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In response to the Notice to Produce issued by the Royal Commission
NP104

Detective Senior Sergeant Tim ARGALL – Ballarat CIU provides the following response to the Notice to Produce issued by the Royal Commission into the Management of Police Informers:

1. In the following paragraphs I set out my recollections of my interactions in 1995/1996 with the female informer now known as Nicola Gobbo ('Nicola'). It is my best recollection without access to contemporaneous documents that would help refresh my memory.

Personal Information

2. I graduated from the Victoria Police Academy in August 1990. In my first few years in Victoria Police I was assigned to the St Kilda Road Police Station performing general duties and in or around 1993 I transferred to the Richmond Police Station.
3. In April 1995 while at Richmond Police Station, I was assigned to the 'A' District Support Group. This unit was initially based at Russell Street, but at some stage during my tenure at this unit, we moved to the Victoria Police Centre in Flinders Street when that complex opened. Around mid-1996 I transferred to the St Kilda Police Station on promotion to the rank of Senior Constable where I performed general duties. I was only at St. Kilda Police Station for about 6 months. Either towards the end of 1996 or the start of 1997 I gained a position at Malvern CIB as a Detective Senior Constable. In August 1997 I completed Detective Training School which was a 12 week course.
4. In August 1998 I was seconded to the Lorimer Taskforce at the Homicide Squad to investigate the murder of Police Officers Gary Silk and Rodney Miller in Moorabbin. At the completion of the Lorimer Taskforce, I was assigned a position on an investigative crew at the Homicide Squad and performed investigative duties for a number of months.

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5. In 2002 after passing a pre-promotional exam, I gained promotion to Sergeant and transferred to the Brunswick Police Station.
6. In 2004 I gained a position as a Detective Sergeant and returned to the Homicide Squad where I worked on an investigative crew.
7. In August 2004, I completed the internal Victoria Police [REDACTED] Human Source Management Course. This course was 5 days in duration. I do not have any notes from this course, but I recall it concentrated on the initial recruitment and registration of sources, practical day to day management of sources, meeting with sources and recording the information collected from the meetings. I do not recall any instruction or discussion on the course about dealing with a source that had a potential confidentiality obligation such as a legal practitioner.
8. In 2004 I also completed the Sergeant's Investigation Management Course – this course was required as part of my qualification to Detective Sergeant. I can't recall if this course was 5 or 10 days in duration.
9. In December 2007 I was promoted to Senior Sergeant and transferred to Ballarat. Initially I was assigned the Officer in Charge position at Ballarat D24 (Police Communications). Around Mid-2008 I was assigned to the sub-charge role at Ballarat Police Station.
10. In 2010 I completed the Senior Sergeant Qualifying Program which was required as part of my promotion to the rank of Senior Sergeant.
11. In 2011 I was assigned to the position of Detective Senior Sergeant in charge of the Ballarat Sexual Offences and Child Abuse Investigation Team (SOCIT). In 2011 I

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completed the Sexual Assault Investigators and Interviewing Course. I have also completed the following tertiary qualifications:

- Diploma of Frontline Management - Chisholm Institute
- Bachelor of Policing (Investigations) – Charles Sturt University
- Graduate Certificate of Leadership and Management – Charles Sturt University

Use of Ms Gobbo as a human source

12. From 23 April 1995 – 8 July 1996 I was seconded to the 'A' District Support Group (DSG) – at the commencement of my time at the DSG I would have had about 4 ½ years' experience in Victoria Police.
13. The DSG was an investigative unit that worked on the model of seconding uniform members from surrounding stations to work in plain clothes and target various investigations in the then 'A' District. 'A' District included stations at Richmond, Collingwood, Carlton, Fitzroy, Russell Street and Victoria Dock. The investigations that the DSG undertook largely involved drug trafficking.
14. Not long after I started at the DSG (maybe several months), I remember working at an AFL football match at the MCG with Sergeant Trevor ASHTON. We worked in plain clothes that day.
15. I can't remember if I was permanently assigned to Sgt ASHTON's crew or I was just working with him temporarily.
16. Sometime shortly before or soon after we arrived at the football match, ASHTON told me that we needed to go and meet someone. I don't think he said it was a potential informer and I wasn't given any information about the context of the meeting or who the person was.

