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These claims are not yet resolved.

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

**STATEMENT OF LUCINDA JOAN NOLAN**

1. My full name is Lucinda Joan Nolan. I am currently the CEO of the Ovarian Cancer Research Foundation. I was formerly a Deputy Commissioner of Victoria Police.
2. I make this statement in response to a request to the Royal Commission into the Management of Police Informants dated 17 October 2019.

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

3. I graduated from the Victoria Police Training Academy in December 1983.
4. I progressed through the ranks to the level of Deputy Commissioner. From approximately June 2011 to February 2012, I was the Acting Deputy Commissioner, Strategy and Organisational Development. This role became permanent in February 2012 and I remained in the role until December 2014. The Strategy and Organisational Development portfolio involved responsibility for Corporate Strategy and Organisational Improvement Department (CSOID); Professional Standards Department (PSD); People Development Command (PDC); Media and Corporate Communications (MCCD); Chief Information Officer and the IT transformation area and Family Violence Command.
5. From December 2014, I changed portfolios and became the Deputy Commissioner, Regional Operations. I held that position until I resigned in November 2015. This portfolio involved all frontline service areas of policing, including the four regions and specialist support services (example Transit, Specialist Operations Group, Dog Squad, Water Police, Protective Service Officers).
6. A summary of my education and full employment history with Victoria Police is set out in Annexure A to this statement.

**Involvement or association with any investigation which had dealings with Ms Gobbo  
(Q2)**

7. It is difficult for me to now recall exactly how I learned that Ms Gobbo had been a human source for Victoria Police. I recall that when I was a Deputy Commissioner, I

read a newspaper article about an unnamed human source and I raised the article in discussion with one of my fellow Deputy Commissioners, Tim Cartwright. I recall him saying that the article was about Nicola Gobbo. Doing my best to recall, I think that was when I first learned that Ms Gobbo had been a human source. It is possible that I may have been told by someone else earlier than that but I do not have any recollection of being told.

8. I can see from documents collated for the purpose of preparing this statement that I had some very limited involvement in matters that involved Ms Gobbo. They are set out below.
9. I received an email dated 17 April 2008 from Gary Jamieson,<sup>1</sup> which forwarded to me an email reporting that Ms Gobbo's car had been set on fire in South Melbourne. I would have received this email because, at the time, a police officer who had worked in my division (and had been the subject of internal investigations) had some type of connection with Ms Gobbo. The email was sent to me just for my information about the police officer. The police officer was [REDACTED] whom I refer to in paragraph 10 below.
10. My awareness of Mr [REDACTED] relationship with Ms Gobbo is confined to the matters contained in an email dated 17 June 2008 from Stephen Frost,<sup>2</sup> which forwarded to me a complaint which had been made to the Chief Commissioner of Police by a different police officer who had been off work for some time. That complaint asserted a relationship between Ms Gobbo and [REDACTED]. The police officer who made the complaint was in my division and had been off work for some time. I, and others, had been trying to assist him to return to work. The complaint did not suggest in any way that Ms Gobbo had been assisting or providing information to police. Rather, it referred to Ms Gobbo's relationship with [REDACTED] and her communications with the complaining police officer. Beyond the assertions set out in the complaint, I do not know or recall anything about Ms Gobbo's relationship with Mr [REDACTED]. I believe that a brief for a no confidence motion in respect of Mr [REDACTED] had been created by Assistant Commissioner Gary Jamieson before I became responsible for that region. I did not handle the matter in relation to Mr [REDACTED].

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<sup>1</sup> VPL.6164.0077.2239

<sup>2</sup> VPL.6164.0077.2239

11. I received emails in a chain dated 12 November 2008<sup>3</sup> regarding an incident at the races. I would have received this email because I had been performing the role of Commander in charge of the Spring Racing Carnival. The email chain refers to two incidents involving Mick Gatto's associates. It also suggests Ms Gobbo may have been acting as a legal representative for one or more of the persons arrested. There is no suggestion in this email chain that Ms Gobbo had assisted or provided information to police.
12. I have been shown an email dated 7 December 2010, which was sent to 'VP Leadership Group Members' and others, setting out an enquiry from a journalist about expenses and other matters relating to Ms Gobbo. I may have been included in this group email. I have no recollection of receiving it.
13. I received an email dated 10 November 2011, from Deputy Commissioner Tim Cartwright<sup>4</sup> which stated:

*So Dale has been committed. Witness F has not had to give evidence, so no additional risk to F's life.*

