

Introduction

Between 1997 and 2002 I have been subject to an almost continuous attack by corrupt elements of the NSW Police. The evidence I will give today relates to corruption within the Internal Affairs Branch, the Police Integrity Commission and the NSW Ombudsman's Office. I will also detail corruption within the NSW Police College and the protection corrupt officers received from the highest officers of the NSW Police and the PIC.

Police -v- Probationary Constable McCabe

I mention this matter for the sake of chronology and I will refer to this matter and the subsequent implications for me and my family after I explain the NSW Police Academy issues.

NSW Police Academy Corruption - Audit Documents

In this matter I will be referring to Annexures.

Following complaints by staff members and adverse media reports, auditors, who included Insp Mawdsley from Bateman's Bay, Mr Arthur Abraham and a Mr J. Petersen from SPIU (Systems and Process Inspection Unit), were appointed to conduct an inquiry at the NSW Police Academy from 3 April 2000.

Some of the results of their audits are summarised as follows:

Annexure A1 - Audit of NSW Police Academy - Progress Report to 14.4.00

- Serious problems with the Principals Management Style including victimisation and ill treatment of staff, poor morale, lack of motivation and low self esteem of staff and, *"there is a consensus of opinion that Headquarters is aware of the serious problems at the Academy particularly relating to the Principal's performance. However there has been little action to address the issues. The Principal's 'high ranking' connections are sighted (sic) as a reason for the inaction"*.
- Fraud and tax evasion issues relating to the Principal's motor vehicle
- Supply to the Principal and his family, friends and guests of free accommodation, food, alcohol, entertainment, the Principal's overseas visits and management retreats.
- Anomalies with catering and accommodation service provision with little or no checks and balances and vital information withheld from the Tender Evaluation Committee.
- The provision of free accommodation to the civilian catering manager.
- Conflict of interest with CSU tender processes
- Conflict of interest in the provision of material produced by the NSW Police to CSU
- CSU profiting at NSW Government expense
- Loss of \$100K in the transfer of the Police shop to the PANSW
- Transfer of Police Shop conducted without tender

- The Principal is the Director of a company called Protective Behaviours and has made that company's programs a mandatory part of police training, without tender, for financial gain
- The Principal's presenters were provided free food and accommodation.
- No trading report for Academy bar operations in over two years
- FBT avoidance issues with accommodation and meals to management, staff, Principal's friends and guests
- Free Academy accommodation (and refurbishment of same) at taxpayer expense for a guest of CSU

✓ **Annexure A2 – Report by Inspector R. E. Mawdsley on Review of NSW Police Academy Operations.**

- Principal's Leadership Style – *"...their (Academy Management Team) ability is stifled by the Principal's inability to consider alternative views to his own, undermining their position by acting without consultation and generally on his part, poor leadership. The impact of all this is manifested in cases of work related sickness (in terms of stress/depression).....cynicism amongst many staff and a culture of fear of raising concerns or questioning decisions."*
- Risks including embarrassment for the service through media attention if exposed by frustrated staff, waste of resources, increase in work related illness, particularly stress-related disorders and the opportunity for corrupt/unlawful practices to flourish due to poor management and accountability
- Evidence of the potential to be victimised when speaking out
- Potential for corrupt, illegal and unethical practices to occur, particularly amongst those who have power through senior positions
- Conflicts of interest in the Police/CSU partnership

✓ **Annexure A3 – Transfer of Police Academy Shop to the PANSW**

- Breaches of Government Guidelines, Police and Code of Conduct warranting report to the ICAC
- The loss of considerable public monies (\$50K annually)
- Management of the transfer of this shop lacking accountability, probity and transparency
- Ms Friedrich (Independent Legal Officer) advised against the transfer in 1997. Mahoney advised that he had a meeting with the Service Solicitor and "reached agreement that the suggested transfer is in the best interest of the Police Service". There was no such evidence on file and the Auditors quote, *"...in the absence of the minutes of the meeting the appropriateness, legality and integrity of the final agreement become questionable"*.

Annexure A4 – Audit of Accommodation and Commercial Services

- Mahoney receiving gifts from the contractor, including cash, tickets to events, meals and accommodation
- Mahoney not ensuring efficient and effective contract management

Annexure A5 – Asset Management – Principal

- Missing laptop computer

Annexure A6 – Accommodation, Meals, Special Functions and Catering – Additional Information (Evidence)

- Mahoney's free use of accommodation for himself, family, friends and his employees in the Protective Behaviours Consultancy at taxpayer expense.

Annexure A7 – Audit and related enquiries by the Systems Process and Inspection Unit of NSW Police Academy Operations – A.S. Abraham

- *“As the audit team leader I am most concerned in the manner the Commissioner has entertained these complainants (the persons subject to investigation in the audit) * ahead of internal complainants whose actions have brought about this audit and investigation. The internal complainants have and are still suffering at the hands of this group and are looking to the auditors and investigators for support, justice and appropriate action. Because of the unsatisfactory state of affairs and the persistent bullying tactics, a number of academy personnel have proceeded on long term sick (stress, anxiety, depression, etc.) and if there is no improvement the short term the number on sick leave will increase.an independent auditor be engaged.....to audit and review the work of my audit team while the honest complainants of the Academy continue to suffer unnecessarily.”*

Other documents are included as **A8 – Use of Academy Facilities – Bar Services** and **A9 – Use of Academy Facilities – Accommodation, Meals, Special Function Catering and Bar Services.**

NSW Police Academy Corruption – Highly Protected Investigation Ongoing

In this matter I will be referring to Annexure.

