

Agenda Item Six: CEU Caseload Report
(Mr Hampton)

Conduct and Ethics Unit (CEU) caseload report
Ethics Committee meeting - 10 April 2008

1. Investigations (since Dec 13 meeting)

Since reporting to the Committee in December 2007, CEU has been involved in managing/advising on a constant stream of cases. The formal investigative workload has remained steady with minor instances of fraud and misconduct.

The internet *Content Keeper* continues to remain effective. CEU has experienced a steady flow of requests to view and unblock a number of sites, mainly due to 'adult content' which to date had been appropriate to unblock. There has been one referral of inappropriate use. Most cases (recent and current) have involved

- conducting preliminary investigations;
- providing advice to, or assisting in, post investigations; and
- compiling information / summaries on past investigations with current administrative action pending.

Key trend: CEU has not initiated any formal investigations since the last meeting. We received several reports of minor incidents from posts, which have now been resolved without the need for formal investigation. From December 07 - April 08 (five) incidents were reported to CEU. No specific trends have been identified.

This financial year:

- 28 allegations / complaints were reported to CEU, three of these have progressed to formal investigation (two of these incidents are a carry over from last year).

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1. Investigations (since April 10 meeting)

CEU has been involved in managing/advising on a constant stream of cases, since last reporting to the Committee in April 2008. The formal investigative workload has remained steady with minor instances of fraud and misconduct.

The Content Keeper continues to remain effective, CEU has experienced a steady flow of requests to view and unblock a number of sites, mainly due to 'adult content' which to date had been appropriate to unblock. There have been no referrals of inappropriate use. Most cases (recent and current) have involved:

- conducting preliminary investigations;
- providing advice to, or assisting in, post investigations; and
- compiling information / summaries on past investigations with current administrative action pending

Key trend: CEU has initiated 2 formal investigations since the last meeting. CEU has received several reports of minor incidents from posts that where resolved without the need for formal investigation. From April 10 to August 2008 (12) incidents were reported to CEU. The nature and trends of these incidents are illustrated in attachment A.

This financial year:

- 44 allegations / 26 complaints were reported to CEU, 5 of these have progressed to formal investigation. 2 of these incidents are a carry over from last years

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1. Investigations (since August 14 meeting)

CEU has been involved in managing/advising on a constant stream of cases, since last reporting to the Committee in August 2008. The formal investigative workload has remained steady with minor instances of fraud and misconduct.

The Content Keeper continues to remain effective, CEU has experienced a steady flow of requests to view and unblock a number of sites, mainly due to 'adult content' which to date had been appropriate to unblock. There have been no referrals of inappropriate use. Most cases (recent and current) have involved:

- conducting preliminary investigations;
- providing advice to, or assisting in, post investigations; and
- compiling information / summaries on past investigations with current administrative action pending

Key trend: CEU has initiated 3 formal investigations since the last meeting. CEU has received several reports of minor incidents from posts that were resolved without the need for formal investigation and on two occasions travelled to post to conduct further enquiries. From August 2008 to December (12) incidents were reported to CEU

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1. Investigations (since 17 December 2008 meeting)

The CEU has been involved in managing a constant stream of cases, since last reporting to the Committee in December 2008. The formal investigative workload has remained steady.

The Content Keeper continues to remain effective and the CEU has experienced a reduced flow of requests to view and unblock a number of sites. The majority of sites nominated had been blocked due to them containing 'adult content'. A subsequent examination of those sites by the CEU has determined that the sites did not contain objectionable or inappropriate content and have been unblocked. There would appear to be a trend in Asian language sites flagging inappropriate material but upon closer inspection this is found to be incorrect. To date there has been no need to investigate any of those matters further.

Key trend: The CEU continues to receive ongoing reports of incidents both nationally and at Post and as a result since the last meeting, the CEU has initiated 7 formal investigations.

The salient issues of those new investigations are:

- Request for assistance has resulted in an investigation by 'A' Based Officer relating to theft/fraud allegations against an LES staff member. This inquiry is ongoing with the continued assistance of the CEU. (Port Moresby)
- Request at the direction of the Minister to conduct an investigation into the storage of human remains between 1997-2008 (Port Moresby)
- Suspected unauthorised release of information/leak to media from staff at Post. (Manila)
- Complaint by Fiji Attorney General regarding inappropriate posting of comments by DFAT staff member accessing Wikipedia Website (Canberra)
- Provision of false information (Commonwealth) regarding Passport eligibility checks (Perth)
- Asylum seekers claiming Australian High Commission involved in the illegal sale of visas (Colombo)
- Fraud allegations relating to DFAT staff claiming the 'family assistance rebate' whilst salary sacrificing (Canberra).

