

IN-CONFIDENCE

For Review 33
 advice minute
 to I/C please
 thank me. 6/11/5

PROFESSIONAL STANDARDS

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Our Ref: PRS PROMIS 50056

s 47E

CMS: 2011/10593

FOLIO

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9 May 2011

Mr Stephen Hayward
 Executive Director
 Australian Commission for Law Enforcement Integrity
 GPO Box 305
 CANBERRA ACT 2601

Dear *Stephen*

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 28 November 2008:

Complaint	Subject	Investigation Outcome
In October 2008, unknown AFP appointees breached s8.7 and s8.10 of the AFP Code of Conduct through their corrupt conduct by assisting a criminal syndicate import illicit drugs into s 37(2), 47E ss 37(2), 47E	Unknown	Section 40TF (2)(k) of the <i>Australian Federal Police Act 1979</i> – no further investigation warranted.

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

Information giving rise to the AFP corruption issue

On 4 November 2008, the AFP received information from ss 37(1), 37(2), 47E alleging possible significant corruption activities by unknown AFP members involved in the importation of illicit drugs.

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 FOR LAW ENFORCEMENT INTEGRITY

Background

On 29 October 2008, members of ss 37(1), 37(2), 47E met with a then ss 37(1), 37(2), 47E, who indicated that the ss 22(1), 37(2), 47F, 47G, located at s 22(1) was intimately involved in the regular importation of illicit drugs through s 22(1). Also involved was the s 22(1), 37(2), 47F s 22(1). ss 37(1), 37(2), 47E indicated that unknown (corrupt) AFP appointee(s) assisted in the importations. No details were provided of identities or methodology.

ss 37(1), 37(2), 47E was/is a close associate of ss 37(1), 37(2), 47E ss 37(1), 37(2), 47E was of the view that ss 37(1), 37(2), 47E was aware of the identities of the managers involved in the importations. Checks showed that ss 37(1), 37(2), 47E ss 37(1), 37(2), 47E had not provided that information to the AFP.

PRS Investigation

On 28 November 2008, AFP Commissioner Keelty notified the Integrity Commissioner of the alleged corrupt activities.

On 4 May 2009, the Integrity Commissioner referred the matter to PRS for investigation under section 26(1)(b)(iii) of the *Law Enforcement Integrity Commissioner Act 2006*.

PRS Investigations established that ss 22(1), 47G has ss 22(1), 47G ss 22(1), 47G failed to indicate any suspicious activity on the part of any known ss 22(1), 47G manager, apart from a ss 22(1), 47G manager being cautioned for ss 22(1), 47F, 47G in 2007.

An audit of PROMIS access failed to locate any suspicious or unreasonable access of ss 22(1), 47G entities.

Inquiries with ss 37(2), 47E did not find any reference to AFP members being sighted around s 22(1) in an unknown capacity.

All available inquiries conducted by PRS investigators have failed to identify evidence or information that links criminality at s 22(1) with any AFP appointee. In addition, examination of all relevant computer, phone and other records also did not reveal any inappropriate contact or conduct on the part of any AFP appointee.

Despite ss 37(1), 37(2), 47E being regarded at the time by ss 37(1), 37(2), 47E as ss 37(1), 37(2), 47E was unable to provide sufficient details to confirm the identity of the person described as ss 22(1), 37(1), 37(2), 47E Manager". ss 37(1), 37(2), 47E has subsequently ss 37(1), 37(2), 47E due to his continuing involvement in serious organised crime. Similarly, ss 37(1), 37(2), 47E who allegedly knew the identity of the unidentified managers is not available for ss 37(1), 37(2), 47E. As a consequence, the veracity of the information can not be tested through confidential questioning and the motive(s) of ss 37(1), 37(2), 47E are unknown.

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Findings


Given the lack of independent corroborative evidence, the absence of any AFP appointee member identified and pending any further information coming to light, I have determined that no further investigation is warranted in relation to this matter pursuant to section 40TF (2)(k) of the *Australian Federal Police Act 1979*.

This matter is now finalised.

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Yours sincerely


Commander Ray Johnson
Manager
Professional Standards

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For Review Pls.
8/9/11

PROFESSIONAL STANDARDS

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Our Ref: PRS PROMIS 47566

s 47E

CMS: 2011/ 41586

30 August 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear Steve

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 23 January 2009:

Complaint	Subject	Investigation Outcome
F/A ss22(1), 47E, 47F failed to declare a conflict of interest when authorising purchase orders on behalf of the AFP to purchase products from ss22(1), 47E, 47F contrary to Commissioner's Order on Finance (CO4).	F/A ss22(1), 47E, 47F	NOT ESTABLISHED
In January 2008, F/A ss 22(1) 47E, 47F provided false and misleading information in a Direct Sourcing Minute, contrary paragraph 8.2 of the AFP Code of Conduct.	F/A ss22(1), 47E, 47F	NOT ESTABLISHED

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In 2007, F/A ss 22(1), 47E, 47F provided false and misleading information in two statutory declarations, contrary to paragraph 8.2 of the AFP Code of Conduct.	F/A ss22(1), 47E, 47F	NOT ESTABLISHED
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In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

Information giving rise to the AFP corruption issue

Between 2005 and 2007, during that recruitment campaign, Federal ss 22(1), 47E, 47F ss 22(1), 47E, 47F was employed by the AFP. During his recruitment vetting process, Federal ss 22(1), 47E, 47F declared his previous employment history, which included 12 years ss 22(1), 47E, 47F, 47G

After completing a two year deployment to ss 22(1), 47E, 47F, ss 22(1), 47E, 47F returned to Australia and was shortly thereafter promoted to ss 22(1), 47E, 47F based in Canberra, ACT. Over the course of the next two years, ss 22(1), 47E, 47F raised and approved numerous purchase orders on behalf of the AFP to purchase products and equipment from ss 22(1), 47E, 47F, 47G

PRS Investigation

The PRS investigation did not find any evidence to implicate Federal Agent ss 22(1), 47E, 47F in a conflict of interest in any actions he undertook on behalf of the AFP.

All PRS financial enquires failed to identify any direct evidence of Federal Agent ss 22(1), 47E, 47F receiving payments from ss 22(1), 47E, 47F, 47G

PRS enquires with the National Procurement and Contracts Team revealed an Australia wide market test was in the process of being conducted and at the time this purchase order was raised ss 47E, 47G was approved and ss 22(1), 47E, 47G to the AFP.

PRS also established other AFP areas, other than the ORG have also purchased products from ss 47E, 47G through direct source procurement.

Findings

The matter was adjudicated on by Mr Denis McDermott, a member of the Professional Standards adjudication panel. Mr McDermott noted that:

- All approvals for the use of Public Money were undertaken in accordance with Financial Management Accountability requirements.

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- There is in Mr McDermott's view insufficient evidence to establish the complaints against Federal Agent ^{ss22(1), 47E,}
^{47F}

This matter is now finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards

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s 47E

National Director Maritime Operations Support

Nigel Perry

National Director People & Place

Maree Bridger

ALLEGATION THAT A TORRES STRAIT BASED CUSTOMS AND BORDER PROTECTION SERVICE OFFICER IS USING NARCOTICS

Purpose

1. To provide you with information concerning the allegation that Torres Strait based Australian Customs and Border Protection Service (Customs and Border Protection) officer ss22(1), 47E, 47F is using narcotics.

