

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

STATEMENT OF PAUL MICHAEL MILLETT

- 1 My name Paul Michael Millett. I am an Acting Commander of Victoria Police, currently performing duties at Taskforce Landow.
- 2 I make this statement in relation to two blue hard copy folders (**Blue Folders**) which were tendered as Exhibit RC1084 titled "Folder 1 and 2 of the blue folder in Assistant Commissioner Crime Office" on 31 January 2020. Since 31 January 2020, the Blue Folders have been in the possession of the Royal Commission.
- 3 On 9 July 2019, copies of the Blue Folders were produced to the Royal Commission.¹ In the course of preparing this statement, it has become apparent to me that the documents produced as Folder 2 of the Blue Folders were not a complete set of the documents within Folder 2 of the Blue Folders. I have made enquiries and I am unable to explain why an incomplete set of documents in Folder 2 was produced to the Royal Commission on 9 July 2019. However, on 22 August 2019, a more complete set of the documents in Folder 2 of the Blue Folders was produced to the Royal Commission.²
- 4 At the time the Blue Folders were tendered, Counsel for Victoria Police indicated that Victoria Police would investigate the provenance of the Blue Folders and produce a statement summarising those investigations.
- 5 In order to make this statement, Taskforce Landow has made enquiries with ten current and former employees of Victoria Police including persons that have served in the position of Assistant Commissioner Crime between 2008 and 2012 and their staff officers and executive assistants, members of the Petra Taskforce Steering Committee, and staff officers and executive assistants to Mr Overland. None of those people recall compiling the Blue Folders or were able to assist in explaining how those folders came to be compiled.

Compilation of the Blue Folders

- 6 On 15 February 2012, Acting Assistant Commissioner Fryer prepared a memo to Assistant Commissioner Pope with the subject "Highly Protected Folders in the A/C Crime Office".³ The memo states as follows:

Jeff, as discussed when I commenced AAC duties at the Crime Department on 15 February 2012 I located two large blue folders, one labelled Deputy Commissioner Overland Folder 1 – Operation Petra "Highly Protected (with internal labels numbered from 1 – 156)

Folder 2 – Highly Protected Operation Petra (with internal labels numbered 157 – 179 and including a Highly protected register labelled Deputy Commissioner Overland Deputy Commissioners Office

¹ Folder 1: VPL.0100.0001.0793; VPL.0100.0013.0846. Folder 2: VPL.0100.0041.0001; VPL.0100.0035.0001.

² VPL.0100.0129.0001 at .0493–.0639.

³ VPL.0100.0129.0001 at .0002.



- 7 In evidence before the Royal Commission, Mr Overland said that he recognised his handwriting on some of the documents in the Blue Folders but that he did not store them in this way.⁴
- 8 If Mr Overland did not compile the Blue Folders, then it is likely that they were compiled by:
- (a) a former AC Crime (given that the folders were located in the AC Crime office);
 - (b) a staff officer or executive assistant to a former AC Crime (as this is the kind of task that would routinely be undertaken by a staff officer); or
 - (c) another member of the Petra Taskforce Steering Committee.
- 9 Taskforce Landow has made enquiries contacting the members and former members that were in the position of AC Crime between 2008 and 2012 regarding their recollections or awareness of the Blue Folders.
- 10 On 22 May 2020, I spoke with Mr Danye Moloney (AC Crime between November 2008 to April 2011 and former member of the Petra Taskforce Steering Committee) who informed me that he had no specific recollection of the Blue Folders. According to Mr Moloney, when he became AC Crime, there were a lot of documents left in the AC Crime Office by Mr Overland, which Mr Moloney largely treated as historical Crime Department files required to be retained by the AC Crime. Mr Moloney did not review all the files left by AC Overland, and he did not recall adding to the files or his staff officer bringing the files to his attention. When Mr Moloney became a member of the Petra Taskforce Steering Committee in November 2008, he did not recall using or accessing the Blue Folders.
- 11 On 2 June 2020 I spoke with Chief Commissioner Graham Ashton (AC Crime between April 2011 and February 2012 and former member of the Petra Taskforce Steering Committee) and I showed CCP Ashton an electronic copy of some of the contents of the Blue Folders. CCP Ashton informed me that these were not his documents, however he recognised the handwriting on some of the documents as Simon Overland's. CCP Ashton also advised me that during his time as the AC Crime in April 2011, he commenced a process of checking the historical records from the office, but does not recall having seen the Blue Folders at that time. As he did not recall having seen or reviewing the Blue Folders, CCP Ashton advised that, although he cannot be sure, the Blue Folders may in fact have been stored in one of the cabinets immediately outside the office of the AC Crime. The content of these cabinets was managed by the staff officer and executive assistant.
- 12 On 22 May 2020, I contacted Mr Doug Fryer (Acting AC Crime between February 2012 to August 2012). Mr Fryer informed me that he located the Blue Folders either in a cabinet or in a safe in the AC Crime office in February 2012. Mr Fryer recalled that, when reviewing the Blue Folders in 2012, he noticed that the content involved references to Ms Gobbo, so formed the belief that the Blue Folders should be retained by AC Pope (then Assistant Commissioner Intelligence and Covert Support Command) or the Legal Services Department, rather than by the Crime Command, which is why Mr Fryer authored the memo referred to in paragraph 6 above.
- 13 Mr Fryer also recalled Superintendent Peter Lardner in 2010 reviewing either the Blue Folders, or documents similar to the contents of the Blue Folders, during the course of civil litigation between Victoria Police and Ms Gobbo. Mr Fryer was unsure whether the documents reviewed by Supt Lardner were the Blue Folders, or a separate set of Petra Taskforce documents belonging to Assistant Commissioner Luke Cornelius.

