

IN-CONFIDENCE

Parliamentary Commission of Inquiry
 G.P.O. Box 5218,
 Sydney, N.S.W. 2001.

FILE No.
C 21 /

ARCHIVAL ACTION

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TITLE

Allegation No. 8
(alleged diamond)

Related Papers File C43.

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FILE No. **C.21.**

MEMORANDUM RE MATTERS NUMBERED 4, 5, 7, 8, 9, 10, 12, 17, 19,
21, 22, 28, 29, 30, 31, 32, 34, 35, 37, 38, 41.

Matters Raised with Counsel Assisting but not Drawn as Specific Allegations in Precise Terms.

This memorandum deals with 21 matters which in the opinion of those assisting the Commission could not or, after investigation, did not give rise to a prima facie case of misbehaviour within the meaning of Section 72 of the Constitution. It is therefore proposed that these matters not be drawn as specific allegations in precise terms and that there be no further inquiry into them.

Matter No.4 - Sala

This matter involves an allegation that the Judge, whilst Attorney-General, wrongfully or improperly ordered the return to one Ramon Sala of a passport and his release from custody.

All the relevant Departmental files have been examined as also has been the official report of Mr A.C. Menzies.

The available evidence supports the conclusion of Mr Menzies that there was no evidence of any impropriety on the Judge's part. While it is true to say that there was room for disagreement about the directions given by the Judge and that the Australian Federal Police objected to the course taken, the action by the Judge could not constitute misbehaviour within the meaning of Section 72 of the Constitution. We recommend that the matter be taken no further.

Matter No.5 - Saffron surveillance

This matter consisted of an allegation that the Judge, whilst Attorney-General and Minister for Customs and Excise, directed that Customs surveillance of Mr A.G. Saffron be downgraded. The gravamen of the complaint was that the Judge had exercised his Ministerial powers for an improper purpose.

This matter was the subject of a Report of Permanent Heads on Allegations in the National Times of 10 August 1984. That Report pointed out, as an examination of the files of the relevant agencies confirms to be the case, that apart from one document entitled "Note for File" prepared by a Sergeant Martin

on 30 January 1975 there was no record of any Ministerial direction or involvement in the matter. That note for file attributed to a Kevin Wilson the statement that the A-G had directed that Saffron was not to receive a baggage search. When interviewed by the Permanent Heads Committee, Mr Wilson said that in all his dealings with the matter he believed that the direction came from the Comptroller-General. The conclusions of the Report of Permanent Heads appear at paras 45 and 46. Those conclusions were that the decision to reduce the Customs surveillance of Saffron to providing advice and travel details was reasonable and appropriate and that it was more probable than not that the decision to vary the surveillance of Saffron was made by the then Comptroller-General. This, it was concluded, did not rule out the possibility that the Minister spoke to the Comptroller-General who may have reflected the Minister's views when speaking to a Mr O'Connor, the officer in the Department who passed on the directions to the police.

It is recommended that the Commission proceed in accordance with Section 5(3) of the Parliamentary Commission of Inquiry Act and, having regard to the conclusions of the Permanent Heads Inquiry, take the matter no further.

Matter No.7 - Ethiopian Airlines

This matter was the subject of questions in the Senate in late 1974 and 1975. The contention was that the Judge, whilst Attorney-General, behaved improperly by accepting free or discounted overseas air travel as a result of his wife's employment with Ethiopian Airlines. Investigation revealed nothing improper in the appointment of Mrs. Murphy as a public relations consultant nor in the fact that in lieu of salary she acquired and exercised entitlements to free or discounted travel for herself and her family.

Whatever view one may take as to the propriety of a law officer accepting free or discounted travel in the circumstances set out above, the facts disclosed could not, in our view, amount to misbehaviour within the meaning of Section 72 of the Constitution and accordingly we recommend the matter be taken no further.

Matters No.8 and 30 Mrs Murphy's diamond; Quartermaine - Moll tax evasion.

These matters were the subject, in late 1984, of questions in

the Senate. It was alleged that the Judge had been involved, at some stage during or prior to 1979, in a tax avoidance scheme in Western Australia involving one Christo Moll, Murray Quartermaine and others and that Mrs Murphy had either purchased or been given a diamond by Moll.

Material was provided to the Commission in support of these claims and consisted of two diamond valuation certificates, a cheque butt of Moll's with the name Mrs L Murphy and a letter dated 18 June 1979 allegedly written by a Dr Tiller, one of the participants in the scheme, to Quartermaine, implicating the Judge in their activities.

These matters were investigated by the Commission and those investigations confirmed the conclusion to which the Australian Federal Police had earlier come that the documentation provided in relation to the alleged diamond was unreliable and in all likelihood false and that the letter from Dr Tiller was probably false and possibly written by Moll to discredit Quartermaine.

In the light of these circumstances it is in our view impossible to conclude that there is any prima facie evidence

of misbehaviour within the meaning of Section 72 of the Constitution and we recommend that the matters be taken no further.

Matter No.9 - Soviet espionage

Two individuals jointly made the claim that the Judge was a Soviet spy and a member of a Soviet spy ring operating in Canberra. This allegation was supported by no evidence whatever and rested in mere assertion of a purely speculative kind.

We recommend that the Commission should make no inquiry into this matter.

Matter No.10 - Stephen Bazley

Information was given to those assisting the Commission that Stephen Bazley had alleged criminal conduct on the part of the Judge. The allegation was made in a taped interview with a member of the Australian Federal Police and was that the Judge wanted Bazley to "knock out" George Freeman. Bazley said that the request had been passed on to him by a named barrister on an occasion when, according to Bazley, he and the barrister went to the Judge's home in Sydney.

The New South Wales Police had investigated this allegation in 1985 and the staff of the Commission was given access to the relevant New South Wales Police records.

Those records showed that the conclusion of the police investigation was that the allegation was 'a complete fabrication' and that further enquiries would be a 'complete waste of time'. These conclusions were based on Bazley's lack of credibility, his refusal to assist the New South Wales Police in their inquiry into this allegation, his refusal to adopt the statement he had made to the Australian Federal Police and the clear and comprehensive denial by the barrister in a signed statement that he had or would have spoken to Bazley in the terms alleged. Indeed the barrister said that he had met Bazley only twice, once when he had acted for him and once when Bazley had approached him in public and the barrister had walked away.

There being no material which might amount to prima facie evidence of misbehaviour within the meaning of Section 72 of the Constitution we recommend the matter be taken no further.

Matter No.12 - Illegal immigration

It was alleged that the Judge had been involved in an organisation for the illegal immigration into Australia of Filipinos and Koreans. It was not made clear in the allegation whether the conduct was said to have taken place before or after the Judge's appointment to the High Court. No evidence was provided in support of the allegation.

Those assisting the Commission asked the Department of Immigration for all its files relevant to the allegation. Examination of the files provided to the Commission revealed nothing to support the allegation; neither did inquiries made of the New South Wales Police which had made some investigations into the question of the involvement of Ryan or Saffron in such a scheme.

There being no material which might amount to prima facie evidence of misbehaviour within the meaning of Section 72 of the Constitution we recommend the matter be taken no further.

Matter No.17 - Non-disclosure of dinner party

This matter involved an assertion that the Judge should have come forward to reveal the fact that he had been present at a dinner attended by Messrs Ryan, Farquhar and Wood once it was alleged that there was a conspiracy between Ryan, Farquhar and Wood. It was not suggested that what occurred at the dinner was connected with the alleged conspiracy; neither was there evidence of a public denial by any of Messrs Ryan, Farquhar and Wood of the fact that they knew each other.

In the absence of such suggestion or denial there would be no impropriety in the Judge not coming forward to disclose the knowledge that he had of such an association. The absence of action by the Judge could not constitute misbehaviour within the meaning of Section 72 and we recommend that the Commission should do no more than note that the claim was made.

Matter No.19 - Paris Theatre reference, Matter No.21 - Lusher reference, Matter No.22 - Pinball machines reference

These matters came to the notice of the Commission by way of

the so-called Age Tapes transcripts (Volume T1A, p.22 - 20 March 1979, Volume T1B, pps. 107-108, 7 February 1980). On the hypothesis that the transcripts could be proved, there were several conversations between the Judge and Morgan Ryan which included observations by the Judge first, that there was something in the newspaper about the Paris Theatre and that Ryan should know "what's bloody well on"; second, a conversation in which a discussion occurs about "every little breeze" and "the Lush or is it going to be the three board of ..."; and, third, a conversation where Ryan asked the Judge not to forget those " pinball machines ... ".

These three matters, to the extent they suggest a continuing and close relationship between the Judge and Ryan are covered by Allegation No.40.

These conversations could also lead to the inference that the Judge was involved in various kinds of sinister activities with Ryan. However, since they consist only of cryptic references not capable of investigation as allegations of substance, it is recommended that, except as part of Allegation No.40, these matters should merely be noted by the Commission but not investigated further.

Matter No.28 - Statement after trial

This matter was referred to in the House of Representatives (see pages 3447-8 of House of Representatives Hansard of 8 May 1986).

It was suggested that the Judge's comments, made immediately after his acquittal, that the trial was politically motivated constituted misbehaviour.

We submit that the conduct alleged could not on any view constitute misbehaviour within the meaning of Section 72 of the Constitution and that the Commission should merely note that the matter was brought to its attention.

Matter No.29 - Stewart letter

This matter was referred to in the House of Representatives (see p. 3448 of the House of Representatives Hansard of 8 May 1986).

Mr. Justice Stewart, in the course of the Royal Commission of

Inquiry into Alleged Telephone Interceptions, sent a letter to the Judge which contained seven questions. The letter was sent to the Judge in March 1986 shortly before the Judge was due to be re-tried. It was suggested that the Judge's failure to respond to that letter constituted misbehaviour.

The view has been expressed (Shetreet, Judges on Trial, p 371) that the invocation by a judge of the right to remain silent "was an indication that his conscience was not clear and he had something to conceal. Such a judge could not properly continue to perform his judicial functions without a cloud of suspicion." Nevertheless, we submit that in the particular circumstances of this case the conduct alleged did not constitute misbehaviour within the meaning of Section 72 of the Constitution and that the Commission should merely note that the matter was brought to its attention.

Matter No.31 - Public Housing for Miss Morosi

It was alleged that in 1974 the Judge requested the Minister for the Capital Territory to arrange for Miss Morosi to be given priority in the provision of public housing.

We submit that the conduct alleged could not on any view constitute misbehaviour within the meaning of Section 72 of the Constitution and that the Commission should merely note that the matter was brought to its attention.

Matter No.32 - Connor view of the Briese matter

(See attached memorandum of M. Weinberg and A. Robertson dated 16 July 1986).

Matter No.34 - Wood shares

This matter consisted of an allegation that in the late 1960s the Judge, whilst a Senator, was given a large parcel of shares by another Senator, Senator Wood. The inference the Commission was asked to draw was that there was something improper in the transaction.

The allegation was supported by no evidence whatever. As the former Senator who allegedly gave the Judge the shares is now dead and the shares cannot be identified, we recommend that the Commission should do no more than note that the claim was made.

Matter No.35 - Soliciting a bribe

It was alleged that in 1972 or 1973 the Judge, whilst Minister for Customs and Excise, solicited a bribe from Trevor Reginald Williams. Williams was at the time involved in defending a customs prosecution and he asserted that the Judge offered to "fix up" the charges in return for the payment of \$2000.00.

Williams was interviewed but the facts as related by him did not, in the view of those assisting the Commission, provide any evidence to support the claim.

There being no material which might amount to prima facie evidence of misbehaviour within the meaning of Section 72 of the Constitution we recommend the matter be taken no further.

Matter No.37 - Direction concerning importation of pornography

There were two allegations concerning the same conduct of the Judge whilst he was Attorney-General and Minister for Customs and Excise.

The allegations were that in 1973 the Judge had issued a direction that Regulation 4A of the Customs (Prohibited Imports) Regulations, as they then stood, should be ignored with the result that pornography was imported without any written permission and thereby contrary to the regulations.

Investigations showed that the direction emanated from a meeting in June 1973 between the then Senator Murphy and senior officials of his Departments, the Attorney-General's Department and the Department of Customs and Excise. The direction given was under the hand of a G E Sheen for the Comptroller-General and was in terms that "customs resources engaged in screening imported goods should be primarily concerned with the detection of prohibited imports other than material which offends Regulation 4A ... For the time being there are to be no prosecutions under the Customs Act for offences involving pornography."

The direction resulted from the Attorney-General agreeing with proposals in a departmental paper on censorship policy. At that time it was proposed by the Government that the regulations be amended to correspond with Government policy.

It was noted in the Minutes of the meeting in June 1973 that the Attorney-General agreed that it would be necessary to compromise in the implementation of policy in order to meet the requirements of the current law.

The direction was continued until the amendments to the legislation were made in February 1984.

We submit that there is no conduct disclosed which could amount to misbehaviour within the meaning of Section 72 of the Constitution. We recommend that the matter be taken no further.

Matter No.38 - Dissenting judgments

A citizen alleged that the Judge through "continued persistence in dissenting for whatever reason, can engender towards him such disrespect as to rank his performance to be that of proved misbehaviour".

We submit that the conduct alleged could not on any view constitute misbehaviour within the meaning of Section 72 of the Constitution and that the Commission make no inquiry into this matter.

Matter No.41 - Comment of Judge concerning Chamberlain committal

In answer to questions put to him in cross-examination during the Judge's second trial, Mr Briese SM gave evidence that the Judge had commented on the Chamberlain case. The context of the comment was that a second coroner had, that day or recently, decided to commit Mr and Mrs Chamberlain for trial on charges relating to the death of their daughter. The Judge's remark was to the effect that the decision by the Coroner was astonishing.

It was suggested that this conduct by the Judge might amount to misbehaviour in that it was a comment upon a matter which might, as it did, come before the Judge in his judicial capacity: it was therefore, so it was said, improper for the Judge to make known to Mr Briese his view of the decision to commit for trial.

We submit that the Chamberlain case was a matter of general notoriety and discussion, that the Judge's comments were very

general in their terms and that therefore the Judge's conduct could not amount to misbehaviour within the meaning of Section 72. We recommend that the matter be taken no further.

[REDACTED]

S. Charles

M. Weinberg

[REDACTED]

A. Robertson

[REDACTED]

D. Durack

[REDACTED]

P. Sharp

[REDACTED]

A. Phelan

21 August 1986

MEMORANDUM RE ALLEGATION NO 32

We have been invited to draft an allegation based upon the views of Mr Xavier Connor in his report to the second Senate Committee in 1984. In that report, Mr Connor suggested that even if it could not be shown that the Judge intended that Briese approach Jones with a view to inducing Jones to act otherwise than in accordance with his duty, the mere act of inviting Briese to make enquiry of Jones as to how the case against Morgan Ryan was progressing might amount to misbehaviour within the meaning of Section 72 of the Constitution. The difficulty which we have in drafting an allegation along those lines arises from Section 5 (4) of the Parliamentary Commission of Inquiry Act 1986. That sub section provides the Commission shall not consider -

- a) the issues dealt with in the trials leading to the acquittal of the Honourable Lionel Keith Murphy of certain criminal charges on 5 July 1985 and 28 April 1986 and, in particular, the issue of the Honourable Lionel Keith Murphy's guilt or innocence of those charges; or

- b) whether the conduct to which those charges related was such as to constitute proved misbehaviour within the meaning of Section 72 of the Constitution except to the extent that the Commission considers necessary for the proper examination of other issues arising in the course of the Commission's inquiry.

It is plain that there is a difference between the version given by Briese of the relevant conversation and that given by the Judge. That difference was fully explored during the course of the Judge's trials. It is impossible to know whether the jury which acquitted the Judge at his second trial did so merely because they were not satisfied that he had the requisite intent to pervert the course of justice, or because they were not satisfied that Briese's version of the conversation was correct. On any view the content of that conversation is central to the charge as laid against the Judge and ultimately disposed of by his acquittal. It seems to us that to raise this matter as a specific allegation in precise terms is to breach Section 5 (4) in that the matter in question is "an issue dealt with in the trial leading to the acquittal" of the Judge in the relevant sense, and to consider it would be

to consider "whether the conduct to which those charges related" was misbehaviour. We consider that the Commission is not empowered to consider the Connor view of the Briese matter except to the extent that it considers it necessary to do so for the proper examination of other issues arising in the course of the inquiry. We recommend that Allegation No 32 not proceed.

[REDACTED]
M Weinberg

[REDACTED]
A Robertson

16 July 1986

Documents returned to AFP 21/8/86

as

Documents received from Senior Constable S. Hill,
CID, AFP, Canberra on 4 July 1986

- ✓ a. 4 Manilla folders marked "Diary of Morgan Ryan" containing photocopy documents.
- ✓ b. Photocopy NSW Police documents (Lowe/Shaw: attempt to influence Lewington).

Documents received from Detective Acting Sergeant B. Knibbs,
NCIB, Canberra, on 22 July 1986

- c. Age Tape Enquiry:
 - ✓(i) Original Running Sheets
 - ✓(ii) Working File - Volume 1
- d. ✓ Korean Immigration Enquiry:
 - (i) Volume 1
- e. Rodney Groux Enquiry:
 - ✓(i) Original Running Sheets
 - ✓(ii) Volume 1 - Original Statements
 - ✓(iii) Volume 2 - " "
 - ✓(iv) Volume 1 - Original Documents
 - ✓(v) Volume 2 - " "
 - ✓(vi) ..Volume 3 - " "
 - ✓(vii) Briefing Papers, Reports, Correspondence

Documents received from Superintendent F.C. Pimm, Commander
Western Region, AFP, Perth on 24 July 1986

- ✓ f. File marked "Moll Commodities Brief 1"
- ✓ g. Lever Arch Folder marked "Moll Commodities Brief 2"
- ✓ h. Situation Report by Det. Sen. Sgt. C. Netto (Quartermaine - Operation Edam)

- ✓i. Report of Independent Accountants Assisting Investigation (Operation Edam)
- ✓j. Braithwaite Report
- ✓k. Brief of Evidence - Moll: Conspiracy to Defraud
- ✓l. File marked "Marshall-Wilson" containing various loose documents.
- ✓m. File containing correspondence, reports relevant to Murphy J. enquiries/operation Edam.

Document received from Detective Chief Inspector A. Wells, Sydney.

- ✓n. Lever Arch Folder containing documents relevant to the Groux Enquiry.

To: ~~Director of Research~~ *ARP* 28/7/86 .

28.7.86.

ALLEGATIONS NOS. 8 (ALLEGED DIAMOND FOR MRS MURPHY)
AND NO. 30 (TILLER LETTER TO QUARTERMAINE)

The purpose of this paper is to report the results of enquiries made in relation to the abovementioned allegations and to recommend that these matters not be pursued further on the basis that no reliable evidence is available.

During the course of our enquiries, a number of Australian Federal Police officers in Perth were interviewed and the relevant police files were examined. The following people were also interviewed concerning these allegations:

- . Wilson Tuckey M.P. (Re. Tiller/Quartermaine letter)
- . Dr Tiller (Re. Tiller/Quartermaine letter and alleged diamond for Mrs Murphy)
- . Mrs McKenzie (Nee Mrs Quartermaine - Re. Tiller Quartermaine letter and alleged diamond for Mrs Murphy)

Set out below under each allegation is the information gathered from the abovementioned sources;

Allegation No. 8 (Alleged Diamond for Mrs Murphy)

Background

On 13 September, 1984 an article appeared in The Age newspaper which contended that the words "diamond purchases - Mrs L Murphy 7,800" appeared on the reverse side of a cheque stub. The cheque book was recovered by The Age from Christo Moll. Moll claimed that the Mrs L Murphy referred to was the wife of Mr Justice Murphy. (A copy of a newspaper article on the matter is attached (Attachment A)).

*Discussed with SC, MW, DD. Agreed NFA
required.
ARP.*

On the same day as the newspaper article appeared, the matter was raised in the Senate by Senator Chaney. In response, Gareth Evans read the following statement in the Senate on behalf of Mr Justice Murphy:-

"The Age story is a continuation of a disgraceful campaign of defamation by The Age now directed against my wife. My wife never has purchased a diamond in her life. There have been no dealings ever with Christo Moll of any kind. There is not an atom of truth in The Age story. I request that there be a full and prompt investigation of the allegations and of the role of The Age in this affair."

(Copy of Hansard references attached - Attachment B).

Mr Justice Murphy then lodged a complaint in relation to the article with the Australia Federal Police (AFP).

AFP Enquiries re Christo Moll

The AFP in Perth then commenced an investigation of this material. However, the activities of Christo Moll and his business dealings were already the subject of AFP investigation (and had been for some years).

Moll allegedly involved Perth doctors and others in Commodity Trading Agreements and other agreements dating back to 1972 which were in effect tax avoidance schemes. The first transactions were for Doctors, Wald, McKenzie and Tiller involving diamonds, silver and works of art. The early commodity trading contracts with C T Moll and Co. provided for 10% commission on profit as the only fee.

Later in the life of the schemes, when more doctors were availing themselves of Moll's services, fairly large sums of up to \$100,000 per doctor were being raised on a promissory note system. The amount was decided apparently at Moll's suggestion depending on the estimated taxable income of the doctor.

Moll would arrange for the various doctor's auditor (always Yarwood Vane and Co. later known as Deloitte Haskins & Sells) to

receive invoices to support the trading activities supposed by being conducted - all duly authorised by the doctors.

The AFP commissioned a firm of Chartered Accountants (Hungerford Hancock and Offner) to enquire into the commodity trading activities and in its report dated 22 February, 1984 it said in relation to the invoices:-

"It is clear that these invoices, used in or to give substance to the alleged transactions, were totally false - in most cases having been "manufactured" after initial investigations were made by the ATO." (Australian Taxation Office)

The subsequent ATO enquiries resulted in the recovery of significant sums from the doctors in taxes evaded and with some doctors ultimately going into bankruptcy. Christo Moll on the other hand left the country having misled the doctors as to the nature of the financial transactions. There are a number of current AFP warrants for the arrest of Christo Moll relating to conspiracy to defraud the ATO.

Investigation of the Diamond for Mrs Murphy Allegation

Following the appearance of the allegation concerning the diamond purchases for Mrs Murphy, further documents were provided to the AFP by The Age journalists. These were two valuations for a diamond of .74 carat, one from a Hendrina Boef in Amsterdam dated 24 January, 1979 headed:

"Valuation for Insurance Purposes Mrs Ingrid Murphy."
(Attachment C)

and the other from Robert Levinson of West Perth addressed:

"To whom it may concern." (Attachment D)

These two valuations, in addition to the earlier mentioned cheque stub, became the subject of AFP enquiries.

Inspector Roley Sellers (AFP Perth)

Inspector Sellers was interviewed in Perth over three days (21, 22, 23 July, 1986) by Jordan and Howard in relation to the Moll enquiries and in relation to the enquiries in respect of the specific allegation of the purchase of the diamond for Mrs Murphy. The interview with Inspector Sellers summarising the nature of the enquiries and his conclusions was recorded and this tape is being transcribed. However in summary, his conclusions (for reasons set out below) are:-

- i) the valuation certificate from Boef is false;
- ii) the information on the back of the cheque butt which shows the name Mrs L Murphy 7,800 is, in all likelihood, also falsely stated and;
- iii) the valuation from Levinson for a diamond of .74 carats cannot in any way be associated with the valuation referred to in i) above.

It should be noted that the material referred to in i), ii) and iii) above were all provided to The Age journalists by Christo Moll.

In relation to the Boef valuation (i) above), it has been established by the AFP in Perth, that Mrs Boef is in some way related to Moll and has at times been known as Hendrina Moll. It has also been established by the AFP that Mrs Boef at some point sent a signed, blank copy of her letterhead to Moll. The signature at the bottom of the Boef valuation (of which the original cannot be traced) is a photocopied reproduction of the signature appearing as photocopies on approximately 40 diamond purchase invoices on Mrs Boef's letterhead which are all described in the chartered accounts reports as false (several samples of these documents are attached behind Attachment E). The invoices were examined by a member of the AFP

"Document Examination Section and he concludes in his report that:-

"the documents bear photocopied signatures on each which very strong consistencies would indicate that they are reproductions of one signature."

The same officer examined the signature on the document purporting to value a diamond for a Mrs Murphy and described it as a reproduction of the signature on the invoices. (Attachment E).

Mrs Boef was interviewed on 30 August, 1985 by Dutch Police at the request of the International Criminal Police Organisation in Canberra. In part, her statement says:-

"I have also sent Moll some of my private notepaper (with my name on it) at Moll's request I had placed my signature on the notepaper before I sent it to him." (Attachment F)

Mrs Boef, in relation to some documents which Moll asked her to sign, says in her statement:-

"The documents I had to sign were in English and I did not understand them..... . At the time I did not question the contents of the documents because I trusted Moll completely when I signed the documents."

In relation to ii) above (ie. the information on the back of a cheque butt), enquiries were conducted by Inspector Sellers and his report is attached. (Attachment G)

Inspector Sellers sought to

- a) locate the relevant cheque,
- b) to trace it through banking records,
- c) to identify accounts that the money passed through and,
- d) locate any person named Murphy mentioned in the "Moll" enquiry.

Briefly, these enquiries show that on 23 February, 1978 a courier for Moll attended at the National Bank in North Perth with cheque no. 408542 in the sum of \$83,055.83 and obtained a bank cheque in favour of the ANZ Bank. The bank cheque was then returned to Moll. An application for foreign currency dated 23 February, 1978 (the same date as the cheque) for the sum of Pounds 48,072 in the form of a draft in favour of Mobitt Ltd, Hong Kong was made, which states the reasons as "accommodation and tour arrangements, various clients." (Mobitt is one of a number of "Moll" companies).

