

Royal Commission into the management of police informants**Statement of** ^{Sandy White-O}**STATES:**

1. I am making this statement in response to a request from the Royal Commission into the Management of Police Informants. This statement is not complete and is produced to the Commission in response to a Notice to Produce. Despite requesting Victoria Police access to relevant materials to help me prepare this statement on numerous occasions since early January 2018, I did not gain access to most of the documents until the 13 May 2019.
2. In order to at least attempt to comply with the Royal Commission's request to produce a statement by 22 May 2019, I provide the following.
3. For the purposes of this statement the terms informer, criminal informant, human source and source are analogous.

Background and Experience (questions 1 and 2)

1. *Detail your educational background and employment history, including progression through the ranks and roles assigned.*
2. *Detail your training and experience in respect to the handling and / or management of human sources.*
4. I was a member of Victoria Police for 35 years between [REDACTED] 1979 and [REDACTED] 2014. I resigned at the rank of [REDACTED]
5. A summary of my duties is as follows:
 - [REDACTED] – general duties at the [REDACTED] City West and [REDACTED] police stations;
 - [REDACTED] – specialist duties at the [REDACTED] and the [REDACTED] Squad;

- [REDACTED] – criminal investigation at [REDACTED], [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
- [REDACTED] – General duties at the [REDACTED] Police station;
- [REDACTED] – [REDACTED] at [REDACTED]
[REDACTED]
- Appointed to review murder of [REDACTED],
[REDACTED]
- [REDACTED] – [REDACTED], (4 years);
- [REDACTED] – [REDACTED] (6 years);
- [REDACTED] – Manager Criminal Investigation at [REDACTED]
CIB;
- [REDACTED] [REDACTED];
- Appointed to review Informer Management Practices of Victoria Police which
resulted in the creation of the Source Development Unit ("SDU");
- [REDACTED] – Manager Specialist covert duties – Source
Development Unit, (8 years), State Intelligence Department; and
- [REDACTED] – [REDACTED]
[REDACTED] as Manager, [REDACTED] (4 years) [REDACTED]
[REDACTED]

6. The professional awards that I have received include the following:

- National Police Medal;
- National Medal 1st clasp;
- Victoria Police Medal;
- Victoria Police Service Medal 4th clasp;
- [REDACTED] – commendation for award of the Australian Police
Medal;
- International Investigator's Award, [REDACTED] and
- Five commendations.

7. I have throughout my entire career, maintained an appreciation of the value of human sources and also the inherent risks relating to the use of same. In my days as a constable I was highly motivated to become an investigator and very

crime oriented. I was very fortunate to receive training in the recruitment and management of criminal informers by very experienced investigators such as Ron IDDLES and Tom SHAWYER, both of whom became mentors for me and both of whom are now retired.

8. I believe it was some time in the late 1990's I was part of a [REDACTED] directed to review informer management practices within the Crime Department. Jack BLAYNEY who I believe was a Superintendent at that time and ^{Cruze - DSS} [REDACTED] ^{Cruze - DSS} who was a Detective Senior Sergeant were also involved in the project. BLAYNEY led the team. He, ^{Cruze - DSS} [REDACTED] and I had all been selected for the task because we had extensive informer management experience mainly through our careers at the [REDACTED] and the [REDACTED] Unit.
9. I recall the project recommended greater accountability for Detective contacts with informers, (now referred to as human sources) and also that an algorithm be used to create a number by which all registered sources should be referred. This algorithm worked around the [REDACTED] of a source.
10. I cannot recall much more other than the fact that we were not part of an implementation team for the project and I don't believe any changes were made as a consequence of the project's findings and recommendations.
11. Having served in the [REDACTED] as a [REDACTED] and then the [REDACTED] as a [REDACTED] where at least 80% of investigations are source driven or at least initiated, I have had extensive exposure to source management.
12. As an [REDACTED] and investigator at the [REDACTED] I worked with sources on many occasions.

13. [REDACTED]

14. I do not think it is an exaggeration to say that my experience with human sources would exceed that of probably 95% of the police organisation.

Development of SDU (questions 3 to 6)

3. *Provide details of your involvement, if any, in the development by Victoria Police of the SDU.*
4. *Provide details of any national or overseas travel you undertook as part of the development of the SDU.*
5. *Provide details of your awareness of the involvement of officers of Victoria Police more senior in rank than you in the development of the SDU.*

15. On 27 July 2003, Assistant Commissioner Crime Simon OVERLAND provided a commissioning statement to Superintendent Tony BIGGIN, the officer in charge of the Major Drug Investigation Division to initiate a project to 'Review and Develop Best Practice Human Source Management Policy'.

16. At that time, approximately 80% of Major Drug Investigations were driven by human source intelligence.

17. It had been determined that a series of serious corruption related incidents at the Drug Squad were the direct result of improper relationships between police investigators and criminal human sources. As a consequence of these corruption incidents, members of the police force were convicted of serious criminal offences and imprisoned, an informer and his wife had been murdered and the reputation of Victoria Police had been severely damaged, undermining community confidence in the organisation.

18. I was selected as the [REDACTED] for the project under the supervision of Supt BIGGIN and was directed to examine the way in which the Crime Department was using human source information and compare that with the national and if necessary international best practice in human source management, with an emphasis on:

- Using human source information as an organisational resource
- The identification and use of human sources in defined areas of need, based on intelligence and operational requirement
- Tasking human sources with specific requirements to further tactical and operational objectives
- The tradecraft required to leverage human source information as a major intelligence and investigation tool, and
- The consequences for current police, practices, procedures and training that flow from the findings

19. In order to complete this task I conducted an extensive literature review, attended the inaugural Australasian Human Source Working Group, conducted international research and conducted a consultation process which included one on one interviews with over 130 individuals who possessed extensive human source management experience.

20. I then prepared a paper for Victoria Police entitled; [REDACTED]
[REDACTED] A copy of this paper has been produced to the Commission. This document when completed in 2004 and was presented to the Project Steering Committee which consisted of:

- Assistant Commissioner OVERLAND;
- Commander Terry PURTON;
- Commander Danyne MOLONEY; and
- Superintendent Tony BIGGIN.

21. There were a total of 20 recommendations contained within this document.

22. The most substantial of these recommendations called for a six-month trial of a Dedicated Source Unit staffed by highly trained handlers, co-handlers and controllers. It also called for the adoption of a multi-tiered risk assessment

model, training for dedicated source unit members and the implementation of two new concepts in human source management:

- The '*Sterile corridor*' in the management of designated high-risk human sources; and
- *The application of 'Intrusive supervision'*.

