

From: Biggin, Anthony
Sent: Thursday, 8 January 2009 2:21 PM
To: Black-O
Cc: Richards-O Wilson, Trevor; Glow, Andrew
Subject: RE: Update re Statement

Gents - I have briefed Ag Commander Porter on the potential request for the SDU to continue to manage HS 2958. In essence he agrees that we should not do it, & if asked will decline the request.

I based my argument on the following:-

- 2958 is no longer a HS,
- As of 7.23 pm last evening became a witness by the signature on the statement, name & details are potentially open to disclosure requests from now on.
- The witness has been tactically deployed by TF Petra, that is something we were not involved in, they can deploy the witness again as they see fit,
- We have had a long relationship with the HS - there is a conflict with that role of human source vs. witness
- We have considerable methodology to protect, to further deal opens us to disclosure
- TF Petra may have used different methodology, we don't want an argument before the court on the differences
- The role of the SDU is management of sources
- The role of Witsec is to manage witnesses
- The SDU should not be seen as taking over part of the role of Witsec - that would cause conflict & breach policy
- Policy decrees that once they become witnesses they be deactivated
- In our dealings with the HS, the source did not disclose all of her relationship with the TF Petra target
- Now that we are aware of some of the issues, we are bound to put them to her strongly - that would damage the relationship
- We need to protect the value of the source as a witness now
- We are very mindful that the HS is manipulative, we are aware that the HS will play TF Petra off against SDU
- The HS in making the statement dealt with TF Petra, SDU were out of that information loop
- Clearly things were disclosed to investigators that SDU do not need to know about
- Now the HS is a witness, it is in Victoria Polices best interests for the deactivation to occur sooner rather than later
- To further involve SDU would mean they would be required to be briefed on those issues - SDU will then become potential witnesses
- To be briefed on those issues would mean that we could potentially weaken the HS as a witness
- Clearly agreements were made with investigators - we were not a party (nor should have been) to these agreements - what ever the agreement it is for investigators to address As they only know what was discussed
- Clearly all the demands of the HS were met by investigators, as the statement was signed, they have to address the matters agreed upon
- Witness needs to be managed like any other needy witness
- TF Petra were pre warned of the management issues surrounding this witness - they have a paper to that affect & a risk assessment
- last point - potentially Biggin, Sandy White & Richards (at the least) will become witnesses in the prosecution of the target, we need to protect our standing as witnesses as well, so to further deal with another witness will cause us all credibility issues in front of a court

Of course we are always available to provide guidance on tactics to the TF Petra members - not the witness

Black-O can you keep a copy for future reference.