

### Order pursuant to *Inquiries Act 2014*

**Commissioner:** The Honourable Margaret McMurdo AC

**Date of order:** 23 June 2020

**How made:** Order of the Commission

#### **BACKGROUND:**

On 23 June 2020, Counsel Assisting the Commission's closing submissions on the Commission's Terms of Reference 1 and 2 are due to be served on Victoria Police. Thereafter, those submissions are due to be served by 26 June 2020 on the remaining parties with standing leave to appear before the Commission and a number of other persons with a sufficient interest in the submissions. These parties are each identified in this order and, for convenience, may be described as the 'Standing Leave Parties'.

It is expected that the submissions will be in the order of 2000 pages in length. Having regard to the size of the submissions, the sheer quantity of information that the submissions are required to traverse, and the vast number of non-publication orders which the Commission has made over the course of its inquiry, Counsel Assisting have indicated a concern that it is possible that parts of the submissions may arguably contravene one or more of the Commission's non-publication orders.

The submissions are the subject of a non-publication order which I made on 1 June 2020 which prohibits their further dissemination by the Standing Leave Parties other than as necessary for those parties to make responsive submissions. Each of the Standing Leave Parties will also be required to provide a confidentiality undertaking to the Commission in relation to the submissions. In these circumstances, and in order to avoid possible breaches of the Commission's existing non-publication orders, I am satisfied that it is appropriate to make the following order.

#### **THE COMMISSIONER ORDERS:**

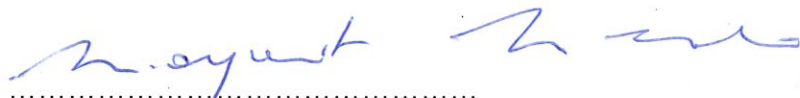
Pursuant to s 26 of the Inquiries Act 2014 (Vic), I order that all non-publication orders previously made during the course of the Commission's inquiry be varied to include the following clause:

PROVIDED THAT nothing in this order prevents the disclosure of information in Counsel Assisting the Commission's closing written submissions on the Commission's terms of reference one and two to the following parties:

- (a) Victoria Police (former and current members represented by Corrs Chambers Westgarth);
- (b) the Director of Public Prosecutions (Victoria);
- (c) the Commonwealth Director of Public Prosecutions;
- (d) the Australian Federal Police;

- (e) the State of Victoria;
- (f) the Australian Criminal Intelligence Commission;
- (g) the Chief Examiner;
- (h) the current Chief Commissioner of Victoria Police, Mr Graham Ashton;
- (i) Ms Nicola Gobbo;
- (j) Mr Simon Overland AM;
- (k) Ms Gobbo's 'handlers' within the Victoria Police Source Development Unit (using the pseudonyms):
  - (i) Officer Sandy White;
  - (ii) Officer Wolf;
  - (iii) Officer Peter Smith
  - (iv) Officer Green
  - (v) Officer Fox
  - (vii) Office Black

A copy of this order is to be published on Commission's website [www.rcmpi.vic.gov.au](http://www.rcmpi.vic.gov.au) .



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**The Honourable Margaret McMurdo AC  
Commissioner**