Constable Troy	
EDWARDS Detective Senior Sergeant T P	
HACKETT Clive	
HALE S M	
HAMLIN Norm	
HALLAHAN Glen P	
HESS Arno	
HINZE Russell J. Institute of Internal Auditors-Australia (Brisbane Chapter) Joint Church Social Justice Group	
JOLLY Don	
JULL Peter	

* As His Honour is the subject of a Parliamentary Judges Commission of Inquiry this submission will remain confidential.

† The parties requested that these submissions be confidential.

The following persons submitted academic and research papers

BRACEY Dorothy H

CAIDEN Gerald

CARELESS Paul

COALDRAKE Peter

FINNANE Mark

FRECKELTON Ian

GOODE Matthew R

GRABOSKY P N

HAGAN Linda

LEWIS Colleen

LIDGARD Christine F

LIDGARD Harry

MacDONALD Kathryn

MUKHERJEE Satyanshu

PETRIE Simon

SELBY Hugh

WILTSHIRE Ken

The Commission also had access to many other academic and research papers.

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23 June, 1987

RULINGS OF THE COMMISSION

Leave is granted to the following persons or organizations to appear at public hearings of the Commission, subject to the limitations and conditions stated below or subsequently imposed:

- (a) Mr. Geraldo Bellino by Mr. N.R. Barbi, Solicitor.
- (b) Mr. Antonio Bellino by Mr. N.R. Barbi, Solicitor.
- (c) Mr. Vincenzo Bellino by Mr. O. Bonutto, Solicitor, or counsel instructed by Messrs Elliott, Stubbs & Bonutto, Solicitors.
- (d) Mr. Vittorio Conte by Mr. N.R. Barbi, Solicitor.
- (e) Mr. Hector Brandon Hapeta by Mr. D. Horton of Counsel instructed by Messrs McKeerings, Solicitors.
- (f) The Queensland Police Department by Mr. I.D.F. Callinan Q.C., with him Messrs R. Needham and A. Philp of Counsel instructed by the Queensland Crown Solicitor. The same Counsel may apply for leave to appear on behalf of further Branches of the Queensland Government, or the Government generally, if circumstances in which that becomes appropriate arise.
- (g) The Commissioner of Police, the Deputy Commissioner of Police, the Assistant Commissioners of Police, and any person other than the present incumbents who occupied any of those positions between 1 June, 1982 and 26 May 1987, by Mr. C.E.K. Hampson Q.C. with him Mr. L. Bowden of Counsel instructed by Messrs Morris Fletcher & Cross, Solicitors.
- (h) The Queensland Police Union of Employees by Mr. R. Cooper Q.C., with him Mr. L. Taeffe of Counsel instructed by Messrs Gilshenan & Luton, Solicitors. The same Counsel may apply to appear on behalf of individual named members of the Queensland Police Union of Employees if circumstances in which that becomes appropriate arise.
- (i) The Queensland Police Officers' Union by Police Inspector F.M. O'Gorman or any other member of its Executive or such solicitor as it may appoint or counsel as he may instruct. The same person may apply to appear on behalf of individual named members of the Queensland Police Officers' Union if circumstances in which that appears appropriate arise.
- (j) The Queensland Branch of the Australian Labor Party Mr. M. Bigg, Solicitor, of Messrs Hawthorn, Cuppaidge & Badger-y.
- (k) The Australian Broadcasting Corporation by Mr. R. Mulholland Q.C. with him Mr. S. Herbert of Counsel instructed by messrs T.W. Biggs & Biggs, Solicitors.

(1) The Queensland Law Society Inc. by Mr. J. Robertson, Solicitor.

Leave to appear before the Commission may be withdrawn by the Commission or subjected to altered or additional limitations or conditions at any time.

Further, leave to appear before the Commission entitles the person or organization to whom or to which it is granted to participate in the proceedings of the Commission only subject to the Commission's control and to such extent as the Commission considers appropriate.

The Commission accepts no obligation to notify persons or organizations with leave to appear or other interested parties of the times and places of its hearings. Details of public hearings arranged from time to time can be obtained by inquiry of the Secretary to the Commission. It is presently proposed that the next public hearing of the Commission will take place at 10.15 a.m. on Monday, 13 July, 1987, in Court 29 on the 4th Floor of the District Courts Section of the Law Courts Building, George Street, Brisbane, and that thereafter the Commission will sit between the hours of 10.15 a.m. and 4.15 p.m. each Monday to Thursday (public holidays excepted) until the evidence to the Commission is completed.

Any person or organization wishing to have evidence placed before the Commission is to notify the Commission of the names of all witnesses, with outlines of their expected evidence if possible, and to provide the Commission with copies of all documents, as soon as possible and in any event on or before Wednesday, 1 July, 1987. Persons or organizations with leave to appear who or which do not have evidence to be placed before the Commission are to notify the Commission by that date. While evidence which becomes available after that date will be received by the Commission, the orderly conduct of the Commission will be greatly facilitated if evidence is made available without delay.

Procedures will be implemented by the Commission to ensure that confidentiality is maintained with respect to the identity of persons who assist the Commission and the information and documents which they provide in so far as that is appropriate and consistent with the discharge of the Commission's functions.

Further, any person who feels particular concern may, upon request, have his or her communication referred directly to Counsel assisting the Commission.

The Commission's proceedings will be as orderly and expeditious as possible. An attempt will be made to ensure that those who may be adversely affected by the evidence are treated fairly, while protecting confidentiality where that is appropriate.

The rules of evidence will be applied unless the Commission decides otherwise in particular instances.

Subject to the control of the Commission, Counsel Assisting the Commission will determine what witnesses are called and what documents are tendered to the Commission, and in what order, and will call and examine the witnesses unless in particular instances he permits a witness's own representative to lead his or her evidence.

Where a witness has been introduced to the Commission by a person or organization with leave to appear before the Commission, an attempt will be made to give that person or organization reasonable advance notice that that witness is to be called.

Any witness who is legally represented who has been examined by Counsel Assisting the Commission may next be examined by his own representative and then cross-examined by or on behalf of any person or organization considered by the Commission to have a sufficient interest in doing so.

The witness's own representative and finally Counsel Assisting the Commission, may re-examine.

At all times, duplication and repetition is to be avoided.

The details of the evidence to be produced to the Commission will not be published in advance of the hearing at which it is produced and will not be opened before it is called.

However, where practicable, a person or organization who or which to the prior knowledge of Counsel Assisting the Commission will be the subject of allegations before a public hearing of the Commission will, if practicable, be notified of that fact before that hearing, with such particulars, if any, as are considered appropriate by Counsel Assisting the Commission, or will, if practicable, be notified as soon as reasonably convenient thereafter and provided with a copy of the material portion of the transcript or such particulars,

if any, as are considered appropriate by Counsel Assisting the Commission, and will be given an opportunity to contest those allegations, if requested.

At the conclusion of the evidence, it will be decided who will have the right to address the Commission, on what issues, and in what order.

It is presently proposed that the Commission will then adjourn for approximately one week after which it will reconvene for addresses. Counsel Assisting the Commission is to be provided with a typed outline of each address two (2) working days before the commencement the adjourned hearing. Further, addresses should be reduced to writing, and a copy should be handed up at the commencement of each address. Important matters intended to be the subject of emphasis by oral submissions should be underlined or sidelined. Oral addresses should be confined to important matters, including any allegations concerning the person or organization concerned which have been the subject of evidence before the Commission.

Further rulings will be provided as considered necessary, and in particular an attempt will be made to provide a ruling concerning copies or inspection of the transcript of evidence of public hearings and exhibits tendered at public hearings prior to or on 13 July, 1987.

If necessary, the Commission will sit prior to that date and any person or organization wishing to make an application to the Commission should inform the Secretary.

10 AUGUST 1987

It seems that some people are extremely fortunate. Not only do they always know what is right, apparently by some special instinct, rather than any process of reason, but by some happy chance what is right always coincides with their own interests. Since they are always right they need never acknowledge even the possibility of error. Curiously such persons do not often seem to be chosen to carry out tasks where a degree of impartiality and integrity is called for, but at least they are constantly available with advice as to what, because it suits them, is automatically in the community's best interests. The majority of us, myself included, lack these unique characteristics and are sometimes troubled by the prospect that there might be more than one side to an issue and that the solution may not always be obvious and simple. Due to these limitations we are aided by debate in which opposing views are presented and reason is allowed to intrude. Sometimes at the end of the discussion we might even have the temerity to differ from the infallible few.

Publications over the last week concerning the proceedings of this Commission stirred some controversy which led to argument, which I for one found helpful, concerning the procedures to be adopted. No balanced, mature person, unblinkered by personal prejudice could object to such a course. My residual concern is not with the time which was expended on that exercise, but that some at least of those reporting these proceedings seem unable to grasp the need for submissions and consideration, or even that the exercise of power carries with it a responsibility to those who may be affected.

While few descended to the level of positive mischief involved in misrepresentations that the public interest was being ignored and it was envisaged that publication would be banned leaving the proceedings hidden from all except those physically present, on the other hand most others seem to have felt unable to go so far as to point out to the general community that such statements are not only incorrect, but seriously damaging because of their potential to erode public confidence in the commitment of the Government and the Commission to a full and open Inquiry. Nonetheless, I remain generally optimistic that at least the majority of those who report these proceedings will resist the self-indulgence of sensationalism and inaccuracy, and will act fairly and responsibly, assisted, one would think, by a heightened awareness of possible problem areas from what has occurred.

It is impractical to attempt an exhaustive catalogue of material criteria but I will suggest some considerations which have occurred to me, assisted by the submissions which I received which might be taken into account by those preparing reports for publication. The starting point is an acceptance of the public interest in the open discussion of the Commission's proceedings for public information and confidence, and the morale of the Police Force. Publication is only inappropriate to the extent that that public interest is outweighed by other considerations in respect of particular evidence. That may occur because of another public interest—for example, in the non-disclosure to criminals of information which might impede law enforcement or involve risk to the safety of witnesses or informants. Or it may occur because public knowledge of the particular information is not of sufficient importance; for example, the names of persons concerning whom

allegations are made where public disclosure of identity will produce disproportionate damage to the individuals involved. Again, it may occur because the evidence lacks sufficient relevance and cogency to warrant the prejudicial consequences to an individual which will flow from its public disclosure. It may be a factor tending against a restriction on publication that, unless the matter is published, suspicion may fall upon other persons than the subject of the allegation.

Other matters to be kept in mind will be the nature and seriousness of the misconduct alleged, the period which has elapsed since it occurred, and considerations peculiar to the individual; for example, whether he or she was a minor at the time. Thus, to take an example, the public has no adequate legitimate interest in publication of an allegation that a married woman with a family was a prostitute in her teens some 10 years ago. It will also be appropriate, at least in some cases, to take into account whether or not the allegation is likely to be the subject of a finding, and the opportunity which the individual affected has had or will have to object to the evidence or to contest the allegation.

An unintended consequence may be the occasional publication of inaccurate allegations concerning innocent persons. In that event, if an approach is made to the Commission, consideration can be given to permitting the persons concerned an opportunity to dispute the allegation at an appropriate point, and hopefully those events would also be suitably published.

In respect of all evidence, oral and documentary, the following rulings will apply until vacated or varied either generally or in respect of particular evidence or categories of evidence-

1. The testimony of any witness before the Commission may be published unless an order is made prohibiting the publication of particular evidence;
2. Counsel Assisting the Commission must be given adequate prior notification of evidence intended to be placed before the Commission, and counsel representing the Police Department should also be given an advance copy of any of its records intended to be tendered;
3. No person may take or obtain a copy of any book, document or writing tendered in evidence before the Commission, except by leave, and then only subject to the condition that it not be used or be permitted to be used except for the purpose of appearance before the Commission. Any application for leave to obtain a copy of an exhibit should be made in writing to the Secretary of the Commission;
4. Any person having leave to appear before the Commission may inspect and take extracts from any book, document or writing tendered in evidence for the purpose only of appearance before the Commission;
5. For the purpose of and to the extent necessary for the public reporting of the proceedings of the Commission, any authorized representative of a newspaper, magazine, radio station or television channel may inspect and take extracts from any book, document or writing tendered in evidence after it has been notified as available for inspection by counsel assisting the Commission, subject to the conditions that-
 - (a) it not be used or permitted to be used for any purpose other than the public reporting of the proceedings of the Commission; and
 - (b) any part of the contents thereof indicated by Counsel Assisting the Commission as unsuitable for publication not be published without the leave of the Commission, which can be sought if, for example, there is a restriction which is believed to obstruct proper reporting of any matter of significance. Any application for leave should be made in writing to the Secretary of the Commission. It will be noted that, under the last ruling, all books, documents and writings will be available for inspection by the media after perusal by counsel assisting the Commission, which will remove any basis for suspicion that some matter is being hidden if it becomes necessary to restrict its publication.

It will also be noted that the ruling places journalists in a position of special privilege with corresponding responsibilities. It should be unnecessary to say this, but I emphasise that the circumstance that no order restraining publication is made in respect of particular evidence or that a restraint is lifted, does not mean that the Commission authorises or approves or encourages or otherwise takes responsibility for its publication. What is published is the sole responsibility of the publisher.

Should it become appropriate to do so, consideration will be given to limiting the entitlement to inspect books, documents and writings tendered in evidence to particular persons. Equally, of course, leave to appear before the Commission can be withdrawn at any time. Delay in the availability of some exhibits for inspection seems unavoidable, but every reasonable effort will be made to minimise the delay. Any inquiries concerning availability should be directed to the Secretary of the Commission. However, where evidence which has been withheld from publication subsequently becomes available to be published, that will be announced by Counsel Assisting at a sittings of the Commission.

Consistently with the intimations given by counsel and recorded in the transcript, it is expected that all appearing before the Commission will draw to the attention of Counsel Assisting any evidence, oral or documentary, concerning which a question may arise as to whether there ought to be a restriction on publication. Further, attention is drawn to the following ruling on pp. 4 to 5 of the rulings published on 23 June-

“Any person or organization wishing to have evidence placed before the Commission is to notify the Commission of the names of witnesses, with outlines of their respective evidence if possible, and to provide the Commission with copies of all documents, as soon as possible . . . (original date was Wednesday, 1 July 1987). . . .”

That ruling stands although the date originally nominated has passed.

More particularly, evidence relating to the matters which have been the subject of the Commission's proceedings since the commencement of the substantive hearings on Monday 27 July is required forthwith. It is likely to be disruptive and confusing if, at some later time in the midst of evidence dealing with other matters, the Commission is required to return to topics which have been dealt with.

That is not to say that evidence which later becomes available may not be received by the Commission, but it is not acceptable for any person or organization simply to stand by at this stage to see what develops.

As the ruling of 23 June made clear, the orderly conduct of the Commission will be greatly facilitated by the early provision to Counsel Assisting the Commission of the names of proposed witnesses, with outlines of their expected evidence and copies of documents.

So far as concerns the applications for recommendations that funding for legal representation be provided to certain of the persons named in the terms of reference, I have considered the submissions made but am not persuaded that I should make any recommendation, at least at this point.

My present inclination is to a view that, although there are disadvantages to the applicants in such a course, such applications should be renewed at the conclusion of the hearings when they can be considered in the light of all the evidence and a recommendation, for or against, could accompany my report.

I have indicated on more than one occasion my intention that this be a full and open Inquiry. In that context I have acknowledged the co-operation of the Government and the relative absence of political controversy, to the credit of all political parties, and have recognized the importance of the media and its capacity to mould public opinion. Every available facility to enable the proceedings to be reported is being provided, including a wide entitlement to inspect documentary exhibits, and two media organizations have been given leave to appear. The overall support of the media, and the co-operation which I have mentioned, have, I believe, influenced people to come forward with information. It is to be hoped that those attitudes which are so important to public confidence will continue.

However, there can be no genuine objection to legitimate and indeed robust criticism. and those who disagree with me will no doubt exercise their right to do so. Nonetheless, it might be expected that that criticism will be rational, and will not merely consist of assertions of self interest covered by a blanket of platitudes.

31 AUGUST 1987

I am going to say something on one or two matters. I think we have come to a stage in the Commission where it is appropriate that I should do so that there is no misunderstanding abroad and that people are better informed.

Although I am attempting to distance myself so far as possible from the detail of evidence before it is called, I am of course generally familiar with the activities of counsel assisting the Commission and the Commission staff in accordance with my responsibility as the Commissioner heading this inquiry.

The principal justification for legislation such as the Commissions of Inquiry Acts 1950-1954 is that from time to time there are allegations of lapses in accepted standards of public administration or other matters of public concern which cannot be or are not being adequately dealt with by ordinary processes. The justification for the appointment of a Commission of Inquiry under such legislation is the circumstance that the degree of public concern which exists in respect of particular allegations merits their open-and I emphasize "open"-investigation so that the community may be satisfied that the suspected problem either does not exist or that it has been exposed and eradicated.

The terms of the Act seen against that background reflect a clear intention that the public confidence should be fully restored by a comprehensive open inquiry which will be generally accepted as having sought for and established the truth.

That restoration of public confidence in the integrity of a vital element of public life-in this instance, an aspect of the law and its enforcement- is the paramount public interest to which other matters of public interest must be accommodated. An example of the implementation of this policy in respect of the present inquiry is to be found in the fact that procedures designed to maximize the media's opportunity to report on the evidence have been adopted.

The public also has an interest in justice, not only as an abstract concept but for individual members of the community. It needs no great sensitivity to be sympathetic to those who become caught up in a proceeding such as this. There may be some who are always willing and indeed wanting to believe the worst and who particularly enjoy the discomfiture of prominent persons. Most people, including myself, think differently and recognise the deep hurt which the publication of allegations can cause, especially the pain which allegations ultimately shown to be unfounded can cause to the innocent. Further, all involved, innocent or otherwise, are entitled to have the inquiry conducted and reported as fairly as is practical.

On more than one occasion I have referred to the difficulties involved in responsible reporting and I need to do so again, although not because of any complaint directed at recent reporting. Evidence can only emerge a piece at a time and initially it is untested by cross-examination and unchallenged by contrary versions which may not be given for a considerable period. Further, the legislation does not require the adoption of strict legal rules of evidence, and while I initially proposed that those rules should be applied where appropriate, the course of events has demonstrated that it is sometimes impractical to do so. Nonetheless, it must be recognised that the non-compliance of some evidence with the technical rules for the admissibility of evidence in curial proceedings may have a bearing on its reliability and its use as a basis for findings in due course. An obvious example of evidence which needs great care when the proceedings are reported is evidence by witness A of what he was told by another person B concerning a third person C. A is swearing to what he was told by B, not that what he was told about C is true.

Journalists must use their common sense and sense of fairness. In particular, they should avoid sensationalising matters because a prominent person such as a senior police officer is mentioned, and keep in mind that such persons, like the rest of us, have reputations and feelings and families and that it is fundamental in our society that there is a presumption of innocence. There is no possible legitimate basis for any unfavourable conclusion to be drawn against any person from the mere fact that he or she is the subject of allegations or evidence, or indeed from the circumstance, if it arises, of some person or other standing aside while investigations and hearings are concluded.

More generally, bear in mind the spouses and families of those whose names are mentioned, as well as the feelings of the persons themselves. Ask yourself whether the use of each name is justified in your report at the stage at which the proceedings have arrived.

What procedures are to be adopted during the inquiry to achieve an appropriate standard of fairness raises complex considerations.

Obviously there must be some accommodation of the position of the individual to the paramount public interest in the restoration of public confidence which is dependent upon public acceptance that there has been a comprehensive open inquiry which has sought and established the truth.

However, there are also other factors to be considered in setting the procedures to be followed. I will not attempt to be exhaustive, but will mention some of them.

While I cannot presently conceive of the possibility that in this inquiry a finding would deliberately be made against any person without him or her having been aware that that might occur and having had the opportunity to contest it, including an opportunity to seek legal representation, it is less clear how that will be suitably achieved or how much further, if at all, it is desirable to go.

Although it may seem of less weight than some other matters, one consideration which cannot be ignored is the practicality of any proposed procedure.

In a perfect world, there would be no constraints of time, cost or resources, and the investigations would be completed and the evidence collected, analysed and collated before the hearings began. The reality is far different. The public expects to see immediate attention to the subject of concern, including urgent visible action in the form of public hearings.

It is barely three months since the first Order-in-Council by which I was appointed. Since then, with very considerable Government support and assistance, the Commission has been staffed, equipped and located, and there have been weeks of sittings. Simultaneously, Counsel Assisting the Commission and the staff have been receiving and themselves gathering a quite huge volume of information which must be checked, processed and, where appropriate, assembled into evidence for presentation. The task is mammoth. In a broad sense, this inquiry relates to the existence and policing of vice throughout this State over the last decade.

Additional burdens on the Commission, counsel and staff are quite unacceptable merely to increase the convenience of others involved, or indeed except where no other reasonable course is feasible.

There is also another matter beyond the community expectation that the Commission be seen to be operating which militates against any suggestion that the hearings should not occur until investigations are concluded. The restoration of public confidence cannot be left to the Commission's report. The work of restoration started from the appointment of the Commission. As the confidence takes seed and grows, it is itself an important factor in producing information which will contribute to the solution of the problem. At the same time, that means that the Commission's task is further enlarged, and the scope and content of the inquiry is constantly changing.

Other matters which touch upon the growth of public confidence and the need for prompt action also affect the determination of what procedures are appropriate.

Potential sources of information may be influenced in their decisions whether or not to come forward, and persons who have come forward may be influenced in their decisions as to frankness and the extent of their co-operation, by their perceptions of the effect on them of the Commission's attitudes and procedures.

The security of the persons and property of witnesses and possible witnesses, and the risk of their intimidation, must be considered, and regard must be had by Counsel Assisting to views which have been expressed such as that the period of maximum risk is before the evidence is given, after which the only motive is revenge and the incentive to prevent the emergence of the evidence is removed.

There may be strong requirements in respect of some evidence that what is said should be produced in evidence as soon as possible, and until then, kept as confidential as possible. Quite apparently, it will often, and indeed probably, usually be difficult or impossible to assess what, if any, risk exists and it will be desirable to be cautious both to avoid or minimise any risk and to provide comfort and a feeling of security to the witness in question and other potential witnesses and informants.

There are all sorts of problems associated with any suggestions that advance copies of proofs of evidence be provided. It is not acceptable that statements be provided to some with leave to appear and not others, but there may be degrees of trustworthiness which may be yet to emerge, not least because it is quite possible that additional persons will become involved.

Further, once there is any question of providing statements, there will be an additional heavy burden involved in monitoring them, and in deciding which statements or which parts of statements raise additional considerations or provide special difficulties.

Again, if a statement is provided and some person does not attend because it appears not to affect him and additional evidence then emerges from the witness in question, there will be allegations of unfairness.

In the circumstances of this particular Inquiry, I cannot see any sufficient basis for a general requirement that copies of proofs of evidence be provided in advance or for any attempt to rule that a specific degree of particularity is called for in the notification given to a person who may be, or has been, the subject of adverse mention in evidence.

Nor do I consider that there is ordinarily a need for an opening of evidence when a witness is called, with the inevitable duplication and lengthening of the Inquiry.

What is notified and when and to whom must be dealt with on a situation by situation basis, initially by counsel assisting, but subject to my review.

Where adjournment is genuinely necessary to enable instructions to be obtained that will be granted to the extent that it is compatible with other considerations.

Counsel Assisting is alert to the multiple considerations, including the need to be fair, which includes the need, where possible, to ensure an opportunity to seek legal representation and the desirability, where possible, of co-operating with the persons appearing before the Inquiry and their lawyers. He will also strive to ensure that he is alert to the possibility that objectionable evidence may be about to be given and caution the witness not to answer until there has been an opportunity for objection and ruling. Those present will have that opportunity as well as the further opportunity of seeking an order for non-publication of disproportionately prejudicial evidence. However, the circumstances where an order for non-publication will be made will be exceptional.

One step which will be acceptable from time to time will be for a witness to write a particular matter rather than speak it; and for the writing to be publicly tendered but not read out or immediately available for inspection.

Again the circumstances will need to be special. At present, the only situation which has occurred to me would be if the evidence was of a statement made to the witness by another person which inculpates a third party in respect of a serious matter, and there is no other evidence given or to be given by that witness, or which has been previously given by any witness, which supports that allegation.

