

Revised 10/00

VP Form 708

AFFIDAVIT FOR A SEARCH WARRANT

I,

(Full Name) First Name **Shane** Family Name **O'CONNELL**

a member of the Victoria Police of the rank of

Detective Senior Sergeant 23964

at

(Address) **Petra Task Force, [REDACTED] Flinders Street, Melbourne, Vic, 3000**

make oath and say that in regards to a Building situated at/known as

[REDACTED] Street, Fawkner
[REDACTED], Hillside
[REDACTED] Road, Fawkner
[REDACTED] Parade, Sanctuary Lakes

I have received information as to certain facts, namely: -

1. My full name is **Shane O'CONNELL** and I am a Detective Senior Sergeant of Police.
 - a) I am the applicant for a warrant under section 465 of the Crimes Act, in respect of residential premises' situated at:
 - **[REDACTED] Street, Fawkner**
 - **[REDACTED], Hillside**
 - **[REDACTED] Road, Fawkner**
 - **[REDACTED] Parade, Sanctuary Lakes**
 - b) The contents of this Affidavit set out the facts and other grounds on which the application for a warrant is based.
2. On the 27th of November 2008, I received the following information from Detective Senior Constable Stephen PHELAN of the Petra Taskforce. I have assessed this information and believe it to be true and accurate.
3. Petra Taskforce are currently conducting an investigation code named Operation DANDER targeting a leak of sensitive Victoria Police Documents. This is a joint investigation with the Office of Police Integrity (*hereinafter referred to as OPI*).
4. There are two documents in existence that have been leaked. These documents have been identified as a 'highly protected' Victoria Police document titled "Job Profile – S169/2006 – Proms – 22/1/2007 (*hereinafter referred to as Document 1*)" and a 'highly protected' Victoria Police document titled "Job Profile – S144/2007 – Agamas – DATE 31/03//2007 (*hereinafter referred to as Document 2*)"

5. Investigators have established the following in relation to Document 1:

- a) it was authored by the Victoria Police State Intelligence Unit and dated 22 January 2007;
- b) it was created for the purpose of assisting the Victoria Police State Surveillance Unit (hereinafter referred to as SSU) personnel in relation to a drug operation code named [REDACTED] (hereinafter referred to as Operation [REDACTED]);
- c) the original document contains 73, A4 size pages of Victoria Police information;
- d) is a highly sensitive document which only a small number of personnel employed by Victoria Police have authorised access to;
- e) reveals the identities of known police informers, human sources and members of the legal profession and contains images of certain persons, vehicles and properties;
- f) information in relation to investigative methodologies adopted by police.

6. Investigators have established the following in relation to Document 2:

- a) it was authored by the Victoria Police State Intelligence Unit in March 2007;
- b) it was created for the purpose of assisting the Victoria Police SSU personnel in relation to a drug operation code named [REDACTED] (hereinafter referred to as Operation [REDACTED]);
- c) the original document contains 151, A4 size pages of Victoria Police information;
- d) is a highly sensitive document which only a small number of personnel employed by Victoria Police have authorised access to;
- e) reveals the identities of known police informers, human sources and members of the legal profession, and contains images of certain persons, vehicles and properties;
- f) information in relation to investigative methodologies adopted by police.

7. Commencement of Operation DANDER:

- a) Petra Taskforce was established to conduct the investigation, code named Operation LORIS, into the murders of Terence Bernard HODSON (hereinafter referred to as Terence HODSON) and his wife Christine Elizabeth HODSON (hereinafter referred to as Christine HODSON) between 15th and 16th May 2004.

8. On the 6th of June 2008, Rodney COLLINS (hereinafter referred to as COLLINS) was charged by Petra Taskforce Detectives with the murders of Raymond and Dorothy ABBEY in 1987.

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- d) is currently on bail for an importation of ecstasy;
 - e) was previously investigated in relation to a confidential Victoria Police information report (IR) that was leaked from the former Victoria Police Major Drug Investigation Division prior to the HODSON murders;
 - f) has been the subject of numerous law enforcement agency investigations relating to the importation and trafficking in illicit drugs;
 - g) is the founding and life member of the Victorian chapter of the Black Uhlans Outlaw Motorcycle Gang.
15. On the 23rd of July 2008, Petra Taskforce investigators received information provided by a Victoria Police Registered Human Source (*hereinafter referred to as HSA*) that a male, Sonny Victor OTENE (*hereinafter referred to as OTENE*), was in possession of 7 pages of a copy of Documents 1.
16. OTENE is recorded with Victoria Police Criminal Records Branch on Master Name Index [REDACTED] with prior convictions for trafficking and possessing amphetamines, criminal damage, firearms offences and assaults. Intelligence holdings within Victoria Police indicate OTENE:
- a) resides at [REDACTED] Sunbury;
 - b) HSA has confirmed this address of OTENE;
 - c) is an associate of John **HIGGS**;
 - d) is an associate of the Hells Angels Outlaw Motorcycle Gang;
 - e) he had possession of seven (7) pages of Document 1 that relate to him at [REDACTED] Sunbury;
 - f) HSA provided a photocopy of Document 1 to investigators, the 7 pages were identified to be pages 4 of 73 – 10 of 73 inclusive.
17. On the 30th of July 2008, Petra Taskforce investigators received information from a Victoria Police Registered Human Source (*hereinafter referred to as HSB*) that John **HIGGS** is in possession of 7 pages of Document 1.
18. On the 1st of August 2008, HSB provided a photocopy of **HIGGS**' copy of Document 1 to Petra Taskforce investigators. These are the exact same 7 pages of information as Document 1. HSB stated that OTENE may have supplied a copy to **HIGGS**.