



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

## SENATE

RURAL AND REGIONAL AFFAIRS AND TRANSPORT  
LEGISLATION COMMITTEE

**Reference: Citrus canker outbreak**

WEDNESDAY, 29 MARCH 2006

CANBERRA

BY AUTHORITY OF THE SENATE



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## SENATE

### RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION COMMITTEE

Wednesday, 29 March 2006

**Members:** Senator Heffernan (*Chair*), Senator McEwen (*Deputy Chair*), Senators Ferris, Milne, Nash and Sterle

**Participating members:** Senators Abetz, Adams, Allison, Bartlett, Mark Bishop, Boswell, Brandis, Bob Brown, George Campbell, Carr, Chapman, Coonan, Crossin, Eggleston, Chris Evans, Faulkner, Ferguson, Fielding, Hogg, Hutchins, Joyce, Lightfoot, Ludwig, Lundy, Ian Macdonald, Sandy Macdonald, Mason, McGauran, McLucas, Nash, Nettle, O'Brien, Payne, Polley, Robert Ray, Santoro, Siewert, Stephens, Trood, Watson and Webber

**Senators in attendance:** Senators Heffernan, McEwen, Milne, Nash and Sterle

**Terms of reference for the inquiry:**

To inquire into and report on:

The Department of Agriculture, Fisheries and Forestry's administration of the citrus canker invasion with particular reference to:

- 1) AQIS' response to the allegations of illegal importation of plant material;
- 2) The adoption of the quarantine protocols and management of the emergency response;
- 3) Cooperation between the Commonwealth and States, including funding issues;
- 4) The impact of the incursion on the Australian citrus industry;
- 5) Prevention and management of future incursions; and
- 6) Other related matters.

**WITNESSES**

**GILLIES, Mr Wayne Donald, Private Capacity..... 1**



**Committee met at 4.48 pm****GILLIES, Mr Wayne Donald, Private Capacity**

**CHAIR**—I declare open this public hearing of the Senate Rural and Regional Affairs and Transport Legislation Committee. The committee is hearing evidence on the committee's inquiry into the Department of Agriculture, Fisheries and Forestry's administration of the citrus canker outbreak. I welcome everyone here today. These are public proceedings, and a *Hansard* transcript of the proceedings is being made. The committee may agree, however, to a request to have evidence heard in camera or may determine that certain evidence should be heard in camera. If the committee does take evidence in camera, it may still make the decision to publish or present all or part of that evidence to the Senate at a later date. The Senate also has the power to order production and/or publication of confidential evidence. The committee would consult the person whose evidence the committee is considering publishing before taking such action.

Before the committee starts taking evidence, I remind witnesses that in giving evidence to the committee, they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to a committee. I remind witnesses that parliamentary privilege does not extend to statements repeated outside the committee's proceedings. Mr Gillies, is there anything you wish to add to the capacity in which you appear today?

**Mr Gillies**—I am the original whistleblower of the illegal bud wood that was imported into Emerald.

**CHAIR**—Mr Gillies, thank you for appearing. I realise this has been a pretty distressing process for you. Would you like to make an opening statement?

**Mr Gillies**—Yes, I would, but before I start I would like to thank you, Chair, for allowing me to speak again on this issue. After discussions today about the meetings I had with AQIS, you will understand why I did it. Regretfully, I had to say it to expose how AQIS has handled this whole affair. I did not want it to be put to sleep, how they operated at my place on the two nights of the meeting.

**CHAIR**—Thank you very much. You can make an opening statement now.

**Mr Gillies**—I will give you a report on how things eventuated leading up to our meeting. About six weeks after the hearing at Emerald, Tony Young from AQIS rang me to see if I would have a meeting with him. I said I would and he said he would get back to me soon. About two weeks later, I got a message on my phone from Tony Young asking me to ring. When I rang him to see what he wanted, he denied having rung me, let alone leaving a message—even though I had the message on my phone. I thought, 'Why would I want to ring Tony Young just for the sake of it?'

Some months later, I got a call from David Cammiss from AQIS asking me if I would be willing to make a statement. I said I would, but it would have to be at night because I could not afford to stand the truck down. He said that would be fine, but it would take two nights to do so. I said that would be OK and set out the dates. After hanging up the phone, I thought it was strange to be asked for a statement when I had already given AQIS one. When Cammiss arrived on the first night, he told me that he wanted to tape the interview because it would aid him when he typed out the statement to fill in the gaps on material he had not written down because he said he would not be able to write it down quickly enough. That was fair enough to me.

The first night the meeting went from 7.30 to about 10.30 pm. The second night the meeting went from 7.30 to 9 pm. He started off by asking me my name and address and my work history. The types of questions he was asking had nothing to do with the statement about Evergreen Farms. Cammiss told me the original statement I gave AQIS was not a statement as it only contained a couple of pages. I told him that was the size of it, because that is what Steven Watson had condensed it into. Cammiss also told me he had no records of my statement or the original copy before it was condensed, nor did he have copies of Philip Cea, Michelle King or Darwin King's affidavits. He asked me if I would give them to him, which I did. All of this I found hard to believe.

On the second night when Cammiss was interviewing me, he asked me if Cea had told me that he brought the bud wood into the country. I said, 'No, he did not.' On hearing this, he picked up all the papers, packed them away and said he would type out a statement. That is the only section that I lied about at the time, saying, 'No he did not'. The night before, the line of questioning, I knew he was not about trying to find out about additional evidence. He never asked me about any of the evidence that other witnesses had given to the inquiry, nothing at all. As far as I could see, it was purely about a cover-up of AQIS all the way through. That is why I said that, so I could have another chance of speaking at the inquiry.

I will just repeat what I said. On the second night of the interview I said, 'No, I did not.' Hearing this, he picked up his papers, packed them away and said he would type up the statement. All through the interview I got the impression that AQIS was not after more information about how the bud wood got into Australia. There were no questions about what Fred Ienco, Robyn Price or Michael Benham had said in their statements to the inquiry, which I could not understand. I would have thought Cammiss would have asked me what I thought of their statements. AQIS, as far as I am concerned, was not after information about Evergreen Farms but how they could stop a prosecution with Evergreen Farms. I changed three words on my statement because I had a suspicion of what AQIS was up to.

A couple of weeks later, Cammiss rang me to say that he had forwarded my statement to the DPP and they would look at it and if they were to go ahead with the prosecution then they would get back to me for more information. One would have thought that AQIS would have got all the information off me first to make a strong case of it before going to the DPP with half the information. I was also surprised that Cammiss had told me he had sent away my statement when in fact I never read a copy before he sent it; nor did I sign off on it. I never received a copy of the tape before any information went to the DPP. And people will ask why I changed my statement.