The cheque butt was examined by an officer of the W.A. Police Scientific Branch. He is of the opinion that the date and amount written on the front of the cheque butt and the writing on the cheque itself were made by a similar type of felt pen. He then points out the overwriting has taken place and that altogether it is probable that five different writing instruments were used. (Attachment H)

In relation to the endeavour to locate any other Murphy mentioned in the Moll material, three were identified. One, Mrs E M Murphy of West Perth is deceased, and second, Mrs B Murphy claimed to have no dealings whatsoever with Moll and the third, Mrs E J Murphy could not be located. It is also understood by Inspector Sellers that a Mrs Murphy occupied an office next to Moll's office in London. However this Mrs Murphy has not been located.

In relation to the diamond valuation from Levinson, (a Perth jeweller dated 26 February, 1979, (iii) above) this document merely says 1 loose diamond .74 carat, \$2,830. Enquiries were made by the AFP in relation to this document, however it was determined that Mr Levinson died some years ago and no information could be obtained which might link this diamond in any way with any diamond mentioned in the Boef valuation (or on the Moll cheque butt). In any event (as mentioned above) there is substantial doubt as to the authenticity of the Boef

valuation. Further the amount shown on the cheque butt is 7,806 and the Levinson valuation shows 2,830. This significant discrepancy suggests in any event that they may well relate to different diamonds.

Conclusion

In conclusion it could be said that the enquiries undertaken by the AFP in relation to this matter were thorough and apparently properly conducted. Further, the issue of a diamond purchase for Mrs Murphy was raised by us with a number of people associated with the Moll schemes (Mrs McKenzie (Re. Quartermaine and Dr and Mrs Tiller). None of those spoken to was aware of any diamond bought for or given to a Mrs Murphy.

✓ Clearly the available documentation is unreliable and would not support any conclusion that a Mrs Murphy either purchased (or received by way of gift) any diamond. Indeed there must be considerable doubt in the light of information provided concerning the character of Christo Moll, whether the relevant diamond ever existed.

Allegation No. 30 - The Tiller Quartermaine Letter

The alleged letter from Dr Tiller to Mr Quartermaine (Attachment I) was raised by Wilson Tuckey, MP in the Federal Parliament on 15 October, 1985. The letter dated Perth 18 June, 1979, in part says:-

"Can you arrange another meeting with Lionel Murphy as promised as you may be able to obtain his support or his advice. We require solid backing to favourably influence the outcome of our present problems."

This matter was also investigated by the AFP in Perth. Dr Tiller was interviewed on 5 April, 1985 by Detective Sellers and a copy of the record of conversation is attached. (Attachment J)

Dr Tiller identified the signature at the bottom of the letter

as being similar to the signature he used in 1978-1979. He stated that on 18 June, 1979 (the date of the letter) he was in Canada and he showed Detective Sellers his passport which verified that fact. Tiller stated that:-

"I have never seen this letter before, I didn't write this letter, it's all bullshit."

Dr Tiller said that he had met Ron Woss (referred to in the letter) sometime in 1978 but never in his surgery. In relation to the tax investigation, Dr Tiller said that he made no inducements to officers in the Tax Department and said;

"What he describes is corruption and I don't agree with corruption at all."

The letter also refers to a solicitor named John Gillett; Dr Tiller said that Gillett was not his solicitor and:

"the letter is dated 11 June, 1979 (sic) and the meeting all the doctors had with Gillett was in July, 1979. The meeting took place after the letter. I went to the meeting and I was disgusted with the man, he talked a load of bullshit, I wouldn't have him as my solicitor."

In relation to the style of the letter Dr Tiller said ..

"It's not my language, I'd have no reason to write to Murray ... if I wanted to discuss anything with him I would go and see him."

During the course of the interview Dr Tiller stated that it looked to him as though:-

"he (Moll) has taken a blank letter of mine with my signature on it and typed in the letter...Moll asked me to give him blank letterheads when he was my manager. He said it would assist his trading on behalf of Lee Trading. That struck me as being strange, it's like giving someone a blank cheque, but that's what it looks like he has done, I trusted the man."

Dr Tiller was interviewed by us on Tuesday 22 July, 1986 and his recollection was consistent with the abovementioned interview report.

Jordan and Howard also interviewed Mrs McKenzie (nee Quartermaine) concerning her knowledge of any association or friendship between her ex husband (Quartermaine) and Mr Justice Murphy. Mrs McKenzie said that she knew of no association between the two men. She said that for quite some years before their separation there had been little communication between herself and her ex husband and she knew little of her husband's business affairs or social associations.

It should also be mentioned that in a taped conversation between the ex Age journalist Marshall Wilson and Mr Quartermaine which was provided to the Commission of Inquiry on Sunday 13 July 1986, Quartermaine says that he met Justice Murphy only once (and briefly) for drinks at a social gathering at the Judge's office in Sydney when he was a Senator.

Conclusion

In conclusion, there seems to be no further possible sources of information to establish conclusively, the identity of the author of the letter. The AFP appear to be convinced by Dr Tiller's explanation and therefore have taken the matter no further. Also from the enquiries we have made there seems to be no information available which links Quartermaine and Mr Justice Murphy in any close sense.

The general consensus (AFP & Dr Tiller) is that Moll is the author of both the Tiller/Quartermaine letter, the Boef diamond valuation and the notations on the back of the cheque butt.

As to a motive for Moll's preparation of this material, it is put by the AFP and Dr Tiller that Moll and Quartermaine who were once close business associates and friends had serious commercial disputes which culminated in a protracted Supreme Court action brought by Quartermaine against Moll in South Africa in 1982 for money Quartermaine alleged that he had lent to Moll over a number of years.

The action resulted in an award of \$420,000 dollars plus \$100,000 cost to Quartermaine. However, this amount seems not have been received by Quartermaine as Moll, (according to Dr Tiller) left the country under an assumed name the day before the judgement was delivered.

The AFP and Dr Tiller are of the view that Moll bears a great deal of animosity towards Quartermaine and has taken the opportunity to cause the greatest possible mischief for him through the creation of false documents. Dr Tiller also says that Moll appears to him to be paranoid in relation to doctors and envies their social status and would seek to discredit him (Tiller) and his doctor colleagues in any way possible. No theory has been advanced by any of the parties interviewed as to why Mr Justice Murphy and his wife may have been included in these possibly false documents other than the suggestion that he was a prominent public figure at that time.

Recommendation re. Allegations No. 8 and 30

In the light of the investigations undertaken by the AFP (coupled with our own enquiries) which have not produced any conclusive evidence to establish that:-


- a) Mrs Murphy either bought or received a diamond or that;
- b) Mr Justice Murphy had any close association with Mr Quartermaine or provided favours to Quartermaine and/or his Doctor colleagues,

it is recommended that no further enquiries be made in these matters.

Agree
AsP
28/7/86



Ned Jordan 28.7.86



Mark Howard 28.7.86

0145M

14 SEP 1984

says Mr Justice Murphy



MICHELLE GRATTAN
and AL BARRER

CANBERRA, Mr Justice Murphy yesterday declared that there was "not an atom of truth" in an 'Age' report allegedly linking his wife's name to a Christo Moll cheque stub. He called for a full investigation of the allegations and the role of 'The Age'.

The Attorney-General, Senator Evans read a brief statement by Mr Justice Murphy to the Senate at the start of a morning of questions and debate which culminated in the Senate censuring the Resources Minister, Senator Walsh for allegedly selectively tabling documents.

This is the first time since 1974 during the Whitlam Government that the Senate has carried a censure against a Minister.

The 'Age' reported yesterday that the words "diamond purchased Mrs L. Murphy 7800" appeared on the reverse side of a cheque stub, the face of which had been tabled by Senator Walsh in Parliament on Wednesday.

The cheque book was recovered last year by 'The Age' from Mr Moll and is now held by Federal Police in Perth.

According to Mr Moll, who was recently interviewed overseas by 'The Age' and whose handwriting appears on the cheques which

match those held by the police, the Mrs L. Murphy referred to is the wife of Mr Justice Murphy of the High Court. The figure 7800 was the cost in dollars of a single flawless stone, Mr Moll claimed.

Senator Evans said that Mr Justice Murphy had contacted his office yesterday morning and asked for his statement to be read to the Senate.



Mrs Murphy: "Never purchased a diamond in her life," says her husband.

Mr Justice Murphy's statement said: "The 'Age' story is a continuation of a disgraceful campaign of defamation by 'The Age' now directed against my wife.

"My wife has never purchased a diamond in her life. There have been no dealings ever with Mr Christo Moll of any kind. There is not an atom of truth in 'The Age' story. I request that there be a full and prompt investigation of the allegations and of the role of 'The Age' in this affair."

The Opposition moved the censure against Senator Walsh after he refused to answer a series of questions asking whether, when he tabled the copies of Moll

cheques and cheque stubs, he had had the reverse stub with the Murphy name on it, and if so, why he had not tabled this.

Despite constant pressing, Senator Walsh failed to deny at Question Time or during the censure debate that he had the copy of the cheque butt.

However, after the Opposition and Democrats, who have a majority in the Senate, had carried the censure, Senator Walsh made a brief personal explanation in which he said: "I do not have, and have never had, a photocopy of the back of that butt."

The Opposition Leader in the Senate, Senator Chaney, last night said Senator Walsh's performance and explanation had been extraordinary. Quite clearly Senator Walsh had been chastised by his colleagues who had brought him back to make a last minute explanation, Senator Chaney claimed.

Senator Evans told the Senate that he proposed to raise Mr Justice Murphy's request for an investigation with the Special Minister of State, Mr Young "I will advise the Senate at some appropriate time of the course those investigations in fact follow," the attorney-general said.

Moving the censure, Senator Chaney said Senator Walsh made "unending efforts to smear all of

those whom he can to his own political advantage.

"On this occasion we believe Senator Walsh has passed beyond the line which is even bearable," Senator Chaney said. He said that by tabling the Moll material, Senator Walsh had cast "a nice smelly cloud" over the Director of Public Prosecutions Mr Ian Temby, QC, Liberal Senator Noel Crichton-Browne and himself and now Mrs Murphy and Mr David Ditchburn (husband of Julie Morosi), who had appeared in 'The Age' report.

The former law firm of Senator Chaney and Mr Temby was mentioned in the material tabled, as was the name "Crichton-Brown".

Senator Chaney last night said Senator Walsh should "do the honorable thing and resign".

A number of Labor senators were dismayed and embarrassed yesterday at Senator Walsh's performance in Question Time and the censure motion. Last night Senator Walsh claimed that when he went into Parliament yesterday morning he had not read 'The Age' report and he was not sure whether the piece of paper with "Mrs L. Murphy" on it was or was not among the papers he had.

(Continued: PAGE 5)

FROM PAGE 1

Disgraceful claim, says Murphy

In answer to one of three Opposition questions, Senator Walsh said: "I tabled those documents yesterday without comment as to whether there was anything written on them. I am satisfied that they are genuine photocopies. I also note for the record that the name, L. Murphy, is much more common than Crichton-Browne."

Replying to the censure, Senator Walsh said he had had the photocopies in his office for some time, and some had been tabled before. "I retrieved them yesterday because I was expecting the sort of muck-raking murky attack that was launched by the Liberal Party in the House of Representatives."

The Federal Government will give Mr Justice Murphy "roughly about \$40,000" to help pay legal costs he incurred during hearings of the Senate select committee on the conduct of a judge, a Senate estimates committee was told yesterday.

MINISTERIAL ARRANGEMENTS

Senator **BUTTON** (Victoria—Leader of the Government in the Senate)—I yesterday couched an announcement about the Minister for Veterans' Affairs, Senator Gietzelt, in terms that he will be absent for the whole of the week through illness. That remains the case, and any questions to him should be directed to the Minister for Social Security, Senator Grimes.

QUESTIONS WITHOUT NOTICE

'AGE' ALLEGATIONS

Senator **CHANEY**—Is the Leader of the Government in the Senate aware of an article in today's Melbourne *Age* which claims that the name of Mrs L. Murphy appears on the back of a cheque stub, a copy of the front of which was tabled in the Senate yesterday as one of a series tabled by the Minister for Resources and Energy in an attempt to smear members on this side of the House? Has the Minister made any inquiries to ascertain whether the facts contained in the *Age* are correct?

Senator **BUTTON**—Mr President, I am not aware of the article in the Melbourne *Age*. I have not seen the *Age* this morning.

Senator **Crichton-Browne**—Would you like a copy now?

Senator **BUTTON**—I am grateful to Senator Crichton-Browne for his help, but I believe that the Attorney-General is aware of this matter. If Senator Chaney wishes to redirect the question to him, it may obtain an earlier answer.

Senator **GARETH EVANS**—Mr President, I seek to add something on this matter. Just a few minutes before Question Time, my office was contacted by Mr Justice Murphy of the High Court who asked that the following statement be made in the Parliament should the opportunity arise or should it be required. The statement is to the following effect:

The *Age* story is a continuation of a disgraceful campaign of defamation by the *Age* now directed against my wife. My wife never has purchased a diamond in her life. There have been no dealings ever with Mr Christo Moll of any kind. There is not an atom of truth in the *Age* story. I request that there be a full and prompt investigation of the allegations and of the role of the *Age* in this affair.

I have had no opportunity to do more than write that down and now retail it to the Senate. I propose to raise the matter with the Special Minister of State who, I presume through the Australian Federal Police, is responsible for investigations of the kind His Honour has in mind. I will advise the

Senate at some appropriate time of the course those investigations in fact follow.

Senator **CHANEY**—Mr President, I wish to ask a supplementary question. I preface it by saying that I acknowledge the propriety of the Attorney-General reading the statement that he has read. I believe that that is just as proper as the statements made by Senator Crichton-Browne and me yesterday in similar circumstances. My supplementary question relates to the fact that the Minister has not really addressed the question that I asked the Leader of the Government, and I would be grateful if he would. First, I asked whether the Minister was aware of the article, and it appears that the Attorney-General is. The article claims that the name appears on the back of cheque stubs and so on. There are a series of allegations in the article about that. My question is: Have any inquiries been made to ascertain whether the facts contained in the *Age* report are correct? I wish to emphasise that I am not asking whether Mrs Murphy got a diamond. I am not for a moment suggesting that that is the case. I am asking about the facts in the article, which suggests that there are certain writings on cheques or what purport to be cheques and whether the facts are as broadly set out in this document? Apparently the document is in the hands of the Federal Police, so this is a matter which ought to be within the knowledge of the Government.

Senator **GARETH EVANS**—I became aware of this article only a few minutes ago—in fact, at the time that the phone call came through to my office. My attention this morning was preoccupied with another article in the *Age* which I shall make the subject of a full personal explanation straight after Question Time, if the matter is not pursued in Question Time. I literally have not absorbed the detail in the article, except to notice that it is not only about the alleged involvement of a Mrs L. Murphy, but also about a series of transactions involving Mr Christo Moll. It is well known that there is a long-standing Federal Police investigation of that gentleman and various commercial transactions in which he has been involved. I will endeavour to find out the state of play on that investigation and advise the Senate in due course as to what can be put on the public record about that, including the particular matters that are raised in the course of this article.

COMMONWEALTH CAR DRIVERS
DISPUTE

Senator **ELSTOB**—My question is directed to Senator Button, who represents the Minister for Employment and Industrial Relations. I refer to the recent Commonwealth car drivers dispute in

Canberra. Is agreement on and promot broken by th vices in Jun with the Tra the Govern sensus on inc form the dep cerned in t Services who Commonwea want to abide may find the stead of causi

Senator **BL** tails of the a officers of the vices in the c wealth car dr Minister reg Senator Elsto

Senator **DU** the Minister refers to the yesterday by been the subje Will the Mini ment whether forms and but tion of improv individuals or them?

Senator **BU** stage whether endo or allega the exact expr used—

Senator **Dur**

Senator **BU** call the categor tion. If it is cor am unable to s clusion can be c doing on the p further discussi that matter.

Senator **DU** question. In vi this matter wh ments by one Government, I

HENDRINA BOEF

Antiquaire

Zilver schoonstraat 1A
-Gravenhage.
Tel: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.
24 Januarie 1979

Messrs. Four Winds Trading
P.O. Box 510
Fremantle
WESTERN AUSTRALIA 6160

Dear Mr. Quartermoine,

VALUATION FOR INSURANCE PURPOSES

Mrs. Ingrid Murphy

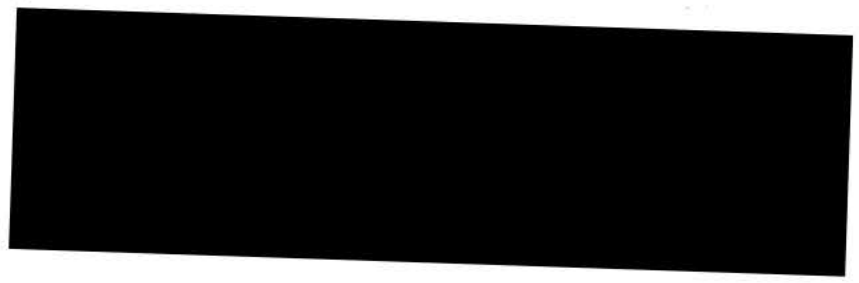
One (1) only round brilliant cut commercial white
diamond V.V.S. 0.74 Cts.

I consider that the above mentioned diamond has an
estimated retail replacement value of NINE THOUSAND
Netherlands guilders.

Assuring you of my best services at
all times, I remain,

Yours Sincerely,
Mrs. Hendrina Boef

N.B. Certificate
issued in duplicate.



ROBERT LEVINSON, F.G.A.A.

No 1142 A

Jewellery Designer - Valuer - Insurance

36 OUTRAM STREET, WEST PERTH 6005
TELEPHONE 322 2255 - PRIVATE 386 1089

copy

NAME *To Whom it may concern* DATE *26-2-77*

ADDRESS _____ ADVISE PHONE _____

WANTED _____

DEAR CLIENT
Having inspected your jewellery listed hereunder I consider its present day replacement value to be:

| | | | |
|------------------------|--|------------------|-----------------|
| <i>1 loose diamond</i> | | <i>74 carats</i> | <i>\$ 2</i> |
| | | | <i>\$ 2830</i> |
| | | | <i>F.G.A.A.</i> |

Y.G. - YELLOW GOLD W.G. - WHITE GOLD N.L. - NOT LEFT

HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
's-Gravenhage.
Tel.: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.
24 Januarië 1979

Messrs. Four Winds Trading
P.O. Box 510
Fremantle
WESTERN AUSTRALIA 6160

Dear Mr. Quartermaine,

VALUATION FOR INSURANCE PURPOSES

Mrs. Ingrid Murphy

One (1) only round brilliant cut commercial white
diamond V.V.S. 0.74 Cts.

I consider that the above mentioned diamond has an
estimated retail replacement value of NIM. THREE AND
NETHERLANDS guilder.

Assuring you of my best services at
all times, I remain,

Yours Sincerely,
Mrs. Hendrina Boef

N.B. Certificate
issued in duplicate.

This signature is a photocopied
reproduction of the
signatures as appearing
as photocopies on
47 documents received
from Det Sgt BULLERS AFP Perth



Y-5727

Oct 29/1986

W.A. Police Document Examination Section
Perth

HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
's-Gravenhage
Tel.: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.

31 March 1978

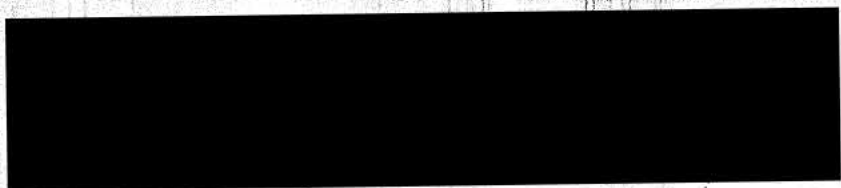
The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MAX TRAUB and ALISA TRAUB

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|----------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.29 CARATS | 3,291.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.34 CARATS | 3,347.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.42 CARATS | 3,459.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.69 CARATS | 3,701.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.01 CARATS | 2,897.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.05 CARATS | 2,925.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.17 CARATS | 3,195.00 |

US \$ 22,815.00



HENDRINA BOEF

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Zilverschoonstraat 1A
3-Gravenhage.
Tel.: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.

31 March 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MAX TRAUB and ALISA TRAUB

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|-----------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY TOP SILVERCAPE BRILLIANT CUT DIAMOND FLAWLESS 3.01 CARATS | 16,425.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL DIAMOND YELLOW CAPE V. S. 7.86 CARATS | 30,937.00 |
| ONE (1) ONLY BRILLIANT CUT SILVERCAPE DIAMOND V. V. S. 6.78 CARATS | 35,281.00 |
| ONE (1) ONLY TOP WESSELTON BRILLIANT CUT DIAMOND V. V. S. 2.06 CARATS | 18,003.00 |
| ONE (1) ONLY ROUND BRILLIANT DIAMOND FLAWLESS RIVER COLOUR GRADE E 1.98 CARATS | 32,625.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL DIAMOND OFF-WHITE V. S. 5.21 CARATS | 27,112.00 |

US \$ 161,380.00



HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
3-Gravenhage
Tel. 070 - 252860

Bank: Amsterdam-Rotterdambank N.V.
Nr. 2 001847
De Sav. Lohmanplein 45.
26 May 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

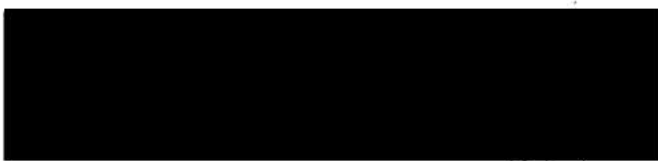
PURCHASE INVOICE

To Diamonds purchased from you on account of NORMAN KEITH CROOKE

DESCRIPTION

| | <u>VALUE</u> US\$ |
|------------------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY ROUND BRILLIANT CUT FLAWLESS DIAMOND COLOUR GRADE D TOTALLING 3.8 CARATS | 81,562.00 |
| ONE (1) ONLY TOP WESSELTON COMMERCIAL WHITE BRILLIANT CUT DIAMOND V. V. S. 2.8 CARATS | 11,025.00 |
| SIX (6) ONLY SILVERCAPE COMMERCIAL DIAMONDS FLAWLESS TOTALLING 38.06 CARATS | 145,125.00 |
| ONE (1) ONLY BRILLIANT CUT FLAWLESS DIAMOND COLOUR GRADE D 3.02 CARATS | 70,200.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V. V. S. TOTALLING 3.88 CARATS | 21,656.00 |
| ONE (1) ONLY TOP CAPE BRILLIANT CUT COMMERCIAL DIAMOND TOTALLING 9.64 CARATS | 92,812.00 |

US \$ 422,380.00



HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
's-Gravenhage
Tel: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.
26 May 1978

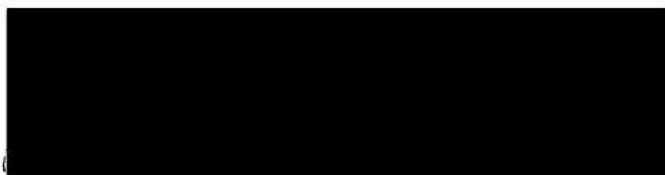
The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MARCUS OLIVER DILL-MACKY

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|------------------------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.72 CARATS | 84,746.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.71 CARATS | 84,518.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.96 CARATS | 90,214.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.42 CARATS | 77,912.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.55 CARATS | 80,873.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.20 CARATS | 72,900.00 |

US\$ 491,163.00



HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
3-Gravenhage
Tel.: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. 001847
De Sav. Lohmanplein 45.

31 March 1978

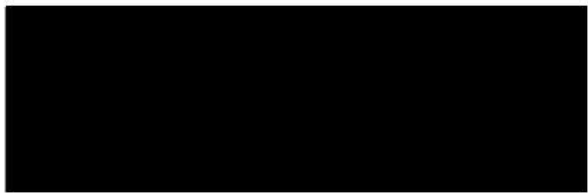
The Treasurer
Megill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MAX TRAUB and ALISA TRAUB

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|-----------------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V. V. S. 2.56 CARATS | 18,900.00 |
| ONE (1) ONLY BRILLIANT CUT CAPE V. V. S. YELLOW DIAMOND 5.96 CARATS | 20,250.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT PURE WHITE DIAMOND 1.52 CARATS COLOUR GRADE E FLAWLESS | 33,525.00 |
| ONE (1) ONLY BRILLIANT CUT TOP WESSELTON DIAMOND V. V. S. 2.03 CARATS | 19,406.00 |
| ONE (1) ONLY TOP SILVERCAPE BRILLIANT CUT DIAMOND FLAWLESS 6.78 CARATS | 41,062.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT TOP WESSELTON DIAMOND TOTALLING 3.22 CARATS V. V. S. | 40,725.00 |

US \$ 173,868.00





INTERNATIONAL CRIMINAL POLICE ORGANISATION

NATIONAL CENTRAL BUREAU OF AUSTRALIA
P.O. Box 808, Canberra City, A.C.T. 2601
Telephone: Telex: 62640

Our Ref: TP/D/110/79/244

Your Ref: WA79/2058

Commander
Australian Federal Police
WESTERN REGION

(Attention: Detective Station Sergeant R.W. SELLARS)

Dear Sir

OPERATION EDAM - BOEF, Hendrina - Born 26 June 1907

I refer to your dispatch letter dated 27 June 1985.

Attached please find a report received from The Hague Municipal Police Force through our representative at The Hague.

Yours faithfully



(M.J.M. VINCENT)
Head
Australian National
Central Bureau

The Hague Municipal Police Force

Judicial Police

Central CID

Bureau II

No. 30165/1985

Subject: Official Report concerning the questioning of H. BOEF

OFFICIAL REPORT

With reference to the letter received from Interpol The Hague on 1 August 1985 which contained a letter from Interpol Canberra with enclosures and in which it was requested to question H. BOEF of Zilverschoonstraat 1 a in The Hague, I, Elbard Herman Jacob JENTINK, Constable 1st Class in the Police of The Hague, have to report that I have made enquiries as requested.

