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

STATEMENT OF BORIS BUICK

1. My name is Boris Buick. I am an Inspector of Victoria Police undertaking the role of Staff Officer to the Executive Director Human Resource Department.
2. 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 is produced to the Royal Commission in response to a Notice to Produce.

Educational background and employment history (Q1)

3. I joined Victoria Police in 1989 and graduated from the Police Academy in June 1989. A summary of the roles I have undertaken and my progression through the ranks is as follows:
 - a) My training station was the Russell Street Police Station.
 - b) As a Constable between 1989 and September 1995 I performed uniform duties at Russell Street, Altona North Community Policing Squad, Fitzroy Police Station and Footscray Police Station.
 - c) In September 1995 I was promoted to Senior Constable at the City Patrol Group and transferred to the Fitzroy Police Station in September 1996.
 - d) In November 1997 I commenced temporary duties at Fitzroy Criminal Investigation Branch (CIB) and in June 1998 gained a Detective Senior Constable position at Fitzroy CIB.
 - e) In October 2001 I commenced temporary duties at the Homicide Squad and in May 2002 I transferred to the Homicide Squad.
 - f) I was a founding member of the Purana Taskforce which was established in May 2003.
 - g) Between January and April 2005 I performed uniformed acting Sergeant duties at the Prahran Police Station.
 - h) In April 2005 I returned to the Homicide Squad as a Detective Acting Sergeant.



- i) In February 2006 I was promoted to the rank of Sergeant at the Keilor Downs Police Station, however I was retained at the Crime Department (Purana Taskforce) owing to the murder of Mario Condello.
- j) In March 2008 I was upgraded as an acting Senior Sergeant and performed the role of Staff Officer to the Crime Department Board of Management to November 2008, and the Assistant Commissioner Crime to March 2009.
- k) In March 2009 I was placed in charge of the Arson Squad following the 2009 bushfires.
- l) In July 2009 I was promoted to the rank of Detective Senior Sergeant at the Ethical Standards Department, which later became the Professional Standards Command.
- m) In November 2010 I was seconded to the Driver Taskforce following the murder of Carl Williams and the disbanding of the Petra Taskforce. In 2012 I was transferred to Crime Command, remaining at the Driver Taskforce.
- n) Between October 2012 and April 2013 I was seconded to the Joint Counter Terrorism Team based at the Australian Federal Police, Melbourne office.
- o) Between October 2013 and August 2014 I was upgraded as an acting Inspector, performing the role of Staff Officer to the Assistant Commissioner Crime.
- p) In August 2014 I was placed in charge as an acting Inspector of the newly formed Cold Case and Missing Persons Squad. In August 2015 the Cold Case and Missing Persons Squad was realigned and I remained with the Missing Persons Squad.
- q) Between October 2015 and July 2016 I was seconded to the Family Violence Command to work on a child sexual exploitation project.
- r) In July 2016 I was transferred to the Joint Anti Child Exploitation Team at Crime Command.
- s) Between November 2017 and February 2018 I was upgraded as an Acting Inspector in charge of the Melbourne West Local Area Command.
- t) In September 2018 I was promoted to the rank of Inspector in the role of Staff Officer to the Executive Director Human Resource Department.

4. I hold the following formal qualifications:

- a) Bachelor of Arts, Monash University, majoring in Sociology and Police Studies (1993)
- b) Bachelor of Laws, Monash University (1999)



- c) In 2000 I completed Articles at the Leo Cussen Institute and was admitted to practice as a barrister and solicitor.
 - d) Honours Degree in Bachelor of Arts, Monash University (2001)
 - e) Master of International Relations, Monash University (2005)
 - f) Diploma of Business, Chisholm Institute (2009)
 - g) In 2009 I was awarded a St James Ethics Centre Vincent Fairfax Fellowship.
5. I have undertaken Victoria Police qualifications and training including the following:
- a) Detective Training School (1998) and Advanced Detective Training School (Advanced Diploma of Investigation) (1999)
 - b) Sergeant's Training Course (2003) and the Senior Sergeants Course (2010)
 - c) Counter Terrorism Senior Investigating Officer Course (2011)
 - d) Brief Quality Checking Course (2013)
 - e) Specialist Sexual Assault Interviewing Course (2016)
 - f) Brief Quality Assurance Course (2016)
 - g) Inspector Qualifying Program (2016)

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

6. My first involvement or association with an investigation that had dealings with Ms Gobbo occurred while I was a Detective Senior Constable (and then Detective Sergeant) at the Purana Taskforce. Subsequently, I had personal contact and dealings with Ms Gobbo while I was a Detective Senior Sergeant at the Driver Taskforce and Ms Gobbo was a witness in the proceedings involving Paul Dale.