From 17 December 08 to 01 March 09, ten (10) new incidents including those listed above were reported to CEU bringing the total figures for the financial year to 58 allegations/complaints.

Two (2) of those incidents still remain outstanding from the previous period but are in the finalisation phase.

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1. Investigations (since 25 March 2009 meeting)

The CEU has been involved in managing/advising on a constant stream of cases, since last reporting to the Committee in March 2009 and there has been an increase in formal investigative workload over the past three months with CEU officers travelling overseas during this period to conduct inquiries.

The Content Keeper continues to perform well and remains an effective means of screening inappropriate internet content. CEU has experienced a significantly reduced flow of requests to view and unblock sites identified by the software.

The new CEU Case Management System came on-line in July 2009 and the transition from the old data base has been without incident. The new system enables the CEU to record and maintain accurate investigation details, store original documents and assists greatly in maintaining continuity of evidence which was not possible with the previous data base.

Key trend: Since the last meeting the CEU has initiated 12 new investigations and the CEU continues to provide ongoing assistance to Posts with reports of minor incidents.

During the period 25 March 2009- to 25 August 2006 the salient issues of investigations undertaken are:

- Internal Investigation -Perth APO regarding the alleged inappropriate behaviour and provision of misleading information by an Officer.
- Allegations of theft by a Canberra based officer- Allegations made by co-workers.
- Allegations of Criminal offences and Code of Conduct breaches relating to an Officer- APO Victoria. Matter involves the submission of falsified documents.
- CEU provides assistance to Post – (Cambodia) with complaints raised by LES staff against *5476(1)*
- CEU travelled to Bangkok to initiate inquiries in regard to allegations of fraud committed by LES at Post
- Commence joint inquiry with Passport Fraud Section, into fraud and theft related offences (Pretoria).
- CEU travelled to Vientiane to review and obtain further evidence relating to a previously closed inquiry involving an alleged misappropriation of funding.
- CEU has provided ongoing support and assistance to Posts in New Delhi, Port Louise, London Kenya, New Zealand, Brussels, Port of Spain in conducting investigations at Post into allegations of minor breaches of the LES Code of Conduct. There have been no systematic issues or trends identified.

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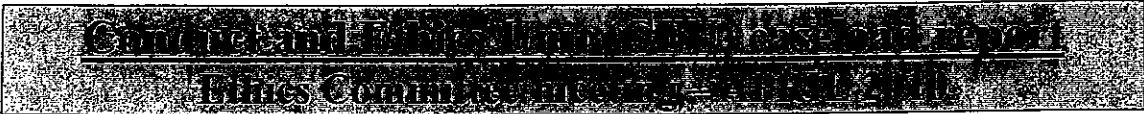
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CEU Caseload Report
(Gary Williams, CEU)



1. Investigations (12 August 2009- 1 April 2010)

The CEU continues to be involved in managing/advising on a constant stream of cases, since last reporting to the Committee in August 2009. There has been a significant increase in formal investigative workload over the past six months with CEU officers travelling overseas during this period to conduct inquiries.

The Content Keeper is currently being phased out by the GSC with an upgraded internet security system. The new system is still in its trial phase. During the roll-out of this new system, the CEU has made an arrangement with the GSC that in future all requests for the unblocking of websites will be managed by the GSC in the first instance. Should websites warrant closer inspection, the request will be forwarded by the GSC to the CEU through the current on-line Marvel System This agreement has already significantly reduced the flow of requests to view and unblock sites identified by the new software.

The transition from the old data base to the CEU Case Management system has now been completed. The new system has continued to perform well over the past 12 months and has enabled the CEU to record and maintain accurate investigation details, store original documents and has become an invaluable investigation management tool.

Key trend: Since the last meeting the CEU has initiated 19 new investigations and the CEU continues to provide ongoing assistance to Posts with reports of minor incidents. There has also been a significant rise in requests for the CEU to provide advice and assistance to other Commonwealth agencies in conducting investigations involving Locally Engaged Staff with 8 requests from DIAC's Values and Conduct Section, 1 request from DEEWR and two requests from the AFP.

