

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

STATEMENT OF WAYNE GREGORY TAYLOR

1. My full name is Wayne Gregory Taylor. I am a Superintendent (Assistant Director) of the Victoria Police Forensic Services Department.
2. I make this statement in response to a request to the Royal Commission into the Management of Police Informants dated 3 October 2019.

Educational background and employment history (Q1)

3. I graduated from the Victoria Police Training Academy in February 1977. A summary of my education and employment history with Victoria Police is set out in Annexure A to this statement.

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

4. Save for the matters set out in response to this question and to Questions 12 to 14 below, I do not have and do not recall having knowledge of, or involvement or association with, any investigations which had dealings with Ms Gobbo. In respect of the matters set out below, I had no knowledge that any of the relevant investigations had any dealing with Ms Gobbo.
5. I do not believe I knew that Ms Gobbo had ever provided any information or assistance to Victoria Police until that fact was published in the media earlier this year.
6. I do not have any knowledge of Ms Gobbo ever being tasked in any operation, including any operation run by the Briars Taskforce.
7. As set out at in response to Questions 12 and 14 below, I had some very limited knowledge of the Petra and Briars Taskforces, but was not involved in those investigations myself. I was aware that they existed and that they had involvement from both the Ethical Standards Department (ESD) and the Office of Police Integrity

(OPI), but I was not aware of any detail of any investigations or operations. I was not aware of any information or assistance being provided to investigators in those matters.

8. I have been told that former AC Danyne Moloney has stated to the Royal Commission¹ that, on 22 October 2005, he attended a meeting with Superintendent Wilson and myself in relation to two information reports (IRs) relating to HS3838. I do not recall this meeting. I have reviewed my diary for this day and it does not mention the meeting.
9. My diary records that on 27 February 2009, I attended an Executive Management Team meeting at 1131. I have made a note that reads: '*Petra – Support (Briars)*'. I have no recollection of this meeting or what this note relates to.
10. In the course of preparing my statement, I have been shown emails dated 13 October 2008 and 18 November 2008.² These emails appear to relate to covert support and surveillance needs of the Petra Taskforce. I do not independently recall these emails or discussions relating to Petra's operations, but it is likely that I was involved in these discussions because I was acting in the position of the Superintendent of covert operations during this period. I was not required to, and did not, have knowledge of the detail of Petra's operations while in this role.

Provision of information or assistance by Ms Gobbo to Victoria Police (Q3)

11. As set out above, I had no knowledge of any information or assistance provided by Ms Gobbo to Victoria Police during the relevant period or at all.

Awareness of others (Q4)

12. Other than matters I have read in the media since the commencement of this Royal Commission, I am not aware of any other member of Victoria Police or other organisation who was aware that Ms Gobbo was providing information or assistance to Victoria Police.

Authorisation of Ms Gobbo (Q5)

¹ VPL.0014.0070.0001 at 61

² VPL.0100.0001.5402 at .5588-.5589; VPL.6018.0031.9788.

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

Personal contact with Ms Gobbo (Q6)

14. To the best of my knowledge, I have never met, spoken to or had any personal contact with Ms Gobbo.

Information & assistance received (Q7 & Q8)

15. I am not aware of any information or assistance provided to Victoria Police by Ms Gobbo.

Concerns raised as to the use of a legal practitioner – and Ms Gobbo – as a human source (Q9 & Q10)

16. I do not recall being aware of any concerns raised at any time as to the use of Ms Gobbo or any other legal practitioner as a human source.

Awareness about disclosure in relation to Ms Gobbo (Q11)

17. I do not recall being aware of any discussion regarding the obligation of disclosure in relation to material concerning the use of Ms Gobbo as a human source.

