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These claims are not yet resolved.

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

**STATEMENT OF MICHAEL JAMES O'CONNOR**

1. My full name is Michael James O'Connor.
2. I retired from Victoria Police in 2018. When I retired, I was a Detective Senior Sergeant in charge of the State Surveillance Unit.
3. I make this statement in response to a request from the Royal Commission into the Management of Police Informants. This statement is produced to the Royal Commission in response to a Notice to Produce.

**Educational background and employment history (Q1)**

4. I joined Victoria Police in 1973. Details of my progression through the ranks and relevant training are in Annexure A to this statement.

**Involvement or association with any investigation that dealt with Ms Gobbo (Q2)**

5. I have not been involved as an investigator with any investigation that dealt with Ms Gobbo. However, in my role as the operations Detective Senior Sergeant of the State Surveillance Unit (SSU), I oversaw surveillance operations that related to Ms Gobbo and individuals associated with her.

Role at SSU

6. I was a Detective Senior Sergeant in surveillance roles from 1989 until I retired from Victoria Police in 2018.
7. From around 1995, Detective Senior Sergeant [REDACTED] held a similar role. Generally, DSS [REDACTED] was responsible for Regional Surveillance while I was responsible for surveillance work from the Crime Department. The Crime Department work generally involved repeated and long-term surveillance of certain targets, while the Regional Surveillance work generally involved lower level recidivist targets.
8. A key part of the role was working with investigators to effectively and safely use the surveillance resources available to Victoria Police. In any given year, I dealt with hundreds of surveillance applications relating to hundreds of different targets.
9. The general process was that investigators would submit an application seeking certain types of surveillance of certain targets. I would discuss the general circumstances of the

operation with investigators so that I could understand what resources should be allocated and what surveillance techniques could safely be used. This meant I might have had a general understanding of an operation, but I would not know the day-to-day details of the operations or where all information and intelligence had come from.

10. Often investigators would want more resources than were available or they would want to use techniques that could not be used effectively or safely. It was my role to ensure that Victoria Police's resources were deployed effectively and in a way that would not be discovered by the targets of surveillance or put surveillance officers at risk.
11. My experience was that investigators would generally not tell me where intelligence had come from a human source. On the occasions that they did, it was unlikely that the investigators would mention the identity of a source unless it was strictly necessary for me or the surveillance officers to know that information.

Surveillance of Purana targets including [REDACTED]

12. The SSU provided surveillance of a number of Purana Taskforce's targets over a long period of time. This was a standard part of the SSU's support of any investigation. In late 2005 and early 2006, the SSU assisted the Purana Taskforce with surveillance of a number of targets, including [REDACTED]. For example, on 27, 29 and 30 December 2005, DSC Liza Burrows contacted me regarding ongoing surveillance of [REDACTED].
13. On 3 January 2006, I met with Detective Inspector Jim O'Brien, who was the officer in charge of the Purana Taskforce, about a list of targets. My diary record for the resources for the next day indicate that [REDACTED] and Mr Bickley were among those who were to be targeted with surveillance in relation to Operation Posse, which I believe was a Purana Taskforce operation.
14. I do not recall being informed if Ms Gobbo provided information relevant to this operation or these targets. I do not expect that I was told because there was not any need for me to know that as part of the surveillance work that was being done.
15. On 24 February 2006, I received a call from Officer Green regarding a potential [REDACTED] [REDACTED] that night at an address in the Melbourne CBD. As my diary records, I covered the location but saw no sign of the meeting.
16. I do not recall Officer Green giving any indication of where the information came from. However, I was aware that Officer Green was a member of the Source Development Unit (SDU), so I would have assumed that the information came from a human source.

I have been shown a record from the Loricated database that indicates this came from human source 3838<sup>1</sup>. I do not believe Officer Green told me this at the time.

17. On [REDACTED] April 2006, DI O'Brien informed me that [REDACTED] had established a new [REDACTED]. My diary also records that, later that day, Detective Sergeant Dale Flynn told me details about the potential location of [REDACTED].
18. My diary records that I had a number of discussions with DS Flynn and DI O'Brien regarding surveillance on [REDACTED] until [REDACTED] 2006, when [REDACTED] was arrested. I also discussed these matters with DSS [REDACTED] so that he could coordinate surveillance when I was not on duty.
19. I do not recall what I discussed with DI O'Brien and DS Flynn beyond what is recorded in my diary. But I believe our discussions would all have related to the surveillance necessary to follow [REDACTED] and gather evidence about the [REDACTED]. I knew at the time that [REDACTED] was particularly aware of possible surveillance and often took fairly drastic anti-surveillance measures, which meant that significant surveillance resources may have to be used.
20. My diary indicates that during this time, I attended a number of meetings and was informed of ongoing developments relating to [REDACTED].
  - (a) On [REDACTED] April 2006, a second suspect address for [REDACTED] was identified. DI Flynn told me that day that [REDACTED] was [REDACTED] two [REDACTED] of [REDACTED], one for [REDACTED] and one for [REDACTED] and [REDACTED].
  - (b) On [REDACTED] April 2006, I met with DI O'Brien, DI Flynn and Officer Sandy White with Detective Senior Sergeant [REDACTED], who was the officer in charge of the Techs. My diary notes that the drugs [REDACTED] were in [REDACTED] of [REDACTED] and one of [REDACTED]. I do not recall what was discussed at this meeting beyond this. I knew at the time that Officer Sandy White was a member of the SDU, so I would have assumed that a human source had provided that information. But I do not recall being told the identity of any human sources, and there was no reason for me to ask about this.
  - (c) On [REDACTED] April 2006, I again met with DI O'Brien and DSS [REDACTED] to discuss "tactics" regarding [REDACTED]. I believe this refers to surveillance and evidence gathering tactics, given who was present at the meeting.

