

REPORT TO PARLIAMENT

OPERATION GLACIER

November 2000

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NOVEMBER 2000

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The Hon Meredith Burgmann MLC
President
Legislative Council
Parliament House
SYDNEY NSW 2000

The Hon John Murray MP
Speaker
Legislative Assembly
Parliament House
SYDNEY NSW 2000

Dear Madam President and Mr Speaker

In accordance with section 96(2) of the Police Integrity Commission Act 1996, the Commission hereby furnishes to you a Report regarding Operation Glacier, being a Report in relation to a matter as to which the Commission has conducted a public hearing.

I draw your attention to section 103(2) of the Act, pursuant to which I recommend that this Report be made public forthwith.

Yours faithfully

Judge P D Urquhart QC
Commissioner

November 2000

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TABLE OF CONTENTS

1. INTRODUCTION 1

2. SUMMARY OF EVIDENCE 3
- ACTING SERGEANT MICHAEL NEMETH-LAKY 3
- ALEXANDER BYCZKOV 7
- CORYNE BYCZKOV 10
- L1 12

3. AFFECTED PERSONS 15
- ACTING SERGEANT MICHAEL DAVID NEMETH-LAKY 16
- ALEXANDER BYCZKOV 18
- CORYNE BYCZKOV 19
- L1 20

ANNEXURE A 23
- THE COMMISSION'S APPROACH 24
  - Role and Functions of the Commission 24
  - Police Misconduct 25
  - Investigations 28
  - Reports to Parliament 29

EXECUTIVE SUMMARY

BACKGROUND

The Police Integrity Commission ('the Commission') received information from the Independent Commission Against Corruption ('the ICAC') in November 1998, which indicated that a currently serving police officer might have been passing on confidential NSW Police Service ('Police Service') information to a member of the public. The Commission then commenced an investigation codenamed Operation Glacier. The evidence was examined in a public hearing before the Commission.

The Commission heard that a private investigator, who gave evidence to the Commission under the pseudonym 'L1', had requested that the police officer, Acting Sergeant Michael David Nemeth-Laky, access a Police Service computer system in order to obtain motor vehicle registration details.

OPINIONS AS TO CONSIDERATION BEING GIVEN TO CRIMINAL PROSECUTIONS AND OTHER ACTION

After examination of the evidence before it, the Commission formed the opinion that consideration should be given to the prosecution of four persons for one or more specified criminal offences.

The criminal offences concerned are:

- Acting Sergeant Michael David Nemeth-Laky
  - Obtaining access to data stored in a computer without authority or lawful excuse (section 309(1) Crimes Act 1900); and
  - Knowingly giving evidence at a hearing before the Commission that is false or misleading in a material particular (section 107 Police Integrity Commission Act 1996).
- Alexander Byczkov
  - Offering to give a bribe to a member of the Police Service (section 200(2) Police Service Act 1990);
  - Corruptly offering to give an agent a benefit contrary to section 249B(2) Crimes Act 1900; and

  - Knowingly giving evidence at a hearing before the Commission that is false or misleading in a material particular (section 107 Police Integrity Commission Act 1996).

- Coryne Byczkov

  - Knowingly giving evidence at a hearing before the Commission that is false or misleading in a material particular (section 107 Police Integrity Commission Act 1996).

- L1

  - Offering to give a bribe to a member of the Police Service (section 200(2) Police Service Act 1990); and

  - Corruptly offering to give an agent a benefit as an inducement or reward for or otherwise on account of the police officer doing or not doing something (section 249B(2) Crimes Act 1900).

The Commission is also of the opinion that consideration should be given to removing Acting Sergeant Michael Nemeth-Laky from the Police Service pursuant to section 181D of the Police Service Act 1990, on the ground that the Commissioner of Police would be entitled to form an opinion that he no longer has confidence in the suitability of Acting Sergeant Michael Nemeth-Laky to continue as a police officer, having regard to his conduct.

1. INTRODUCTION

1.1 In November 1998, the Police Integrity Commission ('the Commission') received information from the Independent Commission Against Corruption ('the ICAC') that a currently serving police officer may have been involved in corrupt activity. That police officer was later identified as Acting Sergeant Michael David Nemeth-Laky.

1.2 The information suggested that Acting Sergeant Nemeth-Laky was passing on confidential motor vehicle registration information accessed via a NSW Police Service ('Police Service') computer terminal, to a private investigator. The identity of the private investigator is the subject of a Commission non-publication order and he is referred to in this Report under the pseudonym L1.

1.3 Following receipt of the information, in November 1998, the Commission commenced an investigation codenamed Operation Glacier.

1.4 On 27 October 1999, the Commission held a public hearing for the purposes of its investigation and heard evidence over one day. The scope and purpose of the hearing was to investigate the unlawful provision of confidential information by a member or members of the Police Service.

1.5 The Commission's hearing was scheduled to occur after an ICAC hearing in June 1999 in relation to the ICAC's investigation of allegations of corruption in the Roads and Traffic Authority concerning the re-birthing of motor vehicles.

1.6 At the commencement of the public hearing in relation to this investigation, the general scope and purpose of the hearing was stated by Commissioner P D Urquhart QC in the following terms:

> Pursuant to section 32(3) of the Police Integrity Commission Act 1996, I announce that the general scope and purpose of this hearing is to investigate the unlawful provision of confidential information by a member or members of the New South Wales Police Service.

1.7 Four witnesses were summoned to appear before the Commission. Those witnesses were Mr Alexander Byczkov, Mrs Coryne Byczkov, Acting Sergeant Michael David Nemeth-Laky and L1.

1.8 A summary of the evidence heard is contained in the following chapter of this Report. The Commission's assessments and opinions concerning this matter are contained in Chapter 3 of this Report. Annexure A of this Report is an outline of the Commission's statutory role and functions in investigating and reporting on police misconduct.

2. SUMMARY OF EVIDENCE

ACTING SERGEANT MICHAEL NEMETH-LAKY

2.1 Acting Sergeant Nemeth-Laky gave evidence in hearings before the Commission regarding his police career saying that, since being made a probationary constable in 1982, he had worked in highway patrol, except when he worked for a period of approximately two and a half years in the Special Operations Group and six months as a member of a task force.[1]

2.2 He also gave evidence regarding his relationship with L1 which had spanned a number of years. He said he had met L1 in about 1988.[2] L1 was, at that time, employed in a motorcycle business which, for a period of twelve months, serviced Acting Sergeant Nemeth-Laky's police motorcycle.[3] The person who owned the business is identified in this Report as W1.[4]

2.3 Acting Sergeant Nemeth-Laky gave evidence that he had purchased a part for his private motorcycle from W1's business when L1 was employed there.[5] L1 had then continued to work for W1 when he [W1] purchased a motor vehicle dealership.

