

# IN-CONFIDENCE

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

FILE No.  
**C24/**

ARCHIVAL ACTION

FORMER PAPERS	LATER PAPERS

TITLE **ALLEGATION No 11**

**Related Papers**

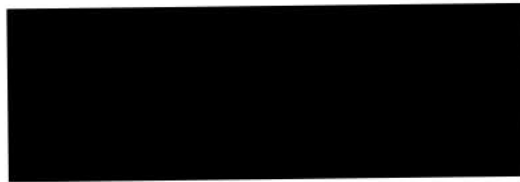
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FILE No. **C.24**

Officers of the MCA (Key Ransom, David Stehli)  
read relevant Commission files this morning.

They took away photocopies of the following  
documents:

- (i) transcript of interview Phelan / Sankey  
conducted 23 July 1986; and
- (ii) letter dated 29 July 1986 from Sankey  
to the Commission, plus attachments  
(original on file C 29).



21 August 1986.



# Parliamentary Commission of Inquiry

*Presiding Member* : The Hon. Sir George Lush  
*Members* : The Hon. Sir Richard Blackburn, OBE  
The Hon. Andrew Wells, QC

G.P.O. Box 5218  
Sydney, N.S.W. 2001  
Telephone: 232-4922

Pursuant to section 34 of the Parliamentary Commission of Inquiry Act 1986, the Commission is of the opinion that it is appropriate to communicate to the National Crime Authority information that relates to or may relate to the commission of an offence or evidence of the commission of an offence against a law of the Commonwealth or of a State by Abraham Gilbert Saffron and Morgan Ryan.



G H Lush  
Presiding Member

21 August 1986

Mr Abraham Gilbert Saffron

VAUCLUSE NSW 2030

Dear Mr Saffron,

Re: Parliamentary Commission of Inquiry

I refer to the summons which has been served on you pursuant to section 11(1) of the Parliamentary Commission of Inquiry Act and note that your attendance is required on 5 August 1986.

However, I would appreciate it if you would contact the Commission and advise a telephone number upon which you can readily be reached in order that a date other than the 5 August 1986, for your attendance, can be communicated to you.

Yours sincerely,

J F Thomson  
Secretary

25 July 1986

COMMONWEALTH OF AUSTRALIA

Parliamentary Commission of Inquiry Act 1986

SUMMONS TO APPEAR BEFORE THE COMMISSION

Mr Abraham Gilbert Saffron

[REDACTED]

VAUCLUSE NSW 2030

I, Sir George Hermann Lush, a member of the Parliamentary Commission of Inquiry appointed under the Parliamentary Commission of Inquiry Act 1986 hereby summon you, pursuant to sub-section 11(1) of that Act

- (a) to appear before the Commission at the hearing to be held in the Hearing Room, 8th Floor, 99 Elizabeth Street, Sydney, on Tuesday 5 August 1986 at 10.00 a.m. to give evidence in relation to the matters into which the Commission is inquiring; and
- (b) to attend from day to day unless excused or released from further attendance.

Dated 25 July 1986

[REDACTED]

.....  
Presiding Member

NORBERT LIPTON & SANKEY  
SOLICITORS & ATTORNEYS

N. LIPTON, B.A., LL.B.  
D. SANKEY, LL.B.

15th LEVEL  
109 PITT STREET  
SYDNEY, N.S.W. 2000

TELEPHONE: 232 6377  
DX 789 SYDNEY

YOUR REF.  
OUR REF. Mr. Sankey

BY HAND

24th July, 1986

*CP*  
*ref 1.*  
Mr. Phelan,  
Parliamentary Committee of Enquiry,  
11th Floor,  
99 Elizabeth Street,  
SYDNEY, 2000

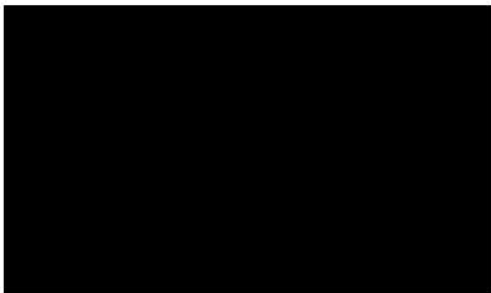
Dear Sir,

I refer to the interview which took place yesterday and to today's telephone communication. I herewith enclose photocopy pages 4 and 11 of the chronology. At this point of time I cannot recall how I am able to pinpoint the fact that the restaurant meeting took place on 22nd October, 1976.

