

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

**STATEMENT OF PHILIP JAMES MASTERS**

1. My full name is Philip James Masters.
2. I am a former member of Victoria Police. I retired on 2 July 2010, having attained the rank of Superintendent.
3. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 19 March 2019. This statement will be produced to the Royal Commission in response to a Notice to Produce.

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

4. I graduated from high school in Victoria in 1969 and worked variously in the construction industry and in menswear until 1975, when I joined Queensland Police.
5. I then moved back to Victoria and in May 1977, graduated from the Victorian Police Academy. I remained employed with Victoria Police until my retirement on 2 July 2010. A summary of my progression through the ranks is as follows:
  - (a) from May 1977 to October 1981, I performed general duties at St Kilda Police Station, Sandringham Police Station and Hastings Police Stations;
  - (b) from November 1981 to July 1983, I performed investigative duties at the Russell Street, Rosebud and Brighton Criminal Investigations Branches;
  - (c) from August 1983 to July 1985, I performed general duties at Hastings Police Station;
  - (d) in August 1985, I was promoted to Sergeant and from August 1985 to April 1986, was a District Training Officer at C.I.B. Administration;
  - (e) in May 1986, I was promoted to Detective Sergeant and from May 1986 to April 1988, performed investigative duties at the C.I.B. Drug Squad;
  - (f) in May 1988, I was promoted to Senior Sergeant and from May 1988 to February 1989, was in charge of the Warrants section of the Records section;
  - (g) in March 1989, I was promoted to Detective Senior Sergeant and from March 1989 to November 1990, was a lecturer at Detective Training School;
  - (h) in December 1990, I was promoted to Inspector at ESD and from December 1991 to 1994, I performed duties as a Staff Officer to the Assistant Commissioner (Crime) in the Crime Department;
  - (i) from 1994 to August 1996, I was an Inspector in the State Crime Intelligence Division;
  - (j) in September 1996, I was promoted to Detective Chief Inspector and from September 1996 to July 2000, was in charge of Special Projects Unit (SPU) within the Division 5 Crime Department;

- (k) in August 2000, I was promoted to Detective Superintendent and from August 2000 to November 2003, was the Divisional Commander of the Major Fraud Squad;
  - (l) from December 2003 to November 2005, I was the Divisional Commander of the Serious Crime Investigation Division;
  - (m) from December 2005 to July 2009, I was the Divisional Commander of the Specialist Operations and Intelligence Division of the (then) Ethical Standards Department (ESD); and
  - (n) from September 2009 until my retirement on 2 July 2010, I was the Superintendent in charge of the Region 5 (South East) Emergency Management Division.
6. On 2 July 2010, I retired from Victoria Police, following 34 years of service.

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

7. With the exception of Operation Khadi, which I discuss at paragraphs 16 and 17 below, to the best of my knowledge I have not had any involvement or association with an investigation which had dealings with Ms Gobbo.
8. I am not aware of receiving, and have no reason to suspect I received, any information sourced from Ms Gobbo.
9. Between December 2005 and July 2009, I was the Divisional Commander of Special Operations and Intelligence Division of the ESD. In that capacity, I was in charge of assessing and, if approved, actioning covert surveillance requests and associated crime investigations. I performed a similar role during my time in the SPU between 1994 and July 2000 for crime and general operational policing investigations.
10. In each case, my role was to assess surveillance requests to see if there was a sufficient basis for the proposed surveillance (having regard to the relevant statutory framework) and either decline, or accept, prioritise and action the applications. On occasion, an applicant for surveillance would provide information from an informer in support of their application. When this occurred, the informer was identified by an informer number, rather than by name. It is possible that one or more of the applications I received contained information sourced from Ms Gobbo. I am not aware of this being, and have no reason to suspect that that was ever, the case however.

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

11. For the purpose of preparing this statement, I have been told that my name appears in entry in a 'Source Management Log' on 6 June 2006<sup>1</sup>, and that that entry records that I told of Ms Gobbo's identity as a registered human source on that day.

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<sup>1</sup> VPL.0005.0099.0036.