NSW Police Academy Corruption – Management’s Vendetta against Sergeant Larry Cook

Professional Standards Managers

As a result of the Wood Royal Commission each command was given an Internal Affairs Consultant known as the Professional Standards Manager. These people are known with some circles of the NSW Police as ‘Mr Fixit’. They have a direct line role from the Area Commander and as a result these officers rely on the goodwill of their commanders for advancement. The position of Professional Standards Manager has and is currently being misused by corrupt and inept management of the NSW Police.

In 2000 I met a former colleague who had been appointed Inspector, Professional Standards Manager in one of the largest commands in this state. I asked him what he did in this position. He said to me, in all seriousness, *“I blow out complaints”*.

All of the malice and ill-will against me over my stand against corruption at the NSW Police Academy has been engineered by the Professional Standards Manager at the academy in 1999, 2000, 2001, Senior Sergeant Bradley Howell. Howell has been the enforcement arm of a corrupt Principal, Superintendent Reg Mahoney and other officers who have protected and have been protected by Reg Mahoney. My submission will detail events and links to prove this fact.

In this matter I will be referring to Annexures 4. to 4.

From the outset of my time at the Academy from 1995 I had been critical of aspects of the management and systems at the Academy. In particular, I was concerned at the abusive manner of some staff towards other staff and students, the poor treatment of students and extremes of sanctions against students who were perceived to be troublesome or different. This put me at odds with management (as was indicated in the previous audit documents). I backed up my criticisms with facts and took my concerns to Superintendent Ian Tomkins and the Principal, Chief Superintendent Reg Mahoney. I was popular with the students and C/Superintendent Mahoney tried to capitalise on my popularity by asking me to accompany him when he addressed students. He also began to ask me to play golf with him after work. He approached me at a graduation dinner in 1987 and tried to recruit me to his network and said that if I could lose my 'politics' I could go a long way. I declined and told him that I would continue to report what was wrong with the academy but I would also tell him on how to correct these wrongs and produce better students. I basically told him that I would not be a 'yes' man. He laughed at me and said, "You'll learn" and walked away. It was from that time that my career began to seriously decay.

Between 1996 and 1998 I had been conducting voluntary after hour study classes for students. In April 1998 I was defamed to an entire student class by another instructor who told students that I was unethical and dishonest. These comments were made on the direction of Superintendent Tomkins. When I complained Tomkins told me: that I did not have permission to use the Academy after hours; that I was upsetting single mother instructors who could not devote the time to students that I could; that if I was injured riding my bicycle home from the academy I would not be covered and; that I could not work without being paid. After this defamation I never took another class of student police officers again. I persisted with my complaint and Tomkins told me that too much time and resources had been allocated to my complaint and I was costing the department too much.

I waited for the return of the Reg Mahoney from leave and told him that corruption was rife at the Academy as evidenced by the following facts: course material I wrote stolen and ideas put forward appearing with someone else's name, my defamation with no action taken against the offenders, no action taken against instructors for sexual harassment of students, dismissing, trivialising and management conspiring to destroy legitimate complaints whilst threatening staff with immediate transfer for making cartoons about academy management, corruption matters in the University partnership, poor quality students produced, the intention of CSU to sell material fully produced by police service personnel to other Universities and corruption in academy promotions

In early May 1999 a promotion interviewee for sergeant rank within the academy stated that he knew nothing about the job he applied for, that he was a friend of one of the selection panel members and that he had a 'magic' application. This was reported to the Staff Officer. This complaint was ignored and was not reported in the EMS system.

I went on sick leave from 26 May 1999 and I have never returned to work. I thought that separation from the workplace would solve my problems. This turned out to be the beginning of a campaign of victimisation and harassment from the academy management that continued over the next three years.

On 31 October 1999 I received two reports from staff that Senior Sergeant White was telling staff that I was mentally ill. I complained to management and the complaint was assigned to Inspector Garry O'Dell, the Sergeants workmate and fellow member of the School of Operational Policing management team.

On 18 November 1999 O'Dell wrote that he had completed his inquiry. No witnesses were spoken to. He had admitted derogatory comments were made against me and he did not request further information about my complaint.

On 18 November 1999 I wrote to O'Dell questioning why defamatory comments regarding me were being tolerated by management.

On 30 March 2000 Det Sgt Bradley Howell, the College Professional Standards Manager Complaints Manager, replied to me stating that my complaint had been dealt with and refused to answer to my questions.

In October 1999 a staff member contacted me and told me that Senior Sergeant White who was defaming me had been nominated for the APM (Australian Police Medal). This Sergeant had:

- failed assessment centres for Inspector
- consistently less teaching hours than most other instructors
- consistently required to be told what to teach at very short notice (5 minutes)
- been counselled by academy management for inappropriate comments to students after complaints were made to CSU.
- complaints for sexist comments by female instructors and stopped them from attending a drill instructors course because, "*I don't want fucking sheilas on the parade ground*".
- Blamed, along with Superintendent Tomkins, an aboriginal police instructor of stealing cake and biscuits from Tomkins storeroom (causing the locks to be changed only to find that mice had eaten them).
- blamed an aboriginal police instructor of wiping faeces on toilet walls at the academy because he was aboriginal and that, "*they do that type of thing*".
- consistently made derogatory comments about staff members in regard to race and personality and relayed information on staff members from the meal room to management
- had supplied several tonnes of bush rock and manure to Superintendent Tomkins who nominated him for the APM.

