

This document has been redacted for Public Interest Immunity claims made by Victoria Police. These claims are not yet resolved.

Discussion yesterday

From: Nicki Louis [REDACTED]
To: [REDACTED]
Date: Tue, 28 Jul 2009 11:04:31 +1000
Attachments: [REDACTED] Summary.doc (36.35 kB)

Dear [REDACTED]

Short discussion document attached.

Feel free to show it to whomever you consider appropriate but I remind you that when we are in the presence of my sister, she knows nothing of my informer status nor those threats so please do not refer to them directly tomorrow.

The enclosed is a very basic summary which hopefully enables you to understand better where I am coming from; it is far from exhaustive but I may send you something additional tonight when I have more time.

Please speak to Shane about the draft he and I agreed upon over 6 months ago. I for obvious reasons do not have a copy.

Feel free to call me on [REDACTED] or I will see you as arranged tomorrow morning at 10am.

Regards,

F

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ISSUES TO CONSIDER:

- I have maintained since January 2009 that I am prepared to be part of the WitSec program albeit on a flexible and different basis to the manner in which I understand it usually operates. In fact when I was persuaded to make a statement (and to sacrifice my career and future in doing so), Shane assured me that Overland was very supportive and understood what a significant cost this would be to VicPol. I was under the impression that there would be as Shane said “can do” people prepared to resolve my position. (It goes without saying that I probably should have refused to sign my statement until all of this mess was resolved as that would have meant a much faster process as Dale couldn’t have been arrested absent my signed statement).
- I indicated to Shane that whilst I was not the slightest bit interested in living under the regime of WitSec and its rigid program, I wanted to be part of it because of the significant protections the Act affords both a witness and in turn, the prosecution with respect to disclosure. I was told that WitSec understood that my circumstances were unique as they were unlike anything ever encountered previously. I was assured that WitSec were going to be very flexible in terms of dealing with my circumstances.
- My position remains the same, that is that I am (as recently indicated to Rod Wilson) prepared to join the program but I am not prepared to [REDACTED] formally at this point for many reasons (again that have been repeated on various occasions at numerous meetings). The unexplained and basically unjustified rigidity of the program in so far as the “requirements” (of me) in being able to join it is concerned, leave me disappointed and resentful, particularly given the incredible sacrifices I have made for VicPol in circumstances in which I asked for nothing (as a source).
- I want to ensure that these matters and the sacrifices I have made in agreeing to be Witness F are not all for nothing if Dale’s defence are able to access all sorts of VicPol holdings relating to me.

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- Given what I have done for VicPol since September 2005, it is my view that should my status be revealed at any point or the particular groups against whom I have actively worked or provided intelligence about be revealed (directly or indirectly) or flagged by some ridiculous claim for "PII" then two outcomes are certain:
- There will be nowhere safe for me anywhere and there may be a call for a Royal Commission given the particular organised crime groups whom I have worked against. The impact of all of that on the successful prosecution of Dale and my ability to withstand cross-examination seems pretty obvious (assuming I was alive to give evidence). A claim for "PII" in my view simply translates to confirmation of a person being an informer; this is the conclusion that will be reached by the criminal fraternity whom you fear will harm me or kill me. Absent the protection of the program that is what lies ahead for me.
- It would take many more hours than I am prepared to waste to exhaustively detail what has occurred since January, suffice to say that I remain staggered that it is now the end of July and nothing has actually been achieved since this saga began.
- You can well understand that I am fairly close to walking away from all of this, principally because of the effect it's all having on my health and in turn, on members of my immediate family. The only reason that I haven't done so yet is because I do not want to disappoint Shane.
- Since early 2009 I have stated I am not prepared to [REDACTED] unless or until the entirety of these proceedings are completed and I am [REDACTED]. Your organisation (collectively VicPol) has advised me that [REDACTED] is the safest option. Clearly if the [REDACTED] that will enable many of my current unresolved [REDACTED] (or lack thereof) and other matters to be finalised [REDACTED]

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- I understand the purpose of the Act is to create basically a gap between [REDACTED] and [REDACTED] and of course, all the categories/types of persons to whom it usually applies are those with a criminal history, no employment history, no tertiary qualifications, a [REDACTED], no [REDACTED], no [REDACTED] and no [REDACTED] etc. None of that applies to me.
- I reached an agreement with Shane in late January 2009 as to what I and VicPol were in agreement about in circumstances where a draft [REDACTED] was to be created outside the terms of the Act. Shane can provide you with a copy of that draft agreement; not surprisingly, there is nothing in it that has changed from my preparedness to abide by all sorts of conditions and it details what sorts of restrictions I was prepared to accept in my future.
- Other issues that remain are in my view, wholly dependent upon whether I am in or out of the program as I am not able to deal with all sorts of matters such as financial, housing, income calculation, the business I tried to sell and am still trying to resolve, etc. until I know whether or not the details of any contributions to me (financial or otherwise) by VicPol would be discoverable by Dale's defence. I have not been able to deal with many such matters over the last six months because of the unresolved position I am in, principally because if I can't be afforded the protection of the program, then I do not want VicPol to be in a position where disclosure of any issues such as compensation to me would provide a means of attack by Dale's defence.
- What remains to be resolved is essentially; in or out of the program, if in, then on what conditions (again talk to Shane as to what I was prepared to abide by) and if not, then I will need to consider my options carefully as to where I will go and what I will do from here as it's a long time until the committal in March next year.
- As indicated yesterday, I intend to continue to spend time with my mother & sister (in Melb) who know nothing of any threats nor my informer status and I am going to maintain contact with my friends in Melbourne as well as seeing my specialist regularly. The regular contact with family and friends is particularly

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important with respect to my health and welfare; me being stranded alone with nothing and no-one [REDACTED] in a place which is never going to be able to be considered [REDACTED] because VicPol won't allow [REDACTED], is a recipe for disaster with respect to my mental and emotional health.