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These claims are not yet resolved.

Royal Commission

into the Management of Police Informants

STATEMENT OF DOUGLAS COWLISHAW

1. My full name is Douglas Cowlshaw. I am a retired former member of Victoria Police.
2. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 19 March 2019.

Educational background and employment history (question 1)

3. I joined the Police Cadets in 1971 and graduated in 1973. I then performed duties as follows:
 - a. Between 1973 and 1978, I was a Constable stationed at Russell Street, City Traffic and Prahran.
 - b. In around 1978, I was promoted to Senior Constable and transferred to the Crime Investigation Branch (Stolen Motor Vehicles Squad) at Russell Street.
 - c. In 1980, I transferred to Mount Waverly CIB.
 - d. In 1982, I was promoted to Sergeant and moved to the Communications Division (D24). At the same time, I also started a teaching role in operating communications equipment. I specialised in remote communications, which was focused on establishing communications to remote areas in times of natural disaster or emergency.
 - e. In March 1984, I transferred to Cheltenham as a uniformed Sergeant and a Court Prosecutor.
 - f. In October 1984, I was Law Instructor as a Sergeant at the Police Academy. At around this time, I was also in charge of the Advanced Phase Course at the Academy.
 - g. In 1986, I was transferred to the Bentleigh East CIB as Detective Sergeant.

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- h. In 1987, I transferred to the Major Crime Squad (St Kilda Road) as Detective Sergeant.
 - i. Between 1987 and 1990, I was seconded to the National Crime Authority (NCA).
 - j. In March 1990, I returned to the Major Crime Squad and was promoted to Senior Sergeant in January 1991.
 - k. Between 1991 and 1994, I was stationed at the Police Academy as an instructor at the Sergeants Course. During this period, I was seconded to the NCA for around 9 months.
 - l. In 1994, I was transferred to the Parkdale CIB as the Officer in Charge.
 - m. In 1998, I was promoted to the rank of Inspector and transferred to the Crime Department.
 - n. In the period from 1999 to 2008, I was attached to Intelligence and Covert Support Division/Department.
 - o. Between April 2004 and mid-2005, I was transferred to the Security Intelligence Group (formerly known as the Special Branch), and was heavily involved in operation Pendennis involving Counter Terrorism. During this period, I attained a Top Secret (Negative) national security clearance.
 - p. Between April and August 2005, I was seconded to the Special Branch of the Metropolitan Police in the UK. I had an office at New Scotland Yard. The Special Branch handled investigations into terrorist events. While I was on secondment, I assisted with the London underground bombings investigations.
 - q. Between 2008 to 2018, I was transferred to the Ethical Standards Department as the Internal Ethical and Professional Standards Officer.
 - r. On 7 July 2018, I retired from Victoria Police.
4. I have undertaken the following police training:
- a. 1979 - Detective Training School
 - b. 1982 - Sub-Officers Course
 - c. 1984 - Law Instructors Course
 - d. 1985 - Advanced DTS
 - e. 1998 - Officer's Course

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5. I possess the following qualifications:
 - a. In 1970, I completed year 10 at Bomaderry High School in New South Wales.
 - b. In 1971, I obtained a Victorian leaving certificate from the Victoria Police Cadets
 - c. In 1972, I received my High School Certificate from the Victoria Police cadets.
 - d. In 2003, I obtained a Certificate 4 in Workplace Training from North Melbourne Institute of Technology.
6. I have received the following awards and commendations:
 - a. National Medal (3 clasps);
 - b. Victoria Police Good Conduct Medal; and
 - c. Ethical and Good Service Medal (3 clasp).
 - d. Four operational commendations at Departmental level.

Involvement or association with any investigation which had dealings with Nicola Gobbo (question 2)

7. I was not operationally involved in any investigation which had dealings in any way with Ms Gobbo. However, as noted in paragraph 22 below, my diary records receiving an update from the Dedicated Source Unit (DSU) in which intelligence provided by Ms Gobbo was discussed.

