DFP Okay.

I don't know whether I ever told you gentlemen this but, and it, it's well documented in Telecom notes, that and I don't know, remember the date. was within about two days after we had a, the first Current Affair program, I had rang ELSTERNWICK from the ABC and I wanted to speak to Mr McNIGHT, did I mention that before.

Yes.

Yes.

Oh,

Yeah, yeah I do recall that.

Okay.

So when you spoke to Gordon STOKES a month ago, he didn't specifically say that other people Q47. were monitoring the line or monitoring your service. His general thrust was that?

Across, across my fault so. And he, he more or less made it quite clear that he wasn't the only one. A. But it wasn't until I sort of badgered him or put him in a, in a corner if you'd like to say that, he said well look, he said there was a lot of people, I said well you were the only one listening in to my And he said, well no, there was, what I'm saying to you, there was a lot of people across your case at that time. But he made it quite clear that there was no taping so, when you put one against the other, I got the, I got the, the reference that yeah there was quite a few people listening in on it.

And this all came about as, as a result of certain 048. rumours or?

Well it's just a gut feelin that I've got

Q49.

About a certain incident, where, where the note it just wouldn't happen, it just wouldn't happen Α.

OCHER AUSTRALITA Q50.

A. Well how I saw it yeah, is through the,

Q51. Is over the telephone service?

Yeah mm.

Q52. What was the incident?

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

AFF) Q53.

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

THUSTRA

A. He said there'd be no affidavits from the said there'd be no affidavits from the said with this any, any reference has got to be dealt with this office, and I said well if, if he stokes is not employed by Telecom how can you be representing him.

employed by Telecom how can you be representing him. I said all I want is an affidavis, 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 then 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 Now about two months ago I think it, I exchange. 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 be was inside an exchange, it was, it was strange. Now I've had that happen a couple of times, when Q've picked the phone up I can hear that background seconds or 15 seconds later, I try to because I'm, I've worked this 90, this is second 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 wife and that's happened about twice, going back probably I've don't know two months ago, three months ago, three months ago, three months ago, they worked that or obably round about February, March. RECORD OF CONVERSATION BETWEEN (MR ALAN SMITH (CONTINUED)

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Q54. Just one last thing Alan that I've got, there's a letter here that you've written to Mr Paul RUMBLE of Telecom?

A. Right.

O55. And it relates to a conversation that you had on the 31st of June with him?

A. Mmhuh.

Q56. And I believe it also relates to the bus?

A. Right, it does yes.

Q57. Company matters etcetera. The thing that I'm intrigued by is the statement here that you've given Mr MANNE your word that you would not go running off to the Federal Police etcetera?

A. Mmhuh.

Q58. Can you tell me what he background of that is?

Well I rang the last up and I said look, I want some sort of clarification with all these, I said we, we get people saying that my staff no longer, as soon as I leave, that they, turn me back they're away. I said we get people that are saying that this person no longer here, and I went through all this, what you've got there. And I said, now I come up with the documentation, I said with Malcolm FRASER that I spoke to Malcolm FRASER and I know damn well I didn't tell anybody. I said I come up with this document and I said and there's no, nobody, nobody's given me any information to, to, to where you got all this information from. And he said well look I'll, I said my. the one thing I want to know I said, how the bloody hell did you, or what made you fella's write this notifications at the side of these columns of people I've rang I said I want to know. And he said look, well I'd do anything, he said, just don't go running off to the Federal Police. I said I won't go, I said tell you what, you do the right thing by me, you give me some a letter back on this, and I said to won't go off to the Federal Police. When you give me some a letter back on this, and I said to won't go off to the Federal Police.

And that, I mean that relates directly ito the monitoring of your service where, otherwise would

Q59.

756D

RECORD OF CONVERSATION BETWEEN MR ALAN SMITH (CONTINUED)

AND PAGE 13

indicate that monitoring was taking place without y your consent?

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

TELSTRA position know what Mr And you 060. Telecom?

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

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

Oh yeah sure.

Superintendent have you got any Okay. questions.

062.

The information that John McMAHON Thanks Tim. passed on you from Austel about live monitoring. Do 💥 you know where he got that information from?

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.

Do we have that document.

Yeah I think I've seen it somewhere before, which is virtually a mirror of the document we spoke mout

Where, it's an internal report state nonitoring did take place.

And live monitoring as far as he was aware was au

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 Time 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.

Printed I think.

A. 750 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?
- that 29 incoming calls, 26 sorry, 26 incoming calls were short duration calls that didn't reach chis business, and it's, they got little ticks it the side. So that in five days there was a stall didn't reach Cape Bridgewater, The Camp. What, when I really wanted to get on our I what, when I really wanted to get on our I wanted to get and I wanted to get and I wanted to get and I wanted to give it to me. And I've asked it on the separate issues which I can you know I can sort the separate for the sum of the separate issues which I can you know I can sort the separate for the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate issues which I can you know I can sort the separate is t

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.

