

Royal Commission
into the Management of Police Informants

STATEMENT OF NIGEL ALAN L'ESTRANGE

1. My full name is Nigel Alan L'Estrange.
2. I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 23 May 2019. This statement is produced to the Royal Commission in response to a Notice to Produce.

Educational background and employment history (Q1)

3. I graduated from the Victorian Police Academy in 1996.
4. Details of my progression through the ranks and training are contained in Annexure A to this statement.

Involvement or association with any investigation which dealt with Ms Gobbo (Q2)

5. My contact with Nicola Gobbo related to the investigation of gangland homicides while I was member of the *Purana Taskforce*. My contact with Ms Gobbo primarily related to ~~two~~ ^{the} accused, [redacted] and [redacted]. These investigations also related to a third accused, [redacted] but to the best of my recollection I had no contact with Ms Gobbo in relation to [redacted].
6. The crew I worked in at the *Purana Taskforce* included Detective Sergeant Stuart Bateson and Detective Senior Constables Mark Hatt and Michelle Kerley. I recall that DS Bateson's superiors included Detective Senior Sergeants Swindells and Ryan.
7. I was a member of the *Purana Taskforce* from October 2003 until ~~October~~ ^{November} 2005, at which point I returned to the Homicide Squad. Once I returned to the Homicide Squad, I assisted my old *Purana* team occasionally by taking statements from witnesses and managing witnesses during and in the lead up to them giving evidence.

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NIGEL L'ESTRANGE
Detective Senior Sergeant 30968

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Arrests of [REDACTED]

8. [REDACTED] for the murder of [REDACTED]. The murder had been committed earlier that day. I was not on duty that day. I had been involved in investigative enquiries involving [REDACTED] before the murder and was also involved in follow up enquiries afterwards, including executing a search warrant and arresting another individual who provided a statement implicating [REDACTED] in arrangements for [REDACTED] murder.
9. On [REDACTED] 2003, Victoria Police successfully applied under s 464B of the *Crimes Act 1958* (Vic) to take [REDACTED] out of remand to interview him in relation to another crime. I was on duty and was present as security when [REDACTED] was taken from the [REDACTED] to the Homicide Squad and back again, but I did not conduct the interview with [REDACTED] or have any contact with Ms Gobbo on that day. I may have spoken to [REDACTED] but only briefly, as my diary records I offered him tea or coffee.
10. On [REDACTED] 2004, I was present with DS Bateson and DSC Hatt when [REDACTED] was [REDACTED]. The [REDACTED] murders had taken place on [REDACTED] 2003. I had been involved in investigations in the lead up to [REDACTED]. I was aware at the time that DS Bateson had met with [REDACTED] 2004, [REDACTED] and that DS Bateson had canvassed with [REDACTED] the possibility he would assist police.
11. My diary records that when [REDACTED] was being interviewed on [REDACTED] he contacted Ms Gobbo. My recollection is that he then mostly gave a no comment interview. I recall that he provided some details during the interview, but I cannot now recall what those details were. They were recorded as part of the record of interview. I have not reviewed the record of interview in preparing this statement. Following the interview, [REDACTED] was charged and remanded in custody after a filing hearing at which he was represented by [REDACTED]. Ms Gobbo did not appear.
12. That same day, [REDACTED] 2004, other members of my crew served [REDACTED] and [REDACTED].
13. My diary records that on [REDACTED] 2004, I spoke with [REDACTED] [REDACTED] for an application under s 464B of the *Crimes Act 1958* (Vic) in relation to the murder of [REDACTED]. I was not involved in the s 464B interview,



but briefly spoke to [REDACTED] afterwards. I do not recall what we spoke about. I had no contact with Ms Gobbo that day.

14. On [REDACTED] 2004, a member of [REDACTED] family told me that [REDACTED] wanted to meet with me discreetly. Two days later, I met with [REDACTED] at [REDACTED] PII [REDACTED] and I recall that I recorded the meeting. I am informed by my solicitors that enquiries are being made to locate a copy of that recording or a transcript of it. I recall that during the conversation, [REDACTED] vaguely alluded to assisting police in a roundabout way, but there was no agreement for him to give assistance.
15. I recall that in [REDACTED] 2004 Ms Gobbo acted for [REDACTED] in relation to a matter. I recall that I was present and might have spoken to her but do not believe that we discussed anything substantive. I have not provided any further detail in relation to this matter given legislative secrecy provisions.

