



Australian Government
Attorney-General's Department
International Crime
Cooperation Central Authority

TO THE COMPETENT AUTHORITY OF THE FRENCH REPUBLIC
REQUEST FOR ASSISTANCE IN A CRIMINAL MATTER

This is a request by Australia for assistance in a criminal matter, made under the *Treaty between Australia and the French Republic on Mutual Assistance in Criminal Matters* done at Paris on 14 January 1993. Such a request may be made by the Attorney-General or his delegate.

PURPOSE OF THE REQUEST

2. The purpose of this request is to obtain evidentiary material to assist in the identification, investigation and potential prosecution of an unknown offender/s for murder.
3. The competent authority conducting the investigation to which this request relates is the New South Wales (NSW) Police. The NSW Police is the law enforcement agency responsible for investigating alleged offences against the criminal laws of the State of NSW. Material received in response to this request will be provided to the NSW Police for these purposes.
4. If this matter proceeds to prosecution, the prosecution will be conducted by the NSW Office of the Director of Public Prosecutions (ODPP). The NSW ODPP is an independent authority established by the NSW Government to prosecute offences against laws of the State of NSW and take action to recover the proceeds of crime. Material received in response to this request may be provided to the NSW DPP for these purposes.
5. This request asks for:
 - (a) if necessary, permission for NSW Police officers to travel to France
 - (b) DNA evidence
 - (c) witness statements
 - (d) medical records
 - (e) military service records.
6. The requested evidentiary material is sought for use in potential prosecution proceedings. To ensure that it can be used in these proceedings the material is required in a form that is admissible in an Australian court. Please provide the material in the form specified in this request. Australian authorities appreciate that these requirements may be different from admissibility requirements for the purposes of court proceedings in France. However, these requirements must be met for the evidence to be of value to Australian authorities. If French

authorities have any queries or concerns about Australia's admissibility requirements please contact the Australian Central Authority.

ALLEGED FACTS

In 2016 NSW Police initiated Strikeforce Neiwand which is an investigation into the suspicious disappearance and deaths of three men in Bondi, Sydney believed to be targeted because of their sexual orientation. In particular, NSW Police is investigating the suspicious disappearance and alleged homicide of French national, Gilles Maittani, who was last seen alive in September 1985.

Background

7. In September 1983 Maittani arrived in Australia on a visitor's visa and worked as a barman at the Menzies Hotel in Sydney.
8. While in Australia, Maittani resided with his partner, Jacques Paul Musy, in Bondi. In August 1985 Musy travelled to France for a holiday while Maittani remained in Australia.
9. On 15 September 1985 Musy received a concerned telephone call from Maittani's friend, Vincent Ottaviani, who advised him that Maittani was absent from work. Musy returned to Australia shortly after receiving Ottaviani's call.
10. Upon returning to their shared flat, Musy noticed that there were no signs of forced entry however Maittani's Walkman, keys and yellow spray jacket were missing. NSW Police is aware that Maittani was known to take walks along the Marks Park walking track at Tamarama, Sydney while wearing his headphones. Further, a local Bondi resident advised Musy that they last saw Maittani walking along a track at Bondi, on or around 15 September 1985. NSW Police is aware that a number of violent assaults and murders occurred at this location during the 1980s and 1990s.
11. Ottaviani undertook an extensive search of local hospitals and police stations however he failed to locate Maittani. Musy did not make a formal report regarding Maittani's disappearance at the time as he was of the mistaken belief that Ottaviani had already approached NSW Police. As a result, a formal investigation into Maittani's disappearance was not undertaken at the time of his disappearance.
12. In 2001 NSW Police established Strikeforce Taradale for the purpose of investigating the suspicious disappearance and death of Ross Bradley Warren and John Alan Russell. Russell was a homosexual man whose body was found in Marks Park on 23 November 1989. Warren was a homosexual man whose car was located on 23 July 1989 in the vicinity of Marks Park however his body was never found.
13. On 3 August 2002, as a result of media coverage of violent offences against homosexual men in Marks Park, Musy filed a missing person report in relation to Maittani's disappearance.
14. On 9 March 2004 a NSW State Coroner made the finding that Warren and Russell were murdered and that there was a strong possibility that Maittani died in similar circumstances.
15. To date, NSW Police has not identified any possible suspects.