2.4 Acting Sergeant Nemeth-Laky's evidence was that he operated a pest control business in addition to undertaking his police employment. He said he had obtained permission from the Police Service for this secondary employment in about 1991 or 1992.[6] He also said he had purchased a second-hand utility through W1 in about 1994 for his pest control business.[7] He had further contact with L1 when he asked Acting Sergeant Nemeth-Laky to spray his children's sandpit for pests. Acting Sergeant Nemeth-Laky said that he received $50 in cash in exchange for undertaking this work.[8]

2.5 Acting Sergeant Nemeth-Laky's evidence was that he had further contact with L1 towards the end of 1998. On this occasion L1 had telephoned and requested that he spray a neighbour's house for pests. Acting Sergeant Nemeth-Laky had also carried out this work.[9] He had then visited L1 at the motor vehicle dealership in 1998 to say 'hello'. Acting Sergeant

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1 PIC Transcript MD Nemeth-Laky p 32.
2 PIC Transcript MD Nemeth-Laky p 34.
3 PIC Transcript MD Nemeth-Laky p 34.
4 PIC Transcript MD Nemeth-Laky pp 35 & 57.
5 PIC Transcript MD Nemeth-Laky p 36.
6 PIC Transcript MD Nemeth-Laky p 45.
7 PIC Transcript MD Nemeth-Laky p 46.
8 PIC Transcript MD Nemeth-Laky pp 45-46.
9 PIC Transcript MD Nemeth-Laky p 47.

Nemeth-Laky said that it was around this time that L1 had asked him to carry out some registration enquiries.[10]

2.6 Acting Sergeant Nemeth-Laky said he refused and stated that L1 had told him 'I'll make it worth your while,'[11] Acting Sergeant Nemeth-Laky then told the Commission that he responded saying:[12]

> 'No, I'm not interested in that.' I said, 'I wouldn't expect anything for it if I did one for you.' Basically that was it.

2.7 Acting Sergeant Nemeth-Laky gave evidence that a matter of weeks later, in late 1998, L1 telephoned him at home and informed him that his business with W1 had collapsed, leaving him with a debt of $60,000, and that he was doing 'some private investigative work' and wanted a motor vehicle registration enquiry carried out.[13]

2.8 Acting Sergeant Nemeth-Laky said he agreed, carried out the enquiry and gave L1 the name and address of the owner of the motor vehicle.[14] He said that this was the only occasion in which he passed on confidential information to a non-police officer.[15]

2.9 Acting Sergeant Nemeth-Laky said that he was aware at the time he carried out the registration enquiry that he was breaching police regulations and the criminal law.[16] He agreed that on 12 May 1994 he had signed a document entitled 'Statement of Responsibility' in which he acknowledged that he was accountable to the Commissioner of Police to protect information stored in both documentary and computer systems.[17]

2.10 Acting Sergeant Nemeth-Laky explained that his motivation was that he felt sorry for L1, and it had nothing to do with his dealings with L1 over the years.[18] He said that, at the time, he did not consider he was taking an enormous risk which would jeopardise his police career.[19] He agreed he concocted a cover story at the time and communicated it to L1.[20] Acting Sergeant Nemeth-Laky denied that he had made the first offer to carry out registration enquiries.[21]

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10 PIC Transcript MD Nemeth-Laky pp 47-48.
11 PIC Transcript MD Nemeth-Laky p 48.
12 PIC Transcript MD Nemeth-Laky p 48.
13 PIC Transcript MD Nemeth-Laky pp 49-50.
14 PIC Transcript MD Nemeth-Laky pp 50-51.
15 PIC Transcript MD Nemeth-Laky pp 33-34.
16 PIC Transcript MD Nemeth-Laky pp 50 & 71-72.
17 PIC Transcript MD Nemeth-Laky pp 73-74.
18 PIC Transcript MD Nemeth-Laky pp 34 & 53.
19 PIC Transcript MD Nemeth-Laky pp 53-54.
20 PIC Transcript MD Nemeth-Laky pp 54-55.
21 PIC Transcript MD Nemeth-Laky p 55.

2.11 After this evidence had been given, a number of tape-recorded telephone conversations between L1 and Acting Sergeant Nemeth-Laky were played in the hearing room.

2.12 In the first of these conversations, which occurred on 16 November 1998, L1 was heard to inform Acting Sergeant Nemeth-Laky of his new employment as a private investigator carrying out surveillance work in relation to insurance claims. L1 was also heard to say that some of his fellow investigators were ex-police officers, who were able to access registration enquiries through a telephone call, whereas he did not have that facility.[22]

2.13 L1 informed Acting Sergeant Nemeth-Laky that he was still owed $60,000 by W1. Acting Sergeant Nemeth-Laky then informed L1 that W1 also owed a police officer colleague about $6,000 and that he believed that his police colleague was planning to take W1 to court.[23]

2.14 Acting Sergeant Nemeth-Laky then indicated to L1 that if he ever needed anything that Acting Sergeant Nemeth-Laky could be of assistance with, to contact him. The recorded conversation was, in part, as follows:[24]

MNL: Oh that's alright then. Well, you ever need anything. If I can ever help, give us a yell.

L1: Oh the only thing is MICK, it's difficult for you, I understand that now, with gotting [sic], getting to put your name in.

MNL: Computer?

L1: Computer and that, isn't it?

MNL: Oh, there's ways around it.

L1: Can, well, well, I mean, can I talk on this phone or not?

2.15 During the conversation which followed, Acting Sergeant Nemeth-Laky expressed concern about discussing the issue on the telephone. Acting Sergeant Nemeth-Laky told L1 to telephone him on Acting Sergeant Nemeth-Laky's mobile the following day, because he knew that was 'alright'.[25]

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22 Exhibit 4.

