

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

FURTHER SUPPLEMENTARY STATEMENT OF JAMES MICHAEL O'BRIEN

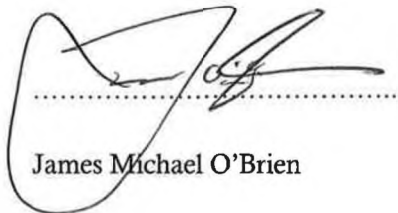
- 1 My full name is James Michael O'Brien.
- 2 I have previously produced two statements to the Royal Commission. I make this further statement in response to an email request from the Royal Commission dated 27 April 2020. This statement is produced to the Royal Commission in response to a Notice to Produce.
- 3 In response to the request, I refer to the oral evidence that I have previously given to the Royal Commission¹ and I set out below some further matters.
- 4 To the best of my recollection, the only involvement that I had with telephone intercept warrants when I was at the Purana Taskforce was to sign internal forms which authorised investigators to make a request of a different unit, being the Special Projects Unit (SPU), to make application for a warrant. As I explained in my oral evidence, hundreds of thousands of telephone calls were monitored, and, therefore, I have no memory now of the warrants for which I signed internal forms.
- 5 The various crews at Purana, responsible for carrying out the investigative work, would decide whether to seek warrants to intercept telephones, they would liaise with SPU for the purpose of SPU making the application for the warrant, tell SPU what to listen for when monitoring telephones and they would then listen to telephone calls identified by SPU to be potentially relevant.
- 6 My recollection is that the Senior Sergeant or Sergeant in charge of a crew would check the papers prepared by his crew before they were given to SPU for the application to be made for the warrant. There may have been occasions on which I checked the papers if the Senior Sergeant or Sergeant was unavailable to do so. I do not have a recollection of doing that in relation to any particular application.

¹ T5634.22-5636.27, T5655.16-18, T5655.47-5456.5, T5807.16-19, T6007.35-40 and T6011.22-25.

- 7 There have been occasions when investigators have played to me small parts of telephone calls. I can recall that occurring but I cannot recall any detail.
- 8 I have no memory of hearing Ms Gobbo on an intercepted telephone call or being told that calls with her had been intercepted. However, given the number of telephone calls that were intercepted and her involvement with targets, I expect that there would have been telephone calls with her.
- 9 It was not part of my role at Purana to compile briefs of evidence. The crews did that work. Therefore, I have no knowledge of what telephone intercept material was included on briefs or otherwise provided to the accused or the prosecutor. I also have no memory of any discussion with investigators about the provision of telephone intercept material in proceedings.
- 10 Lastly, I was never asked by Taskforce Landow or anyone else whether relevant intercepted telephone calls still existed. Even if I had been asked, I would not have been able to assist given the matters above and given that I retired from Victoria Police about 13 years ago.

Dated:

17th May 2020



James Michael O'Brien