As I had found over the previous two years that there was no effective avenue to complain about this corrupt nomination I made up an A4 page which had a cryptic jibe at management stating, "*Attention staff, are you an under-achiever or a sneak but still want to be considered for the APM? There is hope! For a few tonnes of bush-rock and a little informing on your colleagues you too can be considered. Phone 82646.*" I wrote this page hoping to shame the Superintendent Tomkins into withdrawing the improper nomination of his 'mate'.

Superintendent Tomkins then complained of harassment for the A4 page and an investigation began externally to the College by Superintendent Worboys, Goulburn LAC.

In December 1999 I saw Worboys and admitted my role in the matter of the A4 page. Worboys described the complaint to me as "*a storm in a teacup*".

I made a formal complaint to Worboys about the corrupt APM nomination. This complaint was sent back to the academy to the persons I complained of in contravention of the Police Service Act.

On 15 January 2000 I contacted the Principal Reg Mahoney and complained about growing attacks by academy management upon me. Shortly after Bradley Howell, the Academy Professional Standards Manager interviewed me at my home and told me that he intended to do something to stop the defamatory comments. I was made aware of serious sexual misconduct by Senior Constable Craig Bishop of the Academy and reported this matter to Howell.

In February 2000 my access to the NSW Police e-mail system was blocked.

On 20 February 2000 Worboys wrote stating that he recommended managerial action against me for the A4 page. My complaint had not been investigated.

On 14 March 2000 I contacted the Commissioners office and asked for an interview with Ryan to report corruption and non-investigation of serious complaints. This request was refused. I was told that I would be advised of the status of my complaints and heard nothing more.

On 26 March 2000 my home was broken into. I searched the house and, as nothing was missing, felt someone could have planted something in my home. On 27 July 2000 I found that a file marked 'complaints' had been stolen.

On 10 April 2000 I called the Commissioners office about my complaints. I again asked to see Ryan and this was refused. I explained the IA inaction and was told I would be called back but heard nothing more.

On 12 April 2000 I received a call from an Academy colleague who told me that the Senior Sergeant Bradley Howell was going to try out some new legislation against me in relation to the A4 page incident.

On 14 April 2000 a friend from Channel 7 called and asked me if I had any videotape of the pistol range. I contacted an instructor there who told me that a student had threatened an instructor with a pistol. I asked for the name of the TV station that made the tape (which included scenes with me in it) or whether he had a copy of the tape. He refused my request.

On the same day I saw S/C Wayne Friend who told me that he and other staff were warned not to speak to me and that if approached by me to write down and report back to the College what I had said. They were also told that I had attempted to gain information regarding an official complaint and that I was 'mad'. Just last week on 20 February 2003 I found that I had an internal complaint of supplying information to the media sustained against me for this incident. I found this information through an FOI request made by another officer formerly from the College. I was never informed of this result.

On 21 April and 3 May 2000 I contacted Ombudsman Office regarding non-investigation of my complaints. I was told that they were unable to find my complaints.

On 31 May 2000 Goulburn Commander Worboys called me to his office and served me with a Section 173 Warning Notice for the A4 page. This sanction by the Principal, Reg Mahoney effectively destroyed my career. The Section 173 Warning Notice was a result of the Wood Royal Commission and is a final warning before dismissal for criminal conduct or serious ineptitude. Commissioner Moroney, in an article in the Sun Herald of 18 August 2002 titled '*Chief warns rotten officers: You have no place in my force*' described the Section 173 Warning Notice as being issued to corrupt officers and, "*a warning that your next slip will be your last*". The effect of the issue of this notice to me was a bar to promotion for at least 5 years and a lasting blot on my service record that would preclude me from advancement. I asked

about my complaint and Worboys told me he sent it to the Academy. He said, "*I am afraid of what they will do to you next*". On 27 June 2001 I obtained a copy of the Complaints Management Reform Resource Guide. That guide laid down procedures for the issue of Section 173 notices which stated:

- I had the right of appeal to the D/Commissioner but was not given any information concerning that right
- the Section 173 Notice did not come into effect until 21 days after it was served but it came into effect immediately
- I had a right to all pertinent information that was relied on for the issue of the notice but I was refused that information
- I had the right to confidentiality but the matter was openly discussed within the academy
- the additional punishment of not being able to supervise and teach again was unlawful and constituted a 'reviewable' action
- the alleged investigation was biased as involved persons and the investigators had conflicts of interest and should not have been involved in this matter
- the additional punishment was motivated by malice
- all relevant information regarding the matter was not taken into account

I wrote to Reg Mahoney and asked for details of what he alleged against me and why no action was being taken on my legitimate complaint. He replied to me on 5 June 2000 and accused me of spreading rumour and innuendo within the academy (where I had not been for 13 months) and added a prohibition from supervising or teaching again. This now was the end of my career as a police educator. He refused to supply me with any details of what I was accused of.

On 27 June 2000 I complained to my local MP in Goulburn regarding the Section 173 Notice and subsequent punishment.

Between 4 and 10 July 2000 a series of articles appeared in the Daily Telegraph outlining corruption at the academy. About this time Commissioner Ryan flew to the Academy ostensibly to sack Reg Mahoney. I have been informed that Mahoney, his staff officer Inspector Peter Connor and Senior Sergeant Bradley Howell then got together to formulate a strategy to avoid Mahoney's removal. They must have been successful as he was not removed from the academy until a few months later. Staff were gathered in the lecture theatre by management team members and urged to 'get behind' Mahoney and support him.

