



Minister for Police & Emergency Services

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11 AUG 2010

Our ref: CD/10/322359

Mr Simon Overland APM
Chief Commissioner of Police
Victoria Police
637 Flinders Street
MELBOURNE VIC 3005

Dear Chief Commissioner *Simon*

INSTRUMENT OF AUTHORISATION - EX GRATIA PAYMENT

I enclose an Instrument of Authorisation sought by Victoria Police in the matter of Gobbo v State of Victoria and Ors.

I have approved the Instrument on the basis of the briefing provided to my Department by Victoria Police's Director of Legal Services. That advice notes Senior Counsel's assessment of the likely success of this litigation. The advice of Victoria Police suggests that for a variety of reasons, including the safety of the plaintiff and other individuals, it is desirable for this matter to proceed to settlement if possible.

Given I am not cognisant of the details of the matter, I asked my Department to seek separate advice from Senior Counsel. I am in receipt of such separate advice and it concludes similarly with respect to the desirability of a settlement, given relevant case law, including the law of estoppel, as it may apply to the matter pleaded in the writ. In the context of this advice, I have therefore signed the attached Instrument.

Given the issues involved in this litigation, and given that such matters have been the subject of a review and Report by the Director, Police Integrity, I would ask that you return advice to me on the strategies that Victoria Police will deploy to mitigate the risk of such issue arising again.

The settlement amount which I have been asked to authorise in the attached Instrument is a significant financial amount and I would ask that you liaise with my Department of the measures taken to improve the governance of such matters.

In authorising a financial settlement of this litigation I have been cognisant of the need to balance the interests of the Victorian community with the need to ensure the safety of the individuals involved. I note the Director, Legal Services' advice that Victoria Police continues in its efforts with regard to the plaintiff's safety.

The Victorian Government Solicitor Office advises that after discussion with the Director, Police Integrity, Mr Michael Strong, that any settlement that may occur will not impede any inquiries that may be undertaken by any investigative agency.

If you had any queries with respect to the attached Instrument, please contact Marisa De Cicco, Director, Justice Policy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bob Cameron', written in a cursive style.

Bob Cameron MP
Minister for Police & Emergency Services