23. This represented a massive cultural shift in the organisation's management of human sources which, at that time, could best be described as primitive when compared with some international and even national law enforcement bodies. Victoria Police members did not consider human sources to be organisational resources capable of being deployed over a wide range of strategic needs but rather, personal resources not to be shared with anyone else.
24. The defined roles of human source handler and human source controller did not exist at that time.
25. The accountability processes around relationships with human sources were virtually non-existent as was the level of training in this most dynamic and high-risk area of police operations.
26. The literature review I conducted included referencing material from the United Kingdom which had been obtained by Det. S/Sgt Geoff McLEAN, from the then newly formed, State Intelligence Division Informer Management Unit. McLEAN travelled to the England and Ireland to study their source management practices.
27. In 2005 I travelled to Canada and the USA to study source management practices with Det. Sgt. Glenn OWEN, also from the informer Management Unit. We spoke with law enforcement officers from the Royal Canadian Mounted Police, the Federal Bureau of Investigation and the New York City and Chicago Police Departments.

28. I also attended a course conducted by the Royal Canadian Mounted Police entitled [REDACTED]. This was a very intensive training program designed to identify and train personnel in high level targeted source recruiting techniques.

29. The Dedicated Source concept was trialled between 1/11/04 an 30/04/05.

30. At the conclusion of the pilot trial, I provided the Steering Committee with a report entitled [REDACTED]. A copy of the report has been produced to the Commission. I made a series of 12 recommendations in that report.

31. The major recommendations included:

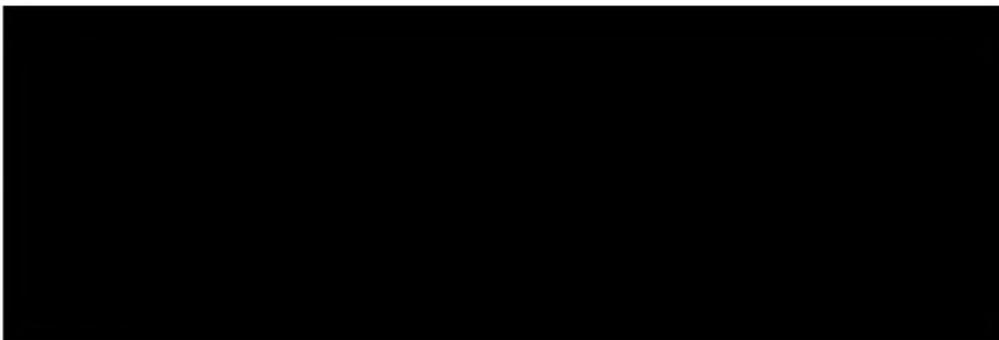
- The establishment of the Source Development Unit, name change to more accurately reflect the charter;
- Risk management training for the staff;
- Unsworn position be attached to the unit to assist in the preparation of Informer Contact Reports; and
- The development of high level training in high risk source management strategies and proactive targeted recruiting strategies.

32. The recommendations were accepted and led to the establishment of a Source Development Unit which ultimately came to be staffed by:

- PII [REDACTED] full time controllers at [REDACTED] rank;
- PII [REDACTED] full time handlers at [REDACTED] rank; and
- PII [REDACTED] analysts at [REDACTED] rank.

33. In November 2009, I prepared a further report for the Victoria Police entitled [REDACTED]. A copy of the report has been produced to the Commission. In this document I analysed the existing and potential capability of the unit and made a series of 12 recommendations.

34. The Source Development Unit was terminated in 2012. Shortly before its termination a full time Inspector's position was attached to the SDU. Unfortunately, that Inspector had little appreciation of source management.
6. *Provide details of your awareness, if any, of any policies and procedures adopted in other states or countries in relation to the management of human sources who are subject to legal obligations of confidentiality or privilege.*
35. During my research for the human source management project I was provided a copy of a document entitled, [REDACTED]
[REDACTED]
[REDACTED] A copy of this document has been produced to the Commission. I believe I was given this document by Det. S/Sgt Geoff McLean who had travelled to the UK to research human source management practices on behalf of the Informer Management Unit (IMU) in 2005. I located this document on Saturday 18 May 2019 in storage.
36. This was a very detailed and useful document that I have referred to many times both before and since the creation of the SDU.
37. This document contains a [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Use of Ms Gobbo as a Human Source (questions 7 to 26)

7. Provide details of any:

- a. contact you had with Ms Gobbo prior to your work at the SDU;
- b. knowledge you had of Ms Gobbo's use as a human source, prior to your work at the SDU.

38. I did not have any contact with Ms Gobbo prior to my work at the SDU.

39. I had no knowledge of Ms Gobbo's use as a human source prior to my work at the SDU.

8. Provide details of the management of Ms Gobbo as a human source, including:

- a. the structure of that management;

40. In the early days of the operations of the DSU and then the SDU, the staffing consisted of only one team. All members of this team were a part of the pilot project with the exception of the analyst. This consisted of:

- PII [Redacted] Controller - [Redacted] - myself Peter Smith-O
- PII [Redacted] Handlers - [Redacted] - Black-O
- Green-O [Redacted] and Page-O
- PII [Redacted] Analyst - [Redacted] - Ms Boulevard

41. As time progressed the staffing levels increased to:

- PII [Redacted] Controllers - [Redacted]
- PII [Redacted] Handlers - [Redacted] and
- PII [Redacted] Analysts - [Redacted]

42. Ultimately at a time after the deactivation of Ms Gobbo, a full time Inspector position was included. For the great majority of my time at the SDU there was either no Inspector attached or we shared an Inspector with the Undercover Unit.

43. As a consequence, for the majority of the time at the Unit my role included acting as the [REDACTED] as well as the [REDACTED] and [REDACTED]. I was also responsible for developing high risk source handling training and development of human source management policy for the Human Source Management Unit, (previously known as the Informer Management Unit). [REDACTED] Standard Operating Procedures for the SDU. Practices changed as time progressed.

44. The management of Ms. Gobbo as a human source occurred in line with the Human Source Management Policy at the time and the Standard Operating Procedures of the SDU. A copy of these procedures has been produced to the Commission. Her management was no different than the management of the other high risk human sources by the SDU at that time except for the fact that I involved myself more than usual in the initial assessment meetings. Thereafter, she required enormous time and expenditure in her management.

45. In regard to the handling of [REDACTED] sources, in my role as the office manager and dedicated source controller, I would follow this chronological procedure:

- receive [REDACTED] (usually an investigations manager);
- document the request (these requests were kept in house in order to maintain security of the information);
- allocate the dedicated source handler;
- allocate the dedicated source controller;
- assess the viability of the source in consultation with the handler and analysts;
- make a recommendation to either approve or deny the request for assistance;
- [REDACTED] the ranking officer being Supt BIGGIN and later Supt SHERIDAN;

- assess and recommend a risk assessment;
- monitor the relationship and the application of the 'sterile corridor';
- implement 'intrusive supervision' when necessary;
- review and supervise the preparation of documents such as Source Contact Reports and Information Reports; and
- approve dissemination of Information reports.