On 7 July 2000 S/Constable McMahan of the Academy told friends of mine that I was behind the adverse media reports on the Academy. I hardly know this person and he worked with Ian Tomkins about whom I had made complaints.

On 21 July 2000 I went to State Parliament House to see Andrew Tink. A complaint was made to PIC through him about the Section 173 Notice, non-investigation of complaints and harassment.

On 23 July 2000 S/Constable Watson of the Academy told friends that I was facing departmental and criminal charges and was avoiding charges by making complaints. This person said that I was responsible for the adverse press on the academy and that I was a criminal. I hardly know this person. He worked at that time with Ian Tomkins.

On 24 July 2000, more than 3 months after the incident, Sergeant John Gross the assistant Profession Standards Manager from the academy called me at home and asked to interview me regarding the video I asked for on 14 April 2000. I declined to

be interviewed as I had made a complaint to PIC. This investigation stemmed from the witch hunt that was beginning over the adverse media reports about the academy between 4 and 10 July 2000.

About 24 July 2000 Richard McBride a former police officer and private inquiry agent questioned an Academy staff member for two days over my complaints on behalf of NSW Police Health Services. McBride had a copy of my HOD report which is in itself a complaint about the Academy. The content of my unresolved complaint was divulged to persons that I had complained about in breach of the Police Service Act.

On 2 August 2000 Sgt Grimes of the Academy was interviewed by McBride in the Principals Office at the Academy. Sgt Grimes formally complained about being 'verballed' to the College Professional Standards Manager, Senior Sergeant Bradley Howell. Howell has since denied knowledge of this complaint and stated that McBride had other complaints against him but could do nothing as he was not a police officer. No action has ever been taken.

On 3 August 2000 I wrote to the Ombudsman about non-action on my complaints. I did not receive a reply.

On 30 July 2000 I walked to a friend's home in Goulburn on a route that I had been taking for over 12 months. I walked past the home of Senior Constable Bishop against whom I had laid complaint for sexual harassment of students. As I passed his house he came out of his yard to the footpath behind me and was smiling at me. I turned to him and said, "It is not over yet" (meaning the non-investigation of my complaints) and continued walking.

On 31 July 2000 I spoke to police officers at the Goulburn Police Station who both stated to me that they had heard that I was behind the adverse media reports over the Academy.

On 7 August 2000 I was served with a complaint and summons for an AVO by Goulburn Police for threatening Bishop by stating "*It's not over yet*". No contact or attempt to contact me was made by police and no interview whatsoever took place although I had seen the informant officer in the police station after the alleged incident. I was at my home all the week prior to the service of the summons. All the information contained in the summons was untrue and could have been disproved by interview. No witness in this matter was compellable, unlike domestic AVO's and considering that:

- I had not seen this police officer or his wife since May 1999 (15 months).
- I had not had contact with any member of this family since November 1999 (10 months).
- There has never been any evidence of violence or an offer or threat of violence to this family from me.
- the summons stated that I was aware that the police officer was under the Internal Witness Protection Program. I was totally unaware of this.

On 9 August 2000 the informant gave me the statements of Bishop and his wife. The statements were conflicting and Bishops statement was taken and witnessed by the Academy Professional Standards Manager, Bradley Howell.

I called Deputy Commissioner Moroney and arranged a meeting with him on 21 August 2000. Brammer was to have been present but had been called away to Wagga Wagga. I explained my situation and Moroney said he would refer the complaints to IA and that an inquiry was underway at the Academy with a team of 16 detectives.

On 28 August 2000 I was told the Superintendent Ian Tomkins had authorised a risk assessment and security upgrade on his and Bishops home at taxpayer expense. I

made an additional complaint to PIC regarding a risk assessment on Bishops home in the absence of any threat or evidence of threat of violence. I received no reply.

On 4 September 2000 an article appeared in the Sun-Herald Sunday Life magazine entitled 'Is there a problem, Officer'. In this article Mahoney denied the allegations of sexual misconduct and harassment and stated, "*When you get a lot of rumours and innuendo and not a lot of fact, you need to question what their agenda is*". This was while the alleged investigation was underway. I called Jarrett's office complaining about the article and was told that they would call me back. I received no return call. That night I wrote to D/Commissioners Moroney and Jarrett and complained of Mahoney's comments to the media. They did not respond to me.

On 15 September 2000 an article appeared in the Goulburn Post about the transfer of Mahoney from the academy in which Mahoney stated that there was no case against him. I called Moroney's Office and complained about the media comments made by Mahoney regarding an inquiry that had not been concluded and that in which I still had not been interviewed.

I then called Mr Garry Richmond, the IA Chief of Operations complaining about the non-investigation of complaints and Mahoney's media comments. He said that IA would investigate my complaints soon. I asked him why Mahoney was being protected by police management and why he was making comments clearing himself of any wrongdoing before the investigation was concluded. He said, "*I have read that report and if I had comments made about me as comments in that report are made about him, I would be considering whether I had any future left in the police service*". He then asked me to send him a copy of the Goulburn Post article.

On 24 September 2000 Goulburn Police rang my home to investigate the break in at my home six months earlier.