Purana Taskforce

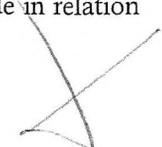
7. On 15 October 2002 I attended the scene of and was appointed lead investigator for the 12 October 2002 murder of Paul Kallipolitis in Sunshine West. At this time I was attached to the Homicide Squad. Andrew Veniamin was a suspect for Kallipolitis' murder, as he was for the October 2000 murder of Dino Dibra. No person was charged in relation to the murder of Kallipolitis.



8. Soon after the April 2003 murder of Nick Radev, for which Andrew Veniamin was again a suspect, the Purana Taskforce was formed and began targeting Veniamin, Carl Williams and associates and Domenic Gatto and associates. The Purana Taskforce commenced an in-depth intelligence and investigative probe into these persons of interest and crimes.
9. Between the murders of Kallipolitis and Radev, Andrew Veniamin switched his allegiance from the Gatto group to the Williams group. It became evident in the early days of the Purana Taskforce, through intelligence holdings (including telephone intercepts, listening devices and physical surveillance), that Nicola Gobbo was associating socially with individuals from both the Gatto and Williams groups.
10. On 25 October 2003 Michael Marshall was murdered outside his South Yarra home. [REDACTED] later that same day. Police had listening device evidence of [REDACTED] murder. I was present in the Purana Taskforce listening device monitoring room when the murder was committed and was later appointed [REDACTED] for the [REDACTED] charge [REDACTED]. Then DS Stuart Bateson was the lead investigator, brief coordinator and [REDACTED] for the [REDACTED] charge against [REDACTED]. Subsequent to Marshall's murder and the [REDACTED] I sought and obtained a number of search warrants pursuant to the investigation, including a search warrant for [REDACTED] home. Whilst in [REDACTED] on [REDACTED] 2003 [REDACTED] indicated his preparedness to provide information on who was behind [REDACTED] murder. [REDACTED] had no contact with Ms Gobbo prior to this indication being made.
11. [REDACTED] was removed from custody pursuant to a s 464B *Crimes Act 1958* application made at the Melbourne Magistrate's Court to be interviewed in relation to the 21 June 2003 murders of Mark Moran and Pasquale Barbaro. Ms Gobbo and Theo Magazis represented [REDACTED] at the application. I was present for the application and subsequent conveying of [REDACTED] to the St Kilda Road Police Complex. I do not recall engaging with Ms Gobbo on this occasion.
12. [REDACTED] I was present at the Melbourne Magistrates' Court for [REDACTED] and [REDACTED] Committal Mention. [REDACTED] was represented by [REDACTED] Ms

Gobbo was present at court with [REDACTED] who was acting for [REDACTED] PII. I do not recall engaging with Ms Gobbo on this occasion.

13. On 23 March 2003 Domenic Gatto shot and killed Andrew Veniamin in Carlton. I was nominated as informant in this matter and charged Gatto with Veniamin's murder later that day. Prior to being interviewed Gatto spoke with solicitor George Defteros. Mr Defteros represented Gatto at his filing hearing. To my knowledge Ms Gobbo played no part in Gatto's defence.
14. On 17 May 2004 I attended a meeting at the Office of Public Prosecutions with Senior Crown Prosecutor Geoff Horgan QC, Vaile Anscombe, DI Andrew Allen, DSS Phil Swindells and DS Craig Wilson, primarily in relation to the Gatto prosecution. [REDACTED] PII was also discussed at the meeting and I made a note that Mr Horgan stated that Ms Gobbo was yet to contact him.
15. [REDACTED] PII I was present at the Melbourne Magistrates' Court for a 464B application being made by DSC Gallagher and DSC Moreland to interview [REDACTED] PII in relation to the [REDACTED] PII murder of [REDACTED] PII. [REDACTED] was represented by Ms Gobbo and Jim Valos. I do not recall engaging with Ms Gobbo on this occasion. The application was granted and [REDACTED] was conveyed to the St Kilda Road complex for interview. I did not return to St Kilda Road as I was managing an unrelated murder trial at the Supreme Court.
16. On 10 July 2006 I commenced obtaining a statement from [REDACTED] PII in relation to the 2000 murder of Dino Dibra and the 2002 murder of Paul Kallipolitis. This statement was continued over the 14th and 19th of July. On 19 July 2006 I have a note that the statements are being checked by Ms Gobbo. I did not engage directly with Ms Gobbo over this time.
17. From 2 August 2006 I began coordinating multiple [REDACTED] and [REDACTED] hearings in relation to the February 2006 murder of Mario Condello. To the best of my knowledge no persons [REDACTED] at these hearings were represented by Ms Gobbo.
18. On 21 September 2006 I commenced an investigation into the May 2002 murder of Victor Pierce. I took possession of a statement [REDACTED] PII had recently made in relation



to this murder, implicating Andrew Veniamin, Faruk Orman and others in Peirce's murder.

