

Australian Federal Police - Production

31/08/2015

8:25:47AM

AFP19339

Date Actioned	Entry Type	Title	Involvement Type	Creator	Created
22/07/2015	TEAM CHANGE	Case officer has been changed to s22(1)(a)(ii) (AFP5207)		s22(1)(a)(ii)	22/07/2015 13:50
22/07/2015	TEAM CHANGE	Case has been reallocated to team NAT-OCC-FAC CENTRE			22/07/2015 13:50
22/07/2015	CASE ATTRIBUTE	Case Changes: Team			22/07/2015 13:50
02/07/2015	CASE ATTRIBUTE	National Case(5060122) Work Location Change LogEntry.			02/07/2015 11:24
03/09/2014	CASE NOTE ENTRY	Request advice from ASIC	RELATED TO		03/09/2014 9:19
18/08/2014	CASE NOTE ENTRY	Critical Decision - 18 Aug 2014 - Operational decision	RELATED TO		18/08/2014 15:15
18/08/2014	CASE NOTE ENTRY	Update request	RELATED TO		18/08/2014 14:57
23/07/2014	CASE NOTE ENTRY	DATA QUALITY REVIEW JUL 2014	RELATED TO		23/07/2014 9:49
19/06/2014	REFERRAL DOCUMENTA	Letter SLO Manila to s33(a)(iii) 21 April '14	REFERRAL INFORMATION REFERR (FROM CASE NOTE ENTRY)		19/06/2014 8:57
19/06/2014	REFERRAL DOCUMENTA	Letter SLO Manila to s33(a)(iii) 21 April 14	REFERRAL INFORMATION REFERR (FROM CASE NOTE ENTRY)	s22(1)(a)(ii)	19/06/2014 8:57
19/06/2014	REFERRAL DOCUMENTA	Letter s33(a)(iii) AFP re Enquiry 21 May '14	REFERRAL INFORMATION REFERR (FROM CASE NOTE ENTRY)		19/06/2014 8:57
19/06/2014	CASE NOTE ENTRY	AFP Corro emails- re Trio Capital Investigation for ASIC	RELATED TO	s22(1)(a)(ii)	19/06/2014 8:57
03/06/2014	CASE NOTE ENTRY	update from Manila	RELATED TO		03/06/2014 10:48
03/06/2014	CASE NOTE ENTRY	Update request to SLO Manila	RELATED TO		03/06/2014 7:26
02/06/2014	CASE NOTE ENTRY	Corro with ASIC	RELATED TO		02/06/2014 14:37
02/06/2014	CASE NOTE ENTRY	AFP Support Philippines	RELATED TO		02/06/2014 14:37
03/04/2014	CASE NOTE ENTRY	s33(a)(iii)	RELATED TO		03/04/2014 13:47
11/02/2014	CASE NOTE ENTRY	Contact with Philippines Post	RELATED TO		11/02/2014 14:09
12/11/2013	CASE NOTE ENTRY	Update from ASIC	RELATED TO		12/11/2013 17:24
16/10/2013	CASE NOTE ENTRY	ASIC to interview witness in HK	RELATED TO		16/10/2013 7:32
03/10/2013	CASE NOTE ENTRY	ASIC request for Witness detail in HK	RELATED TO		03/10/2013 17:41
10/07/2013	CASE NOTE ENTRY	Update provided to ASIC	RELATED TO		10/07/2013 11:46
10/07/2013	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5334955 Locating Witness for ASIC investigation	INVOLVED WITH CASE		10/07/2013 10:57
10/07/2013	CASE NOTE ENTRY	HK Post - s33(a)(iii) completion of witness location and results	RELATED TO		10/07/2013 10:56
06/05/2013	CASE NOTE ENTRY	HK Post - s33(a)(iii) undertaking witness location task	RELATED TO		06/05/2013 15:31
03/05/2013	CASE NOTE ENTRY	Update from ASIC	RELATED TO		03/05/2013 12:56
16/04/2013	CORRESPONDENCE	FORMAL REQUEST FROM ASIC RE WITNESSES IN HK : Added through Task 5334955	INVOLVED WITH TASK		16/04/2013 15:50
16/04/2013	TASK	Locating Witness for ASIC investigation	INVOLVED WITH CASE		16/04/2013 15:49
16/04/2013	CORRESPONDENCE	FORMAL REQUEST FROM ASIC RE WITNESSES IN HK	CORRESPONDENCE - EXTERNAL (FROM CASE NOTE ENTRY)		16/04/2013 15:46

