



AFPA
Australian Federal
Police Association

15 March 2024

Ms Lesa Gale APM

Deputy Commissioner International and Specialist Capabilities
Australian Federal Police

By email: Lesa.Gale@afp.gov.au

Dear DC Gale,

BULWARK 58

I write on behalf of our members B58a, B58b and B58c (**Bulwark 58**) regarding the AFP's alleged failure to comply with relevant government security policy and legislation when completing a threat assessment for members of Bulwark 58.

BACKGROUND

In February 2022, the AFPs internal security experts (**Project Bulwark**) formally identified an "Expected to Certain" threat to Bulwark 58 members, arising from their duties in the AFP's undercover program.

On 30 July 2022, Australian Federal Police Association (**AFPA**) staff supported Bulwark 58 members when viewing the Project Bulwark threat assessment document with former AC Chris Craner and AC Hans Koenderink. At this meeting AFPA staff, Bulwark 58 members, AC Koenderink and AC Craner agreed there was a serious safety issue. It is noted that at this meeting our members were informed that a risk assessment had been conducted and would be forthcoming, yet after 6 hours a copy of the risk assessment was not provided. It simply did not exist.

On 1 July 2022, AC Koenderink informed the AFPA that a revised threat assessment would be completed with associated risk assessments, (the "Body of works"). And later in November 2022, Deputy Commissioner McCartney informed the AFPA that no risk assessments had ever been completed in relation to Bulwark 58 members, contrary to what they had been told in July 2022.

In June 2023, Bulwark 58 members and AFPA staff viewed the body of works. The revised threat assessment downgraded their threat rating from "Expected to Certain" to "Possible" and had gone from utilising criminal organisations to individual threat actors to determine threat, and hence risk. No logical explanation was ever given as to why there was a change in process, tother than "best practice". The body of works was not completed to the AS/NZS ISO 31000:2018 Risk Management – Guidelines (**Guidelines**) or the Protective Security Policy Framework (**PSPF**). Both AC Koenderink and

AC Robinson confirmed, as was observed by an AFPA employee, that these guidelines or documents were not considered during the preparation of the body of works. This directly contradicts your letter dated 13 March 2024 which states that ISO31000 was utilised as “guidance” in the preparation of the body of works.

It is also noted that you are of the view that the B58 members had the opportunity to provide any information in the preparation of the threat assessment. This is incorrect as I am informed that there was no real consultation with those members in the development of the body of works, regardless of anything stated in the reports, and in light of Jorge Robinson informing one of the members he would need their assistance. Further, I am instructed that your statements in relation to Mr Prendergast are simply incorrect. Our members were specifically told that the reason Mr Prendergast was engaged was to ensure all work undertaken was to standard, not as you allege to provide independent advice to senior executive. It is further disputed that the AFP accepted all the recommendations by Mr Prendergast and implemented them all. Our members were clearly told that not all the recommendations had been implemented by I believe Jorge Robinson.

On 5 April 2023, Bulwark 58 members received correspondence from Deputy Commissioner McCartney stating, “there are locations that would be unsafe for you and your family to attend as a result of your work” and that “you should avoid locations, private or public, that you visited as part of your deployments and you know are frequented by persons of interest and their associates”. Due to the extensive travel required in our members’ duties, this makes a majority of Australia unsafe for the Bulwark 58 members.

ISSUE

The AFP National Guideline on Security Risk Management states that the AFP’s overall risk management framework is based on the Guidelines and the *Public Governance, Performance and Accountability Act 2013* (Cth) (**PGPA Act**). This is in line with the Security Planning and Risk Management Guidelines set out in the Australian Government Protective Security Policy Framework adopted by the AFP.

It is our understanding that the body of works were completed in accordance with Australia New Zealand Policing Advisory Agency (**ANZPAA**) and the Australia New Zealand Counter Terrorism Committee (**ANZCTC**) standards. The AFPA recognise that ANZPAA and ANZCTC are valuable advisory agencies. However, it is unclear why the threat assessments were completed in accordance with these standards, rather than the required procedure set out by Guidelines and the PSPF.

It is deeply concerning that the AFP have seemingly abrogated their responsibility to act within the policy and legislative framework set out by the Commonwealth and the AFP itself. Our members have feared for the safety and wellbeing of themselves and their families for nearly four years. It has taken a significant toll on their mental and physical health.

As the Deputy Commissioner responsible for this matter, we seek clarification as to the following:

1. In general, what documents set the requisite standards for the AFP when completing a threat assessment?
2. Were these requisite standards followed in the completion of the Bulwark 58 threat assessment?

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3. What threat factors changed to justify downgrading the Bulwark 58 members' threat assessment from "Expected to Certain" to "Possible"?
4. What is the AFP doing to manage the risk posed to the Bulwark 58 members?

I appreciate that both the AFP and AFPA consider member safety and wellbeing to be a top priority. As such, I look forward to your prompt response to reassure our members' that the AFP is taking appropriate action to keep them safe from harm.

Should you wish to discuss this letter, please contact myself _____ or the AFPA
Manager Legal and Industrial Giles Snedker _____ on _____ or via
email. _____ or via _____

Yours faithfully.

Alex Caruana
President