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**Royal Commission
into the Management of Police Informants**

FURTHER STATEMENT OF BORIS BUICK

1. My name is Boris Buick. I am an Inspector of Victoria Police, currently undertaking the role of Staff Officer to the Executive Director Human Resource Department.
2. I have made a previous statement to the Royal Commission into the Management of Police Informants dated 10 May 2019 and gave evidence before the Royal Commission on 11 and 12 November 2019.
3. I make this further statement to clarify a matter I have given evidence about. This statement is produced to the Royal Commission in response to a Notice to Produce.
4. During my evidence on 11 November 2019, Counsel Assisting asked me a series of questions relating to the approach to disclosure adopted by the Commonwealth Director of Public Prosecutions (CDPP)¹. Upon reflection on the evidence I provided to the Commissioner, I believe it may be of assistance to the Royal Commission if I expanded upon this.
5. The observations that I make in this Statement are based on my experience having been involved as an investigation manager in two joint Australian Federal Police (AFP) - Victoria Police Taskforces, namely the Joint Counter Terrorism Team for seven months in 2012-2013 and the Joint Anti Child Exploitation Team (JACET) for 24 months between 2016-2018. During these times I was involved in a number of Commonwealth prosecutions and dealt with the CPDD on a number of occasions, more so when attached to the JACET.
6. In my opinion, there is a practical difference in the manner in which the AFP approach the disclosure of materials to the accused compared to Victorian Police, although the disclosure principles to be applied by both agencies are the same. This appears to be largely due to the types of crimes the two entities investigate, the stage of the investigation at which briefs of evidence are prepared and the early involvement of the CDPP.

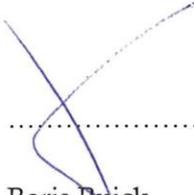
¹ T8922.36 - T8923.22

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7. The majority of crimes investigated by the AFP allow for the investigation to be completed prior to the accused being charged. The AFP engage with the CDPP from an early juncture and the contents of the hand up brief is settled by the AFP with assistance from the CDPP.
8. By contrast, the nature of the crimes investigated by Victoria Police usually require charges to be filed prior to completion of the investigation and compilation of the brief. Due to the strict time limits provided by the *Criminal Procedure Act 2009*, investigations are often ongoing during the collation of the hand up brief. Also, it is not uncommon for further evidence to be received after the hand up brief is provided to the accused, such as the results of drug or blood analysis.
9. Crimes investigated by Victoria Police, particularly less serious offences, are often finalised by way of a plea of guilty by the accused at a relatively early stage. The accused's legal advisors either accept the information in the hand up brief is sufficient to provide their client with advice or seek additional information from the investigating officer.
10. In addition to the disclosure provisions in the *Criminal Procedure Act 2009*, where the charges relate to more serious crimes such as murder and drug offences, the accused's legal advisors regularly issue broad subpoenas to the Victorian Police. The response to the subpoenas provide the accused any additional materials obtained by Victoria Police.
11. From my experience, Victorian police have not traditionally received any formalised training in relation to disclosure to the accused. The general principals are contained in the Victoria Police Manuals. Practical training in the application of disclosure does not generally occur until an officer takes the role of a detective. The preparation of briefs and the understanding of the materials which is to be included in that brief is overseen by the officer's supervisor.

Dated:

13/5/20


Boris Buick