

INDEPENDENT COMMISSION AGAINST CORRUPTION

STATEMENT IN THE MATTER OF: OPERATION CALPURNIA

PLACE: Sydney, NSW

NAME: Robert Munro Lang

OP. CALPURNIA
EXHIBIT 7

ADDRESS: L21/133, Castlereagh Street, Sydney NSW 2000

OCCUPATION: Chief Investigator

TELEPHONE NO: (02) 8281 5999

DATE: 3 February 2010

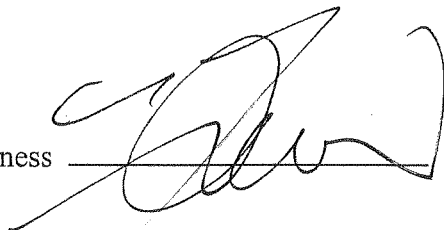
States: -

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1. This statement is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true.
 2. I am 52 years of age.
 3. I am currently employed by the Independent Commission Against Corruption ("the Commission") as a Chief Investigator. I have been so employed since 1995. My primary responsibility is to lead and manage multi disciplinary investigation teams. Those teams are responsible for conducting major investigations into allegations of serious and systemic corrupt conduct occurring in or impacting on the NSW Public Sector.
 4. This statement is made in furtherance of my statement dated 1 February 2010.

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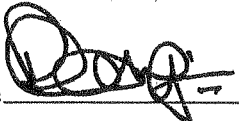


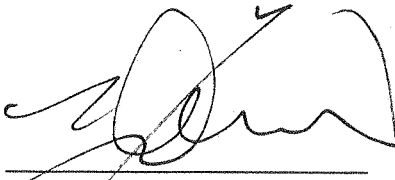
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5. As referred to in paragraph 177 of my previous statement, the current correctional centre inmate, Z gave evidence at a compulsory examination before the Commission on 29 January 2010. Z was questioned on the contents of a letter dated 20 September 2009 that he had sent to Ms Vanda Carson a journalist with the Sydney Morning Herald. It was apparent from the contents of that letter, when taken together with Z's evidence about it, that he had raised with the media allegations of corrupt and/or criminal actions involving; the police officers who had investigated and charged him with serious fraud offences, the DPP officer(s) who prosecuted him and the judicial officers who had sentenced him to periods of imprisonment for those offences. Z asserted that these actions were in some way being coordinated to ensure that his evidence about the recordings he alleged McGurk made with a number of senior public officials would not be brought to light. He claimed that this conspiracy extended to causing him to be kept in custody, "*to disrupt or prevent me from revealing what I know about the (McGurk) matter.*"
6. During his examination Z was invited to make an oral submission in relation to why an adverse finding about his credibility should not be made in the light of the inquiries undertaken by the Commission to investigate his allegations. The nature of these inquiries is set out in paragraphs 149 to 177 of my previous statement. He gave the following evidence:

Signature  _____

Witness  _____

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[The Commissioner]

[Q]: I'm just telling you .. that if you want to make those submissions and you said that you do, now is your opportunity.

[Z]


[A]: What, what appears to me is that in the absence of these tapes or the transcript being found and produced before you very little can be demonstrated and I wonder what assistance I can be to the Commission. I originally approached the matter that it was a matter of public duty to report these matters.

....

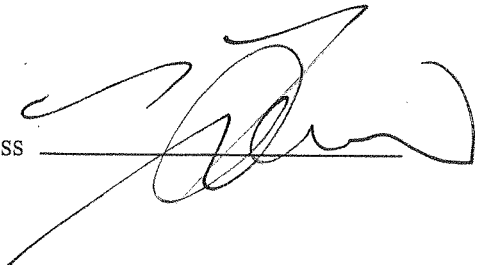
[Q]: But if you don't wish those findings to be made and I understand you, that you don't, you're entitled to have an opportunity to make submissions contrary to those which Mr Gormley has explained to you he expects to make. I do understand that you say that the veracity of your submissions depends on the existence of the tapes and without the tapes there is nothing more you can say at the moment. That's really I think what you're saying.

[A]: That is the position...

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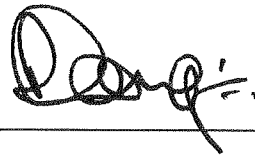



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7. As referred to in paragraph 107 of my previous statement, Mr James Byrnes gave evidence at a compulsory examination before the Commission on 29 January 2010. Mr Byrnes was asked, inter alia, about evidence he had given to the Commission earlier concerning the existence of other relevant recordings Mr McGurk may have made of conversations that he had with Ron Medich. Mr Byrne's said that the recorded conversation involving Ron Medich and Mr McGurk about which Mr McGurk had told him was highly damaging to Mr Medich was contained on one recording and not several.

Signature 

Witness 


2/3/10