

**From:** s 47E(d)  
**To:** s 22  
**Cc:** s 47E(d)  
**Subject:** Letter from ACLEI General Manager to the Chair - CASE202342 [SEC=OFFICIAL:Sensitive]  
**Date:** Wednesday, 26 July 2023 10:03:08 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[Letter from ACLEI GM to ASIC Chair - CASE202342.pdf](#)

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Good morning s 22 ,

Please see attached letter from Mr Angus Burnett, General Manager Corruption Prevention, Education and Evaluation, to the Chair dated 30 June 2023.

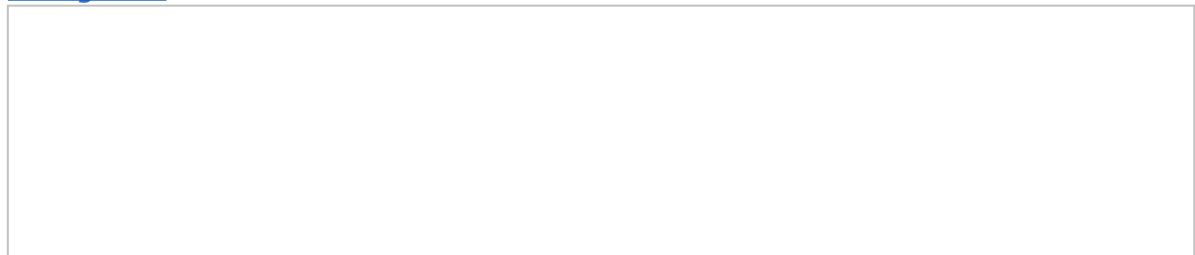
At the date of the letter, Mr Burnett was General Manager CPEE of the former Australian Commission for Law Enforcement Integrity (ACLEI). On 01 July 2023, ACLEI was subsumed into the National Anti-Corruption Commission upon the Commission's commencement.

We apologise for the delay in relaying this correspondence to your office.

Kind regards,

s 47E(d)

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**Australian Government**  
**Australian Commission for  
Law Enforcement Integrity**

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Our reference: CASE202342

30 June 2023

Mr Joseph Longo  
Chair  
Australian Securities & Investments Commission  
GPO Box 9827  
BRISBANE QLD 4001

Dear Mr Longo

**Referral of information relating to Australian Securities & Investments Commission (ASIC) employees**

Between 19 April 2023 and 07 June 2023, ACLEI received information from a member of the public pursuant to s 23 of the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act).

This information was considered, and I note:

s 47E(d)

I occupy the position of ACLEI General Manager Corruption Prevention, Education and Evaluation and hold the delegation to exercise the Integrity Commissioner's functions and powers under Part 4 of the LEIC Act. As such, I am using that delegation, and the authority thereof, to decide this matter.

I note that an ASIC delegate's decision not to investigate a matter would not typically constitute corrupt conduct, unless there was supporting information indicating a corrupt influence or motive behind associated decision-making. I have reviewed the information available to me and

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have concluded that, aside from s 47E(d) speculation, there is no information to suggest corrupt conduct has influenced ASIC's decisions with respect to this matter.

Accordingly, I have determined that the information does not raise a corruption issue pursuant to sections 6 and 7 of the LEIC Act and ACLEI will take no further action in relation to the information.

Yours sincerely,  
s 47E(d)

Angus Burnett  
General Manager  
Corruption Prevention, Education and Evaluation

**From:** [Joseph Longo](#)  
**To:** [s 47E\(d\)](#)  
**Cc:** [ASIC Chair](#); [ASIC Annual Forum](#)  
**Subject:** Invitation | 2023 ASIC Annual Dinner - 21 November - Melbourne [SEC=OFFICIAL]  
**Date:** Monday, 23 October 2023 5:11:00 PM  
**Attachments:** [image001.png](#)

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Dear Commissioner Brereton

On behalf of the ASIC Commissioners, I would like to invite you to attend the **2023 ASIC Annual Dinner** as our guest.

The Annual Dinner will be held on **Tuesday 21 November 2023** at the [Sofitel Melbourne on Collins](#).

Pre-dinner drinks and canapes will commence at 5.15 PM with dinner concluding at 9.15 PM.

This year's Annual Dinner keynote address will be delivered by **Distinguished Professor Genevieve Bell AO FAHA FTSE**, Director, School of Cybernetics, Australian National University and Vice President and Senior Fellow, Intel Corporation.

Kindly return your RSVP (with any dietary requirements) by email to [asicannualforum@asic.gov.au](mailto:asicannualforum@asic.gov.au) by **Friday 3 November 2023**.

If you have any questions or require further information, our team can be contacted by [email](#) or phone on +618 8202 8535.

We would be happy to welcome you to the 2023 ASIC Annual Dinner.

Best regards

Joe

**Joseph Longo**

Chair

**Australian Securities and Investments Commission**





Australian Government  
National Anti-Corruption Commission

21 December 2023

Mr Joseph Longo  
Chair  
Australian Securities and Investments Commission  
GPO Box 9827  
BRISBANE, QLD 4001

Dear Mr Longo,

### **Australian Commission for Law Enforcement Integrity Annual Report 2022-23**

Please find enclosed a copy of the Australian Commission for Law Enforcement Integrity (ACLEI) Annual Report for 2022-23, which was tabled on [date]. As is required by the *Law Enforcement Integrity Commissioner Act 2006*, the annual report contains information on the corruption issues investigated by ACLEI and its partner agencies, over the course of the last financial year.

