

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

**SUPPLEMENTARY STATEMENT OF SHANE O'CONNELL**

1. My full name is Shane O'Connell.
2. I have previously made a statement to the Royal Commission dated 5 December 2019 (my **First Statement**).
3. I now provide this supplementary statement to address materials that my legal representatives have shown me since preparing my First Statement and to provide additional details about my work at the Purana and Petra Taskforces.

**Diaries and Daybooks**

4. I left Victoria Police in 2017. At that time, I left my diaries and daybooks with Victoria Police for storage. Prior to preparing my First Statement, I attended Victoria Police to review my diaries and daybooks for entries referring to Nicola Gobbo. I reviewed my diaries because they related to my time at the Petra Taskforce which was when I had involvement with Ms Gobbo. I did not review my daybooks because they related to my time at the Purana Taskforce and I did not expect there to be any entries referring to Ms Gobbo.
5. Yesterday, 17 February 2020, I met with my legal representatives. My original diaries and daybooks were at the meeting. During the course of the lengthy meeting, we went through parts of my original diaries and daybooks and my legal representatives identified entries to be produced to the Royal Commission, which were mostly entries in my daybooks made during my time at Purana. The entries mostly concerned [REDACTED] (pseudonym) and [REDACTED] and [REDACTED]. As I have set out below, I had limited involvement in those matters and no memory of dealings with Ms Gobbo in relation to them. Had it been explained to me that I needed to review my diaries more broadly, and for entries concerning those people, or had my legal representatives undertaken the initial review, then the entries would have been produced to the Royal Commission at the time my statement was prepared. The additional entries have now been produced.<sup>1</sup>

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1 VPL.0005.0240.0001; VPL.0005.0240.0013; VPL.0005.0240.0111; VPL.0005.0240.0232;  
VPL.0005.0240.0237; VPL.0005.272.0001; VPL.0005.272.000015; VPL.0005.272.0017;  
VPL.0005.272.0039; VPL.0005.272.0049; VPL.0005.272.0062; VPL.0005.272.0078; VPL.0005.272.0088;  
VPL.0005.272.0104; VPL.0005.272.0151; VPL.0005.272.0158; VPL.0005.272.00237

6. I am informed by my legal representatives that last Friday, 14 February 2020, they also identified some other relevant entries in my diaries that had not been produced and that they were produced that day.<sup>2</sup>

### **Purana Taskforce**

7. At paragraphs [6] to [11] of my First Statement, I set out my involvement at Purana Taskforce at a high level. With the assistance of my daybooks, I now expand on that period below.
8. During my time at Purana, I was in charge of a crew that consisted of me, [REDACTED] DSC Anthony Mercer and DSC Russell Baird and DSC Adam Tilley. My memory is that there were also others who were part of the crew for short periods.
9. The Sergeants in charge of crews, and more senior officers at Purana, had meetings to discuss the work of the Taskforce. I have been shown a document titled "Operation Purana Strategy Meeting" for a meeting on 20 August 2004.<sup>3</sup> That is an example of the type of meeting that I attended. Through those meetings, I gained a level of knowledge of the work of the Taskforce that I was not directly involved in. I note that the document refers to Ms Gobbo (under the heading "[REDACTED] MDID"). I have no recollection of Ms Gobbo being mentioned.

### *Murder of [REDACTED]*

10. As stated at paragraph [7] of my First Statement, my crew investigated the murder of [REDACTED] which had occurred on [REDACTED] 2003. He was tortured and strangled. [REDACTED] along with others, were charged with that murder in about 2006. My recollection is that [REDACTED] was a witness in relation to that murder. I do not recall whether [REDACTED] was also a witness. [REDACTED] ultimately pleaded guilty to the murder.
11. I have no recollection of any involvement with Ms Gobbo in relation to this investigation, including any dealings with her as a legal representative of any witness.

### *Murder of [REDACTED]*

12. As set out in my First Statement at paragraph [11], I attended the scene of [REDACTED] murder on [REDACTED] 2003. I received a telephone call from Gavan Ryan who said that [REDACTED] had been murdered. He needed all hands on deck. He asked me to call my crew and to attend the scene. My crew did not then take carriage of that investigation. My recollection is that Stuart Bateson's crew had that investigation.

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2 VPL.0005.0240.0013; VPL.0005.0240.0111; VPL.0005.0240.00253; VPL.0005.0240.0256;  
VPL.0005.0240.0257.

