

Special Commission of Inquiry into LGBTIQ Hate Crimes

Statement of Emma Alberici made on 25 September 2023

This is a statement I will give to this Enquiry in response to the Summons issued to me on 21 September 2023, to appear four days later, on 25 September 2023. I note I am now set to appear on Thursday 28 September.

This statement is true in every particular, to the best of my knowledge and belief.

My statement is:

1. I pursued the occupation of journalist for 29 years from 1991 to 2020. I worked as a newspaper journalist at The Herald Sun from 1991 to 1994 and a television broadcast journalist on Channel 9 in Sydney from 1994 to 2001. I then worked continually at the ABC, most recently as the Anchor of “Lateline” and then as Chief Economics Correspondent, until made redundant in 2020.
2. I have a Bachelor of Arts (Journalism) from Deakin University
3. I have written or contributed to five books, including the “Small Business Book” published by Penguin Books whose three editions sold more than 60,000 copies.
4. 
5. In making this statement, I refer to the letter to me from Mr Camporeale of 20 September 2023. I annex it as Annexure 1. I was not able to appear until 28 September, due to family and caring responsibilities.
6. During a telephone conversation with Mr Camporeale on Friday 22 September, I mentioned a series of text messages I retained in my phone recording my interactions with Michael Willing from 2015 to 2017, when we had met for coffee to discuss the unfair treatment of Pamela Young and untimely early departure of her from the NSW Police. He had expressed regret about the treatment of Ms Young and that he felt guilty about the part he had played, and not having done more to protect her from the political interference that had made her job as head of the unsolved homicide unit untenable.
7. Remarkably, when I checked my phone this morning those messages had inexplicably disappeared. They were there last Friday.
8. As for the messages, I should comment on something that Mr Camporeale said to me. He said, “Mick Willing said that Pamela Young had ‘gone rogue’”. At our two hour meeting over coffee he not only did not say that, he expressed regret at her treatment and stated that in his view the Johnson family were “nuisances” and that Steve Johnson was a “piece of work.”
9. Before going to the questions in Annexure 1, I refer to the collection of documents sent at 6.25 pm on Friday 22 September. In view of the time pressure entailed in perusing them arising from that timing, I simply say that I will answer any questions put to me about details in those documents.
10. I answer the question posed by Mr Camporeale in Annexure 1, as follows:

As to question 1:

- a. Arising from my involvement with Camp Quality as a companion and my subsequent profile as a television anchor, I am an “ambassador” for Camp Quality, which is a social service aimed at enhancing the quality of life of children with serious and terminal illnesses. [REDACTED]
[REDACTED] I found her forbearance and strength inspiring, and regard her as a role model.
- b. Ms Brown said to me, in the weeks leading up to April 2015, words to the effect of, “As you know, I am a police detective. My boss asked if I would recommend any particular journalist as trustworthy. My boss, Pamela Young is concerned that her team is being asked to prioritise one unexplained death, that was at least ambiguous, above the 700 or so others under her responsibility”.
- c. When I then met her, Ms Young said (for clarity, I will itemise my recollection of the substance of what she said):
 - i. “Well it is a case where a man was found at the bottom of the cliffs at North Head, more than 30 years ago.
 - ii. His clothes were folded neatly at the top.
 - iii. There was no sign of a struggle.
 - iv. There was an inquest which found that it was suicide. Not the first at North Head, sadly.
 - v. Then, the family of the person started agitating with politicians in the US and in the NSW State Government, so there was another inquest. The top brass in the Police ‘got rung up’ by politicians, to ‘Get this family off our backs’, I think is what they said (all about fourth hand, of course). “
 - vi. That is why they held the second inquest. The second inquest produced an open finding. No evidence of murder, misadventure or suicide, sufficient to charge or clear anyone.
 - vii. That simply revved up the agitation by the family who continued to pressure Commanders of police and politicians
 - viii. Now, we have to basically drop everything else and find an offender who may not even exist. No CCTV, no DNA, no fingerprints, nothing. If there is a perpetrator, it will take a confession or a ‘dob in’. There is no lead to anything.”
- d. I observed Pamela to be aghast at this string-pulling. Pamela and her commanders wanted the public to understand that there had been inappropriate interference by government in the affairs of police. Far from being disinterested in solving a potential cold case gay hate murder, Pamela wanted the broader public to understand how unusual it was for a case to be thoroughly investigated three times with all the multi million dollars in state resources that would tie up when the most senior commanders had long ago established that the case had “zero solvability”.
- e. I said, “OK, but you know how good people can get burned. You will be taking a big risk.”
- f. She said, “I know”

Before proceeding to answer the second question, I respond to the part of the question as to my relationship with these two courageous women, who are being staked-out to dry by the bureaucracy, and are being picked out as the “ones to blame”.

