

IN THE MATTER OF THE ROYAL COMMISSION INTO THE MANAGEMENT OF
POLICE INFORMANTS

STATEMENT OF RONALD IVAN GIPP

Request for a statement

1. I have been requested to make this statement addressing certain matters relating to Nicola Gobbo being a human source. Specifically, I have been asked to:
 - (a) provide details of how I learned, or was given reason to suspect or believe, that a person, who had ongoing legal obligations of confidentiality and privilege was providing information or assistance to Victoria Police, including when that occurred and in what circumstances that occurred;
 - (b) give details of how I learned, or was given reason to suspect or believe, that Ms Gobbo was providing information or assistance to Victoria Police, including when that occurred and in what circumstances that occurred;
 - (c) give details of when or how it became apparent to me that Ms Gobbo was or might be, a human source; and
 - (d) give details of my involvement in any matters in which the VGSO acted in which Ms Gobbo was:
 - (i) a party to the matter;
 - (ii) a primary consideration or a key player in the matter;
 - (iii) proposed to be a witness, or was a witness in the matter; and
 - (iv) the subject of documents subpoenaed, or sought to be subpoenaed.

Introduction

2. My full name is Ronald Ivan Gipp. I am an Australian Lawyer having been admitted to practice in Victoria on 7 April 1993. Between April 1993 and 13 December 1995 I was a Senior Sergeant in the Victoria Police on secondment to the Victorian Department of Justice to conduct an investigation into corruption in the building industry. Between 13 December 1995 and September 1997, having resigned from the Victoria Police, I was employed as a senior solicitor with the Victorian Government Solicitor's Office (the **VGSO**). On 1 September 1997, I joined the Victorian Bar.



3. As a member of counsel I have been briefed regularly to act on behalf of the Chief Commissioner of Victoria Police (the **CCP**) in respect of public interest immunity (**PII**) claims. These claims would predominantly arise in the context of criminal proceedings, either where oral testimony given in criminal proceedings is subject to a claim of PII or where documents are being sought under subpoena and an objection is made on PII grounds.
4. The PII grounds relied upon were predominantly that the evidence should not be given, or documents not provided, as doing so might disclose confidential police methodology, prejudice ongoing police investigations or identify a police informer or confidential source.

Committal proceeding - Hodson murders

5. In 2010 I was briefed by the VGSO to act for the CCP to object to the production of documents sought under subpoenas issued by solicitors acting for Paul Dale and Rodney Collins. My recollection of this brief is vague due to the passage of time; however, I do have a general recollection of conferring with my instructor from the VGSO and members of the Petra Taskforce to obtain instructions about the PII grounds to be relied upon to oppose the production of documents.
6. In refreshing my memory of this matter I have relied upon the following documents:
 - (a) a draft (unsigned) confidential affidavit of Detective Senior Constable Cameron Davey (**DSC Davey**) without any exhibits;

Annexed to this statement and marked "**RIG-1**" is a copy of the draft confidential affidavit of DSC Davey.
 - (b) a draft (unsigned) confidential affidavit of Detective Senior Sergeant Shane O'Connell (**DSS O'Connell**) without any exhibits;

Annexed to this statement and marked "**RIG-2**" is a copy of the draft confidential affidavit of DSS O'Connell.
 - (c) a further (unsigned) "open" affidavit of DSS O'Connell without its exhibit;

Annexed to this statement and marked "**RIG-3**" is a copy of the open draft affidavit of DSS O'Connell.



- (d) some details of the sworn confidential affidavit of DSC Davey, dated 12 March 2010, provided to me in an email from solicitors for the Royal Commission sent to me on 30 August 2019.

Annexed to this statement and marked "**RIG-4**" is a copy of an email from Mr Howard Rapke, Solicitor Assisting the Royal Commission into the Management of Police Informants, dated 30 August 2019.

7. I do not have a copy of the sworn confidential affidavit of DSC Davey dated 12 March 2010. I have not been provided with a copy of that affidavit by the Royal Commission.
8. In order to try to refresh my memory about relevant matters, I have checked to see if I have any notes for the relevant period. I do not have any notes, handwritten or otherwise, regarding my involvement in this matter.
9. I have obtained copies of my invoices from my barrister's clerk, John Dever, to ascertain what work I performed on the Collins/Dale matters.

Annexed to this statement and marked "**RIG-5**" is a copy of the invoices issued on my behalf by barristers' clerk, John Dever, for work performed by me in relation to the Collins/Dale matters.