The meeting referred to on page 11 was a result of the approaches that had been made to me.

In searching through my papers I also came across a statement made by Mr. Cameron, a Junior Counsel who had been briefed on my behalf. I enclose a copy of same.

Yours faithfully,



4/8/76 Govt allows parliamentary tabled papers to be used.

15/6/76 Ct of A hearing commences.

Final addresses on 6th day.

30/6/76 Ct reserves.

10/9/76 Cameron alleges proceeding a plot to have Murphy ousted.

1/10/76 Refes says in Dwanbeyan, info will proceed

15/10/76 Ct of A rules hearing can proceed. Street overrules Cousins "She at etc")

22/10/76 Ct adjourns to 12/11/76.

\* 22/10/76 Restaurant meeting

12/11/76 Govt claims privilege

13/11/76 David Combe to A.L.P. conference - team of researchers. - \$50,000 - "Idemp X businessman" - political.

18/11/76 Hearing re privilege.

19/11/76 James says Hashogi financing case.

"Maybe if I had known him I would have given him the money"

Cynice party on Friday night.

\* 24/11/76 Meeting See Page 11

16/12/76 Papers produced in Court.

21/12/76 Wentworth & Wright give evidence

2/2/79. Wheeler gives evidence "reluctantly".

5/2/79. A.G. Moore (Treasury) jealousy between  
T & M & E.

Wicks says meeting unusual in that he was absolved from duty to inform G.G. & he had not been familiar with the subject matter of the proposed meeting.

7/2/79 Leo refuses adjournment to call Hewitt.  
Case for P closed.

9/2/79 Case closed.

16/2/79 Leo decides no prima facie case.

\* 24/4/76

Conference Robe, Murgaly, Cameron Nelson  
& S.

Re proposals from other sources.  
Possible results of action — wats, malicious prosecution. Robe & Nelson feel case is stronger than ever.

S says nothing changed — always knew of possible consequences — never expected to win. Only possible proposal was one suggested earlier. — D's to admit mistake, James to apologise.

Instructed counsel to proceed.



STATEMENT

1. This statement is made by Robert William Cameron of [REDACTED] [REDACTED] Sydney, New South Wales, Barrister-at-Law, on 16/8/77 and is to the best of my recollection an account of a conversation I had with a woman I now know as Barbara Tamberlini on the evening of Friday 5/8/77 on the 2nd Floor of Wentworth Chambers at about 8 pm.

2. On the evening of 5/8/77 together with two other Barristers, Mr Peter Seery and Mr David Nelson, I went to the 2nd Floor of Wentworth Chambers at about 8 pm when an informal farewell was being given for Mr J. Conomos of Counsel who was leaving his practice at the Bar on that day to take up an appointment as a Crown Prosecutor.

3. As I entered the room where the function was being held, Mr Conomos after exchanging pleasantries said to me:

"How is the Sankey case going?"

That question was in reference to a case in which I am briefed where a Mr Danny Sankey, for whom Mr D.F. Rofe QC, myself and Mr T.S. Murphy appear, has sworn two informations alleging criminal conduct on the part of a former Prime Minister, Mr E.G. Whitlam and three of his then Ministers, Mr Justice Murphy (as he is now), Mr R.F.X. Connor and Dr J.F. Cairns.

I replied to the effect that we were seeking to have dates fixed for a resumption of the hearing in Queanbeyan. Almost immediately Mrs Tamberlini, whom I have never met before came up to me and said to me in the presence of Mr Seery:

"Sankey's a dead man."

I ignored the remark and tried to move away. She repeated the remark and then said:

"There's a contract out on him - he's a dead man."

I asked her who she was and how she would know that and she told me that she was the secretary to a Mr J. Burchett of Queen's Counsel, another member of the 2nd Floor but who was not at the function and said:

"I will show you who it is."

She then took me to the room where she works near the lifts on the 4th Floor and produced to me a coloured photograph of two males and two females, one of whom was her, all of whom were sitting around a table which appeared to be in a restaurant. She pointed to one of the males in the photograph and said:

"That's who it is."

She identified that person as "Michael Woodhouse" and went on to say that he was "going to do it" last Wednesday but the police arrested him and he is in gaol. She said "he comes up for bail on Monday and you had better not stop it". I asked her what she meant by that and she said:

"Sankey put him in but it won't make any difference because someone else will do it."

