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MUST-READ STORY OF THE YEAR

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LAWYER

**TRUTH
AT LAST**

Female barrister recruited by police to inform on gang war clients

Royal commission to probe 'atrocious' corruption of the justice system

Tony Mokbel among drug kingpins to appeal against jail sentences

Lawyer a secret police informer
EXCLUSIVE
ANTHONY DOWSLEY

HOW THE HERALD SUN BROKE THE SCANDAL IN MARCH 2014

Herald Sun
FIGHT FOR TRUTH
LAWYER

LAWYER X

TRUTH AT LAST

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**LAWYER X
TRUTH AT LAST**



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STAKES RAISED IN SCANDAL

LAWYER X

High Court slams 'reprehensible conduct'

ANTHONY DOWSLEY & PATRICK CARLYON

A ROYAL commission will investigate the Lawyer X scandal after the High Court labelled Victoria Police's use of a defence barrister as a police informer as "reprehensible conduct" that "debased fundamental premises of the criminal justice system".

Former chief commissioner Simon Overland heads a long list of public officials, from police command to prosecuting and government agencies, whose knowledge of and involvement in the informer's use is expected to be scrutinised when the commission begins early next year.

Yesterday, the Director of Public Prosecutions, Kerri Judd, QC, said that 20 letters would be sent to convicted criminals alerting them that their cases might have been tainted. Many more could follow.

Lawyer X, herself, claims that her information led to the arrest and charging of at least 386 people.

Lawyer X's informing unofficially began in late 2003, or even earlier.

She says in court documents, revealed yesterday, that she began to fear that her knowledge of crimes might lead to her being charged as an accessory. Lawyer X wanted to be rid of the "Mokbel monkey" off her back.

According to a Supreme Court document: "She was frustrated at the Mokbels' capacity to use lawyers to control others around them, and with being stood over by criminals, and she felt part of a system in which criminals were able to use lawyers to control and force silence upon people involved in their organisations."

"The decision to send letters to criminals and to launch a royal

commission end a costly legal battle spanning almost five years in which Victoria Police tried to stop its unethical use of Lawyer X being revealed to the public.

Lawyer X's use as a police informer was revealed by the *Herald Sun* in March 2014, triggering a wave of inquiries and top-secret hearings.

Those now expecting letters include drug baron Tony Mokbel and other members of his empire called "The Company", Rob Karam, who is serving 37 years for drug importation, Calabrian Mafia boss Pasquale Barbaro and outlaw bikie gang head John Higgs. They are among dozens of criminals who are now hoping to walk from prison or see their jail sentences drastically cut, after the High Court excoriated Lawyer X's "fundamental and appalling breaches" of her obligations to her clients and to the courts.

"It is greatly to be hoped that it will never be repeated," the High Court judges said of the conduct.

Lawyer X's duplicity is unprecedented in Australia's criminal history. She used her clients' secrets, provided under the cloak of confidential privilege, to aid police in their prosecutions.

Herald Sun revelations about Lawyer X prompted the Independent Broad-based Anti-corruption Commission that would become known as the Kellam Report.

Fourteen witnesses, including Mr Overland, gave evidence, but Lawyer X says in court documents released yesterday that she was never called. The Kellam Report concluded that Victoria Police's use of Lawyer X "had the potential to have adversely



affected the administration of justice in Victoria".

Its findings prompted the then DPP John Champion to investigate whether seven convicted criminals ought to be issued with letters alerting them to possible problems with their convictions. Mr Champion, now a Supreme Court judge, had prosecuted some of their trials.

Announcing the royal commission, Premier Daniel Andrews said it would establish how many cases were affected and what changes to informer management were needed. Answers to the first part of that are due by July 1.

Mr Andrews said: "While these events took place many years ago, the Victorian public has a right to know that every part of the justice system acts fairly and lawfully at all times. The integrity of the criminal justice system is paramount, and all people charged with crimes are entitled to a fair trial, no matter who they are."

New Attorney-General Jill Hennessy said: "Only a royal commission will get the answers needed so that something like this can never happen again."

Lawyer X was registered by the "Human Source Unit" as informer 3838 in 2005. Officially, she provided 128 contact visits and about 5500 information reports.

Mr Overland is thought to have been the architect of several operations under scrutiny.

High-ranking officers have been accused of abandoning protocols and covering up suspected crimes in protecting Lawyer X's conflicted status, dubbed in legal circles as being an "agent provocateur".

Her roles as an informer created a bitter divide between Mr Overland, as the police chief, and his deputy Sir Ken Jones, who warned of the "abuse of the criminal court process".

Another theory regarding the reason for Lawyer X's involvement is that police compelled her to become

1997 TO 2018

1997 Lawyer X admitted to the Victorian Bar. Becomes a defence solicitor. Forms relationships on both sides of the law.

1998 She becomes a barrister.

1999-2001 She develops contacts with drug squad detectives and emerging drug criminals, and expresses a willingness to inform on



criminal activity during this period. Drug squad detective Wayne Strawhorn (above), who is later convicted of corruption offences,

is among her contacts. It is not clear what information is given to police during this period.

2001 Lawyer X approaches high-profile drug dealer Tony Mokbel (right) in jail and persuades him to allow her act as his defence barrister. She also meets Sgt Paul Dale.

2003 Simon Overland leaves AFP to join Victoria Police as assistant

commissioner (crime). Establishes the Purana Taskforce to tackle organised crime and end the gangland war. He later oversees Lawyer X's registration as a key informer to the taskforce.

SEPTEMBER 27, 2003

A burglary of a drug house to get narcotics and cash. Involving policeman David Mielch and criminal/police informer Terence



LAWYER X

THE FALLOUT

THE HIGH COURT RULING

“ EF’s (Lawyer X’s) actions in purporting to act as counsel for the convicted persons while covertly informing against them were fundamental and appalling breaches of EF’s obligations as counsel to her clients and of EF’s duties to the court

“ Victoria Police were guilty of reprehensible conduct in knowingly encouraging EF (Lawyer X) to do as she did and were involved in sanctioning atrocious breaches of the sworn duty of every police officer to discharge all duties imposed on them faithfully and according to law without favour or affection, malice or ill-will. As a result, the prosecution of each convicted person was corrupted in a manner which debased fundamental premises of the criminal justice system

“ Victoria Police may bear a large measure of responsibility for putting EF (Lawyer X) in the position in which she now finds herself by encouraging her to inform against her clients as she did



Former top cop scrutiny

LAWYER X | Overland had 'direct' link to police informer

ANTHONY DOWSLEY

FORMER police chief commissioner Simon Overland's oversight of Lawyer X as a police informer is expected to be scrutinised heavily in a royal commission, announced yesterday by the Andrews Government.

Mr Overland, now the chief executive of Whittlesea council, spearheaded the Purana Taskforce that tackled Melbourne's gangland scourge from 2003.

Lawyer X was considered a crucial secret weapon in the fight to stem the bloodshed. Lawyer X had a direct relationship with Mr Overland. The Herald Sun understands that they met at an eastern suburbs golf club while she was an informer.

A detective asked by Mr Overland to fly overseas to get a statement from Lawyer X about allegations of police corruption and the murder of self-professed vampire and male prostitute Shane Charles-Abbott also refused to let Lawyer X sign it, due to concerns it would prompt a royal commission.

Whittlesea Mayor Lawrie Cox said yesterday that Mr Overland had spoken to him several times about the latest revelations, adding: "He'll make us aware at some point if there's a requirement for him to be called away from his day to day business."

Supreme Court documents yesterday showed Lawyer X said: "There was no topic, criminal, organised crime group or underworld crime that was 'off limits' during the many debriefing sessions that

occurred or during the years that followed until Overland decided to utilise me as a witness in 2009 when everything fell apart."

