



Australian Government

**Australian Commission for
Law Enforcement Integrity**

SUMMARY OF REPORT 02/2014

Operation Heritage (Final Report)—a joint investigation of alleged corrupt conduct among officers of the Australian Customs and Border Protection Service at Sydney International Airport

Regulation 20(e) of the *Law Enforcement Integrity Commissioner Regulations 2006* requires a summary of the outcomes of the investigations completed during the reporting period, together with any recommendations and any action taken as a result of the investigations, to be presented in the Integrity Commissioner's Annual Report.

Report 02/2014 was provided to the Minister on 30 June 2014 and has not been made public. A summary of the report appears in Chapter Six of the Integrity Commissioner's 2013–14 Annual Report, available at www.aclei.gov.au, and is reproduced below.

In June 2013, the Integrity Commissioner gave an interim report into Operation Heritage to the then Minister for Home Affairs and Minister for Justice. The investigation was conducted jointly with the ACBPS and the AFP (which designates it as Operation Marca). The interim report is available on ACLEI's website, www.aclei.gov.au, under *Reports, submissions and speeches*.

Eight ACBPS officers have faced criminal charges arising from joint Operation Heritage/Marca, including three officers facing charges relating to intentional inaccuracy in their evidence to the Integrity Commissioner. At the end of June 2014, three of the ACBPS officers had been convicted of offences relating to abuse of public office, bribery and drug importation. Having regard to the various court proceedings still underway, including appeals, the Integrity Commissioner decided to reserve indefinitely his findings in relation to these eight officers.

The conduct of five other ACBPS officers—who were not charged with criminal offences—was also investigated and appropriate disciplinary action was taken by the ACBPS. In all the circumstances, the Integrity Commissioner decided not to make adverse findings against these five officers.

Drawing on the lessons of Operation Heritage/Marca, it is apparent that anti-corruption treatments and agency structures must be rethought in fundamental ways to strengthen resistance to corruption. That there is a strong link between integrity and organisational capability is also now clear. Accordingly, the report supported the Australian Border Force concept—announced in May 2014 by the Minister for Immigration and Border Protection, the Hon Scott Morrison MP—as an important integrity initiative.

Having regard to ongoing criminal court proceedings, this investigation report has not been made public.