On 7 October 2000 a Sergeant who I nominated as a witness in my complaints told me that he had been sent an e-mail from the Academy Professional Standards Manager with questions to him relating to sexual misconduct allegations against S/C Bishop. He was never interviewed.

On 9 October 2000 I made a complaint to the NSW Ombudsman about investigation improprieties in the Bishop complaint. I did not receive a reply.

On 12 October 2000 I was called to see the PMO. I told what had happened to me. He said, "*Look, you won't have anything done about your complaints, it's your word against them. It is only the academy that is the problem. Mahoney is gone now, he has been transferred*". He said that I should move and start somewhere else and that my matter was simply a managerial problem. I decided to submit my medical discharge.

On 23 October 2000 I rang the Ombudsman's office to find out the status of my complaints. I was told that someone would call me on 24 October.

On 24 October 2000 no one called so I rang the Ombudsman's office and was told they would call me back. No one called.

About 12 November 2000 Senior Constable Wayne Friend was served a Section 173 Warning Notice, engineered by Bradley Howell and served by the acting Principal Superintendent Greg Moore for '*releasing confidential information to a police officer under investigation*'. Friend was directed by Moore not to speak to, or see me as I was '*a police officer under investigation*'. He received this notice for telling me that he was not to speak to me and to write down what I said to him on the 14 April 2000, some seven months earlier. I was told by another police officer that Superintendent Greg Moore had made threats against Friend when he told other officers, "*Friend will never be considered for any position while he remains here*".

On 24 November 2000 the PAVO matter against me was dismissed at Goulburn Local Court.

On 15 December 2000 I called Superintendent Greg Moore and stated my concerns about Friend and the destruction of his career. He said, *"The Section 173 came out of an internal inquiry, about you, which is now complete. I read it and it seemed fair to me"*. When I explained to Moore that Friend had done nothing wrong he said, *"That inquiry came out of the old regime here, I had nothing to do with it"*. I told him that if he signed the Section 173 it was his responsibility. I asked about the character attacks being made upon me and that the end responsibility of taking action on this lay with him as the Principal. He said, *"I'll only be Principal for another five days."*

On 15 December 2000 I saw an Academy Inspector in Goulburn. He said that he was sorry for not coming to see me as staff had been threatened by Mahoney not to see or go near me. He told me that Dave Madden said the previous academy management and its' methods were a disgrace. He said that as he had just run into me in the street that they wouldn't be able to get him for talking to me.

On 15 November 2000 I contacted Rae Doak at Police Rehabilitation and told them what had been said by the Inspector. Doak said, *"Yes, there seems to a pattern of behaviour in place here with the people off sick from the academy. This new principal, Dave Madden, might change things for the better"*. I spoke about the actions by the Academy Professional Standards Manager and the Section 173 Notice against Friend. Doak said, *"Have you been suspended?"* I said no and she replied, *"How can they do this to you?"*

On 3 January 2001 I received a letter from Senior Sergeant Peter Southam of IA regarding the academy inquiry and stated that my complaints were 'under review' to determine the best way of proceeding.

On 25 January 2001 Sergeant Kim Bates saw Ian Ball, President, NSW Police Association in Sydney. They discussed the College and Ball told Bates that there had been a report made about poor management and practises by two members of the Association about 4 years ago. Bates referred to me and Ball said, *"He has a lot of problems that fellow"*. Bates took this to mean that I was a problem. I have not met or know Ian Ball.

On 6 February 2001 I received a phone call from Senior Sergeant Peter Southam of IA. He asked to interview me the following week. I wrote a reply to Southam stating that my career was ruined and that I believed that due to what happened in the last eight months his investigation had been concluded. I declined to be interviewed and requested that he investigate the information and witnesses provided in my complaints.

On 14 February 2001 I spoke to Sergeant Matlok. He told me that he had met with Peter Southam and believed the investigation into the College was sincere and was going to find the truth. I asked him to tell Peter Southam that I wanted to be interviewed. He told Southam about this on 15 February and Southam told him, *"We don't need to speak to him now, we have found proof of the issues alleged and we are dealing with them."*

On 8 March 2001 Senior Constable Wayne Friend came to my home. He had been rejected for service in East Timor due to the Section 173 Notice for talking to me. During the week commencing 26 February 2001 Friend spoke to the College Professional Standards Manager, Senior Sergeant Bradley Howell, about the Section 173 Notice. Howell said, *"Have you been talking to Larry Cook"*. Friend said, *"No"*. Howell said, *"You are not to talk to Larry Cook. Don't go down the same"*

road as your brother". I am friendly with Friends twin brother who also had not been at the academy for more than 18 months but Howell knew of our association.

On 10 April 2001 Sergeant Ron Davis came to my home. I asked him if he had been interviewed by IA regarding sexual harassment of students. He had not been interviewed but had been sent an e-mail at Griffith and had supplied IA detailed information on the sexual misconduct allegations regarding S/C Bishop. I then called Sergeant Webster and Kim Bates and found that they had not been interviewed. I had been told that the IA investigation into the academy was complete.

On 11 April 2001 I contacted the Ombudsman's Office and IA asking what was the status of my complaints and why I, nor any witnesses, had been interviewed.

On 22 May 2001 I received an e-mail from Senior Sergeant Peter Southam of IA stating that the inquiry into the academy was finalised and that he would contact me soon to discuss the investigation and my complaints.