Current Chief Commissioner Graham Ashton, then with the Office of Police Integrity, also served on a steering committee that supervised the use of Lawyer X as a police informer. It is unclear whether he knew her circumstances or identity at that time. He said yesterday her use was "not appropriate".

"It is important to stress that Victoria Police has implemented substantial reforms since 2009 that have comprehensively changed the way that we manage informers," he said.

Mr Ashton announced that Taskforce Landow had been set up to handle the fallout from the scandal. He said all police officers involved with Lawyer X had acted in good faith during a "desperate and dangerous time" and would have his continuing support.

Former chief commissioner Christine Nixon, then Mr Overland's boss, is also expected to face questioning.

Likewise, former premier Steve Bracks, who considered a royal commission after the deaths of police informer Terry Hodson and wife Christine, is expected to face questions, with former police minister Andre Haermeyer and former attorney-general Rob Hulls.

IBAC Commissioner Robert Redlich, QC, yesterday welcomed the establishment of a royal commission into police informant management.

an informer after she was observed taking possession of a brown paper bag. But she says in court documents that she did not approach police in order to get a "get out of jail card".

She became the police's secret weapon in the gangland war, speaking to her police handlers daily for a couple of years. No criminal, topic or crime was "off limits".

The relationship was bountiful, according to her. She even boasted of a top 10 list of stings, including charges from the Tomato Tins drug bust, a murder, and charges against the Mokbels and drug cooks.

She claimed that more than \$60 million of assets and property was seized through her intelligence. She turned criminals against one another, citing Williams' convictions over four murders. All she received in return, bar some token thanks, was a pen, she complains.

"I played a pivotal role in convincing (name suppressed) to 'roll over' on Williams, (name

suppressed) and others and withstanding undue pressure from the Williams' crew (and Tony Mokbel) to try to get him to stay silent ...", she says in court documents.

"My motivation in assisting police was not for self-gain but was rather borne from the frustration of being aware of prolific large commercial drug trafficking, importations of massive quantities of drugs, murders, bashings, perverting the course of justice, huge money laundering and other serious offences all being committed without any serious inroads being made by police."

Lawyer X says that the first Herald Sun story revealing her duplicity, which did not name her, exposed her identity to the "whole world".

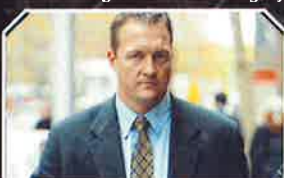
"When I say 'the whole world,' I probably should clarify that to anyone who would have a reason to harm me, because the people -- a lot of people in prison, the Herald Sun is their bible," she said. anthony.dowsley@news.com.au



Police Chief Commissioner Graham Ashton; and (main) Premier Daniel Andrews and Attorney-General Jill Hennessy yesterday. Pictures: AAP

Hodson, goes wrong in Oakleigh. The two are caught, with a fleeing Mielchel bitten by a police dog. Sgt Dale visits Mielchel in hospital and then goes to police HQ in St Kilda Rd. It is suspected that Dale (right) stole Hodson's informer dossier, known as the Blue File.

OCTOBER 2003 Lawyer X gives legal advice to Hodson over the Oakleigh burglary and is told of corruption involving Mielchel and Dale.



OCTOBER 25, 2003 Hodson gives a detailed statement to the police's ethical standards division, naming Dale and Mielchel as being involved in the burglary.

DECEMBER 2003 Hodson, Dale and Mielchel are charged. Lawyer X visits Dale on remand in prison and gives him legal advice. They discuss her plans for the day, including attending Carl Williams' (right) daughter's christening. She socialises with Dale, now on bail, and makes contact with Williams on his behalf.

FEBRUARY 2004 An Australian Federal Police



phone-tap operation picks up Lawyer X talking to Mokbel. In the conversation, she says she has "been in touch with their mutual

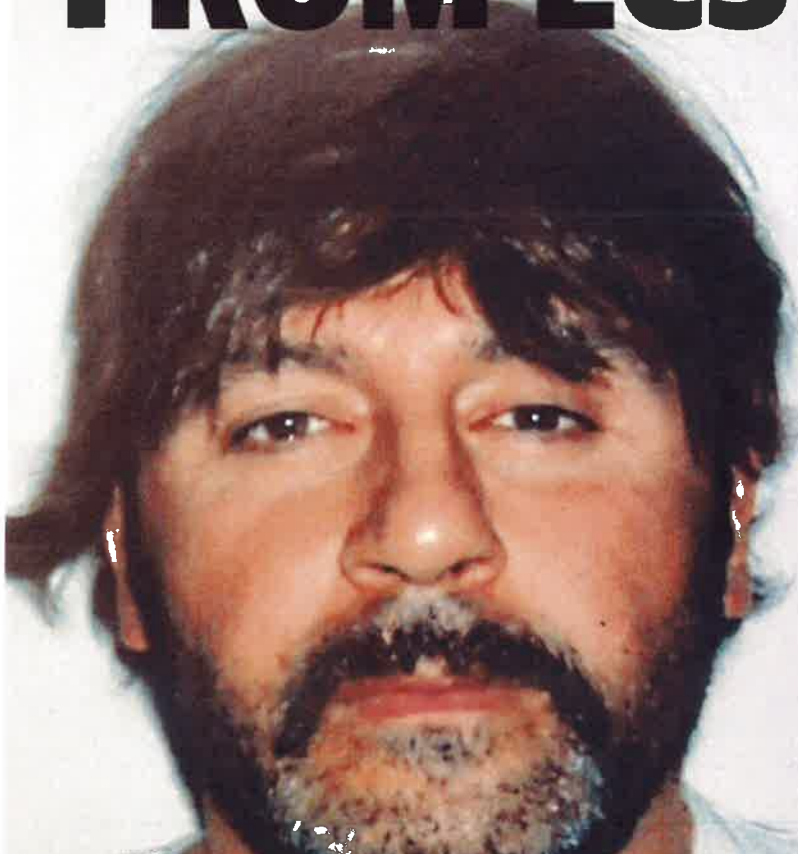
friend Pauline", who had "some documents" for Mokbel to see, which police say is the Blue File.

FEBRUARY 27, 2004 Dale meets Lawyer X and, by the following day, Mokbel has the Blue File, all about Hodson's informing. It is faxed from Seymour's Taiba stables -- linked to Mokbel -- to criminal Mark Smith in Queensland, resulting in Hodson's snitch status becoming widely known.

CONTINUED NEXT PAGE

LAWYER X TRUTH AT LAST

FROM ECSTASY TO



Tony Mokbel, wearing a wig, a power-ski and a Ferrari (below), both seized by police during a drug raid at Tony Mokbel's Pascoe Vale home in 2001.



LAWYER X
Jailed drug lord leads charge for release over scandal

ANTHONY DOWSLEY & PATRICK CARLYON

ROB Karam, a drugs baron sentenced to stay behind bars until he turns 70 on major drug importation charges, may be the first major criminal to walk free because of the Lawyer X scandal.

Karam, 52, lodged an appeal in July 2016.

But gag orders mean he cannot be told any detail of how his case is progressing in the Court of Appeal.

A one-time close associate of Tony Mokbel, Karam is serving a sentence of 37 years' jail. The sentence, the result of two elaborate police stings, ended years of high-level drug trafficking.

One of those stings related to the celebrated Tomato Tins investigation of 2007, that resulted in a world-record seizure of 15 million ecstasy pills concealed in cans of the fruit shipped from Naples, Italy.

Karam pleaded not guilty to all charges.

His case on appeal rests on a simple principle: that a defence lawyer cannot also be a police informer. He is hoping to be freed within months.

