

**Royal Commission
into the Management of Police Informants**

STATEMENT OF RICHARD DUNCAN GRANT

1. My full name is Richard Duncan Grant. I am currently employed as Regional Head of Investigations in the Asia Pacific region for Hong Kong and Shanghai Banking Corporation (HSBC). My role covers 18 countries and I am responsible for several hundred staff. I am based in Hong Kong.
2. I joined Victoria Police as a police cadet on 1 February 1977 aged 16. I graduated from Victoria Police Academy on 15 June 1979.
3. At the time that I resigned from Victoria Police in March 2011, I held the rank of Superintendent, and the role of Assistant Director, Corporate Strategy Division. I had been employed by Victoria Police for 34 years.
4. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 23 May 2019. This statement is produced to the Royal Commission in response to a Notice to Produce.
5. In preparing this statement I have had access to my diaries. I have not had access to my emails.

Educational background and employment history (Q1)

6. My educational background is as follows:
 - Associate Diploma, Monash University (1995)
 - Bachelor of Arts, Monash University (1996)
 - Graduate Diploma (Executive Leadership), Australian Institute of Police Management (2003).
7. A summary of my employment history with Victoria Police is as follows:
 - 1979 to 1989 – progression from Constable to Detective Senior Constable, Malvern CIB, and then the Stolen Motor Vehicle Squad;
 - 1989 to 1990 – Sergeant (general supervision duties);
 - 1990 to 1996 – Detective Sergeant then Detective Senior Sergeant, Special Projects Unit (electronic surveillance);



- 1996 to March 1999 – Detective Inspector, Staff Officer to the Assistant Commissioner Crime, Graeme McDonald then George Davis;
 - March to December 1999 – Special project preparing Victoria Police's response to Y2K;
 - Late 1999 – Detective Inspector, Asset Recovery Squad;
 - Late 2001 – Detective Inspector, Computer Crime, intermittently Officer in Charge Major Fraud Group;
 - Late 2002 to mid-2004 – A/Superintendent, Organised Crime Investigation Division;
 - Mid-2004 to February 2006 – formally appointed Superintendent, Organised Crime Investigation Division;
 - January to November 2006 – Superintendent, Tasked Operations, (on leave over Christmas);
 - January 2007 to September 2008 – Superintendent, Crime Strategy, Crime Department;
 - March to July 2008 – Superintendent, A/Officer in Charge, Region 3, Division 2 (covering Moreland, Hume and Moonee Valley councils);
 - September 2008 to April 2010 – Superintendent, Corporate Performance Unit.
8. From the end of 2003 to about September 2008, I was the liaison officer between Victoria Police and the (then) Australian Crime Commission (ACC).
9. On 12 April 2010, I commenced unpaid leave so that I could take up a role at the ACC.
10. I formally resigned from Victoria Police on 12 March 2011 to continue at the ACC (which was later renamed the Australian Criminal Intelligence Commission).
11. In November 2017, I commenced my current role at HSBC.
12. I have received the following recognition:
- National Police Service Medal (2012)
 - Life member – Churchill Fellows Association of Victoria (2011)
 - Australian Police Medal (2008)
 - Victoria Police Service Medal – 30 year service (2007)



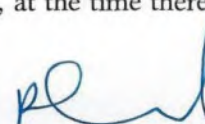
- National Medal – 1st clasp (2007)
- Williamson Community Leadership Fellowship (1999)
- Donald MacKay Churchill Fellowship (1996)
- National Medal (1992)

Involvement or association with any investigation which dealt with Ms Gobbo (Q2)

13. I was responsible for Purana Taskforce and Operation Posse while I was Superintendent, Tasked Operations from February 2006 until November 2006.
14. At no stage while I was a member of Victoria Police was I aware that Ms Gobbo was providing police with information or was a registered informant.