19. In November 2006 a request from made by the Purana Taskforce to the ACC for access to surveillance records and other materials relating to Gatto and Veniamin. From March 2007 onwards, detectives from the Purana Taskforce gained access to these materials.
20. On [REDACTED] 2007 I attended [REDACTED]^{PII} Prison with DSC Hatt to obtain a further statement from [REDACTED]^{PII} in relation to the murder of Victor Pierce.
21. On [REDACTED] 2007 I attended [REDACTED]^{PII} Prison with DSC Hatt to discuss security concerns with [REDACTED]^{PII}. I believe that [REDACTED]^{PII} had earlier raised these concerns with Ms Gobbo who had in turn contacted DSC Hatt.
22. On 22 June 2007 I arrested Faruk Orman at his Deer Park home for the murder of Victor Pierce.
23. Upon his arrest Orman asked to contact Ms Gobbo. Orman rang Ms Gobbo and left a message on her phone. He then rang Galbally Rolfe Solicitors and spoke with Carly Marks. Ms Marks later attended the St Kilda Road Police complex where Orman was interviewed and subsequently charged. Ms Marks attended and represented Orman at his filing hearing at the Melbourne Magistrates' Court. On 31 August 2007 the brief of evidence against Orman was served on Galbally Rolfe. On 1 October 2007 Orman's committal mention was held. My day book records that Brian Rolfe appeared at the committal mention and I handed property to him.
24. On 29 October 2007 I was present at the Melbourne Magistrates' Court for the return of a subpoena issued by Orman's legal representatives. Orman was represented by Ms Gobbo and Brian Rolfe. I do not recall engaging with Gobbo on this occasion.
25. On 26 November 2007 I was present at the Melbourne Magistrates' Court for argument over the Orman subpoena. Orman was represented by Ms Gobbo. I do not recall engaging with Gobbo on this occasion.



26. On 11 March 2008 Orman's contested Committal commenced at the Melbourne Magistrates' Court. Orman was represented by Robert Richter QC and Chris Boyce, instructed by Alistair Grigor.
27. On 31 March 2008 I commenced upgraded duties as the staff officer to the Crime Department Board of Management. I did not return to the Purana Taskforce after this date.
28. In July 2009 I left the Crime Department, having been promoted to the role of Detective Senior Sergeant at the Ethical Standards Department (ESD).
29. I had no dealings with Ms Gobbo or any investigations relevant to her while I was performing duties at the Crime Department Board of Management or ESD. However, I did retain conduct of the trial of Orman and Benvenuto during this time. I also continued to have contact with ^{PI} [REDACTED], however, Ms Gobbo had no involvement in this [REDACTED] contact.
30. On 17 August 2009 the trial of Orman and Benvenuto for the murder of Pierce commenced. Orman was represented at trial by Robert Richter QC and Chris Boyce. On 29 September 2009 Orman was convicted on the murder charge and on 25 November 2009 he was sentenced. Ms Gobbo played no part in this trial to my knowledge.