Those watching his case include the Calabrian mafia boss who led the Tomato Tins syndicate, Pasquale "Pat" Barbaro.

He is expected to file his own appeal within weeks.

Others in the 33-strong syndicate, such as John Higgs, who founded the Black Uhlans bikie gang, have also engaged lawyers.

Tony Mokbel, who has been sentenced over separate offences to serve 30 years' jail, with a minimum of 22 years before becoming eligible for parole, also lodged an appeal on December 7 last year.

The Herald Sun learned more than four years ago — but was prevented from revealing it at the time — that Lawyer X was also informing on the so-called "Secret Seven", a syndicate of drug traffickers and drug cooks led by Mokbel.

The "Secret Seven", identified in an Independent Broad-based Anti-Corruption Commission report, were all convicted of serious crimes.

Members of Mokbel's broader empire — dubbed "The Company" — could also launch cases.

Karam alleges that Lawyer X was used in multiple sting operations,

most notably against him, Barbaro, and other members of the Tomato Tins syndicate.

Karam met Lawyer X through Mokbel in about 2001 after they were charged with major drug offences.

She became Karam's "go-to" lawyer in 2004.

It is understood that about 2300 of 5500-plus information reports provided by Lawyer X to police on her clients relate to Karam.

His appeal is seen as a test case for others stung by Lawyer X to follow.

Karam argues "the notion that a lawyer can also act as a police informer (both in respect of that person and probably other criminally concerned persons) is inherently contrary to the concept of a fair trial".

In an appeal affidavit, he claims that Lawyer X hijacked his defence over major drug charges in 2011.

"I now believe that when she prepared the defence responses she was deliberately making forensic choices based on a desire to protect herself and her position as (a) police informer," he claims.

"I also believe that my instructions which she passed on to other lawyers were vetted or manipulated by her to accord with her own personal interest in not being discovered as an informer, or alternatively, to ensure my conviction so as to satisfy her handlers at Victoria Police."

Karam's appeal argues that he was unfairly conned by Lawyer X, whom he calls a one-time friend and agent provocateur.

Karam's first appeal relates to a major cocaine importation from Colombia and other operations.

But in his appeal affidavit he has also flagged concerns relating to the Tomato Tins case.

Lawyer X represented Karam from 2004 to 2013, and he says he placed his full confidence in her.

But he claims far more than that. There were meetings, Karam says, where he declined his lawyer's "various propositions" that "were not always lawful".

He claims she said he could make \$200,000 by applying his docks expertise to consign illegal tobacco as "furniture".

The affidavit also sets out an encounter in a city cafe in which he alleges a fellow importer expressed a need for help to access the docks for



MAY 15, 2004 Terence and Christine Hodson are murdered in their Kew home (above). Son Andrew and one of his sisters, Mandy, find the bodies the next day. Lawyer X is called by

Andrew Hodson to get the phone number of a detective in Victoria Police's ethical standards department.

2005 Lawyer X is officially registered by police as a confidential "human source" (informer), given a number — 3838 — and assigned police handlers. Deputy commissioner Overland is the architect of the plan.

FEBRUARY 2005 The Office of Police Integrity releases a report about the leaking of Hodson's informer file. Dale and others are compulsorily examined. Tony Fitzgerald, QC, finds that Dale is the obvious suspect, but the evidence does not permit a finding that he is the culprit. Lawyer X is interviewed during the investigation.

MARCH 2006 Lawyer X is the junior barrister in the infamous trial of Mokbel. He absconds

before he is convicted of importing 2.9kg of cocaine into Australia. (Mokbel now claims he was warned by Lawyer X to leave, as he was about to be charged



with multiple murders, including those of hotdog vendor Michael Marshall and crime patriarch Lewis Moran.

2007 Lawyer X acts for drug trafficker Rob Karam — charged with importing 1.2 tonnes of ecstasy. He is found not guilty.



THE TEST CASE

AGONY FOR COPS



Drugs baron Rob Karam; Frank Madaffer; Pasquale Barbaro; (below left) John Higgs; and ecstasy pills (left) in the Tomato Tins smuggling scam.

THE LETTER SENT TO MR BIGS

A Supreme Court document released yesterday reveals what the Director of Public Prosecutions sought to tell convicted criminals in the "disclosure letters" alerting them that their cases could have been tainted: "IBAC produced a confidential report (the "Kellam Report") last year, relating to the use by Victoria Police of a certain legal practitioner (to whom I will refer as '3838') as a registered human source — that is, a police informer. The matter that I wish to disclose to you is that the material contained in the Kellam Report could be interpreted to mean that at or about a time when 3838 was your legal representative in relation to charges for which you were later convicted, 3838 was also providing information to Victoria Police about you, in possible breach of legal professional privilege and/or in breach of a duty of confidentiality."

Letters to four criminals were also proposed to include: "Further, I wish to disclose to you that some material contained in the Kellam Report could also be interpreted to mean that certain persons who made statements against you, in the matters for which you were convicted, may have been legally represented by 3838 at or about the same time that 3838 was providing information to Victoria Police about those persons, and possible breach of legal professional privilege and/or in breach of a duty of confidentiality."

200kg of cocaine.
 "As (Lawyer X) and I had become very familiar, I did not think too much of my lawyer being involved in such a discussion or recommending me to something like this," Karam claims. "I maintained my position that I could not help. I just thought (Lawyer X) was trying to help me."
 Karam says he feared for his life in July 2007, a week after the MV *Monica* arrived in Australia with about 15 million ecstasy tablets in tomato tins. The haul was stranded on the docks, provoking mafia infighting and fuelling further drug imports in efforts to compensate for the loss of the 4.4 tonnes of ecstasy.
 Karam says Lawyer X told him, as they stood outside the Melbourne Magistrates' Court: "I have just run into an AFP officer in the County Court who says there is something

big at the docks and I might not know about it but I will soon."
 Minutes later, Karam says he was lunching at Wheat restaurant with Lawyer X and drug boss and Black Uhlans outlaw bikie gang founder John Higgs. "(Lawyer X) then repeated the AFP comment to Higgs. In the course of that conversation, Higgs told me he wanted to speak with me at the request of Pasquale Barbaro, whom I had never previously met."
 What Barbaro, Higgs and the Calabrian mafia syndicate wanted was their 3000 tomato tins off the docks. What they received was a total of almost 300 years' jail; sentences that only now, because of Lawyer X's intimate contact, may now get a closer look.

JUNE 5, 2007 Mokbel (left) is finally captured in Athens after 15 months on the run.
JUNE 27, 2007 The cargo ship, MV *Monica*, docks in Melbourne carrying a container loaded with tomato tins (above right). These are filled with about 15 million ecstasy pills.
JULY 2007 Lawyer X gets involved in what becomes



known as the Tomato Tins case. Described as acting as a friend, agent provocateur, lawyer and informer, she — Karam now claims — leads him into a

criminal syndicate trying to get the 4.4 tonnes of ecstasy off the docks.
MARCH 5, 2008 Petra Taskforce detectives speak to Lawyer X about assisting with their investigation into the Hodson murders and alleged involvement of Dale.
AUGUST 8, 2008 Tomato Tins syndicate members, including leader Pat Barbaro, are arrested.

Lawyer X and mob lawyer Joseph Acquaro negotiate for mafia figure Frank Madaffer to get bail.
DECEMBER 7, 2008 Lawyer X covertly records a conversation with Dale over the



murder of the Hodsons. He reveals details of his coercive interview by the Australian Crime Commission in regards to the Hodson investigation. Dale also describes Carl Williams' evidence about their clandestine meetings, prior to the murders of the Hodsons as "very accurate".
CONTINUED PAGE 8

LAWYER X



MICK GATTO
Melbourne identity who socialised with Lawyer X and used her as a legal adviser.

