

RECORD OF CONVERSATION BETWEEN ~~CONSTANCE [REDACTED]~~ AND
MR ALAN SMITH (CONTINUED) PAGE 11

A. Well how I saw it yeah, is through the,
Q51. Is over the telephone service?

A. Yeah mm.

Q52. What was the incident?

A. It was an incident that's sort of a little bit delicate.

Q53. All right, so since you've spoken to Simon CHALMERS it's been your opinion or, it was virtually stated to you that ~~STOKES~~ won't be speaking to you or making any affidavit?

A. He said there'd be no affidavits from ~~Simon Stokes~~, any, any reference has got to be dealt with this office, and I said well if, if ~~STOKES~~ is not employed by Telecom how can you be representing him. I said all I want is an affidavit, or a, a letter of some sort to, to give the arbitrator, although it's not arbitration process I said, I want something that, to show how much we, us fellas have been under you know, under stress. And I make it very, make it known here I believe it's not only three or four or five months I think they've been monitoring the lines, and listen in on calls a lot longer than that. There was a period of time where we used to hear clicks, I've heard, I've heard like background as if I can hear the actual exchange, someone in the exchange. Now about two months ago I think it, I rang, I rang Tim, Ann was on the other line and we were getting, and we, it was, I actually taped it, and it was like as if we had, and when we first got on the line as if you could hear background, as it was hollow and you could hear sort of footsteps or, or, or work being done in the background as if he was inside an exchange, it was, it was strange. Now I've had that happen a couple of times, when I've picked the phone up I can hear that background noise, when I put the phone down and seconds or 15 seconds later, I try to pick it up because I'm, I've worked this 90, this 90, this 90 business on my phone, where I've been charged for the, I've tried to do my own testing and I've heard an echo in background on the line and that's happened about twice, going back probably that's know two months ago, three months ago, probably round about February, March.

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indicate that monitoring was taking place without your consent? *

A. That was before I found the other document under malicious call trace, on my 267230, as I said they haven't got back to me since.

Q60. And you know what Mr ~~BLACK~~ ^{TELSTAR} position is in Telecom?

A. Yes. He's Customer Response Unit, which would be sort of number, number one underneath Mr BLACK.

Q61. And he is fully aware of our investigation in relation to monitoring of telephone services? *

A. Oh yeah sure.

~~CONFIDENTIAL~~ ^{AFP} Okay. Superintendent ~~BLACK~~ have you got any questions.

~~CONFIDENTIAL~~ ^{AFP} Q62. Thanks Tim. The information that John McMAHON passed on you from Austel about live monitoring. Do you know where he got that information from? *

A. No, but it, it is in an Austel document, I can't find it but it wouldn't be that hard to find. At a, it's amazing because I wanted to put it into my, my own submission but it's a document saying Mr SMITH was one of two people that were, the lines were in, and it's really to that, very similar to that one that it's in the Telecom stuff. So it did mention Glen Waters being John MAIN and it mentioned me but it did say that the certain times of 1993 that Mr SMITH's lines was, you know was monitored. And that's when I first knew right. And then I come across me FOI and of course that, that clarified it.

~~CONFIDENTIAL~~ ^{AFP} Do we have that document.

~~CONFIDENTIAL~~ ^{AFP} Yeah I think I've seen it somewhere before, which is virtually a mirror of the document we spoke about earlier.

A. ^{AFP} Yeah it's very close to that.

~~CONFIDENTIAL~~ ^{AFP} Where, it's an internal report st monitoring did take place.

~~CONFIDENTIAL~~ ^{AFP} Q63. And live monitoring as far as he was ^{as aural}

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monitoring.

A. Mm.

Q64. As far as you're aware?

A. Well that, that's I guess that's right yeah.

Q65. Your interpretation. That diary note that Tim showed you, do you know who the author of that is?

A. No. Well I'll put it this way, I, I'd say it would be Gordon STOKES because he did most of the work, but I mean I couldn't.

Q66. And you wouldn't like to guess on your behalf, you're not familiar with Mr STOKES' writing or?

A. Guess yeah. When he writes longhand yes that seems to be a bit shorthand.

AFP
~~XXXXXXXXXX~~ Printed I think.

A. *AFP*
~~XXXXXXXXXX~~ Printed yeah.

Q67. But the only testing you consented to was the Elmi testing in 1992?

A. In 1992 and I asked them for all the prints of 1992 and the, the one of Austel.

Q68. And in 1993 when the Telecom employees left the briefcase here. You discovered data in that?

A. I actually did yeah. For six days.

Q69. Did they, used Elmi testing?