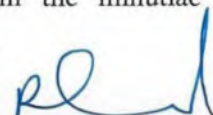
Major Crime Management Model

15. As noted above, I commenced the role of A/Supt Organised Crime Investigation Division at the end of 2002 when the “gangland wars” were starting to be felt at Victoria Police. However at this time, it was not apparent that there was a ‘war’ per se. The Organised Crime Investigation Division consisted of three squads of detectives: the Organised Crime Squad, the Tactical Response Squad and the Organised Motor Vehicle Theft Squad. In this role, I had responsibility for overseeing the investigation of serious organised crime groups.
16. In relation to the “gangland wars”, when I first joined the Organised Crime Investigation Division, there was virtually nothing known about the factions, the key players, and the allegiances. The murders were treated as individual matters and it was not until around early/mid-2003 that it was identified there was a need to form a taskforce to deal with what was an emerging and serious threat.
17. In the lead up to the formation of what is now known as the Purana Taskforce, it was clear that the organised crime groups exploited the siloed approach to policing that was standard practice at that time. For example, major crime investigators were broken into divisions such as Major Drug Investigation Division, Serious Crime Investigation Division, Violent Crime Investigation Division, and the Major Fraud Investigation Division. There was often overlap between what the divisions were responsible for.
18. It was not until (then) Assistant Commissioner Simon Overland arrived in Victoria Police in early 2003 that Victoria Police had started to join the dots and identified that many of the murders were connected to some type of factional war. However, at the time there



was a dearth of intelligence to understand the identities, the motivations and drivers behind the murders. The Purana Taskforce was formed under the leadership of Detective Superintendent John Whitmore (Violent Crime Investigation Division) and Detective Inspector Andrew Allen and they reported directly to (then Assistant Commissioner) Overland.

19. Once the Purana Taskforce was formed it was incredibly difficult for my squads of detectives to get access to the necessary covert resources to undertake our investigations as all these resources were prioritised to Purana with the aim of preventing more murders and building the intelligence picture.
20. By early 2004 it was clear that a new and strategic approach was necessary to investigate the wide-ranging criminal activities of organised crime groups, particularly if we were to make inroads into the cone of silence that surrounded them. I was then tasked by Assistant Commissioner Simon Overland and Chief Commissioner Christine Nixon to develop an organised crime strategy – essentially a new approach to addressing organised crime.
21. I formed a team to assist me and one of my team members included (then) Acting Inspector Richard Watkins who worked with academics from the Australian National University to develop a different conceptual model of how to tackle serious organised crime groups. Part of this research was the concept of “nodes” and “networks” - if you could work out where the nodes were in a serious organised crime group, one had a better chance of disrupting or dismantling the various organised crime groups.
22. Part of the development of the organised crime strategy was a workshop held in August 2004 involving senior police from around Australia, State politicians, academics, journalists, senior Police Association representatives and obviously senior police from within the Crime Department. We sought broad acknowledgement that Victoria had a problem with organised crime, the current way of policing was no longer effective and sought endorsement for a way forward.
23. This strategy laid the foundations for the Major Crime Management Model (MCMM).
24. One aim of the MCMM was to empower inspectors to manage their investigations. Previously there was a lot of delegation upwards from Inspectors to Superintendents. Superintendents would become involved in the minutiae of investigations, which led to them unnecessarily second-guessing decisions made by the investigators beneath them. The organisation wanted Superintendents to move away from the minutiae of investigations, and instead provide advisory support when required.



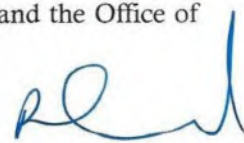
25. The idea was for superintendents to be forward-looking and be strategically involved in the organisation's development.
26. Another aim of the model was to move away from the siloed style of investigating to a more collaborative and networking style of policing. While I understand the "need to know" approach to information sharing, it was my view at this time that the organisation would be better placed to respond to the challenges posed by organised crime if there was a more collaborative and networking style of policing.
27. I believe that the MCMM was implemented in early 2006.

Superintendent, Tasked Operations

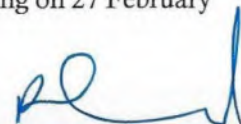
28. As part of the process concerning the MCMM, the Organised Crime Investigation Division was demised.
29. I commenced the role of Detective Superintendent, Tasked Operations (a new division) on 17 January 2006.
30. The focus of my role was on governance issues such as staffing, budget issues, and risk management and the strategic direction of the capability.
31. As a Detective Superintendent at the Organised Crime Investigation Division, I was requested to register a number of informers utilising the Informer Registration Forms. I approved and registered approximately [REDACTED] informers. When I registered the informer, and created the informer profile, the unique informer number would be created. The file would then go to the intelligence division for management. I did not have direct management for any of these human sources. Once the MCMM was implemented I believe this function transferred to a new capability within the Crime Department – 'Tasking & Coordination'.
32. There would be periodic risk review in relation to these human sources but they were rudimentary and sporadic. I was not provided with any training to assist with this process.
33. At no time did I authorise the registration of Ms Gobbo as a police informant.