CARL WILLIAMS
Gangland killer and drug trafficker who orchestrated many gangland murders. Lawyer X was close enough to Williams to make a speech at the christening of his daughter, Dhakota. Lawyer X says she passed a message from detective Paul Dale to Williams. Both Williams and Lawyer X later made statements against Dale over the Hodson murders. Williams was killed in jail. The case then collapsed.



PAUL DALE
Former drug squad detective and handler of informer Terence Hodson, along with detective David Miesel. Dale, Miesel and Hodson were charged with the 2003 burglary of a Mokbel drug-house police had been watching. Hodson made statements against Miesel and Dale after getting advice from Lawyer X, but was then murdered. Miesel was later convicted over the burglary. Dale was not. Told a court he had a sexual relationship with Lawyer X.



TONY MOKBEL
Drug baron approached by Lawyer X in jail seeking to be his go-to lawyer, circa 2001-2002. Acting for Mokbel in his cocaine trial in 2006, she allegedly warned him of gangland murder charges, prompting him to flee to Greece before he was caught. Mokbel claims Lawyer X influenced his decision to plead guilty to serious trafficking charges.



PASQUALE 'PAT' BARBARO
Mafia boss convicted over the 2007 Tomato Tins ecstasy bust. Was head of the drug-trafficking syndicate of 30+. Also represented by Lawyer X, he is understood to have funded Karam's appeal and will be watching closely for the result.



JOE ACQUARO
Lawyer for the mafia who acted for "Tomato Tins" syndicate members along with Lawyer X. Had a long-running dispute with syndicate member Frank Madaffer over legal bills and ownership of a cafe. Acquaro was murdered in 2016.



ROB KARAM
Drug trafficker linked to Mokbel. Jailed for 37 years over the Tomato Tins ecstasy bust and other crimes. In a test case, he is appealing against his convictions, arguing Lawyer X enticed him to commit crimes, and her status as an informer while representing him meant he did not get a fair trial.

The Melbourne high-profile gang gave information and to police, as unregistered info dealings with bo

SHE JUST WANTS

As a childcare committee president, Lawyer X is "skilled and selfless". The tireless work of the mother of two saved a boyside kindergarten from closing three years ago, according to a September citation for her. She received a Premier's award for her volunteer work. To the surprise of many, given the death threats over the years, she turned up for the ceremony, beaming for the media cameras.

As a gangland lawyer, she presented a tougher side. Sharp and defiant, she shredded unprepared police officers.

Underworld kingpins such as Carl, Fat Tony and Mick were not only clients. They were friends, too.

At the christening of Williams' daughter, Dhakota, in 2003, Lawyer X

commanded the stage with the proud Dad. Mum Roberta, not known for being retiring, felt left out.

As a police informer, Lawyer X presented yet another side.

Here, we delve into layers of motivations and psychology that no one, from schoolmates to clients to police officers, feels qualified to assess.

They knew her, yes; but they do not claim to understand her. In this role, too, as informer 3838, her work ethic —

if not her professional ethics — was unquestioned.

In five years as an official informer, Lawyer X furnished Victoria Police with 5500 information reports and 128 contact visits. She was hidden in plain sight in an audacious subterfuge that has now exploded into the biggest crisis in Victoria's legal history.

The facts are remarkable, the rumours so wild that they would be dismissed as silly were a TV series ever

to be written. Who has the breadth to play so many roles? Invalid and illusionist. Mother and Machiavellian mercenary. Shapeshifter and survivor — with a scorpion's sting.

If Lawyer X was tight with the biggest criminals, she was tighter with the top cops who wanted to jail them. The villains shot each other in front of kids. There was torture, burnings and the odd body stuffed in a wheelie bin.

Lawyer X dined with the crooks and had her photo taken with them. Tales say she mothered a child to a drug trafficker and was engaged to a drug cook. Yet she deceived them, too. She turned them on one another. She shared their secrets with the police who itched to put them away.

Roberta Williams says everyone knew that she got information from all

sides, and that her information was always right. But the extent of her duplicity remained an extraordinary secret, known to few beyond her police handlers — who included one-time top cop Simon Overland. Her recruitment was the hidden masterstroke in Victoria Police's determination to purge the gangland swamp.

Lawyer X once wanted to be prime minister, but had to settle for being the missing piece in the gangland puzzle. A seasoned detective encountered the enigma of Lawyer X when he was asked to take a witness statement from her in 2010.

They met in a Bali hotel room, and she was playing yet another (if familiar) role: the difficult person.

Yes, she was happy to be interviewed, notwithstanding the

LAWYER X Informer a riddle wrapped in an enigma

ANTHONY DOWSLEY & PATRICK CARLYON

THE SCORPION STING



WYER
 barrister who acted for
 land and mafia figures.
 simultaneously to clients
 both a registered and
 rmer. Continues to have
 th criminals and police.



TERENCE & CHRISTINE HODSON
 Murdered in their Kew home in May 2004. Terry had met Lawyer X after he was charged with the Mokbel drug house burglary along with Dale and Miechel, who was dating his daughter. Terry told Lawyer X of his dealings with corrupt police before making statements against Dale and Miechel.



CHRISTINE NIXON
 The Victoria Police chief commissioner from 2001 to 2009 was a supporter of Simon Overland. Was in charge during gangland war.



SIR KEN JONES
 Former Victoria Police deputy commissioner who clashed with his chief, Simon Overland, over informer use. Oversaw Operation Driver, which investigated the murder of Carl Williams.



ROD COLLINS
 The veteran hitman was charged with shooting the Hodsons, but was never tried and the charges were dropped. He was well known to Tony Mokbel and Carl Williams, who met him and had phone calls with him in the days before the Hodson murders. Collins died in prison this year.



GRAHAM ASHTON
 Current Chief Commissioner. Became aware of a secret informer while at the Office of Police Integrity, which he joined in 2004. Has fought for the past two years to stop letters being sent to criminals advising that their use of Lawyer X could have compromised their cases.



SIMON OVERLAND
 Chief commissioner of Victoria Police from 2009-2011, and worked under Christine Nixon from 2003 as an assistant commissioner of crime. Architect of the Lawyer X informer role, which was crucial to the Purana taskforce he had set up to stop Melbourne's long and bloody gangland war.

ON BEING ASKED TO PROVIDE VICTORIA POLICE WITH SOME SIGNIFICANT CASES OR ARRESTS DURING HER TIME AS AN INFORMER, THE LAWYER LISTED

1 The tomato tins case, in which Pasquale Barbaro, Rob Karam, bikie boss John Higgs and others were arrested after what was a world-record ecstasy bust in 2007.

2 The brothers of drug baron Tony Mokbel – Hory and Milad – and their associates, including drug cooks and money-launderers for their enterprise.

3 Key gangland informer Witness B, who would go on to make important statements on gangland killings and drug activities.

4 Faruk Orman, the getaway driver in the murder of Victor Peirce in 2002.

5 The activities of the "Carlton Crew", whose members at the time included Mick Gatto, Mario Condello and Graham Kinniburgh.

She also claims she is responsible for more than \$60 million in seized assets and hundreds of kilograms of cocaine and other drugs being intercepted by Australian Customs officials.

S TO BE WANTED

constant breaks for coffee and cigarettes. Between the officer and the witness stood a stack of informer intelligence sheets.

"I crossed the line a long time ago," she said, by way of explanation. "I've been working in the interests of Victoria Police and not my clients."