Background

2. A call was received by Complaints and Compliments from an individual who identified themselves as ss22(1), 37(1), 47F stated the following, that:

- a. ss22(1), 37(1), 47F lives near ss22(1), 47E, 47F on ss22(1), 37(1), 47E, 47F
- b. ss22(1), 37(1), 47F knows ss22(1), 47E, 47F is a trainee with the Marine Unit;
- c. ss22(1), 47E, 47F takes drugs;
- d. s 22(1), 47E, 47F, is dealing drugs from home; and
- e. ss22(1), 37(1), 47F has also contacted s 37(2) regarding this matter.

3. Complaints and Compliments referred the matter to Integrity and Professional Standards (I&PS).

Investigation

3. I&PS investigators conducted a number of Intelligence checks regarding ss22(1), 47E, 47F and identified the following :

- a. ss22(1), 47E, 47F is a trainee with Marine Operations Support, Customs and Border Protection ; and
- b. Resides ss22(1), 37(1), 47E, 47F with ss22(1), 47E, 47F

4. I&PS checks identified that ss22(1), 37(1), 47F is also a resident ss22(1), 37(1), 47E, 47F living in close proximity to ss22(1), 47F

5. ss22(1),37(1),47F advised I&PS investigators that ss22(1),37(1) s unwilling to meet or provide a statement in this matter and that ss22(1),37(1) knows ss22(1), 47E, 47F takes drugs because ss22(1),37(1) has seen ss22(1),47F with glassy eyes.

6. I&PS identified that ss22(1), 37(2), 47E, 47F s 37(2) actioned search warrants at ss22(1), 37(2), 47E, 47F resulting in ss22(1),47F being charged with four related drug offences.

7. I&PS investigators confirmed that ss22(1), 47E, 47F was on duty at sea with the Marine Unit at the time of the QPol search warrant action.

8. During a record of conversation with I&PS investigators, ss22(1), 47E, 47F stated that ss22(1), 47E, 47F parents had not wanted to upset ss22(1),47F and only informed ss22(1),47F about the s 37(2) action some two weeks after ss22(1),47F had returned from ss22(1),47F deployment with the Marine Unit.

9. ss22(1), 47E, 47F further stated that ss22(1),47F did not have a close relationship with ss22(1),47F brother and although ss22(1),47F was aware that he used drugs ss22(1),47F had never seen anything to confirm this.

10. It was also identified persons residing at the same address as the complainant in this matter, as being previously involved in a personal dispute with members of the ss22(1),47F family.

Discussion

11. On 11 January 2011, s 37(2) conducted search warrants at the home of ss22(1), 47E, 47F charging ss22(1), 47F with four related drug offences. ss22(1), 47E, 47F was not present at this time being deployed at sea with the Marine Operations Unit and not returning until ss22(1),37(2),47E,47F.

12. ss22(1),37(1),47F is unwillingly to meet with I&PS investigators or provide a statement regarding ss22(1),47F allegations. There also appears to be a past dispute between persons residing with ss22(1),37(1),47F and ss22(1), 47E, 47F.

13. ss22(1), 47E, 47F has advised Customs and Border Protection of the circumstances in relation to ss22(1), 47F involvement with s 37(2). This information has been recorded in ss22(1), 47E, 47F personnel security file.

Conclusion

14. The allegation that ss22(1), 47E, 47F is participating in the use of narcotics is unsubstantiated.

15. This matter was identified as a notifiable incident and as such, it was reported to the Australian Commission for Law Enforcement Integrity (ACLEI). A copy of this report has been provided to ACLEI in accordance with the *Law Enforcement Integrity Act 2006*.

16. If you have any questions regarding this investigation please contact ss22(1), 47E, 47F or ss22(1), 47E, 47F @customs.gov.au

Donna Storen
ational Manager
egrity and Professional Standards



s 47E

National Director Enforcement and Investigations

Roxanne Kelley

National Director People & Place

Maree Bridger

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**ALLEGATION THAT A CUSTOMS AND BORDER PROTECTION TORRES STRAIT
OFFICER IS SUPPLYING CANNABIS AND ILLEGAL ALCOHOL ON** ss22(1), 37(1), 47E, 47F

Purpose

1. To provide you with information concerning the allegation that Australian Customs and Border Protection Service (Customs and Border Protection) Torres Strait Liaison officer ss22(1), 47E, 47F, is involved in the supply of cannabis and sale of alcohol on ss22(1), 37(1), 47E, 47F

Background

2. Customs and Border Protection received information from a Community Contact (CC) and the Community Policeman on ss22(1), 37(1), 47E, 47F Torres Strait.

3. The CC indicated that he had received second hand information alleging that two local females, ss22(1), 47F, had purchased cannabis for \$50 from ss22(1), 47E, 47F

4. The Community Policeman indicated that he had received information from locals that ss22(1), 47E, 47F was selling alcohol on ss22(1), 37(1), 47E, 47F and ss22(1), 47E, 47F had not reported that his residence had recently been broken into with a quantity of alcohol taken.

Investigation

5. ss22(1), 47F advised Customs and Border Protection that she had never purchased cannabis from ss22(1), 47E, 47F ss22(1), 47F indicated that about a month earlier, ss 22(1), 47F had shown her a foil stick containing cannabis that he had allegedly purchased from ss22(1), 47E, 47F ss22(1), 47F later advised that he had not purchased any cannabis from ss22(1), 47E, 47F, rather, he had bought alcohol from ss22(1), 47E, 47F

6. ss22(1), 47F has a criminal history and is recorded as being a person of interest in connection with narcotic importations within the Torres Strait.

7. I&PS conducted a record of conversation (ROC) with ss22(1), 47E, 47F who stated the following, that:

- a. He has no involvement in the supply of narcotics or sale of alcohol;
- b. There are people who would make allegations against him as he is a deterrent for those involved in illegal activity;

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- c. ss22(1), 47F is a 'drug addict' and he is involved in the importation of drugs into the community;
- d. He had completed an intelligence report on ss22(1), 47F in relation to the previous activities; and
- e. A quantity of alcohol was taken when his house was broken into around Christmas 2010. He did not report it to the Community Police.

Discussion

- 8. I&PS confirmed that ss22(1), 47E, 47F submitted an intelligence report two days before alleging ss22(1), 47F involvement in a cannabis importation.
- 9. ss22(1), 47F and ss22(1), 47F denied purchasing cannabis from ss22(1), 47E, 47F.
- 10. After examining the information in relation to this matter, ss22(1), 47F allegation regarding ss22(1), 47E, 47F selling him alcohol could be assessed as being vexatious.
- 11. I&PS facilitated a fraud, corruption and ethics awareness presentation at the ss22(1), 37(1), 47E, 47F district office whilst making enquiries into this matter.

Conclusion

- 12. The allegation that ss22(1), 47E, 47F is supplying cannabis and selling alcohol on ss22(1), 37(1), 47E, 47F is unsubstantiated.
- 13. This matter was identified as a notifiable incident and as such, it was reported to the Australian Commission for Law Enforcement Integrity (ACLEI). A copy of this report has been provided to ACLEI in accordance with the *Law Enforcement Integrity Act 2006*.
- 14. If you have any questions regarding this investigation please contact ss22(1), 47E, 47F on ss22(1), 47E, 47F or alternatively by email ss22(1), 47E, 47F @customs.gov.au.