Enquiries conducted at the Population Recordsdepartment of The Hague revealed that H. BOEF is the person named Hendrina BOEF, born 26-6-1907 Ijsselstijn, residing Zilverschoonstraat 1 a in The Hague.

On Thursday 29 August 1985, at 09.30 hours, I, reporting officer JENTINK, questioned at her home the witness: Hendrina BOEF, born 26 June 1907 Ijsselstijn with no occupation, residing at Zilverschoonstraat 1 a, The Hague.

When I had told her the nature of my enquiry and had shown her the documents enclosed with the letter from Interpol Canberra, she made the following statement:

"At the Promenade Hotel in The Hague I have had a meeting with a man whom I know as Christo MOLL and another man who was introduced to me as the lawyer of MOLL, I do not know the name of the second man. I do not remember when the meeting took place. In any case it was several years ago. It is quite possible that the meeting took place on 5 July 1979. The meeting took place at the request of MOLL.

During the meeting at the hotel MOLL asked me to sign some documents. The documents I had to sign were in English and I did not understand them. MOLL told me that he needed the documents to win "a case" he was working on. At the time I did not question the contents of the documents because I trusted MOLL completely when I signed the documents.

Among the Interpol Canberra documents which you have shown to me are not the documents which I have signed at the Promenade Hotel.

You have also shown me a statement, purportedly made by me in English. Having read the statement I wish to state that I certainly have not made that statement and that it is incorrect. Only on some minor points is the statement correct. The names mentioned in the statement mean nothing to me. Neither have I been involved in any way in any diamond transactions of MOLL with third parties. At one time MOLL asked me for the names of some diamond dealers which I gave to him. After I retired, when I do not longer worked as antique dealer either, I have sold antique silver objects to MOLL. However, that was not a business transaction. Like me MOLL was interested in antique silver objects and I had once said to him that he could buy such objects from me for the price I had paid for them. MOLL once told me that he gave antique silver objects as a gift to persons with whom he had done important business. In that way MOLL has purchased about 10 silver objects from me when he was in Holland on business. I have also sent MOLL some of my private notepaper (with my name on it). At MOLL's request I had placed my signature on the notepaper before I sent it to him. The reason for this was that, although I have a reasonable command of the english language I cannot write it faultlessly. I had arranged with MOLL that if he bought a silver object from me, I would give a description of the object in Dutch and he would write the english translation of the description on the blank notepaper which I had already signed. For that purpose only did I send the letters to Australia to place at MOLL's disposal. The letterhead of my notepaper is similar to the letterhead of the invoices (or rather of the photocopies of the invoices) which you have received from Interpol Canberra and have subsequently shown to me.

Insofar as the signatures on the photocopies are legible I recognize my signature. However, the handwritten text and the typed text on the invoices have most certainly not been written by me. I suspect that the notepaper in question has been abused.

As I do not know what has been written in the letters in question I cannot furnish any additional information about them. However, I have once been approached by the Dutch Internal Revenue Service about subjects which I was to have sold from Holland to Australia.

As I have said before I have met MOLL at the Promenade Hotel in The Hague, presumably on 5 July 1979. After that I have seen him only once more, I believe in July 1985.

MOLL rang the doorbell and requested a meeting I refused as I had meanwhile heard that he was engaged in questionable practices. After that I have not seen MOLL again. As far as I know MOLL lives in The Hague again, at the Van Moersselestraat; I do not know the number.

I have met C. MOLL through contact with his father We were acquaintances. I have known MOLL since he was 15 years old. I don't have, and have not had, a business relation with MOLL.

This statement has been read over by me and it is correct."

Sgd. H. Boef.

Enquiries at the Population Recordsdepartment in The Hague revealed that Christo Theo MOLL, born 25 March 1935 Palembang/Indonesia, is registered as residing at Van Moersselestraat 9 in The Hague.

This Official Report has been prepared by me on Oath of Office.

It has been closed and signed by me in The Hague on friday 30 August 1985.

Sgd E.H.J. Jentink
Constable 1st Class
Municipal Police of The Hague



Australian Federal Police

Minute Paper

RS:mm
WA79/2058

S/N
002

The Commander,
WESTERN REGION

OPERATION EDAM
MOBITT CHEQUE ACCOUNT
COMPLAINTS BY MR JUSTICE LIONEL MURPHY

I refer to complaints lodged by Mr Justice Lionel MURPHY to Acting Commissioner JOHNSON, relating to articles which appeared in the Melbourne Age newspaper dated 13th September, 1984, and in particular to the matter of a cheque allegedly made out to Mrs L. MURPHY for the sum of \$A7,800 said to be for the purchase of a diamond ring.

As instructed, I have carried out; or caused to be carried out, immediate investigations to:

- (i) locate the relevant cheque,
- (ii) to trace the cheque through banking records, as far as possible, and
- (iii) to identify accounts that the money passed through, if any.

In addition to the specified instructions, I have also had additional enquiries made with a view to locating any person named MURPHY, mentioned in the 'MOLL' enquiry to date, and also have obtained the assistance of the West Australian Police Document Examination Bureau. The results of the investigations are as follows:-

Cheque Details

The cheque in question is one dated 23rd February, drawn on the account of MOBITT (W.A.) PTY. LTD., with the National Bank of Australia Ltd., North Perth Branch, located at 431-433 Fitzgerald Street. It is an order to pay a certified Bank cheque in favour of the Australia and New Zealand Bank Limited, or bearer, in the amount of \$83,055.83. The cheque was seized from the National Bank under search warrant during the early stages of the investigation. (Copy attached at A.)

Relative Cheque Butt

The butt relative to the above cheque was apparently handed to MARSHALL-WILSON of "THE AGE" Newspaper by Christo Theo MOLL personally in mid 1983 when WILSON flew to interview MOLL in Europe, and it was one of a number of cheque butts numbered '408501-408600' contained in the related cheque book. (Copy attached at B.)

Two other cheques, both from the same series Nos. '408537 and 408573' have been the subject of allegations made by MOLL that the proceeds in the amount of \$5,000 and \$10,200 respectively were donations made to the Liberal Party using the agencies of

- (i) NORTHMORE HALE DAVY AND LEAKE,
(Solicitors) and
- (ii) SENATOR NOEL CRICHTON-BROWNE
(Copies attached at C and D.)

MARSHALL WILSON stated that when MOLL handed him the cheque butts they were already written on, and that MOLL did not write on them in his presence. It can therefore be assumed that the writing on the reverse side of the cheque which bears the name of Mrs L. MURPHY was written on by MOLL at sometime between the issue of the cheque on 23 February, 1978, and the date on which it was given by MOLL to MARSHALL WILSON in mid 1983.

Negotiation of Cheque No. 408542

Enquiries indicate that on 23 February, 1978 John Martin Craigie ELPHINSTONE, a known MOLL Courier attended at the National Bank in North Perth on MOLL's behalf with the cheque in question and signed an application for a bank cheque in favour of the Australia and New Zealand Bank Ltd., in the amount of \$83,055.83. Bank cheque No. 087266 was issued to ELPHSTONE. Whilst the Bank was able to produce a copy of the application for the bank cheque, they claim to have held no such copy of the cheque itself. It is believed to have been destroyed with the lapse of time (copy of Application for Bank Cheque attached at E.).

Enquiries have been made at both the Head Office of the Australia and New Zealand Banking Group, 84 St. George's Terrace, Perth, and at the Bank's Fremantle Office, where L.H. QUARTERMAINE's held an account. By this time, QUARTERMAINE's business interests had become a part of the West Australian Discount Corporation Pty.Ltd of which MOLL was Managing Director.

Records held by the Banking Group have since been destroyed, and no record is available of the negotiation of the bank cheque acquired by ELPHINSTONE for MOLL.

On Saturday 15 September, 1984 John ELPHINSTONE was interviewed and verified the above facts, stating that he was asked by MOLL to carry out the transaction and that upon obtaining the bank cheque from the National Bank at North Perth, he returned it to MOLL and knows nothing further about the matter.

Arising from the initial search of MOLL's offices located at 44 Parliament Square, West Perth in 1979 a number of documents were seized, among which was a copy of an application for Foreign Currency dated 23 February, 1978, (the same date as the relevant cheque) to the Australian and New Zealand Banking Group, 21 Adelaide Street, Fremantle for foreign currency amounting to £48072.00 in the form of a draft in favour of MOGILL LTD., Hong Kong, the purpose for which it was desired being stated as "Accommodation and tour arrangements, various clients". The application was signed by Graham SAGGERS who was Accountant for the West Australian Discount Corporation Pty. Ltd. at the time. The application was approved by the Bank to the amount of \$83055.75. (Copy of Application attached at E). There is reason to believe that this transaction indirectly relates to the cheque in question.

To date it has not been possible to gain access to MOGILL LTD., Hong Kong Banking records, although this must be considered one of the Task Force priorities in the near future.

MOBBIT (W.A.) PTY. LTD. Account

Enquiries have revealed that only MOLL signed cheques relative to the MOBITT Account. He always carried the cheque book personally, and it is perhaps significant that at the material time the MOBITT books were not being written up. There is reason to believe that MOLL was using cheques from this account for his own personal interests.

Operational Check - MURPHY

A check on all available information recorded in the computerization of operational records have revealed that three MURPHY's are recorded. A Mrs B. MURPHY of Sorrento, a Perth Suburb, a Mrs E.M. MURPHY of West Perth, and a Mrs E.J. MURPHY of Kelmscott, another Perth suburb. In the former case Mrs B. MURPHY claims to have had no dealings whatsoever with MOLL, Mrs E.M. MURPHY is deceased and attempts to locate the third person, Mrs E.J. MURPHY have been unsuccessful.

There is no reason to believe that any of the aforementioned were in anyway directly connected with MOLL. There is no evidence to indicate that Mr Justice Lionel MURPHY, or his wife had any business, or other connections with MOLL and neither his or her name appears in the records of Companies associated with MOLL and which we are in possession of.

Handwriting Examination

The cheque butt in question has been examined by First Constable James Nicholas HOFSTEE of the Questioned Document Section, W.A. Police Scientific Branch. He is of the opinion that the date and amount written on the front of the cheque book relating to cheque no. 40842, and the writing on the cheque itself were made by a similar type of felt-tip pen. He then points out that overwriting has taken place and that altogether it is probable that five different writing instruments were used.


A copy of the report of the Document Examiner, and related cheque and cheque butts are attached. F. & G.

In addition to the above, it is pointed out that the butts of another cheque book which had previously contained cheques No. 320601-320700 drawn on the National Bank of Australia's MOBITT Account has been in the possession of the Australian Federal Police since the execution of the initial search warrant in 1979. There is no writing whatsoever on the reverse side of any of the cheque butts which is in complete contrast to those received from MOLL by MARSHALL WILSON and which had obviously been in MOLL's possession for some considerable time after the collapse of his Companies.

5.

The two cheque butts applicable to accusations levelled against Senator CRICHTON-BROWNE and NORTHMORE, HALE, DAVY & LEAKE have also been examined by the hand-writing expert, and his opinions raise serious doubts as to the authenticity of the documents.

18th September, 1984


R.W. SELLARS
Detective Acting Inspector

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alternations
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Baird, greater
besides the
negotiable

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0

SHOWN TH
AND OTHER

Conf. file
Ethiopian
Co. 14-10

10/20/6
(Handwritten scribbles and illegible text)

REVERSE SIDE OF CHECK BUTT PIST.

(B)

23-
For allay
L.H. Quade
G. N. Z.
[Signature]

503,055 33

Personnel
408542
FACE SIDE OF CHEESE BUTTER

different felt tipped pens have been used for the front and back of the book

| |
|-------------|
| 17.8. 1973 |
| |
| east |
| Fwd. |
| Dep. |
| \$ 10200.00 |
| Bal. |

408573

ATTACHMENT H
M.V.O
donation
Liberal Party
for Constitution
1000
authorised
G.P.S.B.
D.D.

- one type of pen/similar inks
- one type of pen/similar inks
- one type of pen/similar inks

| |
|-------------|
| 16-12- 1971 |
| Cash |
| Fwd. |
| Dep. |
| \$5000 |
| Bal. |

408537

OK outflow note
donation - Liberal
Party -

- black biro
- blue biro with felt tipped overwriting
- inks luminescence (similar ink).
- inks as that on cheque (similar).

| |
|--------------------|
| 23-2, 1971 |
| For the full |
| L.H. Quartermaster |
| at N.Z. |
| Bank |
| Fwd. |
| Dep. |
| \$83,055.83 |
| Bal. |

Reserve B/-
APRO 0. 408542

Conf. Fil. M.V.O.
Ethiopia. a. h. v. Q.
C. W. B. Reider
Co. H. K.
\$10,286
7800
4mm
Purchase of
new kitchen
12mm metal
Docton as per
unit - contact
no. 4
Tel. 4
A. H. H.

MICHAEL C. TILLER

M.B., B.S. (W.A.), F.R.C.S.E., F.R.A.C.B.

5 SHUFFREY STREET
FREMANTLE, 6160TELEPHONE: ROOMS 35 7105
35 1361
RESIDENCE 39 1747PRIVATE AND CONFIDENTIAL

Perth, 18th June, 1979

Mr. M.V. Quartermaine

Dear Murray,

Thank you for your confidential note, I enclose the signed agreements as requested. I met David Alltree and Ron Woss at my surgery where I was told that the tax department will continue their investigations of the trading ventures and other related matters. It appears that further inducements to certain officers in the department will only prejudice our position despite their co-operation in the past. The accountants and John Gillett have promised to pull all possible strings as soon as Moll has been removed as chairman. I am anxious to avoid any public scandal and your political connections in Canberra may prove very helpful. Can you arrange another meeting with Lionel Murphy as promised as you may be able to obtain his support or his advice. We require solid backing to favourably influence the outcome of our present problems.

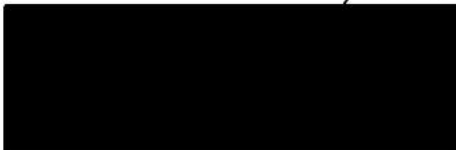
I appreciate your efforts, as do many of my colleagues, to ensure our reputations will be safeguarded. Marx Wald confirmed that you and Bill Brathwaite will return all available cash, gems etc. to Perth for re-allocation and distribution. I understand Quamolt's assets to be in excess of \$1,000,000, if so, I can look forward to settlement of my overseas expenses. We are all pleased that Shervington is helping you in Zurich and please ignore any approaches from Moll because he has proven to be unreliable.

David Alltree has written to you under separate cover enclosing the signed agreements you require to proceed with the matters discussed previously. Those items will also be delivered by courier.

I refer to the meeting of Wadco clients which was attended by Gillett and the accountants and if you have the time, I shall be obliged if you will phone me in order to keep me posted whether any progress has been made in obtaining the invoices for the tax department.

Good luck Murray and best regards,

Yours sincerely,



Roland Warwick SELLARS states:

I am a Detective Station Sergeant attached to the Australian Federal Police, Perth.

At 9.30 am on Friday 5 April, 1985, I went with Sergeant S. YORSTON to 8 Lee Place, Bicton, WA, where I had the following conversation with Doctor Michael TILLER. His wife was also present.

I said, "Doctor TILLER, we have met, I am Sergeant SELLARS and this is Sergeant YORSTON. We have come into possession of a couple of documents which may have far reaching implications. I'd like to discuss them with you and invite you to comment on them if you care.

I showed Dr. TILLER a photocopy of a letter dated 18 June, 1979 apparently directed to Murray QUARTERMAINE, which bore the signature 'MICHAEL TILLER'.

I said, "Is this your signature on the bottom of this letter?"
(Indicating the one in question.)

He said, "Yes, it appears to be similar to the signature I was using in about 1978-79.

I said, "I'd like you to read the contents of the letter."

Dr. TILLER then appeared to read the letter. His wife also appeared to read it.

.../2

Statement of Roland Warwick SELLARS cont.

He said, "I was in Canada in June, 1979, what's he talking about?"

I said, "Are you sure about that?"

He said, "I can prove it, I'll get my passport."

Dr. TILLER then left the room and returned a short while later with an Australian Passport. He showed me an entry in the passport which consisted of a stamp bearing the following:

'CONSULAR P.F.I. IMM & NATZ. SERVICE VANCOUVER B.C. 523 FOR ADMISSION AT JUN 18 1979.'

He said, "There I was overseas."

I said, "I'd like to go over the contents of this letter with you. The letter says - 'I enclose the signed agreements as required.' Do you know what agreements are being referred to?"

He said, "No, I've never seen this letter in my life before, I didn't write this letter, it's all bullshit."

I said, "Did you ever meet Ron WOSS at your surgery?"

He said, "I think I met him some time in 1978 but never in my surgery."

I said, "Did you ever offer inducements to Officers in the Taxation Department?"

He said, "No, Tax were investigating me what he describes is corruption and I don't agree with

Statement of Roland Warwick SELLARS cont.

corruption at all."

I said, "The letter goes on to say that Tax Officers co-operated in the past. What do you have to say to this?"

He said, "No, they have never co-operated. I am reading on here. Who is QUAMOLT, I had never heard of them, that's QUARTERMAINE and MOLL isn't it?"

I said, "Was GILLETT your Solicitor?"

He said, "No, and that's another thing, the letter is dated 11 June, 1979 and the meeting all the doctors had with GILLETT, was in July, 1979. The meeting took place after the letter. I went to the meeting and I was disgusted with the man, he talked a load of bullshit, I wouldn't have him as my Solicitor."

I said, "The letter goes on to say, 'Can you arrange another meeting with Lionel MURPHY?' What have you to say to this?"

He said, "Gee, I'm in good company aren't I, I've never met the man."

I said, "Do you type at all?"

He said, "No, I can't type, my Receptionist does my typing, she's been with me for ages, when all this was on, you can go and see her if you wish."

I said, "Does your wife type?"

He said, "Yes, she does a bit."

.../4

Statement of Roland Warwick SELLARS cont.

I said, "Have you any further comment to make on this letter?"

He said, "No, it's all bullshit, it's not my language, I'd have no reason to write to Murray, I have known him from our rugby days. If I wanted to discuss anything with him, I'd go and see him. Her was only around the corner from me in Fremantle, or I'd ring him."

I said, "Is he a friend of yours?"

He said, "Yes, he is a very likeable and friendly sort of guy Murray is."

I said, "I would like you to have a look at this document, what can you tell me about this?"

I then handed Dr. TILLER an undated sheet of paper headed 'MOGILL LIMITED', which appeared to be a summary of financial dealings between Dr. Michael Clifford TILLER and MOGILL LIMITED.

He said, "I've never seen this before. Look at these figures, am I supposed to have this money, who is Harry WINSTON, who is it from?"

I said, "Did you ever receive any part of your management fees back from MOLL? I ask you this because most of the others agreed there was an arrangement."

He said, "Look, I don't know about the

Statement of Roland Warwick SELLARS cont.

other doctors, I employed MOLL to manage my practice, I went from nothing to having one of the busiest practices in Perth. What with tax and provisional tax, I needed a Manager. I paid for that, this is all rubbish."

I said, "What can you tell me about the losses attributed to LEE Trading?"

He said, "LEE Trading was set up to provide security for my family, a surgeon doesn't start really earning until he is about 37 or 38, then he has only until he is about 57 or 58, until he begins to wear out, to generate his income. LEE Trading was to run at a profit not a loss."

I said, "What can you tell me about the diamonds mentioned in this statement?"

He said, "\$143,000 of diamonds delivered to Bicton, that's bullshit, they must be in the house then if they were delivered to Bicton. I never had one diamond delivered to me."

I said, "What can you tell me about the caption, 'authorised Michael TILLER' at the foot of the page?"

He said, "That's my writing, but I've never seen the document before. I used to sign invoices for

Statement of Roland Warwick SELLARS cont.

the purchase of diamonds for LEE Trading. I would authorise the purchases. When I signed the invoices, I would always leave a bigger space after the bottom of the typing, the same as the other letter. (Dr. TILLER then picked up the letter I initially showed him.) There should be samples of that with the Liquidators and with Tax. If you look at any of my correspondence you've got, you'll see that where this says 'your sincerely', I always leave a much bigger gap before signing it. This looks to me as if he has taken a blank letter of mine with my signature on it and typed in the letter. He's run out of space and that's how it's so cramped. MOLL asked me to give him blank letterheads when he was my Manager, he said it would assist his trading on behalf of LEE Trading. That struck me as being strange, it's like giving someone a blank cheque, but that's what it looks like he has done, I trusted the man."

I said, "Is there anything else you would care to comment upon in relation to these matters?"

He said, "No, the man's a nut, he must sit in a room typing all these things."

Statement of Roland Warwick SELLARS cont.

There followed a general discussion with Dr. TILLER and Mrs. TILLER, following which Sergeant YORSTON and I left the house.



(R.W. SELLARS)

To: Director of Research

ADP
Agree your conclusions + recommendations
ADP 28.7.86

ALLEGATIONS NOS. 8 (ALLEGED DIAMOND FOR MRS MURPHY)
AND NO. 30 (TILLER LETTER TO QUARTERMAINE)

The purpose of this paper is to report the results of enquiries made in relation to the abovementioned allegations and to recommend that these matters not be pursued further on the basis that no reliable evidence is available.

During the course of our enquiries, a number of Australian Federal Police officers in Perth were interviewed and the relevant police files were examined. The following people were also interviewed concerning these allegations:

- . Wilson Tuckey M.P. (Re. Tiller/Quartermaine letter)
- . Dr Tiller (Re. Tiller/Quartermaine letter and alleged diamond for Mrs Murphy)
- . Mrs McKenzie (Nee Mrs Quartermaine - Re. Tiller Quartermaine letter and alleged diamond for Mrs Murphy)

Set out below under each allegation is the information gathered from the abovementioned sources;

Allegation No. 8 (Alleged Diamond for Mrs Murphy)

Background

On 13 September, 1984 an article appeared in The Age newspaper which contended that the words "diamond purchases - Mrs L Murphy 7,800" appeared on the reverse side of a cheque stub. The cheque book was recovered by The Age from Christo Moll. Moll claimed that the Mrs L Murphy referred to was the wife of Mr Justice Murphy. (A copy of a newspaper article on the matter is attached (Attachment A)).

On the same day as the newspaper article appeared, the matter was raised in the Senate by Senator Chaney. In response, Gareth Evans read the following statement in the Senate on behalf of Mr Justice Murphy:-

"The Age story is a continuation of a disgraceful campaign of defamation by The Age now directed against my wife. My wife never has purchased a diamond in her life. There have been no dealings ever with Christo Moll of any kind. There is not an atom of truth in The Age story. I request that there be a full and prompt investigation of the allegations and of the role of The Age in this affair."

(Copy of Hansard references attached - Attachment B).

Mr Justice Murphy then lodged a complaint in relation to the article with the Australia Federal Police (AFP).

AFP Enquiries re Christo Moll

The AFP in Perth then commenced an investigation of this material. However, the activities of Christo Moll and his business dealings were already the subject of AFP investigation (and had been for some years).

Moll allegedly involved Perth doctors and others in Commodity Trading Agreements and other agreements dating back to 1972 which were in effect tax avoidance schemes. The first transactions were for Doctors, Wald, McKenzie and Tiller involving diamonds, silver and works of art. The early commodity trading contracts with C T Moll and Co. provided for 10% commission on profit as the only fee.

Later in the life of the schemes, when more doctors were availing themselves of Moll's services, fairly large sums of up to \$100,000 per doctor were being raised on a promissory note system. The amount was decided apparently at Moll's suggestion depending on the estimated taxable income of the doctor.

Moll would arrange for the various doctor's auditor (always Yarwood Vane and Co. later known as Deloitte Haskins & Sells) to

receive invoices to support the trading activities supposed by being conducted - all duly authorised by the doctors.

The AFP commissioned a firm of Chartered Accountants (Hungerford Hancock and Offner) to enquire into the commodity trading activities and in its report dated 22 February, 1984 it said in relation to the invoices:-

"It is clear that these invoices, used in or to give substance to the alleged transactions, were totally false - in most cases having been "manufactured" after initial investigations were made by the ATO." (Australian Taxation Office)

The subsequent ATO enquiries resulted in the recovery of significant sums from the doctors in taxes evaded and with some doctors ultimately going into bankruptcy. Christo Moll on the other hand left the country having misled the doctors as to the nature of the financial transactions. There are a number of current AFP warrants for the arrest of Christo Moll relating to conspiracy to defraud the ATO.

Investigation of the Diamond for Mrs Murphy Allegation

Following the appearance of the allegation concerning the diamond purchases for Mrs Murphy, further documents were provided to the AFP by The Age journalists. These were two valuations for a diamond of .74 carat, one from a Hendrina Boef in Amsterdam dated 24 January, 1979 headed:

"Valuation for Insurance Purposes Mrs Ingrid Murphy."
(Attachment C)

and the other from Robert Levinson of West Perth addressed:

"To whom it may concern." (Attachment D)

These two valuations, in addition to the earlier mentioned cheque stub, became the subject of AFP enquiries.

Inspector Roley Sellers (AFP Perth)

Inspector Sellers was interviewed in Perth over three days (21, 22, 23 July, 1986) by Jordan and Howard in relation to the Moll enquiries and in relation to the enquiries in respect of the specific allegation of the purchase of the diamond for Mrs Murphy. The interview with Inspector Sellers summarising the nature of the enquiries and his conclusions was recorded and this tape is being transcribed. However in summary, his conclusions (for reasons set out below) are:-

- i) the valuation certificate from Boef is false;
- ii) the information on the back of the cheque butt which shows the name Mrs L Murphy 7,800 is, in all likelihood, also falsely stated and;
- iii) the valuation from Levinson for a diamond of .74 carats cannot in any way be associated with the valuation referred to in i) above.

It should be noted that the material referred to in i), ii) and iii) above were all provided to The Age journalists by Christo Moll.

