

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

STATEMENT OF NICOLE MARIA McKECHNIE

- 1) My full name is Nicole Maria McKechnie. I am currently the Executive, Communications at Telstra. I have been at Telstra since November 2011, and have been in this role since approximately July 2018.
- 2) I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 2 September 2019. This statement will be produced to the Royal Commission in response to a Notice to Produce.

Educational background and employment history (question 1)

- 3) I was a cadet journalist at the Murrumbidgee Irrigator in Leeton, NSW between 1987 and 1989.
- 4) I have also completed a Masters Degree in Public Administration at the Australia New Zealand School of Government and Monash University. I completed this degree in approximately October 2011.
- 5) I first worked for Victoria Police as a Senior Media Adviser between April 1995 and July 1999. Although my title contained the word 'senior', this was a junior position relative to the organisational and structural hierarchy at Victoria Police. During the time I held this role, I was not part of the Executive. I describe the Victoria Police Executive in paragraph 13)b) below. I dealt with media enquiries coming in on a day to day basis in relation to operational policing matters. I was supervised in that role by the Deputy Media Director.
- 6) I held a number of other roles, in Australia and overseas, before returning to Victoria Police in 2005. My roles from 2005 at Victoria Police were as follows:
 - a) between October 2005 and October 2007, Assistant Director, Media and Corporate Communications;
 - b) between November 2007 and May 2008, Acting Director, Media and Corporate Communications;

- c) in June 2008, I was formally appointed to the role of Director, Media and Corporate Communications. I continued in this role from June 2008 until May 2011, when I then left Victoria Police.
- 7) In the role of Acting Director and later as Director, my recollection is that I had around six teams reporting to me:
 - a) Media Unit: this was the 24 hour media unit, which dealt with media enquiries in respect of operational policing matters and investigations that came up on a day to day basis, such as homicide, burglary or car accidents;
 - b) Corporate Communications: this consisted of four to five unsworn staff members who dealt with more complex and major issues as they arose and who also were responsible for managing public relations;
 - c) Police Magazine;
 - d) Internal Communications;
 - e) Film and Television.
 - f) Police Bands
- 8) Approximately 5 staff members, responsible for the teams listed above, reported directly to me. Ultimately, there were around 50-60 staff members in the teams for which I was responsible. I reported directly to the Chief Commissioner.
- 9) While I had ultimate responsibility for these teams, it was often unnecessary for me to know the detail of all of their operations. I was regularly copied into emails so that I could maintain high level oversight over the work of these teams, without necessarily knowing all of the detail of those matters.
- 10) I generally dealt with multiple media issues of significance on a daily basis. It was usual for me to be overseeing the teams' responses to five to six significant issues at a time (in addition to the numerous daily policing operational matters dealt with by the Media Unit).
- 11) In order to carry out my role effectively, I did not need a great level of detail about matters being reported in the media. Frequently media enquiries concerned matters which were the subject of ongoing investigations, or matters which were before the courts. In those cases, Victoria Police generally did not provide comment, or the comments provided were very limited in nature. I would generally only be told what

was absolutely necessary for me to know in order carry out my role. I was not usually given the detail of investigations (unless it was relevant to the media enquiry), nor the names of any witnesses or informers. My focus was usually on Victoria Police's response to an allegation or enquiry, rather than on the detailed facts underlying the allegation or enquiry (unless they were relevant).

- 12) Where my role concerned advising on media strategy more broadly, I sometimes needed to know more detailed information to ensure that the strategy would adequately support Victoria Police's needs and to inform myself as much as possible of the information which the media already had, or may have had. In these cases, I was reliant on the Executive team and/or investigators to make decisions about how much information I needed to know.
- 13) In my roles as Acting Director and Director, I:
 - a) was primarily responsible for driving the Victoria Police strategy for media and corporate communications (in addition to managing the teams I have described at paragraph 7) above);
 - b) was a member of and attended regular briefings with the Executive team at Victoria Police. This included meetings with everyone on the Executive team through to senior constables on a day to day basis as required. The Executive team was concerned with running the business of Victoria Police, including things like human resources and information technology. To the best of my recollection, the Executive committee was made up of the Chief Commissioner, the Deputy Commissioners, the Head of Information Technology, the Head of Human Resources, the Head of Corporate Governance and Strategy, and me. There may have been other members of the Executive committee, but I cannot now recall; and
 - c) frequently prepared briefing notes regarding media strategies in response to emerging issues, or reviewed similar notes prepared by my teams.

Specific matters (questions 2 - 4)

Question 2

- 14) In my first role at Victoria Police as a Senior Media Advisor between 1995 and 1999, I do not recall attending any meeting, or having any knowledge of investigations or meetings, which related in any way to Ms Gobbo.