On 23 May 2001 IA met with Matlok and that meeting was videotaped. In that interview Peter Southam said that Reg Mahoney had an adverse finding against him regarding his management of the academy and that the recommendations included that he undergo ethics training, management training at an approved tertiary institution and public sector ethics training. Peter Southam also stated that Reg Mahoney would find it difficult to win a local area commanders position in the future.

On 28 May 2001 Commander Dave Madden (new Principal) responded to a call I made to him. I spoke to him about the academy corruption and suggested that he hear the stories of the people who had been forced on to long-term sick report by corrupt activities at the academy. He replied that he was not interested and was working '20 hours a day' and that he felt he should move on to the future, not dwell in the past.

On 29 May 2001 I wrote Madden a letter expressing my disappointment at his stance, the fact that nothing had changed at the academy and that none of my witnesses had been spoken to. I also told him of the management measures used to isolate me, threaten staff who were friends of mine and that I had proof of my allegations.

On 13 June 2001, in the absence of any response from Madden I sent him an e-mail with a letter attachment.

On 21 June 2001 I contacted the Police Media Unit and said that unless something was done within 48 hours about the corrupt Section 173 notice I would give my story to the media.

On 22 June 2001 Commander Madden called said he had received an e-mail message from the Commissioner to contact me and that he did not know why. I told him that I intended to go to the media about the academy and the unresolved issues including my Section 173 notice. I said that Section 173 was designed to get rid of crooks and inept police and that I was neither corrupt nor inept. I also told him I had proof of corrupt conduct.

On 27 June 2001 Madden called my home and said that he was looking into the Section 173 notice and would be making inquiries and that he would call me on 28 June. I then wrote Madden a reply e-mail stating that he was totally ignoring the people who had tried to make a stand against the corruption at the academy and now they were being ignored by the police service without any support whatsoever. I did not hear from Madden again.

On 24 July 2001 Ryan stated on Sydney radio that "*my door is open to police wanting to report corruption.*" I rang the Commissioners Office to request a meeting with the Commissioner and was refused.

On 26 July 2001 I again rang the Commissioners Office and asked for a meeting with the Commissioner. Superintendent Aust, his Chief of Staff refused and asked if I would allow Sergeant Lee from IA to speak to me. I agreed.

On 20 August 2001 I spoke to Lee about the interview and asked that Gary Matlok be present, that I be interviewed at my home and that the interview be videotaped.

On 21 August 2001 Lee replied proposing a date for an interview.

On 24 August 2001 Lee replied that he would not accept any of my terms.

On 27 August 2001 I contacted Lee outlining my distrust of the police service, how the academy investigation was corrupt and how no witnesses I nominated had been interviewed.

On 31 August 2001 IA contacted me stating that the interview could not be videotaped and that, in lieu of Matlok, they proposed someone from the police service attend. IA said that the interview should take place on 'neutral ground'. I said, "*Enemies meet on neutral ground, I am just reporting corruption. Do you see me as the enemy?*"

On 1 September 2001 I received a virused e-mail. This e-mail, headed 'Harassment free workplace', related to returning to work within the police service. The worm virus within this e-mail was named 'Win32.Magistr.24876'. This e-mail was clearly aimed towards my situation.

On 3 September 2001 I contacted IA, the Police Commissioner and Minister and Scipione complaining about the attempt to destroy my computers memory. No investigation took place.

On 5 September 2001 I became aware of the 'Highly Protected Investigation Ongoing' document regarding corruption at the police college. In that document it is clear that Ryan was aware of the real situation at the academy as late as January 2001. It also revealed that police service senior management knew of the poor treatment of people and the document predicted others being affected by the management methods and forced on sick leave.

On 7 September 2001 I contacted the Commissioner's COS, Police Minister and Superintendent Scipione. I reported my knowledge of the Highly Protected Investigation Ongoing report and my intention to circulate this document (which I did not have nor had seen).

On 16 September 2001 I received a letter from the Commissioners Office stating that they were considering a reply. I received no reply.

In early December 2001 Senior Constable Friend had his Section 173 Warning Notice, issued to him for telling me he could not talk to me, lifted by after it was assessed by an independent command as being invalid.

On 8 January 2002 the Parliamentary Secretary to the Minister for Police wrote in response to my letter of 7 September and acknowledged problems at the police academy but stated that management changes and training had solved the problems. They did not address the unethical investigations and behaviours of personnel from the academy and investigators. The letter stated my complaints were received by Special Crime and Internal Affairs on 6 December 2001 and were under consideration.

On 23 July 2002 my home was again broken into. Nothing seemed to be missing. I arrived home on 26 July and found that my computer had been accessed. The matter was reported to the police. In the week previous to this break in I had been in court at Sydney with another former Academy officer and we had made it known to

academy personnel that we had access to the documents regarding academy corruption.

NSW Police Academy Corruption – Operation Ribat

In this matter I will be referring to Annexure B1.

I have just received Operation Ribat through an FOI request of a colleague. Operation Ribat was the investigation on the academy allegations concluded in May 2001.

This report confirmed the depth of animosity directed against me by the Academy management and IA. This report is one of the most biased documents I have seen that has been produced by any area of the NSW Police. It has been accepted by the PIC as a fair investigation. There are nine complainants with multiple issues regarding the Academy management. At the end of this investigation only one part of one complaint was sustained and that was against Superintendent Ian Tomkins. This complaint was sustained only after Deputy Commissioner Dave Madden criticised Tomkins in the investigation.

