

Tuesday 27 July 2010

**Investigation into the smuggling of contraband into the
John Morony Correctional Centre****ICAC FINDINGS**

- The ICAC has made findings of corrupt conduct against Sebastian Wade in relation to supplying contraband to inmates at the John Morony Correctional Centre (JMCC).
- Mr Wade acted corruptly by, on at least three occasions between mid-2009 and November 2009, obtaining items from an associate of a JMCC inmate including compact discs, sunglasses, a T-shirt and probably drugs which he took into the centre and gave to the inmate in return for payment.
- Mr Wade also engaged in corrupt conduct when he was given cannabis and paprika by the associate of another JMCC inmate in November 2009, which he subsequently gave to that inmate in return for payment.
- He further engaged in corrupt conduct when he was given cannabis and alcohol by yet another associate of a JMCC inmate in January 2010, which he intended to take into the centre and give to that inmate in return for payment.

ICAC RECOMMENDATIONS

- The Commission is of the opinion that consideration should be given to obtaining the advice of the Director of Public Prosecutions (DPP) with respect to the prosecution of Mr Wade for offences of receiving corrupt payments from the inmate associates A1, A2 and A3 on behalf of the inmates P1, P2 and P3 respectively contrary to section 249B of the *Crimes Act 1900*.
- The Commission is of the opinion that consideration also should be given to obtaining the advice of the DPP with respect to prosecuting Mr Wade for offences under section 87 of the *Independent Commission Against Corruption Act 1988* of giving false or misleading evidence to the Commission.

CORRUPTION PREVENTION

The Commission has made 14 corruption prevention recommendations to help improve the security measures at correctional centres to help prevent this type of behaviour from recurring in the future, including that:

- within a year of CSNSW's implementation plan being submitted to the Commission, staff lockers at all correctional centres with security screening points are relocated so the lockers are placed before the security screening point where staff enter the facility
- CSNSW uses passive alert dogs during random searches of custodial correctional officers while the officers are on parade at the start of their shift, in addition to any other occasions where random searches using passive alert dogs might be performed
- CSNSW uses passive alert dogs as part of random searches of staff lockers and staff vehicles
- the Premier introduces an amendment to the *Public Sector Employment and Management Act 2002*, and any other relevant legislation, to give the Commissioner of CSNSW non-reviewable powers to remove custodial corrections officers on the basis of a loss of confidence in an officer's suitability to continue as a corrections officer similar to the power currently held by the Commissioner for NSW Police under the *NSW Police Act 1900*.

The Commission held a public inquiry as part of this investigation over three days between 27 and 30 April 2010, at which Commissioner the Hon David Ipp AO QC presided. The full report is available on the ICAC website at www.icac.nsw.gov.au .

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