



**JEREMY W. RAPKE Q.C.**  
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Mr Peter Hallahan  
Committee Secretary  
Standing Committee on Legal and Constitutional Affairs  
PO Box 6100  
Parliament House  
Canberra ACT 2600



6 August 2009

Dear Mr Hallahan

**Re: Inquiry into the Personal Property Securities Bill 2009**

I refer to your letter dated 1 July 2009 regarding the abovementioned inquiry.

I support the concept of a Personal Property Securities Register and note that it would assist the Office of Public Prosecutions ("OPP") to identify, prior to making application to restrain assets, which persons (if any) claim an interest in personal property belonging to persons charged with indictable offences and in determining the value of the security, both of which are highly relevant considerations when applying for a restraining order.

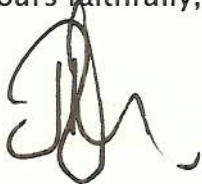
Moreover if the OPP was to be able to register restraining orders (made pursuant to Part 2 of the *Confiscation Act 1997 (Vic)*) on the Register it may prevent or at least minimise any dealings with the property whilst it is restrained, thereby affording my office and victims of crime greater security.

This is of vital importance as the proceeds of sale of restrained assets may be used to satisfy confiscation and compensation orders.

I therefore respectfully submit that such asset restraining orders obtained against criminal offenders in Victoria should be able to be registered on the proposed Personal Property Securities Register.

Should you have any queries in relation to this submission, please do not hesitate to contact Peter Byrne, Principal Solicitor of the Policy and Advice Directorate, Office of Public Prosecutions, on (03) 9603 7421.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'JR' with a flourish at the end.

Jeremy Rapke.