

Revised 03/10

VP Form 287

STATEMENT

Name: Wolf-O
 Address: [REDACTED] Unit
 Occupation: PII [REDACTED] of Police
 Ph Work: 03 [REDACTED]

STATES:

My name is Wolf-O | I am currently a PII [REDACTED] with the Victoria Police and have been a member for 29 years.

I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 6 May 2019. This statement is produced to the Royal Commission in response to a Notice to Produce.

Background and Experience

1. My education qualifications prior to joining the Police are a year 12 HSC Certificate.

I graduated as a PII [REDACTED] in 1989 then performed duties at the following locations at the listed ranks:

- PII [REDACTED] at [REDACTED] Police Station;
- PII [REDACTED] Police Station;
- PII [REDACTED] Police Station where I performed temporary duties at the [REDACTED] CIB and a secondment to the TNT transport corporation under a pilot program;

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- [REDACTED] Police Station in March 1993 until October 1995 where I performed duties at the [REDACTED] CIB and [REDACTED] District Support Group;
- Promotion to PII [REDACTED] at [REDACTED] Police Station where I also performed the role of PII [REDACTED];
- Promotion to PII [REDACTED] at [REDACTED] CIB on 25 November 1996;
- Completed Detective Training School course 172 in 1997;
- Secondment to the [REDACTED] Embona Armed Robberies Taskforce in 1999 where I was upgraded as a PII [REDACTED] for over 12 months;
- PII [REDACTED] Squad in August 2001 until mid-2005 where I performed upgraded roles at both this unit and the [REDACTED] Squad.
- Promotion to PII [REDACTED] at the [REDACTED] in July 2005;
- Promotion to PII [REDACTED] at the Source Development Unit October 2006 which also included several months of upgrading as PII [REDACTED] within the unit and PII [REDACTED] General Duties at [REDACTED] Police Station;
- Compassionate transfer to [REDACTED] CIU as PII [REDACTED] on 15th August 2012 where I performed the upgraded role of PII [REDACTED] within the unit and also 6 months as a uniform PII [REDACTED] at [REDACTED] and [REDACTED] police stations;
- Promotion to PII [REDACTED] as Officer In Charge [REDACTED] CIU August 2014;
- Officer In Charge – PII [REDACTED] CIU August 2015; and

Training and experience in respect to the handling and or management of human sources.

2. As a police officer I can recall first using human sources whilst stationed at [REDACTED] I have then gone onto using human sources at nearly each work location with the exception of the [REDACTED] Until Detective Training School (DTS), I received no formal training or education around human source/informer work and recall that DTS delivered only basic

information on this area of policing. Most experience came from peers or on the job training.

I can't exactly recall the work location I was at but once when I registered a human source I became aware the source was registered already and considered this to involve some risk so considered not using them for that reason. I had always found the use of human sources to be beneficial in policing but did experience elements of risk associated with them. I have experience in public interest immunity issues around human source use.

It was not until I was at the Crime Department in about 2001 that human source management changed and was governed by the Informer Management Unit (IMU). I had several human sources registered at this time with the IMU.

Whilst using some of these for various investigations, I became aware of a source pilot team named the Dedicated Source Unit operating within Crime.

This small unit was being managed by Sandy White-O Sandy White
Sandy White-O I did not know Sandy White personally but was aware he had
O extensive experience in this field. The unit was made up of a few experienced
PII [REDACTED] and I interacted with this unit seeking advice around risk
mitigation and the new Human Source Policy which I knew Sandy White had
been involved in creating. I found this team to be an invaluable resource at the
time and was not surprised the pilot became an actual unit due to inherent risks
within this area of policing.

As this was an area I had some knowledge and experience in and enjoyed it I did have aspirations to work in the unit in the future. When I applied for and obtained a position at this unit in 2006, it had altered its name to the Source Development Unit (SDU) and had increased its staffing levels several times.

