

Thursday 12 August 2010

## **Investigation into attempted corrupt payment and submission of false resumes to public authorities**

### **ICAC FINDINGS**

- The ICAC has found that Don Gamage (also known as Sisira Kumara Kumaragamage Don or Don Kumaragamage) engaged in corrupt conduct by offering \$15,000 to Stephen Blackadder in an attempt to influence Mr Blackadder to act in a favourable way towards Mr Gamage's application to secure him the position of Director Technical Services at Woollahra Municipal Council.
- Mr Gamage also engaged in corrupt conduct by providing a false employment history and references purporting to be from work colleagues when he applied for positions at Cobar Shire Council on 24 November 2006 and Coonamble Shire Council on 13 February 2009.
- He also engaged in corrupt conduct when he provided a false employment history when he applied for positions at Lithgow City Council on 16 July 2009, Harden Shire Council on 23 July 2009, Goulburn Mulwaree Council on 20 September 2009, Bland Shire Council on 25 November 2009, Upper Lachlan Shire Council on 4 February 2010 and Lachlan Shire Council on 9 April 2010.

### **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 Gamage for various offences including an offence under section 249B of the Crimes Act 1900 in relation to the \$15,000 offer to Mr Blackadder, and two offences under section 87 of the Independent Commission Against Corruption Act 1988 in relation to giving false evidence to the Commission by denying that he had offered \$15,000 to Mr Blackadder.
- The Commission is also of the opinion that consideration should be given to obtaining the advice of the DPP with respect to prosecuting Mr Gamage for offences including five under s.178BB of the Crimes Act in relation to the publishing of false and misleading documents with the intention of obtaining a financial advantage in his employment applications to Lithgow City, Harden Shire, Goulburn Mulwaree, Bland Shire and Upper Lachlan Shire councils; and two offences under 178BA of the Crimes Act in relation to the presentation of false information to obtain employment with Coonamble Shire Council and Cobar Shire Council.

### **CORRUPTION PREVENTION**

The ICAC has made four corruption prevention recommendations to Cobar and Coonamble shire councils, to help improve recruitment processes. The recommendations include that the councils:

- conduct adequate employment screening checks, in line with the current Australian Standard on Employment Screening, be performed on preferred applicants
- engage an employment screening company if they are recruiting senior staff and are having difficulty in verifying the information supplied by the preferred applicant
- know and are satisfied with the: verification checks performed by professional bodies before they rely on membership of them as evidence of a candidate's skills or experience and; the process used in relation to migrant skills assessment before they rely on that assessment as evidence of a candidates' skills or experience and
- obtain consent from employment applicants to verify memberships or other status that they claim to hold with professional bodies, and ensure that this consent has been provided to these professional bodies.

The first two recommendations are relevant to all NSW public sector agencies, while the third and fourth are relevant to those agencies that deal with professional bodies. The Commission will write to all public authorities to ensure they are aware of the recommendations.

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