

# **A police whistleblower in a corrupt political system**

Frank Scott

Both major political parties in West Australia espouse open and accountable government when they are in opposition, however once their side of politics is able to form Government, the only thing that changes is that they move to the opposite side of the Chamber and their roles are merely reversed. The opposition loves the whistleblower while the government of the day loathes them.

It was therefore refreshing to see that in 2001 when the newly appointed Attorney General in the Labor government, Mr Jim McGinty, promised that his Government would introduce whistleblower protection legislation by the end of that year. He stated that his legislation would protect those whistleblowers who suffered victimization and would offer some provisions to allow them to seek compensation. How shallow those words were; here we are some sixteen years later and yet no such legislation has been introduced.

Below I have written about the effects I suffered from trying to expose corrupt senior police officers and the trauma and victimization I suffered which led to the loss of my livelihood. Whilst my efforts to expose corrupt police officers made me totally unemployable, those senior officers who were subject of my allegations were promoted and in two cases were awarded with an Australian Police Medal.

I describe my experiences in the following pages in the form of a letter to West Australian parliamentarian Rob Johnson.

See also my article “The rise of an organised bikie crime gang,” September 2017,

<http://www.bmartin.cc/dissent/documents/Scott17b.pdf>

**Hon. Robert (Rob) Frank Johnson MLA JP**  
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Dear Mr. Johnson

My name is Frank Scott and I am a former detective sergeant who was discharged from the Police Service after alleging that some members of the police hierarchy were corrupt. I had intended to contact you last year when I saw the "death notice" you placed in the paper after Peter Ward had died. I had no idea that you and he were friends but I am sure that if you knew Peter well, you would have found him to be an extremely honest person and one that went out of his way to help people who needed legal assistance.

During the time when Peter was the Ministerial advisor to the Police Minister, he was contacted by an informant who claimed that Detective Sergeant Colin Pace had been receiving corrupt payments from prostitutes and illegal gaming operators whilst he was the officer-in-charge (OIC) of Port Hedland CIB. The informant also told Peter to contact me and I would be able to provide evidence of a corrupt association between detective sergeant Colin Pace and race horse trainer, Bob Meyers.

This incident occurred when I was the sergeant-in-charge of the CIB Bank Fraud section and detective senior sergeant Pace was my direct supervising officer. I was able to glean evidence that sergeant Pace had concealed a letter of complaint and supporting documentary evidence which had been forwarded to the Fraud Squad for investigation by a large corporation who came to the conclusion that race horse trainer Bob Meyers had presented them with a fraudulent cheque. He was then responsible for falsifying the file register which I maintained to record details of all the investigations carried out by my subordinate officers.

Detective sergeant Les Ayton who subsequently became the Deputy Commissioner of Police was also a serving member of the Fraud Squad at the time of this incident and had a close friendship with sergeant Pace. Both of them had previously served in the Fraud Squad together years earlier when the Commissioner of Police, Brian Bull was the Senior Sergeant-in-Charge of the Fraud Squad.

As a result of the allegations of corruption levelled at sergeant Pace, the Minister of Police forwarded a memo to the Police Commissioner requesting that an investigation be initiated to determine whether it was appropriate for sergeant Pace to be promoted to the rank of Inspector.

The Commissioner of Police Mr Brian Bull conducted two corrupt internal investigations into the antecedent conduct of sergeant Pace and both these investigations exonerated him from any malfeasance. In his report to the Minister, the Commissioner claimed that the allegations made against sergeant Pace were totally unfounded and he had an excellent service record which warranted his promotion. To support his findings, the Police Commissioner attached a statement prepared by brevet Inspector Les Ayton as a character reference attesting to sergeant Pace's merit for promotion.

When brevet inspector Ayton was promoted to rank of superintendent as the inaugural OIC of the Police Internal Affair Unit which had been created by the Commissioner of Police to investigate police corruption, I provided him with overwhelming evidence that clearly established that Inspector Pace was corrupt and had been for many years. I also informed him of the corrupt conduct of several other high ranking members of the police hierarchy that included the chief superintendent in charge of the Criminal Investigation Branch and the chief superintendent in charge of Crime Services.

One of my allegations against them which superintendent Ayton failed to investigate related to the incompetent or corrupt manner in which these officers had condoned the outlaw motor cycle gang "*The Coffin Cheaters*" to illegally supply and distribute vast amounts of prohibited drugs, launder large sums of money, and illegally trade in liquor at their annual Bindoon concerts. In addition, I advised him of the inappropriate manner in which some of these members of the police hierarchy had invited a notorious criminal and the head of this organised crime gang to attend and address a police briefing prior to that concert.

At that briefing which comprised some 20 sectional leaders including myself, the head of this outlaw motor cycle gang began to give us instructions as to how we were to perform our duties at that concert. It was sickening to watch senior police management cower to his demands, knowing that this criminal and his criminal mates would be free to peddle their drugs at their concert with total impunity. I was the only one who challenged his commands and I became extremely concerned with his overtly close relationship with some senior police officers.

Later, after examining records at the Liquor and Gaming Branch, I was able to ascertain that the Director of Liquor Licensing had refused to grant a Liquor Permit to the "*Coffin Cheaters*" in a Liquor Licensing Court hearing two years earlier. In his written decision, he concluded that many of "*Coffin Cheaters*" club members had extensive criminal records and a total disregard for the law and therefore were not fit and proper persons to be involved in the sale of liquor on such a large scale as was intended at the Bindoon Rock Festival.

In his written decision, he wrote;

*“My third concern is whether the Club is a fit and proper person, or body of persons, to hold the permit. One of the objects of the Liquor Act is to ensure that liquor is not sold by persons who are not fit and proper to do so. In this case, the Club is not a legal entity (although it is related to companies which are). The Club comprises about 15 members. Many of those members have a long history of criminal offences.*

*Mr Withnell, for example, has several convictions for offences in the mid 1979’s. These include assault, carrying an offensive weapon, disorderly conduct, possessing an unlicensed firearm, and, most seriously rape. For the last of these, he was sentenced to 11 years imprisonment with hard labour. He has received other gaol sentences for serious assault and a further eight years imprisonment in 1979 for robbery with violence.*

*Other members, such as Patrick McKay, Bradley Wood, Christopher McKay, Peter Jewell, Mark Ashelford, Gut Turtun, Larry Allen, Trevor Walton, George Cole and Jeffrey White have also been convicted of many serious offences in the 1970’s and 1980’s. These cover a wide range of offences against the person and property, as well as unlawful possession of drugs and firearms. Some occurred within the last year or two. (In mid – 1987, for example, Jeffrey White was sentenced to 18 months gaol for receiving stolen goods)*

*While in most case, the most serious offence occurred several years ago, the nature and extent of the offences have led me to conclude that many of Club members have a disregard for the law and that, as a result, they are not fit and proper persons to be involved in the sale of liquor on such a large scale as is intended at the Bindoon Rock Festival.*

Despite the fact that there was a Liquor Licensing Court ruling that the members of Coffin Cheaters outlaw motor cycle gang were not fit and proper persons to be issued with a Liquor Permit, senior police officers continued to allow this organised crime gang to sell liquor at their annual concert. It was inconceivable that they would also consider it appropriate for the head of this outlaw motor cycle crime gang to be invited to address a police briefing and allocate duties to police officers who had a responsibility to ensure that his criminal motor cycle gang complied with their legal liabilities.

I advised superintendent Ayton that I strongly suspected some senior police officers were consorting with one of the most feared criminals in West Australia and had assisted him in circumventing a court decision by allowing his crime gang to continue to conduct their annual Bindoon rock concerts. I also advised him that I led a team of undercover officers inside the compound during that concert where we obtained photographic evidence of the illegal manner in which it had been conducted and evidence of the vast amount of prohibited drugs which were being openly distributed at the concert.

Once the chief superintendent-in-charge of Crime Services had discovered that I had that photographic evidence, he seized those photographs from me and was attempting to stifle my endeavours to commence criminal proceedings against the "*Coffin Cheaters*" licensee company and its approved manager.

Superintendent Ayton listened to my allegations and I expected that he would conduct a covert investigation into my claims. I certainly did not consider that he would immediately approach those members of the hierarchy who were subject of my allegations and informed them of my complaint against them. Needless to say that was the end of my police career and the following day I received a telephone call from the chief superintendent of Crime Services who demanded that I attend his office forthwith. As I had anticipated his response, I attended his office with a small tape recorder and as I sat down to commence our interview, I produced my tape recorder and told him that I would be recording our conversation. When I turned on my tape recorder, he started making threatening gestures at me without saying anything while he waited for a superintendent to also attend his office and act as his corroborator.

During that interview, I was told in no uncertain terms that my position as officer-in-charge of the Fremantle Liquor and Gaming branch had been terminated with immediate effect and that I was being transferred back to Perth the following day to commence an investigation into the accusations of misconduct, impropriety and corruption I had made to superintendent Ayton. He instructed me to liaise directly with him and I was not to discuss my investigation with any other person. Should I need to refer to any police documents during my inquiry, I was ordered to notify him prior to taking possession of the relevant document. In effect, I was being commanded to conduct an investigation into the complaints that I had made to superintendent Ayton and report the findings of my investigation directly to one of the persons who I alleged had acted corruptly. (I did exactly that)

To support my investigation, he provided me with a small interview room within the Liquor and Gaming branch which contained a table, chair and telephone and told me I was to occupy that room during this special project. Further, he said that this special investigation which he had assigned for me was not a result of any malice he harboured towards me, but because of the expertise I had shown in researching and submitting a comprehensive 20 page report that I had handed him some months previously and had also forwarded a copy to superintendent Ayton.

I had submitted that report after receiving a complaint from the detective sergeant-in-charge of the Port Hedland CIB who advised me that some managers of licensed premises had a complete disregard for the laws relating to the Liquor Licensing Act and the Gaming Commission Act, which resulted in illegal gaming and prostitution becoming entrenched in some licensed premises at Port Hedland.

In an attempt to disrupt these illegal activities, the local police had conducted an investigation into the manner in which the licensee of the Pier Hotel had conducted his business and forwarded a brief of evidence to the superintendent in charge of the Liquor and Gaming branch seeking his authority to commence legal proceedings against the offenders. However, he failed to respond to their request and the police officers at Port Hedland had become extremely disillusioned by his apathy as they considered that ample evidence had been attained to sustain a conviction against the licensee. The superintendent-in-charge of the Liquor and Gaming branch had previously served as the inspector in charge of the Port Hedland police station and knew the licensee.

As I continued my interview with the chief superintendent, he stated that he had great confidence in my ability to adduce the necessary evidence to substantiate criminal charges against all those offenders and expected that I would bring my investigation to a succinct conclusion within three weeks. He also gave me explicit instructions to commence disciplinary charges against a subordinate colleague of mine and charge him with "unlawfully consuming alcohol at an unlicensed restaurant" in Broome while he was on annual leave. As our interview terminated, I advised both of them that I had an appointment to see superintendent Ayton the following day and would be playing the recording of our interview to him as I considered that I was being persecuted for simply performing the duties expected of me as a senior investigator in the liquor and Gaming branch.

After listening to the tape recording, superintendent Ayton said that he considered me to be a competent investigator and advised me to comply with the instructions given to me by the chief superintendent. Despite my protests that it was unethical for me to conduct an investigation into my own complaints against a senior member of the police hierarchy who was my supervising officer, he assured me that he would protect my back and guaranteed that I would not be victimised and my investigations would not be thwarted or impeded. When I told him that the three weeks I was given to conclude my investigation was totally inadequate and I expected it would take me six months, he advised me to submit a short report and apply for an extension of time and he would ensure that it was granted.

He then told me that he was leaving for England within a matter of days to conduct an investigation on behalf of the WA Inc Royal Commission and would inform the commissioner of police of my predicament. He said that if I experienced any victimisation or my investigation was being hindered in any way, I was to contact his colleague within the Internal Affairs Unit, (IAU) inspector Alan Watson who he said would take the appropriate action.

As I began my investigation, I immediately discovered that some police files which I requested to examine had been destroyed and I was being victimised and ostracised by the chief superintendent who thwarted my investigation and circulated rumours throughout the police service that I was a nut case. My peers within the Liquor and Gaming branch were instructed that they were forbidden to speak to me or assist me in any way during my investigation.

After the three week period which I was given to complete my investigations had expired, I submitted a short report as I had been advised to do so by superintendent Ayton, stating that I had nowhere near finished my investigation and requested an extension of time to bring my investigation to a satisfactory conclusion. That request was denied and instead, the chief superintendent instructed me to reorganise the Liquor and Gaming branch file room which was the normal duty of our office cadet.

When I reported these matters to inspector Watson of the Police IAU, he told me that he had no knowledge of my investigation and stated that I always had the propensity to swim against the tide. I was completely flabbergasted by his remarks and considered that he was derelict in his duty for failing to support my investigation into the suspected corrupt activities of senior police officers.

Whilst performing the demeaning task of reorganising the file room which was in a chaotic state, some of my colleagues were secretly providing me with information. I was able to ascertain that the chief superintendent had forwarded my investigative reports to the OIC of the Police Internal Investigators and demanded that I be charged with criminal defamation. Amongst those reports which I had provided him, was the result of my investigation into the instructions he gave me to commence disciplinary charges against a fellow member of the Liquor and Gaming branch. My investigation concluded that there was prima-facie evidence that he himself had committed an offence under the provisions of the "Police Regulations" and I recommended that disciplinary charges against him should be considered.

I also received information that after he was advised by the OIC of the Police Internal Investigators that there was no basis for any criminal charges against me, he decided that when I returned to work after completing my annual leave, he would have me sent to a psychiatrist with a view to have me certified insane. After Superintendent Ayton returned from England, I confronted him and provided him with a copy of all my investigative reports which I had submitted to the chief superintendent and told him that I had received reliable information that he was about to order me to be examined by a psychiatrist with a view to have me certified insane. He laughed and said they were trying to break me and wouldn't allow that happen. However, he failed to mention why I was not given an extension of time to complete my investigations or why I was not protected from victimization as he had promised.

I knew my police career was over shortly later when I was served with a notice by the commissioner of police ordering me to present myself for a psychiatric assessment by Consultant Physician in Psychological Medicine, Professor Allen German. In his report, Professor German stated that he could find no evidence whatsoever of any diagnosable psychiatric disorder but considered that I was suffering from a work related stress disorder because of the serious conflict I found myself with senior police management. He further stated that my condition would only get worse if I remained in that causal situation and therefore recommended that I be discharged from the Police Service on medical grounds.

When I found out that Professor German had recommended that I be discharged from the Police Service on medical grounds, I again confronted superintendent Ayton at 1.00pm on Monday 23 March 1992 and handed him a copy of a 132 page treatise I had written about three years earlier which dealt with the corrupt conduct of members of the police hierarchy and the corrupt association between detective inspector Colin Pace and race horse trainer, Bob Meyers. I kept that treatise confidential for my own protection as I expected that corrupt senior members of the Police hierarchy would attempt to victimize me as a result of the stance I had taken against detective inspector Pace who I knew was being groomed to become the next Chief Superintendent in charge of the CIB.

After completing that treatise, I gave a copy to two people I knew I could trust, Mr Peter Ward at the Police Minister's office and a detective inspector who was my best friend and supplied me with some information of police corruption. I was motivated to write that exposé of corruption by members of the police hierarchy sometime after the 4 August 1988 when Mr Peter Ward from the Police Minister's Office had brokered a meeting between me, the deputy commissioner of police and the assistant commissioner of police (crime).

That meeting had been instigated after Mr Ward received a telephone call from the assistant commissioner of police on 28 July 1988 who wanted to meet him in his office to discuss matters relating to police corruption. When Mr Ward arrived at his office, the deputy commissioner of police was also present and during their discussion, the assistant commissioner of police said;

*"Young Scottie has got this bee in his bonnet about police corruption. There is nothing in his allegations. It's just sour grapes on his behalf because he got the sack from the CIB."*

Mr Ward responded by telling the two senior police officers that he knew exactly what evidence I had and he considered that the WA police force had a similar problem as in Queensland but on a smaller scale and that cancer needed to be cut out. He told them that he supported me 100%.

The assistant commissioner then said;

*“If Scottie has got all this information, why doesn't he come and tell us?”*

Mr Ward replied by telling them that if they could show me that they could be trusted, perhaps I would speak to them and he also stated that I was prepared to take my allegations of corruption to the wire. It was then, that the assistant commissioner of police advised him that they would like to speak to me.

Mr Ward purposely did not tell them of his own personal knowledge of the corrupt association between detective inspector Pace and race horse trainer, Bob Meyers after his former girlfriend had attended the Police Minister's office in late February 1988 to complain about police corruption. During his meeting with Bob Meyers's former girlfriend, she complained of the inept manner in which the CIB Consorting Squad had conducted an investigation into a brutal baseball bat bashing of her boyfriend and his companion which had been organised by Bob Meyers.

She advised Mr Ward that she had made a complaint to detective sergeant (*name deleted*) at the CIB Consorting Squad some months prior to that assault and told him that Bob Meyers was known as the “Godfather” who could easily arrange violent beatings and that he was being protected by detective inspector Colin Pace. She also informed him of an occasion when inspector Pace was present at Bob Meyers's racing stables when he and his criminal associates were dividing up stolen property. Despite providing the detective sergeant with that information, he failed in his duty to investigate her allegations and had he done so, the bashing of her boyfriend and his friend may have been averted.

She also advised Mr Ward that during that brutal baseball bashing of her boyfriend and his companion, they sustained serious injuries which required hospitalisation and yet Bob Meyers had been charged with a trivial offence which was totally inconsistent with the severity of the crime. She strongly suspected that the detectives in the Consorting Squad had corruptly reduced the seriousness of the criminal charges against Bob Meyers because of his friendship with inspector Pace.

Some weeks later, Mr Ward also received a visit from an apprentice jockey who was employed by race horse trainer Bob Meyers and he wanted to make a complaint against inspector Pace and Bob Meyers who he claimed had ripped him off about \$50,000. He also alleged that they had stolen his cabin cruiser boat registered number 21395 and trailer registered number UWA 974 and that the detectives at Belmont CIB had refused to investigate his complaint.

As a result, Mr Ward contacted the Department of Marine and Harbours and obtained a computer printout of two boats which were identical except for their colour. Both boats were currently licensed; the first was numbered 21395, named "Miss Attwood Phantom" and was registered to the apprentice jockey on the 30/5/85. The other boat was numbered 19400 which had been first registered to Colin Burns Pace on the 10/3/86.

He provided me with the computer printout of the details those boats and we agreed that it appeared highly likely that the same boat was licensed by two different people. Mr Ward also arranged for me to meet with the Director of the Department of Traffic Licensing and Services in Mount St, Perth where I obtained a computer printout of the history of boat trailer registered number UWA 974 and found that the licence of that trailer had been transferred into the name of Colin Burns Pace on the 1/3/1986 without the consent of the jockey who was the lawful owner.

I was later able to establish that inspector Pace had a corrupt association with a vehicle examiner at the Welshpool Traffic Licensing Centre where Bob Meyers had previously obtained a vehicle licence for one of his horse floats without the required vehicle inspection. That same corrupt vehicle examiner at the Welshpool Licensing Centre conducted the vehicle inspection on trailer registered number UWA 974 on the 21/3/1986.

I then drove to Belmont police station where I obtained a photocopy of the of the "*offence report*" which was submitted after the apprentice jockey had reported his boat and trailer stolen. The yellow copy of the "*offence report*" was normally forwarded to a detective for investigation and it clearly showed that the suspected offenders for stealing the boat and trailer were Colin Pace and Bob Meyers.

In those days the police used to investigate themselves and in circumstances where a criminal complaint was made against a serving police officer, it was incumbent of the OIC of the Belmont CIB to notify the Commissioner of Police or the OIC of the Police Internal Investigating Unit so that a senior officer above the rank of Inspector could have been appointed to investigate that complaint. However, no investigation was carried out and the "*Offence Report*" was marked "no offence" and filed.

I strongly suspected that within minutes of the jockey reporting his boat and trailer stolen, inspector Pace would have been advised of that complaint and would have instructed the junior officer to file the report as a civil dispute and not a criminal matter.

The day after Mr Ward had his meeting with the two members of the police hierarchy, he phoned me and asked me to come over to his office where he told me about the conversation he had with them. After he had described the details of that meeting, I told him that the assistant commissioner of police was being unbelievably and transparently duplicitous as it was him who had set up a Task Force in mid April 1988 to investigate Bob Meyers and his corrupt association with inspector Pace. He was also responsible for arranging a motel room in Como where the Task Force members could meet without inspector Pace's knowledge and he was fully aware that I was a member of that Task Force.

During my meeting with both the deputy commissioner and the assistant commissioner of police on the 4 August 1988 at the Police Minster's office, I advised them of the manner in which detective inspector Pace had attempted to thwart the Task Force investigation into the criminal conduct of his mate, Bob Meyers and also of the evidence I had gleaned which established that inspector Pace had stolen a boat and trailer belonging to an apprentice jockey. I also told the assistant commissioner of police that I was disgusted in the manner in which he had sacked detective senior sergeant Kevin Rowe, who was also a member of this Task Force and transferred him from the CIB back into uniform.

He said;

"His transfer had nothing to do with this inquiry. Kevin's work is not up to standard and he would have been sent back anyway. I didn't want the same thing to happen to him as did to **(name deleted)**."

He spent all his career in the CIB and when he was about to be promoted to Inspector, they sent him back to uniform.”

I said;

“Well, why did you tell him his job was safe in the first place?”

He said;

“I instructed for him to be told that he wouldn’t be transferred while he was on that Meyers inquiry. That inquiry is now finished.”

I said;

“I have just sat here and told you how Pacey tried to stop that inquiry. What has been done about that?”

He said;

“We didn’t know about all these matters.”

