



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

16 December 2019

Chief Commissioner Graham Ashton
C/O Mr James Whittaker
Corrs Chambers Westgarth
567 Collins Street
MELBOURNE VIC 3000

By email: james.whittaker@ [REDACTED]

Dear Chief Commissioner Ashton

**Royal Commission into the Management of Police Informants
Term of Reference 1**

I refer to previous correspondence from the Commission dated 9 July 2019 and 22 November 2019 in which we reiterated that the ongoing duty of disclosure owed by Victoria Police requires it to disclose all material which might assist an accused or convicted person.

While the discharge of that duty by Victoria Police might be informed by the evidence adduced in the Royal Commission and its final report, that duty persists independently of the work of the Commission. The extent to which Victoria Police relies upon the evidence adduced in the Royal Commission, or its final report, for the purpose of discharging that duty is obviously a matter entirely for Victoria Police.

In that regard, we note that Victoria Police:

- a) is in possession of significant amounts of information and documents concerning Victoria Police's use of Ms Gobbo as a human source, including information and documents on the Loricated Database and produced to the Commission;
- b) has been reviewing such information and documents to determine whether disclosure is required to the relevant persons (as set out in correspondence from Detective Inspector Richard Read in April 2019 and recently in Mr Marquet's letter to the Commission of 6 November 2019);
- c) has been conducting such reviews according to a series of priority factors, including first, persons who are the subject of current relevant Court of Appeal proceedings, and, secondly relevant persons who are currently incarcerated; and
- d) has to date provided disclosure to 30 persons as set out in Mr Marquet's letter of 6 December 2019.



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In light of the foregoing, I write to draw your attention, and that of the CDPP and OPP who are copied into this correspondence, that the information and documents referred to above are relevant to the functions of the CDPP and OPP, including to their duty of disclosure.

I urge Victoria Police to disclose all relevant information and documents to the CDPP and DPP promptly, to the extent that this has not already occurred.

I am particularly concerned that such disclosures are made promptly by Victoria Police in respect of relevant persons currently in custody. To that end, the Commission has information to the effect that the candidates for review listed in the attached schedule may be in custody, and any required disclosure to the same should be given immediate priority. It should be noted that the list of names in the attached schedule is not an exhaustive list of persons who may be in custody.

I remind Victoria Police that the Commission's second term of reference includes the requirement to inquire and report on, "the conduct of current...members of Victoria Police in their disclosure about...[Ms Gobbo] as a human source."

For the purposes of that inquiry, I now require a weekly update, by 4.00pm each Wednesday as to Victoria Police's ongoing disclosure concerning Ms Gobbo as a human source.

Should you wish to discuss these matters, please contact Howard Rapke.

Yours sincerely

**Hon Margaret McMurdo AC
Commissioner**

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CC: Ms Rachel Deane, [Rachel.Deane@\[REDACTED\]](mailto:Rachel.Deane@[REDACTED])
Mr Jason Ong, [Jason.Ong@\[REDACTED\]](mailto:Jason.Ong@[REDACTED])



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Schedule 1

1. [Redacted] Relevance
2. AGRESTA, Salvatore
3. AHMED, Azzam (Adam)
4. [Redacted] Relevance
5. ARNAUTOVIC, Dragan
6. [Redacted] Relevance
7. ATIYEH, Mohummed
8. [Redacted] Relevance
9. BARBARO, Pasquale
10. BATTICCIOTTO, Phillip
11. [Redacted] Relevance
12. BINSE, Christopher
13. [Redacted] PII
14. [Redacted]
15. [Redacted]
16. [Redacted] Relevance
17. CVETANOVSKI, Zlate
18. [Redacted] Relevance
19. DI PIETRO, Antonino
20. [Redacted] Relevance
21. [Redacted] Relevance
22. FALANGA, Carmelo
23. FEZZOLARI, Antony
24. GAVANAS, Stephen
25. [Redacted] Relevance
26. [Redacted] Relevance
27. GOUSSIS, Evangelo
28. HADDAD, Daniel
29. [Redacted] PII
30. HIGGS, John William Samuel
31. [Redacted] Relevance
32. [Redacted] Relevance
33. ILIC, David
34. JOHNSON, Matthew Charles
35. [Redacted] Relevance
36. [Redacted] Relevance
37. KARAM, Rabie (Rob)



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38. Relevance [REDACTED]
39. Relevance [REDACTED]
40. KHODER, Kamel (Karl)
41. Relevance [REDACTED]
42. MADAFFERI, Franceso
43. MANARITI, Michael
44. Relevance [REDACTED]
45. Relevance [REDACTED]
46. MOKBEL, Antonios Sajih (Tony)
47. Relevance [REDACTED]
48. Relevance [REDACTED]
49. ORMAN, Faruk
50. Relevance [REDACTED]
51. POLIMENI, Giovanni
52. ROPA, Sharon
53. Relevance [REDACTED]
54. [REDACTED]
55. SERGI, Antonio (Tony)
56. SERGI, Pasquale John (Pat)
57. Relevance [REDACTED]
58. Relevance [REDACTED]
59. SURI, Anil
60. Relevance [REDACTED]
61. Relevance [REDACTED]
62. TAYLOR, Robin
63. Relevance [REDACTED]
64. Relevance [REDACTED]
65. Relevance [REDACTED]
66. VISSER, Jan (John)
67. Relevance [REDACTED]
68. Relevance [REDACTED]
69. Relevance [REDACTED]
70. ZIRILLI, Saverio