Donna Storen
National Manager
Integrity and Professional Standards

May 2011

s 47E



For Review
Please.
6/1/11

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Our Ref: PRS PROMIS 52076
Your Ref: 09/132
CMS 2011/17760

19 July 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear *Steve*

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 16 April 2008:

Complaint	Subject	Investigation Outcome
Contrary to Section 6 of the <i>Law Enforcement Integrity Commissioner Act 2006</i> an unknown member of the AFP engaged in corrupt behaviour, to wit they distributed illicit narcotics within the ACT geographical area.	Unknown	Section 40TF (2)(k) of the <i>Australian Federal Police Act 1979</i> - no further investigation warranted.

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

Information giving rise to the AFP corruption issue

On 9 June 2009, an anonymous email was sent to the Crime Stoppers web site stating a female (possibly named ^{ss 22(1), 47E, 47F}) who works ^{ss 22(1), 37(2), 47E, 47F} has a strong involvement with drugs. This member buys and sells large quantities of drugs (up to a few kilograms) from multiple sources within ^{s 37(2)}

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PRS Investigation

On 9 June 2009, information was received by PRS OMC from ss22(1),47E,47F that an email was received on the Crime Stoppers web site making allegations of the purchase and distribution of illicit drugs by an AFP member. This email was sent anonymously although the author did send a follow up email and signed it "Regards, ss22(1),37(1),47F The information supplied by ss22(1),37(1),47F was heard second hand.

On 19 August 2009, AFP Commissioner Keelty notified the Integrity Commissioner of the alleged corrupt activities and that Professional Standards (PRS) was currently undertaking an investigation into the matter.

On 13 November 2009, the Integrity Commissioner advised of his decision that no further action is required by him on this matter at this time, however he retains the option to reconsider how he might deal with this matter if the need arises pursuant to Section 42 of the of the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act).

Investigators reviewed the crime stoppers report in detail as there was something about it that was not quite right/ vaguely familiar.

Upon detailed review it became apparent the report appears to be written in an almost police like/AFP fashion with regard to terminologies used by the author. This was of concern as it provided evidence that the information may have been provided by a member of the AFP for malicious purposes.

Accordingly, investigators undertook a closer examination of this matter identifying a member ss22(1),37(2),47E,47F with a similar Christian name, and residential address in close proximity to the suburb nominated in the email.

Further checks of AFP indices were conducted against the possible member of the complaint. These checks came back negative. Investigations have cleared the member of having any involvement in this matter. There is no evidence to support the complaint was malicious and it remains unknown as to why it was made.

Findings


The evidence does not support the complaint that contrary to Section 6 of the *Law Enforcement Integrity Commissioner Act 2006*, an unknown member of the AFP engaged in corrupt behaviour, to wit they distributed illicit narcotics within the ACT geographical area.

No AFP member has been identified as having any involvement in the matter and there are no further reasonable avenues of enquiry that could be pursued.

From the investigation, it can be concluded that there is insufficient evidence to support the complaint. The complaint is vague and has come second hand making it impossible to conclusively not establish the complaint therefore I have determined that no further investigation is warranted in relation to this matter pursuant to section 40TF (2)(k) of the *Australian Federal Police Act 1979*.

This matter is now finalised.

Yours sincerely



Commander Ray Johnson
Manager
Professional Standards



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ss 22(1), 47E, 47F

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PROFESSIONAL STANDARDS

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Our Ref: PRS PROMIS 51549
Your Ref: 09/58
CMS 2011/18180

25 July 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear Steve

**NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS
INVESTIGATION FOR A CORRUPTION ISSUE**

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 20 March 2009:

Complaint	Subject	Investigation Outcome
Between 4 March 2008 and 7 August 2008, an AFP Appointee disclosed unauthorised operational information to ss 22(1), 37(2), 47F, the principal subject of AFP ss 37(2), 47E, contrary to paragraphs 12 and 13 of the AFP National Guideline on the Disclosure of Information.	Unknown	NOT ESTABLISHED

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

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Information giving rise to the AFP corruption issue

Between March 2008 and 7 August 2008, an AFP Appointee disclosed unauthorised operational information to ss 22(1), 37(2), 47F, the principal subject of AFP ss 37(2), 47E ss 37(2), 47E, contrary to paragraphs 12 and 13 of the AFP National Guideline on the Disclosure of Information.

PRS Investigation

During the PRS investigation it was revealed via a PROMIS Audit that five (5) AFP Appointees had accessed ss 22(1), 37(2), 47F person entity and all five members have provided reasonable explanations for that access in line with their duties and involvement in the investigation.

ss 22(1), 47E, 47F also provided call charge records between 26 April 2008 and July 2008 for ss 22(1), 37(2), 47E, 47F and of the five Australian phone numbers the contacts were all known associates of ss 22(1), 37(2), 47F.

None of the five AFP Appointees could be linked to any known telephone numbers of ss 22(1), 37(2), 47F and this was supported by ss 37(2), 47E.

Findings

The evidence does not support the complaint that contrary to Section 6 of the *Law Enforcement Integrity Commissioner Act 2006*, an unknown member of the AFP disclosed unauthorised operational information.

ss 22(1), 37(2), 47F would have become aware of AFP interest in him shortly after the execution of the search warrants at his home and business premises.

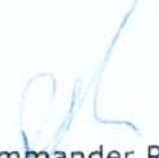
Federal Agent ss 22(1), 47E, 47F was not aware of any breach of operational security during the operation.

At the time of ss 22(1), 37(2), 47F conversation with ss 37(1), 37(2) the ss 37(2), 47E status was "Before the Court". It would appear and be more than likely ss 22(1), 37(2), 47F was made aware of the Police activity by either family, friends or his Lawyer.

There is no evidence that the source was from within the AFP

This matter is now finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards



AFP
AUSTRALIAN FEDERAL POLICE

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ss 22(1), 47E,
47F

*For Review &
advice please
21/5.*

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Our Ref: PRS PROMIS 49873
CMS 2011/ 12248

20 May 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear Steve,

**NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS
INVESTIGATION FOR A CORRUPTION ISSUE**

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue:

Complaint	Subject	Investigation Outcome
Between 22 and 23 September 2008, unknown AFP Appointees seriously breached Section 8.10 of the AFP Code of Conduct (an AFP appointee must at all times behave in a way that upholds the AFP core values, and the integrity and good reputation of the AFP) by the unauthorised release of an unexecuted Search Warrant to ss22(1), 37(2), 47F contrary to section 60A (2) (b) of the <i>Australian Federal Police Act 1979</i> .	Unknown	NOT ESTABLISHED

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

Information giving rise to the AFP corruption issue

On 2 October 2008 a complaint was raised in CRAMS by Manager Sydney Office following information received from the NSW Crime Commission stating a current

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target of theirs and the AFP, ss22(1), 37(2), 47F was in possession of an AFP Search Warrant before it had been executed.

Background

In late 2007, the AFP Sydney Office commenced s 37(2), an intelligence probe into an organised crime syndicate involved in s 37(2). A target of s 37(2) included ss22(1), 37(2), 47F. The New South Wales Crime Commission (NSWCC) were partner agency with the AFP during the investigation and ss 37(1), 37(2) who provided regular information from within that organised crime syndicate. ss 37(1), 37(2), 47E

On ss 22(1), 37(2), 47F, the resolution phase of s 37(2) occurred. Original planning was for s 37(2) warrants to be executed simultaneously, however due to ss 37(2), 47E a critical decision was made to stagger them throughout the day.