- And that would be an Elmi machine connected to your 070. service at the Portland exchange?
- At the Portland exchange to the RCM. A.
- In relation to live monitoring, you spoke about it Q71. occurring in June or July of 1993?
- Mmhuh.
- Where does that information come from? 072.
- That's, that's in that document. Α.
- The one that you identified earlier? 073.
- Moom . A.
- And in 1993 were you still reporting faults with Q74. your telephone?
- I have been reporting faults right up until June A. 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 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.

Yeah.

From Ballarat.

And this lady theor Yeah and from Bendigo. And this lady translation around and says mate, turns around and I asked to, to tell me what she heard if you and 2622 number, 008 number. No phones rang that one one ring and that's all that happened and I had someheav present in, in, in the building hear she sack on to my fax line which I was bialling out and I said what did you hear, and she says something about the Camp. I said I beg your parties the said Yeah and from Bendigo. I said I beg your part the Camp.

Α.

something about a camp, I said I'm sorry I didn't quite hear you what did you say, she said something a camp, she said I heard somebody say something about a camp. 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 that phone, nobody said the Holiday Camp, I find a on that, that I rang, I was r on another Bridgewater I was ringing documentation that, 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.

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

A.

Q76.

no six weeks ago.

You had no knowledge of it?

No I had, I'd seen it but I didn't had the written so much of, I've listened to an analysis hadn't put a great significance.

And in relation No I had, I'd seen it but I didn't wort with his and in relation to when the whole when the seed it, year that I had in relation to when the when the seed when the seed it. A.

Q77.

RECORD OF CONVERSATION BETWEEN MR ALAN SMITH (CONTINUED)

AND PAGE 17

you specifically that, that's suggested that he was in live monitoring of your telephone involved service?

- Well now you've put it this way. I assumed, so that's why I rang him, I thought well he'd have to A. be the person, him being in charge right. And that's, and he, he didn't refute it, now I found that strange at the time, he didn't re, he didn't may oh it wasn't me, he didn't deny it, he didn't deny it at all, he just said that I ween't, no, he said, there was no taping.
- I haven't heard, I'd haven't heard rain like that Q78. for six months?
- He said it's, it's, Didn't ask, take it with you. it's, we, we, there was, there was no taping done and he made it quite, in fact, which I believe right. But what I'm left, what I'm wondering is, is quite common I've been lead to believe now it's quite common that they, they, when they, when they listen in on the calls it goes through the whole a exchange. Now I've been told that on a lot of occasions, so I'm wondering if this, if that's the case how many other people could've listened to it. Could be Mrs SMITH, could've been Mrs BROWN, Mrs BROWN talks to Mrs SMITH, husband and next minute it's all around town.
- At which college did you put the notice up at? Q79.
- Ah, the, the Warrashool Deakin University.
- Q80. What's, was associated with it is he?
- He, he's doing a, a course there at the moment. A. all I done was put a please contact me Mr STOKES.
- Did John McMAHON ever describe the document that Q81. he'd spoken to you where it had been identified to him about the live monitoring?
- Okay. That, that document that you, the third man had be referring to, or John McMAHON may be the service we do have a copy of it.

 Right.

 However, because it's been provided to the beauty of the b

DETROM However, because .it's been

Telecom, I'm, I won't show it to you.

X

You can't yeah I understand.

But it does identify the fact that, that you were live monitored for a period of time. So we're quite satisfied that, that there are other references to it.

Right.

How often does it rain down here?

Only when you fellas come down. We've had about five good days actually.

Q83.

Have you got anything else Alan to do with the live monitoring issue?

Ah, no but I, this, I mean how can you say that you A. know, because it's, it's documented that it happened from this time to that time, but nothing, in my wildest dreams would think that I'd ever been taped but now I know that what I'd thought for five I believe I've been months, six months, 12 months. taped or listened too over a good, you know a good period of time, 12 months, 18 months, and I believe up until only a matter of two months ago, a lot of funny things used to happen on the line, we'd hear clicks and, and it's just, well I can no longer use the phone. I, I really bel, I mean just cause you fellas are here now I, really don't know, I mean when I go in there I go to the gold phone, I really don't know whether I can use the phone with, with any, you know any safety. I, I, you know it's just,

There is just one more document that you've sent to 084. us that probably wasn't in the initial record conversation and that's a handwritten note?

FEMALE

Brad wants you to know if he can break that for the second.

I'll just suspend the tape then of the second approximately 7.05pm.

CORD OF CONVERSATION RECOMMENCED THE THE ISTERNATION OF THE PROPERTY OF THE

TAPED RECORD APPROXIMATELY 7.08PM

7567

- 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.
- O86. 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 was using this as an example to give to Senator SumeLie and at that time we were getting all these people that I could get the information so that I forward it to BOSWELL at that time to the present to the Senate. So all this was being of the were getting as much information we shall to give to, to BOSWELL and to Richard ALSTON. Shadow Willister, to present to the Senate.