I said’

“(name deleted) (Task Force Commander) knew. We kept him informed exactly what Pacey was doing. I have given him all documents and statements I took regarding the theft of (name deleted) boat. He has had them for months and has done nothing about it. Don’t you talk to him?”

He said;

“(name deleted) (Task Force Commander) has told me that boat is a civil matter.”

I said;

“How can he say that? He hasn’t even started to do the inquiry yet. Everything that Meyers and Pacey do is written off as a civil matter. If Pacey could have had it his way, that (name deleted) extortion file would have been written off as a civil matter. In every complaint against Myers, Pacey sticks his nose in and writes it off. That is the only reason why that criminal hasn’t been locked up ten years ago.”

The Assistant Commissioner of Police was obviously embarrassed by my questioning because he could not give an adequate response.

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Detective senior sergeant Kevin Rowe had been the genesis for the establishment of a Task Force formed to investigate the criminal activities of race horse trainer, Bob Meyers and his corrupt association with inspector Pace. He contacted me on Friday, 10 March 1988 and at that time he was the senior sergeant in charge of the CIB General Crime Squad and was shortly due to be promoted to the rank of Inspector.

He informed me that he would like me to arrange a meeting with the Police Minister's adviser, Mr Peter Ward as his divisional inspector, Colin Pace was attempting to prevent his promotion and sack him from the CIB in a similar fashion as he had done with me; as he too had been able to obtain evidence of his corrupt association with race horse trainer, Bob Meyers.

Detective sergeant Rowe told me that one afternoon inspector Pace had instructed him to go downstairs at Police Headquarters and bring a woman to see him named Nellie Smith who was waiting in the foyer. He did this and thought nothing more about the matter. Shortly after that incident, he had a visit at home from an elderly male who lived nearby and complained that his family was receiving threatening phone calls from Bob Meyers.

His daughter had previously worked for Bob Meyers at his racing stables and was now receiving threatening calls from him because he believed she was responsible for the break-up of his relationship with his girlfriend. Sergeant Rowe advised his elderly neighbour to make an official complaint to the Police regarding those threats. However the neighbour insisted that he should speak to his daughter so she could tell him a few things about Bob Meyers.

Sometime later, his neighbour's daughter and another woman who he recognized as Nellie Smith had come to see him in his office at Police Headquarters. Nellie Smith was a factitious name and she was actually Bob Meyers's former girlfriend. Both girls made accusations of the corrupt association between Bob Meyers and Inspector Pace and told him also that they suspected that it was Bob Meyers who had organized the brutal bashing of the Turf Club Steward.

As a result of what the girls told him, Sergeant Rowe took them downstairs to see the detective sergeant (*name deleted*) at the Consorting Squad who was handling the investigation into the Turf Club Steward bashing. There they advised him that Bob Meyers had given a baseball bat to her son as a gift and they strongly suspected that bat had been used in the bashing.

During that meeting with the sergeant from the Consorting Squad, the girls told him that Bob Meyers was known as the "Godfather" who could easily arrange violent beatings and that he was being protected by detective inspector Colin Pace. They also informed him of an occasion when inspector Pace was present at Bob Meyers's racing stables when he and his criminal associates were dividing up stolen property.

At the conclusion of the meeting, it was decided to obtain that baseball bat for forensic examination, however the former girlfriend claimed that Bob Meyers's criminal gang had her home under constant surveillance so it was decided that Sergeant Rowe's neighbour would obtain the bat and convey it to his residence.

It became immediately apparent that Bob Meyers had been tipped-off about that meeting because shortly later, the elderly neighbour had received another threatening phone call from him. On this occasion, Meyers threatened to kill the elderly male, his wife and daughter and boasted that he had friends high up in the Police Force and that he would get his friend, Superintendent Pace, to prevent detective sergeant Rowe's promotion in the Police Force. After the neighbour had received that threatening phone call, he made notes of those threats and gave them to Sergeant Rowe.

It was these matters that detective sergeant Rowe wanted to discuss with Mr Peter Ward and on the 16 March 1988, I drove Mr Ward to Sergeants Rowe's residence. There they discussed the threats Bob Meyers's had made and how those threats were now materialising with detective inspector Pace's attempting to sack him from the CIB.

Mr Ward gave Sergeant Rowe his advice as to how he should respond to inspector Pace's report and on completion of that meeting, Sergeant Rowe suggested that Mr Ward should speak to the daughter of his neighbour who previously worked for Bob Meyers.

He stated that she had lots of information regarding the corrupt relationship between Bob Meyers and inspector Pace but was too frightened to report these matters to the Police because she knew that Bob Meyers would find out and her physical welfare would be in extreme jeopardy.

On 23 March 1988, I made arrangements to interview the young lady and I drove Mr Ward to her address. There he took notes as I interviewed her and she made a series of allegations which included that Bob Meyers ran a prostitution racket and was receiving police protection; he would regularly meet with his criminal gang in the Casino in an area which was not covered by security cameras.

She also claimed that on one occasion, Bob Meyers had fired his shotgun at a dwelling and that inspector Pace had got him off any criminal charges. On another occasion whilst she was employed by Bob Meyers, he instructed her to go to the Midland Traffic Office to re-license one of his horse floats. When she returned, she informed him that they wouldn't re-license the float without a vehicle inspection. Bob Meyers then made a telephone call to a person named (*name deleted*) at the Welshpool Licensing Centre and he arrived shortly later at the racing stables with new set of plates for the horse float.

Upon completing that interview and returning to the city, I drove past Bob Meyer's racing stables and asked Mr Ward to jot down the registration number of four vehicles that were parked in the front yard. Later in my office, I did a computer search to ascertain the owners of those vehicles. One vehicle was owned by jockey, Danny Hobby and another was licensed to Avis Rent-a-Car and inquiries there established that the car was hired to a person also named Danny Hobby. I attended their office at the airport and obtained the contractual agreement signed by Hobby when he hired the vehicle.

Danny Hobby was the jockey who had entered into a conspiracy with Bob Meyers and Laurie Connell to fix a horse race, the 1983 Bunbury AHA Cup by taking \$5,000 bribe to jump off his mount at the starting gate. However at this point in time they had not yet been charged with that offence as they were still being protected by corrupt senior police officers that included detective inspector Pace and Superintendent Bernie Johnson.

Superintendent Johnson was a co-director of a private import/export company together with Laurie Connell and another senior police officer and was also the prime suspect for the murder of brothel owner, Shirley Finn. During Laurie Connell's subsequent conspiracy trial about a decade later both Superintendent Pace and Superintendent Johnson had left the Police Force and were engaged as private investigators for Connell's defence team.

Sometime later I also received information that Danny Hobby was related to a detective sergeant who had been the best man for Bob Meyers when he married the niece of Perth City Councillor, Mr Sam Franchina.

**THE AGE FRIDAY 24 JANUARY 1992** - *Mr Connell, 45, was charged late last Saturday with conspiring with a former trainer, Robert Meyers, 45, and a former jockey, Danny Hobby, 28, to fix a horse race at Bunbury nine years ago. They are also charged with conspiring to pervert or obstruct the course of justice by arranging payments to Hobby to keep him out of WA. In court yesterday, the prosecution asked that a condition of Mr Connell's bail be that he not contact his co-accused or Crown witnesses in the case. His lawyer protested, and the magistrate agreed, that Mr Connell could hardly give such an undertaking given he did not know who the witnesses would be.*

The following day, March 24 1988, I received a phone call from a girl employed by Avis and she wanted to know the whereabouts of the vehicle as it should have been returned on 21 March 1988. I told her I would see if the vehicle was still located at the same address and I would then come and speak to her.

I drove past Bob Meyers's stables and after ascertaining the vehicle was still there, I attended at Avis office at the airport and informed the girl that she may have trouble retrieving their vehicle as there was a large group of people currently at that address. I told her that I would accompany one of their male employees to that address in case there was any violence.

The girl drove me to the International Airport to pick up the male employee and as we turned into Tonkin Freeway, I saw Bob Meyers's Mercedes Sedan, parked inside the Marraconda Motel. After picking up the male employee from the International Airport, I drove to Bob Meyers's stables in Belmont where the hire-car was retrieved and driven back to the Avis Depot near the Airport.

There, I searched the vehicle, registered number 7YJ 121 and found that newspaper pages had been laid out in the boot and woodchips were scattered on the pages of newspaper. In the glove box, I located a piece of paper with a hand drawn map on it. A street name was identified and a square showed the name of *(name deleted)* and indicated his home address.

On returning to my office, I entered the name *(name deleted)* on the computer. However there were too many listings under that name and I was unable to locate that person. That evening, I telephoned detective sergeant Kevin Rowe and told him what had occurred.

Sergeant Rowe said;

“I don’t believe it. I know **(name deleted)**. He lives in **(street name deleted)** just near my place. I spoke to him today and he told me that he had hired Bob Meyers to give **(name deleted)** a hiding. I have known both of them for years. They have been having a dispute over a horse float for a long time and I told **(name deleted)** that it was a civil matter. When I spoke to him today, I asked him if he got his horse float back. He told me he got the horse float back yesterday after Bob Meyers’s goons had given **(name deleted)** a bashing with a baseball bat. I was just about to give you a ring and tell you about it.”

I said;

“That explains the hire car. I thought Danny Hobby hired the car for a bloke who arrived from the east. I came to that conclusion because I saw Bob Meyers’s Mercedes parked at the Marraconda Motel in Great Eastern Highway.”

Detective sergeant Rowe called me back later that evening and stated that he had spoken to *(name deleted)* who was too frightened to make a complaint to Police because they threatened to kill him if he reported the matter. They told him that he had to pay Bob Meyers \$2,500. *(name deleted)* also told sergeant Rowe that he had been to see Bob Meyers that day and arranged to pay him off at \$100 per week.

I said;

“I saw **(name deleted)** car at Meyers place today. I took the registration number of that car in my notebook. It was a brown Torana, number **(number deleted)** licensed to **(name deleted)**.”

Sergeant Rowe said;

“I have had a good word with **(name deleted)** and he’s prepared to speak to Peter Ward.”

I said;

“It’s gotten to a bad stage when a person is too frightened to go to the Police to make a complaint.”

The following morning, I took the exhibits which I had collected from the hire car and went and spoke to the senior detective sergeant in charge of the Consorting Squad who I knew well as he had been my boss some ten years earlier when we worked together in the Dealers Squad. I knew him to be a straight shooter and told him what had occurred and informed him that **(name deleted)** would only speak to Mr Peter Ward at the Police Minister’s office because he didn’t trust any coppers.

The senior sergeant said;

“He may as well go and see Ward because I can’t conduct any inquiries into Meyers. **(The chief superintendent)**, wants to know about every inquiry that we are doing and the minute he knows there is an inquiry into Meyers, we may as well forget it. The chief superintendent tells Pacey and Pacey runs straight back to Meyers and tells him everything. I am disgusted in the whole situation. We know a bloke named **(name deleted)** is responsible for some bashings and he runs a security firm called **(name deleted)** and coincidentally Pacey is the Inspector-in-Charge of the Commercial Agents Squad. Do I have to say anymore?”

I said;

“Do you want me to leave these exhibits here with you or take them myself to the Fingerprint Section?”

He said;

“You may as well do it yourself. It is pointless us getting involved.”

I then took the exhibits to the Fingerprint Section and handed them the exhibits which were subject to their job number 180/88 dated Friday 25 March 1988.

On or about Monday 28 March 1988, I went to the Bureau of Criminal Intelligence (BCI) and spoke to constable (*name deleted*) and told him I was working on Bob Meyers and wanted to know if they had any criminal intelligence on him.

He advised me that he was fully aware of his corrupt association with a particular detective inspector and showed me some intelligence reports of his criminal associates. One of them was (*name deleted*), a member of the Mr Asia Drug Syndicate who along Laurie Connell was the joint owner of a horse stud in Middle Swan. The other was race horse trainer, George Way who was well known for the manner in which he had administered "elephant juice" (etorphine) to a racehorse he trained for Laurie Connell which resulted in his suspension from attending any race meeting for a period of twenty years. He was also strongly suspected of administering "elephant Juice" to Laurie Connell's horse, Rocket Racer that won the 1987 Perth Cup.

I was fully aware that in the early 1980s, an investigation by BCI was conducted into (*name deleted*) as he was known to be laundering about \$50,000 a week by wagering that money on fixed Perth race meetings on behalf of the Mr Asia Drug Syndicate. During that investigation, his telephone conversations and that of other WA criminals who were suspected of being involved with the Mr Asia Drug Syndicate were intercepted. In one of those conversations between the criminals, it revealed that inspector Pace was present at Bob Meyers racing stables when they were dividing up stolen jewellery.

In another telephone intercepted conversation between the member of the Mr Asia Drug Syndicate and George Way, he said to Way;

*"Give that cunt (name of police officer deleted) a grand. That should shut him up".*

That same senior police officer was also a co-director with Laurie Connell and Superintendent Bernie Johnson in the private import/export company and he warned George Way that he was about to be raided by the CIB Break Squad as they knew he was in possession of a large quantity of stolen jewellery. He also advised Way that his telephone was bugged which resulted in Way fleeing Perth in the back of a horse float. Once he reached the South Australia border, he rang his own phone number and laughed and said;

*"I know you cops have my phone bugged"*

After the constable from BCI, had shown me the intelligence reports on Bob Meyers, I asked him he had any further intelligence on the member of the Mr Asia Drug Syndicate. He led me to another room and obtained a large cardboard box which contained all the transcribed intercepts of telephone conversations which had been obtained during the Mr Asia Drug Syndicate investigation.

He left me to examine those documents for about half hour and I selected a series of documents which he photocopied for me. Those documents clearly established the West Australian Police Force had conducted illegal telephone intercepts.

Later I was able to obtain further information regarding the manner in which the member of the Mr Asia Drug Syndicate had been able to move large quantities of heroin from the east coast of Australia and transport it to Perth without detection. He owned several large horse floats which he used to transport race horses from the east coast of Australia to Perth and heroin packaged in condoms would be secreted internally into the mares. Bob Meyers later purchased that business from him.

As I did not trust any members of the WA Drug Squad with that information, I arranged to meet two members of the Federal Drug Squad Intelligence Unit in the parking area of the Royal Freshwater Bay Yacht Club in Peppermint Grove. During my discussion with them, they told me they wished they had known that information when Bob Trimbole was running hot.

On or about the 29 March 1988, I received a telephone call from Mr Peter Ward who told me that brevet inspector Les Ayton, the OIC of the Casino Liaison Squad had contacted him and wanted to meet with him to discuss an investigation he was conducting into the Burswood Casino. Mr Ward asked me for my approval to allow him to inform inspector Ayton of the evidence that I had collated into the corrupt conduct of inspector Pace. He told me that he had previously spoken with inspector Ayton about police corruption and was informed that he was currently conducting a covert investigation into the corrupt activities of Superintendent Bernie Johnson. I gave him my approval as I knew that brevet inspector Ayton was a close friend of the Commissioner of Police and I considered that the Police Commissioner should know of the corrupt conduct of inspector Pace.

The following day, Mr Ward again contacted me and we arranged to have lunch together at the City Hotel where he advised me of his conversation with inspector Ayton.

He briefly explained inspector Ayton's allegations regarding the Casino cost overruns which he said related to the sand pad of the Casino building being moved some distance from the original plans. He told me that he considered inspector Ayton's allegations to be frivolous and when they completed discussing that issue, he took the opportunity to advise him of the evidence I had obtained regarding the corrupt association between inspector Pace and race horse trainer Bob Meyers.

Inspector Ayton stated that he was fully aware that inspector Pace was corrupt but that he was currently giving priority to investigating the corrupt activities of Superintendent Bernie Johnson who he considered to be far more serious than those of inspector Pace. He told Mr Ward that he had obtained video surveillance of Superintendent Bernie Johnson handing over police documents to Laurie Connell at the South Perth Yacht club jetty. He also told Mr Ward that he would contact me to obtain all the evidence which I had gleaned regarding the corrupt conduct of inspector Pace. I expected him to contact me but he failed to do so.

At about lunch time on the 31 March 1988, I received a telephone call from detective sergeant Rowe who told me that we could trust detective sergeant Jim Allan who was the OIC of the Midland CIB. Sergeant Allan had won the confidence of two of Bob Meyers's baseball team and they were prepared to give evidence against the whole gang including detective inspector Colin Pace. They were also prepared to provide information regarding the murder of brothel madam, Shirley Finn.

One of the baseball bashers was due to meet with Bob Meyers and some of his criminal gang at a property in Middle Swan at about 3pm that day but was concerned for his safety as he suspected that Meyers may have found out that he had become a police informant. To monitor his safety, Sergeant Allan wanted to have him fitted-up with a listening device but that would require the authority of the Commissioner of Police and to obtain that authority, we would need to go through the chain of command. We certainly did not trust either the Chief Superintendent in charge of the CIB or the Assistant Commissioner of Police as we were fully aware of their close friendship with inspector Pace and that the three of them had recently been seen together in an intense discussion at the police cafeteria.

I suggested that we should go and see Mr Ward at the Police Minister's Office and see if he would approach the Commissioner of Police on our behalf and obtain his direct approval.

The three of us went and spoke with Mr Ward and told him of our dilemma and the urgency in obtaining the Commissioners' approval as the meeting between the criminals was due to begin in a few hours. We advised him that we couldn't approach the Chief Superintendent or the Assistant Commissioner of Police as they were close friends of inspector Pace and they had one thing in common, they had all served at the Port Hedland CIB where allegations of police corruption had been made for many years.

We returned to our offices as Mr Ward went to see the Commissioner of Police. While we were waiting for the outcome of his meeting, Sergeant Allan took the informant to the technician's office in readiness to be wired up with a listening device. We waited for a considerable time without getting the Commissioner's approval so Sergeant Allan handed the informant with a small tape recorder and I and several other detectives drove close to the address where the meeting took place and kept the dwelling under surveillance in case the informant's physical welfare became subject to any danger.

After that job was completed, I went to see Mr Ward to ascertain what had occurred during his meeting with the Commissioner of Police. He told me that when he had advised the Commissioner of Police of our concerns about the integrity of the Chief Superintendent and the Assistant Commissioner of Police, the Commissioner told him that he had absolute confidence in his Assistant Commissioner and bought him into the office where he was advised of our inquiry.

The Assistant Commissioner then telephoned the technicians to provide them with the approval to install the listening device; however, he told Mr Ward that there was no one in their office as they had not answered their telephone.

I said;

"What a load of shit. Jimmy Allan had **(name deleted)** in their office in readiness for the Commissioner's authorization. It was a simple task and if our Assistant Commissioner couldn't make that simple arrangement, it makes me wonder why."

Mr Ward said;

"The Commissioner has absolute faith in his Assistant Commissioner so I couldn't argue with him."

I said;

“Well it doesn’t really matter. We couldn’t wait, so Jim gave **(name deleted)** a small recorder which did the job. Unfortunately, Meyers didn’t front the meeting. One of his men pranged his car and injured his young boy. Meyers was at the hospital. Jim has got the tape and is going to transcribe it”

Mr Ward said;

“Well, everything worked out okay after all.”

I said;

“No thanks to the Assistant Commissioner”

I expected and considered it would have been prudent for the Commissioner of Police to have called the three of us before him to give him an explanation why we approached the Police Minister’s office rather than proceeded through the normal chain of command. I also expected that he would have demanded to know what evidence we had to suggest that two of his most senior executive members lacked integrity but the Commissioner of Police made no such demand.

On Easter Monday, April 4 1988, I was rostered on duty and on my way home at about 3.00pm that day I drove passed Bob Meyers’s stables. There were three vehicles parked inside those premises and I jotted the registration numbers of those vehicles as I drove passed. The following morning, I entered the registration numbers into the computer and found that a red Holden Camira sedan registered number 7LL 088 had been reported stolen and was subject to serial 3220/88.

I ascertained that the owner of that vehicle resided in Leonora but was staying at the Toorak Lodge Motel in Rivervale at the time he reported his vehicle stolen. Details on the computer indicated that there may be no offence so I phoned the Stolen Motor Vehicle Index Bureau to get the full details and was advised that the Victoria Park Police attended at the crime scene and besides reporting his car stolen, the complainant also alleged that he had been assaulted with a baseball bat.

I then attended at the Victoria Park Police Station and spoke to the constable who attended the crime scene and he gave me a copy of his action report.

Further inquiries led me to Metro Motors in Morley where I located the complainant and he informed me that during his rostered days off at the mine site in Leonora, he would travel to Perth and use the services of a prostitute who used the pseudonym of "Hayley". He claimed that over a period of time he paid prostitutes a lot of money and had maintained a diary which recorded their photograph, the date, time and the amount he paid for their services. I immediately recognised the name "Hayley" as a prostitute who worked for Bob Meyers.

The complainant advised me that the prostitute did not own a motorcar and he offered her to use his brand new red Holden Camira sedan while he was at work at Leonora in exchange for free sex when he travelled to Perth. After he had arrival at the Toorak Lodge in Rivervale on Easter Friday, he contacted the prostitute and made arrangements for her to attend the motel and have sex with him.

When she arrived, she told him that she was pregnant and no longer wished to see him and arrangements were made for her to return his vehicle on Easter Monday, 4 April 1988. At about 4pm on that date, the prostitute arrived at the Motel room and as he opened the door to let her in; three males burst into the motel room, threw him onto the floor and commenced to kick him and one of the assailants began to bash him with a silver metal object believed to be a baseball bat. During that assault, they forced him to sign a "Disposal Notice" transferring ownership of the vehicle into the prostitute's name.

On hearing the circumstances of the extortion, I offered to drive the complainant to my office and obtain an official deposition from him. However, the female salesperson who had sold him the car and arranged his finance, insisted that she be present during my interview to ensure that the Hire Purchase Company's financial interest in the vehicle was protected. I then obtained a hand written statement from him and he was also able to provide me with a copy of his diary which showed the prostitute's photograph, the times, dates and the amount of money he had paid for her sexual services.