Connection to France

16. NSW Police has not located or positively identified Mattaini's bodily remains. NSW Police seeks assistance from French authorities to obtain Mattaini's medical records from the relevant medical service providers in France and DNA samples from Mattaini's mother, Renee Mattaini. It is Australian authorities' preference to undertake nuclear and mitochondrial testing of Renee Mattaini's DNA sample in Australia. In the event French authorities agree to obtain a DNA sample from Renee Mattaini and provide it to NSW Police for analysis, the DNA sample will be destroyed in accordance with the relevant procedures under NSW legislation.

17. NSW Police retains a number of remains from unidentified men, located during the period 1985 to 1990. NSW Police believes that obtaining Renee Mattaini's DNA sample and Mattaini's medical records will allow them to conduct cross checking against these remains and any bodily remains which may be located in the future.

18. In 2002 Musy advised NSW Police that Mattaini was conscripted to the French Army in 1979 and during this time Mattaini had attempted to commit suicide. As a result, Mattaini was dismissed from the French Army. NSW Police seeks assistance from French authorities to obtain records regarding Mattaini's attempted suicide in military service and any mental health records in the event Mattaini attended a mental health institution in France. NSW Police believes that such records will provide valuable evidence as to whether suicide was the cause of Mattaini's death.

19. NSW Police wishes to obtain witness statements from both Renee Mattaini and Jacques Musy. NSW Police believes that Renee Mattaini may be able to provide information regarding Mattaini's personality and mental state prior to his disappearance. NSW Police is aware that due to Renee Mattaini's age and health, she may not have the mental capacity to provide a witness statement and would therefore not be seeking a statement from her if French authorities consider that her mental health prevents her from giving a witness statement.

20. At the request of NSW Police, French authorities contacted Musy on an informal basis to ascertain his willingness to provide a statement to NSW Police. Musy advised the French authorities that he was surprised about NSW Police's investigation into the possible death of Mattaini as he had previously said that he wanted to die and nobody would find his body. NSW Police believes that Musy's insight into Mattaini's state of mind prior to his disappearance will assist NSW Police to determine whether Mattaini was murdered or committed suicide.

21. Based on previous statements provided by Mattaini's friend, Anthony Wyszynski, NSW Police is aware that Wyszynski had collected Mattaini's personal belongings (including telephone books, address books and photographs) in Sydney and delivered them to Renee Mattaini in France. NSW Police believes that analysis of Mattaini's personal belongings will provide further insight into Mattaini's life immediately prior to his disappearance in Australia.

OFFENCE PROVISIONS

22. No suspects have been charged with any offences at this stage as they have not been identified. Australian authorities suspect that the unknown offender/s has committed the offence of murder contrary to subsection 18(1) of the *Crimes Act 1900* (NSW) (the Crimes Act).

23. Subsection 18(1) of the Crimes Act provides that murder shall be taken to have been committed where the act of the accused, or thing by him or her omitted to be done, causing the death charged, was done or omitted with reckless indifference to human life, or with intent to kill or inflict grievous bodily harm upon some person, or done in an attempt to commit, or during or immediately after the commission, by the accused, or some accomplice with him or her, of a crime punishable by imprisonment for life or for 25 years. The maximum penalty for this offence is imprisonment for life.

24. A copy of the relevant Australian offence provision is at **Attachment A**.

PERSONAL PARTICULARS OF SUSPECT

25. The personal particulars of the suspect are unknown.

DESCRIPTION OF ASSISTANCE SOUGHT

26. Please provide the material requested at paragraphs 31 to 55 in a form which is admissible in an Australian court. Australia's evidentiary requirements are explained at **Attachment B**.

27. Australian authorities' preference is for the pro forma affidavits provided with this request to be used. The pro forma affidavits meet Australian admissibility requirements. If affidavits are not available in France, an alternative process to provide the evidence in admissible form is set out at Attachment B.