During the period 10 August 2009 to 1 April 2010, the significant investigations undertaken are:

- Internal Investigation (Melbourne APO) regarding the alleged attempt by an officer to use his position to influence another Commonwealth agency for the benefit of another person.
- CEU travelled to Harare to investigate allegations of sexual assault and workplace harassment made by LES concerning a former A based Officer.
- CEU travelled to Kathmandu to investigate allegations of fraud committed by local contractors during a recent major construction project at the Embassy.

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- CEU travelled to Tel Aviv to investigate serious fraud allegations relating to an LES.
- CEU travelled to London as part of an ongoing joint CEU& PFS inquiry to locate a former LES from Pretoria who had fled South Africa after it is alleged she had been involved in the theft of several Australian Passports and other fraud relate offences committed while employed at Post.
- Internal investigation (Melbourne APO) where an APS officer was alleged to have been accessing child pornography and offensive material on departmental computer systems
- CEU has provided ongoing support and assistance to Posts in New Delhi, London, Nairobi, Wellington, Paris, Beijing, Manila and Port Moresby in conducting investigations at Post into allegations of minor breaches of the LES Code of Conduct. There have been no systemic issues or trends identified.
- CEU has commenced a joint investigation with the AFP into allegations that an LES in Port Moresby and an AFP Officer working at the AHC may have been involved, or were knowingly concerned in the alleged unlawful abduction of two children by another person in Port Moresby.

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CEU Caseload Report
(Gary Williams, CEU)



1. Investigations 1 April 2010- 1 August 2010

The CEU continues to be involved in managing/advising on a constant stream of cases, since last reporting to the Committee in April 2010. There has been no significant increase in the formal investigative workload over the past five months, but CEU officers have had cause to travel overseas during this period to conduct inquiries.

During this period, the CEU was subject to review by Mr Jeff Lamond of CPM. Mr Lamond completed this review in July and reported his findings to Mr James Wise. MCS will brief the Committee on those finding, but it was pleasing to be advised that Mr Lamond was more than satisfied with current operating procedures and practices.

Also during July, one CEU Investigator was seconded on a STM in Baghdad for a period of four weeks.

Following the phasing out of The Content Keeper software and the integration of the new firewall program, the CEU has had no further reports of incidences of staff inappropriately accessing restricted sites.

Key trend: Since the last meeting, the CEU has initiated 15 new investigations and the CEU continues to provide ongoing assistance to Posts with reports of minor incidents. There have also been requests for the CEU to provide advice and assistance to other Commonwealth agencies in conducting investigations involving Locally Engaged Staff, with 5 requests from DIAC's Values and Conduct Section, 1 request from Defence and 1 request from the AFP.

During the period 1 April 2010 to 1 August 2010, the significant investigations undertaken are:

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PNG: The CEU travelled to Port Moresby, in a joint operation with the AFP, to investigate allegations of aiding and abetting in a kidnapping. It was alleged that an A-based officer and an AFP officer at post had assisted an Australian male working in PNG to take his children out of Port Moresby and out of the custody of his estranged wife, who resides in PNG. The male was later apprehended at the Port Moresby airport by PNG Police, in company with a

DFAT Officer. A second missing child was later located at the Australian Residential Compound in the care of the spouse of the A based officer. Both the AFP officer and the A based officer were friends of the male person involved. Both have been interviewed regarding their involvement and inquiries are continuing.

- **Israel:** An LE suspected of having stolen USD40,000 was subject to an ongoing investigation. This matter has now been referred to the local authorities seeking prosecution. The money has not been recovered at this stage.
- ~~-----~~ Allegations were raised by a local business woman that the spouse of an A based officer had been using her husband's title to gain business opportunities in ~~-----~~. When challenged over this, it is alleged the spouse of the A based officer threatened to kill the complainant. Two day later, the complainant was found bashed and unconscious. She claims to have spent several days in an intensive care unit. CEU officers travelled to ~~---~~ and spoke to the alleged victim (who would not meet investigators in ~~-----~~). She had also approached the media. At this time, the veracity of this complaint is under question and inquiries are continuing.
- CEU has provided ongoing support and assistance to posts in New Delhi, Port Moresby, Nairobi, Brunei, Colombo and Seoul, in conducting investigations at post into allegations of minor breaches of the LES Code of Conduct. There have been no systemic issues or trends identified.
- CEU has responded to requests for official advice on 25 occasions. Those requests were received via the CEU Advice Mailbox.

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