

IN THE MAGISTRATES' COURT  
OF VICTORIA AT *HEIDELBERG*  
**BETWEEN**

REECE STORME FERRARA

Applicant

v

THE STATE OF VICTORIA

Respondent One

THE HON. MINISTER ANTHONY CARBINES MP

Respondent Two

THE HON. LISA NEVILLE MP

Respondent Three

THE HON. ENVER ERDOGAN MLC

Respondent Four

ATTORNEY GENERAL HON. JACLYN SYMES MP

Respondent Five

CHIEF COMMISSIONER OF VICTORIA POLICE

Respondent Six

DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY

Respondent Seven

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

Respondent Eight

AND

ORS

**CERTIFICATE OF EXHIBIT**

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Date of document:	01/04/2024	Solicitors Code:	N/A
Filed on behalf of:	Applicant	Telephone:	0400690987
Solicitors name:	N/A	Court Ref:	P11271001;
email:	<a href="mailto:Reece.Storme@Protonmail.com">Reece.Storme@Protonmail.com</a>		P11370782;
<i>Magistrates Court Act 1989</i> (Vic) section 133 Contempt in the face of the Court			P12154228

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**Exhibit [RF0A1L]** is a true copy of the Audio and transcript of the Victims of Crime Assistance Tribunal hearing 1756/2017 before her Hon. Tregent. J. dated September 9 and 29, 2021, at the Heidelberg Magistrates' Court.

**INDEX OF RECORDING DATA HELD BY THE COURT**

Elapsed	Action	Parties / Notes	Date	Magistrate	Court
000:00:00	New Case	Party 1: REECE STORME Party 2: Agency:	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
000:00:00	Operator	New Recording started	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
000:14:55	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
000:29:50	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
000:44:45	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
000:59:40	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
001:14:35	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
001:29:30	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
001:44:25	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
001:59:20	System	Scheduled audio file rollover	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
002:10:20	Operator	Recording completely stopped	09/09/21	TREGENT J	Heidelberg Magistrates' Court - Court 5
Position	Real Time	FileName			
0	11:02:45	2017_1756_110245_09092021_1.ogg			
0	11:02:45	2017_1756_110245_09092021_1.ogg			
0	11:17:41	2017_1756_110245_09092021_2.ogg			
0	11:32:38	2017_1756_110245_09092021_3.ogg			
0	11:47:34	2017_1756_110245_09092021_4.ogg			
0	12:02:31	2017_1756_110245_09092021_5.ogg			
0	12:17:28	2017_1756_110245_09092021_6.ogg			

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 P11370782;  
 P12154228

**Exhibit [RFOA1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

0	12:32:25	2017_1756_110245_09092021_7.ogg		
0	12:47:22	2017_1756_110245_09092021_8.ogg		
0	13:02:20	2017_1756_110245_09092021_9.ogg		
21172449	13:13:21	2017_1756_110245_09092021_9.ogg		
FileTime	Event	Case Number	Operator Name	Operator Initial
00:00:00		2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:00:00	Y	2017_1756	COLLINS C	CC
00:11:00	Y	2017_1756	COLLINS C	CC

Committal	Closed Court	Location	Court Num	Sitting Time	Parent	Block Status
No		024	05	002:10:20	Primary_Case	

\*\*\*End Data Index

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This is a true transcript of the audio recording of the Victims of Crime Assistance Tribunal, reference 1756/2017, before her Hon. Treagent, J., on September 9 and 29, 2021.

\*\*\*Begin Transcript '2017\_1756\_110245\_09092021\_1.ogg' at 11:02 a.m.

1. 00:00:00:00 - 00:00:04:11  
Tribunal Assistant  
Calling the matter of Reece Storme.
2. 00:00:04:13 - 00:00:27:18  
Hon. Treagent, J  
Okay. Thanks very much. Now, Mr. Storm, if you wouldn't mind just acknowledging yourself just because at the moment that's a bit better because you're hidden from my vision behind the box. So if you wouldn't mind saying something, it means you'll come into the main picture for me.
3. 00:00:27:20 - 00:00:29:09  
Reece Storme Ferrara [Jacob Ferrara]  
Umm, yep.
4. 00:00:29:11 - 00:00:34:00  
Hon. Treagent, J  
But you're a bit hard to hear
5. 00:00:34:05 - 00:00:35:11  
Reece Storme Ferrara [Jacob Ferrara]  
that help.
6. 00:00:35:13 - 00:00:44:23  
Hon. Treagent, J  
A little bit better. I'll see if we can, can we turn it up from our end at all?
7. 00:00:45:00 - 00:00:48:20  
Tribunal Assistant  
and I hope that you try to do that. Okay.
8. 00:00:48:22 - 00:01:11:08  
Hon. Treagent, J  
We might see if you can try using without the headphones. I don't know whether that'll help
9. 00:01:11:10 - 00:01:12:23  
Reece Storme Ferrara [Jacob Ferrara]  
that better

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10. 00:01:13:00 - 00:01:21:18

Hon. Treagent, J

it's a little bit better. Maybe are you able to sit closer to whatever the device is using?

11. 00:01:21:20 - 00:01:24:15

Reece Storme Ferrara [Jacob Ferrara]

Ahh it's just. Sure.

12. 00:01:24:17 - 00:01:46:06

Hon. Treagent, J

Okay, I think that's better. That certainly is better. And also on the link is now, I had your rank previously. Is it Detective Sergeant? Yeah. Okay. Detective Sergeant O'Meara, is that correct?

13. 00:01:46:08 - 00:01:46:14

Detective Sergeant O'Meara

That's Correct your Honour. Can you hear me?

14. 00:01:47:21 - 00:02:12:06

Hon. Treagent, J

I can. Thanks very much. Have you got camera? yeah. Good. Okay, great. Thanks very much. Good. Thanks. Okay. Thank you for coming as well and making yourself available. Originally, I had wanted to try to do this in person, but we've just had so many complications with COVID and the like that the only way to really do this hearing will have to be obviously over WebEx, but it won't alter the [REDACTED] of the evidence.

15. 00:02:12:06 - 00:02:41:22

Hon. Treagent, J

Obviously will be the same. I'll direct my first remarks, obviously to you, Mr. Storm, as the applicant in relation to these proceedings. Obviously, where a decision has been made by the police not to issue charges, then the court needs to, or the tribunal. I need to be satisfied not beyond reasonable doubt, but certainly on the balance of probabilities that an offense has been committed and that you are a victim of that offense.

16. 00:02:41:22 - 00:03:11:16

Hon. Treagent, J

Therefore, I need you to go through your evidence and then obviously I'll ask you some questions and then I'll hear from the police officer who made the assessment as to not to charge anybody with any offending behavior. Now, appreciate the police's job

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is more difficult because they must establish their charges or expect to establish their charges at the criminal standard of beyond reasonable doubt.

17. 00:03:11:18 - 00:03:50:12

Hon. Treagent, J

Whereas in my consideration, I have to be satisfied on the balance of probability. I will indicate, Mr. Storm, that in terms of going forward, the difficulty you face additionally, and this was informed to your previous solicitors, is even if you get over the threshold such that I'm satisfied on balance that an offense has occurred, the situation is that the tribunal must also have regard to a number of other matters when considering as to whether to, A) make an award or how much that award should be.

18. 00:03:50:14 - 00:04:19:23

Hon. Treagent, J

And that's in part in paragraph four, Section 54 of the Victims of Crime Assistance Act 1996, which sets out that I have regard to the character behaviour, including past criminal activity and the number and nature of any findings of guilt or convictions or the attitude of the applicant at any time, whether before, during or after the Commission of the Act of Violence, and further, whether the applicant provoked the Commission of the Act of violence.

19. 00:04:20:00 - 00:05:01:10

Hon. Treagent, J

And if so, the extent to which the act of violence was in proportion to that provocation. I'm obviously aware of the fact that subsequent to these allegations, you have yourself been found guilty of two sets of offenses. One, as it directly involves your former wife, and that was charges of persistent stalking, persistent breaches, I should say sorry. And then another matter where you said to have entered the house and assaulted the then partner of your previous wife

20. 00:05:01:13 - 00:05:24:09

Hon. Treagent, J

I do note it was myself who dealt with you in relation to the charges of persistent contravention of the Family violence intervention order. And it was me who placed you on a corrections order with the requirements to undertake a men's behaviour change course and other matters as well. Now, the mere fact that I dealt with those matters is really quite irrelevant in terms of my consideration here.

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21. 00:05:24:09 - 00:05:43:18

Hon. Treagent, J

But of course that means that those court outcomes will impact upon firstly, possibly the way I view your evidence today, in the sense that you've indicated that you've it's been at times that you've otherwise acted adversely towards your previous partner.

22. 00:05:43:18 - 00:06:12:00

Hon. Treagent, J

And additionally to it also might impact it. Even if I find the charge, the existence of an act of violence towards you, it might mean that I make a deduction from any award that I might otherwise make for you. I can indicate also by virtue of the legislation, the Court, the tribunals limited also about how much money we entitled to award, whether it is an act of violence.

23. 00:06:12:00 - 00:06:46:07

Hon. Treagent, J

And I can indicate where the allegation is one of assault, the maximum award available for special special financial assistance is in the sum of \$650 being the maximum amount of money that we can otherwise award. Then the next consideration is whether there would be costs towards any further counseling and then if exceptional circumstances exist, there can be provision of money for the purposes of matters which might otherwise assist recovery.

24. 00:06:46:07 - 00:07:02:02

Hon. Treagent, J

But of course exceptional circumstances need to be established in order for that to occur. So before we go any further then Mr. Storm, is there any questions that you have before I asked you to get some evidence.

25. 00:07:02:04 - 00:07:05:16

Reece Storme Ferrara [Jacob Ferrara]

No, you're on. I'm aware of everything you stated

26. 00:07:05:18 - 00:07:07:01

Hon. Treagent, J

Okay.

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27. 00:07:07:03 - 00:07:16:12  
Reece Storme Ferrara [Jacob Ferrara]  
And I do sort of prior to continuing this, I did have a look at some case law to support my position.
28. 00:07:16:14 - 00:07:30:08  
Hon. Treagent, J  
Okay. Okay. Very good. Okay. Now, would you prefer to make. Take the oath, which is a promise on the Bible or make an affirmation, which is a promise to the court?
29. 00:07:30:10 - 00:07:31:01  
Reece Storme Ferrara [Jacob Ferrara]  
Affirmation.
30. 00:07:31:05 - 00:07:39:20  
Hon. Treagent, J  
Okay. Thanks very much. So you'll hear my clerk fairly shortly. If you just wouldn't mind repeating after what she says.
31. 00:07:39:22 - 00:07:41:01  
Reece Storme Ferrara [Jacob Ferrara]  
Yep.
32. 00:07:41:03 - 00:07:44:18  
Tribunal Assistant  
Hi Can you hear me? Okay?
33. 00:07:44:20 - 00:07:45:19  
Reece Storme Ferrara [Jacob Ferrara]  
Yeah.
34. 00:07:45:21 - 00:08:02:05  
Tribunal Assistant  
Just repeat after me, please. I solemnly and sincerely. Sorry. We'll just do that again. It just cut out a bit. I solemnly and sincerely.
35. 00:08:02:07 - 00:08:04:04  
Reece Storme Ferrara [Jacob Ferrara]  
I solemnly and sincerely
36. 00:08:04:06 - 00:08:07:18  
Tribunal Assistant  
declare and affirm,

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37. 00:08:07:20 - 00:08:09:02  
Reece Storme Ferrara [Jacob Ferrara]  
Declare and affirm
38. 00:08:09:04 - 00:08:12:19  
Tribunal Assistant  
that the evidence I shall give.
39. 00:08:12:21 - 00:08:14:14  
Reece Storme Ferrara [Jacob Ferrara]  
That the evidence I shall give.
40. 00:08:14:16 - 00:08:17:23  
Tribunal Assistant  
Will be the truth.
41. 00:08:18:00 - 00:08:19:03  
Reece Storme Ferrara [Jacob Ferrara]  
Will be the truth.
42. 00:08:19:05 - 00:08:22:11  
Tribunal Assistant  
The whole truth.
43. 00:08:22:13 - 00:08:23:12  
Reece Storme Ferrara [Jacob Ferrara]  
The whole truth.
44. 00:08:23:14 - 00:08:27:04  
Tribunal Assistant  
And nothing but the truth.
45. 00:08:27:06 - 00:08:28:20  
Reece Storme Ferrara [Jacob Ferrara]  
And nothing but the truth.
46. 00:08:28:22 - 00:08:34:12  
Tribunal Assistant  
Can you please state your full name.
47. 00:08:34:13 - 00:08:39:07  
Reece Storme Ferrara [Jacob Ferrara]  
I've change it since I've dealt with you guys last. So it's Reece Storme Ferrara

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48. 00:08:39:09 - 00:08:44:04  
Tribunal Assistant  
Can you please say your address.
49. 00:08:44:06 - 00:08:56:06  
Reece Storme Ferrara [Jacob Ferrara]  
Currently 1128 and Edderton Road Muswellbrook in New South Wales.
50. 00:08:56:08 - 00:09:01:03  
Tribunal Assistant  
And just your occupation please.
51. 00:09:01:05 - 00:09:03:05  
Reece Storme Ferrara [Jacob Ferrara]  
Registered Paramedic
52. 00:09:03:07 - 00:09:04:18  
Tribunal Assistant  
Thank you.
53. 00:09:04:19 - 00:09:27:14  
Hon. Treagent, J  
Good. So can I just clarify, mister, just to get your name correct at the time that you originally made your statement to the police on the 19th of January of 2016, you were known as Jacob John Ferrara is that correct?
54. 00:09:27:16 - 00:09:28:04  
Reece Storme Ferrara [Jacob Ferrara]  
Yeah, that's right.
55. 00:09:28:10 - 00:09:37:03  
Hon. Treagent, J  
Okay. And then I was aware at some point you changed your name to Reece Storme?
56. 00:09:37:05 - 00:09:38:11  
Reece Storme Ferrara [Jacob Ferrara]  
Yeah.
57. 00:09:38:13 - 00:09:48:10  
Hon. Treagent, J  
Have you changed it again to add Ferrara on to the end of. So is it Reece Storm Ferrara Now?

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58. 00:09:48:12 - 00:09:49:15  
Reece Storme Ferrara [Jacob Ferrara]  
Yeah, that's correct.
59. 00:09:49:17 - 00:09:57:18  
Hon. Treagent, J  
So, okay, so it was just at one point Reece Storme and now it's become Reece Storme Ferrara
60. 00:09:57:20 - 00:09:58:08  
Reece Storme Ferrara [Jacob Ferrara]  
Correct,
61. 00:09:58:10 - 00:10:09:24  
Hon. Treagent, J  
Okay, So what would you prefer me to address you as Mr. Storm or Mr. Ferrara.
62. 00:10:10:01 - 00:10:23:13  
Reece Storme Ferrara [Jacob Ferrara]  
Well, I mean, my current, it'd be, it'd be more correct to say. Mr. Ferrara now, but I mean, I'm not very fussed as far as my name is concerned. I tell people they can call me whatever they want.
63. 00:10:23:15 - 00:10:55:06  
Hon. Treagent, J  
Okay. Okay. So, Mr. Ferrara, we're going back to an incident which is said to have taken place on the 19th of January of 2016 and that was a Tuesday. And if you want to set out for me in your own words as to well, I'll ask you this. At this point, you were Janina Ferrara and you were separated at that time, is that correct?
64. 00:10:55:08 - 00:10:56:03  
Reece Storme Ferrara [Jacob Ferrara]  
Yeah.
65. 00:10:56:05 - 00:11:03:08  
Hon. Treagent, J  
How long how long had you been separated for?
66. 00:11:04:12 - 00:11:24:11  
Reece Storme Ferrara [Jacob Ferrara]  
I, I left the sort of co residing house or the family home in October 2015, and that was after an incident where she spat in my face.

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67. 00:11:24:13 - 00:11:44:23

Hon. Treagent, J

Okay. And then you obviously have you shared the child, Leo Ferrara, who at the time of this incident was two and a half years old.

68. 00:11:45:00 - 00:11:45:22

Reece Storme Ferrara [Jacob Ferrara]

That's right.

69. 00:11:45:24 - 00:11:58:13

Hon. Treagent, J

Okay. Okay. So then take me to what happened on that date of the 19th of January.

70. 00:12:01:05 - 00:13:01:13

Reece Storme Ferrara [Jacob Ferrara]

Well, I mean, thats.. time ago. but like, without referring to notes or anything like that at she was unwell with a sore throat and she has a has an ongoing and even to this day particular difficulties with anxiety and a like when she gets unwell she can get overwhelmed and so and [cutting out] help her out with that. So I went over I did an assessment asked her a few questions about you know, I took a temperature and stuff like that.

