



Australian Government
**Australian Customs and
Border Protection Service**

CHIEF EXECUTIVE OFFICER

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Commissioner Tony Negus APM
Australian Federal Police
GPO Box 401
CANBERRA ACT 2601

Dear Commissioner Negus

[REDACTED] met with Commander [REDACTED] and Commander [REDACTED] to discuss allegations of Australian Customs and Border Protection Service (Customs and Border Protection) officers assisting or facilitating illegal importations and providing information and intelligence to crime syndicates. This has been an ongoing intelligence project in a continued assessment of NSW Customs and Border Protection officers and their associations to members of the illegal tobacco importing fraternity. Although this research is very much in its infancy, some significant information has been identified.

Allegation One

Recently, Customs and Border Protection and New South Wales Police (NSWPOL) conducted joint warrant action (Operation Aberdeen and Operation Caramana) on a number of premises associated with a known tobacco smuggler, [REDACTED] JOMAA, and a container of undeclared Marlboro cigarettes. During this warrant action a large quantity of original Customs and Border Protection documentation, possibly sourced from the Customs and Border Protection Cargo Examination Facility (CEF) was located. Shortly after this action a NSWPOL informant claimed that the crime syndicate involved, the JOMAA family, were shocked by un-alerted Law Enforcement interest. They were considered 'bullet-proof' amongst the criminal underworld as it was alleged that they had assistance from Customs and Border Protection working at the CEF.

The informant stated that the Customs and Border Protection officer, based at the CEF in NSW is of Syrian background and has a relationship with [REDACTED] an alleged 'fixer' within the illegal tobacco fraternity.

A Customs and Border Protection officer fitting this description was not immediately identified; however, research identified a Customs and Border Protection officer with a close relationship to the JOMAA family, a relationship with [REDACTED] and a family friendship with [REDACTED] (a convicted tobacco smuggler). This Officer, [REDACTED] had come to notice previously for these relationships and having family members allegedly involved in narcotic trafficking and steroid distribution. There were a number of security concerns relating to this officer and he was identified as posing a high risk and vulnerability to current operations. [REDACTED] was placed on event leave pending a more detailed investigation into his associations and actions being conducted.

Soon after the suspension of [REDACTED] Integrity and Professional Standards received an information report from a NSWPOL Middle Eastern Organised Crime Squad (MEOCS) informant indicating that the JOMAA family had lost one of its informants within Customs and Border Protection. The information suggested that there were two Customs and Border Protection officers and the 'younger one' was caught. (Integrity and Professional Standards 2010/197 refers).

Allegation Two

Information has been received on two separate occasions from MEOCS that relates to Customs and Border Protection officers Ms [REDACTED] and Ms [REDACTED]. This information indicated that both officers have strong connections to illegal tobacco importers or family relationships of significant concern with alleged crime families. The information also alleged that Ms [REDACTED] has been passing sensitive information directly to members of the JOMAA family, including information about a specific member of the family who has been charged with several offences and is currently on bail. Numerous links between Ms [REDACTED] and the JOMAA family have also been established. Several members of Ms [REDACTED] family have been identified as person of interest, including Ms [REDACTED] cousin, Mr [REDACTED] [REDACTED]; an Australian Crime Commission (ACC) Operation HOFFMAN target, is currently on bail facing charges for serious drug and money laundering charges. (Integrity and Professional Standards 2009/348 refers).

Allegation Three

Further information has been received from NSWPOL Aviation and Maritime Intelligence, Anti Terrorism and Security Group suggests that there is a Customs and Border Protection officer working in Sydney in a "scanning section" who has been passing information to criminal syndicates. This officer has worked for Customs and Border Protection for more than [REDACTED] years, has suffered from [REDACTED] and goes by the name [REDACTED].

An analysis of the information provided by NSWPOL to Integrity and Professional Standards indicates that it is highly likely that NSW [REDACTED] officer Mr [REDACTED] [REDACTED] is that officer. He is currently working as a [REDACTED] and has worked extensively on the illegal importation of tobacco and cigarettes. He is seen as the local expert in these matters and has been a point of contact for local Law Enforcement regarding illegal tobacco activities. He has been suspected of being involved with the supply of sensitive information to criminal syndicates, although no substantive evidence has been located to date there is a significant quantity of anecdotal evidence. (Integrity and Professional Standards 2009/218 and 2010/254 refer).