In June 2001, I reported to AQIS that bud wood and seeds had been imported onto Evergreen Farms. Since the start of that investigation right up until now, I have followed what AQIS has said and done. I am surprised that they did not interview key witnesses or allow me to ride the rows to look for the replanted illegal plants in the grapes, which I told them would be easy to find on the day of the raid.

AQIS stated that they destroyed approximately 600 citrus plants, which I believe are on video. But another witness states that he poisoned 300 of them after the raid. Then there were other witnesses who had interfered with illegal plants, but no charges have been laid for interfering with what I regard as a quarantine restricted area. Tony Young's statement at the inquiry was not all factual. With what was happening in how AQIS was handling the case, I felt that AQIS was covering up. The way Tony Young contacted me towards the end of last year and with what was said and the way he said it—David Cammiss conducted the interview—I knew I had to do something to bring to the attention of the inquiry that AQIS was trying to intimidate me. I have now received a copy of the tape, but there are omissions on the tape in certain areas.

I get so frustrated when I hear that AQIS does not have enough evidence to make a case of the illegal importation of bud wood into Australia after all the evidence that has been given to the inquiry. The Cea family was willing to front the inquiry at one stage, but has never shown up. Why can't the inquiry subpoena them? I have said before that Ben Evans would know much—if not all—about the bud wood coming into Australia, because he lived in the White house when this was going on. When I told Tony Young in July 2001 that Ben Evans would know about the bud wood he said it would not be a good idea to question him as it could jeopardise the investigations. That was a statement I could not understand.

After hearing on the 1 March 2006 that AQIS had no more new evidence to give to the DPP, one has got to question the role AQIS has played in the investigation. It seems that at no time did they want to go out of their way to interview people or to find enough evidence to form a prosecution. AQIS seemed to dismiss anything that was put forward to them.

The Australian federal government should be concerned about how AQIS handles its investigations as this has been bungled on two fronts—at AQIS in Canberra and in their investigation branch in Queensland. The AQIS investigation branch in Queensland was, on this case, like Inspector Clouseau on the case—full of bungling, except that at the end of the day no-one gets caught. Growers lose their livelihood, communities suffer hardships and whistleblowers get sacrificed. Australia's biosecurity is at risk and AQIS staff blunder on to their next case. Like I said, I followed this all the way through. I have been made to look like the villain in all of this. I am alarmed that AQIS is trying to cover up everything about this case.

**CHAIR**—Mr Gillies, have you completed that statement? Did you get to the bottom of it?

**Mr Gillies**—Yes.

**CHAIR**—Would you like to table that?

**Mr Gillies**—I will send you a copy, because I have written on it.

**CHAIR**—Okay.

**Mr Gillies**—But I will table it.



**CHAIR**—Mr Gillies, it has been a while since you first appeared and the committee may need to be reminded about this. When the first allegations were made and AQIS turned up out on the farm you were not interviewed. Is that right?

**Mr Gillies**—No-one came to me. I only made a statement on the phone to Steve Watson some time between June and 17 July. Then he emailed that statement, which I signed on 17 July in Mildura.

**CHAIR**—As you are aware, this committee instigated this inquiry and there was some resistance to that proposition. Having called the inquiry, we wondered who to interview. I thought that interviewing the manager of the farm and the bloke who ran the nursery would make a bit of sense. To our surprise, a lot of you people had not made formal statements to the investigating officers because, as they said at the time, they had no powers to compel people to make a statement. Do you as the whistleblower think that the original statement that you made down the phone, which was eventually sent to you and which you signed, was an adequate way for you to present your case?

**Mr Gillies**—Not being a lawyer, I do not know. I did give them additional evidence, but the statement I phoned through to Steve Watson was what he condensed it down to. I presumed that that was what he required.

**CHAIR**—So you made that statement over the phone to him.

**Mr Gillies**—Yes.

**CHAIR**—They did not come and see you?

**Mr Gillies**—No, not at all.

**CHAIR**—You are a whistleblower about a major event, as you saw it, and they did not bother—

**Mr Gillies**—No-one came near us at all.

**CHAIR**—Were you employed out at the farm when you made that statement?

**Mr Gillies**—Yes.

**CHAIR**—Do you think that the management of the farm found out that fact?

**Mr Gillies**—Yes. I have already stated that—

**CHAIR**—We are just reminding ourselves, because some of the people here were not on the original committee. Did you feel threatened then?

**Mr Gillies**—I did. AQIS even made me aware that by sticking my neck out the way that I had that I would be in trouble, not only through losing my job. But they also asked me to stay on, if I could, until the raid took place. The trouble is the raid did not take place. They had to be asked about when it was going to happen.

**CHAIR**—Who is 'they'?

**Mr Gillies**—AQIS had to be asked.

**CHAIR**—And who did the asking?

**Mr Gillies**—John Pressler. That was because of the fact that after I went to the hotline I also informed John Pressler about what I had done. I did that because if at the end of the day it all fell over with me I would know that there would be someone who was well known in the industry and who had a bit of stature who would then at least follow it through.

**CHAIR**—He was a bit of insurance you took out.

**Mr Gillies**—That is right. But then AQIS told him to butt out anyhow.

**CHAIR**—Did you see any signs of you being encouraged to forget the whole thing for your own safety or wellbeing?

**Mr Gillies**—Not exactly. They just told me that I was putting my livelihood in danger because of what I had done.

**CHAIR**—Who told you that?

**Mr Gillies**—Tony Young. I was not concerned that much.

**CHAIR**—In your opening statement you talked about omissions on the tape. What is that all about? Do you think the tape was edited?

**Mr Gillies**—Yes. There are sections on the tape that I feel were edited. My wife was there on the first night, and I referred to four dates.

**CHAIR**—So this was a two-night episode?

**Mr Gillies**—Yes.

**CHAIR**—Why did it take two nights?

**Mr Gillies**—That is what he wanted. On the first night, he started some of my statement, and then he said that would be it. I was of the belief that he was going to type that up and I was going to then read it and sign off on it.

**CHAIR**—But when they came and said, ‘Look, we just want to check the statement,’ or whatever, did they have your original statement?

**Mr Gillies**—No. They came with nothing. He took the statement I had given to Steve Watson and said, ‘As far as I am concerned, that’s not a statement.’