Date Actioned	Entry Type	Title	Involvement Type	Creator	Created
16/04/2013	CASE NOTE ENTRY	INTN - Request to locate witnesses	RELATED TO	s22(1)(a)(ii)	16/04/2013 15:45
16/04/2013	CORRESPONDENCE	FORMAL REQUEST FROM ASIC RE WITNESSES IN HK	CORRESPONDENCE - EXTERNAL		16/04/2013 15:39
08/04/2013	TEAM CHANGE	Case officer has been changed to s22(1)(a)(ii) (AFP11630)			08/04/2013 15:22
08/04/2013	TEAM CHANGE	Case has been reallocated to team NAT-CO-FAC CNTN			08/04/2013 15:22
08/04/2013	CASE ATTRIBUTE	Case Changes: Team			08/04/2013 15:22
08/04/2013	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		08/04/2013 12:13
08/04/2013	TASK RESULT	INTERIM RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		08/04/2013 12:04
28/03/2013	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		28/03/2013 8:34
28/03/2013	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		28/03/2013 8:34
26/03/2013	TASK RESULT	INTERIM RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		26/03/2013 16:35
26/03/2013	EXTERNAL ENQUIRY RE	NIL RESULT WAPOL : Added through Task 5319599	INVOLVED WITH TASK		26/03/2013 16:34
26/03/2013	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		26/03/2013 11:54
26/03/2013	EXTERNAL ENQUIRY RE	NSW RMS RESULTS : Added through Task 5319599	INVOLVED WITH TASK		26/03/2013 11:20
26/03/2013	EXTERNAL ENQUIRY RE	TAS - MVR RESULT (NIL) FOR - s22(1)(a)(ii)	INVOLVED WITH TASK		26/03/2013 10:46
26/03/2013	FINANCIAL PROFILE	s22(1)(a)(ii) 531 9599 : Added through Task COMPANY AND LIQUIDATION DOCUMENTATION - s22(1)(a)(ii)	RELATED TO		26/03/2013 10:42
26/03/2013	CASE NOTE ENTRY	s37(2)(b) s22(1)(a)(ii) Astarra	RELATED TO		26/03/2013 10:35
26/03/2013	EXTERNAL ENQUIRY RE	ACT - MVR RESULT (NIL) FOR - s22(1)(a)(ii)	INVOLVED WITH TASK		26/03/2013 9:51
26/03/2013	CASE NOTE ENTRY	s22(1)(a)(ii) 531 9599 : Added through Task Motor vehicle checks SA and Victoria	RELATED TO		26/03/2013 9:49
26/03/2013	EXTERNAL ENQUIRY RE	NIL VICROADS RESULT - s22(1)(a)(ii) : Added through Task 5319599	INVOLVED WITH TASK		26/03/2013 9:48
26/03/2013	EXTERNAL ENQUIRY RE	Motor Reg WA	INVOLVED WITH TASK		26/03/2013 9:38
26/03/2013	EXTERNAL ENQUIRY RE	Motor Reg TAS	INVOLVED WITH TASK		26/03/2013 9:37
26/03/2013	EXTERNAL ENQUIRY RE	Motor Reg NT	INVOLVED WITH TASK		26/03/2013 9:35
26/03/2013	EXTERNAL ENQUIRY RE	Motor Reg QLD	INVOLVED WITH TASK		26/03/2013 9:34
26/03/2013	TASK RESULT	INTERIM RESULT SUBMITTED - TASK 5319599 Motor registry checks-All States ex SA	INVOLVED WITH CASE		26/03/2013 9:25
26/03/2013	TASK	Land Titles checks-All States and Territories	INVOLVED WITH CASE		26/03/2013 9:24
26/03/2013	TASK	Motor registry checks-All States ex SA	INVOLVED WITH CASE		26/03/2013 8:58
22/03/2013	TEAM CHANGE	Case officer has been changed to s22(1)(a)(ii) (AFP4547)			22/03/2013 10:30
22/03/2013	TEAM CHANGE	Case has been reallocated to team NAT-CO-FAC			22/03/2013 10:30
22/03/2013	CASE ATTRIBUTE	Case Changes: Team , Office			22/03/2013 10:30
15/03/2013	CASE NOTE ENTRY	Meeting with ASIC & CACT	RELATED TO		15/03/2013 14:03
15/03/2013	CORRESPONDENCE	EB - TRIO ASSISTANCE TO ASIC - FEB-2013	CORRESPONDENCE - INTERNAL		15/03/2013 13:31
13/03/2013	CASE NOTE ENTRY	Follow up meeting with CACT	RELATED TO		13/03/2013 9:04
06/03/2013	CASE NOTE ENTRY	T/C with HK Post	RELATED TO		06/03/2013 14:34
06/03/2013	CASE NOTE ENTRY	Further Legal Advice sought	RELATED TO		06/03/2013 14:29
06/03/2013	CASE NOTE ENTRY	Contact with ACC re: s37(2)(b)	RELATED TO		06/03/2013 14:22