3 VPL.0100.0151.2795.

13. I have been shown an entry in my daybook on [REDACTED] April 2004, which records that I accompanied Phil Swindells on a visit to [REDACTED] in prison who had been charged with the murder of [REDACTED]. I have also been shown a transcript of a recording of the meeting.<sup>5</sup> As the transcript identifies, Mr Swindells had carriage of the discussion. I spoke little but took extensive notes.<sup>6</sup> I can see that in the course of the discussion, [REDACTED] briefly referred to Ms Gobbo. I have no memory of that, and it would have been of no interest to me.

14. I have been shown an entry in my daybook on [REDACTED] May 2004,<sup>7</sup> which records that I again accompanied Mr Swindells to visit to [REDACTED] in prison. My daybook records (in part):

Talk about OPP/Nicola. Has s/t Nicola re statement. OPP wants him to plead guilty. He wants complete "anonymity".

15. I do not independently recall this meeting.

16. I may have attended the two meetings with [REDACTED] because members of Mr Swindells' crew were unavailable.

[REDACTED]

17. I have been shown a diary entry for [REDACTED] July 2004 which records a meeting at 12:50 relating to [REDACTED]. That same day, there was a meeting at 1315 between myself, DS Bateson, [REDACTED], AS Nichols and DS Buick. My notes refer to [REDACTED] and Ms Gobbo. I have no recollection of that meeting.

18. There are several other entries in my diaries that refer to [REDACTED]. However, save for the entry I refer to above, none of them refer to Ms Gobbo.

*Threat to kill Stuart Bateson*

19. In November 2003, my crew was tasked with investigating threats that had been made against DS Bateson. Carl Williams was charged with making these threats.

20. On 2 December 2003, there was a bail hearing in relation to these charges. I attended the Magistrates Court for the bail hearing. Mr Williams was granted bail. I do not recall who appeared for Mr Williams, and my diary notes do not mention Ms Gobbo.<sup>9</sup>

4 VPL.0005.0272.0017 at 0018-0026.

5 VPL.0100.0245.0001.

6 VPL.0005.0272.0017 at 0018-0026.

7 VPL.0005.0272.0017 at 0034.

8 VPL.0005.0272.0001.

9 VPL.0005.0272.0158 at 0167.

21. On 18 February 2004, Mr Williams' committal hearing took place in relation to these charges. I attended court that day.<sup>10</sup> I do not recall who appeared for Mr Williams and my notes do not record that detail.

Operations ██████ and ██████ – ██████

22. In ██████ 2004, my crew was tasked with investigating a ██████ ██████ This was known as Operation ██████ This was an intense investigation, in which the crew worked very extensive hours. Hours were typically long at Purana.
23. ██████ and others were charged with the ██████ They were convicted.
24. To the best of my knowledge, I did not have any involvement with Ms Gobbo in relation to this matter. I believe that ██████ represented a co-accused who was a Crown witness.
25. In ██████ 2006, ██████ was murdered. The investigation into his murder was known as Operation ██████ I was tasked with this investigation. I had carriage of this investigation for the first month or six weeks. I then handed it over to Mr Buick and his crew.

#### *Operation Posse*

26. I have been shown a document by my legal representatives titled "Purana Task Operation Posse – Phase one – Operation Order",<sup>11</sup> one of the targets of which was ██████ I am on the distribution list for the document. I do not recall having seen it. However, it is possible that I did. I saw many operation orders during my time at Victoria Police.
27. As a result of being shown this document in the meeting yesterday, my legal representatives and I reviewed my diaries and daybooks for references to Operation Posse. We identified a number of entries.
28. I can see that on Sunday ██████ 2006, Gavan Ryan recalled me to the office from a day off. My diary notes indicate that this was in relation to "re Operation Posse".<sup>12</sup> My daybook entry records that I attended a briefing at 1pm and then undertook some surveillance that same day at an address in ██████ Street, ██████<sup>13</sup>