Discussion

In late October 2010, officers from Integrity and Professional Standards attended several meetings with the NSWPOL, Australian Federal Police (AFP), Customs and Border Protection, Investigations Branch NSW and Customs and Border Protection, Intelligence and Targeting Branch NSW.

During these meetings, the AFP Operation Polaris team were provided with a briefing regarding identified targets within Customs and Border Protection NSW including Mr [REDACTED], Ms [REDACTED], Ms [REDACTED] and Mr [REDACTED]. Discussions surrounded the possible premature removal of Ms [REDACTED] and Ms [REDACTED] by Customs and Border Protection management, in contrast to a closely managed risk managed approach permitting a detailed investigation. Significant concerns were raised regarding Mr [REDACTED], his position, his access to operational information and the effect this has on current operational activity.

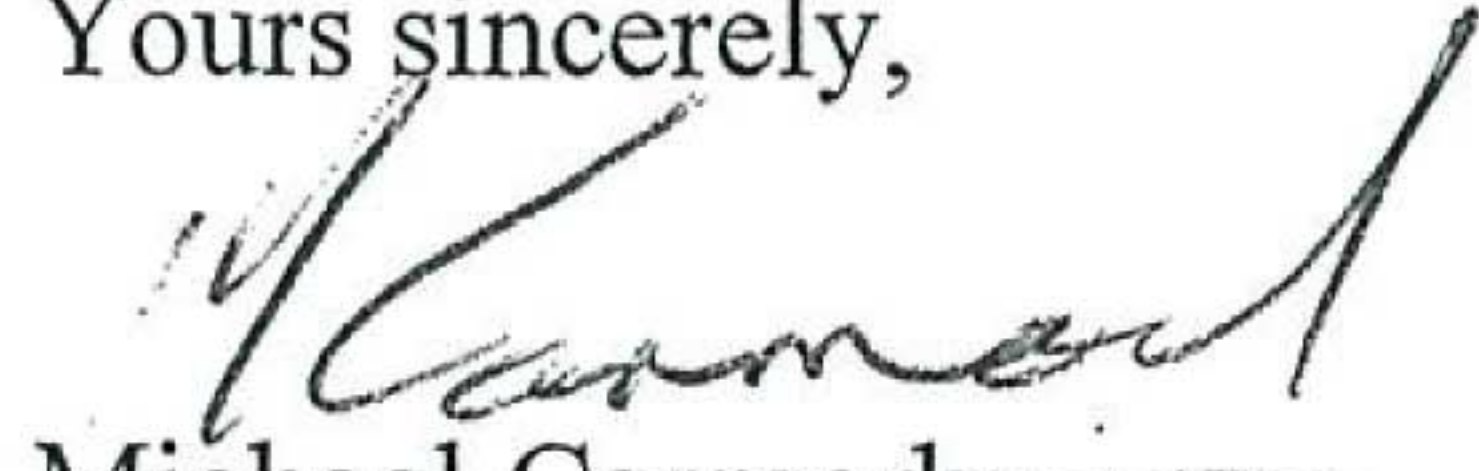
AFP indicated that Mr [REDACTED] had, on occasion, asked questions and sought information from the AFP, that, in hindsight should have raised suspicions.

As discussed with Commander [REDACTED] and Commander [REDACTED], this matter confirms links with current Customs and Border Protection officers and known criminal entities and Integrity and Professional Standards does not wish to compromise any current operations. I formally refer the allegation to the AFP and request that a joint investigation is undertaken.

Two link diagrams depicting the known links surrounding Mr [REDACTED] and Ms [REDACTED] and Ms [REDACTED] are attached.

This information is provided pursuant to Section 16 of the *Customs Administration Act 1985*. Should you require any further information in relation to this matter, my point of contact is [REDACTED] or alternatively via her email address [REDACTED]

Yours sincerely,


Michael Carmody
Chief Executive Officer

3 November 2010

Attachment:

- A. Link Diagram [REDACTED]
- B. Link Diagram [REDACTED] and [REDACTED]