23 Exhibit 4.

24 Exhibit 4.

25 Exhibit 4.

2.16 When L1 telephoned Acting Sergeant Nemeth-Laky the following day as arranged the call was recorded.[26] During that conversation L1 was heard to ask Acting Sergeant Nemeth-Laky about the 'sort of money' needed to do 'these rego things and that, that we were talking about'. Acting Sergeant Nemeth-Laky replied that he needed nothing and asked about the number of registration enquiries required.[27] L1's reply was to the effect that it would only be the occasional one and Acting Sergeant Nemeth-Laky responded saying 'Oh, that's all right. That's fine.'[28]

2.17 The conversation then returned to compensation for Acting Sergeant Nemeth-Laky with L1 stating 'there's gotta be something in it for you'. Acting Sergeant Nemeth-Laky reiterated that he wanted nothing. An arrangement was then made to meet on Friday to 'make things easier'.[29]

2.18 In a telephone conversation on the morning of Friday, 20 November 1998, Acting Sergeant Nemeth-Laky was heard to devise a cover story, to the effect that if L1 was interviewed, he was to say that he was passing information on to Acting Sergeant Nemeth-Laky in relation to the vehicle of a person he suspected of being involved with drugs.[30] He indicated that he would make the appropriate entries in his notebook in relation to an informant which would assist explain the situation.[31]

2.19 In a further recorded conversation on the same date L1 provided Acting Sergeant Nemeth-Laky with the make, model and registration number of a sedan.[32] Acting Sergeant Nemeth-Laky then agreed to provide the relevant details which he did the following day.

2.20 Acting Sergeant Nemeth-Laky agreed in hearings that the first time L1 and he discussed 'registration checks' was during the conversation recorded on 16 November 1998. He agreed that this meant that his earlier evidence to the Commission, to the effect that the first occasion was when L1 worked with W1 at the motor vehicle dealership, was incorrect. He denied, however, that he had deliberately lied to the Commission.[33]

2.21 Acting Sergeant Nemeth-Laky also agreed that his earlier evidence to the effect that on the first occasion registration enquiries were mentioned he was not interested was incorrect. He denied, however, that this evidence had been a deliberate lie.[34]

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26 Exhibit 6.
27 Exhibit 6.
28 Exhibit 6.
29 Exhibit 6.
30 Exhibit 8.
31 Exhibit 8.
32 Exhibit 9.
33 PIC Transcript MD Nemeth-Laky pp 67-68.
34 PIC Transcript MD Nemeth-Laky pp 68-69.

2.22 He agreed that it was incorrect to suggest that he intended providing L1 with registration information on only one occasion.[35] He also agreed that the cover story was created for both he and L1 to use should there be an investigation.[36] Acting Sergeant Nemeth-Laky, however, claimed that he did not make an entry in his notebook in respect of the provision of the registration enquiry made for L1.[37]

2.23 Acting Sergeant Nemeth-Laky said he obtained the information from a police computer located at the police station where he worked.[38] Police computer records were tendered, which indicated that he had accessed information concerning that registration number on 21 Nobember 1998.[39]

ALEXANDER BYCZKOV

2.24 Alexander Byczkov gave evidence to the Commission that he was a private inquiry agent who had been employed on a contractual basis for a particular investigation firm since November 1996.[40] He said he held a private inquiry agent's licence and was employed as the surveillance operations manager.[41] This involved, along with other duties, tasking the firm's investigators.[42] The firm's clientele generally consisted of insurance companies or their solicitors who were involved in worker's compensation claims or motor vehicle accident claims.[43]

2.25 Alexander Byczkov said that he had employed L1 on behalf of the investigations firm but denied having knowledge of any investigation carried out under the auspices of the firm which utilised confidential information improperly supplied by serving police officers.[44] He further agreed that it would be unlawful for a police officer to do so.[45]

2.26 He also denied ever having solicited confidential information from a serving police officer through an intermediary.[46] Alexander Byczkov gave evidence that, in a telephone conversation with L1, L1 had said that he had met up with an old friend who was a police officer and had discussed with the police officer the subject of 'checking registrations'.[47]

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35 PIC Transcript MD Nemeth-Laky p 63.
36 PIC Transcript MD Nemeth-Laky p 63.
37 PIC Transcript MD Nemeth-Laky p 64.
38 PIC Transcript MD Nemeth-Laky p 66.
39 PIC Transcript 27 October 1999 pp 66-67.
40 PIC Transcript A Byczkov pp 5-6.
41 PIC Transcript A Byczkov p 5.
42 PIC Transcript A Byczkov p 8.
43 PIC Transcript A Byczkov p 8.
44 PIC Transcript A Byczkov pp 11-12.
45 PIC Transcript A Byczkov p 15.
46 PIC Transcript A Byczkov p 16.
47 PIC Transcript A Byczkov pp 17-18.

2.27 Alexander Byczkov stated to the Commission that he made clear that '… I didn't want to be involved in something like that'.[48] He said he had not supplied any registration numbers to L1 for that purpose.[49]

2.28 After that evidence had been given, a telephone conversation recorded on 16 November 1998 was played to the hearing during which Alexander Byczkov and L1 discussed the supply of registration details. Alexander Byczkov was heard to say:[50]

> It'd be nice to know - it's be nice to get the - to get the info, um, as long as no names are mentioned.

2.29 He then told L1:[51]

> You know … you're a sub-agent to us … But I don't want you mentioning our, our company name.

2.30 In the same conversation he gave L1 the following advice:[52]

> Oh well ask him what he's prepared to accept I guess. … whatever has to be done has to be done in, in cash only … And the best thing would be to, not to speak to him on your, on your own phone I guess. Speak to him from a… Public phone or whatever.

2.31 Later in this conversation Alexander Byczkov indicated that L1 would have to decide whether it was safe to go ahead with the arrangement because he did not want to speak to the police officer himself.[53] Alexander Byczkov was heard to add:[54]

> Yeah. Oh well I mean if he's … happy to do it, and he's, he's says himself he's not, not gonna compromise himself. … And he, and he, and there's no way he can compromise himself by doing, by doing the rego checks, then I guess um there shouldn't be a problem.

2.32 As to manner of payment, he was heard to advise:[55]

> And you know um whenever you need to - anything - any you know dollar amounts need to be exchanged or whatever. …You um, that's got to be done in cash, at ah, and I'd be, you know somewhere just to meet, meet him once a month … Or whatever. … Only way around that

48 PIC Transcript A Byczkov pp 17-18.
49 PIC Transcript A Byczkov p 18.
50 Exhibit 16.
51 Exhibit 16.
52 Exhibit 16.
53 Exhibit 16.
54 Exhibit 16.
55 Exhibit 16.

