

Royal Commission
into the Management of Police Informants

SUPPLEMENTARY STATEMENT OF DANNYE OWEN MOLONEY

1. My full name is Danyne Owen Moloney. I am a former member of Victoria Police.
2. I have previously made a statement to the Royal Commission dated 28 November 2019 (my initial statement).

Amendments to my initial statement

3. I wish to make the following amendments to my initial statement:
 - (a) Paragraph 29 refers to 16 May 2014, this should read 16 May 2004;
 - (b) Paragraph 41 refers to a meeting on 12 July 2005, this should read 11 July 2005;
 - (c) In paragraph 60 I refer to AC Robert Hill. Although Mr Hill is now an Assistant Commissioner, in October 2005 he was an Inspector;
 - (d) Paragraph 61 refers to two information reports, it should read three (consistently with my diary note that is reproduced at paragraph 62);
 - (e) Paragraph 106 refers to 6 January 2009, this should read 7 January 2009; and
 - (f) Footnote 22 refers to VPL.0100.0001.0017 at 0192 - 0194, this should read VPL.2000.0001.9236 at .9274 - .9276; and
 - (g) Footnote 26 should read VPL.0101.0001.0051 at 0062.
4. I wish to clarify paragraphs 53 and 54 of my initial statement. I have been shown extracts of Officer White's diaries dated 4 October 2005, 5 December 2005, 14 February 2006 and 15 February 2006. I have also been informed that Mr Biggin has given evidence that he believes I was briefed about Ms Gobbo in October 2005. In light of this evidence, I now believe that I was probably informed that Ms Gobbo was a registered human source in approximately October 2005. However, I was not, at that time, briefed as to the full extent of her anticipated or actual use as a human source.
5. In paragraphs 69 and 70 of my initial statement, I refer to the Request for Informer Reward documents. Having reviewed these documents I see that AC Overland dealt with the issue that I refer to in paragraph 70. I now recall that this happened.
6. I also wish to clarify paragraph 103 of my initial statement, in relation to the Petra Steering Committee meeting on 5 January 2009. I deal with this matter below.
7. In addition to my response to question 1 (detailed at paragraphs 7 to 16 of my initial statement) I refer to the attached 'Annexure A' which contains further details of Secondments undertaken, Professional Development Courses attended, Reviews, Committees and Projects I was involved in





as the Commander, I&CS between 11 July 2005 and 1 July 2008 and Awards I have received. These details are based on an application I prepared in 2005 when applying for the position of Assistant Commissioner, Crime.

My recollection of events relevant to the Royal Commission

8. I have experienced difficulties recalling some of the events relevant to this Royal Commission.
9. I wish to inform the Royal Commissioner that I have been experiencing difficulties with my memory (both short and long term) for the last 4-5 years. This has been noticed by my family and friends.
10. My memory difficulties became more apparent to me during international travel I have undertaken with my wife in recent years and as I tried to recall events relevant to this Royal Commission.
11. In October 2019 I attended my General Practitioner (GP) as a result of the difficulties I had experienced while travelling in September to October 2019. I reported to my GP my concerns regarding my diminishing ability to recall our travel itinerary and the location of our accommodation. My GP administered a test and informed me that there was no indication that I was suffering from a cognitive impairment such as Alzheimer's. My GP and I discussed age related memory decline, and the possibility that my mind had "switched off" details which I no longer needed to recall. I have not sought any further medical assessment or treatment in relation to my memory.
12. I believe that I have a good memory of some of the events relevant to the Royal Commission, and a limited memory of other events. I have done my best to refresh my memory by reviewing my available diaries and the documents shown to me by my lawyers.
13. I kept notes in an official Victoria Police diary when I was Assistant Commissioner, Crime (from November 2008 until April 2011). I can't now recall whether I used one or two diaries during this time. I remember returning my last diary used to Victoria Police after my retirement. I am informed that this diary / diaries have still not been located. My inability to access this diary / diaries has substantially hindered my ability to recall many of the events relevant to this period.

Role of the Intelligence and Covert Support Department

14. The role of the Intelligence and Covert Support Department is to provide support services to investigations, namely, to collect intelligence, information and evidence on request from investigators (including State, national, or international law enforcement agencies). The Department is not tasked with the management of the investigation. In my role as the Commander of the Department, I was not briefed in relation to operational details relevant to the investigations my Department were supporting.
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15. Historically within Victoria Police, covert services were owned by the Crime Department. A deliberate decision was made to separate the covert capacity and intelligence from those in charge of investigations. This facilitated the more appropriate use of resources across the organisation and allowed for increased specialisation of specific roles within the I&CS Department.

