

Royal Commission**into the Management of Police Informants****STATEMENT OF CRAIG ANTHONY HAYES**

1. My full name is Craig Anthony Hayes. I am a Detective Sergeant with Victoria Police.
2. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 11 July 2019. This statement is produced to the Royal Commission in response to a Notice to Produce.

Educational background and employment history (question 1)

3. I commenced employment with Victoria Police in 1996. I graduated from the Police Academy in 1996 and was appointed to the City Patrol Group as my training station. A summary of my employment history since that time is set out below:
 - a) Between 1996 and 1999, I was a Constable stationed with the Traffic Alcohol Section and subsequently at the Mill Park Police Station, Greensborough Police Station, Craigieburn Police Station and Preston Police Station.
 - b) In 1999, I was promoted to Senior Constable and was stationed at Heidelberg Police Station.
 - c) In 2001, I transferred to the Greensborough Criminal Investigative Unit (CIU).
 - d) In 2002, I transferred to the Heidelberg CIU for a short period before being stationed at the Glen Waverley Regional Response Unit.
 - e) In 2003, I returned to the Heidelberg Police Station.
 - f) In October 2003, I was promoted to Acting Sergeant at the Doncaster Police Station.
 - g) On 23 March 2004, I transferred to the Major Drug Investigation Division (MDID), where I remained until 14 November 2005.
 - h) On 15 November 2005, I transferred to the Purana Taskforce. I remained at Purana until 24 July 2011.
4. In July 2011, I transferred to the Attorney General's department.

5. On 22 April 2013, I returned to Victoria Police as a Detective Senior Constable on the Joint Counter Terrorism Taskforce.
6. Since 8 September 2013, I have performed other duties within Victoria Police.
7. I have received the following professional awards and commendations:
 - a) Victoria Police Service Medal (Ethical and Diligent Service Award) 10, 15 and 20 years' service
 - b) National Police Service Medal
 - c) National Medal – Good Conduct and Diligent Service for a period of 15 years

Involvement or association with any investigation which had dealings with Ms Gobbo (question 2)

8. My involvement or association with investigations that had dealings with Ms Gobbo occurred while I was a Detective Senior Constable at the MDID between 22 March 2004 and 14 November 2006 and the Purana Taskforce between 15 November 2006 and 22 July 2011.

MDID

9. At the MDID, I was on a crew with Detective Sergeant Steve Mansell, Detective Senior Constable Liza Burrows and Detective Senior Constable Paul Rowe. Detective Senior Sergeant Jim O'Brien was the unit supervisor.
10. My first involvement or association with an investigation that had dealings with Ms Gobbo was Operation Lodge. Operation Lodge commenced shortly after I started at MDID in 2004 and was a drug trafficking operation into Les Karfiloski and Sonia Basic.
11. On 22 September 2004, I arrested and charged Mr Karfiloski for trafficking a commercial quantity of a drug of dependence. Ms Basic was arrested and charged on the same day, however, I was not present at her arrest. I was the informant for both of these matters.
12. I was also involved in Operation Quills. Operation Quills was an investigation into the manufacturing and trafficking of ecstasy. The focus of the Operation was on [REDACTED] who had links to Tony Mokbel.

13. The first reference to Operation Quills that I have been able to locate in my official Victoria Police diary is on 13 July 2005, when I was briefed by DS Mansell in relation to an application for a covert search warrant.
14. Between 13 July 2005 and 15 August 2005, I performed various investigative tasks related to Operation Quills.
15. On [REDACTED] 2005, DS Mansell, DSC Rowe, and I (with others) attended an address [REDACTED] for drug manufacture offences. I was not involved in the arrests of [REDACTED] however, I believe that they were arrested on the same day.
16. DSC Rowe was the informant for Operation Quills. After the arrests, I continued to assist DSC Rowe where required.
17. It is my recollection that Ms Gobbo acted for [REDACTED] in some capacity. I had limited dealings with Ms Gobbo in relation to Operation Quills because I was not the informant.
18. On 23 August 2005, I received a telephone call from Ms Gobbo in relation to Operation Lodge. Ms Gobbo was acting for Ms Basic in relation to the committal mention, which was listed for 24 August 2005. Prior to this, my dealings in relation to Ms Basic had been with a different lawyer. Ms Gobbo told me that a number of witnesses would not be required for cross-examination.
19. On 24 August 2005, I attended the Melbourne Magistrates' Court for the committal mentions for Mr Karfiloski and Ms Basic. Ms Gobbo appeared for Ms Basic. Based on a review of my diary, I believe that I was present for a discussion between an OPP lawyer and Ms Gobbo in relation to a plea offer by Ms Basic. Ms Basic reserved her plea, was committed to stand trial and was granted bail.