Cooperation by [REDACTED]

16. I became aware in around late-2003 that [REDACTED] was cooperating with police by making statements in relation to a number of gangland murders. I did not take any statements from [REDACTED] but I was involved in making arrangements when statements were taken from him.
17. As my diary records, from December 2004 to October 2005, I assisted now and then with managing [REDACTED] as a witness. That assistance included [REDACTED] [REDACTED] while other members of my crew took statements from him, speaking to [REDACTED] [REDACTED] counsel, [REDACTED] on one occasion to advise him that Purana members would give evidence at [REDACTED] and visiting [REDACTED] in the lead up to him giving evidence.
18. In particular, I assisted with arrangements for [REDACTED] to give evidence against [REDACTED] [REDACTED] whose trial for the murder of [REDACTED] began on [REDACTED] 2005. On [REDACTED] 2005, I organised for [REDACTED] to give evidence by video-link from a remote location. I was present at that remote location with [REDACTED] from [REDACTED] [REDACTED] 2005 while he gave evidence against [REDACTED] On [REDACTED] 2005, [REDACTED] was found guilty of murdering [REDACTED]
19. To the best of my recollection, none of this work in managing [REDACTED] as a witness involved contact with Ms Gobbo.



Cooperation by [redacted]

20. By ~~October~~ ^{November} 2005, I had returned to the Homicide Squad. During the years that followed, I continued to assist my old *Purana* crew with managing witnesses.

21. On 3 February 2006, Crown Prosecutor Geoff Horgan faxed to me a letter that he had received from [redacted] indicating that [redacted] wished to cooperate with police. My recollection is that Horgan sent the letter to me because he knew I had been involved in investigating the gangland murders at *Purana*, and he had been unable to contact other members of my crew. I briefed DSS Jim O'Brien and DSS Gavan Ryan about the letter that day.

22. A few weeks later, on [redacted] February 2006, I took a statement from [redacted] about the [redacted] murder. [redacted] 2006. [redacted] on [redacted] 2006, he was sentenced.

23. Since taking [redacted] statements in [redacted] I have had ongoing contact with [redacted] when he has given evidence in subsequent trials. Examples of this include when [redacted] gave evidence at a trial related to [redacted] and when he gave evidence in the trial of [redacted] in the last few years. None of this work in relation to [redacted] involved contact with Ms Gobbo.

24. I recall that in around [redacted] 2006, in the weeks after [redacted] sent the letter to Geoff Horgan [redacted] also indicated to members of my former crew at the *Purana Taskforce* [redacted] I do not recall being involved in any discussions with his lawyers about him agreeing to give evidence. [redacted] may have mentioned [redacted] to me but I was not involved in the process of him [redacted] police. Around this time, on [redacted] June 2006 and [redacted] July 2006, I also met with [redacted] regarding concerns they had for their safety after being contacted by members of [redacted]

25. I took statements from [redacted] from [redacted] 2006 in relation to multiple murders, including a statement about the murder of [redacted] that I took on [redacted] 2006. I assisted because the team needed extra resources, I was familiar with the murder investigations and I had some rapport with [redacted] after being involved in [redacted] [redacted] My diary records that in the lead up to taking these statements, I attended a meeting on 30 June 2006 with members of my crew and Superintendents

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Detective Senior Sg Det. 36968

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- Grant and Whitmore regarding [REDACTED] statements. I don't recall what occurred at this meeting.
26. My diary records that on 13 July 2006, during the period I was taking statements from [REDACTED] there was a meeting held at the Victorian Police Centre with [REDACTED] with DSC Kerley, DS Bateson and DSC Hatt. I have been asked whether I recall Ms Gobbo being present at this meeting. I cannot recall the meeting and do not recall Ms Gobbo being present at the meeting.
27. My diary also records that on [REDACTED] 2006, I was with DS Bateson when I spoke with Ms Gobbo regarding [REDACTED]. I do not recall what was spoken about. [REDACTED] ultimately pleaded guilty on [REDACTED] 2006 and was represented at his plea hearing by [REDACTED].
28. From the time I took [REDACTED] statements, I had contact with [REDACTED] on a number of occasions when he gave evidence, as well as to address issues to do with his safety and welfare. Those arrangements included being present with him at secure locations when he gave evidence by video link, and the safety issues I addressed related to his safety [REDACTED] and informing him of threats [REDACTED].
29. Apart from the few following incidental occasions, my contact with [REDACTED] did not involve Ms Gobbo. On [REDACTED] January 2007, Ms Gobbo called to say that she heard [REDACTED] may be moving back [REDACTED] ^{PII}. This would have been a concern as [REDACTED]. That day, I spoke with [REDACTED] and confirmed this was not occurring. I do not have a record of calling her back and do not believe that I did.
30. I am informed that a record in the Loricated database states that in around March 2007, Ms Gobbo told her SDU handlers that [REDACTED] wanted her to speak with me about [REDACTED]. Further, I am informed that a record in the Loricated database states that around 6 April 2007, Ms Gobbo told her SDU handlers that I had told her that [REDACTED] and [REDACTED] 'would have to give evidence'⁵.
31. I have no recollection of speaking to Ms Gobbo either about [REDACTED] and [REDACTED] giving evidence. I have not been able to find any entries in my diary recording conversations with Ms Gobbo about those matters.