- g. I have already stated my awareness of, and opinion of Ms Brown. A decent person, and I can only ever hope to be as decent as her.
- h. I met Ms Young as arranged in 2015. She was prepared to sacrifice her career (which to that time has been nothing but outstandingly successful) on a point of significant principle. We should all be so brave.
- i. I have remained in contact with Ms Young, and regard her as a good friend. She is a better person than those who succumbed to the pressure from the politicians.

As to question 2:

- a. I met Ms Young and Ms Brown for lunch at Pasta Emilia in Surry Hills on or about February 2015. The exact date would be in my ABC diary, which I no longer have access to. I assume the ABC still has it. Perhaps it is in the collection of documents sent last Friday night.
- b. I discussed the interviews with Ms Young and Ms Brown and with my producers at Lateline, as well as with ABC Legal.

As to question 3:

All my emails etc are in the records of the ABC, and may be findable in the documents from last Friday night. My memory is that she was not there to be a “leaker”. She wanted to be a whistle blower on behalf of her colleagues, and realised that you can’t blow a whistle without making noise. She was going to brief me on the circumstances (which she did) and then we would record an interview (which we did). Please refer to the ABC and the documents for details. I should stress that she made it clear to me that she thought of herself as protecting the legitimacy of the police conduct in this matter, against the convenient blame shifting by politicians. Not only had she not ‘gone rogue’, she was defending the police, and the correctness of its conduct on behalf of victims.

As to question 4:

I had minor dealings with Police media who called me to check that I had everything I needed to conduct the interview with Pamela Young for Lateline. I recall them confirming to me that another journalist, Dan Box at The Australian, was also being given a concurrent interview about the matters.

Ironically, what Ms Young predicted is what happened. There was no outcome from sophisticated forensic techniques, like in some “CSI” fantasy. There was (at least by the time she saw the file, and almost certainly before that) no set of samples, no disrupted ground indicating a struggle. No blood. No DNA.

A disaffected former spouse only recently turned the offender in and presumably collected a reward. The offender had by all accounts had consensual sex with Mr Johnson before his death. There was no sign of a struggle, from what I recall from public reporting, but it is accepted that soon after the sexual encounter, Mr Johnson fell to his death.

It is good that a criminal has been held to account in this case. On the other hand, how many criminals have got away with how many of the other crimes that Ms Young was ordered to forget about? Those criminals benefited from the political interference that happened here.

As to question 5:

You will have to get all of this from the ABC and/or the documents of two days ago. I recall two or so conversations with a senior woman from Police media who had inquired as to timings of the interview and whether the office could provide any further information to assist my reporting. I think the documents will speak for themselves. If they contradict anything I am saying here, please permit me to examine them and comment. As far as "Pam went rogue": how do we reconcile this claim with the approaches to me about setting up interviews, by Police Media?

As to question 6:

I left that record behind at the ABC. It would be stored electronically on my computer files of the time. I presume that record is in the material sent on Friday night. See my comment above as to the records speaking for themselves.

As to Question 7:

See above.

As to question 8:

Michael Willing was the head of Homicide Command in April 2015. He encouraged Ms Young to do the interview, and he presumably liaised with Police Media. I spoke to him in preparation for the interviews both before and after. I also met him in a coffee shop in North Sydney after Ms Young lost her job in 2017. He sat with me for about two hours, during which he said things to me such as "I am so sorry about what happened to Pam. I wanted her to do the interview so that the general public could see that we were not homophobic and not negligent and that Johnson family were insufferable". He also said, "I thought that once it was public, and the scandalous misdirection of investigation resources was exposed, the political pressure would stop. I had no idea the Commissioner would be as enraged as he was about the interview and Pam got the blame, unfortunately."

Summary:

A technically excellent and dedicated professional was sacrificed in this matter because of the intervention of a wealthy family, their agitation with politicians and interference by politicians with senior police. If the politicians had simply cooperated with the police instead of pressuring them, the following could have happened:

- a. This serious crime could have been given maximum publicity and a large reward could have been offered. That is what worked in the end.
- b. Ms Young and her team could have been left to attend to other more viable investigations. Perhaps several unsolved murders, including hate crimes, would have been solved.

Because she was taken away from that work, though, several murderers will now go free. This enquiry should, in the public interest, comment on the unsuitability of the Police being pressured by politicians. The police are supposed to be a statutory non-political force.