Purana Taskforce

20. On 7 November 2005, I had a meeting with Detective Sergeant Flynn. During this meeting, he told me that my crew was going to be split, and some members of my crew were going to join the Purana Taskforce, but that I was remaining at the MDID.
21. On 9 November 2005, I had a meeting with DSS O'Brien about my availability to join the Purana Taskforce. I told him that I would go away and think about it.

22. I officially commenced duties as a Detective Senior Constable at the Purana Taskforce on 15 November 2005. My diary records that I was escorted by DSC Burrows to the 16th floor, which was the location of the Purana Taskforce.
23. When I arrived at the Purana Taskforce, I was in the middle of brief preparation for Operation Piler, which was a steroid related drug investigation that was unrelated to Purana but that I could not hand over because I was the informant and it was close to brief service date.
24. On 22 November 2005, I attended a briefing conducted by Inspector Gavan Ryan and DSS O'Brien in relation to the Purana Taskforce and Operation Posse. Operation Posse was the consolidation of a number of separate drug investigations into Tony Mokbel's criminal enterprise that were being conducted by the Purana Taskforce. Operation Quills was one of these investigations. Under Operation Posse, these investigations were to be resourced collectively under a single investigation.
25. In the course of preparing this statement, I have been shown an affidavit in support of an application for a warrant under section 46A of the *Telecommunications (Interception) Act 1979* (Cth) in respect of Rabrabih Karam. The affidavit states that I communicated the information set out in it to the Victoria Police Affidavit Preparation Section of Special Projects Unit. I have no recollection of doing so but have no reason to think that I did not communicate the information in the affidavit to the Special Projects Unit.
26. The affidavit refers to information provided by Registered Informer 21803838. I now know that Informer ID to be that of Ms Gobbo. However, at the time I did not know that Ms Gobbo was a human source, or that she was the source of any of the information in the affidavit.
27. Consistent with my usual practice, I would have compiled the information relevant to this affidavit from a number of different intelligence holdings, including but not limited to Information Reports (IRs). Where the affidavit refers to information provided by Informer 21803838, I am referring to information that I had obtained from various IRs. I was not concerned with who the source of the information was at the time because it was irrelevant to the task. The identity of the source of information was not something that I concerned myself with in the course of

compiling information relevant to this affidavit, or preparing any affidavit for that matter.

28. It is possible that I was involved in the preparation of other similar affidavits which were based in part on information provided by Ms Gobbo, although I have no specific recollection of this. I have not been shown any other similar affidavits at the time of preparing this statement. The process that I would have followed for those affidavits would have been the same as my usual practice, which I described above.
29. I have been shown a number of IRs that seem to correlate with the information referred to in the affidavit and observe that none of those IRs refer to informer number 21803838. I do not now recall how I learned that the source of the information in those IRs was Informer 21803838. However, I observe that there is sufficient information in the IRs to have enabled me to make additional inquiries.
30. In March and April 2006, I performed various tasks related to Operation Posse, including surveillance. The main target of this surveillance was [REDACTED]
31. On 9 March 2006, I was briefed by [REDACTED] in relation to current intelligence regarding Operation Posse. I did not record in my diary what the intelligence was. Later that day, DS Flynn tasked me with attending the [REDACTED] area to conduct surveillance in relation to a clandestine lab.
32. For the purpose of preparing this statement, I have reviewed my diaries and have identified briefings with DSS O'Brien and DS Flynn in which I received intelligence. Specifically, I have identified briefings on 16 March 2006, 17 March 2006, 30 March 2006 and 19 September 2006.
33. On some occasions (for example, 16 March 2006 and 30 March 2006), I recorded that the information was information from the DSU. On other occasions, I did not specify the source of the intelligence. At the time I received these briefings, I did not know who (or what) the source of the information was. If I recorded in my diary that the information had been received from the DSU, then I would have known at the time that the information was from a human source. However, I did not know until later that Ms Gobbo was a human source.
34. My diary records that on 13 April 2006, I conducted multiple walk overs of varying addresses in [REDACTED] as we thought [REDACTED] may have been using as a drug lab to manufacture methylamphetamine in the area. I did not locate [REDACTED] or the