> to, like the amount, each, each, if each one's worth, I don't know, thirty, forty bucks I don't know whatever we're gonna … The only way I would um, cover that cost is, is to, on that particular job is to increase the, the maybe the kilometres by a certain amount … You know or may be a combination of both, half an hour travel time and some kilometres to cover that cost. ... And um you get paid for it and you and you um fix him up in terms of … In cash. … that's something that you're gonna have to work out with him when and where.

2.33 A further conversation between Alexander Byczkov and L1 was recorded on 20 November 1998 during which L1 explained to Alexander Byczkov the cover story which Acting Sergeant Nemeth-Laky had devised.[56] L1 expressed concern that, should there ever be an investigation, it would require L1 to nominate a particular case he was working on at the time.[57] Alexander Byczkov responded that L1 would not have to say he was doing a job but merely noticing unrelated suspicious behaviour.[58]

2.34 As to the frequency of registration inquiries required, Alexander Byczkov said:[59]

> No well, tell him it's only a one, it's only going to be like very, very few and far between. … They're only a last ditch resort and we don't want to um, compromise him nor ourselves. … Yeah. So, it's not gonna be like we're going to be given one a day or. … You know, probably won't be even bloody one a week.

2.35 Alexander Byczkov was heard to furnish L1 with a registration number concerning a particular sedan to pass on to his contact and explained that an investigator had lost contact with the vehicle during surveillance.[60]

2.36 Under cross-examination after these recorded conversations had been played, Alexander Byczkov agreed that his earlier denial of having solicited confidential information from a serving police officer through an intermediary was not a correct recollection of what had occurred. He denied it had been a lie, however, explaining that he had forgotten that the conversation had occurred.[61] He was cross-examined extensively about his claims of forgetting conversations and agreed that he had committed a criminal offence by seeking the registration details.[62] He also agreed his wife had approached him with L1's offer.[63]

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56 Exhibit 17.

57 Exhibit 17.

58 Exhibit 17.

59 Exhibit 17.

60 Exhibit 17.

61 PIC Transcript A Byczkov p 89.

62 PIC Transcript A Byczkov pp 91-96.

63 PIC Transcript A Byczkov p 98.

CORYNE BYCZKOV

2.37 Coryne Byczkov gave evidence that she was the wife of Alexander Byczkov and that the same investigations firm had employed her for almost three years in one of its offices.[64] Her evidence was that, she was employed as a private investigator, but her responsibilities at the time of the hearing were basically to 'oversee and manage the surveillance operations'.[65] Coryne Byczkov held a private inquiry agent's licence.[66]

2.38 She denied having obtained confidential information from a serving police officer whilst working at the investigations firm, or having sought to obtain such information through an intermediary. She said she understood that to do so would have been an unlawful act.[67] She also said that L1 might have obtained such information from a police officer who was a friend of his, but said she didn't know for sure.[68]

2.39 She later said that she may have asked L1 'for a registration' during a telephone conversation in about December 1998. She said she asked him to obtain the information from his 'friend' and that L1 had immediately replied that he could not do it.[69] She later said that L1 had told either herself or her husband that his friend could get that type of information, but that she and her husband had informed him that they were not interested because to do so was illegal.[70]

2.40 In the Commission hearing, later that day, a telephone conversation recorded on 16 November 1998 was played. L1 was heard to inform Coryne Byczkov that he had a little business proposition for her through an old acquaintance who was 'a serving one at the moment'.[71] He told Coryne Byczkov that this person had just telephoned him and shown a little bit of interest in 'Black Market' information.[72]

2.41 Coryne Byczkov was heard to ask:[73]

> How's he going to get away with it? I thought they couldn't. … So, like if he's not going to get in trouble and can offer this service to us, yeah we'll pay for it.

64 PIC Transcript C M Byczkov p 21.
65 PIC Transcript C M Byczkov p 22.
66 PIC Transcript C M Byczkov p 30.
67 PIC Transcript C M Byczkov p 23.
68 PIC Transcript C M Byczkov p 24.
69 PIC Transcript C M Byczkov p 26.
70 PIC Transcript C M Byczkov pp 27-29.
71 Exhibit 14.
72 Exhibit 14
73 Exhibit 14.

2.42 During this exchange, L1 was heard to explain to Coryne Byczkov that if his source was given a registration number, he could provide the relevant name and address under which the vehicle was registered.[74] He said he needed to know how often they would want to use the service. Coryne Byczkov replied that she would discuss this with 'Alex'.[75]

2.43 Later during the conversation Coryne Byczkov was heard to give the following instructions:[76]

> … just tell him, we would very much appreciate this access. … We've always wanted it. … And we would like, you know, we would definitely pay for it.

2.44 After hearing this conversation played to the Commission, Coryne Byczkov admitted she had discussed the matter with her husband, probably the same day.[77] Her evidence was that they decided to not do it.[78] She said she told L1 that they did not want to go ahead although she may have asked him for a registration enquiry.[79] She then gave evidence that L1 had responded that he couldn't do that any more.[80]

2.45 After further questioning in the Commission she said she did not remember what she said to L1.[81] She was asked whether the next time she spoke to L1 she instructed him that she wasn't interested in taking up his offer. She replied saying:[82]

> No, I was probably likely to say that, you know, we won't pay for them, but if they were free, I might have them. I don't know. At the time I need information and it's relevant to what work I do, yeah, I would have …

2.46 She later claimed that following an operation in December 1998 she had become confused and had trouble with her memory.[83]

2.47 During a further recorded telephone conversation between L1 and Coryne Byczkov, L1 was heard to inform Coryne Byczkov that Alexander Byczkov had discussed the proposition with him the night before. L1 said that his

74 Exhibit 14.
75 Exhibit 14.
76 Exhibit 14.
77 PIC Transcript C M Byczkov p 78.
78 PIC Transcript C M Byczkov p 78.
79 PIC Transcript C M Byczkov pp 78-79.
80 PIC Transcript C M Byczkov p 79.
81 PIC Transcript C M Byczkov p 80.
82 PIC Transcript C M Byczkov p 81.
83 PIC Transcript C M Byczkov p 82.

[L1's] contact 'doesn't want any remuneration' for his services.[84] Coryne Byczkov was heard to say to L1:[85]

> Oh well I'll um, I'll let Alex ring you back an[sic] talk to you about it again when you know more about it.

