

Tuesday 26 May 2020

Investigation into the over-payment of public funds by the University of Sydney for security services

ICAC FINDINGS

- The ICAC finds that Emir Balicevac, Daryl McCreadie, Frank Lu engaged in serious corrupt conduct by, between December 2015 and April 2018, dishonestly obtaining approximately \$222,905, \$27,283 and \$244,091 from Sydney Night Patrol and Inquiry Co Pty Ltd (SNP) by submitting timesheets in which they made false representations as to the identities of guards who provided, or purported to provide, ad hoc security services to the University of Sydney, knowing that the funds to pay those claims would ultimately come from the University.
- The ICAC finds that George Boutros also engaged in serious corrupt conduct by, between October 2016 and April 2018, engaging in the same practice.
- The ICAC finds that Mr Balicevac engaged in serious corrupt conduct by, in late 2016, providing a pinball machine to Dennis Smith, a NSW public official then employed as security operations manager at the university, at a cost of \$10,650 to induce or reward Mr Smith to show favour to him and SIG in relation to the provision of security guarding services at the University.
- The ICAC finds that Taher Sirour engaged in serious corrupt conduct through facilitating payments to Mr Balicevac, Mr McCreadie, Mr Lu and Mr Boutros, on the basis of the false timesheets to obtain a financial advantage from SNP at the cost of the University, and giving or offering to provide Mr Smith inducements or rewards for using his position at the University to favour the interests of SIG and Mr Sirour, or to influence him to show such favour.
- The ICAC finds that Mr Smith engaged in serious corrupt conduct by accepting, or agreeing to accept, the above gifts, as an inducement or reward to use his position at the University to favour SIG's interests.

More details about the serious corrupt conduct findings are available [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 ICAC is of the opinion that the advice of the DPP should be obtained with respect to the prosecution of: Mr Balicevac, Mr McCreadie, Mr Lu, Mr Boutros, Mr Sirour and Mr Smith for offences against the *Crimes Act 1900*: Mr Balicevac and Mr Smith for offences against the *Independent Commission Against Corruption Act 1988* of giving false or misleading information to the Commission; Mr Sirour for an offence against the *Criminal Code Act 1995* (Cwlth); and Mr Balicevac, Mr McCreadie, Mr Lu and Mr Boutros for offences against regulation 42 of the Security Industry Regulation 2016, and regulation 44 of the Security Industry Regulation 2007. More details about the recommendations are available [here](#).

CORRUPTION PREVENTION

The Commission is satisfied that the University's tender process for the provision of security services and its lack of a robust contract management framework may have contributed to the occurrence of corrupt conduct found in this investigation. The Commission has made 24 corruption prevention recommendations to assist the University to improve its systems. The full list of corruption prevention recommendations is available [here](#).

BACKGROUND

On 27 March 2017, the University's Vice-Chancellor reported to the Commission under section 11 of the ICAC Act possible corruption in the supply of security services to the University. The Commission commenced a preliminary investigation, which then suggested the likelihood that serious corrupt conduct had occurred, and the matter was escalated to a full investigation. Read the full report [here](#).

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