Because it will often be some time before evidence contradicting what has been said can be called, application can be made from time to time for leave to make a short unsworn statement of denial or explanation.

And, as has already been pointed out, there is no intention that there should be findings without those who would be adversely affected having the opportunity to test and rebut evidence against them.

As had already been said, possible individual prejudice must be balanced against the public benefit.

Possible disadvantage to individuals is not the only price which must be paid to achieve the restoration of public confidence, to which reference has already been made as the subject of paramount public interest.

For example, public hearings greatly increase the risk that the guilty may abscond or realise or hide their illicit wealth, or destroy or conceal evidence, or act in some other way which diminishes society's retribution.

Indeed, it is even preferable that some past offences go unpunished if that assists to deal with the problem if one exists. Once a process such as this is started, it must be carried to a satisfactory completion. If significant culprits escape the net, they are to some extent "sanitized" and in an even stronger position to pursue their activities and escape detection in the future.

Police officers, including those who may have been involved in the past in misconduct, are a primary source of material information. While police officers who acknowledge criminal offences over and above breaches of the Police Act and Rules ought not be permitted to remain in the Police Force, the possibility exists of an indemnity from prosecution for criminal offences against Queensland law for present or former police officers who assist the Commission.

Although the ultimate decision whether an indemnity should be granted will rest in each case with the Attorney-General, the Honourable Paul Clauson, he has said that regard will be paid to the recommendations of Mr. Crooke Q.C. as Counsel Assisting the Inquiry.

The following matters will be among those taken into account by Mr. Crooke in making his recommendations as to whether indemnity ought be granted:

1. the age, rank, and length of police service of the police officer in question, and any financial loss which he or she would sustain upon immediate resignation from the Police Force with only any accrued entitlements;
2. the nature and seriousness of the misconduct in question;
3. the period over which the misconduct occurred, and its frequency, and the period which has elapsed since it ceased;
4. the degree of assistance provided to the Inquiry by the evidence of the police officer, which would be affected by the promptitude with which the Commission is approached and other information then in its possession.

It is presently unlikely that the possibility of an indemnity will remain open beyond Monday next, 7 September. Further any indemnity granted will relate only to criminal offences disclosed in specific signed statements, and will not include unfounded malicious allegations.

The new proposal is an addition to the earlier announcement by the Government that, in addition to the protection provided by subs. 14(2) of the Commissions of Inquiry Acts, 1950-1954, "no member of the Police Force or other government employee will be prejudiced in his or her employment by reason of bona fide co-operation or assistance provided to the Commission".

It is considered entirely consistent with that undertaking that immediate resignation will be a condition of an indemnity from prosecution of any police officer who admits to criminal offences over and above breaches of the Police Act and Rules.

7 SEPTEMBER 1987

Although, as you will be relieved to know, I do not intend to deliver a homily every Monday morning, before the cross-examination of "Ms. James" continues I propose to make a few observations which are particularly referable to the ordinary policemen and women who make up the vast majority of the Queensland Police Force.

There has been much reference to indemnities for police who may have been involved in illegal behaviour, including Mr. Burgess who has admitted his complicity, and doubtless there will be further talk of that matter including, one would expect, criticism from some quarters of my attitude and approach. So be it.

Much less attention has been paid to the statements by the two police unions who represent the honest police who serve our community. Even so, such statements do not of themselves constitute a sufficient contribution by decent police officers. The Police Force seems to be beset by a perception of some unique brotherhood and camaraderie. It may be accepted that members of the Police Force and their families see themselves in some respects as a body apart from the general community because of the nature and, often, the unpopularity of their work and dangers which they share in which each is dependent on his colleagues, and of course, like other employee groups, they share common interests through unions, etc., in wages and other financial issues and conditions of employment. But all such matters are consistent with, and indeed seem to be enhanced by honest police officers combining to report the misconduct by the minority and for that misconduct to be properly investigated and made the subject of charges.

It is impossible to concede how an honest policeman could rationally believe the acceptance of a situation that involves corruption by any of his colleagues benefits either himself or his Force or is justified by his shared interest and burdens with any who are corrupt merely because like him they are policemen. If honest police officers believe these fictions it is because they are the victims of the propaganda and deceptions of those who benefit by them. They are being made fools of by the very persons who have something to hide and are causing the Force damage and yet claim protection in the name of mateship. There is an element of tragedy in this for the community, the Police Force and the ordinary police officers themselves. This Inquiry is going to succeed with or without the information provided by honest police officers. Without that information it may be harder and it may take longer but the result will be the same. Since Mr. Burgess's admissions, at least, the issue is no more whether there was any corruption as how much and by whom. The tragedy will occur because of the community's contempt for police generally if they are not seen to

contribute. Ordinary people will find it difficult, if not impossible, to accept that no honest police knew anything of what was occurring if the corruption was of any magnitude and will ridicule their competence if that was the case. They will scorn those who while sworn to uphold the law have left it to others to bear the brunt of giving information and evidence. One of the many lies being told in the propaganda which is being spread within the Force is that any police officer who was not involved who comes forward now will be subject to disciplinary proceedings for not coming forward sooner. We are quite aware of the desperate campaign which is being waged within the Force to seek to maintain the closed ranks which provide a shelter for any culprits and the mis-information which is being disseminated. We are also aware of its effects and the names of at least some of those involved in the campaign and some of those who have been influenced by it. The threat of possible disciplinary proceedings provides a useful example of the tactics being used. Let me remind the public and Police Force again of the government undertaking given earlier in the light of this Commission at my request. In addition to the protection afforded by ss. 14(2) of the Commissions of Inquiry Act, no member of the Police Force or any government employee will be prejudiced in his or her employment by reason of bona fide co-operation or assistance provided to the Commission. Ordinary police men and women ought not let false values stand in their way. Do not be isolated and have yourselves and your Force the subject of long-term criticism and ridicule because of your failure to contribute. There is a clear alternative and that is to share in the success when at long last it emerges what was the extent of the problem and who was involved. I mentioned earlier that in the last few days each of the Queensland Police Union of Employees and the Queensland Police Officers' Union has issued a statement in identical terms, and I propose to read that statement into the record because I consider it is of such importance. Each unions' representatives said:

“It is vital to the interests of union members that any person, police officer or otherwise, with information that is relevant to the terms of reference of the Committee of Inquiry, come forward and provide that information to the Commission. There is no place in the Police Force for any member against whom corruption is proved. A full and complete inquiry is necessary so that the public can have demonstrated to them that the overwhelming majority of police officers in this State are persons of integrity. The union realises that allegations made against members are distressing to all members and their families. However, the ultimate establishment of the truth or otherwise of such allegations is necessary so that the public can have confidence in the large body of ordinary family men and women who comprise the Police Force of this State. The union is of the view that by having a searching inquiry the representations of the overwhelming majority of its members will be advanced.”

I agree with those comments.

10 SEPTEMBER 1987

Just before you start, I want to make some remarks particularly since there may be some misapprehension arising out of an exchange at the conclusion of Mr. Taaffe's cross-examination yesterday. Earlier this week I spoke of my hope that honest policemen and women would contribute to the success of this Commission. Among my reasons for doing so were the respect which I have for the police seconded to the Commission and other police with whom I have had contact in recent weeks outside the hearings, and my concern that they and others like them should be freed from any taint affecting the Police Force.

Along with the general community, I believe that the majority of our police are ordinary decent members of society. Further, common sense suggests that most would have little or no knowledge of corruption.

I am also aware of the reluctance felt by police officers to provide information with respect to other members of the Force and of reasons for that reluctance.

However, as I have said previously, if there is or has been corruption of any magnitude, some present or former police officers must have relevant information. And if such corruption emerges and police officers have not contributed to its discovery and proof, the community will perceive the Force as, at best, incompetent. Whatever could have justified a failure to come forward previously will not be accepted as a sufficient reason for silence in the present circumstances.

Any general perception that the Police Force is incompetent coupled with proof of significant corruption, were that to occur, would be tragic for the Force and the community.

The Police Minister from his discussions with me upon my appointment, the Police Unions, and this Commission have a single object, which is not an attack on the Force as a whole or the honourable individuals who are in the majority, but, on the contrary, that the Police Force should have a reputation in the future of which all ordinary Queenslanders, police and other citizens, can be justly proud.

Honest policemen and women ought not be misled by propaganda to the contrary, whatever the source. An obvious ploy by those who for some reason or other are worried that the Commission is going to succeed is to suggest that there is a bias against the police and/or that police morale is suffering. When ordinary police hear such statements, as they certainly will, they should ask themselves if they reflect a sincere opinion or if there may not be something more behind them.

When ordinary police form their views as to whether the Commission is seeking to be fair, they should remember that the opportunity to request an indemnity existed. They should also remember that any policeman who is named who feels aggrieved can come along to the Commission, either directly or through his Union, give a statement, and ask to be called as a witness to tell his side of the story.

Since I last spoke some police have come forward, but in the interest of the Force as a whole and of themselves as individuals, I urge all those who have information to have the courage to approach this Commission.

Whether what is known is evidence or only information which may assist with investigations, it is likely to help to complete the picture.

The whole truth is necessary either to demonstrate that the corruption was minor and isolated or to establish its extent and expose it completely. Anything else will form a significant obstacle to any attempt to establish and maintain a system which, in the future, is satisfactory and enjoys public confidence.

19 OCTOBER 1987

Recent events, especially taken in conjunction, call for comment to ensure that the community has a proper understanding of the role of the Commission. One: recent amendments to the Commissions of Inquiry Acts. At no time has the Commission ever suggested that it is possible for the Queensland Parliament to legislate to oblige a potential witness who is overseas to attend before the Commission. Prior to the amendments any potential witness, no matter how important, could escape the Inquiry simply by moving interstate and/or claiming privilege from self-incrimination. A potential witness who is overseas could return to Australia and take up residence just over the border with impunity. Indeed, such a person could return to Queensland but refuse to answer questions. The deficiencies in the legislation prior to the recent amendments were noticed quite a long time ago. Nothing had been done to remove those defects, although there is legislation elsewhere denying the right to provide - to refuse to provide self-incriminatory answers; for example, the Royal Commissions Act (Commonwealth). If the recent amendments create a problem in this area, it is not because witnesses are required to answer before a Commission but because powers of Commissions of Inquiry are given to other tribunals by other statutes. That is not to suggest that there is no room for a view that the privilege against self-incrimination should exist even before a Commission of Inquiry such as the present. I readily accept the strength of the argument in favour of a general right to decline to answer. However, an Inquiry such as the present is only justifiable if some matter of grave public concern cannot be or is not being adequately dealt with by ordinary processes. If that is correct, it seems contrary to the public interest to allow the Inquiry to be defeated, if it is possible to prevent that result. In the circumstances, it appeared desirable to at least attempt to find a solution, and that is the course which it was understood was being adopted. However, it must be emphasized that legislative policy is a matter for the Government and the form and efficacy of legislation is a matter for the Government's legal advisers. Although the amendments originated with a suggestion by the Commission, they were neither ultimately drafted by it nor based on its advice and, indeed, it has been consistently accepted that the Government obtains its own advice where any matter involving the Inquiry arises. At no time was the Commission aware of the contents of the Cabinet submission reported in last Friday's Courier-Mail, nor were the concerns asserted therein ever expressed to the Commission.

Secondly: communications with the Government. Obviously, the Government has access to some information and documents in the possession of the Commission, such as records of government departments, including Police Department records. No information concerning other material in the possession of the Commission has been provided to the Government. Further, no attempt has been made by the Government to influence the Commission in any way, nor would any attempt be tolerated. However, there is necessarily contact from time to time with the Government which is funding and supplying resources to the Commission. The Deputy Premier, Minister assisting the Treasurer, and Minister for Police, Mr. Gunn, has, throughout, provided wholehearted support to the Commission.

The importance of that support and of the assistance rendered by numerous other people seems to have been lost sight of, as I have been made the subject of media attention and given credit for all the Commission's activity. Nothing could be less accurate. Those who know me will accept that I have not been a source of much of the personal information and recycled photographs which have been published.

If it be accepted, as I do, that it was probably appropriate for senior counsel rather than a Judge to head this Inquiry, any one of a number of Queensland barristers, including some appearing here, could have been selected and would have discharged the task as well as, if not better, than myself.

However, none including myself could do it alone. I have been provided with all the resources and staff which I have requested and could not manage and direct any more whilst continuing these public sittings. There are lawyers, accountants, police officers, administrators and clerical and secretarial staff attached to the Commission. To a person, they are dedicated and extremely hard working. Their load is enormous.

Information has been received from well in excess of 200 people and investigations are continuing on many fronts.

The community expects the Commission to sit and the media requires its daily edition of news (without which some tend to get into mischief), and there are no doubt advantages in continuing the sittings, as the publicity encourages those with information to come forward, but the resultant pressure on the Commission staff and on those who appear here to safeguard their interests and the interests of their clients is very great.

No doubt there have been and will be mistakes, but we do not live in a perfect world. I have no doubt that the Commission staff are all working with great skill and efficiency, and I am extremely grateful to them. I think that they should receive more of the credit and that for me should be reserved any blame if, in the result, there is disappointment with the outcome of the Inquiry. If that occurs, it will be because I have not directed and controlled the Commission as well as might have been achieved, not because of some lack of integrity or commitment on the part of the staff or because of lack of staff or other resources.

Thirdly, restrictions on publication of evidence. By far the most difficult question in relation to the sittings of the Commission concerns the nature and extent of any restrictions upon publication of evidence.

I doubt whether it is possible to devise and implement principles which will operate consistently and fairly in all circumstances, and I am by no means satisfied with my own attempts to this point in time.

In my opinion, the basic premise ought to be that all evidence should be available for publication but problems emerge in the efforts to formulate any exceptions which may be needed.

There are many reasons why the starting point should be that all evidence is available for publication. Openness is essential to a healthy democratic society in which an informed community determines its destiny by effective participation in the political process.

Further, openness is essential to the integrity of this Inquiry and to public confidence which in turn produces support in the form of evidence and other information.

The obstacles to unqualified adherence to those principles include the following:

- (1) the community also includes criminals from whom some information, such as the names of police informants and the details of covert police operations, must be withheld in society's own interest.

Further, it is undesirable to alert prematurely those who may be affected by the Commission's own investigations,

- (2) The evidence given to the Commission by some of the witnesses who appear before it will inevitably include reference to what they were told which may involve allegations concerning

others. Such a statement is commonly called hearsay, although it is often relevant because it forms part of the narrative and for other reasons. For example, because it serves to explain the witness's later attitude or actions. However, such a statement does not constitute evidence of the truth of the allegations which it contains.

Whilst I would not wish to be taken to doubt the ordinary citizen's commonsense, there is room to question whether every-one fully comprehends that evidence by a witness of a statement made to the witness which involves an allegation against another person is not of itself any evidence that that allegation against that other person is correct. It is quite possible that the evidence is true, that is, that the statement involving the allegation was made to the witness, but that the allegation is untrue, perhaps because the maker of the statement to the witness was mistaken or even deliberately lying. For example, it seems an obvious ploy for a person seeking to corrupt another to claim the protection of a prominent person even if that protection does not exist. The person to whom the claim is made may nonetheless feel unable to verify it, and, for one reason or another, unable to approach other persons in authority with what has occurred.

There is a risk that evidence that the statement was made may be considered by some to be evidence that the allegation is true, particularly if the subject of the allegation is a prominent person.

The problem is compounded because the general body of the community does not hear the evidence first hand in its entirety, with the opportunity to place the statement to the witness in which the allegation is contained in its context; but must be content with necessarily abbreviated reports through the media.

However well intentioned and skilled the efforts of journalists, there is an increased risk that their reports will erroneously convey to their audience an impression that there is evidence against the person the subject of the allegation in accordance with the statement made to the witness.

The media and the public must understand that evidence by a witness of what was said to him or her is not called to establish the correctness of what was stated but because it may be otherwise relevant to an issue which must be considered. The issues in such an Inquiry as this are necessarily less precise and more fluid than in litigation, and will often be difficult to define and sometimes overlap with each other.

To take an example, it seems absolutely plain that what was said to a person to whom a corrupt offer was made, including any names of other persons mentioned, must be relevant, and will often lead on to other matters, including possible explanation of why the corrupt offer was accepted or, if it was not, why it was not reported.

Those questions will, in turn, involve exploration of such matters as what the person to whom the corrupt offer was made otherwise knew or believed or suspected of the persons who were mentioned to him, and the reasons for that state of mind, which may themselves be related to what he had been told previously by someone else, or to what was the subject of general gossip or rumour. It then becomes necessary to attempt to ascertain whether there is substance in the rumour or, if not, what it was that caused or allowed it to start and to spread.

Such issues must be pursued, since it is obviously futile merely to establish the existence of corruption without seeking to ascertain its causes and the methods by which it can be stopped and prevented in the future.

It therefore seems to me that conversations with names form an integral part of the Inquiry and, on balance, I am presently unpersuaded that there is a sufficient basis for continuing to suppress names. My reasons include the following:

1. It is imperative that the Inquiry be, and be accepted as, a fair and open Inquiry, in which all are, so far as possible, treated equally.
2. I doubt whether it is possible to devise rules for non-publication which will adequately deal with the various situations which will arise.
3. Further, it is impossible to anticipate future evidence and impractical to revise constantly dozens, and in due course perhaps hundreds, of rulings as circumstances change and some or all prior restrictions on publication become no longer appropriate.
4. Our legal system is based on open justice, and the same policy is generally reflected in the legislation under which this Commission is operating. The law provides remedies, for example by way of proceedings for contempt and defamation for unfair reports, and I accept that there

will be an obligation on me when I ultimately present a report to the Government to ensure to the best of my ability that any unsubstantiated allegations are put to rest. The efficacy of that step to redress any possible damage to an innocent person's reputation will, of course, await the publication of that report, but once that occurs, I consider that both the community and any innocent persons who are named in evidence will be better served by freedom to publish the evidence than by restrictions which occasion continued cynicism or lingering suspicion that there has been a cover-up in which event the reputations of the innocent will never be free of rumour and innuendo.

Because of the difficulty and importance of this matter, I will continue as at present throughout this week and invite written submissions, addressed to the Secretary of the Commission from any interested person, not merely those with leave to appear, by noon on Thursday of this week.

26 OCTOBER 1987

It is desirable to review the appropriateness of rulings which restrict general knowledge of some of the evidence given at sittings of the Commission to which the public are admitted in accordance with sub-s. 16(2) of the Commissions of Inquiry Act.

Experience to date in the inquiry has persuaded me that some aspects of what has occurred are less than entirely satisfactory and that an attempt should be made at improvement and clarification, although I am quite sure that whatever course is followed will have its defects and its critics. I am also acutely conscious that an important issue will be decided by a single person who lacks judicial status and that my decision will operate immediately and not be subject to appeal. A variety of different views were contained in submissions from diverse sources including organizations and ordinary citizens not appearing at the Inquiry. I have had regard to all of the submissions and they have confirmed my opinion that there is no generally acceptable solution because important principles are in conflict.

Some of the remarks which I am about to make involve repetition of parts of earlier statements but it seems preferable that I should reiterate my views to the extent that that is necessary to make the position clear.

I have expressed my firm conviction that openness is essential to the integrity of this Inquiry and to continued public support for it which is producing evidence and other information and, indeed, that openness in public affairs generally is essential to a healthy democratic society in which an informed community determines its destiny by effective participation in the political process.

Nonetheless, I remain persuaded that some evidence should not be made public.

Names and identifying details of police informants, minors, and witnesses who show a legitimate need for protection ought not be made public unless the publication of such evidence is needed for some other sufficient reason such as to alert potential sources of significant information to the possibility that they can assist the Commission. I hold a similar view in respect of evidence which suggests that a person who has otherwise been identified, whether or not a witness, has acted as an informant for the police. Other evidence which cannot be made public as a matter of course includes evidence of activities which cannot be notified to criminals without serious community detriment, such as ongoing covert police operations, police intelligence or police methods of investigation, and evidence which would prematurely release details of the Commission's own information and inquiries. It is only by protecting the confidentiality of such information that the Commission can operate effectively and secure the co-operation of law enforcement agencies and other government agencies, both within and outside Queensland, which provides the Commission with access to additional information and enhances the opportunity for a thorough Inquiry.

The point of particular difficulty concerns persons whose names are the subject of evidence. I feel genuine sympathy for any innocent persons who become caught up in an Inquiry such as this, and understand the resentment which must be felt at any false accusations. However, without the gift of prophecy, it is impossible to tell in advance what allegations will prove to be true and which will have been unjustified. Counsel Assisting the Commission are alive to the need to exclude persons who are deluded or simply malicious, but where that is not apparent all that can be done is to call evidence to allow it to be tested by cross-examination and assessed for credibility.

One theoretical solution, which would be attractive to some, including many who are named, would be to receive all evidence involving names in secret. The advantage of such a course would be that it would protect the privacy and reputations of the innocent. The guilty would also be protected from publicity, but it is possible to find an argument in favour of that also, namely the need to ensure fairness in respect of any subsequent court proceedings. On the other hand, although somewhat conjectural, it might be said that publicity could produce benefit to a person who is named by attracting information which is favourable to that person which otherwise might not have been obtained. If carried to its logical conclusion the receipt of names in secret would extend to all evidence against any person, however direct, and not merely evidence of the type which is commonly called "hearsay". The broadest objection to public knowledge of evidence given to the Commission is not that it is "hearsay", but that secrecy is desirable to protect those who are or may be innocent, against all allegations which may not ultimately be substantiated. While no sensible person under-estimates the value of privacy and good reputation, both for himself and for others or denies that there is a public interest in preserving the privacy and reputation of every individual member of the community, justice cannot be conducted behind closed doors. Evidence involving allegations which may later be found to have been untrue is received in courts as a matter of course, and it is accepted that, other than in the most exceptional circumstances, courts should be open and their proceedings should be available for publication. The vital importance of open justice outweighs any damage to individuals, including innocent individuals who are caught up in court proceedings or mentioned there in evidence. The analogy is useful, although there are differences between court proceedings and such an Inquiry as the present. For example, no person is here the subject of a specific charge and there is no precise formulation of issues. Further, as is apparent, such an Inquiry attracts greater publicity than most court proceedings, so that the risk of loss of privacy or reputation is greater. Indeed, a general perception of unfairness towards individuals might even adversely affect the Commission's standing and erode essential public support.

Accordingly, while the established custom of open justice provides an influential guide, it remains necessary to consider independently what is the correct course in inquiries and, more particularly, this Inquiry.

The principal justification for a statute such as the Commissions of Inquiry Act 1950 is that from time to time there are suggested lapses in accepted standards of public administration or other matters of public concern which cannot be or are not being adequately dealt with by ordinary processes. The justification for the appointment of a Commission of Inquiry under such legislation is the circumstance that the degree of public concern which exists in respect of such a matter merits its investigation so that the community may be satisfied that the suspected problem either does not exist or that it has been exposed and eradicated. The terms of the Act seen against that background reflect a clear decision by Parliament that the restoration of public confidence in the integrity of an important element of public life-in this instance a vital aspect of the law and its enforcement-is the paramount public interest to which other matters of public interest must be accommodated in the conduct of the Inquiry. That restoration of public confidence can only be achieved by a comprehensive, open and fair Inquiry which will be generally accepted as having sought for and established the truth. If those standards are not met during the course of the Inquiry the public is kept in ignorance of developments which it has a legitimate interest in knowing and left to speculate on the course of events, and potential witnesses and others having relevant documents and information in their possession are less likely to come forward through lack of knowledge of the course of proceedings, or perhaps because of an apprehension of unfair or oppressive treatment. At the end of the Inquiry, community acceptance of the report is conditional upon general awareness of the activities that have taken place in the course of the Inquiry and satisfaction that they have, in fact, been thorough, open and fair.

On reflection, I have concluded that to require a witness to write down evidence on a piece of paper, which is tendered as a confidential exhibit, is tantamount to excluding the public temporarily from the sittings of the Commission at which that evidence is given, and is only a convenient device to circumvent the need otherwise to close the sittings from time to time. While no breach of subsection 16(2) seems to be involved in such a course, the underlying policy is disregarded whenever that procedure is followed unnecessarily. The intent of Parliament is plain: no sittings of a commission may be closed to the public "unless . . . it is in the public interest expedient so to do for reasons connected with the subject matter of the Inquiry or the nature of the evidence to be given". The qualification in the passage quoted from the subsection recognises the possibility that, in specified exceptional circumstances, evidence should not be made public in the public's own interest. Since the community can reasonably be expected to understand why any such evidence needs to be kept secret, a proper restriction will be accepted and is therefore compatible with the primary public interest in the restoration of public confidence, but non-essential secrecy cannot be similarly supported.

