



Australian Government
Australian Customs and
Border Protection Service

Deputy Chief Executive Officer

Customs House
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Canberra ACT 2601

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Mr Phillip Moss
Integrity Commissioner
GPO Box 305
CANBERRA ACT 2601

Dear Mr Moss *Phillip.*

Customs and Border Protection SES Planning Days: 23/24 March 2010

I refer to your conversation with Ms Donna Storen, National Manager Integrity and Professional Standards, regarding Customs and Border Protection's upcoming SES Planning Days.

I would like to thank you for agreeing to address our conference on managing integrity in a law enforcement environment. The planning days involve all of our SES and Regional Directors and therefore present an ideal opportunity for you to address the forum on this topic. We would be particularly interested to hear your views on the Parliamentary Joint Committee's decision to extend the jurisdiction of the Australian Commission for Law Enforcement Integrity and future strategies on how ACLEI and Customs and Border Protection can work together.

We would be pleased if you could join us at Rydges Capital Hill to address the conference at 2.30pm, Wednesday 24 March.

The contact officer at Customs and Border Protection is Anita Dosen (6275 6775 or anita.dosen@customs.gov.au). Ms Dosen will be in contact with your office closer to the event to provide further logistical details.

Yours sincerely

Linda

Linda Smith
Deputy Chief Executive Officer, Corporate Operations

// March 2010

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Moss, Philip

From: Moss, Philip
Sent: Tuesday, 7 July 2009 17:16
To: Bache, Peter
Cc: Vincent, Tony; Hayward, Stephen; Larsen, Gavin; [REDACTED]
Subject: Meeting with CEO Australian Customs and Border Protection Service
[SEC=UNCLASSIFIED]

Classification: UNCLASSIFIED

Section 47E - documents
concerning certain operations of
agencies
Section 47F - documents
affecting personal privacy

Peter

I met this afternoon with the CEO of Customs and Border Protection, Michael Carmody. Our meeting followed a telephone call I made last month to him.

The subject of our meeting was the three-year review of the LEIC Act and one of the terms of reference of the inquiry, which is "[t]he merits or limits of extending ACLEI's jurisdiction to other Commonwealth departments and agencies with a law enforcement function/or coercive powers".

I started by saying that I did not wish to be a salesman or advocate because I had not yet made up my mind about whether it would be desirable for ACLEI's jurisdiction to be extended to include Customs and Border Protection. I outlined the arguments for and against: for - a focus on two agencies was manageable; and against - ACLEI could achieve a critical mass by broadening its jurisdiction and additional agencies could skew ACLEI's focus

In response, Mr Carmody said that Customs and Border Protection was an agency about which corruption allegations, eg relating to shipping container inspection, were made. Further, Customs and Border Protection was a likely target for infiltration by organised crime. Mr Carmody has just returned from an international meeting of Customs agencies. He reported that all agencies, with the US in particular, were concerned about the prospect of organised crime infiltration. Incidentally, those agencies attending that meeting decided to make "integrity" their focus for the coming year.

Mr Carmody's broad view is therefore that Customs and Border Protection would benefit from external integrity oversight and should come within ACLEI's jurisdiction.

Mr Carmody asked whether it was likely that the approach would be to include Customs and Border Protection as an agency or only its law enforcement aspects. My reply was that the PJC on ACLEI could adopt a number of approaches, eg agencies with high inherent risk of corruption or agencies with a law enforcement function. I mentioned that two agencies had made submissions in which they sought to be included within ACLEI's jurisdiction.

Regards

Philip

Philip Moss
Integrity Commissioner
Australian Commission for Law Enforcement Integrity

Ph [REDACTED]

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07/07/2009

Moss, Philip

From: Moss, Philip
Sent: Monday, 1 June 2009 13:05
To: Bache, Peter
Subject: RE: ACLEI: Customs and Border Protection Matters [SEC=UNCLASSIFIED]
Classification: UNCLASSIFIED

Peter

[REDACTED] Subsection 22(1)(a)(ii) - material irrelevant to the request

Regards

Philip

Philip Moss
Integrity Commissioner
Australian Commission for Law Enforcement Integrity

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agencies
Section 47F - documents
affecting personal privacy

Ph [REDACTED]

-----Original Message-----

From: Bache, Peter
Sent: Monday, 1 June 2009 1:01 pm
To: Moss, Philip
Subject: RE: ACLEI: Customs and Border Protection Training [SEC=UNCLASSIFIED]

Subsection 22(1)(a)(ii) - material irrelevant to the request
Section 47E - documents concerning certain operations
of agencies

Thanks Philip.

I am meeting with Donna Storen at Customs House on Tuesday, 2 June,
to have a look at their IA area [REDACTED]

You should also be aware that at the dinner on Thursday night I mentioned the forthcoming 3 year review of the operation of the LEIC Act and that it was the intention of the PJC to examine the issue of our jurisdiction. I mentioned to her that it had been raised publicly by the AFP Commissioner that the Customs Service should come under ACLEI's jurisdiction and I was sure this issue would be revisited. I also told her that ACLEI had not formed a firm view on who should come within our jurisdiction, however, we could see similarities between Customs and the agencies we currently oversight and could understand the arguments put forward by Mr Keely.

Subsection 22(1)(a)(ii) - material irrelevant to the request [REDACTED]

[REDACTED] She has already suggested that I might like to attend, as an observer, one of the integrity presentations that Customs provide.