In relation to the Boef valuation (i) above), it has been established by the AFP in Perth, that Mrs Boef is in some way related to Moll and has at times been known as Hendrina Moll. It has also been established by the AFP that Mrs Boef at some point sent a signed, blank copy of her letterhead to Moll. The signature at the bottom of the Boef valuation (of which the original cannot be traced) is a photocopied reproduction of the signature appearing as photocopies on approximately 40 diamond purchase invoices on Mrs Boef's letterhead which are all described in the chartered accounts reports as false (several samples of these documents are attached behind Attachment E). The invoices were examined by a member of the AFP

"Document Examination Section and he concludes in his report that:-

"the documents bear photocopied signatures on each which very strong consistencies would indicate that they are reproductions of one signature."

The same officer examined the signature on the document purporting to value a diamond for a Mrs Murphy and described it as a reproduction of the signature on the invoices. (Attachment E).

Mrs Boef was interviewed on 30 August, 1985 by Dutch Police at the request of the International Criminal Police Organisation in Canberra. In part, her statement says:-

"I have also sent Moll some of my private notepaper (with my name on it) at Moll's request I had placed my signature on the notepaper before I sent it to him." (Attachment F)

Mrs Boef, in relation to some documents which Moll asked her to sign, says in her statement:-

"The documents I had to sign were in English and I did not understand them..... . At the time I did not question the contents of the documents because I trusted Moll completely when I signed the documents."

In relation to ii) above (ie. the information on the back of a cheque butt), enquiries were conducted by Inspector Sellers and his report is attached. (Attachment G)

Inspector Sellers sought to

- a) locate the relevant cheque,
- b) to trace it through banking records,
- c) to identify accounts that the money passed through and,
- d) locate any person named Murphy mentioned in the "Moll" enquiry.

Briefly, these enquiries show that on 23 February, 1978 a courier for Moll attended at the National Bank in North Perth with cheque no. 408542 in the sum of \$83,055.83 and obtained a bank cheque in favour of the ANZ Bank. The bank cheque was then returned to Moll. An application for foreign currency dated 23 February, 1978 (the same date as the cheque) for the sum of Pounds 48,072 in the form of a draft in favour of Mobitt Ltd, Hong Kong was made, which states the reasons as "accommodation and tour arrangements, various clients." (Mobitt is one of a number of "Moll" companies).

The cheque butt was examined by an officer of the W.A. Police Scientific Branch. He is of the opinion that the date and amount written on the front of the cheque butt and the writing on the cheque itself were made by a similar type of felt pen. He then points out the overwriting has taken place and that altogether it is probable that five different writing instruments were used. (Attachment H)

In relation to the endeavour to locate any other Murphy mentioned in the Moll material, three were identified. One, Mrs E M Murphy of West Perth is deceased, and second, Mrs B Murphy claimed to have no dealings whatsoever with Moll and the third, Mrs E J Murphy could not be located. It is also understood by Inspector Sellers that a Mrs Murphy occupied an office next to Moll's office in London. However this Mrs Murphy has not been located.

In relation to the diamond valuation from Levinson, (a Perth jeweller dated 26 February, 1979, (iii) above) this document merely says 1 loose diamond .74 carat, \$2,830. Enquiries were made by the AFP in relation to this document, however it was determined that Mr Levinson died some years ago and no information could be obtained which might link this diamond in any way with any diamond mentioned in the Boef valuation (or on the Moll cheque butt). In any event (as mentioned above) there is substantial doubt as to the authenticity of the Boef

valuation. Further the amount shown on the cheque butt is 7,806 and the Levinson valuation shows 2,830. This significant discrepancy suggests in any event that they may well relate to different diamonds.

Conclusion

In conclusion it could be said that the enquiries undertaken by the AFP in relation to this matter were thorough and apparently properly conducted. Further, the issue of a diamond purchase for Mrs Murphy was raised by us with a number of people associated with the Moll schemes (Mrs McKenzie (Re. Quartermaine and Dr and Mrs Tiller). None of those spoken to was aware of any diamond bought for or given to a Mrs Murphy.

Clearly the available documentation is unreliable and would not support any conclusion that a Mrs Murphy either purchased (or received by way of gift) any diamond. Indeed there must be considerable doubt in the light of information provided concerning the character of Christo Moll, whether the relevant diamond ever existed.

Allegation No. 30 - The Tiller Quartermaine Letter

The alleged letter from Dr Tiller to Mr Quartermaine (Attachment I) was raised by Wilson Tuckey, MP in the Federal Parliament on 15 October, 1985. The letter dated Perth 18 June, 1979, in part says:-

"Can you arrange another meeting with Lionel Murphy as promised as you may be able to obtain his support or his advice. We require solid backing to favourably influence the outcome of our present problems."

This matter was also investigated by the AFP in Perth. Dr Tiller was interviewed on 5 April, 1985 by Detective Sellers and a copy of the record of conversation is attached. (Attachment J)

Dr Tiller identified the signature at the bottom of the letter

as being similar to the signature he used in 1978-1979. He stated that on 18 June, 1979 (the date of the letter) he was in Canada and he showed Detective Sellers his passport which verified that fact. Tiller stated that:-

"I have never seen this letter before, I didn't write this letter, it's all bullshit."

Dr Tiller said that he had met Ron Woss (referred to in the letter) sometime in 1978 but never in his surgery. In relation to the tax investigation, Dr Tiller said that he made no inducements to officers in the Tax Department and said;

"What he describes is corruption and I don't agree with corruption at all."

The letter also refers to a solicitor named John Gillett; Dr Tiller said that Gillett was not his solicitor and:

"the letter is dated 11 June, 1979 (sic) and the meeting all the doctors had with Gillett was in July, 1979. The meeting took place after the letter. I went to the meeting and I was disgusted with the man, he talked a load of bullshit, I wouldn't have him as my solicitor."

In relation to the style of the letter Dr Tiller said ..

"It's not my language, I'd have no reason to write to Murray ... if I wanted to discuss anything with him I would go and see him."

During the course of the interview Dr Tiller stated that it looked to him as though:-

"he (Moll) has taken a blank letter of mine with my signature on it and typed in the letter...Moll asked me to give him blank letterheads when he was my manager. He said it would assist his trading on behalf of Lee Trading. That struck me as being strange, it's like giving someone a blank cheque, but that's what it looks like he has done, I trusted the man."

Dr Tiller was interviewed by us on Tuesday 22 July, 1986 and his recollection was consistent with the abovementioned interview report.

Jordan and Howard also interviewed Mrs McKenzie (nee Quartermaine) concerning her knowledge of any association or friendship between her ex husband (Quartermaine) and Mr Justice Murphy. Mrs McKenzie said that she knew of no association between the two men. She said that for quite some years before their separation there had been little communication between herself and her ex husband and she knew little of her husband's business affairs or social associations.

It should also be mentioned that in a taped conversation between the ex Age journalist Marshall Wilson and Mr Quartermaine which was provided to the Commission of Inquiry on Sunday 13 July 1986, Quartermaine says that he met Justice Murphy only once (and briefly) for drinks at a social gathering at the Judge's office in Sydney when he was a Senator.

Conclusion

In conclusion, there seems to be no further possible sources of information to establish conclusively, the identity of the author of the letter. The AFP appear to be convinced by Dr Tiller's explanation and therefore have taken the matter no further. Also from the enquiries we have made there seems to be no information available which links Quartermaine and Mr Justice Murphy in any close sense.

The general consensus (AFP & Dr Tiller) is that Moll is the author of both the Tiller/Quartermaine letter, the Boef diamond valuation and the notations on the back of the cheque butt.

As to a motive for Moll's preparation of this material, it is put by the AFP and Dr Tiller that Moll and Quartermaine who were once close business associates and friends had serious commercial disputes which culminated in a protracted Supreme Court action brought by Quartermaine against Moll in South Africa in 1982 for money Quartermaine alleged that he had lent to Moll over a number of years.

The action resulted in an award of \$420,000 dollars plus \$100,000 cost to Quartermaine. However, this amount seems not have been received by Quartermaine as Moll, (according to Dr Tiller) left the country under an assumed name the day before the judgement was delivered.

The AFP and Dr Tiller are of the view that Moll bears a great deal of animosity towards Quartermaine and has taken the opportunity to cause the greatest possible mischief for him through the creation of false documents. Dr Tiller also says that Moll appears to him to be paranoid in relation to doctors and envies their social status and would seek to discredit him (Tiller) and his doctor colleagues in any way possible. No theory has been advanced by any of the parties interviewed as to why Mr Justice Murphy and his wife may have been included in these possibly false documents other than the suggestion that he was a prominent public figure at that time.

Recommendation re. Allegations No. 8 and 30

In the light of the investigations undertaken by the AFP (coupled with our own enquiries) which have not produced any conclusive evidence to establish that:-

- a) Mrs Murphy either bought or received a diamond or that;
- b) Mr Justice Murphy had any close association with Mr Quartermaine or provided favours to Quartermaine and/or his Doctor colleagues,

it is recommended that no further enquiries be made in these matters.

N.J.

Ned Jordan

M.H.

Mark Howard

0145M

14 SEP 1984

says Mr Justice Murphy



MICHELLE GRATTAN
and JILL SANDS

CANBERRA, Mr Justice Murphy yesterday declared that there was "not an atom of truth" in an 'Age' report allegedly linking his wife's name to a Christo Moll cheque stub. He called for a full investigation of the allegations and the role of 'The Age'.

match those held by the police, the Mrs L. Murphy referred to is the wife of Mr Justice Murphy of the High Court. The figure 7800 was the cost in dollars of a single flawless stone, Mr Moll claimed.

Senator Evans said that Mr Justice Murphy had contacted his office yesterday morning and asked for his statement to be read to the Senate.

cheques and cheque stubs he had had the reverse stub with the Murphy name on it, and if so, why he had not tabled this.

Despite constant pressing, Senator Walsh failed to deny at Question Time or during the censure debate that he had the copy of the cheque butt.

However, after the Opposition and Democrats, who have a majority in the Senate, had carried the censure, Senator Walsh made a brief personal explanation in which he said: "I do not have, and have never had, a photocopy of the back of that butt."

The Opposition Leader in the Senate, Senator Chaney, last night said Senator Walsh's performance and explanation had been extraordinary. Quite clearly Senator Walsh had been chastised by his colleagues who had brought him back to make a last minute explanation, Senator Chaney claimed.

Senator Evans told the Senate that he proposed to raise Mr Justice Murphy's request for an investigation with the Special Minister of State, Mr Young "I will advise the Senate at some appropriate time of the course those investigations in fact follow," the attorney-general said.

Moving the censure, Senator Chaney said Senator Walsh made "unending efforts to smear all of

those whom he can to his own political advantage.

"On this occasion we believe Senator Walsh has passed beyond the line which is even bearable," Senator Chaney said. He said that by tabling the Moll material, Senator Walsh had cast "a nice smelly cloud" over the Director of Public Prosecutions Mr Ian Temby, QC, Liberal Senator Noel Crichton-Browne and himself and now Mrs Murphy and Mr David Ditchburn (husband of Julie Morosi), who had appeared in 'The Age' report.

The former law firm of Senator Chaney and Mr Temby was mentioned in the material tabled, as was the name "Crichton-Brown".

Senator Chaney last night said Senator Walsh should "do the honorable thing and resign".

A number of Labor senators were dismayed and embarrassed yesterday at Senator Walsh's performance in Question Time and the censure motion. Last night Senator Walsh claimed that when he went into Parliament yesterday morning he had not read 'The Age' report and he was not sure whether the piece of paper with "Mrs L. Murphy" on it was or was not among the papers he had.

The Attorney-General, Senator Evans read a brief statement by Mr Justice Murphy to the Senate at the start of a morning of questions and debate which culminated in the Senate censuring the Resources Minister, Senator Walsh for allegedly, collectively, tabling documents.

This is the first time since 1974 that the Senate has carried a censure against a Minister.

The 'Age' reported yesterday that the words "diamond purchases Mrs L. Murphy 7800" appeared on the reverse side of a cheque stub, the face of which had been tabled by Senator Walsh in Parliament on Wednesday.

The cheque book was recovered last year by 'The Age' from Mr Moll and is now held by Federal Police in Perth.

According to Mr Moll, who was recently interviewed overseas by 'The Age' and whose handwriting appears on the cheques which

Mr Justice Murphy's statement during the Whitlam Government, said: "The Age' story is a continuation of a disgraceful campaign of defamation by 'The Age' now directed against my wife.

"My wife has never purchased a diamond in her life. There have been no dealings ever with Mr Christo Moll of any kind. There is not an atom of truth in 'The Age' story. I request that there be a full and prompt investigation of the allegations and of the role of 'The Age' in this affair."

The Opposition moved the censure against Senator Walsh after he refused to answer a series of questions asking whether, when he tabled the copies of Moll



Mrs Murphy: "Never purchased a diamond in her life," says her husband.

FROM PAGE 1

'Disgraceful' claim, SEP 1984 says Murphy

In answer to one of three Opposition questions, Senator Walsh said: "I tabled those documents yesterday without comment as to whether there was anything written on them. I am satisfied that they are genuine photocopies. I also note for the record that the name, L. Murphy, is much more common than Crichton-Browne."

Replying to the censure, Senator Walsh said he had had the photocopies in his office for some time, and some had been tabled before. "I retrieved them yesterday because I was expecting the sort of muck-raking murky attack that was launched by the Liberal Party in the House of Representatives."

The Federal Government will give Mr Justice Murphy "roughly about \$40,000" to help pay legal costs he incurred during hearings of the Senate select committee on the conduct of a judge, a Senate estimates committee was told yesterday.

Continued: PAGE 5

MINISTERIAL ARRANGEMENTS

Senator **BUTTON** (Victoria—Leader of the Government in the Senate)—I yesterday couched an announcement about the Minister for Veterans' Affairs, Senator Gietzelt, in terms that he will be absent for the whole of the week through illness. That remains the case, and any questions to him should be directed to the Minister for Social Security, Senator Grimes.

QUESTIONS WITHOUT NOTICE

'AGE' ALLEGATIONS

Senator **CHANEY**—Is the Leader of the Government in the Senate aware of an article in today's Melbourne *Age* which claims that the name of Mrs L. Murphy appears on the back of a cheque stub, a copy of the front of which was tabled in the Senate yesterday as one of a series tabled by the Minister for Resources and Energy in an attempt to smear members on this side of the House? Has the Minister made any inquiries to ascertain whether the facts contained in the *Age* are correct?

Senator **BUTTON**—Mr President, I am not aware of the article in the Melbourne *Age*. I have not seen the *Age* this morning.

Senator **Crichton-Browne**—Would you like a copy now?

Senator **BUTTON**—I am grateful to Senator Crichton-Browne for his help, but I believe that the Attorney-General is aware of this matter. If Senator Chaney wishes to redirect the question to him, it may obtain an earlier answer.

Senator **GARETH EVANS**—Mr President, I seek to add something on this matter. Just a few minutes before Question Time, my office was contacted by Mr Justice Murphy of the High Court who asked that the following statement be made in the Parliament should the opportunity arise or should it be required. The statement is to the following effect:

The *Age* story is a continuation of a disgraceful campaign of defamation by the *Age* now directed against my wife. My wife never has purchased a diamond in her life. There have been no dealings ever with Mr Christo Moll of any kind. There is not an atom of truth in the *Age* story. I request that there be a full and prompt investigation of the allegations and of the role of the *Age* in this affair.

I have had no opportunity to do more than write that down and now retail it to the Senate. I propose to raise the matter with the Special Minister of State who, I presume through the Australian Federal Police, is responsible for investigations of the kind His Honour has in mind. I will advise the

Senate at some appropriate time of the course those investigations in fact follow.

Senator **CHANEY**—Mr President, I wish to ask a supplementary question. I preface it by saying that I acknowledge the propriety of the Attorney-General reading the statement that he has read. I believe that that is just as proper as the statements made by Senator Crichton-Browne and me yesterday in similar circumstances. My supplementary question relates to the fact that the Minister has not really addressed the question that I asked the Leader of the Government, and I would be grateful if he would. First, I asked whether the Minister was aware of the article, and it appears that the Attorney-General is. The article claims that the name appears on the back of cheque stubs and so on. There are a series of allegations in the article about that. My question is: Have any inquiries been made to ascertain whether the facts contained in the *Age* report are correct? I wish to emphasise that I am not asking whether Mrs Murphy got a diamond. I am not for a moment suggesting that that is the case. I am asking about the facts in the article, which suggests that there are certain writings on cheques or what purport to be cheques and whether the facts are as broadly set out in this document? Apparently the document is in the hands of the Federal Police, so this is a matter which ought to be within the knowledge of the Government.

Senator **GARETH EVANS**—I became aware of this article only a few minutes ago—in fact, at the time that the phone call came through to my office. My attention this morning was preoccupied with another article in the *Age* which I shall make the subject of a full personal explanation straight after Question Time, if the matter is not pursued in Question Time. I literally have not absorbed the detail in the article, except to notice that it is not only about the alleged involvement of a Mrs L. Murphy, but also about a series of transactions involving Mr Christo Moll. It is well known that there is a long-standing Federal Police investigation of that gentleman and various commercial transactions in which he has been involved. I will endeavour to find out the state of play on that investigation and advise the Senate in due course as to what can be put on the public record about that, including the particular matters that are raised in the course of this article.

COMMONWEALTH CAR DRIVERS DISPUTE

Senator **ELSTOB**—My question is directed to Senator Button, who represents the Minister for Employment and Industrial Relations. I refer to the recent Commonwealth car drivers dispute in

Questions

Canberra. agreement and prom broken by vices in Ju with the T the Govern sensus on i form the d cerned in Services w Commonw want to at may find ti stead of cat

Senator tails of the officers of t vices in the wealth car Minister r Senator Els

Senator I the Ministe refers to th yesterday b been the sul Will the M ment whetl forms and b tion of impr individuals them?

Senator E stage whethe endo or alle the exact ex used—

Senator D

Senator B call the cate tion. If it is c am unable t clusion can b doing on the further discu that matter.

Senator I question. In this matter v ments by o Government

HENDRINA BOEF

Antiquaire

Zilverkooptstraat 1A
-Gravenhage.
Tel: 070-252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.
24 Januari 1979

Messrs. Four Winds Trading
P.O. Box 510
Fremantle
WESTERN AUSTRALIA 6160

Dear Mr. Quartermaine,

VALUATION FOR INSURANCE PURPOSES

Mrs. Ingrid Murphy

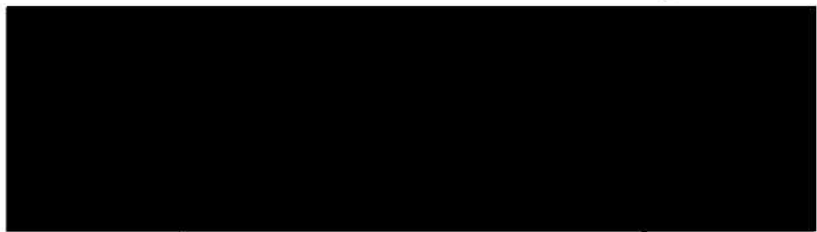
One (1) only round brilliant cut commercial white
diamond V.V.S. 0.74 Cts.

I consider that the above mentioned diamond has an
estimated retail replacement value of NINE THOUSAND
Netherlands guilders.

Assuring you of my best services at
all times, I remain,

Yours Sincerely,
Mrs. Hendrina Boef

N.B. Certificate
issued in duplicate.



ROBERT LEVINSON, F.G.A.A. No 1142 A

Jewellery Designer - Valuer - Insurance
36 OUTRAM STREET, WEST PERTH 6005
TELEPHONE 322 2255 - PRIVATE

copy

NAME To Whom it may concern DATE 26-2-77

ADDRESS _____ ADVISE PHONE _____

_____ WANTED _____

DEAR CLIENT

Having inspected your jewellery listed hereunder I consider its present day replacement value to be:

| | | |
|------------------------|------------------|-----------------|
| <u>1 loose diamond</u> | <u>74 carats</u> | <u>\$ 200</u> |
| | | <u>\$ 2830</u> |
| | | |
| | | |
| | | |
| | | <u>F.G.A.A.</u> |

Y.G. - YELLOW GOLD W.G. - WHITE GOLD N.L. - NOT LEFT

HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
 's-Gravenhage.
 Tel.: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
 Nr. : 001847
 De Sav. Lohmanplein 45.
 26 Januarië 1975

Messrs. Four Winds Trading
 P.O. box 510
 Fremantle
WESTERN AUSTRALIA 6160

Dear Mr. quartermaine,

VALUATION FOR INSURANCE PURPOSESMrs. Ingrid Murphy

One (1) only round brilliant cut commercial white
 diamond V.V.S. 0.74 Cts.

I consider that the above mentioned diamond has an
 estimated retail replacement value of nine thousand
 Netherlands guilders.

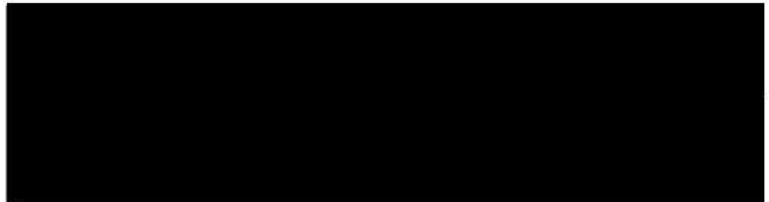
Assuring you of my best services at
 all times, I remain,

Yours Sincerely,

Mrs. Hendrina Boef

N.B. Certificate
 issued in duplicate.

This signature is a photocopied
 reproduction of the
 signatures as appearing
 as photocopies on
 47 documents received
 from Det Sgt SULLERS AFP Perth



W.A. Police Document Examination Section
 Perth
 Oct 29/1986

W.A. Police Document Examination Section
 Perth

HENDRINA BOEF

Antiquaire

Zilverstraat 1A
's-Gravenhage
Tel.: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.

31 March 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MAX TRAUB and ALISA TRAUB

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|----------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.29 CARATS | 3,291.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.34 CARATS | 3,347.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.42 CARATS | 3,459.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.69 CARATS | 3,701.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.01 CARATS | 2,897.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.05 CARATS | 2,925.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V.V.S. 2nd PIQUE 1.17 CARATS | 3,195.00 |

US\$ 22,815.00



HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
3-Gravenhage.
Tel: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.

31 March 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MAX TRAUB and ALISA TRAUB

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|-----------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY TOP SILVERCAPE BRILLIANT CUT DIAMOND FLAWLESS 3.01 CARATS | 16,425.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL DIAMOND YELLOW CAPE V. S. 7.85 CARATS | 30,937.00 |
| ONE (1) ONLY BRILLIANT CUT SILVERCAPE DIAMOND V. V. S. 6.78 CARATS | 35,281.00 |
| ONE (1) ONLY TOP WESSELTON BRILLIANT CUT DIAMOND V. V. S. 2.06 CARATS | 18,000.00 |
| ONE (1) ONLY ROUND BRILLIANT DIAMOND FLAWLESS RIVER COLOUR GRADE E 1.98 CARATS | 32,625.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL DIAMOND OFF-WHITE V. S. 5.21 CARATS | 27,112.00 |

US \$ 161,380.00

HENDRINA BOEF

Antiquaire

Zilverschoonstraat 1A
Gravenhage
Tel 070-252860

Bank: Amsterdam-Rotterdambank N.V.
Nr. : 001847
De Sav. Lohmanplein 45.
26 May 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of NORMAN KEITH CROOKE

DESCRIPTION

VALUE
US\$

| | |
|------------------------------------------------------------------------------------------|------------|
| ONE (1) ONLY ROUND BRILLIANT CUT FLAWLESS DIAMOND COLOUR GRADE D TALLING 3.8 CARATS | 81,562.00 |
| ONE (1) ONLY TOP WESSELTON COMMERCIAL WHITE BRILLIANT CUT DIAMOND V. V. S. 2.8 CARATS | 11,025.00 |
| SIX (6) ONLY SILVERCAPE COMMERCIAL DIAMONDS FLAWLESS TALLING 38.05 CARATS | 145,125.00 |
| ONE (1) ONLY BRILLIANT CUT FLAWLESS DIAMOND COLOUR GRADE D 3.02 CARATS | 70,200.00 |
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V. V. S. TALLING 3.88 CARATS | 21,656.00 |
| ONE (1) ONLY TOP CAPE BRILLIANT CUT COMMERCIAL DIAMOND TALLING 9.64 CARATS | 92,812.00 |

US \$ 422,380.00



HENDRINA BOEF

Antiquaire

Zilver schoonstraat 1A
3-Gravenhage.
Tel: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr. : 001847
De Sav. Lohmanplein 45.
20 May 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MARCUS OLIVER DILL-MACKY
DESCRIPTION

| | <u>VALUE</u> |
|------------------------------------------------------------------------------------------------|--------------|
| | US\$ |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.72 CARATS | 84,746.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.71 CARATS | 84,518.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.96 CARATS | 90,214.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.42 CARATS | 77,912.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.55 CARATS | 80,873.00 |
| ONE (1) ONLY ROUND BRILLIANT CUT DIAMOND RIVER FLAWLESS COLOUR GRADE E SPECIFIC 3.20 CARATS | 72,900.00 |

US\$ 491,163.00



HENDRINA BOEF

Antiquaire

Zilver schoonstraat 1A
5-Gravenhage
Tel: 070 - 252860

Bank: Amsterdam-Rotterdambank NV
Nr 001847
De Sav. Lohmanplein 45.