46. It is necessary to understand that at the time Ms Gobbo was assessed, registered and deployed, the SDU, was in the very early stages and organically developing. New methodologies and tradecraft were being trialled and training being developed as operations progressed. For example, exhibit RC-115 was prepared by me to document the commencement of the registration process. It was a form created by the SDU for that purpose.

47. In the early management of Ms Gobbo, practice required that each source had his or her own dedicated source handler. In Ms Gobbo's case ^{Peter Smith-O} _{Peter Smith-O} had been designated as her permanent source Handler. It became apparent over time that Ms Gobbo was a very time intensive proposition and there was simply too much work required to allow one source handler to have sole responsibility for her management.

48. Consequently, I made the decision to rotate several handlers through the role of having responsibility for her management. This also worked as an additional and very good risk mitigation strategy in that several handlers were able to observe, report and compare their opinions of the effectiveness of the source and her management. I then adopted the same strategy for all other high-risk sources under our management.

8. *Provide details of the management of Ms Gobbo as a human source, including:*

- b. whether any procedures or processes were put in place to manage the use of information provided by Ms Gobbo*

49. The practice for the management of information provided by Ms Gobbo was the same as for all high risk sources under SDU management.
50. All meetings between Ms Gobbo and her handlers had to be pre-approved by the controller [REDACTED] (would take over). After a source contact the source handler would prepare a Source Contact Report (ICR) which documented the content of the contact whether it be a phone contact or a physical meeting. The period covered by each ICR changed over time.
51. [REDACTED] The source handler would use the recording to assist in the preparation of Source Contact Reports. The handler would then extract usable intelligence from the contact report and include it on an information report. Both reports were forwarded to myself for checking prior to any dissemination.
52. Once checked the Source Contact Report was forwarded to the Human Source Management Unit for recording in the Source Management File.
53. Information reports were assessed in regards to suitability for dissemination. Information reports were disseminated either to an investigator known to have a relevant active investigation or to the State Intelligence Division for inclusion on the corporate intelligence database.
54. During the creation of information reports, it was essential for handlers to 'sanitise' the intelligence. This meant that the handler would take sufficient steps to ensure that the provider of the intelligence could not be identified. In order to achieve this, the following processes were undertaken:

PII
[REDACTED]

• [REDACTED]

55. This process was initiated as a direct consequence of the fact that an informer for the Drug Squad, Terry HODSON, and his wife, had been murdered as a direct consequence of being compromised through the corrupt release of an information report that directly identified him as a police informer. This document became known as IR 44 and was compiled in line with previous informer management policy which failed to recognise the risk of documents such as information reports being unlawfully accessed and distributed.

56. At times an information report would not be disseminated on the instruction of a Controller. In regards to the intelligence provided by Ms Gobbo, some information reports would not be disseminated for reasons including the following:

- the intelligence could identify Ms Gobbo as a source;
- the intelligence may be classified as subject to legal professional privilege;
- there were no investigators available to action the intelligence; and/or
- the intelligence was unreliable.

8. *Provide details of the management of Ms Gobbo as a human source, including:*

c. whether any procedures or practices were put in place to manage the risks arising from the use of information provided by Ms Gobbo.

57. Another example of the organic development of processes within the SDU was the application of risk assessments. In the early stages of risk assessment policy, the handlers were compelled to submit risk assessments [REDACTED] of assessing a source. Experience proved this was completely impractical as insufficient information could be obtained to make a risk assessment of any value [REDACTED]

58. In order to develop a risk assessment it was necessary to interview potential sources multiple times and to give them ^{PII} [REDACTED] [REDACTED] viable or appropriately motivated. At the same time as the handlers were making assessments regarding potential sources, the analysts at the SDU were working hard with data [REDACTED] [REDACTED]. This was a time consuming process and at the high risk end of source operations, essential.

59. Consequently the risk assessment document would not be completed for several weeks or even more in the case of sources that regularly made themselves uncontactable. The timely submission of risk assessments was also dependent on handler and controller workload.

60. The policy at the time of Ms Gobbo's registration I think, required a risk assessment to be accepted by the Local Source Registrar, which in Ms Gobbo's case was either Supt BIGGIN or Supt Mark PORTER before the source could be registered and deployed. It was not uncommon to process a registration for assessment purposes only so that an identifying number could be obtained. It was part of the SOP's for the SDU that records such as diaries, etc. do not contain the name of a source.

61. The requirement to utilise a risk assessment model was one developed within the Australasian Human Source Working Group of which I was a founding member. Detective S/Sgt. Glenn OWEN from the Informer Management Unit and myself recommended the adoption of the Australian and New Zealand model of risk assessment for human sources. I then included this requirement as a recommendation for the principle paper used to create the SDU which was the document entitled 'Review and Develop Best Practice Human Source Management'.

62. The risk assessment document changed several times since its inception. It was very difficult to complete properly, particularly as the vast majority of members of Victoria Police had no concept of the tiered risk assessment model and how to apply it. In fact, I tried unsuccessfully on several occasions to have the staff at

the SDU trained in risk assessment. The document itself was poorly written and added to the difficulty of completing it in a meaningful fashion.

63. An audit of the application of the human source policy by the Corporate Management Review Division (CMRD) several years later revealed that more than 80 % of risk assessments prepared for human source operations across the entire organisation were poor and ineffective.

64. As a matter of practice at the SDU, we would risk assess all the source operations on at least a fortnightly basis. The process for this occurred when I held Unit Meetings in which all the staff would discuss the operations of every high risk source under the unit's management. This was documented via unit meeting notes which I took.

65. This process became more formalized as time went by and I developed a format which recorded an operational update about that source, an assessment of the risks and the level of risk and a determination of the value of the source with a recommendation as to whether the management should continue or not.

66. I maintained a document called a Source Management Log for every source registration under our control. There was no requirement under any policy to maintain this document. It was only maintained at my direction in order to attempt to keep track of management related decisions. It also included a short summary of the source intelligence obtained from a source contact and cross referenced Source Contact Report and Information Report numbers. The SML recorded two types of activity: management activity or source contact activity.

67. As processes within the SDU developed I incorporated the fortnightly reviews and risk assessments into this document as part of the management activity.

68. A further example of the way systems developed organically was the creation of a spreadsheet which documented the identity of every person known to be aware of a source's true identity. This was initially created for Ms Gobbo's

management file but was recognised as something that needed to be maintained for all high risk sources.

