

This document has been redacted for Public Interest Immunity claims made by Victoria Police.
These claims are not yet resolved.

ROYAL COMMISSION INTO THE MANAGEMENT OF POLICE INFORMANTS

STATEMENT OF PETER HANKS QC

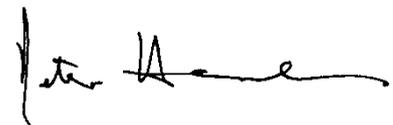
1. I have been asked by the Royal Commission to prepare a statement that addresses nine numbered topics. Although the request expressed the Commission's understanding "that the VGSO will also be in touch with you to discuss arrangements to support you to prepare this statement", the VGSO has informed me that it is not in a position to assist with the preparation of my statement. Consequently, I have been obliged to rely on my memory in answering the questions posed by the Royal Commission. Because my memory is not always perfect, my answers may also be imperfect.
2. My first involvement with, and knowledge of, a police informer who had also been a legal practitioner was when I was briefed in March 2016 to provide advice to the Chief Commissioner on a public interest immunity point to be raised in correspondence with the Victorian Director of Public Prosecutions. That was, of course, after the Kellam Report had been made available to the DPP and to the Chief Commissioner. That brief evolved into instructions to appear for the Chief Commissioner in the Supreme Court of Victoria, the Victorian Court of Appeal and the High Court of Australia.
3. I had earlier been briefed by the Victorian Government Solicitor to advise whether an amount of money, negotiated by way of settlement of Ms Gobbo's Supreme Court action against the State, was an appropriate reflection of the amount of damage that Ms Gobbo claimed to have suffered by reason of her agreeing to give evidence in the Dale prosecution. However, my instructions on that occasion did not include any information about the nature of Ms Gobbo's activities in providing information or assistance to Victoria Police. I repeat that the first occasion on which I became aware of those activities was in March 2016.
4. It follows that the first occasion on which I learnt, or was given reason to suspect or believe, that Ms Gobbo was providing information or assistance to Victoria Police (apart from having agreed to give evidence at the Dale trial) was March 2016.
5. I have been asked to provide "details of the legal advice you provided to Taskforce Briars and your involvement in the matter". I have to confess that I do not understand the

This document has been redacted for Public Interest Immunity claims made by Victoria Police.
These claims are not yet resolved.

question: I do not know what is meant by “Taskforce Briars” or by “the matter”. To the best of my knowledge, I provided no advice to “Taskforce Briars” and I had no involvement in “the matter” (whatever those two words were meant to convey).

6. After I was briefed to provide advice and to represent the Chief Commissioner in his dealings with the Director of Public Prosecutions, I was also briefed to appear for the Chief Commissioner at various directions hearings in the Court of Appeal where convicted persons were seeking leave to appeal against their convictions, which related directly to Ms Gobbo’s involvement as an informer. However, that occurred after I was briefed to provide advice to the Chief Commissioner and then to represent the Chief Commissioner in dealings with the DPP, commencing in around March 2016.
7. I also was briefed to represent the Chief Commissioner in proceedings in the Victorian Civil and Administrative Tribunal, being proceedings in which Mr Mokbel attempted to use the *Freedom of Information Act 1982* to obtain documents from the Chief Commissioner relating to the activities of Ms Gobbo. My involvement in those matters only occurred after I had been briefed to advise the Chief Commissioner and to represent the Chief Commissioner in the Supreme Court and in the Court of Appeal, which had occurred in March and July 2016.
8. In short, although I eventually learned a great deal about Ms Gobbo’s activities as an informant and a registered human source, I only commenced to learn about those activities in March 2016: see paragraph 2 above.

Date: 5 September 2019



Peter Hanks QC
Owen Dixon Chambers West