2.48 She denied to the Commission that in view of recorded conversations her earlier evidence that her husband rejected the offer was a lie. She maintained to the Commission that she didn't really remember speaking to her husband about it.[86]

L1

2.49 L1 stated that he met Acting Sergeant Nemeth-Laky approximately 15 years beforehand when L1 was involved in motorcycle sales. Acting Sergeant Nemeth-Laky had brought his police motorcycle to the shop for servicing.[87]

2.50 L1 said that over the years he had sold Acting Sergeant Nemeth-Laky both motor vehicle and motorcycle parts, including wheels, tyres and solar tinting. He also said that he had sold motor vehicles to him and members of his family.[88]

2.51 He said that Acting Sergeant Nemeth-Laky had fumigated his three-bedroom residential home saying:[89]

> He did the inside on one occasion and the outside on at least one occasion, so that was two separate occasions.

2.52 L1 also said that he had referred three to five separate groups of people to Acting Sergeant Nemeth-Laky for pest control services.[90]

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84 Exhibit 15.

85 Exhibit 15.

86 PIC Transcript C M Byczkov p 83.

87 PIC Transcript L1 p 98.

88 PIC Transcript L1 p 98.

89 PIC Transcript L1 p 100.

90 PIC Transcript L1 p 100.

2.53 L1 was questioned regarding the recorded conversation he had with Alexander Byczkov on 16 November 1998. In that conversation he had explained the reliability of his police officer source in the following words:[91]

> … I mean, ah without spelling, spelling it out, we've done a few other bits and pieces … But, but you know, you know, can you read between the lines?

2.54 L1 denied he meant to convey the message that he had been involved in unlawful activities with Acting Sergeant Nemeth-Laky.[92] He agreed that he had told Alexander Byczkov that he had been involved in 'business dealings' with Acting Sergeant Nemeth-Laky before and agreed he may have said that Acting Sergeant Nemeth-Laky had provided him with registration information.[93] He denied, however, that Acting Sergeant Nemeth-Laky had in fact provided him with registration information in the past.[94]

91 Exhibit 16.
92 PIC Transcript L1 p 104.
93 PIC Transcript L1 pp 103-104.
94 PIC Transcript L1 p 104.

3. AFFECTED PERSONS

3.1 Persons against whom, in the Commission's opinion, substantial allegations have been made in the course of, or in connection with, an investigation, are 'affected' persons for the purposes of a Report to Parliament by the Commission.[95]

3.2 Under section 97(2) of the Police Integrity Commission Act 1996 ('the Act'), the Commission is required to include in each report to Parliament, in respect of each 'affected' person, a statement as to whether or not in all the circumstances the Commission is of the opinion that consideration should be given to the following:

- the prosecution of a person for a specified criminal offence;
- the taking of action against the person for a specified disciplinary offence;
- the taking of action (including the making of an order under section 181D of the Police Service Act 1990) against the person as a police officer on specified grounds, with a view to dismissing, dispensing with the services or otherwise terminating the services of the police officer; and
- the taking of reviewable action within the meaning of section 173 of the Police Service Act 1990 against the person as a police officer.

3.3 In discharging its functions under section 97(2) of the Act the Commission is mindful of the provisions of section 40 of the Act. In particular, answers made and documents and other things produced on objection by a witness at a hearing before the Commission are not admissible against the witness in subsequent criminal or civil proceedings, except for proceedings for an offence against the Act or proceedings for contempt under the Act; subsections 40(3) and (4). Even if the objection is taken, however, such material is available to the Commissioner of Police in considering whether to make an order under section 173 or section 181D of the Police Service Act 1990. Such material is also admissible in proceedings under Division 1A or 1C of Part 9 of the Police Service Act 1990 and any disciplinary proceedings.

[95] Section 97(3) of the Act. Also see Annexure A to this Report.

3.4 Accordingly, the Commission must give due attention to the admissibility of evidence in considering what statements ought to be made in the Report to Parliament pursuant to section 97(2) of the Act.

3.5 The Commission considers that each of the following four persons are 'affected' persons for the purposes of section 97(3) of the Act:

- Acting Sergeant Michael David Nemeth-Laky;
- Alexander Byczkov;
- Coryne Byczkov; and
- L1.

ACTING SERGEANT MICHAEL DAVID NEMETH-LAKY

3.6 The Commission regards Acting Sergeant Nemeth-Laky to be an 'affected' person because he is the subject of substantial allegations that he:

(a) entered into an arrangement with a member of the public to provide confidential Police Service information for an improper purpose; and

(b) gained access to a Police Service computer system for an improper purpose.

3.7 Acting Sergeant Nemeth-Laky admitted he conducted an unauthorised enquiry of motor vehicle registration details for L1.[96] He was aware at the time he did so that he was breaching police regulations and the criminal law.[97] Police Service records revealed that he had accessed the Police Service computer on 21 November 1998 to enquire about registration details in relation to a particular motor vehicle. The evidence revealed in a recorded telephone conversation was that the enquiry occurred the day after L1 requested that Acting Sergeant Nemeth-Laky obtain those details.

3.8 Significantly, Acting Sergeant Nemeth-Laky's conduct was not the result of a spur-of-the-moment decision. The recorded telephone conversations between Acting Sergeant Michael Nemeth-Laky and L1 indicated that Acting Sergeant Nemeth-Laky agreed to provide registration details on an ongoing basis, was prepared to falsify relevant police notebook entries, and that he concocted a story for L1 to use to conceal that matter in the event that L1 was interviewed.

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96 PIC Transcript M D Nemeth-Laky pp 33-34.

97 PIC Transcript M D Nemeth-Laky pp 50 & 71-72.

3.9 Acting Sergeant Nemeth-Laky's initial evidence was to the effect that he had intended to provide L1 with registration information on only one occasion. He said that L1 had informed Acting Sergeant Nemeth-Laky of his new employment, his indebtedness and requested a particular registration enquiry.[98] Acting Sergeant Nemeth-Laky explained that in a moment of weakness, because he 'felt sorry for the bloke' he had written down the registration details and later supplied L1 with the results of his computer enquiry.[99]

3.10 Following the playing of recorded telephone conversations to the Commission's hearing, Acting Sergeant Nemeth-Laky agreed it was 'quite incorrect to suggest that you intended to provide him [L1] with information on one occasion only ...'[100]

3.11 Pursuant to section 97(2) of the Act, the Commission states it is of the opinion that consideration should be given to:

(a) the prosecution of Acting Sergeant Michael Nemeth-Laky for the criminal offence of obtaining access to data stored in a computer without authority or lawful excuse (section 309(1) Crimes Act 1900);

(b) the prosecution of Acting Sergeant Michael Nemeth-Laky for the criminal offence of knowingly giving evidence at a hearing before the Commission that is false or misleading in a material particular (section 107 Police Integrity Commission Act 1996);

(c) the removal from the Police Service of Acting Sergeant Michael Nemeth-Laky pursuant to section 181D of the Police Service Act 1990, on the ground that the Commissioner of Police would be entitled to form an opinion that he no longer has confidence in the suitability of Acting Sergeant Michael Nemeth-Laky to continue as a police officer, having regard to Acting Sergeant Michael Nemeth-Laky's conduct and lack of integrity in:

(i) accessing a Police Service computer system for an unauthorised and improper purpose;

(ii) entering into an improper arrangement to provide Police Service information to a member of the public on an ongoing basis;

(iii) advising and colluding with a member of the public in formulating a plan to cover-up their improper arrangement;

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98 PIC Transcript M D Nemeth-Laky pp 33-34 & 49-50.