Permission for Australian law enforcement officers to travel to assist, if necessary

28. In the event French authorities consider it useful or necessary for Australian authorities to travel to France to assist with the execution of this request, NSW Police requests permission to travel to France to assist French authorities.

29. Alternatively, Australian authorities request permission for the AFP Liaison Officer in London, Federal Agent Ashley Wygoda, to assist in execution of this request should this be necessary.

30. If required, please confirm whether permission is granted for NSW officers to travel to France to provide assistance.

Collection of DNA evidence

31. Please approach Renee Mattaini and ascertain her willingness to voluntarily provide a DNA sample by way of two buccal swabs (also known as a buccal smear or a cheek swab).

32. Please obtain DNA samples from Renee Mattaini in accordance with the usual forensic procedures adhered to under the relevant laws in France. In the event Renee Mattaini consents

to the collection of her DNA sample, please make a video recording of Renee Mattaini consenting to the forensic procedure as this is a requirement under the relevant law in NSW.

33. NSW Police understands that Renee Mattaini is cared for, and under the supervision of, Mr Thomas Pacaud, at the Mont Soleil Retirement Home. Please arrange for Mr Thomas Pacaud or another appropriate person at the age care facility at which Renee Mattaini is residing to be present during the forensic procedure.

34. Once the DNA samples have been obtained from Renee Mattaini, please package and send the DNA samples to Australia in accordance with any relevant national or international protocols.

35. NSW Police believes that Renee Mattaini resides at the following address:

Renee Mattaini



Statements from French officers involved in collecting, storing, packaging and transferring the DNA samples

36. Please obtain witness statements from each French law enforcement officer involved in the collection, storage, packaging and transfer of the DNA samples. Such statements are required to preserve the integrity of the chain of custody of the samples. Please include the following information in each statement:

- a) the witnesses' full name and rank and a description of the position they currently hold
- b) full details of each officer's involvement, including a description of who collected, handled, transported, lodged and/or stored the DNA sample(s)
- c) full details of the forensic procedures which have been complied with in obtaining the DNA samples
- d) details of adherence to any specific national or international protocols and standards for the storage, handling and treatment of the DNA samples
- e) full details of the DNA samples collected
- f) full details of the dates and times when each officer collected, handled, transported lodged and/or stored the DNA sample, including any custody and exhibit records relating to the collection, handling, transportation or storage of the DNA samples.

37. Please annex to the statement the DNA samples, copies of any notes, audio and/or video recordings taken during the collection, custody and storage of the DNA samples. Any copy of notes, audio and/or video recordings annexed to the statements should be identified at the relevant place in the statement by reference to the statement maker's initials, and a sequential identifying number, for example 'DNA sample obtain on X date, which is attached and marked XXX-01'. Please mark each item of evidence annexed to the statements with the

corresponding identifying initials and number.

38. Please provide each statement and any documents attached to the statement under cover of an affidavit (**Attachment D**) sworn or affirmed by the maker of the statement.

Permission from Renee Mattaini to obtain and analyse Mattaini's personal belongings

39. Please approach Renee Mattaini and ascertain her willingness to provide to NSW Police Mattaini's personal belongings which were given to her by Anthony Wyszynski.

40. If Renee Mattaini agrees to provide Mattaini's personal belongings to Australian authorities, please arrange for a French law enforcement officer to package each item individually and appropriately (for example, gloves should be worn) and send the belongings to Australia.

Statements from French officers involved in collecting, packaging and transferring Mattaini's personal belongings

41. Please obtain witness statements from each French law enforcement officer involved in the collection, storage, packaging and transfer of Mattaini's personal belongings. Please include the following information in each statement:

- a) the witnesses' full name and rank and a description of the position they currently hold
- b) full details of each officer's involvement, including a description of who collected, handled, transported, lodged and/or stored Mattaini's personal belongings
- c) full details of the personal belongings collected
- d) full details of the dates and times when each officer collected, handled, transported, lodged and/or stored Mattaini's personal belongings, including any custody and exhibit records relating to the collection, handling or storage of Mattaini's personal belongings.