Such dangerous choices are in conflict with her privileged background. She grew up in Melbourne's leafy inner east in a blue-blood legal family. She attended an exclusive private girls' school, where she starred in legal studies.

A knack for getting noticed, or what some observers call attention-seeking, goes back to childhood, when she wrote letters to the editor about the plight of governments. There was a drug bust at her home in the early

1990s but she was not charged. She wrote an affidavit about student politics at her university. She partied hard, and was at the Tunnel nightclub on the night that Collingwood footballer Darren Millane drove home drunk and died in a car accident.

Lawyer X sought Tony Mokbel's business by visiting him in prison.

But by one police officer's account, she had already also established a secret rapport with police. Her motivation? Disgust, apparently.

"I can't look in the mirror; I can't stand working for these scumbags," the officer reports her as saying.

In evidence revealed by the Supreme Court yesterday, she said that she had been approached to become a police informer in 2005, after having informally helped Purana Taskforce

detectives from mid-2003. She claimed to have been motivated by fear that she would be charged as an accessory because she had gained knowledge of crimes. She wanted to get the "Mokbel monkey" off her back. She was frustrated by the likes of Carl Williams, and the heavies who sought to control what suspects and witnesses could or could not say to police.

A competing theory says that she was compelled to help police in 2005, after surveillance recorded her picking up a brown paper bag near the Melbourne Club on Collins St. It should be noted, however, that she says she did not approach police to inform because she had committed a crime and needed a "get out of jail card".

The relationship was hountiful: she boasts of at least 386 arrests and

charges resulting from her informing, in cases from the Tomato Tins drug importation to a murder, and from the Mokbels to drug cooks. She also cites Williams' convictions over four murders as an example of her playing a "pivotal role". It can be revealed that in 2008 she wore a wire during a talk with former cop Paul Dale, the intent being to use this against him at his trial for the murders of Terence Hodson and his wife, Christine.

Here again, she surprised. After death threats, she refused to testify, despite extravagant offers of police protection. Ultimately, the case was dropped when the other star witness, Carl Williams, was killed in prison.

She also turned on Victoria Police, which settled a compensation claim she made against the force with what

was believed to be a \$3 million payout. By then, given her secret role, she was able to expose the force as readily as she had exposed the badlies.

Lawyer X continued to practise law for years afterwards, in a period during which some clients now say she misled, entrapped, or informed on them.

But she says that after a Herald Sun revelation of her informing in 2014, she became "persona non-grata" in the legal profession. The few who suspected the breadth of her duplicity wondered at the tangle of contradiction. Why did she help criminals, perhaps fall in love with some of them, and yet help put them away, too?

Zarah Gardle-Wilson, a colleague and foe, offers as good a guess as any, saying: "She wanted to be wanted."

LAWYER X

TRUTH AT LAST

LET DOWN BY THE POLICE



Christine and Terence Hodson were murdered in their Kew home in May 2004.

| LAWYER X | Family haunted by failure to protect parents

ANTHONY DOWSLEY & PATRICK CARLYON

TERRY Hodson described himself as a "dead man walking" in his final days. His wife, Christine, who was shot dead alongside him as they watched TV in 2004, feared that was coming, too.

"I'll haunt them," she told daughter Mandy.

Yet it's Mandy who is haunted. By the discovery of her parents' bodies, which she recalls in flashbacks, in sepia tones. And the sight of her mother's open casket, her face frozen in a permanent scowl.

Her brother, Andrew, feels just as traumatised. Together, the siblings have lodged a legal claim that argues that Victoria Police failed to protect their parents. Had Terry Hodson known all the dangers, they say, he would have made different choices.

Their point highlights one of the dozens of tiny details that smudge the tragedy of the Hodson deaths. Among them is the confusing place of their father's lawyer — Lawyer X.

Along with sister Nikki, Andrew and Mandy wonder why the lawyer has never answered for her proximity to the chief suspects in their parents' deaths. "She seems to have her finger in every little thing," Nikki says.

"And no accountability."

Terry and Christine Hodson were under police protection when they were murdered in their Kew East home. Terry Hodson was an upcoming star witness in a trial against two accused corrupt cops — David Miesel and Paul Dale.

The two former officers handled Hodson, who was a police informer. After Hodson and Miesel were caught burgling a drug house under police surveillance, Hodson told investigators that Dale was part of the plot, and Dale was charged.

At the time, Lawyer X's clients included Carl Williams, Terry Hodson, his son, Andrew, Tony Mokbel (whose drug house was burgled), Azzam Ahmed (who ran the drug house), Abbey Haynes (the drug house sitter) and — if you believe him — Paul Dale. It is clear that Lawyer X communicated often with Dale.

She would be later suspected of having distributed a so-called "Blue File" to the underworld, thereby endangering the Hodsons. This file, kept at the St Kilda Rd police headquarters, contained the intelligence Terry Hodson had provided to his handlers — exposing him as a snitch. It went missing after the burglary and Dale was suspected of stealing the file.



JANUARY 1, 2009
Lawyer X agrees to make a police statement against Dale (left) and become a key witness for the Crown case.

JANUARY 7, 2009
She signs a police statement detailing her 2003-2004 legal advice to Terence Hodson and dealings with Dale prior to the Hodsons' murders.

It also details her covertly recording Dale in 2008.

MARCH 2009
Lawyer X exits her chambers where she leased an office on a floor with the state's top criminal barristers. Victoria Police pays her \$1000 a week until December.

MARCH-NOVEMBER 2009
Lawyer X claims to have resided at 14 addresses — including interstate and overseas — during this period, and to have only contacted former clients at the direction of

Victoria Police. She takes 35 flights among a long list of expenses — including taxis and concert tickets — on the taxpayer. Claims to be told by police while living in Queensland that in the event of a security incident, she should "run for your life". These details emerge in a 2010 civil writ she files against the force.

MARCH 28, 2009
Petra detectives travel to Bali with Lawyer X and her sister as witness support. She makes

another statement, this time to Briars Taskforce detectives investigating the murder of vampire gigolo Shane Chartres-Abbott, about her knowledge of the relationship between police, former police and a crime figure. The statement is not signed.

MAY 8, 2009 A brief given to Dale makes disclosures in regards to her co-operation with police.
MAY 31-JUNE 13, 2009 Lawyer X is under "24 hours a day" protection of the elite Special

DEAD MAN WALKING



Paul Dale, the former drug squad detective and handler of informer Terence Hodson.

Lawyer X was recorded in a phone call she made to Tony Mokbel in February 2004, three months before the Hodsons were murdered.

In the conversation, tapped by the Australian Federal Police but not disclosed to the Victoria Police for six years, Lawyer X told Mokbel that she had been in touch with their mutual friend "Pauline" who had some documents for him to see (which police say is the Blue File).

Police have alleged she was referring to Dale, her drinking buddy and dinner partner, who she met on February 27. The following day, Mokbel had possession of Hodson informer papers. Lawyer X does not appear to have been questioned about the tapped conversation.

But the police theory goes that Paul Dale paid gangland boss Carl Williams to have Terry Hodson killed so that he could not testify against him in court.

Lawyer X used burner phones to communicate with Dale (56 times) and Ahmed. She arranged contact between Dale and Williams 10 days before the Hodsons were killed.

As one investigator told the *Herald Sun*: "Her fingerprints are all over these murders". Another said "It's pretty serious s--t."

Hodson didn't trust her either. His doubts now seem well founded.

Even back in 2003, Lawyer X was unofficially also a police informer, according to court documents released yesterday. She had begun meeting with a detective sergeant

from the Purana (gangland) Taskforce from mid-2003. They met six times, she says, from that time until after the Hodson deaths. Her justification, in a recent letter to police command, does not readily tally with her choices at the time.