#### **ACLEI's performance in 2022-23**

In 2022-23, ACLEI's core mission remained detecting, investigating, and preventing corruption in its jurisdictional agencies, and assisting those agencies to maintain and improve integrity. However, this year ACLEI was also concurrently preparing for the establishment and commencement of the National Anti-Corruption Commission (Commission) on 1 July 2023.

s 47E(d)

s 47E(d)

and 'ending ACLEI well', to ensure staff left ACLEI with a sense of pride and satisfaction as they moved into the Commission.

In 2022-23, ACLEI provided 22 investigation reports to the Attorney-General. There were 3 prosecutions arising from ACLEI investigations, involving 3 defendants. In addition, at 30 June 2023, there were 5 prosecutions before the courts, involving 7 defendants, and a further 5 matters were with the Commonwealth Director of Public Prosecutions for consideration. The Commission is completing 7 investigation reports for investigations finalised by ACLEI, and only 6 active investigations were transferred to the Commission. Details of investigations are found on pages 23 to 31 of the enclosed Annual Report.

ACLEI exceeded its target for the proportion of assessments completed, the timeframe for completing them, the number of investigations finalised, the proportion of briefs resulting in charges, and the proportion of reviews completed within timeframes. Only 2 performance measures were not met. First, the average duration of finalised investigations was 1,340 days, but this was due to 5 of the investigations closed during the period being over 2,000 days old; this reflects ACLEI's focus on closing historic matters prior to the establishment of the Commission. Secondly, ACLEI chose to hold 3 rather than 4 Commonwealth Corruption Prevention Community of Practice meetings, in order to focus on the transition to the Commission and scoping work on future engagement approaches in the Commission's significantly expanded jurisdiction.

Additional corruption issue data for the year, including comparisons to prior year data where available, is provided at Appendix 3 – *Statistical reporting* (pages 108 to 119).

Yours sincerely,  
s 47E(d)

The Hon PLG Brereton, AM, RFD, SC      s  
Commissioner



Australian Government  
Australian Commission for  
Law Enforcement Integrity

# Australian Commission for Law Enforcement Integrity Annual Report

2022-23



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**From:** s 47E(d)  
**To:** s 22  
**Subject:** Transition Determination - Operation Barker [SEC=OFFICIAL:Sensitive]  
**Date:** Monday, 29 January 2024 4:25:45 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
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[20240124 Letter notifying of transition determination -ASIC.pdf](#)

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Dear s 22

Please find attached correspondence from the NACC Commissioner for Mr Longo's information.

With thanks,

s 47E(d)

The Hon PLG Brereton, AM, RFD, SC  
Commissioner | National Anti-Corruption Commission  
Level 3, Robert Garran Offices, 3-5 National Circuit, Barton  
PO Box 605, Canberra, ACT 2601  
Phone: s 47E(d) | Email: s 47E(d)



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Australian Government  
National Anti-Corruption Commission

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Ref: 21/1374-34

24 January 2024

Mr Joseph Longo  
Chair  
Australian Securities and Investment Commission  
GPO Box 9827  
BRISBANE QLD 4001

Dear Mr Longo,

**Transition determination – Operation Barker**

I write regarding the investigation arising from the referral of information from the NSW Police Strike Force Tippett in relation to the corrupt conduct of an Australian Taxation Officer and their associates, known as Operation Barker.

Operation Barker was a joint Australian Commission for Law Enforcement Integrity (ACLEI), Australian Taxation Office, New South Wales Police, Australian Federal Police, Australian Transaction Reports and Analysis Centre, Australian Securities and Investment Commission, Department of Home Affairs and Australian Border Force investigation conducted under sections 26(1)(a) and 26(2) of the *Law Enforcement Integrity Commission Act 2006* (Cth).

On 1 July 2023, the National Anti-Corruption Commission (the Commission) commenced operation and ACLEI was subsumed into the Commission.

As I am of the view that the issues the subject of the investigation could involve corrupt conduct that is serious or systemic, and that it is more appropriate to deal with them under the NACC Act, I have made a transition determination under item 3 of schedule 2 of the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022* (Cth) (C&T Act) in relation to Operation Barker, to apply the *National Anti-Corruption Commission Act 2022* (Cth) (NACC Act) to this investigation.

As required by item 3(2) of the C&T Act, a copy of the determination is attached (**Attachment A**).

Under item 3(3)(a) of schedule 2 of the C&T Act, the NACC Act will apply to the Operation Barker investigation from the provision of the determination to you.

If you wish to contact the Commission in relation to any matter set out in this letter, please contact s 47E(d), Director Operations Queensland on s 47E(d) or email: s 47E(d)

Yours sincerely,  
s 47E(d)

**The Hon PLG Brereton AM RFD SC**  
National Anti-Corruption Commissioner

Encl.

**Attachment A** – Transition Determination for Operation Barker



**Australian Government**  

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**National Anti-Corruption Commission**

**Transition Determination**

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I, the Hon. Paul Brereton AM RFD SC, National Anti-Corruption Commissioner, consider that:

1. it is more appropriate to deal with the issues that are the subject of existing investigation Operation Barker (CIN 1979), under the *National Anti-Corruption Commission Act 2022* (NACC Act); and
2. the issues the subject of Operation Barker (CIN 1979) could involve corrupt conduct that is serious or systemic.

AND I therefore determine pursuant to item 3(1) of schedule 2 of the *National Anti-Corruption Commission (Consequential and Transitional Provisions) Act 2022* (Cth) that the NACC Act applies to Operation Barker (CIN 1979).

Dated 24 January 2024

s 47E(d)

**The Hon. Paul Brereton AM RFD SC**  
National Anti-Corruption Commissioner

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