Date Actioned	Entry Type	Title	Involvement Type	Creator	Created
05/03/2013	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5305207 Information requests HK	INVOLVED WITH CASE	s22(1)(a)(ii)	05/03/2013 17:44
05/03/2013	TASK	Information requests HK	INVOLVED WITH CASE		05/03/2013 7:14
01/03/2013	CASE NOTE ENTRY	Meeting with CACT	RELATED TO		01/03/2013 13:33
01/03/2013	CASE ATTRIBUTE	Case Change: Status			01/03/2013 13:21
01/03/2013	CASE STATUS CHANGE	Status Changed to WATCHING BRIEF - ASSIGNED			01/03/2013 13:21
01/03/2013	TEAM CHANGE	Case officer has been changed to s22(1)(a)(ii) (AFP11630)			01/03/2013 8:54
01/03/2013	CASE ATTRIBUTE	Case Changes			01/03/2013 8:54
28/02/2013	CASE NOTE ENTRY	INTN - Information request	RELATED TO		28/02/2013 12:44
28/02/2013	CASE NOTE ENTRY	Advice recieved from CACT	RELATED TO		28/02/2013 12:31
27/02/2013	CASE NOTE ENTRY	T/C with s22(1)(a)(ii) from ASIC	RELATED TO		27/02/2013 12:36
26/02/2013	CASE NOTE ENTRY	INTN - Ongoing Status of s33(a)(iii) Investigation Re s22(1)(a)(ii)	RELATED TO		26/02/2013 8:33
26/02/2013	CASE NOTE ENTRY	Further Update from HK s22(1)(a)(ii)	RELATED TO		26/02/2013 8:01
26/02/2013	STATEMENT	STATEMENT MADE BY s22(1)(a)(ii) - JAN 2013 - TRIO	WITNESS STATEMENT		26/02/2013 7:51
19/02/2013	CASE NOTE ENTRY	T/C with s22(1)(a)(iii) ASIC investigator	RELATED TO		19/02/2013 11:21
14/01/2013	CASE NOTE ENTRY	Critical Decision - 14 Jan 2013 - ECD change	RELATED TO		14/01/2013 11:22
11/01/2013	CASE NOTE ENTRY	Future AFP action	RELATED TO		11/01/2013 15:27
11/01/2013	TEAM CHANGE	Case officer has been changed to s22(1)(a)(ii) (AFP16296)			11/01/2013 15:14
11/01/2013	CASE ATTRIBUTE	Case Changes			11/01/2013 15:14
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) FOREIGN PASSPORT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 16:48
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 16:44
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) FOREIGN PASSPORT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 16:40
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 15:50
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) IDENTITY DOCUMENT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 15:48
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 15:46
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) IDENTITY DOCUMENT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 10:27
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 10:25
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) IDENTITY DOCUMENT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 10:22
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 10:20
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) IDENTITY DOCUMENT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 10:19
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 10:17
09/01/2013	ENTITY - NUMBER	s22(1)(a)(ii) IDENTITY DOCUMENT	NUMBER ENTITY LINKED TO EXISTING OBJECT WITNESS		09/01/2013 10:15
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)			09/01/2013 10:11
09/01/2013	CASE NOTE ENTRY	Second email received from ASIC re: Hong Kong witnesses - 10/12/12	RELATED TO		09/01/2013 9:57
09/01/2013	CASE NOTE ENTRY	Email from ASCI re: witnesses in Hong Kong - 10/12/12	RELATED TO		09/01/2013 9:56
09/01/2013	ENTITY - ORGANISATION	TRIO CAPITAL	INVOLVED WITH (FROM CASE NOTE ENTRY)		09/01/2013 9:50
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)	ALLEGED OFFENDER (FROM CASE NOTE ENTRY)		09/01/2013 9:49

