s22(1)(a)(ii)

From:

s22(1)(a)(ii)

Sent:

Tuesday, 27 September 2016 11:59 AM

To:

s22(1)(a)(ii)

Subject:

FW: Leak [SEC=UNCLASSIFIED]

From: Connelly, Shane

Sent: Thursday, 21 April 2016 8:57 AM

To: McCartney, Ian; s22(1)(a)(ii) Phelan, Michael; Osborne, Paul

Subject: RE: Leak [SEC=UNCLASSIFIED]

UNCLASSIFIED

Ian, have spoken to s47F he is sending a Commodore over here at 0930 today and the person who runs the Cabinet process, with all they can provide to commence evaluation on Sub Leak arising from NSC.

I will be seeking additional resources for HOI as discussed as I cannot divert the priority from the 22(1)(a)(ii) s22(1)(a)(ih)s always I would appreciate it if the Secretary follows up his verbal referral with a letter to the C.



ASSISTANT COMMISSIONER SHANE CONNELLY

NATIONAL MANAGER CRIME OPERATIONS

CRIME OPERATIONS

Tel +

s22(1)(a)(ii)

www.afp.gov.au

UNCLASSIFIED

From: McCartney, Ian

Sent: Thursday, 21 April 2016 8:34 AM

To: Connelly, Shane

Subject: RE: Leak [SEC=UNCLASSIFIED]

UNCLASSIFIED

Denis Richardson, the Secretary has spoken to Mike, requesting an AFP investigation.



IAN MCCARTNEY

PERFORMING THE DUTIES OF DEPUTY COMMISSIONER OPERATIONS

EXECUTIVE

Tel

WWw.arp.yov.au

s22(1)(a)(ii)

UNCLASSIFIED

From: Connelly, Shane

Sent: Thursday, 21 April 2016 8:17 AM

To: McCartney, Ian

s47F

Subject: RE: Leak [SEC=UNCLASSIFIED]

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Can you confirm the FEREIED OMINOTO LONG BUILDING CONTINUES OF SAFE

(COMMONWEALTH)



ASSISTANT COMMISSIONER SHANE CONNELLY

NATIONAL MANAGER CRIME OPERATIONS CRIME OPERATIONS

UNCLASSIFIED

s22(1)(a)(ii)

From: McCartney, Ian

Sent: Thursday, 21 April 2016 8:14 AM To: Connelly, Shane; Osborne, Paul

s22(1)(a)(ii)

Subject: RE: Leak [SEC=UNCLASSIFIED]

UNCLASSIFIED

Shane, I have briefes 22(1)(a)(ii)

Regards



IAN MCCARTNEY

PERFORMING THE DUTIES OF DEPUTY COMMISSIONER OPERATIONS s22(1)(a)(ii)

EXECUTIVE

Tel +

www.arp.gov.au

UNCLASSIFIED

From: McCartney, Ian

Sent: Thursday, 21 April 2016 8:10 AM To: Connelly, Shane; Osborne, Paul

s22(1)(a)(ii)