**CHAIR**—That was the original statement?

**Mr Gillies**—That was the original statement.

**CHAIR**—And it may well be that it was not a properly constituted statement. I am not a lawyer.

**Mr Gillies**—I do not know that either.

**CHAIR**—But that is the one you gave down the phone. They sent you a copy and you signed it.

**Mr Gillies**—Yes.

**CHAIR**—When they came to do these two nights of recording, what did you think that was all about?

**Mr Gillies**—When he came to us and said that they had no records or any of the documentation on their file, I thought that was very suspicious right from the word go.

**CHAIR**—Had you given them some documents?

**Mr Gillies**—I had not given them any documents. After the first night I thought that everything was not going right—it was unusual. It was on the second night that I changed that one sentence and he just packed up all his stuff. Prior to that, he asked me could I give him all the documentation, and the documentation consisted of Philip Cea’s affidavit, Darwin King’s affidavit, Michelle King’s affidavit and the statement Steve Watson had made before he condensed it down to that two pages. Now Cammis denies that I gave him those.

**CHAIR**—So they have not returned those documents?

**Mr Gillies**—No—just the one.

**CHAIR**—Do you want them back? I do not know what the legal obligations are, but would you like them back?

**Senator MILNE**—He says he has not got them.

**Mr Gillies**—That is the problem.

**CHAIR**—You handed them up, and they have not handed them back?

**Mr Gillies**—Yes. He did not ask me to sign anything to say that he had taken something—none of that was done at all.

**CHAIR**—So, on the second night, you got to the stage where you said no, where originally you had said yes in the written statement.

**Mr Gillies**—Yes.

**CHAIR**—Why did you do that?

**Mr Gillies**—From the first night—

**CHAIR**—You understand that a person standing at the back of the court house would say that you are an unreliable witness?

**Mr Gillies**—I realise that, and I know I have stuck my neck out in doing it. When you follow through to what AQIS put forward to the inquiry on 1 March, I feel that what I did has been justified. What has happened now with him denying that I gave him the documentation also verifies—

**CHAIR**—You said no after originally saying yes. For what purpose did you do that? Did you want to kill the earlier evidence or to kill the issue?

**Mr Gillies**—Definitely not. I am not changing my first statement at all. I am sticking wholly and solely to that. I wanted another crack at AQIS to show what they were up to all the way through.

**CHAIR**—I do not know that that is—

**Mr Gillies**—That is why I have never asked for anything to be held in camera. I want to be open with everything.

**CHAIR**—Your original statement was condensed to two pages from a phone conversation and that was sent to you and you were asked to sign it. Is that how it happened?

**Mr Gillies**—Yes.

**CHAIR**—There was no physical contact?

**Mr Gillies**—No.

**CHAIR**—Thank you.

**Senator MILNE**—I was not at the original inquiry when you were interviewed the first time. In relation to the break-in at your house, were the police called to investigate?

**Mr Gillies**—No.

**Senator MILNE**—Did you ask for the police to come and investigate the break-in?

**Mr Gillies**—No. I told AQIS about the break-in.

**CHAIR**—We need to adjourn to attend a division.

**Proceedings suspended from 5.09 pm to 5.19 p.m.**

**CHAIR**—I apologise for the interruption.

**Senator MILNE**—I want to go back to that initial period when you reported your concerns on the hotline and then your house was broken into. Who discovered the break-in and why weren't the police called?

**Mr Gillies**—When we got back from our trip away we went to the front door—there is a screen door and then another door—and the screen door was open. When we went to unlock the front door it just opened straight up. We thought that was unusual. I went straight to the computer. It showed that it had had an illegal shutdown. In other words, we had not gone through the proper procedures to shut down the computer. I went to where I had the map of the grapes and that had been interfered with.

**Senator MILNE**—Explain to me how it was interfered with.

**Mr Gillies**—How I had had it sitting with all my books and other material had changed.

**Senator MILNE**—When that happened who did you report that to?

**Mr Gillies**—I rang AQIS straightaway because correspondence with AQIS never comes through our house phone or through the office. It is either done on my own private mobile or via email through the computer. They got that information off the email.

**Senator MILNE**—When you rang them and said, 'I've just got home from my holidays, I've checked it out and I think my information has been interfered with,' what action did they say they would take or suggest you should take? Do you remember?

**Mr Gillies**—On the 17th I told them that they had just missed us. They said to us, 'We're going to have to bring the raid forward.' That is when they made it for the 23rd or 24th.

**Senator MILNE**—They did not suggest that you go to the police, that they would get the police or anything like that.

**Mr Gillies**—No.

**Senator MILNE**—So they just said, 'Oh well, somebody now knows.' Then the raid did not take place for quite a long time, did it?

**Mr Gillies**—That was the following week.

**Senator MILNE**—You obviously had offered at some point to drive them around to show them the areas of concern when they came in. Is that right?

**Mr Gillies**—Yes. I met them and our first port of call was the nursery. I showed them—

**Senator MILNE**—What you thought, yes.

**Mr Gillies**—Yes. The first thing I took them to was the shipping container where the remains of the illegal seed had been. Lo and behold, they were not there. I said, ‘Robin Price will know, because it was sitting up on the bench before I went away.’ They asked him and he said it had not been there for a month. I told them he was lying about that, but they did not bother questioning him any more. I thought, ‘This is a great start! I’ve showed them where the seeds are and they’re not there.’

Then we went to the citrus and showed them the plants, which was fine. Then we went down to the grapes, and all the grapes were missing bar one plant. In AQIS’s statement they say they have done tests on these suspected illegal grapevines. How the hell can they have done tests on these grapevines when they did not know where they were? They could not find them. They had already been dug up. Steve Watson in his statement acknowledges that. This is where I said Tony Young’s statement was not factual. The illegal bud wood that we planted on to the grape rootstock were budded differently to the stuff obtained everywhere else. They were freshly dug up and quite obviously put somewhere else.

I offered to ride those rows. I think at the time there were a couple of thousand rows there. It would have been no trouble for me to ride down them. All I would have had to look for was a bit of disturbed soil and I would have known straightaway just by looking at the graft. But they would not agree. In his statement he said he could not understand why I wanted to drive in a four-wheel drive vehicle, meaning a HiLux. There was no mention of that. It was an ATV. As you can understand, if you are familiar—

**CHAIR**—Yes.

**Senator MILNE**—So you think you were actively prevented from showing them around.

**Mr Gillies**—I was, yes.

**Senator MILNE**—All the evidence to date shows that the raid took six weeks and that obviously people knew that they were coming. We have never been able to establish how they knew. Do you have a theory about how they knew?

**Mr Gillies**—They knew from the information they got from my email. They knew that I—

**Senator MILNE**—That you had reported it.

**Mr Gillies**—Yes, but they did not know there was a raid date at that time because it was never discussed. I told them that they were going to bring it forward.