Meetings with Supt Hollowood in December 2008

16. I have been shown extracts of Supt Hollowood's diaries from 8 and 31 December 2008. I recall Supt Hollowood raising with me concerns that he was not being fully briefed in relation to some Petra matters. I believe I rectified this by ensuring he was briefed and invited to attend the next Steering Committee meeting (which he attended on 5 January 2009). I don't recall him raising concerns with me about the strength of the prosecution case.
17. I have been informed by my lawyers of a meeting between Supt Hollowood, DI Smith and myself at 9 am on 5 January 2009. Based on the diary entries of Supt Hollowood and DI Smith the purpose of the meeting appears to have been "investigative direction" and "timetabling." I don't believe that I discussed the SWOT analysis with them at this meeting.

SWOT Analysis and steering committee meeting held 5 January 2009

18. I refer to Inspector Biggin's memorandum and Officer Black's SWOT Analysis at paragraph 99 onwards of my initial statement.
19. I have been shown a screenshot of correspondence register entries relating to this document¹ and a table which shows the date and times that the entries were created. Having reviewed the correspondence register entries and noting the times recorded in the table, I believe it likely that I delivered the document to DC Overland personally shortly prior to the Steering Committee meeting that took place that afternoon. I am confident that the document was delivered by hand.
20. As a "Protected" document, I would not have retained a copy of it. The original document that I received is what was delivered to DC Overland.
21. My usual practice when issues like this arose would be to communicate back to the person (in this case, Supt Biggin or Supt Porter) about the action taken. In this case, that the document had been delivered to DC Overland. I can't now be completely certain that this occurred, but I believe I did that on this occasion, because that was my usual practice.

Meeting on 5 January 2009

¹ VPL.0098.0026.0001

22. I have been shown a diary entry of Supt Hollowood which records that there was a meeting of the Petra Steering Committee at 4.00 pm on 5 January 2009 attended by DC Overland, Mr Ashton, myself, Supt Hollowood and DI Smith. Having seen this diary note and the Petra Update for 5 January 2009 I now recall attending a meeting on that date.
23. My recollection of these meetings is that the Petra investigators would attend at the start and conduct a briefing as per the weekly update. After the briefing the Steering Committee would meet alone.
24. I cannot now be completely sure whether or not the Biggin memo and SWOT analysis document was produced during the meeting, although I believe it was. I do recall DC Overland referring to the contents of the document and saying words to the effect of "these matters have all been considered" and "these are issues from their perspective." These may not have been the exact words DC Overland used, but were essentially the views he expressed. This discussion would have occurred after Supt Hollowood and DI Smith had left the meeting. I note that at paragraph 147 of my initial statement, I refer to these matters being discussed at the Petra steering committee.

Briars Taskforce steering committee

25. In preparation for giving evidence, I have been shown the Briars Taskforce updates from 6 April 2009, through to 28 June 2010. I have a limited recollection of the matters raised at the Briars meetings.
26. I am informed that Supt Porter has a record of meeting with myself and Supt Gerry Ryan on 9 June 2009, where he believes he raised concerns about Ms Gobbo being a witness in Briars. Supt Porter's statement indicates that the outcome of the meeting was that the matter would be further elevated to AC Cornelius. While I don't specifically recall the meeting, I do not dispute what Supt Porter has said about the meeting and its outcome.
27. In addition, I am informed that there are records of me attending a meeting on 10 June 2009 with AC Cornelius, Supt Porter and others which also related to Ms Gobbo's potential use as a witness in Briars. I have been informed of the contents of AC Cornelius' notes of the meeting that occurred on 10 June 2009. I don't recall the content of the discussion, but accept that these are the points which would have been discussed.
28. I have been informed that the Briars updates from 27 July 2009 onwards refer to Gerard Maguire being briefed to examine Ms Gobbo's draft statement and in relation to the Mokbel subpoena. Having refreshed my memory from these documents I now recall Mr Maguire being engaged, but I do not believe that I was directly involved and cannot recall the specifics of his advice beyond what is in the documents that I have been shown.



Dated: 19 February 2020



Danye Owen Moloney

Annexure A

Secondments

- 1999 - Strathclyde Police Scotland - 3 month secondment. Participated in their operations and exposed to strategy formulation; policy making; organisation structure; culture and direction of the force.
- 1997 - Drug and Alcohol Coordination Unit to develop submissions and projects to implement the recommendations of the Pennington Report into Drug Abuse within Victoria.
- 1995 - New Zealand Police to review Operation Park - an investigation into a serial rape. An offender was apprehended and charged with 43 separate rapes.
- May 1993 - Philippines to examine the child exploitation of children within Asia as the Australian policy representative for End Child Prostitution in Asian Tourism Committee (ECPAT).