Southam states at page 22 para 4 and page 24 para 1 that I refused to be interviewed. This is a lie. I made arrangements to be interviewed on 15 February 2001 and Southam stated, *"We don't need to speak to him now, we have found proof of the issues alleged and we are dealing with them."* He also states that I told D/Commissioner Moroney that I would not be interviewed. That is also a lie. I waited six months for IA to interview me. The reason I was not interviewed is that it made covering the Academy issues up just that little bit easier.

I have not met the author, Senior Sergeant Southam. Throughout the report I have been described by Senior Sergeant Southam as having a vendetta against management, paranoid, disgruntled, a fool, disruptive, vindictive and possessing a lack of balance. He also stated to Sgt Matlok that I was a 'mind poisoner'. It is interesting to note that on page 23 states, *"having been in contact with A/Inspector Howell throughout the course of this investigation...."* It would appear that Howell obviously had some sway with Southam (they were previously work mates at IA) and coloured his perceptions towards me. In this report I was a complainant, not an alleged offender.

The investigations into this matter were conducted in a manner that would assure the result required by the NSW Police. Firstly, IA assigned a Senior Sergeant to investigate a Superintendent which is contrary to Project 'Dresden' PIC directions. Secondly, when investigating an alleged offender Southam only spoke to close associates of the alleged offender or with people who 'owed' the alleged offender something, whether that something was promise of support for promotion, promotion itself or the possibility that the witness would be disadvantaged if he gave evidence against the alleged offender and the complaint not be sustained. The witness would be left to explain why they gave evidence against the alleged offender. An example of this is found at page 29 para 4. Sergeant Meares was supported for promotion by Tomkins (and was successful), Insp O'Dell was Tomkins deputy supported by Tomkins for the position and Superintendent Mahoney, a person I had made serious

complaints about defended Tomkins and made derogatory comments about me in page 27 para 3. All of these witnesses had agendas. No other member of the School was interviewed.

Another evident result of this inquiry is found at page 4 para 3. Southam states, "*Generally in his interview (Tomkins) tends to say he cannot recall a particular incident occurring rather than outright denying it, even though it is clear that is what he is meaning. An insight into his reason for this may be found in his answer to Q 293 on page 70 of his interview where he again declines to deny something and says that he knows one of the IPCs carries a tape recorder... ..It would accord with other comments he makes that he is trying to use abundant caution to not say something which is contradicted by a document or tape recording*". In these interviews it is mandatory for police officer to tell the truth. Here Superintendent Tomkins is found not to be telling the truth for fear of being exposed as a liar and IA make no adverse comment on the matter.

It is also pertinent to mention a complaint of Media Leaks within Operation Ribat and the statement on page 35 para 8, "*whilst it would be desirable to identify employees who leak information to media and take suitable action... ..*". I would have thought that in any fair examination of the Academy that the NSW Police would have been more concerned at excising corrupt officers from the Academy and the Police itself, rather than concern itself with trying to find a scapegoat to blame for exposing corrupt practices. Without any evidence I have been accused as the offender in this matter.

One of the most unpleasant tasks that I was ever assigned was to escort the widow of former Sergeant Phil Arantz to be presented with a posthumous award for his courage in exposing corruption within the NSW Police to the media which subsequently caused his removal from the NSW Police. To walk with Mrs Arantz to the Commissioner to receive this award caused me great consternation as I knew that if Arantz was alive when Ryan was at the helm and repeated his courageous actions Ryan would have 'tacked his hide to a tree in Hyde Park'.

Internal Witness Protection Program

I was never contacted or protected by the IWSU at any stage. After my meeting with D/Commissioner Moroney in August 2000 and reported the total lack of support from any area I was sent an e-mail by Moroney's staff officer informing me that I was not eligible for inclusion in the Internal Witness Protection Program as I was not in the workplace.

What happened to Reg Mahoney?

- Mahoney was moved from the Academy to Headquarters and ended his contract in the Senior Executive Service and returned to his rank prior to taking up his role at the academy at Chief Inspector level.
- Despite the findings of the audit and recommendations, Mahoney faced no sanctions and was given command of the Miranda Local Area Command (the area in which he resides) by Deputy Commissioner Jarrett and returned to Superintendent rank. He remained in Miranda until a month ago.

- Prior to this inquiry, Mahoney was moved from an operational command to the Commander, Police Communications and is currently working in the Sydney Police Centre.

Why have these Police Officers been protected?

- Senior Officers have been benefiting from the rorts uncovered at the Academy in the way of free alcohol, dinners, tours, balls and other events and accommodation.
- Former Deputy Commissioner Jarrett and Reg Mahoney have been associated for many years and worked together. I have been told that Jarrett was the officer responsible for making the decision not to proceed against Mahoney.
- Reg Mahoney and Ken Moroney have been friends of long standing and Mahoney and his wife and Moroney and his wife and Police Chaplain Father Barry Dwyer have been on overseas holidays together.
- Ken Moroney and Father Barry Dwyer are close friends and Father Dwyer is implicated in the Audit documents of being in receipt of free accommodation and food. Should Moroney have moved against Reg Mahoney, Father Dwyer would have also had to be dealt with. I cannot imagine that happening.