71. 00:13:01:15 - 00:13:43:13

Reece Storme Ferrara [Jacob Ferrara]

I had a look at the tonsils and told her that it was tonsillitis. Admittedly, you know, I wasn't very I wasn't it was probably as caring or as as as nice as what I could have been like. I dismissed her. I probably dismissed her and the difficulties that she was she was facing and she was talking, she was getting she was starting to hyperventilate and get agitated and stuff like that.

72. 00:13:43:13 - 00:14:16:18

Reece Storme Ferrara [Jacob Ferrara]

So, you know, I tried to tell her that she wanted to go to hospital. I said, look, you're not going to hospital because it's a sore throat. That's essentially what it is. I prepared a drink with you know, dissolved aspirin. I believe in a drink. She refused to drink that because she thought that it aggravated, you know, it aggravated her throat or things like that.

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73. 00:14:16:20 - 00:15:01:00

Reece Storme Ferrara [Jacob Ferrara]

I said to her, okay, would you you know, we need to get some kind of anti-inflammatory on board. She was unwilling to cooperate with that. I mean, I got frustrated and I told her, well, what if there's nothing I can do about it? You've got a sore throat, have to deal with it. There was there was two and a half at the time. I said, well, okay, we'll go get you some ice cubes and you can sort of put some ice cubes in your mouth to sort of give some relief that way.

\*\*\*End Transcript '2017\_1756\_110245\_09092021\_1.ogg' at 11:17 a.m.

This is a true transcript of part '2017\_1756\_110245\_09092021\_2.ogg' heard the same day,

\*\*\*Begin Transcript '2017\_1756\_110245\_09092021\_2.ogg' at 11:17 a.m.

74. 00:00:00:00 - 00:00:34:23

Reece Storme Ferrara [Jacob Ferrara]

It's nice to have you in your mouth to sort of give some relief that way. [REDACTED] was hungry, so I got into some yogurt he spilled when we went back to the room. He spilled some yogurt onto the carpet. And then that's when that made [REDACTED] for that for a better word, she lost it. So she got quite intensely angry, yelling and things like that.

75. 00:00:35:00 - 00:01:22:03

Reece Storme Ferrara [Jacob Ferrara]

I have had, copped that kind of behavior for a number of years. And so I said to her, look, if you're not going to settle down, we're going sort of thing. And then she then she sort of took [REDACTED] from me and took [REDACTED] for me and then put him on the bed and told me to leave and I said, I'm not leaving my son behind, and particularly when you're like this.

76. 00:01:22:05 - 00:01:42:15

Reece Storme Ferrara [Jacob Ferrara]

So then she stood. Like, the bed, so if I'm facing forward. The bed was on the left of me, just like to my foot

77. 00:01:42:17 - 00:02:21:22

Reece Storme Ferrara [Jacob Ferrara]

So me and [REDACTED] and the bed and then so she stepped up and said, You leave now? I've said no. Then things have escalated. And she. Like. [cut out, Operator C. Collins] or anything like that. But it was pretty much like, You leave now. I'm not going to leave without my son. And then, like, what I did was she went. She went.

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

78. 00:02:21:24 - 00:02:45:16

Reece Storme Ferrara [Jacob Ferrara]

It was it was weird because she went quiet and it was really odd. And I know I remember specifically, I noticed either her pupils or something like that. It just went it was something, something odd that I'd never seen before. And it was it was.

79. 00:02:45:18 - 00:02:54:14

Hon. Tregent, J.

So you just it's a very sorry. I'll just have to stop you, Mr. Ferrara.

80. 00:02:54:16 - 00:02:58:00

Reece Storme Ferrara [Jacob Ferrara]

[indiscernible]

81. 00:02:58:02 - 00:03:14:17

Hon. Tregent, J.

Sorry, I have to stop you. It's obviously a very bad connection because I haven't heard the last 30 seconds of what you've otherwise had to say. So I'll just ask my clerk something.

82. 00:03:14:19 - 00:03:28:13

Reece Storme Ferrara [Jacob Ferrara]

Yeah, I'm in rural. New South Wales. [Tribunal Clark talking softly to Member]

83. 00:03:28:15 - 00:03:30:01

Hon. Tregent, J.

It's not great though.

84. 00:03:30:03 - 00:03:38:02

Hon. Tregent, J.

[Tribunal Clark talking softly to Member] Yeah.

85. 00:03:38:04 - 00:03:47:19

Hon. Tregent, J.

Okay, try that. See if that's any better, Mr. Storme because it certainly if you are cutting in and out a lot.

86. 00:03:47:21 - 00:04:01:18

Reece Storme Ferrara [Jacob Ferrara]

Yeah. Sort of getting out. Umm Better better reception or better connection whatever. Is that better?

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87. 00:04:01:20 - 00:04:30:16

Hon. Tregent, J.

Not really, no, I suppose. Have you got a. I'm just wondering if you've got a device which you get closer to the device which is providing the internet

88. 00:04:30:18 - 00:04:37:13

Reece Storme Ferrara [Jacob Ferrara]

like that. [cut out, Operator C. Collins] landline Internet.

89. 00:04:37:15 - 00:04:43:03

Hon. Tregent, J.

Okay, that's actually worse. I think you might be better going back inside.

90. 00:04:43:05 - 00:04:44:23

Reece Storme Ferrara [Jacob Ferrara]

At the hotspot.

91. 00:04:45:00 - 00:05:07:00

Hon. Tregent, J.

Yeah. Okay. Try that. [Tribunal Clark talking softly to Member]

92. 00:05:08:00 - 00:05:25:09

Reece Storme Ferrara [Jacob Ferrara]

It's kind of the best I've got, really.

93. 00:05:25:11 - 00:05:34:07

Hon. Tregent, J.

That's better. That's certainly better. Maybe just sit there. Let's see how we go from there.

94. 00:05:34:09 - 00:05:36:24

Reece Storme Ferrara [Jacob Ferrara]

Yep. Do you want me to start again or?

95. 00:05:37:01 - 00:05:50:00

Hon. Tregent, J.

Yeah. Look like we're at the part where you said it was weird. She went quiet. Really odd pupils not seen before. And that was when it cut out.

96. 00:05:50:02 - 00:06:43:19

Reece Storme Ferrara [Jacob Ferrara]

Yeah. So, yeah, that was odd. Obviously, as a paramedic, you come across. [cut out, Operator C. Collins] So I took my eyes up and. And. And my gaze went down to my

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

son at a 45, and so she was out of my line of sight and I moved, moved towards the bed to go to pick him up and I didn't see anything, but I felt suddenly an extremely sharp and intense whack.

97. 00:06:43:21 - 00:07:20:05

Reece Storme Ferrara [Jacob Ferrara]

I don't know what you call it, but a sharp pain to my face. And the the force and things like that sent me back, pushed me back into the wall behind me. The wall stopped me from falling over. But, you know, I sort of it sort of landed on the wall and then fell down. I fell down to the ground.

98. 00:07:20:07 - 00:08:20:02

Reece Storme Ferrara [Jacob Ferrara]

It took maybe a second or two sort of real well happened. And, you know, I sort of touch my face and the bleeding and I just she and I [REDACTED] yep she full punched me in the face. And so actually, you know, [REDACTED] and heart rate and stuff like that is is pumping. And then I look up at her and it again, it was odd because she had a look of complete shock on her face almost as if she didn't [REDACTED] she was surprised that she did that or she didn't I don't I don't know.

99. 00:08:20:02 - 00:09:05:10

Reece Storme Ferrara [Jacob Ferrara]

But the look on her face was one of, of shock, really. And so, again, that's odd. And so, [REDACTED] witnessed that. And, you know, I said to her, oh I don't know something like your fucked. I picked [REDACTED] up. She, she just stood there in that kind of shock kind of state and picked him up and then I left the room and I said, look, which I regretted later, I said, Look, you're never going to see [REDACTED] again.

100. 00:09:05:12 - 00:09:43:04

Reece Storme Ferrara [Jacob Ferrara]

And I regret that because never my intention, but I just couldn't believe she did it. And then and then we left and then outside the door of the house before we got into the car, she yelled out behind me, you know, it's your word against mine. And then I went got in the car, you know, sort of talking to [REDACTED] and I drove over to my parents house and trying to reassure him and say, look, you know, Pap's okay, we're just going to go to Omar's house.

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

101. 00:09:43:05 - 00:10:25:10

Reece Storme Ferrara [Jacob Ferrara]

And I dropped him off at my parent's place. And, you know, I was still bleeding. Mouth. And it really hurt by that stage. The [REDACTED], I don't know effect that the [REDACTED] was going off or whatever. So that started to actually really hurt. Then I dropped [REDACTED] off with my parents, they saw that's what happened. I said, [REDACTED] punched me and then can you look after [REDACTED] I've, I've got to go to the [cut out, Operator C. Collins]

102. 00:10:25:12 - 00:10:33:00

Hon. Tregent, J.

So I've got to What? Sorry, I've got to go?

103. 00:10:33:02 - 00:10:48:04

Reece Storme Ferrara [Jacob Ferrara]

I've got to go to the Police. And so then I went and saw at the time, Senior Constable O'Meara.

104. 00:10:48:06 - 00:10:50:24

Hon. Tregent, J.

Okay

105. 00:10:51:01 - 00:11:26:11

Reece Storme Ferrara [Jacob Ferrara]

And then the way there I think I sent, either, the way there was some time after I sent her a text message saying, look, I'm sorry, you know, like I'm sorry I said you'll never see him again or something like that. And I was worried about her, as I said, to [cut out, Operator C. Collins] the constable O'Meara I was worried about her mental state and how she'd go with that.

106. 00:11:26:13 - 00:11:42:10

Hon. Tregent, J.

So sorry. You just. So you cut out. I was worried about her mental state and how she would go.

107. 00:11:42:12 - 00:12:03:01

Reece Storme Ferrara [Jacob Ferrara]

108. Yeah. So how she would, how she would cope because I like and because I'd told her that she wouldn't see him again and that that wasn't true. And that's. That's the event.

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

109. 00:12:03:03 - 00:12:26:05

Reece Storme Ferrara [Jacob Ferrara]

Okay. Umm. in your record of interview that you had which was conducted with the police. You state that you telephoned 000 at one stage to get them to check on your clients. Well, I'm sorry, on your wife's welfare.

110. 00:12:26:07 - 00:12:28:23

Reece Storme Ferrara [Jacob Ferrara]

Yep. [talking over each other]

111. 00:12:29:04 - 00:12:32:16

Hon. Tregent, J.

What did you say to them?

112. 00:12:32:18 - 00:13:08:02

Reece Storme Ferrara [Jacob Ferrara]

Well, I said to her she had sent me a text message or no, she had called me. She was she was extremely upset. She said, and I quote, Everyone hates me, her friends, I don't know she had a falling, either falling out or something with two of her friends and and then everything that was going on between us and the family and stuff like that. So she was like very depressed. And she goes, the best thing is, is that I kill myself.

113. 00:13:08:04 - 00:13:13:22

Hon. Tregent, J.

Sorry but when are you saying that this conversation's taken place.

114. 00:13:13:24 - 00:13:19:08

Reece Storme Ferrara [Jacob Ferrara]

Well that happened before I called the police to go and check on her

115. 00:13:19:10 - 00:13:42:13

Hon. Tregent, J.

So I'm just not following. So you're saying that the incident occurred? You left the house to go to your parents, to drop [REDACTED] at your parents, and then you say you sent a text to her and then she telephoned you and then I'm not too sure I followed the sequence of events.

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

116. 00:13:42:15 - 00:14:01:21

Reece Storme Ferrara [Jacob Ferrara]

Well, I'm not sure with this. With what you're talking about is I called up for a welfare check. Is this is this, like post incident? Like after the assault that I that I phoned in a welfare check?

117. 00:14:01:23 - 00:14:24:16

Hon. Tregent, J.

Yes. Because at answer [cut out, Operator C. Collins] in your recorded interview, you stated you were concerned for your wife's welfare. And so as you had said to her about the fact that you would be taking [REDACTED] So you called triple zero to enable them to do a welfare check.

118. 00:14:24:18 - 00:15:01:13

Reece Storme Ferrara [Jacob Ferrara]

Oh okay. Well, it's confusing because there was I think there was two incidents where I called in a welfare check. If if that was the case, then, I mean, I would have told I would it would have told Constable O'Meara if that wasn't if that wasn't, you know, sort of blown up then Yeah. I and if that's what I said then that's what I said.

\*\*\*End Transcript of part '2017\_1756\_110245\_09092021\_2.ogg' at 11:32 a.m.

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\*\*\*Begin transcript of part '2017\_1756\_110245\_09092021\_3.ogg'

119. 00:00:00:09 - 00:00:05:14

Reece Storme Ferrara [aka Jake Ferrara]

then up. Yep. I, if that's what I said, then that's what I said.

120. 00:00:05:16 - 00:00:13:06

VOCAT Member Tregent. J

But what did you say to the operator? The 000 operator?

121. 00:00:13:08 - 00:00:35:13

Reece Storme Ferrara [aka Jake Ferrara]

Well, it's five years ago, so how am I going to know? I would have said I'm concerned about her mental state. I told her I feel really bad because, you know, I told her she never see [REDACTED] again. And I I'm worried. She has a history of self-harm, so I'm worried what she's going to do.

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

122. 00:00:35:15 - 00:00:42:10

VOCAT Member Tregent. J

Well, what did they, had they indicated that they would send somebody around or did they?

123. 00:00:42:12 - 00:01:09:10

Reece Storme Ferrara [aka Jake Ferrara]

I think I think as standard, if you do make a call in that regard, they will as a low, as a lower like a code two or maybe even a code three low priority check in when available and and it's left with them.

124. 00:01:09:12 - 00:01:21:06

VOCAT Member Tregent. J

And you know whether they did ever go round to check on the welfare of your ex wife?

125. 00:01:21:08 - 00:01:58:10

Reece Storme Ferrara [aka Jake Ferrara]

The only time the only time that I can that I know that I remember is when Senior Constable O'Meara went over and I think that was a different a different event as compared to this one. So I don't think I think it's possible that I sort of, you know, sort of give you a call and let and tell you, yeah, we look, we checked in on them and you know, she said she was fine or something like that,

126. 00:01:58:12 - 00:02:35:17

VOCAT Member Tregent. J

But Mr. Ferrara can you remember can you remember receiving that information back? And I appreciate it's a long time ago, but at the same time these were events of significance. You say you'd been assaulted, you'd attended the police station to make a complaint against your wife, obviously with a view to having her charged. But at the same time, you've undertaken a call to 000 as to concerns about her welfare. So did you receive follow up information from the 000 operator?

127. 00:02:35:19 - 00:02:37:17

Reece Storme Ferrara [aka Jake Ferrara]

I don't know.

128. 00:02:37:19 - 00:02:40:00

VOCAT Member Tregent. J

Okay.

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

129. 00:02:40:02 - 00:02:43:18

Reece Storme Ferrara [aka Jake Ferrara]

How am I supposed to know that this five years ago?

130. 00:02:43:20 - 00:02:44:21

VOCAT Member Tregent. J

Okay.

131. 00:02:44:23 - 00:03:44:02

Reece Storme Ferrara [aka Jake Ferrara]

And I don't see, and I don't really see like, you know what? What? I don't know where you're going with that. So she punched me in the face. Right? But I've copped. I, you know, over the past couple of years I've copped, you know, continued and and ongoing violence inflicted by her. Right. I still loved her and I still cared about her health and wellbeing and safety and all that sort of stuff. She is my son Mum. So just because she punched me in the face doesn't mean that I don't care about how she is and what she's going to do to herself or or is she struggling and things like that. I've put up with, I've put up with being. you know, hit and things thrown at me for years. So I don't see why that's such. I don't know. I don't even know. Where you going with that?

132. 00:03:44:04 - 00:04:15:12

VOCAT Member Tregent. J

Okay. Okay. [...] Just in relation to obviously the account provided by your ex-wife was that you had crushed up some of the tablets into a drink. And I think she had some concern about whether there was codeine in it because she was allergic to codeine.

133. 00:04:15:14 - 00:05:39:01

Reece Storme Ferrara [aka Jake Ferrara]

I don't know, I mean, like I maybe it's possible because back then you could get Nurofen that had a small amount of codeine in it. If that was an issue then. I mean, I could have quite easily [indiscernible] I remember crushing. I didn't crush anything up. It was a it was a I'm pretty sure it was a dissolvable aspirin.