99 PIC Transcript M D Nemeth-Laky pp 34 & 50.

100 PIC Transcript M D Nemeth-Laky p 63.

(iv) his preparedness to make false entries in his official notebook; and

(d) the taking of reviewable action against Acting Sergeant Michael Nemeth-Laky within the meaning of section 173 of the Police Service Act 1990 in the event that action is not taken in accordance with paragraph (c) above.

3.12 The Commission notes the unavailability of action for a specified disciplinary offence in relation to Acting Sergeant Nemeth-Laky and accordingly is not of the opinion that consideration should be given to the taking of such action.

ALEXANDER BYCZKOV

3.13 The Commission regards Alexander Byczkov to be an 'affected person' because he is the subject of a substantial allegation that he was involved in the offering of a bribe to a member of the Police Service.

3.14 Alexander Byczkov accepted a proposal to unlawfully obtain motor vehicle registration information from a police officer.

3.15 Recorded telephone conversations indicated that L1 initially approached the wife of Alexander Byczkov, Coryne Byczkov, proposing that L1 obtain motor vehicle registration details from an 'old acquaintance' who was a serving police officer. Coryne Byczkov, who managed investigations for the firm together with her husband, indicated she would raise the matter with Alexander Byczkov.

3.16 A telephone discussion between L1 and Alexander Byczkov took place, during which Alexander Byczkov instructed L1 to ask the police officer what he would be prepared to accept in return for the information. He also discussed ways in which the cost of obtaining the information could be covered by adjusting job travel records. A telephone conversation between L1 and Acting Sergeant Nemeth-Laky took place the following day, during which L1 asked him about the 'sort of money' he would need in order to conduct vehicle registration enquiries. Several days later L1 telephoned Acting Sergeant Nemeth-Laky and asked the officer to conduct a registration enquiry on a vehicle registration number provided by Alexander Byczkov.

3.17 Prior to playing the recorded conversations between Alexander Byczkov and L1 to the hearing, Alexander Byczkov had maintained that he had not pursued L1's proposal to obtain vehicle registration details.[101] Subsequent

[101] PIC Transcript A Byczkov p 17.

to playing the recorded conversations, Alexander Byczkov admitted that he had taken up the proposal and in fact supplied L1 with a registration number to be passed on to the police officer.[102] Alexander Byczkov agreed that he had advised L1 how to conduct further discussions with the police officer concerned, discreetly pay him for the service and falsify his surveillance records so that Alexander Byczkov could recompense him for the cost of the information.[103] He had also advised L1 to take anti-surveillance measures in his communications with the officer.

3.18 Pursuant to section 97(2) of the Act, the Commission states it is of the opinion that consideration should be given to:

(a) the prosecution of Alexander Byczkov for the criminal offence of offering to give a bribe to a member of the Police Service (section 200(2) Police Service Act 1990);[104]

(b) the prosecution of Alexander Byczkov for the criminal offence of corruptly offering an agent a benefit contrary to section 249B(2) Crimes Act 1900; and

(c) the prosecution of Alexander Byczkov for the criminal offence of knowingly giving evidence at a hearing before the Commission that is false or misleading in a material particular (section 107 Police Integrity Commission Act 1996).

3.19 The Commission notes the unavailability of any relevant action for a specified disciplinary offence against Alexander Byczkov and accordingly is not of the opinion that consideration should be given to such action.

CORYNE BYCZKOV

3.20 The Commission regards Coryne Byczkov as an 'affected' person because she is the subject of a substantial allegation that she was involved in the improper obtaining of confidential information from a member of the Police Service.

3.21 Coryne Byczkov conveyed L1's proposal for the obtaining of vehicle registration details to her husband, and encouraged L1 to pursue it.

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[102] PIC Transcript A Byczkov p 95.

[103] PIC Transcript A Byczkov pp 90-92.

[104] A two-year limitation period applies to this offence - see s 200(3) *Police Service Act 1990*.

3.22 In evidence, she initially said that L1 had offered the service, but that she and her husband did not pursue it because they knew it to be unlawful.[105] She then said she may have asked L1 for a registration enquiry, but L1 had replied he could no longer do this.[106] Two recorded telephone conversations between Coryne Byczkov and L1 were then played to the public hearing during which Coryne Byczkov could be heard to express and maintain an interest in pursuing the offered service. She then gave evidence to the Commission that she did not recall the conversations because of a medical condition.[107]

3.23 Pursuant to section 97(2) of the Act, the Commission states it is of the opinion that consideration should be given to:

(a) the prosecution of Coryne Byczkov for the criminal offence of knowingly giving evidence at a hearing before the Commission that is false or misleading in a material particular (section 107 Police Integrity Commission Act 1996).

3.24 The Commission notes the unavailability of any relevant action for a specified disciplinary offence against Coryne Byczkov and accordingly is not of the opinion that consideration should be given to such action.

L1

3.25 The Commission regards L1 to be an 'affected' person because he [L1] is the subject of a substantial allegation that he was involved in the offering of a bribe to a member of the Police Service.

3.26 A recorded telephone conversation between L1 and Acting Sergeant Michael Nemeth-Laky on 16 November 1998 indicated that L1 requested that Acting Sergeant Michael Nemeth-Laky provide him with registration details and asked Acting Sergeant Michael Nemeth-Laky 'what sort of money' he needed to do it. L1 then stated 'there's gotta be something in it for you'.

[105] PIC Transcript C M Byczkov pp 27-28.

[106] PIC Transcript C M Byczkov p 79.

[107] PIC Transcript C M Byczkov p 82.