On s 37(2), the ss 37(1), 37(2), 47E provided information that they had met ss22(1), 37(2), 47F a couple of day earlier with one of ss22(1), 37(2), 47F associates ss22(1), 37(2), 47F had shown ss 22(1), 37(1), 37(2), 47E, 47F a copy of the AFP Search Warrant. The source advised he recalled seeing the name of ss22(1), 37(2), 47F on the Warrant and that he thought ss22(1), 37(2), 47F had the Warrant approximately one hour before its execution by the AFP.

PRS Investigation

The PRS investigation established that the planned resolution phase of the investigation for simultaneous execution of s 37(2) section 3E Crimes Act 1914 search warrants on ss 37(2) did not proceed. Due to s 47E for simultaneous execution, an operational decision was made to ss 37(2), 47E ss 37(2), 47E

ss 37(2), 47E. The two premises initially searched were a business and residential property. ss 37(2), 47E Police departed ss 37(2), 47E. Resources then rolled-on to other warrant premises.

Lawfully obtained information confirmed that once the AFP were clear of the first two Search Warrants at s 37(2) the persons of interest started notifying their associates of the search warrant's existence.

Section 3E search warrants list three conditions in which various things (including names) are included. PRS investigations confirmed that ss 37(2), 47E warrants contained identical conditions. ss22(1), 37(2), 47F was not mentioned in any of the conditions nor his associate who was present at the meeting with ss 37(1), 37(2), 47E

The source did not provide any information about the warrant other than he recalled seeing the name ss22(1), 37(2), 47F who investigators confirmed was mentioned in the conditions of the warrant. Analysis of the information passed by the source to his controllers could not confirm how ss22(1), 37(2), 47F obtained a copy of the warrant; or the actual time or date ss22(1), 37(2), 47F had been in possession of the warrant.

The ss 37(1), 37(2), 47E advise that ss 37(1), 37(2), 47E may have exaggerated how ss22(1), 37(2), 47F came into possession of the warrant and the NSWCC held no additional

intelligence which suggested misconduct by any AFP appointee ^{ss 37(1), 37(2), 47E} is now incarcerated and is no longer ^{ss 37(1), 37(2), 47E} due to his involvement in criminal activity and as such, PRS investigators could not explore that avenue of enquiry further.

Section 3H of the Crimes Act 1914 requires the executing officer to provide a copy of the search warrant to the occupier or person representing the occupier. From approximately ^{s 37(2)} on ^{s 37(2)}, a copy of the search warrant would have been within the public domain.


The investigation confirmed that it is highly probable that ^{ss22(1), 37(2), 47F} came into possession of the document from a criminal associate who had been provided a copy of the warrant by the executing officer in accordance with legislation. There was also no surveillance on persons of interest after the search warrants were executed. Therefore it is suspected on the balance of probabilities that ^{ss22(1), 37(2), 47F} received a copy of the warrant from a criminal associate at a time subsequent to the first warrant being executed on ^{ss 37(2), 47E}.

Findings

This matter was adjudicated by Mr Denis McDermott, a member of the PRS Adjudication Panel and he has found there is no corroborating evidence that implicates any AFP appointee providing a copy of a search warrant to ^{ss22(1), 37(2), 47F} prior to the execution of warrants in connection with ^{s 37(2)}.

This matter is now finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards



s 47E



For Review
Advice please
31/5/08



PROFESSIONAL STANDARDS

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ABN 17 884 931 143

Our Ref: PRS PROMIS 47543
Your Ref: 08/51
CMS 2011/12252

20 May 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear Steve

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 8 April 2008:

Complaint	Subject	Investigation Outcome
That between 1 December 2007 and 31 January 2008, an unknown member of the AFP has accessed information held on PROMIS without authority, contrary to section 2.22(b) of the <i>AFP National Guideline on Information Technology Security</i> .	Unknown	NOT ESTABLISHED
That an unknown AFP appointee engaged in corrupt behaviour through inappropriately accessing and disseminating classified AFP information, contrary to Section 6 of the <i>Law Enforcement Integrity Commissioner Act 2006</i> .	Unknown	NOT ESTABLISHED

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

s 47E

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FOR LAW ENFORCEMENT INTEGRITY

Information giving rise to the AFP corruption issue

On 4 March 2008, FA ^{ss 22(1), 47E, 47F} reported the following information received from ^{ss 37(1), 47E} ;

s 47E

Around December 2007 or January 2008 a male person named as ^{ss 22(1), 37(2), 47F} ^{ss 22(1), 37(2), 47F} was actively dealing in ecstasy around the Gold Coast region.

The source reported that when ^{ss 22(1), 47F} was asked how he knew how to conduct this type of activity he stated that he knew how to do it this way and he stated "who do you think told me, my mate is ^{ss 47E} in the Australian Federal Police at ^{ss 47E}". He also stated that the AFP officer told ^{ss 22(1), 47F} that if ^{ss 22(1), 47F} name came across his desk he would tell him to 'can it' and also advised him 'don't go too big'. The source also stated that the AFP Officer is a very close friend of ^{ss 22(1), 47F} and visits his house.

The source was informed by ^{ss 22(1), 47F} that only the source knows of his ecstasy dealing and that recently he ceased dealing as his friend in the AFP informed him that his name had came up on an investigation (NFD) and there were concerns that both he and his AFP friend's career would be damaged if he was arrested and charged (NFD).

PRS Investigation

On 8 April 2008, AFP Commissioner Keelty notified the Integrity Commissioner of the alleged corrupt activities.

On 24 March 2010, the Integrity Commissioner referred the matter to PRS for investigation under s.26(1)(b)(iii) of the *Law Enforcement Integrity Commissioner Act 2006*.

An examination of PROMIS reveals no record for ^{ss 22(1), 37(2), 47E} or any person with a surname of ^{ss 22(1), 47F} with a similar age range. National Police Records System (NPRS) records ^{ss 22(1), 37(2), 47F} for three offences in Queensland. A warning is also recorded in NPRS that ^{ss 22(1), 47F} will lie to Police and state that he is a New Zealand Police Officer.

An audit of NPRS indicates that no access was made to ^{ss 22(1), 47F} details by any member of a law enforcement agency, including the AFP.

^{ss 37(1), 47E} stated that he/she could not supply any further information in relation to the matter, particularly as ^{ss 22(1), 47F} had stated that he was no longer dealing.

Findings

This matter was adjudicated by Mr Denis McDermott, a member of the PRS Adjudication Panel and he has found on the balance of probabilities, the comments allegedly made by ^{ss 22(1), 37(2)} appear to amount to little more than boasting. ^{ss 22(1), 47F} has never been the target of an AFP operation, and there are no records of his details being accessed by AFP appointees during the periods highlighted above. The AFP does

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s 47E

not ^{ss 37(2), 47E}
information.

and NPRS indicates that ^{ss22(1),47F} is known to falsify

This matter is now finalised.

