

Tuesday 19 October 2021

Investigation into the sourcing of software systems for the Western Sydney Institute of TAFE

ICAC FINDINGS

The ICAC found that Hasan Mamun, Samiul Kabir, Kazi Hassan, Ashique Ibrahim, Mohammad Suza-Ud-Dawllah and Monzurul Hoque engaged in serious corrupt conduct. Read the full findings [here](#).

ICAC RECOMMENDATIONS

The Commission seeks the advice of the Director of Public Prosecutions (DPP) on whether any prosecution should be commenced. The DPP determines whether any criminal charges can be laid, and conducts all prosecutions. The Commission is of the opinion that consideration should be given to obtaining the advice of the DPP with respect to the prosecution of Mr Mamun, Mr Kabir, Oscillosoft Pty Ltd, Mr Hassan, Mr Ibrahim, Mr Suza-Ud-Dawllah and Mr Hoque for various [offences](#).

RECOMMENDATIONS FOR DISCIPLINARY ACTION

The Commission is of the opinion that TAFE NSW should give consideration to taking action against Mr Hoque for a specified disciplinary offence and the taking of action against him on specified grounds with a view to dismissing, dispensing with the services of, or terminating the services of Mr Hoque.

CORRUPTION PREVENTION

The Commission has made [14 corruption prevention recommendations](#) to help TAFE NSW prevent the conduct identified in the investigation from recurring.

BACKGROUND

On 22 May 2017, the ICAC received a notification relating to Mr Mamun from the managing director of TAFE NSW pursuant to section 11 of the *Independent Commission Against Corruption Act 1988*. This section requires the principal officer of a public authority to report to the Commission any matter that they suspect on reasonable grounds concerns, or may concern, corrupt conduct. A public interest disclosure had been made by a TAFE NSW employee about which further enquiries had been made. It was alleged that Mr Mamun had a personal relationship with a director of TAFE contractor Oscillosoft, which he did not disclose to TAFE NSW. It was also alleged that Mr Mamun engineered the sourcing specifically of the iPlan program, and in doing so did not follow proper procurement procedures, and that he had “encouraged” the recruitment of two friends in the finance section of the Western Sydney Institute of TAFE, of which he was the manager.

The Commission commenced a preliminary investigation in June 2018, the evidence gathered during which corroborated the allegation that Mr Mamun had a close personal relationship with the Oscillosoft director that he failed to disclose and from whom he sourced the iPlan software. In February 2019, the Commission decided to undertake a more extensive investigation.

After taking into account matters set out in section 31 of the ICAC Act, the Commission determined it was not satisfied it was in the public interest to hold a public inquiry, but that the matters raised in the investigation could be addressed satisfactorily through a public report pursuant to section 74(1) of the ICAC Act. In making that determination, the Commission had regard to the following considerations: a substantial amount of cogent evidence was obtained in the course of the investigation that indicated the likelihood of serious corrupt conduct; based on the evidence obtained during the investigation, it was unlikely that a public inquiry would uncover new evidence relevant to the investigation; the evidence obtained by the Commission indicated that the alleged corrupt conduct was limited to Mr Mamun, Mr Kabir, Mr Hoque and the Oscillosoft directors; and a public report would make the public sufficiently aware of the relevant conduct and system weaknesses as well as the Commission’s corruption prevention recommendations. Read the full report [here](#).

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