12. I was aware that Ms Gobbo was an informer during my time at Victoria Police. I cannot recall the circumstances in which I first learnt this fact, that is, who told me, when they told me or why they told me. Although I cannot say with certainty, I suspect that I may have in fact learnt of Ms Gobbo's status as a human source earlier than the Source Management Log suggests. In particular, I suspect that I learnt about Ms Gobbo while working at one of Victoria Police's Crime divisions (i.e. between 1995 and December 2005), and most likely as Divisional Commander of the Serious Crime Investigation Division (December 2003 to November 2005).
13. During my time as a Divisional Commander, the Divisional Commanders of the various Crime divisions met at monthly divisional meetings to discuss the investigations their divisions were working on, the progress of those investigations and related matters. The purpose of these meetings was to ensure that each Crime division was broadly aware of the work each other division was doing and the status of that work. Typically, we did not discuss confidential investigations at length or in detail during the monthly meeting of Divisional Commanders. Monthly Divisional meetings were typically attended by the Divisional Commanders themselves, the Assistant Commissioner for Crime (then Simon Overland) and the Commander Terry Purton (or any officers who were in a temporary acting role at the relevant time)
14. In addition, there were also meetings attended by AC Overland, Commander Purton, myself and other divisional commanders covering operational policing matters being conducted by the Crime department. These meetings would typically take place around three times a week.
15. I suspect it was in the context of one of the meetings of Divisional Commanders referred to in paragraph 13 above, or alternatively in separate discussions with AC Overland, that I learnt about Ms Gobbo being a registered human source for Victoria Police. I am not certain of this, but as best as I can now recollect, I learnt of Ms Gobbo's identity during my time in Crime, rather than during my time in the ESD.
16. I have reviewed my police diary for 6 June 2006.<sup>2</sup> It records that on that day I attended a meeting regarding Operation Khadi. I have no independent recollection of that meeting, and little independent recollection of that operation. As best as I can recall, Operation Khadi concerned an investigation into two police officers at Brighton Police Station who were accused of sexual harassment.
17. At the time of that meeting, I was working in the ESD. I expect that I attended the meeting in connection with a request for [REDACTED] in connection with Operation Khadi. My notes record I met with AC Overland, AC Cornelius and Detective Superintendent Wilson at 9.30am on 6 June 2006 about the operation, that the issue of "state surveillance" was raised and that D/Supt Wilson was requested to speak to Officer Sandy White about "human source issues". I assume this

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<sup>2</sup> VPL.0005.0206.0003.

is a reference to Ms Gobbo. I cannot now recall whether Ms Gobbo provided any information or assistance to Operation Khadi, if so, what form that information or assistance took or what "state surveillance" and "human source" issues were raised at that meeting. I do not recall what action, if any, was taken as a result of the meeting.

18. I have also reviewed my police diary for 4 September 2007.<sup>3</sup> It records that on that day I attended a meeting at the Office of Police Integrity with various officers, including Superintendent Tony Biggin, regarding Operation Briars. As with the meeting on 6 June 2006, I have no independent recollection of the meeting, and little independent recollection of the operation it concerned. As best as I remember, Operation Briars was investigating possible police involvement in the murder of Shane Chartes-Abbott in around 2002 or 2003. I expect that I attended the meeting (together with Inspector May from my team) in connection with the use or proposed use of ESD surveillance resources in connection with the operation. I do not recall any discussion of Ms Gobbo, or any informer, at that meeting.

#### **Awareness of others (Q4)**

19. Save for what has been reported in the media, I am not otherwise aware of other members of Victoria Police, or other organisations, who were aware that Ms Gobbo was providing information or assistance to police.
20. As I explain above, I cannot now recall exactly when, how or why I learnt that Ms Gobbo had been registered as a human source. I suspect it was during my time in Crime, rather than in ESD, although I am not positive. If that is correct, it may be that other Crime Superintendents were aware that Ms Gobbo was a registered human source. I do not know this with certainty, and suggest it only because of the possibility that I learnt about Ms Gobbo's status as a human source during one of the divisional meetings I discuss at paragraph 13 above.

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

21. I do not know who was involved in the authorisation or continued authorisation of Ms Gobbo as a human source.

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

22. I do not believe I have ever had any personal contact with Ms Gobbo.

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

23. Save potentially in connection with Operation Khadi, I am not aware of any information or assistance given by Ms Gobbo to Victoria Police. I do not know what form, if any, such information or assistance took.

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<sup>3</sup> VPL.0005.0206.0001; VPL.0005.0206.0002.

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

24. I have no knowledge of these matters.

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

25. I have no knowledge of these matters.

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

26. I have no knowledge of these matters.

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

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

**Training (Q13)**

28. Among others, I have undertaken the following training courses during my time at Victoria Police:

- (a) Victoria Police Training Academy (1977);
- (b) Detective Training School (DTS) (1982);
- (c) Breathalyser Equipment Training Course (1984);
- (d) Prosecutors' Course (1985);
- (e) District Training Officers' Course (1985)
- (f) Range Controller's Instructors Course (1986);
- (g) Advanced Detective Training School (DTS) (1996); and
- (h) Inspectors' Course (1990).

29. My recollection of the relevant training or retraining I have received is as follows:

- (a) obligations of disclosure – this was covered in DTS and may also have been covered in the Police Academy, the Inspector's Course (in 1990) and the Prosecutors' Course;
- (b) right to silence – this was discussed in the training courses in sub-paragraph 29(a) above;
- (c) right of an accused person to legal practitioner – this was discussed in the training courses in sub-paragraph 29(a) above;
- (d) legal professional privilege – this was covered in DTS, Advanced DTS and the Prosecutors' Course;

- (e) public interest immunity – I am aware of the concept of PII, and I expect I learnt about it in DTS insofar it relates to informers and police methodologies, but cannot specifically recall training on this topic;
- (f) professional and ethical decision-making – this was covered in DTS and Advanced DTS. Further, in the late 2000s I recall that I had discussions with AC Cornelius about revising the ethical component of the training delivered at the Police Academy. For a short period in 2008, I assisted members of the Training Department and ESD in conducting a review of the ethics course being taught at the Police Academy.

**Other information (Q14)**

30. I have nothing to add in response to question 14.

Dated: 12 November 2019



Philip James Masters