<sup>1</sup> VPL.2000.0002.8801.

21. [REDACTED] was arrested on the afternoon of [REDACTED] 2006. I had been coordinating surveillance from [REDACTED] that morning. I drove out to the site [REDACTED] with DI O'Brien before the arrest took place.
22. I recall that after [REDACTED] was arrested, I went into the yard behind the building where the [REDACTED] was. I did not speak to [REDACTED] but I recall overhearing others speaking to him. I do not recall who was speaking to him, but I recall that DI O'Brien and DS Flynn were around. I recall getting the strong impression or knowledge that [REDACTED] was willing to cooperate because he had been caught in the middle of a [REDACTED] but I do not recall exactly what he said.
23. After the arrest, I returned to [REDACTED]. My diary records that I had ongoing discussions with someone from Purana (likely DI O'Brien and DI Flynn) and Superintendent Tony Biggin about managing a surveillance operation. My diary does not record the detail of these discussions, but I recall that we were discussing how [REDACTED] might gather evidence against others and what surveillance resources would be needed for that. I recall understanding by this time that [REDACTED] was cooperating and that I needed to make a lot of arrangements to pull together surveillance resources for that.
24. I believe that the investigators – DI O'Brien and DS Flynn – proposed who would be the targets of surveillance. My role was to provide support needed to gather evidence, and as part of that, we may have discussed whether evidence could be effectively gathered against those targets. From my diary records for the days [REDACTED], [REDACTED] and [REDACTED]<sup>PII</sup> 2006, I believe the targets included [REDACTED], [REDACTED] and [REDACTED].
25. I recall that I spoke briefly to [REDACTED] about where he would meet with the targets and how he would usually speak with them when they met. I did this so that I could work out how to coordinate surveillance and how to ensure [REDACTED] discussions with the targets could be safely and effectively recorded for evidence. I believe this was on the night of his arrest, but I cannot be certain.
26. I have been informed that Ms Gobbo was present at [REDACTED] on the night of [REDACTED]<sup>PII</sup> 2006. I do not believe I saw or spoke with her at any point. Nor do I have any record or recollection of being part of any discussions where Ms Gobbo was mentioned.
27. I oversaw various surveillance operations on [REDACTED], [REDACTED] and [REDACTED]<sup>PII</sup> 2006 involving [REDACTED] and the targets of Purana's operations. The details of these operations are in my diary.

28. I do not believe I saw or spoke to Ms Gobbo at any point during this period. I have no record or recollection of being part of any discussions about Ms Gobbo during this period.

Awareness of Ms Gobbo as a human source

29. On the evening of 1 June 2006, I spoke with Officer Sandy White twice. As my diary records, he told me information from "Source 3838" indicating that a member of the SSU may have been involved in a target of surveillance finding out that they were being investigated. The next morning, 2 June 2006, I met with Supt Biggin, Officer Sandy White, DSS [REDACTED] and my superior officer at the SSU, Detective Inspector Glen Woolfe. I believe that we discussed the issue of unauthorised disclosure by a member of the SSU.
30. I believe it is likely that I was informed as part of these discussions with the SDU that Ms Gobbo was acting as a human source for Victoria Police and that she was known as Source 3838.
31. My diary records that on 3 June 2006, I spoke with Officer Sandy White again. As my diary records, we discussed that it appeared the SSU member was "talking out of school" about his surveillance work. I have been shown a record from the Loricated database that suggests the SSU member had disclosed the matter to a friend of his, who had then passed the information onto the target<sup>2</sup>. This record accords generally with my recollection of the discussion with Officer Sandy White.
32. My diary records that I discussed this issue with the other managers at the SSU, with DI O'Brien from Purana and with SDU members as follows:
- (a) On 5 June 2006, I met with DI O'Brien and then later in the day with Supt Biggin, Officer Sandy White, DI Woolfe and DI O'Brien. I have been shown an entry from the SDU's Source Management Log suggesting that Purana would send a surveillance application for Ms Gobbo to the SSU to camouflage her assistance<sup>3</sup>. I do not recall whether this occurred, and I do not have a diary record about it.
- (b) On 10 June 2006, I spoke to Supt Biggin about Ethical Standards Department (ESD) or Office of Police Integrity investigations into the issue, due to the risk that a human source's identity might be disclosed.

<sup>2</sup> VPL.2000.0002.9821.

<sup>3</sup> VPL.0100.0001.0017 at 0051.

(c) On 12 June 2006, I discussed the issue with DI Woolfe and DSS [REDACTED]. I do not recall what was discussed.