⁴ T11,846.44 – T11,846.45.



- 14 On 22 May 2020, I also spoke with Supt Lardner. In his statement to the Royal Commission, Supt Lardner refers to the fact that he sought access to the Petra Steering Committee minutes in the course of preparing for the civil litigation involving Ms Gobbo.⁵ Supt Lardner informed me that he recalled Commander Fryer (as he then was) showing him the Blue Folders in an office at the Victorian Government Solicitor's Office, at some stage during the course of the civil proceedings. Supt Lardner recalled that the documents in the Blue Folders were generally Petra Taskforce weekly updates, and Supt Lardner did not retain or have ongoing physical access to the Blue Folders.
- 15 In relation to AC Cornelius (a member of the Petra Taskforce Steering Committee between 2007 and 2010), I am aware that in the course of preparing a statement for the Royal Commission, AC Cornelius produced his own file of Petra Taskforce weekly updates, which contains a different set of documents to the Blue Folders.⁶ Furthermore, AC Cornelius' file contains documents with his own hand written notes, so I do not believe that AC Cornelius created or compiled the Blue Folders.
- 16 I have also made the following enquiries contacting the former staff officers and executive assistants to Mr Overland during the period 2006 to 2011.
- 17 On 22 May 2020, I spoke with Ms Loretta Fazzino. Ms Fazzino was the Executive Assistant to Mr Overland for a period of time while he was AC Crime and also at a later point when he was Deputy Commissioner. Ms Fazzino informed me that while she does not recall the Blue Folders specifically, she recalled there being Petra Taskforce updates retained in the safe in the AC Crime office while Mr Overland was AC Crime. Ms Fazzino also recalled that Petra Taskforce updates were also kept in the safe in the Deputy Commissioner's office during the period Mr Overland was Deputy Commissioner. The Petra Taskforce updates were not Ms Fazzino's responsibility due to the sensitive nature of the material and she cannot recall whether they were kept in blue folders or another format.
- 18 On 22 May 2020, Inspector Woltsche from Taskforce Landow contacted Mr Peter Wilkins, who was a staff officer for Mr Overland for a time while he was AC Crime, and also later when Mr Overland was Deputy Commissioner. On 23 May 2020, Mr Wilkins replied to Insp Woltsche and informed him that:
- (d) the Petra Taskforce weekly updates with each Steering Committee members' annotations served as their own contemporaneous minutes of the Taskforce meetings;
 - (e) following each meeting, the Steering Committee members typically would take their annotated updates and file them in their respective offices; and
 - (f) Mr Overland filed his copies of the Petra Taskforce weekly updates in his locked safe located in his office.
- 19 Mr Wilkins informed Insp Woltsche that while information regarding the Blue Folders did not prompt any independent recollection of his involvement in the compilation or management of the Blue Folders, he was at least aware that copies of the Petra Taskforce weekly updates would have been stored in Mr Overland's safe.
- 20 [REDACTED] staff officer to Mr Overland as Deputy Commissioner between July 2006 and February 2008 and later as Chief Commissioner between July and August 2009) has previously made a statement to the Royal Commission in which she has stated that, during her time as staff officer to Mr Overland,

⁵ VPL.0014.0102.0001 at .0006.

⁶ AC Cornelius' Petra Taskforce files include documents commencing with the document IDs VPL.0005.0012 and VPL.0100.0046.



she would attend Petra, Briars and Purana Taskforce Steering Committee meetings and take minutes.⁷ [REDACTED] has informed Taskforce Landow that hard copies of the minutes were stored in a locked fireproof safe located in the utility room on the seventh floor at the Deputy Commissioner's office.

- 21 I have also made enquiries of Superintendent Tony Silva and Superintendent Michael Glowaski. Supt Glowaski served as planning officer to CCP Ashton when he was AC Crime and later as staff officer to CCP Ashton, and Supt Silva served as staff officer to CCP Ashton, Mr Overland and Mr Moloney from time to time. Neither have any recollection of the Blue Folders. Taskforce Landow has also made enquiries of Ms Susan Alexander, who served as an executive assistant to CCP Ashton, Mr Overland, Mr Moloney and Mr Fryer. Ms Alexander advised that she has no recollection of the Blue Folders and that she was not involved in collating or managing documents relating to the Petra Taskforce or any other sensitive operations.