address concerned. I was directed by DS Flynn to conduct further walk overs that night.

35. My diary records that at 2:30am on 14 April 2006, I was informed by DS Flynn that he now thought [REDACTED] had moved the drug lab to an address in [REDACTED] DS Flynn briefed me in relation to this and requested that I perform reconnaissance in [REDACTED] My diary records that I conducted reconnaissance with DS Flynn, Senior Constable Farrow and [REDACTED].
36. My diary records that at 4.30am on 14 April 2006, DS Flynn requested that DS Black and I returned to conduct another reconnaissance. Ultimately, I did not do this. My diary records that I worked on 16 April 2006 and was told to stay on standby for the possibility of further surveillance later that evening. I undertook no further surveillance.
37. I then took leave from 20 April 2006 to 1 May 2006.
38. There were a number of arrests [REDACTED] [REDACTED]. On [REDACTED] 2006, [REDACTED] was arrested. On [REDACTED] 2006, [REDACTED] was arrested and released pending inquiries.
39. On 10 May 2006, I called Ms Gobbo to make arrangements to drop off a recording relating to [REDACTED]. Later that day, I served a copy on her at Wheat cafe.
40. On 20 June 2006, I returned a call to Ms Gobbo in relation a bail variation for [REDACTED] Mr Bickley. Based on a review of my diary, it appears that Ms Gobbo had a copy of the bail variation and I requested that she fax a copy through to me.
41. On 14 August 2006, I attended a meeting with the DSU in relation to Operation Dotard. Present was O'Brien, Flynn, Kelly Martin, and Anderson. Out of that meeting, I was tasked with drafting an affidavit about the alleged involvement of Habib Mokbel. I do not recall attending this meeting or what Operation Dotard was.
42. On 6 September 2006, DS Flynn requested that I obtain an operation name for an investigation targeting Mr Cvetanovski. Operation Waugh was commenced.
43. On 11 September 2006, I attended a briefing with the DSU regarding Operation Posse. I do not recall what was discussed or who else attended the briefing.
44. My diary records that on 19 September 2006, I emailed [REDACTED] [REDACTED] a copy of the Operation Posse summary regarding [REDACTED]. I was requested

to do so by Inspector O'Brien, however, I do not recall why I was asked to do so. I do not have a copy of the email or the summary.

