

To: Howard Rapke [REDACTED] COM.0108.0001.0001_R1_P
From: George Brouwer
Sent: Mon 24/02/2020 8:07:35 AM
Subject: Commissioner's letter

COM.0108.0001.0001

Dear Mr Rapke

The Commissioner wrote to me on 3 February. I should be grateful if you could transmit my response which follows.

“Dear Commissioner

Your letter of 3 February 2020 reached me via the good offices of the Victorian Ombudsman. You asked me if I would be prepared to assist the Commission on a voluntary basis by the provision of a written statement on some of the matters before it as well as provide any general comments.

I am prepared to do so to the extent that I can. However, as all this was a very long time ago, well close to fifteen years or so, I no longer have a clear recollection of events, their details or their sequence, particularly as I was engaged with a considerable number of other investigations at the time as can be seen from the number of my reports to the Parliament.

On the issue of police informant management and witness protection I would point to a number of reports I made to the Parliament, which are on the public record, and in which I also dealt with the issue of what has been termed ‘noble cause corruption’ - a particular aspect which may be relevant to Ms Gobbo’s case although I suspect that this phenomenon is not unique to it. I have in mind Ms Gobbo’s double dealing with her clients and any police encouragement of it. I should, however, emphasise that I had no reason to be aware of that double dealing or the police force’s awareness of those activities, or any reason to believe that officers of the OPI had any such belief.

As I pointed out at the time, police informant management and witness protection are vexed and seemingly intractable issues which historically have bedevilled police practices. Ms Gobbo’s case may have some unique aspects (her being a barrister informing on her clients) but the problematically structural and cultural aspects of informer management and witness protection apply more generally.

On the keeping of police diaries or their equivalent, whereas this may be an aspect of police forces, it is not usual practice in public sector bodies where the requirement is rather for public service officers to ensure that the official file constitutes a faithful record of actions taken and information on the subject of the file. Should there be a requirement for diaries to be kept in certain public bodies? I personally am inclined not to favour this as it can lead to a fragmentation of records kept, with a lessening of concern for ensuring that the official file record is a complete, accurate and faithful reflection of action taken. The bifurcation or multiplication of records is not in my thinking a desirable practice as it would not necessarily add to transparency and may well lessen it.

In view of the many years that have elapsed since the events took place I am not in a position to be of further assistance to the Commission.

With every good wish,

Yours sincerely,

G.E Brouwer.”

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Sent from Gmail Mobile