Use of Ms Gobbo as a human source (questions 3-8)

Question 3

8. I have been shown a copy of the Informer Registration/Activation Application pursuant to which Ms Gobbo was registered as a human source).¹ I do not recall seeing this document before I prepared this statement.
9. I observe that the registration date on the Informer Registration form is 16 September 2005 and that I am listed as the Officer in Charge. On a strict reading of the Informer Management Policy, I was the "Officer in Charge" under the policy because the controller is listed as ^{Sandy White-O} and within the structure of State Intelligence Operations, I was his immediate supervisor.²

¹ VPL.0005.0017.0001

² VPL.0002.0001.2232

10. My recollection is that under the Dedicated Source Management Unit Pilot, it was proposed that the DSU be a stand alone unit with its own Inspector with direct responsibility for the unit and who was to report directly to the Superintendent of State Intelligence Division. As it transpired, the DSU was not allocated its own Inspector. Instead, the DSU was one of a number of units that I had responsibility for as Inspector of State Intelligence Operations.³
11. I believe that I was on leave from 15 September 2005 to 13 October 2005 because my day book is blank for that period. I have no recollection of completing a risk assessment in relation to the registration of Ms Gobbo. The fact that I was on leave at the time leads me to think that I did not do so. As I say above, I have no recollection of even seeing the registration document until preparing this statement.
12. I do not know whether the 16 September 2004 Informer Registration/Activation Application was ever submitted or relied on. I observe that it is not signed.
13. In the course of preparing this statement, it has become clear to me that there are a number of shortcomings in the way in which the Informer Management Policy was applied to this registration. While Victoria Police devoted resources to developing the DSU, it was not fully funded and to the best of my recollection there were Detective Inspector level roles within the DSU that were not filled. If these roles had been filled in line with the recommendations, then one of these Detective Inspectors would have been the "Officer in Charge" under the policy.
14. In addition to these resourcing issues, the Informer Management Policy was relatively new. I believe that I may have been recorded as the Officer in Charge on the Informer Registration/Activation Application without my knowledge and while I was on leave because of confusion or unfamiliarity about how the policy was to be applied. .
15. The DSU was set up to manage high risk informers. The management of risks around the safety of these sources was to be a critical function of the DSU. While I did not conduct a risk assessment of Ms Gobbo, I expect that the representatives of the DSU that were handling and controlling Ms Gobbo would have been well aware of risks to her safety and would have been managing these risks. All of the members of the DSU had been hand picked and were highly trained in the management of human sources.

³ VPL.0005.0108.0001

16. On 26 October 2005, I met with ^{Sandy White-O} for three hours. During this meeting, we discussed a number of matters. Based on the entry in my day book, I believe that during this meeting I received my first briefing about Ms Gobbo. My day book does not record what was discussed and I have no recollection of this briefing.
17. On 31 October 2005, I was upgraded to Detective Acting Superintendent of the State Intelligence Division.
18. In the course of preparing this statement, I have been told that the DSU log records that on 22 and 23 November 2005, the registration form and risk assessment were completed for transmission by hand to me. I have no diary note of this or recollection of receiving the registration form or risk assessment. My diary records that I was on leave from 18 to 23 November 2005 (inclusive).⁴
19. At 7.30am on 24 November 2005, I attended the DSU ^{PII} with Commander Dannye Maloney. To the best of my memory, the purpose of the visit was to introduce Commander Maloney to the DSU staff at their new ^{PII}. I believe that if I had been handed a registration and risk assessment form while I was at the DSU, I would have recorded the receipt of these documents in my diary.
20. On 2 December 2005, I spoke with Detective Inspector Carl Feltham ESD. I recall this meeting because we discussed an ethical standards investigation into the conduct of a police member. My day book records that Detective Inspector Feltham made enquiries of me "re POI Gobbo". I do not recall what enquires Detective Inspector Feltham made or the specifics of our discussion insofar as it related to Ms Gobbo. The fact that I recorded Ms Gobbo in my diary as "POI Gobbo" suggests to me that he was not referring to her as a human source.
21. I have been shown an entry from the Source Management Log from 2 December 2005, which records a conversation that I had with someone in the DSU in relation to my discussion with Detective Inspector Feltham.⁵ I have no corresponding entry in my day book but have no reason to doubt the accuracy of that log entry.
22. On 19 December 2005, I received an update from the DSU. ^{Sandy White-O} gave the update. I was given this update because I was the Detective Acting Superintendent of the State Intelligence Division. The update related to ^{PII} different active high risk sources,