*Graham Ashton worked very hard over the last few days ensuring that we got to a mutually satisfactory outcome, balancing the desire to convict Dale, with the need to protect F.*
14. I believe that I would have received this email simply because I was one of the Deputy Commissioners at the time. I do not recall receiving it or whether I knew who Witness F was at that time.
15. In April 2014, I was involved in a series of emails regarding a possible statement to the media about Lawyer X.<sup>5</sup> I do not know whether this statement was published or not. By this time, I would have known that Lawyer X was Ms Gobbo.
16. I have been shown an email invitation sent to me to attend a Steering Committee meeting for Operation Bendigo on 9 January 2015, and a further email indicating that meeting was cancelled.<sup>6</sup> I believe, from this, that I did not attend a meeting, but

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<sup>3</sup> VPL.6164.0045.9617

<sup>4</sup> VPL.6021.0010.0348

<sup>5</sup> VPL.6023.0041.1422; VPL.6023.0041.1840; VPL.6023.0138.0166

<sup>6</sup>

was sent an agenda for the meeting and minutes of the previous meeting. I do not recall whether or not I read the minutes and do not recall the detail of those minutes. I believe I may have been asked to attend the meeting, which was later cancelled, because I was temporarily filling DC Cartwright's position at the time. To my knowledge, I have never attended an Operation Bendigo meeting.

17. On 31 July 2015, I was informed of the outcome of the Coroner's Inquest into the deaths of Terence and Christine Hodson.<sup>7</sup> I believe I received this only because I was a Deputy Commissioner. I did not have any involvement in the inquest.

**Knowledge of Ms Gobbo as a human source (Q3)**

18. I have responded to this question in my response to Question 2.

**Awareness of others (Q4)**

19. I refer to my answer to question 2. Other than Mr Cartwright, I do not know who knew about Ms Gobbo's role as a human source.

**Authorisation of Ms Gobbo (Q5)**

20. I do not know who authorised the use of Ms Gobbo as a human source.

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

21. I have never had any personal contact with Ms Gobbo.

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

22. I refer to my answer to question 2.

**Concerns raised as to the use of a legal practitioner – and Ms Gobbo – as a human source (Q9 & Q10)**

23. I am not aware of any concern having been raised as to the use of Ms Gobbo or any other legal practitioner as a human source.

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<sup>7</sup> VPL.6023.0124.3971

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

24. I have no knowledge of this matter.

### **Audit of human source files (Q12)**

#### June 2006 Audit

25. My diary records that on 22 May 2006, I commenced a four-week secondment with the State Intelligence Group (**SIG**). My permanent role, at the time, was as a Superintendent for the Media and Corporate Communications Department. I believe the secondment was for the purpose of temporarily back-filling Superintendent Mark Porter's position, being the Superintendent in charge of the SIG at the time. The SIG included the Source Development Unit (**SDU**). My diary also records that I spoke to Supt Porter about the secondment to SIG on 18 May 2006.
26. Around this time, I was directed to conduct an audit of human source files at the SDU. I understood that this was a task which would ordinarily have been completed by Supt Porter, but which fell to me while I was performing his role, together with all of the other tasks that he would usually have undertaken.
27. Ultimately, I produced a report titled 'Audit of Human Source Holdings at the Source Development Unit, Victoria Police – June 2006', dated 15 June 2006, addressed to Commander Danyne Moloney (**Audit Report**).<sup>8</sup> To the best of my recollection, I was directed to conduct this Audit by Commander Moloney.
28. I recall being provided with a document setting out written parameters and instructions for the scope of the audit (**Parameters**). I refer to the Parameters document in my Audit Report, which states: "*As per request (refer Folio 15), I have undertaken a procedural ethical and value for money audit in respect of active human sources at the Source Development Unit, for which the Superintendent, State Intelligence Division has registration responsibility*".
29. I have been informed that searches have been undertaken by Victoria Police to find the Parameters, but that it has not been found.

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<sup>8</sup> Loricated: VPL.2000.0004.0001.

30. To the best of my recollection without seeing the Parameters, I believe they specified at least the following matters:
- (a) I was instructed to undertake a procedural, ethical and value for money audit in respect of active human sources at the Source Development Unit. I understood "*procedural ethical and value for money*" to mean that I was to consider whether the SDU was:
    - (i) following the procedures and process set by Victoria Police policies ("*procedural*");
    - (ii) generally doing the right things for the right reasons ("*ethical*"); and
    - (iii) operating in such a way that the funding committed to the SDU for its work was both sufficient and justified ("*value for money*").
  - (b) I was directed to audit all of the Informer Management Files of the SDU, except for the file for Human Source 3838, which had already been audited by Superintendent Tony Biggin. I do not recall what reasoning was given about that file having already been audited.
  - (c) I believe that the Parameters would have set out the procedural matters I was to examine the files for. It is likely that this included the matters set out in the dot points on pages 1 and 2 of the Audit Report.
  - (d) I was instructed to provide the audit report to Commander Moloney.
31. I have been asked about any knowledge I have of the National Human Source Management Committee. I do not recall being aware of this committee.
32. My diary records that on 31 May 2006, I met with Supt Biggin "*re DSU audit of high risk sources*" for approximately 15 minutes. I do not have any recollection of what we discussed at this meeting but I presume I would have asked him about how he conducted his audit to ensure consistency of approach.
33. I do not recall meeting with anyone else prior to conducting the audit and have not found any diary entry to suggest that I did.