134. But if I did crush if I did crush things up then and there potentially was codeine in it, um, that wasn't an issue. And she's not, she's not allergic to codeine. She, I think at best it might cause a little bit of constipation, which is a, which is a normal side effect of the codeine and things like that. So it's, it's, that wasn't, that wasn't a major concern or anything like that. So she, she, she, she just refused to drink anything that I prepared or do anything. And I think, you know, the agitation came from the fact that, like I

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dismissed her, dismissed her feelings, I guess. And then that's what escalated the the aggression.

135. 00:05:39:03 - 00:06:12:05

Reece Storme Ferrara [aka Jake Ferrara]

Hmm. In your [REDACTED] statement, she says that I wanted to hold [REDACTED] I took him from Jacob's arms. I took him into another room and wanted to explain why I hadn't been able to look after him for the last few days due to being sick. I just wanted to have a few moments with my son without his dad being around and then it says.

136. 00:06:12:05 - 00:06:29:01

VOCAT Member Tregent. J

Jacob followed me into the bedroom from the living room. He attempted to take [REDACTED] from me and was verbally abusive towards me, saying, You stupid mole, Why are you walking away with [REDACTED] Did you say that to your ex-wife?

137. 00:06:29:03 - 00:06:29:16

Reece Storme Ferrara [aka Jake Ferrara]

No, I didn't.

138. 00:06:29:17 - 00:06:30:07

VOCAT Member Tregent. J

Okay.

139. 00:06:30:09 - 00:07:50:20

Reece Storme Ferrara [aka Jake Ferrara]

Her statement is a flat out lie. And if you go to if you have a look at her statement and how she described how the assault take, took place, if you were to reenact that, it's impossible to replicate. She lied on that. She also lied to get a family violence order against me. So, you know, going down the track when, you know, I tried to be you know, I tried to be reasonable, I suppose, or fair.

140. And I kept telling her the escalation of everything between us is a cause and effect. So if you do something or if you threaten to take [REDACTED] to Germany, then I'm going to I'm going to react. I'm gonna, or to I'm gonna to I'm gonna to do something to protect my interests, there. So everything kept escalating and that's it. It's cause and effect. So everything in most of the content in her statement there, isn't a flat out lie.

141. 00:07:50:22 - 00:07:53:24

VOCAT Member Tregent. J

Okay. Did you ever at any stage,

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

142. 00:07:54:01 - 00:07:55:11

Reece Storme Ferrara [aka Jake Ferrara]

My word against hers.

143. 00:07:55:13 - 00:08:09:20

VOCAT Member Tregent. J

did you ever at any stage threaten to take [REDACTED] such that your wife, who was not a citizen, would have possibly been deported?

144. 00:08:09:22 - 00:13:05:02

Reece Storme Ferrara [aka Jake Ferrara]

No. I told her on numerous occasions that, [REDACTED] I'm not taking [REDACTED] away from you. I will do everything in my power to ensure that you are not deported or I will. Like I told her that many times. It's not funny. You're his mum. He's [cut out, Operator C. Collins] and in line with her anxiety and the undiagnosed issues at the time, or the. You know the thing we weren't aware of at the time that we do now.

145. Umm she I would I could tell, I could quite literally tell her something or reassure her in that way. And then what would happen is something would something would cause her to feel either bad mental or an intense lack of trust and say that you're going to do this. Everything was all or nothing. So black and white. So I kept reassuring her. And I had text messages saying that, saying the same thing is that, no, I'm not going to do that. You're Visa. It's like eventually she was already a citizen at that stage anyway, or she was already a permanent resident at that stage. So that was her lack of understanding of the situation and probably more panic of like, you know, of her just assuming you're going to you're going to have me deported and stuff. And as far as any of the other stuff that she sort of alleged against me at the time, which was like financial coercion or or controlling the finances or movements and all that sort of stuff, that was absolutely false.

146. And because we had two cars at the time right? She said in a statement to the police to get the family order so that we only had one car and that I controlled the movement of that car. She said that I actually produced, you know, a signed, payroll thing from Ambulance Victoria, which showed that my pay was directly deposited into her personal bank account straight from Ambulance Victoria, and that was her spending money. That was her personal money

147. to use outside of the family budget. And, you know, as far as using the car was concerned, right, We had two cars. One was a Subaru and I and the rule was that

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whoever had [REDACTED] would drive the Subaru or whoever had the other car, which was a crap car, would use that for work. But she wanted to have the good car. And I said, No, whoever has [REDACTED] does that. But she wasn't. She wasn't. She wanted to have the good car, and I told her no. My psychologist. Karen Walker was kind of aware of these kinds of things and gave me advice on to, you know, don't give in to things like that. And she told me to be assertive.

148. And the more that I was assertive toward, [REDACTED] the more she would escalate, more she would escalate things or make accusations and stuff like that. The issue was, was that I had a lot of issues. Probably one of the things that made me unwell for significant amount of time longer was that it was really hard to deal with sort of telling the truth. And then or there was it seemed to me that there was a significant, you know, incline or barrier against me having access to reasonable doubt and and at least listening to my words and giving them equal, equal [cut out, Operator C. Collins] me in the in the exchange.

149. 00:13:05:04 - 00:13:29:21

VOCAT Member Tregent. J

I'll go on then because what then. Where [REDACTED] states is Jacob attempted to take [REDACTED] from me so I turned my back to him. As I turned my back to him, Jacob grabbed my hair, which was up in a bun. I felt pain when he pulled it. I felt angry and I was sad for my son to witness us arguing. Then she goes on to say, I reacted...

150. 00:13:29:21 - 00:13:30:16

Reece Storme Ferrara [aka Jake Ferrara]

It didn't happen.

151. 00:13:30:18 - 00:13:56:01

VOCAT Member Tregent. J

Okay. Okay, she says, I reacted to my hair being pulled by lashing out at Jacob. I had [REDACTED] in my arms, but when I felt my hair being pulled, I threw my left arm out from behind me. I connected with Jacob, but I'm not sure where. So that's the account that Mrs. Ferrara, Mrs. Ferrara otherwise provided to the police. What do you say about that?

152. 00:13:56:03 - 00:14:57:23

Reece Storme Ferrara [aka Jake Ferrara]

Yep. It's false. And if you like, I can. I can reenact it if you like? And then we can have a look at how it's impossible for that account to. To to cause the injury that was

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sustained. And also where the sort of abrasion or laceration, whatever you want to call it on her left middle knuckle, how that's impossible in that kind of a context. You can't you can't She can not. I'm going to grab her hair from behind. You can't throw your left hand out from the side because the injury was on the opposite side of my face. So it's just impossible to reenact that account and produce the injury. Would you like me to reenact it?

153. 00:14:58:00 - 00:14:59:02

VOCAT Member Tregent. J

You can.

154. 00:14:59:04 - 00:15:01:17

Reece Storme Ferrara [aka Jake Ferrara]

Because if your just gonna, if your just gonna take the words,

\*\*\*End Transcript of part '2017\_1756\_110245\_09092021\_3.ogg' at 11:47 a.m.

This is a true transcript of part '2017\_1756\_110245\_09092021\_4.ogg' at 11:47 a.m. the same day,

\*\*\*Begin Transcript of part '2017\_1756\_110245\_09092021\_4.ogg'

155. 00:00:01:09 - 00:00:02:11

Tribunal Member Tregent, J.

You can

156. 00:00:02:13 - 00:01:44:05

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Because if your just gonna take the wor-, If you're just going to take the words as is, as it's like it is without actually like analyzing it and going through the words as it is and reenact it and then and then use those words to produce the injury. Then not really. It's not really, you know, analyzing or having any, you know, regard with whether what she says was true or not. And like the issue that I had with, see. Then, Senior Constable O'Meara, I spoke to him much later. Right.

157. And and to this day like I actually think yeah he did he did a good job in that context. Right. Um I think that other police officers probably wouldn't have done anything. But he did. He did a good thing by at least putting that initial family violence order against [REDACTED] in that case, whereas others may have just dismissed the whole thing or maybe even put one on me. But, um, the issue of the issue that I had with sort of when, you know, there was no, um, you know, there was not enough evidence to prosecute or stuff like that is because I said to him, well, did you even think about

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reenacting the account? And he just goes look its your word against hers, It's not going to stand up in court. That's just that's just the way it is. And I'm like, Alright. Well, I just have to deal with that.

158. 00:01:44:07 - 00:01:49:21

Tribunal Member Tregent, J.

So where do you say was the injury that you received?

159. 00:01:49:23 - 00:01:50:24

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Well do you have the photo?

160. 00:01:51:04 - 00:02:17:14

Tribunal Member Tregent, J.

I do, but I it's it's not a it's a it's a black and white photo, so it's not particularly clear.

Um, because one of them all I can see is just a bit of blood around the mouth area here and, um, another one I can see a bit of what possibly is a bit of blood on the upper right injury.

161. 00:02:17:16 - 00:02:17:23

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

That's where the injury is.

162. 00:02:17:23 - 00:02:19:04

Tribunal Member Tregent, J.

Yeah.

163. 00:02:19:06 - 00:02:20:05

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

That's where the injury was.

164. 00:02:20:07 - 00:02:26:09

Tribunal Member Tregent, J.

Hmm. Okay.

165. 00:02:26:11 - 00:02:46:00

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

How can someone facing away from me with their left arm swing out behind them and cop me, hit me on the opposite side of the face? It's not possible.

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166. 00:02:46:02 - 00:03:04:01

Tribunal Member Tregent, J.

Is there any reason why prior to going to the police station, you didn't choose to at least clean your face, Which looks like it's a bloodied lip, basically, it's a split lip, is there any reason you didn't, though, wipe the blood off before.

167. 00:03:04:02 - 00:03:05:09

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

You're asking me why I didn't clean my face?

168. 00:03:05:11 - 00:03:09:07

Tribunal Member Tregent, J.

Yeah, I'm just. I'm just interested.

169. 00:03:09:09 - 00:03:11:17

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Okay. Well, What? What are you interested about that?

170. 00:03:11:19 - 00:03:22:07

Tribunal Member Tregent, J.

Well, I just would have thought if you're going into, I'm not too sure why you let the blood on your face.

171. 00:03:22:09 - 00:03:39:14

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

What? It. What? I don't understand, well I don't understand why you're concerned about that? I can't control how much I'm bleeding from my face? Right.

172. 00:03:39:14 - 00:03:40:15

Tribunal Member Tregent, J.

Hmm.

173. 00:03:40:17 - 00:03:41:20

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Can I?

174. 00:03:41:22 - 00:03:47:08

Tribunal Member Tregent, J.

Were you still bleeding when you arrived at the station?

175. 00:03:47:10 - 00:03:50:10

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Um, no, I it had clotted by then,

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176. 00:03:50:12 - 00:03:53:01

Tribunal Member Tregent, J.

mmm okay.

177. 00:03:53:03 - 00:03:57:05

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Are y- are you Well, I'm interested. Like, what? What are you trying to say with that?

178. 00:03:57:11 - 00:03:58:08

Tribunal Member Tregent, J.

Well, it's just.

179. 00:03:58:09 - 00:03:58:14

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

What are you inferring with that?

180. 00:03:58:16 - 00:04:14:04

Tribunal Member Tregent, J.

It was just something which was a point of interest for the police. So in terms of the time of your attendance that you still had the obvious blood on your face and as to why it would be that you didn't..

181. 00:04:14:04 - 00:04:25:11

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

I went straight from the house, I went straight from the house dropped [REDACTED] off at my parents house, dropped him off and I left straight from there to the police station.

182. 00:04:25:13 - 00:04:26:03

Tribunal Member Tregent, J.

Okay.

183. 00:04:26:05 - 00:04:29:05

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

So I didn't I didn't stop to do anything.

184. 00:04:29:07 - 00:04:29:11

Tribunal Member Tregent, J.

Okay.

185. 00:04:29:12 - 00:04:32:12

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

I dropped him off and I left straight away.

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186. 00:04:32:14 - 00:04:32:22

Tribunal Member Tregent, J.

Okay.

187. 00:04:32:24 - 00:04:36:07

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

[Indiscernible]

188. 00:04:36:09 - 00:04:38:07

Tribunal Member Tregent, J.

Okay. Now I just need to.

189. 00:04:38:07 - 00:04:49:24

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Also. The fact is. Also the fact is that it was bloody painful, right? So for me to wash that area or or things like that, that's actually quite painful.

190. 00:04:50:01 - 00:05:50:20

Tribunal Member Tregent, J.

You okay Now I'll just take you then, Mr. Ferrara just as part of obviously the I won't take you to the summary where the informant was Dalglish where the allegation is that you've assaulted. Um, [REDACTED] But, but obviously there was a time when if, let me just try and find the summary where the informant was Lily Vai, there the matters you pleaded guilty to. They were the allegations of persistent breach of the intervention order, let me see if I can find them.

191. 00:05:50:20 - 00:05:54:18

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Yeah.

192. 00:05:54:18 - 00:06:12:10

Tribunal Member Tregent, J.

While I'm doing that. So what is the current situation with you and Mrs. Ferrara? Do you exercise appropriate engagement in terms of exchange of the child you, has that all worked out now?

193. 00:06:12:10 - 00:07:58:06

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

We've. We've had. Wonderful. Well, I mean, it's sort of better as time went on, but in 2018, you know, it was a very amicable relationship. And, uh, uh, there was no, uh, there was no ongoing conflicts or anything like that. Um, and, you know, she's since,

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had a child with.. [cut out, Operator C. Collins] in the context of an on again off again relationship and also where he assaulted her and umm there was family vi- you know, police involved and child protection involved and stuff like that and, and they're now back together.

194. Um, so I helped her out with all that family violence stuff. Um, and then when also, uh, you know, sort of helped her out with child protection as well. Her child with him, Ayah is, um, uh, you know, I, I initially I wanted to have nothing like, not to have anything to do with her, but, um, that didn't last very long. And now I love that child just as much as my own. Like, I. Look, I've looked after her regularly, like, especially when have her to sleep, like, just like she was sleeping. My parents place and I'll look after her and put her to bed and all that sort of stuff. So I treat her just as like [REDACTED] sister.

195. 00:07:58:08 - 00:07:59:12

Tribunal Member Tregent, J.

So then do. Can I take it from that.

196. 00:07:59:12 - 00:08:00:21

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

[speaking under Hon. Tregent] Relationship.

197. 00:08:01:02 - 00:08:07:15

Tribunal Member Tregent, J.

Sorry, can I take it from that that there are no longer any intervention orders between you.

198. 00:08:07:17 - 00:08:21:09

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Uh, there hasn't. There was, that was only one against [REDACTED] and there was, [cut out, Operator C. Collins] of, um.

199. 00:08:21:11 - 00:08:33:10

Tribunal Member Tregent, J.

Sorry. Sorry. You're breaking up. I'm sorry. Sorry. You're breaking up a bit. Are you. Are there any intervention orders against you at the moment.

200. 00:08:33:12 - 00:08:35:12

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

There's no intervention orders against me.

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201. 00:08:35:12 - 00:08:35:19

Tribunal Member Tregent, J.

Yeah.

202. 00:08:35:19 - 00:08:38:14

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

And there's no intervention orders against [REDACTED]

203. 00:08:38:16 - 00:08:39:00

Tribunal Member Tregent, J.

Okay.

204. 00:08:39:01 - 00:08:49:02

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

And they have the, the, you know, that hasn't been the case since, I don't know, 2017? or 2018? or something?

205. 00:08:49:04 - 00:08:51:08

Tribunal Member Tregent, J.

Mm. Okay.

206. 00:08:51:10 - 00:10:31:15

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

And that's as a result, and because of the PTSD, um, the reason for you know, that was, um, at the time of these offenses and stuff like that, um, PTSD is, is a horrible thing. It's in, there's nothing, there's nothing in this world that can ever prepare you for the intensity and the, and, uh, um, and the distress that PTSD causes. Um, and I was, is impossible to be equipped to manage that.

207. So I was very proactive and engaged him in therapy. I was a dedicated participant and, um, you know, when I'm doing the courses and stuff like that, that helped and progressively after the PTSD settled down, then I was able to go back to my normal self. I have my whole life. I have no, I have no history of violence. I don't I don't have any, you know, poor attitudes toward women. I don't I don't I have none of that. So, you know, all these all these events directly coincided with a diagnosis of PTSD, of which, [REDACTED] assault was the you know, the the last straw, the the instigating factor or the last straw.

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208. 00:10:31:17 - 00:11:45:15

Tribunal Member Tregent, J.

