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These claims are not yet resolved.

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

STATEMENT OF KIERAN WALSH

1. My full name is Kieran Walshe. I am a former member of the Victoria Police. I am retired.
2. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 12 August 2019. This statement is produced to the Royal Commission in response to a Notice to Produce.
3. In the course of preparing this statement, I had access to materials including:
 - (a) my police diary for the period 2008 – 2012; and
 - (b) various documents provided to me by my legal representatives in the course of preparing this statement.

Detail your educational background and employment history, including progression through the ranks and roles assigned (Q1)

4. A summary of my education and employment history with Victoria Police is set out in Annexure A to this statement.

Detail your involvement or association with any investigation which had any dealings with Ms Gobbo (Q 2)

5. To the best of my recollection, I had no knowledge of Ms Gobbo (whether by name, as HS3838 or as Witness F) prior to about June 2009.
6. As at June 2009, I held the position of Deputy Commissioner, reporting to Chief Commissioner Simon Overland. My portfolios at this time were the Regions, Counter-Terrorism and Emergency Management. Jim Hart was the head of Specialist Support Department. Within the Specialist Support Department sat the Witness Security Unit (**WITSEC**). WITSEC, and therefore the witness protection program (the **WPP**), sat within my line of control.
7. As Deputy Commissioner, I had a delegated authority to enter into memoranda of understanding with persons entering the WPP. The terms of those memoranda were [REDACTED] and the [REDACTED] with assistance from the Victoria Government Solicitor's Office as needed. I was not involved in [REDACTED] nor in approving the terms of the memoranda. Rather, the usual practice was that a finalised memorandum would be brought to me for signature, at which time I would receive a verbal briefing about the witness and the circumstances of their entry into the program and, subject to

my satisfaction that the application and memorandum were appropriate, sign the memorandum on behalf of Victoria Police.

8. I received regular briefings from Hart about matters connected to WITSEC. Given the subject matter, these briefings were given verbally. Hart generally attended my office with the relevant WITSEC files and briefed me about matters including new entrants to the program, persons leaving the program and other operational matters. Where I was required to sign sensitive correspondence, the usual practice was that the draft correspondence was hand delivered to my office, at which time I would receive a verbal briefing about the nature and purpose of the correspondence.
9. On 4 June 2009, I signed a letter to Ms Gobbo (as Witness F).¹ To the best of my recollection, prior to signing this letter I was verbally briefed about Witness F in the context of her refusal to enter the WPP on the [REDACTED] I do not recall who briefed me.
10. I have a general recollection that the briefing was to outline the [REDACTED] was having in [REDACTED] and to explain why the view had been reached that I should personally write to her, [REDACTED]. To the best of my recollection, I was not briefed about the detail of Ms Gobbo's interactions with Victoria Police. I do not recall whether I was informed of the identity of Witness F during this briefing, but it is likely that I was.
11. I recall these events principally because I do not recall signing letters of this kind for any other witness. It was an unusual occurrence.
12. Prior to this briefing, I had no knowledge of Ms Gobbo, her role as a human source or her role as a potential witness in the prosecution of Mr Paul Dale.
13. On 26 August 2009, I signed a further letter to Ms Gobbo.² Again, I do not recall who brought the letter to me, but I expect that it was hand delivered and was accompanied by a verbal briefing about why the view had been reached that I should again correspond with Ms Gobbo directly. As noted above, it was unusual for a Deputy Commissioner to write directly to a witness.
14. I have been shown a letter from Ms Gobbo to me dated 1 September 2009.³ I do not independently recall this letter and I cannot say whether I received it. The usual practice for correspondence received by my office was for my personal assistant to make a handwritten notation on the letter of the date and time it was received. I also adopted this practice with important correspondence.