Professional Development Courses

- 2006 Leadership in Counter Terrorism International Program (LINCT)
- 1998 Graduate Certificate in Police Management (Charles Sturt)
- 1996 Investment in Excellence Program
- 1995 Executive Development Program, Development Assessment Centre
- 1995 Officers Advanced Skills Course
- 1994 Management of Serious Crime Course, Canberra
- 1993 Targeted Selection Training Course
- 1986 "Airlie" Officers' Course, finishing in the 'upper middle group'
- 1982 Advanced Detective Training Course, gaining first position
- 1979 Sub Officers' Courts 'upper group'
- 1976 Detective Training School
- Request Management Solutions
- Informer Management
- Crime & Corruption Interception System

Lecturing

I have conducted lectures on the following programs:

- AFP:
 - Management of Serious Crime (MOSC)
 - Professional Standards Inter Agency Integrity Investigators Program;
- Australian Institute of Police Management - Leadership in Criminal Intelligence Program (International)
- Australian Institute of Police Management - Investigative Management and Decision Making (South East Asia course - Malaysia)

Awards

- Australian Police Medal 1996
- National Medal
- Victoria Police Service Medal

Reviews (undertaken while Commander, IC&S)

- Review of expenditure 2003 to date. Significant expenditure savings applied and submission for appropriate funding allocation 7/8 submitted to the Financial Service Department (FSD).
- Review of unsworn staffing appointments and funding streams 2003 to date. Elimination of unfunded positions and position reviews conducted. Personnel equals funded establishment as of 1.7.07. Submission for appropriate funding allocation 7/8 submitted to FSD.
- Availability payments - overtime. Significant reduction in approved positions and roster reform including submission for appropriate funding allocation 7/8 submitted to FSD.
- Crime Stoppers Unit - Operations, business (function/process), personnel management and strategic direction.
- Crime Linking Unit/DNA Unit - Operations, business (function/process), personnel management and strategic direction - Crime Linking Unit closed.
- THASM - Operations, business (function/process).
- State Surveillance Unit - Operations, training, business (function/process) and strategic direction.
- Sex Offenders Registry - Operations, business (function/process), training, personnel management and strategic direction. Staff increase/reallocation by 8.
- Human Source Management Unit- Policy, training, operations, and strategic direction.
- Security Intelligence Group - Operations, business (function/process) and strategic direction - Staff increases by 8.
- ID Squad - Operations, business (function/process) and strategic direction.
- Strategic Analysis Unit (SAU)- Operations, training, business (function/process) and strategic direction.
- Central Analysis Unit (CAU). Creation as new identity - Operations, business (function/process) and strategic direction: CAU commenced operations 01.07.07. Staff increase/reallocation by 12.
- Development Coordination Unit/State Intelligence Training Unit - Training, business (function/process) and strategic direction.
- Source Development Unit - Creation - Operations, business (function/process) and strategic direction. Staff reallocation by 16.



- Operation Intelligence Unit - Creation - Operations, business (function/process) and strategic direction. Staff increase/reallocation by 12.
- Project Management- Steering Committees and management sponsorship installed.

Committees and Projects

From September of 2005 I actively participated in the strategic direction and governance of other forums in:

- Board of Management Crimestoppers (3 years)
- Board of Management Neighbourhood Watch (3 years)
- Nimbus Steering Committee (Chair)
- Intelligence Strategic Directions Group (Chair)
- Interpose Steering Committee (Chair)
- Sex Offenders Steering Committee (Chair)
- Sex Offenders Management IDC Committee (Chair)
- Major Crime Management Model Implementation Steering Committee
- Human Source Rewards Committee
- CTCC Finance Sub Committee
- Crime Stoppers Board of Management
- JMG- Counter Terrorism Committee

I also played a key management and leadership role (Chair-Steering Committee) on a number of operational and strategic complex and challenging corporate approved projects these include:

- CT Prevention & Preparedness
- Investigation Support SSU
- Technical Support Unit
- Crime Identification Unit - iFace
- Request Management Solutions
- Informer Management
- Crime & Corruption Interception System



Non-PDF and Non-Image File

Document ID: VPL.0014.0070.0049

Page Number: 9

Page Label: Text

File Name: VPL.0014.0070.0049.txt