69. As the management of Ms Gobbo progressed I became aware that more and more people outside of the SDU were aware of the identity of her as a human source. The most significant risk to Ms. Gobbo, as is the case with the vast majority of human sources, was the risk of her identity and thus her role as a source being disclosed. The individuals Ms. Gobbo were connected to had a proven capacity to murder people who were believed to be informers (human sources) and there was no doubt in anybody's mind that Ms. Gobbo would be murdered if compromised.

70. The risk assessment document categorised risks in five categories, these being:

- Risk to the source;
- Risk to the information;
- Risk to Victoria Police;
- Risk to the community; and
- Risk to the handler.

71. The greatest risk identified was the risk to the source, especially high in Ms Gobbo's case due to her close association with Melbourne's Gangland criminals who at the time were fighting over the drug trade and busy killing each other.

72. There were two formal risk assessment documents prepared, the first on registration and the second in April 2006. Further factors had necessitated a new formal risk assessment, including:

- David WATERS told her that her phone was intercepted;
- She had involvement with Paul DALE;
- Danielle MAGUIRE had engaged a private detective; and
- Rob KARAM's co-accused, SERGIE had been shot.

73. I believed at that time it was an appropriate time to formally update and document the risks relevant to Ms Gobbo.
74. There is a great risk in the long-term management of sources that eventually the targets who have been the subject of the source intelligence, will identify the common denominator between their arrests (ie., a human source).
75. I have been criticised for failing to document the risk of Ms Gobbo breaching the ethical barrier concerning the protection of information which is the subject of LPP. This was not a risk that had been identified when the original risk assessment was prepared. There was no expectation that she would provide this type of information as it was never the intent of the SDU team to seek out that information. This was also clearly not a risk that had been identified by any other individual involved in the management of the SDU or the Purana Task Force Investigation either from the lowest level to the most senior.
76. The unit had made it clear to Ms Gobbo that we did not want information which would be legally professionally privileged.
77. In addition to the senior management oversight of Ms Gobbo's registration, the HSMU had audit and administrative oversight of the SDU operations. They had total access to all source registrations, Source contact reports, information reports, risk assessment and source profiles. It was the responsibility of the HSMU to ensure the management of the source is being conducted in the most professional, legal and ethical manner. It was also the responsibility of the HSMU to ensure the management of the source complied with departmental policy.
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9. *Provide details of the involvement or oversight by senior officers who had management, oversight or control of the SDU of the SDU's use of Nicola Gobbo as a human source.*
10. *Provide details of person(s) you believe were involved in the authorisation, and continued authorisation, of the use of Ms Gobbo as a human source, including*

the name of the person(s); the role of those person(s); and the basis of your belief.

78. At the time of Ms Gobbo's registration and during the management of her as a human source the following persons were involved:

- Assistant Commissioner Crime Simon OVERLAND – Operational Command of the Purana Task Force. Briefed by Detective Senior Sergeant O'Brien regarding Ms Gobbo potential to be registered as a human source
- Supt Anthony BIGGIN – Officer in charge Covert Support Division – Local Source Registrar for the SDU and oversight of all source operations at the SDU
- Commander Danny MOLONEY – Commander State Intelligence Division
- Supt. Ian THOMAS – OIC State Intelligence Division
- Supt. Mark PORTER – Officer In charge of the State Intelligence Division and the Central Source Registrar – Administrative oversight of all source registrations state-wide including Ms Gobbo
- Detective Inspector Robert HILL – Officer in Charge Division 2 Major Drug Investigation – Officer who tasked SDU to assess Ms Gobbo for registration as a human source
- Detective Inspector Jim O'BRIEN – Officer in Charge of the Purana Task Force and the point of liaison for SDU regarding Ms Gobbo use as a human source
- Detective Inspector Gavan RYAN – Relieved O'BRIEN at times

79. The following officers performed part time roles as officer in charge of the SDU at various times and had awareness of Ms Gobbo's registration and responsibility for oversight of her management as an human source;

- Detective Inspector Dean Mc.WHIRTER (perhaps);
- Detective Inspector Rob HARDIE (deceased); and
- Detective Inspector Andrew GLOW.

11. *Provide details of your understanding of Ms Gobbo's motivations for becoming a human source, including:*

- a. *her initial motivations for assisting Victoria Police; and*
- b. *her motivations for providing ongoing assistance to Victoria Police in that manner.*

80. Without reference to my official diaries, source contact reports, unit meeting records, Source Management Log and source meeting recordings I cannot provide any specific information concerning the motivation of Ms Gobbo other than the recollection that she wanted to 'get out of the relationship with the Mokbel group' and that she wanted to 'do the right thing'.

81. A more accurate understanding of her motivation can be determined by the examination of the audio recordings, contact reports and risk assessments submitted by the source handler's team.

12. *Provide details of any conversations you had with Ms Gobbo relevant to and / or dealing with:*

- a. *her Legal Professional Privilege (LPP) and confidentiality obligations or other duties in respect of her clients:*

82. Both I and the source handlers in contact with Ms Gobbo had specific conversations with her about legal professional privilege on various occasions. She was specifically instructed not to speak about conversations she had with her clients about their current court matters.

83. I also had several conversations with her about her understanding of her ethical obligations in regards to legal professional privilege.

84. I also instructed the handlers to ensure that we, (the SDU team) did not seek any information that could be the subject of LPP. I can see from an examination of my official diary on the 18 February, 2006 that on receiving an update from ^{Green-O} _{Green-O} who was reporting a telephone contact with Ms Gobbo, I directed

Green-O

specifically in regards to my attitude to LPP. My diary records the following entry:

'Cautioned ^{Green-O} re speaking about TM trial. Prefer no DSU involvement unless crime being committed'.

85. This conversation occurred in connection with Ms Gobbo reporting that Tony MOKBEL wanted her to participate in the creation of false statements which she believed would be a perversion of the course of justice.
86. I am aware of the fact that on occasions Ms Gobbo did talk about meetings she had with people who were her clients and were discussing live court matters despite instructions from the SDU members not to do so. Whilst far from desirable, it was my opinion that this occurred as part of a 'venting' process by the source. In my mind, the important aspect of this was to ensure that no intelligence was derived from that conversation and that if it was, it was never to be disseminated for actioning by investigators.
87. An analysis of all physical meetings between SDU members and Ms Gobbo is currently being conducted and it is clear that most if not all the handlers involved with her, including myself, have at one time or another made clear to her that the team did not want to hear any information that could be protected by LPP. In fact, she was also told that any information falling into that category could not and would not be utilised.
88. There were several occasions where Ms Gobbo spoke about people who may have been clients and who were currently committing serious crimes. Until I have accessed all of the relevant information concerning these matters I cannot provide further detail on this point. Full details of all conversations can be found in the recordings and transcripts of meetings and the ICR's. What was disseminated appears in the IR's and if verbal, in the ICR's and a 'dissemination matrix' maintained by the unit to track these issues.