Peter B

-----Original Message-----

From: Moss, Philip
Sent: Monday, 1 June 2009 12:02 pm
To: Bache, Peter
Cc: Hayward, Stephen; Larsen, Gavin; Sellars, Nick
Subject: FW: ACLEI: Customs and Border Protection Training [SEC=UNCLASSIFIED]

Peter

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07/07/2009

On Wednesday, 27 May 2009, I met with Customs and Border Protection's National Manager Internal Affairs, Donna Storen.

My purpose was to follow up on a suggestion made at the ACLEI managers' meeting on Wednesday, 29 April 2009. That suggestion was that ACLEI become involved in Customs and Border Protection training so that Customs Officers who worked jointly with the ACC and AFP would become aware of ACLEI's role and a potential source of referral of corruption issues.

I approached the meeting with Ms Storen with an assumption that proved to be incorrect. My assumption was that Customs and Border Protection training would be similar to the AFP's, whereby guest speakers address various courses. I had envisaged that ACLEI staff and/or I could present a session about ACLEI.

In actual fact, there are no external presenters since the Customs and Border Protection's Internal Affairs Unit provides all the training. As to new employees, the Internal Affairs Unit provides induction training every 2nd Wednesday. The next such course will be held in Melbourne on Monday, 15 June 2009. Since making initial contact with Ms Storen, the induction training now includes a slide about ACLEI's role. 300 Customs staff have seen already seen it.

As to ongoing training, Internal Affairs provides presentations on fraud control and ethics awareness. According to Ms Storen, 2000 Customs and Border Protection staff members have heard this presentation since January 2009. Another 2500 staff members will hear it by the end of this year. Ms Storen undertook to include information about ACLEI in the remaining presentations for 2009.

Also, I undertook to provide 250-300 words about ACLEI for a future edition of *Customs News*. Would you arrange, please.

I'll pass to you the papers about various courses that Ms Storen left with me. Among the papers is the Customs and Border Protection's practice statement which now mentions ACLEI.

We'll record this ACLEI initiative in the 2008-09 annual report.

Regards

Philip

Philip Moss
Integrity Commissioner
Australian Commission for Law Enforcement Integrity

Ph: [REDACTED]

Section 47E - documents
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agencies
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affecting personal privacy

-----Original Message-----

From: Moss, Philip

Sent: Tuesday, 19 May 2009 12:54 pm

To: Bache, Peter

Cc: Hayward, Stephen; Larsen, Gavin; Sellars, Nick

Subject: RE: ACLEI: Customs and Border Protection Training [SEC=UNCLASSIFIED]

Peter

In Customs and Border Protection, Linda Smith is Deputy Chief Executive Officer (Corporate Operations). Donna Storen is National Manager Internal Affairs (Internal Affairs Unit).

Ms Storen called me this morning. The Customs and Border Protection Divisions that work most closely with the ACC and the AFP are: Intelligence and Targeting; Law Enforcement Strategy; Passengers; and Cargo (although on a different level).

We made the following arrangements: I will make a presentation in July to Customs and Border Protection senior executive staff; and Ms Storen and her Director, Ranj Maraharaj, will visit ACLEI sometime next week (TBA) to discuss a schedule of training until September that ACLEI

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07/07/2009

could be involved in.

Ms Storen is keen to retain the close working relationships that she has with the ACC and the AFP.

Regards

Philip

Philip Moss
Integrity Commissioner
Australian Commission for Law Enforcement Integrity

Ph: [REDACTED]

Section 47E - documents concerning certain operations of agencies
Section 47F - documents affecting personal privacy

-----Original Message-----

From: linda.smith@customs.gov.au [mailto:linda.smith@customs.gov.au]
Sent: Tuesday, 19 May 2009 9:28 am
To: Moss, Philip
Subject: RE: ACLEI: Request for Inclusion in Customs and Border Protection Training [SEC=UNCLASSIFIED]

thanks Philip,

Donna will be in touch very soon

Linda

From: Moss, Philip [mailto:Philip.Moss@ag.gov.au]
Sent: Monday, 18 May 2009 16:10
To: SMITH Linda
Subject: ACLEI: Request for Inclusion in Customs and Border Protection Training [SEC=UNCLASSIFIED]

Dear Linda

Further to my call on Friday, I am interested in ACLEI's inclusion in Customs and Border Protection training.

My purpose would be to inform Customs and Border Protection staff, who work with the ACC and the AFP, about the Integrity Commissioner's role and the LEIC Act framework. That role is in relation to the ACC and the AFP to facilitate the detection of corrupt conduct and the investigation of corruption issues, and to prevent corrupt conduct and maintain and improve the integrity of staff members.

ACLEI's input would alert relevant Customs and Border Protection staff so that any corruption issues relating to the ACC and the AFP could be referred to ACLEI.

Regards

Philip

Philip Moss
Integrity Commissioner
Australian Commission for Law Enforcement Integrity

Ph: [REDACTED]

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27/5/09

Meeting with Donna
Shaner

300 ~~pages~~ this week : slide meet up

Customs News : 250 ~~(pages)~~ - 30 words

2000 people since Jan

2500 until 31 Dec 09.

every 2nd Wednesday : induction training

15/6/2009 Meets (18)

grand up

joint investigation

Brand control guidelines : definition Michael Manning

IT : social engineering risks

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