"What lead (sic) me to do that was my own frustration with the way in which certain criminals (Carl Williams) were seeking to control what suspects and witnesses could and could not do or say to police via solicitors who were not in my view, acting in the best interests of their clients because of the undue influence and control of "heavies" such as Williams."

The Hodsons' deaths cruelled the burglary charges against Dale, but not against Mischel, who has only this year been released from jail.

Then premier Steve Bracks wanted to call a royal commission immediately after the Hodsons were killed. His confidence in the force had been shaken by the murders.

But he did not go ahead after receiving police advice that it would "effectively delay" committal hearings of outstanding criminal cases. Gangland bloodshed had peaked in the 12 months before the Hodsons were killed in May 2004 — they were deaths 10 and 11 in that period.

In 2008, a belated taskforce, Petra, informally interviewed Lawyer X about her proximity to the various participants tangled in the Hodson tragedy. From 2007, Carl Williams

had provided the first of three statements to police implicating Dale in the Hodson murders. In December 2008, say police, Lawyer X called them to say that Dale wanted to meet her. She would wear a wire to a subsequent meeting, though she says she did not want to.

Dale was recorded at an Albert Park cafe. They spoke about Williams' first statement to police, which Dale described as "very accurate". "Some things that came out that clearly only me and him know," Dale said.

Lawyer X and Williams became headline acts in the murder case against Paul Dale over the execution of Terry Hodson and another against the alleged shooter, professional hitman Rodney Collins, for the murders of Terry and wife Christine.

Legal wranglings delayed the hearings. Over that time, Lawyer X showed a growing resistance to

testifying in court. By November 2009, she was demanding \$20 million as a condition of giving evidence.

She would never reach the stand. On April 19, 2010, Matthew Johnson bashed Carl Williams to death. Investigators did not give up.

It was only now they received a critical piece of evidence — the abovementioned audiotape of the Lawyer X-Mokbel conversation.

The *Herald Sun* revealed the existence of this tape in December 2014. Police argued in a confidential submission that the tape was evidence of Dale's theft and dissemination of the Blue File.

The submission, however, did not explain why the taped conversation — which could have saved the Hodsons' lives in 2004 — did not surface for six years.

The Hodson family have always felt that Victoria Police let them down. Some former and serving

police officers share the sentiment.

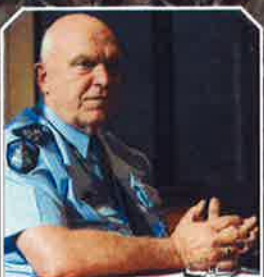
The children believe that had their father known that the Blue File was in the open, his judgment would have been far more considered. One police officer describes security at the time for a protected witness as "pathetic".

Hodson had been a police informer since 2001 and knew the grave risks that went with playing both sides. He had declined repeated offers for the family to enter witness protection.

Daughter Nikki has unfairly blamed herself. A new mother, she did not want to go into hiding.

Hodson used and sold drugs to the day he died. He was also a family man despite his criminal lifestyle.

He wanted to keep his family together. What's left of his family is convinced that had he known about the Blue File, Terry Hodson would have insisted that the entire family go into witness protection.



Operations Group after a threat is made. Her life is considered to be at "high risk". **JUNE 16, 2009** She is admitted to hospital due to various health issues, including stress, and remains there for 17 days. **AUGUST 26, 2009** She is informed in a letter from police deputy commissioner Keiran Walshe (left) that she is at "extreme risk of harm". **SEPTEMBER 2009** She refuses an offer of police

protection if it requires her to change her identity. **NOVEMBER 20, 2009** She claims Victoria Police terminated their support of her in a letter sent by the force's solicitors. **FEBRUARY 1, 2010** Lawyer X is treated by a psychologist for management of chronic severe neuropathic facial pain and headaches. **FEBRUARY 8, 2010** She is served with a witness summons to attend a committal hearing the following

month for the Hodsons' murder co-accused Dale (right) and Collins. She complains that she is not in a fit-enough medical state to testify. **MARCH 11, 2010** Lawyer X is



admitted to hospital for radical surgery for cancerous cells. **APRIL 19, 2010** Williams is bludgeoned to death with stern of a exercise bicycle seat in the high-security Acacia Unit at Barwon Prison as he reads a *Herald Sun* article about police paying his daughter's private school fees. **CONTINUED NEXT PAGE**

LAWYER X TRUTH AT LAST

HOW A REPORTER

LAWYER X The Herald Sun reveals tale of secret informer

PATRICK CARLYON

MILLIONS of dollars have been spent by Victoria Police in paying teams of barristers to appear at closed-door hearings in the Supreme Court, the Court of Appeal, and then the High Court, all in a fight to hide the truth about Lawyer X.

The unprecedented battle to unravel one of Victoria's biggest legal scandals had its beginnings on the Christmas drinks circuit in 2013.

Drama, intrigue, and innuendo seemed to trail in the wake of one particular criminal barrister.

She always generated a lot of unusual talk.

Herald Sun crime reporter Anthony Dowsley thought some digging around was warranted.

In one conversation with a law-and-order source, it was agreed that the lawyer seemed too close to police.

She had been a witness in the collapsed prosecution of former detective Paul Dale over the murder of Terence Hodson and his wife, Christine.

Police had withdrawn her as a key witness in another Dale trial, leading to half the charges being dropped.

And in some cases, she had pitched her own clients against each other, in what seemed like a conflict in professional duties.

Yet when it was raised in court, her odd behaviour seemed to be overlooked.

Dowsley believed she was a secret police informer.

Then, at those Christmas drinks, a rumour did the rounds.

A police officer had apparently been sleeping with her. There might be a love child, it was whispered.

Dowsley was subsequently told the love-child rumours were "malicious gossip", likely provoked by the officer's foes in the force.

But his inquiries led him to confirm that, more than a decade earlier, the officer had struck up a rapport with the lawyer.

Not only that, he was told that the officer had recruited her as a police informer.

Here was the making of a major corruption scandal.

Lawyers are professionally bound to represent their clients "honestly and fairly" and "in their best interests", so obviously cannot secretly inform on them.

The police must have known that such an agreement was untenable. More digging uncovered more details.

High-profile lawyer Rob Stary spoke of how unusual it was that the woman — whom the Herald Sun would ultimately dub Lawyer X — was excused from her role as a star witness in the Australian Crime Commission case against Dale, following an anonymous threat.

Solicitor Zarah Garde-Wilson said, after noticing that the lawyer gained undue access to clients in police stations, that something appeared strange.

Garde-Wilson had also noticed that some clients appeared to have been advised by Lawyer X to give full statements to police that did not serve their best interests.

Dowsley heard whispers about how Lawyer X's role had been the cause of a damaging rift within police command, which resulted in former chief commissioner Simon Overland forcing out his deputy, Sir Ken Jones.

Major concerns had been raised. Dowsley was told, after she was deregistered as an informer and turned into a witness in the Hodson murder case against Dale.

Finally, on the night of March 30, 2014, the Herald Sun front-page story "Lawyer a secret police informer" went to press.

After the police were contacted for a response, legal threats forced the newspaper to stop the presses as the second edition was rolling.

In an urgently convened late-night legal confrontation, police sought to censor as much of the story as they could.

But the secret of Lawyer X was out.

In the 4½ years since, the Herald Sun has published more than 20 exclusive front-page stories on the scandal, chipping away at the fortress of secrecy shielding the police force's use of Lawyer X.

Each publication has been routinely followed by more extensive suppressions on how much (or how little) could be reported.

But behind the scenes, the fallout from the scandal has mushroomed.