42. Please annex to the statement Mattaini's personal belongings, copies of any notes, custody and exhibit records recorded during the collection, custody and storage of Mattaini's personal belongings. Any copies of notes, custody and exhibit records recorded during the collection, custody and storage of Mattaini's personal belongings annexed to the statements should be identified at the relevant place in the statement by reference to the statement maker's initials, and a sequential identifying number, for example 'Diary obtained on X date, which is attached and marked XXX-01'. Please mark each item of evidence annexed to the statements with the corresponding identifying initials and number.

43. Please provide each statement and any documents attached to the statement under cover of an affidavit (**Attachment D**) sworn or affirmed by the maker of the statement.

Witness statements from Jacques Paul Musy and Renee Mattaini

44. Please approach Musy and Renee Mattaini and ascertain their willingness to provide a voluntary witness statement about this matter.
45. If Musy is willing to provide a voluntary witness statement, please ask him to address the questions set out at **Attachment E**.
46. If Renee Mattaini has the mental capacity and is willing to provide a voluntary witness statement in this matter, please ask her to address the questions set out at **Attachment F**.
47. Where the witness is setting out a conversation the witness had or heard, the witness should put the conversation in direct speech where possible, for example: 'I said "...'" and then X said "...'".
48. Please annex any relevant documents or items to the statement of each witness. Each document or item annexed to the statement should be identified at the relevant place in the statement by reference to the statement maker's initials, and a sequential identifying number, for example 'copy of ^description of item relevant to investigation^, which is attached and marked XX-01'. Please mark each document or item annexed to the statements with the corresponding identifying initials and number.
49. Please provide the statements and any material attached to the statements under cover of an affidavit in the form at **Attachment D** sworn or affirmed by the maker of the statement.
50. If the witnesses decline to provide a voluntary witness statement, and the law of France permits, please compel them to give evidence in relation to this matter before an appropriate court.
51. Australian authorities believe that Musy can be contacted at the following address:

Jacques Paul Musy

[REDACTED]
[REDACTED] (South of France)

France

Mobile: [REDACTED]

Email: [REDACTED]

Medical records

52. Please obtain by search warrant, production order or any other appropriate means under the law in France, including consent from Mattaini's next of kin, all medical records and reports held in relation to Mattaini including but not limited to the following:

- a) dental records
- b) x-rays, and
- c) mental health records.

53. Please provide the records attached to an affidavit in the form at **Attachment C** sworn or affirmed by an authorised employee or medical officer who holds a position of responsibility in relation to making or keeping the records.

Military records

54. Please obtain by search warrant, production order or any other appropriate means under the law in France, all records and reports pertaining to Mattaini's military service in France, particularly in relation to Mattaini's attempted suicide while in military service.

55. Please provide the records attached to an affidavit in the form at Attachment C sworn or affirmed by an authorised employee or military officer who holds a position of responsibility in relation to making or keeping the records.

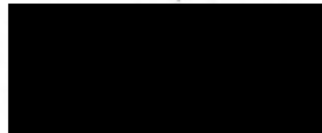
LIAISON WITH THE AUSTRALIAN CENTRAL AUTHORITY

56. In order for material sought in this request to be admissible in Australian courts, the original material must be provided to and certified by the Australian Central Authority for Mutual Assistance in Criminal Matters. Please return the requested material to the Australian Central Authority.