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17. We made our way up to the top of the Great Southern Stand to a food outlet where ASHTON spoke to a female I now know to be Nicola. Nicola was working at the food outlet. At the time I would have been introduced to her by name, I think it was just her first name that I was introduced to her by. ASHTON spoke to Nicola for 5-10 minutes. I was present, but don't have a specific recollection of what was discussed and wasn't really part of the conversation – I was just present as an observer. I'm not sure how ASHTON had come to know Nicola or what their previous interactions were that led to this meeting. After ASHTON finished speaking to Nicola we left and went about our normal duties at the football match.
18. I remember that a few days later, arrangements were made by someone (I am almost certain it was not me) for Nicola to meet myself and ASHTON and we went with her to the Special Response Squad (SRS) at the St.Kilda Road Police Complex. I remember we spoke to several detectives from the SRS and introduced Nicola to them. I was present in the conference room with ASHTON and Nicola when she spoke to them about a male she knew who was trying to purchase firearms. The conversation went for at least 30 minutes. I recall one of the SRS detectives who was present as Detective Sergeant John GIBSON. There were several others, but I don't remember their names.
19. I believe there were some phone calls between me and Nicola and between Nicola and ASHTON in the days or weeks following the meeting at the SRS where she provided extra information or we sought to clarify some things she had said. I expect these contacts would have been recorded electronically on an Information Report (IR). My recollection of this time is that IR's were typed onto a computer system and saved onto a local drive – the program used may have been 'Word-perfect' or 'Intelman'. I don't remember if a hard copy of the IR's were generated.

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20. I understand that Nicola was registered as an informer in 'A' District around this time. I remember this being discussed with ASHTON and myself and perhaps other members on our team, but I don't specifically remember filling out registration forms or taking them to the Superintendent to facilitate the registration process. I don't recall if the registration happened before or after the SRS meeting. I have now seen the registration form and can say that apart from the boxes marked Reliability and Contact Members If available to other members and the Register Number, the handwriting is mine.
21. My recollection is that back in 1995 informers were given registration numbers that corresponded to the [REDACTED] For example, [REDACTED]
[REDACTED]
[REDACTED] and so on. I don't remember what Nicola's registration number was. I now know from the form that she was registered number G3/95.
22. My recollection and experience from that time in Victoria Police (that is in 1995) was that a Constable would not have had access to the Superintendent. If any forms needed to be lodged with the Superintendent or interaction had, it would have been a Sergeant or Senior Sergeant who spoke to him – not a Constable.
23. I recall that at this time in 1995 Nicola was a university student studying law and she lived in a flat in Carlton. I think the flat was in Rathdowne Street. I never went to this flat, but I am aware that at some stage around this time, members from another DSG (I think Moonee Ponds) had executed a warrant at Nicola's flat and located drugs. I can't recall if this was the motivation for Nicola providing information to police. My recollection is that this had happened prior to myself and ASHTON meeting with Nicola for the first time at the MCG.

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24. The next contact with her I recall was a matter of months after the SRS meeting. She contacted the DSG again and spoke to me. I can't remember exact time lines, but I recall that by this time, the DSG office had moved from an office above the Russell Street Garage to the newly opened VPC.

25. I remember Nicola wanted to provide information on a male that she had previously shared a flat with. The information centred on this male being involved in drug trafficking or manufacture. I think Nicola was suggesting that the male she knew was looking to either buy or sell a quantity of amphetamine or pseudoephedrine.

26. I think that by this time, I may have moved from ASHTON's team to a team run by Sergeant Craig BRIEN. I can't specifically recall how the job commenced, but I recall from the information that Nicola provided it was decided to run a job that involved Nicola introducing an undercover operative to the male she knew. I think the male was a former flat mate of Nicola and they may have been involved in a relationship at some stage, but I can't remember specifically. I don't recall if the male Nicola was providing information on was the same male she gave information at the SRS meeting.

27.



28. I think the job involved several meetings with Nicola and DSG members where she provided information to myself and other members where she told us that the male

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she knew was either looking to buy or sell amphetamine or pseudoephedrine. These meetings would have been documented in a day book and then converted into an electronic IR or perhaps typed directly into an electronic IR. I never electronically recorded (voice recorded) any meeting I had with Nicola.

29. The DSG job commenced and Nicola met with the Under Cover and the male target and Nicola introduced the target to the Under Cover. I recall this happened at a café in Southbank [REDACTED]

[REDACTED] I think there were 2 meetings between the Under Cover and the target but it was apparent that the target could not access amphetamine and was looking to buy it from the Under Cover rather than sell it.

30. Essentially the information that Nicola provided did not live up to expectations and the job could not progress. The job was closed with no result and no person was arrested or charged.

31. I do not recall Nicola being used again for any other jobs while I was at the DSG. I do not recall introducing Nicola to any other member when I left the DSG and I do not remember de-registering her. I am not even sure if there was a process to de-register informers back in 1995.

32. On another occasion, Nicola contacted me at the DSG office one weekend when I was working. This weekend was the weekend of an election and it would have been in late 1995 or early 1996. I can't recall if it was a state or federal election, but I was working a day shift at the DSG with other members. Nicola rang me and told me that there was a large group of media and journalists outside her house in Kew and that she was being harassed and followed by them. I recall this being in the context that she had some involvement in the disclosure of some sort of document or other

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information that had been widely circulated and published in the media in relation to the election and the media wanted a comment or something from her.