Driver Taskforce

31. On 29 November 2010 I was seconded from ESD to the Driver Taskforce. The Driver Taskforce was established following the April 2010 murder of Carl Williams at Barwon Prison.
 32. In August 2010 the Petra Taskforce was disbanded. The Petra Taskforce had been investigating the May 2005 murders of Terence and Christine Hodson and had charged Paul Dale and Rodney Collins for these murders. Following the death of Carl Williams the murder charges against Dale and Collins were withdrawn. At as August 2010 there were still a number of live investigations concerning Dale and the Hodson Inquest brief to be prepared. I was allocated these investigations upon my arrival at the Driver Taskforce.
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33. As at August 2010 Ms Gobbo was listed as a witness on a brief of evidence against Dale for giving false and misleading evidence at Australian Crime Commission Hearings. Upon my arrival at the Driver Taskforce I took possession of a statement Ms Gobbo had made to Petra investigators on 7 January 2009, detailing her recording of a conversation with Dale. I had no involvement in the taking of this statement from Ms Gobbo, or the circumstances leading to Ms Gobbo's statement.
34. On the early morning of 15 February 2011 I served a number of charges on Paul Dale at his Wangaratta home, relating to his alleged giving of false and misleading evidence at 2007 and 2008 Australian Crime Commission Hearings.
35. At 10.45am I attended Ms Gobbo's then home to advise her that Dale had been charged and that she was a prosecution witness in the matter. Ms Gobbo was not home so I telephoned her to advise her of the above. To the best of my recollection this was the first contact I had had with Gobbo since November 2007.
36. Between 15 February 2011 and 9 November 2011 I had contact with Ms Gobbo in relation to her role as a prosecution witness. I documented this contact on an electronic Interpose Event, number INTMEN005224.¹ A number of these contacts between Ms Gobbo and myself were audio recorded. These recordings were uploaded onto the Interpose Event. I also made a note of my contacts with Ms Gobbo in my day book.
37. Prior to my arrival at the Driver Taskforce in November 2010, Driver investigators were recording their contact with Gobbo on an electronic Interpose Task INTMTK022769. I marked this Interpose Task 'Completed' when I created the Interpose Event number INTMEN005224. I don't believe that any other Driver Taskforce investigators who were not members of my team had any further contact with Ms Gobbo.
38. During this period of contact with Ms Gobbo I sought approval from, and reported to, Driver management (DI Mick Frewen). I was also in communication with DI John O'Connor and DSupt Paul Sheridan regarding my contact with Ms Gobbo.²

¹ VPL.0005.0071.0001

² For example, see VPL.0005.0013.1101.



39. The primary aim of my contact with Ms Gobbo related to her management as a prosecution witness and her safety. On occasion, Ms Gobbo volunteered other information on matters unrelated to the Dale prosecution which I disregarded, other than a matter which she reported to me concerning AC Jeff Pope which I refer to below.
40. I refer to the electronic Interpose Event, number INTMEN005224, for details of my contact and communications with Ms Gobbo between 15 February 2011 and 9 November 2011. In addition, I note the following:
- a) In June 2011, September 2011 and November 2011 I became aware of threats that had been made against Ms Gobbo. These threats, together with a threat made in 2006, were consolidated into Investigation Impendeo.
 - b) On 17 October 2011 Ms Gobbo wrote a letter to me outlining her concerns about safety and protection.³ I forwarded this letter to DI Frewen.
 - c) On 21 October 2011 during a meeting between Ms Gobbo, DS Lebusque and myself, Ms Gobbo stated that she had previously engaged in a sexual relationship with AC Jeff Pope. This conversation was audio recorded.⁴ I briefed DI Frewen and Supt Fryer in relation to this matter.
 - d) Section 17 of the Interpose Event refers to events that occurred on 21/10/11 and 24/11/11. The reference to 24/11/11 is incorrect and should read 24/10/11.
 - e) On 9 November 2011 Ms Gobbo was withdrawn as a prosecution witness. DS Lebusque and I hand delivered a letter to Ms Gobbo from Supt Fryer confirming this.⁵
41. Once the Dale prosecution was finalised, I continued work on compiling the inquest brief in relation to the death of the Hodsons (Operation Loris). A brief of evidence was also being prepared regarding alleged misconduct in public office by Dale.

³ VPL.0002.0001.1599

⁴ VPL.0002.0002.0062

⁵ VPL.0005.0010.2733

42. In June 2012 I had communications with DI [REDACTED] in which I informed him that Ms Gobbo may need to be informed that there was material in the Loris inquest brief relevant to her.
43. On 14 May 2014 I telephoned Ms Gobbo at the request of Detective Superintendent Tess Walsh to provide Ms Gobbo with an update regarding the inquest. This call was audio recorded and the recording uploaded to Interpose. To the best of my knowledge, this was my last contact with Ms Gobbo.

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

44. The work undertaken by the Purana Taskforce was divided into two phases. The first phase involved the homicide investigations. The second phase concerned the drug related offending by Tony Mokbel and his associates, [REDACTED] ^{PII} [REDACTED]. My focus while at the Purana Taskforce was on the homicide investigations. On occasions, I believe that I may have assisted other officers in relation to their investigations concerning Mokbel and his associates.
45. I recall learning that Ms Gobbo was a human source around the time that the Purana Taskforce were investigating Tony Mokbel and [REDACTED] ^{PII} was arrested. I can't recall how I learned this but I believe that it would have been in the context of conversations with DI Jim O'Brien or DS Jason Kelly.
46. I did not make a note in my day book about receiving this information due to the sensitivities surrounding the identification of human sources.
47. I played no role in the authorisation and registration of Ms Gobbo as a human source. At that time, there was a Victoria Police policy which governed the use of human sources, and a specialist SDU unit in place. I believe the SDU would have been involved in the approval of Ms Gobbo's use as a human source and that her use would have been approved at the Superintendent level as required by the policy. In addition, from the outset of my work at the Purana Taskforce I was aware of the active oversight and routine reporting upwards to AC Simon Overland.