The power to prevent publication under subsection 16(1) of the Act may be theoretically wider than the power under subsection 16(2) to exclude the public from a sittings of the Commission, but the distinction

can have little sensible practical application. The entitlement of the community to be informed and the extent to which it is able to exercise that right cannot depend on the size of the hearing room and the number of persons which it can accommodate. In to-day's society, the media is a basic link in the communication of information, and I am unwilling to proceed on an assumption that such an important social institution will act maliciously or irresponsibly. Further, the law provides remedies for any unfair reporting, and defendants to such proceedings ordinarily have the wherewithal to satisfy verdicts. Additionally, there are plain objections to permitting evidence to be given publicly but prohibiting its wider publication, including the likelihood that the evidence will be disseminated by word of mouth, probably inaccurately. The law, and those who administer it, are exposed to ridicule by orders which are futile, or which produce wholly unacceptable results.

At its most fundamental, therefore, the broad question with which I am concerned is whether, for reasons connected with the subject matter of the Inquiry or the nature of the evidence to be given, some, and if so what, categories of evidence ought to be kept secret because some public interest in keeping such evidence from the community is consistent with the public interest in the restoration of confidence by a comprehensive, open and fair Inquiry.

In the consideration of that question, in relation to the possible suppression of names, it must be constantly borne in mind that the rationale for a Commission of Inquiry is a crisis of confidence in respect of a matter of public administration. In such circumstances, there will inevitably be an environment of suspicion and cynicism, fuelled by past rumours and frustrations, with an expectation that some excuse will be found for secrecy if prominent persons are mentioned or some other potential for political embarrassment emerges. Public confidence in the Inquiry will be readily lost by the withholding of any evidence unless the reasons for doing so are compelling or if there is any suggestion of double standards.

Earlier, I indicated categories of evidence which ought to be kept confidential consistently with the approach which I favour. However, I consider that it would be to abandon principle and would result in a loss of public support without which an Inquiry such as this cannot succeed were evidence of names or other information which has a sufficient materiality to the Inquiry to be withheld from the public solely on the basis of concern with the protection of the reputations or privacy of individuals.

Because it will often be some time before evidence contradicting allegations can be called, opportunity is provided for persons whose names are published to make a brief interim statement of denial or explanation.

Further, as I have previously stated, I accept that there will be an obligation on me when I ultimately present a report to the government to ensure to the best of my ability that any unsubstantiated allegations are put to rest. The efficacy of that step to redress any possible damage to an innocent person's reputation must await the publication of that report, but, once that occurs, I consider that both the community and any innocent persons who are named in evidence will be better served by freedom to publish the evidence as it is given than by restrictions which will occasion continued cynicism or lingering suspicion that there has been a cover-up in which event the reputations of the innocent will never be free of rumour and innuendo, and which will likely cause the promulgation of additional rumours which may involve other innocent persons who are not mentioned in evidence and might know nothing of what is occurring. Reference has been made in submissions to gossip which is already abroad. Further, it is appropriate to recognize that statements about various persons and matters, whether or not justified, form part of the matrix of the activities that are subject to Inquiry and are also probably part of the very genesis of the Inquiry. To refuse the public access to evidence of such statements, whether or not they have any foundation, and to fail to explore their substance, and the reasons for their existence, would be to exclude the community from access to information during the Inquiry to a matter which is at the very centre of its concern.

It is an important proviso to what I have said that the evidence in which a person is subjected to an allegation must have a sufficient materiality to the Inquiry before the evidence is made public. The issues in such an Inquiry as this are necessarily less precise and more fluid than in litigation, will often be difficult to define, and sometimes overlap with each other, and a broad attitude to relevance is warranted. Nonetheless, those appearing must focus on the object of the evidence which they seek to adduce or elicit. Further, some evidence which is relevant enough to be admissible and is properly adduced will not meet the standard of sufficient materiality so far as it extends to names of individuals. Perhaps the clearest example of evidence containing names which ought not to be published is to be found in much of the contents of police "intelligence", although immaterial names are sometimes also mentioned in other evidence.

Realistically, the Commission cannot be concerned to discover every person who has been or is involved or is suspected of involvement in vice or corruption in Queensland in the last decade, and notice cannot

be given to every minor participant in those activities in order for him or her to seek legal representation and attend and give evidence. The revelation of incidental criminality or stale criminal histories ordinarily serves no purpose in this Inquiry which is any way proportional to the damage which may be caused. There is an obvious difference where police officers have been involved in misconduct in the course of their duties.

A broad useful test of sufficient materiality seems to be whether there is any reasonable possibility that a person's name might be adversely mentioned in the report which will ultimately be furnished to the government. If so, that person is sufficiently involved for relevant evidence of his or her alleged misbehaviour to be made public and for notice to be given with an opportunity to seek leave to appear. Subject to one qualification, there is no occasion for notice or leave to appear to be given to a person who may not be adversely mentioned in the report, and without that chance to answer in the course of the Inquiry, fairness requires that the name of such a person not be made public. Necessity for the qualification arises because, although the nature of the evidence in which a person is referred to may not of itself provide a reasonable basis for that person to be adversely mentioned in the report, a name or other identifying detail may otherwise provide a material element of the evidence in which it appears.

Evidence given to the Commission by some of the witnesses who appear before it will inevitably include reference to what they were told, which may involve allegations concerning others. Such a statement is commonly called "hearsay", although it is necessary to distinguish between evidence which is pure hearsay and evidence which bears a dual character. While a statement in the latter class does not constitute evidence of the truth of the hearsay allegations which it contains, it is often relevant because it forms part of the narrative and for other reasons; for example, because it serves to explain the later attitude or actions of the person to whom it was made, because it contains an admission, or perhaps because it provides an explanation or some corroboration of other evidence. Relevant evidence which bears the dual character to which I have referred is properly admissible even by reference to technical rules of evidence, would be admitted in a court, and could lawfully be included in a fair report of court proceedings.

To take an example, it seems an obvious ploy for a person seeking to corrupt another to claim the protection of a prominent person even if that protection does not exist; the person to whom the claim is made may nonetheless feel unable to verify it, and, for one reason or another, unable to approach other persons in authority with what has occurred. What was said to a person to whom a corrupt offer was made, including other persons mentioned, must therefore be material, and will often lead on to other matters, including possible explanation of why the corrupt offer was accepted or, if it was not, why it was not reported.

Those questions will, in turn, involve exploration of such matters as what the person to whom the corrupt offer was made otherwise knew or believed or suspected of the persons who were mentioned to him, and the reasons for that state of mind, which may themselves be related to what he had been told previously by someone else, or to what was the subject of general belief and discussion. It then becomes necessary to attempt to ascertain whether there is substance in the rumour or, if not, what it was that caused or allowed it to start and to spread.

The identities and positions of persons mentioned are therefore clearly integral aspects of these matters. Such issues must be pursued, since it is obviously futile merely to establish the existence of corruption without seeking to ascertain its causes and how it has been spread, and the methods by which it can be stopped and prevented in the future.

Notwithstanding that s. 17 of the Commissions of Inquiry Act provides that the Commission is not bound by rules of evidence, I do not think that pure hearsay should be introduced into evidence, although it may prove of assistance, for example by indicating a line of investigation to the Commission. Since it is inconvenient to have a witness attend more than once if that can be avoided and it may therefore sometimes be desirable to have a witness swear to what he or she was allegedly told by another although it has no true relevance in the sense that it is pure hearsay, such statements can be written down and marked for identification for possible future use but not admitted into evidence. Because such statements will not form part of the evidence, there can be no question of their public disclosure.

On the other hand, properly admissible evidence which has a dual character including hearsay allegations is evidence, and, once admitted, cannot in my opinion properly be kept from the public. Any attempt to do so will distort the evidence and create false impressions, misleading the public to believe that something is being hidden and perhaps as to the identity of who is mentioned.

The true character of such evidence must be properly explained and it must be fairly reported. Subject to that, I consider that the position is as I have previously indicated in relation to other evidence which may involve loss of privacy or reputation.

It is necessary to emphasize that the media and the public must understand that evidence by a witness of what was said to him or her is not called to establish the correctness of what was stated but because of its relevance otherwise. Evidence by a witness of a statement made to the witness which involves an allegation against another person is not of itself any evidence that that allegation against that other person is correct. It is quite possible that the evidence is true, i.e. that the statement involving the allegation was made to the witness, but that the allegation is untrue, perhaps because the maker of the statement to the witness was mistaken or even deliberately lying.

The risk that evidence that the statement was made may be considered by some to be evidence that the allegation is true is compounded because the general body of the community does not hear the evidence first-hand in its entirety, with the opportunity to place the statement to the witness in which the allegation is contained in its context, but must be content with necessarily abbreviated reports through the media. However well-intentioned and skilled the efforts of journalists, there is an increased risk that their reports will erroneously convey to their audience an impression that there is evidence against the person the subject of the allegation in accordance with the statement made to the witness, particularly if the subject of the allegation is a prominent person. Scrupulous care must be taken in the reporting of such evidence in order to ensure that reports are fair, the innocent are not maligned, and the public are not misinformed.

Journalists must use their commonsense and sense of fairness. In particular, they should avoid sensationalising matters because a prominent person is mentioned, and keep in mind that such persons, like the rest of us, have reputations and feelings and families and that it is fundamental in our society that there is a presumption of innocence. There is no legitimate basis for any unfavourable conclusion to be drawn against any person from the mere fact that he or she is the subject of hearsay allegations.

It is possible to illustrate some important aspects of what I have been saying by reference to recent evidence by Detective Constable James Slade. For present purposes, it is sufficient to say that he gave evidence that he had been carrying out undercover work, that he received information or "intelligence"-which was not shown to be either correct or incorrect-in relation to a number of members of the Bellino family, that he put what he had been told into a report, and that an attempt to bribe him allegedly on behalf of one of the Bellinos was made by his superior officer, Detective Sergeant Alan Barnes, who in the course of his conversations referred to a number of other people, including the Bellinos, Mr. Jack Reginald Herbert, senior police officers and a prominent person who occupies a public position in connection with the Police Force, in a context which may have suggested that all such persons and Barnes were associated in corrupt activities. Other evidence related to conversations by each of Slade and Barnes with other police officers, to conversations between other police officers, and to an internal investigation within the Police Force, and numerous documents including records of interviews and reports, some of which contained denials, were tendered.

It may be that some of those documents, for example Slade's original report of his investigations and information, need not have been put into evidence but could have simply been marked for identification, with Slade giving oral evidence that he carried out undercover operations and put in a report in which some members of the Bellino family were mentioned. So far as I can presently recall, the contents of Slade's report were not otherwise relevant or useful for his cross-examination.

Other documents certainly had to be tendered, but names in them other than the names of the persons to whom I have referred and of the police officers involved were not material or of any assistance that I can recollect.

Conversely, the other names were material, irrespective of the truth of the statements Slade claims Barnes made to him. Further, the other names were no less a necessary part of the evidence than the names of the Bellinos and Herbert. Without the names, the evidence was distorted and stripped of at least some of its meaning and significance. With some only of the names, it also suffered the defect that it involved uneven treatment between persons who were said to have been mentioned.

The example which I have given indicates how the problems in relation to those who are named cannot be solved in the abstract, but depend on the particular context of this Inquiry.

Evidence has been given by present and former members of the Queensland Police Force which at least raises the possibility of significant undetected and unreported corruption and other misconduct despite the hierarchical structure and procedures of the Force and the existence of a Police Complaints Tribunal and two Police Unions, one representing officers and one other ranks. Evidence has also been given of police attitudes and practices, including the use by some of propaganda, disinformation, harassment, and the abuse of the loyalty of others.

All these matters are interrelated, and it would be artificial and deceptive to pretend that they could be investigated under a veil of anonymity, without reference to the personalities and relationships involved.

Although I think that it is not feasible to conduct regular reviews of rulings in relation to evidence as a matter of course, I am prepared to receive submissions to reconsider a particular matter or class of matters from time to time, and I have on this occasion reviewed steps which have been taken to this point in the light of the fuller exposition provided by the reasons now given for the approach which I believe is appropriate.

In the result, I do not think that a great deal of alteration is required.

Because explanation may be necessary to a proper understanding of why I do not propose to vary some previous rulings, I will mention two categories.

The restriction on the publication of the financial positions of the various police officers who have denied misconduct will stand at this point, since I consider that those details might have been merely marked for identification as information providing a basis for investigation and verification rather than as evidence in themselves, at least until some discrepancy or excess of what might reasonably be anticipated is revealed.

Further, exhibits 131A, 140, 203, 206, 210, 229, 251, 252 and 253 will not be available for inspection because I am satisfied that they are pure hearsay.

Exhibits 122-128, 130, 137, 143, 145, 152, 201, 214, 237, 242, 249, 250, 254 and 256 will be available for inspection since they are not pure hearsay but are relevant and the names referred to are sufficiently material according to the principles which I have indicated.

Any additions to the transcript to restore deletions previously directed which are needed for consistency with the reasons and rulings which I have now given will be made and the corrected transcript will be released.

Further, any previous rulings are to be taken as superseded or varied as the case may be by what has been said this morning.

In conclusion, I propose to refer briefly to three matters.

First, those appearing before the Commission are reminded of the rulings which have been made from time to time concerning the need to notify Counsel Assisting the Commission of evidence intended to be placed before the Commission, including copies of documents proposed to be put to witnesses in cross-examination or re-examination.

Second, consistently with intimations which have been given by counsel and are recorded in the transcript, it is expected that all appearing before the Commission will draw to the attention of Counsel Assisting any possible evidence, oral or documentary, concerning which a question may arise as to whether there ought be a restriction on publication. Further, it is expected that all such questions will be resolved in advance except where that is not practical because of some substantial disagreement and that, where there ought be a restriction on publication of part of a document, an edited version be provided with the copy of the document which is tendered. Except where it is absolutely necessary because of substantial disagreement, in which case I will of course make a ruling, the sittings of the Commission will be most effectively conducted if such questions can be resolved in advance and not left to emerge in the course of a hearing.

Finally, I specifically draw attention to the fact that the exhibits which have been released for inspection this morning provide no evidence whatsoever in so far as they consist of hearsay allegations involving any person, and do not reflect adversely in any way upon such a person.

It is only common sense to acknowledge that none of us has any control over what is said or written about us without our knowledge or consent, and that persons make statements about others behind their backs for a wide variety of reasons, including malice, mischief and mistake.

4 NOVEMBER 1987

Mr. Crooke, before you start, there is something I want to say. On Monday last week, with considerable concern, I relaxed previous rulings in order to render this Inquiry even more open, but at the same time I pointed to the corresponding responsibilities upon the media and spelt out, with care, the lack of probative Force in the hearsay content of evidence which is nonetheless appropriately admitted. I have since had it confirmed in my own mind that that was the correct course despite the standard of some of the reporting of the evidence. It is apparent, that if an attempt had been made to continue with the writing down of evidence involving conversations between admittedly corrupt police and others in the course of their misconduct, effective cross-examination would have been virtually impossible and the proceedings would have degenerated into a farce as the paper piled up. Rumours cannot be put to rest until they are acknowledged, and anyone who thinks that a problem like this can be solved under a veil of anonymity is living in a fool's paradise.

As part of the ruling of Monday last week I again noted that because it will often be some time before evidence contradicting an allegation can be called, an opportunity is provided for a person whose name is published to make a brief interim statement of denial or explanation.

The preferable course is probably for those denials or explanations to be made before the Commission. However, that may not always be practical or even entirely satisfactory, since the sting of an allegation may be more effectively blunted by a *publication of the denial at the same time as the allegation itself is given publicity. Accordingly, it seems conformable with the approach which is now in Force and consistent with the greatest possible freedom of speech that the media ought to be permitted to approach a person who is named to provide him with an opportunity to make a denial in advance of the occasion when his evidence is called.

However, surely it is not beyond the media to understand that the task of the Commission is both difficult and important to the people of Queensland and that, irrespective of the short term news-worthiness of the immediate publication of the views of potential witnesses, the difficulties confronting the Commission are immeasurably increased by the interference of journalists. What is being done by the Commission and when and why involves careful planning, which cannot be effective if the Commission must contend not only with those who have been engaged in illegality and corruption, who have much to lose and may be expected to take steps to seek to avoid detection, but unforeseeable forays into the arena by some journalists in search of a sensation. Surely it is understandable by the media that there is a point at which there is a responsibility to the public which transcends the impulse for a headline. It was gratifying to observe that some newspapers refrained from the totally unacceptable conduct to which I am about to refer.

I have no wish to prohibit or restrict the publication of these proceedings. My views on the need for an open Inquiry have been repeated sufficiently to be understood by all, and there are no other means by which the public may be informed than by reports in the media. Further, I am intuitively opposed to the use of contempt proceedings except in the most extreme cases because of the potential to stifle free speech by their abuse.

Yet, the line must be drawn at blatant examples of contempt since, irrespective of my personal preference, to do otherwise would result in a loss of respect for the Commission. Under s.9(2)(c)(iii) of the Commissions of Inquiry Act, it is a contempt of the Commission if a witness is wilfully insulted. It is a matter of elementary criminal law that a person who procures or aids or abets such an offence is also guilty of the offence. I do not consider that it requires extreme sensitivity to be insulted by being called "an unmitigated liar." That description was applied to a witness who has given evidence before the Commission earlier this week by a political figure whose statements were televised and broadcast and printed widely in the media.

Unless by noon on Friday the Commission has received satisfactory indications from those involved with respect to their future intentions, I propose to draw the Attorney-General's attention to what has occurred to this point and to invite him to have his officers consider what has been published since Monday and any future publications in order for him to determine whether charges ought to be laid either by reference to what has already occurred or what is published from this point on.

For myself, I propose to reconsider in the absence of satisfactory responses the co-operation which is extended by the Commission to the media. If journalists find it too much of a burden to reciprocate, then they are not really fulfilling their function of fairly reporting these proceedings to the people of Queensland and it may be that their privileges should be withdrawn. Since I do not have the time or the inclination to scrutinize individual reports to determine who is or who is not prepared to abide by a reasonable code of conduct, the only practical course if privileges are withdrawn will be to withdraw them from all.

5 NOVEMBER 1987

I have considered the matter over-night and have been further assisted by submissions this morning.

The situation which has not arisen, which was quite legitimately raised for consideration by Mr. Parker, illustrates a potentially wider problem.

Mr. Hampson Q.C. and those instructing him were given leave without objection to appear for Sir Terence Lewis, Mr. Redmond, and all others who occupy or, during the material period occupied, a position as Deputy Commissioner or Assistant Commissioner of Police.

Irrespective of the suitability of that representation at that time, subsequent events have raised doubts in my mind concerning whether it continues to be appropriate for such a number of individuals, with interests which are by no means necessarily coincident, to be represented by a single set of lawyers. Probably only those individual members of the group in question who are or become the subject of allegations have a real interest and may need constant representation, and it is their interests which seem to be being represented although, by reason of the form of the representation, it is made to appear that all in the group are instructing that the course which is apparently being taken should be followed.

At its broadest and simplest, there are a number of persons nominally represented by Mr. Hampson concerning whom no allegation is suggested to this point. One would reasonably think that those present and former policemen, especially those who continue to be Queensland's most senior police officers, would have the greatest possible interest in having a total exposure of this sordid business and, particularly, would wish that any of their senior colleagues who are or have been involved should be detected and punished. Their position seems to be the same as that publicly adopted by the Police Unions, which are also receiving financial assistance from the Government.

On the other hand, each member of the group presently represented by Mr. Hampson concerning whom the possibility of involvement has been raised presumably has his own exoneration as at least his primary interest.

It is not a matter of implicit criticism to suggest that the approach in recent times has tended to indicate that it is the latter group who are at the forefront of the lawyers' efforts, and that the basic commitment is to the task of contesting allegations. This must confine the questions which can safely be asked or the suggestion which can be put which some of the other senior officers might very well wish to have investigated in an effort to discover the truth and detect any corruption on the part of any of their present or former colleagues.

The problems associated with the existing situation will become even more acute if, as may possibly occur, one of the group gives information which is unfavourable to another, either in evidence or, for example, in a statement provided in connection with an application for indemnity.

While I cannot presently see how that possibility can be entirely avoided, it seems to me that the entire situation would be improved by an open recognition of the difficulties, and the adoption of a position in which the present legal team are seen to represent only those identified members of the group who have been, or become, the subject of allegations or who expressly instruct that they wish to be associated with a contest to any allegation against any member of the group. In the event that some other present or former senior officer of the rank of Assistant Commissioner or above becomes the subject of an allegation, he will then be able to be added to the list of those represented.

I will consider any submissions on this matter from any person with leave to appear, and will welcome assistance from any involved, particularly of course counsel assisting, the Government's legal representatives, and the lawyers who are directly involved who will doubtless wish to consult all those whom they presently represent.

There is no question but that those lawyers enjoy deserved reputations for their high ethical standards, but ultimately I must control the question of leave to appear, and I am anxious to prevent, if possible, the development of a situation—such as has occurred in at least one past Inquiry—in which a lengthy adjournment was necessary because a situation of conflicting interests emerged.

I turn next to Mr. Parker's specific objection as the only matter requiring immediate decision.

Although in some respects the decision of the Full Court of the Supreme Court of Queensland in Mills v. Day Dawn Block Gold Mining Company Limited: in re Marsland (1882) 1 Q.L.J. 62 may suggest a wider view, the generally accepted present position seems to be laid down by the English Court of Appeal in Rakusen v. Ellis, Munday & Clarke [1912] 1 Ch. 83. If the law is as there stated, there is no rule that a lawyer who has acted in a particular matter for a client cannot subsequently act under any circumstances in the same matter for his former client's opponent. The restriction which the law imposes is upon the lawyer giving the current client any assistance against the former client by reference to any advantage gained by the lawyer while acting for the former client.

The application of these principles has led me to the conclusion that, in the special circumstances including what I have been informed as to the nature of the material provided by Mr. Parker to his former lawyers, Mr. Hampson's assurances and Mr. Forno's presence to protect his client, Mr. Hampson ought be permitted to cross-examine Mr. Parker subject to two matters.

In the first place, so far as I can tell in the time available, the authorities have largely confined themselves to knowledge gained by the lawyer while acting for the former client. I have deliberately expressed myself more widely by reference to advantage rather than knowledge. It seems to me that, in achieving a proper balance and ensuring appropriately high standards of the legal profession which will be generally accepted as fair, it is necessary to take into account the possibility that a previous lawyer-client relationship may place the former client under disadvantage even if the lawyer has obtained no confidential information. For example, the former client may reasonably believe that the lawyer has derived an insight into his character or attitudes or habits, or for some other reason associated with their prior relationship may feel psychologically disadvantaged when confronted adversely by one who has previously advised or represented him in a particular matter.

Secondly, while I intend to allow the cross-examination to commence, I accept the necessity to maintain a continued watch as matters progress so as to ensure that the point is not reached at which Mr. Parker's objection assumes obvious substance; for example, if there is indication that he is over-borne.

I am conscious of the possible jeopardy to Mr. Parker arising out of his admissions and the nature and conditions of his indemnity, and Mr. Forno will be alert to draw my attention to any matter of concern.

In addition, Mr. Parker will be told himself that he should feel himself free to protest again at any time as Mr. Hampson proceeds.

There is one other brief matter. Yesterday at the commencement of the hearing, I made certain remarks to which there has already been a satisfactory public response.

We can probably all accept the risk of "over-heating" in an Inquiry such as this where there is widespread community interest.

Subject to future occurrences, I propose to say no more of the matter which I raised yesterday or to take further action, and at this point it is unnecessary for those who were the subject of my remarks to communicate on the matter with the Commission, although, of course, they are free to do so.

16 NOVEMBER 1987

Before you start, Mr. Croke, there are a few matters which can be conveniently mentioned 'at this point', not all of them bad news.

(1) For obvious reasons, I do not propose to discuss in detail the relationship which exists between the Commission and Government Departments and Agencies. However, it is desirable that it be acknowledged that such relationships do exist and that there is a clear distinction between what is described as the leaking of information which carries a connotation of impropriety and the legitimate possession of information

which is not held under any contrary duty of confidentiality to a person or body which is authorised to have access to that information.