31 March 1978

The Treasurer
Mogill Limited
Alexandra House
11th Floor, 16-20 Chatis Road
HONG KONG

PURCHASE INVOICE

To Diamonds purchased from you on account of MAX TRAUB and ALISA TRAUB

| <u>DESCRIPTION</u> | <u>VALUE</u> US\$ |
|-----------------------------------------------------------------------------------------|----------------------|
| ONE (1) ONLY BRILLIANT CUT COMMERCIAL WHITE DIAMOND V. V. S. 2.56 CARATS | 18,900,00 |
| ONE (1) ONLY BRILLIANT CUT CAPE V. V. S. YELLOW DIAMOND 5.96 CARATS | 20,250,00 |
| ONE (1) ONLY ROUND BRILLIANT CUT PURE WHITE DIAMOND 1.52 CARATS COLOUR GRADE E FLAWLESS | 33,525,00 |
| ONE (1) ONLY BRILLIANT CUT TOP WESSELTON DIAMOND V. V. S. 2.03 CARATS | 19,406,00 |
| ONE (1) ONLY TOP SILVERCAPE BRILLIANT CUT DIAMOND FLAWLESS 6.78 CARATS | 41,062,00 |
| ONE (1) ONLY ROUND BRILLIANT CUT TOP WESSELTON DIAMOND TOTALING 3.22 CARATS V. V. S. | 40,725,00 |

US \$ 173,868,00



/



INTERNATIONAL CRIMINAL POLICE ORGANISATION

NATIONAL CENTRAL BUREAU OF AUSTRALIA

P.O. Box 806, Canberra City, A.C.T. 2601

Telephone: Telex: 62640

Our Ref: IP/D/110/79/244

Your Ref: WA79/2058

**Commander
Australian Federal Police
WESTERN REGION**

(Attention: Detective Station Sergeant R.W. SELLARS)

Dear Sir

OPERATION EDAM - BOEF, Hendrina - Born 26 June 1907

I refer to your dispatch letter dated 27 June 1985.

Attached please find a report received from The Hague Municipal Police Force through our representative at The Hague.

Yours faithfully



**(M.J.M. VINCENT)
Head
Australian National
Central Bureau**

The Hague Municipal Police Force

Judicial Police

Central CID

Bureau II

No. 30165/1985

Subject: Official Report concerning the questioning of H. BOEF

OFFICIAL REPORT

With reference to the letter received from Interpol The Hague on 1 August 1985 which contained a letter from Interpol Canberra with enclosures and in which it was requested to question H. BOEF of Zilverschoonstraat 1 a in The Hague, I, Elbard Herman Jacob JENTINK, Constable 1st Class in the Police of The Hague, have to report that I have made enquiries as requested.

Enquiries conducted at the Population Recordsdepartment of The Hague revealed that H. BOEF is the person named Hendrina BOEF, born 26-6-1907 Ijsselstijn, residing Zilverschoonstraat 1 a in The Hague.

On Thursday 29 August 1985, at 09.30 hours, I, reporting officer JENTINK, questioned at her home the witness: Hendrina BOEF, born 26 June 1907 Ijsselstijn with no occupation, residing at -- [REDACTED] The Hague.

When I had told her the nature of my enquiry and had shown her the documents enclosed with the letter from Interpol Canberra, she made the following statement:

"At the Promenade Hotel in The Hague I have had a meeting with a man whom I know as Christo MOLL and another man who was introduced to me as the lawyer of MOLL, I do not know the name of the second man. I do not remember when the meeting took place. In any case it was several years ago. It is quite possible that the meeting took place on 5 July 1979. The meeting took place at the request of MOLL.

During the meeting at the hotel MOLL asked me to sign some documents. The documents I had to sign were in English and I did not understand them. MOLL told me that he needed the documents to win "a case" he was working on. At the time I did not question the contents of the documents because I trusted MOLL completely when I signed the documents.

Among the Interpol Canberra documents which you have shown to me are not the documents which I have signed at the Promenade Hotel.

You have also shown me a statement, purportedly made by me in English. Having read the statement I wish to state that I certainly have not made that statement and that it is incorrect. Only on some minor points is the statement correct.

The names mentioned in the statement mean nothing to me. Neither have I been involved in any way in any diamond transactions of MOLL with third parties. At one time MOLL asked me for the names of some diamond dealers which I gave to him.

After I retired, when I do not longer worked as antique dealer either, I have sold antique silver objects to MOLL. However, that was not a business transaction. Like me MOLL was interested in antique silver objects and I had once said to him that he could buy such objects from me for the price I had paid for them.

MOLL once told me that he gave antique silver objects as a gift to persons with whom he had done important business. In that way MOLL has purchased about 10 silver objects from me when he was in Holland on business.

I have also sent MOLL some of my private notepaper (with my name on it). At MOLL's request I had placed my signature on the notepaper before I sent it to him. The reason for this was that, although I have a reasonable command of the

english language I cannot write it faultlessly

I had arranged with MOLL that if he bought a silver object from me, I would give a description of the object in Dutch and he would write the english translation of the description on the blank notepaper which I had already signed. For that purpose only did I send the letters to Australia to place at MOLL's disposal.

The letterhead of my notepaper is similar to the letterhead of the invoices (or rather of the photocopies of the invoices) which you have received from Interpol Canberra and have subsequently shown to me.

Insofar as the signatures on the photocopies are legible I recognize my signature. However, the handwritten text and the typed text on the invoices have most certainly not been written by me. I suspect that the notepaper in question has been abused.

As I do not know what has been written in the letters in question I cannot furnish any additional information about them. However, I have once been approached by the Dutch Internal Revenue Service about subjects which I was to have sold from Holland to Australia.

As I have said before I have met MOLL at the Promenade Hotel in The Hague, presumably on 5 July 1979. After that I have seen him only once more, I believe in July 1985.

MOLL rang the doorbell and requested a meeting I refused as I had meanwhile heard that he was engaged in questionable practices. After that I have not seen MOLL again. As far as I know MOLL lives in The Hague again, at the Van Moersselestraat; I do not know the number.

I have met C. MOLL through contact with his father We were acquaintances. I have known MOLL since he was 15 years old. I don't have, and have not had, a business relation with MOLL.

This statement has been read over by me and it is correct."

Sgd. H. Boef.

Enquiries at the Population Recordsdepartment in The Hague revealed that Christo Theo MOLL, born 25 March 1935 Palembang/Indonesia, is registered as residing at Van Moersselestraat 9 in The Hague.

This Official Report has been prepared by me on Oath of Office.

It has been closed and signed by me in The Hague on Friday 30 August 1985.

Sgd E.H.J. Jentink
Constable 1st Class
Municipal Police of The Hague



Australian Federal Police

Minute Paper

RS:mm
WA79/2058

SIN
008

The Commander,
WESTERN REGION

OPERATION EDAM
MOBITT CHEQUE ACCOUNT
COMPLAINTS BY MR JUSTICE LIONEL MURPHY

I refer to complaints lodged by Mr Justice Lionel MURPHY to Acting Commissioner JOHNSON, relating to articles which appeared in the Melbourne Age newspaper dated 13th September, 1984, and in particular to the matter of a cheque allegedly made out to Mrs L. MURPHY for the sum of \$A7,800 said to be for the purchase of a diamond ring.

As instructed, I have carried out; or caused to be carried out, immediate investigations to:

- (i) locate the relevant cheque,
- (ii) to trace the cheque through banking records, as far as possible, and
- (iii) to identify accounts that the money passed through, if any.

In addition to the specified instructions, I have also had additional enquiries made with a view to locating any person named MURPHY, mentioned in the 'MOLL' enquiry to date, and also have obtained the assistance of the West Australian Police Document Examination Bureau. The results of the investigations are as follows:-

Cheque Details

The cheque in question is one dated 23rd February, drawn on the account of MOBITT (W.A.) PTY. LTD., with the National Bank of Australia Ltd., North Perth Branch, located at 431-433 Fitzgerald Street. It is an order to pay a certified Bank cheque in favour of the Australia and New Zealand Bank Limited, or bearer, in the amount of \$83,055.83. The cheque was seized from the National Bank under search warrant during the early stages of the investigation. (Copy attached at A.)

Relative Cheque Butt

The butt relative to the above cheque was apparently handed to MARSHALL-WILSON of "THE AGE" Newspaper by Christo Theo MOLL personally in mid 1983 when WILSON flew to interview MOLL in Europe, and it was one of a number of cheque butts numbered '408501-408600' contained in the related cheque book. (Copy attached at B.)

Two other cheques, both from the same series Nos. '408537 and 408573' have been the subject of allegations made by MOLL that the proceeds in the amount of \$5,000 and \$10,200 respectively were donations made to the Liberal Party using the agencies of

- (i) NORTHMORE HALE DAVY AND LEAKE,
(Solicitors) and
- (ii) SENATOR NOEL CRICHTON-BROWNE
(Copies attached at C and D.)

MARSHALL WILSON stated that when MOLL handed him the cheque butts they were already written on, and that MOLL did not write on them in his presence. It can therefore be assumed that the writing on the reverse side of the cheque which bears the name of Mrs L. MURPHY was written on by MOLL at sometime between the issue of the cheque on 23 February, 1978, and the date on which it was given by MOLL to MARSHALL WILSON in mid 1983.

Negotiation of Cheque No. 408542

Enquiries indicate that on 23 February, 1978 John Martin Craigie ELPHINSTONE, a known MOLL Courier attended at the National Bank in North Perth on MOLL's behalf with the cheque in question and signed an application for a bank cheque in favour of the Australia and New Zealand Bank Ltd., in the amount of \$83,055.83. Bank cheque No. 087266 was issued to ELPHSTONE. Whilst the Bank was able to produce a copy of the application for the bank cheque, they claim to have held no such copy of the cheque itself. It is believed to have been destroyed with the lapse of time (copy of Application for Bank Cheque attached at E.).

Enquiries have been made at both the Head Office of the Australia and New Zealand Banking Group, 84 St. George's Terrace, Perth, and at the Bank's Fremantle Office, where L.H. QUARTERMAINE's held an account. By this time, QUARTERMAINE's business interests had become a part of the West Australian Discount Corporation Pty.Ltd of which MOLL was Managing Director.

Records held by the Banking Group have since been destroyed, and no record is available of the negotiation of the bank cheque acquired by ELPHINSTONE for MOLL.

On Saturday 15 September, 1984 John ELPHINSTONE was interviewed and verified the above facts, stating that he was asked by MOLL to carry out the transaction and that upon obtaining the bank cheque from the National Bank at North Perth, he returned it to MOLL and knows nothing further about the matter.

Arising from the initial search of MOLL's offices located at 44 Parliament Square, West Perth in 1979 a number of documents were seized, among which was a copy of an application for Foreign Currency dated 23 February, 1978, (the same date as the relevant cheque) to the Australian and New Zealand Banking Group, 21 Adelaide Street, Fremantle for foreign currency amounting to £48072.00 in the form of a draft in favour of MOGILL LTD., Hong Kong, the purpose for which it was desired being stated as "Accommodation and tour arrangements, various clients". The application was signed by Graham SAGGERS who was Accountant for the West Australian Discount Corporation Pty. Ltd. at the time. The application was approved by the Bank to the amount of \$83055.75. (Copy of Application attached at E). There is reason to believe that this transaction indirectly relates to the cheque in question.

To date it has not been possible to gain access to MOGILL LTD., Hong Kong Banking records, although this must be considered one of the Task Force priorities in the near future.

MOBBIT (W.A.) PTY. LTD. Account

Enquiries have revealed that only MOLL signed cheques relative to the MOBITT Account. He always carried the cheque book personally, and it is perhaps significant that at the material time the MOBITT books were not being written up. There is reason to believe that MOLL was using cheques from this account for his own personal interests.

Operational Check - MURPHY

A check on all available information recorded in the computerization of operational records have revealed that three MURPHY's are recorded. A Mrs B. MURPHY of Sorrento, a Perth Suburb, a Mrs E.M. MURPHY of West Perth, and a Mrs E.J. MURPHY of Kelmscott, another Perth suburb. In the former case Mrs B. MURPHY claims to have had no dealings whatsoever with MOLL, Mrs E.M. MURPHY is deceased and attempts to locate the third person, Mrs E.J. MURPHY have been unsuccessful.

There is no reason to believe that any of the aforementioned were in anyway directly connected with MOLL. There is no evidence to indicate that Mr Justice Lionel MURPHY, or his wife had any business, or other connections with MOLL and neither his or her name appears in the records of Companies associated with MOLL and which we are in possession of.

Handwriting Examination

The cheque butt in question has been examined by First Constable James Nicholas HOFSTEE of the Questioned Document Section, W.A. Police Scientific Branch. He is of the opinion that the date and amount written on the front of the cheque book relating to cheque no. 40842, and the writing on the cheque itself were made by a similar type of felt-tip pen. He then points out that overwriting has taken place and that altogether it is probable that five different writing instruments were used.


A copy of the report of the Document Examiner, and related cheque and cheque butts are attached. F. & G.

In addition to the above, it is pointed out that the butts of another cheque book which had previously contained cheques No. 320601-320700 drawn on the National Bank of Australia's MOBITT Account has been in the possession of the Australian Federal Police since the execution of the initial search warrant in 1979. There is no writing whatsoever on the reverse side of any of the cheque butts which is in complete contrast to those received from MOLL by MARSHALL WILSON and which had obviously been in MOLL's possession for some considerable time after the collapse of his Companies.

5.

The two cheque butts applicable to accusations levelled against Senator CRICHTON-BROWNE and NORTHMORE, HALE, DAVY & LEAKE have also been examined by the handwriting expert, and his opinions raise serious doubts as to the authenticity of the documents.

18th September, 1984


R.W. SELLARS
Detective Acting Inspector

in the case

in the case

in the case

in the case

in the case

Conf. File
Elliott
Co. H.K.

(8)

Handwritten notes and a circular diagram with illegible text inside.

S

REVERSE SIDE OF CHECK BUTT PERS.

(B)

23-
For all
L.H. Quadrant
A. N. Z.
Bull

583, 1255 33

Planned
at 408542

FACE SIDE OF CHECKS BUT

different felt tipped pens have been used for the front and back of the bundle

17.8. 1978

cash

Fwd. . .

Dep. . .

\$ 10200.00

Bal. . .

ATTACHMENT H

M.V.O.
 Director
 Liberal Party
 for Concession
 10000m

authorized
 GOSB
 D.D.

408573

- one type of pen/similar inks
- one type of pen/similar inks
- one type of pen/similar inks

16.12. 1978

cash

Fwd. . .

Dep. . .

\$5000

Bal. . .

of course the
 Director Liberal
 Party

408537

- black biro
- blue biro with felt tipped overwriting inks luminescence (similar ink).
- inks as that on cheque (similar).

23-2, 1978

For Mr J.P.

L.H. Quarternan

at N.Z.

Bank

Fwd. . .

Dep. . .

\$83,055.83

Bal. . .

Reserve B/L
 appo 01408542

CONF. FILE
 Etlopie. a. v. Q.
 cr. We Reider
 Co. H.K.
 \$10,286

no claim as per
 list - contact
 Policy 4
 attached

MICHAEL C. TILLER

M.B., D.S. (W.A.), F.R.C.S.E., F.R.A.C.S.

5 SHUFFREY STREET
FREMANTLE, 6160TELEPHONE: ROOMS 35 7195
35 1361
RESIDENCE 39 1747PRIVATE AND CONFIDENTIAL

Perth, 18th June, 1979

Mr. M.V. Quartermaine

Dear Murray,

Thank you for your confidential note, I enclose the signed agreements as requested. I met David Alltree and Ron Woss at my surgery where I was told that the tax department will continue their investigations of the trading ventures and other related matters. It appears that further inducements to certain officers in the department will only prejudice our position despite their co-operation in the past. The accountants and John Gillett have promised to pull all possible strings as soon as Moll has been removed as chairman. I am anxious to avoid any public scandal and your political connections in Canberra may prove very helpful. Can you arrange another meeting with Lionel Murphy as promised as you may be able to obtain his support or his advice. We require solid backing to favourably influence the outcome of our present problems.

I appreciate your efforts, as do many of my colleagues, to ensure our reputations will be safeguarded. Marx Wald confirmed that you and Bill Brathwaite will return all available cash, gems etc. to Perth for re-allocation and distribution. I understand Quamolt's assets to be in excess of \$1,000,000, if so, I can look forward to settlement of my overseas expenses. We are all pleased that Shervington is helping you in Zurich and please ignore any approaches from Moll because he has proven to be unreliable.

David Alltree has written to you under separate cover enclosing the signed agreements you require to proceed with the matters discussed previously. Those items will also be delivered by courier.

I refer to the meeting of Wadco clients which was attended by Gillett and the accountants and if you have the time, I shall be obliged if you will phone me in order to keep me posted whether any progress has been made in obtaining the invoices for the tax department.

Good luck Murray and best regards,

Yours sincerely,



Roland Warwick SELLARS states:

I am a Detective Station Sergeant attached to the Australian Federal Police, Perth.

At 9.30 am on Friday 5 April, 1985, I went with Sergeant S. YORSTON to [REDACTED], where I had the following conversation with Doctor Michael TILLER. His wife was also present.

I said, "Doctor TILLER, we have met, I am Sergeant SELLARS and this is Sergeant YORSTON. We have come into possession of a couple of documents which may have far reaching implications. I'd like to discuss them with you and invite you to comment on them if you care.

I showed Dr. TILLER a photocopy of a letter dated 18 June, 1979 apparently directed to Murray QUARTERMAINE, which bore the signature 'MICHAEL TILLER'.

I said, "Is this your signature on the bottom of this letter?" (Indicating the one in question.)

He said, "Yes, it appears to be similar to the signature I was using in about 1978-79.

I said, "I'd like you to read the contents of the letter."

Dr. TILLER then appeared to read the letter. His wife also appeared to read it.

Statement of Roland Warwick SELLARS cont.

He said, "I was in Canada in June, 1979, what's he talking about?"

I said, "Are you sure about that?"

He said, "I can prove it, I'll get my passport."

Dr. TILLER then left the room and returned a short while later with an Australian Passport. He showed me an entry in the passport which consisted of a stamp bearing the following:

'CONSULAR P.F.I. IMM & NATZ. SERVICE VANCOUVER B.C. 523 FOR ADMISSION AT JUN 18 1979.'

He said, "There I was overseas."

I said, "I'd like to go over the contents of this letter with you. The letter says - 'I enclose the signed agreements as required.' Do you know what agreements are being referred to?"

He said, "No, I've never seen this letter in my life before, I didn't write this letter, it's all bullshit."

I said, "Did you ever meet Ron WOSS at your surgery?"

He said, "I think I met him some time in 1978 but never in my surgery."

I said, "Did you ever offer inducements to Officers in the Taxation Department?"

He said, "No, Tax were investigating me what he describes is corruption and I don't agree with

.../3

Statement of Roland Warwick SELLARS cont.

corruption at all."

I said, "The letter goes on to say that Tax Officers co-operated in the past. What do you have to say to this?"

He said, "No, they have never co-operated. I am reading on here. Who is QUAMOLT, I had never heard of them, that's QUARTERMAINE and MOLL isn't it?"

I said, "Was GILLETT your Solicitor?"

He said, "No, and that's another thing, the letter is dated 11 June, 1979 and the meeting all the doctors had with GILLETT, was in July, 1979. The meeting took place after the letter. I went to the meeting and I was disgusted with the man, he talked a load of bullshit, I wouldn't have him as my Solicitor."

I said, "The letter goes on to say, 'Can you arrange another meeting with Lionel MURPHY?' What have you to say to this?"

He said, "Gee, I'm in good company aren't I, I've never met the man."

I said, "Do you type at all?"

He said, "No, I can't type, my Receptionist does my typing, she's been with me for ages, when all this was on, you can go and see her if you wish."

I said, "Does your wife type?"

He said, "Yes, she does a bit."

Statement of Roland Warwick SELLARS cont.

I said, "Have you any further comment to make on this letter?"

He said, "No, it's all bullshit, it's not my language, I'd have no reason to write to Murray, I have known him from our rugby days. If I wanted to discuss anything with him, I'd go and see him. Her was only around the corner from me in Fremantle, or I'd ring him."

I said, "Is he a friend of yours?"

He said, "Yes, he is a very likeable and friendly sort of guy Murray is."

I said, "I would like you to have a look at this document, what can you tell me about this?"

I then handed Dr. TILLER an undated sheet of paper headed 'MOGILL LIMITED', which appeared to be a summary of financial dealings between Dr. Michael Clifford TILLER and MOGILL LIMITED.

He said, "I've never seen this before. Look at these figures, am I supposed to have this money, who is Harry WINSTON, who is it from?"

I said, "Did you ever receive any part of your management fees back from MOLL? I ask you this because most of the others agreed there was an arrangement."

He said, "Look, I don't know about the

.../5

Statement of Roland Warwick SELLARS cont.

other doctors, I employed MOLL to manage my practice, I went from nothing to having one of the busiest practices in Perth. What with tax and provisional tax, I needed a Manager. I paid for that, this is all rubbish."

I said, "What can you tell me about the losses attributed to LEE Trading?"

He said, "LEE Trading was set up to provide security for my family, a surgeon doesn't start really earning until he is about 37 or 38, then he has only until he is about 57 or 58, until he begins to wear out, to generate his income. LEE Trading was to run at a profit not a loss."

I said, "What can you tell me about the diamonds mentioned in this statement?"

He said, "\$143,000 of diamonds delivered to Bicton, that's bullshit, they must be in the house then if they were delivered to Bicton. I never had one diamond delivered to me."

I said, "What can you tell me about the caption, 'authorised Michael TILLER' at the foot of the page?"

He said, "That's my writing, but I've never seen the document before. I used to sign invoices for

Statement of Roland Warwick SELLARS cont.

the purchase of diamonds for LEE Trading. I would authorise the purchases. When I signed the invoices, I would always leave a bigger space after the bottom of the typing, the same as the other letter. (Dr. TILLER then picked up the letter I initially showed him.) There should be samples of that with the Liquidators and with Tax. If you look at any of my correspondence you've got, you'll see that where this says 'your sincerely', I always leave a much bigger gap before signing it. This looks to me as if he has taken a blank letter of mine with my signature on it and typed in the letter. He's run out of space and that's how it's so cramped. MOLL asked me to give him blank letterheads when he was my Manager, he said it would assist his trading on behalf of LEE Trading. That struck me as being strange, it's like giving someone a blank cheque, but that's what it looks like he has done, I trusted the man."

I said, "Is there anything else you would care to comment upon in relation to these matters?"

He said, "No, the man's a nut, he must sit in a room typing all these things."

Statement of Roland Warwick SELLARS cont.

There followed a general discussion with Dr. TILLER and Mrs. TILLER, following which Sergeant YORSTON and I left the house.

[REDACTED]

(R.W. SELLARS)

received from the Australian Federal Police, Western Region, the following documents and records:-

- i) Report by Hungerford Hancock & Offner dated 26th February, 85. re Operation Edam.
- ii) Report by Det. Sellaos dated 18th September, 1984. re Complaints by Mr Justice Murphy (copy)
- iii) letter dated 9th April 1980 from Dir General of Taxes Netherlands (copy)
- iv) Analysis of 3 cheque butts by Document Examination Section re handwriting
- v) Folder headed "Marshall-Wilson" material re Michael Tiller, Honey and Quartermaine. Various Newspaper articles re C. T. Moll
- vi) Statement of Hendrina BOEF (copy)
- vii) Statement of Dr Michael TILLER (copy)

- viii) Material supplied by Nat. Crime Authority dated 4th June, 1985.
- ix) Interview of Hermina BOET conducted by International Criminal Police Organisation. (Copy)
- x) Two valuations re Mrs Ingrid Murphy and accompanying reports by Constable JANEC dated 28th October, 1985.
- xi) Brief and advice re George Robert Shaw BRATHWAITE from Aust. Government Solicitor dated 10th January, 1985.
- xii) Brief of Evidence re Failure to Disclose overseas income re Murray v. Quatermaine
- xiii) Brief of Evidence re: Forgery / Uttering of Invoices Christo Theo MOLL
 1 AFP file
 1 Arch lever file.

~~xiv)~~

XIV) Over Index of Evidence re
Conspiracy to Defraud - Christo T.
Mohl.

for and on behalf of Parliamentary
Commission of Inquiry.



24th July, 1986.



Australian Federal Police

Minute Paper

WESTERN REGION
RWS:mhg

RECEIPT

Received from Detective Acting Inspector SELLARS,
Australian Federal Police, Perth, this date on temporary
loan.

One Brief of Evidence (one volume)
CHRISTO THEO MOLL re alleged
Management Agreement Conspirancies.

One Brief of Evidence (in two volumes)
CHRISTO THEO MOLL re alleged
Commodity Trading Offences.

24 July, 1986

Signed _____

A handwritten signature in cursive script, appearing to be "J", written over a horizontal line.

PARLIAMENTARY ADVISORY COMMITTEE
Mr Justice MURPHY

TRANSCRIPT OF RECORDED DISCUSSION BETWEEN DETECTIVE ACTING INSPECTOR ROLY SELLERS AND NED JORDAN (MARK HOWARD ALSO PRESENT)

22-7-86

Jordan: Would you identify yourself and rank and describe the details of the allegation, how they came to light, what investigations were done to test those allegations and what information you've gathered, what conclusions you drew from those inquiries. Perhaps first of all the Tiller/Quartermaine matter. How did the allegation come forward to you?

Act Insp: I'm Acting Inspector here at the moment and for the purposes of your inquiry I was the officer in charge of the investigations into Moll. This is the letter that Marshall Wilson sent to us, to investigate, dated 18th June '79. As a result of that letter I interviewed Tiller on the 5th April 1985 in company with Sergeant Yorstan who's now in Canberra. The upshot of the interview in general was that Tiller denied that he knew anything at all about it. I recorded the interview with him, and he pointed out that the letter was dated the 18th June 1979 and that at that time he was overseas. I realise that it need not necessarily have been posted in Western Australia there was nothing with the letter to indicate other wise or that it hadn't been. I'd supplied you in actual fact with a copy of the interview that took place between Tiller and myself, it's been noted that all the way through the investigation when ever documents have been forwarded to us through Moll or from Moll, originated from Moll through the Age newspaper or elsewhere these were also photo stat copies. We have shown a number of these copies to various people who denied that they ever knew that they existed. And from what we found out during the inquiry there was a very strong inference that Moll did in actual fact manufacture these documents. And that is what Tiller said in this particular case.

