

IN-CONFIDENCE

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

FILE No.
C 48 /

ARCHIVAL ACTION

FORMER PAPERS LATER PAPERS

TITLE _____

ALLEGATION No 35

Related Papers _____

1	2	3	4	5	1	2	3	4	5
Folio No.	Referred to	Date	Cleared	Resubmit	Folio No.	Referred to	Date	Cleared	Resubmit
→ 4	Mr Philan	28/7/86	OK						
8	Mr Myers	2/8/86							
11	Mr Philan	8/8/86							

FILE No. **C. 48**

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]

[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

REPORT ON ALLEGATION NO.35 - THE WILLIAMS BRIBERY MATTER

Statement of Offence

Soliciting a bribe whether at Common Law or pursuant to legislation.

Particulars of Allegation

The Commission was informed [redacted] that a Mr Trevor Reginald Williams of [redacted] (N.S.W). may be prepared to come forward and give evidence of an attempt by Mr Justice Murphy in 1972-1973 to obtain a bribe from him and Mr Henry Perry in relation to a customs matter. At the relevant time the Judge was Minister for Customs.

Investigation Findings

Enquiries by Peter Myers and Mark Howard indicate that there is some substance to this allegation. Evidence could be obtained to prove that the Judge did seek a bribe of \$2,000 some time in January or February of 1973.

Because of the following factors we are of the opinion that it may be difficult to substantiate this allegation.

- (a) Even though Mr Williams is convinced that Mr Murphy, (as he was then) was serious in seeking the payment of a bribe, his Honour could now deny the allegation or claim that his representation was made in jest;
- (b) Mr Williams advised that he did not make any written record of the conversation during which Mr Murphy ^{sought} ~~sort~~ the bribe and he doubted whether anyone present made a record of the conversation.
- (c) Mr Williams also doubted whether he or any of the others who were present with Murphy discussed it with anyone else;

(d) Mr Williams refused to be formally interviewed or make a statement in relation to these matters: he would be a reluctant witness.

Scope of enquiries

Our enquiries have so far been limited to an informal discussion about this matter with Mr Trevor Williams. A summary of that discussion follows.

Record of interview with Williams

At 10.30am on 28th July 1986 Mr Howard and I interviewed Mr Trevor Reynold Williams at his home at [REDACTED], [REDACTED] N.S.W. After introductions I gave him a brief outline of the purpose of our visit and the nature of our inquiry. Mr Williams then refused my request to have the interview tape recorded or to provide us with a formal statement. He did however agree to an informal discussion about the allegation. During our discussion I took notes with his knowledge and consent (Annexure A).

During the course of that discussion Mr Williams advised as follows, in early January or February of 1973 he was in the company of a Mr Henry Perry, who was then the Managing Director of Holmesdale Pty Ltd, a company that was importing synthetic resin products. They were together with a solicitor, the name of whom he does not remember (or does not wish to advise) in a corridor or hallway of the Selbourn Chambers in the city. Mr Lionel Murphy came down the corridor and greeted the solicitor that was with them. The solicitor said to Murphy, "Hi Lionel congratulations on your appointment as a Minister (for Customs)." Mr Williams recalls that there was general conversation but he cannot remember the exact words. At some stage Murphy asked what they were doing there. The solicitor

Why were they with the solicitor at that place? Murphy, it would appear.

advised that they were having a problem with about ninety charges under section 234A to 234E of the Customs Act. (The Customs Department was prosecuting him, ~~and~~ Perry, and Holmesdale Pty Ltd for breaches of those provisions of the Customs Act.)

Sounds like a joke (at least in your taste) to me!

Murphy said to the solicitor in their presence "Oh that's all, two thousand dollars ought to fix that up" and as he said this he ^{gestured} ~~gestured~~ ^{as wea!} with his hand more or less to say put two thousand dollars in my hand and ~~I'll fix it up for you~~. The offer was not then taken up by them.

Mr Williams said that he gained the impression at that time that Murphy was serious and not acting in jest. Murphy did not smile or indicate that it was a joke. Later, in a hotel Mr Perry, Mr Williams and the solicitor discussed the matter. It was probably not on the same day. Mr Williams said that they all agreed that Murphy was serious. They also agreed that it was not worth paying the two thousand dollars to him because they felt that they had a good chance of beating the charges anyway, so the offer was not taken up.

Mr Williams doubted whether he told anyone else about the conversation, not even his wife. Also he doubted whether he or anyone else who was present made a written record or some note about the conversation with Murphy.

The conversation lasted about three minutes. Their solicitor (unnamed) seemed to know Murphy pretty well, perhaps because he (the solicitor) had acted on many occasions for various unions.