3.27 Pursuant to section 97(2) of the Act, the Commission states it is of the opinion that consideration should be given to:

(a) the prosecution of L1 for the criminal offence of offering to give a bribe to a member of the Police Service (section 200(2) Police Service Act 1990);[108] and

(b) the prosecution of L1 for the criminal offence of corruptly offering an agent a benefit contrary to section 249B(2) Crimes Act 1900.

3.28 The Commission notes the unavailability of any relevant action for a specified disciplinary offence against L1 and accordingly is not of the opinion that consideration should be given to such action.

[108] A two-year limitation period applies to this offence - see s 200(3) *Police Service Act 1990*.

ANNEXURE A

THE COMMISSION'S APPROACH

ROLE AND FUNCTIONS OF THE COMMISSION

1. The Commission was established under the Police Integrity Commission Act 1996 ('the Act') on the recommendation of the Royal Commission into the NSW Police Service. The principal functions of the Commission, set out in section 13 of the Act, are:

    a) to prevent serious police misconduct and other police misconduct,

    b) to detect or investigate, or manage other agencies in the detection or investigation of, serious police misconduct,

    c) to detect or investigate, or oversee other agencies in the detection or investigation of, other police misconduct as it thinks fit,

    d) to receive and assess all matters not completed by the Police Royal Commission, to treat any investigations or assessments of the Police Royal Commission as its own, to initiate or continue the investigation of any such matters where appropriate, and otherwise to deal with those matters under this Act, and to deal with records of the Police Royal Commission as provided by this Act.

2. As far as practicable, the Commission is required to turn its attention principally to serious police misconduct (sub-section 13(2)).

3. Other functions of the Commission are set out in sections 14, 14A and 15 of the Act. Section 14 sets out the Commission's functions in regard to police activities and education programs including, inter alia:

    a) to undertake inquiries into or audits of any aspect of police activities for the purpose of ascertaining whether there is police misconduct or any circumstances that may be conducive to police misconduct,

    b) in particular, to monitor the quality of the management of investigations conducted within the Police Service and to undertake audits of those investigations,

    c) to make recommendations concerning police corruption education programs, police corruption prevention programs, and similar programs, conducted within the Police Service or by the Ombudsman or by the Independent Commission Against Corruption for the Police Service,

    d) to advise police and other authorities on ways in which police misconduct may be eliminated.

4. Section 14A sets out the Commission's functions with regard to the special audit reform process.

5. Section 15 sets out the Commission's functions in regard to the collection of information and evidence.

POLICE MISCONDUCT

6. 'Police misconduct' is not specifically defined by the Act but includes the following (see sub-section 5(2)):

> (a) police corruption,
>
> (b) the commission of a criminal offence by a police officer,
>
> (b1) misconduct in respect of which the Commissioner of Police may take action under Part 9 of the Police Service Act 1990,
>
> (c) corrupt conduct within the meaning of the Independent Commission Against Corruption Act 1988 involving a police officer,
>
> (d) any other matters about which a complaint can be made under the Police Service Act 1990.

7. There is no limitation upon the types of misconduct in respect of which disciplinary action may be taken by the Commissioner of Police under Part 9 of the Police Service Act 1990.[109]

8. 'Corrupt conduct' within the meaning of the Independent Commission Against Corruption Act 1988 means, in the case of a police officer, conduct that constitutes or involves a criminal offence or misconduct in respect of which the Commissioner of Police may take action under Part 9 of the Police Service Act 1990, which conduct falls into one or more of the following categories:

> (i) conduct that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public official or any public authority; or
>
> (ii) conduct that constitutes or involves the dishonest or partial exercise of any of his or her official functions; or

[109] See paragraphs 14 and 15 for a description of the types of disciplinary action available under Part 9.

(iii) conduct that constitutes or involves a breach of public trust; or

(iv) conduct that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person;

(v) conduct that adversely affects, or could adversely affect, either directly or indirectly, the exercise of official functions by any public official, any group or body of public officials or any public authority and which could involve any of the following matters:

(a) official misconduct (including breach of trust, fraud in office, nonfeasance, misfeasance, malfeasance, oppression, extortion or imposition);

(b) bribery;

(c) blackmail;

(d) obtaining or offering secret commissions;

(e) fraud;

(f) theft;

(g) perverting the course of justice;

(h) embezzlement;

(i) election bribery;

(j) election funding offences;

(k) election fraud;

(l) treating;

(m) tax evasion;

(n) revenue evasion;

(o) currency violations;

(p) illegal drug dealings;

(q) illegal gambling;

(r) obtaining financial benefit by vice engaged in by others;

(s) bankruptcy and currency violations;

(t) harbouring criminals;

(u) forgery;

(v) treason or other offences against the sovereign;

(w) homicide or violence;

(x) matters of the same or similar nature to any listed above; or

(y) any conspiracy or attempt in relation to any of the above.

9. As a means of providing more detailed guidance to the NSW Ombudsman and the Police Service as to the type of complaints regarding police about which the Commission is likely to have an interest, the Commission and the Ombudsman entered into an agreement pursuant to section 67 of the Act. This agreement specifies the class or kind of complaints that are to be considered as Category 1 complaints. The Act requires that the Commission be notified of all Category 1 complaints. An initial agreement was entered into on 20 December 1996. On 15 January 1998, this agreement was amended to take effect from 1 February 1998. Since that date, Category 1 complaints consist of the following:

a) A complaint that a police officer has or may have sought or may seek to pervert the course of justice by giving false evidence, by destroying or interfering with evidence, by withholding or refraining from giving evidence, by fabricating evidence or by influencing another so to act.

b) A complaint that a police officer has or may have committed or may commit:

(i) an assault which has caused or may cause a serious injury and which could lead to a charge of maliciously wounding or inflicting grievous bodily harm upon a person pursuant to section 35 of the Crimes Act 1900; or

(ii) an offence (including larceny) relating to property where the value exceeds $5000; or

(iii) any offence (other than assault occasioning actual bodily harm) punishable on conviction on indictment by a maximum sentence of imprisonment or penal servitude for five years or more.

c) A complaint that a police officer has or may have solicited or accepted, or may solicit or accept, a benefit for himself/herself or for another in return for failing to carry out his/her duties.

d) A complaint that a police officer has or may have sought or may seek to interfere improperly in the investigation by another police officer of an alleged offence.

e) A complaint that a police officer investigating an offence alleged to have been committed by another police officer has or may have improperly failed to carry out, or may improperly fail to carry out, his/her duties in the course of that investigation.

f) A complaint that a police officer has or may have manufactured, or may manufacture, a prohibited drug, cultivated or may cultivate a prohibited plant, or supplied or may supply a prohibited drug or a prohibited plant unless the amount or number of such drug or plant is less than the indictable quantity therefore as specified in the Drug Misuse and Trafficking Act 1985.