**Senator MILNE**—Who do you think broke into your place?

**Mr Gillies**—I can only surmise on that. We had a key register and that was accessed mainly by me, my wife and the Ceas. Anyone else who accessed it would have had to sign for it, but the Ceas had access to it.

**CHAIR**—The place was not broken into; it was unlocked?

**Mr Gillies**—Yes, it was unlocked. It was not physically bashed down or hacked down or anything like that.

**Senator MILNE**—But you feel you would have locked the house when you went away, and so somebody accessed a key to let themselves in and look at your computer, and the only people with access to those keys were the Ceas or someone who signed for a key?

**Mr Gillies**—Yes. My house is the closest one to the White house—to the Ceas. It is well away from everyone else.

**Senator MILNE**—The question I was asking was: do you have a theory about how the Ceas knew that all this was happening in the first place?

**Mr Gillies**—They would have got it off the computer and from the map of the grapes. How else did they know where to go and look? They did not know where to look for the citrus because only I knew where it was planted.

**CHAIR**—Who are they?

**Mr Gillies**—The Ceas.

**CHAIR**—Did you have a password to open your computer?

**Mr Gillies**—Yes, but only into our private business accounts. Anyone could go and open up—

**CHAIR**—To get the map of the farm.

**Mr Gillies**—Yes.

**CHAIR**—Do you think anyone got in? You did not say they got into your private stuff.

**Mr Gillies**—No, they would not have been able to access that.

**Senator MILNE**—Taking you back a step further, obviously after they looked at the computer they would have known where the material was, but for whoever broke into your house to find that material they must have known that you had made the report to AQIS. That is what I am trying to get at. How do you think the information you gave to AQIS got back to the Ceas?

**Mr Gillies**—I have no idea. Just to correct you: the maps were not on the computer; only correspondence between AQIS and us was on the emails. The map was in another—

**CHAIR**—And was it missing?

**Mr Gillies**—No, it was disturbed; it had shifted. I also gave that map to be used in evidence in a Federal Court hearing. They knew because, if there are something like 300,000-odd plants, how did they know where to go and find 48?

**CHAIR**—What was the Federal Court hearing?

**Mr Gillies**—That was where Philip Cea tried to stop an appeal against the quarantine.

**CHAIR**—That is where they settled and had the confidential agreement?

**Mr Gillies**—No, that was afterwards.

**Senator STERLE**—To clarify: when you found the house was unlocked, you made a statement you went straight to the computer. Why would you go straight to the computer?

**Mr Gillies**—I do not know. It was just instinct. You have to know the layout of the place. When you go into our place you go past the room where the computer is. The computer had a little window saying that it was open, and that is what alerted us to the fact that it had not been properly shut down.

**Senator MILNE**—You have said several times that you think AQIS was not really interested in getting to the bottom of this. That is my paraphrase of what you have said time and time again through this, and that is also why you changed what you had to say. At what point did you become concerned that AQIS was involved in a cover-up or was not interested in getting to the bottom of it?

**Mr Gillies**—Right from the initial investigation, when they let off Robin Price so lightly when he said he had not seen the containers for a month—and I told them to go back and quiz him on that. Also, with Fred Ienco, I had suspicions about who would be the key people involved in all of this; yet after the raid, when Tony Young rang about some other things to do with the questioning, I asked him about Fred Ienco. I asked whether he had seen that, and I will not repeat the words he said to me but Fred told him to go and get so-and-soed. They accepted it, which I find hard to believe. It is the same with Ben Evans. As I said, with him they were willing to not question him. Why, when the guy lived in the house? Part of the statement that AQIS gave to the DPP stated that Ben Evans picked Philip Cea up. That is only once. No-one has said that all the bud wood came in in one hit. With the amount that was brought in, it physically could not have.

**Senator MILNE**—You said there was a great deal of it.

**Mr Gillies**—Yes, so why didn't AQIS follow that up? Why didn't they go and follow through? When did Ben Evans actually go to Scandinavia and match it up with Philip Cea? They were quite willing to do that when I went to America. They rolled out a piece of paper to show my wife and me—they were quite willing to do that, yet they were not willing to do this with Mr Cea.

**Senator MILNE**—I do not understand the Scandinavian connection. You are saying that there was such a large volume of material that it could not have been brought in in one go.

**Mr Gillies**—That is right.

**Senator MILNE**—So it had to have been brought in several times over. What is your theory on how it was brought in?

**Mr Gillies**—It was brought in by Cea.

**Senator MILNE**—Was it physically brought in in person—with someone—or sent in in containers?

**Mr Gillies**—It would have to be physically brought in by a person, because to travel, say, by sea would just take too long and to air-express it—

**CHAIR**—So you think it would have come in in passenger luggage?

**Mr Gillies**—Yes.

**Senator MILNE**—You would have to make several trips to bring that volume of material in.

**Mr Gillies**—Just to go back: the grapes come from California, the lychees and the citrus come from China and the pawpaws and melons come from the Philippines. So you just cannot bundle everything like that at one destination. If you are that good at it, then quite obviously you have had a bit of experience somewhere.

**Senator MILNE**—What is the Scandinavian connection?

**Mr Gillies**—It is only what Ben Evans said when he went to Scandinavia or somewhere.

**Senator MILNE**—Can I ask one other question about the last bit, when you were interviewed recently over those two nights. When David Cammiss came to your home did he sit down and explain to you at the start why he was interviewing you and what form the interview would take and did he tell you that at the end of it there would be a statement prepared and that it would be returned to you to check? Did he go through all the normal procedures before he started interviewing you so that you knew exactly what you were actually being interviewed to do?

**Mr Gillies**—Basically all he said was that he was taking the statement, the tape was just to fill in the gaps, because he would not be able to write as quickly as we spoke, and I would then see the statement and sign it and it would be forwarded to the DPP. It did not happen that way. Right from the word go, from how he kicked off, the alarm bells and suspicions were there.

**CHAIR**—Have you been offered the generosity of the two nights of taping so you can have them as a record?

**Mr Gillies**—Only by request. They have not volunteered them at all.

**CHAIR**—Have you got the tapes?

**Mr Gillies**—I have not got them personally.

**CHAIR**—Someone has got them?

**Mr Gillies**—Someone has got them, yes.

**CHAIR**—So they made them available?

**Mr Gillies**—Yes, but only by request.

**CHAIR**—When did they do that? The interview took place just before Christmas—is that right?

**Mr Gillies**—Yes.

**CHAIR**—When did you get the tapes?

**Mr Gillies**—I think the other party got the tapes around three weeks ago, after the last Senate inquiry.

**CHAIR**—So this is real Dad and Dave stuff.

**Mr Gillies**—Absolutely.

**CHAIR**—I raised this issue at the last hearing, which you did not attend, and it seemed extraordinary to me and the committee—I was not aware it was a two-night affair—that you were not offered a solicitor or the opportunity to have someone accompany you as a witness, that it was taped and you were not offered the transcript and that you were not offered a statement to check and correct. But after we pointed all this out to these people at the last hearing, they suddenly turned up with the tape for you.