Days after the story was published, the Independent Broad-based Anti-corruption Commission launched an inquiry, engaging Supreme Court judge Justice Murray Kellam to run

HOW THE HERALD SUN EXPOSED THE SCANDAL

FOR NEARLY FIVE YEARS, THE HERALD SUN HAS NAVIGATED A SHROUD OF SECRECY — THE RESULT OF AN UNPRECEDENTED SERIES OF SUPPRESSION ORDERS — TO SHED LIGHT ON THE POLICE INFORMER CRISIS. THESE ARE THE STORIES BEHIND OUR HEADLINES ...

Lawyer a secret police informer

EXCLUSIVE

ANTHONY DOWSLEY

A PROMINENT underworld lawyer was recruited by Victoria Police to inform on criminal figures running Melbourne's drug trade for more than a decade. The controversial move to list the lawyer, whom the Herald Sun has identified as...

MARCH 31, 2014
We reveal a prominent criminal lawyer — who we identify only as Lawyer X — was recruited by police to inform on clients. The Herald Sun is stopped from giving further details.

APRIL 3, 2014
Then-premier Denis Napthine urges anyone with allegations of misconduct to contact Victoria's corruption watchdog IBAC as the Herald Sun briefs lawyers to fight so we can give more detail on the scandal.



COPS FACE PROBE
Corruption watchdog demands answers from police

APRIL 11, 2014
Former police chief Simon Overland and deputy Sir Ken Jones clashed over the handling of informers, we report. Sir Ken flagged concerns over the scheme.

MOKBEL FREEDOM FARCE
WATCHDOG MAULS POLICE OVER INFORMER SCANDAL
Criminals line up to appeal convictions

FEBRUARY 11, 2015
Gangland figures, including Tony Mokbel, are considering appealing against their sentences after IBAC's findings that police handling of informers may have subverted justice, the Herald Sun reveals.

MARCH 4, 2015
Jailed drug trafficker Rob Karam could be thrown a lifeline after an IBAC report slammed police use of informers, saying convictions may have been compromised, the Herald Sun reveals.

MAFIA BOSS BOMBSHELL
POLICE INFORMERS SCANDAL
EXCLUSIVE Top secret anti-corruption report flags \$440 million drug kingpin

INFORMER BOMBSHELL
EXCLUSIVE Police face probe over alleged failure to hand over crucial documents to corruption inquiry

SEPTEMBER 22, 2016
Police are set to be probed over failing to hand over to IBAC key documents relating to the Lawyer X scandal, the Herald Sun reports.

it. Almost a year later, in February 2015, Justice Kellam found that the police misconduct "had the potential to have adversely affected the administration of justice in Victoria".

Major drug trafficker Rob Karam and gangland bigwig Tony Mokbel have launched appeals against their sentences.

Mafia boss Pat Barbaro and bikie John Higgs, a founding member of the Melbourne chapter of the Black Uhlans, are watching, as are many others within Lawyer X's orbit.

Finally, last month, Victoria Police

Chief Commissioner Graham Ashton lost an extraordinary High Court legal action — the culmination of a two-year legal battle — in which he sought to prevent the state's top prosecutor from sending notices to clients of the lawyer who had been a police informer.

The letters, which can now be issued, state that their cases might have been tainted.

That decision has allowed at least the partial blasting open of one of the biggest scandals in Victoria's legal history.

Lawyer X had claimed during one legal stoush during the suppression battle that the Herald Sun's articles had identified her, even though she was not named in them.

"A lot of people in prison, the Herald Sun is their bible. It's known as the Bible in there," she said.

"Initially, when the first article came out and it said 'Lawyer X' there was a bit of speculation about who it was," she said.

"But as more articles came out, anyone who would want to do me harm or was sitting in prison would

APRIL 29, 2010

Lawyer X launches a writ against former Victoria Police chief commissioner Christine Nixon and the then current chief commissioner Simon Overland

10 days after Williams' murder. She seeks damages for what she



claims is her loss of career, stress and force negligence.

JUNE 3, 2010
Murder charges against Dale and Collins over the executions of the Hodsons are dropped.

SEPTEMBER 25, 2010

Victoria Police settles the civil writ

that Lawyer X filed. She is paid \$3 million and cannot be called to testify under the conditions of a confidential agreement.

Dale is found not guilty of lying to the Australian Crime Commission. During committal proceedings, Lawyer X withdrawn as a witness due to death threats against her.

MARCH 31, 2014 The Herald Sun reveals that "Lawyer X" had been used by police as a secret informer. A series of Supreme Court battles follow over the public's right to

know about the police informer scandal, with this newspaper prevented from revealing details.

APRIL 3, 2014

The newly formed Independent Broad-based Anti-corruption Commission launches a probe into the Lawyer X scandal. It engages former Supreme Court justice Murray Kellam, QC, to analyse police intelligence gained from her. She tells the Herald Sun that she is not a police informer, and says she is unaware she has



ON THE TRAIL

CRACKED CASE

APRIL 1, 2014

A murder probe (into the deaths of Terence and Christine Hodson) was shut down to protect Lawyer X. She pocketed millions of dollars to keep quiet, and jailed crime figures might be able to appeal against their sentences, the Herald Sun reveals.

Herald Sun Murder probe compromised

ANTHONY DOWSELY
A POLICE taskforce into multiple murders was shut down to protect a highly paid lawyer... Lawyer X, who the Herald Sun revealed yesterday was accused to inform on some crime figures for years, also pocketed a multi-million dollar payment to keep silent, and an accomplice in the relationship involved.



APRIL 2, 2014

The Herald Sun publishes a front page campaigning for the truth to be heard on Lawyer X scandal, after secret legal stoushes.

Herald Sun

FIGHT FOR TRUTH



APRIL 4, 2014

IBAC requests information from Victoria Police on the Lawyer X scandal, but suppressions prevent us saying more.

Police royal commission revelation

EXCLUSIVE ANTHONY DOWSELY
A POLICE taskforce into multiple murders was shut down to protect a highly paid lawyer...

Why top cops split

THE former Victoria Police Commissioner Charles and the current Commissioner Graham Abbott split the top levels of the force...

JULY 14, 2014

Detective Ron Iddles refused to allow would-be witness (Lawyer X) to sign a statement that he was flown to Bali to collect, as part of a probe into the murder of vampire gigolo Shane Chartres-Abbott, it emerges. He was concerned about her role as an informer.



DECEMBER 8, 2014

In a five-page special investigation, the Herald Sun reveals that Lawyer X was suspected of being involved in leaking documents to underworld, exposing Terence Hodson as an informer — months before his murder.

Secret court face-off

IBAC court legal action has been launched in the Supreme Court...

NOVEMBER 23, 2016

As police try to stop DPP saying cases may be tainted, all we can say is there is a court fight.

Top secret action being launched in the High Court

EXCLUSIVE ANTHONY DOWSELY
A top-secret legal battle has reached the High Court, we reveal, but are prohibited from saying it is the police's last-ditch bid to stop criminals being alerted their lawyer was an informer.

LAST FRIDAY, SATURDAY AND YESTERDAY

FEBRUARY 2, 2018

A top-secret legal battle has reached the High Court, we reveal, but are prohibited from saying it is the police's last-ditch bid to stop criminals being alerted their lawyer was an informer.

NOVEMBER 30, 2018

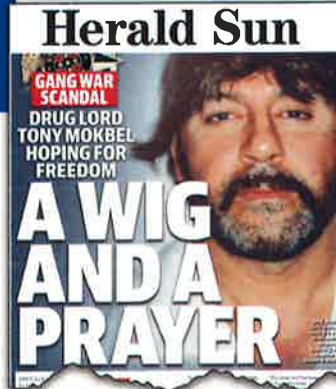
One of the biggest scandals in legal history will unravel within days, we report, with criminals to claim their cases were tainted due to police misconduct.