10. In practice, most Category 1 complaints are referred to the Police Service to be dealt with under Part 8A of the Police Service Act 1990. The Commission may elect, however, to take over the investigation of a Category 1, or any other complaint (sub-section 23(1) and 70(3)(a)). It may also conduct an investigation on its own initiative (sub-section 23(1)).

INVESTIGATIONS

11. In matters where the Commission does decide to conduct an investigation (whether or not in the nature of a preliminary investigation), it has a wide range of powers at its disposal in order to compel the production of information. For example, the Commission may:

- require public officials and public authorities to produce statements of information (section 25);
- require any person (whether or not a public official or public authority) to produce documents or other things (section 26);
- enter public premises (section 29);
- obtain search warrants (section 45);
- obtain warrants under the Telecommunications (Interception) Act 1979;

- obtain warrants under the Listening Devices Act 1984 (section 50 of the Act); and

- require persons to attend and give evidence, either in public or in private (section 38).

REPORTS TO PARLIAMENT

12. The Commission may prepare Reports in relation to any matter that has been, or is, the subject of an investigation (section 96(1)). In the event that the Commission holds public hearings as part of an investigation, the Commission must prepare a Report in relation to the matter (section 96(2)). The Report must be furnished to the Presiding Officer of each House of Parliament as soon as possible after the Commission has concluded its involvement in the matter, unless it is considered desirable, in the public interest, for the making of the Report to be deferred.

13. Reports to Parliament in relation to investigations will generally contain a number of components, namely:

- a summary of the relevant evidence;

- assessments, opinions and findings of fact regarding the matters under investigation, including findings and opinions, as to whether police misconduct or other misconduct has or may have occurred, is or may be occurring, is or may be about to occur, or is likely to occur;

- statements and recommendations as to whether consideration should or should not be given to the prosecution of persons (including police officers) for criminal or disciplinary offences;

- statements and recommendations as to whether consideration should or should not be given to the taking of certain action against police officers, namely:

  – the taking of action (including the making of an order under section 181D of the Police Service Act 1990) against a police officer with a view to dismissing, dispensing with the services or otherwise terminating the services of a police officer;

  – the taking of reviewable action within the meaning of section 173 of the Police Service Act 1990 against a police officer;

- recommendations that consideration be given to the taking of non-reviewable action within the meaning of section 173 of the Police Service Act 1990 against a police officer;

- recommendations for other action, for example, changes to systems, procedures or policies.

14. Reviewable action is disciplinary action available against police officers for more serious breaches of discipline. A police officer may appeal the imposition of a form of reviewable action to the Industrial Relations Commission. The available forms of reviewable action are:

- a reduction in a police officer's rank or grade;
- a reduction in the police officer's seniority;
- a deferral of the police officer's salary increment; and
- any other action (other than dismissal or the imposition of a fine) that the Commissioner of Police considers appropriate.

15. Non-reviewable action is disciplinary action available against police officers for less serious breaches of discipline. There is no avenue of appeal to the Industrial Relations Commission against the imposition of a form of non-reviewable action. The available forms of non-reviewable action are:

- coaching;
- mentoring;
- training and development;
- increased professional, administrative or educational supervision;
- counselling;
- reprimand;
- warning;
- retraining;
- personal development;
- performance enhancement agreements;
- non-disciplinary transfer;

- change of shift (but only if the change results in no financial loss and is imposed for a limited period and is subject to review);

- restricted duties; and

- recording of adverse findings.

16. Assessments, opinions or findings of fact about what did or did not occur in relation to a matter under investigation inform the making of recommendations regarding prosecutions and other action. These findings are made on the balance of probabilities, having regard where relevant to the principles in Briginshaw v Briginshaw (1938) 60 CLR 336, that is, the more serious the matters under consideration, the more stringent will be the requisite degree of satisfaction.

17. Bearing in mind that the Commission is an investigative agency, and not a court or tribunal in the sense that it may adjudicate upon the legal rights of persons, the Commission may not make a finding, or form an opinion, that a specified person is guilty of or has committed, is committing or is about to commit a criminal or disciplinary offence (sub-section 16(2)(a)). An opinion that a person has engaged, is engaging or about to engage in police misconduct or other specified conduct (being conduct that constitutes or involves or could constitute or involve police misconduct) is not a finding or opinion that the person is guilty of or has committed, or is committing or is about to commit a criminal offence (sub-section 16(3)).

18. A statement as to whether consideration should be given to the prosecution of a person for a specified criminal or disciplinary offence must be included in each Report to Parliament if the person is an 'affected' person. An affected person is a person against whom substantial allegations have been made in the course of, or in connection with, the investigation (section 97). If the affected person is a police officer, the Commission must also state whether consideration should be given to dismissing or dispensing with the services of the police officer or the taking of reviewable action against the police officer.

19. The Commission will recommend or state that consideration should be given to the prosecution of a person for a specified criminal or disciplinary offence if the facts, as found by the Commission, are sufficient to establish a prima facie case against the person in relation to the offence. A prima facie case would be established if available admissible evidence, when taken at its highest, is capable of establishing each ingredient of the offence. The Commission cannot make a recommendation that a person should in fact be prosecuted for a criminal or disciplinary offence. This is the domain of the relevant prosecutorial authority (e.g. the NSW Director of Public Prosecutions.) The Commission will not have regard to discretionary considerations, such as whether there is a reasonable prospect of conviction,

when deciding whether to make such a recommendation. This and other discretionary considerations are appropriately matters for the relevant prosecutorial authority. That said, the Commission may make findings of fact or express opinions as to the veracity of evidence received from individual witnesses.

20. It is noted that the power of the Commissioner of Police to prefer a departmental charge against a police officer for hearing by the Police Tribunal was repealed on 8 March 1999.[110] Since that date, the powers and obligations of the Commissioner to recommend or state whether consideration should be given to the prosecution of a person for a specified 'disciplinary offence' (sections 16(1)(b), 97(2)(b)) has no effective application to police officers. This is so even for police misconduct that occurred before this date.[111]

[110] *Police Service Act 1990*, s 173 (repealed).

[111] *Police Service Act 1990*, Sch 4, Pt 13, cl 49.


POLICE INTEGRITY
COMMISSION