

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

**SUPPLEMENTARY STATEMENT OF PAUL DAVID ROWE**

1. My full name is Paul David Rowe.
2. I have previously produced a statement dated 25 June 2019 to the Royal Commission.
3. I make this supplementary statement in response to an email request from the Royal Commission into the Management of Police Informants dated 27 April 2020. This statement is produced to the Royal Commission in response to a Notice to Produce.
4. This statement deals with the following matters:
  - (a) My role with telephone intercepts (TIs) while at Purana;
  - (b) Purana TIs related to Ms Gobbo;
  - (c) Disclosing TI material in subsequent prosecutions; and
  - (d) Retaining Purana material.
5. When I was contacted to provide this statement, I was on a period of scheduled leave. Therefore, in preparing this statement, I have relied upon my best recollection of these matters and my best recollection of relevant materials that existed as well as materials located and shown to me by my lawyers. I am informed that other materials are being located and reviewed at the time of signing this statement.

**My role with TIs while at Purana**

6. I was a member of the Purana Taskforce from January 2006 until February 2009, save for the period from June 2008 to late October 2008, when I was on temporary duties at the Homicide Squad.
7. I had some previous experience with applying for and monitoring TIs while I was a Detective Senior Constable at the Major Drug Investigation Division (MDID) in 2005.
8. I recall that the process of seeking a TI generally involved the following:
  - (a) The investigator would type out information about the target and the alleged offending and send it to the Special Projects Unit (SPU), along with information about the phone service that was to be intercepted. Sometimes other investigators would help put this material together if there was a lot of it.

- (b) The officers at SPU would check the material complied with the required affidavit form. They might also make decisions about whether there was sufficient information to obtain the warrant and sometimes request more information.
  - (c) The affidavit would be returned so that the investigator or, on occasion their supervisor, could verify that the contents of the affidavit were correct.
  - (d) Once the affidavit had been verified, I recall that SPU would handle the rest of the process of obtaining the warrant. I understand that SPU might seek legal advice, but that is not something I was involved in.
9. I applied for TIs as part of my duties at the MDID. For example, in July 2005, I supplied information used in an affidavit dated 19 July 2005 for an application for a TI on a phone service used by [REDACTED]. This TI was used as part of an MDID investigation, Operation Quills. I also supplied information used in an affidavit dated 1 August 2005 seeking a further TI on a phone service used by [REDACTED].
10. Neither affidavit contains any information supplied by Ms Gobbo. I had no involvement with Ms Gobbo prior to 31 August 2005.
11. I moved to Purana in early January 2006 after some extended leave in late 2005.
12. As my diary records, I began to review TI materials a few days after I arrived. This was one part of my overall duties. I recall that when I arrived at Purana, a number of TIs had already been obtained and SPU was providing material to investigators.
13. The usual process for reviewing TI material was as follows:
- (a) VPS members, referred to as monitors, would listen to the raw product of the telephone intercepts and type out summaries of what had occurred. Initially I believe the monitors for the Purana material were part of SPU, but after a certain time, I recall that Purana had its own dedicated members who listened to TI product.
  - (b) SPU monitors would upload the summaries to a system available to investigators. Monitors might notify investigators of certain urgent matters if they had been told ahead of time to look out for those matters, such as reference to interstate travel. This might prompt investigators to identify particular phone calls that might be useful. The investigators would often then listen to those recordings. I believe that there was

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<sup>1</sup> VPL.2100.0003.0001.

<sup>2</sup> VPL.2100.0003.0023.

eventually a dedicated terminal in the Purana office for listening to TI product, but I believe initially I had to go to the SPU offices to do so.

- (c) My diary often referred to the task of “updating TI summaries”, such as on 12 January 2006. This meant that I would be listening to phone calls that might be relevant and typing summaries to collect any relevant intelligence. My recollection is that at that time in around 2006, we would print out summaries and keep them in a locked drawer. I believe that later there had to be a separate secure electronic T: Drive folder created by SPU where investigative summaries were kept electronically.

14. I knew at the time that intercepted calls that were subject to legal professional privilege were quarantined by SPU and not available to investigators. This was apparent because there would often be a gap in the sequential call numbers available under a certain TI. If you contacted SPU to ask about the gap in the numbers, you would be told the call was not available because it was privileged.

#### **Purana TIs relating to Ms Gobbo**

15. I am informed by my lawyers that Taskforce Landow have not located any TI affidavits that list me as the officer who verified the information provided and that contain information supplied by Ms Gobbo as a human source.
16. In preparing this supplementary statement, I have been shown an affidavit dated 24 February 2006 seeking a TI in relation to Operation Posse<sup>3</sup>. I am informed that the affidavit relates to [REDACTED] Detective Sergeant Dale Flynn is recorded as the officer verifying the underlying information. The affidavit refers to information supplied by Ms Gobbo, referred to only by the human source reference 21803838.
17. I have been asked if I recall having any involvement in preparing this affidavit.
18. I do not particularly recall seeing this affidavit before but I may have seen it at the time. My diary records that on 20 and 21 February 2006, one of my tasks was to “prepare and submit TI SPU App re [target [REDACTED]]”. Usually if I was preparing an affidavit, my diary would refer to “affidavit” or “aff”. DS Flynn’s diary for 20 February 2006 also indicates that I briefed him that day about a number of matters, including preparing an application for Mr Osborne.
19. I do not independently remember doing so but, based on these diary entries, I believe I might have assisted to put together the information used in this affidavit. The

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<sup>3</sup> VPL.2100.0008.0001.

information in this affidavit is very detailed and I expect that it drew on material collated for previous applications.