IA -v- Probationary Constable McCabe

In this first matter I will be referring to Annexures

In 1997 I was subpoenaed to give evidence on behalf of the defence in the matter of Police -v- P/Con John McCabe. On 27 May 1998 I was at North Sydney Local Court with two other Sergeant witnesses. We were then subject to intimidation by IA officers at the court prior to giving evidence. The main offender in this intimidation was Senior Constable Phillip Brooks who you have previously heard of in evidence given by Richard Macdonald. The intimidation was such that we called the defence barrister out of court to express our concerns. The Magistrate commented in his summation about this intimidation. The matter against McCabe was dismissed and he was awarded costs.

I went six months long service leave in June 1998 as a result of this matter and another concurrent complaint made by me whilst at the college. When I returned in December 1999 I was told that IA, under the direction of Det Insp Phillip Douglass, had investigated my records relating to the McCabe case. I called Douglass and was told that no such inspection had taken place. My Commander confirmed my documents had been sent to IA. Later that day he called me to his office, said he had been called by Douglass and tried to dissuade me from complaining. I then found that all three defence police witnesses had been subject to investigation following the IA loss of the case. I complained to PIC on 11 December 1998.

Four months later PIC wrote to me asking me to investigate aspects of my own complaint. Five months later I wrote to PIC asking why no investigation was taking place. Three months later PIC informed me that they were awaiting documents from the police service.

Thirteen months later on 6 January 2000 PIC handed the investigation to IA so that IA would be investigating itself. I then complained to the Inspector of the PIC.

On 14 April 2000 I was informed by PIC that the Ombudsman's Office would be dealing with my complaints. A month later the Ombudsman's Office told me that they were unable to find my complaint.

On 26 June 2000 the Inspector of PIC recommended PIC oversee the investigation and expressed his concerns over the matter. Two months later in 15 August 2000 I still had heard nothing of the complaints and I contacted Wendy Gray at PIC on 15 August 2000. I asked her if she had received my complaints which were submitted through Mr Tink MP. She stated that she had received those documents. I asked her when I could expect an investigation to take place and that I did not want IA to investigate the matters as prescribed by the Inspector of the PIC. She said, *"The Inspector can only make recommendations, we don't have to accept or act on those recommendations."*

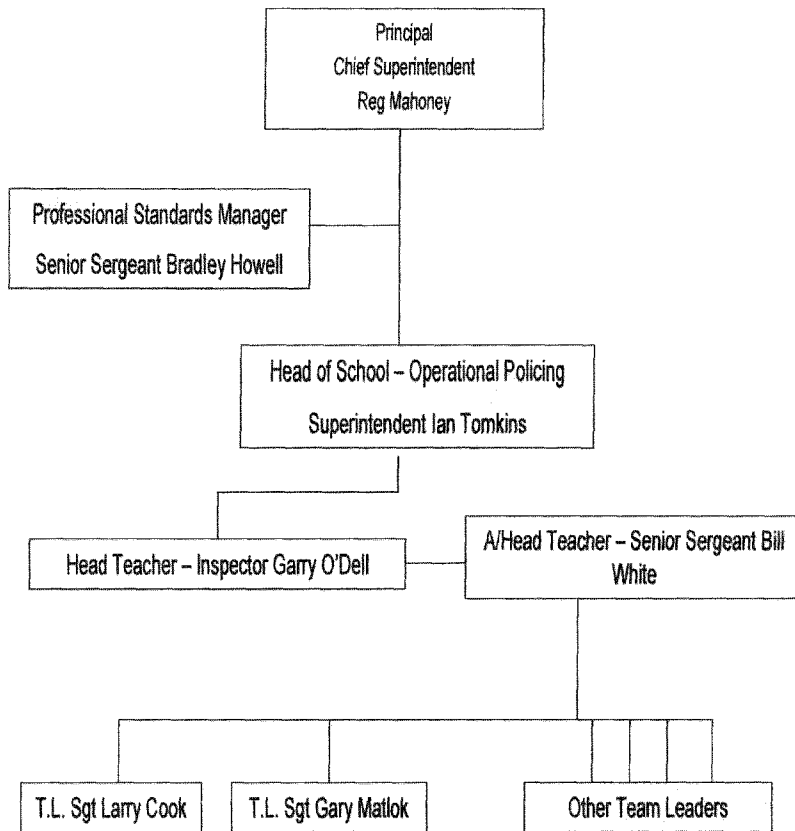
On 21 September 2000 PIC wrote me that they would investigate my complaints. Two months later I received PIC's report on the investigation which was done in consultation with IA. Not one witness to the matter was interviewed. I then wrote to the Inspector of PIC about non-investigation of my complaint.

On 6 November 2000 I rang PIC and was told that there was nothing else I could do about complaining. The following day the Inspector of PIC wrote to me and attached was a response from Judge Urquhart. He admitted that they did not conduct an investigation but spoke to IA without speaking to witnesses.

On 12 November 2000 I contacted the Inspector of PIC and spoke about my concerns on PIC's attitude to my complaints and the inappropriate relationship between IA and PIC. On 19 December 2000 the Inspector of PIC wrote that he had completed his inquiry into my complaints sent me his decision not to continue any further investigation. He made no mention of any of my concerns of PIC impropriety.

On 18 August 2001 I contacted the Inspector of PIC regarding the absence of any investigation into my complaints over a period of almost three years. I received a reply stating that the Inspector of PIC was concerned at the lack of assistance I had received and that he would contact PIC.

I have heard nothing more to this day. The main offender in this matter, Phillip Brooks, has been promoted from Senior Constable to Inspector and is the Professional Standards Manager at Dubbo.



NSW Police Academy