Act Insp: continued

Tiller had on a previous occasion supplied Moll with his signature that Moll was acting as his manger in relation to his taxation matters. Tiller did say that on a number of occasions he had supplied his signature to Moll and this is where he feels that what has happened in this case that Tiller's signature was on a blank sheet of paper and that Moll typed all this other material above the signature. That is what Tiller has said what happened and there is nothing to refute that either.

Jordan: In the record of interview that you did with Dr Tiller does he give any reason why Moll might have typed that letter to Quartmaine on his behalf?

Act Insp: He did, I'll just have a look if its recored in here, just said that he felt that Moll was just being vindictive towards various many of the people who he'd had dealings with, particularly the doctors and that he thought Moll was a nut. He said he must sit in a room typing all these things. But he, like a number of other people just thought that when Moll left the country he had it down on a number of people in Western Australia particularly the doctors and that he would say anything to belittle them.

Jordan: So Dr Tiller concedes that that may well be his signature at the bottom of a blank document.

Act Insp: To manufacture docments.

Jordan: That document you say came to you from Marshall Wilson, did Marshall Wilson say how he obtained it?

Act Insp: I understood that had Moll supplied him with the same, it.

Jordan: Right. That's the letter, the record of interview, were there any other inquiries beyond that?

Act Insp: We did check in his passport and he certainly was out of the country at the time. There was very little other enquiries that could be made on it, made in respect of it because Murray Quartermaine, I am fairly certain at that particular time that we interviewed Tiller had left the country.

Jordan: Did you, ask him (Tiller) whether favours had been done for the doctors by Murphy, whether he was aware of any special

Act Insp: He never met Murphy.

Jordan: Or those taxation people had helped them in the past.

Act Insp: I know for a fact that, this is corroborated by a taxation officer who worked with me on the Moll affair, John Stephenony, who incidently allegations were made against as well, its always been recognised that Tiller was always strongly opposed to the Taxation Department. This was certainly known to a lot of people, he was having a non stop war with the Taxation Department.

Jordan: So he wasn't receiving any special treatment?

Act Insp: Well as I said if you want to speak to an officer actually from the Taxation Department who had a lot of dealings with Tiller, I would suggest perhaps, in that respect you would speak to John Stephenony.

Jordan: When you say Stephenony too, had allegations made against him, were they from Moll in relation to corruption presumably.

Act Insp: He was said to have received a diamond, he and an other taxation officer.

Jordan: Were any inquiries made to see if Stephenony had received diamonds?

Act Insp: Senior Sergeant Campbell from this office conducted an investigation into that allegation and found that there was no substance in it.

Jordan: Were there any documents or any other material, that supported that allegation by Moll?

Act Insp: Not as far as I know, no there wasn't, I say I had nothing at all to do with that investigation but I think I can say categorically that there was no corroboration of Moll's allegation at all.

Jordan: I think that you mentioned that Dr Tiller, says he doesn't type very well or he didn't have the facilities to do it, not only being overseas but typing was not his forte and even offered for you to talk to his secretary to see whether she might have typed that. Did you talk to a secretary?

Act Insp: I'd like you to bear in mind that we got the complaint five years later.

Act Insp: And no I didn't see a secretary.

Jordan: Right. I think that's the sum total of the Tiller

Act Insp: At the same time that Marshall Wilson forwarded it, I can say that at the same time Marshall Wilson forwarded this letter, he forwarded other documentation, one related to a similar sort of allegation against a fellow by the name of Jim Hainie, who was in actual fact Moll's representative in Zurich. Gaming Reserve and an bank manager from Perth a reputable individual. He was shown documents which Moll alledged that he had in fact was responsible for but Hainie's response was the same as Tiller's that the documents had apparently been manufactured by Moll and I think the signature on one of these documents that purports to be Hainie's or bore the mark of signature is clearly a forgery.

Jordan: From you investigation, lengthy investigation of Moll and his dealings with the doctor's and others did it come forward that Moll regularly fabricated documents, it was part of his method of operation perhaps?

Act Insp: We have got evidence that, in our possession and actually they are do form a part of a brief of evidence which is meant for the DPP relating to the manufacture of diamond trading documents, invoices and these documents are clearly false and have been

Act Insp continues:

manufactured for the purpose of deceiving the Taxation Department. The documents which have been signed or reported signed, all incidently are photo copies and they bear the signature of Hendrina Boef. The signatures have obviously, there are many many invoices and the signatures have obviously been derived from just a small number, perhaps three or four documents. I had these examined by the Western Australian Police handwriting expert and he has corroborated those four things.

Jordan: Was he able to determine who the author of these documents were, did he say that they were forgeries and Moll was the author.

Act Insp: No, there is no signature of Moll's on there. No those documents did bare the actual signature of the person who purportedly did sign then we had them developed namely Hendrina Boef. But in actual fact Moll aquired these documents apparently from the enquiries we've made, I don't think there is any doubt about it Moll apparently acquired these documents from Hendrina Boef in blank form with her signature at the bottom and all the details of the alleged diamond tradings been typed on afterwards. The falsified documents were examined by a diamond expert, diamond trader expert who in a statement and the inference gathered from the interviewing him was in actual fact that the person responsible for having them made up was not an expert in diamonds although he obviously had a knowledge of them, he wasn't an expert on them.

Jordan: Based presumably on the discription and so on, not using jargan, wording ...etc

Act Insp: I don't know I think there was a difference of what ever a diamond worth now days, so many carets the value wasn't right, you know.

Jordan: I suppose that this brings us into the so called Mrs Murphy's diamond could you tell us how that came to you and again what inquiries were made on that and the conclusions.

Act Insp: A lot of this paraphernalia was through Marshall Wilson. This complaint we would probably have had documentation updated that was highlighted as a result of documentation in our possession which was highlighted by documentation from Marshall Wilson and subsequent publication in the press. There was a cheque butt which in actual fact, Marshall Wilson obtained from Moll, and brought over to Australia and one of the cheque butts in actual fact related to \$83,055.83. On the reverse side of the butt was written a number of things, one of which was diamond purchases Mrs L. Murphy, it could have been an L or an R Murphy but the general thoughts are that it's L Murphy and it's got 7806 along side it but we are not certain what that relates to. It might be a receipt number or anything.

Jordan: I think the conclusion or the general view is that the 7806 is the value of the diamond purchased for or on behalf of L. Murphy.

Act Insp: Yes that could well be. Now also from Marshal Wilson at that time we received a photo copy of an invoice it was for the number 1142. With the heading Robert Levinson who is now a deceased jeweller in Perth.

Act Insp: The invoice was addressed to, to whom it may concern it was dated 26.2.79 and looked was though it was related to the valuation of a diamond worth \$2,830. Now Wilson produced this other invoice dated 24th January '79 address to Mr Quartermaine, who I presume would be Murray Quartermaine and it's signed by Hendry Boef. I consider that the above mentioned diamond has an estimated retail replacement value of 9,000 Netherland Guilders. This document in actual fact was one of those which we had examined by Western Australian handwriting expert and he corroborated that the signature on that, on the foot of that document was identical to many others which appeared at the foot of various diamond trading invoices which were in possession and had obviously been manufactured from a principal signature somewhere, so we got back to the similarity which revolved around the Tiller letter mainly that it could well have been manufactured document. During the course of our inquiries we have never ever and not had any reason to connect this document with Mr Justice Murphy's wife.

Jordan: Or indeed that valuation of the diamond and the valuation that came from the local Perth dealer, whether indeed they were said to be the same diamond.

Act Insp: That's right. They could have been but we never had any evidence to prove that it was the same diamond and now that as I said Levinson is now deceased and there is no reason at all certainly on the Robert Levinson invoices there is nothing to suggest that it was Mrs Murphy. The only documentation connected with Mrs Murphy in this letter which Moll gave to Marshall Wilson, or alledgedly gave to Marshall Wilson, it relates to Mrs Ingrid Murphy but its

Act Insp continues:

rather significant that in actual fact the writing on the back of the cheque butt is Mrs L. Murphy and I don't think it can be construed in any shape or form as an eye, possibly on reflection it could obviously be interpreted as Mrs L. Murphy but that is supposition.

Jordan: I understand that Mrs Boef was interviewed about that evaluation?

Act Insp: Mrs Boef was interviewed relating to diamonds, and her dealings with Moll generally. She was interviewed in 1979. In 1979 one of Moll's legal advisers from the firm Northmore, Hale, Daley and Leake, namely a solicitor by the name Shervington, Laurie Shervington, went over to Europe to gather information in support of Moll's diamond trading, to support taxation claims. He took with him a number of invoices, photostated invoices which bore the signature Hendrina Boef, his intention was when he took those invoices to see Hendrina Boef and have her verify that that trading did in actual fact take place. I've interviewed Shervington and according to him, he and Moll, through a previous arrangement made by Moll interview Hendrina Boef in her hotel at the Hague. That meeting only took a short time over lunch, the result was that Hendrina Boef signed all these invoices. She in actual fact did write on one or two that she signifying in actual fact that this trading had taken place. I found this very hard to see how she could do this because Shervington had told me that she did it straight out of the top of her head and it involved many millions of dollars worth of diamonds and she did it from no documentation at all. Shervington did tell me that part of the conversation which took place

Act Insp continues

or a large part of the conversation which took place between Moll and Boef was conducted in Dutch which he didn't really understand. Of all the documentation that Shervington was able to get in relation to, in support of Moll's alleged, or purported diamond trading this was probably the best evidence that he was able to come up with. Which Shervington himself agreed that when he came back from Europe he was able to produce absolutely nothing in the way of corroboration. Subsequently I had the Dutch Police make enquiries with Hendrina Boef in relation to the commodity trading and on the 29th August '85 a Dutch Police Officer interviewed Hendrina Boef at her home in the Hague. I've supplied you with a copy of what allegedly took place at that interview and I think you'll agree that it can be seen that what Hendrina Boef has said, strongly corroborates the view that all the previous invoices which have been referred to, were in actual fact manufactured by Moll.

Jordan: How do you think it all worked? Moll presumably would use these presigned, perhaps photocopied blank sheets and would type on them information about diamonds that presumably didn't exist.

Act Insp: Yes.

Jordan: And he'd use this to demonstrate to the local (perhaps doubting) doctors that the diamonds had been purchased on their behalf and they were to that value.

Act Insp: That's right. And these were supplied to the accountants who were submitting material to the Taxation Department to corroborate that they had taken place, the trading had taken place.

Jordan: To support their taxation claims

Act Insp: It was, I don't if this is of any value to you I don't know, but it was initially all the diamond trading was shown to be a loss, was shown as a loss for taxation purposes.

Jordan: That was the intention of the scheme presumably?

Act Insp: That's right.

Jordan: To gain tax concessions.

Act Insp: Yeah, and in actual fact when the losses were claimed and as a late date they were shown in actual fact to be showing a profit, but Moll's fee which he claimed, I think it was sometimes varied between 50 and 100 thousand dollars a year, off set that credit and bought it back to a loss again. So in actual fact the doctor were always being shown as loosing.

Jordan: How long did this commodity trading, by Moll and the doctors, go on for?

Act Insp: Speaking from the top of head, in the initial stages it was conducted, if any was conducted, now I probably think in the initial stages and odd diamond was traded, around about '72, '73, '74 perhaps, but certainly the large scale trading which he alledged took place, which we say the documents were manufactured, the majority of those took place in 1978, '79 over that two year period.

Jordan: So ultimately Moll presumably took off with the doctor's money and they certainly ended up making genuine losses, whether they became tax deductible is another question.

Act Insp: All the doctors lost a considerable amount of money, a lot of them went through bankruptcy and they were fined very heavily by the Taxation Department. Also we did request through Marshall Wilson, which is perhaps worthy of making a note of, Moll continually TV supplied us with all this, photo stat copy of documentation, we were always keen to get into the Mobitt Company in Hong Kong, we wanted to go to Hong Kong and make inquiries through there, which would have been, we thought, absolutely necessary.

Jordan: Sorry to interrupt, was that a Moll company?

Act Insp: Yes, Mobitt, this is the company in Hong Kong which he set up predominantly to trade in diamonds.

Jordan: Right.

Act Insp: Now because of a court decision we were preparing to pull out because of the court decision in what we referred to as the Hamidan Case (side one of tape ends)

Jordan: Sorry, referring to the Hamidan Case.

Act Insp: (The Hamidan Case) prevented overseas documentation from being brought into Western Australian courts. We tried to get around this point by seeking permission from Moll, asking him would he give us the authority, a written letter to in actual fact various banks and the company, to give us permission to get these documents that way. But despite numerous representations through Marshall Wilson and in actual fact I know that Inspector Taylor spoke to him personally on the phone, he never ever gave us that authority.

Jordan: Presumably the conclusion to be drawn from that is that there is some doubt whether indeed Moll has that information that he claims to have.

Act Insp: That's right. Had he had nothing to hid and bearing in mind that he is in a foreign country there is no reason why he couldn't have given us that authority. The fact that he didn't once more tests these letters.

Jordan: I think you mentioned yesterday that there was some outstanding warrants in relation to Moll?

Act Insp: Initially I took out two warrants for Moll's arrest just in case he came back to Western Australia or Australia anywhere and we found we couldn't do anything about it so I did initially take out two warrants one in relation to conspiracy and the other about taking money out of the country.

Jordan: Could you just please elaborate a bit on the conspiracy charge?

Act Insp" Yeah, related to a management agreement with a doctor, where by the doctor's could get 90% of the fee, he was purportedly paid to Moll back, in such a way that the Taxation Department wouldn't know, about it, in actual fact the initial conspiracy was with Ken McKenzie who he is now Mrs Quartermaine's husband. We subsquently sent documents to DPP and we had an opinion there that we should take out another five warrants against Moll in relation to the management agreement with various doctors. It's now before the DPP in relation to the commodity trade, I'm still waiting for a reply.

Jordan: So presumably its conspiracy to defraud the Taxation Department?

Act Insp: That's right, and they are still current. They being maintained ...

Act Insp: Yes. If Moll were to in actual fact to return he would be arrested on those warrants.

Jordan: Well I suppose now we could talk in general terms about Moll, it seems from what you say that, Moll lacks creditablity, his material he has provided has been shown to, for the most part, to be not authentic, he couldn't it seems be seen to be a reliable witness or a source of information.

Act Insp: Definitely not, a lot of the documents I think have proved to be false beyond a reasonable doubt and on this he certainly hasn't been able to substantiate in any way.

Jordan: And also there seems to be some motive for Moll to have manufactured not only the Tiller, Quartermain letter which seeks to in some sense to discredit Quartermain and Mr Justice Murphy but also to perhaps as a supporting document produce the valuation for the diamond.

Act Insp: Yeah well obviously he knew the diamond invoices had been produced for two purposes, one to apease the doctors who were getting rather restless at that particular time and the other was to satisfy the Taxation Department that trading had taken place. That was the reasons for them, as far as the other possible falsification of documents as considered in relation to Quartermaine perhaps I would mention that

Act Insp continues:

Quartermaine and Moll had a legal battle in South Africa which Quartermaine won. And Moll was ordered to pay him a fairly considerable amount of money and from that time on Moll sort of carried a vendetta against Quartermaine. I think we have previously spoken on, and you can't really attribute a great deal of importance on what Quartermaine says but you would probably attribute even less than to what Moll says.

Jordan: In that court case in South Africa that presumably was before that Tiller, Quartermaine letter.

Act Insp: Yes in 1979.

Jordan: Right.

Act Insp: Just for the record its worth noting that we do have, evidence in our possession that suggests that in early 1980 Moll's wife surreptitiously sneaked back into the country and took out \$90,000 in gold, from Perth. She did sneak back into the country and obviously with Moll's knowledge.

Jordan: Right.

(Tape switched off)

Jordan: During the course of your investigation did Justice Murphy's name come up in any way?

Act Insp: No. The only way it came was, from Moll through Marshall Wilson and nothing that we have examined anywhere else indicates that Murphy was in actual fact connected with Moll or had any connections with him.

Jordan: Quartermaine is overseas currently. He was never interviewed on these matters.

Act Insp: Yes he has been interviewed at length on his part initially, in his part with, a Sergeant by the name of Nettle in the inquiry at the time dealt with Quartermaine. We have done a lot of interviews with Quartermaine had with various police officers.

Jordan: Is there any suggestion that Quartermaine did have a close association or friendship with Mr Justice Murphy?

Act Insp: I certainly can't recall it, I do vaguely at the back of my mind recall, that I think that Quartermaine had said he had met Mr Justice Murphy at some time or other, I might be able to dig out some of the initial interviews to see in actual fact whether its recorded on that, but certainly nothing controversial is there.

Jordan: That would be helpful thanks, I mean obviously in other discussion Mr Quartermaine has denied any friendship with Mr Murphy, he has merely commented that he has met him.

Act Insp: Well I'll give you all the documentation if you want to look at it on Quartermaine.

Jordan: Right thanks.

Act Insp: What I might do is I take you down if you like to the room we use to see them, the amount of documentation on Quartermaine is vast, but I can show you.

Jordan: Alright.

0149M

For attachment to;
Allegations Nos 8 and 30

Roughly Corrected

CONVERSATION BETWEEN DR TILLER, HIS WIFE, NED JORDAN

22-7-86

(Mark Howard
also present)

~~T: As you said I don't quite know what's happening...~~

~~J: Well I mean..that's..that's..~~

Dr Tiller ..But I can't I basically can't help you because the letter to me is a forgery ..(....) so the police could very well look at the typewriters and the style - could then come (sounds like here) and check my typewriter.

Jordan I think they're, as you're probably aware, satisfied with the enquiries they made.

T: Yeah - but it's a forged letter. The same as they showed me another piece of paper which was undoubtedly a forgery. They somehow lifted my signature on it I think and put it on somebody else. It was something of, Oh that's right it was a sale of a diamond or something which in fact occurred before I (sounds like really knew him). That's right, they showed me one bit of paper with something about a diamond that was before I even knew Moll, with my name on it, now that's garbage. And I think it's a part of this whole thing of Moll's where he spent hours overseas when he fled this country making up these confabulated ¹⁰¹⁹ or whatever it is, somebody who makes up stories right, where I think he sat around and he confabulated. I ^{personally} ~~firstly~~ think he thought people were chasing...

J: ..seems that Moll and Mr Quartermaine had a falling out at some period.

T: (laughs)...(sounds like did he ever)..

J: ..did you know much about that?

T: (interrupting) ..I should think when Moll left the country, Quartermaine suddenly realised within a month or two that he was done like a dinner I'd say..

J: ..and there's been some...

T: ..cause I think he was a director of Moll's company, wasn't he?

J: I'm not sure about that. But I understand there've been...

T: (interrupting)..well he obviously has because I mean he chased him to South Africa and won a court battle and the night before the ^{verdict was given} ~~(sounds like move)~~ ^{he} was given who fled South Africa, not Quartermaine, Mr Moll. (Sounds like I hear he had a great time) he fled under an assumed name too this Moll with the help of South African police.

J: Like who?

T: I don't know. So. I mean he obviously fell out with him. But he won the court case.

(some quiet chatter)

T: (beings again)...(sounds like was Moll misled. He won't go back to South Africa. I don't know where he lives. I would think probably back in Holland. It's hard to get information.

J: Alright look, look thanks for that. I think that's as far as we can take it.

T: (sounds like but I'm helpful) but I think ^{the allegations} ~~(.....)~~ ^{are spurious} goes against Murphy ~~is furious~~ - I really do.

J: In this, how as they relate...

T: (interrupting)..yes as far as I'm concerned with this letter - one I think ~~they~~ ^{the letter is a} (sounds like went for forgery) and secondly I think there's ~~furious~~ ^{SPURIOUS} comments and I feel sorry for Justice Murphy if that letter was a reflection of him because I think it's a confabulated, it's a made up letter.

M: Well this is something that really that that in our enquiries is trying to clear up or verify one...

J: Well that's right. That's the obligation of the enquiry, ~~start of the enquiry...~~ ^{to canvass these allegations.}

T: (interrupting)...that's what I say. I think it's a pity that the guy has been tangled up in any way because of that letter because I believe the letter is a forged - you tell me that you believe the police now except the fact that it's not my letter. I don't know who...

J: ..Well I think I've said that they ah, they're satisfied now that they've fully investigated the matter and ~~make~~ enquiries that they I think are appropriate. As you say, you've made an offer for them to inspect your typewriter, they chose not to do that ..

(idle chatter and introductions to Tiller's wife)

T: So if ..well you're from the Parliamentary Inquiry as to ...

J: the Commission of Inquiry...

T: ~~Justice~~ Murphy. ~~It's interesting asking questions about...~~ ^{he} ~~(cut) gentleman~~ ^{Quartermaine} he's got integrity has'nt he, he's a straightforward guy - he was just set up by Moll, Moll just went up and ~~whipped~~ ^{ripped him} off didn't he? ~~Basically..~~

J: You ~~met, you~~ ^{You knew} (sounds like knew) Mr Quartermaine quite well ?
 --you knew..

Wife Yes (background) I ~~didn't quite know what was going~~ ^{(Q) don't think he knew what was going} on.
 (faded)
 on most of the time.

T: Well as I said you wouldn't call Murray the businessman that his father was, really. I mean his father set up the travel agency and (sounds like half to do) was a good travel agency. Murray took it over and I think Murray ~~probably could of~~ ^{probably felt dreadful first} (.....) the whole thing disappeared - then Moll was after ~~the lead up.~~ if

J: And ~~um~~ you met Mr Moll?

Wife Unfortunately, yes.

J: Not a man of great integrity I'm led to believe?

Wife Well um in retrospect of course it's very easy to do that but um obviously he was fairly convincing at the time - and he sort of gave off with sort of charisma ~~and~~ ^{of} sort of being in control of everything and being organised. He knew what he was doing (faded) and we were just stupid idiots who didn't know what we were doing.

J: Mr Tiller said at some time - point as to Moll did produce some diamonds and show those to you....Could you give me some indication of what was there ~~they were in ah...~~

Wife Well ~~it~~ ^{he} had a ~~hot thin glass~~ of something like this they weren't white diamonds - they were yellow. There wasn't that many white ones, they were big whatever they were - they were really impressive. We knew nothing about diamonds he just said that that's what he was buying at the time.

J: He didn't suggest that you might keep them in your own safe
~~or ah...~~

Wife No. No. They were kept safe - he said they were sort of,
they were what he was *(trading)* and they were kept in this
safe in his office.

J: Right.

Wife That was the only time I ever seen *any diamonds, except*
~~(conversation too hard~~
~~to hear)~~ *for the ones around his neck.*

J: Nothing's been said about this wife actually. I wasn't
aware that he had a companion with him.

T: ..oh she lives in South Africa - (sounds like she does not
come)

Wife But she had jewellery of all sorts.

T: She lived very well, didn't she?

J: Do you recall ^{if you} ~~who~~ ever heard Moll or Mr Quartermaine talk
of Mr Murphy, His Honour Mr Justice Murphy, never *(boasting)*
of their friends in high places ~~or...?~~

Wife *He really was a name dropper, Moll.*
~~(.....) couldn't understand answer.~~

T: ^{Its} ~~(mumble)~~ part of his confidence is he's a con man than
his...

Wife *He was going to be a*
~~(interrupts)...~~member of Lloyds - was it Royce or Lloyds?

T: Lloyds ~~(sounds like Registry)~~

Wife Lloyds Registry and he was going to be considered a banker
in his own right, and he was this that and the other and
that he was already...(mumble)

J: But you can't recall any reference to Mr Murphy or ^{favours} fate that he ~~was threatened~~ ^{had done or favours his}, powerful friends'd done or could do or would do.?

Wife I've never actually - I don't think he really ever confided in anybody honestly - I mean he just sort of - he, everybody I mean people that were related to him, (sounds like little snippets) I don't know if they were true or not but it was just enough to sort of keep him going. And nobody ever really knew what was going on...Certainly I never would of lived in - Murray Quartermaine was supposed to be a director, but whether he actually knew what was going on because (faded) *..... nobody else knows.*

J: Alright. Well look that's fine, thanks for that. I'm sorry that you came all this way for not a great deal in the sense that we - our interests really does centre on that area of things.

~~Wife (faded).....everybody else seemed to know him (mumbled) (laughs)~~

T: It would be interesting...

Wife I don't know whether he did know him ^(Murphy) or not though of course (.....) a few mistake.

T: You know what the thing that probably would of been done is, The Age ~~is~~ the people that produced that letter - it would be interesting to know - see I don't know where did The Age receive this letter. Was it typed up - did they receive it back in '79/'80 or was it sent by Moll sometime later. I still believe it was sent by Moll. I don't believe Quartermaine ever had that letter. I don't believe Quatermaine ^{would have sent it to} was (.....) The Age. ^{if he} ~~We~~ did have it..

J: Yes.

~~Wife No (mumble)~~

T: ~~He lodged.~~ *its illogical.*

J: ~~Sure yes.~~

Wife For what reason he sent it - (faded) (sounds like I wouldn't particularly know) I think he was just bitter. For some reason he was bitter - he was just going to hit back at everybody.

T: Yeah. I think he had a, he had a con situation going, he was ripping people off and I mean the doctors got all the bad publicity but I gathered he ripped people off all through the society and I think when it suddenly fell apart he flunked everyone else. What happened but I'm sure I don't know how much he took out of the country maybe he must've taken truckloads of money out of there. I don't know why he's bitter.

J: Yes. Did he - when you say steal the money, or did, was he ah trading in ~~them in~~ a real way and that was - it came to grief - ~~or did he put~~ ~~did he put...~~

T: (interrupting)..no I think alot of it was ^{Sham} ~~Sam~~. I don't think, I don't think alot of things actually happened in retrospect you know, I mean, what you're told didn't necessarily fit in what was later looked at. Now the classic example I went bankrupt basically not because I had trouble with the Tax Department, but promissory notes that I raised to get money to form this company we had. ^{Unben Owen's} ~~Unben Owen's~~ to me was sold to third parties, he then took the money and then left the country and suddenly after he left the country I was faced with people saying, hey, where's all this money, and I'm saying, but what are you holding the promissory notes for, they were held by Moll as a guarantor I suppose. He sold them all to us - now I

don't know whether that's stealing - but it's certainly manipulating.

