

Statutory Declaration

I, Matthew John Jeremiah Meares do solemnly and sincerely declare:

1. My full name is Matthew John Jeremiah Meares. I am an Inspector of Police with the NSW Police Force. I am presently attached to the Port Stephens Local Area Command in the capacity of Professional Standards Duty Officer.
2. I refer to a letter dated 20 September 2013 forwarded by the Crown Solicitors Office to Henry Davis York Lawyers requesting information from me in the form of a statutory declaration. Set out below is the information sought within the body of such correspondence.
3. This statement is prepared by me for the sole purpose of responding to a summons dated 27 September 2013 issued on 27 September 2013 by the Special Commission of Inquiry (established by way of letters patent dated 21 November 2012 and varied by letters patent dated 11 January 2013) for me to produce a statement in relation to the matters identified in the letter dated 20 September 2013. This statement is produced by me to the Special Commission of Inquiry pursuant to the said issued summons unwillingly and only on the basis that, without exception, section 23(2) of the Special Commissions of Inquiry Act 1983 applies to restrict the use of this statement. Pursuant to section 23(2) of the Special Commissions of Inquiry Act 1983 I object to the information contained within this statement being used in any criminal, civil or other proceedings or inquiries or investigations of any kind.
4. I was attested as a police officer on 6 May 1988. After date of attestation I carried out uniformed general duties. Indeed, for the majority of my policing career my work has been within the general duties area. In terms of other duties carried out as a member of the NSW Police Force, I spent 5 years as an instructor at the Police Academy in the areas of law and investigation procedures. This was during the period of 12 July 1998 to 8 July 2002. After completing duties as an instructor, I returned to the Northern Region with the substantive rank of Sergeant in the Manning Great Lakes Local Area Command. Thereafter, I carried out duties at the Lake Macquarie Local Area Command from 5 October 2009 in the capacity of a Sergeant-Shift Supervisor. On 27 March 2011 I was promoted to my current position as Inspector at the Port Stephens Local Area Command. I currently carry out the duties of a Professional Standards Duty Officer
5. When I was transferred to the Port Stephens Local Area Command Detective Chief Inspector Peter Fox was the crime manager in that command. I worked with him as part of the senior management team at that Local Area Command until such time as he ceased work. I understand he may have gone on medical leave at some point of time.

6. In terms of my relationship with Detective Chief Inspector Fox, whilst working together at the Port Stephens Local Area Command, I would consider our relationship was a professional one, with both of us being part of the Senior Management Team within that Local Area Command. Apart from our professional working relationship, I did not have a social relationship with him.
7. I have been provided with an extract of the transcript of evidence given by Detective Chief Inspector Fox during the course of the Special Commission of Inquiry. The transcript references provided to me are pages 490-491. For the purpose of preparing my statement I have also been provided with an extract of the transcript of evidence given by Inspector David Matthews on 13 May 2013, being pages 611-614. In terms of the information sought within the letter forwarded by the Crown Solicitors Office on 20 September 2013 to Henry Davis York and the information contained within the transcript pages provided by me, I can provide the information set out below.
8. I have a recollection that on 22 February 2012 I had a conversation with Inspector David Matthews. I made no contemporaneous written notes of the conversation but I can identify the date that such a conversation was held because another significant event (not relevant for the purposes of this statement) occurred on that date causing me to remember the precise date.
9. On 22 February 2012 members of the Local Area Command, including myself and Inspector Matthews, were attending a training day. During a break in the proceedings of the training day I returned to my office for a short period of time. Whilst I was within my office Inspector Matthews approached me. I recall being at my desk within my office at the time. I observed from Inspector Matthews' demeanour that he appeared to be quite angry. During the course of my discussion with him Inspector Matthews stated to me words to the effect "Foxy's at it again". Thereafter he related to me the following information. He said words to the effect that Peter Fox was asking questions about Kirren Steel and Justin Quinn. The effect of what he told me was that Peter Fox was seeking information about Kirren Steel and Justin Quinn from whether he (Inspector Matthews) had been at Newcastle. He further advised me that he didn't know why Peter Fox wanted the information but he went on to say that he did not provide the information to Peter Fox and he "just walked out" when Peter Fox sought the information.
10. I did ask Inspector Matthews a question to the effect of why Peter Fox wanted such information. I recall that Inspector Matthews responded to me in words to the effect of "He must be doing it for his book".
11. After that conversation took place in my office with Inspector David Matthews, I did not take up the subject matter of the conversation with Detective Chief Inspector Fox as I did not want to inflame the situation as this conversation took place in the context in which there were other matters occurring at the time. I do recall however, as indicated previously in my statement, that Inspector Matthews was angry that he had been approached by Detective Chief Inspector at all in terms of the seeking of the information. After that discussion with Inspector Matthews and I did not discuss the subject matter with him again.
12. In terms of other dealings relating to Detective Chief Inspector Peter Fox, I can indicate that in my capacity as the Professional Standards Duty Officer I had an involvement in a complaint relating to DCI Fox. The reference for that complaint is P1100773. My involvement in that complaint was as the reviewing officer to the

investigation carried out by Inspector Reid. As the reviewing officer, I was required to certify that, amongst other things, Inspector Reid as the investigating officer had addressed the issue of the complaint in full. I was also required to review the findings made by Inspector Reid. Based on the information then available to Inspector Reid and myself, after reviewing the material, I accepted the findings made by Inspector Reid.

13. I make this solemn declaration conscientiously believing it to be true and by virtue of provisions of the Oaths Act 1900.

Declared at Port Stephens on September 2013

Signature of declarant

Signed _____

Certificate of witness

I certify the following matters concerning the person who made this statutory declaration (the declarant):

[please strike out the option in each paragraph that does not apply]*

1. * I saw the face of the declarant OR * I did not see the face of the declarant because the declarant was wearing a face covering, but I am satisfied that the declarant had a special justification for not removing the covering; and
2. * I have known the declarant for at least 12 months OR * I have confirmed the declarant's identity using the following identification document:

Signature of witness

Identification document relied on (may be original or certified copy)

Signed

~~Justice of the Peace~~

Name

Registration No

Lily FLAHERTY
Insp of Police 29832