Whilst at the SDU I completed the Human Source Management (HSM) Course [REDACTED] standard (now [REDACTED] which was an intensive [REDACTED] course. It wasn't until around 2008 that I completed the lesser involved HSM [REDACTED] course. Whilst a member of the SDU, I assisted as a presenter on various operational topics on multiple HSM [REDACTED] and eventual [REDACTED] courses and

assisted as both directing staff and role player in many HSM [REDACTED] and [REDACTED] courses.

The role at the SDU involved full time handling and management of high risk human sources. Whilst still attached to the unit, I did perform periods of upgrading which involved the controller role. This was not in relation to Ms Gobbo.

Since leaving the SDU, I have maintained currency in knowledge and policy in human source management and have continued to use them at all work places since. I have received a [REDACTED] Regional commendation for human source management. This was as a result of establishing and managing a successful dedicated pilot team to manage human sources. This unit also received a commendation by Intelligence and Covert Support Command.

Source Development Unit (SDU)

3. I was not formally involved in the development of the SDU. I had ongoing involvement with the overall functioning.
4. I did not undertake any national or overseas travel as part of the development of the SDU.
5. I was aware that [REDACTED] Superintendent Anthony BIGGIN and then Senior Sergeant Glenn OWEN were involved in the establishment and formulation of the SDU.
6. I am not aware of any national or international law enforcement agencies policy on human sources that are subject to legal obligations of confidentiality or privilege.

Use of Ms GOBBO as a human source

7. Prior to working at the SDU I had met Ms GOBBO on several occasions which included her representing several accused persons in bail applications where I

was police informant at the [REDACTED] Squad. I had spoken to her briefly at several police social functions such as the Homicide Squad Function and possibly the Armed Offenders Squad function, which she frequented.

At one stage, while I was at the [REDACTED] Squad, a work colleague and friend, Detective Ashley Carlin-Smith was briefly involved in a relationship with Ms GOBBO. I can recall that once or twice I picked them both up, perhaps from her office on Lonsdale Street and dropped them at another location like a bar or hotel. I don't have a clear recollection but I do remember she left her sunglasses in the car and I subsequently returned them to her via Ashley. I had some other chance meetings with her which from memory was at Flinders Street rail station and the Flemington race course.

I had no idea she was a human source until I worked at the SDU.

8. The management structure, procedures, processes and practices put in place to manage the use of information or risks arising from the use of information provided by Ms GOBBO were as per unit standard operating procedures coupled with policy. I understand these standard operating procedures have been produced to the Commission.
9. The involvement or oversight by senior officers on the management and control of GOBBO to my knowledge as a human source were several part time Inspectors for the SDU including HARDIE and GLOW and Superintendents BIGGIN and PORTER who had overall source management authority in a local source and central source registrar role.
10. I would believe that Superintendents BIGGIN and PORTER had control and authority over the authorisation and continued use of Ms GOBBO as a human source.
11. Only Ms GOBBO could provide an exact answer in relation to her motivation for becoming a source. Motivations change throughout the relationship. I can only educate an opinion based on conversations with her. I documented these at the time in my official diary and contact reports and suspect there would be

information on this topic contained in the risk assessment documents and source management logs and unit meeting minutes.

12. Conversations that took place with Ms GOBBO were either face to face or via phone conversations which the contents were subsequently recorded on a diary note and contact report. Contacts were frequent and lengthy.

Contacts relevant to;

- LPP,
- Acknowledgement of Responsibilities as a Human Source,
- Assessment of risks associated with her use as a Human Source,
- Motivations to act as a Human Source,
- Indications of criminal conduct or other adverse motivations on her part; and
- Matters of concern as to the use of Ms GOBBO as a Human Source such as her mental or physical state,

will be recorded in my diary, source contact reports, transcripts, unit source meetings, source management logs, risk assessments and information reports. These are set out in a spreadsheet produced by Fox-O

13. I don't recall Ms GOBBO providing information or intelligence as a Human Source to any person or organisation outside the SDU but had this been known I would have recorded any of this information in my official diary and contact reports. This type of information would have been passed onto the member who was performing the controlling role. I was aware that Ms GOBBO was providing information to other police but as a victim of crime in relation to death threats.