After I completed taking the statement, the complainant produced a typed letter authorizing Metro Motors in Morley to take possession of the motor vehicle when it was located and he also gave me a spare key to the vehicle in case I located it. As he was leaving to return to Leonora, I gave him my card and wrote the names of detective sergeant Rowe and Allan on it and told him to contact one of us when making inquiries about his stolen motor vehicle.

The following day, Wednesday 6 April 1988, I telephoned detective sergeant Rowe and arranged to meet him in the parking area of the WACA ground where I informed him what had taken place and gave him the original copy of the complainant's statement and copy of his diary. I didn't trust meeting him at CIB Headquarters where we could be seen together and inspector Pace finding out about our meeting.

I then drove to the Victoria Park and spoke to the detective sergeant in charge of the Victoria Park CIB and advised him of the circumstances as I knew his office would get the reported assault offence for inquiry as it had occurred in their police district. I handed him a copy of the statement I had obtained, together with a copy of the diary. I told him that detective sergeant Rowe was going to investigate that assault as he was investigating a similar offence and Bob Meyers was suspected of organising both baseball bashings

At about 10am the following morning, Thursday, 7 April 1988 I received a telephone call from the saleswoman at Metro Motors.

She said;

"We have got **(complainant's)** car back."

I said;

"Who found it?"

She said;

"Detective Sergeant **(name deleted)** of the Motor Squad rang me. He was a real pig and I took an instant dislike to him."

I said;

"Why, what did he do?"

She said;

"He told me that there was no criminal offence involved. It was a civil dispute regarding the ownership of the car.

He said that he had interviewed **(the prostitute)** and she had told him that **(complainant)** had bought the car for her. If he wanted his car back, he would have to take his own civil action. I told him that I had sold the car to **(complainant)** and I knew that this prostitute had no right to it. I said that if he didn't return the car immediately, I would take the matter further. It was only after I insisted that the car be returned, that he relented."

I said;

" **(name deleted)** has shown his colours and its obvious he is working for Pace.

Shortly after terminating my telephone conversation with her, I received a call from the detective sergeant in charge of the Victoria Park CIB who wanted to meet me at 11am at the car park near the river, opposite the Police Headquarters; again we did not want inspector Pace finding out about our meeting.

He said;

"Pacey knows what you are doing regarding that car."

I said;

"How could he know? There are only a few of us who know anything about it."

He said;

"I've got no idea, but **(Detective sergeant from the Motor Squad)** rang me earlier this morning and said;

*(name) you know that car reported by (complainant), there is nothing in that you know. It's a civil matter and we are not going to buy into it. If you like, we will do the assault inquiry for you seeing we've got the inquiry.*

I told him that it was no big deal and we would do the assault inquiry because the offence occurred in our Police District."

**(name deleted)** said:-

*"What is Frank Scott doing running around on that file?"*

I said,

"Frank Scott? He is in the Liquor Branch isn't he? Why would he be running around on this?"

**(name deleted)** said;

*"Well, we know that he is running around on this file and there are a lot of people who are interested in it. Have you got **(complainant's)** photo album?"*

I said;

"What photo album? I haven't got any album. Who's is showing so much interest in this car if it's only a civil matter?"

**(name deleted)** said;

*"Colin Pace wants to know what Scott's involvement is. He reckons Scotty is trying to set him up."*

"I told him that as far as I knew, no one was trying to set Pace up. The only inquiries being conducted were being done with a view of trying to catch the offenders responsible for bashing of **(complainant)**"

When I returned to my office, I phoned detective sergeant Kevin Rowe and arranged to meet him at Kings Park. There I told him that inspector Pace knew all about our investigation into the **(complainant's)** file.

Sergeant Rowe said;

"I know. Pacey has been pestering me about it all morning. How did he find out about it?"

I said;

“It could have been through a couple of ways. **(name deleted)** is at Vic Park and would know about it and **(name deleted)** knew about it. It was probable one of them.”

Sergeant Rowe said;

“But neither of them would know I was involved. When Pacey pulled me on, he kept asking me for the file. How would he know I had it?”

I said;

“The only thing I can think of is that he must have contacted **(the complainant)**. I had given him your name, Jimmy Allan’s and my own. I told him to ring one of us when he was inquiring about his stolen vehicle. I would say that Pacey phoned **(complainant)** and he gave our names to him.”

The following day, Friday April 8 1988, I attended at Metro Motors to return the spare key of the complainant’s motor vehicle to the saleswoman. I told her that the investigation into the extortion offence committed by Bob Meyers and the prostitute had been compromised and that detective inspector Pace had found out about our investigation and was trying to squash it.

She said;

“How did he find out?”

I said;

“It’s obvious it must have been some copper. We both know he has got **(name deleted)** working for him.”

She said;

“I don’t know how this Police Force operates. All I know is that **(complainant)** didn’t deserve this bashing.”

I said;

"I agree, and I am doing my best to catch the offenders, but it's difficult when you have half the Police Force trying to protect the criminals. Are you prepared to give me a statement as to what **(name deleted)** said to you yesterday?"

She said;

"I don't want to get involved in Police matters. All I know is that **(complainant)** didn't deserve this."

I said;

"Pacey may be getting his team together trying to stop this inquiry. What he doesn't know is that we are in the last quarter and our team is kicking with a five goal breeze."

She said;

"I am going away for the weekend. I don't want to get involved in Police matters. I will ring you on Monday and let you know if I will make a statement."

I said;

"Okay then."

The following morning, Saturday April 9 1988, I received a telephone call at home from detective Sergeant Rowe who wanted to speak with me but suspected that my home phone was bugged and asked me to come and see him. When I arrived at his home, he told me that detective superintendent **(name deleted)** was going to establish a Task Force to investigate all the baseball bashings organised by Bob Meyers and his corrupt association with inspector Pace.

He said;

"What has happened is that when Laurie Connell bought Meyer's stables (Kiwi Lodge) he put (member of the Mr Asia Drug Syndicate) in them.

Apparently, (member of the Mr Asia Drug Syndicate) went up into the roof and found all telephone tapping equipment. He now blames Meyers for tapping his phone, but because of this gear being found, I don't trust your phone. Pacey would love to have your phone tapped. That Sheila from Metro Motors is working for them. She has both you and Jimmy Allan on tape and has given it to Pacey who was seen playing the tape to (Chief Superintendent in Charge of Internal Investigations) and he reckons he is going to sue you for defamation."

I said;

"This is obviously payback for me taping **(name deleted)** (the Chief Superintendent in Charge of the CIB). I don't give a fuck if he plays the tape to the Pope, it will only show how I have been trying to catch the crims and he's doing his usual job in protecting Meyers. Anyway I have been careful what I have said to her over the phone, because I don't trust the work phones. If she has taped any conversation I had with her, it would have been yesterday. When I asked her to give me a statement in relation to what **(name deleted)** said to her, I could feel she had gone cold. The other day she reckoned that **(name deleted)** was a big prick and yesterday she said she didn't want to get involved. I reckon **(name deleted)** has got to her. It's obvious he has been screwing her and he's a great mate of our crooked little gang."

Sergeant Rowe said;

"What we want you to do is cool it. While Pacey thinks you are working on him, his guard is up and we won't be able to get any evidence of his corruptness. What **(Task Force Commander)** wants is for you and Jimmy Allan to fade into the background and let him and **(detective sergeant from the Consorting Squad who had previously been advised of the corrupt association between detective inspector Pace and Bob Meyers)** to handle the inquiry."

I said;

"I don't mind. There is not much more I can do anyway, but I don't trust the **(Task Force Commander)** doing the inquiry.

Did you know that he and **(name deleted)** used to do illegal telephone taps back in 1981 and during those taps they got evidence of Police corruption and yet he did nothing about it then. Why would he change now?"

Sergeant Rowe said;

"All I know is that he dead set wants to get Pace now because he reckons Pace has recently put one over him. He is going to form this taskforce and reckons he will get him this time. We told **(task force commander)** we want you on the team because all the work you have already done."

I said;

"I don't care what happens as long as Meyers and his baseball team are locked up."

Sergeant Rowe said;

"**(name deleted)** and a few consorters are doing the inquiry into Meyers and **(task force commander)** is going to handle any charges against Pace."

I said;

"As long as he is genuine and it's not just another one of their cover-ups, I don't care if I am on the team or not."

Sometime during the following week, I phoned **(detective sergeant from Consorting Squad)** and invited him to my home. I told him that **(name deleted)** had been in BCI some years ago had conducted telephone intercepts on **(name deleted)** (member of Mr Asia Drug Syndicate), George Way and other criminals and during those telephone taps, he gained evidence of Police corruption. I told **(consorting squad detective)** that I had recently gone into BCI and obtained documents which supported what **(name deleted)** had told me. I showed **(consorting squad detective)** those documents.

The following night, **(consorting squad detective)** again attended my residence. He told me that he had informed the Assistant Commissioner of Police that I had enough evidence to lock up half the Police Force.

I said;

**"(name deleted)** I didn't mean for you to tell the Assistant Commissioner. I don't want to carry out a witch-hunt on corrupt cops. I told you all that information to explain why these criminals have been evading detection for all these years. I wanted us to carry out a covert operation to lock up the likes of Bob Meyers, George Way and the member of the Mr Asia Drug Syndicate. They have been getting away with murder for years."

**(consorting squad detective)** said;

"I told the Assistant Commissioner not to tell anyone else."

I said;

"I'm afraid I don't have too much confidence in him."

**(consorting squad detective)** said;

"Both the Assistant Commissioner and Task Force Commander want Meyers. They are alright."

I said;

"Well, I don't really trust the Task Force Commander either. He was with **(name deleted)** in BCI when all this happened and he didn't do anything about it then."

**(consorting squad detective)** said;

"You will find they both want Meyers."

I said;

"And what about Pace. He's up to his eyeballs in all this."

**(Consorting squad detective)** said;

"The Task Force Commander is going to work on him. We are doing Meyers and all his crims."

The following day, I returned to the Bureau of Criminal Intelligence and spoke to the constable

I said;

“I suppose you have been given instructions to blockade all the doors at BCI as soon as you see me.”

He said;

“No. but the (Assistant Commissioner of Police) came around and took the box containing all those documents you were looking through concerning the member of the Mr Asia Drug Syndicate.

I said;

“I bet he is having a good time putting them through the shredder. There is obviously no point in getting **(name deleted)** up here, now.”

Shortly later the taskforce was formed and we had our first meeting at the Windsor Lodge Motel in Como. Those present were detective sergeants Kevin Rowe, Jimmy Allan, the detective sergeant from the Consorting Squad and myself. The Task Force commander was late to arrive. We discussed all the baseball bashings including the Turf Club Stewart bashing and the three of us gave the Task Force Commander and the detective sergeant from the Consorting Squad all the documentary evidence we had obtained for the **(name deleted)** and **(name deleted)** extortion charges.

At the conclusion of the meeting, the Task Force Commander wanted to speak to me privately.

He said;

“The boys have told me that you weren’t happy in me doing this inquiry.”

I said;

“No, I wasn’t. You would know about the documents I obtained from BCI regarding **(member of the Mr Asia Drug Syndicate)**. You were in charge of BCI and knew everything that was happening and did nothing about it.”

He said;

“We did several operations on **(the member of the Mr Asia Drug Syndicate)** in those days. He always managed to slip through, but we will get him this time.”

I said;

“That is all I want, a proper inquiry to get these criminals. It’s got to a bad stage when crims can take to people with baseball bats and half the Police Force is looking after them,”

He said;

“You have no worries. This inquiry will be done properly and they will get locked up. The only thing I don’t like, Frank, is you running to Peter Ward and telling him everything.

I said;

“All I’ve ever wanted is a proper inquiry. If this is done there will be no reason for me to go to Ward. It’s just up to this stage; I haven’t trusted anyone in the Police Force with the exception Kevin and Jim.”

He said;

“I can assure you that this inquiry will be done thoroughly. Do you think that I could have those documents you obtained from BCI? I’d hate for them to get into the wrong hands. We don’t want a Royal Commission like the Age Tapes Affair.”

I said;

“Sure. Like I said, all I want is a proper inquiry to get these crims. I have already told **(name deleted)** (detective sergeant Consorting Squad) that I am not interested in a witch-hunt to get corrupt cops. These events happened a long time ago. I just want Pace because he is corrupt now.”

I later photocopied those documents and gave the Task Force Commander a copy. I kept my original copy as I did not fully trust him.

During the Task Force meeting, I was allocated the role to assist the Task Force Commander to conduct further investigations into the complaint received at the Belmont Police Station which identified Inspector Pace and race horse trainer Bob Meyers as the offenders for stealing the boat and trailer. My investigation included interviewing and obtaining statements from the jockey (complainant) and a female witness who were able to provide direct evidence to establish that it was detective inspector Pace who had stolen the boat and trailer.

The complainant was able to produce photographic evidence to show his boat with its license registration number 21395 clearly visible, located at Inspector Pace's private residence and the female witness observed inspector Pace take possession of the boat and tow it away. The boat's registration numbers were then obliterated and towed to the Department of Marine and Harbours where inspector Pace fraudulently transferred the complainant's boat registered number 21395 into his own name and was issued with a new registered number 14900 for the same licensed boat.

On Friday, 29 April 1988, I went to see the Task Force Commander. It was my last day at work before I commenced my annual leave and I handed him the statements and the photographic evidence which I had obtained which clearly established prima-face evidence that inspector Pace had stolen the boat and trailer belonging to the jockey.

During our discussion he said;

"Pacey approached me and wanted to know if I was doing an inquiry into him. He said he had a tape of you running me down."

I said;

"Well, I wasn't happy when I first found out that you were doing this inquiry and I told both Kevin and Jim. I know that sheila from Metro Motors has taped me but I don't recall running you down to her."

He said;

"Pacey mentioned something about being on teams and kicking with the breeze. I didn't understand what he was talking about."

I said;

“Yes, I can recall saying that to her. I told her Pacey was getting his team together to try to stop this inquiry and our team was kicking with a five goal breeze in the last quarter. I certainly did not mention your name then as I don't think I even knew you had the inquiry at that stage.”

He said;

“I think Pacey is starting to shit himself.”

I returned to work on Monday, 30 May 1988 and on Friday 3 June, 1988 I went to see the Task Force Commanded to see how he was progressing with his investigation into the theft of the boat and trailer. I expected that he would have seized the boat and trailer from inspector Pace and had it forensically treated to remove the fresh coat of paint so that the original registration number on that boat could be restored. I also expected that he would have interviewed the vehicle examiner at the Welshpool Licensing Centre regarding the fraudulent manner in which the license of the trailer had been converted into inspector Pace's name.

The Task Force Commanded advised me that he had not conducted any further investigation into the matter as he had been too busy on other issues.

On the 16 June, 1988, I located a witness who provided me with reliable information that Bob Meyers was also associated with **(name deleted)**, a known criminal who had previously worked on the wharf at Wyndham and had been supplied drugs by foreign seamen in exchange for exotic birds which were kept at an aviary on George Way's property.

This criminal, together with Bob Meyers had extorted a race horse from **(name deleted)**, (a quadriplegic) after threatening him and forcing him to assign his share of the horse into the criminal's name. That horse had been entered in a midweek race and on the Sunday prior to that race; the other two part-owners of the horse had received information that it had been heavily backed by Bob Meyers with illegal bookmakers to win a fortune. The part-owners of the horse then decided to remove it from the trainer **(name deleted)** as they strongly suspected that it had been doped.

When one of the owners returned home after taking the horse to a property in Armadale, his flatmate informed him that an inspector Pace had phoned and requested that he attend the Victoria Park police station as soon as he arrived home. He became concerned that a police inspector had become involved in their horse which they suspect had been doped, so he stayed the night at another friend's home. The following morning when he contacted his parents, he was told that inspector Pace had called and told them that he was in trouble with the police.

After being advised of this information, I telephoned **(name deleted)** (quadriplegic), who told me that his complaint of extortion had been investigated by the Consorting Squad and he didn't want to get involved because after he had been threatened by Bob Meyers and **(name deleted)**, he had an epileptic fit and spent several days in hospital in intensive care. Shortly after I had spoken to him, I received a telephone call from a police sergeant from Division 79 and he said;

"I understand you have been speaking to **(name deleted)** regarding threats he received from Meyers and **(name deleted)**."

I said;

"It doesn't take long to get around. I've only just got off the phone after speaking to him."

He said;

"That matter has already been investigated by the Consorting Squad. I suggest you leave it at that. **(Name deleted)** nearly died after that incident. He is not a well man and the trauma of a trial could kill him. What about coming over and having a chat with me?"

I then attended at his office where he informed me that he had trained horses for **(name deleted)** (quadriplegic) and that he was with **(name deleted)** and **(name deleted)** when they took **(name of horse)** from **(name deleted)** stables. He said that inspector Pace had spoken to him and told him they got rid of **(name deleted)** from the State and there had been an Internal Inquiry into the matter conducted by **(name deleted)**. He then went on to say that this matter was too big and advised me not to get involved. He also told me that another horse named **(deleted)** was killed by Bob Meyers for the insurance money and I later learned that the horse had been euthanized after Bob Meyers had smashed and broke its leg with a baseball bat.

Shortly later, I obtained a copy of the Offence Report and together with **(name deleted)** statement; I went and spoke to the Task Force Commander and said;

“Here is another extortion similar to the **(name deleted)** case committed by Bob Meyers and **(name deleted)**. Once again my friend Colin Pace was involved. He was ringing one of the owners up in the middle of the night and wanted to meet him at the Victoria Park Police Station. It’s no co-incident that he wanted to meet him there as **(name deleted)** was in charge there and he is another mate of Meyers. Look where he is now, an Inspector with the feather feet. If I were you, I would grab the original of this file before that disappears.”

The following day, Friday 17 June 1988, I went and spoke to Mr Ron Goddard, the Turf Club Racing Investigator who I knew well as he had been a former detective sergeant in the West Australian Police Force. I told him about the information I had obtained about the corruption in the racing industry and he advised me that he was fully aware of the corrupt association between inspector Pace and race horse trainer, Bob Meyers.

I said;

“If you know all about this corruption, why haven’t you done anything about it?”

He said;

“What can I do when most of the Turf Club Committee are involved? They pay my wages.”

I said;

“I know the feeling. Don’t trust any coppers. Kevin Rowe and Jimmy Allan are the only ones I trust.”

I then told Mr Goddard about a file that disappeared from the Liquor and Gaming Branch office which related to Laurie Connell and the corrupt manner in which he and two senior detectives stationed at Kalgoorlie CIB had placed bets with bookmakers at Kalgoorlie on a horse race in the Eastern States after they already knew the winner of the race.

He said;

“I’ve got a transcript of the whole inquiry. Do you want a copy?”

I said;

“Yes. Do you mind if I show it to Peter Ward who is the adviser to the Police Minister, he is one person you can trust.”

He said;

“By all means. What they need is a Royal Commission to clean the Racing Industry up. Everyone knows that Pace and Meyers are corrupt and nothing is done about it.”

I said;

“Well don’t trust **(Assistant Commissioner)** or **(Chief Superintendent)**. They are both looking after Pace and Meyers.”

I also asked Mr Goddard if he could give me the full name and address of a female **(name deleted)** who was listed as a part-owner of a racehorse named **(name deleted)** which was trained by Bob Meyers. He searched the Turf Club records and then told me her full name and address. **(name and address deleted)**.

I said;

“That’s Pacey’s address. His misses is part owner in this horse under a false name. He has told previous inquiries that he has never owned horses in partnership with Meyers.”

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On the 27 June 1988, I was contacted by Detective sergeant Kevin Rowe who had been on annual leave and had returned to work that morning. He told me that he had been called to a meeting with the Assistant Commissioner of Police and was devastated to be told that he was being transferred back to uniform. Prior to commencing his annual leave, the Assistant Commissioner of Police had instructed the Task Force Commander to advise him not to worry about the detrimental report submitted on him by inspector Pace and that his job in the CIB was safe.

After Sergeant Rowe informed me what had happened and I went straight over to speak with the Task Force Commander.

I said to him;

“What is going on? Kevin has just told me that he is being transferred back to uniform. **(name deleted)** (Assistant Commissioner of Police) told him his job was safe and now when he gets back to work, he tells him the inquiry into Bob Meyers is finished and he is being transferred back to uniform. What sort of dirty trick is that?”

It was obvious that the Task Force Commander was embarrassed because he couldn't look at me.

He said;

“I know. How do you think I feel about it? I sent **(name deleted)** (detective sergeant from the Consorting Squad) over to tell him his job is safe.”

I said;

“Why is **(name deleted)** (Assistant Commissioner of Police) saying that this inquiry is complete? What have you done with everything that I've given you?”

He said;

“I just haven't had a chance to do anything yet. I've been working on something much bigger concerning allegations about the Drug Squad.”

I said;

“Well, why is **(name deleted)** (Assistant Commissioner of Police) saying the inquiry is complete when you haven't started any investigation yet? Is he corrupt too?”

Still without looking me, he said;

“No **(name deleted)** is alright. It's just **(name deleted)** (Chief Superintendent in Charge of the CIB). Do you think he is corrupt?”

I said;

“Quite frankly, I don’t. I just think he is a fucking idiot and Pacey is playing him on a break.”

He agreed with me and then said;

“You’re not taping this conversation now, are you?”

I said;

“No, I’m not **(name)**, but when you got this inquiry, you told me you were going to do it properly. All I can see that has happened is that you and **(name deleted)** are the big hero’s by locking up Bob Meyers and his baseball team and me and Kevin Rowe who gave you everything on a plate have been shit on. Rowe is getting sent back to uniform and Bullie shit on me from getting the job with the Gaming Commission. It’s good to know how these cunts appreciate all the work we did. Don’t think this is the last of it, because I am going back to Wardie and tell him how you cunts are trying to do another snow job.”