Specific questions (Q12 to Q14)

Question 12 – Operation Briars

18. I recall being aware, when the Briars Taskforce was established, that Superintendent Rod Wilson was asked to leave ESD (where he and I were the two Superintendents at the time) to head up the new taskforce. I was not aware at the time that the Taskforce was set up to investigate the murder of Shane Chartres-Abbott. I was aware that both ESD and the OPI were involved in that Taskforce. I had no role – management, investigative or otherwise – with the Briars Taskforce.
19. I had no role in preparing or producing any brief of evidence in relation to the Briars Taskforce. I do not recall ever being provided with a subpoena in respect of any Briars Taskforce investigation.

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20. I was not aware, at the time, that police members David Waters and Peter Lalor were targets of that Taskforce. I may have been aware of other targets at the time, but do not now recall.

Question 13 – Operation Diana

21. I believe that Operation Diana was initiated by the OPI as a result of allegations that certain members had leaked information about Briars investigations. I do not know specifically what the relevant Briars information or findings were. I understand that the charges ultimately filed against Mr Ashby, Mr Mullett and Mr Linnell arose out of contradictory evidence given at OPI hearings and conversations between them that were recorded by way of telephone intercepts. I was not involved in investigating or managing Operation Diana.
22. I did not prepare the brief of evidence or draft the proposed charges against Mr Ashby, Mr Mullett and Mr Linnell. I was shown the evidence in support of the charges so as to satisfy myself that there was a sufficient basis for the proposed charges, but I did not conduct a full review of the brief of evidence.
23. I have been asked to provide a chronology of my involvement in Operation Diana, which is set out at paragraphs 25 to 55 below.
24. I have also refreshed my memory of these events by reference to the decision of T Forrest J in *Mullett v Nixon* [2016] VSC 512, a civil claim brought against Christine Nixon, Kieran Walshe and me by Mr Mullett for malicious prosecution following the withdrawal of the Operation Diana charges. The Honourable Justice T Forrest concluded that Mr Mullett failed to prove any valid cause of action against any of the defendants in that proceeding.
25. In that case, evidence was also accepted that, among other things:
- (a) I did not participate in the OPI investigation in any way;³

³ *Mullett v Nixon* [2016] VSC 512 at [74].

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- (b) I was approached by AC Cornelius on 2 July 2008 to be a nominal informant because the OPI might not be able to lay charges under the legislation that existed at the time;⁴
 - (c) I was recommended by AC Cornelius as the informant because I had had no previous involvement in the matters the subject of the OPI inquiry;⁵
 - (d) the Director of Public Prosecutions took over the prosecution as soon as the charges were filed;⁶
 - (e) I had never heard the term 'nominal informant' before, but took the term to mean informant 'in name only', meaning that I would have no other duties than to be the informant assessing the evidence and then signing the informations.

Chronology – Operation Diana

- 26. I have compiled the following chronology based mainly on my diary records for the relevant period and on my limited recollection of this time.
- 27. From 2005 to 2009, I was a superintendent at the Targeted Operations Division of ESD. I had responsibility for investigations of members involving allegations of corruption or illegality.
- 28. I first became aware that the OPI was conducting an investigation into Noel Ashby, Paul Mullett and Steven Linnell in about the first week of November 2007, when I was told about a transcript of OPI hearings being available on the internet.
- 29. I did not participate in the Operation Diana investigation in any way.
- 30. On 15 November 2007, I was asked to serve a suspension notice on Mr Mullett. I was not involved in the decision to issue the suspension notice.
- 31. On 2 July 2008, I spoke to Assistant Commissioner Luke Cornelius about Operation Diana. I have little independent recollection of this conversation, but I believe from my diary note that AC Cornelius informed me that the OPI was ready to file charges

⁴ Ibid.

⁵ Ibid., p 27.

⁶ Ibid., p 29, p 56, [74].

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in relation to Operation Diana, but that they required a member of Victoria Police to sign the informations for those charges. I believe AC Cornelius asked me at this time to attend the OPI and consider whether there was sufficient evidence available to support the charges the OPI sought to bring and, if so, sign the informations as the "nominal informant". This was the term used by AC Cornelius. I understood that this meant that, provided I agreed there was sufficient evidence to support the charges, I would not conduct the prosecutions even though I was named as the informant.