¹ VPL.6124.0036.4652

² VPL.6124.0036.4650

³ VPL.0100.0237.4769

15. In the course of preparing this statement, I was shown a letter from Ms Gobbo to Chief Commissioner Overland dated 7 September 2009.⁴ To the best of my recollection I had not previously seen this letter.
16. On 14 September 2009, I signed a further letter to Ms Gobbo.⁵ I note that this letter refers to Ms Gobbo's letter to the Chief Commissioner of 7 September 2009. Despite that, my best recollection is that I did not see the letter of 7 September 2009 before it was shown to me in the course of preparing this statement.
17. As with the two earlier letters, I do not specifically recall who briefed me about the letter of 14 September 2009. However, as it was the third letter I had signed to Ms Gobbo, I anticipate that by the time it was presented to me for signature I would have developed an understanding of the issues connected to Ms Gobbo's engagement with WITSEC.
18. In the course of preparing this statement, I was shown a further letter from Ms Gobbo to Chief Commissioner Overland dated 21 January 2010.⁶ To the best of my recollection, I had not previously seen this letter.
19. My involvement with Ms Gobbo was strictly limited to her engagement with WITSEC. I signed the correspondence described above in my capacity as Deputy Commissioner with responsibility for WITSEC and the WPP. I did not have responsibility for, or oversight of, the operational aspects of Victoria Police's engagement with Ms Gobbo.
20. Outside of the briefings I received in connection with the letters described above, I have no recollection of being briefed about the details of Ms Gobbo's engagement with WITSEC. I also have no recollection of matters connected to Ms Gobbo being discussed at the Executive Command level.
21. In the course of preparing this statement I have been made aware that, in 2010, solicitors acting on behalf of Mr Paul Dale filed a subpoena seeking copies of documents passing between Ms Nicola Gobbo or Ms Catherine Gobbo and me.⁷ I have no recollection of this subpoena and I do not know how Victoria Police responded to it. I expect that, as with most of the many subpoenas issued to Victoria Police, it was managed by the VGSO.
22. I am aware that, in 2010, Ms Gobbo filed a civil claim against the Chief Commissioner and Victoria Police. I had no involvement in Victoria Police's response to Ms Gobbo's civil claim. To the best of my recollection, I was not briefed about the terms on which that claim was settled.

⁴ VPL.0002.0001.1508

⁵ VPL.6124.0036.4654

⁶ VPL.0002.0001.1595

⁷ VPL.0100.0024.1363

23. To the best of my recollection, I had no further involvement with any matter connected to Ms Gobbo between 2010 and December 2011.
24. In the course of preparing this statement, I was shown a memorandum prepared by AC Pope and dated 19 December 2011.⁸ I do not independently recall this memorandum, but it bears my signature (which indicates that I received it) and the date 9 January 2012.
25. In the course of preparing this statement, I was shown a letter to Ms Gobbo signed by me and dated 9 January 2012.⁹ I do not independently recall this letter, but I infer that it followed the memorandum of AC Pope of 19 December 2011.
26. In the course of preparing this statement, I was shown a letter from Ms Gobbo addressed to me and dated 21 February 2012.¹⁰ I have also been shown an email from DC Ashton to me dated 28 February 2012¹¹ discussing certain advice he had received about the appropriate response to Ms Gobbo's letter of 21 February 2012, and my response to DC Ashton, which notes my concurrence with the advice. I do not independently recall these communications.
27. On 26 April 2012, I signed a further letter to Ms Gobbo.¹² I have no independent recollection of this letter. However, I expect that, consistent with the practice I describe above, I was provided with a verbal briefing about the circumstances leading to the recommendation that I write to Ms Gobbo personally for the fourth time.
28. On 24 May 2012, I received a letter from Ms Gobbo dated 20 May 2012.¹³ I have made a handwritten notation in the top right hand corner. I infer from the notation on the letter that I arranged for the letter to be passed to Fin McRae for advice.
29. On 5 June 2012, I signed a further letter to Ms Gobbo.¹⁴ However, I expect that, consistent with the practice I describe above, I was provided with a verbal briefing about the circumstances leading to the recommendation that I write to Ms Gobbo personally for the fourth time.
30. On 2 July 2012, I retired from Victoria Police.
31. In addition to the matter I have set out above, I expect that Ms Gobbo's engagement with Victoria Police would have been the subject of some discussion at the Deputy Commissioner level, and that I would have had some awareness of it. However, I had no responsibility for the operational aspects of that engagement and I have no recollection of being aware at any time of the details of Ms Gobbo's engagement with Victoria Police, save as set out above.

⁸ VPL.0100.0001.2901 at .2901 and .2902

⁹ VPL.0012.0002.2542

¹⁰ VPL.0005.0013.1311

¹¹ VPL.6021.0025.1802

¹² VPL.0002.0001.1192

¹³ VPL.0002.0001.1194

¹⁴ VPL.0002.0001.1193

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

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

Provide details of any other member of Victoria Police or other organisation who you believe was aware, prior to the end of 2012, that Ms Gobbo was providing information or assistance to Victoria Police (Q4)

33. I believe that the following people were aware:

- (a) Chief Commissioner Overland;
- (b) Fin McRae;
- (c) Jim Hart;
- (d) Glenn Alway;
- (e) [REDACTED];
- (f) officers of the Source Development Unit; and
- (g) Petra Taskforce Investigators.

Provide details of person(s) you believe were involved in the authorisation, and continued authorisation, of the use of Ms Gobbo as a human source (Q5)

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

Detail all personal contact you have had with Ms Gobbo (Q6)

35. I have had no personal contact with Ms Gobbo.

Provide details of information received by Victoria Police between 1995 and 2012 where you knew, believed or had reason to suspect that the source of that information was Ms Gobbo (Q7)

36. I have no knowledge of any information of this kind.

Provide details of any assistance given to Victoria Police, other than as a potential witness from 2009, where you knew, believed or had reason to suspect that such assistance was provided by Ms Gobbo (Q8)

37. I have no knowledge of any assistance of this kind.

Provide details of your awareness as to whether any concerns were raised at any time by members of Victoria Police (or other policing or law enforcement agencies for example the AFP, the Office of Public Prosecutions, the Commonwealth Director of Public Prosecutions) as to the use of a legal practitioner as a human source (Q9)

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38. I am not aware of any concerns of this kind being raised.