14. In relation to the following people:

- Faruk ORMAN
- Tony MOKBEL
- Mr Bickley
- Zlate CVETANOVSKI
-

- [REDACTED]
- Rob KARAM
- Pasquale BARBARO
- Saverio ZIRILLI
- Salvatore AGRESTA
- Pasquale SERGI
- Francesco MADAFERRI
- Giovanni POLINENI
- John HIGGS
- Sharon ROPA
- Tony SERGI
- Ken TANG
- Carmelo FALANGA
- Pino VARALLO
- Jan (John) VISSER

15. Details of any information received from Ms GOBBO in respect of any of these people would have been recorded in my diary and contact reports or recordings and transcripts from face to face meetings.

Details of the dissemination of any such information including the method of dissemination and the persons to whom it was disseminated would further be contained in a diary and contact report and or information report if applicable.

16. My knowledge and understanding during the time I was dealing with Ms GOBBO at the SDU of a lawyers duty or obligation of;
- *LPP* – was that Ms GOBBO should not talk about clients with current matters before the court or that the person has been charged with. This did not include information about ongoing or future criminal acts.
 - *Confidentiality* – I had not heard of this specifically and thought it was part of LPP.
 - *To act in the best interest of his or her client (lawyers duties)* – I was not aware of any actual rules or guidelines around this.

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17. I am not aware of any advice being obtained from a legal practitioner or senior officer in relation to lawyers' duties regarding Ms GOBBO or more generally human sources whilst I was at the SDU.
18. I am not aware to the best of my knowledge or belief as to whether LPP, confidentiality or a lawyer's duty was breached by Ms GOBBO with the people she spoke to us about. I haven't been through the ICR's in detail given the time restraints.
19. It is the role of the informant to ensure appropriate disclosure takes place. Policy at the time was to never divulge the existence of a human source due to the risks of death or serious injury if that occurred. However, if information had been received that was exculpatory or tended to show the innocence of anyone, this would have been disclosed after a risk assessment was conducted. I cannot recall any examples of this in practice.
20. We at the SDU considered matters of public interest immunity and tried to protect the anonymity of people providing information to us. These were matters dealt with and managed by the HSMU. I am not aware of any advice or discussions that were had in relation to this matter.
21. I am not aware of any concerns raised as to the use of Ms GOBBO as a human source other than concerns about her personal safety. At the time I was managing her there was an active investigation in relation to some threats against.
22. There would have been Victoria Police policy around the use of human sources at the time Ms GOBBO was a registered Human Source. Policy is frequently altered and updated. When I commenced working at the SDU I was made aware of unit SOP's. I am unaware of any breaches to any SOP as a result of using Ms GOBBO as a human source.

Whilst Ms GOBBO was a human source I am not aware of any breach of SOP that placed her in a position of unacceptable risk to her personal safety or the individual rights of others by consequence of her position as a legal practitioner.

23. I am aware there were several discussions amongst SDU members regarding concerns of the proposition and transition of Ms GOBBO from a human source into a witness. I have been reminded of a date being the 31st December 2008 where a SWOT analysis was conducted by Black-O Black-O in the SDU on this issue. I was present and contributed and recall most persons from the unit were present and equally participated in the conversation. It was white boarded and documented.

I am aware that decisions to make Ms GOBBO a witness came from the top of the organisation, ie Chief Commissioner level and this occurred despite the communicated risks. The SDU did not support the decision.

24. I am aware that the concept was to use Ms GOBBO as a witness was for the Hodson murder investigation. The concerns are reflected in response 23.

25. I can't recall any conversations regarding the use of Ms GOBBO as a witness for the Shane Chartres-Abbott murder investigation but I do recall she was speaking Detective Senior Sergeant IDDLES about this matter. This may be in my diary notes and contact reports. Her use as a witness in any matter would attract the same concerns which were listed in the SWOT. The use of any human source as a witness is high risk in that a source relationship can be identified which places the person at risk of death or serious injury.