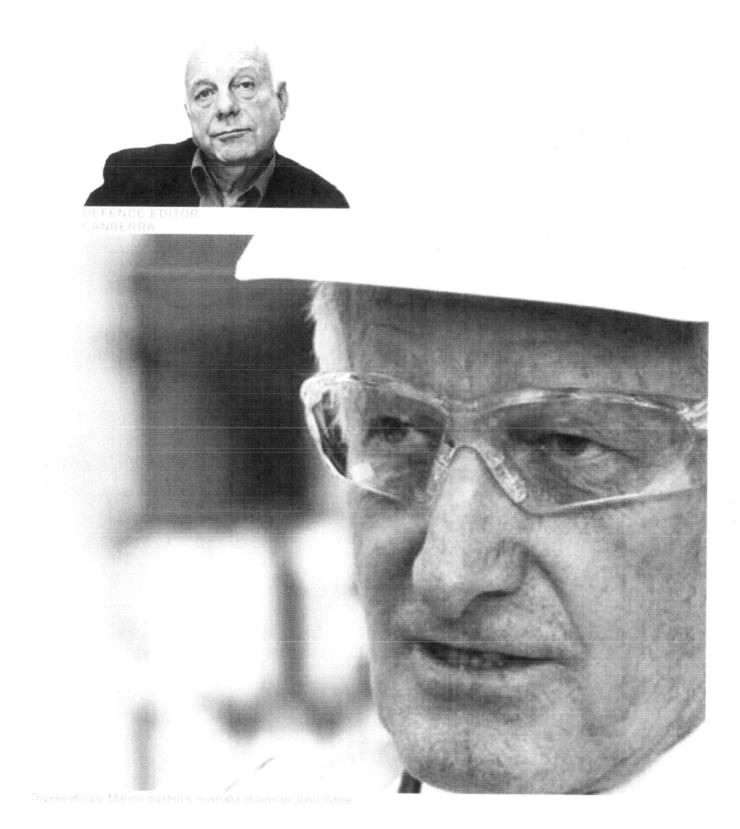
Subject: Leak [SEC=UNCLASSIFIED]

UNCLASSIFIED

This is the article re leak of information.

Japan's subs bid is seen as the weakest

- SALL
- PRINT
- BRENDAN NICHOLSON



Japan's bid for the \$50 billion submarines contract is understood to be considered the weakest on the table as cabinet's National Security Committee finalises its decision on who will design the really beauty.

Companies from Papari, Erance and German Rate NGE, Wighter The 11th-hour push to win what Fire EPON in Ernal Form Mandards, A Grass Redefence contract. (COMMONWEALTH)

The Australian has been told the Japanese bid was considered the weakest and that of the French company, DCNS, the strongest.

The NSC set aside much of Tuesday and yesterday to examine a recommendation by an expert Defence Department panel headed by former submarine commander Rear Admiral Greg Sammut, considered one of the Australian Defence Force's smartest, most diligent officers.

Rear Admiral Sammut gave the ministers a lengthy and highly detailed briefing on the three options. The NSC recommendation still has to go to the full cabinet.

A Japanese official in Tokyo told *The Australian* that while he was confident his country had the best submarine, he felt its lack of experience in exporting military material may have resulted in it submitting a weaker bid than the other two contenders.

Missing out on the contract would be seen as very serious in Japan, which views the bid as the cornerstone of a closer defence relationship with Australia.

For a time, with Tony Abbott as prime minister, it appeared that Japan was set to be awarded the contract without any competition.

If Japan loses, Malcolm Turnbull will be at pains to stress to his counterpart Shinzo Abe that the defence and security relationship will strengthen whoever builds the submarines.

The head of the Australian operations of Germany's shipbuilder TKMS, John White, has strongly rejected claims that it would cost up to 30 per cent more to build the submarines in Australia rather than overseas.

Dr White told *The Australian* his company had assured the government it could build the submarines in Australia for \$20bn, the same price as they'd be built for in Germany. "We made it clear that the project could be undertaken in Australia at a price no more than \$20bn and that price would not vary," Dr White said.

"With our vast experience of building submarines both in our Kiel shipyard and for foreign navies in their own countries, we have adopted a proven approach using a digital shipyard system which means no cost variations unless the customer has changed its technical requirements during the design and build process."

Dr White, who headed the very successful Anzac frigate program, said contrary to some claims, and Australian workforce ORDANCE WIJTH THE FREEDOM OF INFORMATION ACT 1982

(COMMONWEALTH)

BY THE AUSTRALIAN FEDERAL POLICE

would cost 11 or 12 per cent less than the TKMS workforce in Germany and would be as productive.

Herve Guillou, the global chairman and chief executive of the giant French DCNS group, said the new submarines must be built in Australia to ensure such a vital strategic asset could be maintained and modernised here.

"After 10 years you have to upgrade things as technology improves to keep up your regional superiority. You need not only a database and a supply chain, you also need engineering know-how and know-why," Mr Guillou said.

