

## Report on the use of TAFE funds to pay for work on a dog kennel complex

### ICAC FINDINGS

- The ICAC has made findings of corrupt conduct against Garrie Cooper, Mark Wiseman, Anthony Fox, Keith Melia and Khai Van Tran.
- The corrupt conduct findings against Messrs Cooper, Fox, Melia and Tran are in relation to TAFE funds being used to fund private construction work on a dog kennel complex. The Commission also finds that Mr Cooper and Mr Wiseman engaged in corrupt conduct in relation to the obtaining of dummy work quotes.
- Mr Wiseman also engaged in corrupt conduct by failing to take action to report Mr Fox for falsely claiming payment from TAFE, and approving payment for Mr Melia knowing that the invoices falsely claimed costs related to the supply and installation of eaves and framing.

### ICAC RECOMMENDATIONS

- The Commission 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 Cooper for offences of concurring in the publishing of a false statement for the purpose of obtaining a benefit contrary to section 178BB of the Crimes Act 1900, and offences of giving false or misleading evidence to the Commission contrary to section 87(1) of the Independent Commission Against Corruption Act 1988.

### CORRUPTION PREVENTION

The Commission has made eight corruption prevention recommendations to the Department of Education of Training, of which TAFE is a division. The recommendations include that:

- South Western Sydney Institute TAFE introduces a system whereby Finance Staff are required to record and report breaches of procurement policy to the Associate Director, Business Services.
- TAFE undertakes an audit of all teaching positions involved in procurement and where appropriate ensures that basic training in procurement is provided, and that duties are segregated so that teaching staff are not exercising end-to-end control, approval being obtained outside their faculty.
- South Western Sydney Institute TAFE develops a protocol whereby staff members who breach financial policies on more than one occasion in a financial year have their financial delegation removed for 12 months.

### BACKGROUND

- The ICAC's investigation into this matter commenced following a report to the Commission from the Director General of the Department of Education and Training in May 2009 concerning an allegation that Mr Cooper had undertaken private construction work using TAFE resources and had made payments to contractors for work that had either not been done or for which payment had previously been made.
- Mr Cooper resigned from TAFE during the Commission's investigation. Mr Wiseman has been disciplined by TAFE in relation to his approval of Mr Melia's invoices. The Commission has therefore made no recommendations in relation to disciplinary action.
- A public inquiry was held as part of this investigation on 1 and 2 March 2010. Assistant Commissioner Theresa Hamilton presided and nine witnesses, including Mr Cooper, gave evidence.
- The report is available on the ICAC website at [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au).

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