45. On 13 December 2006, I attended a confidential hearing as an observer. I made a note of this hearing in my diary.

Operation Gosford

46. Operation Gosford was an investigation into a number of threats made against Ms Gobbo. While I do not refer to "Operation Gosford", the first entry in my diary in relation to that operation is on 12 December 2006 and relates to some forensic evidence that I submitted to the Victoria Police Forensic Services Department for analysis.
47. My diary records that in the period from December 2006 to around April 2008, I performed various tasks in relation to Operation Gosford inquiries. There are a number of references to Ms Gobbo in my diary throughout this period because she was the victim of the threats. I have not set out every reference to Ms Gobbo in my diary in this section of my statement.
48. On 25 January 2007, I spoke with [REDACTED] in relation to 3838. We discussed making contact with [REDACTED] in relation to [REDACTED]. He stated that he would have 3838 broker contact. This is the first diary entry that I have located in which I refer to Ms Gobbo by her informer number. It is also the first entry I have located in which I ask for the DSU to task 3838. This diary entry does not relate to Operation Gosford. I do not recall whether I knew that Ms Gobbo was RHS 3838 at this time.
49. Later that day, I was advised by Detective Inspector O'Brien that [REDACTED] had advised him that 3838 had received a phone call from [REDACTED] and that they had arranged to meet that night, and that 3838 would try to find out the room number.
50. Separately, I have recorded in my diary that DI O'Brien requested that I conduct a check in relation to another threat that Ms Gobbo had received at 2.50pm. I performed that request.
51. On 26 January 2007, I spoke with [REDACTED] about the tasking of 3838. [REDACTED] said that he had not had an opportunity to conduct a full debrief with 3838 and that

he would call me back later. However, he did say that 3838 had told him during a phone call with [REDACTED] that he had told 3838 that he "needed to shower before meeting". 3838 thought that this was because he had been [REDACTED]
[REDACTED]

52. On 23 February 2007, DS Flynn informed me of another SMS threat that had been made against Ms Gobbo. DS Flynn requested that I undertake various investigative tasks in relation to this threat, which I did on 23 and 26 February 2007 and 1 March 2007.
53. On 26 February 2007, I briefed DSC Rowe about Operation Gosford, including the most recent threat on 23 February 2007. I then handed the investigation file over to him.
54. On 2 March 2007 at 2pm, I spoke to Detective Sergeant Anderson with regard to 3838. Having reviewed my diary, I believe that we discussed the process around the reporting of threats to Ms Gobbo and that I proposed to DS Anderson that if she received a threat, Ms Gobbo should call the Operation Gosford investigators directly, rather than the DSU. DS Anderson said that he would consider this and get back to me.
55. This is the first time that I updated the DSU with regard to the threats against Ms Gobbo. I must have known by this time that she was registered source 3838.
56. At 2.35pm, DS Anderson called me back and said that he agreed with what I proposed. However, all other involvement was to be through the DSU.
57. At 2.43pm, I called Ms Gobbo and advised her what the process would be in relation to the threats. I supplied Ms Gobbo with our crew phone number and told her to notify me immediately if a threat was received. At 3.10pm, I spoke to Ms Gobbo for a second time. The purpose of the second conversation was just to confirm the phone number for her to call.
58. On 22 June 2007, DSC Rowe and I attended Ms Gobbo's work address to collect an AFP brief. I have no recollection of this.
59. On 15 October 2007, I attended Ms Gobbo's address with DSS Flynn and Detective Senior Constable Rowe in relation to a threatening letter that had been sent to Ms Gobbo containing a card and two bullets. I took a video at the scene.

60. On 15 November 2007, I attended a meeting with DSS Flynn and Ms Gobbo in relation to a duress alarm.
61. On 31 ^{MARCH} ~~January~~ 2008, I received a telephone call from [REDACTED] in relation to Operation Gosford. He provided me with information about Tony Bayeh who was a person of interest to Operation Gosford.
62. On 16 April 2008, Ms Gobbo's car was set on fire. On the morning of 17 April 2008, I received a briefing from Detective Sergeant Jason Kelly, who asked me to perform various duties to assist the investigation into the fire.
63. Other than some reference to LEAP checks, I have not located any diary entries in relation to Operation Gosford after the car fire. I do not recall any involvement in Operation Gosford after that date.

