

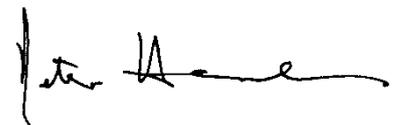
ROYAL COMMISSION INTO THE MANAGEMENT OF POLICE INFORMANTS**FURTHER STATEMENT OF PETER HANKS QC**

1. On 5 September 2019, I provided a statement to the Royal Commission, in which I said the following:
 - 1.1 I was briefed by the Victorian Government Solicitor to advise whether an amount of money, negotiated by way of settlement of Ms Gobbo's Supreme Court action against the State, was an appropriate reflection of the amount of damage that Ms Gobbo claimed to have suffered by reason of her agreeing to give evidence in the Dale prosecution. I now know that I was briefed shortly before 9 August 2010, which was the date when I provided that advice.
 - 1.2 My instructions for the purposes of that advice did not include any information about the nature of Ms Gobbo's activities in providing information or assistance to Victoria Police.
 - 1.3 My first knowledge of a police informer who had also been a legal practitioner was when I was briefed in March 2016 to provide advice to the Chief Commissioner on a public interest immunity point to be raised in correspondence with the Victorian Director of Public Prosecutions.
2. I have now been provided with a copy of my advice dated 9 August 2010, which includes the statement that Ms Gobbo was a registered police informer in December 2008, when she agreed to give evidence against Paul Dale, who was charged with murder.
3. I am unable now to identify the source of my understanding, in 2010, that Ms Gobbo was a registered police informer in December 2008. I know that I received no instructions to that effect from the Victorian Government Solicitor. I have been told that I had a conversation with Michael Rush of counsel about the key pieces of evidence underlying the settlement of Ms Gobbo's action; however, I have no memory of the substance of that conversation.
4. I believe that I was not informed in 2010, and did not then know, that Ms Gobbo had begun undertaking activities as a registered police informer several years before she agreed to collect evidence against Dale. That is, I believe I had no knowledge of (because I was not informed about) Ms Gobbo's activities as subsequently documented in the Kellam Report.
5. I can only assume that the statement in my memorandum of advice dated 9 August 2010 (referred to in paragraph 2 above) reflected my understanding that Ms Gobbo had been

registered as a police informer for the purpose of collecting and giving evidence against Dale. That is, I assume that I understood at that time that Ms Gobbo had been registered for that specific purpose, in the same way that (as I have since learned) she was registered for specific tasks in 1995 and 1999.

6. However, because there is no record of any instructions given to me in 2010, nor is there any record of the substance of my conversation with Michael Rush (see paragraph 3 above), I cannot state that I proceed on that understanding with complete confidence. Nor can I identify the source of that understanding.
7. I know that, when I was first instructed in March 2016 to provide advice to the Chief Commissioner on a public interest immunity point to be raised in correspondence with the Victorian Director of Public Prosecutions, I was briefed with a copy of the Kellam Report and other documents that disclosed to me for the first time the substance of Ms Gobbo's extensive activities over several years as a registered police informer. I still believe that was the first time that I had any appreciation of the nature and scale of those activities.
8. I repeat three points made in my earlier statement to the Commission: I received no assistance from the VGSO with the preparation of that statement; I was obliged to rely on my imperfect memory in answering the questions posed by the Royal Commission; and the first occasion on which I learnt, or was given reason to suspect or believe, that Ms Gobbo was providing information or assistance to Victoria Police (apart from having agreed to give evidence at the Dale trial) was March 2016.

Date: 21 February 2020



Peter Hanks QC

Owen Dixon Chambers West