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IAN MCCARTNEY

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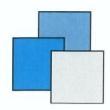
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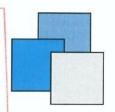
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Office of Deputy Commissioner Operations
RECEIVED









REF: CMS 2016/9223 Date: 26/08/2016 FROM: DCO Finalisation of Defence Referral Submarine Contract Leak Allegation (Op Hubris) SUBJECT: Commissioner COO DCNS DCO DCC CoS **CFO** NMA NMCO NMSC CPOACT NMWD **NMCT** NMSO

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	General Counsel			
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Minute

Addressee

A/DCO through NMCO, MCO and CHOI

Title

Operation Hubris - Unauthorised Disclosure of Commonwealth

Information - Future Submarine Program

Action required: For endorsement of case finalisation and signature on attached

correspondence

Deadline: Nil

Reasons for proposed actions:

s22(1)(a)(ii)
s22(1)(a)(ii)
s34(3)
s22(1)(a)(ii)

s34(3)

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s22(1)(a)(ii)

The investigation has undertaken all reasonable enquiries to identify an offender. There are no further relevant avenues of enquiry available for investigators to pursue and it is recommended that the investigation be finalised.

Resource implications:

Nil

Consultation:

CHOI AFP Legal

Expected Reaction:

Nil

Recommendation:

That you:

- 1. Note the contents of this brief; and
- 2. Approve the finalisation of the investigation; and

3. Sign the attached correspondence.

s22(1)(a)(ii)

Detective Sergeant 12548 Head Office Investigations

22 August 2016

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MINISTERIAL SUBMISSION

Sub Number MS16-000322

AFP Ref: 5951271

Minister for Justice

cc

Attorney-General

INVESTIGATION INTO THE UNAUTHORISED DISCLOSURE OF COMMONWEALTH INFORMATION – FUTURE SUBMARINE PROGRAM.

Deadline: Routine.

Purpose: For information.

Previous Submissions: Nil.

Information:

s22(1)(a)(ii)	
s22(1)(a)(ii)	s34(3)
s34(3)	

2. The AFP has undertaken a thorough investigation of this matter with the support of the Future Submarine Program (FSP) office within the Department of Defence.

s34(3)

- 3. It was noted that the Department of Defence, in particular the FSP office, undertook all reasonable steps within its control, to ensure the security of its information however due to the number of people who had access to the information, the investigation was unable to identify any person responsible for disclosing the information to The Australian.
- 4. All investigative avenues of inquiry have been exhausted and this matter will now be finalised.

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Consultatio.	i for th	preparation	of this	brief: Nil
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Future action: Nil

Expected reaction: Media attention is anticipated once the outcome of the investigation is known.

Recommendation: That you note the contents of this brief.

Noted.

Shane Connelly National Manager Crime Operations

August 2016

Minister for Justice

Action Officer

s22(1)(a)(ii)



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Our Reference: 5951271

August 2016

Mr Dennis Richardson, AO Secretary of Defence R1-5-B Secretary Suite Department of Defence PO Box 7901 CANBERRA BC ACT 2610

Dear DENHIS,

I write to advise you of the outcome of the matter you referred to the Australian Federal Police (AFP) on 21 April 2016, to investigate the unauthorised disclosure of information contained in an article titled: "Japan's subs bid is seen as the weakest' published in *The Australian* on the same date.

s22(1)(a)(ii)

It was also noted that the Department of Defence, in particular the FSP office, undertook all reasonable steps within its control, to ensure the security of its information.

However, due to the number of people who had access to the information and the lack of evidence to implicate any individual/s, the investigation was unable to substantiate who was responsible for disclosing the information to the media. All investigative avenues of inquiry have been exhausted and this matter will now be finalised.

