

Fraud and General Crime Division

Policing tomorrow's crimes today

THE Fraud and General Crime Division has recently undergone a period of significant and radical change designed to increase its effectiveness and professionalism.

Changes include the establishment of a Computer Crime Section and introduction of a Target Development Unit within the Division.

On 26 June 1992, the Australian National Audit Office, in a submission to the House of Representatives commented that it considered that both of these initiatives, "offer considerable potential for proactive work in the fraud area".

Further, a new Branch was created in the latter part of 1991 to establish a dedicated operational and administrative support facility, a function vital to continued divisional effectiveness and credibility. Results, measurements of results, and reporting outcomes are central to this Branch's objectives.

These reforms constitute a solid base for the Division to further expand its operational activities.

The Division aims to assist other agencies, for instance, by the organisation of and participation in joint agency seminars. One such seminar was convened on 25-26 June 1992 between the AFP, Australian Taxation Office and DPP at Melbourne's historical Exhibition Building. Forty-five representatives of the three organisations attended and speakers included the Director of Public Prosecutions, Mr Michael Rozenes QC and Mr Ken Collins, Deputy Commissioner of Taxation.

Initiatives such as joint agency seminars recognise the need to give special attention to enhancing relationships with client departments and agencies with particular emphasis on marketing the AFP, improving customer satisfaction and increasing quality referrals.

The Division has been involved in many joint operations with client departments. For instance, in April



Detective Sergeant Ken Day of the Computer Crime Section works with the tools of his trade in investigating an increasing number of computer-related crimes.

1992 a case was completed following AFP and Immigration officers arresting and charging a marriage celebrant involved in arranging marriages of convenience. He was sentenced to four-and-a-half years' imprisonment. The investigation commenced in early 1990, when the case officer, Constable Gary Robinson, was responsible for the co-ordination of an operation involving 32 AFP and 17 Immigration officers searching eight premises, then interviewing, arresting, and charging a large number of people.

More recently, AFP and Immigration officers led by Detective Sergeant Martin Gaul, 33, with eight years' service, arrested a total of 57 people for the illegal use of a stolen validation stamp to issue visas. Thirty-four people were charged with various offences and 23 were dealt with as prohibited non-citizens.

This co-ordinated approach also extends to the international sphere, where the Computer Crime Section has already made considerable progress.

Led by three sergeants, the Computer Crime Section increasingly enjoys a reputation as an internationally and nationally recognised centre of excellence. While it undertakes a growing number of computer related investigations, it is achieving international recognition for its developing specialised investigative and intelligence skills.

Currently the Section has 17 investigations on hand and 13 people are awaiting court proceedings to answer approximately 110 charges on computer, fraud and other offences. One major investigation was into the activities of a group which was trespassing into computer systems within Australia and the United States. This activity had the potential to cause damage and losses running into hundreds of millions of dollars. The victim organisations were mainly communications, defence and academic institutions.

In April 1992, Detective Sergeant Ken Day of the Section travelled to South Carolina to represent the AFP at an international conference on computer crime. He delivered

three papers on law and trends in computer crime.

Ken is no stranger to presentations on this specialised area of law enforcement. Since November 1991, he has also addressed the Heads of Commonwealth Law Enforcement (HOCOLEA) in Canberra, the Department of Defence, the Australian Taxation Office, BHP, and numerous other government departments, private companies, and academic institutions.

The Computer Crime Section has acknowledged the need to inform the public of police initiatives in the field of computer crime. Through public presentations, the Section is hoping to elicit public support and assistance. Late last year, Ken made a presentation on computer crime to the Seventh Australian Networkshop which was sponsored by the Australian Academic Research Network (AARNet). Ken has since been invited to make a presentation to the Australian Unix Users Group (AUUG) to be held at the World Trade Centre later this year on the same topic.

Ken is 29 and has been a sergeant for almost two years. He has been in the AFP for eight years.

If the AFP is to be a leader in the technological age, the Computer Crime Section has a special role to play in current and emerging science and technology and its application in law enforcement. There is a critical requirement for the development of programs to enhance the specialised skills of the Section's members and the allocation of additional skilled personnel.

In the long term, the Section has made a commitment to increase the computer skills of its investigators to ensure the AFP is capable of dealing with these types of crimes well into the next century.

As well as the three sergeants the Section also has four constables whose qualifications include a Bachelor of Science, majoring in computer science, and a Diploma in Computer Science. Ken Day has recently completed two courses on the UNIX computer operating system which has been identified as one of the most vulnerable and exploited computer



Damage to telephone lines caused by a suspect attempting to physically intercept a telephone line for the purpose of gaining free and untraceable communication links with an overseas computer system. The suspect was arrested before he could achieve his objective.

operating systems in use today.

As well as improving its level of technical support, the Section is busy assisting in developing and implementing a national policy for the management of computer crime.

The Fraud and General Crime Target Development Unit was initiated to further develop and maintain an effective criminal intelligence capability. It has the commitment of divisional management and personnel to the implementation of intelligence and target development concepts. Although still in its infancy there has already been a discernible improvement in the level of co-ordination between the intelligence and fraud investigation areas.

The Unit has successfully identified and developed a number of high quality criminal targets for use in effective investigative action. For instance, in April 1992, the Unit investigated the activities of a South African national and apparent offences under the Cash Transaction Reports Act. The investigation was developed to the point where it was handed over to Detective Constable Graham Blay of Branch Two. As a result, the man was arrested and charged by Graham for structuring offences in excess of \$670,000, together with passport and drug offences. Such cases can only enhance the level of confidence of investigators in the intelligence

and target development process and improve investigational productivity.

