

Smuggling of contraband into the Metropolitan Special Programs Centre (MSPC) at the Long Bay Correctional Complex

ICAC FINDINGS

The ICAC found that Karaha Pene Te-Hira engaged in corrupt conduct by:

- trafficking contraband, including food, clothing, shoes, mail, mobile telephones, chargers, SIM cards, steroids and a plunger for steroid injection into the MSPC for inmate Omar Zahed and another inmate identified as Prisoner X over a six-month period in 2012
- trafficking a pair of shoes into the MSPC, which he delivered to Mr Zahed on or around 14 June 2012, in return for cash and a pair of shoes
- trafficking a pair of shoes into the MSPC, which he delivered to Mr Zahed on or around 28 June 2012, in return for a pair of shoes
- accepting a benefit of at least \$500 towards the cost of a car stereo and DVD system installed into his vehicle on 23 June 2012, which he knew came from either an inmate named Alfred Fonua or another inmate, on the understanding that he would exercise his official functions in favour of Mr Fonua, Mr Zahed or another inmate associated with Mr Fonua or Mr Zahed
- trafficking one pair of shoes, tweezers and a shaving razor into the MSPC, which he delivered to prisoner X in April 2012, in return for a cash payment exceeding \$50
- trafficking unspecified contraband items into the MSPC, which he delivered to Prisoner X in June 2012
- trafficking two HTC mobile telephones into the MSPC, which he delivered to Prisoner X sometime after 28 June 2012.

The ICAC found that Omar Zahed engaged in corrupt conduct by arranging for his sister, Asmahen Zahed, to provide Mr Te-Hira with shoes for delivery to himself in the MSPC and to reward Mr Te-Hira with shoes and cash in return. Ms Zahed engaged in corrupt conduct by providing a pair of shoes and cash on 13 June 2012 and a pair of shoes on 27 June 2012 to Mr Te-Hira in return for his delivering shoes to Mr Zahed in the MSPC.

ICAC RECOMMENDATIONS

The ICAC is of the opinion that consideration should be given to obtaining the advice of the Director of Public Prosecutions with respect to the prosecution of Mr Te-Hira for offences of corruptly receiving a reward contrary to section 249B(1) of the *Crimes Act 1900*. The Commission is also of the opinion that Corrective Services NSW (CSNSW) should give consideration to taking disciplinary action against Mr Te-Hira with a view to his dismissal.

CORRUPTION PREVENTION

The Commission has made the following five corruption recommendations to CSNSW:

- that the draft *Public Correctional Centre Operating Standards – Security*, be further developed and include relevant recommendations made in the Commission's 2010 report, *Investigation into the smuggling of contraband into the John Morony Correctional Centre*, and those made as a result of this investigation
- that CSNSW implements a post rotation system for roles where familiarity can impact on officer behaviour; for example, roles that involve security screening and extensive interaction with inmates
- that the Early Intervention System currently being developed by CSNSW includes, at a minimum, management observations, staff disclosures, HR records, performance review information, minor incidents and misconduct
- that CSNSW implements a performance management system
- that CSNSW educates managers on risk factors and supports managerial preventative intervention with regard to staff considered a potential security risk.

The report is available on the ICAC website at www.icac.nsw.gov.au.

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