

Joint Task Force Polaris targets organised crime

Joint Task Force Polaris gets on the front foot with organised crime on the waterfront.

Law enforcement officers call it a classic ‘rip on-rip off’ operation. Two sports bags with 50 kilograms of cocaine and a street value of \$13.2 million were inserted into a container in Panama after the consignment was sealed. The broken seal was then glued back together. A replacement seal was also included with the drug shipment. While it wasn’t used, it shows the forward planning of drug syndicates. The container targeted by criminals belonged to a large multinational shipping company with a solid importing history to minimise scrutiny from customs

in Australia. The drugs could then be removed and the seal replaced while the container waited in Customs at Port Botany. But Australian authorities had already been tipped off by the US Drug Enforcement Agency that a shipment was imminent.

On 18 September, 2010, Customs identified the sports bags in a container on the MV *Maersk Jackson* under Operation Polaris Tempest. By 23 September, three male and one female alleged offenders were fronting Sydney courts.

Two sports bags seized in Operation Polaris Tempest contained approximately 50 kilograms of cocaine.





Manager Serious and Organised Crime David Sharpe says the joint effort to target crime on the waterfront has resulted in phenomenal success.

It was the first big success of the Joint Task Force (JTF) Polaris. The task force had formed on 1 July, 2010. Just two months before, senior AFP and NSW law enforcement and crime authority executives met in Sydney. Delegates discussed a NSW Crime Commission (NSWCC) proposal to establish a joint task force to target waterfront related crime in NSW.

The Australian Crime Commission (ACC) estimates that organised crime costs Australia between \$10-15 billion each year. It also identified that organised criminal infiltration in the maritime sector posed significant risks to Australia's national security. The threat of unchecked imports of biotechnologies and weapons through criminal supply chains is a serious concern to national security planning.

Thus, when Polaris was raised on July 1, 2010, the AFP, ACC, New South Wales Police (NSWP), NSWCC and the Australian Customs and Border Protection Service (ACBPS) joined their resources to take the fight to crime on the waterfront. Two years on, JTF Polaris has 73 staff including 40 cross-agency investigators, six intelligence officers and 27 Customs enforcement personnel.

Manager Serious and Organised Crime Commander David Sharpe says "the results have been phenomenal". The task force has effected 16 arrests (including 77

charges), and seized more than 12 tonnes of illicit substances and pre-cursor chemicals. It has also seized 114.8 tonnes of loose leaf tobacco, \$1 million in cash and 92.7 million individual cigarettes. The arrests and broader results are significant in themselves. But the success of JTF Polaris is important for three unique reasons.

The task force represents a new approach to investigations. Commander Sharpe says crime had always been targeted on the waterfront. The difference now is that investigators are also targeting the processes that support criminal activities from the departure port to the destination port. By fully understanding the processes used, investigators can target the weaknesses in the system, particularly in the supply chain logistics.

The second key objective of the task force was to identify vulnerabilities in the waterfront environment. "Operation Tempest highlighted what this was all about," Commander Sharpe says. "It highlighted very clearly what the vulnerabilities are throughout the waterfront system. We are identifying and targeting each of those vulnerabilities in the entire supply chain.

"Part of the Polaris role was to develop a vulnerabilities register, which has been tabled to the Joint Management Committee. The register has been completed and included a suite of recommendations that we developed to target-harden the waterfront environment. The Minister, Attorney General's Department and Prime Minister's office have been briefed on that register."

The third innovation for JTF Polaris is the extraordinary cooperation between national agencies, state organisations and industry. The determination between partners is changing the playing field. That change began in December 2008 with the National Security Statement by then Prime Minister Kevin Rudd. In that statement the Government articulated the impact of organised crime and its intent to seriously take it on.

Even so, the confidence of criminals on the waterfront gives some indication of just how comfortable they are in exploiting the environment. Commander Sharpe says throwing 50 kilograms of cocaine on legitimate cargo and expecting an easy removal in Australia shows an almost arrogant complacency from criminal elements infiltrating the system.

At Port Botany there was no urgency to ‘rip-off’ the cocaine. The syndicate waited patiently while the container went through Customs. But during the process police replaced the cocaine with an inert substitute in the Container Examination Facility. The container was returned to the dock where it sat for a few days under 24-hour surveillance. The container was then transferred by rail to Macarthur Intermodal Shipping Terminal (MIST).