I suppose the concern I have is in the context that you deny having referred to her, which she puts in her statement. That If I can Find it. She says she called her a stupid mole and you denied saying that to her. But part of the narrative of the summary that you pleaded guilty to in relation to that charge of persistent breach was that and this happened at times of exchanging [REDACTED] that the accused. And I'll quote from the 3rd of February of 2017 that the victim went to the accused parent's house to pick up the son.

209. 00:11:45:15 - 00:12:05:08

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

The accused parked a vehicle in the driveway and waited for her father in law to bring [REDACTED] outside. The accused ran out of the front door and stopped when he was standing right in her face. The accused verbally abuse victim calling her a dirty slut and stated that he wanted to break her ugly nose and smash her face into the car.

210. 00:12:05:10 - 00:12:25:13

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

The victim took a step back, lost her balance and fell into a bush in the garden. The victim's father in law was standing outside with [REDACTED] And so that was an incident which is said to have taken place where they obviously at that point in time, there was a level of aggression that you were displaying towards Mrs. Ferrara.

211. 00:12:25:13 - 00:12:43:01

Tribunal Member Tregent, J.

And then there's further on Sunday, the 4th of February, again, there was changeover. The accused yelled, You be fucking slut, What are you doing here? And there was further exchanges there as well so.

212. 00:12:43:01 - 00:15:01:05

Reece Storme Ferrara (aka Jacob [Jake] Ferrara)

Yeah, I, I, I didn't agree. I, I didn't say those things and when between the lawyer and police negotiator and stuff like that, I said to her, I didn't say that stuff. So if you want me to plead guilty to exactly what's written there, it I didn't say that and the police negotiator was unwilling to change the script or the text to reflect what I, what I actually said and the only option that I had available to me and the advice given to me by the, the, my counsel, was that accept it as is I didn't say that. And I don't like I, I said to her in the in the exchange where in the exchange where I got in her face. Now that was in

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the context of her successfully lying to police and getting the family violence order right.

213. Um, she also lied about another, a quite a number of other things. I tried to tell the truth about things that were going, that my vision of events [cut out, Operator C. Collins] to give, um, you know, to dispute what she said no one was interested in, in hearing what I had to say or taking the time to even look at the stuff that I prepared. Like the Um, the VicRoads reports that the AV stuff no one was interested. So, um, you could appreciate in that kind of a situation where someone's lying and the authorities and [cut out, Operator C. Collins] her word for it at face value. And then I'm trying to defend myself with evidence, but no one's really interested, so I'm getting quite distressed about that. And, and I'm getting pretty mad, not all. And at the same time, too, I have to deal with PTSD and flashbacks, of her um you know, punching me in the face or, um, nightmares of her and us repeatedly punching me in the face while my hands were tied behind my back.

\*\*\*End Transcript of part '2017\_1756\_110245\_09092021\_4' at 12:02 p.m.

This is a true transcript of part '2017\_1756\_110245\_09092021\_5.ogg' at 12:02 p.m. heard the same day,

\*\*\*Begin transcript of part '2017\_1756\_110245\_09092021\_5'

214. 00:00:00:03 - 00:04:03:19

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Repeatedly punching me in the face, while my hands were tied behind my back. So that's all distressing now. When I saw her that day, I went to great lengths to put in a safety net plan because I had insight and I acknowledged within myself that I'm really mad right now. So, you know, between my parents and, [REDACTED] we'd set up an arrange an agreement in writing by text message that she was not [cut out, Operator C. Collins] to park in the court, down at the bottom of the court family member or my parents or something like that would take [REDACTED] down to see her and the exchange would happen that way. And that was that was produce from my from my initiation and stuff like that.

215. Because at this point in time, I'm just really mad and I can't guarantee you safety if you come here. So let's work out this plan. And if we do this plan, everyone will be fine. Safe and dandy. Right? So [REDACTED] agreed to that plan by text message [cut out, Operator C. Collins] - inina [indiscernible] Now, look, I say this now, but she's actually neen quite good and we have a good relationship now, Okay? So at the time, she

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chose to ignore that ag - [cut out, Operator C. Collins] She then [cut out, Operator C. Collins] out [cut out, Operator C. Collins] of [cut out, Operator C. Collins] car. Right. In contravention [garbled] came to th- [cut out, Operator C. Collins] and she her reasoning for her being able to do that was the fact that she could do whatever she wanted to, because that was my son. That was her son. So she could just do whatever she wanted to.

216. Now, I was sitting. I was sitting at the window. I saw her through the window. I was not expecting to see her because we had made an agreement. She was there. She breached that agreement that made me. And that that made me even more mad. And being unable to control the impulse to act, of which I tried to protect her from by the [cut out, Operator C. Collins] I ran out and then I [indiscernible] her. Now I don't yell when I get mad if I get mad. I don't yell. But my voi-, I actually my voice gets lower. And I said to her, you know, I [cut out, Operator C. Collins] you lied, the you lied or something like that. And I said, I \*feel\* like I want to punch you in the face. I feel like I want to smash your head into the bonnet of the car.

217. Now, I because when I when I made when I presented to police after I said to them, I'm. I can't. I can't be any good, I can't if I'm going to be any kind of a dad to [REDACTED] I have to lead by example. Now to do that, I have to take responsibility for my actions and I need to take responsibility for my behaviour and stuff. So when I said to it, when I when I told the police what I did, I confessed everything. I confessed everything that they didn't even have evidence for or that I wasn't even I wasn't even [cut out, Operator C. Collins]

218. 00:04:03:21 - 00:04:06:21

Tribunal Member Tregent, J.

Okay. You are cutting, you are cutting in and out.

219. 00:04:06:21 - 00:04:08:12

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Responsible for my actions.

220. 00:04:08:14 - 00:04:20:14

Tribunal Member Tregent, J.

You are cutting in and out a lot. Mr. Ferrara So I think at this stage, is there anything else that you want to add in terms of your evidence?

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

221. 00:04:20:16 - 00:04:25:24  
Reece Storme Ferrara (Jacob [Jake] Ferrara)  
Well, [cut out, Operator C. Collins]
222. 00:04:26:01 - 00:04:27:03  
Tribunal Member Tregent, J.  
I'm sorry, that's. That's
223. 00:04:27:03 - 00:04:27:19  
Reece Storme Ferrara (Jacob [Jake] Ferrara)  
quite important.
224. 00:04:27:21 - 00:04:32:23  
Tribunal Member Tregent, J.  
Sorry. That just all cut out.
225. 00:04:33:00 - 00:04:38:08  
Reece Storme Ferrara (Jacob [Jake] Ferrara)  
Okay. I can't do anything about. The. The internet.
226. 00:04:38:10 - 00:04:39:10  
Tribunal Member Tregent, J.  
No, no, no. I appreciate that.
227. 00:04:39:10 - 00:04:40:20  
Reece Storme Ferrara (Jacob [Jake] Ferrara)  
It's something that I can't do anything about.
228. 00:04:40:22 - 00:04:43:04  
Tribunal Member Tregent, J.  
Yeah, I appreciate that.
229. 00:04:43:06 - 00:04:46:06  
Reece Storme Ferrara (Jacob [Jake] Ferrara)  
I think I would like to continue what I was saying.
230. 00:04:46:08 - 00:04:46:14  
Tribunal Member Tregent, J.  
Yes,
231. 00:04:46:14 - 00:04:49:10  
Reece Storme Ferrara (Jacob [Jake] Ferrara)  
that's actually quite important.

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232. 00:04:49:12 - 00:04:50:01

Tribunal Member Tregent, J.

Okay.

233. 00:04:50:01 - 00:05:58:11

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Okay. So I got in her face [cut out, Operator C. Collins] really mad. I had an [cut out, Operator C. Collins] Admittedly, she didn't know she would have. It's impossible for her to know that I in that context, that to not feel safety right now. When I when I pleaded guilty, I looked up what the you know, the definition of an unlawful assault or something like that use and it said making someone feel fear for their safety. Right.

234. I took that definition and I'm like, yep, I did that because my behavior caused her to feel fear for her safety. Right. Even though in what I had no intention of physically harming her or touching her whatsoever is irrelevant because in that context she would it is impossible to know that and she felt fear for her safety. So. I said, Yep, I did that. I feel really bad about that.

235. 00:05:58:12 - 00:06:26:11

Tribunal Member Tregent, J.

Okay. Can I just ask you this? Can I can I ask you this, Mr. Ferrara, if at this time in your life you are suffering from post-traumatic stress disorder and you recognize that you are angry, how am I therefore not to accept that that anger also didn't spill out on that time of that of the events in 2016 and that it spilled out by you pulling Mrs Ferrara's hair?

236. 00:06:26:13 - 00:06:34:17

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Because you don't want to believe that. I can tell by your body language and everything like that you don't want a bar of anything that I want to say. I -

237. 00:06:34:19 - 00:06:38:02

Tribunal Member Tregent, J.

I'm just trying to get clarification. Mr. Ferrara.

238. 00:06:38:04 - 00:06:58:12

Reece Storme Ferrara (Jacob [Jake] Ferrara)

No. Well, look, you can. I've said to you if you want to, if you really and I mean really want to have a look at whether she said was true or false, we can reenact. We can

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reenact the statement. You don't want to have a look at that and you're not interested about whether what she said was true or false or not.

239. 00:06:58:18 - 00:07:18:17

Reece Storme Ferrara (Jacob [Jake] Ferrara)

You just want to go on what she said. And a, and a, and a, context. Right. Because the fact is, like, I'm not violent. I never have been. Even with the PTSD, right. I never I never I never physically touched, [REDACTED]

240. 00:07:18:19 - 00:07:36:10

Tribunal Member Tregent, J.

I just have to pick you up on that last statement that you made about the fact you say you're never violent because she have pleaded guilty to the unlawful assault that was directed against.

241. 00:07:36:12 - 00:07:40:24

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Yeah but you didn't you missed what I said I said I wasn't physically violent to [REDACTED]

242. 00:07:41:05 - 00:07:56:06

Tribunal Member Tregent, J.

Yeah, I appreciate that. But you said you said you've never been physically violent. And then you clarify that as being to [REDACTED] but you have otherwise you did strike the umm.

243. 00:07:56:08 - 00:08:00:12

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Okay, let's talk. No. Let's let's we can talk about what happened with [REDACTED] right?

244. 00:08:00:16 - 00:08:01:00

Tribunal Member Tregent, J.

Yes.

245. 00:08:01:00 - 00:12:25:06

Reece Storme Ferrara (Jacob [Jake] Ferrara)

So what happened with, you know, [REDACTED] knew. [REDACTED] knew. That on that particular day I was due to bring [REDACTED] back to the to the place. Right. And I knew that she was seeing [REDACTED] I said, well, I don't care. I don't care if you see him. It's not like I want you back or anything like that or we were going to get back together. I don't care. I just don't want [REDACTED] around [REDACTED] at that stage because he's two and a half. His Dad's no longer there anymore. And it's confusing to have another male around. Plus, I would

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like to actually meet the person or get a gist of the person, suss a person out before they start interacting with my infant child, or my toddler.

246. I thought that was reasonable. But [REDACTED] obviously didn't think that was reasonable. She could just do whatever she wanted to. So I dropped him off and then he has gone to go into her [cut out, Operator C. Collins] and then [garbled] ushered him out and [cut out, Operator C. Collins] rush of like, you know, fight flight response. So I'm like, okay, what's that, there there, And, and in the context of PTSD, right, you can go into a hyper vigilant state or, you know, fight flight quite easily. And so yep I'm in that state and then I'm like, okay, what, what where's the threat? What's what? What's going on?
247. So I go into the room and I find him there and so obviously [REDACTED] skyrocketed, right? So I've gone over my intention with [REDACTED] was to go over and to make it known to him. Quite Quite, you know, I quite vividly or without any doubt, you stay away from my son. Okay? So he was asleep, unfortunately for him. And so what I've gone is this is my only intention was to go over like, I don't know, grab him, grab him some where like maybe or on the t shirt or something like that, and just say to him with no and look in his eyes and say, You stay away from my son. Alright?
248. that's the only thing I wanted to do. But admittedly, for him and understandably for him, he was asleep. And then all of a sudden he wakes up and there's a guy standing over him that's going to be insanely terrifying. So he's going to defend himself, however, however you can. Right? So he's got up, he's thrown kicks in the air and things like that and told me to fuck off or something like that. And then I said again, I don't care about [REDACTED] you stay away from my son. And he goes something like something about something about me or something. And then instead of so I've stayed there and I've got my arms up, and then.
249. [REDACTED] come in and then trying to push me away from him and stuff and I've. I'm my I'm like, you know, tunnel vision on him. So I can't even, I can't even see any peripheral or anything like that. He's all, I can see him. And then I've gone to throw a got out in front of you [REDACTED] and then I, like he was as he was falling into the bed, I've, I've, I've thrown like a left, a left hook and then I've brushed him across, you know, he's is sort of chin and stuff liike that, It didn't cause it didn't, it didn't connect really. And it, it, it sort of brushed.

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250. 00:12:25:06 - 00:13:05:01

Tribunal Member Tregent, J.

Can I just stop you there then, Mr. Ferrara, because that's quite different than what's contained in the police summary, which was that you dropped [REDACTED] off while inside the accused went to [REDACTED] bedroom where the victim, El-Masri, was sleeping, and which is consistent. The accused began punching the victim, El Massri and they began fighting. And then that's when [REDACTED] attempted to break up the fight and tell you, get you out of the room. So the allegation there is that while he was sleeping that you then instigated the the altercation by punching the victim.

251. 00:13:05:03 - 00:13:07:08

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Well, that's what I've just described now.

252. 00:13:07:08 - 00:13:14:07

Tribunal Member Tregent, J.

But this is you. He's asleep. There's no discussions. You just start punching him.

253. 00:13:14:09 - 00:13:43:04

Reece Storme Ferrara (Jacob [Jake] Ferrara)

No, that's what the police text said. Right. There's a difference on see what I learned, What happens with sort of police's report. Police reports and stuff like that is, they can they that they have they have a very they have the virtue of like using words to to conv [cut out, Operator C. Collins] intense [cut out, Operator C. Collins]

254. 00:13:43:04 - 00:13:44:02

Tribunal Member Tregent, J.

Okay.

255. 00:13:44:02 - 00:13:54:18

Reece Storme Ferrara (Jacob [Jake] Ferrara)

exactly what I what I'm saying now. Right And you can I going to have a look at the transcript of video thing but they chose to take [REDACTED] word against mine.

256. 00:13:54:20 - 00:13:58:00

Tribunal Member Tregent, J.

Mhm.

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257. 00:13:58:02 - 00:14:46:14

Reece Storme Ferrara (Jacob [Jake] Ferrara)

And put the text [cut out, Operator C. Collins] now again I disagreed with the content of what they said, but ultimately I said yes I and this is the thing too is that neither of them called police. Neither of them called police at all. I presented to the police station myself in the absence of anyone notifying police whatsoever and said to them and I confessed, I told them what I did. Now the judge, who, me or the judge who heard the case and sentenced me on that day actually commended me for my for my I don't know taking volition of of, you know, taking responsibility for my actions.

258. 00:14:46:16 - 00:14:49:10

Tribunal Member Tregent, J.

Well, I accept that. I accept that Mr Ferrara.

259. 00:14:49:16 - 00:14:54:00

Reece Storme Ferrara (Jacob [Jake] Ferrara)

■ submitted it. ■ submitted a statement of no complaint.

260. 00:14:54:04 - 00:14:54:15

Tribunal Member Tregent, J.

Yes.

261. 00:14:54:15 - 00:14:55:20

Reece Storme Ferrara (Jacob [Jake] Ferrara)

Because there was no injury.

262. 00:14:55:24 - 00:15:01:18

Tribunal Member Tregent, J.

Yeah. Okay. So I'll just indicate Mr. Ferrara, I can I agree with that, because it's certainly part of the narrative.

\*\*\*End transcript of part '2017\_1756\_110245\_09092021\_5.ogg' at 12:17 p.m.

This is a true transcript of part '2017\_1756\_110245\_09092021\_6' at 12:17 p.m. heard the same day,

\*\*\*Begin transcript of part '2017\_1756\_110245\_09092021\_6'

263. 00;00;00;03 - 00;00;19;11

Hon. Tregent, J.

I'll just indicate. Mr. Ferrara I can. I agree with that, because it's certainly part of the narrative. Then I thought, I'll see if there's a statement from ■ in relation to the incident and to correct he, he made a comment that he did receive any injuries as a

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result of the incident and he didn't want the police to take the matter any further. Okay so I accept that.

264. 00;00;19;11 - 00;00;26;24

Reece Ferrara [aka Jacob (Jake) Ferrara]

And he, he also said that he understood I was having, you know, mental health issues or whatever, and he didn't have an issue.