He said;

“I’m not doing a snow job. I have full intentions of doing the inquiry, but at the moment I have given it low priority because of the other job.”

I said;

“You have had that inquiry for months. If it were a Detective sitting on a file for that long, he would be in the shit by now.”

Although the Assistant Commissioner of Police claimed that the investigation into the extortion charges against Bob Meyers had been completed, the prostitute who conspired with Bob Meyers to assault the owner of the Holden Camira sedan and jockey, Danny Hobby who hired the motor vehicle which was used to convey the gangsters to the scene of a serious crime were never charged. As a result of information which I supplied the Task Force, the two thugs who were responsible for the vicious bashing of the Turf Club Steward were also charged with that offence.

However the member of the Mr Asia Drug Syndicate who paid those thugs \$1,500 each to execute that baseball bat beating was not even interviewed regarding his role in that crime and once again the Task Force Commanded had allowed him to slip through his fingers without facing any criminal charges.

## **The Sunday Telegraph April 17, 2011 12:00AM**

**SLAIN racehorse owner Les Samba was under surveillance for years, suspected by the FBI of regularly flying to the US to do "jobs" for the Mafia.**

*As police examine Samba's past, The Sunday Telegraph has been told by highly reputable sources that in the 1980s intelligence from US agencies was passed onto Western Australia's chief racing investigator, the late Ron Goddard, about Samba's suspected links to organised crime families.*

*"We understood he had links to the Mafia and flew frequently to America," the source said. "We're not certain what he did over there - but he wasn't buying milk and bread for them."*

*Samba was racing horses in Perth at the time. The then WA chairman of stewards Fin Powrie confirmed having extensive discussions with investigators about Samba's shady connections, but denied knowledge of a Mafia link.*

*"There could be certain things that Goddard and I discussed that we didn't go further with, and if we didn't, it's because they were issues that couldn't be proven or otherwise," Mr Powrie said.*

*The brazen suburban Melbourne murder of Samba, who was executed at point-blank range, shocked the racing world.*

*His estate still owns several thoroughbreds, including Sea Lord, which won at Rosehill three weeks ago. His glamorous lawyer-daughter Victoria - the official face of the Melbourne Cup carnival in 2005 - was the former head of marketing for NSW Racing and was married to jockey Danny Nicolich.*

*Victoria Samba was at Randwick yesterday to see her late father's horse Cocky Raider finish second in the opening race.*

*Just hours after Victoria delivered a tearful plea last Monday for help in solving her father's murder, police raided the Gold Coast property of Nicolich's brother, John.*

*Samba - who owned several thoroughbreds with Ron Medich, the Sydney businessman defending charges of murdering McGurk - was also the subject of a National Crime Authority probe and a major tax office investigation in which he admitted stashing up to \$850,000 in cash in secret locations.*

*Samba's wife Deirdre, who also has several racehorses in her name, told investigators at the time that if anything were to happen to her husband, she would never be able to find his money.*

*A handful of witnesses involved in the McGurk matter and others who had dealings with Samba were interviewed last week - but none of them are considered "targets" of the case.*

*The key link between both victims is their business relationship with millionaire property developer Ron Medich, who was charged last year with masterminding the McGurk murder. McGurk was gunned down outside his Cremorne home.*

*It was also revealed yesterday that police are looking into Samba's visit to Perth weeks before his murder. He was seen with an old mate, convicted drug trafficker Bruce Allan "Squiggley" Morris. Morris, a member of the so-called Mr Asia drug syndicate, was jailed in 1996 over a cannabis shipment freighted to Sydney.*

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**MARK BUTTLER - From: Sunday Herald Sun**

**December 28, 2013 11:00PM**

**A BOGUS \$3 million racehorse deal was the bait that lured trainer Les Samba to - Melbourne to be murdered.**

*A close friend of Mr Samba has told police that his mate believed he stood to pocket \$150,000, five per cent of the price of the horses he understood he was to buy for rich Malaysian businessmen at the Inglis yearling sales.*

*But the friend, West Australian racing figure Bruce Morris, said the Malaysians never existed and the payment was a ruse.*

*He has given a statement to police investigating the execution of Mr Samba at Middle Park on February 27, 2011.*

*Mr Samba had told Mr Morris he had been due to meet the businessmen for dinner on the Saturday night of the sales weekend.*

*That was the evening before he was shot dead in an ambush on Beaconsfield Pde.*

*Mr Morris told the Sunday Herald Sun he had been suspicious and had asked his mate to name the Malaysians.*

*"He (Samba) said they didn't turn up for dinner. I said: 'Who's going to pay for the horses?'" Mr Morris said.*

*Even before Mr Samba was murdered, Mr Morris thought the deal was fanciful.*

*"They (Malaysian buyers) don't spend \$3 million. They never, ever have. It's a ridiculous figure," Mr Morris said.*

*"The Malaysians never existed," he added. "It was a lure to get Les to Melbourne from Adelaide."*

*Mr Samba was a first-rate judge of horse flesh and a good man, he said.*

*"I don't think you'll find one person who won't say he's a good bloke," Mr Morris said.*

*Mr Morris said he knew who was behind the killing, which is being investigated by gangland taskforce detectives.*

*He even gave the Herald Sun the name of the man he believed responsible.*

*"You should be speaking to him. He has more to offer on what happened to Les Samba," Mr Morris said.*

*"If he wants to shoot me in the back for saying it, good."*

*A \$1 million reward remains in place for anyone able to help solve the Samba killing.*

*Homicide squad inquiries into the murder uncovered evidence of alleged race-fixing at a Cranbourne meeting two months later.*

*Smoking Aces, a horse ridden by Mr Samba's former son-in-law Danny Nikolic, won that race.*

*Nikolic and his trainer, his brother John, came under the scrutiny of police and racing authorities, but it was revealed five months ago that no charges would be laid.*

*Senior police had previously stated that solving the race-fixing case was the key to finding answers to the murder.*

*Anyone with information on the killing can call Crime Stoppers on 1800 333 000 or go to [crimestoppers.com.au](http://crimestoppers.com.au).*

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The day after he sacked detective sergeant Rowe from the CIB, 28 June 1988, the Assistant Commissioner of Police (Crime) telephoned Mr Peter Ward at the Minister's Office and told him that he wanted to discuss the police corruption issues with him.

During my discussion with Mr Ward prior to our meeting with both the Deputy Commissioner and the Assistant Commissioner of Police on the 4 August 1988, I reminded him of the blatant lie that the Assistant Commission of Police had told him when detective sergeant Allan had his informant at the technician's office waiting on the Commissioner's authority to wire him up with a listening devise.

I strongly suspected that it was no coincidence that Meyers had failed to turn up to that meeting with his criminal gang members as he had been tipped-off that a police informant would be attending that meeting and would be wired up with a listening device. The story of Bob Meyers having been called to the hospital because his son was involved in a traffic accident, I considered to be pure bullshit and was fabricated to provide a plausible explanation for him not attending that meeting.

I also told Mr Ward how the Assistant Commissioner of Police had attended the Bureau of Criminal Intelligence and seized the large cardboard box containing all the documentary evidence obtained by BCI during their investigation into the Mr Asia Drug Syndicate and had corruptly destroyed all those documents. I had anticipated that a close examination of those documents may have been able to elicit evidence to show that the member of the Mr Asia Drug Syndicate had been given the initial contract to murder Doug and Isabel Wilson in NSW for the drug syndicate.

In addition I informed Mr Ward of the enmity that existed between me and the Deputy Commissioner of Police which dated back to the early 1960s when I was a 16 year old youth and lived in a small country town. He had been appointed the sergeant at the new police station that had been built because of its high crime rate.

The then police sergeant had charged a fellow apprentice workmate of mine with driving a motor vehicle while his licence was under suspension and had arrested him several days after the alleged offence. The only evidence he produced in a subsequent court hearing was his verbal testimony and I was called on behalf of the defence and gave evidence that I had witnessed the car pursuit and at the time of the alleged offence it was not the defendant who was driving that vehicle.

The Magistrate considered my evidence to be more credible than the Sergeant's and dismissed the case against the accused. After that point in time, the sergeant displayed an overt vendetta against me and would regularly pluck me off the streets and convey me to the Police Station where he would interrogate me in a threatening and intimidating manner and accuse me of every single criminal offence which occurred in the town. Some seven years later when I applied to join the Police Force, he submitted a derogatory report on my character and attempted to prevent me from joining the Police Force.

I told Mr Ward that I did not trust either one of them and I could not understand why they had approached him to broker a meeting with me when all they had to do is ring me up and demand that I attend their office. I strongly suspected that the real purpose for the Assistant Commissioner of Police contacting him to discuss issues of police corruption was to ascertain how much he knew of the corrupt association between inspector Pace and criminal, Bob Meyers.

The following week after my meeting with the two members of the police hierarchy, I drove to Midland CIB to ascertain if detective sergeant Allan had transcribed the tape recording of the meeting which took place between Bob Meyer's criminal gang members. I told Sergeant Allan of my meeting with the Deputy and the Assistant Commissioners' of Police.

Sergeant Allan said;

"What day did you have the meeting with them?"

I said;

"Last Thursday."

He grinned and said;

"That figures. Last Friday, Pacey rang me up out of the blue and abused the shit out of me for supporting Kevin Rowe. He told me I didn't know what I was talking about and there were plenty skeletons in the cupboard. He then went on to say that he knew you and Peter Ward were out to get him."

I then drove back to the city and went and spoke to Mr Peter Ward and advised him what I had been told by Sergeant Allan.

I said;

“You can tell **(The Assistant Commissioner of Police)** that he has failed the test. He must take us for a mob of idiots and he’s got the nerve to ask me to give him information on corruption. Corruption in this State starts with him.”

Mr Ward said;

“Remember, I told you I had two theories why Bullie shit on you for that Gaming Commission job? I know which it is now. I was talking to (Deputy Commissioner) Frank Peters and he has told me that the (Assistant Commissioner of Police) never gave you any credit for that Meyers inquiry. He was running around praising up **(name deleted)** and telling everyone what a good job he was doing and at the same time rubbishing you. The Deputy Commissioner has also been rubbishing you over that incident at **(name of town)** that you told me about. He is telling everyone that you perjured your evidence at **(name of town)** and can’t be trusted.”

I said;

“I can’t believe it. Here we have criminals going around baseball bashing people and a police Inspector protecting them. I personally told them how inspector Pace has tried to stop these inquiries and all (Deputy Commissioner) does is try to discredit me over an incident which occurred when I was a sixteen year old kid. That is a quarter of a century ago. Is there any wonder our Police Force has hit rock-bottom when you have idiots like him running the show?”

Mr Ward said;

“It’s a case of shooting the messenger. You have given them information that they don’t want to know about, so they have to discredit you. The same thing came out in the Fitzgerald Inquiry in Queensland. Anyone who sticks his neck out and makes allegations of Police corruption, they have to discredit that person to save their own necks.”

I said;

“Anyone who spent time in the CIB knew how corrupt “The Purple Circle” were. I know how poor old Spike Daniels must have felt back in 1976. He was spot on when he made his allegations of Police corruption and they made him look like an idiot. The only difference with me is I can substantiate my allegations and these cunts know it and are shitting themselves.”

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At about 4pm Friday 5 August 1988, I received a telephone call at from **(name deleted)**, an informant who wanted to meet me urgently. I arranged to meet him at 4.30pm at the Sheraton Hotel. There he told me that **(name deleted)** (a former racing manager for Bob Meyers) wanted to talk to me and give me some important information about inspector Pace and Bob Meyers.

When I questioned him as to what sort of information (the racing manager) had, (the informant) said that it was too dangerous for him to talk about. He gave me a phone number which (the racing manager) could be contacted. **(The informant)** stated that (the racing manager) was going to see the Police Minister the following Monday and when I returned to the office, I contacted the Task Force Commander and said;

“There’s a person named **(name deleted)** who used to be Bob Meyer’s racing manager who wants to meet me and give me information about Pace and Meyers. He is going to see the Police Minister on Monday and no doubt will speak to Peter Ward. I know you don’t like Wardie to know what’s going on, so I think it would be better if we can speak to **(name deleted)** tonight. I haven’t got a vehicle. If you can get **(member of consorting squad)** to pick me up, we’ll go and speak with **(name deleted)**.”

The Task Force Commander agreed that it would be better to speak to **(name deleted)** prior to him going to the Police Minister’s office. However he was unable to contact **(member of consorting squad)** and asked me to call the **(racing manager)** and arrange to meet him prior to him going to see the Police Minister.

I did this and he arrived at my office at 7.30pm on Monday 8 August 1988. He produced a pile of documents which related to charges which he was on bail for after being committed for trial by a Magistrate at a preliminary hearing.

He informed me that he could prove that he was set up by coppers and wanted the charges withdrawn. I told him if he had documents which could prove his innocence; he should give them to his solicitor to produce at his trial. It was inappropriate for me to discuss the matter with him as a Magistrate had committed him for trial and I could not interfere with the process of law.

I then said;

“I was told you had important information for me regarding Pace and Meyers”

He then produced a seven page documentary summary dated 26 April 1984 which outlined his perception of police corruption and the connection between Laurie Connell, George Way and Bob Trimbole. He claimed to have handed these documents to the detective superintendent who in 1984 investigated his allegations. I knew the detective superintendent who he named to be a personal friend of detective sergeant Pace and also detective sergeant Don Hancock and I had often seen the three of them together at race meetings.

Amongst some of the racing managers' allegations;

- That R.O. Meyers and L.R Connell did rig the AHA Cup.
- That R.O. Meyers did falsely win the Bunbury Cup with Bridge of Friendship.
- That R.O. Meyers does use batteries on his horses.
- That R.O. Meyers uses the services of a man named Kevin Miles to fix batteries in the boots of his jockeys.
- That R.O. Meyers did conspire to win a race at Kalgoorlie with Wizardry and that L.R. Connell did back the said horse for him and that Mr Wayne Wood was the Steward and the said horse was not swabbed and that Sam Franchina flew to Kalgoorlie to back the said horse also.
- That R.O. Meyers gave a free share to Sergeant Geoff Rowe in the horse Wizardry.
- That Mr Meyers conspired with other Police Officers to reduce criminal charges against certain criminals as long as certain sums of money were forthcoming.
- That R.O. Meyers did sell stolen jewellery on behalf of John Lawson and Brian Shipley and that he was involved in the growing of marijuana with the same two men and also lent his big trailer to them on at least five occasions.
- That R.O. Meyers has lied to the owners and the public by saying that he bought Wizardry for \$40,000 when in fact he paid \$14,000.
- That R.O. Meyers conspired to have 'Constraints' nomination and scratching papers removed from the W.A.T.C.

## **Tuesday 15 February 2005 - Steward knew 'all about' race fix**

**Former jockey Danny Hobby has told an inquiry he believed steward Wayne Wood had "known all about" a 1980s race scandal in Western Australia.**

*Former jockey Danny Hobby has told an inquiry he believed steward Wayne Wood had "known all about" a 1980s race scandal in Western Australia where Hobby was paid to throw a race by jumping off his horse.*

*The inquiry into alleged corruption in Queensland horse racing is this week investigating the appointment of Mr Wood as Queensland Racing's Chief Investigator.*

*At the centre of the investigation by commissioners Martin Daubney and Tony Rafter is a 1994 memo from West Australia Turf Club detective Ron Goddard, who claimed Mr Wood was unfit to hold any job in the racing industry.*

*In his memo, Mr Goddard, now deceased, accused Mr Wood of inappropriate meetings with Hobby and trainer Robert Meyers and said Mr Wood had arranged a job for Hobby's former girlfriend Laurene Gosden.*

*Mr Wood worked for a company in Sydney for six years before returning to the racing industry as Queensland chief investigator.*

*Hobby gave details of what he said were several meetings with Mr Wood in the carpark of the Ascot racecourse in Perth, at a horse stud, and at the home of Mr Meyers, who was jailed for three years along with Hobby for their part in the 1983 race fixing incident.*

*Hobby admitted being paid to throw the race and businessman Laurie Connell, who had a horse running in the same race, was convicted of conspiring to defraud and pervert the course of justice. Connell died on a heart attack in 1996.*

*During his evidence, Hobby said that at one of the meetings at Ascot, Mr Wood, who was on the panel of stewards investigating the incident, had given him a copy of an enhanced videotape of the race start which showed him jumping from his mount Strike Softly and had told him what to say at the stewards inquiry.*

*"I had never heard of a video being given like that before," Hobby said.*

*He said Mr Wood had told him not to claim the horse had stumbled or leaned at the start because the video clearly did not show this.*

*Hobby denied a suggestion by counsel assisting the inquiry, Ralph Devlin that Mr Wood may have been trying to suggest that he should plead guilty.*

*"No I don't think that, because he was telling us what to say," Hobby said.*

*"We went back to Mr Meyers' (house) and looked at the video and that's when we came up with the idea of saying my foot got caught in the (starting) gate."*

*Hobby said that at another meeting, Mr Wood had asked whether he had jumped from the horse and who had paid him.*

*"I was of the opinion that he already knew all about it," Mr Hobby said.*

*He told the inquiry that race fixing was common at the time because people were always "mucking around" in horse races.*

*Mr Wood, who has already faced the inquiry, has said he was "young and inexperienced" when he failed to recognise possible race-fixing in Perth.*

*The inquiry will resume on Thursday*

*AAP*

The documents produced by the former racing manager also revealed that he was present at the stables when Bob Meyers asked him to get Laurie Connell on the phone and then told him to remove any evidence from his premises regarding the AHA cup as he had been tipped off by detective sergeant Pace that both their premises were going to be raided the following morning.

The raid took place and about three weeks later, he answered a phone call from Laurie Connell and put him through to Bob Meyers and heard them discussing "Uncle Sam" taking five thousand dollars to England to give to Danny Hobby so he would keep his mouth shut. Meyers then rang Sam Franchina and told him that the money would be down tomorrow for Hobby and to come and pick it up.

The next morning, jockey (**name deleted**) returned from riding at Laurie Connell's stables and handed Bob Meyers an envelope and when he opened it, there was a bundle of notes which Meyers said was \$5,000 from Connell to Hobby to keep the cunts mouth shut. At about 11m that morning "Uncle Sam" had called into the stables and Meyers handed him the envelope and said;

*"How do you like being the messenger boy for a change".*

Uncle Sam replied;

*"We should just cut his throat, I've told Laurie but he won't listen"*

The former racing manager then advised me of his dissatisfaction in the manner in which the senior police officer had conducted the investigation into his allegations of police corruption back in 1984 and he intended to raise these issues with the Police Minister when he met with him.

The following afternoon, Tuesday 9 August 1988, I went to see the Task Force Commander and gave him a briefing of my interview with **(name deleted)** and also provided him with a copy of the documents which he had given me.

I then said;

“Most of these allegations are old and we know all about them, but he is also talking about two bodies being buried near Gin-Gin and a disused gold mine near an old airstrip close to Cue that is being used to manufacture heroin. If there is any truth in them, he is likely to find himself wearing lead-boots in the river. I’ve asked him to find out where these bodies are and take me to them.”

The Task Force Commander requested that I keep him informed should **(name deleted)** produce any evidence.

On 12 August 1988, I had another meeting with the **(racing manager)** and he made further allegations regarding police officers and other people in the racing industry. I took notes of his allegations in my notebook and shortly later went and spoke with Mr Ron Goddard, the Turf Club Racing investigator and showed him a photocopy of the allegations made by **(name deleted)** back in 1984 and asked him if he knew about them.

He said;

“Yes, I spoke to **(racing manager)** about all this back in 1984. His allegations led to Bob Meyers and jockey **(name deleted)** being suspended over that battery affair.”

I said;

“He reckons that the Turf Club Stewart, Wayne Wood is with them.”

He said;

“I know, I don’t trust any of the Stewards.”

I then told Mr Goddard that (**racing manager**) also claimed that a horse (**name deleted**) which was owned by his racing syndicate and trained by Bob Meyers had been illegally sold by Meyers and after the sale, it had won a race at Port Hedland and the winning prize money had been paid to a person who had no involvement in the horse. Mr Goddard was able to check the Turf Club records to ascertain the date the horse had won the race in Port Hedland and gave me the name of a person to contact at the Port Hedland Turf Club who would be able to determine who had received the winning prize money for that race.

When I returned to my office, I contacted that person and he forwarded me a copy of a cheque dated 30 June 1984 which had been made payable to (**name deleted**).

I again went and spoke with Mr Goddard who confirmed that the person who had received the prize money was not a member of the syndicate that owned the race horse.

I said to Mr Goddard;

“How can the Turf Club make out a winning cheque in favour of (**name deleted**) when their own records show that he is not the owner of the horse?”

He said;

(**Name deleted**) is some relative to Meyers who was very friendly with a woman who worked here in the Turf Club and I think she was shonky. She doesn’t work here any longer.”

I said;

“Well (**racing manager**) told me that Meyers sold his horse on him without his permission and it looks like he is correct. I can’t get over how Meyers can just knock off other people’s horses, forge lease agreements and virtually do what he likes and the Turf Club does nothing about it. The Turf Club is run nearly as incompetently as our Police Force.”

He said;

“We are paying the price now for years of corruption.”