On the first night at MIST the container was relocated to an easily accessible part of the container yard. A non-MIST employee entered and removed the cocaine. The bags were then placed in the rear of a utility and moved to a nearby address. Receivers arrived the next day and lifted the cocaine from the vehicle. Law enforcement then moved to make arrests.

Clearly, there are other ways to import contraband goods into Australia. But Superintendent McErlain says any significant quantities of criminal imports need to come via sea lanes and through waterfronts. For that reason, the JTF Polaris mission was to know the process and target goods while they were under Customs control.

Commander Sharpe says an important development is the willingness of industry to help. Legitimate multinational companies are equally concerned that their brand is being exploited by criminals. “We have been able to go to them and say ‘did you know your container was carrying 50 kilograms of cocaine?’.”

Similarly, port authorities and unions are keen to defend their reputations. They have a mutual concern to end crime in their environment. “We can’t do it alone,” says Commander Sharpe. “We need to tap into their knowledge of the processes and help each other eradicate crime.”

He highlights that placing security seals on consignments entering Australia is not even mandatory. Many companies don’t bother with low-risk cargo. But he adds that the company exploited by the Panama-Australia drug syndicate now places two seals on each container. “It’s a small step but an important one,” Commander Sharpe says.

New automated port systems will be an industry innovation that will seriously harden ports to crime. Sensor-operated machinery will automate the load-unload function of containers at ports. The new system will almost entirely remove human presence



The cocaine shipment inside a legitimate container.



Cocaine seized in the Operation Polaris Tempest investigation was valued at about \$13.2 million.



A replacement seal packaged with the cocaine as forward planning to disguise the breach in container security.

from the ground level at terminals. Importantly, unauthorised access at ground level will be a criminal offence.

Government support is critical and its response to the JTF Vulnerabilities Register was swift. Minister for Home Affairs and Justice Jason Clare announced an 11-point reform plan on 25 May, 2012, to limit waterfront infiltration by crime. Mr Clare said he would give law enforcement the powers and tools they need to target organised crime. "This is a major crackdown on organised crime and a major overhaul of security of the waterfront and the entire supply chain," Mr Clare said.

Multi-agency collaboration of law enforcement organisations is the lynchpin to success. In fact, it's been so successful that Task Force Trident was established on 1 July, 2012, in Melbourne. Task Force Yelverton in Western Australia is also underway. A similar task force is scheduled for Brisbane in mid-2013.

JTF Polaris is also working closely with the Australian Commission for Law Enforcement Integrity (ACLEI). An Integrity Reporting Framework has been established to ensure that all agency Professional Standards teams and the Joint Management Committee are provided with timely briefings.

Mr Clare also announced a new industry forum of law enforcement agencies and stakeholders on the waterfront and in the supply chain. The forum will consider further opportunities for law enforcement and industry to work together to address vulnerabilities. His 25 May announcement also flagged that detailed development of legislation and its implementation will be done in close cooperation with industry and unions. Commander Sharpe says maintaining interagency teamwork is the key to continuing the successful fight against organised crime on the waterfront.

"The Commonwealth Organised Crime Strategic Framework recognises the need to work together and share intelligence. We cannot target high-level international organised crime syndicates unless we do it together.

"Sharing our intelligence, experience, resources and technological governance is key to future success."

Crime on the waterfront

If one investigation demonstrates just how confident criminals are in exploiting the waterfront then that is Operation Polaris Tuskers. The operation commenced when an Australian Government official was approached at a hotel in Indonesia and offered a bribe.

The official was in-country on work-related duties and was offered a large amount of money for each successfully imported container to assist in the importation of illicit tobacco products to Australia.

While it's no surprise that criminals will flout the law for their own benefit – it was the brazen nature of the crime that astounded authorities. AFP Manager Serious and Organised Crime Commander David Sharpe says it shows just how vulnerable the waterfront is to criminal exploitation when a criminal walks off the street and attempts to bribe an official.

Considerable evidence against the Australian syndicate and other persons was obtained during this investigation. The investigation also identified specific methods the criminals used to evade law enforcement detection when importing containers of tobacco products.

On 1 September, 2011, Operation Polaris Tuskers investigators executed 15 search warrants on eight properties and seven vehicles. Evidentiary material including computers, documents and \$420,000 in cash was seized.

Two Australians were arrested for alleged bribery and importation offences following the seizure of more than 60 tonnes of illegal tobacco and almost 25 million counterfeit cigarettes.

Six containers attributed to the arrested persons were seized by the taskforce and Australian Customs. The seized imports had the potential to divert more than \$36 million from Australian revenue.