10 VPL.0005.0272.0158 at 0208.

11 VPL.0099.0117.0289.

12 VPL.0005.0272.0158 at 0191.

13 VPL.0005.0272.0015 at 0016.

29. I can see that on Monday, [REDACTED] 2006, I was briefed about Operation Posse at about 6.50am, and later attended a further briefing at 1pm.<sup>14</sup> My diary records that I was ultimately not required.<sup>15</sup>
30. I can see that on Tuesday, [REDACTED] 2006, I attended briefing in relation to *Operation Posse* phase 5 and 5A.<sup>16</sup> I do not know what these phases related to. That afternoon, I executed a search warrant at the [REDACTED] (a place known to be frequented by the Mokbels). There was a nil return from that warrant.
31. Later in the day on Tuesday, [REDACTED] 2006, I attended a further briefing and executed a further search warrant relating to *Operation Posse* at a property in [REDACTED] Street, Essendon.<sup>17</sup> A quantity of cash was seized in the course of executing that search warrant.
32. Based on my diaries, my involvement in these events was:
- (a) attending briefings;
  - (b) conducting surveillance; and
  - (c) executing search warrants.
33. I have no independent recollection of these events. It is likely that I knew who [REDACTED] was and that he had a [REDACTED] with the Mokbel family.
34. At the time of my involvement in the above, I did not know that Ms Gobbo had any role, whether as a source or lawyer. I also do not recall knowing the steps that [REDACTED] took following his arrest. Given my limited role in the [REDACTED] job, there was no need for me to know any of those matters.
35. I have been shown a transcript of a discussion which took place between Ms Gobbo and I much later when I was at the Petra Taskforce. I can see that she told me about her involvement with [REDACTED]. I do not recall linking what she had told me back to the [REDACTED] job.

*Search warrants in relation to Ms Gobbo and Mr Grace*

36. At paragraph [20] of my First Statement, I refer to search warrants on the chambers of Ms Gobbo and Mr Grace QC. There is no reference in my diaries to these matters. However, I have been shown an email to me from Mark Hatt dated 28 November 2006 about the search warrants.<sup>18</sup>

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14 VPL.0005.0272.0158 at 0191.

15 *ibid.*

16 VPL.0005.0272.0158 at 0191-0192.

17 VPL.0005.0272.0158 at 0192.

18 VPL.6032.0200.1727.

37. At this time, I was an Acting Detective Senior Sergeant. Every affidavit relating to a s 465 Crimes Act search warrant had to be sworn by an officer holding the rank of Senior Sergeant or above. As such, while I was Acting Detective Senior Sergeant, I swore many such affidavits. My focus when reviewing affidavits was to ensure that there were sufficient grounds for the search. As set out in my First Statement at [18], I do not recall whether I in fact signed the affidavits. I may have.
38. The possibility that documents that were subject to legal professional privilege might be seized in the execution of the warrant is unlikely to have concerned me. There was a standard process for managing claims of privilege.
39. I am informed by my legal representatives that a search warrant was executed on Ms Gobbo's chambers. To the best of my recollection, I had no contemporaneous knowledge of the execution of that warrant. I was on leave on the date the warrant was executed. I commenced leave on Saturday 2 December 2006 and returned to work on Wednesday 10 January 2007. In that leave period, I did attend work on 15 and 18 December 2006 to attend court.

### **Petra Taskforce**

#### *Awareness of Ms Gobbo's status as a registered human source*

40. At paragraph [23] of my First Statement, I refer to a meeting of 24 July 2007. I stated that I did not know whether, at the time of this meeting, I was aware that HS3838 was Ms Gobbo. I also stated that it was likely that DDI Ryan would have briefed me about this meeting and had asked me to attend with him given my new role at Petra.
41. I have now identified an entry in my diary on 23 May 2007 which indicates that I spoke to DDI Ryan "re 3838".<sup>19</sup> My diary refers to IR 88 – Operation Loris and IR 44 – Operation Nutation. On the basis that IR 88 was generated as a result of an interview between Ms Gobbo, Cam Davey and Charlie Bezzina in 2004, this entry is consistent with my earlier view that it is likely that I was briefed about Ms Gobbo's status when I joined Petra.

#### *Interactions in the period January to August 2008*

42. In my First Statement at [30], I stated that Ms Gobbo came to feature more heavily in the Petra investigations in the latter half of 2008. That is accurate. However, it has been drawn to my attention that there were two significant interactions earlier in time.
43. First, in my meeting with my legal representatives yesterday, I was shown documents relating to interactions between the Petra Taskforce and the SDU in relation to Ms Gobbo in the period February 2008 to August 2008.<sup>20</sup> On the basis of those documents, and a further review of my

<sup>19</sup> VPL.0005.0272.0158 at 0204.

<sup>20</sup> See for example, VPL.2000.0001.3609; VPL.2000.0001.3687.

diaries, it appears that, as early as 2008, there was interaction between Ms Gobbo and the Petra Taskforce about whether Ms Gobbo could assist Petra with its investigation into Mr Dale. I can also see that I was in touch with the SDU. Despite having reviewed these documents, I have no memory of these interactions and I cannot add to what is in the notes.

