

From: Greg.Elms@[REDACTED]
Sent: Tue, 16 Feb 2010 17:42:02 +1100
To: David.Ryan@[REDACTED]
Cc: Davey,
 Cameron;Findlay_McRae%POL@[REDACTED];rigipp@[REDACTED];Steve_Smith%POL@[REDACTED]
 PII [REDACTED]
Subject: Re: F
Attachments: 1126_001.pdf

Hi Dave,

My view is that as with the conversation of 7 January 2009, the conversation in December 2008 is one which F was a participant and it would seem that she would have a prima facie claim to obtain the recording and/or transcript of that conversation on the basis that she is entitled to protect her lawful interests.

However, as with the later conversation I am unaware of the content and the potential prejudice to police or the case against Dale if records of those conversations were released. There may be reasons why F (through her solicitors) would find it advantageous to publicly release parts or all of the conversations prior to trial. These are the issues that I think it is important to canvas with the investigators to determine what should be released to F and with what undertakings by her or her solicitors.

Regards,
Greg



Greg Elms
Senior Solicitor, Victoria Police Branch

Victorian Government Solicitor's Office
 Level 8, Building C, 637 Flinders Street, Melbourne Vic 3005
 t +61 [REDACTED] f +61 [REDACTED]
[greg.elms@\[REDACTED\]](mailto:greg.elms@[REDACTED])
www.vgso.vic.gov.au



Think Green before printing this email.

David Ryan/[REDACTED]
16/02/2010 02:33 PM

To Greg Elms/PII [REDACTED]
 cc cameron.davey@[REDACTED], rigipp@[REDACTED], Findlay
 McRae/[REDACTED], Steve
 Smith/[REDACTED]
 Subject F
 t

Hi Greg

I attach a letter received from F's lawyers requesting a copy of the recording of the conversation between them and the accused in December 2008.

My understanding is that this document has already been provided to the defence as part of the hand-up brief. It is not required to be provided to the witness in order for them to assess any potential PII claim. I can't see any reason why it is required to be produced to the witness.

cheers
Dave



David Ryan
Managing Principal Solicitor, Litigation Branch

Victorian Government Solicitor's Office
Level 25, 121 Exhibition Street, Melbourne Vic 3000

t [REDACTED] f [REDACTED]
[david.ryan@\[REDACTED\]](mailto:david.ryan@[REDACTED])

www.vgso.vic.gov.au



Think Green before printing this email.

This email and any attachments may contain confidential and/or personal information and is intended for the addressee(s) only. It may be subject to legal or other professional privilege. Any confidentiality or privilege is not waived or lost if this email has been sent to you in error. If you received it in error, please notify the sender by reply email, delete it from your system and destroy any copies. This email is subject to copyright. No part of it should be reproduced, adapted or communicated without the prior written consent of the copyright owner. Any personal information in this email must be handled in accordance with the Information Privacy Act 2000. The onus is on the recipient to check for and remove viruses.