Purana Taskforce / Operation Posse

34. Among my responsibilities were Purana Taskforce (which had previously fallen within the ambit of the Violent Crime Investigation Division), Drug Task Force, and the Office of the Chief Examiner (new).



35. As stated earlier, my recollection is that Purana Taskforce was created in early 2004, originally reporting to Detective Superintendent John Whitmore. D/Supt Whitmore reported to AC Overland.
36. I have a recollection that around the time that I took over Purana Taskforce in January 2006, DI Gavin Ryan was moving out of Purana Taskforce. Senior Sergeant Jim O'Brien was taking on the investigative leadership of Purana Taskforce.
37. I would receive regular updates from Inspectors and/or Senior Sergeants who were in charge of the various operations that fell under my responsibility. The Inspectors were responsible for operational delivery and management of their staff. I would be briefed on things that required my approval, or things that were of importance (such as a request to deploy the Special Operations Group (SOG)), or any issues with significant risk. Most of my dealings were with the Inspectors of the various workgroups. I would usually only receive briefings from the Senior Sergeants if the Inspector was unavailable.
38. My diary records that at 7.45am on 15 November 2005, I had a 15 minute debrief with D/A/Inspector Gavin Ryan, D/Inspector Aristidou, D/Inspector Hill, and D/Inspector West about their current operations. It appears that D/Inspector Hill mentioned Op Poses (sic) with a note 'AM/PM SSU'. I don't specifically recall this debrief but I believe my notes mean that the State Surveillance Unit was working morning and afternoon shifts. From time to time, there were requests for resources from the SSU. It was common for me to receive updates about SSU capacity so that if there was a dispute about priority of access to specialist resources, I would be able to escalate it appropriately.
39. My diary indicates that at 10am on 15 November 2005, I had a discussion with Commander Purton, D/Inspector Hill, and Detective Senior Sergeant Jim O'Brien regarding "staffing for Op Posse". My diary records that Op Posse was to commence 21 November. A number of investigators are listed who were to join Operation Posse.
40. It would not have been unusual for me to be present at a discussion about staffing. I recall that around this time concerns were raised with me about the welfare of a number of members who had been working long hours for a long time in the Purana Taskforce. This was the type of issue that I would expect to be escalated to me to be aware of, and take appropriate action if required.
41. I recall being briefed by S/Sergeant O'Brien a short time after I started the role about what was proposed in relation to Operation Posse. My diary records a briefing on 27 February 2006 at 7:55am.



42. At that stage, the plan and objectives of Operation Posse had already been developed and so to some extent I inherited that. I cannot recall the extent to which I was involved in the development of the operational plan but my recollection is that when I started it was quite advanced in its planning.
43. I recall that S/Sergeant O'Brien had had quite a few meetings and briefings with AC Overland although I cannot recall now how I became aware of that. It also became apparent to me that S/Sergeant O'Brien was regularly reporting directly to AC Overland. Occasionally I would be present at these briefings. More often than not however they occurred in my absence. I cannot recall who else attended the meetings but it would have been maybe one other person.
44. Different Assistant Commissioners have different ways of operating. For some, it would be unusual for briefings to occur directly with investigators either Senior Sergeants or Inspectors, skipping the Superintendent rank.
45. However, Purana Taskforce was different. My recollection is that AC Overland was heavily invested in this taskforce's outcome and was held accountable by Chief Commissioner Nixon. I understood that AC Overland was having one-on-ones with a number of investigators and I imagine some of these were operational.
46. I suspected that I was not completely in the loop regarding the breadth of Purana Taskforce. Noting my comments about briefings in respect of Purana Taskforce, in reviewing my diaries, I have noted the following entries which refer to Ms Gobbo during the time I was D/Supt, Tasked Operations.
47. The first entry is from 23 January 2006:

23.01.06 Monday

...

0745 Update

...

