



LEGISLATIVE COUNCIL

SELECT COMMITTEE ON THE CONDUCT AND PROGRESS OF THE OMBUDSMAN'S INQUIRY
"OPERATION PROSPECT"

MEDIA RELEASE

'Select committee reports on the conduct and progress of the Ombudsman's inquiry Operation Prospect'

FOR IMMEDIATE RELEASE

25 February 2015

The Chair of the select committee, the Hon Robert Borsak MLC, tabled the committee's report today on the conduct and progress of the Ombudsman's inquiry 'Operation Prospect'. The Ombudsman's inquiry is examining allegations that warrants had been illegally obtained by the NSW Police Force and NSW Crime Commission during Operation Mascot, an investigation into police corruption that began in the late 1990s.

The Chair said: 'Our inquiry has made several important findings, including that the controversial 'Bell warrant' which contained the names of 114 people was improperly obtained. Fundamentally, its supporting affidavit did not justify 46 of those people named on the warrant having their private conversations listened to or recorded. Given the serious concerns this raises about breaches of people's privacy, we have recommended an independent review of the system for granting surveillance device warrants.'

The Ombudsman's inquiry has been running for well over two years. Concerns have been raised by some of its participants regarding the length of time the Ombudsman is taking and that he has focused more on 'whistleblowers' who leaked the documents that brought this matter to light than on the legality of warrants.

The Chair noted that: 'I recognise that the Ombudsman is undertaking a comprehensive investigation, however the committee believes that he should not have incorporated both the legality of warrants and the leaking of information into a single inquiry. It has meant that some inquiry participants were considered as both complainants and perpetrators and it has delayed the completion of the investigation. As such, we have recommended a review of the Ombudsman's investigative powers.'

Mr Borsak also stated that 'Our inquiry has also highlighted deep flaws in the system for investigating police complaints in NSW, where multiple agencies are responsible for police oversight. We have therefore recommended that a single well-resourced police oversight body be established.'

For a full copy of the committee's report and other inquiry documents please visit the committee's webpage: www.parliament.nsw.gov.au/conductandprogress.

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For further information please contact Committee Chair Hon. Robert Borsak MLC, on 9230 2573