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Sometime after my meeting with Mr Goddard, I went and saw Mr Peter Ward and he told me that the **(racing manager)** had been so see him. He said he thought his name sounded familiar and he showed me a police internal inquiry report submitted as a result of the **(racing manager’s)** allegations back in 1984. Superintendent **(name deleted)** had investigated the complaints made by **(racing manager)** and was complimented on his investigation by Chief Superintendent in Charge of the CIB. **(name deleted)**

Amongst allegations made by **(the racing manager)**:-

1. Meyers had threatened him and **(name deleted)** with a revolver.
2. Meyers had placed the pistol under **(name deleted)** chin and said that if anyone associated with him opened their mouths, then that was what the pistol was for.
3. **(Racing manager)** had informed detective Sergeant Geoff Rowe and that Rowe had seized the revolver but no action was taken against Meyers.
4. Pace had tipped off Bob Meyers and Laurie Connell regarding a pending Police raid which was to be made on their premises headed by Detective Sergeant Lienart.
5. That Pace had protected Meyers from prosecution in relation to a horse float which was alleged Meyers had stolen from a person in South Australia.

In the thirty five page report dated 20 June 1984 which was forwarded to the Officer-in-Charge of the Police Internal Investigators, Chief Superintendent Brian Bull. (Who later became the Commissioner of Police) the Superintendent concluded;

- That in about mid March 1984 as a result of an argument between **(name deleted)** and Mr Robert Oliver Meyers, a racehorse trainer, at 24 Epsom Ave, Belmont, he **(name deleted)** and his friend **(name deleted)** were threatened by Meyers with a revolver.
- That the revolver used to threaten the racing manager had been seized by detective sergeant Rowe shortly after the incident had occurred and that no action was taken against Meyers.

- That he was concerned that Meyers was still in possession of a firearm.
- That Meyers had stated that detective sergeant Rowe was going to arrange for certain charges preferred against a person named John Edward Cullen to be dropped for a payment of either \$5,000 or \$10,000 if this could be arranged.
- That Meyers had entered into negotiations with detective sergeant Geoff Rowe in an effort to ensure that an offender named Manuel Alberto De Jesus would not receive a prison sentence. This was to be arranged by watering down the facts of the case. Rowe was said to have received a fee of \$500 from de Jesus.
- That Meyers had approached a woman name unknown but who had been employed as a barmaid at the Windsor Hotel, South Perth, and requested her to manage a brothel for him. Meyers had claimed that detective sergeants Rowe and Pace would ensure there was no trouble with Police.
- That detective sergeant Pace had applied pressure to Meyers to pay for a horse float that had been obtained for a valueless cheque.

Although the investigating detective superintendent had determined that Bob Meyers had threatened both his racing manager and his friend with a revolver, Bob Meyers was never charged with any criminal offence relating to those threats.

**Under the Western Australia Criminal Code such an offence is defined in; Section 338.**

**“Threat”, definition of:**

*In this Chapter a reference to a threat is a reference to a statement or behaviour that expressly constitutes, or may reasonably be regarded as constituting, a threat to —*

*(a) kill, injure, endanger or harm any person, whether a particular person or not;*

### **338B. Threats**

*Any person who makes a threat to unlawfully do anything mentioned in section 338(a), (b), (c) or (d) is guilty of a crime and is liable — where the threat is to kill a person, to imprisonment for 7 years or, if the offence is committed in circumstances of racial aggravation, to imprisonment for 14 years*

It was also alleged that Bob Meyers and detective sergeant Rowe had conspired to arrange for certain charges preferred against a person named John Edward Cullen to be dropped for a payment of either \$5,000 or \$10,000 if this could be arranged.

**Section 135 of the Criminal Code; - Conspiring to defeat justice**

*Any person who conspires with another to obstruct, prevent, pervert, or defeat the course of justice is guilty of a crime, and is liable to imprisonment for 7 years.*

The superintendent did not conduct any investigation into the manner in which Bob Meyers and detective sergeant Geoff Rowe had conspired to pervert the course of justice. It would have been a simple matter to investigate whether those criminal charges against John Edward Cullen had been withdrawn.

It would also have been a simple investigation to establish if the criminal charges against Manuel Alberto De Jesus had been watered down. One would only need to compare the details on the "Offence Report" submitted at the time of the offence and the "face Sheet" on the Court Brief submitted by the arresting officer to determine if the facts presented to a magistrate had been changed or watered down.

Bob Meyers was belatedly charged with a simple offence under the provisions of the Firearms Act with being in possession of an unlicensed firearm. The trivial nature of that charge did not represent the gravity of his overt actions of threatening to kill two individuals with a revolver and it was quite evident that the facts presented to the magistrate had been falsified and watered down.

Despite having direct evidence to establish that it was detective sergeant Pace who had forewarned Bob Meyers and Laurie Connell that their homes were going to be raided regarding the AHA Cup conspiracy, the detective superintendent found that it was detective sergeant Geoff Rowe who was responsible for that tip-off. He reported that the allegations made against detective sergeant Pace were unsubstantiated.

His investigative report was forwarded to the chief superintendent in charge of the CIB who conducted a review of the investigation and on the 12 July 1984, he submitted a seven page synopsis of the investigation and forwarded the file to Mr Brian Bull, the OIC of the Police Internal Investigators. In his summary, the chief superintendent stated that he had further questioned detective sergeant Rowe and considered that sergeant Rowe could not comprehend the seriousness of Bob Meyers being in possession of that revolver as it may have been used to commit a serious offence like a homicide.

In his conclusion, he wrote;

*“Throughout these inquiries detective sergeant Rowe has come under notice on a number of occasions, although not sustained, his conduct has implicated him questionably in situations with undesirable elements.*

*Although a comprehensive report was submitted by superintendent (name deleted), in my capacity as Chief Superintendent and officer-in-charge of the Criminal Investigations Branch, I further questioned him to satisfy myself regarding these allegations.*

*Under the circumstances outlined I believe it would be difficult in the future to have confidence and trust in detective sergeant Rowe. I strongly recommend that he be transferred out of the Criminal Investigations Branch to the Uniform Branch where there would be greater surveillance of his duties and where he would not have the opportunity to be as influential with the company he has been keeping over the past few months. I have informed him that I would be submitting a strong recommendation to this effect.*

*Detective sergeant Pace has been informed that the allegations made against him are completely unfounded.*

*Forwarded for early consideration.*

As a result of that police internal investigation, detective sergeant Rowe was charged with a disciplinary offence under the provision of Section 402(E) of the Police Regulations, was fined \$50 and resigned from the Police Force. An alternative charge of attempting to pervert the course of justice under the provisions of Section 135 of Criminal Code carried a maximum sentence of a seven year term of imprisonment.

Although members of the police CIB hierarchy including the Commissioner of Police Mr Brian Bull, had evidence back in April 1984 that there was a conspiracy between Laurie Connell, Bob Meyers, Sam Franchina and jockey Danny Hobby to fix the 1983 Bunbury AHA Cup; and that detective sergeant Pace was an accomplice, the principal offenders were never charged with that crime until Saturday 18 January 1992. That is nine years after the alleged offence had been committed and well after those corrupt police officers who were protecting this organised crime gang had left the police force.

I later received information that Laurie Connell purchased a profitable business for detective sergeant Geoff Rowe after he had taken the rap for the corrupt actions of inspector Pace.

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Late on the afternoon of 24 August 1988, I received a telephone call from the Deputy Commissioner of Police who wanted to see me urgently. I had not heard from him since I met him at the Police Minister's office on the 4 August 1988, where I had provided him with information of the corrupt association between inspector Pace and race horse trainer Bob Meyers. When I went to see him at Police Headquarters, he was extremely agitated and commenced to rant and rave-on about the fact that I had spoken to Bob Meyers's former racing manager.

In a threatening manner, he ordered me to immediately cease to have any contact with the former racing manager and confine my investigations to liquor and gaming matters. He then handed me a typed memorandum of instructions and ordered me to sign that document.

Those instructions were;

- 1. You are hereby instructed to cease forthwith from making any further inquiries of any nature, either directly or indirectly, into any matters associated with the complaints of the above named, (name deleted): (racing manager) or to have contact with him personally or by any other means or through any other person whatsoever.*
- 2. You will ensure that all matters arising from (name deleted) complaints, whether they are relevant or otherwise to the allegations which are now known to you and any further related matters which may come to your knowledge from this day forth, are to be reported by you forthwith to Superintendent (name deleted), the Commissioner's appointed officer responsible for the conduct of inquiries into (name deleted) complaints*

I was furious at receiving those instructions and being berated by the deputy Commissioner of Police for merely performing my duties as a police officer. I strongly suspected that he was attempting to stifle any impartial investigation into the former racing manager's allegations as they would reveal the incompetent or corrupt manner in which that investigation had been conducted back in 1984.

I immediately went and spoke with the Task Force Commander and gave him the instructions to read. When he finished, I said;

"I am absolutely fuming mad with these instructions. I first contacted you when **(name deleted)** wanted to see me and you agreed with me that it was better to speak to him before he went and spoke to Ward and Ward making it a ministerial file.

I have kept you informed what **(name deleted)** has told me and now I get this crap from the Deputy Commissioner. How would he know I am even speaking to **(name deleted)**?"

He said;

"Obviously it must have been the Assistant Commissioner who told him."

I said;

"Well why didn't he serve these instructions on me? That cunt hasn't got the guts. He's as crooked as all fuck and he knows that I know. I want you to go and tell (Deputy Commissioner) that you were aware that I was talking to **(name deleted)** and furthermore, I want to be informed in writing what legal authority (Deputy Commissioner) has to prevent me from speaking to **(name deleted)**."

He said;

"I am completely in the dark as well. No-one has told me that the Commissioner has appointed me as his representative. I have only arrived back from the eastern States. I know nothing about this file."

I said;

"What sort of Police Force are they running here? The Commissioner appoints you as his representative and you know nothing about it. It's like Keystone Cops. I reckon every cunt on that sixth floor is corrupt and they are starting to shit themselves and are starting to panic. I told you at the very beginning I wanted this inquiry done straight and in all these months you have done fuck all on Pace. I will go to the press and expose the lot of you."

He said;

"I've just been too busy to do anything on Pace. They have just overloaded me with work. I am trying to re-organize BCI, I've had that drug inquiry and you keep on giving me all those inquiries on Pace."

I said;

“I reckon the Assistant Commissioner is overloading you with work deliberately so that you can’t do the inquiry on Pace.”

He said;

“Well, I have just given everything you gave me to Les Ayton. He is going to continue the inquiry.”

I said;

“Les Ayton? I have the utmost respect for Les as a copper, but he’s a mate of PACEYS”

He said;

“No he’s not. He hates his guts. He knows what has been going on. The Commissioner is about to make an announcement in the next few days which will be to your liking. Just hang off for a little while and you will see.”

In the Police Gazette on 31 August 1988, the Commissioner announced the formation of the Internal Affairs Unit to investigate allegations of police corruption and Brevet Inspector Ayton was promoted to the rank of Superintendent as the Officer-in-Charge.

Superintendent Ayton also took over being the Commissioner’s representative to investigate the allegations made by Bob Meyers’s former racing manager. I had several clandestine meetings with the former racing manager while I was off duty, contrary to the instructions given to me by the Deputy Commissioner of Police. During those meetings, he told me that he had no confidence in the manner in which superintendent Ayton was investigating his complaints and considered that he was trying to discredit his evidence.

During one of my many meetings with superintendent Ayton after he had been promoted as the OIC of the Police Internal Affairs Unit, he told me that when he “pulled on” (interviewed) inspector Pace regarding the theft of the boat and trailer, it was the easiest “cough” (admission of criminal intent) he had ever obtained in his police career.

He said that he had forwarded a brief of evidence to the Director of Public Prosecutions, Mr John McKechnie regarding the theft of that boat and trailer and although the DPP had determined that there was prima-facie evidence to substantiate criminal charges against inspector Pace, he decided that it wasn't in the public interest to indict him because the crown witnesses lacked credibility.

I was extremely surprised that an officer of Superintendents Ayton's seniority and experience in fraud investigation found it necessary to forward the brief of evidence to the DPP to obtain his approval to initiate criminal charges. After all, it was not a complicated investigation and any criminal charge against inspector Pace could have been determined in the Magistrates Court without the need to refer it to the District Court. As a former junior member of the CIB Motor Squad, we conducted these types of investigations on a daily basis without needing to refer our brief to the DPP or in those days, the Crown Law Department.

The only unusual circumstance on this occasion was the status of the offender who was a senior police officer and was corrupt to the core and considered himself above the law.

I continued to have regular contact with Superintendent Ayton and on occasions would meet him at his home as he lived just a street away from me and had been my rear neighbour whilst he was getting his new home built.

Whilst on annual leave, either the last Monday in September or the first Monday in October 1989, I wanted to have a private discussion with detective sergeant Kevin Rowe but I did not want to have that discussion on my home phone as I suspected that it was still hot so I drove to his residence. When I arrived, I found that Superintendent Ayton was present and taking a hand written statement from him.

When he completed taking that statement the three of us walked outside and discussed the corrupt activities of inspector Pace for a good half hour and during our conversation, Superintendent Ayton told us that he was going to charge inspector Pace with numerous charges of corruption. As he was about to leave, I advised them that I was going to Thailand with detective inspector (**name deleted**) for a holiday and we were leaving on Saturday 7 October 1989. Superintendent Ayton responded by telling me to be very careful while I was in Thailand as inspector Pace had criminal associates there and I could find myself with an early Christmas present. (He was referring to the possibility of drugs being planted on me)

I returned from overseas on Monday 23 October 1989 and recommenced my duties the following Monday, 30 October 1989. I went to see Superintendent Ayton at his office shortly later to inquire how he was progressing with the criminal charges against Inspector Pace and he advised me that he had put that investigation onto the back-burner as he had a more urgent job of investigating the corrupt activities of Deputy Commissioner, Mr Frank Peters. At that stage there was a lot of publicity regarding the dispute between the Commissioner of Police, Mr Bull and his Deputy Commissioner.

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The next time I spoke to superintendent Ayton after I handed him my treatise on the 23 March 1992, was outside the court room at the WA Inc Royal Commission on 6 April 1992. I was speaking with journalist Ms Robyn Cash when I saw Superintendent Ayton take a seat outside the courtroom and I approached him and asked if he had read my report. He confirmed that he read the document and then asked me what I expected him to do with it. When I told him that I expected that he would investigate its contents, he stated that the corruption allegations I had made against Inspector Colin Pace were a "Dead Duck".

I was present in the public gallery as he gave his sworn testimony and counsel assisting the Royal Commission, Mr Allan Fenbury asked him if former police inspector Pace was one of two officers involved in the execution of a search warrant on the 17 March 1987, on the premises of Mr Robert Martin. Mr Fenbury stated that the manner in which that search warrant had been executed led to the suspicion of a police leak because of the television publicity it had generated. Superintendent Ayton confirmed that inspector Pace was a suspect in leaking that information to the media as they were on the spot at the time when the search warrant was executed.

Mr Fenbury then asked, whether after the date of the execution of that search warrant, were there a series of inquiries into Mr Pace's conduct which suggested breaches of police regulations and suspected illegal activity which resulted in him resigning from the police force and if so, if he could recollect how those inquiries were commenced.

Superintendent Ayton told the Commission that he recollected that there were two investigations carried out by other police officers and one by him.

The first inquiry was commenced following the refusal by the then Police Minister to accede to the recommendation made by the Commissioner of Police for Pace and four other men to be promoted to the rank of commissioned officer. That refusal had then become public and an inquiry was commenced into the suitability of Mr Pace and one other for promotion.

Mr Fenbury then asked superintendent Ayton if that inquiry was seen as an incident whereby a member of the government was perceived to be interfering in some way with the police system because the procedure prior to then had been that the recommendation by the Commissioner of Police would normally be accepted by the minister of the day.

He asked Superintendent Ayton the following question;

*“Had you, in your years in the police force, ever been aware, prior to that, of that not being a procedure followed? ---- where the minister knocked back a commissioner?”*

Superintendent Ayton replied, “No”. He further stated that he would have been a little indignant that the government took it upon itself to promote or not promote certain people and that it was his view that it was not the role of government.

Mr Fenbury then asked if he believed that there was some government pressure of some kind behind what was happening to Colin Pace.

Superintendent Ayton said;

*“No but I wouldn’t have been surprised. As I said, I was an interested observer, but I wouldn’t have been surprised”*

Mr Fenbury asked;

*“Why do you say you wouldn’t have been surprised?”*

Superintendent Ayton replied;

*“Well, by 1987 you’ll be aware that I was deep into the casino inquiry and I had some real concerns about the conduct of the government in respect of that – of which I have already given evidence.”*

Further into his evidence, Mr Fenbury asked;

*“Is that why you say that you wouldn’t have been surprised if the government, or somebody in the government, was behind what happened to Inspector Pace in the period from when he led the raid on Martin’s house and when he resigned?”*

Superintendent Ayton said;

*“Precisely. I wouldn’t have been surprised if there was a government hand in the non promotion of Pace. Pace resigned because of my investigation, not because of anything else. And my belief is that he resigned because of my investigation.”*

Mr Fenbury also asked;

*“You’ve mentioned - you made differentiation between the non-promotion and the investigation. Do you think there was any government hand in the fact that there was this thorough investigation, or this investigation, into Colin Pace”*

Superintendent Ayton said;

*“You’re talking about the one following the non – promotion? - I’m sure it was.”*

Mr Fenbury asked;

*“What are your recollections of how it came about that there was this investigation?”*

Superintendent Ayton said;

*“I know sir. I know of my own first-hand knowledge because I’ve interviewed witnesses that an employee of the Police Minister’s office was actually going around interviewing people concerning Mr Pace. I have a statement from those people.”*

Mr Fenbury asked;

*“So would it be fair to say that those two matters, that is the Burswood Casino matter and the Colin Pace matter, lead you to a concern about government involvement in, or government interference, perhaps police matters?”*

Superintendent Ayton replied;

*“It’s fair to say that.”*

Mr Fenbury also asked'

*"Are there any other areas of - - any other matters of that kind which caused you to have that sort of concerns?"*

Superintendent Ayton said;

*"They're the only matters that touch me, the casino and Pace, that I know of, but, I mean, I was aware of everything else that was going on in this state."*

I was gobsmacked by superintendent Ayton's hypocrisy and deceitfulness as he was fully aware of the circumstances of how the first two investigations into detective sergeant Pace had been initiated because they were clearly described in my treatise and we had discussed the contents of that report only minutes before he was called to the witness box.

Although he did not name the employee at the Police Minister's office, I knew he was referring to Mr Peter Ward and during my many meetings with superintendent Ayton, there were several occasions when he told me that he liked Mr Ward which led me to believe that the two of them were collaborating together to eradicate corruption in the Police Force.

While he was quite happy to take all the credit for the investigation which led to superintendent Pace resigning from the police force and portrayed himself as merely an interested observer during the first two investigations, he failed to advise the Commission that during the first investigation which had been conducted by the acting assistant commissioner of police, he had prepared a statement, dated 15 July 1987. That statement was a character reference to support sergeant Pace's promotion and was attached as an annexure to a nine paged confidential report dated 3 August 1987.

The assistant commissioner of police had forwarded that report to the Police Commissioner to support the assertion that sergeant Pace was a reputable and deserving police officer and qualified to be promoted to the rank of Inspector. At the time of submitting that statement Mr Ayton was a brevet inspector in charge of the Casino Liaison Squad and had no legitimate reason to have been advised of the allegations made against detective sergeant Colin Pace as the Internal Affairs Unit had not been established until the 31 August 1987.

Further, Superintendent Ayton told the Commission that he had taken statements from witnesses to show that an employee of the Police Minister's office was going round and interviewing witnesses concerning Mr Pace.

I have no doubt that the beside the young lady that I interviewed in Mr Ward's presence who was able to provide us with damning information of the corrupt association between race horse trainer Bob Myers and inspector Pace, the other witnesses who he referred to were the former girlfriend of Bob Meyers' and the jockey who both attended the Police Minister's office to complain that the police had failed to investigate their allegations of a corrupt relationship between sergeant Pace and Bob Meyers.

Instead of conducting an investigation into Mr Ward, it would have been befitting of Superintendent Ayton to have conducted an investigation into the allegations made by the former girlfriend of Bob Meyers. She claimed that the Consorting Squad had corruptly charged Bob Meyers with a minor offence even though he was responsible for organising the brutal baseball bat bashing of her new boyfriend and his companion which required both of them to be rushed to hospital.

Despite this serious assault, Bob Meyers was charged with the trivial offence of "Threatening Words" under the provisions of the Police Act rather than the appropriate charge of "Assault Occasioning Bodily Harm" under the provisions of Section 317 of the Criminal Code which carried a sentence of a five year term of imprisonment. From my recollection, one of the victims was so severely beaten that he was left with a permanent physical impairment.

I am also aware that Superintendent Ayton interviewed the jockey regarding his complaint to the Belmont CIB alleging that his Boat and trailer had been stolen by inspector Pace and Bob Meyers. That complaint had only surfaced after the jockey had attended at the Police Minister's office and had advised Mr Ward that the detectives at Belmont CIB had refused to investigate his allegations. It was Mr Ward who made a preliminary inquiry with the Department of Marine and Harbours which raised a strong suspicion that the same boat had been licensed to both the jockey and inspector Pace. After informing me of those details, my inquiries at the Belmont Police Station revealed that no investigation had ever been conducted into the jockey's complaints.

As the OIC of the Police Internal Affairs Unit, it was Superintendent Ayton's duty to have instigated an investigation to determine why that complaint was never investigated in the first place rather than criticise Mr Ward for interviewing people concerning Mr Pace.

As Superintendent Ayton presented his evidence before the Royal Commission, he was fully aware of the corrupt manner in which the first two investigations into sergeant Pace had been conducted. The first investigation had been commenced after Mr Peter Ward had received an anonymous telephone call at the Police Minister's office on the 7 July 1987, from a person who appeared to be a police officer.

This informant, who I strongly suspected being a police sergeant serving at a country police station (**name deleted**) advised Mr Ward of sergeant Pace's corrupt activities at Port Hedland and also told him to contact me as I could provide further evidence of the of his corrupt association with race horse trainer, Bob Meyers and the manner in which he had concealed a complaint of fraud against him.