Mr Williams said that he did not know where Henry Perry is now, although at one time he had a unit at Double Bay. Perry is now about 78 years old. A Mr Bernie Goldman the present or former managing director of Halifax Ltd, may be able to assist us to find Mr Perry. Halifax Ltd took over Holmesdale Pty Ltd about seven or eight years ago. At that time Goldman was then

the accountant. His phone number is or was [REDACTED].

Mr Williams said that "As it turned out we did not need Murphy's assistance because we beat the charges under the Customs Act anyway." The solicitor who acted for them was not Morgan Ryan.

The Interview concluded at 10.55 am.

Evidence required

Mr Williams would be a reluctant witness. He is due to officially retire on or about the 20th August 1986 although he is virtually in retirement now. He said that he plans to take a round Australia trip with his wife for about a year in September 1986.

This matter came to our attention per medium of [REDACTED] [REDACTED]. Perhaps she could provide further evidence. Attempts could be made to locate and interview Mr Henry Perry and the unnamed solicitor. Mr Goldman and/or Halifax personnel could be approached to locate them. Also that company's records or those of Customs or the Courts could identify the unnamed solicitor.

Conclusion

If the other two witnesses could be located and did corroborate the evidence that could be compulsorily adduced from Mr Williams, then there are grounds for concluding that Mr Justice Murphy may have committed a common law offence of soliciting a bribe.

[REDACTED]
Peter Myers

5th August 1986

0184M

I think Mr W's story is far too 'thin' to run as an allegation, and there is no reason to believe that the other potential witnesses will be able to add anything material. It is clearly an available inference that CUU's comments were made in jest, and given the surrounding circumstances I consider that rationale to be the most plausible. Rec'd NFA
AUS 14/8/86

Notes Taken during Interview

Juwa Williams

START 10 30

FINISHED 10 53

29/7/86.

Sellhouse Chambers 1972 - / Jan - Feb 73
City Mills
Murphy MINISTER for Customs
outside fidicount
Bld
scrubbed part 15 of Act

- Henry Perry

Managing Director

- HOLMESDALE PTY LTD -

- Importers of Synthetic Resin Products

- 90-234 A - 234E Customs Act

HALEFAX LTD DV of Clyde

Bennie Goldman 2 hrs

- Canadian (66694X)

3 MINUTES

a solicitor? - acting on behalf of Murions

- He said they would congratulate me

Murphy →

Net Morgan Ryan - Knows him

- hand gesture

- from later conversation somebody saying they could do something.

P, S to in Pub - Carlton? (probably not same day)

Y agree wasn't worth paying \$2000

when we thought we had a good chance of beating anyway

- No record

- Did tel wife about it.

General discussion + coffee for about 60 MINUTES AFTER left at 11.55 PM

REGISTRATION NUMBER

J56971-20

APPLICATION FOR REGISTRATION OF A BUSINESS NAME BUSINESS NAMES ACT, 1962 SECTION 7 (1) FORM 1

Please read Explanatory Notes and Use BLOCK LETTERS

CASH REGISTER IMPRINT

Fee 75

30/1/86

1140

I/RR 4341

975.00

1. Business Name HOLMESDALE

FORM 1 CONT

2. Principal Place of Business

44 William Street, Botany N.S.W.

9101 92 103417 30/01/86

Postcode 2091

3. Each Other Business Address

N/A

4. Nature of Business Importing, Marketing and Selling Building and Interior Decorating Products

5. Date of Proposed Date of Commencement

31st October 1985

6. Full Name and Address details of Each Applicant

Full Name of each Individual or Corporation Name

Residential Address or Registered Office of Corporation

Former Name/ Company Number

Clyde Industries Limited

Level 8 140 Arthur Street North Sydney

1752

7. Former Business Name

Registration Number

8. Signature of each Applicant

(Signature)

(Date)

(Signature)

(Date)

(Signature)

(Date)

(Signature)

(Date)

9. Execution by an Applicant which is a Corporation

Signed by SIMPSON (Surname)

Walter Francis (Christian Name)

(Signature)

29.1.86 (Date)

Director/Secretary/Manager/Proprietor/Partner/Member of the Firm/Company/Partnership/Clyde Industries Limited (Delete whichever is not applicable) (Corporation Name)

10. To be completed by applicant only if all signatures cannot be obtained.

I of do solemnly and sincerely declare that

(1) It is not practicable to obtain the signatures of all applicants required to sign the Statement

Declared of

(2) All particulars contained in this statement are true; and I make this solemn declaration conscientiously believing the same to be true of the Oaths Act 1966.

on 19

Signature

Before me J.P.

