



**Australian Government**

**Australian Commission for  
Law Enforcement Integrity**

### **SUMMARY OF REPORT 03/2013**

*An investigation into the conduct of an Australian Customs and Border Protection Service officer in relation to unauthorised access to and disclosure of law enforcement information.*

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 03/2013 was provided to the Minister on 28 June 2013 and has not been made public. A summary of the report appears in Chapter Six of the Integrity Commissioner's 2012–13 Annual Report, available at [www.aclei.gov.au](http://www.aclei.gov.au), and is reproduced below.

In order to carry out its role at the border effectively, the ACBPS collects and holds information, often of a sensitive nature, and has access to other law enforcement databases. The management of such information requires stringent safeguards against improper access or disclosure.

This investigation relates to information suggesting that an ACBPS officer had disclosed sensitive law enforcement information to a known criminal or criminals. The investigation established that the officer:

- had undeclared associations with criminals which presented conflicts of interests with official duties;
- without an official purpose, had accessed and read confidential records on law enforcement databases; and
- without authority, had disclosed confidential information to a person not authorised to receive it.

Accordingly, the Integrity Commissioner found that the officer had engaged in corrupt conduct.

The Integrity Commissioner has provided to the Commonwealth Director of Public Prosecutions admissible evidence, obtained during the investigation, of possible offences against the criminal law.

The Integrity Commissioner has suggested to the ACBPS CEO that the Service's current Conflicts of Interest guideline, and related training, may be strengthened by including law enforcement-based examples that reflect the high corruption-risk of these activities. The Integrity Commissioner has also noted the intelligence value to the ACBPS of establishing a centralised method by which certain classes of conflict of interest may be recorded. The Integrity Commissioner's report into this investigation has not been made public.

#### **Australian Customs and Border Protection Service response**

In response to the issues investigated, the ACBPS is reviewing the supervisory arrangements, training and record-keeping requirements for staff who perform the type of intelligence related duties that the officer occasionally performed. The CEO indicated that the Integrity Commissioner's other suggestions would be considered in the context of the anti-corruption reforms and initiatives that are planned or already underway.

Partly as a result of evidence obtained during the course of the investigation, the ACBPS suspended the officer from duty early in 2012. The officer resigned in June 2013.