After receiving that information, Mr Ward prepared a memo outlining the accusations made against detective sergeant Pace and another sergeant, had it signed by the Police Minister and then hired a courier to deliver the envelope containing the memo directly to the Commissioner of Police on the 9 July 1987.

He expected that the Commissioner of Police would conduct an impartial investigation to ascertain whether sergeant Pace and the other sergeant were fit and proper persons to be promoted to the rank of Inspector before the Police Minister would consider the Police Commissioner's request for their promotion. In his memo Mr. Ward advised the Commissioner that he did not want either of them to be in a position where the officers were promoted and were subsequently shown to have committed serious departures from acceptable standards.

The Police Commissioner, Mr Bull would have known of the several previous internal investigations into allegations of corruptions levelled at detective sergeant Pace as he had been the OIC of the Police Internal Investigators at the time those allegations had been made and would have been responsible to ensure that the complaints of corruption made against sergeant Pace were investigated in an unprejudiced and thorough manner.

Having received the memo from the Police Minister, Mr Bull appointed acting Assistant Commissioner of Police (Crime) (**name deleted**) to perform the investigation to assess sergeant Pace's integrity and it appears that brevet inspector Ayton was one of the first witnesses he interviewed as his statement is dated the 15 July 1987. At 1.45pm, the following day, 16 July 1987, the assistant commissioner of police phoned me at home and asked me to attend his office as he wanted to obtain a statement from me regarding an investigation he was conducting into an old matter concerning Colin Pace.

He stated that because the incident took place in 1984, he didn't expect that I would be able to remember anything about that incident. I considered his careless attitude as a hint for me not to admit any incriminating evidence which led me to suspect that his investigation would lack any probity. I therefore obtained a miniature tape recorder and attended his office at 3.20pm on that date and covertly tape-recorded that interview.

Later that afternoon, I contacted Mr Peter Ward and told him that the investigation into the allegations made against sergeant Pace were nothing but a whitewash and I had recorded my interview which would clearly show the inept manner in which that investigation had been conducted. I was also able to establish that within an hour of the Commissioner of Police having receiving that memo direct from the courier, sergeant Pace had been tipped-off about the allegations made against him and approached witnesses in an attempt to hinder any impartial investigation.

Mr Ward contacted me at home on the afternoon of Saturday 18 July 1987 and asked me if I was prepared to meet with the acting Police Minister and play the tape-recorded interview to him. I agreed to do so and at about 4.30pm that day, I met both of them at the Minister's office. After listening to the tape recording, the acting Police Minister asked me if I was prepared to accompany him to meet with the Commissioner of Police and play the recording to him.

I declined to do so and told him that both the Commissioner of Police and detective sergeant Pace had worked in the Fraud Squad together for many years and they were probably best of mates. Further, I said that we already knew that within an hour of Mr Ward forwarding the memo directly to the Commissioner of Police, sergeant Pace knew all about the allegations made against him and I feared that if the Commissioner found out that I had covertly tape-recorded my interview, I would be victimised and that would be the end of my police career.

The following day, the acting Police Minister arranged to meet with the Commissioner of Police at his home and told him that he considered that the investigation into the allegations of corruption made against detective sergeant Pace had been conducted in a perfunctory manner and requested that he conduct a fresh investigation into those allegations in an unbiased fashion before the Minister of Police would consider his promotion. He did not advise the Commissioner of Police that he had listened to the tape-recorded interview between me and the acting assistant commissioner of police.

On this second occasion, Mr Bull appointed detective superintendent (**name deleted**) and detective chief inspector (**name deleted**) to conduct this fresh investigation and that second investigation was just as corrupt as the first. Both the Commissioner of Police and the two senior investigating officers were aware of the 1984 allegations made by Bob Meyers's racing manager and any cursory examination of that report would have raised serious concerns whether detective sergeant Pace had the integrity or morality to be suitable to be promoted to a Commissioned Officer. During their investigation, the two senior police officers also interviewed the WA chairman of stewards, Mr Fin Powrie who provided them with compelling evidence of a corrupt association between race horse trainer Bob Meyers and Inspector Pace. They corruptly omitted to include that evidence in their report to the Commissioner.

The Commissioner of Police and his two senior investigating officers also had access to a twenty eight paged internal investigative report dated 19 April 1982 regarding an inquiry conducted by the then Assistant Commissioner of Police (operations) Mr Jack Dalton and Chief Superintendent Des Ayres. They both travelled to Port Hedland and at 8.15 am on 26 March 1982, Mr Dalton interviewed and obtained a record of interview from detective sergeant Pace regarding allegations that he had corruptly received payments from a prostitute.

Whilst Mr Dalton was conducting an interview with detective sergeant Pace, Chief Superintendent Ayres was conducting an interview at the Pier Hotel, Port Hedland at 8.45 am on the 26 March 1982 with two former members of the Vice Squad regarding allegations that they had arranged for two women to come to Port Hedland and work as prostitutes. These two former members of the CIB Vice Squad had resigned from the police force after being strongly suspected of setting fire to a brothel in Guildford Road, Maylands which gutted the building. After leaving the Police Force, they acquired the lease of the Pier Hotel in Port Hedland and were suspected of using rooms at the hotel for the purpose of prostitution.

Both of them were closely associated with detective sergeant Pace and the investigation into police involvement in organised prostitution at Port Hedland had been initiated after it was reported as headline news in the Western Mail newspaper on the 6-7 March 1982 of a second woman, "Vice Girl No 2" saying, "I will name the cop I bribed."

In another written complaint dated 11 June 1986, of alleged corruption by officers attached to the Port Hedland CIB had been received by Mrs Pam Beggs, the Minister for Racing and Gaming which she forwarded to the Assistant Commissioner (crime) on 14 June 1986. The Minister received that complaint from **(name deleted)**, a well known identity at Port Hedland who had conducted an illegal "Two-Up school" for many years and had complained of the manner in which the local CIB officers had continued to raid his Two-Up school because he refused to make corrupt payments to detectives while another "Two-Up" operator who was closely associated with detective inspector Pace and Bob Meyers was able to continue his illegal Two-up school without any police intervention.

Unsurprisingly the two police internal investigations to assess detective sergeant Pace's suitability to be promoted to a commissioned officers exonerated him from any improper conduct and he was promoted to become an Inspector.

Shortly later I also found out that the Commissioner of Police had discovered that I had covertly tape-recorded my interview with the acting assistant commissioner of police.

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Further in his evidence before the Royal Commission, Mr Fenbury asked superintendent Ayton a series of questions regarding the other former Deputy Commissioner of Police, Mr Frank Peters.

Mr Fenbury asked;

*“What was that all about? I don’t want to go into great detail. Can you just give us a brief - - Perhaps can I put it; was that - - did that all blow up on the basis of a belief that he was - - Mr Peters was giving information out to other people of some kind?”*

Superintendent Ayton said;

*“Yes; that inquiry emanated from information which came to me - reliable information as it turned out – that Mr Peters was providing the press with information which he had no right to provide them. I conducted an inquiry. I placed him under surveillance. I caught him meeting the press in a most unusual manner in a most unusual place, and certainly not in a way that you would expect from a deputy commissioner. We photographed it. And that aroused my suspicions even further. And from then on we placed a listening device in his office. I have given evidence of this before the ombudsman.”*

Mr Fenbury said;

*“Yes. But the inquiry - - Was that inquiry related to some belief that Mr Peters was, amongst others, Deep Throat or a person named Deep Throat?”*

Superintendent Ayton said;

*Well, not by me. I only subsequently learned that people suspected him of being this Deep Throat. Deep Throat is a bit difficult because I think Deep Throat is three people. - - - But, no, it related to the information I received. I mean, I had strong suspicions of Mr Peters prior to that, and I’ve already given evidence to Mr Ombudsman. I’m trying not to open that can of worms up again because the police received bad press on that and I would like to keep that to a minimum if I can. I mean, we’ve been through that pain once and it’s certainly-“*

Mr Fenbury said;

*“Can you give us any idea of how much time and energy was devoted in 1989 to matters involving Mr Peters by you and/or other members of the Internal Affairs Unit? “*

Superintendent Ayton said;

*“Well sir, everything that was done in respect of Mr Peters by the Internal Affairs Unit was done on my orders. He was given attention from time to time as indicated by information we were getting from the listening devices. But we had other jobs we had to do as well. So over a period of about I suppose three months – and don’t hold me to that, it might four months or it might be two and a half months but I think it was about three months – September, October to November. Yes; about three months. Yes; he was - - There was a fair bit of investigation.”*

Superintendent Ayton agreed with Counsel assisting the Royal Commission, that he knew that detective sergeant Pace was one of two officers who had executed a search warrant on the premises of Mr Robert Martin on the 17 March 1987; and that he was strongly suspected of leaking that information of a police operational matter to the media. Despite these strong suspicions, he failed to install any listening devices in inspector Pace’s office or place him under surveillance as he did some two years later on Deputy Commissioner of Police, Mr Frank Peters. In fact four months after that raid on Mr Martin’s home, the then brevet inspector Ayton submitted a statement attesting to sergeant Pace’s suitability to be promoted to the rank of Inspector.

During a meeting he had with Mr Ward on or about the 29 March 1988, he was also advised of the evidence I had collated into the corrupt activities of inspector Pace and his corrupt association with Bob Meyers and yet, even then, he failed to conduct any investigation into the corrupt conduct of inspector Pace.

Although I did not personally know Deputy Commissioner Frank Peters, I was fully aware of his reputation as a hard, fair and honest taskmaster who was never considered to be corrupt. However, Superintendent Ayton and his long time friend, the Commissioner of Police had become suspicious that their Deputy was about to meet journalists and blow the whistle on the corrupt activities of other members of the police hierarchy and hence the reason why he was subjected to such a thorough and intrusive investigation.

The manner in which Superintendent Ayton conducted his investigation into Deputy Commissioner of Police is exactly how I expected he would investigate the reliable evidence I had provided him regarding the corrupt conduct of Inspector Pace and other executive members of the police hierarchy who thwarted my investigation into allegations of prostitution, illegal gaming and the illegal sales of liquor occurring on some licensed premises in Port Hedland and Broome.

In addition, I also provided him with evidence of the manner in which the chief superintendent in charge of Crime Services had thwarted my attempts to initiate criminal charges against a company controlled by the "Coffin Cheaters" who were using their Bindoon rock concerts to distribute vast amounts of illicit drugs, launder a large sum of money and illegally trade in liquor.

Rather than conducting a covert investigation into my allegations, Superintendent Ayton immediately advised those senior officers of my complaint against them which resulted in me being subjected to intense victimization and harassment which made my position in the police service untenable. The duplicitous manner in which Superintendent Ayton dealt with my allegations of corruption became quite apparent to me during his testimony before the WA Inc Royal Commission and highlighted the lengths he was prepared to go to disparage any internal informer from revealing the true extent of corruption that permeated throughout the police hierarchy.

During his evidence, he also referred to the Deputy Commission of Police, Mr Frank Peters as being one of the "Deep Throats" who was leaking information to the press and I have no doubt that one of the other "Deep Throats" that he referred to was me.

I had previously handed him a signed statement that outlined the circumstantial evidence I was able to glean regarding the manner in which a private telephone conversation I had with a journalist who telephoned me at home one evening had been illegally intercepted. When I commenced my weekly roster shortly after that conversation, the Superintendent in charge of the Liquor and Gaming Branch called me into his office and began to question me about intimate details of that phone call. The only way he could have known about the subject matter of our conversation, is either through an illegal telephone intercept or listening devices being installed in either of our homes.

Superintendent Ayton failed to investigate my strong suspicions that my home telephone was bugged. He knew of my friendship with Mr Peter Ward and would have assumed that it was I was who leaking information of police corruption to him. In fact, Mr Ward had been receiving visits from victims of crime who claimed that their complaints of corruption against Inspector Pace and his criminal association with race horse trainer, Bob Meyers had not been investigated by the police.

It was at this stage that I came to the conclusion that Superintendent Ayton had set me up to shut me up and it was his devious way of getting me out of the Police Service. It showed how desperate he was to ensure that the extent of corruption by senior police officers would never be exposed.

I was also able to ascertain that the establishment of the Police Internal Affair Unit by the Commissioner of Police to investigate police corruption was merely a ruse and its true purpose was to investigate corrupt members of the West Australian Government.

The day after superintendent Ayton had presented his evidence, Thursday 7 April 1992, I arranged a meeting with the Counsel Assisting the Royal Commission, Mr Allan Fenbury who I personally knew as he had previously represented a defendant who I had charged with offences related to the Liquor Licensing Act. I advised him that I considered that Superintendent Ayton had wilfully misled the Royal Commission and during our discussion I handed him a copy of my 132 page exposé of police corruption and another document which I considered would support my allegation.

I told him that I had given Superintendent Ayton a copy of those documents some two weeks earlier and had spoken to him about their contents only minutes before he gave his evidence. I also advised him that both Mr Ward and I would be prepared to give sworn testimony to rebut his evidence. Later that day I contacted Mr Ward and told him of the criticism that Superintendent Ayton had levelled against him. Subsequently he arranged to get a copy of the transcript of superintendent Ayton's sworn testimony and gave it to me.

Shortly after my meeting with Mr Fenbury, I was approached by an investigator who interviewed and obtained a hand written statement from me and I am aware that he also interviewed and obtained a statement from Mr Ward. However neither of us was called to present our evidence before the Royal Commission and at the conclusion of the hearing, I telephoned the investigator to ascertain why we were never summoned to appear. He advised me that the police officers attached to the Royal Commission had shredded the documents which I had handed to Mr Allan Fenbury, Counsel assisting the Royal Commission.

The officer-in-charge of the contingent of detectives that were seconded to conduct investigations on behalf of WA Inc Royal Commission was detective chief inspector **(name deleted)**, the very same officer who had previously conducted the investigation into the suitability of detective sergeant Pace being promoted to the rank of Inspector.

I believe that it is a criminal offence to destroy documents provided to a Royal Commission under the provisions of the Royal Commission Act 1902.

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21/4/92  
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FENBURY MR 16,004

**HELD ON THE 21ST DAY OF APRIL 1992 P A R T H E A R D**

*On 17th March 1987 state police executed a search warrant on the business premises of Robert Martin relating to a matter arising out of his involvement with Len Brush, who was a person close to the Burke government. That investigation was headed by a police officer named "Colin Pace". The television and news media were leaked information about the police raid on Mr Martin's premises and it appears that this event was one of considerable concern to persons in the government at the time. It is plain from Smith's documents that his dealings with the Department of the Premier and Cabinet, and in particular Brian Burke and Digby Blight, commenced on 18th March 1987, being the day following the television publicity of the raid.*

*Whether or not there was any connection in fact, the career of Colin Pace commenced to decline following March 1987. In about July 1987 he was one of four police officers whose promotion to commissioned rank having been recommended by Commissioner Bull was held up by the police commissioner, Gordon Hill, pending certain inquiries. Mr Hill gave evidence that there was no connection between the holding up of Colin Pace's promotion and his involvement in the Martin raid but it appears to have been a perception amongst the police that there was such a connection.*

*In due course Mr Pace's promotion to inspector was confirmed. However, thereafter there appears to have been some inquiry undertaken into Inspector Pace and in due course he submitted his resignation from the police force. It is submitted that, whether or not the events concerning Colin Pace were an example of government interference in the police force, it would appear that it was perceived as such by some police officers at that time.*

*Another matter that was mentioned during the evidence that may have had an effect related to the fate of Superintendent Ayton's inquiry into the Burswood Casino cost overruns and related matters. It would appear that in the mind of Superintendent Ayton the failure of the authorities to proceed with prosecutions that were recommended by him gave him no confidence that the justice system was free from the influence of politicians. From the references in his report of 20th April 1989 it can be stated that Superintendent Ayton was certainly aware of the high stakes involved in an inquiry and he may well have perceived a need to tread warily.*

*Whatever the reason for the formulation of the strategy to wait and see, it is submitted that the strategy was seriously flawed. Having regard to Smith's background and to Superintendent Ayton's knowledge of him, it is submitted that there could never have been any real expectation that Smith would become co-operative.*

*It is submitted that in deciding to wait and see until Smith became co-operative Superintendent Ayton lost sight of the fact that it was very important from the point of view of the public interest and the interests of Having regard to Smith's background and to Superintendent Ayton's knowledge of him, it is submitted that there could never have been any real expectation that Smith would become co-operative. It is submitted that in deciding to wait and see until Smith became co-operative Superintendent Ayton lost sight of the fact that it was very important from the point of view of the public interest and the interests of City of Stirling councillors, George Cash, Peter Beckwith and others, that the bribe tape investigation be carried out without delay. The inquiry was all the more urgent because of the fact that Premier Brian Burke and his brother Terry had failed to bring the bribe tape to the attention of police since they first became aware of it on or about 2nd April 1987.*

*It is also submitted that Superintendent Ayton placed too much weight on the investigation into the identity of the police officer or officers leaking information to Robert Smith. The evidence disclosed that in the months that followed 26th May 1989 considerable energy was devoted to that inquiry. Detective Sergeant Harding of the Federal Police stated that he received communications from state police from time to time during 1989 relating to the obtaining of copies of Smith's telephone message books and teledexes so that investigations into those who telephoned him could be carried out. Apparently this was all in aid of the pursuit of the inquiry into police leaks.*

*What has become known as "the Bull-Peters affair" reached its climax in about November 1989. That involved the commitment of considerable energy and resources and although the facts were not relevant to the terms of reference it is submitted that the affair was an indication of where the priorities lay so far as the internal affairs unit was concerned in 1989. From the period of approximately 26th May 1989 until 5th November 1990 there is scant documentary evidence of activity with respect to the police investigation into the Smith materials. During this period Superintendent Ayton kept in touch with Detective Sergeant Harding of the Federal Police concerning Smith's demeanour and a likelihood of him becoming co-operative. Apparently there was discussion from time to time concerning the possibility of Smith being given an indemnity in due course. However, there was certainly no interview of Smith with the state police whatsoever.*

*Robert Smith's first trial relating to an alleged conspiracy with telephone tapping concerning the Burswood Casino took place in the District Court Perth in February 1990. Following his conviction and imprisonment, no approach was made by police to interview him.*

*On 12th May 1990 Commissioner Brian Bull received a communication by telephone from Terry Burke who said that he had been contacted by an investigative journalist named "Martin Saxon". It is submitted that similarly with Brian Burke's direct contact on 27th February 1989 this communication should certainly have removed any concern about there being some risk of alienating Smith should Terry Burke be interviewed about the bribe tape.*

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I had gone on sick leave in about early December 1991 after the Chief Superintendent in Charge of Crime Services had attempted to have me charged with criminal defamation and then refer me to a psychiatrist with the intention of having me certified insane. After Professor German had recommended that I be discharged from the Police Service because of the serious conflict I had with senior police officers, I received reliable information that those senior police officers were going to extract their retribution by insuring that I would not receive my rightful superannuation entitlements. This was going to be arranged by a former president of the Police Union who had been the officer-in-charge of the CIB Vice Squad and had a close friendship with the doctor who was the police representative on the medical board which was going to assess my superannuation entitlements.

On the 6 July 1992, the Commissioner of Police, Mr Brian Bull submitted a report to the General Manager of the Government Employees Superannuation Board and I subsequently obtained a copy under the Freedom of Information Act. In his report, the Commissioner states, *inter alia*;

*“Sergeant Scott has for several years been acting irrationally but more particularly, this has occurred more frequently over the last twelve months. His behaviour has been quite strange whereby an investigation was undertaken with regard to certain matters concerning his position as a police sergeant”*

At no stage did the Commissioner of Police or any senior members who were responsible for supervising my investigations ever approach or counsel me regarding any behaviour which they perceived to be irrational. Although the Commissioner of Police alleged that my irrational behaviour occurred more frequently over the previous twelve months that alleged erratic behaviour did not prohibit me being ordered to conduct an investigation into the suspected corrupt activities of some members of the police hierarchy and that of the Director of the Liquor Licensing within the Department of Racing & Gaming.

In response to the allegations made by the Commissioner of Police regarding my irrational behaviour, the consultant psychiatrist who examined my mental health, Professor German prepared a report for my solicitor, Mr Peter Ward.