Indeed, as always, I am prepared to make my own position plain. I am firmly committed to the view that it is essential for information which is material to law enforcement to be shared between official bodies concerned in that task, and that that need is magnified in a Federal system like Australia's where information is fragmented between the Departments and Agencies of not one Government but at least eight. It is not the general community or innocent individuals who benefit from any lack of communication of that information, but those who have something to hide, the criminals whose activities are thereby screened from scrutiny. Puzzles cannot be solved while different pieces remain hidden from sight in a variety of places, nor is the collection and storage of criminal information itself sufficient. The information must be used to prosecute criminals and to inform the community.

(2) There has been some reference in the last few days to the disappearance of the son of a Mr. John Stopford. It is easy to understand and sympathize with Mr. Stopford's concern. However, it is possible to overstate Mr. Stopford's importance to the Inquiry, and so far he has not provided a written statement in accordance with requests which have been made to him through his solicitors. Further, nothing has been brought to the attention of the Commission which indicates that there is any connection between the Commission and any events which have occurred involving Mr. Stopford's son. There is no reason to doubt that ordinary law enforcement resources are sufficient and committed to the task of investigating what has occurred, and there is nothing to indicate that it is a matter in which the Commission should become involved.

(3) The Commission is still receiving requests for immunity from prosecution in return for testimony.

An absolute deadline has not been placed upon applications for indemnities, but my initial statement did indicate that applications ought to be made by a date which has now passed. Although applications have been successfully made since that date, and it is possible that future applications will also be granted, it would be a serious error for any who have been involved in misconduct to delay their applications in the hope that they can escape discovery.

The primary purpose of an indemnity is to assist the Commission to ascertain the whole picture and to complete its task as comprehensively, efficiently and expeditiously (and therefore as cheaply) as possible. Indemnities are not automatically available as absolution for past misconduct. They are used in the interests of the community, and any benefit to a wrong-doer who thereby escapes the harsh penalty which would be appropriate for such an offence as official corruption is merely an incidental and unavoidable by-product, which is to a point made more acceptable in some cases by the conditions upon which indemnities are granted which involve immediate resignation of guilty police officers with considerable loss of benefits.

The chance of an indemnity is directly related to the degree of assistance which the applicant's information provides to the Commission. No one outside the Commission knows the present range of its information or the extent of the daily growth of the information which continues to be received. Each day that passes increases the risk that, when an application for indemnity is made, it will be made too late. Already some applications for indemnity have not been granted, and the risk that an application will be refused increases steadily with the passage of time.

Two further matters deserve particular mention in relation to indemnities.

Firstly, persons other than present or former police officers can apply for indemnities.

Secondly, almost all of the evidence at the Commission's sittings so far has related to Brisbane, and especially the Licensing Branch. But the Commission's terms of reference and activities are not so restricted. Investigations are under way in respect of a number of other areas. For example, it would be a grave mistake for any who have been involved in illegality and corruption outside Brisbane to sit back in the belief that the Commission will pass them by.

(4) It is necessary that there soon be a short break in the Commission's sittings and it has been decided that, except for some special purpose, the Commission will not sit during the Supreme Court vacation. It is presently anticipated that the Commission may not sit next week commencing 23 November, and there will be no routine sittings of the Commission from the Monday before Christmas, 21 December, until 1 February 1988.

During the latter period, the staff of the Commission will be given a brief much-needed respite from their work between Christmas Eve and early January 1988. Otherwise, the time will be spent by the staff in continuing with investigations and preparations for the presentation of evidence in the New Year.

(5) The interruptions which are proposed to the public sittings ought not be taken as an indication that the Commission has nearly finished its work. I have consistently refused to try to guess how long the task will take, but, having regard to the information already in the Commission's possession and the investigations which are continuing, I would be very surprised if there was not at least three to four months' evidence next year.

For example, to do the job thoroughly, it will be necessary to go back before 1 January 1977 in order to understand the relationships which have been formed and the activities which had occurred and perhaps were continuing at that time. I do not believe that an extension to the terms of reference is necessary to carry out that task which is already under way, but in any event I understand from media reports that, were such an extension necessary, the Deputy Premier has indicated that it would be granted. At this time, I have made no request for such an extension.

That aside, information available already indicates that it would be inappropriate to assume that the problem has been confined to the Licensing Branch in Brisbane.

The media should understand, and should accurately communicate to the community, that it does not mean that the inquiry has slowed down merely because it is not possible to provide continuous public sittings with a daily diet of sensational evidence. It is necessary to try to understand the enormous amount of work involved, the volume of papers to be assembled and sifted, the investigations to be pursued, the checks to be made, and the physical effort needed in converting information into proofs of evidence, all of which are being attempted at the same time as the public sittings are continuing virtually non-stop.

The gossip columnists have already started, and no doubt if there is insufficient scandal otherwise, others will join in, with the innuendo that the Inquiry is being prolonged for the benefit of the lawyers, including perhaps especially myself.

I am being paid a basic fee of \$300 per hour, including my expenses which continue since I must keep up my barrister's chambers and my personal staff while conducting the Commission. That is the same rate as I ordinarily charged in my barrister's practice. It may be too high depending perhaps on whether you compare it to a person employed on ordinary wages or, say, a stockbroker or entertainer, but my remuneration provides no incentive whatsoever for me to extend the Commission by one second. Any increased income which I receive this financial year will solely be due to the absurd hours which are being worked, against my will and the will of the Commission staff, to try to carry out the task which has been set.

No doubt the propaganda mills will also continue to grind out their efforts in other areas.

Attempts will be made to suggest that the problem has been sufficiently identified, and although serious enough was limited and can be easily solved by such simple steps as the legalisation of prostitution and some cosmetic changes to the Police Force. It is folly to think that such superficial steps will work. But that is probably what many in the community want to hear and such theories are likely to be raised in the hope that the complacent and those attracted by soft choices will prefer to bring the present unpleasantness to an end and will ignore the consequence that doing so will provide comfort and future cover to the criminals who have flourished in the absence of public scrutiny.

The catch phrase of "police morale" and the detriment to the Police Force which is caused by an Inquiry such as this is never far from the lips of those whose integrity and competence may come under investigation. But I am persuaded that the most disastrous course so far as concerns police morale or for that matter the community's entitlement to proper efficient policing of the criminals in our midst would be to follow the easy path and to give up with the job half done, leaving the possibility that some part of the problem remained untouched and indeed protected for the future by an additional layer of cover provided by the circumstance that some major participants had not been discovered on this occasion.

I am deeply conscious that this is an extremely expensive exercise, that it does involve some disruption to the Police Force and some impact on political stability, and that there is a risk of damage to individual reputations. Further, common sense suggests that it would be quite unrealistic to attempt to identify all vice and associated police misconduct anywhere in the State during the last decade, and I do not expect to do so. However, the basic necessity is for thoroughness, which cannot be achieved without time and expense.

It is my understanding that the Commission has had, and continues to have, the support of those Ministers of the Government with which it has had dealings, notably Mr. Gunn who was responsible for the appointment of the Commission and Mr. Clauson who also continues to play a role in its continued operations, and that the Government and the other political parties all desire that the job be done as well as possible.

I mention these matters in some detail at this time for two reasons. Firstly, I accept the right of the public to be informed. Secondly, not without some feelings of pessimism, there is involved in that I say a request to the media to recognise the reality and to refrain from building community expectations to an unsustainable level and then, in the necessary breaks in the community sittings, to succumb to the temptation to print anything and everything, irrespective of the consequences, using the cliché of the public's right to be informed to justify self-interest and, sometimes, a desire for mischief.

There is one media organisation in particular which appears to have an insatiable appetite for scandal, as well as links into the Police Force which provide an appropriate outlet for propaganda, always unsourced and generally attributed to such well-informed authorities as a policeman met in a lift. The same newspaper over the weekend saw fit to present me in a cartoon as a dog, knowing full well of course that, in police parlance, that is the ultimate insult. I am not too delicate, and well able to look after myself in such company. But I do urge those responsible journalists from reputable media organisations to exercise a degree of restraint and control.

The Commission is engaged on a difficult task which has potentially important consequences for the people of Queensland. The Commission staff are loyal, dedicated and committed, but they are after all only ordinary men and women. There will be mistakes and they cannot achieve the impossible. They do not need, and the public are not benefited by, additional burdens and obstacles which are created by the media's unremitting insistence on a regular diet of sensation and access to every step which the Commission has taken and every item of information which it possesses.

11 DECEMBER 1987

I propose to make a few brief comments because this is not the first occasion when a matter has arisen concerning the desire of some person or other to have a subject of the Inquiry, so far as it relates to them, disposed of as expeditiously as possible. The subjects of this Inquiry are wide-ranging and incapable of precise definition. There is a tendency for issues to overlap or to interconnect and it is seldom, if ever, possible to select a particular topic or a particular person as a subject for evidence, with confidence that no further evidence than is already available will emerge.

Even where a particular matter can be isolated as an apparently separate topic for investigation and evidence, it is often not possible to exhaust inquiries and produce the evidence in a single session, perhaps because some documents or witnesses are not available or are unto-operative, or perhaps because of the sheer size of the Commission's workload, or for some other reason.

Since it may be some time before evidence contradicting allegations can be called, opportunity is provided for persons who are named to make a brief interim statement of denial or explanation. An example of that entitlement being fully utilised has been provided this morning with a statement by his counsel on behalf of Mr. Hinze.

But it is for the Commission to determine who will be called and when and, subject to my ultimate control, considerable discretion must be given to Counsel Assisting the Commission who will properly take into account a variety of considerations and not merely what particular individuals consider to be in their best interests.

The Commission's task is enormous. What is being scrutinised concerns the activities of a considerable number of people over a wide area for more than a decade. Witnesses and their evidence do not come to the Commission ready for the witness-box. There is a quite vast amount of work involved in obtaining information, checking, investigating, analyzing documents and proofing witnesses before evidence is presented at public sittings. Preparation is needed in advance both to examine persons who give statements to the Commission and to cross-examine those who refuse to co-operate. There must be realistic expectations concerning the time and effort needed for the Commission to do its job properly, and the difficulties which confront the Commission and influence its procedures must be understood and acknowledged.

It is not surprising that a person who is affected by the Inquiry may wish any matter in which he or she may be involved to be dealt with comprehensively and in priority to all else. Obviously it would be impossible to accommodate all such requests even if it were otherwise feasible to follow such a course in relation to any single example but, as has been pointed out, frequently it is not and, in any event, there are often other reasons why the ultimate purpose of the Commission and the public interest are better served by some other course.

Further, it is no more than common sense to recognize that whatever may appear to be the position at any time, no matter is really closed until the Inquiry is complete and the final report is furnished, and no interim decision on any matter or in respect of any person would be likely to be conclusive.

It is possible that the Commission will reconvene before a full resumption of its sittings, for example, to allow a quantity of documentary material to be introduced formally into evidence which will facilitate next year's hearings or for some other sufficient reason.

Subject to that, the Commission is adjourned to 10.15 a.m. on 1 February 1988 or such other date as may be notified.

4 FEBRUARY 1988

Yesterday morning, in his characteristically low-key manner, counsel for Mr. Hinze informed me that publicity is the very soul of justice and assured me that that view had famous juristic backing. I assumed that the statement was made on instructions and that, accordingly, it reflected the views of his client. I assumed further that it was accepted that it is a principle which is of universal application, and is equally applicable to those who are "public figures", Members of Parliament, or even members of the party which is in Government in this State. Whether or not his instructions went so far-and the submission was not qualified in any way-I should make it quite clear that while I remain in control of this Commission no favour will be extended to any person whatever his station or sense of self-importance.

The witness who is presently giving evidence gave evidence concerning Mr. Hinze which was not hearsay but direct evidence of identification. It is not suggested that that evidence was not material to this Inquiry.

Broadly, the alternatives presented to Counsel Assisting the Commission were to cover up that evidence or to call it. Subject to possible exceptions which counsel satisfied themselves were not applicable in this case, their plain duty was to call the evidence and leave it to me to assess its credibility. I propose to say nothing at this time concerning my views on its reliability. It should be apparent to everyone why that would be wholly inappropriate.

Counsel for Mr. Hinze was given the opportunity to cross-examine the witness and did so at length. Further, he was given access to the witness' name and, when he expressed a concern that any restriction on the publication of that name might inhibit his cross-examination, he was given full and free rein to do whatever was necessary to cross-examine the witness on behalf of his client.

In the course of his submissions at the commencement of yesterday's proceedings he told me that he had in his hands information which would substantially affect the witness's credit which he wished to put to him. It is not readily apparent to me what part of the cross-examination involved that step, but I assume that he did what he wished. His cross-examination was not cut short in any way and he resumed his seat voluntarily. Subsequent media reports apparently relating to his client therefore came as something of a surprise to me. Of course, what is attributed to his client might be said to be only hearsay. And the photographs in the newspapers and on television may have involved mistaken identity, since I have never met his client nor seen him in person. It will be easy enough for his counsel to ensure me if Mr. Hinze has been misrepresented, and it is of course a possibility that mistaken identity occurs even when an apparently distinctive figure like Mr. Hinze is said to be identified. Assuming that Mr. Hinze was not misrepresented and made the statements attributed to him, and in all the circumstances including the width of the reporting there does seem to be some basis for such an assumption, what has occurred demands condemnation.

I do not propose to speak at length on this occasion on the difficulty of conducting a Commission such as this, or in particular of the burden imposed by the sole responsibility for decisions which may adversely affect persons some of whom may be innocent. I have expressed my concern on numerous occasions, and have urged restraint on the media and the community and asked that persons and issues should not be prejudged. I have provided an opportunity for those who are named to come to this Commission to place

their denials on record, and have gone so far as to permit the direct release of denials to the media. But the bottom line is that there may have been a serious problem in at least one aspect of public administration in Queensland which has gone on for some time. The community and the government want the problem exposed and recommendations for the future and appointed this Inquiry for that purpose, and Mr. Hinze's counsel, as recently as yesterday, told me that publicity is the very soul of justice in these proceedings.

There is a clear implication in the statements which have since been attributed to him that he considers that that principle should not apply to him because he is a parliamentary colleague of the members of the government party. If any such proposition is implied, I reject it in its entirety. Indeed-and of course I have no basis for knowing whether or not the statement is correctly attributed to him-Mr. Hinze is actually quoted in at least one of this morning's papers as saying that since he helped get half of the members of his party in Parliament, they should help him now. I may have failed in the past to make myself sufficiently clear. While I continue to conduct this Inquiry, it will not be the subject of political interference.

Finally, and more immediately so far-as the present witness is concerned, Mr. Hinze is alleged to have said or implied that the evidence given against him stems from or is a part of an attempt by one or more members of his party to damage him either personally or politically. If that was said, it appears to imply that the present witness is part of a conspiracy to damage him by perjured evidence. At least, that seems to be the least scandalous of the possible implications. I am at a total loss to understand why his counsel did not cross-examine the witness on such extraordinarily grave matters. The witness will be brought back to the witness-box momentarily and his counsel will have the opportunity to take the matter up with the witness on behalf of his client. Bring back the witness.

15 FEBRUARY 1988

It must have been inconvenient for a number of people to have the sittings of the Commission last Thursday adjourned on such short notice and that is sincerely regretted. It only became apparent a short time before the sittings were due to begin that some urgent matters could not be completed in time. An attempt was made to notify as many persons as possible to minimize the inconvenience. I attended in order to adjourn the sittings and explain the difficulty but, due to a misunderstanding, those in attendance had been very efficiently dispersed by the time I arrived.

There is an outstanding application on behalf of the Honourable R.J. Hinze for a reversal of the restriction on the publication of the name of the witness who gave evidence under the name Mr. Brown. I do not propose to grant that application.

Like so many of the issues which arise in a proceedings such as this, the questions whether or not and, if so, in what circumstances anonymity should be granted to witnesses, present the difficult task of attempting to balance conflicting considerations, including the desire to be fair to those against whom allegations are made. On the other hand, many persons with information or evidence of assistance to the Commission fear for their or their family's physical security, or where they have previously been involved in misconduct but have changed their lifestyles for domestic or business relationships which they have since established, often approach to the Commission is found extremely difficult and co-operation is dependant upon some protection.

An additional matter of considerable importance is that confidence in the Commission by persons who are uncertain as to whether or not to come forward is tested against the Commission's treatment of others. If I were satisfied that a witness who had been granted a restriction on the publication of personal details had given deliberately untruthful evidence I would likely remove the embargo.

The witness who used the name "Brown" gave a description of extraordinary events which is, in some respects, generally although not entirely consistent with what was said by others although, of course, Brown's evidence cannot be accepted at this point since the Inquiry is not at an end and, for example, some who he has named have not been heard from the witness-box. To this point I have reached no conclusion in respect to Brown's evidence and could not lift the restriction on the publication of his name on the basis that his evidence was deliberately false. Further, I am not satisfied that the general publication of his name which has been disclosed to the lawyers for Mr. Hinze is needed to facilitate or advance Mr. Hinze's participation in the Inquiry. It is unnecessary in the circumstances to determine the purpose of the application, in particular whether it might have a connection with the campaign apparently being waged by Mr. Hinze in an attempt to suggest he is being treated unfairly by the Commission. While the possibility exists that Mr. Hinze has been incorrectly reported it is noted that the Commission has received no communication

suggesting that any report of acts or statements attributed to Mr. Hinze in the local media is in any respect inaccurate. I do not propose to speculate upon the reasons for the campaign which seems to be in existence but nor do I intend that such activity should influence this Inquiry to the slightest degree. If it is Mr. Hinze's intention to have this Inquiry stopped or limited or to alter its direction or operations in so far as it may involve him, his objective does not accord with the public assurance given through his counsel to the Inquiry at the special sittings on Friday 11 December last year that the Commission would receive his full co-operation. Such co-operation apparently does not extend to the provision of financial information and records which have been refused and his banks have been instructed not to comply with summonses under s.5 of the Commissions of Inquiry Act. The only express reason for this attitude of which I am aware is an allegation of which I only have notice through the media that his records would be widely published. Any such allegation is at best misleading or in the euphemism of his counsel, a political response. Unless his financial details disclose some matter which evidence would properly given, no aspect then would become public through the Commission.

There is little purpose in canvassing other political responses, such as calls for details of what is being investigated, whether he be charged or made the subject of a special interim report. This is not a trial which is limited in advance to specific allegations of particular acts by identified persons. It is an Inquiry, the potential range of which is measured only by the extent of the relevant misconduct which has occurred and which is in the process of being discovered. The Commission's statutory powers of investigation extend to a search for any misconduct within the Commission's Terms of Reference and are not confined to whatever specific acts or omissions are at any particular time already able to be made the subject of evidence.

Mr. Hinze has become involved in the Inquiry. He is entitled to and has the presumption of innocence. He is not entitled to demand that the Inquiry pass him by. Mr. Hinze is entitled to freedom of speech subject to the limitations imposed by the law. That limitations exist should not need emphasis either to him or to those who assist or encourage him. Ordinarily, no amount of kite-flying about alleged investigative steps by the Commission would produce details of allegations which have been received or concerning any investigations which have been conducted, although if and when any evidence is to be adduced, notice is given at an appropriate time in accordance with rulings which were published some time ago. However, I propose to make an exception in this case, since the totally false allegation of telephone tapping accuses the Commission of a criminal offence. If there was or is interception of Mr. Hinze's telephone communications by interference with the lines to his premises and/or the equipment at the exchange and if that was reported to him, no doubt, he will instruct his solicitors to provide a copy of that report to the Commission within the hour. It is plain to the point of demonstration that he had no evidence whatsoever that this Commission was in any way connected with that interception, yet he chose to make that allegation or political response and a daily newspaper chose to feature it with blazing headlines as the main story on the front page of its Saturday edition. It was either too much trouble or perhaps it would have simply spoiled a good story and diminished the campaign, to check to see what the law allowed. This Commission has no greater powers in relation to listening devices than the Queensland Police Force has had for some years, and in both cases any exercise of the power is subject to the prior authorisation of a Judge of the Supreme Court. In particular the Commission has no power to carry out a telephone interception in the manner alleged by Mr. Hinze and widely published by the newspaper in question and, had it done so, an offence would have been committed which would be punishable under Commonwealth law.

Mr. Hinze's denials of the allegations involving him, which are the subject of evidence, have been made in public at sittings of the Commission and also through the media. The latter course was expressly approved early in November 1987 and confirmed earlier this month. In so far as it is possible, I propose for the moment simply to ignore Mr. Hinze's statements and actions outside this Inquiry. There is too much else to do to be provoked or distracted by Mr. Hinze or to waste time in dealing with his various ploys which, if he is correctly quoted, are to continue until he gets his way. It presently seems likely that in due course Mr. Hinze will give evidence and, indeed, would wish to do so. Before that time, appropriate investigations and other steps will have been taken.

Mr. Hinze will be treated in the same manner as everybody else. There is no animosity towards him, nor will he receive preferential treatment. Like everyone else, he will simply be expected to comply with the law. He is represented before the Inquiry by the counsel of his choice and, provided that corresponding obligations are observed including the obligation to confine what is said to what is material to the subject of discussion, that representation may occur for as long or as often as he chooses. I propose to make no further reference to Mr. Hinze on this occasion but it is appropriate to expand somewhat on a more general topic to which I have previously, frequently, made reference.

My views on openness, and disadvantages which openness may entail in practice, have been stated on more than one occasion. I remain convinced that openness is essential and has been a necessary ingredient in what has been achieved and what is yet to come. Procedures are in place to minimize disadvantages so far as that is practical and consistent with the performance of the Commission's functions. Deficiencies in those procedures do not stem from disinterest but from ordinary human limitations which prevent most of us from achieving perfection. I frankly acknowledge that the burden is heavy. I place too much value on my own reputation and privacy to risk another's without disquiet and I have practised too long in the law to underestimate the importance of justice. The issue is not adherence to such ideals but their practical implementation in the circumstances, including the demonstrated need for this Inquiry.

While I remain in control, the procedures will be improved if possible, but will apply, with all the imperfections, equally to all who become involved. In a statement which I made on 4 February I described certain evidence as direct and material and continued, "Broadly, the alternatives presented to Counsel Assisting the Commission were to cover up that evidence or to call it. Subject to possible exceptions, which counsel satisfied themselves were not applicable in this case, their plain duty was to call the evidence and leave it to me to assess its credibility." It is desirable that I say something more of the "possible exceptions" to which I referred, both to inform the community further in order to assist it to understand the Commission's operations and to dissuade any who might think that the Inquiry can be curtailed or defeated by an attempt to abuse the openness of the Inquiry for their own purposes. The most obvious of the possible exceptions to the principle of openness on which the Inquiry is founded are irrationality and ulterior motives. No one would suggest that an obvious lunatic should be called to give evidence of allegations, and no more should evidence be called and be seen as an attempt to abuse a privileged occasion for an improper purpose.

The possibility of fabricated allegations is an obvious matter for concern, although it presupposes a particularly evil mind. Baseless allegations are useless in themselves unless either the person behind them, or some person or persons with whom he or she conspires, is prepared to give perjured testimony. The risks involved in pursuing such a course are obvious and it might reasonably be expected that the punishment would be severe. Nonetheless, the possibility of deliberately false testimony does exist, especially, perhaps, for prominent persons. Personal vendetta, political advantage, revenge and desperation all provide possible ulterior motives for such a course. One obvious example is the possibility of a criminal prepared to swear impropriety against the prosecutor or even the Judge who sentenced him at his trial. So far as I am aware, the Commission has not received such an allegation and I do not expect it to do so but if it did, the allegation would be fully investigated. When the decision was then made what course to follow, I would expect Counsel Assisting, as I would myself, to take into account such an obvious basis for an ulterior motive. There must exist an ultimate discretion whether or not to call potentially damaging evidence which is attended by sufficiently grave doubts as to its authenticity. I accept the final responsibility and acknowledge my fallibility and thus the chance of error. If evidence which should have been called is not called, it will not be a deliberate cover-up and if evidence is called which is in the end not accepted, a much more likely prospect, it will not be in order to damage any person concerning whom allegations are made. But if the truth were already known, there would be no need for an Inquiry, and if the truth of all evidence which is adduced was known in advance, there would be no need to call it in public and subject it to cross-examination.