Custody of the Blue Folders from 2012 to present

- 22 Based on its investigations, Taskforce Landow is able to trace the Blue Folders from 15 February 2012 until they were produced to the Royal Commission.
- 23 As at 15 February 2012, the Blue Folders were located in the AC Crime Office. The folders were transferred from the AC Crime office on 15 June 2012 and received by the Legal Services Department that day.
- 24 Superintendent Stephen Gleeson's diary for 15 June 2012 records that at 10.40am, he received a call from Mr McRae to say that the Blue Folders had been located and that at 2.17pm, the Blue Folders were hand delivered to him.⁸ The folders were provided to Supt Gleeson for the purposes of his work assisting the review being conducted by Mr Neil Comrie AO.
- 25 On receipt of the Blue Folders, Supt Gleeson conducted a comprehensive audit of them. He prepared a summary document of the folders for the purpose of the Comrie Review.⁹ According to Supt Gleeson's summary of the Blue Folders:¹⁰
- A covering memo sits inside the plastic jacket on the front of the folder. This memo, dated 15/6/12, is from A/A/C Doug Fryer to A/C Jeff Pope indicating that these files had recently been located at the office of the A/C Crime and that the files may best sit with Legal Services.*
- 26 Supt Gleeson's summary document observes that there were a number of empty sleeves. As the Blue Folders are in the possession of the Royal Commission, I have not compared Supt Gleeson's summary document against the actual folders, however, I observe that there were a number of empty plastic sleeves in the folders at the time Mr Overland gave evidence.¹¹
- 27 At 7.15 am on 18 June 2012, Supt Gleeson conveyed the Blue Folders to the Legal Services Department. Supt Gleeson's summary document records that the documents were entered into the Highly Protected document register and were conveyed by hand to an executive assistant for storing in the Legal Services Department safe.¹²
- 28 The documents remained in a safe within the Legal Services Department until 25 January 2019, when they were retrieved by Taskforce Landow. They were retrieved

⁷ VPL.0014.0078.0001 at .0005.

⁸ VPL.0099.0021.0039 at .0079.

⁹ VPL.0100.0124.1331.

¹⁰ VPL.0100.0124.1331 at .1332.

¹¹ T11,851.8 – T11,851.17.

¹² VPL.0100.0124.1331 at .1338.



along with other files held by the Legal Services Department that are relevant to the Royal Commission. The hard copies of all of these files were stored at Taskforce Landow, and copies of the Blue Folders were produced to the Royal Commission on 9 July 2019 and 22 August 2019.

- 29 From 25 January 2019, the hard copies of the Blue Folders were stored at Taskforce Landow. On 19 December 2019, the hard copy Blue Folders were taken to the Royal Commission hearing room, where they were inspected by Counsel Assisting the Royal Commission and shown to Mr Overland during his cross-examination by Counsel Assisting. The hard copy Blue Folders were again taken to the Royal Commission hearing room during hearings on 29, 30 and 31 January 2020. The Blue Folders were tendered as Exhibit RC1084 on 31 January 2020, and they have remained in possession of the Royal Commission since that date.¹³

Further document located by Victoria Police

- 30 During the course of the investigations into the provenance of the Blue Folders Taskforce Landow identified a further document which appears to relate to the Blue Folders.¹⁴ The document is titled:

*HIGHLY PROTECTED REGISTER
DEPUTY COMMISSIONER OVERLAND
DEPUTY COMMISSIONERS OFFICE*

- 31 This document appears to be a highly protected document register recording documents received at Mr Overland's office, which, I understand would likely have been recorded and filed in a safe at the office of Mr Overland while he was Deputy Commissioner. While there are no supporting documents attached to the highly protected document register, based on the description of the documents in the register, it appears to record many of the same documents as the contents of the Blue Folders. It also refers to the existence of "Folder 1" and "Folder 2".
- 32 I observe that the description on the cover of the highly protected document register matches the description of the highly protected document register referred to in the memo from Acting Assistant Commissioner Fryer dated 15 February 2012, and the audit document prepared by Superintendent Gleeson on 15 June 2012.¹⁵
- 33 The highly protected document register was produced to the Royal Commission on 29 May 2020.



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Paul Michael Millett

Date: 5 June 2020

¹³ Save for three pages of the Blue Folders, which were retained by Taskforce Landow upon agreement between Counsel Assisting the Royal Commission and Counsel for Victoria Police.

¹⁴ VPL.0100.0046.0058.

¹⁵ VPL.0100.0129.0001 at .0002; VPL.0100.0124.1331.

