

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

STATEMENT OF RODNEY BRIAN JOUNING

1. My full name is Rodney Brian Jouning. I am a retired Victoria Police member. I retired in 2016 as a divisional Superintendent.
2. I make this statement in response to a request to the Royal Commission into the Management of Police Informants.

Educational background and employment history (Q1)

3. I graduated from the Victoria Police Training Academy in 1974. A summary of my education and employment history with Victoria Police is set out in Annexure A to this statement.
4. I progressed through the ranks to Superintendent in the Crime Command. In this role, from 2010 to 2015, I only had operational oversight of sexual offences and child exploitation investigations. I was also responsible, during this time, for rolling out Sexual Offence and Child Investigation Teams (SOCIT) across the state, developing family violence policy and establishing multi-disciplinary centres, which involved coordinating multiple agencies to respond to sexual crimes.
5. It was only during short periods of acting temporarily in other roles that I had contact with investigations that had dealings with Ms Gobbo.

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

6. My involvement or association with investigations which had dealings with Ms Gobbo is limited to two main discrete matters:
 - (a) first, in relation to an issue about a request from Taskforce Briars for access to intelligence holdings belonging to the SDU, while I was Acting Commander of the Intelligence & Cover Support Command (ICSC) from approximately May 2009 to September 2009; and

- (b) second, in relation to a question of a referral to the Department of Human Services (**DHS**) in April 2014, while I was Acting Assistant Commissioner of Crime Command for around two weeks.
7. I have set out below my recollection of those matters to the best of my ability. I have been informed that searches have been undertaken to find my police diaries, but that they have not been found.

Request from Briars Taskforce.

8. Between May and September 2009, I acted as Commander of the ICSC. In that role, I had responsibility for the Covert Support Division, managed by Superintendent Tony Biggin, and the State Intelligence Division, managed by Superintendent Mark Porter. Among other things, Supt Biggin had responsibility for the SDU and Supt Porter had responsibility for the Human Source Management Unit (**HSMU**).
9. I can see that I received an email dated 2 June 2009 from Assistant Commissioner Luke Cornelius of ESD, forwarding an email from Detective Inspector Steve Waddell stating that the SDU had previously provided transcript material to Taskforce Briars and requesting that contact reports be provided. I responded to AC Cornelius's email that I had initiated things from my end and spoken to DI Waddell. By this, I believe I meant that I had informed Supt Biggin or otherwise conveyed the request to someone at the SDU and asked that the SDU provide the requested records.
10. In the course of preparing my statement, I have been informed that Supt Biggin's diary records that I had spoken to him about DI Waddell's request for access to tapes for Human Source 3838/2958 in relation to a statement.² I do not now have any recollection of this conversation, but do not have any reason to doubt this occurred.

¹ VPL.6109.0096.3204

² VPL.0005.0154.0001 at .0024

11. I have been asked whether I recall the following meetings and conversations:
- (a) a meeting with Supt Porter, Officer Black, Officer Peter Smith on 2 June 2009;
 - (b) a conversation with Supt Porter on 5 June 2009 about Briars;
 - (c) a meeting with Supt Porter, AC Cornelius, AC Moloney and DI Waddell about Briars on 10 June 2009;
 - (d) a conversation with Supt Porter and Acting Superintendent Glen Woolfe on 6 July 2009 about SDU issues.
12. I have no recollection now of any of the above and I have not been able to check my diaries because they have not been located. However, if there are notes in other members' diaries recording my attendance at meetings or in discussions then I have no reason to doubt that I was present, especially given the other people who were in attendance.

Contact with Department of Human Services

13. From 13 to 26 April 2014, I performed the role of Acting Assistant Commissioner, Crime Command, filling in for Assistant Commissioner Stephen Fontana. During this time, it came to my attention that, given the high level of threat to Ms Gobbo as a witness, there was also a significant risk to her child. Consequently, I formed the view that Victoria Police may be required to report the matter to the DHS under the mandatory reporting conditions of the *Children Youth & Families Act*. As a result:
- (a) legal advice was obtained from the VGSO, which was provided on 14 April 2014;³
 - (b) I met with Dr Miller of DHS, and Detective Superintendent Tess Walsh on 17 April 2014 to discuss compliance with the relevant provisions while protecting Ms Gobbo's identity and security. I also met with DHS separately, later that day;