265. 00;00;26;27 - 00;00;27;10

Hon. Tregent, J.

Okay.

266. 00;00;27;10 - 00;00;33;23

Reece Ferrara [aka Jacob (Jake) Ferrara]

And I've since and since then I've actually told [REDACTED] a number of times, Mate, I am sorry.

267. 00;00;33;25 - 00;00;34;04

Hon. Tregent, J.

Yeah, okay.

268. 00;00;34;06 - 00;00;40;06

Reece Ferrara [aka Jacob (Jake) Ferrara]

I told him I'm sorry. And and he's still he's still mad at me, still doesn't want anything to do with me, which is understandable.

269. 00;00;40;06 - 00;01;28;29

Hon. Tregent, J.

Right. Because I while he was asleep, I attacked the dude and I afterwards I sent a text message saying I feel so god damn bad. [REDACTED] did nothing wrong. He did nothing to deserve what happened to him at all. It because I have no issue with [REDACTED] and him, being together. It was it was [REDACTED] that I was worried about and the PTSD because he was there and [REDACTED] was there at the same time. It was a threat. And so I acted outside of character and I felt sick afterwards. And I felt so bad that no one called police. And I took myself to the police station and this is what I did because I've never [cut out, Operator C. Collins] before in my life. And I don't I'm I'm not that person. I've never been that person.

270. 00;01;29;02 - 00;01;32;24

Hon. Tregent, J.

Okay. Well, Mr. Ferrara, I'm going to hear from the police officer now

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271. 00;01;32;27 - 00;01;35;21

Reece Ferrara [aka Jacob (Jake) Ferrara]  
[indiscernible]

272. 00;01;35;24 - 00;01;48;23

Hon. Tregent, J.

Yeah okay, I'm going to hear from the police officer now. I'll just ask him some questions, okay? And then you can ask him some questions as well. So I'll hear from Detective Sergeant O'Meara. Would you mind swearing yourself in?

273. 00;01;48;26 - 00;01;53;09

Detective A/Sgt Shaun O'Meara

Yes Your Honor, can you hear me?

274. 00;01;53;12 - 00;01;57;04

Hon. Tregent, J.

Yes, I can. Thanks.

275. 00;01;57;06 - 00;02;14;13

Detective A/Sgt Shaun O'Meara

I swear by Almighty God, the evidence I shall give will be the truth, the whole truth, and nothing but the truth. My name is [cut out, Operator C. Collins] O'Meara, I'm currently a detective acting sergeant with the sexual [cut out, Operator C. Collins] within. Attached to Victoria Police.

276. 00;02;14;15 - 00;02;22;05

Hon. Tregent, J.

Now, sadly, your Internet connection is not great either. Can you hear him, Mr. Ferrara?

277. 00;02;22;07 - 00;02;22;15

Reece Ferrara [aka Jacob (Jake) Ferrara]

Yep.

278. 00;02;22;21 - 00;02;37;18

Hon. Tregent, J.

Yep. Good. Okay. Now, Detective, you were involved in the original investigation.

Obviously, it goes back to 2016, and you were presented with two accounts, which are obviously conflicting, is that right?

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279. 00;02;37;20 - 00;02;39;02

Detective A/Sgt Shaun O'Meara

That's correct.

280. 00;02;39;04 - 00;02;56;29

Hon. Tregent, J.

And was there anything in particular that I mean, in theory, both parties could have otherwise been charged if you accepted one version over another? Is that right?

281. 00;02;57;02 - 00;03;27;03

Detective A/Sgt Shaun O'Meara

[cut out, Operator C. Collins] happen, obviously has to be based on evidence that, you know, would substantiate a charge, but because because of the conflicting stories, the lack of witnesses or any sort of other corroborative evidence to assist one account or the other it was obviously based on some other factors. It was obviously determined that we weren't going to proceed with charges against either party.

282. 00;03;27;06 - 00;03;37;21

Hon. Tregent, J.

Okay. Was there anything particularly about Mr. Ferrara's account that caused you concern?

283. 00;03;37;23 - 00;05;08;20

Detective A/Sgt Shaun O'Meara

Initially, Obviously in relation to the [cut out, Operator C. Collins] violence legislation, [cut out, Operator C. Collins] he came to me with an account and I obviously observed the blood on his, on his face and could see that there was a small cut that he showed me that was a cut inside his upper lip, that sort of account on its own led me to, to act as a police officer. So I therefore wasn't whether I believe him or not in that circumstance, [cut out, Operator C. Collins] legislation basically says I have to act on I have concerns for the this person, given the story he is telling me at the time, I don't have the other party with me at that point in time, we're not at a location where I can speak to both parties.

284. So I act and took out a some sort of Family violence order to protect him and, and obviously then give me time also to conduct a, a you know, a thorough investigation into what he's telling me. And as to [cut out, Operator C. Collins] it's actually happened in that way or obviously or if it hasn't.

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285. 00;05;08;23 - 00;05;10;17

Hon. Tregent, J.

Okay.

286. 00;05;10;20 - 00;05;15;12

Detective A/Sgt Shaun O'Meara

And that's certainly what I proceeded to do.

287. 00;05;15;14 - 00;05;30;12

Hon. Tregent, J.

So is there anything then, particularly that you found in relation to the statement provided by Mr. Ferrara that caused you difficulties?

288. 00;05;30;15 - 00;07;17;11

Detective A/Sgt Shaun O'Meara

Obviously, in the statement at that stage I would say I was quite an experienced police officer and taken a number of statements related in relation to the [indiscernible] allegations. I did start to observe his statement. A lot of a lot of inconsistencies and seemed like gaps where maybe he was at fault or it just didn't seem to flow in the way that, you know, someone that's recalling an incident where they're obviously not leaving out the things would in my experience.

289. So that as well as observing the blood on his on his on his face considering he told me he, he had gone from one location to another location and then came to the police station, I thought that that was a bit, he obviously would either clean the blood from his mouth or, or even lick it away from his it, it sort of it was unusual at that point. And to me, it was unusual. And then I guess further into the investigation I started to I guess I changed the way I looked at how it presented. Given the fact that [indiscernible] investigation went on.

290. 00;07;17;11 - 00;08;37;22

Hon. Tregent, J.

Just in terms of what Mr. Ferrara puts, in terms of where the injuries located, it is somewhat consistent with what or inconsistent, I should say, with the account, as provided by Mrs. Ferrara, that as he stated it, if she was to throw a backhand in the manner that she otherwise describes would be less likely to hit on the right side, it would be more likely that she would connect on the left side if there had been that pulling of her hair.

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291. That tends to give me some greater confidence, I suppose, in the account provided by Mr. Ferrara. And in fairness to we're not hearing two or I'm not hearing two accounts today. I'm only being able to base mine on a statement which obviously is not sworn evidence and not subject to cross-examination. And then the account is otherwise provided by Mr. Ferrara, where in fairness, he's giving his evidence on oath, and also he's been subject to my cross-examination as well. So. So I mean, do you have anything to comment on in terms of what Mr. Ferrara has said about the positioning of the injury

292. 00;08;37;24 - 00;12;53;17

Detective A/Sgt Shaun O'Meara

In relation to the injury there's a couple of factors that I guess need to be considered in relation to injury itself. It didn't require any stitches. I don't believe that he had any medical assistance in relation to as far as getting going to a doctor or having to have any further attendance to that injury. As far as what I could see quite a small little knick to his to his lip. It had, you know stopped bleeding by the time he come and showed me where the cut is, we could talk about sides of the face.

293. You know, if it was the left hand, it should be the right side of the face, well where the court actually is is more on the front of the face. So the mechanics of of you know, if [cut out, Operator C. Collins]-ina was, you know, there in the right side, sort of back towards the ear, you could start talking that language. But when to me an injury, at the front area of the mouth left hand and right side it is is not really something that you can really talk about as far as the mechanics of it, because it's also determines on where he is facing as well, if if he's got his head turned from one side to the [cut out, Operator C. Collins] that may determine what side of the face, we're presuming that he's looking directly straight on to [REDACTED]

294. You know in his evidence he just he just gave the first time, I've heard him say how much force she used and that, from [cut out, Operator C. Collins] took out of the evidence he just gave that he actually wasn't watching he, he just all of a sudden felt it blow to the mouth. So he, and then, it was, it was, such a heavy blow that, that it sort of pushed him backwards. It was only not for a wall that he didn't fall over, which is the first time I've heard that account of the actual impact of the blow and that's not really consistent with the injury I saw. [cut out, Operator C. Collins] there was no swelling. There was no swelling of the lip or anything like that.

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

295. That would be, [indiscernible] that sort of description of the blow as well. Also considering is as in, she's, she's quite a petite, I've met with Ja- Ja-, [REDACTED] she's quite a petite female. She, she. She. She in my opinion. I can't, I can't see her having that much force, especially if she's holding a child as well. and, and these are all the considerations that obviously as a police officer not knowing if any of the parties as it's always going to be evidence based. And obviously through the investigation these sort of things come up. And. And.
296. You know, they have different weight and, you know, there, there's consistencies and inconsistencies and you've got to weigh up all those type of factors that I've just stated in relation to the injury. And also considering that Mr. Storme is a trained kickboxer, that that also adds another layer in relation to, he obviously, would have taken a [cut out, Operator C. Collins] or two in his, in his time as a kickboxer. And so. Yeah. Be all these sort of layers I guess that you don't have when you've initially reported to me in the watch house. But obviously they're the layers that you start to uncover as the investigation. Continues.
297. 00;12;53;19 - 00;13;03;11  
Hon. Tregent, J.  
Okay, okay. Is there anything else you wanted to add?
298. 00;13;03;14 - 00;14;59;23  
Detective A/Sgt Shaun O'Meara  
Just in relation to. You were speaking about the welfare check in relation to Jallana(sic) I was the officer, I just happened to be on night shift when that call came through from Mr. Storme in relation to Jallana(sic) unfortunately and this is obviously my opinion, but unfortunately I've seen in my job people take advantage of the systems in place that Victoria Police have in relation to these particular welfare checks in, you know, the [indiscernible] that you know, somebody rings us and says that, you know, somebody's threatening suicide or any-, we obviously have [cut out, Operator C. Collins] instigate that and go and see that person
299. I believe in the context that that, Mr Storme rang through this welfare check [cut out, Operator C. Collins] hindsight and [cut out, Operator C. Collins] times because I did call him back and I did speak to him about because I think it was about two in the morning I was on night shift one or two in the morning where I've had to wake her up and [cut out, Operator C. Collins] to sleep, I've, I've asked her about these threats of suicide, but she just laughed and and sort of but there's no evidence that I can

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determine. that she didn't say these things to him, or like it's sort of one word versus the other but I do I do remember having a discussion with Mr. Storme about the use of police in that way. And, you know, we're not there to facilitate further.

\*\*\*End Transcript of part '2017\_1756\_110245\_09092021\_6.ogg' at 12:32 p.m.

This is a true transcript of part '2017\_1756\_110245\_09092021\_7.ogg' at 12:32 p.m. heard the same day,

\*\*\*Begin transcript of part '2017\_1756\_110245\_09092021\_7.ogg'

300. 00;00;01;04 - 00;00;42;16

A/Detective Sgt Shaun O'Meara

Umm. Facilitate further issues with he was having with his partner that would. Somehow make her life a little bit more difficult. And I just warned him that this is not to continue and if he is using us to do this, it's got to stop and, you know, I'll we will investigate it, if, you know, if it continues. And we'll have evidence the more if he was going to continue doing it, which we would obviously have more evidence to do something about it.

301. 00;00;42;18 - 00;01;07;08

Hon. Tregent J. VOCAT Member

Okay. So that was a different obviously, welfare call. That wasn't the one which I was really asking Mr. Ferreira about, which was the one which was on the day of the incident that he said he made on the way to the police station. You're saying this is a separate call that you received at the watch house or something some time later in the wee hours of the morning?

302. 00;01;07;11 - 00;01;11;20

A/Detective Sgt Shaun O'Meara

Yeah, it was possibly a month or two after that report.

303. 00;01;11;20 - 00;01;12;05

Hon. Tregent J. VOCAT Member

Oh okay.

304. 00;01;12;05 - 00;01;58;22

A/Detective Sgt Shaun O'Meara

Because I was aware. I was aware of the situation that was transpiring. Yeah. Mr. Storme is not unknown to the Greensborough police station and the witnesses, I guess, that could be called in relation to him reporting matters [indiscernible] But yeah, I was. I was well aware of Mr. Storme as the situation that was developing, and you

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**Exhibit [RF0A1L]**

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know, I was probably the first member to speak with him in relation to this stuff and then sort of went from there.

305. 00;01;58;25 - 00;02;00;09

Hon. Tregent J. VOCAT Member

Sorry, I, I.

306. 00;02;00;09 - 00;02;01;09

A/Detective Sgt Shaun O'Meara

Because in relation.

307. 00;02;01;09 - 00;02;21;28

Hon. Tregent J. VOCAT Member

I, I'm not quite following what you mean and I suppose if we can put it into context, you say that Mr. Ferrara is well known to the Greensborough police station. What do you mean by that? And is that historically or is that just something which is ongoing?

308. 00;02;21;28 - 00;03;44;06

A/Detective Sgt Shaun O'Meara

In 2016, I believe I was the first member to have an interaction with Mr. Storme at Greensborough in relation to what he was reporting about his is now ex partner or wife. Umm, subsequent to that. Mr Storme would ring us wanting to and I mean, this is, I guess somewhat hearsay because I. Wasn't, I didn't directly hear this conversation, these conversations, but I ended up leaving for his father not long after. So but I am aware that Mr. Storme may be able to say a little bit further in relation to what. But I know that the senior Sergeant [indiscernible] has to speak to him, and that I believe that we no longer that, when I say we, I say the senior constable at the watch house wanted to speak with him further, that things were to be directed to the senior sergeant, but to my knowledge that's, that's what sort of transpired [indiscernible]

309. 00;03;44;06 - 00;04;01;09

Hon. Tregent J. VOCAT Member

Okay a lot, unfortunately a lot of that cut out and I had trouble hearing so but there was a time. What was Mr. Ferrara contacting the police at Greensborough a lot in relation to his former wife?

310. 00;04;01;12 - 00;05;07;28

A/Detective Sgt Shaun O'Meara

Yes. And and [cut out, Operator C. Collins] nature of his opinion about how police were conducting the investigation. You know, a whole list of things, I guess, wanting to

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

report further breaches in relation to his ex-partner and ex-partner partner at the time. I think there was a variety of members at Greensborough that he spoke to, and reported different offences to. But I know that at some point he got to a point where the senior sergeant sort of took carriage of. Of ahh, of interactions with Mr Storme.

311. 00;05;08;01 - 00;05;21;19

Hon. Tregent J. VOCAT Member

Okay. Okay. So but, do you know, if Mrs Ferrara was ever charged with any breaches of intervention orders, if that was established that she had breached the intervention order?

312. 00;05;21;21 - 00;05;22;17

A/Detective Sgt Shaun O'Meara

Not that I know of.

313. 00;05;22;20 - 00;05;23;08

Hon. Tregent J. VOCAT Member

No, okay.

314. 00;05;23;08 - 00;05;49;19

A/Detective Sgt Shaun O'Meara

I, I, I. Your Honour I couldn't tell you if those those if it was officially officially recorded. If it was if it was, umm, if it was reported, how much it was investigated or all those sort of things. Another police police officer that sort of dealt with all that would have to spoken to.

315. 00;05;49;19 - 00;06;06;06

Hon. Tregent J. VOCAT Member

Okay. Okay. Mr Ferrara this is your chance now to also ask the police officer any questions of anything that you want to challenge in terms of his evidence. So I'll allow you to ask questions now.

316. 00;06;06;09 - 00;06;11;24

Reece Storme Ferrara [aka Jacob Ferrara]

Right. The first thing, congratulations of reaching Sergeant. Good job.

Or

317. 00;06;11;24 - 00;06;12;05

A/Detective Sgt Shaun O'Meara

Thank you.

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

318. 00;06;12;05 - 00;06;14;22

Reece Storme Ferrara [aka Jacob Ferrara]  
acting Sergeant, or at least going up the chain.

319. 00;06;14;25 - 00;06;18;04

A/Detective Sgt Shaun O'Meara  
Thank you.

320. 00;06;18;06 - 00;07;23;20

Reece Storme Ferrara [aka Jacob Ferrara]  
I do acknowledge look, I do say that. And, you know, at the balance of things, I do think you're a good bloke. And I think that you pr-, you acted in experience and interpretation of the events. And I acknowledge that in these kinds of circumstances, it's. It's extremely difficult to when you put one person's word against the other, it's like, who do you believe? I also feel that it would be. Umm. It's safer. And if you are unsure, it's safer to protect the more, the, the more vulnerable person as opposed to the perceived, like, less vulnerable person in in in a male female kind of context, that to me that makes sense. But the first thing I want to ask you is like, are you aware of what bias is?