57. The Australian Central Authority can be contacted as follows:

Assistant Secretary
 International Crime Cooperation Central Authority
 Attorney-General's Department
 3-5 National Circuit
 BARTON ACT 2600
 AUSTRALIA

Telephone:
 Facsimile:
 Email:



LIAISON WITH AUSTRALIAN LAW ENFORCEMENT AUTHORITIES

58. The NSW Police officer responsible for this matter is Detective Senior Constable Michael Chebl, who may be contacted as follows:

Detective Senior Constable Michael Chebl
Level 8B, 1 Charles Street
Parramatta NSW AUSTRALIA

Telephone: [REDACTED]

Email: [REDACTED]

59. The AFP Liaison Officer in London, Federal Agent Ashley Wygoda, is aware of this matter and is able to assist with the execution of this request. Federal Agent Wygoda may be contacted as follows:

AFP London Office
Australian High Commission
Strand
London WC2B 4LA

Telephone: [REDACTED]

Email: [REDACTED]

LIAISON WITH FRENCH LAW ENFORCEMENT AUTHORITIES

60. Australian authorities understand that the following French officer is aware of this matter:

Magali Eyraud
Commandant de Police
Central Office for the Prevention of Crimes against People (Office Central Pour La
Repression Des Violences Aux Personnes)

Telephone: [REDACTED]

Email: [REDACTED]

CONFIDENTIALITY

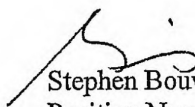
61. This request relates to an ongoing investigation in which suspect/s are still to be identified.

62. For this reason please ensure that the existence, contents and execution of this request are treated as strictly confidential except as insofar as disclosure of this request is required to execute it.

TIME LIMITS

63. Australian authorities would be grateful if French authorities can provide the assistance requested as soon as practicable.

I, Stephen Bouwhuis, Assistant Secretary, International Crime Cooperation Central Authority, Attorney-General's Department, Canberra, make this request acting in reliance upon a delegation by the Attorney-General of Australia of his powers under the *Mutual Assistance in Criminal Matters Act 1987*, and upon the executive power to make requests to foreign countries for assistance in criminal matters.


Stephen Bouwhuis
Position Number: [REDACTED]

Assistant Secretary
International Crime Cooperation Central Authority
Attorney-General's Department
CANBERRA ACT 2600

2 December 2016

ATTACHMENT A

OFFENCE PROVISIONS

*Crimes Act 1990 (New South Wales)***Section 18 Murder and manslaughter defined**

(1)

- (a) Murder shall be taken to have been committed where the act of the accused, or thing by him or her omitted to be done, causing the death charged, was done or omitted with reckless indifference to human life, or with intent to kill or inflict grievous bodily harm upon some person, or done in an attempt to commit, or during or immediately after the commission, by the accused, or some accomplice with him or her, of a crime punishable by imprisonment for life or for 25 years.

Section 19A Punishment for murder

- (1) A person who commits the crime of murder is liable to imprisonment for life.

*Foreign Evidence Act 1994 (Commonwealth of Australia)***Section 22 Requirements for testimony**

- (1) The testimony must have been taken:

- (a) on oath or affirmation; or
- (b) under such caution or admonition as would be accepted, by courts in the foreign country concerned, for the purposes of giving testimony in proceedings before those courts.

- (2) The testimony must purport to be signed or certified by a judge, magistrate or officer in or of the foreign country to which the request was made.

ATTACHMENT B**AUSTRALIAN EVIDENTIARY REQUIREMENTS**

1. For the evidence sought in this request to be admissible in Australian courts:
 - (a) the person must give the evidence:
 - (i) on oath or affirmation, or
 - (ii) under an obligation to tell the truth imposed by or under a law of France, or
 - (iii) under such caution or admonition as would be acceptable when giving evidence in a court in France, and
 - (b) the evidence must be signed or certified by a judge, magistrate or other officer in France.

Alternative 1 – use of affidavits

2. The evidence requested can be provided under cover of an 'affidavit' or formal declaration. An affidavit is a written statement made by the person providing the evidence under an oath, affirmation, caution or admonition, given before a person authorised to administer an oath/affirmation or to impose a legal obligation to tell the truth.
3. The affidavit/formal declaration must be signed by a judge, magistrate or other officer authorised to administer an oath/affirmation or to impose a legal obligation to tell the truth. The legal obligation to tell the truth must be one which is acceptable in France when giving evidence in a court in France.
4. Pro forma affidavits for the assistance sought are attached to this request.

