

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

**STATEMENT OF ANTHONY JAMES HUPFELD**

1. My full name is Anthony James Hupfeld.
2. I am a Detective Sergeant at Victoria Police attached to Bayside Sexual Offences and Child Abuse Investigation Team (SOCIT).
3. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 14 August 2019. This statement is produced to the Royal Commission in response to a Notice to Produce.

**Educational background and employment history (Q1)**

4. I joined Victoria Police in 1997. A summary of my employment history since that time is set out below:
  - a) On 10 November 1997, I entered the Victoria Police Academy (**Academy**) as a part of Squad 7/97;
  - b) On 1 April 1998, I graduated from the Academy;
  - c) Between April and June 1998, I performed duties at City Patrol Group, Driving School, and Traffic Alcohol Section;
  - d) In July 1998, I commenced my training stationed at Carlton Police Station;
  - e) In July 2001, I commenced a 12-month secondment to the Region One Response Unit, Melbourne, during which time I was promoted to Senior Constable;
  - f) In July 2002, I returned to the Carlton Police Station;
  - g) Between September and October 2002, I performed temporary duties at Carlton Crime Investigation Unit (two months);
  - h) In November 2002, I returned to the Carlton Police Station;
  - i) In January 2003, I transferred to the Carlton Crime Investigation Unit as a Detective Senior Constable;
  - j) Between November 2003 and June 2004, I performed temporary duties at Melbourne Embona Taskforce during which time I completed Detective Training School;
  - k) In July 2004, I returned to Carlton Crime Investigation Unit;
  - l) Between November 2005 and February 2006, I undertook a three-month secondment to the Arson Squad;
  - m) In February 2006, I returned to Carlton Crime Investigation Unit;
  - n) In March 2007, I transferred to the Purana Taskforce (**Purana**);
  - o) In April 2011, I commenced Acting Sergeant duties stationed at Prahran Police Station (two-month secondment);



- p) In June 2011, I transferred to the Homicide Squad;
  - q) In November 2015, I undertook a six-month secondment to the Caulfield Police Station as an Acting Sergeant;
  - r) In April 2016, I returned to the Homicide Squad;
  - s) In September 2016, I was promoted to Sergeant stationed at St Kilda Police Station;
  - t) In May 2018, I commenced a secondment to the Port Phillip Crime Investigation Unit as an Acting Detective Sergeant;
  - u) In February 2019, I was promoted to Detective Sergeant at Moorabbin SOCIT.
5. I have undertaken Victoria Police qualifications and training including Detective Training School (2004) (DTS), Sergeants' Qualifying Course (2017) and SOCIT Investigation / VARE Course (2019). I have also completed a Diploma of Frontline Management (Chisholm) (2010) and a Bachelor of Policing (Investigations) (Charles Sturt University) (2010).

**Involvement or association with any investigations that had dealings with Ms Gobbo (Q2)**

6. To the best of my knowledge, and with the one exception I detail at paragraph 28 below, I have not had any involvement or association with an investigation that had dealings with Ms Gobbo.

*Investigations into drug crime and dealings with [REDACTED]*

7. Between March 2007 and April 2011, I was a Detective Senior Constable at the Purana Taskforce.
8. My first four to five months at Purana were spent working on investigations into drug crime under then Detective Senior Sergeant (DSS) Dale Flynn. My time with DSS Flynn was only intended to be for four weeks, however it was extended by a further four weeks about three or four times. In that role, my duties were limited to corroborating the statements of [REDACTED], and assisting other members with warrants etc. I did not get involved in investigations in greater detail as I was only there for a short time and had a set role.
9. My police diary records that I visited [REDACTED] at [REDACTED] on four occasions – 14 May 2007, 28 June 2007, 4 July 2007 and 5 July 2007 – and that on 2 August 2007, I posted [REDACTED] a [REDACTED] for [REDACTED]<sup>1</sup>. Beyond what is recorded in my diary, I do not recall the purpose of those visits. I recall that the [REDACTED] was provided to [REDACTED] for his [REDACTED]. I understand that [REDACTED] was not aware that this money came from Victoria Police.

<sup>1</sup> VPL.0005.0175.0001 (14 May 2007); VPL.0005.0175.0006 (28 June 2007); VPL.0005.0175.0007 (4 July 2007); VPL.0005.0175.0008 (5 July 2007).