321. 00;07;23;22 - 00;07;27;17

A/Detective Sgt Shaun O'Meara  
[cut out, Operator C. Collins] bias?

322. 00;07;27;20 - 00;08;15;12

Reece Storme Ferrara [aka Jacob Ferrara]  
Bias? It's like a bias is a preconceived or like rather than, you know, looking at the information as it comes to you and based solely and directly on being the information and evidence given to you at the time. Bias is the is is probably the external things that you you mentioned before. I think your previous experience of what usually happens in these kinds of cases or you know, you like that kind of stuff, you're taking previous cases and applying them to the, the, the current case in question?

323. 00;08;15;15 - 00;08;21;08

A/Detective Sgt Shaun O'Meara  
I wouldn't call that bias. I would call that experience. Umm, belief.

324. 00;08;21;08 - 00;08;21;22

Reece Storme Ferrara [aka Jacob Ferrara]  
Yeah?

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

325. 00;08;21;22 - 00;08;36;23

A/Detective Sgt Shaun O'Meara

But making a link between what I've dealt with in the past and carrying that with me. As far as your case is concerned, its, umm, a long, umm.

326. 00;08;36;25 - 00;08;37;09

Reece Storme Ferrara [aka Jacob Ferrara]

Okay.

327. 00;08;37;11 - 00;08;38;08

A/Detective Sgt Shaun O'Meara

is not something

328. 00;08;38;11 - 00;09;42;04

Reece Storme Ferrara [aka Jacob Ferrara]

obviously. Alright, its it's I mean, it's interesting. Like, I'm just going to say, okay, you don't think that bias applies. The evidence, Like there's a there's a significant amount of evidence not only in ambulance practice, but in any profession, any just by jus-, just by virtue of being a human. Right. We have our own inherent biases against certain things. So a bias will funnel information into particular areas that that we've dealt with before, or we're going to write that off, as oh yeah, that's more like this sort of thing, as opposed to using a different mode of interpretation, which is takes more time, makes more, more mental effort to actually critically analyze the information given to you at the time as it's given. So if you if you think the the bias didn't apply, then, that's, that's fine that's your opinion. So

329. 00;09;42;04 - 00;10;45;24

A/Detective Sgt Shaun O'Meara

Just just to answer that also just if if, you, you think that I was being biased or there was some sort of biased invol-, involved in your investi-, your investigation, umm. The fact that I acted the way I acted when you initially. When you initially reported your matter to me, I think is evidence of the fact that I don't me me personally, I don't run off bias. I run of evidence and whatever is presented before me, it doesn't matter if it's a male coming in to report family violence or it's a female or whatever, umm, gender you. You are, but that's not the determining factor. The evidence is the determining factor.

330. 00;10;45;26 - 00;10;53;19

Reece Storme Ferrara [aka Jacob Ferrara]

Okay. Right. Well, the fact is, just by being human, we can't bias.

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331. 00;10;53;19 - 00;11;06;23

Hon. Tregent J. VOCAT Member

Okay. I think. Mr. Ferrara. Mr. Ferrara, you have to ask direct questions. [speaking over Reece Ferrara] I evidence your challenge apart from part from. So if there's anything else. I mean, I think that's been asked and answered in relation

332. 00;11;06;23 - 00;11;06;29

Reece Storme Ferrara [aka Jacob Ferrara]

Yep.

333. 00;11;06;29 - 00;11;12;22

Hon. Tregent J. VOCAT Member

to the bias. So I think we can move on to some other points. You might want to dispute it.

334. 00;11;12;22 - 00;12;15;27

Reece Storme Ferrara [aka Jacob Ferrara]

Yep. So. Okay, so. About the two statements. With you on the phone that I had was that I don't and when you say investigation, I don't believe an investigation actually took place. I think I remember our conversation on the phone. It was it was basically. It was. You said that? Yeah. Look, it was it was your word against hers. So pretty much in my view it was like, look, you guys separate. Go your separate ways. Cut your losses, go you-, go your separate ways. And umm, ahh, as a matter of cutting, you know, covering bases, that's the family violence It's the limited order, right? So I don't and then then I asked you and I said, and [cut out, Operator C. Collins] had about the whole thing. Was that [cut out, Operator C. Collins]

335. 00;12;15;27 - 00;12;20;09

Hon. Tregent J. VOCAT Member

sorry, we've just lost you again, Mr Ferrara.

336. 00;12;20;09 - 00;12;21;26

Reece Storme Ferrara [aka Jacob Ferrara]

but.

337. 00;12;21;28 - 00;12;24;07

Hon. Tregent J. VOCAT Member

So you just have to go back about

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338. 00;12;24;07 - 00;12;24;18  
Reece Storme Ferrara [aka Jacob Ferrara]  
no one that
339. 00;12;24;18 - 00;12;24;24  
Hon. Tregent J. VOCAT Member  
twenty seconds.
340. 00;12;24;29 - 00;12;42;01  
Reece Storme Ferrara [aka Jacob Ferrara]  
that. Yep. Okay. So you've got the two statements. You've also got, like a, injury, right?  
And so the issue that I [cut out, Operator C. Collins]
341. 00;12;42;01 - 00;12;45;14  
A/Detective Sgt Shaun O'Meara  
Sorry I can't hear
342. 00;12;45;14 - 00;12;48;07  
Reece Storme Ferrara [aka Jacob Ferrara]  
you would and that would mean have to look.
343. 00;12;48;07 - 00;12;49;19  
A/Detective Sgt Shaun O'Meara  
Sorry Reece.
344. 00;12;49;19 - 00;14;54;14  
Reece Storme Ferrara [aka Jacob Ferrara]  
Umm, Okay. If you were going to do an investigation, you would have to look at the  
content of the statements. So my issue was that when [REDACTED] went in for interview,  
she told me that when she spoke to, ah in-, the police in the in her interview, they took  
it quiet as as a bit of a joke because [REDACTED] joked around and she said she told me  
that she told them is that. Yeah I pushed him in the face with my face and the police  
officers and her had a nice little laugh. So. You'll forgive me for thinking that. You know,  
it was fair and on the evidence.
345. Umm, so, also pertinent to, th-, [REDACTED] had a laceration on her left knuckle. Right? on  
a, in a, in a, exact same size as the injury on my face. I'm not a forensic person, but I  
can look at. You can. You can look at words and reenact and go, oh yeah like, doosh,  
that works. No police officers did that. You weren't interested in the content of what  
happened. You just want to make it go away. So I go my way. She goes her way. She  
was never [cut out, Operator C. Collins] later got in her face and did what I did. It's

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also, is also the reason I tried to hang myself a few times because that was very distressing. So if you look at the statements, it's impossible to replicate her version of events, the injury that sustained and the injury on a knuckle. Right?

346. 00;14;54;16 - 00;15;02;04

Hon. Tregent J. VOCAT Member

Can I just stop you there? Can I just stop you there for the moment, though, Mr Ferrara, In fairness to the police officer, you didn't mention...

\*\*\*End transcript part '2017\_1756\_110245\_09092021\_7.ogg' at 12:47 p.m

This is a true transcript of part '2017\_1756\_110245\_09092021\_8.ogg' at 12:47 p.m. heard the same day,

347. 00;00;00;00 - 00;00;14;02

Hon. Tregent, J.

For the moment, though, Mr. Ferreira, in fairness to the police officer, you didn't mention at the time of your record of interview as to the fact of observing an injury to [REDACTED] knuckle. And so therefore the police

348. 00;00;14;02 - 00;00;15;03

Reece Storme Ferrara [aka Jacob Ferrara]

That wasn't my job.

349. 00;00;15;05 - 00;00;16;07

Hon. Tregent, J.

No, but I'm just saying.

350. 00;00;16;07 - 00;00;16;14

Reece Storme Ferrara [aka Jacob Ferrara]

At what

351. 00;00;16;14 - 00;00;26;01

Hon. Tregent, J.

police I appreciate that. But what I'm saying is the police may not have known to otherwise look at her knuckle. So that's what I'm saying.

352. 00;00;26;03 - 00;00;52;15

Reece Storme Ferrara [aka Jacob Ferrara]

I'm sorry. I, like I don't accept that, because they're very experienced in [REDACTED] with assaults and how injuries take place and stuff like that. They would they would have seen or if they had of looked that seen the injury on her knuckle when they arrested her or got her to come into the station. Alright? Even if when they fingerprinted her,

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Exhibit [RF0A1L]

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they would have seen, the, the, the mark on her hand. Right. And clearly, that would have been associated with the assault.

353. 00;00;52;21 - 00;01;03;03

Hon. Tregent, J.

Okay. [speaking over Reece Ferrara] Can I just stop you there? Okay. Can I stop you there? I'll just check with the Sergeant. Sergeant, did you interview? Did you do the formal interview with Mrs. Ferrara?

354. 00;01;03;03 - 00;01;05;08

Acting Detective Sergeant Shaun O'Meara

[cut out C. Collins]

355. 00;01;05;08 - 00;01;15;00

Hon. Tregent, J.

No. Okay. But out of interest, who would she have been fingerprinted?

356. 00;01;15;02 - 00;01;15;24

Acting Detective Sergeant Shaun O'Meara

Ahh, Yes.

357. 00;01;15;26 - 00;01;22;28

Reece Storme Ferrara [aka Jacob Ferrara]

Okay. Okay. Okay. So I'll just. Go.

358. 00;01;23;00 - 00;02;54;13

Acting Detective Sergeant Shaun O'Meara

Just in relation to the [cut out]jury or that we have no evidence of. So I make of Mr. Stormes evidence on here that. That he's seen or witnessed a scratch to her hand. Also the injury that Mr. Storme obtained, was, was extremely minor. Umm, in in my view. It was a very [cut out C. Collins] cut to the inner part of his lip. Umm, I had no evidence that would suggest that, umm, that type of injury was then also caused some sort of injury to the perpetrator? As I've said all along, it's about evidence and the, the impact to create that, umm, that minor injury, umm, I didn't believe would leave any sort of other pre impact injury to. Umm. To. An offender and that's part [cut out C Collins] probably the cut out C. Collins] hands weren't looked at in [cut out C. Collins] that like Mr. Storme believes they should have been.

359. 00;02;54;15 - 00;03;01;09

Reece Storme Ferrara [aka Jacob Ferrara]

Are you medically trained?

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email:	<a href="mailto:Reece.Storme@Protonmail.com">Reece.Storme@Protonmail.com</a>		P11370782;
Magistrates Court Act 1989 (Vic) section 133 Contempt in the face of the Court			P12154228

**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

360. 00;03;01;11 - 00;03;15;12

Acting Detective Sergeant Shaun O'Meara

Well, I mean you can't have your cake and eat it too. If you want us to look at it then we look at it or if we're not medically trained, then we shouldn't be looking at it then, if, if that's what you're going to allude to.

361. 00;03;15;14 - 00;03;20;17

Reece Storme Ferrara [aka Jacob Ferrara]

So like there was an external injury, but there was also an internal injury.

362. 00;03;20;17 - 00;03;21;23

Acting Detective Sergeant Shaun O'Meara

To who?

363. 00;03;21;23 - 00;03;37;28

Reece Storme Ferrara [aka Jacob Ferrara]

And I notice, I noticed you also do call it a scratch. Right? So there's I mean, that word in itself is pretty biased. I mean, on the outside, it didn't look like much, but all the injury and all the the the cut and stuff like that was on [cut out C. Collins] inside.

364. 00;03;38;06 - 00;03;39;10

Acting Detective Sergeant Shaun O'Meara

We have

365. 00;03;39;12 - 00;03;40;08

Reece Storme Ferrara [aka Jacob Ferrara]

because what happened is

366. 00;03;40;08 - 00;03;41;28

Acting Detective Sergeant Shaun O'Meara

we have a photo of that.

367. 00;03;41;28 - 00;03;43;00

Reece Storme Ferrara [aka Jacob Ferrara]

Hey?

368. 00;03;43;00 - 00;03;46;01

Acting Detective Sergeant Shaun O'Meara

We have a photo of that.

369. 00;03;46;04 - 00;03;54;00

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah. And there was [cut out C. Collins]

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Solicitors Code: N/A

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Court Ref: P11271001;

P11370782;

**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

370. 00;03;54;02 - 00;03;54;08

Acting Detective Sergeant Shaun O'Meara

Sorry.

371. 00;03;54;08 - 00;04;16;00

Reece Storme Ferrara [aka Jacob Ferrara]

opinion. Right. If you wanted to get if you wanted to do an investigation and go into like actually get to like the force and how fast it was and all that sort of stuff, you'd ask an expert or you'd get an expert involved, or at least ask someone. If you were going to do it properly.

372. 00;04;16;02 - 00;04;16;06

Reece Storme Ferrara [aka Jacob Ferrara]

Or do

373. 00;04;16;06 - 00;04;16;29

Acting Detective Sergeant Shaun O'Meara

I did do it properly.

374. 00;04;17;01 - 00;06;52;20

Reece Storme Ferrara [aka Jacob Ferrara]

you just go by opinion? Well, I mean, I'm I'm allowed to have my opinion, as are you.

So. So the force of the of the punch and stuff like that, it's impossible to replicate, right? But no one in Victoria Police even looked at or even considered or whatever documented nothing the injury on her hand that in connection with my face. Now I'm I find it very interesting that you say, oh this guy did kickboxing and he could take a punch or something to that effect, or it was just a little scratch. But I'd like to put it to you like this. If a female presented to you, as with the injury that I sustained and the dynamic was flipped, Right?

375. Are you going to sit there and tell me that you're going to look at a female who's bleeding from the face like that and then say, it's just a little cut or it's just a little scratch, oh it's really not much. And you know what? She does kickboxing so she can take a punch. And. Do, and what you weren't aware of, of which I did say in documentation, is that she did years of training in Krav Maga. She has martial arts training. And as far as her being petite, she was at least 60, 60 to 65 kilos. And I only weigh 75. I'm quite lean. So there's not a massive weight difference behind that, especially if if she's gonna punch me in a completely in a in a way where my my head was forward going down to pick up my son. Right?

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376. The force coming in down from the top like that could very well quite easily put me off balance and send me flying. Right? it's not. So I, I find it difficult that you can sit there and say I go by the evidence? yet the evidence was in front of you and it's it's literally in black and white and it even even a a reasonable person if you take away that if you've got if you've got ten reasonable people to look at that take away the gender, take away the names and just read the content? and then find out what the reasonable person would say? they would be able to be able to, you know, sort of say, well, that one didn't. You can't you can't replicate that one. So, I mean, surely that one's a lie. And this one. Well, yeah, that makes sense, doosh and, like, you can replicate that. So

377. 00;06;52;20 - 00;06;53;24

Acting Detective Sergeant Shaun O'Meara

I think, so Mr Ferr-

378. 00;06;54;01 - 00;06;59;03

Acting Detective Sergeant Shaun O'Meara

wasn't done in the investigation, then I don't understand how you can say it was investigated?

379. 00;06;59;06 - 00;07;11;27

Hon. Tregent, J.

Okay. Mr. Ferrara as I did mention before, though, you never mentioned in your interview about having the observed the injury to the knuckles. So when do you say you observed that

380. 00;07;11;27 - 00;07;12;11

Reece Storme Ferrara [aka Jacob Ferrara]

I don't

381. 00;07;12;11 - 00;07;14;14

Acting Detective Sergeant Shaun O'Meara  
injury?

382. 00;07;14;16 - 00;07;22;07

Reece Storme Ferrara [aka Jacob Ferrara]

Because I'd seen. Umm, ah, on changeover, I saw it on her hand,

383. 00;07;22;10 - 00;07;27;15

Hon. Tregent, J.

but sorry. But when was this? Was this some days later?

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384. 00;07;27;17 - 00;07;34;21

Reece Storme Ferrara [aka Jacob Ferrara]

It was like an injury like that sticks around for like 2 to 3 weeks at least.

385. 00;07;34;23 - 00;07;36;05

Hon. Tregent, J.

But okay, but

386. 00;07;36;05 - 00;07;36;14

Reece Storme Ferrara [aka Jacob Ferrara]

what is that

387. 00;07;36;14 - 00;07;46;07

Acting Detective Sergeant Shaun O'Meara

I'm saying, in fairness to the police officer who is investigating this, you didn't alert him to the fact of the injury at the time and he wasn't the person

388. 00;07;46;07 - 00;07;46;19

Reece Storme Ferrara [aka Jacob Ferrara]

No well I

389. 00;07;46;19 - 00;07;53;25

Acting Detective Sergeant Shaun O'Meara

who was engaged with taking the statement or fingerprinting. Mrs, umm. Mrs. Ferrara.

