

Campbell Live – TV3 News

Interview with Hamish Clark

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TRANSCRIPT OF INTERVIEW . . .

JOHN CAMPBELL: Patrick O'Brien, the straight young man who became a cop, an undercover cop, and then — well — a criminal. To survive undercover you have to be utterly convincing, and to be convincing you've got to join in, for weeks, months and even years; day after day, doing whatever it is the people you're with are doing, and, living a lie. Eventually you bust the people you're with, they go to jail, and you go back to your normal life. But Paddy O'Brien couldn't go back; in part he'd become the criminals he busted. Hamish Clark with the cop who's been [on the run](#) for 30 years.

O'BRIEN: I told lies to the courts and I told lies to the juries to obtain convictions against my targets

VOICE OVER: Patrick O'Brien is a former undercover cop. The lies he's confessing to were told in court under oath.

O'BRIEN: If I hadn't lied they wouldn't have been convicted. If the juries had known the truth, the cases would have been thrown out

VOICE OVER: O'Brien was one of the country's first undercover agents. It was the 1970s; he spent three years immersed in the dark criminal underworld, hanging out with drug bosses, committing crimes.

O'BRIEN: I was a criminal. On all my operations I was a criminal. In the beginning I pretended to be a criminal, but, in fact by the end of my three years of operations, I was a criminal

VOICE OVER: Nevertheless, O'Brien was one of the best undercover cops around, securing over 100 convictions and closing down a major drug operation in Gisborne.

O'BRIEN: I never lost a conviction, never lost a case, with one exception

VOICE OVER: But his work undercover has come at a cost. He says his life is ruined because of all

the lies.

O'BRIEN: They've harmed me; damaged me; and I've spent my whole life running. But I've come to realise that what I was really running away from was my guilt. So I want to sort it out. That's why I'm here

VOICE OVER: O'Brien's guilt can be traced back to his childhood, growing up in a strict Catholic household. As a teenager he was a model student at St Pats, Silverstream, in Wellington. He led the school orchestra, captained the school athletics team and played wing for the first fifteen. He was set for great things, joined the police force, and then, as with so many undercover officers, he crossed the very fine line between immersing himself in the criminal underworld, and fully sinking into it.

CLARK: What sort of activities did you do while you were undercover, say, in the Hamilton region ?

O'BRIEN: My mission there was to stop the chemist burglaries, sometimes two or three a night, and to do that I ended up doing chemist burglaries, with the main offenders.

CLARK: You took part ?

O'BRIEN: Yes; they used my vehicle . . . my "patrol car" {smiles}

VOICE OVER: Throughout his time undercover his actions were fully endorsed by his superiors, saying it would be difficult to imagine a more dedicated member to the job.

CLARK: Can you tell me what lies you told ?

O'BRIEN: Yes; in the main they were to do with retaining my own my credibility. I would deny that I was stoned, and claim that I was simulating the use of narcotics, or marijuana, or the substance at the time — and convince the jury that in fact I was a reliable witness because I was sober and I was straight, when, in fact, I was smashed. That was the main lie. The other lie was often to do with the evidence, which, as a matter of course, I tampered with. It was a standard practise to tamper with the evidence. Often, the exhibit that was before the court was not the exhibit that I had purchased or obtained from the target

CLARK: Why did you do it? Here you are, a policeman, you swear an oath, justice, all those things . . .

O'BRIEN: Yes; the Queen's Oath

CLARK: The Queen's Oath

O'BRIEN: Yes

CLARK: So why did you do it ?

O'BRIEN: I was ordered to

CLARK: Who ordered you ?

O'BRIEN: The people who trained me, and directed me, and controlled me

CLARK: Was it a general rule that you had to lie under oath ?

O'BRIEN: Yes. It was what we trained to do

VOICE OVER: It worked. He got convictions, and [his abilities were even recognised by former Governor General Sir David Beattie](#) who presided over many of O'Brien's cases in Hamilton

O'BRIEN: And, at the end of all those trials, he wrote to the then Commissioner Mr Ken Burnside,

complimenting me on the way I deported myself in the witness box giving my evidence to the juries. It impressed him. The sad and ironical thing about it all was that, while this letter would look wonderful on anyone's CV., what he was writing about was my lies and in many ways what he wrote has haunted me all my life

VOICE OVER: After seven years he resigned, his success getting the better of him; all the drugs, all the lies.

O'BRIEN: I was scared . . .

CLARK: Scared of what?

O'BRIEN: Criminals, in the main. I was also scared that because of my behaviour — I was a criminal, I had stopped pretending to be a criminal, I had become a criminal as an agent — and I was scared that I would be arrested for my offending and that I'd go to prison . . . and that's not a good place for someone like me, especially being in the situation that I was at that time. So I resigned and left New Zealand

CLARK: You went on the run, basically, didn't you?

O'BRIEN: Yes; I've been running until now

VOICE OVER: Today, Patrick O'Brien is homeless, [hitchhiking around New Zealand](#), exchanging his skills with his camera for food and a place to pitch his tent

Last November [Patrick O'Brien wrote to Chief Justice Dame Sian Elias](#), confessing to telling lies under oath to obtain convictions against his targets, and that he was now ready to face the truth.

O'BRIEN: When we were [trained](#) the instruction was that we were to take this secret, or these secrets, to the grave. Well, I've decided I'm not going to do that. That's the first thing. And my intention is to go and knock on the doors of my targets, or those that are still alive, and admit to them that I lied. They know I lied, I know I lied, God knows I lied. That's it.

VOICE OVER: Experienced defence lawyer Nigel Hampton, after hearing O'Brien's admissions, is unsure if his guilty confessions are enough to overturn any past criminal convictions.

NIGEL HAMPTON QC: I wouldn't hold my breath about it, in terms of overturning convictions, because there will be, as I say, other material I suspect that would indicate that these people were involved in offending.

VOICE OVER: Yesterday, Campbell Live received [this statement from police National Headquarters](#), directly responding to allegations made by Patrick O'Brien. It says the NZ Police view Mr O'Brien's comments very seriously and that he has raised new allegations relating to the tampering of evidence. The police say they are looking to engage an independent investigator, a Queen's Counsel, to [formally conduct an independent enquiry](#) into Mr O'Brien's latest allegations and ask for his cooperation . . .

[**EDIT** — see **Footnote**]

CLARK: If the police want you to cooperate, will you fully cooperate?

O'BRIEN: Yes, I'll cooperate, and if I'm charged with perjury I will plead guilty. I won't attempt to mitigate what I did, I won't try and leverage some dispensation in terms of sentencing. I thought all this through before I wrote or sent the letter to Dame Sian and I had to be realistic to myself and honest to

myself, and the question I asked was: Patrick . . . are you prepared to go to prison for the rest of your life; and the answer was — yes, I am

CLARK: Could it cost you your life ?

O'BRIEN: It could, yes

CLARK: And you have no worries or fears?

O'BRIEN: Not at all. This is about me . . . getting this stuff out of my soul

CLARK: Coming clean?

O'BRIEN: Yes, that's what it's about.

VOICE OVER: This once tough, top cop, a highly commended police officer, who infiltrated the criminal underworld, [is finally making peace with his own demons.](#)

FOOTNOTE:

August 07, 2013 — New Zealand police refuse to release the findings from their “independent” inquiry:

<http://disidento.wordpress.com/2013/08/07/secret-inquiry/>