⁴ VPL.2000.0002.6218.

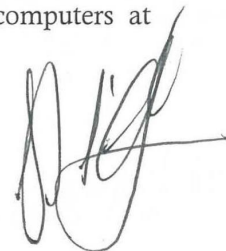
⁵ VPL.2000.0002.6402.



32. However, my diary does record that on [REDACTED] April 2007 I attended [REDACTED] Prison where [REDACTED] gave evidence by video link regarding [REDACTED]. My diary records that at that time, I spoke to [REDACTED] regarding a further statement, which may be a reference to a further statement regarding [REDACTED] but I do not recall if this was the case. My diary records that when I attended again on [REDACTED] May 2007, I discussed the "further statements" again.
33. One of the statements I took from [REDACTED] in July 2006 related to [REDACTED]. I do not believe I took a further statement from [REDACTED] about [REDACTED] around this time. I recall that other officers may have done so around this time – namely, DSC Hatt and DS Buick. I was present when DSC Hatt took a further statement regarding [REDACTED] murder from [REDACTED] a few years later on [REDACTED] 2008 in preparation for the committal hearing of [REDACTED], who had been charged with [REDACTED] murder. I was then present when [REDACTED] gave evidence at [REDACTED] the [REDACTED] 2008.
34. On [REDACTED] June 2007, I dropped off legal papers for [REDACTED] to Ms Gobbo. My diary does not record what these legal papers related to, and I cannot recall what they were. My diary records that I had attended [REDACTED] Prison that day with DSC Hatt to meet with [REDACTED]. I recall that I did this as there was not another officer available that day who [REDACTED] trusted.

Other investigation related to Ms Gobbo

35. In around June 2006, I was briefed by Detective Sergeant Wilson who was part of the *Purana Taskforce* and had been assigned from the Fraud Squad. I was briefed regarding investigations into potential money laundering offences related to a solicitor attending casinos outside Victoria to cash out chips for Tony Mokbel using her identification.
36. My diary records that I made enquiries related to this information on 16, 29 and 30 June 2006. I have been asked whether I knew that Ms Gobbo had supplied information relevant to this matter. My diary does not record whether Ms Gobbo was discussed as being the source of this information and I do not recall if she was ever mentioned to me. No charges were laid in relation to these investigations.
37. On 15 August 2006, DS Bateson instructed me to investigate a threat Carl Williams had made in a letter he sent from Barwon Prison, which declared "N.Gobbo as a dog". The next day I executed a search warrant to seize the hard drives of computers at



Barwon Prison. I recall that no charges were laid in relation to the threat, and I do not believe I had any contact with Ms Gobbo in relation to this.

How I learned, or were given reason to believe, Ms Gobbo was providing information to police (Q3) and awareness of others (Q4)

38. I was aware that around early 2009, it was proposed that Ms Gobbo was to give evidence as a witness in relation to the murders of Terence and Christine Hodson.
39. To the best of my recollection, the first time I became aware that Ms Gobbo was providing information as a human source was in late 2012, when I was upgraded for three months to lead the Human Source Management Unit. At that time, I became generally aware that Ms Gobbo had acted as a human source, but I did not review any materials relevant to her assistance and had no other involvement with the matter at that time.

Authorisation of the use of Ms Gobbo as a human source (Q5)

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

Personal contact with Ms Gobbo (Q6)

41. Beyond the contact set out above, I had some other minor contact with Ms Gobbo in 2006 and 2007.
42. On 9 January 2006, Commander Terry Purton gave me audio tapes relating to Operation Kayak, which was a drugs investigation relating to Tony Mokbel. I took those tapes to the Victoria Police Forensic Science Centre where I met with Ms Gobbo and defence audio expert, Roger Boyell. I was present with them while the tapes were examined. I was there only to look after the tapes and had no other involvement in the investigation.
43. On 28 May 2006, I was on a rest day when I saw Ms Gobbo on Lygon Street in Carlton. As recorded in my diary, she was with a man I did not know who she introduced as Carl Costa. She mentioned that she believed Tony Mokbel was still in Australia and that he owed her money when he absconded. I am informed that a record in the Loricated database⁶ suggests that I spoke to Ms Gobbo about a message passing between her, [REDACTED] and [REDACTED] regarding payment to [REDACTED] via [REDACTED]. I do not

⁶ VPL.2000.0002.9783.



recall that I spoke with Ms Gobbo about any such message. I recall that we discussed only what was referred to in my diary.