**Mr Gillies**—Only after we requested it.

**Senator MILNE**—You said before that you felt the tape had been interfered with and you were saying your wife was with you on the first night.

**Mr Gillies**—Yes.

**Senator MILNE**—Explain to me how that proves that it was being interfered with. Was material deleted from the tape of something?

**Mr Gillies**—When we go through the transcript, what was discussed—

**CHAIR**—We will have to suspend proceedings again. I apologise; it's those bloody bells!

**Proceedings suspended from 5.36 pm to 5.37 pm**

**CHAIR**—We can resume. A quorum was called in the Senate. Take your time, Mr Gillies. If you want to gather your thoughts and have a drink of water, go ahead.

**Senator MILNE**—When you heard the tapes that were provided to you after the last Senate hearing, why did you think they had been edited? Was there some specific thing you can point to?

**Mr Gillies**—What we had discussed that night and what I read in the transcript do not match up. I am not saying that the tapes were edited later; he could have been switching the tape on and off. I did not see him switch the tape on and off, but what we discussed in certain areas was not—

**CHAIR**—What you are saying is that some of the conversation may not have been taped while some was.

**Mr Gillies**—Yes.

**CHAIR**—You and I are never to know the outcome of that. Since the last hearing, where we pointed out the Dad and Dave sort of operation that it was, they returned a copy of the tapes to you. Is there a transcript as well?

**Mr Gillies**—A transcript was done for my benefit to follow it through.

**CHAIR**—When? That night?

**Mr Gillies**—No, not by AQIS; by the other party.

**CHAIR**—After the tapes were returned to you?

**Mr Gillies**—Yes.

**CHAIR**—So the transcript was not offered to you by the interviewing officers?

**Mr Gillies**—No, just the CD.

**Senator MILNE**—If the tape were not edited and someone was switching it on and off—and you would not have noticed that—one might have thought that that would have been brought to your attention in the course of the interview. Otherwise what was the point of taping the conversation?

**Mr Gillies**—As he said, it was just to fill in the gaps that he could not write. You also have to remember that on the second night I was under the belief that at that first night's interview I would be given a copy there to read, to see whether it was true and correct. Nothing like that ever happened.

**Senator NASH**—How much of that tape do you think was missing, compared to what you said? Was it a sentence or two or was it 10 minutes worth of conversation?

**Mr Gillies**—I have no idea. I just know that some areas were touched on—one regarding my wife and another one regarding Andrew Christie from AQIS. Andrew Christie was the guy I referred to earlier on, before Philip Cea imported the plants, so I knew the protocol of what was required for bringing in plants that Philip Cea wanted originally from overseas. I said that if he rang Andrew Christie he should be able to verify that I did follow all that through to get all the right protocol on these various things.

**CHAIR**—But that is only an assumption. There might be a perfectly plausible explanation for them wanting to exclude any private comments you made about the family or wife for privacy reasons.

**Mr Gillies**—One would have thought if it was a statement to go to the DPP—

**CHAIR**—We will deal with that in a moment.

**Senator NASH**—Backtracking to the break-in, you assumed that it was related to this issue. At any time did you assume that the break-in was not related to this issue?

**Mr Gillies**—No, because nothing else was taken.

**Senator MILNE**—Who did you speak to about the break-in?

**Mr Gillies**—Tony Young.

**Senator MILNE**—So it was up to him whether he advised that the police be called?

**Mr Gillies**—Yes.

**Senator MILNE**—I just cannot understand why that would not have occurred.

**Mr Gillies**—Tony Young would have known all the laws because he was an ex-Victorian detective.

**CHAIR**—He was.

**Mr Gillies**—The other thing that astounded me was that AQIS earlier on in the hearing said they felt that the laws were adequate for interviewing the people with regard to this case. If that was the case, why haven't we got an outcome of all this?

**CHAIR**—Some of us might have formed a view that Mr Price might have been, as it were, on high alert to the point that he might have been petrified that he might have said the wrong thing that got him into trouble in the interview. Did you at any stage feel intimidated by the fact that you were giving this evidence?

**Mr Gillies**—No. I suppose you have to know the nature of me—you see what you get or you get what you see.

**CHAIR**—We, as you are aware, asked the complying officers to hand their original brief up to the DPP, and for this committee's gratification we got a notification that there was not enough information in the brief to proceed to prosecution on the original brief. We eventually found out that there was relatively nothing in the brief, but of course they did not tell us that and that was because they did not actually do the interviews. A wool classer and a welder could figure out who you ought to interview. It was a great surprise to me that they had not interviewed the budsmen and the various people who were key participants. We can see that you have been emotionally affected by this, and I suppose there has been a lot of pressure on your family. There was some pressure, as I understand it, on your family from the announcement by the DPP at that hearing, after which you got the transcript, that somehow you had been on the take or something peculiar—

**Mr Gillies**—They called the daughter to say that I was taking bribes.

**CHAIR**—When you were interviewed in this two-night affair you say you changed your evidence—in fact, you say you lied. If you were doing your best to capture what you thought was a wrong in law, why would you lie?

**Mr Gillies**—I did not lie in the whole statement. Everything else is accurate up to there. I knew that somewhere along the line I had this guy and I knew I had to put the spanner in the works, and that had the biggest punch to me. When he picked up on what I had said and did not cross-examine—

**CHAIR**—But why did you want to put a spanner in the works? Why wouldn't you have said, 'I want to cease this interview; I don't think you're fair dinkum'?

**Mr Gillies**—Because, at the end of the day, his submission would have gone to the DPP. They would have said, even if I had stuck to my story, that Wayne Gillies did not have enough evidence and that Ben Evans's evidence was not good enough, and they would have got off the hook and it would have been closed down on 1 March 2006. That is why. I have gone so far. I have followed this all the way through. I knew, right from the outset, how AQIS has been conducting all of this, and there was no way in the world that I was going to let this die there and then. Too many people's livelihoods have been destroyed by this, and there is no way in the world I am going to give up now. Like I said, I could have given all this in camera, but as far as I am concerned I have got nothing to hide. I will stick by my original statement. Yes, I did mislead him, but it was only for one thing and that is to expose AQIS for what they are doing.

