

Thursday 17 December 2015

Investigation into the conduct of officers of the NSW RFS and others

ICAC FINDINGS

The ICAC found that (Arthur) John Hacking, Scott Homsey and Gay Homsey engaged in [serious corrupt conduct](#) as follows:

John Hacking, by: accepting from Mr Homsey \$1,500 in March 2012 and \$3,000 in September 2012, the receipt of which he knew would tend to influence him to exercise his official functions in favour of Mr Homsey; accepting \$403,882 from Mr Homsey and Mrs Homsey between November 2012 and February 2015, the receipt of which he knew would tend to influence him to exercise his functions in favour of Mr Homsey and which did influence him to exercise those functions by facilitating and concealing the undersupply of snack packs to the RFS and showing favour to Mr Homsey in relation to the business of the RFS; raising RFS purchase orders to Mr Homsey's companies for snack packs and facilitating payment of Mr Homsey's invoices between October 2012 and December 2014, knowing that the full amount ordered would not be supplied or had not been supplied to the RFS; taking mobile telephones and other electronic devices from the RFS without authority between March 2011 and December 2014.

Scott Homsey, by: paying the money described above, which he knew would tend to influence Mr Hacking to exercise his official functions in favour of Mr Homsey, and in the case of the \$403,882 did influence Mr Hacking to exercise those functions to favour Mr Homsey; his role in submitting the invoices to the RFS for snack packs between October 2012 and December 2014, knowing that the full amount ordered had not been supplied or would not be supplied to the RFS, and knowing that payments had been made, or would be made, to a public official from the profit of the undersupply.

Gay Homsey, by: assisting Mr Homsey to pay \$38,000 to Mr Hacking in November 2012, the receipt of which she knew would tend to influence John Hacking to exercise his official functions in favour of Mr Homsey; assisting Mr Homsey to pay money to John Hacking between August 2014 and February 2015, knowing that the money was being paid as an inducement or reward for John Hacking exercising, or having exercised, his official functions in favour of Mr Homsey, by facilitating and concealing the undersupply of snack packs to the RFS.

ICAC RECOMMENDATIONS

The ICAC is of the opinion that the advice of the Director of Public Prosecutions should be obtained with respect to the prosecution of Mr Hacking, for [various offences](#) including receiving corrupt commissions or rewards which he knew would tend to influence him to show favour to Mr Homsey in relation to the business or affairs of the RFS, contrary to section 249B(1)(b) of the *Crimes Act 1900*; Mr Homsey, for offences including corruptly making payments to Mr Hacking, which he knew would tend to influence him to show favour to Mr Homsey in relation to the affairs or business of the RFS, contrary to section 249B(2)(b) of the *Crimes Act*, in respect of the payments he made to Mr Hacking between March 2012 and February 2015; Mrs Homsey, for offences including aiding Mr Homsey to pay corrupt commissions to or rewards to Mr Hacking, in respect of payments made between November 2014 and February 2015, contrary to section 249F(1) of the *Crimes Act*.

CORRUPTION PREVENTION

The Commission recommends that:

- the RFS, where possible, strengthens its logistics capabilities and modifies its procurement practices to reflect an overall logistics focus
- the RFS continues to seek methods of integrating the Systems, Applications and Protocols (SAP) system and emergency manual controls in a way that does not impede speed and flexibility
- all inventory relating to consumables held by the RFS be recorded as assets with their full value
- consumables held in RFS inventory are expensed only when they leave inventory for a specific event or activity, or because they have expired.

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