A most reprehensible ulterior motive would be an attempt to destroy or subvert the Inquiry. For example, a fabricated attack on a person in public office might be thought by someone sufficiently wicked to create a perverse dilemma involving loss of public and Government support, whatever course was followed. A suspected departure from openness because of who was involved might be said to involve either favouritism or a lack of independence. Whereas, it might be hoped by those behind such a scheme that adherence to openness might not only raise doubts in the mind of the public, but might also influence the Government to withdraw or modify its commitment, which is also necessary for the Inquiry's success.

To take a hypothetical example it might be hoped any Government support for the Inquiry could be diminished by a pattern of false 'evidence against its members or even by a single sufficiently damaging example of such testimony. I am alive to the difficulties in which the Commission would be placed by such a situation. At the same time, such a situation would also be difficult for any person who was party to an attempt to curtail or destroy the Inquiry in such a way. The serious criminality of such conduct seems obvious. Should it arise, I will proceed in exactly the same manner as with any other evidence, confident on the basis of the Premier's statements of the Government's total support.

Events during the last week have included a warning to a member of the Commission staff of an intended "set-up", as it was put, and what may have been a clumsy attempt by someone who should have known better to embarrass me by the delivery of inappropriate material to me personally. If any suggestion of a

“set-up” or other fabrication of evidence for the purpose of disrupting or influencing the course of the Inquiry comes to my attention, every effort will be made to ensure that those involved are brought to justice. At the slightest basis of suspicion that such a step has been or is being attempted, every available resource will be committed to investigation of whoever is involved.

It will be readily apparent to any ordinary person of average common sense that the stakes have been raised considerably since the appointment of this Commission, and that some in our society may now be increasingly concerned at the possibility that their misconduct will emerge and they may be disgraced or punished. If so, it is predictable that a degree of desperation may influence their attempts to evade detection, and the tactics which they employ. The community has an entitlement and the capacity to protect itself against any who are prepared to put self-interest above all else. I will not hesitate to exercise the powers of the Commission to find out the truth if any effort is made to obstruct the Commission or injure those who support it in any way. Further, I am confident on the basis of the statements which have been made that the Commission and its methods will continue to have the Government’s total support.

9 MARCH 1988

Before you start, Mr. Crooke, there is a brief statement that I wish to make.

As I have publicly acknowledged from time to time, I must have occasional contact with some Ministers in connection with various matters associated with the Inquiry. It has been a matter of concern to me that these contacts may be misconstrued and seen as providing the Government with political advantage. That was not intended, and I believe has not occurred. Nonetheless, I have been anxious to remove any possible basis for suspicion. Self-imposed restrictions which have been adopted in consequence have greatly increased the Commission’s burdens and have had other disadvantages.

The difficult task which has been set the Commission, which involves investigations which touch a wide variety of persons and organizations over more than a decade, leaves no time to conduct a continuous battle to assert the Commission’s independence and integrity and to maintain public confidence and support.

Further, the Commission’s work must be performed in a context of ongoing criminal activities and the continued operation of established social institutions such as the courts and the Police Force. Secrecy between the Commission and the Ministers directly concerned with such matters deprives the Commission of opportunities to convey the dimensions of the problems which exist and the enormity of the job to be done, and makes it difficult to seek much needed assistance and to create realistic community expectations concerning what can be achieved.

There is another matter which has increased in importance as the duration of the Inquiry has extended. For obvious reasons, there are limits upon the extent to which the Commission can make full disclosure of the information which it holds without jeopardizing the entire Inquiry, even to the Parliament as the elected representatives of the community, and there are consequently some restrictions upon the ability of the Parliament to monitor the Commission’s operations. However, I hold the strong conviction that a body such as the Commission ought not be wholly exempt from supervision and accountability.

Last night at my request, the Premier and the parliamentary leaders of the Australian Labor Party and the Liberal Party attended at my Chambers and were briefed on a strictly confidential basis to the extent which I consider appropriate. Senior Counsel Assisting the Commission, Mr. Crooke Q.C., was also present.

Further communication may occur from time to time either with those persons or, as the occasion requires, with the Police Minister (and Deputy Premier) and/or the Attorney-General as the Ministers directly responsible for the Inquiry and its activities.

No preference or advantage will be intentionally accorded to any political party, and information will be provided only on the strict understanding that it will not be directly or indirectly disclosed or utilized for any political purpose. Conversely, of course, the discussions will not in any way inhibit political debate upon matters which otherwise emerge at the Inquiry.

The importance of the Commission’s continued independence is acknowledged by all three political leaders and will continue to be insisted upon while I remain in control of the Commission.

It is not proposed to elaborate at this time upon this statement which is made with the consent of the Premier and the other parliamentary party leaders in order to maintain a commitment to openness to the fullest extent which is consistent with the performance of the Commission's functions.

18 MAY 1988

Mr. Callinan, before we begin, I have had discussions with the Chairman concerning recent Press reports and I am going to read a statement from the Commission.

The Commission is concerned and disappointed at the standard of some reporting of its proceedings, particularly proceedings on what seem to be regarded as quiet days such as yesterday. Whether the Commission's rulings are being deliberately flouted or it is merely incompetence, there is a marked failure by some to achieve acceptable standards.

It is not proposed to canvass what has already been said and recorded in the transcript in its totality, but it seems that some emphasis is needed.

Eyewitness accounts are not hearsay, whether or not they are corroborated. Most evidence before the Commission is not hearsay in any sense. A news report is not improved by misdescribing evidence as hearsay.

Conversely, evidence of what a witness has been told is ordinarily not evidence against a person who is referred to in the conversation and is often not relevant or admissible. Sometimes it is wholly or partly relevant, and to that extent it is admissible; for example, a conversation which contains admissions or which serves to explain the state of mind, or the mind, or the conduct of the witness giving evidence may be relevant and admissible to that extent, which may or may not include the names of persons mentioned. However, the contents of the conversation are still ordinarily not evidence against persons referred to.

There has been an increasing tendency to report the contents of conversations to which witnesses refer as though they constitute evidence of allegations against persons mentioned. Further, the primary criterion for many news reports appears to be the mention of some person who is prominent in the community.

A new degree of unfairness was reached by some reports of yesterday's proceedings. For example, an answer made by a witness in cross-examination, which was not even responsive to the question asked, referred to a conversation in which a name was mentioned which also happens to be the name of a prominent businessman. Irrespective of whether the evidence was relevant, the conversation to which the witness referred could not legitimately have formed the basis of fair news reports of yesterday's proceedings. The only possible interest in the evidence of the conversation was that it contained a particular name. In some of the reports, every opportunity was given to the public to make an unwarranted connection and to infer that the prominent person in question was the subject of allegations.

It is not proposed on this occasion to mention other concerns which are felt about reports in individual publications, in case, by doing so, the basic thrust of this message is lost.

The policy which underlies the openness of this Inquiry has been spelt out on more than one occasion. However, it may be better for the public to be uninformed than seriously misinformed. If the present trend continues, consideration will be given to imposing restrictions on publication in accordance with the Commissions of Inquiry Act.

9 JUNE 1988

Mr. Hawke, I have read the transcript overnight. I do not accept that the reason which you have given for refusing to answer questions, namely, that your so-called principles do not allow you to incriminate anybody else, is a legitimate reason why you should refuse to answer questions. Further, I do not accept that that is your genuine reason. It is sheer hypocrisy. There has already been a pattern of evidence and behaviour which indicates a concerted reluctance by those who have been involved in this illegitimate activity for periods of years to disclose the full extent of their criminality which, it seems, is elaborately schemed and implemented with false names and fictitious bank accounts - all the trappings of a total disdain for ordinary

standards. I note in passing the comment of Mr. Justice Connolly speaking in the Full Court in the R. v. Chadwick [1985] 1 Qd.R. 320 at p.326 where His Honour said:

“The S.P. bookmaker resembles the dealer in narcotics. He operates through a chain of underlings, each playing a progressively less significant part in the total operation but each essential to it. Of course, unlike the dealer in narcotics, he is a massive user of the telephone system and no doubt a massive contributor to its revenue. It seems odd that the resources of modern technology and the records of the telephone system cannot identify someone more prominent in the system than a 71-year-old pensioner acting as treasurer of a \$2 a week betting club of ten persons. . . “ .

That was as His Honour observed. Not even the most gullible would now fail to appreciate that one possible explanation for the inability to catch anyone other than the occasional pensioner is large scale organised corruption. Questions which are of relevance to the issues, the concern of this Inquiry and of the community, will be put to you again this morning. If you fail to answer those questions you will have committed what I consider a blatant contempt of this Commission and therefore the community which it represents. If you do so, I shall report your contempt to the Chairman with a recommendation that he refer the matter to the Supreme Court so that you may be punished with appropriate severity?- (No answer.)

BY MR. DRUMMOND: Now, Mr. Hawke, I am going to ask you a question that I asked you yesterday. Will you listen carefully please? Have you ever acted in partnership with any other persons in the course of carrying on the business of an s.p. bookmaker?- I don't intend to answer, Mr. Drummond.

Why is that, Mr. Hawke?-For the same reason I gave yesterday.

14 JUNE 1988

Recently a temporary restraint on publication of some evidence was imposed and submissions were invited. Those submissions have now been perused and previous rulings reconsidered by the Commissioner. In different circumstances it might have been desirable to attempt to formulate a reasonably precise test which could be easily applied to exclude some details from publication on the basis that such a course would, on balance best serve the public interest. However, as matters stand that is simply not possible. Persons who have been called to give evidence in relation to the current aspect of the Inquiry, which is concerned with s.p. betting, have demonstrated an extraordinary lack of candour and co-operation, and blatant contempt for the law which is, after all, an expression of the community will. Perhaps their attitude is not surprising. For some of them at least, the law seems to have been an irrelevance for decades.

Further, even while the Inquiry continues and the evidence of corruption unfolds, the myths that so-called victimless crimes are little more than harmless escapades and that those involved are either s.p. bookmakers who are the very embodiment of the ideals of mateship and machismo or kind-hearted brothel keepers motivated by aspirations of public service, continue to be propagated with the assistance of some elements of the media which also persists with incessant reports of crises in the Police Force which are often fed to them by the corrupt and their assistants.

In such an environment, it is perfectly plain that any test which was laid down would be abused. Whatever the description given to persons whose names were not to be published that would be used to describe all persons with whom s.p. bookmakers can be shown to be connected.

The temporary restriction on publication is therefore at an end.

However, not without some sense of futility where some media outlets are concerned, the Commission formally requests that there be not only scrupulous care and fairness in reporting but that names only be mentioned where they are truly material. Two considerations in particular will be mentioned, although there may well be others.

First and foremost, the media must not only acknowledge but implement in practice its responsibility to avoid unnecessary harm, especially to the innocent.

Second, there are practical considerations affecting the Commission and its procedures and its capacity to press on and conclude its task. If names are mentioned without real need, there is a significant risk that the proceedings will be prolonged.

It is intended to monitor what occurs and, if appropriate, to modify this ruling. Since there may be difficulty in imposing restrictions upon some news organisations and not others, if any ignore the Commission's request it may be essential to re-impose some general restriction.

20 JUNE 1988

There has been a degree of umbrage taken by journalists at criticism by the Commission of some sections of the media.

However, the media has a tremendous capacity either to assist or, conversely, to impede an Inquiry such as this. For example, the Commission has been forced to interrupt the programme of evidence which it had embarked upon and to interpose the witness about to be called, with considerable disruption to its activities and strain on its resources, as a direct consequence of newspaper articles.

Nonetheless, it has never been in question that sections of the media have played a most positive role. Although its heading and some portions of it are unduly pessimistic, Mr. Quentin Dempster's column in yesterday's "Sunday Mail" provides a good example of the contribution which a journalist can make.

This Inquiry is not a competition between a bunch of lovable rogues and a group of narrow-minded prudes intent on imposing puritanical moral strictures upon a reluctant public. The Commission personnel, including the decent police officers who have risked their careers and the scorn of colleagues, are just ordinary, somewhat tired, Queenslanders who temporarily represent the society of which they form a part.

The demi-monde with which the Inquiry is concerned is not a jolly place peopled by happy-go-lucky fun lovers sampling the pleasures provided for them by generous benefactors. It is a world of greed, violence, corruption and exploitation, where the weak and the immature are preyed upon even to the extent of the indescribable evil of the peddling of addictive drugs by which youthful lives are destroyed. The connection between so-called victimless offences and organised crime is well recognized: the link is provided by the huge profits which can be obtained and put to other uses.

Silence, contempt and perjury are not the bonds of mateship but the machinations of another code based on self-interest and in some cases intimidation. We Queenslanders find it difficult to accept that such a code and the scorn for the law which it denotes, which we have previously only read about and viewed in films concerning foreign places, applies also in our own quiet State and that some of its adherents have ordinary Anglo-Saxon and Celtic names. The affront given by such conduct is not given to the Commission, but to the community. It will be for the courts, which also represent the community, not the Commission, to determine appropriate penalties in due course.

As a former journalist, it is certainly pleasing to be asked to commend Mr. Dempster's article for its thoughtful contribution to public awareness.

4 JULY 1988

An attempt has been made to rehabilitate the Deputy to the Commission, but, each time that she has made a statement on my behalf, the stigma of her past as a journalist has been used against her. For that reason, and in order to show that I have not absconded with either the Commission's petty cash or one of its customers, I have decided to visit to deliver this morning's homily myself.

Procedures have been devised in an effort to bring this temporary Inquiry to an end.

Any person who wishes to give evidence before the Inquiry (including any person who has been given leave to appear before the Inquiry or has been mentioned adversely in evidence, whether or not he or she has been given a formal notice of allegation or has taken advantage of the opportunity provided to make a statement of denial or explanation) is required to submit a comprehensive statement of the evidence to be given, verified by statutory declaration, prior to the end of July 1988. Unverified statements already submitted are to be resubmitted, verified by statutory declaration, by that time. Each serving police officer should be notified of those requirements immediately by the Union to which he or she belongs or is entitled to belong.

Any person who hereafter is mentioned adversely in evidence who wishes to give evidence before the Inquiry must submit a comprehensive statement (or supplementary statement) of the evidence to be given, verified by statutory declaration, within 14 days of the date upon which the adverse evidence is given.

Once again, notification should be provided by the respective police unions to serving police officers. Failure to submit a verified statement in accordance with the above requirements does not necessarily mean that a person will not be required to give evidence before the Inquiry, although some persons who do not provide verified statements will probably not be called. Indeed, not every person who does provide a verified statement will necessarily be called to give evidence before the Inquiry. However, consideration will be given to tendering as an exhibit the verified statement of any person who is not called, and any failure to provide a verified statement may also be taken into account.

It is presently proposed that the Inquiry will not sit this year after Thursday, 1 December, following which the Commission must shift premises and carry out other tasks prior to the Christmas vacation. Statements received in accordance with these directions will be taken into account in planning the future proceedings of the Inquiry and in determining who is called to give evidence. In the absence of exceptional circumstances, no further evidence will be received at public sittings of the Commission after it adjourns on December 1. It is quite possible that there will be some interruptions in the evidence programme in July or August, but it is anticipated that evidence will be continuous from September to November. After the Christmas vacation, the Commission will sit again for a period of approximately three weeks, commencing on Tuesday, 7 February 1989, but only to hear addresses.

While submissions on factual issues cannot be finalised prior to the conclusion of the evidence, a start can be made in relation to submissions concerning the recommendations which should be made by the Commission. Those previously requested to provide information or submissions by 30 June are now asked to do so by the end of July. Any other interested person or organization who wishes to make a submission to the Commission on what recommendations it ought make to the Government should provide that submission to the Secretary of the Commission by Friday, 26 August 1988.

It is necessary to allow adequate time after the evidence is finished for the preparation of submissions on factual issues, and early December and, if necessary, part of the Christmas vacation can most conveniently be utilised for that purpose. Any person or organization who wishes to make a submission to the Commission on factual issues, or a supplementary submission on the recommendations which the Commission should make to the Government, must do so by midday on Monday, 23 January 1989. It is emphasized that submissions concerning the recommendations to be made by the Commission to the Government are expected by 26 August 1988 and that supplementary submissions on that topic in January 1989 must be brief. All submissions to the Commission must be in writing. If any portion of any submission is claimed to be confidential it must be clearly marked, and full reasons must be included. Confidentiality may not be granted.

Any person with leave to appear who wishes to be provided with a copy of any submissions must notify the Secretary of the Commission in writing by 4 p.m. on Friday, 2 December 1988, specifying what is required and undertaking that any material supplied will not, without permission from the Commission, be used for any purpose other than appearance before the Inquiry. Bundles of those submissions which are to be provided will be available for collection from the Secretary of the Commission in Courtroom 29-that is this room-in the District Courts section of the Law Courts complex between 2 p.m. and 4 p.m. on Tuesday, 24 January 1989.

Addresses to the Inquiry when it sits for that purpose next February must be confined to material points which it is wished to emphasize and material comment upon other submissions. Written submissions are intended to be exhaustive, and are not to be supplemented by oral submissions. Each person who addresses the Inquiry will be expected to be prepared to commence by Tuesday, 7 February 1989, and to adhere strictly to a time limit of which he or she will be informed by that date.

The above timetable will enable the Commission to report within two years of its appointment on May 27 last year. Obviously, some time will elapse between the conclusion of the public sittings of the Inquiry and the implementation of recommendations, and it is important that the momentum of the Inquiry not be lost and that the Commission be phased out as smoothly and efficiently as possible. The Commission's information data bases and systems have been designed with that in mind, there are two Police Task Forces which are carrying out operations under the guidance of the Commission, any necessary witness protection is intended to be maintained, a Prosecution Task Force to deal with matters associated with the Inquiry is in the process

of creation as a section of the office of the Director of Prosecutions, and it is envisaged that Commission staff will continue to assist with and co-ordinate investigations and other activities until the Commission's Report has been submitted and the future has been decided.

One possibility which will be discussed in due course in the Commission's Report is a permanent anti-corruption commission, although it must be understood that it is not possible to have such an organisation for the cost of a handful of employed lawyers and police officers. The work which is involved is labour and resource intensive. Administrative, clerical and secretarial staff, specialists such as information analysts, premises, computers, word-processors, fax machines, photocopiers, telephones, radios, cameras, motor vehicles, etc. are all basic necessities.

Much work has gone into ensuring that the infrastructure of the Commission of Inquiry can be utilised by a permanent body if that is what is decided. However, there are complications associated with such a body, and, while I would not presume to intrude into the political domain, it is earnestly to be hoped that rigid positions will not be adopted prior to the Commission's Report which would turn what, in the interests of the community ought be a non-partisan issue into a political football.

Some of the evidence which is presented at the public sittings in the period of slightly less than five months which remains for that purpose may lack the sensational quality which appears to be so popular. Some may consider that particularly wasteful given that time is running out. There is no possibility that this Commission will eradicate or even identify all or even most of the corruption which has occurred and doubtless continues. There will be outstanding aspects of the Terms of Reference, including matters which the Inquiry has publicly touched upon but will be unable to complete, and other misconduct which has come to the Commission's notice which will not be attended to by the Commission but left to be dealt with in some other way.

It may confidently be predicted that, since competing considerations have had to be balanced and subjective judgments formed, there will be scope for criticism which will be enthusiastically advanced, particularly by those whose interests would be better suited by some different approach, those experts who always find the tasks of others easy in the extreme, and those who simply denigrate as a matter of course all efforts other than their own.

Indeed, it is as well to notice publicly some matters which provide a basis for opposition to and criticism of the Commission which are currently being given another outing: "The Commission is anti-police"; "It has gone on too long"; "It has a large staff"; "It is costing a lot"; "Lawyers are being paid high fees from public money"; "It is being deliberately extended to obtain the remuneration"; "Nobody has yet been tried and convicted"; "The reputation of the Police Force is being tarnished"; "Police morale is low"; "Police families are suffering"; "The Commission's influence and effect on the Police Force are too high"; "The Commission has its own Police Force"; "Police personnel and resources are being depleted by the needs of the Commission"; "The secondment of police to the Commission and the appointment of police to Task Forces and the Witness Protection Squad associated with the Commission have seriously reduced the capacity of the Police Force to investigate crime"; "The wrong police have been appointed to the Task Forces", nicknamed the Special Headquarters Investigation Team in order to provide a basis for an offensive acronym; "Police associated with the present police administration are being favoured"; "Overtime paid to police associated with the Commission is diminishing the amount which would otherwise be available to other police officers."

Other allegations in vogue do not spring immediately to mind unless scurrilous personal abuse and lies are to be included.

Some of the matters to which reference has been made, such as the duration and cost of the Inquiry and its effects on the Police Force, are quite valid considerations, and every attempt has been made to take such factors and all other material considerations into account and accord them due weight at every stage of the Commission's progress, including the timetable which has been announced this morning.

Other of the matters to which reference has been made are mere bleatings by the ignorant and the discontented, while still others are quite deliberate attempts for ulterior motives, to foment unrest in the Police Force and to erode public and political support for the Inquiry.

Some, but not necessarily all of those involved in such activities, have been involved in misconduct. Some probably merely feel that the changes, which they cannot yet accept are inevitable, threaten them and their established positions and ambitions. It would come as no surprise to any thinking person if major sources

of the gossip, rumours, lies and innuendo were the Branches and the Squads with most to lose. It would be a greater surprise, and an enormous disappointment if the vast majority of ordinary police were to continue to let a vocal minority dupe them and damage them as has happened in the past.

There should be no doubt concerning what is involved and what must be faced as the Inquiry proceeds. No opportunity will be lost and no tactic will be abandoned to mislead and bring pressure to bear upon the politicians and, through the media, the public, as those involved attempt to hold what they have and to continue to have their own way. That by now thoroughly discredited anonymous tipster, who operates under the pseudonym "Reliable Source" and is so beloved of all investigative journalists, will be busier than ever in the foreseeable future. As matters progress further, and desperation increases, attacks will become more strident and vicious.

It is not this Commission which is threatened, but ordinary police and the general community.

All of us, but especially the opinion-makers such as the politicians and the media, need to bear in mind the circumstances from which this Inquiry sprang. It would be sheer folly to consider problems which accompany the Inquiry by reference to false premises that it intruded uninvited into a tranquil utopia in which the community was safe and well-protected by an efficient Police Force which expeditiously solved all crime and dispatched the miscreants to a criminal justice system where they were speedily but justly tried, convicted and punished.

The Inquiry was constituted because the public suspected that there were problems, and it is taking so long because the problems are so large. The Commission did not create the problems, and given their nature and size and the aspects of public administration involved, it is scarcely surprising that they are difficult to resolve.

That is not to say that there have not been and will not be mistakes by the Commission, or that there is no room for divergent opinions. There have been mistakes, and one of the purposes of this statement is to elicit as many views as possible in an appropriate way.

It is a primary objective of this Inquiry to assist in bringing about a Police Force which can do a difficult job with honour and community support, and which young people like those who were sworn in last week can join with pride in the knowledge that they will be expected to lead honourable lives free from the pressures of corruption and accusations of disloyalty if they demand similar standards of their colleagues. Whatever other structures may also be appropriate, the fight against crime cannot be won without an honest, efficient and dedicated Police Force.

This Inquiry provides a forum for all who have a genuine contribution to make to the solutions which are needed, and there is every reason to expect that what the Commission recommends will be made public and available for debate in the Parliament. A wide range of persons and organizations have leave to appear at the Inquiry, and others are free to lodge submissions. The system will work best if all who are interested express their opinions openly rather than operate under a cloak of anonymity to distort the position by a propaganda campaign which focuses on and exaggerates the disadvantages for their own ends.

At least from this point, the Inquiry has a definite limit and procedures designed to ensure that that limit is met. Whatever the disadvantages they are short-term, whereas hopefully there will be significant long-term advantages. Whether it will all have been worthwhile, only time will tell.

It would have been possible to have a superficial review rather than attempting a thorough inquiry, to allay community concerns and keep everyone happy, and to build the existing problems into an attractive new facade. However, it seemed preferable to accept the sporting axiom—"No gain without pain"—if a genuine, and not merely an expedient, solution is to be found.

Journalists will not be surprised if they are once more singled out for special mention.

Journalists know only too well the capacity of the media to influence and shape public opinion. Unless they are stupid, they also know the enormous resistance encountered by an Inquiry such as this which confronts powerful vested interests on the ground which they have long occupied and in which they are deeply entrenched. It would be hypocrisy in the extreme for the media to claim the credit for instigating the cleansing process, then to erode public support when the proceedings are insufficiently spectacular, and later to complain that better results might have been achieved.