Yours sincerely



Commander Ray Johnson
Manager
Professional Standards



For Renew
please
&
25/10/11



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PROFESSIONAL STANDARDS

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Our Ref: PRS PROMIS 51676
Your Ref: 09/37
CMS: 2011/21585

19 September 2011



Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear Steve

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 4 March 2009:

Complaint	Subject	Investigation Outcome
During 2007 and 2008, an unknown member of ^{ss 22(1), 47E, 47F} engaged corrupt behaviour, by providing information obtained during an ACC investigation of known criminal, ^{ss 47E, 47F} , contrary to Section 6 of the <i>Law Enforcement Integrity Commissioner Act 2006</i> .	Unknown	NOT ESTABLISHED

In accordance with S. 66 of the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act) this letter outlines the findings and relevant material considered in relation to the issue.

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Information giving rise to the ACC corruption issue

On 4 March 2009, former AFP Commissioner Keelty formally notified the Integrity Commissioner that investigations by ^{ss 22(1), 47E} identified a possible corruption matter involving an unknown employee of ^{ss 22(1), 47E}. On 19 March 2009 Philip Moss referred the corruption issue to the AFP for investigation pursuant to S. 26(1)(c) of the LEIC Act.

On 29 February 2009, a target of ^{ss 22(1), 37(2), 47E} was arrested for possession of 2.1 kilograms of heroin. The target, ^{ss 22(1), 37(1), 37(2), 47F} told investigators that a contact, ^{ss 22(1), 47E, 47F}, told him that he had a source within ^{ss 22(1), 47E}

^{ss 22(1), 47E, 47F} told ^{ss 22(1), 37(1), 37(2), 47F} that the source was:

^{ss 22(1), 47E, 47F}

-
-
-
-
-
-

On 12 December 2009, ^{ss 22(1), 37(1), 37(2), 47F} provided further details:

^{ss 22(1), 47E, 47F}

-
-
-
-
-

Findings

Information provided by ^{ss 22(1), 47E} failed to identify any staff members that matched all or part of the criteria outlined by ^{ss 22(1), 37(1), 37(2), 47F}

Neither of the two ^{ss 22(1), 47F} employees in ^{ss 22(1), 47F} lives ^{ss 22(1), 47F} and neither had ^{ss 22(1), 47F}

Checks of the AFP systems were also conducted, on the chance that ^{ss 22(1), 37(1), 37(2), 47F} ^{ss 22(1), 47E, 47F}. No employee was identified as being a possible match for the criteria.

In making his decision Mr Denis McDermott, a member of the Professional Standards Adjudication Panel, noted that:

- Checks on the NSW system identified a link between ^{ss 22(1), 37(1), 37(2), 47F} ^{ss 22(1), 47E} who is recorded as ^{ss 22(1), 37(1), 37(2), 47F}, however that address is a restaurant. It is likely ^{ss 22(1), 47F}, although not confirmed. ^{ss 22(1), 47F}, is not recorded as an employee of ^{s 22(1)}

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- There is insufficient information to identify ^{ss 22(1), 47E} employee. On that basis, there is no legal basis to ^{ss 37(2), 47E}
- Two potential avenues of inquiry presented themselves as not being fully explored; directly approaching ^{ss 22(1), 37(1), 37(2), 47E, 47F}. It was determined that such approaches would serve to be of little value as ^{ss 22(1), 37(1), 37(2), 47F}
- Mr McDermott is satisfied that all avenues have been considered and due to the complaint subject being an unidentified ACC appointee, a complaint as such is not strictly applicable.

This matter is now finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards

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s 47E

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Acting ND Enforcement and Investigation

Sharon Nyakeungama

Acting ND People and Place

Teresa Conolan

Chief Financial Officer

Steven Groves

ALLEGATION THAT A CUSTOMS AND BORDER PROTECTION OFFICER CONSPIRED TO DEFRAUD THE COMMONWEALTH

Purpose

1. To provide you with information concerning the allegation that Customs and Border Protection Officer ^{ss22(1), 47E, 47F}, conspired to defraud the Commonwealth by using a family members company to relocate his household property.

Background

2. National Pay and Accounts Centre (NPAC) Transfers received a request from ^{ss22(1), 47E, 47F} advising that he was relocating from ^{ss 22(1), 47E, 47F} to ^{ss22(1), 47E, 47F} ^{ss22(1), 47E, 47F} nominated a local removalist company, ^{ss22(1), 47F, 47G} claiming that the Customs and Border Protection contracted mover, Allied Pickfords, was unable to accommodate his request in a timely manner.

3. NPAC Director, Ms Rosemary Jakovceski, in line with the Collective Agreement Administrative Procedures for Domestic Travel and Assignment to Another Locality Policy, approved ^{ss22(1), 47E, 47F} request.

Investigation

4. I&PS investigation identified that ^{ss22(1), 47F, 47G} provides business consultancy, IT systems, web design and project management services and is located at ^{ss22(1), 47F, 47G} ^{ss22(1), 47F, 47G}. The Managing Directors were identified as ^{ss22(1), 47E, 47F} brother and sister in-law. I&PS could not identify any information that ^{ss22(1), 47F, 47G} engaged in furniture removals or house relocation services.

5. I&PS identified that ^{ss22(1), 47E, 47F} obtained two removal quotes, one being from ^{ss22(1), 47F, 47G} which was for the lesser amount provided to NPAC. ^{ss22(1), 47E, 47F} further advised that ^{ss22(1), 47F, 47G} were sub-contractors and not registered removalists and there was a family connection.

6. ^{ss22(1), 47E, 47F} provided NPAC with a ^{ss22(1), 47F, 47G} invoice claiming the move had taken place on ^{ss 22(1), 47F} 2011 and that he had paid the invoice on ^{ss 22(1), 47F} 2011.

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7. I&PS have established that ^{ss22(1),47F,47G} completed ^{ss22(1), 47E, 47F} relocation over three days in ^{ss22(1),47F} and ^{ss22(1),47F} 2011 and that ^{ss22(1), 47E, 47F} made payment to ^{ss22(1),47F,47G} in two payments in ^{ss22(1),47F} and ^{ss22(1),47F} of 2011.

8. On ^{ss22(1),47F} 2010, ^{ss22(1), 47E, 47F} applied to engage in outside employment with ^{ss22(1),47F,47G}. The request was approved on ^{ss22(1),47F} 2011. 2010 2010

9. I&PS research identified that ^{ss22(1),47F,47G} was established ^{ss22(1),47F,47G} by ^{ss22(1), 47E, 47F} brother and sister-in-law and that the company shares the same address as ^{ss22(1),47F,47G}. On ^{ss22(1),47F} 2011, ^{ss22(1), 47E, 47F} was listed as ^{ss22(1),47F,47G} and in 2011 is ^{ss22(1),47F,47G} published as the ^{ss22(1),47F,47G} and ^{ss22(1),47F,47G} contact for ^{ss22(1),47F,47G}

10. ^{ss22(1), 47E, 47F} did not advise ^{s 47E} of his business interests.

11. During the course of I&PS investigation ^{ss22(1), 47E, 47F} resigned from Customs and Border Protection, effective ^{ss22(1), 47F} 2011.

Discussion

12. Investigations by I&PS have raised some questions regarding the veracity of the documents supplied to Customs and Border Protection by ^{ss22(1), 47E, 47F}.

13. ^{ss22(1), 47E, 47F} has been reticent in providing complete disclosure of his relationship and involvement with both ^{ss22(1),47F,47G} and ^{ss22(1),47F,47G}.