Provide details of your awareness as to whether any concerns were raised at any time by members of Victoria Police (or other policing or law enforcement agencies for example the AFP, the Office of Public Prosecutions, the Commonwealth Director of Public Prosecutions) as to the use of Ms Gobbo as a human source (Q10)

39. I am not aware of any concerns of this kind being raised.

Provide details of your awareness as to any discussion within Victoria Police about the obligation of disclosure in relation to material concerning the use of Ms Gobbo as a human source (Q11)

40. I am not aware of any discussion of this kind.

Other relevant matters

Provide details of any other human source who, to your knowledge, has provided information or assistance to Victoria Police who was subject to legal obligations of confidentiality or privilege (Q12)

41. I am not aware of any other human sources has provided information or assistance to Victoria Police was subject to legal obligations of confidentiality or privilege.

Detail any training, including any retraining, you have received in relation to:

- (a) **your obligation of disclosure to accused persons, prosecution agencies and the courts;**
- (b) **the right of an accused person to silence;**
- (c) **the right of an accused person to a legal practitioner;**
- (d) **legal professional privilege;**
- (e) **public interest immunity; and**
- (f) **professional and ethical decision making (Q13)**

42. I received training about these matters at various places, including:

- (a) Basic Training;
- (b) Sergeants Course
- (c) Detective Training Course;
- (d) Advanced Detective Training Course;
- (e) Various courses at the Ethical Standards Unit.

Are there other matters relevant to the Commission's terms of reference about which you are able to provide assistance to the Commission (Q14)?

43. I have no further information to provide.

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Dated: 22 November 2019

A handwritten signature in blue ink, appearing to read 'K. Walshe', written over a dotted horizontal line.

Kieran Walshe

Annexure A

Employment history

1. I joined Victoria Police in 1968 and graduated from the Victoria Police Training Academy in October 1969.
2. From 27 October 1969 until 31 December 1969, I was a Constable stationed at Russell Street Police Station.
3. From 31 December 1969 until 5 July 1971, I was a Constable stationed at Collingwood Police Station.
4. From 5 July 1971 until 6 December 1974, I was stationed at Northcote Police Station. I was promoted to the rank of Senior Constable on 24 October 1974.
5. From 6 December 1974 until 10 September 1975 I was stationed at Thomastown Police Station.
6. From 10 September 1975 until 13 March 1978, I was stationed at Broadmeadows CIB Police Station. I was promoted to the rank of Sergeant on 7 March 1978.
7. From 13 March 1978 until 19 March 1980, I was stationed at Ascot Vale C.C.S Police Station.
8. From 19 March 1980 until 25 March 1982, I was stationed in the Coburg Police Station.
9. From 25 March 1982 until 2 June 1983, I was stationed at the Arson Squad.
10. From 2 June 1983 until 28 February 1985, I was stationed within Operations Department working at the Air Wing. I was promoted to the rank of Senior Sergeant on 21 June 1983.
11. From 28 February 1985 until 30 October 1987, I was stationed at Police Air Wing. I was promoted to the rank of Inspector on 16 April 1985 and Chief Inspector on 7 January 1988.
12. From 26 February 1990, I was stationed at Hotel District No 1 Heidelberg. On 24 March 1990, I was promoted to the rank of Superintendent.
13. On 1 December 2002, I was promoted to the rank of Assistant Commissioner.
14. On 2 July 2006, I was promoted to the rank of Deputy Commissioner.
15. I was acting Chief Commissioner between:
 - (a) 4 November 2010 to 19 November 2010;

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(b) 9 January 2012 to 28 January 2012.

16. On 2 July 2012, I retired from Victorian Police.

Education & Training

17. I hold the following tertiary qualifications:

(a) Graduate Diploma in Public Administration (Policing) in 1998.

Awards

18. I have received the following awards:

- (a) National Medal (15 years);
- (b) National Medal (1st Clasp 25 years);
- (c) Victoria Police Service Medal (3rd Clasp 25 years);
- (d) Victoria Police Service Medal (4th Clasp 30 years);
- (e) Australian Police Medal;
- (f) Victoria Police Service Medal (5th Clasp 35 years);
- (g) 35 Year Service Award;
- (h) National Medal (2nd Clasp 35 years);
- (i) Victoria Police Service Medal (6th Clasp 40 years);
- (j) National Police Service Medal.