

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

[Redacted]
 To [Redacted]
 cc [Redacted]
 04/06/2009 11:02 AM
 bcc [Redacted]
 Subject RE: FW: Witness protection matter

Thanks once again David. I will put the letter into the appropriate format, then email to [Redacted] for the inclusion onto DC Walshe's letter head.

GA

From: Ryan, David
Sent: Thursday, 4 June 2009 11:00 AM
To: Alway, Geoff
Cc: [Redacted] McRae, Findlay; Hart, James [Commander]; Wilson, Rod; Isabel.Parsons@[Redacted]
Subject: Re: FW: Witness protection matter

Dear All

If security were to be the paramount consideration, then you would probably not want to use the witnesses's real name. The risk would be in the hands of the witness if we used the real name and we would have to rely on the witness not to circulate the letter or lose it (unless we provided the letter to the witness for consideration and then took it back).

If this letter ends up being considered by a Court then we just need to be in a position to identify the letter as being addressed to the witness. This should not be a problem if we do not use the real name provided the witness does not deny receiving it. I consider this to be unlikely and we could call evidence to prove it in any event.

On balance, if the letter is to be given to the witness, then I think it is best not to use the real name.

regards
David

Geoffrey Alway/[Redacted]
 04/06/2009 10:11 AM

To
 Findlay McRae [Redacted]
 cc
 David Ryan [Redacted]
 Rod Wilson [Redacted] POL, James

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[REDACTED]

Subject

FW: Witness protection matter

Fin and colleagues

I have read the draft letter that Isabelle and David have prepared and which we intend to deliver to the witness on Friday. I think it meets all requirements (including the excerpts that David indicates are discretionary). I have spoken with [REDACTED] and although DC Walsh has a busy schedule for today, there is a window of opportunity for me to get the document signed off at about midday. The only issue is whether we include the name of the witness on the letter (Seek some advice from you David on this issue). I am happy to revamp the draft and send same electronically to [REDACTED], who can cut and paste it onto Keiran's letter head (without mobile numbers of course). I will await your comments, agreement in principle before I go down that track

GA

From: Ryan, David
Sent: Thursday, 4 June 2009 9:46 AM
To: McRae, Findlay
Cc: Alway, Geoff; Isabel.Parsons [REDACTED]
Subject: Witness protection matter

Fin

Isabel has put together some material for you.

There have been number draft documents provided to the witness or the witness lawyer since February. The first draft we prepared was based on a list of the witness' requirements. This document was an [REDACTED] under the Act as we assumed the witness would be entering the Program. Once the witness refused, the [REDACTED] was re-drafted as an agreement. (It needed to contain extensive provisions in relation to [REDACTED] and [REDACTED] not required in an [REDACTED] as these issues are dealt with under the Act). Finally we also prepared a letter agreement relating to the payment of interim financial assistance. None of these documents were ever agreed or signed.

The details of protection and assistance required by the witness, including financial assistance, were set out in a schedule etc be attached to the [REDACTED] or [REDACTED]. Very few of the draft commercial terms have been discussed or negotiated.

Some drafting in the schedule was intended to be in the alternative - e.g. payment of monthly income support was potentially an alternative to payment of the various expenses that the witness had required. However in practice an amount is now being paid as income support and numerous expenses are being met.

Other drafting reflected matters agreed in earlier discussions with WitSec (but no longer reflects what has happened (i.e that Victoria Police would not pay for the witness' [REDACTED])). This drafting has been struck out by the witness' lawyer when the documents were last reviewed.

The process has been slow, as copies of the drafts are not left with either the witness or the witness' lawyer. No meetings have been held at which both parties and their legal representatives have been