

Royal Commission**into the Management of Police Informants****Statement of Dean Anthony McWhirter****States:**

- 1 My full name is Dean Anthony McWhirter. I am an Assistant Commissioner of Victoria Police.
- 2 I make this statement in response to a request from the Royal Commission into the Management of Police Informants dated 19 March 2019. The statement is produced to the Royal Commission in response to a notice to produce.
- 3 In preparing this statement, I have not had access to my emails. The answers provided below are based on my best recollection of events that occurred a long time ago and based on a review of my diaries. I will provide a supplementary statement if relevant emails are located and require further explanation, or which reveal my answers below to be incomplete or inaccurate in any way.

Educational background and employment history (Q1)

- 4 I joined Victoria Police on 5 February 1979, trained at the Police Academy in June 1981 and graduated in October 1981. Since graduating from the Police Academy, I have worked in the following areas and locations:
 - (a) Carlton Police Station (1981-1982);
 - (b) Russell Street Police Station (1982);
 - (c) Flemington Police Station (1982-1986);
 - (d) National Crime Authority – Surveillance Unit (1986-1987);
 - (e) Footscray CIB – Detective Senior Constable (1987-1990);
 - (f) Homicide Squad – Detective Senior Constable (1990-1993);
 - (g) Special Projects Unit – Sergeant (1993-1996);
 - (h) Boronia Police Station – Sergeant (1996-1997);

- (i) Transit CIB – Detective Sergeant (1997-2000);
- (j) Ethical Standards Department – Detective Senior Sergeant (2000-2003);
- (k) Transit Safety Division – Senior Sergeant (2003);
- (l) Intelligence and Covert Support Department – Inspector (2003-2007);
- (m) Region 1, Division 2, Yarra Police Service Area– Inspector (2007-2010);
- (n) Road Policing Command, Road Policing Enforcement Division - Superintendent (2010-2014);
- (o) People Development Command, Foundation Training – Superintendent (2014-2015); and
- (p) Family Violence Command – Assistant Commissioner (2015-Present).

5 I have a Masters in Leadership and Management (Policing) from Charles Sturt University.

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

6 To the best of my recollection, I had no involvement or association with any investigation which had dealings with Ms Gobbo.

Use of Ms Gobbo as a human source

Question 3

7 Based on a review of my police diaries, it appears that I became aware that Ms Gobbo was providing information or assistance to Victoria Police in March 2006, while I was performing temporary duties at the Source Development Unit (SDU).

8 Set out below are the circumstances in which it appears that I learned that Ms Gobbo was providing information or assistance to Victoria Police. I have no independent recollection of these matters.

9 From May 2003 until around October 2007 I was an Inspector in the Intelligence and Covert Support Department. While in that Department I performed many roles, including roles in the Security Intelligence Group, State Intelligence Operations and, once it was established, the SDU.

- 10 Based on a review of my police diaries, I believe that I was performing temporary duties at the SDU in the period from around 6 March 2006 until 13 April 2006, and then from 13 June 2006 until 7 July 2006. The kind of work that I performed at the SDU was typical of the work that was performed by a manager of a unit. I had overall responsibility for the management of the unit. It was a non-operational role.
- 11 My diary records that on 6 March 2006, I had a discussion with Officer Sandy White about "DSU targets and office procedures". I have no recollection of this discussion.
- 12 I have been shown two documents titled Application for Money from Imprest Account that were signed by me on 10 March 2006 (VPL.0100.0020.0246) and 27 March 2006 (VPL.0100.0020.0249) respectively. These forms relate to the reimbursement for expenses incurred during meetings with Ms Gobbo. This is typical of the kind of administrative task that I performed while undertaking temporary duties at the SDU.
- 13 In the course of preparing this statement, I have been told that documents on the Loricated database indicate that Officer Sandy White was on leave in the period from 13 March 2006 to 24 March 2006 and that during the period, I was nominated as the controller of Ms Gobbo. I assume that I was also nominated as controller of all other sources at that time. I have no recollection of being given the temporary role of controller of Ms Gobbo, however, my diary records that I did receive updates from Ms Gobbo's handlers on 20, 21 and 24 March 2006.
- 14 On 24 March 2006, I spoke to Officer Peter Smith, in which he passed on information to me in relation to an "issue of safety and risk to 3838". We spoke again about these issues on 25 March 2006. I have recorded what was discussed in my diary but have no independent recollection of those discussions.
- 15 A controller would usually be an operational role. It appears from my diary that the only discussions that I had with Ms Gobbo's handlers in this period related to her management and safety. I have never competed PII human source training, and at the time I had limited human source experience. Ms Gobbo's handlers within the DSU had more human source experience than I did. I expect that I was simply nominated as the temporary controller during Officer White's absence and was to be available to manage any big issue that arose during Officer White's absence.