My knowledge of Ms Gobbo

- 15) I have not had access to review my emails from the relevant time, save for those referred to in this statement as I am no longer employed by Victoria Police. I have done my best to recall any relevant matters, given the passage of time.
- 16) In the roles that I held at Victoria Police after 2005, I became aware that Ms Gobbo was suing Victoria Police, Simon Overland and Christine Nixon. I cannot now recall when or how I first learned that Ms Gobbo was bringing this lawsuit. I believe I would have first become aware of this from around the time it was first reported in the media, during around April or May 2010. It is likely that Mr Overland or Mr McRae mentioned the suit to me before it was first reported in the media, because it was the type of matter that Victoria Police was likely to be asked to comment on by the media.
- 17) Having become aware of the lawsuit, it is likely that I was also aware that the Commonwealth Department of Public Prosecutions had intended to use Ms Gobbo as a witness in the murder case against Paul Dale. I cannot now remember exactly what I knew, and when I knew it. I did not have in-depth knowledge of the lawsuit. To the best of my recollection, I was not aware that Ms Gobbo had been used as a human source either at that time or at any time prior to the media reporting that she had been a human source in early 2019.
- 18) I have been shown several emails relating to this matter.¹ I do not independently recall those emails now, but have no reason to doubt that I received them at the time. I do not recall further responses to these emails, and I have not had access to review all of my emails from that time. I do not now recall any additional discussions concerning these emails or the matters raised in them.
- 19) While Ms Gobbo was pursuing her lawsuit against Victoria Police, it is likely that I was involved from time to time in discussions about the lawsuit and Victoria Police's related media strategy. I do not now recall the details of any discussions or meetings I might have had about these topics. I did not keep notes of those discussions or meetings. The emails referred to above demonstrate that Victoria Police generally did not comment on media articles relating to Ms Gobbo's lawsuit.

¹ VPL.6023.0012.3747; VPL.0013.0001.0365; VPL.6023.0012.4494; VPL.6023.0011.5815.

- 20) I do not now recall, but it is very likely that I was informed when Ms Gobbo's lawsuit against Victoria Police had been resolved. I do not recall being involved in other discussions or meetings concerning Ms Gobbo after that time.
- 21) One of the emails I have been shown is an email sent to me and others by Jeff Pope on 11 October 2010 with the subject '*FW: Herald sun potential article re Gobbo*'.² The email refers to Ms Gobbo having been told that Victoria Police did not wish to receive information from her in a source capacity and also to preliminary discussions with WitSec. I do not believe that this would have indicated to me that Ms Gobbo had been a human source prior to that time. As far as I knew at this time, she had been intended as a crown witness.
- 22) I have also been shown an email dated 7 December 2010 sent by Adrian Keltie to '*VP Leadership Group Members*'.³ I do not recall whether I was a member of the VP Leadership Group Members email distribution list, or whether I otherwise saw this email during my time at Victoria Police. I am named as spokesperson in relation to queries that might be received in response to an article published by Padriac Murphy. I have no independent recollection of this matter. I do not believe that references to "*expenses police spent on Nicola Gobbo*" or "*monies paid in relation to Ms Gobbo*" would have suggested to me that Nicola Gobbo was a human source rather than a crown witness.

Other emails I received which refer to 'Witness F' or [REDACTED]

- 23) I have been shown emails dated 23 February 2010⁴ and 11 March 2010⁵ in the course of preparing this statement, which refer to 'Witness F' or [REDACTED]. I did not know at that time who either 'Witness F' or [REDACTED] was. I do not specifically recall receiving these emails, but have no reason to doubt that I received them. At the time those emails were sent, I do not recall having knowledge of Ms Gobbo assisting Victoria Police in any capacity. I believe that these emails pre-date my knowledge of Ms Gobbo's lawsuit and my related knowledge of her role as a crown witness. I am now aware that 'Witness F' refers to Ms Gobbo. I do not recall whether I was told the identities of either witness in the course of preparing any media response at this time. I do not recall being told whether allegations about payments and rewards to

² VPL.6023.0011.5815.

³ VPL.6018.0012.5607

⁴ VPL.6049.0078.0491.

⁵ VPL.0013.0001.0524/VPL.6018.0007.8368.

Witness F were true or not. It is unlikely that this information was necessary in order to prepare the media response.