Emma Alberici

25 September 2023



New South Wales

Annexure 1

Special Commission of Inquiry into LGBTIQ hate crimes

20 September 2023

Emma Alberici
Address known to the Inquiry

By email: [REDACTED]

Dear Ms Alberici,

Special Commission of Inquiry into LGBTIQ hate crimes

I refer to my letter of 22 August 2023, our telephone conversation on 15 September 2023 and my emails of 17 and 18 September 2023.

Summons to attend and give evidence at Public Hearing 2

Please find **enclosed** a copy of a summons to attend to give evidence (“the summons”), which requires you to give evidence at the September hearing. The September hearing commenced at **10:00am on Thursday, 21 September 2023**, at the Chief Secretary’s Building, Level 2, 121 Macquarie Street, Sydney. This hearing is listed for three weeks.

At this stage, I expect that you will likely be called to give evidence on **Thursday, 28 September 2023**. Further details as to the precise time will be provided in due course.

Opportunity to provide a statement to the Inquiry

In my letter of 22 August 2023, the Inquiry offered you the opportunity to provide a statement as to the issues raised in Public Hearing 2 that are relevant to you.

I note that the Inquiry contacted you further by email on 17 and 18 September 2023 in relation to the provision of a statement, but has received no response to date. The Inquiry will therefore proceed on the basis that you do not wish to make a statement.

Should you decide to provide a statement, please advise the Inquiry **as soon as possible**, and please provide the statement by **no later than 26 September 2023**.

Should you provide a statement, I would be grateful if you could please address the following matters therein:

1. Your relationships and/or dealings with Pamela Young and Penelope Brown before and after you interviewed Ms Young on 10 April and 13 April 2015 (the second of which interviews was broadcast on *Lateline* on the evening of 13 April 2015), including where, when and how you first met each of them.
2. How you came to be involved in the interviews with Pamela Young on 10 and 13 April 2015, including when, how and with whom discussions in relation to the interviews took place.

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3. Any communications or dealings between you and Ms Young as to how either of the interviews would be conducted (for example: whether one or both would be a sit-down interview in the studio or in some other form; and whether either would be for broadcast, or only as an off the record backgrounder, or otherwise).
4. Any communications or dealings between you and NSWPF media or other personnel (apart from Ms Young and Ms Brown) in relation to arrangements for either or both of the two interviews, at any time in 2015, including as to how the interview of 13 April 2015 would be conducted (for example: whether it would be a sit-down interview in the studio or in some other form; and whether it would be for broadcast, or only as an off the record backgrounder, or otherwise). Please identify any such NSWPF personnel with whom you had any such communications, and when.
5. Any communications or dealings between you and any of Ms Young, Ms Brown and other NSWPF personnel, in relation to the filming of Ms Young and Ms Brown walking towards the Coroners Court, as broadcast on the ABCTV 7pm News on the evening of 13 April 2015, including when that filming took place.
6. The provision of one or more versions of Ms Young's lengthy statement about the death of Scott Johnson to you, in February 2015 and/or at any subsequent time, including whether redactions and/or pseudonyms were applied to the version or versions provided to you, and what was said to you by Ms Young and/or Ms Brown about the provision of that statement to you.
7. Any communications (written or oral) between you and any NSWPF officers or staff (including Ms Young, Ms Brown and NSWPF media personnel) following the broadcast of the *Lateline* episode on 13 April 2015, including the identity of those persons and the content of what was said and when.
8. Any communications (written or oral) between you and Michael Willing at any time before or after the *Lateline* broadcast of 13 April 2015, including the date, time and content of all such communications.

The Inquiry can assist you by providing access to documents included in the tender bundle that may be relevant in the preparation of your statement. Please advise if you would like this assistance.

If you do not provide a statement, the matters outlined above are likely to be among those that will be covered in your oral evidence. You will be questioned by Senior Counsel Assisting the Inquiry, and you may also be questioned by the legal representatives for the other interested parties, including NSWPF.

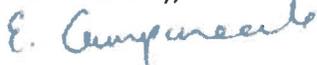
Please note that irrespective of whether you choose to file a statement, you are required by the **enclosed** summons to attend to give evidence at the September hearing.

Legal representation

I would be grateful if you could please advise me of the name of your legal representatives, if any, who will represent you in this Inquiry.

Please do not hesitate to contact Enzo Camporeale on 0498 484 133 or enzo.camporeale@specialcommission.nsw.gov.au if you have any queries in relation to this matter.

Yours faithfully,



Enzo Camporeale
 Director, Legal
Solicitor Assisting the Inquiry
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