14. The Transfers and Administration Procedures currently in place within Customs and Border Protection allow for the use of unregistered removalist companies. Without post-relocation monitoring arrangements in place, there is a continued risk of fraud in relation to the use of removalist companies of this type.

15. I&PS have been advised that NPAC are currently reviewing the Transfers Administration Procedures so that only licensed (registered) removalist companies may be used by staff and that the payments are made direct to the endorsed providers.

Conclusion

16. The initial allegation that ^{ss22(1), 47E, 47F} conspired to defraud the Commonwealth was not substantiated.

Recommendation

17. ^{ss22(1), 47E, 47F} resigned during the course of the investigation. I&PS do not intend on continuing with the investigation as the available evidence would not support the endorsement of a suitable brief of evidence to be supplied to the Commonwealth Director of Public Prosecutions.

18. I&PS make the following recommendation in relation to this matter;

Finding	Identified Fraud / Corruption Risk
Current wording of the Collective Agreement Administrative Procedures for Domestic Travel and Assignment to Another Locality afforded ^{ss22(1), 47E, 47F} the non-auditable option of arranging his own contractor and also make a claim for the relocation costs.	Risk No. 1 – Manipulation of accounts payable to steal funds.
Recommendation 1	Priority
The Collective Agreement Administrative Procedures for 'Domestic Travel and Assignment to Another Locality' should be reviewed to require the provider to be a licensed (registered) removalist company and that payment is made by Customs and Border Protection direct to the provider on confirmation of the move.	Low

Management Response	
Agreed:	
Implementation	
Timeframe:	
Area responsible for implementation:	Shared Services
Comments:	

19. Once the recommendation has been considered, could you please provide the National Manager, Integrity and Professional Standards with a management response by 5 September 2011.

20. If you have any questions regarding this investigation please contact ^{ss22(1), 47E, 47F} ^{ss22(1), 47E, 47F} or ^{ss22(1), 47E, 47F} @customs.gov.au.

Donna Storen

Donna Storen
National Manager
Integrity and Professional Standards

17 August 2011

STAFF-IN-CONFIDENCE



For Assessment
Please.
17/10.

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Minute
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Ref: FILE: 2008/1423
PRS PROMIS: 53369
CMS: 2011/23197

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
Canberra ACT 2601

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter(s):

Complaint	Subject	Investigation Outcome
On 29 June 2009, ss 22(1), 47E, 47F seriously breached section 8.6 of the AFP Code of Conduct by failing to appropriately disclose an apparent conflict of interest in connection with his AFP duties, through his dealings with a member of an organised crime motorcycle gang.	ss 22(1), 47E, 47F	ESTABLISHED
While deployed at ss 22(1), 47E between ss 22(1) 2007 and s 22(1) s 22(1) 2007, ss 22(1), 47E, 47F breached section 8.1 of the AFP Code of Conduct in that, he failed to appropriately report chance meetings with a member of ss22(1).37(2) motor cycle gang, contrary to section 3 of the AFP National Guideline on reporting obligations.	ss 22(1), 47E, 47F	ESTABLISHED
Since 7 June 2009, ss 22(1), 47E, 47F breached section 8.8 of the AFP Code of Conduct in that he accessed Information Reports and associated entities in Production PROMIS without a legitimate or appropriate need to know, or as a performance requirement of his assigned duties. This is contrary to section 7 of the National Guideline on the use of Information and Communication	ss 22(1), 47E, 47F	ESTABLISHED

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Technology and section 2.2 (b) of the National Guideline on Information Technology (IT) Security.		
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Information giving rise to the AFP conduct issue/s (the complaint)

On 11 August 2009, the AFP received correspondence from ss 22(1), 47E ss 22(1), 47E advising that during a criminal investigation, ss 37(2), 47E ss 22(1), 47F a known member of ss 22(1) motor cycle gang and ss 37(2), 47E talk on two occasions to ss 22(1), 47E, 47F while ss 22(1), 47E, 47F was on duty at ss 22(1), 47E, 47F ss 22(1), 47E, 47F. Both conversations occurred on 29 June 2009. Other information suggested that the two were friends.

PRS Investigation

Subsequent PROMIS audit checks conducted by PRS revealed that ss 22(1), 47E, 47F has over an extended period, accessed a large number of intelligence reports and associated documentation, most seemingly unrelated to his duties.

During the PROMIS audit it was established that ss 22(1), 47E, 47F had accessed over 4,000 AFP intelligence reports and in 330 cases, he further accessed 'attached entities' documentation.

A second PROMIS audit conducted after ss 22(1), 47E, 47F had been interviewed showed that he was continuing to ss 22(1), 47E, 47F, even though his then role ss 22(1), 47E, 47F was administrative in nature.

Discussion

This matter was adjudicated by Adjudication Panel Member, Mr Denis McDermott and he noted that prior to joining the AFP, ss 22(1), 47E, 47F befriended ss 22(1), 47F through his association with a ss 22(1), 47F - his friendship with ss 22(1), 47F started when he was a child and his association started with ss 22(1), 47F when ss 22(1), 47E, 47F worked in ss 22(1), 47F prior to joining the AFP. Checks with AFP Security vetting discovered that ss 22(1), 47E, 47F had not declared any friendship with ss 22(1), 47F but had declared his association with ss 22(1), 47F.

When undergoing his security interview for Top Secret clearance, ss 22(1), 47E, 47F indicated that he was warned to 'reconsider' his association with ss 22(1), 47F due to that person's conduct and associations. ss 22(1), 47E, 47F indicated that this was taken into account, yet he did not declare at that time he knew ss 22(1), 47F ss 22(1), 47E, 47F essentially argues that his failure to meet his obligations arose out of ignorance, however he had ample opportunity to declare his interest and yet failed to provide the necessary details.

Recommendations for Action

In consideration of the above, Mr McDermott, recommend the following actions pursuant to section 40TR of the Australian Federal Police Act 1979:


1. Advise ss 22(1), 47E, 47F about the outcome of this investigation;
2. Advise the National Manager IDG of the outcome of this investigation;
3. Advise the National Manager HR about the outcome of this investigation;

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4. Advise you about the outcome of this investigation; and
5. Request that the NMHR, in light of the serious nature of the misconduct, give consideration to ss 22(1), 47E, 47F employment suitability, pursuant to s28 of the AFP Act 1979.

I note on ss 22(1), 47F ss 22(1), 47E, 47F resigned from the AFP; for that reason consideration of his employment suitability, pursuant to s28 of the AFP Act 1979, is no longer necessary. The remaining four recommendations of Mr McDermott will be implemented.

This matter is now finalised.


Commander Ray Johnson
Manager
Professional Standards

20 September 2011

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For Review
Pls**IN-CONFIDENCE****AFP**
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ABN 17 884 931 143Our Ref: PRS PROMIS 59334
CMS: 2010/397

19 October 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601Dear *Steve***NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE**

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 5 December 2010:

Complaint	Subject	Investigation Outcome
Corrupting benefits given to a Commonwealth Public Official contrary to Section 142.1(1) of the Criminal Code 1995.	Unknown	40TF(2)(k) No further action is to be taken as I am satisfied that no further investigation is warranted having regard to all the circumstances.
Abuse of Public office contrary to Section 142.2(1) of the Criminal Code 1995.	Unknown	40TF(2)(k) No further action is to be taken as I am satisfied that no further investigation is warranted having regard to all the circumstances.

