



The Police Association Victoria

Our Reference: CN#760

11 September 2020

Solicitors Assisting
Royal Commission into the Management of Police Informants
PO Box 18028
MELBOURNE VIC 3001

mailto: alexandra.tighe@rcmpi.vic.gov.au

Re: Responsive Submission to Adverse Findings by the Royal Commission into the Management of Police Informants

The Police Association [“the Association”] acknowledges receipt of your correspondence dated 7 September, 2020, in which you indicate that the Royal Commission into the Management of Police Informants [“the Commission”] may include comments in its final report that support conclusions or findings that could be considered “adverse” to the Association. We note that the nub of the conclusions or finding that could be considered adverse is the Association’s lack of support for the Commission’s proposal to conduct focus groups with members of Victoria Police. We take this opportunity afforded to us pursuant to s 36 of the *Inquiries Act 2014* (Vic) to respond.

Putting to one side the extent to which the Commission or indeed Victoria Police require the imprimatur or support of the Association to conduct focus groups with members involved in the recruitment and management of police informers, we utterly and unequivocally reject the assertion that our failure to do so lacked vision and was to the detriment of the membership.

The Commission was acutely aware of the fact that the Association was providing legal representation to a particular cohort of our members whose rights and interests were at significant risk of harm as a result of the matters being explored by the Commission. The rationale for the Association’s position was articulated in a considered letter forwarded to Operation Landow and which quite obviously was forwarded to the Commission. One might have expected that given the wealth of legal acumen of those involved at the Commission that they would have been alive to the concerns we raised. Disappointingly that appears not to have been the case.

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For the record, we indicate that the Association did not engage in an orchestrated proactive campaign to dissuade our members from engaging in the proposed focus groups. Rather, we opted for a reactive response whereby our position was articulated to members on an individual basis when and if they sought our advice. Moreover, and again for the record, the Association indicated to Operation Landow that we would be prepared to meet with members of the Commission (at their invitation we add) to discuss our position. That meeting was never brokered.

Finally, the Commission's apparent perceptions about the reach and influence of the Association and its important member support function is somewhat curious given their refusal to even permit our Legal Manager (who we add is a qualified lawyer) to attend each day of the hearings to fulfil a welfare role to those subject to examination. Regardless, we maintain that our decision to not overtly support the Commission's proposed focus groups was appropriate in all the circumstances and view the Commission's findings that such a position was "unhelpful and negative" ill-considered at best and trite at worst.

Your sincerely

A handwritten signature in black ink, appearing to read 'Wayne Gatt', with a stylized flourish at the end.

WAYNE GATT
Secretary