

Confidential**Email**

9 April 2020

Mr Howard Rapke & Ms Kylie Hall
Solicitors Assisting the Royal Commission
Royal Commission into the Management of Police Informants

Our ref 13615/19613/80203807

Dear Mr Rapke & Ms Hall

Victorian Royal Commission into the Management of Police Informants

We refer to our letter of 22 November 2019 concerning Nicola Gobbo's approaches to the AFP in 1998, and to Ms Gobbo's evidence before the Royal Commission on 4 February 2020.

During that evidence Ms Gobbo was questioned about a meeting she purportedly had with Federal Agents (FA) FA 3 and FA 4 on 7 July 1998.

1. Our letter described a meeting between Ms Gobbo and FA 3 and FA 4 that took place on 30 June 1998 at Ms Gobbo's request. The letter enclosed a copy of the corresponding entry in FA 3's official AFP diary, and confirmed this was the only record that the AFP had of the meeting. The AFP learnt of this meeting after FA 3 self-reported it to the AFP team responsible for managing and coordinating the AFP's involvement in the Royal Commission. When asked about their dealings with Ms Gobbo, FA 3 and FA 4 identified only one meeting with Ms Gobbo that took place in the performance of AFP duties.
2. The AFP was not aware of the meeting that purportedly took place between Ms Gobbo and FA 3 and FA 4 on 7 July 1998. The AFP learnt of the meeting when Counsel Assisting raised it during cross-examination of Ms Gobbo on 4 February 2020.
3. The AFP is aware that during Ms Gobbo's evidence, Counsel Assisting tendered diary entries kept by Ms Gobbo that refer to meetings she purportedly had with FA 3 on 8, 29 and 30 September, 16 and 21 October, and 9 November 1998.
4. The AFP wishes to clarify that FA 3 commenced a secondment with the National Crime Authority (NCA) on 13 July 1998 and remained there until 29 August 1999. Between 13 July 1998 and 27 July 1998, FA 3 recorded his NCA activities in his AFP diary. He was issued an official NCA diary on 27 July 1998. Any activities undertaken by FA 3 during his secondment to the NCA would have been in the performance of NCA duties.
5. The AFP spoke to FA 3 on 4 February 2020 following Ms Gobbo's evidence. FA 3 stated that he had no recollection of attending a meeting with Ms Gobbo in the company of FA 4 on 7 July 1998. FA 3 confirmed that he could only recall one meeting that he and FA 4 had with Ms Gobbo in the performance of AFP duties. Similarly, FA 4 can only recall one meeting.
6. The AFP has inspected FA 3's AFP diary, and the entry for 7 July 1998 states 'Meet contact in East Melbourne area with FA 4'. A copy of this entry, which has been redacted for public interest immunity and relevance, is enclosed. This is provided to the Royal Commission on a confidential basis. If the Royal Commission wishes to tender and publish this document, the AFP will first provide a copy from which the names of FA 3 and

FA 4 have been redacted and replaced with pseudonyms in the same manner as the documents produced with our 22 November 2019 letter.

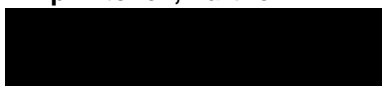
7. The AFP has located no other records in relation to the meeting that purportedly took place between Ms Gobbo and FA 3 and FA 4 on 7 July 1998. In particular, the AFP has located nothing to indicate any investigations were commenced, arrests made, or prosecutions undertaken on the basis of this meeting.
8. The AFP notes that while the Royal Commission has provided it with extracts of Ms Gobbo's diary entries, the AFP has not received a copy of the diary entry for 7 July 1998.
9. The AFP further notes that the diary entry for 8 September 1998 refers to FA 3 'AFP'. While FA 3 remained an AFP member while on secondment to the NCA, the AFP reiterates that any activities he undertook while on secondment would have been in the performance of NCA duties.

Please contact Pip Mitchell or Isabelle Minnett with any queries.

Yours sincerely



Pip Mitchell, Partner



Isabelle Minnett, Lawyer