Alternative 2 – evidence taken before a judicial authority

5. The second alternative is to produce the evidence in court or before a judicial authority in France. Please arrange for the witnesses to give the evidence requested under oath, affirmation or an obligation to tell the truth which is acceptable in France when giving evidence in a court in France.
6. Please arrange for the transcript of evidence to be signed by the judge, magistrate or other official who presides over the proceedings in which the evidence is taken.

Additional requirements for business records

7. Where the evidence requested can be shown to be business records, then that evidence will be admissible in an Australian court without the need to call the person producing the business records to give evidence in an Australian court.
8. To show the evidence requested is business records, evidence is required from a person who:
 - (a) has access to the records kept by the business

- (b) has a position of responsibility in relation to making or keeping those records, and
- (c) produces the records kept by the business.

9. The person who produces the business records should also be able to give evidence that:

- (a) they are an employee of the business (and describe the business)
- (b) they conducted a thorough search of the records of the business and identified the documents located as a result of the search
- (c) the documents produced are true copies of documents which form part of the records belonging to or kept by the business in the course of or for the purpose of the business and contain information made or recorded in the course of or for the purpose of the business
- (d) the information contained in the documents was supplied, either directly or indirectly, by people who might reasonably be supposed to have personal knowledge of the matters dealt with in the information they supplied
- (e) if the documents are printouts from a computer:
 - (i) the computer is used regularly to create, store and produce the records of the business and which ordinarily produces accurate and reliable records if used properly, and
 - (ii) the computer was used and operated properly and produced accurate and reliable records when it produced the documents or if not, the respect in which it was not operating properly or was out of operation was not such as to affect the production of the documents or the accuracy of their contents.

10. Business records can be produced either by way of affidavit (Alternative 1) or by arranging for the person who produces the records to give evidence in court or before a judicial authority in France (Alternative 2).

11. A pro forma affidavit for producing business records is at **Attachment C** and a pro forma affidavit for providing witness statements is at **Attachment D** of this request (Alternative 1). This is the Australian authorities' preferred method for providing the requested records.

12. If the evidence is to be given in court or before a judicial authority in France (Alternative 2), please address the matters at paragraphs 8 and 9 above.

ATTACHMENT C

IN THE MATTER OF THE
FOREIGN EVIDENCE ACT 1994

Affidavit for Business Records

I,
(name of person making the affidavit)

of
(business address)

say on oath/affirm⁽¹⁾ as follows:

1. I occupy the following position:

.....
(title)

in the employment of:

.....
(name of employer)

which operates the business of:

.....
.....
(describe the business, department or agency)

2. The information contained in this affidavit accurately sets out the evidence that I would be prepared, if necessary to give in court as a witness. The affidavit is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution in, and under the laws of, France if I have wilfully stated in it anything that I know to be false or do not believe to be true.

3. In the course of my normal duties I have access to the records kept by the business. I have a position of responsibility in relation to making or keeping those records.

4. On [insert date] I conducted a thorough search of the records of [insert name of business, department or agency]

for any records relating to [insert description of the records]. The following documents attached to this affidavit are all the documents located as a result of this search:

[please insert description of documents attached for example:

- (a) Certificate of Incorporation for XYZ Company Limited which is marked Attachment A
- (b) Letter from Mr Smith dated 2 July 2002 which is marked Attachment B
- (c) Bank statement from 1 July 2002 to 1 December 2002 for account number 12345 which is marked Attachment C.]

5. The documents attached to this affidavit are true copies of documents which form part of the records belonging to or kept by [insert name of employer, department or agency] in the course of or for the purpose of the business and contain information made or recorded in the course of or for the purpose of the business.

6. The information contained in the documents was supplied, either directly or indirectly, by people who might reasonably be supposed to have personal knowledge of the matters dealt with in the information they supplied.

7. [Strike out if not appropriate:] The documents that are attachments [list the letters which identify documents that have been produced from a computer] are computer printouts from the computer ("the computer") that is used regularly to create, store and produce [insert name of employer, department or agency] records, and which ordinarily produces accurate and reliable records if used properly.