32. The OPI had already prepared a brief of evidence and formulated the charges they considered appropriate.
33. On 7 July 2008, I attended the OPI and was briefed by Assistant Director Graham Ashton and possibly Greg Carroll of the OPI in relation to Operation Diana. I believe I was told at that time that the defendants would be Mr Ashby, Mr Mullett and Mr Linnell.
34. On 15 July 2008, I attended OPI and spoke to two solicitors, Victoria Elliot and Vanessa Twigg "*re Briars/Diana brief*". I also spoke to Sharon Kerrison, the OPI lead investigator for Operation Diana. I was given the proposed charges against each of the three defendants. I went through those charges one by one and discussed what evidence the OPI investigators had in relation to each charge. I made notes in my diary of this process. I asked the investigators to show me their evidence. In particular, I recall being shown transcripts of OPI hearings during which the defendants had contradicted themselves (leading to charges such as perjury). I also recall being shown a transcript of a telephone intercept recording a conversation or conversations between Mr Ashby and Mr Mullett (supporting charges relating to the breach of OPI secrecy provisions). I did not, however, conduct a full, detailed review of the whole brief of evidence.
35. To the best of my recollection, the charges related to the conduct of Mr Ashby, Mr Mullett and Mr Linnell at OPI hearings in around November 2007 and following. The charges did not relate to the time before those hearings.
36. I had no knowledge of whether or not any human source had been used at any stage of the investigation.

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37. My diary records that on 22 July 2008, I met with AC Cornelius and discussed Operation Diana. I have noted, "*Op DIANA – legal advice pending. DC Walsh – brief approved by Friday*". I believe this legal advice was obtained from Mr Jeremy Rapke. I have never seen this legal advice. I believe I had signed the informations by this point and that the complete brief had then gone to DC Walsh to determine whether to prosecute. I understand that DC Walsh would have reviewed the full brief at this point.
38. At 1230 on 25 July 2008, I was told to collect the Operation Diana brief from DC Walsh. I believe that the brief would have been authorised by DC Walsh at this time.
39. On 28 and 29 July 2008, I filed charges against Mr Ashby, Mr Mullett and Mr Linnell in the Melbourne Magistrates' Court and arranged and effected service of the charges on Mr Ashby, Mr Mullett and Mr Linnell, with Detective Inspector Tony Long's assistance.
40. On 29 July 2008, I attended a press conference at the Victoria Police Media Unit. I believe this conference was held in relation to the Operation Diana charges. I just observed at this conference.
41. On 16 September 2008, I attended a meeting at the OPI with Assistant Director Graham Ashton about Operation Diana and another operation in Bairnsdale (which I do not recall).
42. On 1 October 2008, I assisted Ms Kerrison with the service of the brief of evidence on Mr Ashby, Mr Mullett and Mr Linnell.
43. On 12 November 2008, I attended the Melbourne Magistrates Court for a committal mention for Operation Diana charges.
44. On 12 February 2009, I attended Stephen Linnell's plea in relation to Operation Diana charges.
45. My diary records that on 6 April 2009, Mr Mullett had issued a subpoena. On 8 April 2009, Mr Ashby issued a subpoena.⁷ Sergeant Cally Kwas and the Subpoena Management Unit dealt with any necessary disclosure under or responses to the