Awareness of others (Q4)

48. As indicated in response to Question 3 above, while I was at the Purana Taskforce I believe that DI O'Brien and DS Kelly knew that Ms Gobbo was providing information or assistance to Victoria Police.

49. Once I was at the Driver Taskforce, it was known that Ms Gobbo was a witness. Her statement had been included in the Dale and Collins brief of evidence regarding the Hodson murders. I can't be certain as to who knew that Ms Gobbo had been a human source prior to becoming a prosecution witness, however, I believe it was a limited number of people.

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

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

Personal contact with Ms Gobbo (Q6)

51. I refer to my response to question 2.

Information & assistance received (Q7 & Q8)

52. I am not aware of having received any information or assistance where I knew, believed or had reason to suspect that the source of that information was Ms Gobbo.

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

53. I am not aware of any concerns being raised.

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

54. In October 2011 I raised a concern in relation to the use of Ms Gobbo as a human source. This arose within the context of the prosecution of Dale in which I was the informant.

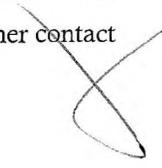


55. As indicated above, on 15 February 2011 I served a number of charges on Dale relating to his alleged giving of false and misleading evidence to the ACC.
56. Prior to service of the brief on Dale a number of subpoenas were issued by Dale's solicitor, Tony Hargreaves and Associates. Those subpoenas sought information as to how Ms Gobbo had come to be engaged with Victoria Police in relation to the Dale proceedings. I was concerned that provision of that material in response to the subpoenas would have revealed material relating to Ms Gobbo's role as a human source and placed her at great risk.
57. I prepared a report for DI Michael Frewan, which would have been provided to DS Doug Fryer.
58. I was aware that urgent legal advice was obtained from Gerard Maguire, dated 4 October 2011.
59. Legal advice was also obtained from the VGSO on whether the provisions of the *Witness Protection Act 1991* can be invoked to protect a witness in a pending criminal trial. This advice was dated 6 October 2011.
60. Subsequently Ms Gobbo was withdrawn as witness in the Dale prosecution.

Awareness about disclosure in relation to Ms Gobbo (Q11)

61. I am not aware of any such discussions.
62. As indicated in response to question 10, there were communications in which I was involved which arose in the context of the subpoena issued by Dale's legal representatives and led to legal advice being obtained from Gerard Maguire.

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

63. In approximately February 2008, I had contact with ^{PII} [REDACTED] who I knew was a legal practitioner. As a result of information conveyed to me by ^{PII} [REDACTED], I introduced ^{PII} [REDACTED] to the Source Development Unit. I am not aware of the nature of the information or assistance provided to the Source Development Unit by ^{PII} [REDACTED]. I had further contact
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with ^{PII} [REDACTED] in 2014, facilitating their contact with the Human Source Development Unit.

Training (Q13)

64. I have not undertaken a detailed review of the Victoria Police courses I have completed and the content of those courses. However, my recollection of the relevant training or retraining I have received is as follows:

- a) While I can't specifically recall receiving training about the obligation of disclosure, this arises in relation to the preparation of briefs of evidence and when undertaking investigation duties, particularly at a criminal investigation unit. The topic may have been covered in Detective Training School (DTS) and Advanced DTS.
- b) An accused's right to silence would have been covered at the Academy, during DTS and Advanced DTS and in relation to section 464 of the *Crimes Act 1958*.
- c) The right of an accused person to a legal practitioner would have been covered at the Academy, during DTS and Advanced DTS and in relation to section 464 of the *Crimes Act 1958*.
- d) I don't recall receiving any training in relation to Legal Professional Privilege, but this has come up in relation to investigations and prosecutions that I have been involved in.
- e) Public interest immunity arises constantly in investigations and prosecutions.
- f) Professional and ethical decision making is taught during the Academy and subsequent training.

Other information (Q14)

65. I have no other information to provide.

Dated: 10 May 2019

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Boris Buick

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