34. My diary records that on 2 June 2006, I attended the SDU and commenced the audit and that I attended the SDU again on 8 June 2006 to continue the audit. I produced the Audit Report on 15 June 2006. On 16 June 2006, my secondment to SIG concluded and I took recreational leave.
35. I was provided with a computer at the SDU in order to conduct the audit. The SDU was at a standalone, secure, deidentified office and had its own standalone computer system. Accordingly, it was necessary for me to attend the SDU physically.
36. During 2 and 8 June 2006, I went through the records on the SDU computer. I started at the first record and worked through each file in turn (except for 3838 due to the Parameters), to ensure that the matters set out in the dot points at pages 1 and 2 of the Audit Report had been complied with. For each file I reviewed, I checked the file had been registered and then authorised by the Superintendent in charge of SIG; read each attachment; cross-referenced records to ensure that the SDU's processes had been followed (for example, for each recorded contact I checked that there was a corresponding Informer Contact Report); checked that appropriate forms, including an Acknowledge of Responsibilities had been attached.
37. I also spoke to handlers and controllers while I was at the SDU. I spoke to Officer Sandy White on a number of occasions. I also recall speaking to Officer Black, but I expect I spoke to whoever was present at the time. I was not told by anyone at the SDU not to audit 3838's file. As I have said, this direction was given to me in the Parameters which I received before I commenced the audit. I do not believe I was given any direction on how to conduct the audit by anyone at the SDU. The main thing I recall being told by the members is that they felt that they did not have sufficient administrative support.
38. I did not know the identities of the sources whose files I audited. The Audit Report records that, among other things, my audit was intended to ensure that "*the true identity of the informer is not recorded anywhere in the [Informer Management File]*". I recall that I may have guessed who one of the human sources was from the information in the file. I believe the human source I recognized was [REDACTED] whom I knew had [REDACTED] but was [REDACTED] he was providing information to police.
39. I recorded the findings of my audit in the Audit Report, which sets out:

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- (a) the 13 files which I audited and the file for 3838 which Supt Biggin audited;
  - (b) the three files which I did not audit, because they had already been transferred or deactivated;
  - (c) that there were two files listed as 'active' on the computer system, but which were not logged in the Controller's folder. I did not audit these files. I cannot recall, but they may have simply needed to be deactivated but had not yet been because there was insufficient administrative support in the unit;
  - (d) in relation to each file, the opportunities for improvement I identified;
  - (e) my conclusions which included that additional administrative assistance was required.
40. The Audit recommended that the identified opportunities for improvement be undertaken as soon as possible and administrative support be considered for the SDU as a priority.
41. The Audit Report, on page 4, also refers to an attached audit of files by the Informer Management Unit. I have been informed that searches have been undertaken by Victoria Police to find the attached audit, but that it has not yet been found. This was an audit that someone else had conducted. I believe I may have attached it in support of my conclusion that further administrative assistance was required for the SDU.
42. In the course of preparing my statement, I have been informed that a source management log records a notation on 30 May 2006, that reads "*registration document to Supt NOLAN*". I have not found any diary note that appears to relate to this. I do not know what document is being referred to, but I believe it concerns a new source had been registered and that registration was sent to me to authorise because I was filling Supt Porter's position at the time.

Other audits of human sources not managed by the SDU

43. I do not recall conducting any audit of a human source file prior to the audit I conducted in June 2006, but later I regularly either conducted or oversaw audits as a divisional Superintendent.
44. On 8 January 2007, I commenced as Superintendent for Region 1, Division 3 (Bayside, Glen Eira, Kingston). As a divisional Superintendent, I was also the Local Area Registrar. My responsibilities included oversight of the register of human sources and potentially inspecting files in that division. I believe that I would have conducted audits of human source files for the division approximately on a quarterly basis. This would involve me receiving human source files and checking that the records were up to date.
45. No one would have directed me to carry out the audits. I would have done these audits as an accountability of my role and otherwise according to any applicable policy. I believe, at that stage, that there was a specific policy to be followed when auditing human source files. I do not now recall what that policy was or may have been called.