There should be no room for misunderstanding. Past attempts to address the particular problems with which this Inquiry is concerned have failed. To have any chance of success, it is absolutely essential that this Inquiry have community support. Public interest and support cannot be held if that is dependent on daily doses of sensationalism, particularly in the face of a media campaign which implies that, without the drama, the whole exercise lacks purpose.

There must be realistic expectations. There are no solutions which are cheap, easy and expeditious and in which every piece of evidence is of overwhelming interest and involves some prominent name. The reality is more difficult, and more sordid and mundane.

It is my unshakable conviction that it is impossible to recommend what is needed for a better future without an understanding of the past, and it is probable, to say the least, that even the timetable proposed will leave significant aspects of the problems untouched.

That said, it is accepted that the Commission has tried to do too much. The time has come to ignore much of the information which the Commission has received and to draw just some of the threads together into a narrower pattern which will hopefully be sufficient to provide the community with a small insight into the problems which exist and which will worsen if they continue to be ignored.

If the community considers that what is proposed involves the continuance of the Commission for too long, I would be delighted to stop immediately and to hand the problems back into the existing criminal law enforcement system for investigation by the Police Force which has dealt so effectively with such matters in the past.

The Deputy Commissioner will now continue with the sittings.

12 JULY 1988

On p. 1 of this morning's Courier-Mail there was an article entitled, "Warrant out for Inquiry secret witness." The journalist to whom the article is attributed is not employed by Queensland Newspapers. However, Queensland Newspapers was, of course, available as a market. The story met essential requirements. The police sources were anonymous, the article falsely insinuated a controversy between the Commission and the Police Force, and it possessed the potential to affect public support for the Inquiry and to cause ordinary police to feel dissatisfied with the Commission's operations.

The journalist who wrote the article spoke to Senior Counsel Assisting the Commission last week and the article does not reflect what she was told. The Commission first heard of the proposal by Queensland Newspapers to publish some article on the topic late yesterday. When Senior Counsel Assisting the Commission spoke to the solicitor for Queensland Newspapers last night, although he was unaware of the detailed content of the story, he pointed out that there was no urgency associated with the matter and that, apart from the obvious adverse consequences of publishing an inaccurate story which might obstruct the Commission, the publication might alert the alleged suspect and, if she was apprehensive, put her to flight. Plainly, that did not deter Queensland Newspapers.

There are two alleged offences of which it is suggested that the witness "Katherine James" is suspected referred to in the article. One started out as a civil claim as the then solicitors for the complainant Thompson advised him according to what they stated to the Commission. However, it has since escalated to a possible criminal proceeding, and I will deal with the matter on that basis.

It is obviously not practical to summarize the entire file, but the Commission's position is sufficiently revealed by the following extracts from a letter from Senior Counsel Assisting the Commission to the Acting Commissioner of Police, which was copied to the Director of Prosecutions:

"A witness. . . has given evidence in the Commission of Inquiry under the pseudonym 'Katherine James'. . . For present purposes, it is immaterial whether or not her present evidence will be accepted in whole or in part. She implicated a considerable number of police officers and other persons. The police officers associated with the protection of Commission personnel and witnesses or potential witnesses assessed that there is an extremely high risk to her safety and perhaps to the safety of her child. . . It is plain that her whereabouts should, in so far as that is possible, be kept secret. On the other hand, the Commission has adopted

the clear policy that the witness protection system must not be allowed to be abused, and, more particularly, that it must not be permitted to become a hiding-place within which persons may shelter from the consequences of misconduct for which they should be punished. Allegations of two instances of criminality in respect of which, I use the pseudonym 'Katherine James'. . . has no indemnity from prosecution have been made against her. If it is decided that she should be proceeded against, a direction will be given for the information concerning her whereabouts to be furnished on a totally confidential basis. It will be your responsibility to ensure her safety from that moment on, including any period during which she may be in prison either in Queensland or elsewhere in the event that she needs to be extradited, and that no opportunity is given to any person to attempt to influence her in any way. I do not wish the importance of that obligation to be underestimated. The Commission cannot be a party to an obstruction to the course of justice, but nor is it unaware of the possibility that harm may be visited, or pressure brought to bear, upon those who are in police custody or prison. You should appreciate the enormous, perhaps irreparable, damage which will be done if witness protection systems are able to be circumvented by misuse of police powers or even incompetence. I do not imply any allegations against police officers who have so far been involved in relation to the matters in which, and again I use the pseudonym, 'Katherine James'. . . was allegedly concerned, but some feelings of disquiet about her predicament exist, although she may, of course, be the author of her own misfortune. One essential requirement seems to be that a trusted senior officer fully review the entirety of what has occurred and the evidence available and, if satisfied that action should be taken, that a further opinion be sought by the Director of Prosecutions, whose attention should also be drawn to. . .” .

And I then omit a matter which is confidential for reasons of corroboration and security reasons.

“ .. If a decision is made to proceed, the information concerning her whereabouts will be provided to you, as stated, and her safety will be your responsibility.”

That finishes the extract from the letter to the Acting Commissioner of Police.

In case it should be thought that these comments this morning are something of an overreaction to what is merely an isolated example of the approach of Queensland Newspapers, it ought be placed on record that similar conduct has occurred almost from the inception of the Inquiry. I choose but one example in which the journalist made the foolish error of revealing his source.

The Inquiry's public sittings were scarcely a week old when an article entitled "Allie's Story: The One the Fitzgerald Inquiry won't hear" appeared on the front page of The Courier-Mail. A signed statement was demanded from the journalist. The tenor of the article was quite contradicted by the following paragraph from that statement signed by the journalist dated 13 August 1987:

“7. I do not have any information whatsoever from Allie McCowat which is within the Terms of Reference of the Commission of Inquiry. I did interview her over three (3) days at Innisfail.”

At this point it is not proposed to take action in relation to Queensland Newspapers Pty. Ltd. which for the moment continues to have leave to appear before the Inquiry. However, if and when time permits, it is intended to give active consideration to that question. In the meantime, Queensland Newspapers Pty. Ltd. is required to provide to the Commission a file of the articles which it has published concerning the Commission and associated matters since May 27, 1987, and any supporting or explanatory material which it wishes to add, provided that that material is verified by statutory declaration. Similarly, if it chooses, it may furnish a file of any material which it relies upon for its boast- or perhaps in some circles its apology- that it was responsible for setting up the Commission. Verified information is also required concerning the advertising which it previously carried for escort agencies and massage parlours and the revenue earned, again with any supporting or explanatory material. It is quite possible that other information will be requested, including details of any relationships which exist between persons associated with Queensland Newspapers and those who have become caught up in this Inquiry. What statements will be requested and by whom will be considered as and when time permits, and what evidence is called in relation to such matters before this Inquiry will likewise depend on the time available.

Not without some hesitation, I have taken the time to make this further statement both to keep the public and the Police Force informed and hopefully to communicate to fair-minded journalists and there really is some justification for comments which have been made from time to time concerning the media, and that there was a purpose to last week's homily and previous comments concerning the role of the media in disseminating propaganda and disinformation.

It also seems to me important to state emphatically and in public that, in difficult circumstances, there is ongoing effective co-operation between the Commission and senior police officers.

The Deputy to the Commission will continue with the sittings.

13 JULY 1988

Just as recently as Monday last week the Commission went to considerable effort to spell out the likelihood that increased efforts would be made to use the media to erode public and police support to this Inquiry by false propaganda and disinformation.

Almost immediately Queensland Newspapers lent itself to just such an exercise. Last weekend it was offered for sale an article prepared by a journalist who is not employed by it which was, in significant parts, apparently based upon false information derived from anonymous police sources.

The Commission did not become aware of Queensland Newspapers' proposal to publish an article on the topic in question until last Monday but, in the short period available, the true position was communicated to Queensland Newspapers as it had earlier been communicated to the journalist.

Nonetheless, on Tuesday morning this week, Queensland Newspapers published the article containing the false information in The Courier-Mail.

An essential theme of the article which quite obviously possessed the potential to affect public support for the Inquiry and to cause ordinary police to feel dissatisfied with the Commission's operations was that a controversy existed between the Commission and the Police Force in relation to the enforcement of the criminal law against a person who had given evidence before the Inquiry and had been protected by the Witness Protection Squad.

That was false.

Yesterday, the falsity was stated openly at the Inquiry and demonstrated by reference to correspondence between Senior Counsel Assisting the Inquiry and the Acting Commissioner of Police. There is no such controversy.

Nevertheless, yesterday afternoon Queensland Newspapers by its counsel took the quite deliberate step of stating to the Commission at a public sittings of the Inquiry that it believed that the article was accurate.

That also was false.

Queensland Newspapers was, by then, aware of the correspondence between Senior Counsel Assisting and the Acting Commissioner of Police, and neither the copies of Police Department documents inexplicably in the possession of either Queensland Newspapers or the journalist from whom it bought the article or any other material provides any basis whatsoever for the false insinuation that there is a controversy between the Commission and the Police Force concerning the matter.

Last night, the following letter was communicated to Queensland Newspapers and its solicitors by the Commission.

"Please supply by 9 a.m. tomorrow, July 13th, details of the basis for the statement made in the Commission by your client through its Counsel that the article headed 'Warrant out for Inquiry Secret Witness' is accurate in so far as it imputed a controversy between the Commission and the Police Department. Kindly supply any material relied upon in support thereof.

Please also similarly supply the basis and any supporting material for each of the following statements in the article:

- (a) '...but conflicts have emerged between the commission and police investigating the case on how the investigation should best be handled';
- (b) 'Police claim their investigations have been hampered by the commission's refusal to reveal her location';
- (c) 'The investigation has reached a stalemate';
- (d) 'A police spokesman said Acting Police Commissioner Ron Redmond believed the differences between the police and the commission could be resolved.'

You will appreciate the gravity involved in making a false statement to the Commission at the open hearings of the Inquiry."

This morning the following reply was received from Queensland Newspapers' solicitors:

"We acknowledge receipt of your facsimile transmission of last night.

Our client has had the opportunity to give further consideration to the Commissioner's address which was made yesterday morning.

Our client is concerned that the Commissioner's address has been interpreted in the media and by the public as constituting allegations of misconduct against it.

We seek your advice about whether the allegations of misconduct are being made against our client. If they are, then our client requests particulars of these allegations.

In relation to your facsimile letter of 12th July, 1988 to us, our client is unable to provide details of the basis of the statements made in the article of 12th July, 1988 without breaching its journalist's professional duty to respect the confidentiality of her sources of information.

Our client's article of 12th July, 1988, did not intend to impute 'a controversy between the Commission and the Police Department', however, it did state 'conflicts have emerged between the Commission and Police investigating the case on how the investigation should best be handled.' Our client acknowledges the Commission's advice that any differences of opinion which may have existed between the Commission and the Police now have been resolved."

Predictably, in that reply an attempt is made to hide the fact that there is no basis for the false information behind an ethical screen. More surprisingly, the letter continues to attempt to misconstrue the position by such statements as that contained in the final sentence which refers to the "Commission's advice that any differences of opinion which may have existed between the Commission and the Police now have been resolved." There has been no such advice, and there are no differences of opinion.

The Commission's letter to Queensland Newspapers last night drew specific attention to passages in the article which convey the false theme that there is a controversy between the Commission and the Police Department. Subject to the theoretical qualification that some individual anonymous police officer who does not represent the Police Department may have made the claim referred to in the second of the passages, each of the extracts from the article set out in the letter, as well as their cumulative effect, is false.

Nonetheless, Queensland Newspapers chose to repeat in this morning's Courier-Mail the false statement made yesterday afternoon at the public sittings of the Inquiry that it believes the initial article is accurate, and in an editorial it sought to distort the position by an assertion that the essential subject of the initial article was some different matter from its false theme of a controversy between the Commission and the Police Department.

One cannot but feel a tinge of sympathy for the editor. He was unable, or perhaps unwilling, even to find a sound factual basis for his attempt to distort the essential theme of the original article to another topic. It is not the fact that a warrant has not been executed "because the whereabouts of 'James' remains a secret", to quote from the editorial. The warrant has not been executed because the appropriate senior officers of the Police Department have not yet determined that it should be executed given the particular problems associated with the protection of "Katherine James" and accordingly have not yet asked the

Commission for details of her whereabouts which will be readily provided, as is clearly stated in the letter from Senior Counsel Assisting the Commission to the Acting Commissioner of Police.

The Commission has required certain material from Queensland Newspapers and an undertaking has been given that it will be supplied. In due course, the Commission will determine what further action should be taken.

Further, in its report, the Commission will consider whether it should be recommended that there be greater restrictions on publications of the proceedings of an Inquiry such as this in view of the standards of Queensland's only morning newspaper although any submissions on that issue given to the Commission in accordance with the timetable recently set out will be taken into account. Another matter upon which the Commission will be interested to receive submissions, including hopefully a submission from the Australian Journalists' Association, is whether a journalist should be entitled to rely upon the confidentiality of a source where the material attributed to that source is false, particularly having regard to the demonstrated capacity of those wishing to deceive the public to persuade elements of the media to publish inaccurate information for their own purposes. The statement which I made to the Commission yesterday was made in the full expectation that the people of Queensland would be misinformed by this morning's Courier Mail. That expectation was fulfilled and I hold a similar expectation for the future. Nevertheless, there are real benefits to the public in having matters accurately stated on the public record and I have reasonable expectations that the police unions, which are represented before this Inquiry, will ensure that at least the police officers of this State, who might otherwise rely upon what they read in The Courier-Mail, are kept correctly informed.

1 SEPTEMBER 1988

Just before Mr. Herbert is brought in, Mr. Croke, there is something very brief. In the course of this Inquiry it has been necessary to make many decisions. Few have been easy. Many have been controversial. Most have presented choices which involve disadvantages as well as advantages. The decision to grant the recent indemnities, especially to Mr. Herbert, have been amongst the most difficult. Much has been learned and much more could be made the subject of evidence than when the earlier indemnities were recommended. It was believed that Herbert was a major criminal who had played a central role in the corruption which has done enormous damage in Queensland. It was understood that there would be public frustration and disappointment that he should escape prosecution. However, it is a tragic fact that corruption is a clandestine crime, and none but those centrally involved can now unravel the web of misconduct that Queensland has experienced. In the unique circumstances, central participation alone can provide the important information which has to be discovered, and which, in consequence, can be used as a bargaining tool.

So far as the prosecution of Herbert is concerned, the present position is no different from what it would have been if he had not been found, or had resisted extradition, perhaps successfully. Certainly there is every chance that he could have at least delayed extradition beyond this point, and beyond the end of this year. A choice had to be made whether to try to bring him back to prosecute him, or to bring him back to obtain his information and to have him available as a witness.

The reasons why Herbert should not have indemnity are obvious. Yet, at the end of the day, after deliberation, advice and consultations it was decided that the public interest would best be served by the Attorney-General granting a conditional indemnity, and that was reluctantly recommended. Herbert's story has to be told in public, and his evidence has to be available for other proceedings including whatever criminal prosecutions are possible. It is also vital that whatever steps are available be taken to maximise the prospect that the truth is told. If individuals escape, even important criminals, even if all escape, but a basis is laid for a new and better future, that is preferable to a continuation of the past. Every effort must be made to obtain a Police Force which can effectively combat crime.

It may also be wondered why the conditions of indemnities do not provide for the payment to the State of the amount of corrupt moneys received. Even if such a condition would not provide a powerful incentive not to tell the whole truth, there is a fundamental objection to such a course. It is a mark of civilization that the State acts fairly even in dealings with rogues, and that proper standards are not abandoned in anger and frustration. A condition that the money be repaid to the State might well prove impossible to fulfil for reasons quite outside the power of the person to whom the indemnity is offered. The money may no longer be there, or may cease to be available because, for example, of action by the Australian Taxation Office. It would be quite wrong for an indemnity to fall on the ground of poverty. Civil action to obtain a judgment

for the amount in question, supported if necessary by special legislation, followed by bankruptcy if payment is not made may be quite a different matter.

People are entitled to disagree with what has been done, but those who bear the burden of decision do not enjoy the luxury of dissent which can focus on opposing arguments and ignore all other considerations. If further indemnities to major players would reveal more important information, and thereby enable the system to be cleaned out even more comprehensively, I would give serious consideration to recommending their grant. The conditional indemnities which have been granted, including to Herbert, are believed to be the best solution available in regrettable and difficult circumstances.

5 SEPTEMBER 1988

There is just one matter that does need mentioning. It is many months since I first spoke publicly of the problems of Inquiries and this Inquiry has been conducted on a knife edge of controversy because of who and what are involved. What is being done is not without its disadvantages. The community is understandably shaken by the evidence which has been given and continues to emerge, and predictably there is political and public conflict.

Even if evidence of misconduct against a senior public official is denied, some action may have to be taken in the public interest before the dispute is resolved. The legislative framework, the importance of the office, the seriousness of the allegation, the context in which it arises, including any other circumstances which may raise questions, the period likely to elapse before the issues can be finally decided, the effects of a particular action upon the official and his family, and of inaction upon the institution in which he holds office and on the general public and the possibility of adequate compensation if action is taken but later proves to have been unwarranted are amongst the factors which a Government faced with such a difficult decision would probably take into account. No decision will meet universal acclaim but it is vital that standards not be lowered by submission to immaterial pressures and that the community not be confused by the melee with which the decision-making process is surrounded.

It is not for the Commission but the Government to determine the future of Sir Terence Lewis, but it should be clearly understood by the community that the evidence at the Inquiry has not concluded, that Sir Terence will have the opportunity to give further evidence, that no finding adverse to Sir Terence has been made by the Commission and that any decision made or action taken by the Government will not have the slightest influence on whatever findings are eventually made.

14 SEPTEMBER 1988

Yes. Mr. Hanson, just before you start, there is one very brief matter. There has been a public controversy concerning whether Sir Terence Lewis should be dismissed which re-emerged when Mr. Herbert commenced his evidence nearly a fortnight ago and has since continued.

As I have previously indicated, the matter was and is one for the Government, not for me, but there should be no doubt that I agree entirely with the decision made not to dismiss Sir Terence.

I had no foreknowledge that the issue of Sir Terence's possible dismissal would be raised when Herbert commenced to give evidence. I had no knowledge that he would be asked to show cause. I have not seen any of the documentation, including the show cause notice or Sir Terence's reply, and I have not even looked at the relevant legislation. I have been content to make the assumption that the Government was empowered and entitled to dismiss Sir Terence if it so chose, and have publicly recognised that there were numerous matters which might be considered.

Nonetheless, my position has been one of the utmost simplicity which is incapable of being misconstrued. I have consistently urged that, whatever the legal position otherwise, there is an Inquiry which is only partially completed, and it is my unqualified opinion that Sir Terence Lewis should not be dismissed when he has not had an opportunity to answer allegations and explain his position in evidence before the Inquiry.

There is a very heavy responsibility associated with the environment which has been created by this Inquiry in which, understandably if regrettably, public debate is not always logical and dispassionate. Disadvantages might come to outweigh any results achieved if the Inquiry were to go on too long. There will still be much

work to be done when the evidence concludes, but at least the outer layer of the previously impervious shell of corruption and deceit will have been penetrated and lessons will have been learned which hopefully will enable a satisfactory longer-term approach to be devised. However, the search for the best possible systems for the future will not be enhanced by an emotive atmosphere in which community frustration and anger are constantly increased by those who mould public opinion, however unintentionally. As I have said on a number of occasions, there must be realistic expectations. Not all problems are capable of quick, easy and superficial solutions.

12 OCTOBER 1988

THE COMMISSIONER: The other matter I was going to mention is that yesterday I raised the question about accessibility of those exhibits which are statutory declarations, and I asked if anyone had any submissions to make in relation to that matter. Do you, Mr. Callinan, or Mr. Taeffe?

MR. TAEFFE: No, we have no problems.

THE COMMISSIONER: No problems with getting access to them?

MR. TAEFFE: No.

THE COMMISSIONER: Anyone else?

(No response.)

THE COMMISSIONER: I've thought about it and I'll make a couple of brief remarks and they can stay tentative, or they can be operational unless someone wants to reconsider the matter, in which case I'll listen to them. What I am concerned about is that there should be no disadvantage associated with the use of statutory declarations in some instances without the contents being fully covered in oral evidence. For example, those affected by evidence in statutory declarations should have ample opportunity to discover what is said and denials in statutory declarations should have the chance of equal prominence with what's stated in the witness-box. There are some practical limitations on the Commission's resources, but additional copies of statutory declarations will be available to facilitate inspection, and any person entitled to a copy of the transcript who has a genuine need for a copy of a statutory declaration should forward a request to the Secretary of the Commission, who will refer the matter to me in circumstances of doubt.

I simply add that it is to be hoped that those with leave to appear before the Commission will not make unreasonable or unnecessary requests for copies of statutory declarations. If that occurs, it may be necessary to reconsider what's been said this morning. But hopefully we will avoid any disadvantage, because I think some of the evidence over the ensuing period will have to come in through statutory declarations rather than orally. No question about any of that?

MR. TAEFFE: We have been given copies of every statutory declaration requested.

THE COMMISSIONER: The system is probably working in practice, but if any difficulties emerge I don't want people to feel constrained by previous rulings. There is an opportunity to redebate the matter. Yes, Mr. Drummond?

28 OCTOBER 1988

I had no intention of making any public statement concerning the controversy involving the Hon. Mr. Justice Vasta, and certainly I still do not intend to enter into a protracted public debate. In the letter which I sent to the Premier yesterday I described the letter which the Judge had sent to the Premier earlier that day as tragic, and I am now speaking on the topic mainly because that tragedy has been grossly exacerbated by what has been published. I have considered a number of courses including suspending or simply concluding this Inquiry in view of the extraordinary and - I repeat - tragic statements by the Judge and the damage which has been caused by the unbalanced publicity which they have attracted, but I have decided that the course which best meets the public interest is to place briefly on record my knowledge of the salient events.

1. Prior to the Lewis diaries being tendered on Monday, 29 February this year, Mr. Justice Vasta was one of a number of persons notified in writing by Commission staff that his name was

mentioned in the diaries, that it was proposed when the diaries were tendered to make a statement that the diaries did not support any conclusion at that time that any of the persons referred to had behaved improperly, that he was entitled to be present at the Commission's hearings or to make a public statement denying any impropriety either at or outside the Commission's hearings, and that there would be an opportunity to inspect the diaries after they were tendered and a copy of material aspects would be provided on request.

2. By letter dated 27 April Mr. Crooke Q.C., Senior Counsel Assisting the Commission, asked the Judge to provide a statement including but not limited to his relationship with Sir Terence Lewis and his views of the accuracy or otherwise of notations in the diaries which referred to the Judge.
3. On 3 May, the Judge wrote to Mr. Crooke and said that he considered it inappropriate to make a statement because of litigation in which he was involved.
4. On 31 May, Mr. Crooke wrote to the Judge again to request him to reconsider his decision.
5. No reply was received.
6. On 17 October, Mr. Crooke wrote to the Judge giving him notice that the Commission proposed to inquire into certain matters which might affect him and drawing his attention to his right to be present at the Inquiry. In an enclosed notice, specific reference was made to the possibility that the truthfulness of the evidence which the Judge gave before Master Lee Q.C. on 10 September 1986 in Supreme Court Action No. 1139 of 1986 might become an issue.
7. On 19 October the Judge's Associate, who is the son of the Judge, approached Mr. Drummond Q.C., the Counsel Assisting the Commission who is conducting the questioning of Sir Terence Lewis. Mr. Drummond was told of two matters by the Judge's Associate, one of which related to an invitation which Sir Terence Lewis had received to attend the opening of a factory and the other of which related to a lunch at the Milano restaurant at which, according to the evidence, the Judge, Sir Terence Lewis and one S. Atkinson were present, perhaps with others. According to what Mr. Drummond was told by the Judge's Associate the person "S. Atkinson" was not the retired Deputy Commissioner of Police, Sydney Atkinson, but another S. Atkinson.
8. During the luncheon adjournment Mr. Crooke telephoned the Judge following which he made a file note of their conversation and he confirmed from conversation in a letter to the Judge that day. I received a copy of the file note and the letter from Mr. Crooke that day. I propose to read the letter to which the Judge did not reply into the record.