- 24) Mr Read's email of 11 March 2010 states that he was on his "way around" to talk to me. I do not recall whether Mr Read did come to speak to me or any specific conversation with Mr Read following this email. Mr Read and I often spoke about media enquiries and the necessary Victoria Police response. I do not independently recall sending emails forwarding or responding to the 11 March 2010 email.⁶ I do not recall whether I had further discussions with either Mr Cornelius or Mr Overland regarding the content of the 11 March 2010 emails, but I may have.
- 25) Later, when I became aware of Ms Gobbo's involvement in Paul Dale's prosecution in the manner I have described at paragraphs 16) to 19) above, I do not recall reconsidering these email chains or the references to Witness F or [REDACTED]

Question 3

- 26) During the period that Taskforce Briars was in operation, I was an Assistant Director, then Acting Director, and then the Director of Media and Corporate Communications at Victoria Police. My responsibilities are detailed above in paragraphs 7) to 10). My responsibility in relation to Taskforce Briars was to assist in the preparation of a Media Strategy for the Briars and Petra Taskforces.

Question 3(a)

- 27) I have no knowledge of these matters.

Question 3(b)

- 28) Other than that I knew Ron Iddles and Stephen Waddell, I have no recollection or knowledge of these matters.

Question 3(c)

- 29) Other than that I knew Ron Iddles and Stephen Waddell, I have no recollection or knowledge of these matters.
- 30) I note that the emails dated 11 March 2010 and 29 June 2010 that I have discussed above refer, respectively, to:
- a) Witness F being provided with paid flights for two people; and

⁶ VPL.0013.0001.0524/VPL.6018.0007.8368.

- b) an overseas trip made by Ms Gobbo on 22 May 2009, and an allegation that Ms Gobbo met with police during the trip.
- 31) I do not know if the 'overseas trip' referred to in this email was a trip made by Ms Gobbo to Bali. I have no recollection of knowing at this time or any other time during my employment at Victoria Police that Victoria Police members were taking statements from Ms Gobbo, including in relation to Taskforce Briars, or of the purpose of the overseas trip, or that Mr Iddles, Mr Waddell or any officer had travelled or was planning to travel to Bali to meet with Ms Gobbo.

Question 3(d)

- 32) During the time that Taskforce Briars was in operation and I was at Victoria Police, I assisted with the preparation of a media strategy concerning the Briars and Petra Taskforces (**Media Strategy**).⁷ I have been shown a copy of this document in the course of preparing this statement. The purpose of a media strategy is to set out a plan for responding to enquiries from the media including in relation to future arrests and the taskforces' investigations.
- 33) While employed by Victoria Police, I prepared numerous 'media strategy' documents concerning taskforces and other matters. I also oversaw other staff members preparing similar documents on a variety of topics. It was usual to prepare media strategies for matters that were particularly high profile or likely to attract media attention.
- 34) In the course of preparing the media strategy concerning the Briars and Petra taskforces, I believe that I attended meetings with Stephen Linnell regarding the purpose of the taskforces and during which we developed the media strategy ultimately set out in the Media Strategy document. I cannot now recall the detail of those meetings, including their number, frequency or any other attendees. My role was to assist Mr Linnell in his preparation of the document. It is possible that he attended meetings with other people that I did not.
- 35) It is likely that once the strategy was complete, Mr Linnell provided a copy to Ms Nixon and Mr Overland. Had they wanted to meet to discuss the document, Mr Linnell and I would have done that. I cannot now recall if this happened. It is likely that I then met with various members of the Victoria Police (including members of

⁷ VPL.0013.0001.0524/VPL.6018.0007.8368.

the Executive team and investigators on the relevant taskforce) from time to time when media enquiries were made regarding the Briars Taskforce which were not otherwise covered in the Media Strategy.

- 36) I attended many meetings during my employment at Victoria Police. I do not now specifically recall meetings relating to Taskforce Briars. I have not had access to review my calendar from the relevant time. I have done my best to recall any relevant matters, given the passage of time, but cannot be precise as to the number of meetings, dates on which they were held or attendees of those meetings.
- 37) I have been shown two pages of a book titled '*Don't Tell The Chief: The untold story of police, power and politics*', written by Mr Linnell.⁸ I have set out two paragraphs of the book below:⁹

About March, I was asked by Overland to prepare a media strategy for Operation Briars. He wanted it written down and circulated at the next meeting of the Reference Group on 18 May. I found this odd. Never before had he asked me to commit such a strategy to paper. I found it even more alarming that he would want me to do it for such a sensitive case. I recall discussing that very topic with my then Assistant Director Nicole McKechnie, who also expressed surprise. So I started roughing out a strategy document before heading overseas with my family on leave.

