

ISSUE COVER SHEET

File No:

Issue: (SDU) – Human Source making statement to Petra Task Force.

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Background:

Human Source 11792958 has been placed in contact with Detective Senior Sergeant Shane O'Connell of Petra Task Force. This human source has been registered since 16 September 2005, & was formerly registered as Human Source 21803838. The registration number was changed due to assistance provided being disclosed to a number of court proceedings.

Attached is a briefing paper submitted by ^{Black-O} setting out a strategic analysis on the source, based on a SWOT analysis. This provides good background. Ultimately if the source signs a statement & becomes a witness, then that is an issue for the source & investigators.

This source has been a very productive human source. The source is highly intelligent & well educated with responsible employment.

The source has been operationally deployed by Petra Task Force, & maybe so tasked again.

The source is responsible for a number of investigations & due a reward as a result, albeit this has not been the motivation.

The source is highly "needy" & talks to handlers at least twice daily. Investigators will need to fill this void until Witsec arrangements are agreed upon. This will be resource intensive.

The source is currently on medication for a disclosed illness – the medication is strong & will be on-going for some time.

The source has strong family ties in Victoria – their addresses are known to the Petra Task Force target/s.

Comment:

There are a number of organisational risks to Victoria Police – the SDU are prepared to expand upon these to Task Force Management.

The purpose of this paper is to ensure that decision makers are in possession of relevant information to allow proper decisions to be made. Decisions made today may have long term implications for Victoria Police.

Recommendation:

Forwarded for information, consideration & transmission to A/C Moloney please.




A. M. Biggin
Superintendent
Covert Support Division
Intelligence & Covert Support Department

Date: 02 January 2009

Distribution & Authority List:

1. Ag Commander, Intelligence & Covert Support Department
 2. Assistant Commissioner Moloney, Crime Department
- Approved/Not approved**


Mark PORTER
A/Commander
Intelligence & Covert Support
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PROTECTED

VICTORIA POLICE
BRIEFING NOTE

Source Development Unit
Covert Support Division

[REDACTED]
Melbourne Vic 3004

To: Detective Superintendent A. M. BIGGIN
From: Black-O
Subject: Human Source 11792958 making a statement to Petra Task Force
Date: 31st December, 2008

Situation

The Source Development Unit (SDU) has been tasked to outline the implications of Human Source (HS) 11792958 making a statement to the Petra Task Force and thus becoming a Crown witness.

Strategic Analysis

The SDU has undertaken a strategic analysis of that objective and the implications are outlined below:-

- (a) **Strengths**
- Information / evidence is critical to support serious charges
 - Possible prosecution against Paul DALE and others
 - Disengagement of the SDU from the management of that individual
- (b) **Weaknesses**
- Possible OPI / Government review into legal / ethical implications
 - Disclosure of the long term relationship with SDU
 - Time sensitive for HS – Medical condition / medication, no time to plan
 - HS relationship with Vicpol could be adversely affected

- HS credibility – Acquaintances, criminal associates & sexual relationships
 - Damage to HS business reputation – likely that source will lose reputation and business as a consequence of giving evidence
 - HS prior inconsistent statements (verbal) – SDU re relationship with DALE & failure to disclose the bogus mobile phone numbers
 - SDU are not aware of all intel held by Petra Task Force - Carl Williams, Rodney COLLINS & [REDACTED]
 - SDU should not be seen giving advice on this issue – Decision to be reached by HS regarding making a statement
 - HS assistance to VicPol is known to numerous investigators (passage of time)
 - Costs incurred as a consequence of making source a witness could be substantial:-
 - Loss of income arising from loss of business/occupation (unlikely to be able to continue working in legal fraternity);
 - Relocation costs if the Source's entire role became known.
- (c) Opportunities
- Consider deactivation as a HS, as the individual is now a Witness
 - HS to seek legal advice – Undertaken by HS at previous hearings (Ian HILL)
 - Vicpol – Finalise of the relationship with HS and the settlement of the substantial cash reward owed to HS
 - HS could be forced to attend a Hearing:-
 - DALE attended a recent hearing and lied about meeting WILLIAMS;
 - Surveillance corroborates WILLIAMS using bogus mobile phones;
 - Corrupt relationship between DALE and WILLIAMS.
 - Witsec – Possible relocation only
- (d) Threats
- Disclosure of HS role may result in death or serious injury
 - At this stage, HS does not want to enter the full Witsec program
 - Witsec – Adherence to policy against HS 'special' circumstances
 - If HS makes a statement – Duty of care owed to the now Crown witness
 - Status of the individual – Witness or Source?
 - Exposure of the Source as a consequence of becoming a Crown witness
 - Judicial review of police actions in tasking and deploying one of their own
 - Petra has tasked HS to record a meeting with DALE on Sunday 07-12-2008
 - HS has never admitted criminal activity to SDU
 - SDU suspects that part of the motivation of HS to assist is a guilty conscience
 - Public Interest Immunity – HS well connected in the Victorian legal fraternity
 - HS Health – Source uses prescribed assorted medication (up to 180 mg of morphine a day) for chronic pain and is possibly suffering depression, (not diagnosed). Source has over the course of the last two years suffered significant weight loss and lack of appetite
 - Source has spoken of suicide but states she would not seriously contemplate such a course of action
 - HS suffered a stroke in 1995
 - HS concerned about the safety and welfare of relatives



- Unknown motivation for HS to make a statement
 - SDU Source Contact Reports (SCR) and covert recordings being disclosed
 - Time sensitive – Unknown issue to Petra Task Force & VicPol Command?
 - HS role in the Petra Task Force is still not known by SDU
 - OPI Review – Serving barrister assisting Police; Consideration of unsafe verdicts & possible Appeals; Prosecutions current (MOKBEL) & future?
 - OPI Investigation – Implications of HS involvement with [REDACTED]
 - Media attention on SDU – Methodology and tradecraft being exposed
 - SDU staff exposure – Likelihood during any associated court processes
 - Financial Damages – Action brought against VicPol by HS
 - Risk versus Benefit – True value of a statement from this individual to any prosecution when balanced against the identified risks to Victoria Police.
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Forwarded for your attention.

Black-O

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