He stated; *inter alia*;

*“It should also be noted that, in his letter of July 6<sup>th</sup> 1992, to the Government Superannuation Board, Police Commissioner Bull states (last paragraph on page 1) “Sgt Scott has for several years been acting irrationally....”*

*While the term “irrationally” is, no doubt used in a lay sense to indicate behaviours that were posing problems to senior police and hence to the Commissioner, it can have no implication that Sgt Scott was psychotic or mentally ill in a formal sense since there had been no psychiatric assessment to that effect. Indeed, those psychiatric assessments then available (in 1992) to Commissioner Bull, and quoted above, clearly expressed the opinion that Scott showed symptoms of work-related stress disorder, and that he was not psychotic or otherwise formally mentally ill. Nevertheless Commissioner Bull’s comment indicates that Sgt Scott had been identified as unwell “for several years.”*

*“Frank Scott has never shown evidence of a formal psychiatric illness. He was retired from the Police Force because of stress-induced symptoms which were so severe as to disable him, and make it impossible for him to continue to perform his duties. My assessment of him is of a man who is highly intelligent (he achieved 98% in his Police Training Academy Final Test, and his overall assessment was 81%). He has an ethic which is uncompromising in its view that his role as a policeman was to smell out crime and to do something about it. This ideal appears to have inspired him to join the Police Force in the first place.*

*In confirmation of this I received information about him from senior professional colleagues – I had considered that it was professionally necessary for me to interview colleagues of his at the time, including persons who had worked with him and knew him well, so as to obtain a third part viewpoint on his personality. These persons included then Superintendent Leslie D Ayton, at that time in charge of Internal Affairs in the Western Australian Police Force.*

*Superintendent Ayton told me that Frank had been in the CIB for 15 years and had been moved from that branch as a result of an unfortunate incident. Superintendent Ayton also told me that he believed that Frank Scott had had a bad time at that point. He told me that there was a feeling that people were against him. He accepted that there were realistic grounds for Frank’s bitterness. He told me that Frank tried to get back at certain people and did a great deal of leg work which included inquiries which were technically outside of his responsibilities in liquor and gaming.*

*He went on to say that “Frank did good work on the Myers case, but he was not a member of the CIB. He didn’t run a proper inquiry”. He went on to say “In the past few years, he has given a lot of information about certain people. His facts may be correct but his conclusions may be too black and white.” He summarised his views by saying that Frank gives good advice, but his conclusions are not necessarily apposite. “He tends to call stupidity corruption. He chooses to use the extreme word. He does not understand the concept of “using discretion.”*

*"I considered that it was appropriate to state that he had an uncompromising attitude to propriety and the discharge of his and his colleagues' duties as policemen and women. This remains my view of him. He is meticulous and driven by very clear ideas of principle and ethic. I do not believe he is extreme or fanatical in his attitudes. Rather, he portrays that ethical stance which our society prefers to believe is its prerogative, although sadly not always put into practise. In the case of Frank Scott, these standards appear to be an intrinsic aspect of his way of life."*

*"There is some evidence to suggest that this stress was further compounded by threats that he would be certified. Certainly, the letter which accompanied his referral to me indicated that he was suspected of being of unsound mind. The attribution of unsoundness of mind to persons in travail is, in my opinion, one of the more outrageous misuses of the notion of mental ill-health."*

The information I had received that senior police officers were going to ensure that I did not receive my rightful superannuation payments materialised and I entered into a protracted legal battle with the State Government Employees Superannuation Board to get my rightful payment. I was eventually successful with the assistance of Professor German and Mr Ward who provided their professional services free of charge and without their support I would never have succeeded. I was finally discharged from the Police Service on Thursday 22 April 1993.

Within a couple of days after leaving the Police Force, I ran into a former detective sergeant who told me that he had been appointed as the senior investigator at the Ombudsman's Office. During our conversation he said that he was well aware of the corrupt association between Inspector Pace and race horse trainer, Bob Meyers and had himself conducted an investigation into their corrupt association with a senior manager of security at the Burswood Casino.

When I told him that I had accumulated two cardboard boxes full of documents which would substantiate the level of corruption by senior police officers, he was very keen to examine those documents. I conveyed those two boxes containing documentary evidence to him just prior to departing for overseas on the 30 April 1993 and sometime after I returned home on the 2 June 1993, he called me and told me he wanted to see me. When I attended his office, he advised me that he had shown those documents to the Ombudsman and said that after he had examined the files, he "shit himself" and was alarmed at the extent of corruption that existed in the Police Service.

I then went and spoke to the Ombudsman who told me that he would not investigate my claims of police corruption because they were over twelve months old and therefore requested my authority to forward those documents to the Commissioner of Police for investigation.

I declined to give him that authority and told him that I considered his proposal was nothing but a sick joke because the Commissioner of Police was the very person who was subject to my allegations and I did not expect him to be given the job to investigate himself.

At the time of my meeting with the Ombudsman, I was totally oblivious to the fact that he had previously conducted an investigation into allegations of corruption levelled at the Deputy Commissioner of Police, Mr Frank Peters as revealed by Superintendent Ayton as he gave evidence before the Royal Commission on the 6 April 1992 when he said;

*"I caught him meeting the press in a most unusual manner in a most unusual place, and certainly not in a way that you would expect from a deputy commissioner. We photographed it. And that aroused my suspicions even further. And from then on we placed a listening device in his office. I have given evidence of this before the ombudsman."*

*"I mean, I had strong suspicions of Mr Peters prior to that, and I've already given evidence to Mr Ombudsman. I'm trying not to open that can of worms up again because the police received bad press on that and I would like to keep that to a minimum if I can. I mean, we've been through that pain once and it's certainly--"*

So whilst the Ombudsman was amenable to conducting an investigation into allegations of corruption made by the Commissioner of Police, Mr Bull and Superintendent Ayton against their Deputy Commissioner of Police, Mr Frank Peters, he refused to investigate issues of corruption identified in the documents I supplied him which involved other executive members of the police hierarch.

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Due to personal reasons I did not take any further action regarding my claims of police corruption until the 7 September 1995, when I contacted a reporter from the West Australian newspaper and advised him that I possessed two cardboard boxes full of documents which would establish the corrupt conduct by some senior members of the police force. I received wide publicity and shortly later I was contacted by the new Commissioner of Police, Mr Falconer, who offered to have those documents assessed by two senior Federal Agents from Canberra.

I accepted his offer and on the 3 October 1995, the two Federal Agents, Superintendents Wells and Killmier, attended at my residence where I supplied them with the same documents I had previously supplied to the Ombudsman. These were the documents I accumulated and intended to investigate myself after I was given the job to conduct an investigation into police corruption back in August 1991 and was given three weeks to conclude my investigation.

The Federal Agents issued me with a receipt for those documents and it took about six months for them to fully evaluate their evidentiary significance. In their written assessment that was tendered to the Commissioner of Police, Mr Falconer, they identified some 70 separate issues of improper or corrupt conduct by senior police officers which should have been investigated by Mr Ayton when he was the Superintendent in charge of the Police Internal Affairs Unit.

After examining their report which became known as the Wells/ Killmire report, the Assistant Commissioner (Professional Standards) Mr Jack Mackay contacted me and requested a meeting with me and my Lawyer, Mr Peter Ward. That meeting was held at my residence where Mr Mackay expressed his concerns regarding the issues identified in that report and in particular the manner in which the Bindoon Rock Concert, controlled by the outlaw motor cycle gang, the "*Coffin Cheaters*," had been conducted over the weekend of the 8-10 February 1991. He stated that he regretted that the Police Department had failed to challenge the issue of Liquor License applications made by the "*Coffin Cheaters*" for their annual Bindoon Rock concerts and said that the Department would have to accept any criticism regarding their policy at the time.

He then advised Mr Ward and me that the Commissioner of Police intended to establish a joint task force of Federal and State Police to further investigate the issues identified in the Wells/Killmire report and asked for my assistance in the proposed investigation. On the 21 May 1996, the "*Tartan Task Force*" was established and I agreed to be interviewed and debriefed on the proviso that I was given a copy of the transcript of my tape-recorded interviews. This was done and I have over 600 pages of the transcribed records of those interviews.

In one interview which was conducted at the offices of the Police Internal Investigation Unit at 9.05am on Friday 30 August 1996, between me and the Head of the "*Tartan Task Force*", Federal Agent, Superintendent Flegg,

He stated *inter alia*;

*"And Mister Scott, I have spoken to you on a previous occasion and members of the team that I'm working with have spoken to you on previous occasions and have explained that any conversation we have will go to certain areas. Do you recall that? --- Do you agree that those areas may be the Corruption Commission, the Parliamentary Committee on Police, the State Ombudsman, the DPP, and naturally the West Australian Police."*

*“wrongdoing” is another matter. The fact that – if Mister Ayton has done something and hasn’t done in with full vim and vigour, hasn’t attacked a problem, hasn’t exercised discretion, hasn’t exercised – that is not necessarily corrupt. It might be maladministration, it may be incompetence, but it is not necessary corrupt. And at that stage with a review – now bearing in mind Wells and Killmier did a review, they did no investigation.”*

*“So, you know, the thing is, the Commissioner at that stage – with the review there was no – again, I am putting my trust in you – evidence of corrupt activity on the part of Deputy Commissioner Ayton. Now, if we speak to you in our investigation, not a review, and you say, this happened, and that indicates corruption, the scenario changes, you know what I mean? --- But on the day that we started this investigation we had no firm evidence of corruption on the part of Ayton. We have suspicions about the way things were done; they may transpire to be totally innocent, they might transpire to be totally corrupt”*

*“Corruption is a criminal matter, maladministration is not, and that is what it really boils down to if you take it to the basics, that I can be totally and utterly incompetent, but I’m not a crook. You know, I might make questionable decisions, I may make definite wrongs, go counter to advice of people who know better than me, or are better equipped to advise me, but that doesn’t make me corrupt. And at the stage when the Commissioner wrote to mister Ayton, the evidence was – perhaps there are questions in the way matters were done, but there is no evidence and we are talking in a strict judicial sense of corruption on the part of Ayton. And therefore, in fairness to the man too – and you’ve got to look at – there’s two sides to all this – in fairness to the man, Ayton, he was getting ready to leave the Police Force and he’s being fed information – I don’t know how he’s getting that, or he’s hearing rumour or – an he’s speculating himself: There is a major Task Force on corruption being formed to target me. Now, I think in fairness the Commissioner said at that stage- and again, I tell you this in strict confidence- --that letter was totally correct and I was aware that it was written, and I stand by that letter and I spoke to the Commissioner and we spoke about it.”*

*“Right, thank you. Now, I’ll tell you this, we are going to go and talk to Les Ayton in due course. I will be talking to him with (name deleted) and again, in the interests of fairness, it will be me and a member of the West Australian Police so there’s no – and he can have the Ombudsman present, he can have the Pope present for all I care. I don’t care; we’re open and honest and fair with this business. But the fact that we’re going to talk to him will obviously generate – he will turn around, and again in my opinion, and say, this is another attempt to get me. --- It will hit the press again and then they’re going to ring you. And please, because he’ll be fairly stirred up about it, and if one word wrong goes into that paper, Frank Scott’s in the gun.”*

At the conclusion of the "Tartan" inquiry into matters identified in the "Wells/Killmier Report", I received an unannounced and unexpected visit at my home from Federal Agent, Superintendent Flegg and (**name deleted**) in the early morning on a Saturday 5 July, 1997. After I allowed them into my home, Superintendent Flegg told me that they had completed their investigation and were in the process of preparing their report and he wanted to know if I had any further documents in my possession which I had not previously handed to Superintendents Wells and Killmier. He said that he did not want to be in a position where he completed his report, only to find out that I had further documents which had not been investigated.

Although I told him that I had no further documents in my possession, he requested my permission to allow him to search my home and stated that if I refused his request, he would obtain a search warrant. I immediately became alarmed because I was fully aware that for him to be issued with a search warrant by a Justice of the Peace, he would be need to swear a complaint and provide the Justice with reasonable grounds to show that I had committed a criminal offence. I became extremely concerned that the Task Force was investigating me for stealing those documents and I would be charged with stealing the paper belonging to the Police Department.

However, I gave them my authority to search my premises as I had always anticipated that I would be subjected to a police raid and my home searched and therefore made sure that I did not keep any documents in my home. I did not tell them that my solicitor, Mr Peter Ward maintained custody and control of a large quantity of documents which I had previously supplied to the Federal Agents from Canberra for their assessment. (A list of those documents is attached to this email.)

After they completed their searched with a negative result, Superintendent Flegg set up his three deck tape-recording machine where he recorded advising me the results of the Task Force's investigation. He told me that the former Deputy Commissioner of Police, Mr Ayton and other former senior police officers refused to cooperate or be interviewed by the Task Force and therefore there were some issues of corruption or improper conduct which could not be resolved during their investigation.

Nevertheless, he stated that the Task Force had been able to establish irrefutable evidence that superintendent (**name deleted**) and chief inspector (**name deleted**) who had conducted the second investigation into detective sergeant Pace's suitability to be promoted to the rank of Inspector, had corruptly failed to include evidence presented to them by the WA chairman of stewards, Mr Fin Powrie.

That evidence would have established a corrupt relationship between detective sergeant Pace and racehorse trainer Mr Bob Meyers and superintendent Flegg said that if both of those officers had still been serving members of the Police Force, they would have been charged with a disciplinary offence.

On the completion of our meeting, I was advised by Superintendent Flegg that I would not be receiving a copy of the transcript of that interview as he was merely advising me the results of their investigation. It took the Task Force some sixteen months to finalize their inquiry, after which time, a report of their findings was forwarded to the Commissioner of Police.

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I believe that sometime in August, 1997, the Police Commissioner forwarded a copy of the "Tartan Report" to the Minister of Police, Mr John Day so that it could be tabled in Parliament. I requested the opportunity for my Lawyer, Mr Peter Ward and me to be allowed to examine the "Tartan Report" to ensure that matters concerning me were factually correct but my request was denied.

On Tuesday, 23 March 1999, some eighteen months after the Police Minister had received the "Tartan Report", the shadow Minister for Police Mrs Roberts asked the following question in Parliament.

**658. Mrs ROBERTS to the Minister for Police:**

*On 10 March last year the minister's predecessor told Parliament that he was awaiting legal advice before deciding whether to table a report into corruption allegations by former Detective Frank Scott. He also claimed that he was hoping to table that report in the near future.*

*(1) Has the office of the Minister for Police received that legal advice?*

*(2) Does the minister intend to table the report into Mr Scott's allegations?*

**Mr PRINCE replied:**

*I thank the member for the question and some little notice of it. (1)-(2) I have not been able to follow up this matter because I have busy with other matters, but my office has. It has endeavoured to contact the Solicitor General to find out what has happened to the advice. As yet, it has not been received; however, that is being followed up. If the member wants to know more, I am happy to offer her a briefing on it. As of 1.55 pm that is the best information I can give.*

Obtaining that legal advice took longer than the actual Tartan investigation but when the Minister for Police received the Solicitor General's legal opinion, he refused to table it in Parliament but he did read out the last page and was therefore obligated to table that last page.

The Solicitor General stated;

*"The investigating officers do not pretend to have accorded procedural fairness or natural justice to the other individuals named in the report or interviewed. Indeed, they observed that it was the view of Operation Tartan that they should do no more than inform all persons subject to allegations by Mr Scott of the outcome of the investigation in which they were involved. It was said that in order to avoid prolonged correspondence, all communications should be succinct.*

*From this it can be concluded that it was not proposed to take into account any responses that might have been received in formulating the findings and conclusions which were to be included in the final report. When the Operation Tartan report was first referred to me, I met with Assistant Commissioner (Professional Standards) on two occasions and voiced my concerns about the issue of procedural fairness and natural justice. Mr MacKay reviewed the report and suggested a number of deletions which he thought might go some way to allaying my concerns.*

*I am afraid that they have not done so and I am left in little doubt that the tabling of the report has the potential to adversely affect the reputations of many of the people named in it. In my view, it would not be practicable to edit the report in a way which removed this potential for damage to reputation. Even if names and places were deleted, in many cases it would not be difficult to discern who were the parties involved. In this context it must be borne in mind that any person who claimed that their reputation had been adversely affected could bring proceedings in the Supreme Court seeking orders that the conclusions or findings in the report be set aside on the grounds that they were not accorded procedural fairness or natural justice.*

### **Conclusion**

*The report contains too much material which has the potential to adversely affect the reputation of persons named in it. It is apparent that the investigating officers have not attempted to accord procedural fairness or natural justice. The possibility that one of the persons named in the report might apply to the Supreme Court to set aside the report's conclusions or findings affecting them must be regarded as a real one and, in my opinion, such an application would have reasonable prospects of success.*

*In my opinion, the report should not be tabled in the Parliament.*

After examining the "Tartan Report" the Solicitor General, as far as I am aware made no recommendations regarding what further action was necessary to overcome the failure of former Deputy Commissioner of Police Mr Ayton and other senior police officers to cooperate or be interviewed by the "Tartan" investigators. His legal opinion was also based on the false premise that it was I who made the allegations which were the basis of the investigations carried out by the "Tartan Task Force."

That Task Force was established by the Commissioner of Police on the recommendations of two senior Federal Agents from Canberra who travelled to Perth and meticulously examined a large quantity of documents which I supplied them. At the conclusion of their thorough assessment, they approached me and advised that they had identified some 70 separate issues of improper or corrupt conduct by senior police officers which should have been previously investigated by the Head of the Police Internal Affairs Unit, Superintendent Ayton. They further advised that an audit of all the investigations carried out by Internal Affairs Unit would be necessary to determine whether in fact those issues of corruption or improper conduct which they identified had been effectively investigated by Superintendent Ayton.

At no stage did they inform me the nature of that alleged corrupt or improper conduct or the names of the individual officers who were alleged to have committed that corrupt or improper conduct.

In his legal opinion, the Solicitor General recommended that the "Tartan Report" should not be tabled in Parliament because of his concerns that individual police officers named in the Report had not been accorded procedural fairness and natural justice and by tabling of the "Tartan Report" in Parliament, it had the potential to adversely affect the reputations of many people named in the Report.

I consider it incredible that the Solicitor General did not advise the Assistant Commissioner of Police that he would recommend delaying the tabling of the "Tartan Report" in Parliament pending the Commissioner of Police writing a letter to each and every police officer who was subject to an adverse finding by the Tartan investigation. Details of the result of the investigation against each individual officer could have been included in the letter and have provided them with the opportunity to respond to those findings. If necessary, the final report could have easily been adjusted according to the responses received from those officers.

That would have been a simple way to rectify his concerns that individual police officers named in the report had not been accorded procedural fairness and natural justice. Instead he chose to give those police officers who received adverse findings; a State sanction for their corrupt or improper conducts.

Out of the 70 separate issues of improper or corrupt conduct which were identified by the two senior Federal Agents, not one of those senior officers were made accountable for their conduct. The Solicitor General obviously had no concerns that some of those officers were the ones responsible for ruining my reputation and police career.

Both the State Ombudsman and the Corruption Commission had also received transcripts of the interviews conducted by the Tartan investigators and I expect they also received a copy of the "Tartan Report". Yet no attempt was ever made to hold and inquiry to compel those senior officers who refused to be interviewed by the Tartan investigators to be made accountable for their improper or corrupt conduct.

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When the Labor Party won the state elections in 2001, I contacted the Attorney General, Mr Jim McGinty prior to him preparing the "Terms of reference" for the proposed Royal Commission to investigate police corruption. I knew him personally and had numerous conversations with him when he was the leader of the opposition where we conferred about issues involving corrupt police officers and politicians.

The Attorney General recommended that I contact a member of his staff in his Ministerial Office which I did and during our discussion, I advised him of the "Tartan Task Force" investigation into police corruption and the Solicitor General's findings that some officers had not been accorded procedural fairness or natural justice. I told him that I considered that the Royal Commission would be an ideal forum whereby its coercive powers could be used to compel these officers to give evidence before the Royal Commission while at the same time accord them with procedural fairness and natural justice.

I also provided him with further documents to support my claims that some of those senior police officers who failed to cooperate with the "Tartan Task Force" had acted unethically. Amongst those documents was a copy of the transcript of the sworn testimony given by Superintendent Ayton at the WA Inc Royal Commission together with a copy of my treatise which had been illegally destroyed by police officers attached to the WA Inc Royal Commission back in 1992.

In addition, I gave him copies of the transcript of my sworn testimony before the Parliamentary Committee investigation police corruption. I was called to give evidence before that Committee on three separate occasions; the 30 October 1995, 22 November 1995 and the 21 August 1996.

It was Committee's protocol to post me a copy of the transcript of my evidence after each appearance and on the second occasion when presenting my evidence, I accused one of the committee members of having a close relationship with organised criminals and corrupt police officers. My accusations led to a heated verbal exchange with that Committee Member which lasted several minutes.

At my last appearance before the Committee, I read out a prepared statement and advised the Committee that the transcript of my sworn testimony at my previous attendance had been falsified and that the heated verbal exchange I had with the Committee member on that occasion had been omitted from the transcript. I told them that I considered that tampering with the transcript of my sworn testimony may constitute a criminal offence.

My fresh allegations again led to a heated verbal exchange with the member who was subject to my previous claims and resulted in the Chairman of the Committee threatening to have me charged with defamation. He ordered me from the Courtroom while the Committee members argued my allegations that the transcript had been falsified. After waiting outside the court room for considerable time, I was discharged from any further attendance before the Committee; however they failed to provide me with a transcript of my sworn testimony for that final appearance and I suspected that it had also been unlawfully destroyed.

On Tuesday 11 December 2001, the Premier announced the formation of the Royal Commission to investigate allegations of police corruption.

"Under the signature of his Excellency, Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia. To the Honourable Geoffrey Alexander Kennedy AO QC: By this Commission, under the Public Seal of the State, I, the Governor, acting with the advice and consent of the Executive Council –

1. Appoint you to be a Royal Commission to enquire into and report on whether since 1 January 1985 there has been
  - (a) corrupt conduct; or
  - (b) criminal conduct,by any Western Australian police officer.
  
2. Declare that the phrases in clause 1(a) and (b) include, but are not limited to, the meanings given to them by section 3 of the Anti-Corruption Commission Act 1988.

## ANTI-CORRUPTION COMMISSION ACT 1988 - SECT 3

### 3 . Interpretation

(1) In this Act, unless the contrary intention appears —

**“allegation”** means an allegation received or initiated by the Commission under this Act before the coming into operation of section 48 of the *Corruption and Crime Commission Amendment and Repeal Act 2003* ;

There were eight other terms of references included in the Governor’s announcement.

I received a subpoena to present myself before the Royal Commission on Wednesday 11 June 2003 and was questioned by Counsel Assisting the Royal Commission, Mr Stephen Hall regarding the manner in which I was treated after making allegations of corruption by senior police officers.