OFFICE USE ONLY

LODGED in the office of the Corporate Affairs Commission on

30.1.86

COMMISSIONER

11.

Document lodged by Sly A Russell, 60 Margaret Street, Sydney 20535

Phone No.

Your Reference PB:ATT

Address for Correspondence R.X. 368

Postcode

01639

- 5 FEB 1986

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29/07/86 14:46:16
PAGE 1 OF 1

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24 .	HOLMESDALE SALES	D8927340	DRGD		

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NNQ20001 COMPANY NAME NUMBER ENQUIRY 29/07/86 14:37:08

REG NO: 17537334 DATE OF REG: STATE OF REG: VIC

CURRENT NAME: OAKBRIDGE PLASTIC PRODUCTS PTY LTD

FORMER NAME: HALIFAX GROUP PTY LTD

DATE NAME CHANGED: 16/04/1986 NO. OF CHANGES: 1

COMPANY TYPE: S - RECOGNISED COMPANY

ADDRESS:

RECOGNISED STATES:

NEXT AGM DUE: NEXT ANN RET DUE:
EXTD: EXTD:

LAST AGM HELD: AGM OUTSTNDG YRS:

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RECORD OF INTERVIEW BETWEEN PETER MYERS AND MARK HOWARD
OF THE COMMISSION AND MR TREVOR REGINALD WILLIAMS
OF [REDACTED] NSW 2120

Interview commenced 10.30 on 28.7.86.

After general discussions Mr Williams gave an outline of the incident he said sometime late in 1972 or perhaps during January, February 1973 he was in the company of a Mr Henry Perry who was then the Managing Director of Holmesdale Pty. Limited a company that was importing synthetic resin products. They were together with a Solicitor, the name of whom he does not remember. They were in a corridor or hallway in Selborn Chambers just off Phillip Street in the City when the Solicitor that they were with, had a conversation with Mr Lionel Murphy who was then the Minister for Customs. The Solicitor that they were with said to Mr Murphy, "Hi Lionel - congratulations on your appointment as the Minister for Customs". There was general conversation, the words he cannot remember but at some stage Murphy asked what they were there for and the Solicitor advised that they were having a problem with about 90 charges under Section 234A to 234E of the Customs Act. Murphy said to the Solicitor in their presence, "Oh, that's alright \$2,000 ought to fix that up" he jested with his hand as more or less to say put \$2,000 in my hand and I'll fix it up. The offer was not taken up - Mr Williams gained the impression at that time that it wasn't done in jest but was a serious attempt. Later in a hotel Mr Perry, Mr Williams and the Solicitor discussed the matter - it was probably not on the same day. They agreed that it was not worth paying \$2,000 when they felt that they had a good chance of beating the charges anyway so the offer was not taken up. I said, "did you make a record of this conversation or did anybody there present make a record?". He said, "No, not to my knowledge". I said, "Did you tell anybody about it?" He said, "No, I doubt if I did". "Not even your wife?" he said, "No I didn't tell her about any business dealings that I had." I said, "Do you know if any of the other people who heard the

conversation took a note of it or made some record of it?" he said, "I doubt it." I said "how long did this conversation with Mr Murphy take place - how long did it last?" he said "about 3 minutes" I said, "what was the name of the Solicitor who was present?" he said, "I don't remember", I said, "you don't remember his name or you want to keep it a secret?" he said, "I don't remember his name but he seemed to know Murphy pretty well". (X) I said, "do you know where Henry Perry is now?" He said, "No he used to have a unit over at Double Bay." I said, "How old would he be?" he said, "Oh, he'd be about 78 now." I said "Is there anybody that you know who could help us find him?" he said, "Yes, there's a man called Bernie Goldman he was the Managing Director of Halifax Limited or part of that Group which took over ^{1106 ME} ~~Q~~sdale Pty. Limited about 7 or 8 years ago. At that time Goldman was then the Accountant and now he is the Managing Director. His phone number is [REDACTED] or it was, I remember it well." I said, "You don't recall the name of the Solicitor?" he said, "No, but as I said he seems to know Murphy pretty well and he was acting on behalf of the unions at that stage." I said, "and you think this conversation, this offer by Murphy, was serious?" he said "yes, we discussed it later in the pub and we were convinced that he was serious." I said, "and you don't know if anybody took a record or made a note in a diary of the conversation?" he said, "I doubt it." he said "it was just one of those things - we beat the charges anyway so despite the offer, we didn't need any help from Murphy."