12. Provide details of any conversations you had with Ms Gobbo relevant to and / or dealing with:

b. acknowledgement by of her responsibilities as a Human Source;

89. At the time of the registration of Ms Gobbo, human source management policy required that a document entitled 'Acknowledgement of Responsibilities' be completed. There were several ways in which this document could be completed;

- a printed copy of the document could be read by the source and then signed by the source and the handler
- a printed copy of the document could be read to the source by the handler and signed by the source and the handler (in cases where a source could not read)
- the handler or controller could verbalise the content of the document, using words more readily understood by a source and then ask the source if he or she understood [REDACTED]

90. I was very involved in the discussions that resulted in the creation of this document. The genesis for the concept was UK source management practice. The spirit of the document was aimed fairly and squarely at criminal sources, that is those sources that commit crime. It was designed to try and prevent sources from committing crime whilst under the management of a law enforcement agency.

91. In the early iterations of this document, it was very legalistic and in my opinion actually discouraged sources from signing on, hence the need to have the option of explaining the content in plain language.

92. I cannot recall specifically not getting Ms Gobbo to sign this document but I am aware that it cannot be found. I can recall thinking that the document was not

sued to Ms Gobbo and struggled with applying the content as I had no expectation that she as a lawyer would commit crime. I am now aware that most if not all aspects of the content of the AOR were covered in initial conversations between myself and Ms Gobbo which were audio recorded. It would be unusual that I would not have prepared an AOR for this source as I did with every other source I managed.

93. I recall that at one point in time I requested that Ms Gobbo's source management file held by the then Informer Management Unit, be removed from the IMU and placed in a more secure location. This was because I had concerns about the integrity of a particular member at that office. As a result, the file was removed and handed to Superintendent Ian THOMAS for safekeeping. I do not know at this point in time if that original file has ever been located.

12. *Provide details of any conversations you had with Ms Gobbo relevant to and / or dealing with:*

c. *assessment of risks associated with her use as a Human Source;*

94. Refer to the response to Question 8(c). I cannot provide further detail in regards to this question without reviewing the transcripts of conversations with the source.

12. *Provide details of any conversations you had with Ms Gobbo relevant to and / or dealing with:*

d. *her motivations to act as a human source;*

95. Refer to the response to Question 11. I cannot provide further detail in regards to this question without reviewing the transcripts of conversations with the source.

12. *Provide details of any conversations you had with Ms Gobbo relevant to and / or dealing with:*

e. *indications of criminal conduct or other adverse motivations on her part;*

96. I don't believe Ms Gobbo participated in any criminal conduct during her relationship with the SDU. I also have no evidence that Ms Gobbo was adversely motivated.

12. *Provide details of any conversations you had with Ms Gobbo relevant to and / or dealing with:*

f. *matters of concern as to the use of Ms Gobbo as a human source such as her mental or physical health;*

97. Prior to the relationship established between the SDU and Ms Gobbo I was aware that she had been in hospital for a heart related condition. In subsequent conversations with Ms Gobbo she spoke about that incident and how she believed it was the result of stress caused by her relationship with the Mokbels and the demands they placed on her.

98. During our relationship she spoke on at least one occasion about getting a lump in her breast checked.

99. At one point in the relationship I arranged for Ms Gobbo to meet and speak with a psychologist named [REDACTED] ^{PII}. This was to help Ms Gobbo to deal with the stress in her life. I also thought it would be worthwhile to have a professional psychologist give me some feedback on her both from the point of view of mental health and in contributing to a more complete understanding of her personality [REDACTED] to be a human source.

100. Ms Gobbo spoke with the psychologist on several occasions but ultimately had little respect or time for the psychologist stating she got nothing out of the meetings.

101. I have been criticised in a document referred to as the Comrie report for failing to identify some mental illness the source must have had. This criticism is without basis and made by an individual who has never met the source or ever spoken to myself or any member of the SDU team at any time.
102. In all the time I have been associated with source management I have found that the very best human sources are those that have big egos because they try hard to get a successful result. There is no doubt in my mind that Ms Gobbo fell into that category. She actually asked me on one occasion whether she was the best source we had ever had.
103. I also believe that she was a needy individual. Her social circle prior to our relationship was one whereby she surrounded herself with serious criminals. Unlike the vast majority of lawyers whose only criminal contacts would be clients, Ms Gobbo's entire social circle were criminals. This was why she was such a useful resource for Victoria Police. Uninformed people such as Neil COMRIE and certain others within Victoria Police have assumed that the only criminals Ms Gobbo could provide intelligence about, were those who were her clients when in fact she had an extensive social network of serious organised crime figures. She provided information about her clients that came from people other than those clients.
104. As time progressed I suspected that Ms Gobbo had replaced criminals as her social contacts, with policemen from the SDU. Her contact with source handlers exceeded the level of contact any of the source team had previously experienced. As time passed and her safety and security concerns increased, she became more reliant on the source team. This is not uncommon in the world of source management.
105. It's a well known fact amongst source handlers that many sources may suffer some form of personality disorder. This does not disqualify from them from being effective and well motivated human sources.

13. *Provide details of any knowledge you had of Ms Gobbo providing information or intelligence to any person or organisation outside the SDU.*
106. During the management of Ms Gobbo as a source for the SDU I was unaware of her providing information to any person or organisation outside the SDU. I was aware that she had been and was talking to Det/Sgt Stuart BATESON.
14. and 15. *Provide details of information received and disseminated.*
107. Refer to spreadsheet provided by SDU team.
16. *Provide details of your knowledge or understanding during the time you were dealing with Ms Gobbo at the SDU of a lawyer's duty or obligation;*
- a. of LPP;*
 - b. confidentiality; and / or*
 - c. to act in the best interests of his or her client.*
108. From the outset of the relationship between Ms Gobbo and Victoria Police I was aware that she as a lawyer had an obligation to keep client instructions and conversations she had regarding existing court matters private and that they were protected by Legal Professional Privilege.
109. I did not believe that material subject to LPP included information regarding the ongoing or future commission of serious crimes.
110. In regards to confidentiality, I did not have an understanding of a lawyer's duty or obligation in regards to confidentiality. To this day, I still do not understand what it actually means or how it differs to the concept of LPP.

111. I have always assumed that a lawyer should act in the best interests of his or her client but have no understanding of the extent or full meaning of this concept.