D/A/Insp O'Brien – SSU AM Posse (Gobbo)

LD in [Lanteri] vehicle

48. I do not now have an independent recollection of receiving an update from D/A/Insp O'Brien regarding Operation Posse on 23 January 2006, however, based on my diary entry, I have no doubt that I did. I cannot recall what was mentioned about 'Gobbo'.



49. A further entry refers to Nicola Gobbo:

6.6.06 Tuesday

...

0655 S/T D/Supt Masters

- *enq re work. intel holdings (ie TI) on Nicola Gobbo*
- *concern over r'ship with Richard Shields*
- *OPI interest*
- *suggested he brief A/C Cornelius to discuss [unclear] invest'n with Cdr Moloney & A/C Overland*

50. I do not now have an independent recollection of speaking to D/Supt Masters on 6 June 2006, who was then the Superintendent in charge of Covert Capability within the Ethical Standards Department. I do not have any recollection of the matters set out in my diary, but looking at my diary now it could be that Richard Shields (I cannot recall his rank at this time) had come up in intelligence by Purana investigators and an enquiry occurred to establish whether Shields had been providing information that might jeopardise an investigation. I would imagine that because the enquiry related to a police member the matter was escalated to me (as a senior police officer) to contact ESD.

51. Reviewing this diary entry now, I am reminded that I had discussions around this time about Richard Shields having an unhealthy relationship with Ms Gobbo. My recollection is that this was discussed in the context of her being a criminal defence barrister and Mr Shields being a police officer.

52. A further entry possibly refers to '3838', though I am not now sure if this is in the context of Ms Gobbo's informer number. The entry provides:

16.10.06 Monday

0725 On duty D.Supt Tasked Ops

....

O'Brien –

Concern that [unclear] may have a document which relates to Purana & work on D'Milo.

38/38 mentione^{Pearce-O} is friends with^{A 2nd PO} – Dave Hedgcock –

Dave Waters] and that he was the source of the documents.

JO'B to speak to ^{Pearce} [redacted] re same this morning.

Possibly leak [unclear] AFP or SOG?

Unable to take this further at this time

53. I do not now have an independent recollection of speaking to D/A/Insp O'Brien on 16 October 2006, but I do not doubt the entry in my diary. I do not now have an independent recollection of the matters set out in my diary. I do not now know what the diary entry refers to.

Arrest of [redacted]

54. I have no recollection of dealing with or discussions involving "3838". I have been shown an Operation Commander's Application for Deployment of the Special Operations Group (Operation Posse).¹ I am named as the Operation Commander. The target is [redacted]

55. The Application states:

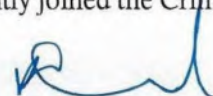
*SSU members have surveilled [redacted] to an address in [redacted] whereby [redacted] was observed [redacted]. Information supplied by Registered Informer ***3838 suggests that [redacted] is extremely active in the [redacted] of [redacted]*

56. I was surprised to see a reference to 3838 in that document as I have no recollection of this informer number. I do not specifically recall approving this application. I would have approved a number of these types of applications.
57. I expect that my focus would have been on the intelligence contained in the application rather than the source.
58. My diary records that I was on rest days (off duty) on Saturday [redacted] and Sunday [redacted] 2006.
59. However, I was kept updated by D/A/Inspector Jim O'Brien throughout both days regarding the proposed and eventual arrest of [redacted] and [redacted]
60. My diary records that I first received a telephone call from D/A/Inspector O'Brien at 9.50am on [redacted] "regarding Op Posse". I have noted that investigators believe [redacted] and [redacted] had been [redacted] overnight and were still at the premises. The plan

¹ VPL.0100.0151.2733

was to arrest both suspects as they left. "Op order not yet complete. Whiteboard briefing done with SOG. Approved to proceed."