20. The affidavit does not refer to any relationship between the source and the target. At that time, I did not consider including any information that might identify Ms Gobbo as the source because my training had emphasised the importance of not including such information.
21. I do recall listening to intercepted calls between [REDACTED] and Ms Gobbo while at Purana. They seemed to speak often, and it was clear from their conversations that they were chatting as friends. It was clear that these were not calls about privileged matters. In any case, SPU would have prevented us receiving any such calls.
22. My diary records that I assisted with preparing other TI applications. For 27 February 2006, my diary records that I prepared SPU TI applications and updates for [REDACTED] Cvetanovski and M Mokbel. The reference to "updates" would likely have meant there was already a TI in place or that an application had already been partially drafted, and I was either renewing a previous application or assisting to finalise an existing draft application.
23. I note that later in 2007 and 2008, I arranged a number of intercepts in the course the investigating threats against Ms Gobbo as part of Operation Gosford. These included virtual intercepts on Ms Gobbo's phone and phones suspected of sending threats to her. Virtual intercepts produce data, however, do not produce audio recordings. I recall that these virtual intercepts were aimed at identifying the source of threatening text messages and did not intercept audio. These intercepts did not concern Ms Gobbo's role as a source or other investigations rather focused on her as being a victim of the threats.

#### **Disclosing TI material in subsequent prosecutions**

24. Generally speaking, the informant makes decisions about what TI material is included in briefs of evidence. In preparing a brief, the informant would review TI material to identify whether material was evidentiary and might be relied on. If there was a lot of TI material, other officers might help the informant with this.
25. I understood that TI material needed to be disclosed if it was to be relied on, and even if it was not to be relied on, that its existence might need to be disclosed. I believe that if any evidentiary calls were included in a brief, it was then obvious to defence lawyers that TIs had been obtained. It was also obvious that there would be many other calls intercepted

that were not on the brief, as there would be a gap in the numbering of the call recording for example

26. I recall that on a number of occasions, defence solicitors asked to listen to calls that were not included in briefs. If they did, arrangements would be made for them to come and listen to recordings as the recordings could not be readily made available in a form they could otherwise access. Many solicitors would not do so because there was often a large volume of irrelevant material captured by TIs.
27. I do not independently recall whether TI material relating to [REDACTED] and Ms Gobbo was included in any briefs of evidence or whether the existence of such material was disclosed.
28. To date, Taskforce Landow has located and I have been shown the following indexes of briefs of evidence and exhibit lists for cases where I was the informant:

Accused	Document	TI product references
[REDACTED] [REDACTED]	Index to Brief <sup>4</sup>	Pages 508 to 656, being English and [REDACTED] transcripts of telephone intercepts.
Frank Ahec Milad Mokbel Domenic Barbaro	Exhibit List <sup>5</sup>	Items 296: Warrants for M Mokbel phone Item 299: CD of M Mokbel phone calls Items 300-302: Warrants for [REDACTED] phones Items 303-304: CDs of [REDACTED] phone calls Items 305-307: Warrants for Ahec phone Item 308: CD of Ahec phone calls Items 309-311: Warrants for further M Mokbel phone Item 312: CD of M Mokbel phone
Antonius Mokbel Abdallah Radi Ghazwan Farachi	Exhibit List <sup>6</sup>	Warrants and CDs containing evidentiary calls pursuant to a number of warrants.

### Retaining Purana material

29. I recall that a number of times in recent years, I sent and received emails about retaining a range of different materials from Purana investigations:

(a) In May 2014, I was contacted by a VPS officer in charge of managing police property and records about proposals to destroy some Purana materials. As the email chain

<sup>4</sup> VPL.0201.0001.0001.

<sup>5</sup> VPL.0200.0002.0112.

<sup>6</sup> VPL.0099.0013.3240.

indicates<sup>7</sup>, I checked with the Detective Senior Sergeant Peter Trichias, who was still at the Purana Taskforce. His instruction was to retain all property from Purana pending any appeals and this instruction was confirmed with Detective Inspector Monique Swain.


(b) In July 2014, I contacted by another former Purana investigator about whether Posse materials could be destroyed. Again, as per the email chain, I indicated they could not be because of matters to do with Lawyer X<sup>8</sup>.

(c) In May 2015, I was again contacted about the destruction of Posse material. As the email chain indicates<sup>9</sup>, my understanding was that it was to be retained pending Lawyer X issues being sorted.

(d) In July 2018 and February 2019, I received emails from the SPU Evidence Preparation Section about the destruction of Operation Quills materials<sup>10</sup>. In February 2019, I responded that the operation had significant implications for "Lawyer X" and so needed to be retained and that its status should be reviewed in 12 months.

30. In preparing my evidence for the Royal Commission, I have not been asked by Taskforce Landow or anyone else about intercepted telephone calls related to Operation Posse or involving Ms Gobbo. Nor is this a matter that occurred to me as part of the preparation of my initial statement dated 25 June 2019.

Dated: 5 May 2020



Paul David Rowe

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<sup>7</sup> VPL.6030.0031.5005.

<sup>8</sup> VPL.6030.0007.6986.

<sup>9</sup> VPL.6030.0011.8636.

<sup>10</sup> VPL.6030.0030.3066.