At the conclusion of the Royal Commission investigating corruption in the West Australian Police Force, the Royal Commissioner, Mr Kennedy publicly released the findings of his investigation. In Chapter 10 – Internal Investigation page 263 Titled Public Hearings – Historical Example, he refers to my sworn evidence before the Royal Commission and states;

*“A former officer gave evidence regarding his experience in the late 1980s and early 1990s. He explained how he was effectively victimized and marginalized as a result of his making complaints. He was required to conduct an investigation into his own complaints, but was then prevented from adequately completing that investigation. He was subjected to counter-complaints and threatened with attacks upon his fitness for work, and even his sanity was challenged. He was left in a hostile working environment without any support from WAPS. He told the Royal Commission of the effect that these experiences had upon him, of the trauma and the stress he suffered, and of the eventual loss of his livelihood.*

*The officer had served for 22 years, attaining the rank of sergeant. He was discharged, having been declared to be medically unfit. While serving as a WAPS officer, he raised a number of concerns he had about the corrupt behaviour of his colleagues, dating back to 1987. Without detailing all the facts giving rise to these allegations, it is sufficient to note that they concerned officers serving at various levels in the police hierarchy, and that they involved varying degrees of corrupt behaviour.*

*As a result of his concerns, the officer took some precautions to protect himself but he became the subject of various rumours within WAPS. The officers who were the subject of his complaint, became aware that he had tape recorded an interview with a senior officer who was conducting an internal investigation into one of the matters relating to which the officer had provided information. He had suspected that the inquiry would result in a "whitewash", and he had preserved the recordings as a form of self- protection.*

*He had only told a limited number of his colleagues about the tape recording but he later heard that it had been spread around the CIB that he had taped his interview with this senior officer. The consequences of these events were described by the officer as follows:*

*"There was nothing overt. There was mainly a whispering campaign. That's the way the CIB operates. You hear all rumours, but it got back to me that I could forget about any promotion in the CIB."*

*In relation to a further allegation of improper practices, the officer submitted another complaint report. He later became aware, however, that his superiors had not forwarded this complaint for investigation. Once he had realized the situation, the officer submitted another report, on this occasion to a person at a more senior level than the first. Included in this report were allegations in relation to two high-ranking officers.*

*These officers were interviewed, despite the officer's reluctance for this to occur, for the reason that, as soon as they found out that he had made a complaint against them, that would be the end of his police career. He said that he was fearful of being victimized. He was, in fact, victimized.*

*The officer said that he was called in for discussions with one of the persons who had been interviewed as a result of his complaint, and he was told that he was to be transferred immediately. He was tasked with conducting an investigation into allegations he had made of corrupt conduct, to be completed within three weeks. He was effectively being directed to investigate his own complaints concerning his own superiors. Furthermore, the two high-ranking officers had been provided with more information than the officer had expected in relation to the issues about which he had complained.*

*The officer was advised that the Commissioner of Police had been briefed about his circumstances and that, if he experienced any victimization, there was a person whom he had named who would "sort things out". Based on his personal experience, this would not have been satisfactory. At the end of the three-week period, the officer was refused an extension of time for the completion of his report. He was then ordered to reorganize the "file room", which he interpreted as a move intended to denigrate him, the task usually being given to a cadet officer. He felt humiliated and belittled by this order.*

*Sometime later, a meeting was called, at which a number of the officer's peers were present. During this meeting he was named as a person who was not welcome because the meeting was being held in relation to allegations that had been made by him against the group, and he was asked to leave. This distressed the officer, as seems clearly to have been intended. He went to the person who had been named as the "Support Person", who told him: [name], you've always had a propensity to swim against the tide. Why don't you go with the flow?*

*The officer learnt that the report he had made had been forwarded to the IAU, with a view to having him charged with criminal defamation. He became distressed, and went on sick leave for a week. He then took accumulated annual leave for two months. The officer later became aware that the investigators had been unable to find a basis for any charges against him of criminal defamation. When he returned from his annual leave, the officer heard that senior officers about whom he had complained were going to send him to see a psychiatrist, with a view to having him certified as insane. As a precautionary measure, the officer consulted his own doctor, in order to satisfy himself that the person to whom WAPS intended to send him was not corrupt. The psychiatrist confirmed that he was suffering from stress, and the officer was given sick leave for a further three months.*

*During this period of leave, the officer was transferred, and his plain-clothes allowance was cancelled. It was later reinstated. In the circumstances, understandably, the officer viewed the actions of his colleagues as part of a vendetta against him.*

*The officer was then ordered to present himself to the Police District Medical Officer for examination. At the time, he believed that this was the first step in the process of having him certified as insane. In response to this fear, one of the officer's superiors laughed and remarked, "What they're trying to do is break you".*

*To a question from Counsel Assisting as to whether he received any support or assistance from WAPS, the officer responded, "You're joking aren't you?" He said that he felt that, at the time, the very senior officers, from the Commissioner of Police down, were trying to "shaft" him.*

*The officer submitted himself to various consultations with a psychiatrist nominated by WAPS. The psychiatrist had no concern with respect to his sanity, but felt that, because of the serious conflicts that existed in his workplace, it was unhealthy for him to remain in that particular environment. On his recommendations, the officer was discharged on stress-related medical grounds.*

*The officer considers that WAPS never properly investigated the complaints that he has made. Australian Federal Police officers had assessed the officer's allegations and made a recommendation that further investigations should be conducted. A taskforce was formed, and the ensuing investigation produced a report. The officer has not seen the report. He had no response to a letter to the Commissioner of Police asking what had been done about his allegations.*

*The officer's experience as an internal complainant illustrates police culture over a period of more than a decade. He felt marginalized and isolated as a consequence of his raising complaints against his fellow officers, and being provided with no adequate feedback in relation to the allegations he had made. His career path was seriously affected, and he felt that he had not been supported by WAPS. Apart from doing a few jobs for a solicitor, he has not worked in ten years. He had been embittered by his experience.*

Despite the Royal Commissioner accepting that I had raised issues of corruption by some serving members of the police hierarchy who were involved in varying degrees of corrupt behaviour, he failed to call a single member of the police hierarchy before the Royal Commission to be investigated for their alleged corrupt conduct.

This is clearly contrary to the first "Term of Reference" - to enquire into and report on whether since 1 January 1985 there has been

- (a) corrupt conduct; or
- (b) criminal conduct,

*"by any Western Australian police officer."*

One can only conclude that the Royal Commission had a double standard when investigating issues of police corruption. Whilst junior rank and file members had been called to present themselves before the Commission which resulted in one sergeant who was not alleged to have acted corruptly committing suicide, they failed to investigate the serious allegations of corruption that I had made against high ranking members of the Police Service.

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As there is no statute of limitation for indictable offences committed under the provisions of the "Criminal Code", and the issues of corruption by senior police officers which I made were never investigated by the Ombudsman or the Police Royal Commission, I referred these matters to the Crime and Corruption Commission for investigation.

On the 22 April 2015, I received a letter from Mr Tony Wood, Acting Deputy Director of the CCC who acknowledged my complaints but advised me that they would not be investigated because I had previously raised these issues with the Ombudsman, the Anti Corruption Commission, and the Police Royal Commission. He stated that because of the historic nature of my allegations, the CCC would not respond to me again.

What the Acting Deputy Director of the CCC failed to acknowledge is that the agencies that he mention had all failed to conduct any investigations into my allegations and had he bothered to closely examined some of the documents I provided him, he would have been able to ascertain that the Ombudsman refused to investigate my claims of police corruption.

Had the Acting Deputy Director also examined my earlier complaint to the Crime and Corruption Commission, he would have determined that my allegations in that instance were not directed against corrupt police officers but against the Former Attorney General, Mr Jim McGinty.

My letter of complaint to the Corruption and Crime Commission, dated the 12 November 2004, related to the improper or corrupt manner in which the Attorney General, had dealt with an affidavit prepared by former detective sergeant, Tony Lewandowski who was involved in the investigation and prosecution of the Mickelberg brothers for the theft of a large quantity of gold from the Perth Mint.

In his sworn affidavit, the former detective sergeant confessed to fabricating evidence against the brothers' and admitted that he and his senior partner, detective sergeant Don Hancock had assaulted one of the brothers and had given false evidence against them at their trial to obtain their conviction.

Mr Lewandowski had delivered his sworn affidavit to the Director of Public Prosecutions whose role is to provide an independent prosecuting authority for all serious offences committed against State criminal law. His role does not include the investigation of allegations of police corruption and upon receipt of Mr Lewandowski's affidavit, it was incumbent on the DPP to maintain the integrity and independence of his office by forwarding it to the appropriate investigative authority so that a thorough and an impartial investigation into the allegations contained in that affidavit could have been conducted.

However, the DPP had failed to comply with his legal responsibility to ensure that the contents of that affidavit were investigated in an ethical manner. He also failed to maintain the independence of his office from executive members of the Government to eliminate any possibility of political interference in the administration of Justice.

Shortly after receiving the affidavit, the DPP forwarded a copy to the Attorney General, Mr Jim McGinty which was clearly inappropriate as the Attorney General was related to the former Assistant Commissioner of Police, Mr Bob Kucera who along with detective sergeant Lewandowski was suspected of fabricating evidence against the Mickelberg brothers.

It would have been obvious to anyone that Mr Lewandowski's affidavit had the potential of implicating the former Assistant Commissioner of Police. It was therefore not surprising that as soon as the Attorney General had received a copy of the affidavit, he immediately forewarned his in-law of its contents and thereby compromised any further impartial investigation. From my recollection the DPP was never questioned about the necessity of forwarding the affidavit to the Attorney General or for his failure to maintain the required independence of his Office.

Had the information contained in Mr Lewandowski's affidavit gotten into the wrong hands, it could have resulted in a substantial threat to his life. Senior officers from the CIB Major Crime Squad also considered that possibility because shortly after his death, I was contacted by Detective Sergeant Scott Higgins who advised me that he was conducting an investigation into the death of former police officer and whistle blower, Mr Tony Lewandowski. He stated that his inquiries at Telstra established that on the date of his death, Mr Lewandowski made several telephone calls and one of the last calls he made was to my home telephone number. Sergeant Higgins wanted to know if I had spoken to, or met with Mr Lewandowski.

The duration of that call lasted for only a short period of time and no message was left on my answering machine and I was able to tell Sergeant Higgins that I neither spoke to, nor met with Mr Lewandowski.

However, I have no doubt that he had planned to speak with me to ascertain if I could provide him with some support as I expected he would have been in a state of absolute fear after he discovered that the Attorney General had advised his relative and former Assistant Commissioner of Police, Mr Kucera the contents of his confidential affidavit. I also suspected that Mr Lewandowski may have wanted to provide me with some information regarding an incident which occurred outside the Supreme Court building on or about the 3 November 2003, during a Western Australian Court of Criminal Appeal Hearing against the Mickelberg brothers' conviction of the Perth Mint swindle.

All the police officers who were alleged to have given false evidence against the Mickelberg brothers were summoned to appear before the Supreme Court on that date and whilst waiting outside the court precinct to see if they would again be required to give their suspected perjured evidence, they were involved in a scum-down where I was vilified and denigrated and a plan was hatched to set me up.

I later received reliable information that the Minister for Tourism and Small Business, Mr Bob Kucera, was the leader of that conspiracy and at 12.38pm on the 29/12/03 I sent him an email letter and accused him of making an anonymous phone call to CentreLink where he falsely and maliciously claimed that I had been fraudulently receiving CentreLink payments.

In my letter, I advised him that I expected that he would immediately contact his relative, the Attorney General and inform him of the serious nature of the allegation he made against me and I would welcome his in-law to refer his allegation to the newly established Crime and Corruption Commission so that it could be fully investigated.

I did not get a response from the Minister and that was typical of Mr Kucera who as a police officer did all his dirty work behind someone's back. It was common knowledge within the Criminal Investigations Branch that detective sergeant Don Hancock belonged to a powerful group of corrupt police officers who controlled organised crime in West Australia and the then detective sergeant Bob Kucera was his right hand man and lieutenant. It was no coincidence that Mr Peter Mickelberg was taken to Belmont CIB for interrogation by detective sergeant Hancock where his mate, sergeant Kucera, was the Officer-in-Charge.

Whilst Mr Mickelberg was receiving a beating by the two interviewing officers, sergeant Kucera conveniently went for a casual stroll to the other side of the road to get hamburgers for lunch and on his return failed to see that anything untoward had occurred in his absence. The former Assistant Commissioner of Police had also been accused of perjury in another unrelated court hearing.

Although the Attorney General denied that he had committed any criminal misdemeanour by showing Mr Lewandowski's affidavit to his relative, I expect that any detective who showed such an incriminating document to a criminal suspect he was investigating would either be ordered to have his sanity examined by a psychiatrist or faced a criminal charge of attempting to pervert the course of justice.

As a result of presenting his sworn affidavit to the Director of Public Prosecutions, Mr Lewandowski paid a high price and was charged with numerous criminal offences including attempting to pervert the course of justice, while the Attorney General escaped any criminal liability for tipping off his relative about the contents of that affidavit.

**In answer to question in Parliament from Ms Sue Walker dated Tuesday 11 June 2002, Mr McGinty stated:**

- (1) Yes, I was aware that the then Detective Sergeant Kucera was the officer in charge of the Belmont Police Station in July 1982, when the interview with Peter Mickelberg took place at that office.*
- (2) Yes, I am aware that it was his office in which the interview took place at the Belmont CIB office. It would be very interesting to look at the floor plan of the building, because it might throw an interesting light on the issue.*

*(3) I was generally aware of the Mickelberg matter. I did not have any detailed personal knowledge;*

*I had simply read about the issue in the Press and I was broadly aware of what had transpired. Obviously, since the affidavit was made available to the DPP and then to me on Thursday last week, I have had occasion to read many documents on the matter, including the Court of Criminal Appeal decision handed down in 1999. As a result, I am more aware of some of the details.*

*The answer to the member's question is that I was generally aware of a range of the circumstances. I have become aware of other factors since Thursday last week. I have done extensive background reading to fully acquaint myself with the details in view of the enormous public interest in this issue.*

The former Attorney General's obscene hypocrisy can be gauged by examining a speech he made in Parliament on the 25 June 1996, when he was the Opposition Leader. During that speech in the Legislative Assembly, Mr McGinty was quick to identify that Mr John Porter, a member of the Official Corruption Commission and a former Commissioner of Police, had a conflict of interest if he remained on the new Anti-Corruption Commission.

He called for Mr Porter to resign his position on the Official Corruption Commission because he would be required to examine a call by the Upper House Tomlinson inquiry into the police force for a judicial inquiry into the Perth Mint Swindle. He said that Mr Porter would have a conflict of interest because his son was one of the investigating officers in the Mickelberg case while Mr Porter was the Commissioner of Police. *"It becomes a complicated web when one looks at the relationship"*, Mr McGinty said.

He then told the Legislative Assembly that he had spoken to whistle blower and former detective Frank Scott who told him that Mr Porter was one of three senior police officers who were being examined by the Australian Federal Police into his allegations of corruption; the other two senior members were retired Commissioner of Police, Mr Brian Bull and former Deputy Commissioner of Police, Les Ayton.

He also advised the Legislative Assembly that Mr Scott told him that Mr Porter's position on the OCC had stopped Mr Scott taking his allegations to it several years ago and that Mr Scott had initially complained to the Ombudsman who suggested handing the matter to Mr Bull to investigate and later suggested taking his allegations to the OCC.

Within hours of Mr McGinty making that speech in Parliament, the former Commissioner of Police resigned from his position as a member of the Official Corruption Commission. However, what Mr McGinty failed to inform his colleagues in the Legislative Assembly, is that I also told him that I couldn't take my complaints to the Official Corruption Commission because one of my allegations was against the former Commissioner of Police himself, who I claimed had authorised the installation of an illegal intercept on a telephone belonging to one of the Mickelberg brothers.

So while the Attorney General was so astute back in 1996 in identifying the complicated web that the former Commissioner of Police had created, he hypocritically considered that it was quite proper for him to forewarn his in-law of the details contained in Mr Lewandowski's affidavit. Unlike Mr McGinty's in-law, the son of the former Commissioner of Police was only a junior member of the investigative team and had never been accused of fabricating evidence against the brothers'.

I have no doubt that Mr Kucera being advised of the contents of that affidavit was a contributing factor in Mr Lewandowski taking his own life.

On the 20 June 1996, Mr McGinty also referred a written question without notice to the Premier regarding my claims of corruptions by police and politician

### **Scott, Frank, Allegations Relating to Liberal Party Members**

307. Mr McGINTY to the Premier:

*“Former detective turned whistleblower, Frank Scott, has publicly claimed that the Premier would be reluctant to call a royal commission into police corruption because members of the Liberal Party were linked to corrupt police.*

*(1) Given that Mr Scott's claims were brought to the Premier's attention in question time last week and considering his stunning admission that he was unaware of media reports about them, what has he done to investigate Mr Scott's allegations and to identify the Liberals to whom he is referring?*

*(2) Were the Liberals concerned Hon Phil Lockyer MLC and the member for Kingsley, the person sitting immediately to the Premier's left?*

When I first contacted Mr McGinty as the Opposition Leader I was extremely impressed with his commitment to have my allegations of corruption by senior police officers and their association with some politicians investigated by a Royal Commission.

Shortly after the Labor Party won the State Election he also publicly announced that his Government intended to introduce a Bill into Parliament to protect Whistle Blowers. At that stage, I was extremely confident that my allegations of Police and Political corruption would finally be investigated in an ethical manner.

However, I soon discovered that Mr McGinty was nothing but a fraudster who lacked any basic moral or ethical standards and was only interested in further advancing his own quest for political power. All of a sudden those emphatic demands he made of the Court Government to investigate my claims of police and political corruption evaporated.

His call for a judicial inquiry into the Perth Mint Swindle also evaporated and I suspect that occurred as soon as he became involved with the former assistant commissioner of police.

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In my letter of complaint to the Corruption and Crime Commission against the Attorney General, dated 12 November 2004, I also attached two sworn affidavits. The first affidavit related to the improper manner in which Chief Superintendent in charge of the CIB, Don Hancock, had conducted an investigation back in 1985 into the evidence I had obtained that identified an outlaw motor cycle gang member who had sold large quantities of melted down gold bullion which I strongly suspected had been stolen from the Perth Mint.

This criminal motor cycle gang member had strong connections to an international drug syndicate and the licensed Second Hand Dealer who purchased the suspected stolen gold bullion was closely associated with corrupt senior police officers and a politician who were strongly suspected of their involvement in the murder of brothel owner Shirley Finn.

The two detectives, who were appointed by Chief Superintendent Hancock to investigate my claims that the gold bullion in possession of a member of an outlaw motor cycle gang may have been stolen from the Perth Mint, conducted their inquiry in such a pathetically incompetent manner that I could only conclude that their intent was to make certain that the origin of that melted-down gold bullion would never be identified. One of those officers who conducted that pathetic investigation is now an Assistant Commissioner of Police.

The second affidavit I provided to the Corruption and Crime Commission related to the evidence I had obtained which showed that senior members of the West Australian Police Service regularly conducted illegal telephone taps and the Commissioner of Police had authorized the installation of a telephone intercept on the telephone belonging to one of the Mickelberg brothers.

As a result of my allegations, I received a reply from the Commissioner of the Corruption and Crime Commission, Mr Kevin Hammond, on the 18 January 2005. In his response, he advised me that the Anti-Corruption Commission (A-CC) had previously examined the issues I had raised in my complaint against the Attorney General in some detail and having examined that file, he noted that among other things, the A-CC had obtained an opinion from an independent QC and advice from the Director of Public Prosecutions and on the basis of that advice, the A-CC determined that further action in relation to that matter was not warranted.

I consider it was extraordinary that Mr Hammond, a former Chief Judge, would find it appropriate for the A-CC to solicit and accept the legal advice from the Director of Public Prosecutions considering he was responsible for forwarding Mr Lewandowski's affidavit to the Attorney General in the first place.

Mr Hammond further stated that he had considered the information I had supplied him and it did not appear that I had provided him with any new or additional evidence which suggested that a re-examination of that issue would be likely to reach a different conclusion. Accordingly, he concluded that the matter had been subject of appropriate action by the A-CC. Therefore, in accordance with section 18(3) of the Corruption and Crime Commission Act 2003, he decided that further action by the Corruption and Crime Commission was not warranted.

He made no mention what investigations were carried out regarding the contents of the two sworn affidavits that I had supplied him.

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After receiving the letter dated 22 April 2015 from Mr Tony Wood, Acting Deputy Director of the Corruption and Crime Commission advising me that he would not investigate my complaints or have further contact with me, I decided to conduct my own investigation.

I contacted the Senior Archivist at the State Records Office of Western Australia and on Friday 24 April 2015, he was able to furnish me with a copy of the transcript of evidence presented by former Superintendent Ayton at the WA Inc Royal Commission on the 6 April 1992. I also received advice from the Corporate Information Officer at the Department of the Premier and Cabinet that all records pertaining to the Royal Commission into Police Corruption were held by the Corruption and Crime Commission.

As I wanted to obtain a copy of the transcript of the my sworn testimony before the Royal Commission on the 11 June 2003, I forwarded an email to the Corruption and Crime Commission on 21 July 2015 requesting that they supply me with a copy of the transcript of my evidence. True to the words of the Acting Deputy Director of the Corruption and Crime Commission, Mr Tony Wood, they refused to respond to my request and after waiting some ten weeks, I made an official complaint to the Parliamentary Inspector regarding their refusal to reply to my request.

As a witness who was called to give evidence before that Royal Commission, I was always entitled to a copy of that document and shortly after my complaint to the Parliamentary Inspector the CCC emailed me a copy of that transcript on the 8 October 2015. I did not get an apology for their arrogance and incompetence.

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In conclusion, I would strongly suggest that you don't need to be a QC to determine that there is a two tiered justice system in West Australia whereby there have been some senior police officers and some politicians who are untouchable and any allegations of corruption made against them have never been subject to any independent, ethical investigation.

Conversely, those who are arbitrarily selected for investigation by the CCC are subjected to intense scrutiny where all covert surveillance and telephone tapping techniques are used.

Should you be interested in examining my previous complaints to the CCC which they refused to investigate, I would be happy to forward them to you.

Yours sincerely  
Frank Scott  
7 November 2016