



## Terms of reference

The Royal Commission into the Management of Police Informants is appointed to inquire into and report on:

1. The number of, and extent to which, cases may have been affected by the conduct of EF as a human source.
2. The conduct of current and former members of Victoria Police in their disclosures about and recruitment, handling and management of EF as a human source.
3. The current adequacy and effectiveness of Victoria Police's processes for the recruitment, handling and management of human sources who are subject to legal obligations of confidentiality or privilege, including:
  - a. whether Victoria Police's practices continue to comply with the recommendations of the Kellam report; and
  - b. whether the current practices of Victoria Police in relation to such sources are otherwise appropriate.
4. The current use of human source information in the criminal justice system from human sources who are subject to legal obligations of confidentiality or privilege, subject to section 123 of the *Inquiries Act 2014*, including:
  - a. the appropriateness of Victoria Police's practices around the disclosure or non-disclosure of the use of such human sources to prosecuting authorities; and
  - b. whether there are adequate safeguards in the way in which Victoria Police prosecutes summary cases, and the Office of Public Prosecutions prosecutes indictable matters on behalf of the Director of Public Prosecutions, when the investigation has involved human source material.
5. Recommended measures that may be taken to address:
  - a. the use of any other human sources who are, or have been, subject to legal obligations of confidentiality or privilege and who come to your attention during the course of your inquiry; and
  - b. any systemic or other failures in Victoria Police's processes for its disclosures about and recruitment, handling and management of human sources who are subject to legal obligations of confidentiality or privilege, and in the use of such human source information in the broader criminal justice system, including how those failures may be avoided in future.
6. Any other matters necessary to satisfactorily resolve the matters set out in paragraphs 1-5.