17. Provide details of your knowledge or belief as to whether any advice was obtained from hereinafter a legal practitioner or more senior officer in relation to lawyers' duties regarding Ms Gobbo, or more generally, human sources, during your time in the SDU.

112. At no time did I seek a legal opinion concerning lawyer's duties in regard to Ms Gobbo or otherwise.

18. Provide details of your knowledge or belief as to whether LPP or obligations of confidentiality or a lawyer's duty to act in the best interest of her or his client, were breached by Ms Gobbo, in respect to each of the people listed in question 14.

19. Provide details of your knowledge or understanding, during the period that you were in the SDU, of the obligation on the part of Victoria Police to disclose to courts, the prosecution and the accused, any and what information obtained during the course of an investigation that was not included in a brief served on an accused.

20. Provide details of your knowledge or understanding, during the period that you were in the SDU, of the operation of the doctrine of public interest immunity (PII), concerning information provided by Ms Gobbo, and whether any advice was obtained or discussions were had in relation to this matter.

113. Without reference to my official diaries, source contact reports, unit meeting records, Source Management Log and source meeting recordings I cannot provide any specific information concerning PII and Ms Gobbo.

114. As a member of the SDU, I had no input into the preparation of briefs of evidence. In regards to the briefs of evidence prepared which may have

evidence derived in part through the activities of Ms Gobbo whilst a registered human source, neither I nor any member of the SDU had involvement.

115. I am well aware of the obligation on the part of Victoria Police to disclose all matters that are relevant to a prosecution, particularly those matters that may be exculpatory. I am also aware of the doctrine of public interest immunity in regards to human source activity. I have experience in claiming public interest immunity in regards to human source or covert methodology. I have an understanding of the competing public principles of fairness to the accused and the need to protect the identity of human sources.

116. If any SDU officers became aware of exculpatory evidence, this would as a matter of course be reported to the HSMU for further action. In those cases where such disclosure may compromise a human source, Victoria Police had the options of;

- informing the defence
- discontinuing the prosecution
- briefing counsel to prosecute the claim of PII

117. The issue of PII claims relevant to human source operations were managed by the Human Source Management Unit which had ownership of all source management policy and regularly dealt with matters such as public interest immunity in regards to human source management.

21. *Provide details of your awareness as to whether any concerns were raised at any time by members of Victoria Police (or other policing or law enforcement agencies for example the AFP, the Office of Public Prosecutions, the Commonwealth Director of Public Prosecutions) as to the use of Ms Gobbo as a human source, including in relation to each of those concerns:*

- a. *who raised the concern, with whom it was raised and by what means (written or oral);*

- b. when the concern was raised;*
- c. what the concern was;*
- d. whether the obtaining of legal advice was raised; and*
- e. what, if anything, was done about the concern.*

118. During the management of Ms Gobbo as a human source, no one raised these issues. The only concerns raised by members of Victoria Police or otherwise were those that related to her safety. This was an ongoing issue for all police members involved in her management including members of senior management. I cannot provide any further detail on this point without access to relevant records.

22. *Provide details of your awareness of any Victoria Police Standard Operating Procedure for the management of human sources, including:*

- a. details of what that procedure was;*
- b. whether the conduct of members of Victoria Police in relation to the use of Nicola Gobbo as a human source resulted in any failures to comply with that Standard Operating Procedure;*
- c. whether any breaches of that Standard Operating Procedure as detailed at sub-paragraph (b) placed Ms Gobbo in a position of unacceptable risk to:*
 - i. her personal safety;*
 - ii. the individual rights of others by consequence of her position as a legal practitioner.*

119. I refer to the Victoria Police Human Source Management Policy in place at the time of the registration and management of Ms Gobbo as a human source and state that no member of Victoria Police failed to comply with that policy.

23. *Provide details of your awareness as to whether any concerns were raised at any time by members of Victoria Police (or other policing or law enforcement*

agencies for example the AFP, the Office of Public Prosecutions, the Commonwealth Director of Public Prosecutions) as to the transition of Ms Gobbo from a human source into a witness, including:

- a. who raised the concern, with whom it was raised and by what means (written or oral);
- b. when the concern was raised;
- c. what the concern was;
- d. whether the obtaining of legal advice was raised; and
- e. what, if anything, was done about the concern

120. Both Supt. BIGGIN and myself were opposed to the transition of Ms Gobbo from a source to a witness and strongly presented our opinion to A/C Simon OVERLAND. We both were of the belief that if Ms. Gobbo was made a witness then the fact that she had been a human source would be revealed most probably in a court environment and that she would be totally compromised. There was little doubt in my mind that this would lead to her murder by criminals who had been the subject of her informing.

121. I also know that Detective Inspector Jim O'BRIEN had a very similar discussion with A/C OVERLAND.

122. ^{Black-O} prepared a "SWOT" analysis on this issue for Supt. BIGGIN.

123. During my time at the SDU we had at least one other source who after active deployment went on to become a witness. In that case the source was aware it was a possibility at the outset and measures were put in place to protect him.

124. It is generally considered world wide, a very poor practice to turn a source into a witness due to the probable risk of compromise. Many investigators would be very happy to have sources transitioned into witnesses but such a process would spell the end of any likelihood of ever recruiting human sources for obvious reasons.

125. I recall A/C OVERLAND telling me he understood our position but that the source was potentially useful in a very serious corruption investigation involving an ex police member named Paul DALE. I was aware of the general strategy proposed which was to have Ms Gobbo meet DALE and record a conversation with him regarding the Hodson murders/Dublin Street burglary. This particular investigation was code named Task Force Petra and was led by Detective Inspector Stephen SMITH.
126. A/C OVERLAND told me that corruption trumps everything and that public confidence in the police force was more important than the compromise issues surrounding Ms Gobbo. I believe A/C OVERLAND thought that suitable security arrangements could be made to protect Ms Gobbo.
127. As a result of this direction, I met with Ms Gobbo. We discussed the likelihood of her becoming a witness in the investigation into Paul DALE. We had a lengthy discussion about the risks involved. She ultimately decided that she would be prepared to become a witness if the need arose.
128. I also told her that if she chose to work with the Petra Task Force, she would have no further contact with the SDU team. Ultimately, she was introduced to members of the Petra Task Force who took over management of her. The SDU had no further contact with Ms Gobbo from that point onward.
129. I recommended that the Petra Task Force appoint two ^{PII} [REDACTED] trained source handlers to assist them with management of Ms Gobbo and I was present when these two members ^{Lloyd-DS} [REDACTED] and ^{Graham Evans-O} [REDACTED] were briefed about Ms Gobbo.
130. Neither I nor any other member of the SDU had any more to do with that particular investigation, however I did receive information informing me that the strategy to use her as a witness was unsuccessful as were the attempts to arrange some form of security for her. I also became aware that Ms Gobbo's

relationship with the task force and Victoria Police as a whole deteriorated significantly.