Wife Yes he hadn't told us (mumble)

T: I ~~didn't~~ know for instance my promissory notes were in the hands of I've forgotten the company's - Australian International Finance Corporation was one until you know devastation hit us. People started popping up through holes in the floorboards, now, to us, I guess it's not stealing, I believe if that's the word, but I tell you what, it's a good way to manipulate money out of people and leave with it. He left with it I should think.

J: Um.

T: I call it stealing.

J: Yes.

T: So you know - in other words - the guy had taken money to trade maybe he didn't trade - he said he had traded but that just may probably disappeared into him somewhere with figures coming back.

J: Yes. Yes.

T: And who do ^{you} pick on if you want to do someone over - pick on a couple of doctors who are very busy.

J: Umm.

T: I think he personally picked on me earlier on because I'm probably one of the busiest orthopaedic surgeons in Perth. ~~He knows for it.~~ He knows I don't have much time to run my private life - ideal picking - say we're looking after Dr Tiller - bit of a selling thing - *busy man*.

M: ~~Is he mad trying to do it~~

T: Oh well yeah, maybe.

J: It must be alright.

T: That's right. So ah and if you looked at the people that he picked on and some of the people they were all fairly busy people.

J: Alright. Okay well thanks, we won't keep you from your busy life. *any longer*

T: Alright. So's all I can say, I feel sorry for Justice Murphy because I think that letter is a ~~bagger up~~ *load of rubbish.*
but you've probably been told that already
Wife (~~faded~~) Cant understand what she said

J: We've been told that ah on a number of occasions..

TAPE ENDS

File Note

I rang Marshall Wilson at 12.10 today 17/7/86 and asked him whether he would be forwarding a copy of the Tiller/Quartermaine letter to me. He said he was having difficulty in locating it. I asked whether he could forward me a copy of the diamond valuation from the Perth Jeweller. He said that the valuation was provided to this Commission (Stephen Charles) on Sunday (13/7/86).

We then discussed various matters including the investigation by the AFP in W.A. He said that the Jeweller had been approached (by the AFP?) and that the Jeweller could not remember to whom it was provided (although he acknowledged that it was his valuation). The Jeweller's name is LEVINSON.

I thanked Mr Wilson & said that it seemed that I do not now require any documents from him.

N. Jordan
17/7/86

TAX AVOIDANCE

Senator COLEMAN—My question is directed to the Minister representing the Treasurer. It relates to Bills introduced by the Hawke Government to recover revenue lost through tax avoidance schemes and which were defeated in the Senate. I ask: Can the Minister say what the consequences of the defeat of those Bills has been to the tax liability of ordinary taxpayers in Australia?

Senator WALSH—The consequences of the defeat of those various Bills could be viewed in a number of different ways but the maximum cost to Commonwealth revenue as a result of their defeat is around \$570m, which would have been enough to finance a tax cut of nearly \$87 a year for every taxpayer in Australia. Confined to taxpayers receiving the announced \$6.60 tax cut, their yearly tax bill could have been reduced by another \$160, bringing the total tax cut to about \$10.65 a week. The tax avoidance Bills were defeated in the Senate by the Opposition with support from some of the Australian Democrats and Senator Harradine. One wonders whether those same honourable senators will again combine to defeat the anti-evasion legislation imposing higher penalties which is to be introduced into Parliament soon. As I mentioned yesterday, one of the most notorious architects of the tax avoidance schemes was Christo T. Moll. I have here copies of a number of cheques, which I now table, which may shed some light on the matter, because they are drawn on a well-known Moll company. Of course it would be entirely improper of me to speculate about whether there is any relationship between these copies and votes which have been cast in the Senate.

TAX AVOIDANCE

Senator CHANEY—My question is addressed to the Minister for sleaze.

The PRESIDENT—Order! I ask the Leader of the Opposition to address his remarks correctly.

Senator CHANEY—My question is addressed to the Minister representing the Treasurer, whom I believe I named accurately, if in a disorderly way, a moment ago. I ask the Minister whether he will confirm that any tax saving as a result of introducing new retrospective taxes of the sort which were defeated in the Senate would have been a one-off tax saving and would not have affected current income tax rates at all.

Senator WALSH—The direct effects would have been one-off. However, the lesson to every would-be tax evader in the country would have been that this Parliament would take decisive

action against tax evaders, and the lesson flowing on from that would have been that there would be no point in attempting tax evasion in the future. But, thanks to the actions of the Opposition, some of the Australian Democrats and Senator Harradine, that message has not been transmitted to would be tax evaders in Australia and tax evaders know that, as far as the Opposition and the other people I have named are concerned, they have a licence to continue their anti-social behaviour in the future.

BEEF EXPORTS

Senator RICHARDSON—Is the Minister representing the Minister for Primary Industry aware that in April this year the Australian Meat and Livestock Corporation initiated court action in New York challenging a United States Government interpretation of its Meat Import Act? Can the Minister verify that the United States Government decision to apply import restrictions to voluntary restraint agreements from August 1983 cost Australia an estimated \$18.5m worth of beef exports last year, and can the Minister inform the Senate of the outcome of the court case or whether there has been a satisfactory resolution to the problem?

Senator WALSH—I cannot confirm definitively whether it cost Australia \$18.5m but from a quick glance at the figures I have it would seem that that is about the correct amount. As to what happened to the case, in April this year the AMLC and a couple of other processing-exporting companies filed a formal complaint in the United States Court of International Trade seeking a judgment on whether, under the Meat Import Act of 1979 and the Agricultural Act of 1956—both US Acts—the Meat Import Act minimum access floor of 1.25 billion pounds is an absolute maximum limit on aggregate United States meat imports. The Minister for Primary Industry has supplied me with a very lengthy answer, which I suppose it will be best to table. However, I do want to add a couple of things. In June of 1984 the Court of International Trade refused an injunction to prevent the United States Government from negotiating voluntary restraint agreements with supplying countries. It was found that in the negotiation of voluntary restraints the President was not constrained in any way by the 1979 Act and therefore was not precluded from negotiating voluntary restraint levels below the 1.25 billion pounds floor. However, the court did find that the action of the United States Administration had caused material injury to the Australian industry. Subsequently, the AMLC has sought clarification of the judgment to determine

without Notice

no redirection
he Governor-
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nce Force that
remonial pur-
ces.

STATE

1. Australia --
by leave -- I

Answers given by the
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Personal Explanations

leave to continue my remarks later but I look forward to an opportunity of giving further consideration to the totally unsatisfactory answers which have been given to the questions which have been put to the Leader of the Government in the Senate. I now seek leave to continue my remarks later.

Leave granted; debate adjourned.

PERSONAL EXPLANATIONS

Senator CRICHTON-BROWNE (Western Australia) (3.05) — by leave — Articles have been published in the *Age* newspaper of 10 September 1984, the *West Australian* of 11 September 1984 and the *Daily News* of 10 September 1984 which refer to Mr Christo Moll and which suggest an association between me and a company associated with the Moll group of companies. As is reported in a number of the articles, I have already stated that I have had no financial, business or social relationship with Christo Moll. I again confirm that now: I have had no financial, business or social relationship with Christo Moll. It is stated in a number of articles that my name appears on a notarised document as the holder of 20 shares in a named Panama company, Financiera Wisemburg South Australia, and that company involved former associates of Christo Moll.

I have already stated, and it has been reported in some of the articles, that I have no knowledge of that company; nor have I made any further contribution to it. I confirm that now. I have no knowledge of that company; nor have I made any contribution to it. I should add, of course, that I have received no benefit from that company. Until the articles were published I had never heard of it. I wish to make it quite clear to the Senate that I have at no time applied for shares in any such company. I have not purchased shares in any such company and I have done nothing which would justify my name being used in connection with that company as a shareholder or in any other capacity. I have no connection with or any interest in any company registered in Panama.

I draw the attention of the Senate to the words used in the article in the *Age* on 10 September headed 'WA senator was shareholder in Panama company'. That article states:

The name Noel Ashley Crichton-Brown, Perth, Western Australia appears on a notarised (witnessed) document as the holder of 20 shares, valued at \$US2,000 in the Panama company.

There is, of course, no allegation other than that my name allegedly appears. It is not suggested that my signature appears on any document; simply that my name appears.

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The headline of the article in the *Daily News* on 10 September was particularly offensive in stating 'Top Liberal linked with Moll's men', I utterly reject any suggestion that I am linked with 'Moll's men'. As I have made clear, I have no financial, business or social relationship with Christo Moll.

In Question Time yesterday, the Minister for Resources and Energy (Senator Walsh), referred to me and to the fact that I have been in Panama during my recent overseas trip. I went to Central America with Senator Maguire and a number of others as part of a parliamentary delegation. At the conclusion of the parliamentary delegation I visited Brazil, Argentina and Chile. Qantas Airways Ltd made my bookings and routed me through Panama as the most convenient and the only way of getting to South America from Central America. That was my only visit to Panama. In fact, it was an overnight stay. I did no business in Panama.

Government senators—Oh!

Senator Townley—Mr Deputy President, I take a point of order. This is a very serious matter that is being discussed in the Senate at this time. I think that the frivolity of members of the Australian Labor Party is disgusting. They ought to listen in silence.

The DEPUTY PRESIDENT—There is no point of order. I call Senator Crichton-Browne.

Senator CRICHTON-BROWNE—I must say that I find it utterly disappointing that a man whom I have always judged to be sincere, honest and to have integrity, the Minister for Industry and Commerce, Senator Button, is smirking and enjoying this frivolity. Senator Walsh is babbling over there also, as he normally does. That is perfectly predictable. One would understand and expect that. As I said, my stay in Panama was simply an overnight stay. I conducted no business in Panama then or at any other time. I reject the attempt by Senator Walsh to link me with Christo Moll in the way he sought to do yesterday. There have been allegations of donations by Moll to the Western Australian Division of the Liberal Party. I have at no time had any knowledge of any contribution made to the Liberal Party by Christo Moll, either direct or indirect. Since the question has been raised, I have made inquiries of the Western Australian Division of the Liberal Party and have been assured that after careful research of its books, it has no record of any donation to the party from Christo Moll, either directly or through any other company known to be associated with Christo Moll.

Senator CHANEY (Western Australia—Leader of the Opposition)—I seek leave to make a personal explanation.

Leave granted.

Senator CHANEY—The Minister for Resources and Energy (Senator Walsh) has tabled documents which appear to be copies of cheques drawn on the National Bank of Australasia Ltd and certain papers relating to those cheques. As I understand it, he has not vouched for the documents; he has simply tabled them in the Parliament for whatever reason he might have, and I think we all know the reason. Apparently, on the back of at least one of the cheques there are some words which include the following: 'Northmore Hale donation to the Liberal Party'. 'Northmore Hale' is presumably short for Northmore Hale Davy and Leake, my old law firm, and I have made statements about that previously in this place. It is also the old law firm of Mr Ian Douglas Temby, who is the Director of Public Prosecutions appointed by this Government recently and, may I say, appointed since these allegations were originally made in this place by Senator Walsh. I repeat the assurances that I gave the Senate on an earlier occasion about my non-involvement in anything relating to tax evasion. I also say that I have been in touch with the firm of Northmore Hale, which told me that it has not been a party to making any donations to the Liberal Party through, for, or on behalf of Mr Christo Moll or, indeed, on its own behalf.

The politics of smear are being used. These documents refer to various people and they were obviously tabled by the Minister for that purpose. I say to the Government with very great seriousness that if it is being suggested that there is some impropriety on the part of Northmore Hale or of its past or present members, who include Mr Temby and me, I think the Government has a duty to do something about it. It has a duty either to dispose of Mr Temby or to give him a clearance. I suggest that it will find it difficult to clear Mr Temby without giving me the same bill of health. I regard the Minister for Resources and Energy as a man who is prepared to stoop to any lengths in this place to smear his opponents. I know that a good many rough things are done and said in politics, but I believe that in this area there is no propriety in what is being done. I simply say to the Government that if in tabling these documents it is suggesting impropriety on my behalf or on behalf of my firm, it has a clear and obvious public duty to do something about it.

Senator Harradine—I seek leave to make a statement about an answer given by Senator Walsh yesterday, 11 September 1984.

Senator Georges—What about? Is it a personal explanation?

Senator Harradine—No, it is not a personal explanation.

Leave not granted.

Suspension of Standing Orders

Motion (by **Senator Harradine**) agreed to:

That so much of the Standing Orders be suspended as would prevent Senator Harradine from making a statement in relation to an answer given by Senator Walsh on 11 September 1984.

Senator HARRADINE (Tasmania) (3.15)—Yesterday while I was absent in my electorate the Minister for Resources and Energy, Senator Walsh, used parliamentary privilege during Question Time to make a baseless insinuation that I support bottom of the harbour tax dodging schemes. The facts are that I have been a consistent opponent of such schemes and have voted in the Senate to outlaw them and for measures to prosecute those who have broken the law. Consistent with my support for the rule of law, I have refused to vote for legislation creating new tax liabilities, which never previously existed, to be imposed retrospectively on the innocent and guilty alike. My concern, and the major reason for making the statement, is really for those ordinary members of the public who may believe and imprudently repeat the irrational tirades of Senator Walsh which he makes in his coward's castle. I have taken legal action against three such imprudent people. Senator Walsh, however, continues to make his entirely untruthful McCarthyist and unfair attacks on my integrity. I believe he should now be given the opportunity to put up or shut up and he has given me that opportunity by what he did yesterday in the Parliament. On page 771 of *Hansard*, in answer to a question from Senator Crowley, he stated:

One of the reasons was that our planned crackdown on tax evasion has been aborted on several occasions in the Senate. My attention has been drawn today to an excellent pamphlet issued by Senators Elstob, Foreman, Bolkus, Maguire and Crowley.

He continued:

If I may, however, be pardoned for making one small criticism of that pamphlet . . . it does not mention that Senator Harradine is equally culpable.

He stated that the Opposition was culpable and three of the Australian Democrats were culpable. He also stated that although it was an excellent pamphlet, he had one small criticism of it; that is, 'it does not mention Senator Harradine'. He then

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Leave granted

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MINISTERIAL ARRANGEMENTS

Senator BUTTON (Victoria—Leader of the Government in the Senate)—I yesterday couched an announcement about the Minister for Veterans' Affairs, Senator Gietzelt, in terms that he will be absent for the whole of the week through illness. That remains the case, and any questions to him should be directed to the Minister for Social Security, Senator Grimes.

QUESTIONS WITHOUT NOTICE

'AGE' ALLEGATIONS

Senator CHANEY—Is the Leader of the Government in the Senate aware of an article in today's Melbourne *Age* which claims that the name of Mrs L. Murphy appears on the back of a cheque stub, a copy of the front of which was tabled in the Senate yesterday as one of a series tabled by the Minister for Resources and Energy in an attempt to smear members on this side of the House? Has the Minister made any inquiries to ascertain whether the facts contained in the *Age* are correct?

Senator BUTTON—Mr President, I am not aware of the article in the Melbourne *Age*. I have not seen the *Age* this morning.

Senator Crichton-Browne—Would you like a copy now?

Senator BUTTON—I am grateful to Senator Crichton-Browne for his help, but I believe that the Attorney-General is aware of this matter. If Senator Chaney wishes to redirect the question to him, it may obtain an earlier answer.

Senator GARETH EVANS—Mr President, I seek to add something on this matter. Just a few minutes before Question Time, my office was contacted by Mr Justice Murphy of the High Court who asked that the following statement be made in the Parliament should the opportunity arise or should it be required. The statement is to the following effect:

The *Age* story is a continuation of a disgraceful campaign of defamation by the *Age* now directed against my wife. My wife never has purchased a diamond in her life. There have been no dealings ever with Mr Christo Moll of any kind. There is not an atom of truth in the *Age* story. I request that there be a full and prompt investigation of the allegations and of the role of the *Age* in this affair.

I have had no opportunity to do more than write that down and now retail it to the Senate. I propose to raise the matter with the Special Minister of State who, I presume through the Australian Federal Police, is responsible for investigations of the kind His Honour has in mind. I will advise the

Senate at some appropriate time of the course those investigations in fact follow.

Senator CHANEY—Mr President, I wish to ask a supplementary question. I preface it by saying that I acknowledge the propriety of the Attorney-General reading the statement that he has read. I believe that that is just as proper as the statements made by Senator Crichton-Browne and me yesterday in similar circumstances. My supplementary question relates to the fact that the Minister has not really addressed the question that I asked the Leader of the Government, and I would be grateful if he would. First, I asked whether the Minister was aware of the article, and it appears that the Attorney-General is. The article claims that the name appears on the back of cheque stubs and so on. There are a series of allegations in the article about that. My question is: Have any inquiries been made to ascertain whether the facts contained in the *Age* report are correct? I wish to emphasise that I am not asking whether Mrs Murphy got a diamond. I am not for a moment suggesting that that is the case. I am asking about the facts in the article, which suggests that there are certain writings on cheques or what purport to be cheques and whether the facts are as broadly set out in this document? Apparently the document is in the hands of the Federal Police, so this is a matter which ought to be within the knowledge of the Government.

Senator GARETH EVANS—I became aware of this article only a few minutes ago—in fact, at the time that the phone call came through to my office. My attention this morning was preoccupied with another article in the *Age* which I shall make the subject of a full personal explanation straight after Question Time, if the matter is not pursued in Question Time. I literally have not absorbed the detail in the article, except to notice that it is not only about the alleged involvement of a Mrs L. Murphy, but also about a series of transactions involving Mr Christo Moll. It is well known that there is a long-standing Federal Police investigation of that gentleman and various commercial transactions in which he has been involved. I will endeavour to find out the state of play on that investigation and advise the Senate in due course as to what can be put on the public record about that, including the particular matters that are raised in the course of this article.

COMMONWEALTH CAR DRIVERS
DISPUTE

Senator ELSTOB—My question is directed to Senator Button, who represents the Minister for Employment and Industrial Relations. I refer to the recent Commonwealth car drivers dispute in

Questions with

Canberra. Is agreement of and promotion broken by the vices in June with the Tran the Governme sensus on indu form the depa cerned in the Services who c Commonwealth want to abide may find then stead of causin

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Canberra. Is the Minister aware that a written agreement of June 1977 in regard to appointment and promotion of Commonwealth drivers was broken by the Department of Administrative Services in June this year without any consultation with the Transport Workers Union? Considering the Government's policy of consultation and consensus on industrial matters, will the Minister inform the departmental heads or the people concerned in the Department of Administrative Services who caused the unnecessary strike by the Commonwealth car drivers that if they do not want to abide by the Government's policy they may find themselves looking for another job, instead of causing industrial disputes?

Senator BUTTON—I am not aware of the details of the alleged breaking of an agreement by officers of the Department of Administrative Services in the course of negotiations with Commonwealth car drivers. I will make an inquiry of the Minister regarding this matter and provide Senator Elstob with an answer as soon as possible.

'AGE' ALLEGATIONS

Senator DURACK—My question is directed to the Minister representing the Prime Minister. It refers to the tabling of documents in the Senate yesterday by Senator Walsh which has already been the subject of questions by Senator Chaney. Will the Minister say on behalf of the Government whether the purported copies of cheque forms and butts provide the basis for any suggestion of impropriety or wrong-doing by any of the individuals or organisations allegedly named on them?

Senator BUTTON—I am unable to say at this stage whether they provide substance to any innuendo or allegation against any person—I forget the exact expression that the honourable senator used—

Senator Durack—Impropriety or wrong-doing.

Senator BUTTON—Yes, but I am trying to recall the category of person identified in the question. If it is confined to members of parliament, I am unable to say at this stage whether any conclusion can be drawn about impropriety or wrong-doing on the part of any person. I wish to have further discussions with some of my colleagues on that matter.

Senator DURACK—I ask a supplementary question. In view of the extreme importance of this matter which concerns the tabling of documents by one of the senior Ministers of the Government, I ask the Leader of the Government

whether he is going to make his inquiries and provide a statement to the Senate in relation to my question before we get up today?

Senator BUTTON—I think the answer to that question must be no, because I would want to make thorough inquiries, not the sorts of inquiries which Senator Durack talks about. I just make the point that there is nothing in the Standing Orders which requires any senator, including a Minister, to vouch for the authenticity of documents.

Honourable senators interjecting—

Senator BUTTON—If I could complete my answer. I will repeat what I said. There is nothing within the Standing Orders which requires any senator or Minister to vouch for the authenticity of documents. I would not seek to rely on the Standing Orders in respect of this matter. If I had been given the courtesy of being allowed to complete the answer there would not have been a need to have this answer expanded. Indeed, people complained about this practice yesterday. Of course, people in this place rely on the Standing Orders. However, I do not think in this case that it is necessarily appropriate to do so.

INDIAN OCEAN: NUCLEAR FREE ZONE

Senator McINTOSH—I direct my question to the Minister representing the Minister for Foreign Affairs. Will the Government express its strong support for a proposal by members of the Association of South East Asian Nations to move towards establishing a nuclear free zone for the region?

Senator GARETH EVANS—I indicated yesterday in the course of a speech on Senator Chipp's private member's Bill that the further exploration of the Indian Ocean zone of peace concept was an initiative that the Government was anxious to continue. As to anything else that might be subsumed by the honourable senator's question, I will seek an early response from the Minister for Foreign Affairs.

TAX AVOIDANCE

Senator CHANEY—My question is directed to the Minister for Resources and Energy. When he tabled the copies of the cheques yesterday, did the Minister have in his possession or did he have access to a copy of the reverse side of the cheque stub on which had been written the words 'diamond purchase Mrs L. Murphy'? If he did, why did he not table it in the course of his muck-raking exercise in the Senate yesterday?

Senator WALSH—I tabled those documents yesterday without comment as to anything that

was written on them. They were simply tabled. I am satisfied that they are genuine photocopies. I also note for the record that the name 'L. Murphy' is much more common than 'Crichton-Browne'.

Senator CHANEY—I ask a supplementary question. The Minister has totally failed to answer the question. I ask him: Did he have in his possession a copy of the reverse cheque stub on which had been written the words 'diamond purchase Mrs L. Murphy'? I remind the Minister that he tabled copies, or what purported to be copies, of three cheques, purported copies of three cheque stubs, and the copies of only two of the reverse of the cheque stubs. I ask him: Did he have a copy of the reverse of the third cheque stub? Did he withhold that from the Senate when he put the other documents on the table here?

Senator WALSH—I am satisfied that the documents I tabled are photocopies of documents which exist. I again invite anyone who cares to look through the telephone book to see how many times they can find 'L. Murphy' and how many times they can find 'Crichton-Browne'.

TAXATION

Senator CHILDS—I refer the Minister representing the Treasurer to the fact that tax outstanding at 30 June 1984 was nearly \$3,500m, some \$500m higher than the figure a year ago. Is the Government satisfied that all necessary steps are being taken to remedy this situation?

Senator WALSH—I think the answer to the question has to be no. The Government has taken steps, principally by increasing significantly the staff available to the enforcement section of the Australian Taxation Office, to overcome the backlog of tax cases. I interpolate that that is in contrast to the inactions of the previous Government, which consistently ignored pleas from the Commissioner of Taxation to do that. But in the general sense, no, the Government could not be satisfied with the general tax collection situation. One reason for that, of course, is that the Opposition, 60 per cent of the Australian Democrats and Senator Harradine continue to reject legislation to recover tax which should have been paid long ago—legislation which would deter would-be tax avoiders or evaders from attempting to repeat their anti-social behaviour in the future. A variety of excuses have been trotted out, by Senator Harradine in particular for that action, particularly for switching his vote on an identical proposition.

Senator Harradine—I rise to a point of order, Mr President. My point of order is that the Minister is not answering the direct question posed to him by the honourable senator. The honourable

senator's direct question was in respect of staff in the Taxation Office to enforce the current provisions of the legislation. If the Minister wants an argument about this other matter, I am perfectly happy to have it with him, here or outside, but at present he is not acting in accordance with Standing Orders.

The PRESIDENT—Order! A Minister is entitled to answer a question in any way he chooses, but in answering a question he is not entitled to debate the matter. There is no point of order, but I draw the latter part of my ruling to the Minister's attention.

Senator WALSH—Thank you, Mr President. On a point of fact, however, the question contained no reference to staff. Senator Harradine was wrong again. I said that he in particular had given a variety of excuses for switching his vote on an identical proposition; that is, the removal of section 3 (12) from the Taxation (Unpaid Company Tax) Assessment Act which was passed in 1982. Those excuses were often mutually exclusive, and always specious. I direct the attention of Senator Childs and the Senate to the *Hansard* of 14 December 1983, pages 3772 and 3773, where Senator Harradine conceded that he had voted in the opposite way on an identical proposition. He said:

The reason I voted against it this time is simply that the omission of section 3 (12) has a retrospective effect in that taxpayers who would be entitled to relief under that subsection and who have requested that it be applied by the Commissioner of Taxation will now have that right removed and face recoupment tax liability.

As Senator Harradine was told at the time, no taxpayer had applied for exemption under that provision because no relevant assessments had been issued. That is the reason he gave then, and it is quite different from the latest excuse, which he gave yesterday. They are quite inconsistent. I note in closing that Senator Harradine has resorted to a legal subterfuge, to an abuse of legal processes, to escape electoral justice, that is, by issuing a stop writ against me. I challenge him to bring it into court immediately.

The PRESIDENT—Order! The last part of the Minister's remarks is in breach of standing order 418 and I ask him to withdraw it.

Senator WALSH—I withdraw, Mr President.