(d) On 13 June 2005, I met with Supt Biggin, Officer Sandy White, Officer Richards, DI Woolfe and DSS [REDACTED] regarding this issue.

33. I do not recall further what occurred in relation to this issue. I believe that the allegation may have been reported to ESD.

#### Other matters related to Ms Gobbo

34. I subsequently had some other operational surveillance matters that related to Ms Gobbo, as set out below. I recall Ms Gobbo also appeared in surveillance logs on occasion because she was in contact with others who were under active surveillance<sup>4</sup>.

35. On 7 November 2007, I spoke with DI Flynn regarding surveillance of Tony Bayeh. That day I received an email from Detective Senior Constable Paul Rowe from Purana attaching an application for surveillance of Tony Bayeh in relation to an investigation into threats to kill Ms Gobbo<sup>5</sup>, which was referred to as Operation Gosford.

36. I do not have any recollection or records relating to any such surveillance of Bayeh. I have been shown a record from the Loricated database that suggests that Bayeh had evaded surveillance and that I told DSC Rowe there would be no further surveillance of him<sup>6</sup>. I do not recall this discussion or withdrawing surveillance on Bayeh.

37. I have been shown records from the Loricated Database from 20 February 2008 indicating that Officer Sandy White spoke to me regarding potential surveillance of a meeting between Ms Gobbo and an associate of hers, Jacques El-Hage<sup>7</sup>. I do not recall any surveillance on this meeting, but Jacques El-Hage had been a surveillance target at times. My diary does record that I spoke to Officer Sandy White twice that day, but it provides no detail about any surveillance.

38. I have also been shown an application from Detective Senior Sergeant Boris Buick from January 2011 for surveillance of Ms Gobbo in relation to potential charges against Paul Dale<sup>8</sup>. I have no recollection this application or any surveillance work relating to it. I believe this would be because, in January 2011, I was on a six-month secondment

<sup>4</sup> For example – VPL.6141.0029.7884.

<sup>5</sup> VPL.6030.0032.3264; VPL.6030.0032.3265.

<sup>6</sup> VPL.2000.0001.3422 at 3428.

<sup>7</sup> VPL.2000.0001.1361 at 1369.

<sup>8</sup> VPL.6141.0013.9934.

away from the SSU, in a role that involved reviewing missing person files from across Victoria. I was not involved in the work of the SSU during that time.

**How I learned, or was given reason to believe, Ms Gobbo was providing information (Q3)**

39. I refer to my response to Question 2.

**Awareness of others (Q4)**

40. Based on my answer to Question 2, I believe that the following people would have been aware of Ms Gobbo's role as a human source, in addition to the members of the SDU responsible for her management: DI Woolfe, DSS [REDACTED] from the SSU and DI O'Brien from the Purana Taskforce.

**Authorisation of the use of Ms Gobbo as a human source (Q5)**

41. I have no knowledge of these matters.

**Personal contact with Ms Gobbo (Q6)**

42. I do not believe I have met with Ms Gobbo.

**Information & assistance received (Q7 & Q8)**

43. I have no knowledge of these matters.

**Concerns raised as to use of a legal practitioner (Q9) or Ms Gobbo (Q10) as a human source**

44. I have no knowledge of these matters.

**Awareness about disclosure in relation to Ms Gobbo (Q11)**

45. I have no knowledge of these matters.

**Other human sources with obligations of confidentiality or privilege (Q12)**

46. I have no knowledge of these matters.

**Training (Q13)**

47. I do not recall in particular when these topics were covered, but I believe that they were covered in training in my time at Victoria Police. I have also had experience in court proceedings working with lawyers from the OPP to deal with issues of legal professional privilege and public interest immunity.

**Other information (Q14)**

48. I have nothing further to add.

Dated: 26 November 2019



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Michael James O'Connor

### Annexure A

1. A summary of the major roles I have undertaken and my progression through the ranks is as follows:
  - (a) 1973 – 1975: Constable, Russell St and Fitzroy Uniform;
  - (b) 1975 – 1979: Senior Constable, CIB Observation Squad;
  - (c) 1979 – 1982: Detective Senior Constable, Russell St CIB, Malvern CIB, Thomastown CIB and CIB Dealers Squad;
  - (d) 1982 – 1984: Sergeant, Hawthorn Uniform and Caulfield Special Duties;
  - (e) 1984 – 1985: Sergeant, BCI Surveillance;
  - (f) 1985 – 1987: Detective Sergeant, Preston CIB, Prison Drug Task Force, 3<sup>rd</sup> Party Fraud Task Force;
  - (g) 1987 – 1988: Detective Sergeant, BCI Tactical, Italian Organised Crime;
  - (h) 1989 – 2018: Detective Senior Sergeant – Surveillance roles in Drug Squad Surveillance, Crime Surveillance Squad and State Surveillance Unit.
  
2. I have undertaken Victoria Police qualifications and training including:
  - (a) Detective Training School (1979);
  - (b) Sub-Officers Courts (1982);
  - (c) Advanced Detective Training School (1983);
  - (d) Various management trainings (1988 to 2018).