10. My diary records that on 13 June 2007 I obtained a copy of "Gobbo notes" and was later that day 'on call' in relation to operation Gosford/Sword.<sup>2</sup> I do not have an independent recollection of anything about Operation Gosford. My diary records that I was on call for that operation on a number of subsequent evenings in my first four or five months at Purana. While I cannot recall specifically, I believe it is likely that I was told briefed that the threats against Ms Gobbo related to her having acted for criminals known to have assisted police. Similarly, I do not recall to what the entry regarding "Gobbo notes" refers or where I obtained those notes. I do not believe I obtained them from Ms Gobbo directly.
11. In the course of working on drug investigations, I became aware that:
- Members of DSS Flynn's crew were often 'on call' in connection with Operation Gosford; and
  - a person identified as [REDACTED] had made one statement in connection with a drug investigation. I recall that the statement was taken by Detective Inspector Gavin Ryan and concerned drug trafficking and police corruption. At that time, I was unaware of any other statements made by [REDACTED]

*Investigations into the murder of Kallipolitis and dealings with [REDACTED]*

12. On 7 August 2007, I was moved onto 'Operation Pandora' under Detective Sergeant Boris Buick. Operation Pandora concerned the investigation of 'gangland' murders and in particular, the murders of Victor Peirce, Paul Kallipolitis (PK) and Dino Dirba.
13. At the time I joined that operation, charges had already been laid in connection with Mr Peirce's murder. I did little, if any, work in connection with those charges.
14. Upon joining the operation, I was assigned the investigation into the murder of PK, committed on 12 October 2002, and worked exclusively on that investigation for some time. Amongst other things, my work involved adding [REDACTED] evidence to what was already known about PK's murder at the time.
15. The investigation culminated in Faruk Orman and Angelo Vendetti being charged with PK's murder on 8 May 2008 and 29 July 2008, respectively. I was the police informant in respect of the charge against Mr Orman and Detective Senior Constable Tim Bell was the informant in respect of the charge against Mr Vendetti.
16. Mr Orman was committed for trial for that murder, but his trial was delayed pending the outcome of his appeals against conviction for Mr Peirce's murder. Ultimately the trial was discontinued.

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<sup>2</sup> VPL.0005.0175.0003.



17. As best as I can recall, my work on the investigation into Dino Dirba's murder was limited to assisting Detective Sergeant Craig Hayes with taking a statement from [REDACTED] years later.
18. For the purpose of preparing my statement, I have reviewed my police diary. My diary relevantly records the following.
19. On 26 November 2007, I attended the Melbourne Magistrates Court with DS Buick regarding a costs application at which Vicki Papas appeared for the Office of Public Prosecutions (OPP) and Ms Gobbo appeared for the defence.<sup>3</sup> I have no recollection of what this cost application concerned or of having any discussion with Ms Papas or Ms Gobbo.
20. On 12 March 2008, I attended the Office of the Chief Examiner (OCE) to collect documents and a DVD regarding "Kaya", which I then delivered to Ms Gobbo at the Melbourne Magistrates Court and Gerard Maguire at 535 Bourke St.<sup>4</sup> I believe I would have simply handed the documents to Ms Gobbo without discussion. I do not know but assume I delivered the documents to Ms Gobbo because she was representing the person being examined in the OCE.
21. On 23 April 2008, myself and others collected [REDACTED], drove him to various locations to point things out to police, and played him various telephone intercepts for his comment.<sup>5</sup> I had not met [REDACTED] before then. I cannot recall if that was the first time I learnt his identity. By the time I started at Purana, [REDACTED] had already "rolled" and provided various statements to Victoria Police.
22. On 8 May 2008, Faruk Orman was charged with the murder of PK. I recall that I collated a brief of evidence in connection with the charge.
23. I attended the filing hearing, where Grigor Lawyers and Ms Gobbo appeared for Mr Orman.
24. On 25 July 2008, I delivered a brief of evidence against Mr Orman to the OPP.
25. On 26 August 2008, I delivered a brief of evidence against Mr Orman to Grigor Lawyers.
26. On 28 August 2008, I attended a committal mention. Vicki Papas appeared for the OPP and Ms Gobbo appeared for Mr Orman. After that date, I have no record of Ms Gobbo appearing for Mr Orman again.

<sup>3</sup> VPL.0005.0175.0011.

<sup>4</sup> VPL.0005.0175.0012.

<sup>5</sup> VPL.0005.0175.0013 (23 April 2008). See also VPL.0005.0175.0014 (2 May 2018).

