



Robert Agius, foreground, was arrested in 2010 by the Project Wickenby taskforce in relation to a \$100 million offshore money laundering and tax evasion scheme operating out of Vanuatu.

Success story

The Project Wickenby Taskforce was established in 2006 to investigate internationally promoted tax arrangements that allegedly involve tax avoidance or evasion and, in some cases, large-scale money laundering.

Since then, investigations have resulted in 51 people being charged by the AFP. This includes promoters of schemes, participants and high-wealth individuals.

AFP action to date has resulted in the forfeiture of in excess of \$49 million in proceeds of crime.

Additionally, the AFP has directly contributed to over \$100 million in taxation assessments and penalties being raised from scheme participants.

People have been charged with offences ranging from fraud to money laundering with maximum penalties ranging from 10 to 25 years' imprisonment.

Primary goals

- Reduce tax avoidance and evasion
- Enhance Australia's capability to detect, deter and deal with international tax avoidance and evasion
- Assure the community the government is tackling serious abuse of the taxation system.

The AFP and its Project Wickenby partners (see panel over page) have witnessed an identifiable shift in the behaviour and operations of organised tax evaders.

AFP National Coordinator Project Wickenby Arthur Moerman says the AFP contribution to the taskforce comprises investigators, forensic accountants and investigative assistants.

"The impact and results of Wickenby have exceeded the expectations of the taskforce," Detective Superintendent Moerman says, "and they have been very significant in maintaining the ongoing support of the government in funding the project till 2015.

"The whole-of-government approach in Wickenby has been the reason the taskforce has been successful.

"I'm not so much surprised as impressed with what can be achieved through efficient information and intelligence sharing, cooperation, commitment, and a dedication to effective disruption strategies."

Milestones

- Twenty-nine people have been convicted of indictable offences. Twenty have pleaded guilty and nine were convicted after trial. One person was found not guilty after trial. Two people have had

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the charges withdrawn after a trial of 22 weeks resulted in a hung jury.

- Scheme participants have been sentenced to terms of imprisonment ranging from 2-4 years. Some of these sentences have been wholly suspended or served as Intensive Correction Orders or home detention.
- One high-wealth individual was found guilty of money laundering and fraud offences after a five-week trial and was sentenced to eight years and six months' imprisonment with a non-parole period of four years and nine months.
- One promoter was found guilty of fraud offences after a 22-week trial and was sentenced to eight years and eleven months' imprisonment with a non-parole period of six years and eight months.
- One promoter pleaded guilty to fraud offences and was sentenced to eight years and three months imprisonment with a non-parole period of four years and eleven months.

Operation Beaufighter

A major success of Project Wickenby was the joint seven-month Operation Beaufighter investigation between the AFP and ATO in 2012.

Operation Beaufighter is the largest tax fraud investigation identified since Project Wickenby was launched.

It culminated in April–May last year when investigators arrested and charged two men with conspiring to dishonestly cause a loss

to the ATO and conspiring to deal in the proceeds of crime.

Beaufighter effectively dismantled a multi million dollar tax evasion and money laundering scheme which has to date resulted in a loss to the Commonwealth of over \$200 million.

During the operation, the Commonwealth Criminal Assets Confiscation Taskforce executed six warrants in NSW and Queensland.

Real estate and luxury items, including Rolls Royces, a Lamborghini, an Aston Martin, a Mercedes, a BMW and yachts were restrained. To date the Criminal Assets Confiscation Taskforce has restrained \$54 million.

It also was a milestone for AFP operations. Legislation that came into effect in January 2012 gives the AFP its own powers to commence and conduct proceeds of crime litigation.

Operation Beaufighter was, therefore, the first time that the AFP conducted litigation to restrain assets in its own right.

Minister for Home Affairs and Minister for Justice Jason Clare congratulated the AFP ATO investigation.

"Organised crime is driven by money. Take away their money and assets and it reduces the incentive to commit crimes," Mr Clare said.

"The Criminal Assets Confiscation Taskforce was set up in January [2011] to target the profits criminals make.

"Just like with Al Capone – you can catch criminals by following the money."

Project Wickenby partners

The whole-of-government support between Project Wickenby agencies has led to an identified shift in the behaviour and operations of organised tax evaders. Contributing agencies are:

- Australian Taxation Office
- Australian Federal Police
- Australian Crime Commission

- Australian Securities and Investments Commission
- Commonwealth Director of Public Prosecutions
- Australian Transaction Reports and Analysis Centre
- Attorney-General's Department
- Support from the Australian Government Solicitor