

ATTACHMENT D - DOCUMENTS



Australian Government
Department of Immigration
and Border Protection

I&PS Case No: 2017/38 (ACLEI Operation Section 37 - Document)

Mr Adam McCarthy
Head of Mission
Australian High Commission, Pretoria

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Freedom of Information Act 1982 (Cth)**

INVESTIGATION REPORT LES MISCONDUCT

Purpose

1. **Section 37 - Documents affecting enforcement of law and protection of public safety**

Introduction

2. This investigation follows analysis of eleven Student (subclass 500) visas granted by Section in March and April 2017. It is alleged Section 37 - Documents affe deliberately granted the visas without applying the appropriate assessment processes in circumstances where the applications were not genuine and the visa should not have been granted. *Allegations One to Eleven address specific Student (subclass 500) visa applications that it is believed Section 37 - Documents aff should not have granted.*

3. **Section 37 - Documents affecting enforcement of law and protection of public safety**
4. **Section 37 - Documents affecting enforcement of law and protection of public safety**

Background

5. Intelligence analysis was conducted by the Department of Immigration and Border Protection (DIBP) in 2016, following a number of drug interdictions involving Nigerian students. Section 37 - Documents affecting enforcement of law and protection of public safety had granted visas in relation to a number of persons of interest. It was further reported that Section 37 - Documents affecting enf may be granting visas for personal financial gain.
6. The report was subsequently referred to Integrity and Professional Standards Branch, DIBP. **Released by ACLEI under the Freedom of Information Act 1982 (Cth)**
7. On 15 February 2017, the Department formally notified the matter to the Australian Commission for Law Enforcement Integrity (ACLEI) as a potential corruption issue in accordance with section 19(1) of the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act).
8. On 22 February 2017, the Integrity Commissioner notified the Secretary of the Department that he had decided to investigate the potential corruption issue jointly with the Department, pursuant to section 26(1)(a) and section 26(2) of the LEIC Act. (operation Section 37 - Documents)
9. On 10 March 2017, you appointed me to undertake an administrative investigation into Section 37 - Documents affecting enforce conduct.
10. During the investigation into Section 37 - Documents affecting enforce conduct, Section 37 - Documents affecting enforcement of law and protection of public safety
11. Section 37 - Documents aff is a Case Officer who has been employed with the Australian High Commission in Pretoria Section 37 - Documents affecting enforcement of law and protection was a colleague and personal friend of Section 37 - Documents affecting enf.

INVESTIGATIVE STATUS REPORT



Australian Government
Australian Commission for
Law Enforcement Integrity

Section 37 - Documents affecting enforce

ACLEI Operation

Corruption Issue 973

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EXECUTIVE SUMMARY

- Operation Section 37 - Docume (OP Section 37 - Documents) commenced on 22 February 2017 as a joint Australian Commission for Law Enforcement Integrity (ACLEI), Department of Home Affairs (Home Affairs), Australian Federal Police (AFP) and Department of Foreign Affairs and Trade (DFAT) investigation into alleged corrupt conduct of Visa Processing Officers in the Australian High Commission Pretoria, South Africa.
- The primary subjects of the investigation were Locally Engaged Employee's (LEE) Section 37 - Documents affecting enforcement of law and protection of public safety
It is suspected both officers granted a series of fraudulent Australian student visas to Nigerian nationals Section 37 - Documents affecting enforcement of law and protection of public safety in return for a financial benefit. Both LEE's had their employment contracts terminated in May 2017.
- Section 37 - Documents affecting enforcement of law and protection of public safety
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Section 37 - Documents affecting enforcement of law and protection of public safety

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2. **BACKGROUND**

- 2.1. OP Section 37 - Document commenced on 22 February 2017 as a joint investigation with the Department of Home Affairs (Home Affairs; known at the time as the Department of Immigration and Border Protection) into the suspected corrupt conduct of visa processing officers in the AHC Pretoria. On 7 March 2017, this investigation became joint with the Australian Federal Police (AFP) and the Department of Foreign Affairs and Trade (DFAT).
- 2.2. The investigation focused on Locally Engaged Employee's (LEE) Section 37 - Document

Both visa officers had worked in the temporary visa entry team of AHC Pretoria and granted a series of fraudulent Australian student visas for Nigerian nationals, suspected to be in return for a financial benefit.
- 2.3. ACLEI was notified of this matter after Home Affairs identified a series of payments Section 37 - Documents affecting enforcement of law and protection of public safety who had granted Australian student visas Section 37 - Documents affecting enforcement of law and protection of public safety.
- 2.4. Home Affairs initially identified these payments following the arrest of Section 37 - Documents affecting enforcement of law and protection of public safety, a Nigerian national granted a visa by Section 37 - Document in April 2016 and arrested in July 2016 for internally carrying approximately 1.15 Kilograms of Cocaine. Section 37 - Documents affect was arrested Section 37 - Documents affecting enforcement of law and protection of public safety just before boarding a flight from Lagos, Nigeria to Sydney, Australia.
- 2.5. As a result of the arrest further inquiries were conducted by Home Affairs Intelligence Division and the Australian High Commission in Nairobi, Kenya. Section 37 - Documents affecting enforcement of law and protection of public safety

Section 37 - Documents affecting enforcement of law and protection of public safety