

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS**

**BUDGET ESTIMATES 2017**

**Australian Federal Police**

**Question No. BE17-042**

**Senator Hume asked the following question at the hearing on 25 May 2017:**

Senator HUME: Can you please tell me how many matters were referred to police forces for possible criminal prosecutions as a result of the Heydon Royal Commission into Trade Union Governance and Corruption?

Mr Colvin: Yes, I think we have those figures.

Ms Close: We have had 34 referrals that were received following the final report into the trade union royal commission.

Senator HUME: Thank you. You can take this on notice, but do you have those broken down by state?

Ms Close: I can take that on notice.

Senator HUME: I understand that there have been a number of criminal convictions that have been secured in relation to a number of offences: blackmail, fraud, perjury and obstruction of commonwealth officials—is that correct? Do you know how many have been secured?

Ms Close: I do not have the finalisation numbers at court, but I know we still have nine matters before the court.

Senator HUME: So there are nine matters before the court?

Ms Close: Yes.

Senator HUME: My understanding is that there are already seven criminal convictions that have taken place.

Ms Close: Again, I will take that on notice.

**The answer to the honourable senator's question is as follows:**

1. Respective Police Commissioners associated with the Joint Police Taskforce (Taskforce) received a total of 34 referrals of alleged criminal breaches. Broken down by state is as follows:

NSW Police	15
QLD Police	3
VIC Police	13
Australian Federal Police	3
	<b>34</b>

2. Police associated with the Joint Police Taskforce commenced legal proceedings (either by way of arrest or Court Attendance Notice) against 19 persons.

Of those 19 proceedings, charges were withdrawn or did not proceed against 4 persons, one person was found not guilty, 8 matters are currently before the courts and the following is a list of convictions recorded against 6 defendants:

**Legal outcomes as at 1 June 2017:**

	<b>Defendant</b>	<b>Jurisdiction</b>	<b>Charge</b>	<b>Outcome</b>
1	Lisa Zanatta	NSW	False/misleading testimony – s21 Royal Commissions Act 1923 (Cth)	Imprisonment 14 months wholly suspended.
2	Maria Butera	NSW	False/misleading testimony – s 21 Royal Commissions Act 1923 (Cth)	Imprisonment 14 months wholly suspended.
3	Halafihi Kivalu	ACT	Blackmail – Part 3.5 Criminal Code 2002 (ACT)	Suspended sentence 2 years and nine months, GBB until 2019. Ordered to pay reparations of \$70,000.
4	Tuungafasi Manase	ACT	False/misleading testimony – s21 Royal Commissions Act 1923 (Cth)	Sentenced to imprisonment for 3 months.
5	Kane Pearson	QLD	6 x Obstruction of Commonwealth public official – s149.1 Criminal Code 1995 (Cth).	Guilty on 3 charges. Not guilty on 3 charges. Fine \$3200
6	Angelo Millena	NSW	Participate in Criminal Group Section 93T(1) NSW Crime Act 1900 and receive material benefit derived from participation in a Criminal Group Section 93TA(1) NSW Crime Act 1900.	Sentenced to 9 months custodial sentence to be served by way of an Intensive Corrections Order.