⁴ VPL.0005.0099.0001

⁵ VPL.0005.0099.0001

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including Ms Gobbo. My diary records "3838 - she gave mail last week re [REDACTED] for Mokbel. Operation POSSE (Purana)." I have no recollection of this discussion.

23. 24 February 2006 was my last day as Detective Acting Superintendent of the State Intelligence Division. This was effectively the end of my involvement with management of the DSU, however, I continued to have a management role with the Informer Management Unit and continued to meet with the DSU in that capacity.

24. I cannot recall receiving any operational updates or briefings after this date.

Question 4

25. I believe the following members of Victoria Police were aware that Ms Gobbo was providing information or assistance to Victoria Police:

- a. Simon Overland;
- b. Anthony Biggin;
- c. Dannye Maloney;
- d. Ian Thomas;
- e. ^{Sandy White-O} and
- f. ^{Peter Smith-O}

26. I believe that others within the Informer Management Unit and DSU would also have known that Ms Gobbo was providing information or assistance to Victoria Police, however, I am not able to identify any other people by name.

Question 5

27. I refer to my answer to question 3, where I set out my involvement in Ms Gobbo's registration. Having been shown the Informer Registration/Reactivation Application, I believe that the use of Ms Gobbo as a human source was authorised by Superintendent Thomas, ^{Sandy White-O} and ^{Peter Smith-O} 6

28. I do not know who was involved in the continued authorisation of Ms Gobbo as a human source after I ceased to be the Detective Acting Superintendent of the State Intelligence Division.

Question 6

29. I do not recall having any personal contact with Ms Gobbo.

Question 7

30. I refer to my answer to question 3, above. I am not aware of any information received by Victoria Police where I knew that the source of the information was Ms Gobbo, other than the information that I have referred to in my answer to question 3, above.

31. The focus of briefings that I received from the DSU were high level. They were about issues related to the management of the source, rather than information provided by them.

Question 8

32. I have no knowledge in relation to this matter.

Concerns in relation to the use of Ms Gobbo as a human source

Question 9

33. I am not aware of any concerns being raised at any time as to the use of a legal practitioner as a human source.

Question 10

34. I am not aware of any concerns being raised at any time as to the use of Ms Gobbo as a human source.

Question 11

35. I have no knowledge of these matters.

Other relevant matters

Question 12

36. I am not aware of any other human source who provided information or assistance to Victoria Police who was subject to legal obligations of confidentiality or privilege.

Question 13

37. I have not had an opportunity to review the course content of the training I have undertaken. Some of the training I undertook dates back to the 1970-1980s. I do not recall the detail of all the training I received, however, my recollection of the relevant training or retraining I have received is as follows:

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- a) I expect that I would have undertaken training and retraining in relation to the obligation of disclosure; in particular, in the course of my training as a Police Prosecutor and at the various Detective Training School courses I attended.
- b) The right of an accused person to silence is a fundamental matter which is canvassed in recruit training, and was consistently reinforced in subsequent training which was delivered as I progressed in rank. This right is referred to whenever a member cautions an alleged offender.
- c) In relation to the right of an accused person to a legal professional, I refer and adopt my response in paragraph b) above.
- d) In relation to legal professional privilege, I refer and adopt my response in paragraph a) above. Additionally, I also gained a practical understanding of this concept in the course of my role at the NCA.
- e) I do not recall having received specific training on public interest of immunity. However, as the nature of my work involved handling sensitive material, I had a strong working knowledge of the concept.
- f) Professional and ethical decision making is a constant theme throughout all police training and courses. I also became well versed in professional and ethical decision making in practice in the course of my 10 year tenure as an Internal Ethical and Professional Standards Officer.