Should you wish to discuss this matter further, the AFP contact is National Manager Crime Operations, Assistant Commissioner Shane Connelly. Assistant Commissioner Connelly can be contacted or \$22(1)(a)(ii) or email

Xours sincerely

Andrew Colvin Commissioner

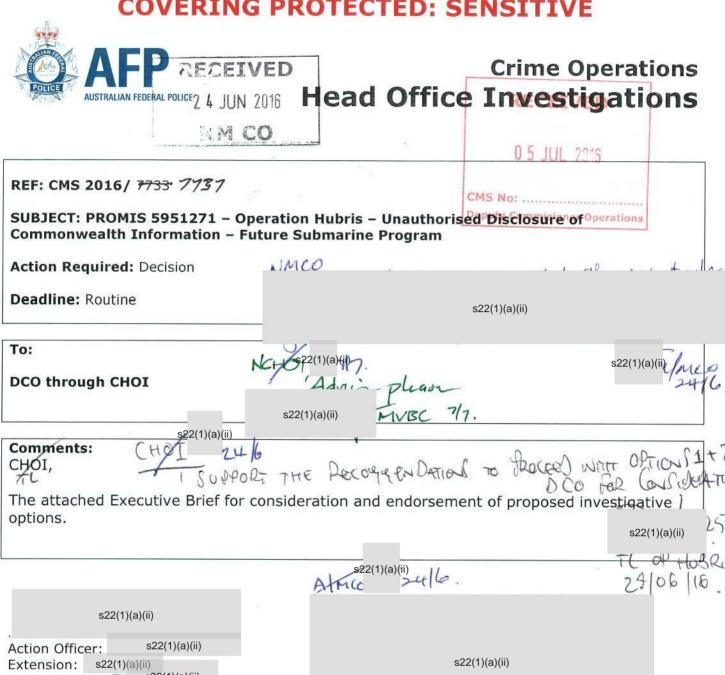
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Crime Operations Head Office Investigations

REF: CMS 2016	7733				*
SUBJECT: Op H	lubris – Decision re	\$22(1)(a)(ii	i) Op	Hubris	
Action Require	d: Advice				
Deadline: Prior	ty				
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any areas requi	should include recoring improvement in leak from occurring	n security and pro	cedural issues	cies Departme that could m	ents etc. of itigate or
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Date: 24/06/2016

s22(1)(a)(ii)

MCO, please

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NMCO,

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Minute

s22(1)(a)(ii)

Addressee DCO through CHOI241

Title

Operation Hubris - Unauthorised Disclosure of Commonwealth

Information - Future Submarine Program

Action required: For consideration and endorsement of proposed investigative

options

Deadline: Nil

Reasons for proposed actions:

Background

s22(1)(a)(ii) s22(1)(a)(ii) s34(3) s34(3)

s22(1)(a)(ii)

s34(3)

Investigation

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s22(1)(a)(ii)

PROTECTED Sensitive	
s22(1)(a)(ii)	
Resource implications: Operation Hubris investigators will conduct the relevant enquiries. Consultation: T/L Operation Hubris - D/Sgt s22(1)(a)(ii) AFP Legal	
Expected Reaction:	
s22(1)(a)(ii)	
Recommendation:	
That you:	
1. Note the contents of this brief; and	

2. Approve options 1 and 2.

s22(1)(a)(ii)

Federal Agent 12206 Head Office Investigations

AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH)

BY THE AUSTRALIAN FEDERAL POLICE

Thursday 21APRIL 2016 - AT 0945HRS

Present;

NMCO Connelly MCO Osborne

s22(1)(a)(ii)

Dod -

Future Submarine Program;

Commander

s47F

s47F

Meeting chaired by NMCO;

Meeting convened at request of DOD following media reporting in *The Australian* revealing details of the tender process of the Future Submarine Program. This leak has caused significant embarrassment to the Commonwealth and has the potential to cause significant harm to Australia's relationship with Japan, France and Germany; being the countries identified as the remaining three bidders in the tender process. It is understood the Future Submarine Program is one of the largest defence contracts globally and as such this leak has been reported widely both internationally as well as domestically.

s34(3)

NMCO and MCO confirmed Head Office Investigations would stand a team dedicated to this inquiry and would commence the investigation immediately.

DOD agreed to provide a dedicated point of contact for the AFP and would provide any assistance as required. DOD requested of the AFP the members working on this job would need to be compartmentally briefed, noting the public announcement on the outcome of the tender process would be made within the upcoming week.