**CHAIR**—Would it be fair for me to say then that you varied your evidence so that we would pick up the variation and ask you, 'Why the hell did you do that?'

**Mr Gillies**—Yes. You would want to know why the hell did I change my story. And remember it is only one fraction. I have not reread—

**CHAIR**—We are quick learners. As you know, when they read the statement out during the hearing I went and rang you and asked, 'What the hell is this all about?'

**Mr Gillies**—That is right, and I told you exactly what it was about.

**CHAIR**—So that is why you are here today.

**Mr Gillies**—Yes, and that is why I trust that the inquiry has not come to—

**CHAIR**—Justice delayed is justice denied. I have to say that what went on in 2001—the way in which all that occurred—has probably gone a long way to derail the whole thing.

**Mr Gillies**—AQIS are using provision 67(1). I am not a lawyer, but it is the toughest provision for a prosecution. Why didn't they go to the easier ones? All the way through this, AQIS have tried to find all the reasons why they should not prosecute. There has been no time through any of this when they have given you a hint like, 'Let's try and prove we've got something here.' What does it say to the other people who are interested in doing illegal things?



**CHAIR**—We have made the point many times in these hearings that this sets a really bad example.

**Mr Gillies**—AQIS don't seem to be too concerned about it, do they?

**CHAIR**—We will not go down that track in case it does encourage people.

**Senator MILNE**—There is one thing that has bothered me all through this about how this illegal bud stock got into the country, and that is one of the vulnerabilities in relation to this. It is the question of proving that Mr Cea or somebody physically brought it into the country. There was reference earlier on in the inquiry about some of the bud stock coming through a nursery on the Gold Coast. Do you know anything about that?

**Mr Gillies**—Nothing came through a nursery on the Gold Coast. All the bud wood that was received at Evergreen Farms I knew about, and it is all recorded—everything was recorded and paid for.

**Senator MILNE**—So you are confident that all the material that you reported to AQIS must have been brought in in the company of a person because, with any other way of bringing it in, it would have been destroyed due to the time frames we are talking about. So it had to have been accompanying baggage.

**Mr Gillies**—That is right. Put it this way: if it was all legal, why the hell would you go to the trouble of putting it in tea, wrapping it up, putting it in suitcases and everything else? As Ben Evans said, why not do it the way we were buying the bud wood from Auscitus? Why go to all those extremes? What AQIS is really asking is for Mr Cea to come to them and put his hand up and say: 'Hey guys, I did this.' And then they would probably tell you that there is not enough evidence.

**CHAIR**—Can I try to get to a little bit of detail. I am reading from the DPP's report:

I note that one of the witnesses, Robin Price, says in his statement—

if you are unable to form a view on this, please do not speculate—

... that although the "'dodgy' budwood" (his expression)—

you know how to describe 'dodgy'—

... had a residue of tea leaves sitting on it, particularly at the ends, he "didn't think this was all that unusual as tea leaves can sometimes be used as packing material in the field" ...

Did bud wood often turn up from other parts of Australia packed in tea?

**Mr Gillies**—No. Our bud wood that came from Auscitus was wrapped in paper with an icepack on the top. And Robin Price was aware of that.

**CHAIR**—I am trying to be not a wool classer and a welder at the moment but someone with an inquiring mind. If I went to the farm and someone told me that, the first thing I would think to myself was: 'I will go and have a look at these tea-leaves and see whether I can identify whether they are Australian grown tea-leaves.' Were there containers with tea-leaves in lying around when these people turned up to do these interviews? Would there still have been discarded containers or would there have been a possibility that some of these were there?

**Mr Gillies**—They would have been at the White house. But you have to go back to when AQIS raided the White house. They had a room there when the White house was built and I used to call it the 'bomb shelter'.

**CHAIR**—We know about the bomb shelter.

**Mr Gillies**—AQIS did not make any effort to find out what was in there. Michelle King leant on them a bit and they backed off. If you were doing an investigation why wouldn't you—

**CHAIR**—It would be reasonable, wouldn't it, to think, 'Maybe these tea-leaves come from Adelaide, June, Wagga or somewhere, but why don't we get some of these tea-leaves and see whether they are a variety that is not grown in Australia?' That would have helped the investigation no end, wouldn't it?

**Mr Gillies**—Yes, but they would only get those tea-leaves from the White house; they would not get them anywhere else.

**CHAIR**—I am not worried about where they would get them; I am worried about what is going on in their bloody heads—if you are serious about what this all meant and if it swung on the tea-leaves. They go on to say:

... it seems to me that the events that are described by Mr Evans are not explicable only on the basis that Mr Cea had returned to Australia (and ultimately to Emerald) from overseas with budwood that he had obtained overseas. There is nothing to exclude the possibility that he had returned to Emerald Airport either from an internal Australian trip after having been overseas, having collected some budwood stored in the manner—

that is, in the tea-leaves—

described by Mr Evans from somebody else or somewhere else in Australia.

It would not be very difficult to work out where the bloody tea-leaves originated.

**Mr Gillies**—In how many parts of Australia is tea grown? It would be very simple to do.

**CHAIR**—You could identify, surely, whether they were Billy Tea tea-leaves or whatever. I am afraid I have grave reservations about that.

**Senator MILNE**—It is clear to me that you are of the view, and have been since the day of the raid when they would not let you drive them around the farm and show them what you wanted to show them, that there was something going on in AQIS.

**Mr Gillies**—That is right.

**Senator MILNE**—And that has been confirmed by everything that has happened subsequently.

**CHAIR**—Did you know that Mr Ienco had been instructed to go down in the middle of the night and spray some areas with Roundup?

**Mr Gillies**—Only what I heard here at the inquiry. What Ienco said was, in my view, 10 per cent true and correct. Of what Robin Price said here, about 95 per cent was true. That is my opinion.

**CHAIR**—For the record, that could be meaningless to this committee because that is just your view of the world.

**Mr Gillies**—It might be my view of the world, but I know how things were run.

**CHAIR**—Fair enough.

**Senator MILNE**—It is obvious from right at the beginning that you formed a view at that particular time and that has been carried over ever since. AQIS is the body charged with pursuing this. Were you surprised that this occurred? Were you concerned by it right at the beginning? Did you try to take it anywhere else? Did you try to go higher or report it to anyone? That night you were not allowed to show them and it obviously occurred to you then that it was strange because you wanted to show them where this material was and you were being told not to or that they were not interested or whatever. Did you try to ring up anyone higher in AQIS, the minister's office or anywhere to say you were concerned?