⁷ VPL.6023.0024.8649

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- subpoenas, in conjunction with Ms Kerrison, the OPI investigator. I do not recall being responsible for making any disclosure myself in relation to these subpoenas.
46. I met or communicated with Gerard Maguire on various occasions, including 15 April 2009, 27 April 2009, 29 April 2009, 30 April 2009 and 4 May 2009. To the best of my recollection, this was because Mr Maguire had been briefed to appear on behalf of Victoria Police in relation to any public interest immunity issues or claims. I do not recall what those issues or claims were and I do not believe I took any active role at the time in making or proposing PII claims.
 47. On 30 April 2009, I attended a hearing at the Melbourne Magistrates' Court with Gerard Maguire, which may have been in relation to PII claims or objections to material being provided in response to a subpoena.
 48. Between 11 and 20 May 2009, I attended the Committal Hearing for Mr Mullett at the Melbourne Magistrates' Court. Mr Mullett was committed to stand trial on two charges of perjury.
 49. On 27 May 2009, I attended a Mention for Mr Ashby at the Melbourne Magistrates' Court. I took lengthy notes of the hearing on that day, but have little independent recollection of this hearing.
 50. Between 28 May and 11 June 2009, I attended the Committal Hearing for Mr Ashby at the Melbourne Magistrates' Court.
 51. At the Committal Hearings for both Mr Mullett and Mr Ashby, once an order was made for witnesses out of court, all of the OPI investigators, including Ms Kerrison had to leave the court. Therefore, even though my role was as a 'nominal informant' only, I took on the role of coordinating witnesses, assisting the legal team and attending proceedings and taking notes as if I had been the informant.
 52. On 18 June 2009, I attended a meeting at the OPI regarding the upcoming trial in relation to Operation Diana (I do not recall whether this was the trial of Mr Ashby or Mr Mullett).
 53. On 25 June 2009, a *nolle prosequi* was entered in respect of the two remaining counts against Mr Mullett.

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54. On 23 July 2009, I commenced a new role as the Divisional Commander of the Southern Metro Region, Division 4, at Frankston. I remained in that role until 2013. I do not now recall who took over from me in my position at ESD. I believe there would have been one or more members acting in the role until Superintendent Clive Rust was appointed permanently to the position.
55. On 5 February 2010, notwithstanding I was stationed at Frankston by this stage, I recall attending a hearing with Finn McRae at the Supreme Court at which the delegation of the OPI member who had conducted the hearings for Mr Ashby, Mr Mullett and Mr Linnell was found to be invalid. At this time, the remaining charges against Mr Ashby and Mr Mullett were withdrawn.
56. My diary also records various communications in 2008 with Detective Inspector Tony Long in respect of Detective Inspector Brian Rix and Detective Inspector Andrew Allen. Detective Inspector Long was responsible for the investigations involving DI Rix and Superintendent Allen and I have little recollection of them. I believe that the investigations may have related to allegations that those members were involved, with the three targets of Operation Diana, in the leaking of sensitive information from Briars or that they otherwise arose out of Operation Diana. To the best of my recollection, no evidence was found to support the allegations.

Question 14 – Involvement, role or tasking of Ms Gobbo

57. I have no knowledge of whether Ms Gobbo was involved in, or tasked in any way, in relation to the release of information concerning the Briars Taskforce. If Ms Gobbo was tasked or involved in any way, I was not aware of that involvement.
58. Nothing in the evidence I reviewed on the OPI's brief of evidence suggested to me that Ms Gobbo (or any other human source) had been involved in or tasked in relation to either Operation Briars or Operation Diana.

Other human sources with obligations of confidentiality or privilege (Q15)

59. I do not recall ever having any knowledge of any human source who was subject to legal obligations of confidentiality or privilege.

Training (Q16)

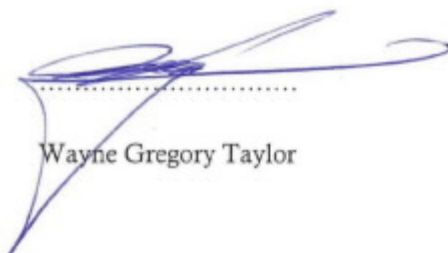
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60. I have received training in relation to each of the matters raised at subparagraphs (a) to (f) of Question 16. Those matters have been addressed variously during courses and training, including:
- (a) at Detective Training School;
 - (b) during the Sergeants' Course;
 - (c) during the Inspectors' Course;
 - (d) during the [REDACTED] course;
 - (e) during the Discipline investigation course.
61. Training in respect of each of those matters is also repeated and reinforced by 'on-the-job' experience.
62. Training and consciousness of professional and ethical decision-making starts on day one at the Academy and continues to be reinforced by experience and further training throughout a member's career.