- 16 I have been shown an unsigned Request for Informer Reward document in relation to Ms Gobbo that is dated 28 March 2006.¹ My name appears on this document as the Officer in Charge. The document relates to two traffic infringement notices received by Ms Gobbo. I have no recollection of this form but observe from my diary that I made some enquiries with the traffic office on 22 March 2006. I do not know whether the two events are related.
- 17 I continued to perform temporary duties at the SDU after 28 March 2006, but I have not identified any further diary entries that refer to Ms Gobbo.
- 18 On 19 June 2006, I was informed by Superintendent Porter that the SDU was likely to move to the Covert Support Division under Superintendent Biggin as of 1 July 2006. On 5 July 2006, I attended a briefing with Superintendent Biggin and Detective Inspector Hardy in relation to the handover of the SDU.
- 19 My final management role with the SDU was on 7 July 2006.

Question 4

- 20 Other than Officers Sandy White and Peter Smith, I have no personal knowledge of other members of Victoria Police or any other organisation who were aware that Ms Gobbo was providing information or assistance to Victoria Police. I expect that the other members of the SDU also knew that Ms Gobbo was providing information or assistance to Victoria Police, however, I have no personal knowledge of this.

Question 5

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

Question 6

- 22 To the best of my recollection, I have not had any personal contact with Ms Gobbo.

Questions 7 and 8

¹ VPL.2000.0003.8311

- 23 I refer to my answer to question 3, above. The only information that I am aware of that was provided to Victoria Police by Ms Gobbo is recorded in my diary entry on 24 March 2006.

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

Questions 9-11

- 24 I am not aware of any concerns being raised about the use of a legal practitioner (or Ms Gobbo specifically) as a human source.
- 25 I am not aware of any discussion within Victoria Police about the obligation of disclosure in relation to material concerning the use of Ms Gobbo as a human source.

Other relevant matters

Question 12

- 26 I have no information to provide in response to this question.

Question 13

- 27 Throughout my police career, I have received training on the topics set out in question 13. The most significant training I received was that provided at the Police Academy and at Detective Training School. The topics listed in this question are also matters that I have gained knowledge of during my career.

Question 14

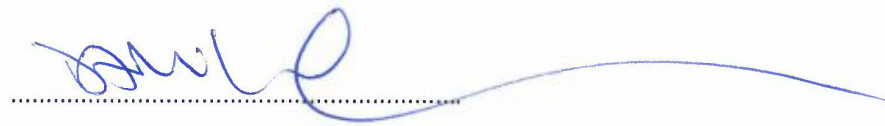
- 28 On 5 May 2003, I became the Staff Officer to the head of the Intelligence and Covert Support Department, which was a new department. When I was appointed, Commander Paul Hornbuckle was the person responsible for the implementation of the Intelligence and Covert Support Department. After its establishment, Commander Hornbuckle took leave from Victoria Police and Acting Commander Ian Thomas became the head of the Department. At a later point in time, Commander Maloney was appointed as Commander of the Department, however, he was leading the Ceja Taskforce in this period and so various other people continued to fill this role, including Ian Thomas and Rod Wilson.

- 29 As Staff Officer, I attended meetings of the Steering Committee of the Dedicated Human Source Management Team Pilot. My role was secretarial and I did not participate on the Steering Committee, other than in an administrative capacity. In the course of preparing this statement, I have been shown the agendas and minutes of meetings of the Steering Committee on 16 July 2004, 30 July 2004, 13 August 2004, and 27 August 2004.² I attended each of those meetings, however, I have no independent recollection of them.
- 30 Based on my diary, I believe that on 1 September 2004, I went on secondment to become the Inspector at Crime Prevention for three months.
- 31 On 20 December 2004, I returned to the Intelligence and Covert Support Department and was upgraded to Acting Superintendent of the State Intelligence Division. I have been shown an Issue Cover Sheet dated 4 January 2005 that was prepared by Acting Senior Sergeant Glenn Owen in relation to the development and implementation of human source training (VPL.0100.0048.1470). I recall Acting Senior Sergeant Owen and Officer Sandy White travelling to Canada for training but I was not involved in the preparation of this document. I signed it in my capacity as Acting Superintendent.
- 32 During the period that I was upgraded, I received briefings from time to time on risk issues in relation to human sources. To the best of my recollection, the briefings I received were related to risk issues only. I do not recall receiving any briefings about intelligence received from human sources in this period.
- 33 I also was involved in various administration issues in relation to the Human Source Management Unit and the Dedicated Human Source Team Pilot, such as funding and resourcing. An example of this occurred on 16 May 2005, when I had a discussion with Commander Wilson in relation to funding of the Dedicated Human Source Team Pilot. My diary records that a funding bid was not approved and I raised concerns about the Pilot not being financially viable. While I do not recall this specific discussion or being involved in the funding bid, I do recall there being ongoing issues about funding for the Pilot and resourcing.

² VPL.0100.0048.1078; VPL.0100.0048.1079; VPL.0100.0048.1096; VPL.0100.0048.1100; VPL.0100.0048.1115; VPL.0100.0048.0742; VPL.0100.0048.1140; VPL.0100.0048.0741; and VPL.0100.0048.1148.

34 I otherwise had no role in the development of training for human source management or the development of the SDU.

Dated: 2 September 2019

A handwritten signature in blue ink, consisting of stylized cursive letters, positioned above a horizontal dotted line.

Dean Anthony McWhirter