44. My attention has been drawn to a diary entry of an SDU member,<sup>21</sup> which indicates that I met with him for the purpose of reviewing notes that Mr Dale had allegedly given to Ms Gobbo in the course of a meeting with him at Port Phillip Prison. I have been shown a copy of those notes.<sup>22</sup> I have no memory of these events or the notes.
45. I have also now been shown documents about interactions between the SDU, Ms Gobbo and the Petra Taskforce in relation to Andrew Hodson.<sup>23</sup> Despite reading these documents, I have no recollection of these matters.

*Transition from source to witness*

46. In addition to the matters that I refer to in my First Statement, I have identified additional interactions in the period leading up to Ms Gobbo covertly taping her meeting with Mr Dale. I have not recorded all of these in this statement. However, I make comment on certain of those interactions.
47. On 25 November 2008, I had a discussion with an SDU handler. I understand that his notes of this meeting reflect that I wanted to pursue the issue of phones used by Ms Gobbo that were registered in false names.<sup>24</sup> I do not recall this discussion, but it is consistent with my general recollection of Petra Taskforce's interest in Ms Gobbo's involvement with Mr Dale, Mr Ahmad and Mr Williams and her use of mobile phones registered in false names.
48. I have been made aware that the SDU handler also has a diary entry for 30 November 2008 which notes that he advised me "to I/V HS before speaking to Dale (if HS has not done so already) if going to put allegations so as to possibly unnerve HS – will do." I cannot shed any light on the meaning of this note. I do not recall the discussion.
49. At paragraphs [47] to [53] of my First Statement, I describe a meeting I had with Ms Gobbo on 3 December 2008. Later that day I met with an SDU handler. I have reviewed his notes of that meeting, which indicate that we discussed the risks of using Ms Gobbo as a witness.<sup>25</sup> His notes state in part that "O'Connell admits that this may be a decision that should be made by a person of higher authority with knowledge of all the facts, not just his narrow area. O'Connell admits that use of HS as witness and all ensuing problems are only justified if evidentiary value is there."

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21 VPL.2000.0001.3534.

22 VPL.2000.0002.0061.

23 See for example, VPL.2000.0001.1361; VPL.2000.0001.0098.

24 VPL.2000.0001.6138 at 6139.

25 VPL.2000.0001.6138 at 6159.



50. My view at this time was that the decision not to tape the meeting with Mr Dale was one that could only be made by someone with higher authority than me. I was investigating a double homicide and I had a potential lead in relation to a person suspected of involvement in the crime. I held the view that it would be to ignore my oath not to follow that line of inquiry. As I saw it, the decision about what to do with the information was to be made after we reviewed the information and determined whether it was probative. It was at that time that the decision about whether Ms Gobbo was to be used as a witness was to be made.
51. In a meeting with my legal representatives on 13 February 2020, I was shown an issue cover sheet headed "(SDU) – Human Source making statement to Petra Task Force" and its attachment, being a briefing note headed "Human Source 11792958" (**SWOT analysis**).<sup>26</sup> To the best of my recollection, I had not previously seen these documents.
52. I consider that these documents, or the issues raised in them, should have been brought to my attention. I was not aware of all of the detail contained in these documents. If I had received these documents in 2009, it is likely that I would have brought the issues to the attention of the Petra Steering Committee.
53. My legal representatives have asked whether I attended a meeting of the Petra Steering Committee on 5 January 2009. I did not attend this meeting. My diary records that I was on leave from 3 January 2009 to 13 January 2009 (inclusive). However, as set out in my First Statement, I came back from leave on 7 January 2009 for the purpose of meeting with Ms Gobbo on the day that she signed her statement.<sup>27</sup>

*Subpoenas issued by Paul Dale*

54. In January 2010, Mr Dale's solicitor, Mr Hargreaves issued a subpoena to the Chief Commissioner of Police.<sup>28</sup> My recollection is that Mr Davey and Mr Solomon had principal responsibility for collating the material responding to that subpoena (the **First Subpoena**). I supervised the process and had some involvement in collating the materials.
55. Some of the materials responsive to the First Subpoena had already been collated. Many months earlier, we had received a subpoena issued by Mr Collins' solicitors. Davey and Solomon collated the documents responsive to that subpoena and made a second copy in anticipation that a similar subpoena would be issued on behalf of Mr Dale.

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26 VPL.0100.0035.0001.