Question 14

38. I have set out below my involvement in the development of the Human Source Management Policy and the DSU, which occurred in the period before Ms Gobbo was registered as a human source in 2005.
39. In early 2002, I was the Project Manager of a team that was assembled by Commander Purton to implement one of the recommendations from his review into the Drug Squad with regard to informer management.⁷ The initial objective of the team was to centralise informer management within Victoria Police. Prior to this, informers were managed in an ad-hoc way. The ad-hoc nature in which informers had been managed was considered to have been a significant factor that led to the corruption issues within the drug squad.

⁷ VPL.0005.0028.0001

40. At around this time, I went to Europe for professional development. While I was in Europe, I took the opportunity to travel to Northern Ireland to meet with their informant development unit. I did this because Northern Ireland had a similar central informer registration system to the system that was under consideration for Victoria Police. PII

PII

41. In around September 2003, a new informer management policy was implemented. To the best of my recollection, the informer management policy implemented by Victoria Police drew heavily on the Canadian, Northern Ireland and Metropolitan Police policies on the management of human sources.

42. In November 2003, the State Intelligence Division was tasked with developing training in Informer Management. This occurred while I was the Project Manager of the Informer Management Unit project.

43. In around December 2003, the Informer Management Unit submitted a "Concept Proposal" that related to the establishment of a dedicated source handling team. This led to the creation of a project team to study national and international best practice for the dedicated management of human sources. I was the Project Manager.⁸

44. In May 2004, the Dedicated Source Handling Teams Project gave its final report.⁹ I have been shown a copy of this document for the purpose of preparing this statement. I don't have any recollection of this document.

45. In April 2004, I transferred from State Intelligence Operations to become the Inspector in charge of the Security Intelligence Group. Whilst there, I was seconded to work on Taskforce Pendennis, which was a joint taskforce between Victoria Police, ASIO and the Australian Federal Police. I remained on Taskforce Pendennis until mid-2005. I believe that during the period while I was on Taskforce Pendennis, there was a trial of the DSU, and dedicated source management training was developed.

46. In the course of preparing this statement, I have been shown minutes of meetings of the Dedicated Human Source Management Team Pilot Steering Committee.¹⁰ While I have no

⁸ VPL.0100.0056.0313

⁹ VPL.0005.0007.0016

¹⁰ VPL.0100.0048.1276, VPL.0100.0048.1277, VPL.0100.0048.1079, VPL.0100.0048.1100, VPL.0100.0048.1148, VPL.0100.0048.1078, VPL.0100.0048.1115, VPL.0100.0048.1096,

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recollection of sitting on this Committee, having now reviewed those minutes I believe that I sat on the Committee from around June 2004 to April 2005.

47. While I was on secondment to the MET Police Service in 2005, I visited their informant management unit. The purpose of this visit was to see what systems they had in place to manage informants and specifically high risk informants.
48. On 15 August 2005, I returned to Intelligence and Covert Support Division/Department.

Dated: 26 July 2019



Douglas Cowlshaw

VPL.0100.0048.1140, VPL.0100.0048.1075, VPL.0100.0048.1108, VPL.0100.0048.1093,
VPL.0100.0048.1073, VPL.0100.0048.1089, VPL.0100.0048.1115, VPL.0100.0048.1084,
VPL.0100.0048.1143, VPL.0100.0048.1076, VPL.0100.0048.1127, VPL.0100.0048.1094,
VPL.0100.0048.1082, VPL.0100.0048.1110, VPL.0100.0048.1136.