

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

STATEMENT OF MICHAEL JOHN HOLDING

1. My full name is Michael John Holding. I am currently employed as a Contract Scheduler. I reside in Cairns, Queensland.
2. I was employed by Victoria Police between May 1978 and February 1999.
3. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 26 March 2019.

Educational background and employment history

4. My educational background is as follows:
 - Victoria Higher School Certificate – 1976
 - Certificate in Police Management – Charles Sturt University – 1994
5. I commenced employment at Victoria Police in May 1978. I was promoted to the rank of Senior Constable in October 1983 and Sergeant in April 1993. At my request, I reverted in rank to Senior Constable in March 1996.
6. I undertook the following postings while employed by Victoria Police:
 - Port Melbourne from June 1979
 - Shepparton from June 1982
 - East Bentley Criminal Investigations Branch (CIB) from November 1984
 - Shepparton from December 1985
 - Carlton from April 1991
 - Shepparton from October 1994 (general duties then CIB from 1996)
7. I also served on the Executive of the Victorian Police Association from 1993 to 1999 and am a Former Director on the Victoria Police Friendly Society.
8. I resigned from Victoria Police on 19 February 1999.
9. I joined the Queensland Police Service on 1 March 1999. In June 1999, I transferred to the Cairns Police Station, where I remained until 2003.
10. After 2003, I moved back to Victoria and was employed as a Regional Manager for a reinforcing company. I have recently moved back to Cairns and am employed as a Contract Scheduler for the same company.

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

11. My involvement or association with any investigation which had dealings with Ms Gobbo occurred during 1993 when I was a Sergeant at 'A' District Support Group.
12. I have some independent recollection in relation to my dealings with Ms Gobbo, and the events giving rise to those dealings. I am further assisted by my police diary¹ which records two relevant entries. I have also been shown a document² which is a letter addressed to me dated 8 December 1993 from Chief Superintendent Graham congratulating me on the successful conclusion of Operation Yak. The document also contains a report on the matter prepared by S/Sgt Brigham. I believe this report is an accurate description of the events described.
13. I recall that in 1993, my team received a Crimestoppers file in relation to the alleged drug trafficking activities of Brian Wilson, a hotel bouncer.
14. An investigation into these allegations commenced, referred to as Operation Yak. I was in charge of this investigation and my crew undertook surveillance of Mr Wilson.
15. After a period of surveillance, a search warrant for Mr Wilson's premises in Carlton was obtained. I believe that I applied for the search warrant at the Magistrates' Court. The search warrant was executed on 3 September 1993 and uncovered large quantities of marijuana and speed concealed at the premises. I was responsible for executing the search warrant, assisted by my crew and Sergeant Ashton's crew.
16. To my knowledge, Ms Gobbo was at that time the girlfriend of Mr Wilson and resided with him at the premises. She was also law student at Melbourne University. I also knew that she was the niece of Justice Gobbo.
17. I am not sure whether Ms Gobbo was present at the premises at the time of the search warrant.
18. Following the execution of the search warrant, both Mr Wilson and Ms Gobbo were arrested and charged with drug trafficking offences. My recollection is that a later date after execution of the search warrant, I went to Melbourne University to speak to Ms Gobbo.
19. I believe that Ms Gobbo had knowledge of the drugs found at the premises but denied any involvement in the trafficking of those drugs.

¹ VPL.0005.0028.0225

² VPL.0005.0033.0001

20. My diary contains two entries that record the following:

*28/09/1993: "2030 return to office spoke to Nicola GOBBO on phone re defendant Brian WILSON"*³

*30/09/1993: "1400 spoke to Nicola GOBBO at office & commenced to take statement in relation to Brian WILSON. 1535 GOBBO left office to see solicitor corro & enquiring."*⁴

21. My recollection is that these communications with Ms Gobbo related to her providing a statement against Mr Wilson. I recall that the evidence we had against Ms Gobbo in relation to drug trafficking charges was not strong. I believe that I was speaking with Ms Gobbo to see whether a statement could be obtained from her to support the case against Mr Wilson.

22. I believe that I did not end up obtaining a statement from Ms Gobbo. I believe that she was going to obtain legal advice and ultimately the matter was not taken any further.

23. From my dealings with Ms Gobbo, I found her to be very confident and opinionated. I felt that she thought the process was like a game.

24. At no time did I register Ms Gobbo as an informant.

25. I don't believe that I had any further contact with Ms Gobbo after she had appeared in court for the drug related charges.

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

Question 3

26. My personal knowledge of the assistance or information Ms Gobbo provided to the Victoria Police is confined to my response to question 2 above.

27. All other knowledge I have of Ms Gobbo providing information or assistance to Victoria Police is what I have become aware of through media reports.

Question 4

28. Aside from the other members of my crew involved in Operation Yak, I am unaware of any other members of Victoria Police or other organisations who were aware that Ms Gobbo was providing information or assistance to Victoria Police.

³ VPL.0005.0028.0225

⁴ VPL.0005.0028.0225

29. I believe that Trevor Ashton either registered or had intentions to register Ms Gobbo as a human source at a later stage. I think he spoke to me about this, although I am not certain about this. I have no knowledge of any information or assistance provided by Ms Gobbo at a later stage.

Question 5

30. I refer to my answer to question 4. I otherwise have no information to provide in response to this question.

Question 6

31. I refer to my response to question 2.

Questions 7 and 8

32. I have no knowledge in relation to these matters.

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

33. I have no knowledge in relation to these matters.

Other relevant matters

Question 12

34. I am not aware of any human source that has provided information or assistance to Victoria Police who were subject to legal obligations of confidentiality or privilege.

Question 13

35. I completed numerous training courses while employed by Victoria Police. Some of these courses are listed above.

36. While I do not recall all of the specific training I undertook at Victoria Police and do not have access to the specific topics covered in each course, I recall receiving training on the following identified topics:

- a) I don't recall receiving any training in relation to disclosure.

- b) I received training in relation to the right of an accused person to silence during Academy training and in subsequent training undertaken during my time at Victoria Police. This is also referred when administering the caution.
- c) I received training in relation to the right of an accused person to a legal practitioner during Academy training and in subsequent training undertaken during my time at Victoria Police. This is also referred to when administering the caution.
- d) I received training in relation to legal professional privilege during Academy training and in subsequent training undertaken during my time at Victoria Police.
- e) I do not recall receiving training in relation to public interest immunity.
- f) I recall that professional and ethical decision making was a part of training I received at Victoria Police, though I cannot recall specifically which training courses. I recall that Victoria Police had a Code of Ethics.

Question 14

37. I have nothing further to add in response to question 14.

Dated: 27 March 2019



Michael John Holding