



VICTORIA POLICE

Operation Bendigo Investigation Group

Terms of Reference

Overview

As an outcome of Operations Loricated and Bendigo (document management working group) an investigation group has been established. The Operation Bendigo Investigation Group (OBIG) has been established to consider identified issues of potential legal conflict. Loricated identified 18 potential issues which the Bendigo document management working group distilled to five discernable examples of potential legal conflict requiring further investigation.

Purpose

To conduct further investigations into the five specific examples to identify any instances of legal conflict and which may reflect a miscarriage of justice.

At the conclusion of the investigation into the five specific examples ICSC analysts will further analyse and seek out any additional holdings regarding the subject of the investigation.

Scope

To investigate five specific examples of potential legal conflict identified by the Bendigo document management working group (identified in a report dated 29 April 2014 tabled at the steering committee). Within these examples:

- Identify documents and speak to investigators to establish what the relevant information gleaned was and how it was used by investigators.
- Identify the relationship that existed between Lawyer X and the person's subject of the relevant information.
- Identify in what capacity the information was provided to Lawyer X by the person subject of the relevant information.
- Identify whom, if any, persons whose legal professional privilege was breached.
- Identify any subsequent prosecutions that involved in some manner information provided in potential breach of legal professional privilege.
- Discussions where necessary with OPP prosecutors or staff.

- Provide an assessment on the impact any information that may have been provided in breach of Legal Professional Privilege had on the subsequent prosecution(s).

Out of Scope

Any investigation or examination of materials outside the five nominated examples. Discussions with Lawyer X, any associates or other charged individuals.

Any out of scope issues not previously identified will be referred to the Operation Bendigo Steering Committee.

Reporting

OBIG will report directly to the Detective Superintendent Mick Frewen, Professional Standards Command and is accountable to the Operation Bendigo Steering Committee.

Resources

OBIG will be located in a secure location at 18/412 St Kilda Road, Melbourne

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Staffing for the OBIG will be provided from ICSC and Crime Command and is to be comprised

1 x Detective Inspector (Crime)

2 x Unsworn Analysts (ICSC)

2 x Investigators (Crime)

Budget

No budget has been allocated to OBIG

Initial costs will be met from Crime Command with a review should there be any significant identified costs required to be met

Timeframes

To be determined

Deputy Commissioner Tim Cartwright

Chair – Operation Bendigo

Date:

In-Confidence

In-Confidence