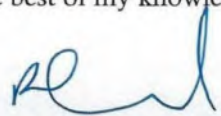
61. I spoke to D/A/Inspector O'Brien again at 12.30pm.
62. At 12.35pm I spoke to AC Overland "and advised of above".
63. At 14.52 I again spoke to D/A/Inspector O'Brien and was advised that [REDACTED] and [REDACTED] were both in custody.
64. At 14.54 I spoke to AC Overland and "advised of above".
65. At 22.42 I again spoke to D/A/Inspector O'Brien and was advised that [REDACTED]
"has rolled. Advice from Geoff Horgan that s464 applies as he is still assisting VicPol with enq. [REDACTED] prepared to assist with obtaining evidence to implicate [REDACTED] and [REDACTED]. Approval of A/C required to call out FRU [Force Response Unit] to guard [REDACTED] – approved on behalf of A/C. SDU to be utilised for LD [Listening Device]. Spt Biggin aware of proposed course of action."
66. I spoke to D/A/Inspector O'Brien again at 23.17.
67. On Sunday [REDACTED] I spoke to D/A/Inspector O'Brien at 9.55am, 15.03, 18.59, and 21.39.
68. I kept AC Overland updated throughout the day. I spoke to him at 11.08am and 21.42.
69. I do not recall any discussions with D/A/Inspector O'Brien or AC Overland regarding Ms Gobbo during these briefings on the weekend of [REDACTED]
70. I do not recall knowing or being told that Ms Gobbo had attended [REDACTED] Police Station during the weekend of [REDACTED] arrest.
71. It would have been necessary to provide [REDACTED] with access to a lawyer though because the investigation team was utilising s 464 of the *Crimes Act* to detain him without charge while he assisted police (as set out in my diary).
72. On Monday [REDACTED] I was back on duty at 412 St Kilda Road. The focus of Operation Posse had shifted to deploying [REDACTED] covert operations.
73. At 21.15 there was a discussion between AC Overland, D/Supt Biggin, and I about whether to conclude the operation that night by arresting [REDACTED] Ultimately, the decision was made to wait until the following day [REDACTED] D/Supt Steendam was present at this discussion in an observational capacity. She had recently joined the Crime



Department and my recollection is that she shadowed me at a couple of briefings around this time.

74. On [REDACTED] 2006 I was present in the Operations Room at St Kilda Road from 17.00 for the arrest of [REDACTED]. At 18.22 my diary notes that [REDACTED] is in custody and I updated AC Overland at 18.28.
75. I recall that during this period as part of [REDACTED] deployment, [REDACTED] was brought to St Kilda Police Station to be [REDACTED] with a [REDACTED] and provided with a [REDACTED] of [REDACTED] for [REDACTED] to [REDACTED].
76. I was present at St Kilda Road Police Station when this occurred.
77. Clearly, involving [REDACTED] in an [REDACTED] operation involving [REDACTED] a [REDACTED] and delivering [REDACTED] of [REDACTED] to [REDACTED] was a risky operation. The ultimate responsibility for the success of that operation lay with me.
78. I have been shown the Operation Order prepared for the arrest of [REDACTED].² I authorised this Order and am referred to as the Operations Commander. The document was authorised on Monday [REDACTED] 2006.
79. There are references throughout the Operation Order to Registered Human Source (RHS) 3838. I would have read this Operation Order at the time that I authorised it. My priority when reading the Operation Order would have been ensuring that the plan comprehensively addressed the risks inherent in the operation. Although the summary of the intelligence was a necessary component of the Operation Order, it was a preliminary matter that did not require my close attention for the purpose of authorising the Operation Order.
80. Again, I am surprised at seeing the references to 3838 because I have no recollection of this source number.
81. I have a recollection of seeing Ms Gobbo at [REDACTED] Police Station around the same time that [REDACTED] was there. Although there were interview rooms on [REDACTED] I do not recall seeing her there. My recollection was that she was wandering around the [REDACTED] areas of [REDACTED]. This was highly unusual for a legal representative.