27 This page has been reproduced as VPL.0005.0240.0013 at 0071 but has redactions over the notations of my leave.

28 VGSO.5000.0005.0666



56. On 18 February 2010, I attended a meeting with Smith, Davey and Solomon about Operation Loris. I believe this meeting was related to the issue of the subpoena. Later that day, at 5pm, I met with Ron Gipp, David Ryan and others in relation to the First Subpoena.
57. Work commenced responding to the First Subpoena. Mr Ron Gipp was engaged to assist. At 1:40pm on 10 March 2010, I received a telephone call from Mr Gipp.<sup>29</sup> He said to me that Mr Hargreaves had called asking for Ms Gobbo's "informer management file". Mr Gipp asked me whether such a file existed, and I said that such a file existed and that I would make enquiries about it. That same day, I called DI Smith about the request.
58. My view at the time was that Mr Hargreaves had probably made an error in referring to an "informer management file" because there was nothing in the brief that indicated that Ms Gobbo had been a human source. Petra had utilised Ms Gobbo as a witness. I suspected that Mr Hargreaves was likely requesting the Petra Taskforce file in relation to Ms Gobbo.
59. On 11 March 2010, I met with Mr Gipp. On 12 March 2010, I swore an affidavit about matters connected to Victoria Police's response to the First Subpoena.<sup>30</sup>
60. On 31 March 2010, Mr Hargreaves issued a second subpoena. It asked for, among other things, any "informer management file" for someone else.
61. On 8 April 2010, Mr Hargreaves issued a further subpoena. It asked for, among other things, any "informer management file" for Ms Gobbo.
62. 11 days later, Mr Williams was killed, resulting in the charges against Ms Gobbo being dropped and the subpoenas falling away.

#### *Discussions with Ms Gobbo*

63. In the course of my conversations with Ms Gobbo in the period between January 2009 and 2010, Ms Gobbo spoke about many things connected to her relationship with Victoria Police as a registered human source. I did not at any time form the view that I needed to take steps to address the information she was giving me. That was because of my understanding that Ms Gobbo's registration as a human source had been managed by a specialist unit – the SDU – and that senior officers of Victoria Police had oversight of these matters. My assumption was that these matters would have been known to, and addressed by, the SDU and the officers with carriage of the relevant investigations.
64. For example, in the course of my conversation with Ms Gobbo on 7 January 2009, she told me about her involvement in [REDACTED]'s arrest. I can see that she told me enough for me to realise that she had been involved in providing Victoria Police with information that led to his arrest and

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<sup>29</sup> VPL.0005.0240.0111 at 0180.

<sup>30</sup> VGSO.2000.1510.0073.

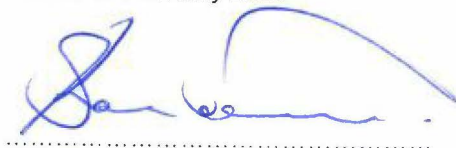
that she acted for him. As stated earlier, I do not think I realised that Ms Gobbo was speaking about *Operation Posse* - I was involved in that matter for a few days, and then went back to my core work.

65. Whilst I cannot recall, it may be that the information Ms Gobbo gave me raised a potential that there was a conflict. However, I was receiving information only from Ms Gobbo. It was not complete information. I did not do anything with this information because it was my understanding that Ms Gobbo had been managed by an expert unit (the SDU) and that her management was being oversighted by senior Victoria Police officers. My assumption at the time would have been that these matters had been, and were being, managed and dealt with by the SDU, that there were investigators dealing with these matters in the criminal jurisdiction and that the entire process was being oversighted by members of Executive Command. Ms Gobbo was giving information about events that had occurred years earlier. I assumed that the SDU and the investigators knew about and had managed these issues.
66. Further, Ms Gobbo was giving me this information in the context of discussion about her safety and security. It was information that was relevant to the task of assessing the threat to Ms Gobbo's safety and to the steps that needed to be taken to keep her safe. It was in that capacity that I received the information.

#### **Other documents**

67. Yesterday, 17 February 2020, I was informed that my legal representatives had identified further transcripts of my conversations with Ms Gobbo that I have not reviewed. These were produced to the Commission in 2019. I reviewed some transcripts of my conversations with Ms Gobbo in preparing my statement.
68. I am informed by my legal representatives that in assisting me to prepare my witness statement they conducted a search of Ringtail for documents that referred to me by name. Initially, there were about 6,700 and now there are around 8,000 documents. Given the number of documents, my legal representatives then reduced the search to documents that referred to both me and Ms Gobbo and reviewed those documents in assisting with my statement.
69. If any further relevant documents are identified they will be brought to the attention of the Royal Commission.

Dated: 18 February 2020



Shane O'Connell