390. 00;07;53;27 - 00;09;04;24

Reece Storme Ferrara [aka Jacob Ferrara]

Well, that doesn't matter. like, if you're going to do if you're going to investigate an assault case. Right? Blunt forced trauma coming from someone's hand int-, into a hard object is going to leave a mark on the thing that caused the blunt injury. Right? You were genuinely going to investigate an assault and try to ascertain get evidence to say that this hand caused this injury. Right? You would look at the hands of which it was alleged that they would that they inflicted that blunt forced trauma. Of which it did. But.

391. They weren't interested in anything. They weren't interested in making [REDACTED] accountable for anything. Because they were because they didn't want to have [cut out C. Collins] of that. So. They didn't look at it. It's not my job to tell them, Yes, she has a mark on her hand. And I believe I actually did tell them after the afterwards in some, in, in, probably on the phone conversation with, with, umm with him. That she's got a mark on a hand.

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

392. 00;09;04;26 - 00;09;20;26

Hon. Tregent, J.

Okay. Well, [speaking over Reece Ferrara] I'll just ask in fairness, ask Mr. Sergeant O'Meara. Sergeant? were you ever made aware by Mr. Ferrara or anybody else that there was an injury to Mrs. Ferrara's hand that should have been looked at?

393. 00;09;20;29 - 00;10;07;24

Acting Detective Sergeant Shaun O'Meara

No, I don't think. Just to add to that, I don't think it's in dispute that there was some sort of physical altercation, I. Just. Umm. Jallina(sic) not in relation to pushing out or punching out towards, umm, Mr. Storme? So in relation to any sort of scratch or injury, it doesn't really the fact that there were [cut out C. Collins] of injury to her hand doesn't really, umm, it's not a silver bullet or it doesn't really push you one way or the other relation to evidence.

394. 00;10;07;27 - 00;10;11;03

Reece Storme Ferrara [aka Jacob Ferrara]

What, what's the definition of serious assault?

395. 00;10;11;06 - 00;10;15;25

Hon. Tregent, J.

Well, I don't think I'll go there because this is not a serious assault.

396. 00;10;15;28 - 00;10;21;21

Reece Storme Ferrara [aka Jacob Ferrara]

But the definition of serious assault is an assault. An assault that that leaves, it leaves

397. 00;10;21;24 - 00;10;23;02

Hon. Tregent, J.

Well, I think. I think Mr Ferrara,

398. 00;10;23;02 - 00;10;23;05

Reece Storme Ferrara [aka Jacob Ferrara]

assault

399. 00;10;23;05 - 00;10;54;13

Hon. Tregent, J.

[speaking over Reece Ferrara] I think we'll leave I think we'll leave, leave the legal definitions as to what is regarded as an assault or a serious assault, to me, I think at this point, we're going to have to wrap things up because it's, umm, time has run out. But I just have one more question for you, umm, Mr. Ferrara You didn't say in your

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statement and you didn't say in your record of interview that the force of the blow that you received from [REDACTED] caused you to fall backwards. Is there a reason

400. 00;10;54;13 - 00;10;55;04

Reece Storme Ferrara [aka Jacob Ferrara]

Yes and the reason why the recorded

401. 00;10;55;04 - 00;10;56;00

Hon. Tregent, J.

and you didn't include that?

402. 00;10;56;00 - 00;10;57;11

Reece Storme Ferrara [aka Jacob Ferrara]

You want to know why?

403. 00;10;57;13 - 00;10;58;20

Hon. Tregent, J.

Sorry?

404. 00;10;58;23 - 00;12;34;07

Reece Storme Ferrara [aka Jacob Ferrara]

Because. Sergeant O'Meara like, umm, Constable O'Meara here at the time. When I gave my statements, I wanted to put in detail. I wanted to say this. I wanted to say that. And he goes, Nah, nah, nah, we just make a general. So the, umm, the witness statement that, umm and I actually followed this, so I actually complained about this after Mr. O'Meara, ah, Constable O'Meara or whatever. Is that you. You took my statement and directed me to, to make it general because you wanted it to, you know, cancel each other out. I wanted to put a detailed statement.

405. I actually prepared a detailed statement after the fact and put it in with and, and, you know, it's in the documentation in here somewhere, all I have to do is find it, is that my version of events and the detail that I wanted to put in. Right? And then you can compare it to the statement that you, you pushed me or, you know, basically guided me to, to write and then said, Yeah, look, we'll just make this general and then sign it off, boom, there you go. Because in that [REDACTED] statement, it leaves out all that stuff, It leaves out all the stuff with the intent [cut out C. Collins]

406. 00;12;34;09 - 00;13;05;13

Hon. Tregent, J.

Okay, well, I'll allow the Sergeant to comment on that shortly. But the situation is that you were subject to a record of interview with the police, which obviously you've been

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provided with a copy of it, and that gave you the opportunity to say everything you wanted, that wasn't a statement which was limited, you were entitled, nobody cut you off or stopped you from giving your account of the allegation.

407. 00;13;05;14 - 00;13;58;03

Reece Storme Ferrara [aka Jacob Ferrara]

The interview is. The interview is them asking me questions. So I answered thier questions. If they're not going to ask me anything about what I'm talking about now. Then I'm not going to all of a sudden bring that up in an interview. Particularly when it's an interview where I could p-, I always was convinced I was going to jail. Right? And I was scared and all that sort of stuff. So like, how am I going to how am I even remotely going to, you know, look after my interests in an interview like that? when I'm under emotional distress? And and by virtue of any interview, it's them asking the questions. And I answer I have no capacity to be able to bring up, oh yeah, well, you know, this would be good for my case. I'm like, make sure you know this.

408. 00;13;58;05 - 00;13;59;26

Hon. Tregent, J.

But it Mr Ferrara.

409. 00;13;59;26 - 00;15;02;10

Reece Storme Ferrara [aka Jacob Ferrara]

I went to, I went to I went to the Greensborough police station and said I wanted to update my statement. But they wouldn't take it. Now, the other things are, is that as far as like all the known to Greensborough police station, right? Is that [REDACTED] actually breached the family violence order while it was in place. I, I, I gave a recorded phone conversation because [REDACTED] kept threatening me. So I told her I'm going to start recording my calls. Now, on that recorded line, she told me to go kill myself and that, umm, and and things like that, Right? while the family violence order was in place. I presented to Greensborough Police Station acting Sergeant, can't remember her name at the time, but she refused to take the, the, the report. Because she said, and I quote, I re-, I'm not. I'm, Do you understand? This means I'm going to arrest a.

\*\*\*End transcript of part '2017\_1756\_110245\_09092021\_8.ogg' at 1:02 p.m.

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This is a true transcript of part '2017\_1756\_110245\_09092021\_9.ogg' at 1:02 p.m. heard on the same day,

\*\*\*Begin transcript of part '2017\_1756\_110245\_09092021\_9.ogg'

410. 00;00;00;00 - 00;01;58;09

Reece Storme Ferrara [aka Jacob Ferrara]

I'm not. I'm. I'm. Do you understand? This means I'm going to arrest a mother. A mother. And said yes, this mother is terrorising me and she goes, I refuse to do it. I put in a complaint. To, umm, the, to, to the police. Umm, to police. That was dismissed. I took it to um, the, the integrity the Integrity Commission. They dismissed that as well. Because everyone writ me off as as as mentally ill. And. That I was a nuisance. But the problem is, is that I was actually telling the truth and I was being reasonable. But it's convenient for all you guys to just write me off like that. And it I mean, I've gotten over it. Right?

411. And, you know, that's the past. And I've moved on. I've got a job. I still, I'm still a paramedic now. But. [REDACTED] never faced any consequences for her actions because police refused to do their job. [silence] I didn't I wasn't vindictive. I didn't want her to go to jail or anything like that. I didn't even want her to be charged. Just wanted her. I just. Just. It, I-, just. And that's what I said to Lily Vay is I said I just want it to be fair. But even in the invest-, even in the time where I got charged with family violence order, with persistent breach of family violence order, that I confess myself. She breached the, she breached the order as well, but Lily Vay goes, oh that wasn't very serious. It still breached the order. But they choose their own discretion and motivation for what they choose to to to go with or what not. So they the my whole experience of this was very traumatising and, and, and, and delayed my recovery because of the way Victoria Police behave.

412. 00;01;58;11 - 00;02;19;18

Hon. Tregent, J.

Can I just ask this? So because Mr Ferrara, you mention in your statement that we were facing each other when out of the blue you were punched to the right side of the mouth with a clenched left hand. Yet, you've also said in your evidence today that you were leaning down to pick up your son or something so you weren't standing and

413. 00;02;19;18 - 00;02;19;23

Reece Storme Ferrara [aka Jacob Ferrara]

I was facing her directly

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

414. 00;02;19;23 - 00;02;25;01

Hon. Tregent, J.

that she came over the top of you. Sorry?

415. 00;02;25;03 - 00;02;36;25

Reece Storme Ferrara [aka Jacob Ferrara]

[re-enacting the event on camera] So, [REDACTED] in front of me? Right? [REDACTED] there. I've gone to go like that. And then that's when, doosh. Left punch, left cross.

416. 00;02;36;28 - 00;02;40;06

Hon. Tregent, J.

Okay. I'll let the police officer

417. 00;02;40;06 - 00;02;42;18

Reece Storme Ferrara [aka Jacob Ferrara]

So when I went to initiate the action of going down.

418. 00;02;42;24 - 00;02;43;12

Hon. Tregent, J.

Okay.

419. 00;02;43;14 - 00;03;01;10

Hon. Tregent, J.

So, I'll just ask, so, Sergeant, I'll give you the opportunity to at least respond in terms of what's been suggested that you didn't, umm, permit Mr Ferrara to make a fulsome statement that you, you said, let's make it just brief.

420. 00;03;01;12 - 00;03;26;03

Acting Detective Sergeant Shaun O'Meara

Umm, well, that's incorrect. Mr Storme knows that I conducted a very thorough investigation, umm, in relation to what he reported to me, umm, there's no clear evidence of that, umm, I, because the outcome maybe wasn't to, umm, in his favour or perceived [Reece Ferrara speaking underneath] favour.

421. 00;03;26;05 - 00;03;27;24

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah. Just.

422. 00;03;27;26 - 00;05;08;08

Acting Detective Sergeant Shaun O'Meara

I know that I have evidence that, umm, thorough investigation was conducted and I have no issues with the way I conducted myself or, or the investigation, and Mr.

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Storme was, was given ample time to put forth any, any sort of, umm, argument or observation that he wanted. Umm, I, I have no reason to omit any evidence or and, it's, it's umm, actually against what I've sworn to do [cut out C. Collins] an offence. So there's no reason for me to do that sort of thing, umm, I, I don't know, Mr Storme.

423. Umm, He, he's come in with an allegation [cut out C. Collins] taken a statement from him, umm, as to what he wanted to, umm, tell me about what, what had transpired. And then, an investigation was conducted there's evidence of what was what was conducted [cut out C. Collins] -gation, umm, and we came to the outcome we did. And we did. Umm, based on, you know, all the evidence that we're able to obtain. So I have no issue with the way I conducted my investigation. Mr, Mr, Storme can have whatever point of view he wants, and quite happy I'm happy to, the, ahh, defend the way I conducted the investigation to anybody.

424. 00;05;08;10 - 00;05;09;10

Hon. Tregent, J.

Okay.

425. 00;05;09;12 - 00;06;07;20

Reece Storme Ferrara [aka Jacob Ferrara]

When I gave my statement to Lily Vay at the time for the breach of family violence order. She wrote down my statement. Verbatim. For what I said. All right. And I said, I stopped and I said to her. Hey, that. Is that, like I can't believe you're actually doing that? Because when I gave my statement to, to, O-, ah, Constable O'Meara. I wanted to include things and he goes, nah nah nah, we just, we're just gonna keep it general. Right? So then I was confused about what the real pro-, process was, because there was a distinct difference in the, the way that the two officers took a statement. So and I said that to Constable Lily. Lily Vay. I don't know if she documented that, but I, I said that to her face to face.

426. 00;06;07;23 - 00;07;00;16

Hon. Tregent, J.

Okay. Okay, okay. At this point in time, I'm going to, I, if you I'll, I'll give the Sergeant the last opportunity, so Mr Ferrara I won't hear further from you at this stage because I want you to have to at least be able to excuse the sergeant from having to attend further, Sergeant, is there anything else that you wanted to add in relation to this matter? Obviously, you only investigated in terms of whether or not charges should be issued against Mrs Ferrara and somebody else iss-, investigated whether Mrs Ferrara

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

should be charged or vice versa, sorry whether. Umm, whether, sorry. You investigated, whether Mr Ferrara should be charged and somebody else investigated whether Mrs Ferrara should be charged, is that fair?

427. 00;07;00;18 - 00;07;23;00

Acting Detective Sergeant Shaun O'Meara

I investigate both. But in relation to the interview with Mrs Ferrara, that was conducted by somebody else, just a logistical reasons. I possibly not working that day or whatever the reason for that is, which happens often.

428. 00;07;23;00 - 00;07;23;08

Hon. Tregent, J.

Yep.

429. 00;07;23;08 - 00;07;37;20

Acting Detective Sergeant Shaun O'Meara

Because interview so that's why that sort of separate. But that interview then comes back to me, umm, and, and the investigation continues based on what's said in the interview and so forth.

430. 00;07;37;20 - 00;08;00;20

Hon. Tregent, J.

Okay. Okay. Are you wishing to be further involved or are you happy for me to excuse you at this point?

431. 00;08;00;23 - 00;08;06;15

Acting Detective Sergeant Shaun O'Meara

I'm happy to be involved if, if, umm, if I'm required for the outcome.

432. 00;08;06;17 - 00;08;07;03

Hon. Tregent, J.

Okay.

433. 00;08;07;05 - 00;08;07;11

Acting Detective Sergeant Shaun O'Meara

That's fine.

434. 00;08;07;11 - 00;08;35;16

Hon. Tregent, J.

Okay. Very good. Okay, So and I'll ask. Well, what I'll do, umm, Mr. Ferrara, I don't know with, if or when you've filed a statement of claim in terms of what you are

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**Exhibit [RF0A1L]**

Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

seeking from the tribunal in relation to this matter, I mean, obviously you'd be seeking special financial assistance, but as I said, it's limited. It's not.

435. 00;08;35;18 - 00;08;35;23

Reece Storme Ferrara [aka Jacob Ferrara]

Umm.

436. 00;08;35;23 - 00;08;37;22

Hon. Tregent, J.

A lot of money.

437. 00;08;37;24 - 00;09;32;11

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah, a lot's changed since then. So as far as I'm concerned, I have to acknowledge that, you know, even though that that event did occur, you know, I contributed my own offences and I need I have to be, I even to this day, umm, still paying for that in in sort of employment opportunities and stuff like that. But I'm the only thing that I'm seeking is umm, no, no, no compensation or anything like that. Just reimbursement of some or whatever, whatever the tribunal sees fit of the, the psy-, the treatment costs.

438. 00;09;32;13 - 00;10;15;04

Hon. Tregent, J.

Can I just ask you in relation to that, I've read somewhere you'd been subject to some counseling prior in time, actually. Look, let's leave this. I think we'll leave this to when the matter comes back here. Umm. On the 29th of September. Okay. So because obviously, Mr. Ferrara, you had some counseling. You were subject to some counseling before, as I understand, as it related to your role with Ambulance Victoria. And so, anyway find out exactly what you say is issues of compensation now. But anyway, so I think we'd better leave it until that date of the 29th of September.

439. 00;10;15;06 - 00;10;16;17

Reece Storme Ferrara [aka Jacob Ferrara]

Yep.

440. 00;10;16;19 - 00;10;17;02

Hon. Tregent, J.

Okay.

441. 00;10;17;06 - 00;10;18;21

Reece Storme Ferrara [aka Jacob Ferrara]

Okay.

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442. 00;10;18;23 - 00;10;27;07

Hon. Tregent, J.

Okay, good. Okay. Well, thanks very much. Well, thank you for everybody making, now I should ask Sergeant does that date suit you?

443. 00;10;27;09 - 00;10;28;27

Acting Detective Sergeant Shaun O'Meara

Your Honour I'll just quickly check.

444. 00;10;29;03 - 00;10;33;10

Hon. Tregent, J.

