

Revised 05/13

VP Form 1028

# ISSUE COVER SHEET

**File No:****Issue:**

Example Two Legal Conflict Report, Registered Human Source #21803838 (HS 3838) – Review of police brief of evidence relating to Zaharoula MOKBEL.

**Background:**

Operation Bendigo Investigation Group was established in June 2014 to review five legal conflict examples identified by the Operation Bendigo Steering Committee and to establish if there is any possible legal conflict issues arising from the information received from HS 3838.

Example Two relates to HS 3838 reviewing the accused's copy of the police brief of evidence and providing her opinion as to the deficiencies of the brief to Source Development Unit (SDU) handlers.

Example Two has been reviewed by the Investigation Group and a final report on the findings has been completed by D/S/C Tanya Baker and is attached with supporting documentation.

Operation Bendigo Investigation Group has conducted an investigation of Example Two by reviewing Op Loricated holdings, handlers and investigators diaries, archived briefs, investigation notes, court records, LEAP and Interpose records as well as speaking with investigators who had involvement in Op Posse and Op Magnum.

**Comment:**

Example Two does not raise any legal conflict issues as HS 3838 was entitled in her professional capacity to review the accused's copy of the police brief of evidence. The information provided by HS 3838 was not passed onto the informant D/S/C CHIPPINDALL nor was it acted upon by any other member of Victoria Police. Ultimately HS 3838 did not represent the accused in relation to these charges and HS 3838's reviewing of the brief did not impact on the successful prosecution of Zaharoula MOKBEL.

**Recommendation:**

For attention of the Operation Bendigo Steering Committee.



Monique SWAIN Detective Inspector  
Operation Bendigo Crime Command

Date: [REDACTED] 22/10/14

1. Fin McRae - Director, Legal Services Department

24/10/2014