131. I do not know if any legal advice was sought in relation to Ms Gobbo's use as a witness.

24. *Provide details of your awareness as to any discussions within the SDU or Victoria Police more generally regarding the use of Nicola Gobbo as a witness for the criminal prosecution of Paul Noel Dale in relation to the murders of Terrence and Christine Hodson, including:*

- a. what that assistance would be;*
- b. whether there were any concerns raised as to the use of Ms Gobbo as a witness in that proceeding;*
- c. who raised that concern; and*
- d. whether anything was done about that concern.*

132. Refer to my previous answer.

25. *Provide details of your awareness as to any discussions within the SDU or Victoria Police more generally regarding the use of Nicola Gobbo as a witness for the criminal prosecution in relation to the murder of Shane Chartres-Abbott, including:*

- a. what that assistance would be;*
- b. whether there were any concerns raised as to the use of Ms Gobbo as a witness in that proceeding;*
- c. who raised that concern; and*
- d. whether anything was done about that concern.*

133. A/C Jeff POPE asked me to leave the SDU and review the investigation into the murder of Shane Chartres- Abbott. This investigation was code named Task Force Briars. I agreed to undertake the role. I was aware of the investigation

because I'd had previous conversations with Det Snr Sgt Ron IDDLES and Detective Inspector Steve WADDELL, at different times, in their capacity as investigations manager for that particular investigation.

134. Both investigators were aware of Ms Gobbo's role as a human source and thought she might have been able to assist the investigation. Without referring to my diaries I can't elaborate on this any further.
26. *Provide details of the disbanding of the SDU, including your understanding of:*
- a. *the reasons for its disbandment;*
 - b. *the procedures undertaken to disband it.*
135. To this date, I still do not know exactly why the SDU was terminated. I believe that it may have been the result of any of the following either solely or in combination:
- A management belief that the staff had been too long in the covert environment;
 - A management belief that the staff were undisciplined and unmanageable;
 - A management belief that the staff were corrupt;
 - The Assistant Commissioner, Jeff POPE, was trying to ensure knowledge concerning his sexual relationship with source 3838 would never be discovered or disclosed;
 - The relationship and deployment of a lawyer as a human source was going to be a major embarrassment to Victoria Police and the organisation needed to show it had done something about making sure the same thing didn't happen again; and/or
 - Substantial savings could be made by closing the SDU.
136. I make the following observations about each of the above points:

Too long in the covert environment

137. In 2012 all members of the SDU were directed to attend a meeting with Supt SHERIDAN and Inspector John O'CONNOR. On arriving at the meeting, I found Commander Doug Fryer to also be present as well as the majority of the SDU staff.

138. We were each presented with a letter and informed that the SDU would be closed effective immediately. The letter stated briefly that the members had been too long in the covert environment.

139. The management personnel did not elaborate on this. We were simply told we had to find a new position within six months.

140. I did not believe the reason provided for two reasons. Firstly, this suggestion that the staff had been too long in the covert environment had never been brought to my attention and secondly, there were at least two members who had been at the unit for less than six months and several others, less than 12 months.

141. I also could not understand how if the staff were the issue, then why weren't they simply replaced, allowing for the unit itself to continue operating.

Staff undisciplined and unmanageable

142. As the senior member of middle management at the SDU I had never been informed that there were any discipline issues with the staff at the unit.

143. As the founder of the unit, I was never informed by senior management that there were contemplations to close the unit for any reason. Having extensive knowledge regarding the reasons behind the creation of the unit, I think it would have been appropriate to be consulted. I have never worked at a location within Victoria Police where as a member of middle management, I was not consulted on management issues by my direct senior management.

144. I have recently read the comments in the Covert Services Division Review of the SDU prepared in regards to attempts to implement the Maximum Time in Position policy across the Division. The review document recommends the immediate closure of the unit citing the lack of respect staff at the SDU had for management and how the staff worked around management to get their way.
145. That statement is false and I believe it stemmed from the fact that the inspector at the unit failed to identify with the culture at the unit which I had created as an anti corruption strategy. After many years working in the [REDACTED] environment both as an [REDACTED] I was well aware that management must do everything they can to ensure they know exactly what the staff are doing, good or bad, in such a high risk environment.
146. The best way to do this is to encourage a culture whereby every member of staff, including the lowest ranking member, feels that their opinions are valued and considered. It is essential that there are no secrets amongst staff at all ranks. I encouraged staff at the SDU to constructively criticise me and each other on all matters, whether administrative or operational. In fact, constructive criticism was an essential part of source handling debriefs and drove the development of best practice.
147. I don't believe either Inspector O'CONNOR or Supt. SHERIDAN understood this. They implemented a very strict hierarchical system of management where even the Senior Sergeants counsel was not desired. In fact I believe they both felt constructive criticism of any of their decisions was in fact blatant disrespect and O'CONNOR in particular, would respond violently with fits of shouting and swearing. He was in effect a bully. There are many examples of this.

Staff corrupt

148. Supt. BIGGIN, the driver behind the senior management support for the implementation of the SDU and best practice source management was advised that the unit was to be disbanded ten minutes before the meeting in which the

SDU staff were also told. Supt. BIGGIN however, was told the unit was being closed because of corruption.

149. I have also been told this by several senior members of Victoria Police management after the unit was disbanded.
150. I have never been told by my management at the time, being Insp. O'CONNOR and Supt SHERIDAN, that there were any corruption issues at the SDU. I believe the integrity of every member of staff present at the time was of the highest order. Every member of staff at the SDU knew the integrity of the unit had to be 'bombproof' in order for the unit to function successfully.
151. It is a matter of great disappointment to myself and all the staff at the SDU that this lie was created and perpetuated. The reputation of a police officer is the single most important asset of his or her career.
152. Shortly after retiring from Victoria Police I was approached by an officer in charge of the HSMU and asked if I would be prepared to continue to assist with source management training. In particular I was asked to tender a quote for a PII training block at the PII training course on the subject of the 'Psychology of Persuasion'. To my knowledge there are only three persons world wide capable of delivering this training as it relates to source management, myself being one of them.
153. After submitting the tender and winning the role, I was subsequently informed that the Supt in charge of the course, Supt Scott MAHONEY, whom I have never met, had decided that I would not be permitted to assist with any source training for Victoria Police. He stated that 'Sandy White-O no longer represents the values of Victoria Police' and that 'he is never to be involved in any source management training.'

A/C POPE trying to ensure knowledge of his sexual relationship with 3838 remains hidden

154. I cannot at this time remember if 3838 revealed to her handlers or myself that she had had a sexual relationship with A/C POPE.