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

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Information giving rise to the AFP corruption issue

On 17 November 2010, PRS was notified by ^{ss 22(1), 47E, 47F} ^{ss 37(2), 47E} , of that he had received information from ^{ss 22(1), 37(1), 37(2)} who had been ^{ss 22(1), 37(1), 37(2)} ^{ss 22(1), 37(1), 37(2)}. The information regarded an online computer user known only as ^{ss 22(1), 37(1), 37(2)} who claimed to know two AFP members who can change or erase AFP records. ^{ss 22(1), 37(1), 37(2)} stated ^{ss 22(1), 37(1), 37(2)} offered the services of these two AFP members if ^{ss 22(1), 37(1), 37(2)} 'ever got into trouble'. ^{ss 22(1), 37(1), 37(2)} further stated that ^{ss 22(1), 37(1), 37(2)} gave the following information, that one of the contacts was ^{ss 22(1), 37(1), 47E, 47F} and the other was ^{ss 22(1), 37(1), 47E, 47F} ^{ss 22(1), 37(1), 47E, 47F} and that both ^{ss 22(1), 37(1), 47E, 47F}.

PRS Investigation

On 5 December 2010 the AFP notified the Integrity Commissioner of the Australian Commission for Law Enforcement Integrity (ACLEI) referring this information as a significant corruption issue.

On 31 March 2011 the AFP Commissioner received a letter from ACLEI with their decision to refer this matter to PRS for investigation.

PRS Investigators sought further information from ^{ss 37(2), 47E} ^{s 47E}, however, they advised that there was no additional information that would assist the investigation. Furthermore, PRS Investigators facilitated interrogation of AFP databases in an attempt to identify AFP members with the limited information that ^{ss 22(1), 37(1), 47E} had provided. This process failed to establish a link with any AFP member.

Findings

In making this decision I noted:


The investigation into this matter has failed to support the conduct issues as reported or to identify any AFP member to be responsible for the allegations outlined.

There is no evidence to corroborate the allegations.

On the above basis I am satisfied that the conduct issue be dealt with by way of 40TF(2)(k) in that the investigation, or further investigation, of the issue is not warranted having regard to all the circumstances.

This matter is now finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards

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For Review pls
& 1/11/11.
AFP

AUSTRALIAN FEDERAL POLICE

PROFESSIONAL STANDARDS

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 Our Ref: PRS PROMIS 53969 /
 Your Ref: 10/2
 CMS: 2011/ 26533

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21 October 2011

 Mr Stephen Hayward
 Executive Director
 Australian Commission for Law Enforcement Integrity
 GPO Box 305
 CANBERRA ACT 2601

Dear

Steve

**NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS
INVESTIGATION**

 PRS has conducted an investigation under provisions of Part V of the *Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 15 December 2009:

Complaint	Subject	Investigation Outcome
Between unknown dates ss22(1), 47E, 47F seriously breached Section 8.10 of the AFP <i>Code of Conduct</i> when he associated with a suspected drug trafficker.	ss 22(1), 47E, 47F	NOT ESTABLISHED
Between unknown dates ss22(1), 47E, 47F seriously breached Section 8.6 of the AFP <i>Code of Conduct</i> when he failed to submit an Integrity Report about his association with a suspected drug trafficker contrary to the AFP <i>National Guideline on Integrity Reporting</i> .	ss 22(1), 47E, 47F	NOT ESTABLISHED

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In accordance with Section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

Information giving rise to the AFP conduct issues (the complaints)

On 21 September 2009, ^{ss 22(1), 47E, 47F} Australian Crime Commission (ACC) submitted a complaint in response to an ACC Information Report dated 15 September 2009. The letter, dated 21 September 2009 refers to information received from ^{ss 22(1), 37(1), 47E} ^{s 47E} alleging that an and known drug trafficker, ^{s 22(1), 47F} , had a well known association with an AFP appointee known as ^{s 22(1), 47F} who is ^{s 22(1), 47E, 47F} ^{s 22(1), 47E, 47F} further alleged that ^{s 22(1), 47F} is aware of ^{s 22(1), 47F} drug trafficking and is involved in his legitimate business activities. ^{s 22(1), 47F} mobile phone number was listed as ^{s 22(1), 47F} .

PRS Investigation

- ^{ss 22(1), 47E, 47F} joined the AFP on ^{ss 22(1), 47E, 47F} and was initially stationed at ^{ss 22(1), 47E, 47F} . He has served on ^{ss 22(1), 47E, 47F} ^{ss 22(1), 47E, 47F} . He was transferred to ^{ss 22(1), 47E, 47F} that of ^{ss 22(1), 47E, 47F} ; and his role is largely ^{ss 22(1), 47E, 47F} ;
- On 8 October 2009, PRS Investigators ^{ss 37(2), 47E} on mobile phone number ^{ss 22(1), 47F} and identified it as belonging to ^{ss 22(1), 47F} of ^{ss 22(1), 47F} . The mobile was connected on ^{ss 22(1), 47F} ;
- On 23 April 2010, PRS Investigators conducted a PROMIS audit for the period ^{s 22(1)} and were unable to identify any inappropriate use of searches conducted by ^{ss 22(1), 47E, 47F} ;
- On 19 August 2011, PRS Investigators conducted a PROMIS audit for the period ^{s 22(1)} and were unable to identify any inappropriate use of searches conducted by ^{ss 22(1), 47E, 47F} ;
- On 1 March 2011, PRS Investigators conducted an email audit for the period ^{s 22(1)} and were unable to identify any inappropriate use or contact between ^{s 22(1), 47F} and ^{ss 22(1), 47E, 47F} ;
- On 19 August 2011, PRS Investigators conducted an email audit for the period ^{s 22(1)} and were unable to identify any inappropriate use or contact between ^{s 22(1), 47F} and ^{ss 22(1), 47E, 47F} ;
- On 1 March 2011, interrogation of the HR SAP system confirmed that ^{ss 22(1), 47E, 47F} had never been ^{s 22(1), 47F} with the AFP. SAP also lists his emergency number as ^{ss 22(1), 47E, 47F} .

with a mobile contact number s 22(1), 47F . This is the mobile number identified by s 47E ;

- ss 22(1), 47E, 47F advised PRS that the phone number s 22(1), 47F was a mobile number that listed him as a subscriber, but used by ss 22(1), 47F and was disconnected earlier this year; and
- It is possible the nickname s 22(1), 47F refers to ss 22(1), 47E, 47F and in fact might be s 22(1), 47F who is having a relationship with s 22(1), 47F

Finding

This matter was adjudicated by Mr Dennis McDermott, a member of the PRS Adjudication Panel. In making his decision, Mr McDermott noted that:

- The investigation in to this matter failed to establish any involvement by ss 22(1), 47E, 47F with any criminal elements or criminal activities;
- On the balance of probabilities PRS are unable to determine if ss 22(1), 47E, 47F had or has a relationship with s 22(1), 47F and this is supported by the checks undertaken with regards to all AFP indices; and
- The matters are resolved as not established.