I asked her who would employ Woodhouse to kill Sankey and her reply was:

"I'm just mad about Abe and Abe is made about me."

She would not elaborate on that except to say that Mr Burchett QC acts for Mr Abe Saffron and she knows him. I formed the impression from what she said that she holds Mr Saffron in high regard and that she sees him socially.

I told her that I thought what she was saying was ridiculous. She said:

"You'll see - he's a dead man."

I asked her whether she knew a Mr Jim Anderson. She said "no". I asked her whether she knew any of the defendants. She said she knew Mr Justice Murphy.

I asked her whether she thought any of the defendants would have anything to do with the "contract". She said she did not know.

Mrs Tamberlini was affected by alcohol when I saw her on that evening.

At that point in time I had never heard of Michael Woodhouse.

R.W. Cameron

16/8/77

Interviewed Sawley on tape  
(with PM), 15th Floor, 109 Pitt St  
Sydney, this date



23/2/86.

ALLEGATION NO 11

Particulars of Allegation

On the twentieth day of November, 1975, informations were laid by a private citizen, Danny Sankey against the Honourable Lionel Keith Murphy and other persons alleging an offence against Section 86 of the Crimes Act 1914 (Cth) and a conspiracy at common law. Between the first day of June, 1976, and the thirty-first day of October, 1976, at Sydney and elsewhere, and whilst a Justice of the High Court of Australia, the Judge agreed with Morgan Ryan and Abraham Gilbert Saffron that Saffron would arrange for an approach to be made to Danny Sankey in order to persuade him to withdraw these private prosecutions.

At the relevant time, as the Judge knew, Saffron was a person of ill-repute, and the Judge entered into this agreement in the expectation and with the intention that Saffron would cause Sankey to be improperly and unlawfully intimidated into withdrawing these private prosecutions.

It will be contended that this conduct by the Judge amounted to misbehaviour within the meaning of Section 72 of the Constitution in the following respects -

- a) entering into an agreement to threaten or coerce a party to a cause in order to persuade him to discontinue his part therein;

further, or in the alternative,

- b) entering into an agreement to pervert the course of justice in relation to the judicial power of the Commonwealth.

As such it constituted conduct contrary to accepted standards of judicial behaviour.

Extract from Weinberg/Phelan Memorandum  
dated 3 July 1986 (full copy on File C51

ALLEGATION NO. 11 - STATEMENT OF OFFENCE ATTEMPTING  
TO PERVERT THE COURSE OF JUSTICE CONTRARY TO SECTION 43  
OF THE CRIMES ACT 1914 (COMMONWEALTH)

Particulars of Offence

In or about 1976, the Judge asked Abe Saffron to intercede on his behalf with Danny Sankey who had brought a private prosecution against the Judge and others for an alleged conspiracy contrary to Section 86 of the Crimes Act 1914. It must be contended that the Judge well knew that Saffron could apply considerable pressure of an impermissible kind to Sankey with a view to persuading him to withdraw the prosecution. It certainly appears that Saffron had no connection whatever with the matters that gave rise to the private prosecution brought by Sankey against the Judge. One would need to ask why a Justice of the High Court would ask a reputed criminal to make representations on his behalf to a person who had launched a private prosecution against him. It would be open to a court to conclude that this was an attempt by the Judge to place an implied threat at the head of Sankey. Such conduct might well amount to an attempt to pervert the course of justice. It might also amount to a conspiracy to pervert the course of justice. Wherever possible, it has been thought appropriate to charge a substantive offence rather than a conspiracy.

ALLEGATION NO.11 - SANKEY MATTER

His Honour Mr Justice Murphy in about 1976 alleged by asking Abe Saffron to intercede on his behalf with Danny Sankey (presumably to persuade him to withdraw the prosecution).

Material Enclosed

- 1) Brief details of allegations
- 2) Minutes of meeting between B. Rawe, S. Rushton and D. Sankey (Meeting 2.3.86)
- 3) Information from Anderson re the abovementioned matter in question, answer form.

Witnesses to be interviewed

1. James McCartney Anderson
2. Danny Sankey
3. Abe Saffron
4. Morgan Ryan
5. Rofe Q.C.
6. Christie
7. McHugh (currently Justice of the Court of Appeal)
8. Leo S.M.
9. Murray Farquhar