33. Essentially Nicola wanted assistance to 'get rid' of the media. I spoke to one of the Sergeants who was working at the DSG that day and he suggested that we should advise Nicola to drive into the city, meet her at some sort of crowded public place where it would be difficult for the media to follow her and if need be we could put her in our car and drive her a short distance away so that the media could not follow us.

34. I remember ringing Nicola back and gave her this advice. Myself and another couple of members of the DSG arranged to meet Nicola at Melbourne Central Shopping Centre. I remember we arrived before Nicola and when she arrived she parked in La Trobe Street. Nicola got out of her car and said that media were still following her – I did not see anyone following her and there did not appear to be any media vehicles or journalists in the area. We walked through the Melbourne Central Shopping Centre with Nicola and again, myself and the other police agreed that there did not appear to be anyone following her.

35. When we reached the Lonsdale Street entrance to the shopping centre, we spoke to Nicola, I told her that it appeared that nobody had been following her and that she was now free to return to her car and go about her day. I had nothing further to do with Nicola that day and didn't discuss the incident with her again.

36. I had no cause to and did not use Nicola as a registered informer again after I left the DSG.

37. In the period between 1997 and 2006 I did see and chat socially with Nicola from time to time at the Melbourne Magistrates Court and other places. It was through

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those social chats that I became aware that she had completed her law degree and had started working as a solicitor in Melbourne. These conversations were purely on a social basis if I saw her around. I also attended a couple of Homicide squad social functions where she was present. I did socialise with her over the years and had one sexual encounter with her. Having given the matter further thought it is my belief that this one encounter is probably early in 1997 because I know where I was stationed when it happened. I was stationed at Malvern CIB. I didn't transfer to Malvern CIB until late 1996 or early 1997 and it was some months after I had transferred. It happened while I was off duty. I also obtained legal advice from her on two or maybe three occasions in 2003. I did not make any record of any of this social contact with her because the contact I had with her was not anything to do with my police duties. I certainly do not hold any record of that social contact. I can confirm that other than what is described earlier in this response, Nicola never provided information to me again in the context of an informer/handler relationship after I left the DSG in 1996.

Concerns in relation to use of Ms Gobbo as a human source

38. I am not aware of any concerns ever being raised by anyone within or outside Victoria Police in relation to the use of a legal practitioner as a human source.
39. At no time during my involvement with Nicola as a human Source (1995-1996) was she a legal practitioner. I have only become aware over the last 12 months or so through media reports, that Nicola was later registered and used as a human source.
40. I am not aware of any person raising concerns about the use of Nicola as a human source in 1995-1996. As stated above, I was not aware that she had been subsequently registered and/or used as a human source and therefore I am unaware of any concerns raised by anyone about her use as a human source while a legal practitioner.

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41. I am not aware of any discussion within Victoria Police about the obligation of disclosure of material concerning the use of Nicola as a human source.

42. I am not aware and have not had any involvement in any other human source that has provided information to Victoria Police who were subject to obligations of confidentiality or privilege.

Other relevant matters

43. obligations of disclosure to accused persons, prosecution agencies and the courts:
Throughout my career I have attended various training courses that have discussed the obligations of disclosure to accused persons in prosecutions. This topic would have been covered in Detective Training School. This topic would have also been covered in other courses and training sessions that I have attended, but I cannot say with any certainty exactly what courses and when these occurred. Suffice to say it is a topic that I have received training and awareness of on a number of occasions in my career.

44. the right of an accused person to silence:

I have received training in relation to the accused's right to silence. This was covered in my initial training at the Police academy and would have been covered in a number of other courses that I have completed.

45. the right of an accused person to a legal practitioner:

I have received training in relation to the accused's right to access a legal practitioner. This was covered in my initial training at the Police academy and would have been covered in a number of other courses that I have completed.

46. legal professional privilege:

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I have received training in relation to legal professional privilege and understand the principles behind this privilege. The training I received related more to searches of legal practitioners' offices where items may have been seized and legal professional privilege was claimed rather than disclosures of information by a legal practitioner to police.

47. public interest immunity:

I do not recall ever receiving specific training in relation to public interest immunity. I have on occasions researched the topic of public interest immunity in relation to subpoenas that have been served on work units that I have managed, but don't recall specific training on the topic.

48. professional and ethical decision making:

I have completed the internal Victoria Police Discipline investigators Course and Integrity Management Course. Both these courses covered professional and ethical decision making.

49. At present I cannot think of any other relevant matters that can provide assistance to the Commission.

Dated 27 March 2019



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Timothy Argall

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