

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 s22(1)(a)(ii)
s22(1)(a)(ii) is 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: s22(1)(a)(ii)
www.afp.gov.au

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From: Connelly, Shane
Sent: Thursday, 21 April 2016 8:17 AM
To: McCartney, Ian
Subject: RE: Leak [SEC=UNCLASSIFIED]

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BY THE AUSTRALIAN FEDERAL POLICE

Can you confirm the Secretary has already contacted Mike, also do you have a direct number for

s47F

s47F



ASSISTANT COMMISSIONER SHANE CONNELLY
NATIONAL MANAGER CRIME OPERATIONS
CRIME OPERATIONS
Tel [REDACTED] s22(1)(a)(ii)
www.afp.gov.au

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From: McCartney, Ian
Sent: Thursday, 21 April 2016 8:14 AM
To: Connelly, Shane; Osborne, Paul
Cc: [REDACTED] s22(1)(a)(ii)
Subject: RE: Leak [SEC=UNCLASSIFIED]

UNCLASSIFIED

Shane, I have briefed [REDACTED] s22(1)(a)(ii)

Regards



IAN MCCARTNEY
PERFORMING THE DUTIES OF DEPUTY COMMISSIONER OPERATIONS
EXECUTIVE
Tel + [REDACTED] s22(1)(a)(ii)
www.afp.gov.au

UNCLASSIFIED

From: McCartney, Ian
Sent: Thursday, 21 April 2016 8:10 AM
To: Connelly, Shane; Osborne, Paul
Cc: [REDACTED] s22(1)(a)(ii)
Subject: Leak [SEC=UNCLASSIFIED]

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This is the article re leak of information.

Japan's subs bid is seen as the weakest

- BRENDAN NICHOLSON
- THE AUSTRALIAN
- APRIL 21, 2016 10:00 AM
- *SAVE*
- *PRINT*
- *BRENDAN NICHOLSON*

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DEFENCE EDITOR
CANBERRA



ThyssenKrupp Marine Systems Australia chairman John White

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 navy's new fleet of 12 boats.

Companies from Japan, France and Germany are lobbying hard in an 11th-hour push to win what is, even by international standards, a massive defence contract.

BY THE AUSTRALIAN FEDERAL POLICE

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, an Australian workforce — likely to be 1200 to 1500 people —

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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

PERFORMING THE DUTIES OF DEPUTY COMMISSIONER OPERATIONS
EXECUTIVE

Tel +

s22(1)(a)(ii)

WWW

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Office of Deputy Commissioner Operations

RECEIVED

29 AUG 2016



AFP

AUSTRALIAN FEDERAL POLICE

CMS No:
Deputy Commissioner Operations

REF: CMS 2016/9223									
Date:		26/08/2016							
FROM :		DCO							
SUBJECT :		Finalisation of Defence Referral Submarine Contract Leak Allegation (Op Hubris)							
<input checked="" type="checkbox"/>	Commissioner	<input type="checkbox"/>	COO	<input type="checkbox"/>	DCNS	<input type="checkbox"/>	DCO	<input type="checkbox"/>	DCC
<input type="checkbox"/>	CoS	<input type="checkbox"/>	CFO	<input type="checkbox"/>	NMA	<input type="checkbox"/>	NMCO	<input type="checkbox"/>	NMSC
<input type="checkbox"/>	CPOACT	<input type="checkbox"/>	NMWD	<input type="checkbox"/>	NMCT	<input type="checkbox"/>	NMOCC	<input type="checkbox"/>	NMSO
<input type="checkbox"/>		<input type="checkbox"/>	NMPSS	<input type="checkbox"/>	NMP	<input type="checkbox"/>	NMIO	<input type="checkbox"/>	NMTI
<input type="checkbox"/>		<input type="checkbox"/>	General Counsel	<input type="checkbox"/>				<input type="checkbox"/>	

<input type="checkbox"/> URGENT	<input type="checkbox"/> PRIORITY	<input type="checkbox"/> ROUTINE	<input type="checkbox"/> FOR INFORMATION
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COMMENT:

C - [redacted] s22(1)(a)(ii)
Draft correspondence to the 'Secretary of Defence' is also provided for your consideration + signature.

[redacted] s22(1)(a)(ii)

AlOCO 26.08.16.

NMCO.
For action

This is very comprehensive and I have signed the letter to see reference (attached).

[redacted] s22(1)(a)(ii)

[redacted] s22(1)(a)(ii)

[redacted] s22(1)(a)(ii)

[redacted] s22(1)(a)(ii)

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[redacted] s22(1)(a)(ii)

[redacted] s22(1)(a)(ii)

[redacted] s22(1)(a)(ii)

[redacted] s22(1)(a)(ii)

PROTECTED
Sensitive: Legal



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)

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)

for
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)

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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Consultation for the preparation of this brief: Nil.

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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AFP

AUSTRALIAN FEDERAL POLICE

COMMISSIONER

Our Reference: 5951271

15 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 Dennis,

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.

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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 on s22(1)(a)(ii)
s22(1)(a)(ii) or email s22(1)(a)(ii).

Yours sincerely



Andrew Colvin
Commissioner

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AFP

AUSTRALIAN FEDERAL POLICE

**Crime Operations
Head Office Investigations**

REF: CMS 2016/ 7733

SUBJECT: Op Hubris – Decision re: [redacted] s22(1)(a)(ii) Op Hubris

Action Required: Advice

Deadline: Priority

To:

[redacted] s22(1)(a)(ii)

NCHOI

For your action.

[redacted] s22(1)(a)(ii) s22(1)(a)(ii)

Comme

[redacted] s22(1)(a)(ii)

NCHOI, 14/7

Keep me updated.

[redacted] s22(1)(a)(ii)

C-1401, 14/7

[redacted] s22(1)(a)(ii)

Once those actions have been completed your assessment of finalisation and any recommendations would be appreciated ASAP.

The final report should include recommendations to relevant Agencies Departments etc. of any areas requiring improvement in security and procedural issues that could mitigate or prevent such a leak from occurring again in the future.

R [redacted] s22(1)(a)(ii)

A/NMCO

13 July 2016

Noted!

[redacted] s22(1)(a)(ii)

13/7/2016

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24 JUN 2016

NM CO

**Crime Operations
Head Office Investigations**

05 JUL 2016

CMS No:
Deputy Commissioner of Operations

REF: CMS 2016/ 7733 7737

SUBJECT: PROMIS 5951271 – Operation Hubris – Unauthorised Disclosure of Commonwealth Information – Future Submarine Program

Action Required: Decision

Deadline: Routine

s22(1)(a)(ii)

To:

DCO through CHOI

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

Comments:

CHOI,
TL

The attached Executive Brief for consideration and endorsement of proposed investigative options.

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

Action Officer: s22(1)(a)(ii)

Extension: s22(1)(a)(ii)

Date: 24/06/2016 s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

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s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)


AFP
AUSTRALIAN FEDERAL POLICE

Minute

Addressee DCO through CHOI ^{s22(1)(a)(ii)} 24/6

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)(iii)

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s22(1)(a)(ii)

s47F

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

24 June 2016

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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.

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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.

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