26. I was never officially advised at the time the SDU was closed as to the reason for its closure but anecdotally was subsequently told it was for reasons of corruption.

When the unit was terminated, I had transferred already to [REDACTED] CIU and had been there for about 7 months. I recall referring a job to the unit only weeks before it was disbanded and communication with members within the unit at the time indicated the decision was sudden, unexpected and without proper explanation.

Prior to transferring out of the unit, I did experience some significant changes in the management and functioning of the unit. After years of being under resourced, the unit did finally get a dedicated inspector which I believed was a positive indication of the unit's longevity which was reasonably supported by the new Assistant Commissioner POPE visiting the unit's [REDACTED] and publically promising he would double the size of the SDU.

It wasn't long after this that I was advised the same AC publicly announced at an Intel and Covert meeting he could save costs by moving the SDU out of a [REDACTED]. Around the same period of time I became aware that the Inspector for the SDU was at a [REDACTED]. I raised this with the inspector. Due to the significance of this idea, it was naturally discussed with all members at the SDU at the time and with the two PII [REDACTED] who were from memory on leave or working in other workplaces.

This was the ingrained culture of the unit, to discuss issues collectively and be critical of one another inclusive of practices, problems, etc. irrespective of rank.

I recall some reports were submitted to the Inspector highlighting risks of moving a covert unit to police premises which was based on world's best practice.

It was when I commenced some rotational temporary uniform duties at [REDACTED] that the [REDACTED]. After three months of temporary duties I returned to the unit and found it to be immediately difficult to replicate the efficiency and productivity of work I was accustomed to doing. A number of issues arose, for example:

- (a) I was almost immediately identified walking on foot [REDACTED] by someone known to me. I reported this to management.
- (b) A significant criminal identity [REDACTED] observed members from the SDU on a coffee break. A member's wife wrote a letter to the Chief Commissioner about concerns of risk to her partner due to this exposure.

It was around this time that I encountered some family issues requiring me to relocate to [REDACTED] CIU in order to help manage an ill parent who lived close to that station. There were some noticeable step changes after the SDU closure in the management of high risk human sources.

Other Relevant Matters

27. I do recall that a [REDACTED] was received to assess a potential individual as a human source who was in the legal profession at some point of their life. I was not involved in the assessment but am aware that this individual was deemed as unsuitable. I now know as a result of the Commission that this was [REDACTED]

I was also aware that [REDACTED] was assessed as a potential human source. I was not involved in the assessment and understood his involvement with the SDU to be very short lived.

I was not aware of every person who was assessed as a potential human source during my time at the unit due to the number there were.

28. I cannot recall any specific training delivered on any of the topics but assume that there was some provided during the Academy or Detective Training School or some retraining delivered via on-line communication which generally occur after legislation changes or case law variations.

This is coupled with actual experience. The disclosure to accused, prosecution and courts I feel has been consistent in that defence will be advised of most evidence that the prosecution tend to rely upon or other information, document or thing that may exist but are not relied upon excluding things that fall under PII.

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The initial recruit training delivers understanding of the accused people's right to remain silent when questioned by an investigating official under caution.

The rights of the person when questioned under caution further allow the right to communicate with a legal practitioner. If one is not known personally a phone book or Legal Aid numbers are provided. This communication is afforded privacy but I have had experienced legal practitioners wanting to talk to clients with police being present.

Legal Professional Privilege is protected communication between a legal practitioner and a client that they are representing for cases currently alive in the judicial system. This did not extend to information about ongoing crime or future crime.

Public Interest Immunity claims are made by Police to prevent the release of certain information. We claim anything that may jeopardise a future or current investigation, potentially reveal police methodology and to protect a human source or disclosure of an address that may put someone in danger.

Professional and ethical decision making for police is defined through the code of conduct and code of ethics. I was advised that as a member of the SDU I had passed the highest level of probity checks conducted by Victoria Police in order to get a position there.