Thanks,

445. 00;10;33;12 - 00;10;37;26

Acting Detective Sergeant Shaun O'Meara

That's fine your Honour.

446. 00;10;37;26 - 00;10;55;12

Hon. Tregent, J.

Okay, very good, I'm not too sure what time, but obviously, we'll just we'll find that closer. Closer to the event. Good. Okay. Well, thanks again, everybody, for making yourselves available. And we got through most of it anyway, at least with the difficult Internet connections.

447. 00;10;55;15 - 00;10;56;10

Acting Detective Sergeant Shaun O'Meara

Okay.

448. 00;10;56;13 - 00;10;58;13

Hon. Tregent, J.

Thanks very much. Free to go.

449. 00;10;58;15 - 00;10;58;25

Reece Storme Ferrara [aka Jacob Ferrara]

Okay bye.

450. 00;10;58;27 - 00;11;01;19

Hon. Tregent, J.

Thanks.

\*\*\*End transcript of part '2017\_1756\_110245\_09092021\_9' concluding at 1:13 p.m.

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That concludes the hearing on September 9, 2021, and the following is a true transcript of September 29, 2021, before her Honour Tregent, J. providing her verdict on the matter.

\*\*\*Begin transcript September 29, 2021, part '20171756V\_145242\_29092021\_1'

451. 00;00;00;20 - 00;00;03;17

Heidelberg Court Assistant

Calling the matter of Reece Storme to Court [cut out]

452. 00;00;03;17 - 00;00;19;10

Hon. Tregent, J.

Okay, great. Thanks very much. Okay. So since we last were involved with this matter we effectively ran out of time, but from where you are also, hopefully, maybe the connection might be a bit better for me to be able to hear you. Umm, than

453. 00;00;19;10 - 00;00;19;14

Reece Storme Ferrara [aka Jacob Ferrara]

Yep.

454. 00;00;19;14 - 00;01;25;18

Hon. Tregent, J.

it was the previous occasion. I've had the opportunity, obviously, to review the file and also obviously the evidence that you gave at the time of the last hearing. I received that extra information from you. I didn't actually want the information from Ambulance Victoria, I might have confused the situation. And I think I did that on the basis that, I was under the impression that you were getting counseling before this incident, because that was detailed in your psychologist's report that you've been having counseling. And I thought that was from your employment. I thought that was as a consequence of being employed by Ambulance Victoria and that you had suffered post-traumatic stress. And therefore, that they'd organised for the counseling. And that's why I asked about, because I wanted to find out if they're paid for the counseling sessions. But it seems that I was mistaken about that. You weren't getting the counseling through, umm, your employer you were doing it independently. Is that right?

455. 00;01;25;21 - 00;02;18;19

Reece Storme Ferrara [aka Jacob Ferrara]

So umm, Ambulance Victoria did, umm, fund sessions after I left, I think the resignation kicked in about, April 2016? And they I think they funded, oh maybe about fortnightly sessions with Karen Walker for about 12 months. Umm. And, yeah, yeah, so you are correct in that the problem was that [cut out] finished [cut out] umm, included umm, the

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stability I suppose you could say and then I was left to my own devices to try and fund my own therapy.

456. 00;02;18;22 - 00;03;25;12

Hon. Tregent, J.

Okay. So because it was really because you indicated in the last session, I think you recognised that, and I'll con, I can say that the amount of money which is available for and this is Government set in terms of for a charge of, in terms of special financial assistance is limited to \$650. And as I indicated, I think you recognised, too, because of the provisions of the act, your eligibility for that probably wasn't going to be made out. But you asked to the tribunal. If I find that there was an act of violence could assist you in terms of paying some of your psychological expenses. And that's really the information that I wanted to see. What if you'd put in any, if you filed with the tribunal, any actual claims for psychological counseling subsequent to Ambulance Victoria, no longer funding it, if you had any receipts of that?

457. 00;03;25;14 - 00;05;07;01

Reece Storme Ferrara [aka Jacob Ferrara]

Yes, I do. And, and you are correct. Like, I don't want, comp-, like, compensation or anything like that because I need to take responsibility for, you know, my actions and things like that. And, and to be honest, given umm, you know, the conduct of Victoria Police in, in, my [REDACTED] with them and umm, you know, they're. Umm. I on't know, in my opinion, probably are, are, are not at ah, inaccurate assessments or investigation of, you know, the facts and things like, I really wanted to. This was my only option then to get, you know, an independent, you know, a subjective assessment of the circumstances that formed the assault. Thing, so it was basically one. To clear my name as, ah, in a way, and two. Look, you know, if I c-, if I, you know, recover, you know, anything, you know, like it doesn't have to be a lot, you know, that would be okay for me. And ah, yeah, I, I, I think that's it.

458. 00;05;07;04 - 00;07;25;05

Hon. Tregent, J.

Okay. Now, what I'm going to do Mr Ferrara is I'm going to explain my decision. In terms of whether I found that there is an act of violence has been perpetrated, in, on you by your former wife. Appreciate that, umm, the difficulty always the tribunal, the Victims of Crime Tribunal, the aim is to try to assist people who have been victims of crime. Obviously, our job is a lot easier if there's been a finding of fact or place of

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guilty, by in another location in the magistrate's court or the county court or somewhere else.

459. And then obviously it's well established that there has been a finding of guilt and that there has been an act of violence. But of course, here the police chose not to pursue charges. That is common in matters where there is competing stories, either charges will and I can indicate to you I appreciate you say, well, if it had been a woman who was hit, the story would be different. But of course, daily on a daily basis, in the Magistrates Court charges are withdrawn where the victims are women in domestic situations, charges aren't authorised. And so it's not uncommon the charges aren't pursued by Victoria Police. Of course, the difference with them is that they've got to be able to satisfy a court beyond reasonable doubt. I only have to apply the civil standard, which is on balance. You have given evidence before me and the difficulty with the position that I hold as a, being in the position of the tribunal member.

460. I don't have anybody else to cross-examine you. I don't have. So I had to be everything I had to take the evidence in chief from you. You did a good job of doing that yourself anyway, but then I had to challenge the evidence to some extent just to see whether I accepted your version of events. And I can indicate, having heard your account of what took place, you demonstrated it as well. And given the fact that you did receive a deep injury to your lower lip, because it was penetrating through the surface, I accept your account that you were otherwise assaulted in the manner that you say by, ah, Ms, ah, Mrs Ferrara. Sorry could I get her name? That's okay. Was she, yeah yeah, so. Yeah, so.

461. 00;07;25;10 - 00;08;11;12

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah, umm, I just wanted to say, it's important to note that, you know, me and [REDACTED] have umm, a we're on very mutual, you know, co-parenting, ah, ah relationship. It's very positive and friendly relationship. And and I don't want I don't want anything detrimental to come to her or anything like that. I, you know, if there's out of out of this action or any or anything of your findings, I don't want, you know, I, that's in the past and and I don't want any detriment to come to her whatsoever.

462. 00;08;11;15 - 00;08;18;18

Hon. Tregent, J.

No, I can, I can indicate, it, the police wouldn't reinvestigate it and again as I say this they're not

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463. 00;08;18;20 - 00;08;20;02

Reece Storme Ferrara [aka Jacob Ferrara]

yeah and I wouldn't want that.

464. 00;08;20;04 - 00;09;59;20

Hon. Tregent, J.

No, and and they've got the difficulty too that they have to, they have to know that the burden that they have to establish is beyond reasonable doubt. So that's where it becomes more difficult for the police. And that's why a lot of prosecutions don't proceed. People, as I say, may never be charged, they might be charged and the the withdrawn, prior to them getting anywhere. And look, I appreciate the talk and you you're very honest in terms of taking responsibility for your offenses which occurred. And this is obviously a very bad time in your life, as I've noted from both, that other extra information you provided to me.

465. But thankfully you have moved on and you seem to be, as you say, in a much better space moreover just in terms of physically you're better, mentally you're better, You're better in terms of your relationship. You're having a a good and meaningful and positive engagement with your child, which is good. So that's all working out to your benefit and to the benefit of the community as well. So and I'm sorry it's taken so long for these matters to get to this stage, but of course we've had a lot of problems with COVID and everything else seems to have just come in the way of things.

466. So it's been a long and drawn out journey for you probably, which doesn't probably add to the experience either, but. Have, one So I'm going to find obviously that there was an act of violence and therefore you're entitled to reimbursement, certainly in terms of the, any psychological counseling that you've had, you know reasonable amounts, but was the report ever paid for? Because we often used to pay for things on an interim.

467. 00;09;59;22 - 00;11;29;08

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah, no. So, umm, what happened was because of you know, the prior offenses, I, the lawyer, the lawyer, the law firm that was going to assist me was told that it wouldn't be paid. So that's, I, I had act for myself. And so that avenue was removed. And as far as the psychologist report from Karen, that still hasn't been paid. And I said to her, whether, you know, VOCAT pay it or not, I'm I'm committed to paying you for it because you provided a service and I'm still liable to pay for that.

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468. So I just only recently, umm, it's only at the start of this year that I've sort of been working in a capacity where I, you know am earning money that would be able to pay her back for that, so to date that hasn't been paid and you know, for me, look, whatever whatever figure or whatever value you think is reasonable, I'm more than happy to accept. Even if it's like \$50, that's fine by me. It's like I said, it's. Yep.

469. 00;11;29;10 - 00;11;49;15

Hon. Tregent, J.

Okay. Well, can I just indicate in terms of the your previous lawyers probably would have been informed by the tribunal, which was me, about the fact that there was a difficulties with your case in terms of particularly the special financial assistance because of those priors. But we will always pay the Lawyers. So we paid the legal costs of the lawyers when they

470. 00;11;49;15 - 00;11;49;20

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah that's right.

471. 00;11;49;20 - 00;12;30;16

Hon. Tregent, J.

That's the thing. And we will always even if somebody's not successful in establishing an act of violence. My my practice and I'm pretty confident that most other the tribunal members do the same is we always pay the out of pockets, so that if a psychologist has done a report, we always pay for that so even if the applicant isn't successful. We'll pay for that because we just think it's fair because otherwise they may not get paid, but they've worked on the matter you know, in a fair minded expectation that they will eventually get paid. So what I need then from you and I'll go through the file because file's pretty large anyway and see what

472. 00;12;30;18 - 00;12;31;09

Reece Storme Ferrara [aka Jacob Ferrara]

Oh yeah.

473. 00;12;31;11 - 00;13;13;22

Hon. Tregent, J.

See what your former solicitors did provide in terms of any information about claims, because I've got here counseling session and various tax invoice and various tax invoices and other ones. So between myself and you, well sorry, me and the and my

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clark and you can you provide to the Court copies of any invoices, for first of all, the report of Miss Walker. Which we might have anyway. The costs of that and it

474. 00;13;13;25 - 00;13;27;07

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah I do. I got Karen to send me, ah recently, you know invoices and stuff like that so Okay, Okay. I can email that to the court. Yep.

475. 00;13;27;09 - 00;13;44;20

Hon. Tregent, J.

Okay, good. If you can send all those through. I'll have a look at those and I'll make the award for the costs of the report and your counseling that relates to this matter. Out of interest, are you still receiving counseling? Or that's all [REDACTED]

476. 00;13;44;22 - 00;14;30;27

Reece Storme Ferrara [aka Jacob Ferrara]

Well, I mean, I'm still seeing, umm, I still see a psychiatrist. And interestingly, after this case, I was actually me and [REDACTED] were both diagnosed with ADHD. So that was another factor that explained everything. So I see a psychiatrist for that. I see a psychiatrist to just monitor PTSD for my paramedic registration. And I see Karen, oh, as needed sort of thing. So as far as like meeting regular sessions, [cut out] covered and, and life is much better now.

477. 00;14;30;27 - 00;14;31;22

Hon. Tregent, J.

Okay.

478. 00;14;31;22 - 00;14;32;18

Reece Storme Ferrara [aka Jacob Ferrara]

and has been for a while.

479. 00;14;32;23 - 00;15;01;24

Hon. Tregent, J.

Okay, well Mr Storme then if you wouldn't, sorry Mr Storme, Mr Ferrara, if you wouldn't mind sending those invoices to the court and we can, I'll authorise the payment of them, additionally understand too that in the event you feel you need to go back to Ms Walker every so often you can, you can can I can make an order for another 12 future counseling sessions, for example. And so that'll just be a pool of money that's there and even if those for.

\*\*\*End transcript September 29, 2021, part '20171756V\_145242\_29092021\_1'

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This is a true transcript of verdict on September 29, 2021, part  
'20171756V\_145242\_29092021\_2'

\*\*\*Begin transcript verdict part '20171756V\_145242\_29092021\_2'

480. 00;00;00;01 - 00;00;20;01

Hon. Tregent, J.

So that'll just be a pool of money that's there. And even if those 12 counseling sessions were to be finished and you've run out of them, you can still apply for a variation to the award for more counseling sessions for up to six years after this matter is [REDACTED]

481. 00;00;20;01 - 00;01;31;27

Reece Storme Ferrara [aka Jacob Ferrara]

Okay. Thank you. Thank you very much. 'Cos you know, one of the hard things of in in the years of I suppose while I was waiting for this point was that I, I, I couldn't work, and, and because it was deemed I didn't I wasn't eligible for WorkCover because it was deemed that the cause was personal circumstances. So I. Well, the relationship that I had, that me and [REDACTED] had. So that was difficult because I mean I couldn't afford treatment and stuff but ongoing like I'll always like always need sessions and things like that because, you know, the ADHD or is a thing that I'm learning to deal with that's new and that is probably related to the PTSD as well. Right? So, yeah, it's all sort of interrelated. But thank you very much. Look, I I'm. I genuinely thank you for that.

482. 00;01;31;29 - 00;01;48;24

Hon. Tregent, J.

That's okay. And. I'll. And certainly with the tribunal and certainly most tribunal members that we're all the same that, people, ask for holidays and things like that, we don't give them because that's not going to assist recovery.

483. 00;01;48;26 - 00;01;49;13

Reece Storme Ferrara [aka Jacob Ferrara]

Oh, no.

484. 00;01;49;13 - 00;02;04;12

Hon. Tregent, J.

No. But, but we do believe, you know, what you need for counseling is the best way to go forward, because that's the whole aim is to ass-, that's what the legislation's set up for, is to assist people with their recovery from the Trauma of

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485. 00;02;04;12 - 00;02;04;15

Reece Storme Ferrara [aka Jacob Ferrara]

Well, yeah right?

486. 00;02;04;15 - 00;02;05;06

Hon. Tregent, J.

of being exposed to an act of violence. Yep.

487. 00;02;05;06 - 00;02;49;20

Reece Storme Ferrara [aka Jacob Ferrara]

Yeah. And look, it was it was really the offending was really, really upsetting for me because, you know, I, I never I never wanted like, I, umm. You know, I never I never wanted to hurt anyone or anything like a normal sort of my normal health. I would never dream of hurting anyone and things like that. It was so against my character that's why it was so upsetting and things like that. So I was just so dedicated to like, I have to get better, you know, my behavior. I can't. I'm not allowed to behave like that. It's unacceptable. So I just have to get better. Yeah.

488. 00;02;49;22 - 00;03;03;08

Hon. Tregent, J.

Okay, good. Well thanks very much, so if you wouldn't mind sending those invoices through. And if need be I don't think we don't need any further webex's but obviously the registry will be in touch with you if we need any further information.

489. 00;03;03;11 - 00;03;06;13

Reece Storme Ferrara [aka Jacob Ferrara]

All right. Thank you. Thank you very much.

490. 00;03;06;19 - 00;03;10;12

Hon. Tregent, J.

Good. Thanks. Okay thank you very much, we'll break the link. Thank you.

\*\*\*Concludes transcript of verdict heard September 29, 2021, final part

'20171756V\_145242\_29092021\_2' and concludes the transcript of the complete VOCAT Hearing 1756/2017.

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Witness initial: \_\_\_\_\_ deponent initial: \_\_\_\_\_

The contents of this transcript are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury.

Affirmed at: \_\_\_\_\_  
Place

in the State of Victoria

On: \_\_\_\_\_

Before me,

\_\_\_\_\_  
Name of witness

\_\_\_\_\_  
Authority

On: \_\_\_\_\_

\_\_\_\_\_  
Signature of witness

Date: \_\_\_\_\_

*[name, statement of the capacity in which the authorised affidavit taker has authority to take the affidavit, and person or professional address in legible writing, typing or stamp]*

\_\_\_\_\_  
Name of deponent

\_\_\_\_\_  
Signature of deponent

Date: \_\_\_\_\_

A person authorised under section 19(1) of the Oaths and Affirmations Act 2018 to take an affidavit.

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