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19 October 1988

The Hon. Mr. Justice Vasta,
Judges' Chambers,
Supreme Court
Brisbane.

Dear Judge,

I refer to our telephone conversation of this morning's date and confirm that it is the Commission's task and duty to seek out the truth in matters which it has been requested to investigate. In this regard it seeks to treat all persons equally and apply standards of fairness. I have been informed by Mr. Drummond that it has been confirmed by yourself that there were two matters this morning that you asked your Associate to communicate orally to Mr. Drummond so that the Commission would be aware of your recollection of the particular events. I informed you that the Commission has procedures whereby information could be communicated and received by the Commission in such circumstances. Should you wish to assist the Commission by providing information on matters the subject of evidence before the Commission, you are respectfully requested to forward such information in accordance with the Commission's established procedures. It is not possible for the Commission as a matter of continuing practice to receive and act on verbal communication on an ad hoc basis. As discussed with you, I enclose a copy of the Commissioner's rulings on this subject so that you may be able to give further consideration to the matter."

9. Mr. Crooke notified me of his telephone conversation with the Judge during the luncheon adjournment on 19 October and I considered that, while it was unlikely that further questioning of Sir Terence Lewis would assist in relation to the opening of the factory in view of the evidence

which he had already given, it might be that he could clarify or correct the identification of the person "S. Atkinson". Accordingly, almost as soon as the proceedings resumed after lunch, I asked certain questions on that topic and then Mr. Drummond did so. Sir Terence Lewis' evidence was unequivocal that the person "would be Syd Atkinson", to use his words.

10. On 19 or 20 October, Mr. Callinan Q.C., Senior Counsel for the Government before this Inquiry, informed me that he proposed to draw the Government's attention to evidence which had been given by Sir Terence Lewis concerning Mr. Justice Vasta. I acknowledged Mr. Callinan's courtesy but informed him that I considered that whether or not he took that step was a matter for him and I did not wish to comment.
11. Early in the morning of Friday, 21 October, the Premier telephoned me to tell me that the Government's attention had been drawn to the evidence and that action in relation to the Judge was contemplated, including action in relation to his position pending the outcome of the Inquiry. I emphasised my view that the independence of the judiciary was so important that the Government should not even request the Judge to stand down temporarily but should leave the question whether he should continue to sit to the Chief Justice, and I expressed the opinion that the Government should not take any action itself in relation to the Judge's position, whether by setting up a separate inquiry or otherwise, until there had been time for mature deliberation. I understood the Premier to acquiesce in my views.
12. I knew no more of the matter until, while I was conducting the Inquiry on Monday morning this week, I was handed a copy of a statement which the Judge had published that morning announcing his decision to step down.
13. I had not spoken to the Attorney-General on the subject prior to that time. Nor had I spoken to the Chief Justice. I have not had occasion to speak to the Chief Justice on any matter for a considerable period. I have not, to this time, seen the letters which I understand were exchanged between the Chief Justice and the Attorney-General.
14. The decision to appoint a separate commission of inquiry in relation to the Judge has been presented as an easy one which should have been made immediately. I disagree.
15. There is obvious potential overlap between the subject of such an inquiry and matters of concern to this Inquiry. The position of other Judges also had to be considered. Due to the uncertainty which has existed and is still not fully resolved, it has already been necessary to make rulings in the course of this week which have temporarily had the effect of restricting knowledge of matters which otherwise would have been disclosed. Further, not only the composition but also the procedures of the separate inquiry and how the two inquiries would interrelate had to be considered, and to me, at least, are still not fully clear.
16. Care also needed to be taken to ensure that the community would not perceive a separate inquiry as an example of unacceptable special treatment. It is easy to see how too hasty an appointment of a separate inquiry could have led to allegations of favoritism, especially if the separate inquiry adopted different procedures. I venture to repeat a paragraph which I have extracted from my letter to the Premier dated and delivered on 26 October, which, of course, ante-dated yesterday's events:

"The independence of the judiciary is undoubtedly the most important feature associated with Mr. Justice Vasta's position. A commitment to equal treatment for all may have to yield if such an approach would imperil the judiciary's independence. Conversely, especially having regard to the public concern at what has been revealed in the Inquiry, care must be taken to ensure that concern for the judiciary's independence does not lead to a less thorough scrutiny of judicial conduct, create a public perception that there are special rules and perhaps 'cover-ups' available for a privileged few, or possibly cause a failure to dispel any doubts which may exist concerning judicial integrity."

17. By the evening of Tuesday, 25 October, my concern at the situation which I perceived to be developing and the damage which I feared it could cause to the judiciary was such that I initiated a request to call on Sir Harry Gibbs, the former Chief Justice of the High Court, to seek his guidance. Although in the period subsequent to Mr. Justice Vasta's initial statement there has been contact between myself and the Premier, the Attorney-General, and the Government's senior legal adviser, Mr. Callinan Q.C., I made the arrangement to see Sir Harry Gibbs without reference

to them. I had a lengthy discussion with Sir Harry Gibbs on the morning of 26 October and spoke to him on the telephone subsequently that day. The letter bearing that date which I wrote to the Premier, which was delivered to him that afternoon, offered a solution which had Sir Harry Gibbs' approval and which included a separate Commission of Inquiry headed by three retired Supreme Court Judges from Queensland or elsewhere in Australia.

18. Both that letter and my subsequent letter of 27 October providing the Premier with brief urgent comments upon Mr. Justice Vasta's letter of the latter date were tabled in Parliament yesterday, but have been largely ignored in the reporting of the events of yesterday and the preceding days.
19. Instead, there has been detailed reporting of the allegations contained in the Judge's letter of 27 October, supplemented, according to some reports, by references to tapes of conversations. In many cases, including publications of enormous circulation and impact, there has been no attempt to provide a balanced indication to the public of Queensland and Australia of just what has occurred.
20. I know nothing of any tapes, and I could not care less what tapes the Judge has unless they bear upon some matter relevant to this Inquiry. I have had no conversations with him which he might have taped which might provide him with any justification for his allegations, and Mr. Crooke has assured me that he is in the same position. Indeed, I am unaware of even speaking to the Judge this year.
21. No promise has been made to the Judge that if he co-operates with this Commission, it will look after him.
22. I have not been a party to any conspiracy against the Judge whether for the purpose of forcing him "into a position to provide a missing link in the chain of evidence necessary to launch a perjury charge against Sir Terence Lewis" or otherwise. There could be no purpose to such a scheme. It always has been and remains the position that the Judge can be brought before this Inquiry by the simple process of serving him with a summons.
23. I accept that what I have stated this morning will not be fully published, and indeed I have little hope that it will even be accurately summarised. It possesses the serious deficiency that it damages no institution and is intended to denigrate no one.

1 NOVEMBER, 1988

Mr. Drummond, just before you start, there are some very brief remarks I want to make in the hope that a problem might be averted.

While the demands of their professions affect the activities of politicians and media organizations, few would deliberately pursue short-term benefit to the detriment of the long-term public interest. For that reason, I consider that it is appropriate to observe that the current environment of sensations and political point-scoring is making the proper conduct of this Inquiry almost impossible.

A recent controversy has led to a proposal to set up another inquiry and, as the announced deadline for the conclusion of this Inquiry's public sittings draws near, it is unclear where the boundaries between the two inquiries will be drawn and how this Inquiry is to avoid trespassing upon any areas which should be left to the other inquiry. Activities and relationships tend to intersect and overlap, and do not fit neatly into separate compartments.

Additional uncertainty has been created by the possibility that the further inquiry will also be concerned with allegations concerning a second Judge who has already provided a lengthy statutory declaration to this Commission, aspects of which, I am told, might be important to an evaluation of other evidence given before this Inquiry. At the moment, it is unclear whether it will be appropriate to include that statutory declaration in the evidence at this Inquiry.

Questions are not being asked of Sir Terence Lewis which would otherwise have been canvassed, and a similar course will occur in relation to other proposed witnesses, assuming that it is still appropriate that they be called before this Inquiry. Some evidence which has been admitted which would otherwise have been disclosed is presently being treated as confidential. Essential planning has been thrown into disorder.

Obviously those preparing the proposal for the other inquiry need time to ensure that it is correctly structured, and my comments imply no criticism of those engaged in that task. I simply place on record the additional difficulties which have been presented to this Commission at a critical stage of its activities and the extra demands which have been placed on the Commission's time, energy and resources which were already greatly overtaxed.

The immediate catalyst for these remarks was the prospect of yet another political controversy into which the Commission could easily be drawn. In an article on the first page of this morning's "Courier-Mail" which is headed "Gang helped Finch, court told", the following passages appear:

"In another development yesterday, Cabinet was told that two Labor MLAs allegedly fabricated evidence about the bombing that was presented to the Fitzgerald Inquiry.

Last night the Police Minister, Mr. Gunn, said he had received a copy of a statutory declaration about the evidence which had related to the acting Police Commissioner, Mr. Redmond.

He said: 'I intend to take the matter up with the Fitzgerald Inquiry.'

Let it be understood quite clearly that this Commission did not provide the Minister for Police with the information referred to in the article and, indeed, the article itself suggests that the Minister obtained the information from the Police Force.

In the unusual circumstances which exist, I propose to take the unusual course of revealing something of the contact between the Commission and an admitted liar, Robert John Griffith, the person referred to in the statutory declaration. It is important that this community, and those who influence its attitudes, have some small inkling of the magnitude and difficulties of the problems which are faced in practice.

For most of this year, there has been intermittent contact between the Commission and Griffith or persons claiming to act on his behalf. I imply no criticism of any who may have been duped by Griffith and acted in good faith. A wide variety of allegations were made by Griffith not only to this Commission but also to others, including Members of Parliament and at least one other law enforcement agency. The Commission has five folders of documentation relating to Griffith and his allegations. As usual, Griffith and some of those to whom he took his allegations conducted a media campaign. Even in the last few weeks, reports have been received of statements that material would be provided to the media, apparently to enable it to criticise the Commission if the Commission did not do as it was asked.

Some time ago, Griffith first hinted that his original allegations might be false, although he then failed to keep an appointment and instead persevered with his allegations to other persons including another law enforcement agency. In the space of the last few days, Griffith has retracted at least the bulk of his former allegations and provided new statutory declarations in which, arguably, allegations are made against some who had previously assisted him. Now it seems that there might be another controversy, with this time some of the original critics being criticised.

It is not for me to determine what should be political issues, but the Commission cannot do its work without public support, and cannot retain public support if it is constantly embroiled in turmoil arising from political squabbling. There is only one month left of the Commission's public sittings. Perhaps it would not be too much for all those with scores to settle and points to be made to keep in mind, just for that month, the difficulties that can be caused to the Commission if it is dragged into unending controversies.

7 NOVEMBER, 1988

As has previously been stated, the public evidence at this Inquiry is soon to be suspended. Perhaps that will not occur until some time in the first week of December, since there are certain witnesses whom it has been decided should be called and the evidence programme is a little behind schedule. The decision to curtail the evidence will probably be explained more fully in due course, but some brief comments seem appropriate at this time in view of the suggestions which are being made by some that the public evidence should continue.

In order to achieve what has been accomplished, it has been necessary to create a small alternative law enforcement agency in Queensland and to use that agency to investigate both criminal activities with which

the Police Force failed to deal over a period of years and misconduct within the Police Force itself. A large amount of information has been gathered by the Commission which has not been presented publicly in evidence, and much of that information has not yet been fully processed and investigated. Even so, the information which the Commission has obtained only shows a part of the total picture. Certainly, the full extent of the problems will not have been publicly disclosed when the evidence is suspended. Only a fraction of the problems will have been revealed, and many of the matters touched upon will be left incomplete and inconclusive. It would be impossible to expose all the problems even if the Inquiry continued on for years.

Of course, it is important that the momentum of investigations be maintained so far as possible, and it is intended that, except for a holiday for Commission staff at Christmas, inquiries will continue until I report, and, hopefully, until my recommendations are implemented.

At the same time, as is known, prosecutions will be undertaken by a Special Prosecutor who is to be appointed under new legislation which is before the Parliament. The Special Prosecutor will have access to Commission information as well as the evidence that has been received at public sittings. While I do not doubt that some public support may be lost and investigations will lose some impetus when the public evidence stops, that is simply unavoidable.

A number of important needs are constantly competing for the Commission's available time and energy, including the need for investigations, the need for hearings, and the need for recommendations for reform. Even though, as time has passed, policies and directives which have been developed have enabled greater delegation of responsibilities, there has been virtually no opportunity to work on a Report, and it is plain that that situation will continue as long as evidence is received at public sittings.

Although I am pessimistic, and consider it unlikely that not only will necessary reforms be implemented but also suitable personnel will be found and critical changes in attitudes will occur, I believe that my most pressing task is to formulate recommendations for reforms which will provide an opportunity for an essential full-scale long-term attack on the problems, and that there is limited purpose in the restricted temporary efforts of which the Commission is capable. Those efforts have provided the foundation for major reform, but only major reform and changed attitudes can provide the community with the opportunity to eradicate or even control the problems.

I do not think that it can be doubted that the report is needed as soon as possible. The problems are serious. Further, propaganda will continue to be used by those who are opposed to reform for their own selfish motives, and, over the ensuing months, they will seek to create pressures for piecemeal solutions which are more suited to their objectives and to take advantage of political turmoil to attempt to achieve their purposes. There will be incessant complaints, and time and again reference will be made to the poor morale of the Police Force and its difficulties and the need for it to be given what it wants. Politicians and the media will be used, and it is reasonable to predict endless disputation. The longer that continues, the less chance there is that the correct solutions will be implemented.

Every day which goes by without an end to the public sittings delays the date by which I will report. It is already going to be difficult, if not impossible, to meet the deadline which I set for myself, namely May 27, 1989. While I recognise the Force of arguments to the contrary, I remain convinced that, sometime early in December, it will be appropriate and in the long-term public interest to suspend the public sittings-incomplete and inconclusive but nonetheless with a better informed community-and move to the next phase, namely recommendations to allow reforms to the criminal justice system to be made at the earliest practical opportunity.

9 DECEMBER 1988

We have arrived at what is hopefully the conclusion of the public evidence at this Inquiry in what is, fortuitously, a season of festivity and goodwill. Although it is not intended to release outstanding summonses and undertakings and conclude the evidence formally, it is hoped that it will be possible to confine public sittings in 1989 to a brief period for submissions, as was announced in July this year.

I imagine that it is obvious that the Commission has not fulfilled its task of inquiring into all the matters which fall within its Terms of Reference, and that it could not ever hope to do so. What has been discovered is that problems associated with the criminal justice system and official misconduct are not merely associated with individuals, but are institutionalised and related to ethical attitudes which have become entrenched.

That circumstance has affected the course of the Inquiry, including the decision to bring it to a premature end, and will in turn influence the nature of my report and the future course to be followed.

Because it is certain both that the misconduct has not stopped and that much of what has already occurred has not been exposed, investigations must continue. Those who for one reason or another are intent on finding fault persist in complaints about matters which have not been dealt with and ignore the fact that this Commission itself will continue investigations for a transitional period until the task can be handed on to a permanent body when my recommendations have been implemented. Members of the public are invited to continue to provide the Commission with information which may assist.

Since there is also a legitimate public interest in the punishment of misdeeds which have occurred, there is a need for prosecutions where appropriate evidence is available or can be found, and a Special Prosecutor is being appointed for that purpose.

Both those functions focus principally upon individuals and past or current activities in the context of the existing system, and can at best be little more than a temporary measure to prevent the situation worsening while new structures are created and improved systems are designed and implemented.

Realistically, that will not occur instantly or easily. What has occurred in the past has left legacies of bitterness and distrust, and desires for revenge and to redress wrongs. It is difficult for those who have been disadvantaged to agree merely to draw the line and to start afresh, ignoring what has gone before.

However, that may be substantially what is required. The past is of limited significance except as a basis for learning for the future, and misbehaviour by individuals is less important than defects in institutions and attitudes. Personnel, time, energy, resources and funds are all limited and choices must be made. It seems to me that most attention ought now be focussed on improvements which will ensure that the mistakes of the past are not repeated.

An additional compelling reason for that conclusion is that the problems are much worse than is understood, and the expense and effort of seeking to expose and punish all that has occurred is probably beyond what is truly possible. This Inquiry has revealed only a fraction of the problems and, if human limitations could be disregarded, could extend indefinitely, always, I suspect, falling further behind an ever-expanding pattern of misbehaviour.

Conversely, there is, I believe, a unique opportunity presented to Queensland at this time. Significant changes have occurred in the year and a half since this Commission was appointed, and I have no doubt that the Government is committed to implementing what is recommended and that the Opposition parties also both support such a course. While there will undoubtedly continue to be political dissension, the Premier and the other parliamentary leaders appear to share a great deal of common ground in relation to issues which have become of major importance. If that is acknowledged and remembered, there is a real prospect that the opportunity which presently exists will not be wasted. The time may have arrived when the general community, and rival political parties, are prepared to recognise that too much emphasis can be placed upon areas of disagreement, and that there is a basic need for the decent majority of the community to combine their efforts and resources if such fundamental social problems as organised crime and official misconduct are to be controlled and reduced.

However, there are very real risks associated with the period which is about to ensue, both leading up to the presentation of the Commission's report and the time needed thereafter for its implementation. One risk is that, as the hubbub dies down, sight will be lost of the issues and complacency will resettle. An even greater risk is that the interval will be filled with attempts by those who fear or resent reform to re-assert control, including propaganda aimed at diminishing support for what has occurred and for whatever changes are proposed. A matter which causes me grave concern is the possibility that the efforts which have been made might prove futile because no one suitable will be prepared to continue on where I leave off because of the risks involved, including the risk to reputation arising from the publication of baseless allegations made by those who feel threatened.

Those who have something to say concerning criminal justice in Queensland have the opportunity to do so now, in writing. There are many bodies, including professional associations and perhaps political parties, which might wish to express views on the topics of present concern. There are also probably self-proclaimed experts and single-issue advocates who are likely to prefer the luxury and the publicity of waiting to criticise whatever is proposed when it is announced, and those who consider their personal interests would be better served by political pressure or by operations behind the scenes. While those who wish to do so may criticise

and complain later, there are no solutions which will satisfy all and accommodate all competing interests, and now is the time to seek to have an influence on the outcome of this Inquiry and thus upon the reforms which will be introduced. I will welcome such assistance. It will be no easy task to design structures and systems which provide the balance between law enforcement powers and personal liberties which is suited to our time.

The implementation of my recommendations will be only the first step in a process which will occupy some years. Suitable people must be found and provided with the necessary funds and resources, and the community must both be vigilant to insist on proper public administration and reconsider those of its attitudes which underpin the existing problems. In particular, the vast majority of the Police Force must decide whether they propose to continue to be duped into supporting the colleagues who have betrayed them, or whether they prefer the benefits of an honest and reputable Force which abides by the rules and enforces them, even against its own members.

That remark is not intended to diminish in any way the contribution which has been made by the representatives of police officers before this Commission, and should not be misconstrued as a suggestion that the standards of ordinary police officers are somehow lower than those of other decent members of the community. But those ordinary decent police officers must use their common sense. Whatever the causes and whatever the perceived justification, there are within the Police Force attitudes and practices which facilitate misconduct and are able to be manipulated by those who are corrupt. The problems within the Police Force can only be corrected if its honest members are willing to face that reality, and to co-operate in necessary reforms and the enforcement of the law against police officers who break the rules.

The start which has now been made is due in no small measure to the extraordinary efforts of those who have laboured in the background, lawyers and accountants and honest police and others, for whose efforts I have largely been given the credit, and the efforts of the lawyers who have appeared here for many months, the Clerk to the Commission, the Court Reporting Bureau, the security staff and other court officials, and last but by no means least the journalists who have attended daily to report these proceedings to the public. The 18 months of unremitting toil and tension have not been free from mistakes, and no doubt we have all learned a lot. One thing which I have learned concerns the capacity and willingness of ordinary men and women to contribute to the improvement of the community in which they live.

I wish you all a happy and peaceful Christmas.

The Commission is adjourned until 10.15 a.m. on Tuesday, 7 February, 1989, or such other date as may be determined.

Perhaps it might be added: let the revelries begin! (Spontaneous acclamation!!)

The Commission of Inquire adjourned at 1.03 p.m.

7 FEBRUARY 1989

Yes, very well. Not surprisingly, I am going to make some very brief remarks.

The scheduled public sittings of this Commission of Inquiry have now concluded and it will be some months before a report can be prepared. That enormous and extremely difficult task is proceeding slowly and its completion will be considerably delayed if there continue to be constant controversies and other distractions, as unfortunately seems likely. This is undoubtedly a period for superficial solutions and propaganda campaigns. I have considered saying something further on the role of the media but have decided not to do so. For the moment at least, it must be left to the common sense of the general community, especially the decent members of the Police Force, not to be deceived or unsettled by those whose self-interest is obvious and those who hide behind the cloak of anonymity.

However, it is desirable on this occasion to mention briefly the position of individuals who have been caught up in the Inquiry, and to clarify some issues concerning the relationship between the Inquiry and the prosecution process which will proceed while the report is being written and after it has been delivered.

The legal system quite deliberately favours persons who are suspected or accused. For example, the presumption of innocence coupled with the requirement of acquittal where there is any reasonable doubt of guilt probably allows some persons who have committed offences to go free. That consequence, regrettable

though it is, is the conscious product of a policy which accepts it as the cost of minimizing any risk that an innocent person might be wrongly convicted and punished. In such circumstances it does not necessarily mean when a prosecution does not proceed or fails that a person who is in fact innocent has been unjustifiably investigated or accused. Nonetheless, all whose conduct is called in question who neither admit guilt nor are convicted continue to be entitled to be presumed innocent.

It is not a function of this Commission to pursue convictions. With the Commission's support, other people have been appointed to bring and be responsible for the conduct of criminal charges. There is now a Special Prosecutor who is totally independent of the Inquiry, and earlier there was a Special Prosecution Task Force within the office of the Director of Prosecutions. Both the Special Prosecutor and the leader of the Special Prosecution Task Force had previously assisted the Inquiry, but once they assumed their prosecution responsibilities they ceased to be answerable to the Commission. Of course, co-operation exists, and the Commission is providing assistance to the Special Prosecutor, as are police officers. Such activities as witness protection now relate in large part to the prosecution process rather than the Inquiry.

One consequence of the separation which properly exists is that the objects of the Commission and of the Special Prosecutor may not always totally coincide.

One of the obligations involved in the conduct of the Inquiry is to be fair to those affected, an obligation in no way diminished by the holding of public sittings, which nonetheless serve to expose not only the events being investigated but the Inquiry itself to public scrutiny and to allow the community to be satisfied of its fairness. That seems to be generally accepted, as does the necessity for an open Inquiry. Similarly, it seems to be widely expected that the Commission's report will be published. However, while the exposure of activities is ordinarily impossible without mention of those involved, it is my tentative view that it may be possible to omit from the report findings on matters of detail-I should say on some matters of ~~detail~~-without inhibiting the Commission's ability to make recommendations, and that it may be preferable to do so, where possible. In any event, every practical effort to avoid or minimise any impediment to fair trials has been and will be taken to the extent that to do so is consistent with the Commission's duty to inquire and report.

One thing which is plain is that there would have been no prospect of any prosecutions occurring if this Inquiry had not been open, for the simple reason that the misconduct would not have been discovered, and it is clearly better to expose the problems than to leave them hidden. There has been some discussion of similar issues in prior statements which have been made during the Inquiry in relation to the granting of indemnities. Any possibility which exists that some individuals might not be able to be granted fair trials should not cause concern for their positions. The Special Prosecutor is alert to consider whether a fair trial is possible before a prosecution is launched. Further, the courts have ample power to stay proceedings which are brought should that be necessary in order to ensure fairness to an accused. The ultimate control of fair trials remains, as it should, with the courts. Our legal system effectively accommodates the public interests in an open inquiry and freedom of speech with public and private interests in fairness to individual accused, and the courts, not prosecutors, make the final adjudication.

The presumption of innocence, to which reference has already been made, is a particular aspect of the legal system's concern for the individual which merits special emphasis. Any individuals who have been adversely mentioned are entitled to be considered innocent of misconduct which they have not admitted and of which they have not been convicted, and that will continue to be the position for any who, for one reason or another, are not brought to trial and convicted. It would be totally wrong if frustration and anger as a result of what has occurred and now been revealed caused us as a community to fail to act fairly to individuals, and our society would be severely diminished by such a lapse. The punishment of past misdeeds is a legitimate object, but only if pursued in accordance with our established system of justice. The primary concern now must be an improved future, and it is to that that the Commission's recommendations will be fundamentally directed.