A. Well when I, when I checked this it clearly shows that 29 incoming calls, 26 sorry, 26 incoming calls were short duration calls that didn't reach this business, and it's, they got little ticks the side. So that in five days there was calls that didn't reach Cape Bridgewater, The Camp. I that's what, when I really wanted to get on I that's other documentation in the Aus, in, I that's says, the RCM was, was registering short duration calls and I've asked for this information and I still, they still haven't writ they've refused to give it to me. And I've asked it on a separate issues which I can you know I can sort out for

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some documents, to how I've asked for it. Now that was on the line for three months and they still haven't given me under FOI.

Q70. And that would be an Elmi machine connected to your service at the Portland exchange?

A. Yeah. At the Portland exchange to the RCM.

Q71. In relation to live monitoring, you spoke about it occurring in June or July of 1993?

A. Mmhuh.

Q72. Where does that information come from?

A. That's, that's in that document.

Q73. The one that you identified earlier?

A. Mmm.

Q74. And in 1993 were you still reporting faults with your telephone?

A. I have been reporting faults right up until June 1994. And, and, and Telecom themselves have found faults in 1994, a lot of faults in 1994. Well up to, even up to June, May the 25th we are, I had repeated voice announcements, I'll tell you something that, that I've, I've done a four minute video clip, that when I rang, I rang 1100, a girl got on the phone and I've signed a Stat Dec to this, her name was Heidi and I gave her a nice little bit of a run around about her name, about a Swiss story that we will, probably shouldn't tell.

I think you've told me about this before.

A. Yeah.

From Ballarat.

A. Yeah and from Bendigo. And this lady that turns around and says mate, turns around and I asked her to, to tell me what she heard if you rang 2662, number, 008 number. No phones rang on the ring and that's all that happened and I had somebody present in, in, in the building here. She gets back on to my fax line which I was dialling out and I said what did you hear, and she says something about the Camp. I said I beg your pardon. She said

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something about a camp, I said I'm sorry I didn't quite hear you what did you say, she said something about a camp, she said I heard somebody say something about a camp. I said my lady I said nobody even picked the phone up, I said it only rang once, she said well I heard something about it, I said do you mind, she said what, what are you trying *

to do. I said well go get me the supervisor, so the supervisor come on, I said look, I said I want to go into all this, I said but there, there's something wrong, I said now this is what's happened. Do you mind getting her to ring the phone again, with that she got back, she rang the phone, it rang once or twice as normal right, the person picked the phone up and spoke on the phone and said hello, and that's all she done right. Okay, now the phone was put down and then we left it at that, three weeks later I get my phone bill, and I was charged for the first call, I was charged for 19, for 19 seconds which I never even picked up. The next call which was said hello, and Telecom's admitted this right, I was charged for four minutes and 19 seconds. Now I've done a video clip of this, of, of in front of a professional video right, of exactly this case because she, there was something wrong and she didn't want to, she didn't want to, at no time did I speak on that phone, nobody said the Cape Bridgewater Holiday Camp, I find another documentation that, that I rang, I was ringing Graham SCHORER's and I couldn't get through to him. I rang 132999, the reporter from there turns around and says, when he realised we were COT he didn't report the call. So we've not only been dealing with, with, with COT issues like with, with, with through Telecom, we've been try, we're getting bum steered by 132999 and 1100. Now that, that's clarified, I mean I, I've, I mean it's documented that that's a fact it happened yeah. *

Q75. And when did you discover that the malicious call trace was on your line in the FOI documents that you received. Just roughly?

A. About two months ago, oh six weeks ago.

Q76. And you had no knowledge of it?

A. No I had, I'd seen it but I didn't write it down, I've written so much of, I've listened to it, I've heard it, I hadn't put a great significance to it, yeah.

Q77. And in relation to ~~what~~ what you say to

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Q85. Alan just before the suspension we were just discussing the live monitoring and we established that it was around June, July, August of 93?

A. Right.

Q86. ~~The document here that you've sent to us earlier has got the date, 27/6 on it?~~

A. Right.

Q87. We can only assume I suppose that it's 1993. But there is a number blacked out?

A. Mmhuh.

Q88. And an arrow to your number which would show that this, this person called you?

A. Right.

Q89. At 6.40pm. And the notation written on it is caller, caller is usually from this number but * apparently somewhere in Adelaide on this occasion?

A. Right.

Q90. And I think you've brought that to our attention to say well how would they know that this person, and whether he calls from?

A. Yeah how would they know.

Q91. A certain number but is away in Adelaide. Other then, as you say, listening in to the telephone? *

A. I, that's it, I mean how would you know. I, I've shown that to quite a few people and they said oh God yeah, you know how, how would they know. You tell me, it's a, it's a pizza parlour and he had a dial-a-pizza parlour, and he's gone broke and he's pretty, clear set sort of a fella, and he put in about 60 grand and he's done the lot. And I was using this as an example to give to Senator BOSWELL and at that time we were getting all these people that I could get the information so I presented forward it to BOSWELL at that time to the Senate. So all this was being known at that time, because they were getting as much information we could give to BOSWELL and to Richard ALSTON, Shadow Minister, to present to the Senate.

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