**Mr Gillies**—No.

**Senator MILNE**—Have you formed a view since—I know it is only a view—as to what motivation AQIS would have for not getting to the bottom of this?

**Mr Gillies**—Yes.

**Senator MILNE**—I understand that it is pure speculation but would you like to tell us?

**Mr Gillies**—I believe that AQIS was led on by Philip Cea purely through litigation. I suppose that is backed up by some of the statements he made and what he forwarded to AQIS with regard to how it was going to harm the harvesting of grapes and a few other things. I do not know why AQIS took that onboard because when you analyse it, it was not going to have that affect. But the statements were good enough to persuade AQIS about it. I would say that Philip Cea would intimidate them by saying that he would see them in court straightaway, which he would not have any hesitation doing.

**Senator NASH**—On the break-in, you informed Mr Young from AQIS. Did you think to inform anybody else about your suspicions concerning the break-in apart from AQIS?

**Mr Gillies**—No. AQIS was investigating the whole lot. Who else would I need to go to, really? They were the investigating body. As far as I am concerned it was purely to do with the illegal imports.

**Senator MILNE**—Did you discuss it with your wife? Was she or anyone else there?

**Mr Gillies**—On the break-in?

**Senator MILNE**—Yes.

**Mr Gillies**—Yes, when we both entered the house.

**Senator MILNE**—She was with you when you went back into the house. She could corroborate what you are saying about the door being open and all that sort of thing. This has obviously cost you a great deal in legal

representation and so on—financial cost, not to mention personal cost. What would you say it has cost you to date—an estimate?

**Mr Gillies**—I have paid some legal fees. One law firm has given me pro bono help. The bill is about \$250,000—and it is still ongoing.

**Senator MILNE**—Obviously, there has been a huge stress on you in this period. Has that meant you have been unable to work at times so that is an additional cost or have you been able to find alternative employment?

**Mr Gillies**—Yes, I have been able to find employment. That \$250,000 is still ongoing.

**CHAIR**—Has that \$250,000 been provided pro bono?

**Mr Gillies**—That is without what I have put in, which is about \$50,000-odd.

**Senator MILNE**—So in spite of the pro bono help from the legal firm you have spent \$50,000 of your own money—

**Mr Gillies**—It may be a bit more.

**Senator MILNE**—approximately, in pursuing this matter?

**Mr Gillies**—Yes.

**CHAIR**—I apologise; we have to break again.

**Proceedings suspended from 5.59 pm to 6.10 p.m.**

**CHAIR**—I understand that time is now becoming a constraint, so we might have to hurry this along. I apologise for all the interruptions.

**Senator MILNE**—We will go back to when you changed your statement—the point at which the interviewer concerned packed up and left. Could you revisit this for us: in your first statement, what did you say occurred and, in your second statement, what did you say did not occur? And can you affirm to this committee what you believe to be the truth in that particular instance, because we have answers of yes and no? I would really like to know what you said yes to, what you said no to and what you are now, here with this committee, telling us is the case.

**Mr Gillies**—In my original statement I stated that Philip Cea told me what he was bringing in or imported.

**Senator MILNE**—Illegally?

**Mr Gillies**—Illegally. That is the original one to AQIS. The one I told Cammiss was: no, he did not—and that's the only thing I changed, nothing else.

**Senator MILNE**—That he did not tell you that he was bringing it in illegally?

**Mr Gillies**—Yes.

**Senator MILNE**—So what is the truth?

**Mr Gillies**—The truth is that he told me that he had brought it in.

**Senator MILNE**—Can you elaborate on when he told you that and the circumstances in which he told you that?

**Mr Gillies**—Yes, that was around the September period of 2000. Put it this way: I had to know from someone, because how the hell was I going to know about having the trees and everything ready to do the budding? You just do not come and lump this amount of grapevines or this amount of citrus. Even though we had the rootstock there, we still had to marry up the right varieties to the rootstock.

**CHAIR**—So there had to be some forewarning for you to be ready for him when he got there?

**Mr Gillies**—That is correct.

**Senator MILNE**—Tell me about the circumstances in which he told you that.

**Mr Gillies**—I go back to where we had the first discussions about him thinking about bringing stuff in from overseas, and then I told him about the protocols we had to go through and everything else. The short of it was that he did not want to go through all of that. He wanted to speed things up. The conversation came around or a little time after that he told me what he was going to do. I told him and Darwin what the consequences of it would be—that they would lose their livelihood and I would see him in jail. At present, they have lost their

livelihood. Most of what had happened, with diseases and everything else, is true, because where he was bringing in the citrus from is a dirty part of China with regard to disease et cetera in citrus.

**Senator MILNE**—You told him in Darwin?

**Mr Gillies**—Him and Darwin, his son.

**Senator MILNE**—So you were in their house, having a conversation—

**Mr Gillies**—In their office.

**Senator MILNE**—What was his response when you said, ‘If you do bring this in illegally then you’ll lose your livelihood and probably end up in jail or whatever’?

**Mr Gillies**—His response was that all he would get is a fine and a slap on the hand, and that was it. He said that the place would be put in quarantine and when everything was—

**CHAIR**—He did not even get that, did he?

**Mr Gillies**—No. He said that the place would be put in quarantine and then, if they found out about it, all that would happen is he would get a fine or a slap on the wrist and he would still have his plants in and he would be way ahead. When I was in the office giving him a lecture about it he just patted me on the shoulder like he used to do and said, ‘Don’t worry about it, it’ll be right.’

**Senator MILNE**—So the only witness to the conversation was his son, Darwin?

**Mr Gillies**—Yes, his son.

**Senator MILNE**—You must have been quite horrified by that. When you left did you discuss it with your wife or anybody else?

**Mr Gillies**—No. No-one else knew about it.

**Senator NASH**—Can I just ask, as a producer, why he would not have been extremely worried about potentially importing disease to his property. If, as you said, it was coming from a dirty part of China, did it not occur to him that that disease would affect his enterprise?

**Mr Gillies**—No, that would not worry him. That would be the least of his worries. You have to know the nature of the beast. You have to know what his property was like down in Beaudesert, how he had the animals down there and how I instructed his daughter and the manager that we had to destroy 120 or 150 goats because of the condition they were in before the RSPCA got hold of them. Yet they were quite content to mistreat those animals like that. You really have to know the nature of the beast to have a full understanding. The other thing is that because he wielded so much power in the Philippines he thought he could do the very same over here and manipulate the law in Australia.

**CHAIR**—We will have to wind this up, but when you varied your evidence—and you say now that this is the truth—you would have had a fair idea that that was going to bugger up the prospects of a prosecution?