³ VGSO.2000.1501.0143

- (c) I agreed that Dr Miller, DS Walsh and Detective Inspector Ian Campbell should meet with Ms Gobbo and her child for the purpose of DHS conducting an assessment; and
- (d) I prepared a briefing note setting out the steps taken by Victoria Police,⁴ including the decision to make an informal report to DHS and the recommendation that the Operation Bendigo members be briefed.
14. The report was to be made 'informally' so that Ms Gobbo's details and identity would not be recorded on DHS's computer system, to which a large number of people would have had access. To the best of my recollection, I did not tell anyone from DHS Ms Gobbo's name.
15. To the best of my recollection, Dr Miller did visit Ms Gobbo and her child for the purpose of making an assessment. I did not attend.
16. Operation Bendigo was an operation responsible for managing Ms Gobbo and the risks to her. The minutes of the Bendigo Steering Committee meeting held on 23 April 2014⁵ record that I attended that meeting and informed the committee of the actions taken to report this matter to DHS and for DHS to assess the situation.
17. Also, while filling this role as Acting Assistant Commissioner, I received emails, including the following:
- (a) I was copied to an email dated 11 April 2014 from AC Fontana to Director of Legal Services, Fin McRae.⁶ I discuss this email further below;
- (b) An emailed invitation to a meeting on 14 April 2014 in relation to planning for Ms Gobbo's security in various scenarios.⁷ I do not recall this invitation or the meeting, but it is possible I attended the meeting;
- (c) An email chain dated 15 April 2014 relating to a media enquiry arising out of the IBAC annual report of that year.⁸ I was one of a number of recipients and do not independently recall this matter;

⁴ VPI.6069.0040.9233

⁵ VPL.0100.0001.0848 at .1233

⁶ VPL.6109.0153.8415

⁷ VPL.6110.0005.6282

⁸ VPL.6023.0139.2042

- (d) An email dated 22 April 2014 from DI Ian Campbell,⁹ relating to claims by Ms Gobbo and journalists that an Assistant Commissioner had been providing information to the media. I have a vague recollection of this matter, but I am unable to recall any detail; and
- (e) An email dated 24 April 2014,¹⁰ from Tracey Linford, which set out information about Ms Gobbo's behaviour at a restaurant at Crown witnessed by an off-duty member.

Other matters

- 18. I have been shown an email dated 18 April 2011¹¹, which was forwarded to Sir Ken Jones and Assistant Commissioner Graham Ashton and copied to all of the Superintendents in the Crime Command, including me. The email indicated that Tony Mokbel had pleaded guilty to various charges. I believe it would have been sent to the Superintendents in the Crime Command for information only.
- 19. I have been shown meeting minutes of the Serious Crime & Organised Crime Tasking & Coordination Committee dated 18 July 2013, at which I appear to have reported recommendations in relation to a number of matters not concerning Ms Gobbo.¹² At the same meeting Major Drug investigations appear to have been reported on. Some of those investigations relate to Ms Gobbo. I do not have any independent recollection of these matters and believe I had no involvement with them at the time.
- 20. I have been shown an email dated 27 August 2013¹³, which was sent to me and a number of other recipients. The email provided information about an interview between Jon Faine and Paul Dale which had recently aired. I believe this email was sent to me for information only as a Superintendent in the Crime Command.

⁹ VPL.6069.0051.9755

¹⁰ VPL.6110.0024.6999

¹¹ VPL.6017.0012.0707

¹² VPL.0099.0004.0379

¹³ VPL.6017.0012.0707

Awareness of Ms Gobbo's assistance (Q3)

21. I cannot recall when I first became aware that Nicola Gobbo had been a human source.
22. It may be that I became aware that she had been a source in 2009 when I passed onto the SDU the request made by the Briars Taskforce for information. However, the emails referred to above do not refer to Ms Gobbo by name and I do not have any memory of anyone telling me that the information sought from the SDU was about Ms Gobbo.
23. If I did not become aware of Ms Gobbo's role as a source in 2009, it may be that I became aware in 2014 when I was dealing with DHS. I obviously knew at that time that there were safety concerns and I remember that Ms Gobbo had refused to enter the Witness Protection Program. I recall having discussions with AC Fontana and DS Walsh about giving Ms Gobbo a single point of contact within Victoria Police and about resources to manage her. I cannot recall what I was told at this time, if anything, about Ms Gobbo's involvement with Victoria Police. It may be that I understood that the safety concerns arose from her role as a witness against Paul Dale or it may be that I was told that she had also assisted Victoria Police as a source. I just cannot now recall.

Awareness of others (Q4)

24. Members of the SDU and HSMU would have obviously known that Ms Gobbo was a source. I do not know who else knew she was a source.

Authorisation of Ms Gobbo (Q5)

25. I do not know who authorised the use of Ms Gobbo as a source.

Personal contact with Ms Gobbo (Q6)

26. I have never met or spoken to Ms Gobbo.
27. In the course of preparing this statement, I have been shown an email from DI Ian Campbell dated 22 April 2014,¹⁴ in which he refers to a conversation he had on the

¹⁴ VPL.6069.0051.9755

phone with Ms Gobbo in my presence. I do not recall the call or listening to her speak during a telephone call, but I have no reason to doubt that DI Campbell spoke to her while I was present given the email that I have been shown.

Information & assistance received (Q7 & Q8)

28. I refer to my responses to the above questions.

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

29. I am not aware of any concerns being raised as to the use of a legal practitioner as a human source. I otherwise refer to my responses above in relation to the safety issues concerning Ms Gobbo.