27. In the brief against Mr Orman, by oversight, I failed to redact from a transcript of an examination of a witness at the OCE, reference to that witness disclosing to the Examiner that he had given information to the National Crime Association.
28. Within approximately one month of serving the brief, and while I was on leave, I recall receiving a call from DS Buick. DS Buick relayed to me that Mick Gatto and Ms Gobbo had been out drinking and that Mr Gatto had said something about a witness talking to authorities being disclosed in the brief. He further stated that DS Buick had been told by someone to say that information had been missed (i.e. not redacted). DS Buick did not state who had told him this, but given what was said, I believed the information came from Ms Gobbo.
29. That is the only instance, or at least potential instance, of Ms Gobbo assisting or providing information to Victoria Police of which I am aware. When that information was provided, I did not know if it was due to Ms Gobbo, as a barrister, being required to disclose this information or for some other reason. I had not been involved in a murder case before.
30. On 30 March 2009, I attended the committal for Mr Orman. Mr Grigor appeared as Mr Orman's solicitor and Mr Richter as his counsel. I recall that Mr Richter dropped out of the PK case after Mr Orman lost his appeal to the High Court regarding the murder of Mr Pierce and that Steven Sheriffs and Rob Stary took over. At Mr Orman's trial, he was represented by Michael O'Connell.
31. In the course of my time at Purana, from 23 April 2008 onwards, I had a number of dealings with [REDACTED]. The majority of those dealings were for the purpose of witness management. From that date, I estimate I saw [REDACTED] roughly once a month and in the lead-up to him being scheduled to give evidence, more frequently. I do not believe I ever met with [REDACTED] without then Detective Acting Sergeant Mark Hatt, other than one occasion where I met him with DS Buick. DAS Hatt was the central point of liaison with [REDACTED].
32. I was aware that Ms Gobbo had previously acted for [REDACTED] and that she was on his prison call list. Ms Gobbo was not acting for [REDACTED] during the course of my dealings with him. I assumed that she remained on his call list more as a friend than as a lawyer. I believe I knew that Ms Gobbo had previously acted for [REDACTED] because [REDACTED] told me so.

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

33. I was never told that Ms Gobbo was a human source or providing information or assistance to police. I surmised that Ms Gobbo might be assisting police however when her car was firebombed in South Melbourne in 2008.



34. I recall from my first four to five months at Purana that some officers were on call in connection with a witness or informer and that when Ms Gobbo's car was bombed, someone from Purana was called out and it was a big deal. I put two and two together from what I knew about Operation Gosford that Ms Gobbo might be an informer. At that time, I knew that Ms Gobbo had acted for people on 'both sides' of the gangland war (namely [REDACTED] and members of the Mokbel family), and thought that might also have been the reason for her car being firebombed.
35. In 2009, I became aware that Ms Gobbo had provided a statement to police in relation the murders of Terence and Christine Hodson. This confirmed in my mind that Ms Gobbo was assisting police. I did not voice my thought about Ms Gobbo being an informer to my colleagues at those times, and it was not definitively confirmed until Ms Gobbo was revealed as 'Lawyer X' in the media in 2019.

**Awareness of others (Q4)**

36. I do not know which other members of Victoria Police or other organisations were aware, prior to the end of 2012, that Ms Gobbo was assisting Victoria Police.
37. I expect that, given the nature of Operation Gosford, some of DSS Flynn's crew who were also 'on call' at various stages may have known about Ms Gobbo's role as an informer.

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

38. I do not know who was involved in the authorisation and continued authorisation of the use of Ms Gobbo as a human source.

**Personal contact with Ms Gobbo (Q6)**

39. I refer to my answer to question 2 above.

**Information & assistance received (Q7 & Q8)**

40. I refer to my answer to question 2 above.

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

41. I have no awareness of these matters.

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

42. I have no awareness of these matters.

**Awareness about disclosure in relation to Ms Gobbo (Q11)**

43. I have no awareness of these matters.



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

44. I am not aware of any such human sources used by Victoria Police.

**Training (Q13)**

45. My recollection of the relevant training or retraining I have received is as follows:
- a) obligations of disclosure – this was covered in the Field Investigators Course (FIC) and DTS;
  - b) right to silence – FIC, DTS and the Police Academy. I recall writing a paper on the right to silence at university;
  - c) right of an accused person to legal practitioner – the Academy;
  - d) legal professional privilege – I cannot recall specific training on this, but did receive training on executing search warrants at legal offices and expect it was covered there and had otherwise come across the concept in execution with the execution of a warrant for NSW police in 2006;
  - e) public interest immunity – I cannot recall specific training on this;
  - f) professional and ethical decision-making – at the Academy.

**Other information (Q14)**

46. I have nothing further to add in response to question 14.

Dated: 3 October 2019

  
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Anthony James Hupfeld