155. I can say however that A/C POPE was my professional development officer both during the latter part of my time as a controller at the SDU and the early part of my time as the investigations manager of the Briars Task Force. On the occasions I met him, he never told me he had known 3838, either personally or professionally. He certainly did not tell me that he used her as a source. He definitely would have known that I was the controller for her management as a source over several years.

156. I recall being told that A/C POPE was invited into D/C ASHTON's office one day for a 'fireside chat' and ten minutes later he had resigned. This occurred one week after he had signed a new contract to remain with Victoria Police. I don't know why he resigned.

Minimisation of damage to the reputation of Victoria Police once it becomes known a lawyer was used as a human source

157. At the time of the closure of the SDU, I was advised that the staff at the unit would have to provide ^{PII} Human source management training, despite the fact that the unit was closed. A ^{PII} course was in the planning stages at the time and the selection process well under way.

158. I spoke to Inspector O'CONNOR about the futility of running the course because it was designed to identify and train people in readiness for positions as dedicated source handlers and controllers at the SDU and as the SDU no longer existed it seemed pointless.

159. The ^{PII} course was the highest level of training for high risk source management in Australia/New Zealand. We had conducted this course on

multiple occasions. 50% of the positions on the course were dedicated to offices from law enforcement agencies other than Victoria Police.

160. The course was conducted in either late 2012 or early 2013. On one occasion during the course, Supt. SHERIDAN came to observe presentations concerning the Psychology of Persuasion by [REDACTED]
161. During the sessions, Supt SHERIDAN and I had a conversation in which he told me that the closure of the SDU had been a consequence of the fact we had used a lawyer against her clients and breached the legal professional privilege barrier.
162. He further told me 'there was a train coming down the line headed straight for Victoria Police and it was going to be a major embarrassment to Victoria Police and cause significant issues in the senior courts system', or words similar.
163. I denied the fact that we had breached LPP and stated we knew what it was and had not crossed the line in the sand. He did not agree with me and I told him I could prove it and that there were hundreds of hours of audio recordings where she is clearly told that we did not want that type of information. Supt SHERIDAN was not interested in this and clearly did not believe me.
164. Having been a member of Victoria Police for thirty five years, I have seen on several occasions, the process by which members of the organisation try to protect themselves and the reputation of the organisation when things go wrong.
165. It is probable that senior management including Inspector O'CONNOR, Supt SHERIDAN, Commander FRYER and Assistant Commissioner POPE determined that by closing the SDU, terminating their operations and reviewing informer management policy, it would be possible to rebut any future criticism by stating the staff at the unit were rogue or not properly controlled, blame it on previous management, shut the unit down as an example of pre-emptive action after identifying a terrible problem and move on.

166. It is worth noting that if the SDU staff were inappropriately deploying the source by intentionally disregarding the protection of Legal Professional Privilege barrier, that in addition to senior management having the capacity to terminate the relationship, the HSMU would also have been aware and could have intervened.

167. This is the primary reason for the HSMU being under a separate command to the SDU. The governance function of the HSMU was deliberately separated from the operational capacity of the SDU so that operations could be monitored independently.

Substantial savings could be made by closing the SDU

168. At the time of the closure of the SDU, there was considerable angst between senior management at the Intel and Covert Support Department about an attempt by management to move certain people out of positions by implementing a Maximum Time in Position policy ('MTIP'). The undercover unit resisted this strongly and were backed by the police union.

169. The SDU on the other hand did not resist this policy, primarily because MTIP had been a recommendation within the concept papers leading to the creation of the positions at the SDU.

170. I have been informed that during a senior Executive meeting at Mt. Macedon, at that time, A/C POPE advised the group that he could make substantial savings to his budget by closing the SDU. This would have saved money being utilised for the infrastructure necessary to run the unit as well as the additional wages and allowances for the staff.

Other relevant matters (questions 27 to 29)

27. *Provide details of any other human source who, to your knowledge, has provided information or assistance to Victoria Police who were subject to legal obligations of confidentiality or privilege, including:*

- a. *the name of the human source;*
- b. *if registered, the number of the human source;*
- c. *the nature of the legal obligations of confidentiality or privilege;*
- d. *the nature of the information or assistance provided by the human source.*

171. I have no details of any other human source managed by the SDU or otherwise that may have been subject to LPP or confidentiality. I am aware that [REDACTED] was assessed for registration and rejected.

28. *Detail any training, including any retraining, you have received in relation to:*
- a. *your obligation of disclosure to accused persons, prosecution agencies and the courts;*
 - b. *the right of an accused person to silence;*
 - c. *the right of an accused person to a legal practitioner;*
 - d. *LPP;*
 - e. *public interest immunity; and*
 - f. *professional and ethical decision making.*

172. I received training in all of these matters at Recruit level and at the Detective Training School.

173. These obligations have been re-enforced many times over a 35-year period in the various courts in which I have given evidence.

174. I have also been either a student, facilitator or presenter in many law enforcement courses both within Victoria Police and externally in which professional and ethical decision making was a core component of the course.

175. I created and conducted the [REDACTED] Human Source Management Program which was very heavily focussed on assessing a student's capacity to make professional and ethical decisions. This course was designed

to identify police officers capable of performing in Dedicated Source Units such as the Source Development Unit.

176. I have also been a full time member of the instructing staff responsible for conducting Detective Training School and the Undercover Training Course.

29. *Are there other matters relevant to the Commission's terms of reference about which you are able to provide assistance to the Commission?*

177. Despite the serious allegation contained within the Comrie report and repeated in the Kellam report, it is more than clear that there was never an intention to subvert professional legal privilege by any member of the SDU or otherwise. The audio recordings, Contact Reports, etc show a clear course of conduct by the SDU team, one that drew a line in the sand concerning information that could be the subject of legal professional privilege.

178. A reconciliation of the source contact reports against the information reports that were actually disseminated, should show that information which was the subject of legal professional privilege was not disseminated nor actioned.

179. The Comrie report also alleges that the SDU team may have actively sought information about the defence strategy to be utilised by Ms Gobbo for her clients with the intention of providing this to investigators in order to increase the likelihood of prosecution success. This allegation is completely baseless and also repugnant. Even a brand new Constable would be aware that this would be criminal behaviour and action that would undermine an accused's right to a fair trial.

180. Detective Supt. BIGGIN would never have condoned and/or authorised the SDU to intentionally seek information from Ms Gobbo that was protected by LPP.

181. This statement was prepared in the limited time available and without the ability to read all relevant documentation. I will prepare a further statement on my return to Australia at the end of June 2019.

Sandy White-O

22/05/2019