8. This computer was used and operated properly and produced accurate and reliable records when it produced the records attached, or, if not, the respect in which it was not operating properly or was out of operation was not such as to affect the production of the documents or the accuracy of their contents.

Sworn/affirmed⁽¹⁾ at)
)
)
 (place))
)
 on)
 (date)) (Signature of the person who makes the affidavit)
)
 before me:)

.....
(Signature of the judge, magistrate or other officer before whom the affidavit is made)

.....

.....
(Name and title of the judge, magistrate or other officer)

(1) Strike out or replace as appropriate

Notes

The affidavit must be either:

- sworn on oath
- made under affirmation, or
- made under a caution or admonition acceptable to a court in the country providing the evidence if the evidence was being taken in that court

before a judge, magistrate or other officer authorised to administer an oath, affirmation, caution or admonition in the country providing the evidence.

Both the witness making the affidavit and the judge, magistrate or officer who administered the oath, affirmation, caution or admonition must sign the affidavit in the presence of the other and initial the front page of each record attached to the affidavit.

If the affidavit runs for more than one page, each page, other than the last should be initialled by both the person who makes the affidavit and by the person before whom the affidavit is made.

The front page of each attachment to the affidavit should be initialled both by the person who makes the affidavit and by the person before whom the affidavit is made.

All legal requirements and procedures necessary for administering an oath, affirmation or caution under the law in the country providing the evidence must be complied with.

ATTACHMENT D

IN THE MATTER OF THE
FOREIGN EVIDENCE ACT 1994

Affidavit

I,
(name and title, if appropriate, of person making the affidavit)

of
(address)

say on oath/affirm⁽¹⁾ as follows:

1. The document attached to this affidavit and marked with the letter "A" is a statement (or a true copy of a statement) signed by me on [insert date].
2. The information contained in the attached statement accurately sets out the evidence that I would be prepared, if necessary to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution in, and under the laws of, France if I have wilfully stated in it anything that I know to be false or do not believe to be true.

Sworn/affirmed⁽¹⁾ at)
)
)
 (place))
)
 on)
 (date) (Signature of the person who makes the affidavit)

before me:

.....
(Signature of the judge, magistrate or other officer authorised to administer an oath before whom the affidavit is made)

.....

.....

(Name and title of the judge, magistrate or other officer)

⁽¹⁾ Strike out as appropriate or replace if affidavit is neither sworn nor affirmed

Notes

The affidavit can be sworn or affirmed. If those options are not available, the affidavit can be made under such caution or admonition as would be accepted by courts of the foreign country for the purpose of giving testimony before those courts.

The affidavit should be made before a judge, magistrate or other judicial officer of the foreign country or before any other officer of the foreign country who has authority under the laws of that country to witness a document that is made under oath, or under affirmation, caution or admonition as the case requires.

If the affidavit runs for more than one page, each page other than the last should be initialled both by the person who swears or affirms the affidavit and by the person before whom the affidavit is made.

The front page of each attachment should be initialled both by the person who makes the affidavit and by the person before whom the affidavit is made.

ATTACHMENT E**List of questions – Jacques Paul Musy**

1. When did Mattaini make the comment about wanting to die and nobody would find his body?
2. If this happened on multiple occasions can you recall when and where you were when these conversations took place and what Gilles would say (also the manner he would say this)
3. Did Mattaini say where he would go to carry out this suicide?
4. How did the conversation about this come up?
5. How often did Mattaini consider taking his own life?
6. Were you aware of any previous suicide attempts, if so how did Mattaini attempt suicide previously?
7. What is your knowledge of Mattaini going scuba diving?
8. Where would Mattaini go scuba diving?

ATTACHMENT F

List of questions – Renee Mattaini

1. Are you the natural mother of Gilles Mattaini?
2. Can you provide background information on Gilles Mattaini's life and upbringing?
3. At what age did he identify as being gay?
4. How did the family respond to Gilles Mattaini's sexual orientation?
5. Are you aware that Gilles Mattaini had attempted suicide in the past?
6. Did Gilles Mattaini seek help for his mental health?