

From: Buick, Boris
Sent: Sun, 6 Nov 2011 14:32:10 +1100
To: Frewen, Michael
Subject: FW: DALE [SEC=IN-CONFIDENCE:LEGAL]

FYI

Boris BUICK
Detective Senior Sergeant | **Crime Department**
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From: ALEXANDER, Susan K **On Behalf Of** Ashton, Graham
Sent: Friday, 4 November 2011 3:50 PM
To: 'Krista.Breckweg [REDACTED] Ashton, Graham
Cc: shane.kirne [REDACTED] Vicky.Argitis [REDACTED] Buick, Boris; Fryer, Douglas; Pope, Jeff; Sheridan, Paul
Subject: RE: DALE [SEC=IN-CONFIDENCE:LEGAL]

Dear Krista,

I write to confirm receipt of your email this afternoon regarding this prosecution.

I agree with this plan on the basis that the list being prepared by our Intelligence & Covert Support Department is sufficiently broad so as not to place Witness F in danger. If it is not possible to prepare a list that meets this requisite then my position is that we will not proceed with calling F as a witness on that basis also.

In relation to the preparation of the list, I am advised by Intelligence & Covert Support Department that this may take some time. I have asked for Superintendent Paul Sheridan to contact you directly so that they can be best guided on the construction of this list. The time it takes to compile this list will depend on how broad we can get away with keeping it. Once the list is compiled we will assess it for risk prior to formally handing it over to you.

Regards,

Graham Ashton AM
Assistant Commissioner, Crime
Victoria Police

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From: Krista.Breckweg [mailto:Krista.Breckweg] [REDACTED]
Sent: Friday, 4 November 2011 3:38 PM
To: Ashton, Graham
Cc: shane.kirne [REDACTED] Vicky.Argitis [REDACTED] Buick, Boris
Subject: DALE [SEC=IN-CONFIDENCE:LEGAL]

Dear Graham

I am writing to confirm our discussions this afternoon.

At this stage, the prosecution intends to call Witness F on Tuesday to give evidence at the committal proceedings.

In the meantime, Victoria Police will prepare a list of those documents in its possession which fall within the categories of relevance highlighted previously. The list should be sufficiently informative in a broad sense to enable the defence to identify any document they wish to view but not so revelatory as to identify any contents of specific documents that would lead to the list itself potentially compromising the safety of Witness F.

Once the list of documents is prepared, the defence may (or may at a later stage post committal subject to their funding) request a document to be produced. At that point, Victoria Police should be prepared to argue against disclosure of the whole or part of the document on the basis of PII.

If any PII arguments are unsuccessful and the information that would be released would endanger the life of Witness F, the prosecution would then withdraw Witness F as a witness in the prosecution.

Kind regards
Krista

LEGAL-IN-CONFIDENCE

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