Awareness about disclosure in relation to Ms Gobbo (Q11)

30. I have no information to provide in response to this question.

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

31. I have been shown an email dated ^{PII} [REDACTED] 2014¹⁵ from AC Fontana to Fin McCrae, forwarding an email from Boris Buick to AC Fontana regarding potential assistance to police by ^{PII} [REDACTED]. I am one of the people copied to AC Fontana's email to Fin McCrae. I assume I was copied to the email because I was about to commence acting in AC Fontana's position at that time. I do not recall having anything to do with the email or the information. I assume from the email that the matter was dealt with by Fin McCrae and Greg Hough.

Training (Q13)

32. I recall there being some training in respect of disclosure obligations, the right to silence, the right to a legal practitioner and legal professional privilege at the Academy and at Detective Training School. These matters were also expanded upon at Advanced Detective Training School and then, more significantly, during the Prosecutors' Course.

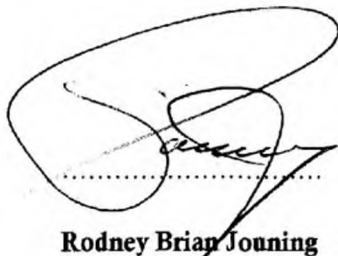
¹⁵ VPL.6109.0096.3204

33. I believe I also received training in public interest immunity in the Prosecutors' Course.
34. Professional and ethical decision-making was a constant focus in training and throughout my experience as a police member. Particularly, from the 1980s onwards, I recall this being a dedicated focus of the organisation.

Other information (Q14)

35. I do not believe there is any other matter about which I can assist the Royal Commission.

Dated: 4 December 2019

A handwritten signature in black ink, appearing to read 'Rodney Brian Jouning', is written over a horizontal dotted line. The signature is stylized and somewhat cursive.

Rodney Brian Jouning

Annexure A

Employment history

1. I graduated from the Victoria Police Training Academy in 1974.
2. A summary of the major roles I have undertaken and my progression through the ranks is as follows:
 - (a) 1974 – 1975: Constable, Russell St Police Station;
 - (b) 1975: Constable, Transport Branch;
 - (c) 1975 – 1979: Constable, Footscray Police Station;
 - (d) 1979: Senior Constable, Sunshine CCS;
 - (e) 1979 – 1985: Senior Constable, Williamstown CIB;
 - (f) 1985 – 1987: Sergeant, Prosecutions Division;
 - (g) 1987 – 1990: Sergeant, Swan Hill Police Station;
 - (h) 1990 – 1996: Officer in Charge, Coroner's Court Prosecutions Division;
 - (i) 1997 – 2001: Inspector, Investigator, Ethical Standards Department;
 - (j) September – October 1997: Staff Officer, Chief Commissioner's Office;
 - (k) 2001 – 2003: Crime Inspector, Region 2, Crime Traffic & Intelligence;
 - (l) 2003 – 2005: District Inspector, Region 2, Brimbank;
 - (m) 2005 – 2010: Divisional Superintendent, Region 1, Division 4 and then Business Development;
 - (n) October 2008: Acting Assistant Commissioner, Region 1, Headquarters;
 - (o) January 2009: Acting Assistant Commissioner, Region 1, Headquarters;
 - (p) May 2009 – September 2009: Acting Commander, Intelligence & Covert Support;

- (q) November 2009 – June 2010: long service leave;
- (r) 2010 – 2015: Superintendent, Crime Command;
- (s) 13 – 26 April 2014: Acting Assistant Commissioner, Crime Command;
- (t) From about June 2015 to February 2016: long service leave; and
- (u) I officially retired in February 2016.

Education & Training

3. I have undertaken Victoria Police qualifications and training, including but not limited to:
- (a) Detective Training School (1986);
 - (b) Sergeants Court (1986);
 - (c) Persecutors Training (1986);
 - (d) Officers Course (1996);
 - (e) Forward Commanders Course (2003);
 - (f) Advanced Detective Training School (approximately 1989); and
 - (g) Team Leadership (2005);
 - (h) Incident Emergency Management Training (2009);
 - (i) Human Source Management Training – Level 1 (2009);
 - (j) Victims Charter Compliance Training (2010); and
 - (k) Incident Command and Control Structure Training (2011).
4. I hold a Graduate Diploma in Executive Management from Charles Sturt University.

Awards

5. I have received the following awards:

- (a) Commendations (June 1997, October 1997, 1985);
- (b) National Medal, 15 years (1990);
- (c) District Level Commendation (1994);
- (d) Departmental Commendation (1996);
- (e) Victoria Police Service Medal 2nd Clasp, 20 years (1997);
- (f) Victoria Police Service Medal 3rd Class, 25 years (1998);
- (g) National Medal 1st Class, 25 years (1999);
- (h) Victoria Police Service Medal 4th Class, 30 years (2003);
- (i) Victoria Police Service Medal 5th Class, 25 years (2008);
- (j) 25-year Service Award (2008);
- (k) National Medal 2nd Class, 25 years (2009);
- (l) National Police Service Medal (2011); and
- (m) Victoria Police Service Medal 6th Class, 40 years (2014).

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