**Other human sources with obligations of confidentiality or privilege (Q13)**

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

**Training (Q14)**

47. I recall receiving basic training about what legal professional privilege is at the Victoria Police Training Academy and at Detective Training School (DTS). To the best of my recollection, the training in public interest immunity was fairly minimal.
48. I believe that my training at the Academy and at DTS included training in relation to obligations of disclosure, the right to silence, and the right to legal representation. These matters were also reinforced with experience on the job.
49. Professional and ethical decision-making may have been covered in the Inspectors' Course. I recall it being a common theme throughout training as a police officer and

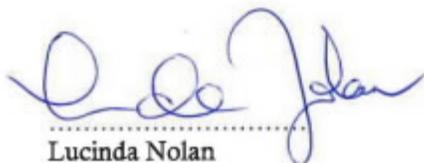
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reinforced on the job, particularly when I worked at the Professional Standards Command as a Detective Inspector and when I was a regional Ethics and Professional Standards Officer.

**Other information (Q15)**

50. There are no other matters I believe I can assist the Commission with.

Dated: 27 November 2019



Lucinda Nolan

## Annexure A

### Employment history

1. I graduated from the Victoria Police Training Academy in December 1983 and undertook the Probationary Constable Extended Training Scheme from December 1983 until 1985.
2. From approximately 1985 to 1986, I was a Constable, stationed at City West Police Station.
3. From approximately 1986 to 1988, I was a Constable, stationed at the Prahran Police Station.
4. From approximately 1988 to 1990, I was a Detective Constable at Russell Street Criminal Investigation Unit.
5. From approximately 1990 to 1997 I was a Detective Senior Constable with the Crime Department, including variously with the Violent Crime Analysis Unit, the Spectrum Taskforce and the Rape Squad.
6. From approximately 1997 to 1999, I was a Sergeant (Intelligence Manager) at the Security Intelligence Group.
7. From approximately 1999 to 2001, I was a Senior Sergeant at the Strategy and Planning, Education Department.
8. From approximately 2001 to 2002 for around 12 months, I was an Acting Inspector, Staff Officer to the Assistant Commissioner for Education.
9. From approximately 2002 to 2004, I was a Team Leader (Inspector) at the Complaints Department, Ethical Standards Department.
10. From approximately 2004 to 2005, I was the Ethics and Professional Standards Officer for Region 1, Ethical Standards Department.
11. In approximately 2005, I was the Manager for the Police Service Area – Maribyrnong.
12. From approximately 2005 to 2007, I was a Superintendent for the Media and Corporate Communications Department.

13. From January 2007 until June 2010, I was the Superintendent for Region 1, Division 3 (Bayside, Glen Eira, Kingston).
14. During 2008, I was Acting Assistant Commissioner for Region 1 (Central) for approximately 2 months.
15. During 2009, I was Acting Assistant Commissioner for Region 4 (North East) for approximately 8 months.
16. From June 2010 until June 2011, I was Assistant Commissioner for the Western Region.
17. From approximately June 2011 to February 2012, I was Acting Deputy Commissioner, Strategy and Organisational Development. This role became permanent in February 2012 and I remained Deputy Commissioner, Strategy and Organisational Development until December 2014.
18. From December 2014, I was the Deputy Commissioner, Regional Operations until I resigned in November 2015.

#### **Education & Training**

19. I hold the following qualifications:
  - (a) Bachelor of Arts (Honours), University of Melbourne, 1982;
  - (b) Master of Arts, University of Melbourne, 1988;
  - (c) Graduate Certificate in Public Sector Management, University of Adelaide, 2000;
  - (d) Certificate III in Business Excellence, SAI Global, 2006;
  - (e) Certificate IV in Organisational Self-Assessment, SAI Global, 2007;
  - (f) Company Directors' Court, 2010;
  - (g) Leadership in Complex Times, Harvard University, John F Kennedy School of Government, 2010;
  - (h) Advanced Management Program (183), Harvard University, 2012.

## **Awards**

20. I have received the following awards:
- (a) Dux of Squads 12 and 13, Victoria Police, 1983;
  - (b) Dux of Retention, Victoria Police, 1985;
  - (c) Dux of Detective Training School (Course 145), 1989;
  - (d) Detective Training School Student of the Year, 1989;
  - (e) Awarded first place ranking for Sergeants' Promotional Qualifications (approx. 600 applicants), 1996;
  - (f) Awarded first place ranking for Inspectors' Promotional Qualifications (approx. 70 applicants), 2001;
  - (g) Recipient of Australian Police Medal, 2009;
  - (h) Recipient of National Police Service Medal for 30 years of ethical and diligent service, 2013;
  - (i) Recipient of the Victoria Police Service Medal for 30 years of sustained diligent and ethical service.

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