

O'BRIEN LAWYERS

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5 February 2015

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Ms Emma Rogerson
Select Committee on the Conduct and Progress of
the Ombudsman's Inquiry titled Operation Prospect
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

Dear Madam

**RE: SUBMISSION TO THE SELECT COMMITTEE ON THE CONDUCT
AND PROGRESS OF THE OMBUDSMAN'S INQUIRY "OPERATION
PROSPECT"
STEPHEN BARRETT**

We refer to your email of 30 January 2015 enclosing a copy of the transcript of our client's evidence and the request to provide a response to questions that were taken on notice.

We are instructed to respond as follows:

- Q. Where there any documents that you provided to the Ombudsman that you have not provided to us?
- A. Yes. Please find **enclosed** herewith a copy of the index that accompanied our client's submission to the Ombudsman.
- Q. I am asking you, if you have got an affidavit in September that also encompasses information in warrants that have previously been issued, does that encompass those people on those warrants as to why there are in the September affidavit?
- A. Our client does not know the answer to that question but to say that it is incumbent for the deponent of any affidavit for a warrant to include all information in the affidavit relied upon to support the application for a warrant.

Finally, please feel free to contact the writer if you have any queries or require any further information.



Yours faithfully
O'BRIEN LAWYERS

ANDREW O'BRIEN

Encl.

**DOCUMENTS REFERRED TO IN STATEMENT OF STEVE BARRETT DATED
29 MAY 2013**

INDEX

- 1) Record of interview of Steve Barrett and Police from Strike Force Emblems
- 2) Transcript of interview with Commissioner of Police Peter Ryan and 60 minutes reporter Richard Carleton on Saturday 13 April 2002.
- 3) A document prepared by Cath Burn entitled 'Highly Protected'.
- 4) Letter from Rob Koopman from NSW Police Freedom of Information to Mr Andrew Humpherson MP dated 17 June 2001.
- 5) Letter from Bob Debus to Mr A Humpherson MP dated 15 July 2002.
- 6) Letter from Michael Holmes, Solicitor for NSW Police to Steve Barrett dated 12 August 2002.
- 7) Letter from Steve Barrett to Megan Miller at the Office of NSW Police Commissioner dated 13 August 2002.
- 8) Letter from R J Redfern, Senior Assistant Commissioner's Office to Steve Barrett undated.
- 9) Letter from Andrew Humpherson MP to Terry Griffin, Commissioner of Police Integrity Commission dated 7 June 2002.
- 10) Letter from Terry Griffin, Police Integrity Commission to Andrew Humpherson MP dated 13 June 2002.
- 11) Draft letter from Andrew Humpherson MP to Acting Commissioner of Police Ken Maroney and Attorney General Robert Debus.
- 12) Letter from Acting Commissioner of Police Ken Maroney to Steve Barrett dated 5 July 2004.
- 13) Letter from Tony Abbott to Steve Barrett dated 18 July 2004.
- 14) A copy of Hansard where Tim Sage of the Police Commission was questioned.
- 15) Letter from the Mark Galletta, Lead Investigator of SF Emblems to the NSW Police Association dated 18 May 2004.
- 16) A television interview with Mr Mike Gallagher ML and Commissioner Andrew Scipione of their knowledge of the SF Emblems Report
- 17) Television interviews with the Premier along with his Police Minister Mr Michael Gallagher MLA
- 18) Article for the Sun Herald: "Wired: My conversations were bugged" in May 2012.
- 19) Personal Letter/Submission to the Honourable David Levine requesting investigation.
- 20) Warrant issued under Section 16 *Listening Devices Act* by Justice Graham Barr dated 12 March 1999.

- 21) Warrant issued under Section 16 *Listening Devices Act* by Justice John Down dated 4 April 2000.
- 22) Warrant issued under Section 16 *Listening Devices Act* by Justice Virginia Bell dated 14 September 2000.
- 23) A copy of questions put to Assistant Commissioner Dobson and his answers
- 24) A document that included investigator notes from a former NSW Ombudsman investigator Patrick Board.
- 25) A document from Peter Remfrey of the Police Association of NSW undated
- 26) A photocopied page from Peter Ryan's book 'The Inside Story'.
- 27) Affidavit of Glenn William dated 14 September 2000.
- 28) Confidential minutes of the OCC dated 12 June 2001.
- 29) Operation Florida document dated 16 October 2001.
- 30) Email between Andrew Scipione and Deputy Moroney dated 30 November 2001.
- 31) Report of B.A. McFadden Detective Inspector dated 29 November 2001.
- 32) Letter from Honourable M D Finlay QC, Inspector of the Police Integrity Commission to Michael Costs, Minister of Police dated 29 April 2002.
- 33) Operation Florida document dated 11 June 2002.
- 34) Article for the Sydney Morning Herald: "Don't let it bug you – police write to tapped TV journalist" by Neil Mercer dated 13 November 2002.
- 35) Report by Mark Galletta, Detective Inspector dated 9 September 2003.
- 36) Advice by Ian Temby QC dated 11 September 2003.
- 37) Email from Josh Murray to Steve Barrett dated 15 October 2003.
- 38) Facsimile from Peter Debnam MP to Steve Barrett dated 17 October 2003.
- 39) Questions asked by Honourable Gallacher MLC dated 21 September 2005.
- 40) NSW Legislative Council Hansard dated 9 May 2006.
- 41) Statutory Declaration of Stephen Barrett dated 22 May 2012.
- 42) Letter from Honourable David Levine to Peter Singleton dated 25 May 2012.
- 43) Question of notice number 911 from Mr Debnam opposition Police Spokesperson to Minister for Police and prepared by Detective Inspector Mark Galletta dated 4 June 2012.
- 44) Letter from Honourable David Levine, Inspector of Police Integrity Commissioner to Peter Singleton dated 25 June 2012.
- 45) Letter from O'Brien Lawyers to Honourable Barry O'Farrell dated 2 October 2012.
- 46) Statutory Declaration of James King dated 4 October 2012.
- 47) Transcript of committee meeting dated 11 October 2012.
- 48) Advice from Bret Walker dated 12 November 2012.
- 49) Further miscellaneous documents.