When I returned, Nicole spent considerable time with Overland and began filling in the missing pieces on the document. It was electronically stored in a secure file on what was known as our "G Drives" and were password protected. When I read Nicole's version, I was surprised at the level of detail she had incorporated. We sat in my office together and I deleted a number of names and some of the detail. It was unnecessary and it made me nervous.

- 38) I have very little recollection of this time. I do not particularly recall finding it unusual to be asked to prepare a written media strategy. I do recall Operation Briars being a very sensitive matter, and being concerned that if the media were aware of the story that it could be damaging to the force. As such, it was important to have in place a strategy for dealing with media enquiries. I also recall Mr Linnell telling me that he

⁸ VPL.6023.0011.3987

⁹ VPL.6023.0011.3987 at .4020, .4021.

had been asked to prepare a written media strategy about Operation Briars, that he would need my assistance, and that I had multiple discussions with him in the preparation of the strategy. It is possible that I spent time with Mr Overland in preparing this document, but I do not particularly recall spending '*considerable time*'. I recall sitting in Mr Linnell's office when he deleted some names and detail from the draft document. I do not recall why all of the deletions were necessary, or how much detail he deleted.

Question 4

- 39) I often made brief, handwritten notes at meetings which I attended, simply to aid my memory in completing any tasks arising out of those meetings. I would usually do this in a notebook. I did not, and was not required to, keep a diary in the same way that sworn members are required to keep diaries. I do not recall ever being instructed to either keep or not keep notes or records while I was at Victoria Police. I did not keep or file these notes after completing any relevant tasks arising from meetings.
- 40) When I left Victoria Police, I believe I would have put any notebook I had for this purpose into a secure bin as I would no longer have needed it. I am not aware of any of my hardcopy records having been kept by Victoria Police and do not know where they would be if they had been kept.
- 41) To the extent that I had any hard copy notes from time to time, I generally kept my notes in my office, which I locked each night when I went home. My personal assistant, Sarah Elkin (née Donati), had a key to my office. I do not recall anybody else having a key. I may have left my key with others from time to time if I was on annual leave or sick leave or otherwise out of the office.
- 42) I did not have a practice of typing up my handwritten notes or otherwise making electronic notes. I also did not generally circulate emails containing matters raised during the meetings at which I had taken notes. Often the notes that I took would assist me to prepare media strategies, Q&A, 'hot topics' or other documents.
- 43) I would have saved any electronic documents that I created while employed by Victoria Police on a Victoria Police drive or drives, including, from time to time, secure USB drives. I have not had access to any of those documents since I left Victoria Police, nor do I know whether or where those documents would have been kept.

- 44) The usual practices which I have described in paragraphs 39) to 43) above apply to the meetings I have described in the context of my answers to questions 2 and 3(d).

Use of Ms Gobbo as a human source

Question 5

- 45) As I have described in my response to Question 2, I became aware that Ms Gobbo was providing evidence as a crown witness in the Paul Dale case in around April to June 2010. I do not recall knowing while I was at Victoria Police that she was acting in any capacity as a human source.
- 46) As stated above, I may have been told by way of a “heads up” about Ms Gobbo’s lawsuit prior to the emails I received, but I do not now recall. I do not recall who else may have been present or who may have known at the time, beyond those copied to the emails identified in this statement.
- 47) I refer to paragraphs 16) to 20) above regarding how I came to learn that Ms Gobbo was providing assistance as a crown witness.

Question 6

- 48) I have no additional knowledge of these matters.

Question 7

- 49) I have no knowledge of these matters.

Question 8

- 50) I have never had any personal contact with Ms Gobbo.

Question 9

- 51) I have no knowledge of these matters.

Question 10

- 52) I have no knowledge of these matters.

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

Question 11 & 12

- 53) I have no recollection of any such matters.

Question 13

54) I have no recollection of any such discussion.

Other relevant matters

Question 14

55) I have no knowledge of these matters.

Question 15

56) I do not recall receiving specific training concerning any of the matters set out in subparagraphs (a) - (f).

57) I regularly provided media or communications responses, strategies and documents to Victoria Police's legal team for review before they were published.

58) I was also aware of, and read, various manuals and guides prepared by Victoria Police which were relevant to my role. This includes documents concerning the process for and clearances required in order to release information to the media. My team was responsible for preparing a media and communications policy regarding the release of information publicly. In doing so it was necessary to consider the need to protect the identity of suspects and not comment on ongoing court cases, among other things.

Question 16

59) I have nothing further to add in response to question 16.

Dated: 24 September 2019

A handwritten signature in black ink, appearing to read 'Nicole Maria McKechnie', written over a horizontal dotted line.

Nicole Maria McKechnie

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