10. By reference to these invoices and the draft affidavits, my involvement as counsel was to represent the CCP in respect of subpoenas issued on behalf of Rodney Collins, dated 21 August 2009, a subpoena issued on behalf of Paul Dale, dated 27 January 2010 and a further subpoena issued on behalf of Rodney Collins dated 3 March 2010.
11. Accordingly to the draft affidavit of DSC Davey, exhibit CD-1 was a copy of the summary of evidence against Rodney Collins and Paul Dale in respect of the charges of the murder of the Hodsons, which would have been provided from the hand-up briefs. I do not have a copy of the summary referred to in the draft affidavit.
12. By reference to the documents referred to above, I have been able to ascertain my involvement in this matter as follows.
13. 28 August 2009: I was briefed to represent the CCP in respect of a subpoena issued on behalf of Rodney Collins by Doogue & O'Brien solicitors, seeking access to a large number of documents. After conferring with members of the Petra Taskforce and my instructor, I engaged in discussions with solicitors for Rodney Collins and an agreement was



reached as to what documents would be produced without objection. I appeared on behalf of the CCP at the Melbourne Magistrates' Court on 29 September 2009. On 18 December 2009, DSC Davey produced a large number of documents directly to Rodney Collins' solicitors (sixteen folders) in accordance with the agreement that was reached.

14. 18 January 2010: According to my invoice, on 18 January 2010, I appeared at the Melbourne Magistrates' Court in respect of a subpoena issued on behalf of Rodney Collins. I have no recollection of the purpose of that appearance and the draft affidavits do not refer to which subpoena was returnable on that day and there is no other material in my possession which shows the reason for my appearance at the Melbourne Magistrates' Court on that day.
15. 25 January 2010: I conferred with DSC Davey, S Smith (whom I do not recollect), Greg Elms and David Ryan, solicitors at the VGSO. I also conferred with Tony Hargreaves, solicitor for Paul Dale. I do not recall these discussions although, in line with my usual practice, I expect I received instructions as to what PII claims were to be made with respect to the subpoena and that I spoke with Tony Hargreaves in an attempt to negotiate the terms of the schedule to the subpoena. I am not sure which subpoenas these discussions on 25 January 2010 related to as I note that the draft affidavit of DSC Davey refers to a subpoena dated 27 January 2010 which was served on the CCP on 28 January 2010.
16. 1 February 2010: I appeared at the Melbourne Magistrates' Court and had conferences with representatives of the Office of Police Integrity (**OPI**), the Australian Crime Commission (**ACC**) and members of Victoria Police. I have no recollection of this appearance or the conferences. The conferences, I expect, were conducted at court to clarify the nature of any PII claims and in an attempt to narrow the scope of the subpoenas. I assume also that the OPI and ACC had received subpoenas and my conferences with their legal representatives occurred to clarify any potential overlap between the various subpoenas.
17. 3 February 2010: I had a conference with my instructor and the informant. I do not recall this conference but I expect the conference was with Greg Elms and DSC Davey. Whilst I do not recall the contents of a letter that was sent to Tony Hargreaves and Partners, I expect it was seeking clarification of what documents were being sought under the subpoena and/or seeking to narrow the issues in dispute between the parties.
18. 11-14 February 2010: During this period I conferred with the Petra Taskforce, which was usually DSC Davey in company with either Detective



Sergeant Sol Solomon or DSS O'Connell. I don't recall whom I conferred with specifically during this period. The conferences were aimed at me understanding what documents fell within the terms of the subpoena and what was properly the subject of a claim of PII. When I understood what documents were in existence, and what the basis of the PII claim was, my usual practice was to seek to negotiate an outcome with the solicitors for the accused. According to my invoices, I had "negotiations with the solicitor for Paul Dale".