DIRECTOR OF PUBLIC PROSECUTIONS

Senator WALTERS—My question is directed to the Attorney-General. I refer him to a copy of a cheque allegedly signed by Mr Christo Moll, tabled in the Senate yesterday by the Minister for Resources and Energy, on the back of which is a notation 'Northmore Hale donation Liberal

Party'. Does the Attorney-General cast any reflection on the Director of Public Prosecutions, Mr T. the firm of Northmore Hale and Partners? If not, can his colleague had for the

Senator GARETH—On the former matter raised. As to the justice of the matter may have been taken for the honour of the matter, not me.

Senator WALTERS—Supplementary question and the Minister asked the question was: Does this document cast a reflection on the Director of Public Prosecutions partner in the firm of Northmore Hale and Partners? What action does he intend to take about the matter?

Senator GARETH—I can usefully add to the extent that it is proper to investigate of the matter specifically of the reflection on Mr Justice Murphy. No doubt that other matters looked at as well. I am not aware of any matter that will be a matter of course.

Senator GILES—Minister Assisting Attorney-General Status of Women. Australian women's issues, Clemenger, and is it that the 'unhappy mothers at home' is a matter for serious measures can be taken to assist these women and stimulating?

Senator RYAN—side of the chamber, would findings of the Clemenger, interest that for Australia, through have been drawing the fact that societally want to par and in the work

Party'. Does the Attorney consider that this document casts any reflection on the Director of Public Prosecutions, Mr Temby, who was a partner in the firm of Northmore Hale and, if so, what action does he propose to take in relation to the matter? If not, can he indicate what justification his colleague had for tabling the document?

Senator GARETH EVANS—I have no view on the former matter which Senator Walters raised. As to the justification for any action that may have been taken by my colleague, that is a matter for the honourable senator to question him about, not me.

Senator WALTERS—Mr President, I ask a supplementary question. I asked two questions and the Minister answered only one. The first question was: Does the Attorney consider that this document casts any reflection on the Director of Public Prosecutions, Mr Temby, who was a partner in the firm of Northmore Hale, and, if so, what action does he propose to take in relation to the matter?

Senator GARETH EVANS—There is nothing I can usefully add to my previous reply. To the extent that it is proper that there be some further investigation of this matter in the context specifically of the request to that effect made by Mr Justice Murphy, which I indicated previously, no doubt that other aspect of the matter will be looked at as well. If there is anything appropriately flowing from that investigation no doubt that will be a matter of public record in due course.

WOMEN

Senator GILES—Has the attention of the Minister Assisting the Prime Minister on the Status of Women been drawn to the survey of Australian women by advertising agent, John Clemenger, and is she surprised by his conclusion that the 'unhappiest women in Australia' are mothers at home with young children? Is this not a matter for serious community concern? What measures can be taken by the Government to assist these women to find life more rewarding and stimulating?

Senator RYAN—I do not think anyone on this side of the chamber, or probably anybody in this chamber, would have been surprised by the findings of the Clemenger survey. It is a matter of interest that for over a decade now women in Australia, through their various organisations, have been drawing to the attention of government the fact that society has changed and women generally want to participate fully in community life and in the work force for long periods of their

lives. When they are obstructed from doing this, because of lack of child care services or adequate training or through prejudice and discrimination in the work force or in training and education institutions, they become very frustrated and unhappy. It was out of a recognition of these changes and the difficulties faced by young mothers in particular that the Australian Labor Party many years ago started to formulate its equal opportunity policies, including extensive policies for gaining equal opportunity in education, training and in the work force.

The Clemenger survey, while it is still valid, does not tell us anything new, but it does demonstrate that the Labor Government is very much on the right track in the policies it has been pursuing to improve opportunities for women. We have been pursuing those policies very assiduously during our 16 months in government. I think the community will generally endorse the steps we have taken, particularly in areas such as the Sex Discrimination Act, the pilot program for affirmative action in private employment, the equal opportunity legislation which will give women better opportunities in the Commonwealth Public Service and, of course, in our greatly enhanced commitment to programs such as child care, special subsidies for employers to train women, particularly as apprentices, and so on. It is quite clear that Australian women want to participate beyond the domestic sphere and become frustrated and unhappy when they cannot do that. I believe those women, who were the subject of the Clemenger survey to which Senator Giles referred in her question, have something to look forward to because of the very wide range of education, training, apprenticeship, child care and equal opportunity policies which this Government has implemented.

DAINTREE RAINFOREST

Senator MACKLIN—I ask the Attorney-General a question about the Government's decision on the fate of the Daintree Rainforest. Does the Attorney-General concede that the Government has powers under the World Heritage Properties Conservation Act to regulate to save the Daintree region now that it has been recognised as natural heritage 'of outstanding universal significance'? Why did the Attorney, in his advice to the Minister for Home Affairs and Environment, make references to what the High Court of Australia may or may not do in response to a government regulation? Is it not the proper and prudent course of action for the Government to regulate in accordance with its powers and the recommendations of its environmental advisers

No diamond for my wife: Murphy

By ROD FRAIL

Justice Murphy of the High Court has denied in a statement read to the Senate yesterday that his wife has any connection with Mr Christo Moll, a WA financier described in Parliament as a notorious architect of tax evasion.

The statement, read during Question Time by the Attorney-General, Senator Evans, was part of a bitter debate which has been running in both Houses this week involving accusations of tax evasion from both sides.

Part of the Government's attack backfired yesterday when the Opposition, with the help of the Australian Democrats, passed a censure motion against the Minister for Minerals and Energy, Senator Walsh, for misleading the Senate. The Senate Opposition Leader, Senator Chaney, later called for Senator Walsh's resignation.

The last Cabinet minister to be censured was Labor's Foreign Minister, Senator Don Willesee, in 1974 and before him Justice Murphy, then the Attorney-General, Senator Lionel Murphy, in 1973 over the raid he ordered on ASIO.

The reference to Mrs Murphy was raised in *The Age*, Melbourne. The newspaper said a cheque

drawn on a Moll company had on the back of the butt an annotation to the effect that it had paid for a diamond for Mrs L. Murphy.

On Wednesday Senator Walsh tabled photocopies of five cheques, three cheque butts and the reverse sides of two of the three butts from cheques drawn on Moll companies, alleging a link between him and a Liberal Senator Noel Crichton-Browne, and the former law firm of the Opposition leader in the Senate, Senator Chaney. Both denied there was any link.

The *Age* story pointed out the annotation referring to Mrs Murphy on the reverse side of one of the cheque stubs had not been among the documents tabled by Senator Walsh.

In Question Time Senator Chaney asked Senator Evans about the article.

In his reply he said his office had received a telephone call that morning from Justice Murphy asking that a statement be made in Parliament on his behalf.

In the statement, Justice Murphy called the *Age* story "a disgraceful campaign of defamation by *The Age* now directed against my wife."

"My wife never has purchased a diamond in her life. There have

been no dealings ever with Mr Christo Moll of any kind."

Senator Evans said that following a request from Justice Murphy he would raise with the Special Minister of State, Mr Young, the question of an investigation by the Federal Police into the allegations and the role of *The Age*.

Opposition's attention then turned to Senator Walsh, who was asked three questions on whether he had in his possession a copy of the reverse cheque stub with the words "diamond purchase, Mrs L. Murphy" on it, and if he did why he did not table it.

Senator Walsh appeared not to address himself to the questions and the Opposition moved a motion to censure him for deliberately misleading the Senate and refusing to explain his actions over the documents.

After the vote, Senator Walsh surprised everyone by saying in a personal explanation that he did not have a copy of the relevant cheque butt.

Later, in an interview on ABC radio, Senator Walsh said he had not answered the question because he did not have copies of the documents with him during the censure motion and was not sure whether the relevant piece of paper was among them.

Parliament told of new Murphy link

MR JUSTICE Murphy of the High Court has been linked with the alleged downgrading of customs surveillance on a second Sydney businessman, Mr Lennie McPherson.

The claim was made in Parliament yesterday in a question on notice from the Leader of the National Party, Mr Sinclair.

It follows allegations that Mr Justice Murphy was involved in the downgrading of surveillance against Mr Abe Saffron in 1975, when Mr Justice Murphy was a senator and the attorney-general.

A report from a Federal Government inquiry last week failed to exclude Mr Justice Murphy's involvement in the Saffron case, but found the action was "reasonable and appropriate" and the decision was more probably made by the comptroller-general of customs at the time, Mr Alan Carmody.

In his question placed on notice, Mr Sinclair asked the Minister for Administrative Affairs, Mr Brown, if customs surveillance on Mr McPherson was downgraded in 1975 or at any other time, and if it was, did the then attorney-general, Senator Lionel Murphy, have any involvement in the matter.

Mr Sinclair asked if representations were made to the then senator on Mr McPherson's behalf by a Sydney solicitor, Mr Morgan Ryan, or any other person.

Diamond claim 'disgraceful'

14 SEP 1984

says Mr Justice Murphy



MICHELLE GRATTAN and JILL BAKER

CANBERRA — Mr Justice Murphy yesterday declared that there was "not an atom of truth" in an Age report allegedly linking his wife's name to a Christo Moll cheque stub. He called for a full investigation of the allegations and the role of 'The Age'.

match those held by the police, the Mrs L. Murphy referred to is the wife of Mr Justice Murphy of the High Court. The figure 7800 was the cost in dollars of a single flawless stone, Mr Moll claimed.

cheques and cheque stubs, he had had the reverse stub with the Murphy name on it, and if so, why he had not tabled this.

those whom he can to his own political advantage.

The Attorney-General, Senator Evans, read a brief statement by Mr Justice Murphy to the Senate at the start of a morning of questions and debate which culminated in the Senate censuring the Resources Minister, Senator Walsh, for allegedly selectively tabling documents.



Mrs Murphy: "Never purchased a diamond in her life," says her husband.

Despite constant pressing, Senator Walsh failed to deny at Question Time or during the censure debate that he had the copy of the cheque butt.

"On this occasion we believe Senator Walsh has passed beyond the line which is even bearable," Senator Chaney said. He said that by tabling the Moll material, Senator Walsh had cast "a nice smelly cloud" over the Director of Public Prosecutions Mr Ian Temby, QC, Liberal Senator Noel Crichton-Browne and himself and now Mrs Murphy and Mr David Ditchburn (husband of Julie Morosi), who had appeared in 'The Age' report.

This is the first time since 1974, during the Whitlam Government, that the Senate has carried a censure against a Minister.

Mr Justice Murphy's statement said: "The Age' story is a continuation of a disgraceful campaign of defamation by 'The Age' now directed against my wife.

However, after the Opposition and Democrats, who have a majority in the Senate, had carried the censure, Senator Walsh made a brief personal explanation in which he said: "I do not have, and have never had, a photocopy of the back of that butt."

The former law firm of Senator Chaney and Mr Temby was mentioned in the material tabled, as was the name "Crichton-Brown".

The Age' reported yesterday that the words "diamond purchased Mrs L. Murphy 7800" appeared on the reverse side of a cheque stub, one face of which had been tabled by Senator Walsh in Parliament on Wednesday.

My wife has never purchased a diamond in her life. There have been no dealings ever with Mr Christo Moll of any kind. There is not an atom of truth in 'The Age' story. I request that there be a full and prompt investigation of the allegations and of the role of 'The Age' in this affair."

The Opposition Leader in the Senate, Senator Chaney, last night said Senator Walsh's performance and explanation had been extraordinary. Quite clearly Senator Walsh had been chastised by his colleagues who had brought him back to make a last minute explanation, Senator Chaney claimed.

Senator Chaney last night said Senator Walsh should "do the honorable thing and resign".

The cheque book was recovered last year by 'The Age' from Mr Moll and is now held by Federal Police in Perth.

The Opposition moved the censure against Senator Walsh after he refused to answer a series of questions asking whether, when he tabled the copies of Moll

Senator Evans told the Senate that he proposed to raise Mr Justice Murphy's request for an investigation with the Special Minister of State, Mr Young "I will advise the Senate at some appropriate time of the course those investigations in fact follow," the attorney-general said.

A number of Labor senators were dismayed and embarrassed yesterday at Senator Walsh's performance in Question Time and the censure motion. Last night Senator Walsh claimed that when he went into Parliament yesterday morning he had not read 'The Age' report and he was not sure whether the piece of paper with "Mrs L. Murphy" on it was or was not among the papers he had.

Moving the censure, Senator Chaney said Senator Walsh made "unending efforts to smear all of

Continued: PAGE 5

FROM PAGE 1

'Disgraceful' claim, SEP 1984 says Murphy

In answer to one of three Opposition questions, Senator Walsh said: "I tabled those documents yesterday without comment as to whether there was anything written on them. I am satisfied that they are genuine photocopies. I also note for the record that the name L. Murphy is much more common than Crichton-Browne."

Replying to the censure, Senator Walsh said he had had the photocopies in his office for some time, and some had been tabled before. "I retrieved them yesterday because I was expecting the sort of muck-raking murky attack that was launched by the Liberal Party in the House of Representatives."

The Federal Government will give Mr Justice Murphy "roughly about \$40,000" to help pay legal costs he incurred during hearings of the Senate select committee on the conduct of a judge, a Senate estimates committee was told yesterday.

File note

(Re Allegations 30, 3, 7, 8)

①. I phoned Superintendent Pim in Perth (09) 325 3611 today (15/7/86) he said he would make a room available for us at the AFP headquarters in Perth for Mon, Tue & Wed (21, 22 & 23 July 86). I also asked whether he would forward ASAP the files relating to the Moss matter (ie Dr Jilles letter to Quatermaine) plus details of any investigation of the alleged diamond for Mrs Murphy. He said he would send this material to the AFP in Sydney who would then pass the material to us.

I also asked if he would enquire whether certain people were available to see us on Tuesday at the AFP centre: these people being Dr Jilles, James West, Mrs Quatermaine. I said we may also wish to contact a couple of AFP people re the Age material. Sup. Pim said he would arrange for the three people to be contacted to see whether they are available for Tuesday 22 July 1986. I thanked him & said I would ring him about Friday re the arrangements.

FILE NOTE

PROSECUTION OF LIONEL KEITH MURPHY

I spoke to Peter Walshe on the telephone. He advised me that a search had been carried out in the respect of a property at [REDACTED] Forrest, ACT. The property was purchased from a Mr Von Bibra by Lionel Keith Murphy on 4 December 1972 for purchase price of \$86,000.00. There are four mortgages on the property. The first dated 16 December 1975 is to the CBC Bank Sydney for an unspecified amount. This mortgage was discharged in July 1979. The second mortgage of July 1979 is to the Permanent Trustee for an amount of \$125,000.00 and was discharged on 22 November 1984. The third mortgage dated 2 August 1979 is to the CBC Bank now the National Australia Bank for an unspecified amount. That mortgage still exists. The fourth mortgage is a mortgage to Westpac dated 22 July 1985 for an unspecified amount.

S RUSHTON

25 March 1986

Darling Point

Certificate of Title Volume 10052 Folio 60

Transfer to Lionel Keith Murphy on 2 September 1966 from Robert Clynton Murie,
Company Director

Purchase Price \$41,000.00

Transfer signed by P J Valkenburg as solicitor for the Transferee

Encumbrances:

- Mortgage No. K43710 from Lionel Keith Murphy to Commonwealth Trading Bank dated 2 September 1966. Signed by Lionel Keith Murphy and witnessed by P J Valkenburg, solicitor. Registered 15 September 1966. Amount secured undisclosed.
- i) Mortgage No. M381793 from Lionel Keith Murphy to NSW Permanent Building Society Limited dated 10 June 1971. Signed by Lionel Keith Murphy and witnessed by Brian Harwood JP. Registered 13 August 1971. Amount secured \$30,000.00.
 - ii) Discharge of Mortgage No. M381792 discharging Mortgage No. K43710 dated 23 July 1971 and registered 12 August 1971.
 - v) Mortgage No. M445170 from Lionel Keith Murphy to Commonwealth Trading Bank of Australia dated 29 July 1971. Signed by Lionel Keith Murphy and witnessed by M. Baker JP. Registered 7 October 1971. Amount secured undisclosed.
 -) Caveat M973060 lodged by Commercial Continental Limited dated 31 October 1972 claiming interest under a Mortgage of 31 October 1972 (presumably unregistered). Caveat registered on 13 November 1972.
 - i) Discharge of Mortgage No. P580647 discharging Mortgage No. M445170 dated 30 December 1975 and registered 9 February 1976.
 - ii) Withdrawal of Caveat No. R95609 withdrawing Caveat No. M973060 dated 27 July 1979 and registered 13 August 1979.

- i) Mortgage No. R383134 from Lionel Keith Murphy to Permanent Trustee Company Limited dated 8 August 1979. Signed by Lionel Keith Murphy and witnessed by Peter John O'Connell, solicitor. Registered 27 August 1979. Amount secured - \$102,000.00. Interest rate 12% per annum. Discharge of Mortgage No. R383133 discharging Mortgage No. M381793 dated 8 August 1979 and registered 27 August 1979. Variation of Mortgage No. V298144 varying Mortgage No. R383134 by increasing principal sum to \$200,000.00 and increasing interest rate to 15.75%. Dated 10 August 1984. Signed by Lionel Keith Murphy and witnessed by Roma Joy Heaven JP and Tipstaff.

Derrima Road, Queanbeyan

s property comprises a number of units as follows:

- Certificate of Title Volume 13128 Folio 185 transferred to Lionel Keith Murphy from Phillip Property Management Pty Ltd on 7 March 1980. Purchase Price \$24,000.00. Transfer signed by Lionel Keith Murphy and witnessed by Peter George Seaman, solicitor. Transfer registered on 5 May 1980.
-) Certificate of Title Volume 13128 Folio 188 transferred to Lionel Keith Murphy from Christopher William Parlett of Queanbeyan, Panelbeater and Dorothy Ann Parlett, his wife on 12 March 1980 for a purchase price of \$24,000.00. Transfer signed by Lionel Keith Murphy and witnessed by Peter George Seaman, solicitor. Transfer registered on 5 May 1980.
- i) Certificates of Title Volume 13128 Foliios 180, 189, 197 and 209 transferred to Lionel Keith Murphy from Vira Investments Pty Ltd of 12 Pirie Street, Fyshwick ACT on 26 September 1979 for a purchase price of \$81,000.00. Signed by Lionel Keith Murphy and witnessed by P.J. O'Connell, solicitor. Transfer registered on 17 October 1979.

les

- i) It appears that the properties comprised in Certificates of Title Volume 13128 Foliios 189 and 197 were transferred from Lionel Keith Murphy to Jill Ellen Fuller of Marriage Celebrant on 13 November 1985. The Transfer in respect of

Certificate of Title Volume 13128 Folio 197 discloses that the property referred to in that Certificate of Title was sold for a purchase price of \$45,000.00. The Transfer is signed by Lionel Keith Murphy and witnessed by Peter George Seaman, solicitor. Mr Seaman also signed the Transfer on behalf of the Transferee Ms Fuller. The Transfer was registered on 11 December 1985.

References

Mortgage No. R782276 from Lionel Keith Murphy to Commonwealth Trading Bank over land comprised in Certificates of Title Volume 13128 Folios 185 and 188 dated 14 March 1980. Signed by Lionel Keith Murphy and witnessed by Peter George Seaman, solicitor. Registered on 5 May 1980. Amount secured undisclosed.

Mortgage S375072 from Lionel Keith Murphy to Australia and New Zealand Banking Group Limited over land comprised in Certificate of Title Volume 13128 Folio 180 dated 13 February 1981. Signed by Lionel Keith Murphy and witnessed by David John Allen, Bank Officer. Registered on 30 March 1981. Precise amount secured undisclosed. However, given in consideration of "loans, advances, credits or banking accommodation" given to Lionel Keith Murphy or Lorel Kathryn Murphy of :

Shop Proprietor.

Mortgage No. S755300 to Shirley Mattingly, Married Woman, over land comprised in Certificates of Title Volumes 13128 Folios 197 and 189 dated 2 September 1981. Signed by Lionel Keith Murphy and witnessed by Mark Alexander Phillips, solicitor. Amount secured \$30,000.00. Registered 2 November 1981.

Discharge of Mortgage No. T994052 discharging Mortgage No. S755300 dated 14 February 1984 and registered 2 March 1984.

Sections 73, 123, 149, 89 - Shire of Goodradigbee

Certificate of Title Volume 6960 Folio 15

Transferred from Bruce Alfred Robinson of Yass, Station Hand and Ellen Margaret Robinson, his wife, to Lionel Keith Murphy, Gisele Anne O'Byrne of Yass, Married Woman, Peter Marlow of Warraang and James Maxwell Neill of Warraang both accountants as tenants-in-common on 14 March 1979.

Transferred to Ingrid Murphy, Gisele Anne O'Byrne, Peter Marlow and James Maxwell Neill on 13 June 1979 as tenants-in-common.

Transferred to Mervyn John Bennett and Elizabeth Anne Bennett as joint tenants on 2 February 1984.

Encumbrances

- i) Mortgage R118630 to National Bank of Australia Limited on 14 March 1979. Details of Mortgage unknown. Mortgage discharged on 2 February 1984.

LIONEL KEITH MURPHY

The following pertain to landed property dealings by the above party during the period 1/1/72 to 28/2/86.

Property, Lots Shire of Yass, Parish of Warroo, with frontage to the Yass River.

On 13/10/78 Lionel Keith MURPHY, Justice of the High Court of Australia, purchased the above property as tenant-in-common with Gisele Anne O'BYRNE of ., Peter MARLOW of ., and James Maxwell NEILL of ., for \$ 26,000. Possibly a cash purchase.

The property was mortgaged on 25/1/79 to the National Bank of Australia Ltd. - amount not known. The mortgage was discharged in November 1983 following the sale of the property - see below.

On 26/2/79 Lionel Keith MURPHY transferred his quarter share in the property to Ingrid MURPHY, Married Woman, for the consideration of \$ 6,500.

The property was sold on 30/11/83 to present owners Kervyn John & Elizabeth Ann BENNETT for \$ 60,000.

1, Queanbeyan

The property comprises a block of 33 Strata Title units and was owned by VIRA INVESTMENTS PTY. LTD., a company now in Receivership, whose directors are Romvalda GENYS of . and Kazimieras Vytautas GENYS of the same address.

Lots were purchased from VIRA INVESTMENTS PTY. LTD. on 26/9/79 by Lionel Keith MURPHY of ., Justice of the High Court of Australia, for \$ 81,000.

The units were purchased either for cash or by private arrangement with Vira Investments, as there were no financial encumbrances registered against the title at that time.

On 13/2/81 Lot was mortgaged to the A.N.Z. Banking Group Ltd., to secure advances to \$ 15,000 made to Lorel Kathryn MURPHY of . The mortgage is still current.

On 2/9/81 Lots and were mortgaged to Shirley MATTINGLY c/- Macphillamy Cummins & Gibson, Solicitors of 11th floor, National Mutual Centre, Darwin Place, Canberra City to secure a loan of \$ 30,000. Term 3 years. Interest rate 16.5%, payable monthly. Repaid and discharged on 14/2/84.

Both units were sold to Jill Ellen FULLER on 15/11/85 for \$ 45,000 each.

Of the above purchases Lionel Keith MURPHY still owns the following units -

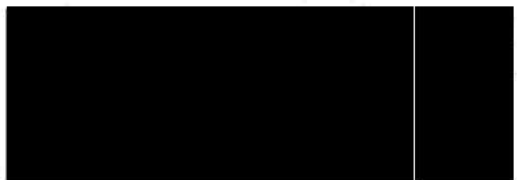
Lot , mortgaged to the A.N.Z. Bank, and Lot .7, unencumbered.

Lots 1, Queanbeyan

Lot was purchased from Phillip Property Management Pty. Ltd. on 7/3/80 by Lionel Keith MURPHY for \$ 24,000 and Lot was purchased on 12/3/80 from Christopher William & Dorothy Ann PARLET, also for \$ 24,000.

On 14/3/80 both units were mortgaged to the Commonwealth Trading Bank of Australia to secure advances to Lionel Keith MURPHY of \$ 134,400. The mortgage is still current.

21 Thornton St?



Med

Allocated to you.

As discussed, the matter
has high priority.

15/7/86

File note

(Re Allegations 30, 3, 7, 8)

①. I phoned Superintendent Pim in Perth (09) ³²⁵₃₆₁₁ today (15/7/86) he said he would make a room available for us at the AFP headquarters in Perth for Mon, Tue & Wed (21, 22 & 23 July 86). I also asked whether he would forward ASAP the files relating to the Moss matter (ie Dr Ziller letter to Quantermaine) plus details of any investigation of the alleged diamond for Mrs Murphy. He said he would send this material to the AFP in Sydney who would then pass the material to us.

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N. Jordan

Extract from Weinberg/Phelan Memorandum
dated 3 July 1986 (full copy on File C51

ALLEGATION NO. 8 - THE DIAMOND PURCHASES

Questions were raised in Parliament regarding certain diamond purchases worth \$7,800 allegedly made on Ingrid Murphy's behalf by a company associated with Perth tax fugitive Christo Moll. In 1984, The Age reported that notes on a cheque butt drawn on a company owned by Christo Moll indicated that money had been used for diamond purchases worth \$7,800 for Ingrid Murphy. A statement was read in the Senate on behalf of the Judge denying this.

There is a proof article obtained from The Age which discusses this matter and which also contains some photocopy documents. At this stage it is unclear precisely when this occurred. The newspaper article should identify that point. If it occurred while the Judge was Attorney-General, it might give rise to a suspicion that he had received a secret commission. Such a commission might relate to prosecution for tax fraud. We also have in our possession a valuation certificate prepared by a jeweller in Perth for a diamond apparently in the name of Ingrid Murphy. The authenticity of that certificate should be checked. One would have to find the original documents if possible, and of course speak to Christo Moll. Once again we believe that this matter should take low priority in terms of any allegations that are made. It is our belief that unless investigations throw up supporting material, it should be a matter that is simply drawn to the attention of the Commissioners but not proceeded with as an allegation.