

NSW CRIME COMMISSION

INFORMATION REPORT

Reference: Mascot Operation or Strike Force: Boat
Reporting Officer: Burn Contact No: 833
Case Officer/s: Det Insp Burn Date Compiled: 5/9/00

ANALYST USE ONLY

Operation Status: Current File No:
Reliability: A1 **CHRONOLOGY** 4610

TYPE:

ESSENTIAL ELEMENTS OF INFORMATION:

Topic: Corruption Activities
Commodities: Organised Crime Location:

TITLE: Informant contact on 23 August 2000

Attached is a document prepared by D/Superintendent Dolan regarding informant contact with Sea on 23 August 2000 by Dolan and Mark Standen.

Document attached

Chronology 4610

COPY

Record of conversation between NSWCC Informant Sea, Detective Superintendent Dolan and Mr. M. Standen at covert premises on 23 August 2000.

Time Commenced: 11.05am

Present: Sea, Dolan, Standen: Moore and Trayhurn leave premises.

Initial conversation about family matters.

Dolan explained to Sea that the reason for the meeting was to discuss the events of Wednesday 16 August 2000. I told him that it was necessary to establish the reasons for him swearing false evidence before a magistrate and whether or not system processes exacerbated the situation.

Sea informed Dolan/Standen that (a) he swore information in support of an application for a search warrant and in part swore false information. He informed us that he said words to the effect that the informant had seen the drugs on the premises.

Sea said that he was very sorry for his actions and is aware of the problem it presents. He stated that it was a new magistrate who considered his application but in general terms, the magistrate invited Sea to say the drugs had been seen. Sea stated that the information he was supplied with by Mascot investigators was scant. He said that it was his own fault, he was not advised to do so by any person, nor was it inferred. He said that he 'went into auto mode' inferring past corrupt practises. On a number of occasions he expressed remorse for his actions and was concerned that it affected the investigation.

Sea informed Dolan/Standen that (b) he swore information in support of an application for a search warrant (integrity test) knowing that information to be false. He stated that time was running out (nearing 4pm when the local magistrate completed work) and was aware that the principle of swearing the false information was authorised. He stated that he was in the office with 'all eyes upon him' and he thought he was acting in good faith to support the operation. He was concerned that a delay would draw undue attention upon him from his peers.

Dolan instructed Sea that the purpose of a Controlled Operation was to protect Sea and that by doing what he has done, he has acted illegally. He understood this. Dolan instructed Sea that he was not to embellish or provide false information to a magistrate, or participate in any illegal activity unless it was authorised by a controlled operation or integrity test, which had been signed. Sea stated that he understood and agreed with this direction. He was also directed not to commence any proposed illegal activity until a controller confirmed that such authorisation had been granted/signed, as opposed to authorised in principle. Sea agreed to this course of action. Sea stated that he volunteered this information and that in applying for the warrant he considered the fact that on all previous occasions, the information supplied to him by mascot personnel was accurate.

Standen discussed the difference between an integrity test and a controlled operation. Sea stated that he understood the difference. Standen indicated that Sea was subject to all of the conditions set out by the NSWCC at the commencement of Mascot (that he was to act only in accordance with instructions from controlling police).

Dolan/Standen explained some that some of the problems relating to the application for a controlled operation was due to timings and priority given to the proposal by police and NSWCC personnel. It was explained that these issues were being addressed but that Sea need not concern himself with these matters and only needs to ensure himself that authorisations had been actually authorised (signed) prior to activity.

Mark H. Standen



Dolan indicated that if an application to a magistrate failed, it should not concern Sea and that it was Dolan's role to consider what further action was necessary.

Dolan canvassed with Sea any information he had about previous illegal activity (controlled operation) prior to authorisation. Sea agreed that on prior occasions, Standen had instructed him prior to engaging in the authorised illegal activity. He was unsure in relation to one incidence (he could not recall the specific event) in which he thought he was briefed by Standen after the event. He stated that in any case the directions were similar and he abided by them.

Sea was finally directed to abide by the directions of controllers and that if he felt uncomfortable with any direction, he was to ring Dolan or Standen. He was directed not to engage in any illegal activity without the specific direction of a controller that he was now authorised to do so.

Sea stated that part of the problem from his end is with the current controllers. He stated that he liked working with them but that whenever anything was eventuating, they had to receive instructions from DI Burn. He stated that this was confusing and some of his advice contradicted other advice. Dolan/Standen canvassed with Sea the proposal of introducing him to [redacted] who would be responsible for the day to day taskings of Sea. Sea knows [redacted] and indicated that he had a lot of respect for him. Sea agreed to this course of action indicating that in his view the operation had 'run off the rails a little' inferring control. Sea indicated that he was confident the [redacted] proposal would rectify the situation. Dolan indicated that [redacted] would also be responsible for ensuring that Sea, if necessary, was briefed in terms of a scenario capable of aborting any given situation.

A further general conversation commenced in relation to the current [redacted] operations. Sea stated that [redacted] was keen to get involved and that his corruption is inconsistent with his portrayal as an anti-drugs crusader. He stated that Rex is a competent investigator but has been led astray by [redacted] is incompetent and is only interested in money. Rex is now only interested in money. He recalled a conversation he had with Rex in which Rex indicated that until the time he worked with [redacted] he did not know about the corrupt money that could be obtained.

He indicated that another officer, [redacted] had recently instructed [redacted] to go with Sea whenever he meets his informant. For the purpose of this meeting, Sea stated that he was going to his children's school.

NB: investigators should not dismiss the possibility that Sea may be followed when attending a meeting.

Time Completed: 11.45am



M S Standen

23/8/00



J W Dolan

23/8