*Interview concluded
10.55 AM.*

(X) *I said Was it Morgan Ryan. He said No. I know Morgan Ryan* [REDACTED]

87
Phoned Mr Williams ([REDACTED]).

Managed to convince him of the 'public interest' in this Commission pursuing fully all allegations made about UKM. He agreed to speak to us, at his home, 10 am tomorrow.

Discussed with him (briefly) the essence of the allegation. He had some 'vague' recollection of the events which formed the basis for the allegation: he recalled 'some sort of' soliciting for a table, however he thought that the then Min. for Customs did not do the soliciting (someone else in the room.).

→ Peter Myers: please interview Mr W as arranged. He clearly has some story to tell, although I agree he will be a reluctant witness.

[REDACTED]

28/7/86.

Allegation 35

#

Juwer Reginald WILLIAMS

An employe of Professional Consulting Services advised on the phone today that Mr Juwer Williams is presently holidaying at Early Beach near Cairns Qld. He is now probably on his way back home. He is expected back in Sydney ([redacted]) and works for the week ending 15 August 1986. He retires on that day.

[redacted]

28/7/86
25

25/7/86 J

Mr Phelan Please note in
→ Note for file

at 8.25 AM today I spoke by phone to a man who identified himself as Juwer Williams (842417).

After identifying myself and ~~advising~~ ^{advising} Mr Williams that I would like to discuss the matter with him he said:

"I don't think I want to bother, It wouldn't help anybody now. It happened almost 20 years ago or thirteen years ago anyway."

I said

"you sure about that?"

He said

"yes"

So I concluded our conversation at 8.26 AM. J

28/7/86 J
(MONDAY)

ENQUIRY-CONSOLIDATED INDEX MASTER RECORD AS AT 29/ 5/86

BUSINESS NAME PROFESSIONAL CONSULTING SERVICES	DATE OF EXPIRY 13/10/86
REGISTRATION NO. D44159-00	NATURE OF BUSINESS ADVISORY COMMERCIAL SERVICE
PRINCIPAL PLACE OF BUSINESS 5 CARDINAL AVE BEECROFT	NAMES AND ADDRESSES OF PROPRIETORS TREVOR REGINALD WILLIAMS 3 CARDINAL AVE BEECROFT
OTHER PLACES OF BUSINESS 4TH FL TNT PLAZA BLDG LAWSON SQUARE REDFERN	

~~FAMEAOS~~ ~~CHARIT BROOK~~

PROFESSIONAL CONSULTING SERVICES

① — ~~5 CARDINAL AVE BEECROFT~~

② — 4TH FL TNT PLAZA BLDG
LAWSON SQUARE
REDFERN.

TREVOR REGINALD WILLIAMS

J. [REDACTED] M15 (ML) [REDACTED]

ADDRESSES:

NORTH

ON LEAVE

RETIRE

END AVG

Queensland
Early Beach
North Cairns

ENQUIRY-CONSOLIDATED INDEX MASTER RECORD AS AT 21/ 3/86

BUSINESS NAME BATESBY SALES	DATE OF EXPIRY 16/10/86
REGISTRATION NO. D44104-02	NATURE OF BUSINESS AERIAL FLOW PUMP DISTRIBUTORS
PRINCIPAL PLACE OF BUSINESS 50 DENILQUIN RD TOULMARE	NAMES AND ADDRESSES OF PROPRIETORS TOULMARE PUMPS PTY LTD 50 DENILQUIN RD TOULMARE
OTHER PLACES OF BUSINESS	

WILLIAMS

[REDACTED]

[REDACTED]

Retires
LEAVE # 1-15/8

N15

BUS: GLE
REC: D44-
PRI: 95
WEP: 12
MOT: 12
DIT: 12
SO:

Peter,

Allocated to you, as discussed.

High priority in view of the need to distil allegations ASAP.



23/7/86

1a

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

1

ALLEGATION NO. 35 - THE WILLIAMS BRIBERY ALLEGATIONS

Statement of Offence

Soliciting a bribe whether at Common Law or pursuant to Legislation.

Particulars of Allegation

We have been told that a Trevor Williams may be prepared to come forward and give evidence of a demand made to him by the Judge of a bribe of \$1,000 in exchange for assistance in relation to difficulties that Williams was having with customs matters during the time that the Judge was Minister for Customs.

Matters to be investigated

1. Trevor Williams should be interviewed.
2. There may be departmental records of some problem that Williams was having with the Customs Department at the relevant time which may go part of the way towards confirming his allegation. If Williams is not prepared to assist us, or indicates that he would not support this story, we would recommend that the matter simply be drawn to the attention of the Commissioners and that they be told that there is no evidence which we would be in a position to call to support the allegation and it should not be proceeded with.