In charge of Target Development and Computer Crime is Detective Superintendent John Draffin. At 36, John is the youngest of the Division's five superintendents. On the rank for just two years, John is also responsible for the Currency Squad and Criminal Assets Investigation Unit. With the nature and results of his four portfolios he is rapidly becoming known as 'Mr Proactive'.

In maintaining operational excellence the Division is proud of its developing high quality members whose attitude towards the investigation of fraud is one of a high level of enthusiasm and a commitment to the work.

For instance, Constable Mike Hawley of Branch Two is rapidly becoming the Division's expert on nautical matters. A former industrial manager, Mike has been with the AFP for just four years. His first encounter with a maritime case concluded in January 1991, when Esso Australia Ltd pleaded guilty in the Victoria Supreme Court to charges relating to the death of an employee and the serious injury of another.

A contract engineer died as a result of injuries sustained during equipment testing on board the West Kingfish Oil Platform. The AFP became involved in the matter following a coronial inquiry. What followed was a

Family Law

A tough job for special people

THE Family Law squad has one of the most unenviable jobs in the Region simply because its members work with citizens often in a highly emotional state.

The Squad's function is to carry out the orders of the Family Court of Australia and in many cases the matters involve child custody. That, with few exceptions, generates awkward and highly emotional situations.

The carefully selected members of the Family Law Squad need to be firm, but understanding; compassion-

ate but steadfast; able to see an often difficult job through to the end.

There are, of course, rewards.

Many grateful parents have been appreciative of the Squad members and have expressed their feelings both verbally and in letters of thanks.

The Squad members also execute the warrants of the Family Court which can include the arrests of individuals who have breached a Court Order and the eviction of people occupying homes in contravention of an Order.

Physical Evidence Unit

Experts in the field

A small but essential component of the Region's operations is the Physical Evidence Unit (PEU).

The Unit works at the crime scene and included in its responsibilities is the provision of photographic support for the Region.

The Unit has a fully-equipped processing laboratory to develop films taken during surveillance activities and maintains a pictorial record of evidence seized during

the course of an investigation.

Sergeant Andy Wall, who heads the Unit, and two constables are kept busy working on drug substitutions for controlled deliveries, crime scene examinations including the fingerprinting of exhibits and the maintenance and supply of photographic equipment to the Region's operational Divisions.

A relative newcomer to the Region with eight years' previous service with the Victoria Police is fingerprint expert Tony Nance.

He joined the AFP a year ago and his inclusion in the Unit has increased its effectiveness greatly.

Laboratory technician Sofie Papadopoulos joined the Unit six months ago, bringing to the Region experience gained at the Philip Institute Media Services.

Working with the Unit in document examination is 24-year-old former Victoria Police member Kirsten Lacey. The holder of a Science Degree, she is receiving helpful guidance from Sergeant David Dick, an AFP member of nine years' experience and a recognised expert in document examination, who has been with Southern Region for 12 months.

fore 1930, or built in Australia before 1945, thus qualifying as Australian protected objects. During the past 10 years these trams have ended up in the USA and New Zealand.

Of recent times there has been a strong emphasis placed within the Division on achieving an improvement in productivity. Initial results, confirmed by DPP Melbourne reveal an increase of 15 per cent in the number of briefs submitted in the first half of 1992. However there is a recognition by the Division's 165 personnel that such major improvements require continued effort over several years.

prolonged and complex investigation for Mike, culminating in Esso being fined a total of \$15,000 and ordered to pay \$100,000 costs.

Then Mike became responsible for the successful prosecution of the Caltex Tanker Company and the master of the vessel MT *Arthur Phillip* for the discharge of an estimated 24 tonnes of oil into the sea off Cape Otway. At the same time nearly 300 fairy penguins died in a spillage. The matter is currently adjourned awaiting sentence by the Supreme Court.

Also possessed of a high level of enthusiasm and a commitment to the work of investigating fraud are Detective Constable Michael Phelan and Constable Ian McCartney of Branch One. In conjunction with Department of Taxation auditors, this pair is currently investigating a \$4 million tax avoidance case.

Mike is 25, with just seven years' service. Ian is 24 and, although he was only recently confirmed, possesses experience in the accountancy arena which has proven invaluable to an investigation of this complexity. Ian has a Bachelor of Business Degree, majoring in accountancy, and was an accountant prior to joining the AFP. Meanwhile, not wishing to appear complacent, he continues with Certified Practising Accountancy (CPA) studies.

One of the most junior of the Division's members to prosecute a substantial fraud is Constable Kylie Flower of Branch Three. Kylie, 22, and a graduate in criminal justice administration, joined the AFP in March 1991. By June 1992, she had completed a complex investigation into offences committed against the Department of Social Security. Kylie's inquiries took her to banks, building societies, insurance companies, a school and a builder. As a result two people have now been charged by Kylie for fraudulently obtaining more than \$81,000.

Also of Branch Three is 26-year-old Detective Constable Keryn Reynolds. Keryn is completing what could be described as one of the most unusual offences the AFP has been called upon to investigate. Working in conjunction with the Department of Arts, Sport, the Environment and Territories, Keryn has been making inquiries into the unlawful export of 30 vintage Melbourne trams. They were either in use in Australia be-