Use of Ms Gobbo as a human source (questions 3-8)

Question 3

64. I refer to my answer to question 2.
65. I do not recall the precise date or circumstances in which I learned or was given reason to believe that Ms Gobbo was providing information or assistance to Victoria Police. I did not know that Ms Gobbo was providing information or assistance to Victoria Police at the time that [REDACTED] or [REDACTED] were arrested in [REDACTED] 2006.
66. To the best of my recollection, I did not know that Ms Gobbo was providing information or assistance to Victoria Police when I started working on Operation Gosford, however, I believe that I was either told or became aware of this fact as I began to investigate the threats made against her.
- + 67. The threats against Ms Gobbo were very specific. She was called a "dog", which is a term that criminals use to describe informers and witnesses. As I say in my answer to question 2, I definitely knew that Ms Gobbo was a registered human source on 2 March 2007 because I discussed the reporting process with DS Anderson on that date.

23/2/07 ←

68. I wasn't aware that Ms Gobbo had provided information or assistance to Victoria Police in 1995 and 1999 until around the time that this Royal Commission commenced.

Question 4

69. I believe that Inspector O'Brien, DSS Flynn and DSC Rowe knew that Ms Gobbo was providing information or assistance to Victoria Police. I do not know when they became aware that Ms Gobbo was providing information or assistance to Victoria Police, however, I believe that they knew before I did. While I do not recall any specific discussions, Ms Gobbo's status as a human source is something that DSC Rowe and I discussed in the course of Operation Gosford. I do not recall any discussions with Inspector O'Brien or DSS Flynn in which they said words to the effect that Ms Gobbo was a human source. However, the command structure within Victoria Police is such that I believe it more likely than not that they knew of her status as a human source by the time I became aware.
70. I do not know whether DS Mansell or DSC Burrows knew that Ms Gobbo was providing information or assistance to Victoria Police. By the time I knew, they had both left the Crime Department.
71. In my answer to question 2, above, I refer to a number of conversations between me and various representatives of the DSU. I believe that the DSU members named knew that Ms Gobbo was providing information or assistance to Victoria Police. I believe that [REDACTED] and others within the DSU also knew that Ms Gobbo was a registered human source, however, other than the discussions I refer to in my answer to question 2, I had no dealings with members of the DSU that I can recall and therefore do not know which DSU members had such knowledge.

Question 5

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

Question 6

73. I refer to my answer to question 2, above. I have set out all the personal contact with Ms Gobbo that I recall in my answer to that question.

Questions 7 and 8

74. I refer to my answers to question 2.

Concerns in relation to Ms Gobbo (questions 9-11)

Question 9

75. I am not aware of any concerns being raised as to the use of a legal practitioner as a human source during the time that I was on the Purana Taskforce.

76. I am now aware that concerns were raised as to the use of a legal practitioner as a human source through media reports. However, no concerns were raised with me.

Question 10

77. I am not aware of any concerns being raised as to the use of Ms Gobbo as a human source during the time that I was on the Purana Taskforce, other than concerns as to her safety. I had numerous discussions about Ms Gobbo's safety in connection with Operation Gosford.

78. I am now aware that concerns were raised as to the use of Ms Gobbo as a human source through media reports. However, no concerns were raised with me.

Question 11

79. I have no knowledge of these matters.

Other relevant matters

Zlate Cvetanovski (Question 12)

80. I have been asked about my involvement as the informant in relation to the investigation and prosecution of Mr Cvetanovski.

81. On 8 March 2007, Mr Cvetanovski was arrested and interviewed in relation to trafficking drugs of dependence and obtaining financial advantage by deception. He was charged and bailed on the same day. I was the informant in relation to those charges.

Financial

82. On 15 April 2008, Mr Cvetanovski was arrested in relation to trafficking a commercial quantity of a drug of dependence. He was charged and remanded in custody. I was also the informant in relation to these additional charges.