44. On 6 March 2019, after the Royal Commission had been announced, [REDACTED] contacted me to report that Ms Gobbo had visited him the day after he was remanded in [REDACTED] ²⁰⁰³ ~~2004~~. He told me that he had asked Ms Gobbo to speak to Carl Williams about [REDACTED] on his behalf and then made a money gesture with his fingers, indicating that he wanted her to arrange for [REDACTED] to give money to look after [REDACTED]. This contact between [REDACTED] and Ms Gobbo may be what the Loricated record was a mistaken reference to.

45. On 9 May 2007, my diary records that I picked up a dispatch for DS Bateson from Ms Gobbo, which I recall was wine that [REDACTED] arranged for DS Bateson. I understood that DS Bateson had obtained permission to receive this.

46. On 20 May 2007, I was invited by journalists from a newspaper to attend the football in a corporate box at the Docklands Stadium, along with some other Victoria Police members. A number of lawyers were also present, including Ms Gobbo. I recall that a complaint was made to Victoria Police about a perceived conflict of interest in police socialising with journalists. I was required to attend remedial training about perceived conflicts of interest.

Information & assistance received (Q7 & Q8)

47. I have no knowledge of these matters.

Concerns raised as to the use of a legal practitioner as a human source (Q9)

48. I have no knowledge of these matters.

Concerns raised as to the use of Ms Gobbo as a human source (Q10)

49. I have no knowledge of these matters.

Awareness about disclosure in relation to Ms Gobbo (Q11)

50. I have no knowledge of these matters.

Other human sources with obligations of confidentiality or privilege (Q12)

51. I am aware that Person 5 gave assistance to police after he had been imprisoned. I had understood he gave assistance that was unrelated to his former work.

NIGEL LESTRANCE
Detective Senior Sergeant 30968

Training (Q13)

52. My recollection of the relevant training or retraining I have received is as follows:

- (a) Obligation of disclosure – this was covered in the Academy, Detective Training School (DTS) and Advanced DTS and the brief quality assurance course, and has arisen in my duties in trials when dealing with OPP and solicitors,
- (b) The right of accused person to silence and legal practitioner – was covered extensively in the Academy and reinforced each time I have arrested someone since;
- (c) Legal professional privilege – was covered in DTS, including a particular module relating to executing search warrants on solicitors' offices;
- (d) Public interest immunity – arises often in the course of trials and working in the intelligence field, particularly in relation to national security issues in my current counter terrorism role;
- (e) Professional and ethical decision making – built into all trainings and in particular, was covered in the training I completed upon promotion to Senior Sergeant.

Other information (Q14)

53. I have nothing further to add.

Dated: 11 June 2019



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Nigel Alan L'Estrange

Annexure A

1. A summary of the major roles I have undertaken and my progression through the ranks is as follows:
 - (a) 1996 – 2000; Constable, Flemington Police;
 - (b) 2000 – 2001; Senior Constable, Flemington CIU and Broadmeadows Regional Response Unit;
 - (c) March 2001 – March 2003; Detective Senior Constable, Flemington CIU;
 - (d) March 2003 – October 2003; Detective Senior Constable, Homicide Squad;
 - (e) October 2003 – October 2005; Detective Senior Constable, Purana Taskforce;
 - (f) October 2005 – June 2010; Detective Senior Constable, Homicide Squad;
 - (g) June 2010 – February 2011; Detective Acting Sergeant, Task Force Apollo;
 - (h) February 2011 – August 2012; Detective Sergeant, Security and Organised Crime Intelligence Unit;
 - (i) August 2012 – November 2012; Detective Acting Senior Sergeant, Human Source Management Unit;
 - (j) November 2012 – June 2014; Detective Sergeant, Security and Organised Crime Intelligence Unit;
 - (k) July 2014 – January 2016; Senior Sergeant, Footscray Police;
 - (l) May 2016 – Current; Detective Senior Sergeant, Counter Terrorism Command, Security Intelligence Unit.

2. I have completed the following further qualifications:
 - (a) Advanced Diploma of Investigation (2002);
 - (b) Bachelor of Policing (Investigations), Charles Sturt University (2009);
 - (c) Diploma of Management, Chisholm Institute (2010);
 - (d) Master of Leadership and Management (Policing), Charles Sturt University (2015).

3. I have undertaken Victoria Police qualifications and training including the following:
 - (a) Human Source Management Course, Level 2 (2008);
 - (b) Brief Checking and Authorisation Course (2009);



- (c) Human Source Management Advanced Handling and Controlling Course (2011);
 - (d) Advanced Human Source Controllers Course (2013);
 - (e) British Secret Service (MI5) Single Source Threat Reporting course (2013);
 - (f) Human Rights in Everyday Policing online course (2017).
4. I have received the Victoria Police Service Medal (2005), the National Medal for Service (2010) and the National Police Service Medal (2018).

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