The Commission is adjourned to a date to be fixed.

The Commission of Inquiry adjourned at 11.10 a.m. to a date to be fixed.

CHRONOLOGY OF MAJOR EVENTS OF COMMISSION OF INQUIRY1987

- 11 May A.B.C. Four Corners program “The Moonlight State” televised
- 26 May Order in Council establishing Commission of Inquiry and appointing Mr G E Fitzgerald Q.C. Chairman and Commissioner
- 24 June Order in Council extending Terms of Reference
- 11 July Federal election
- 27 July Commission of Inquiry commences substantive public sittings-Sir Terence Lewis is first witness
- 28 August Det. Snr. Sgt. H.R. Burgess admits to corruption and resigns (indemnity granted)
- 31 August H.R. Burgess commences his evidence (p. 1755)
- 2 September “Katherine James” commences her evidence (p. 1920) (indemnity granted)
- 16 September Assistant Commissioner (Crime & Services) G.R.J. Parker resigns
- 17 September Announced in the Commission that earlier in the day at an undisclosed location the Commission heard evidence from G.R.J. Parker that he had admitted to corruption (p. 2740)
Commission adjourns until Tuesday 13 October
- 21 September Hon. W.A.M. Gunn directs Commissioner of Police, Sir Terence Lewis to stand down for the duration of the Inquiry and appoints the Deputy Commissioner, R.J. Redmond Acting Commissioner of Police
- 7 October Commissions of Inquiry Act 1950-1987 granting the Commission wider powers receives Assent
- 2 November Retired Inspector N.F.P. Dwyer gives evidence and admits to corruption (indemnity granted) (p. 3731)
- 3 November G.R.J. Parker gives evidence (indemnity granted) (p. 3902)
- 12 November Chairman certifies to Supreme Court that a contempt has been committed by Miss C.A. McDonnell (p. 4367) and Mr. W.E. Armstrong (p. 4368) in that they have refused to answer questions when directed to do so
- 19 November Commission adjourns until 30 November
- 1 December Premier Sir Joh Bjelke-Petersen resigns and M.J. Ahern becomes Premier
- 9 December Premier M.J. Ahern appoints Ministry, notable exceptions being R.J. Hinze and D.F. Lane, who were named adversely in the Inquiry
- 11 December Commission adjourns until 1 February 1988

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- 1 February Retired Inspector John William Boulton gives evidence and admits to corruption (indemnity granted) (p. 5557)

- 9 February Jack Reginald HERBERT and Margaret Agnes HERBERT arrested in London
- 10 February Sir Terence Lewis seeks and is granted leave to appear on his own behalf following the government's termination of publicly funded legal representation (p.6234)
- 9 March Chairman announces that on the previous night the three parliamentary leaders (Messrs Ahern, Goss and Innes) attended at his chambers and were briefed on a confidential basis on the Commission's progress (p. 7659)
- 14 March Government withdraws publicly funded legal representation for former Deputy Commissioner of Police T.S.C. Atkinson and former Assistant Commissioner of Police A. Murphy
- 17 March Commission adjourns until 11 April
Jack Reginald HERBERT and Margaret Agnes HERBERT return from England aboard an R.A.A.F. V.I.P. jet
- 7 April Chairman announces in a press release that the public sittings of the Inquiry postponed until Tuesday, 26 April
- 15 April Commissions of Inquiry Act Amendment Act 1988 providing for the appointment of a Deputy to a Commission receives Assent
- 18 April Chairman announces that Mrs. P.M. Wolfe, Barrister-at-law, has been appointed Deputy to the Commission of Inquiry
- 26 April Public sittings of Commission of Inquiry resume with Deputy to the Commission presiding. Gold Coast bracket of evidence presented. Mr. T.S.C. Atkinson, retired Deputy Commissioner of Police and Mr. A. Murphy, retired Assistant Commissioner of Police granted leave to appear. (p.8201)
- 11 May Bracket of evidence relating to in-line machines presented (p. 9024)
- 16 May Bracket of evidence relating to s.p. bookmaking presented (p. 9218)
- 9 June Deputy to Commission recommends to Chairman that the witness Anthony Michael HAWKE be certified to the Supreme Court for contempt of the Commission in that he failed to answer questions when directed to do so (p. 10747)
- 20 June Ann Marie Tilley commences her evidence (p. 11134)
- 22 June Anthony Michael Hawke, committed to prison by Shepherdson J. until he "purges his contempt" (released: 8 May, 1989)
- 27 June Return to bracket of evidence relating to in-line machines (p. 11667)
- 30 June Return to bracket of evidence relating to s.p. bookmaking (p. 11941)
- 4 July Chairman attends sittings and announces timetable for bringing Inquiry to an end (pp. 11997-1 2005)
- 5 July Deputy to Commission recommends to Chairman that the witness Hector ROBERTSON be certified to the Supreme Court for contempt of the Commission in that he failed to answer questions when directed to do so (p. 12148)
- 6 July Return to bracket of evidence relating to s.p. bookmaking (p. 12205)
- 20 July Commence bracket of evidence relating to the Mackay area (p. 13153)
- 21 July Anthony WALLACE gives evidence (p. 13173) (indemnity granted)
- 27 July Commence bracket of evidence relating to solicitors' conduct (p. 13600)
- 29 July Hector ROBERTSON found guilty of contempt of Commission by Thomas J. but imprisonment suspended until ROBERTSON again appears before Inquiry to answer questions

- 3 August Return to bracket of evidence relating to sp. bookmaking (p. 13983)
- 4 August Hector ROBERTSON appears and refuses to answer any questions put to him by Counsel Assisting and the Deputy to Commission (p. 13998)
- 9 August Hector ROBERTSON committed to prison by Thomas J. until he “purges his contempt” (released: 13 December 1988)
End of bracket of evidence relating to sp. bookmaking (p. 14212)
Start of bracket of evidence relating to police misconduct-Senior Sergeant N.T. KELLY the first witness (p. 142 13)
- 11 August Police offer no evidence when Francis William KEENAN appears in Magistrates Court on three perjury charges arising out of his evidence before the Inquiry. Ex-officio indictments to be presented in the District Court.
Senior Sergeant N.T. KELLY dismissed from the Queensland Police Force after admitting to corruption.
- 15 August Chairman presides and after hearing evidence from Mr. S. Bale, Inspector BULGER’s solicitor and Dr. Ian Miles, his general practitioner as to Inspector Bulger’s state of health and non-appearance before the Commission at 10.15 a.m., issues a warrant for his arrest (p. 14419)
- 18 August Inspector A.S. BULGER dismissed from the Queensland Police Force as a result of his evidence given at the Inquiry in which he admitted knowing the whereabouts of J.R. Herbert when he was being sought by the Commission.
- 24 August Retired Regional Superintendent C.H. FARRAH admits to receiving corrupt payments (p. 14821)
- 25 August N.T. KELLY, granted an indemnity in respect of offences committed other than offences of perjury committed in the course of evidence before the Inquiry, re-commences his evidence (p. 14955)
Order in Council further widening Terms of Reference
Amendments to the Commissions of Inquiry Act 1950-1988 receive Assent
- 31 August Jack Reginald HERBERT commences his evidence having been granted an indemnity (p. 15284)
Chairman and the Deputy to the Commission preside
- 1 September Chairman makes statement regarding the granting of an indemnity to J.R. HERBERT (pp. 1533 1-1 5333)
State Government announces that it has suspended stood-down Police Commissioner, Sir Terence LEWIS without pay and that he would be given seven days to show cause why he should not be dismissed
- 6 September Chairman sits alone to hear evidence
- 14 September Chairman delivers statement that whether Sir Terence LEWIS is dismissed is a matter for the Government not the Commission; but has urged LEWIS not be dismissed until he has had an opportunity to answer allegations before the Commission (pp. 15947-15948)
- 22 September J.R. HERBERT concludes his evidence [p. 164961
Deputy to the Commission presides
- 26 September Alan James PEMBROKE, a member of the Queensland Police Force from December 1953 to February 1962 admits to corruption whilst a member of the Licensing Branch [p. 165411
- 28 September Witness identified as Trevor gives evidence relating to Hector HAPETA’s involvement in prostitution and drugs [p. 167451 (indemnity granted) [p. 169171

- 4 October Mrs. Margaret Agnes HERBERT commences her evidence [p. 170291
- 10 October Bracket of evidence relating to Sir Edward LYONS' involvement in a drink driving offence on 18 December 1981 [p. 175521
- 11 October Chairman presides- Sir Terence Murray LEWIS commences his evidence [p. 176101
- 28 October Chairman makes statement relating to the controversy involving VASTA J. and outlines his knowledge of salient facts [p. 18612-1 86 18]
- 7 November Chairman announces that public sitting will conclude in the first week of December [p. 190821
- 8 November Sir Terence LEWIS concludes his evidence [p. 192861
- 9 November Donald Frederick LANE M.L.A. commences his evidence [p. 192871
- 15 November Donald Frederick LANE M.L.A. concludes his evidence [p. 197311
- 16 November Russell James HINZE commences his evidence [p. 197321
- 17 November Special Prosecutor Act 1988 receives Assent
Parliamentary (Judges) Commission of Inquiry Act 1988 receives Assent
- 18 November Francis William KEENAN, s.p. bookmaker, convicted and sentenced to three years imprisonment for perjury before the Commission of Inquiry [Forno D.C.J.]
- 25 November Russell James HINZE concludes his evidence [p. 204161
- 28 November Sir Edward Houghton LYONS commences his evidence [p. 204411
- 1 December Sir Edward Houghton LYONS concludes his evidence [p. 207831
Sir Johannes BJELKE-PETERSEN commences his evidence [p. 207841
Amendments to the Commissions of Inquiry Act 1950-1988 receives Assent
- 9 December Sir Johannes BJELKE-PETERSEN concludes his evidence [p. 214631
Public sittings of the Commission of Inquiry conclude at 1.03 p.m. (p.2 1469).
- 13 December D.P. Drummond QC appointed Special Prosecutor
- 16 December G.W. Crooke QC appointed a Deputy to the Commission
- 1989
- 7 February Chairman hears oral submissions from those who wish to be heard (pp. 2 1470-2 1504)
- 21 March Amendments to the Commissions of Inquiry Act 1950-1 988 receives Assent
- 24 March Noel Thomas KELLY pleads guilty to perjury at the Inquiry and is sentenced to 5 years imprisonment. (McGuire DCJ)
- 19 April Sir Terence Lewis removed as Commissioner of Police by Commissioner of Police (Vacation of Office) Act 1989
- 28 April Amendments to the Commissions of Inquiry Act 1950-1989 receives Assent
- 3 July Chairman submits his report to the Government

(Note: page numbers in brackets after some entries refer to pages of the transcript)

Ministerial Responsibility for the Police Department-1968 to present

BJELKE-PETERSEN, Johannes

*Minister for Works & Housing	17 Jan 1968-8 Aug 1968
†Premier	8 Aug 1968-29 May 1969

HODGES, Allen Maxwell

*Minister for Works & Housing	29 May 1969-23 Dec 1974
Minister for Police & Minister for Works & Housing	23 Dec 1974-10 Mar 1975
Minister for Police	10 Mar 1975-13 Aug 1976

NEWBERY, Thomas Guy

Minister for Police	13 Aug 1976-16 Dec 1977
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CAMM, Ronald Ernest

Minister for Mines, Energy & Police	16 Dec 1977-17 Jul 1980
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HEWITT, Neville Thomas Eric

Minister for Lands, Forestry & Water Resources (pending the appointment of another Minister)	18 Jul 1980-29 Jul 1980
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HINZE, Russell James

Minister for Local Government, Main Roads and Police . .	29 Jul 1980-6 Dec 1982
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GLASSON, William Hamline

Minister for Lands, Forestry and Police	6 Dec 1982-6 Feb 1986
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GUNN, William Angus Manson

Deputy Premier, Minister Assisting the Treasurer and Minister for Police	6 Feb 1986-9 Dec 1987
Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police.	9 Dec 1987-19 Jan 1989

COOPER, Theo Russell

Minister for Police and Minister for Emergency Services and Administrative Services	19 Jan 1989-
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Note: Prior to 23 December 1974, the Police Department was a sub-department.

* Police included in the Works and Housing portfolios.

† Police included in the Premier's portfolio.

Commissioners of Police-1958 to present

Francis Erich BISCHOF	30 January, 1958-13 February 1969
Norwin William BAUER	14 February 1969- 1 September 1970
Raymond Wells WHITROD	1 September 1970-29 November 1976
*Terence Murray LEWIS	29 November 1976-19 April 1989

* Sir Terence Lewis was on 21 September 1987 directed by the Hon. W A M Gunn, M.L.A., Deputy Premier, Minister Assisting the Treasurer and Minister for Police to stand down as Commissioner of Police for the duration of the Inquiry. The Deputy Commissioner, R J Redmond was appointed Acting Commissioner of Police. The Commissioner of Police (Vacation of Office) Act 1989 declared the Office of Commissioner of Police vacant.

List of media organizations which regularly had journalists present to report the public sittings of the Inquiry.

<u>Press</u>	<u>Radio/Television</u>
The Adelaide Advertiser	4BC
The Age	4BK
A.A.P	4KQ
The Courier Mail	4QR
The Daily Telegraph (Sydney)	
The Gold Coast Bulletin	Channel 9
The Melbourne Herald	Channel 10
The Melbourne Sun	Channel 2
The Sun	Channel 7
The Sunday Mail	
The Sunday Sun	
The Sydney Morning Herald	
The Telegraph	
The Times on Sunday	
The Western Australian	

**Commission of Inquiry into Possible Illegal Activities
and Associated Police Misconduct**

October 26, 1988

The Honourable M.J. Ahern M.L.A.,
Premier of Queensland,
Premier's Department,
Executive Building,
100 George Street,
BRISBANE. QLD. 4000.

Dear Premier,

The Honourable Mr. Justice Vasta is reported to have ceased performing his judicial duties for the time being amidst increasing political and public controversy. As usual, most of the numerous conflicting stances which have been adopted and opinions which have been expressed involve a claim to the high moral ground and a denunciation of others for their abandonment of fundamental principles or cherished ideals such as the independence of the judiciary and justice and fair play. The dispute is being largely conducted in terms of emotive generalities, and serious damage will soon be done to important institutions. One of my publicly stated reasons for an early end to this Inquiry was my concern that benefits might come to be outweighed by disadvantages. My anxiety at the current developments has led me to consult this morning with the Right Honourable Sir Harry Gibbs, G.C.M.G., K.B.E., former Chief Justice of the High Court of Australia. I have his permission to mention him as I do in this letter.

Mr. Justice Vasta asks that he should be placed outside the purview of the Inquiry which I am attempting to conduct, both because of my inferior status and for one of two "special reasons" which, so far, he seems to have described only as involving the conduct of my Inquiry insofar as it relates to him. I readily acknowledge the difference in our respective status, and, while I have no idea what his "special reasons" concern and leave them out of account entirely, nothing would suit me better personally than having part, or preferably all, of my thoroughly unpleasant task removed from me. So far as Mr. Justice Vasta is concerned, there is also the complication that I was, briefly and somewhat peripherally, involved in the defamation litigation which he commenced arising out of publications in "Matilda" magazine and in which he gave evidence which forms part of the current controversy.

However, there are a number of considerations, some merely practical and others involving issues of principle, which need to be considered.

1. I am not presently confident that it would be proper to disclose the contact which has occurred in the course of the Inquiry between those assisting me and Mr. Justice Vasta, but it is necessary to notice that, in accordance with rulings of which I believe he is aware, the Judge has rights in relation to this Inquiry, including the right to provide it with verified information (which I understand Counsel Assisting would normally invite material witnesses to comment upon), and the rights to seek leave to appear (which would be granted as of course), to cross-examine and to make submissions. If he does not do so, that omission could cause some complications in my consideration of the evidence and in my findings, including those in relation to other possible witnesses who might otherwise be questioned on matters which concern the Judge. However, I think that it will be possible to deal with those difficulties.

2. The proceedings which I am conducting are inquisitorial, which undoubtedly involves disadvantages for those who are investigated or interrogated, who are obliged to answer what is asked and sometimes provide evidence of matters which are perhaps suspected but could not otherwise be discovered. There are protections in the legislation, but this process is nonetheless distasteful to me and, I am sure, to many others. Yet it has undoubtedly been an essential course in order to expose the serious problems which are now known to exist. Many who have been caught up in the Inquiry share Mr. Justice Vasta's wish to be excluded from such a process and to be called upon only to face particularised allegations of which evidence is already available. I do not wish to comment at this time upon the validity of his request, but I do draw attention to what it involves.
3. The Judge wishes a hearing in camera. Again, most others who have been the subject of evidence or called as witnesses would have had a similar desire, but public hearings are not only generally intended by the Commissions of Inquiry Act but have been vital to the progress of the Inquiry and its attempt to restore confidence in public administration. Again, I do not wish to comment at this time, beyond noting that, so far as the Judge's "special reasons" concern the conduct of the Inquiry, my strong personal preference would be for all relevant matters to be publicly ventilated. (At this time, I find it difficult to conceive how the Judge's perception of his treatment by this Inquiry could be material to an inquiry into his conduct).
4. The independence of the judiciary is undoubtedly the most important feature associated with Mr. Justice Vasta's position. A commitment to equal treatment for all may have to yield if such an approach would imperil the judiciary's independence. Conversely, especially having regard to the public concern at what has been revealed in the Inquiry, care must be taken to ensure that concern for the judiciary's independence does not lead to a less thorough scrutiny of judicial conduct, create a public perception that there are special rules and perhaps "cover-ups" available for a privileged few, or possibly cause a failure to dispel any doubts which may exist concerning judicial integrity.

The solution which has Sir Harry Gibbs' approval is a separate Commission of Inquiry, headed by three retired Supreme Court judges from Queensland or elsewhere in Australia, with my Commission's powers and access to my Commission's staff, resources, and information, to inquire whether the Honourable Mr. Justice Vasta has been guilty of any misbehaviour or misconduct contrary to constitutional principles, and to report concerning whether any evidence exists for any action against the Judge and to recommend what, if any, action should be taken. My tentative view is that such a course could be implemented by a resolution of Parliament that such a Commission of Inquiry be appointed under the Commissions of Inquiry Act and that its report be presented by the responsible Minister to Parliament within 14 days of its receipt or on the next sitting day thereafter. Parliament, when it had thus been informed, would determine whether or not to proceed against the Judge and, if it decided to do so, it would proceed in strict conformity with the Constitution Act and the Supreme Court Act and constitutional usage. However, the procedural aspects will doubtless be considered by the Government's legal advisers.

There has also been some recent reference in the media, and perhaps Parliament, to his Honour Judge Pratt, who is continuing to sit and has not asked to be excluded from my Inquiry. However, it might be thought appropriate that any question concerning his Honour's conduct should also be excluded from my consideration and, if considered desirable, referred to the Commission constituted by the retired judges, although I should not be understood as urging that such a step be taken.

While the course proposed may not meet Mr Justice Vasta's requirements, it does recognize and give effect to the special position of the judiciary and the vital importance, in the interests of the community, of protecting the judiciary's independence to the fullest extent consistent with any desirable scrutiny of judicial conduct.

Yours sincerely,

G.E. FITZGERALD

**List of police officers represented at the National Hotel Royal Commission
taken from the Appendix to that Report.****Non-commissioned officers:**

F. D. GORMAN	H. B. KIMLIN
H. C. ROBERTSON	A. J. HEATHCOCK
E. G. GRIFFITHS	W. T. TAYLOR
J. McSPORRAN	C. BOPS
J. A. J. WILSON	A. F. BARNES
A. MURPHY	R. PRICE
L. L. BYRNE	H. W. CARMICHAEL
K. W. KIMLIN	L. H. WELLDON
A. E. FOWKES	M. T. DALE
S. W. CURRIE	P. P. ROWE
W. J. BEER	D. R. BROWNE
J. C. MAGEE	M. C. COSTIN
E. W. WHITE	R. A. DONOVAN
C. W. HORGAN	K. G. HAUPT
M. A. HOPGOOD	W. C. KRONEMAN
B. B. INGHAM	W. B. LYALL
T. M. LEWIS	G. T. MACKAY
G. P. HALLAHAN	A. C. RATTRAY
D. BUCHANAN	H. A. WORTH
T. T. FLANAGAN	J. W. BOULTON
M. G. CHALMERS	L. L. CHEERS
H. F. McCOSKER	G. R. FITZPATRICK
L. J. VOIGHT	J. C. GORMAN
W. P. HOWLEY	M. M. GORRIE
R. R. PETIE	A. G. HOOPER
W. C. MILLWARD	R. L. JOHNSTON
F. MOLAN	C. G. LUMSDEN
C. H. SCANLAN	B. J. McNEVEN
M. McKILLOP	W. P. OSBORNE
F. M. TAYLOR	A. J. PEMBROKE
K. J. HAMILTON	F. W. PROBERTS
K. G. CROWE	J. A. M. VAN VEGCHEL
R. J. REDMOND	P. J. R. WHITE
D. DUX	R. J. HARDING
J. G. BARGENQUAST	D. J. CHAPMAN
V. P. D. DEVENEY	J. R. HERBERT
R. B. HAYES	G. P. HOGAN
F. J. HUMPHRIES	G. R. J. PARKER
B. J. MURPHY	W. J. YOUNG
J. MESKELL	M. O'DELL
P. D. DALY	B. J. GLOVER
B. J. HOPPNER	C. DEWEY
D. F. LANE	D. V. ROONEY
V. T. O'SULLIVAN	A. C. THOMSON
R. G. WEISS	

Commissioned Officers:

Chief Inspector	BAUER, N. W.	Inspector	WHITE, N. A.
Inspector	CRONAU, W. J.	Inspector	DONOVAN, T. P.
Inspector	MCCARTHY, L.	Sub-Inspector	BARNETT, W. F.
Inspector	McNICHOLL, B.	Sub-Inspector	FALCONGREEN, H. A.
Inspector	OSBORN, J. E.	Sub-Inspector	HAMBRECHT, S. H.
Inspector	PLATZ, L. J.	Sub-Inspector	HOLLIDAY, J. H.
Inspector	WEX, L. R.	Sub-Inspector	ROCKETT, F. K.

Alphabetical list of names of police officers, former police officers and others in paragraph 10 of the amended statement of claim in Terence Murray Lewis v. Australian Broadcasting Commission, Supreme Court W.850 of 1982 (Exhibit 1691).

BARNES, Alan Frederick	INGHAM, Bernard Barry
BEER, Ross Malin	JACKSON, Mark Gerard
BRACKEN, Leonard Roy	KING, Norman Arthur
BRADBURY, Donald	LANE, Donald Frederick
BULGER, Allen Stewart	MACDONALD, Vernon Alister
CACCIOLA, Domenico	MAX WELL, Sheelah Ellen
DALY, Patrick Daniel	MCCONNELL, Ronald Anthony
DAVEY, Frank William	MESKELL, John
DWYER, Noel	MOSKWA, Josef
EARLY, Gregory Lance	PATERSON, Graham John
EDINGTON, Ronald Leslie	PICKERING, Ronald Douglas
FARRAH, Callil Herbert	REDMOND, Ronald Joseph
FREIER, Reginald Neal	ROSS, Neville Charles
GLANCY, Patrick James	SMITH, Keith Robert
HAGAN, Robert Joseph	SYKES, Francis Maurice
HASENKAM, Milton	THOMPSON, Colin James
HOLLAND, Donald Frederick	WHITE, Bruce Reginald
HUMPHRIES, Frederick John	

APPENDIX 23

The names of police officers, former police officers and others listed in paragraph 10 of the amended statement of claim in Anthony Murphy v. Australian Broadcasting Commission, Supreme Court W.851 of 1982 (Exhibit **1692**) were the same as those listed in Appendix 22 together with the following:

ATKINSON, Thomas Sydney
DUFFY, Leslie Robert
FLEMING, Percival James
HILKER, Allan John

LEADBETTER, Rowland Graham
PEASE, Robert Matthew
PLATZ, Raymond Frederick
SYMES, Mervyn Francis

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