DECEMBER 1, 2018

Drug boss Tony Mokbel hopes to walk free from jail within four years as a result of the police informer scandal, the Herald Sun reveals.

DECEMBER 3, 2018

Convictions resulting from the celebrated Tomato Tins sting — one of the world's biggest ecstasy busts — are under threat, the Herald Sun reports.



read the stories about Lawyer X and know it was me."

But ultimately, the courts ruled that the public interest in disclosing the lawyer's role as an informer outweighed the risks to her.

The next chapter in the fight for truth is a royal commission into the police scandal, which was announced yesterday by Premier Daniel Andrews.

Perhaps now, the public will be given the answers that were hidden for so long.

patrick.carlyon@news.com.au

been registered as an official "human source".

FEBRUARY 10, 2016

The IBAC inquiry conducted by Kellam finds "negligence of a high order in the management of human source information by Victoria Police". He concludes that police "failed to act in accordance with appropriate policies and guidelines" and that these operational failings "had the potential to have adversely affected

the administration of justice in Victoria".

JULY 2016 Convicted drug lord Rob Karam (left) becomes the first to fight his conviction on the grounds of the actions of Lawyer X and the police.

NOVEMBER 2016 IBAC confirms it has investigated a complaint that not all relevant documents were handed over by police on the Lawyer X matter. The complaint is dismissed. Victoria Police launches an unprecedented civil case to stop

Victoria's Director of Public Prosecutions from sending out letters alerting Lawyer X's clients their cases may have been tainted. Series of closed hearings follow.

2017 Victoria Police goes to the Supreme Court's Court of Appeal to fight the decision by Justice Timothy Ginnane which would allow the DPP letters to be sent out. But his ruling is upheld.

DECEMBER 2017 Tony Mokbel (right) appeals against his drug convictions over Lawyer X.

SEPTEMBER 2018

She is recognised at a Premier's Awards function for her volunteer work with a Bayside childcare centre.

NOVEMBER 2018

The Lawyer X civil case reaches the High Court of Australia. Victoria Police is denied special leave to appeal against the letters being distributed to convicted criminals.



SHINING A LIGHT ON GANG WAR SECRETS

It's been a 4½-year, high-stakes fight for the truth. Since March 31, 2014, the day the *Herald Sun* broke the story about Lawyer X, a barrister-turned-informant, the newspaper and reporter Anthony Dowsley have been pursuing the biggest police corruption story in Victorian history.

At the centre of the untold story of the bloody gang war is a web of detectives, police commanders, big-time drug dealers and Lawyer X, who became a secret source of information and intelligence for detectives.

Lawyer X played both sides of the fence. She represented some of the biggest criminals in history — Tony Mokbel among them — while also working as a registered police source known as "informer 3838".

Even now, legal action by the *Herald Sun* just yesterday has enabled further information to be published on Lawyer X, while her name remains suppressed until early next year.

Yesterday morning, the High Court handed down a separate decision to allow the Director of Public Prosecutions to alert criminals over "systemic" misconduct involving Victoria Police and the lawyer which subverted the justice system and breached legal confidentiality requirements.

The written findings by the nation's highest court were damning: "EF's (the lawyer's) actions in purporting to act as counsel for the convicted persons while covertly informing against them were fundamental and appalling breaches of EF's obligations as counsel to her clients and of EF's duties to the court," the High Court said.

"Likewise, Victoria Police were guilty of reprehensible conduct in knowingly encouraging EF to do as she did and were involved in sanctioning atrocious breaches of the sworn duty of every police officer to discharge all duties imposed on them faithfully and according to law without favour or affection, malice or ill-will. The prosecution of each convicted person

Herald Sun EDITORIAL

was corrupted in a manner which debased fundamental premises of the criminal justice system. The public interest favouring disclosure is compelling: the maintenance of the integrity of the criminal justice system demands that the information be disclosed and that the propriety of each convicted person's conviction be re-examined in light of the information.

"The public interest in preserving EF's (the lawyer's) anonymity must be subordinated to the integrity of the criminal justice system."

The High Court ruling left the Andrews Government with no option but to immediately establish a royal commission investigation into the scandal.

Victorians must be given a full account of what has occurred and how such a corruption of the justice system and police management was enabled.

Public confidence in the probity of criminal investigations and in the protection of client-lawyer privilege have been seriously damaged.

A royal commission is the only avenue for an extensive and transparent investigation into how the process has been corrupted.

It must be given whatever scope it needs to fully pursue the individuals involved in this scandal and the corrosive failures which led to it.

Commission hearings and evidence must be public wherever possible to address eroded community confidence in the justice system.

Senior police, desperate to settle the gang war, took the extraordinary step of recruiting Lawyer X as an agent.

For several years, she had regular

contact with police hierarchy. Fifteen years later, it's this double game that has plunged Victoria Police into its greatest crisis.

Now a raft of high-profile criminals — including Mokbel and Rob Karam — are launching bids for freedom on the basis their prosecutions were tainted by their lawyer who was, in fact, also working for the police.

In short, they claim Lawyer X lured them into the crimes and tipped police off.

This is the story that Victoria Police didn't want Victorians to read.

For more than four years, Victoria Police has repeatedly dragged the *Herald Sun* into the Supreme Court.

First, police lawyers would get the court to slap us with draconian suppression orders. Second, they would issue legal warnings, accusing us of breaching those suppression orders. Third, they would threaten us with prosecution and criminal convictions unless we backed off. This journalistic and legal cat-and-mouse game developed its own expensive, exhausting and stressful rhythm.

We publish, the police use the courts to shut us down.

Police claimed the lawyer's life was in danger (she was, in fact, still choosing to live a very public life at this time). Among the phalanx of suppression orders, one in particular stands out.

It was April 1, 2014. Police lawyers threatened us for the first time. It was about 8pm, after the first edition had gone to press. So it was a case of "stop the presses".

Scrap the front page.

But we came up with a replacement, one that wouldn't result in charges against us. We got our point across in just three words: FIGHT FOR TRUTH.

In our front page editorial that day, we wrote: "We wanted to tell our readers an important story on today's front page. We can't tell you what the story was about. But we will fight for your right to know the truth."

Today, we can start to deliver on that right.

For more than four years, police had sought to strangle our ability to tell this story. Starving it of oxygen.

While the police may have been winning its struggle to restrain us from publishing, behind the scenes our stories triggered an IBAC probe and multiple secret court cases through the Supreme Court and the Court of Appeal.

Remarkably, the police and Lawyer X teamed up to take the Office of Public Prosecutions to court to prevent it writing to hundreds of criminals warning them their convictions and cases may have been compromised by the double role of the lawyer.

In the wake of the *Herald Sun's* initial stories in 2014, the OPP believed it had a legal obligation to inform the criminals of this potential problem.

We believe more than 600 crooks may be involved.

After losses in the Supreme Court and the Court of Appeal, the police took one last roll of the dice, and appealed to the High Court of Australia. The highest court in the nation has now also ruled against Victoria Police. Last month, it finally dawned on the police that the letters would have to be sent by the OPP.

The cover up was over.

As one senior police officer remarked: "The judges are smashing us, it's over. The judges just can't get over the fact that we recruited a lawyer as an informer."

The *Herald Sun* is finally free to tell this story.

It is one Victorians deserve to read.



TONY MOKBEL

ISSN 1038-2433



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Tuesday first

ROB KARAM

CHRISTINE AND TERENCE HODSON

FOR BREAKING NEWS
HERALDSUN.COM.AU

FORMER CHIEF COMMISSIONER
SIMON OVERLAND