² VPL.0099.0056.0001

82. Officer Sandy White and maybe two other members of his team were also hanging around [REDACTED] of [REDACTED] Police Station on this day. At the time, I couldn't understand why.
83. I did know that Office Sandy White was managing high-risk informers at this time.
84. Although I have not made any notes in my diary, I have a very vague recollection of a conversation that I think I had with Officer Sandy White about Ms Gobbo's presence at [REDACTED] Police Station.
85. Although I cannot be certain of my memory of the words used, my recollection is that I asked Officer Sandy White why Ms Gobbo was present and he replied with words to the effect of, "she is helping us".
86. I did not know what exactly he meant by that. I think I said something like, "you're in dangerous territory – Royal Commission territory".
87. I read into the conversation that Ms Gobbo was involved with [REDACTED]. This concerned me because she was a lawyer with a reputation for heavily socialising with her clients and questions were often asked about "which side of the line" she was on.
88. Looking back, there were a number of reasons why I did not take this any further at the time.
89. First, I had come into the operation relatively recently and had inherited an operational strategy developed prior to me coming on board.
90. Second, I remember feeling that there was a lot going on that I was not aware of. I was aware that AC Luke Cornelius (ESD) and Assistant Director Graham Ashton (OPI), both of whom I have a lot of respect for, were involved. I do not recall now how I came to know of their involvement but I expect I overheard their names mentioned at meetings. I am also comfortable with the "need to know" principle that is a key feature of policing and would not ask questions if it was not necessary for me to do my job.
91. Third, I considered that Officer Sandy White had expertise that I did not share, and I had to respect that.
92. I do not recall knowing in 2006 that Ms Gobbo was representing [REDACTED] at that time, or had represented him in the past.
93. I have come to know that Ms Gobbo acted for [REDACTED] at various times, but I cannot specifically recall when or how I became aware of this. To the best of my knowledge, it was after I left Victoria Police.
- 

94. I was not aware at this time that Ms Gobbo was a registered informant or was providing information to Victoria Police.

95. I do not recall any connection between Ms Gobbo and 3838.

Petra and Briars Taskforces

96. I had no involvement at any stage with Petra and Briars Taskforces. I do not know when they were established. I came to know of their existence in my role as Superintendent Crime Strategy but this was from a resourcing perspective. I cannot tell you today which of Briars or Petra related to the Hodsons or Chartres-Abbott.

How I learned, or was given reason to believe, Ms Gobbo was providing information (Q3)

97. I do not specifically recall when I learned that Ms Gobbo had been a registered informer.

98. The first time I recall hearing about '3838', and that this was Ms Gobbo's registered informer number, was in the news. I have been informed that Ms Gobbo was also assigned number '2958': I do not have any recollection of the number '2958'.

99. In 2010, I was living in Canberra. As I stated in response to Q2, I became aware through media coverage of Ms Gobbo's involvement as a witness in the Dale prosecution.

Awareness of others (Q4)

100. I have no knowledge of these matters.

Authorisation of the use of Ms Gobbo as a human source (Q5)

101. I have no knowledge of these matters.

Personal contact with Ms Gobbo (Q6)

102. I have no recollection of ever meeting Ms Gobbo or speaking with her.

103. Between 1999 and 2008, I was Honorary Aide de Camp to the Governor of Victoria, who from 1999 to 2000 was Sir James Gobbo. I may have met Ms Gobbo at social occasions connected with this role but I do not have any specific recollection.

104. In 2004 I became aware of Ms Gobbo as a lawyer. She was well-known to police because of her representation of a number of significant criminal identities. There was also a lot of speculation about which "side of the line" she was playing on. A lot of this stemmed from her socialising with her clients.

Information & assistance received (Q7 & Q8)

105. I have no recollection of these matters.



Concerns raised as to the use of a legal practitioner as a human source (Q9)

106. I have no recollection of these matters.

Concerns raised as to the use of Ms Gobbo as a human source (Q10)

107. I have no recollection of these matters.

Awareness about disclosure in relation to Ms Gobbo (Q11)

108. I have no recollection of these matters.

Other human sources with obligations of confidentiality or privilege (Q12)

109. I have no recollection of these matters.

Training (Q13)

110. I have been asked about the relevant training or retraining I received on the following topics:

- (a) Obligation of disclosure;
- (b) The right of accused person to silence and to a legal practitioner;
- (c) Legal professional privilege;
- (d) Public interest immunity;
- (e) Professional and ethical decision making.

111. I would have received training on these matters at Detective Training School.

112. As far as I can recall there was no ongoing training on these matters beyond the experience gained on the job.

113. I do not recall receiving any ethics training. I recall the introduction of the SELF test although cannot recall when that happened. I remember that it would be necessary to demonstrate ethical behaviour during interviews for promotions and that ethical behaviour was in most, if not all, position descriptions.

Other information (Q14)

114. I have nothing further to add.

Dated: 28 November 2019



Richard Duncan Grant