

Our reference
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20 March 2019

By email: [REDACTED]
Mr Howard Rapke
Managing Partner - Melbourne
Holding Redlich
Level 8, 555 Bourke Street
MELBOURNE VIC 3000

Contact
John Fogarty [REDACTED]
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Partner
Daniel Marquet [REDACTED]
[REDACTED]

Dear Mr Rapke

Royal Commission into the Management of Police Informants

The purpose of this letter is to inform the Royal Commission that:

- 1 Victoria Police has recently become aware that it received information from Ms Gobbo after she was de-registered as a human source which may have had a bearing on the conviction of other people; and
- 2 Further to previous correspondence regarding human sources/community contacts who Victoria Police has identified as having potential connection with the legal profession, Victoria Police has identified an additional person who had contact with Victoria Police in 2005 and 2009.

1. Ms Gobbo's interactions with Victoria Police after deregistration in 2009

We set out in this letter below:

- information about Ms Gobbo's interactions with Victoria Police in the period from 4 March 2009 to 6 August 2010;
- information about the ongoing inquiries that Taskforce Landow are undertaking to determine whether intelligence gathered from Ms Gobbo during this period resulted in a conviction; and
- Victoria Police's proposal to provide the Royal Commission with access to source material relating to the intelligence Ms Gobbo provided to Victoria Police in this period.

Management of Ms Gobbo after her de-registration as a human source

As you are aware, Ms Gobbo was de-registered as a human source on 14 January 2009 in the context of her intended use as a prosecution witness.

We are instructed that after Ms Gobbo was de-registered, in the period from 4 March 2009 to 6 August 2010, Ms Gobbo was managed by two Detective Sergeants attached to the Petra Taskforce.

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Taskforce Landow has identified that during this period:

- all communications between the Detective Sergeants and Ms Gobbo were recorded in 'Contact Reports'; and
- 207 'Contact Reports' were generated

Use of information in Victoria Police investigations

Taskforce Landow has undertaken initial inquiries to determine the bearing the information contained in the 'Contact Reports' had on any investigation. Those initial inquiries reveal that information obtained from Ms Gobbo was provided to investigators in investigations relating to three persons of interest.

Access to source material

In view of the matters set out above, Victoria Police anticipates that the Royal Commission will seek production of materials regarding the intelligence Ms Gobbo provided to Victoria Police in the period from 4 March 2009 to 6 August 2010 (and the use made of that intelligence).

We are instructed that these source documents contain highly sensitive information akin to the sensitive information contained on the Loricated Database. In these circumstances, we propose that the process for provision of the documents contained on the Loricated Database in their native format (which is set out in our letter dated 13 March 2019) be adopted to facilitate access to these source documents.

We look forward to receiving the Royal Commission's response to this proposal.

2. Further person identified with connection to legal profession

As set out in our letter dated 13 March 2019, Victoria Police has undertaken broadened searches to identify other human sources who are subject to legal obligations of confidentiality or privilege.

We are instructed that Victoria Police conducted searches across the 'Employer' and 'Occupation' fields using the following broadened search criteria: "Attorney, Barrister, Counsel, Court Clerk, Court Registrar, Judge, Justice, Law Clerk, Lawyer, Legal Assistant, Legal Practitioner, Legal Registrar, Legal Secretary, Magistrate, Prosecutor, QC, Queens Counsel and Solicitor".

The continuing review being undertaken by Victoria Police has identified a further person with connection to the legal profession who had contact with Victoria Police in 2005 and 2009. The person, who was previously a lawyer, PII 2005 when PII first contacted Victoria Police about providing information. PII was ultimately registered as a human source in August 2009 and deactivated in October 2009.

Victoria Police is presently conducting further enquiries to determine whether the person obtained any of the information that he provided to Victoria Police in 2005 and 2009 as a result of his previous professional capacity as a lawyer. We will update you on the outcome of these further enquiries when Victoria Police completes them.

We propose that material relating to this person be dealt with in the same way as for "Person A". That is, we will provide the Royal Commission with a spreadsheet showing the details noted above together with the information reports. The reconstructed file with names redacted

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would be made available for inspection at 313 Spencer Street. In the event that identified information is required, then PII will be maintained over the material. As with Person A, Victoria Police is available to brief you on this file or to receive any questions or priority inquiries.

Yours faithfully

Corrs Chambers Westgarth

Daniel Marquet
Partner