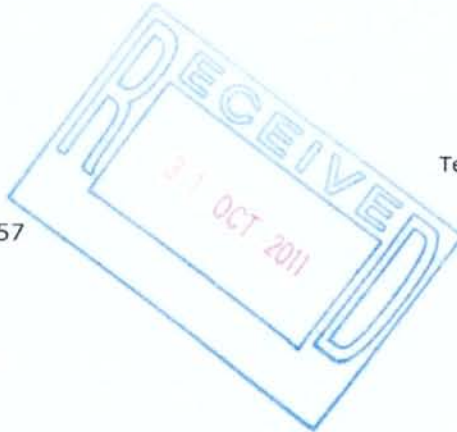
This matter is now considered finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards

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IN-CONFIDENCE**PROFESSIONAL STANDARDS**

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Our Ref: PRS PROMIS 53657
 CMS: 2011/092

26 October 2011



Mr Stephen Hayward
 Executive Director
 Australian Commission for Law Enforcement Integrity
 GPO Box 305
 CANBERRA ACT 2601

Dear *Steve*

**NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS
 INVESTIGATION FOR A CORRUPTION ISSUE**

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 24 June 2010:

Complaint	Subject	Investigation Outcome
Unauthorised access to restricted data contrary to Section 478.1 Criminal Code 1995.	Unknown	40TF(2)(k) No further action is to be taken as I am satisfied that no further investigation is warranted having regard to all the circumstances.
Unauthorised release of prescribed information contrary to Section 60A(2)(b) Australian Federal Police Act 1979.	Unknown	40TF(2)(k) No further action is to be taken as I am satisfied that no further investigation is warranted having regard to all the circumstances.

In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

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Information giving rise to the AFP corruption issue

On 1 June 2009, ss 22(1), 37(2), 47E, 47F submitted an Information Report (IR) titled 'Drug dealing POI's at ss 22(1), 37(2), 47G relates.

The contents of the IR was sourced from ss 37(1), 37(2), 47E who indicated they suspected a person, ss 22(1), 37(2), 47E, was allegedly involved with distributing illicit substances and had unnamed contacts within either the AFP or ss 22(1), 47E ss 22(1), 47E. It was further alleged the contacts seemed to be warning ss 22(1), 47F of impending police raids ss 22(1), 37(2), 47G.

PRS Investigation

On 24 June 2010 the AFP Commissioner referred this matter to ACLEI. On 2 June 2011 Mr Phillip Moss, the Integrity Commissioner, sent correspondence to the AFP advising that ACLEI had decided to take no further action in relation to this matter.

On 23 June 2011 the matter was referred to Federal Agent Justin Waldron (AFP10736) to investigate. Investigations into this matter have failed to attribute the allegation to any member of the AFP.

Findings

In making this decision I noted:

The allegations were based on one ss 37(1), 37(2), 47E 's suspicion. The second ss 37(1), 37(2), 47E did not contribute any information of significance. The ss 37(1), 37(2), 47E was subsequently evaluated by s 47E to be unreliable.

There is no evidence to corroborate the allegations.

On the above basis I am satisfied that the conduct issue be dealt with by way of 40TF(2)(k) in that the investigation, or further investigation, of the issue is not warranted having regard to all the circumstances.

This matter is now finalised.

Yours sincerely


Commander Ray Johnson
Manager
Professional Standards

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Our Ref: PRS PROMIS 50734
Your Ref: 09/10
CMS 2011/19032



3 August 2011

Mr Stephen Hayward
Executive Director
Australian Commission for Law Enforcement Integrity
GPO Box 305
CANBERRA ACT 2601

Dear *Steve*

NOTIFICATION OF OUTCOME OF PROFESSIONAL STANDARDS INVESTIGATION FOR A CORRUPTION ISSUE

PRS has conducted an investigation under provisions of *Part V of the Australian Federal Police Act 1979* into the following matter which was subject to notification to the Integrity Commissioner as a corruption issue on 23 January 2009:

Complaint	Subject	Investigation Outcome
Between <i>s 22(1)</i> 2006 and <i>s 22(1)</i> 2007, <i>ss 22(1), 47E, 47F</i>) seriously breached s8.2 of the <i>AFP Code of Conduct</i> in that, he failed to act with honesty and propriety in the course of his AFP duties by not adhering to <i>Commissioner's Order on Finance (CO4)</i> and <i>Guidelines on Procurement</i> , by inappropriate resource management and misleading behaviour.	<i>ss 22(1), 47E, 47F</i>	NOT ESTABLISHED
Between <i>s 22(1)</i> 2006 and <i>s 22(1)</i> 2007, <i>ss 22(1), 47E, 47F</i>) breached s8.1 of the <i>AFP Code of Conduct</i> in that he failed to act with due care and diligence in the course of his AFP duties as a result of not	<i>ss 22(1), 47E, 47F</i>	ESTABLISHED (Downgraded to Category 2)

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adhering to <i>Commissioner's Order on Finance (CO4) and Guidelines on Procurement</i> , by inappropriately managing AFP resources.		
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In accordance with section 66 of the *Law Enforcement Integrity Commissioner Act 2006*, this letter outlines the findings and relevant material considered in relation to the issue.

Information giving rise to the AFP corruption issue

On 13 October 2008, concerns were raised by ^{ss 22(1), 47E, 47F} about the procurement and purchasing practices of the ^{ss 22(1), 47E, 47F} attached to the ^{ss 22(1), 47E, 47F}

An initial examination of the information indicated that there may have been several breaches of *Commissioner's Order 4 on Finance (CO4)* and the *National Guideline on Procurement and Contracting (NGPC)* by ^{ss 22(1), 47E, 47F}

PRS Investigation

- Two conduct issues identified in the investigation report related to ^{ss 22(1), 47E, 47F} failure to adhere to *Commissioner's Order in Finance (CO4) and Guidelines on Procurement*. Conduct issue one (as reported) suggests deliberate dishonest conduct where as conduct issue two (added by the Case Officer) proposes less serious conduct about ^{ss 22(1), 47E, 47F} lack of due care and diligence.
- During his PRS interview ^{ss 22(1), 47E, 47F} stated that he was one of the first members tasked by ^{s 47E} to setup and organise ^{s 47E} for the ^{s 47E}. His role was to ^{s 47E} with the ^{s 47E}
- An audit of IDG Procurement Practices in 2008, conducted by ^{s 47E}, revealed ^{s 47E} and 'there may be a lack of skills or awareness among AFP requirements in relation to procurement'.
- ^{ss 22(1), 47E, 47F} candidly admitted that he was unschooled in purchasing practices and procedures upon entering the ^{ss 22(1), 47E, 47F} position and he had no intention to breach guidelines.
- ^{ss 22(1), 47E, 47F} also stated that he did not receive any benefit or incentive from the companies he used to purchase items ^{s 47E}

Findings

The matter was adjudicated on by Mr Denis McDermott, a member of the Professional Standards adjudication panel, who noted that:

- No criminality has been established during the PRS investigation and there is no evidence to suggest ^{ss 22(1), 47E, 47F} intentionally failed to submit

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s 47E


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procurement planning documents, templates and checklists, when submitting the purchase ordered he had authorised, in contravention of section 8.2 of the code of conduct by failing to act with honesty and propriety.

- Based on the available evidence, Mr McDermott supports the recommended outcome for complaint one in that it is not established and accept the less serious conduct matter as referred to in complaint 2.
- Mr McDermott is satisfied that this matter is a due diligence issue, based on the lack of awareness of the procurement process and knowing ss 22(1), 47E, 47F obtained no advantage, this approach is appropriate.

This matter is now finalised.

Yours sincerely



Commander Ray Johnson
Manager
Professional Standards

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