83. I compiled the briefs of evidence for both the drug charges and the financial related charges against Mr Cvetanovski, with the assistance of others.
84. With regard to the financial related charges, I received assistance from Detective Senior Constable Tamara Chippendall. Detective Senior Constable Chippendall was the informant for Mr Cvetanovski's co-accused in relation to the financial charges, Alexandra Cvetanovski.
85. In preparing the brief of evidence for the drug charges, I drew from information that was held within Operation Posse, as well as compiling additional evidence, where required.
86. To the best of my recollection, no information in the briefs of evidence was obtained directly from Ms Gobbo. In both cases, the briefs of evidence were drawn from statements made by witnesses, electronic surveillance and search warrants.
87. In addition, I have reviewed the parts of the briefs of evidence that I still have access to for the purpose of this statement. I have not located any information on the briefs that was obtained directly from Ms Gobbo.
88. Mr Cvetanovski was tried separately for the drug and financial related charges. There were a number of delays to the trials. The reasons for the delays are not relevant to this Royal Commission.
89. [REDACTED] Mr Cvetanovski in relation to the drug charges. Between 2006 and 2011, I attended [REDACTED] on a number of occasions to meet with [REDACTED] from him. In that period, I also attended [REDACTED] to make a number of welfare checks on [REDACTED] in the same period. There was nothing unusual in the way I dealt with [REDACTED] during these visits.
90. On occasions, [REDACTED] would bring up Ms Gobbo during our conversations. This occurred in the context of the welfare checks that I made on [REDACTED]. When he spoke about Ms Gobbo, he did so in the context of her being a [REDACTED] rather than as [REDACTED].
91. I am aware that Ms Gobbo acted for [REDACTED] when he was arrested. I do not know when Ms Gobbo ceased acting for [REDACTED]. However, [REDACTED] did not seek guidance from any solicitor in relation to any of [REDACTED] from him.

Ms Gobbo was not present on any of the occasions when I [REDACTED]

92. I have been informed of allegations that Mr Cvetanovski has made in a letter. I deny these allegations.
93. Mr Cvetanovski's trial in relation to the financial related charges started on around 28 February 2011. He was found guilty of four of five charges on 17 March 2011.
94. Mr Cvetanovski's drug trial started on 28 March 2011. Regrettably, it was aborted on a number of occasions and for a number of different reasons, none of which related to Ms Gobbo. As I was to be called to give evidence, I was excluded from the Court for much of the trial. To the best of my recollection, I was excluded based on an application made by the defence.
95. On 1 April 2011, the jury was discharged for the first time. On 4 April 2011, the trial was aborted for a second time and a third jury was empanelled later that day.
96. On [REDACTED] 2011, [REDACTED] I was not in Court for his evidence. However, my diary records that during the lunch break, the prosecutor [REDACTED] told me that the defence had raised putting to [REDACTED] that Ms Gobbo had [REDACTED] I have no recollection of this conversation, however, my diary records that I spoke to DSC Rowe and Detective Sergeant Coghlan about this allegation and that they said to me that they had no knowledge of this matter.
97. On [REDACTED] 2011, I spoke with three different representatives from the DSU in relation to the matter that Mr [REDACTED] had raised with me on the previous day.
98. Mr Cvetanovski's drug trial resumed on 11 April 2011. I was excluded from Court for the whole day. After Court, DSS Flynn, [REDACTED] and I attended a conference with Mr [REDACTED] and another person from the OPP at Mr [REDACTED] chambers. I have no recollection of this meeting, however, I made a note of what was discussed in my diary.
99. On 9 May 2011, the jury in Mr Cvetanovski's trial was discharged for a third time. The reason that the jury was discharged is unrelated to the matters discussed on 11 April 2011.

*Review Planning
8th S.T. DSU
Re: Tim Ibbot
Conducting of Statute*

100. Mr Cvetanovski's drug trial resumed on 31 May 2011. He was found guilty on all charges in July 2011, however, I do not know the date because I was on leave at this time.

Question 13

101. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Question 14

102. In my police career, I have attended many training courses, starting with the Police Academy in 1996. Most relevantly, I have completed Detective Training School – Advanced Diploma of Police Investigation and [REDACTED] Human Source Management Training. I completed the [REDACTED] Human Source Management Training in October 2015. I have also completed the Intelligence Development Program through the Attorney General's department in July 2011.
103. Throughout those training courses, I received training on the topics identified in question 14.

Question 15

104. I have nothing further to add in response to question 15.

Dated: 25 July 2019



Craig Anthony Hayes