Other information (Q17)

63. I have nothing further to add in response to Question 17.

Dated: 15 November 2019



Wayne Gregory Taylor

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Annexure A

Employment history

1. I joined Victoria Police in 1976 and graduated from the Victoria Police Training Academy on February 1977 as Dux of Recruit Squad 20/76.
2. From February 1977 until 1981, I performed uniform duties at the Flemington Police Station and then covert plain clothes duties with the Ascot Vale Special Duties Unit.
3. From 1981 until 1985, I was a Detective Constable and Senior Constable in the Criminal Investigation Branch, stationed at Russell Street, Fitzroy and Broadmeadows Criminal Investigation Units.
4. From 1985 until 1987, I was trained and performed the duties of a tactical investigator/[REDACTED] at the Bureau of Criminal Intelligence and worked with the Australian Federal Police in a Commonwealth/State Joint Taskforce Torch, targeting organised crime drug syndicates.
5. From 1987 until 1992, I was a Sergeant at the Northcote Police Station, Sergeant at the Moonee Ponds District Support Group and then as a Detective Sergeant Drug Squad.
6. From 1992 until 1996, I was a Detective Senior Sergeant in the State Criminal Intelligence Squad, then the Organised Crime Squad. During this time, I also assisted in establishing the Victoria Police Undercover Unit and provided training to undercover operatives and controllers.
7. From 17 June 1996, I was seconded to the Internal Security Unit as an Acting Chief Inspector and then promoted to substantive Inspector at the newly establish Ethical Standards Department.
8. From 1998 until 2000, I was seconded to the National Crime Authority as an Acting Chief Inspector, managing the Melbourne Surveillance Unit.
9. From 2000 until 2001, I was a Detective Inspector back at the ESD.

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10. From 2001 until 2005, I was a Relieving Inspector for Region 4, Rosanna and performed Superintendent duties at Diamond Creek, Knox, Nunawading and Seymour.
11. In May 2005, I was the Acting and then promoted to the rank of Detective Superintendent at the Targeted Operations Division, Ethical Standards Department. On a number of occasions, I performed the role of Department Head as an Acting Assistant Commissioner for the Ethical Standards Department.
12. From July 2009 until December 2013, I was the Divisional Commander for the Southern Metro Region, Division 4, Frankston (in charge of 530 members).
13. From December 2013 until March 2019, I was a Superintendent Operational Review and Support Division CSOID which became the Reviews Division Capability Department.
14. Since March 2019, I have been a Superintendent (Assistant Director) with the Victoria Police Forensic Services Department.
15. Since 2009, I have been serving on the Board of BankVic (previously known as Police Credit). I was initially Deputy Chair of the Board and from 2016 until 2018, I was Chair of the Board and a member of the Remuneration and Notifications Committee.
16. In 2014, I was accepted as a Fellow of the:
 - (a) Australian Institute of Management; and
 - (b) Australian Institute of Company Directors.

Education & Training

17. I hold the following tertiary qualifications:
 - (a) Graduate Certificate of Management and Graduate Diploma in Public Administration (Policing), Charles Sturt University, 2000;
 - (b) Diploma in Training & Assessment Systems, Victoria University, 2002;
 - (c) Master of Education (Leadership, Policy & Change), Monash University, 2005;

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- (d) Diploma Company Director, Australian Institute of Company Directors Course, 2010;
 - (e) Diploma Social Media Marketing & Online Reputation Management, Shaw Academy, 2015;
 - (f) Master of Business Administration, Australian Institute of Business, 2016.

Awards

18. I have received the following awards:

- (a) Mayne Nickless Trophy (Dux of Squad – Police Recruit Training 20/1976);
- (b) National Medal with clasp (35 years);
- (c) Victoria Police Diligent & Ethical Service Medal with clasp (40 years);
- (d) National Police Service Medal; and
- (e) various commendations.

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