19. During these discussions, solicitors for Paul Dale advised me that they were prepared to narrow the scope of the subpoena to documents relating to discussions between Nicola Gobbo and/or Carl Williams and members of the Victoria Police in respect of Paul Dale and the Hodsons' murder investigation.
20. By 15 February 2010, as a result of negotiations, solicitors for Paul Dale were provided with a large number of documents, which included a copy of the sixteen folders of documents that had been provided to Rodney Collins' solicitors on 18 December 2009.
21. 1 March 2010: Further documents were examined by me. I had a conference with Petra Taskforce members.
22. 6 March 2010: I continued to peruse documents provided by the Petra Taskforce which came within the terms of the subpoena.
23. 7-8 March 2010: I commenced to draw up a confidential affidavit to be sworn by DSC Davey, on behalf of the CCP, which set out in detail the nature of the documents being sought by solicitors for Paul Dale and the basis for the PII claim. I continued my negotiations with solicitors for Paul Dale in an attempt to narrow the scope of the subpoena and advise that there was a PII claim to be made.
24. 9 March 2010: By 9 March 2010, documents fitting within the narrowed scope of the subpoenas were identified and were produced to the court. I appeared at the Melbourne Magistrates' Court that day. The confidential affidavit sworn by DSC Davey was prepared to explain to the presiding Magistrate the basis for the claim of PII. I don't recall whether DSC Davey's confidential affidavit was tendered to the Magistrate or not, although I expect it would have been.
25. In obtaining instructions and perusing documents for the confidential affidavit of DSC Davey and the draft affidavits of DSS O'Connell, amongst other unrelated matters, I became aware that Nicola Gobbo was a registered



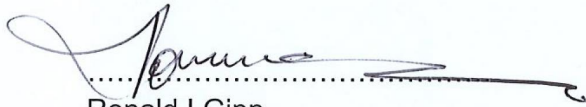
police informer and had provided information to police about alleged disclosures made to her by individuals unrelated to the Hodson's murder investigation. Those alleged disclosures were made to her by Tony Mokbel, Bruno D'Aloia, Daniel Hutchinson and [REDACTED] I do not have any recollection as to the nature of those disclosures and I expect I would not have been informed by the Petra Taskforce detectives as it was not necessary for me to know the details of those disclosures as they were irrelevant to the task of protecting Nicola Gobbo as a police informer during the Hodsons' murder committal.

26. 10 March 2010: I note that this invoice entry relates to the committal proceedings against both accused, Paul Dale and Rodney Collins. I have no independent recollection of this particular brief except by reference to my fee invoices. I am informed by solicitors for the Royal Commission that I was briefed to act for the CCP on a suppression order application. I have no recollection of making a suppression order application
27. 11 March 2010: I note this entry says I was drawing confidential affidavits. I only have a specific recollection of drafting a confidential affidavit sworn by DSC Davey in relation to the informer privilege claim. However, it is clear that I was also preparing affidavits for DSS O'Connell in relation to documents he was directly involved with. In this regard, I refer to attachments RIG-2 and RIG-3 to this statement.
28. The draft open and confidential affidavits of DSS O'Connell, both apparently dated 12 March 2010, address documents in answer to a subpoena issued on behalf of Paul Dale, dated 27 January 2010. It would appear that that subpoena specifically sought documents relating to Nicola Gobbo and any details of her discussions with police about giving evidence against Paul Dale and any documents recording details of discussions between police and Carl Williams in relation to the Hodsons' murder investigation. I was made aware that there was an audio recording between DSS O'Connell and Nicola Gobbo and that, as a registered police informer, she had informed police of criminal conduct allegedly disclosed to her by Tony Mokbel, Horthy Mokbel, Milad Mokbel, Mick Gatto, Rob Karam [REDACTED]
[REDACTED]
29. I do not have any recollection as to the nature of those disclosures. The draft confidential affidavit refers to a general description of the types of disclosures such as drug trafficking, the operation of pill pressers, murders, abductions, clandestine drug laboratories, drug importations and attempts to pervert the course of justice. Although I do not specifically recall it, based on my usual practice, I believe I would have asked the Petra Taskforce detectives about the general nature of the disclosures but not the details as I

only needed a general description of the disclosures to sufficiently inform the Magistrate as to the basis for the informer privilege claim and to emphasise the seriousness of those disclosures and the potential risk to Nicola Gobbo should that information become known.

30. 12 March 2010: I appeared at the Melbourne Magistrates' Court in the committal proceeding. I am informed by solicitors for the Royal Commission that DSC Davey swore his confidential affidavit on this date. Although I have no specific recollection of my appearance at court on this day, my usual practice once a confidential affidavit was sworn and an appearance was required in answer to the subpoena, was to provide the confidential affidavit to the Magistrate conducting the committal (for his or her eyes only) and then ask for the affidavit to be returned to my instructor after a ruling on the PII claim had been made or at the conclusion of the committal proceeding.
31. 13-14 March 2010: I conducted further conferences with the Petra Taskforce and, it seems, continued to draft a confidential affidavit to address additional documents (information reports) being identified in answer to the various subpoenas.
32. The 14th of March 2010 appears to be my last involvement in this matter.

Statement made this 12th day of September 2019.



Ronald I Gipp