**Mr Gillies**—No, because I was led to believe that I was going to sign a statement, and I would have pointed out that I wanted to change it.

**CHAIR**—And no-one offered you the transcript?

**Mr Gillies**—No, nothing.

**CHAIR**—Okay.

**Senator MILNE**—Had they presented you with a statement saying, ‘No, he didn’t say that,’ you would not have signed it and you would have reneged on that statement?

**Mr Gillies**—Yes.

**Senator MILNE**—But you were never given that opportunity?

**Mr Gillies**—I was never given that option.

**Senator MILNE**—I have a final question. Given the whole AQIS trail from the beginning and your sense that it was not a serious investigation right through to the final couple of interviews and how it was terminated and so on, clearly this was an AQIS investigation that became huge—it has become huge over the years. It has been directed from Canberra ultimately. It might have started locally, but it has been directed from Canberra. Do you think that there has been any kind of direction in AQIS to drive this in a way that does not get an outcome?

**Mr Gillies**—Yes. I believe it has come from someone from AQIS in Canberra. The little bit of evidence I refer to is that when I was doing the statement with Minter Ellison they were acting on behalf of AQIS. In relation to the appeal in the Federal Court, reference was made there that they had to watch the expenditure of the court case—how much was going to be spent. After that there was this confidentiality agreement that was drawn up, but it was never exposed until it was put through parliament. It was made public—Warren Truss released it. When I read that confidentiality agreement, it had all the hallmarks of a Philip Cea document, because I had seen his documents before where he had drawn up stuff and he wanted to intimidate people.

**Senator MILNE**—You are suggesting that someone at AQIS in Canberra had been talking to Philip Cea such that his lawyers might well have prepared the statement that AQIS then put out and signed?

**Mr Gillies**—I would not say that I know that directly or indirectly, but it had to come from somewhere higher up because what was going on was not to the capability of the investigation branch in Brisbane. It had to come from higher up.

**CHAIR**—This is well and truly hearsay, though?

**Mr Gillies**—It is.

**CHAIR**—I want to ask you what I think is a fairly pertinent question. Since this committee first became aware of your existence and the existence of some other people who have been witnesses, have you felt threatened?

**Mr Gillies**—Yes, I have. When we went to the Federal Court, I asked that my address be kept secret in all that.

**CHAIR**—Do you still feel threatened?

**Mr Gillies**—Yes.

**CHAIR**—Would it surprise you to know that the Cea family—that was the microphone on the table there—wanted all this recorded straight off the table? Does that surprise you?

**Mr Gillies**—No, because the phones at the office were on an eight-minute delay.

**CHAIR**—That was the instruction he issued. We have removed the microphone, as you can see.

**Mr Gillies**—That would not surprise me.

**Senator MILNE**—The phones at the office were on an eight-minute delay where?

**Mr Gillies**—Yes.

**Senator MILNE**—At the office you worked from at Evergreen Farms?

**Mr Gillies**—At Evergreen Farms, yes.

**CHAIR**—What does all that mean?

**Mr Gillies**—I do not know how it worked, but the conversation was recorded.

**CHAIR**—In any event, have you been threatened?

**Mr Gillies**—Not personally. It is just the way things have been done with my family—my children—because they are still up in Central Queensland; and how things have been done where I was previously employed after Evergreen Farms that had a familiar ring. Philip Cea, in his capacity—

**CHAIR**—If you had your time again, what would you do?

**Mr Gillies**—I would do exactly the same again in regard to the whistleblower thing, but I would change how I reported it and I would probably use the pencil and the diary a little bit better.

**CHAIR**—From your perspective, you have put yourself through all this because you were trying to do the right thing by Australia?

**Mr Gillies**—Yes.

**CHAIR**—I think you ought to be commended for that. It will be the responsibility of this committee to report on the consequences for and sacrifices sometimes made by whistleblowers. I have to say I am worried that you are not going to make your plane.

**Senator MILNE**—You say you felt intimidated. In what way? Did you feel like you were physically threatened or your children were physically threatened? What form did the intimidation take?

**Mr Gillies**—He would get at me at some stage. I have already said this in a statement when we had a hearing in the industrial court on an unfair dismissal. There was me, Darwin King, Phillip Cea and my wife, and they were talking to the solicitor in Brisbane at the time. Philip Cea lost his cool and told the solicitor that he was not going to pay this guy for his unfair dismissal when he could get him wiped out for the equivalent of \$300—and he is telling the solicitor this. Darwin King was there—

**CHAIR**—What was the name of the solicitor he told that to?

**Mr Gillies**—He was from Corrs Chambers Westgarth.

**CHAIR**—Can you remember the bloke's name?

**Mr Gillies**—It could be Coleman. I am not real sure.

**Senator MILNE**—What did he mean by 'he could get him wiped out for \$300'?

**CHAIR**—Get his head blown off, presumably.

**Mr Gillies**—Yes. But it was the guy that was going for unfair dismissal.

**Senator STERLE**—Not you?

**Mr Gillies**—No, not me. But I was there and Darwin was trying to settle his father down. The solicitor was saying, 'I don't want to hear about this,' but he just kept on—

**CHAIR**—Thanks very much for that. Obviously, as I said to you last time, if you feel intimidated or threatened in any way, you should let us know. Finally, I am still troubled by this changed evidence. Did you feel that you were being told with a wink or nod or perhaps in some coded way that it would be better for your long-term prospects and future if you removed yourself from the whistleblower role in this?

**Mr Gillies**—Yes. I was told by a lawyer not to be the white knight and to forget about everyone else and just worry about myself.

**Senator MILNE**—Whose lawyer?

**Mr Gillies**—He was a guy who was acting for us pro bono.

**Senator MILNE**—For you?

**Mr Gillies**—Yes.

**CHAIR**—All right. We will not progress that.

**Senator MILNE**—Is there any last statement you would like to make to us that you have not told us that has been on your mind?

**Mr Gillies**—There is still a lot. I am really disappointed that the industry bodies that look after the growers have not pursued AQIS in all of this—and, for that matter, the Queensland DPI, because they had a big role to play in the bungle. The other thing I am disappointed about is that no-one in government circles has contacted us in relation to what happens to whistleblowers. I think new laws have been passed for the protection of whistleblowers, but no-one contacted us to ask what the ramifications are so that they can draw up a decent bill to protect us.

**CHAIR**—Finally, you are still convinced that the Cea family illegally imported this material?

**Mr Gillies**—Absolutely.

**CHAIR**—Thank you very much. That draws this hearing to a conclusion.

**Committee adjourned at 6.25 pm**