Date Actioned	Entry Type	Title	Involvement Type	Creator	Created
09/01/2013	ENTITY - ORGANISATIO	s22(1)(a)(ii)	INVOLVED WITH (FROM CASE NOTE ENTRY)	s22(1)(a)(ii)	09/01/2013 9:48
09/01/2013	ENTITY - PERSON	s22(1)(a)(ii)	ALLEGED OFFENDER (FROM CASE NOTE ENTRY)		09/01/2013 9:48
09/01/2013	CASE NOTE ENTRY	Critical Decision - 09 Jan 2013 - Operational decision	RELATED TO		09/01/2013 9:47
09/01/2013	ENTITY - ORGANISATIO	s22(1)(a)(ii)	ALLEGED OFFENDER		09/01/2013 8:10
09/01/2013	ENTITY - ORGANISATIO	TRIO CAPITAL	ALLEGED OFFENDER		09/01/2013 8:08
08/01/2013	CORRESPONDENCE	NOTES FROM THE TELECON BETWEEN ASIC AND s22(1)(a)(ii) ON 2/10/12	RELATED TO		08/01/2013 12:30
08/01/2013	CORRESPONDENCE	NOTES OF THE TELECON BETWEEN ASIC AND s22(1)(a)(ii) - 30/7/2012	RELATED TO		08/01/2013 9:15
08/01/2013	CORRESPONDENCE	COVER LETTER FROM ASIC TO s22(1)(a)(ii) DATED 7/12/12	RELATED TO		08/01/2013 8:22
12/12/2012	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5172072 s33(a)(iii) investigation of s22(1)(a)(ii)	ATTACHED TO CASE NOTE (FROM CASE NOTE ENTRY)		12/12/2012 16:53
22/11/2012	CASE NOTE ENTRY	Critical Decision - 22 Nov 2012 - ECD change, Operational decision	RELATED TO		22/11/2012 16:06
22/11/2012	CASE NOTE ENTRY	Information from HK re s22(1)(a)(ii)	RELATED TO		22/11/2012 15:30
22/11/2012	CASE NOTE ENTRY	T/C with s22(1)(a)(ii) from ASIC	RELATED TO		22/11/2012 15:27
30/10/2012	CASE NOTE ENTRY	Information provided by s33(a)(iii)	RELATED TO		30/10/2012 14:57
23/10/2012	CASE NOTE ENTRY	Update from HK Post	RELATED TO		23/10/2012 15:52
23/10/2012	CASE NOTE ENTRY	T/C update with ASIC 23 Oct 2012	RELATED TO		23/10/2012 15:50
26/09/2012	TEAM CHANGE	Case has been reallocated to team CBR-CO-HOI 3	RELATED TO		26/09/2012 12:51
26/09/2012	CASE ATTRIBUTE	Case Changes: Team			26/09/2012 12:51
18/09/2012	CASE NOTE ENTRY	Update from HK	RELATED TO		18/09/2012 13:58
18/09/2012	CASE ATTRIBUTE	Case Change: Status			18/09/2012 13:51
18/09/2012	CASE STATUS CHANGE	Status Changed to PENDING	RELATED TO		18/09/2012 13:51
12/09/2012	CASE NOTE ENTRY	T/C with s22(1)(a)(ii) ASIC case officer			12/09/2012 15:26
12/09/2012	CASE NOTE ENTRY	Update from HK	RELATED TO		12/09/2012 15:17
22/08/2012	CASE NOTE ENTRY	Update from HK	RELATED TO		22/08/2012 8:44
14/08/2012	TASK	s33(a)(iii) investigation of s22(1)(a)(ii)	ATTACHED TO CASE NOTE (FROM CASE NOTE ENTRY)		14/08/2012 9:14
14/08/2012	TASK	s33(a)(iii) investigation of s22(1)(a)(ii)	INVOLVED WITH CASE		14/08/2012 9:12
14/08/2012	CASE NOTE ENTRY	INTN - s33(a)(iii) Investigation of s22(1)(a)(ii)	RELATED TO		14/08/2012 9:03
07/08/2012	CASE NOTE ENTRY	Request update from ASIC	RELATED TO		07/08/2012 12:17
07/08/2012	CASE NOTE ENTRY	Critical Decision - 07 Aug 2012 - ECD change	RELATED TO		07/08/2012 11:43
07/08/2012	CASE NOTE ENTRY	Preliminary Advice from CACT	RELATED TO		07/08/2012 11:29
01/08/2012	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5146278 Request for information from s33(a)(iii) in relation to Trio Capital	INVOLVED WITH CASE		01/08/2012 19:55
26/07/2012	CASE NOTE ENTRY	Corro with ASIC	RELATED TO		26/07/2012 12:54
26/07/2012	CASE NOTE ENTRY	Interim Update from HK Post	RELATED TO		26/07/2012 12:53
23/07/2012	TASK RESULT	FINAL RESULT SUBMITTED - TASK 5155688 Matter for Canberra OC	INVOLVED WITH CASE		23/07/2012 12:47
23/07/2012	CASE NOTE ENTRY	To go before Canberra OC Thursday 26 July 2012	RELATED TO		23/07/2012 12:47
23/07/2012	ENTITY - PERSON	RICHARD, Shawn s22(1)(a)(ii)	OFFENDER		23/07/2012 12:37
20/07/2012	TASK	Matter for Canberra OC	INVOLVED WITH CASE		20/07/2012 16:43
10/07/2012	ENTITY - PERSON	FLADER, Jack s22(1)(a)(ii)	ALLEGED OFFENDER		10/07/2012 14:25
06/07/2012	TASK	Request for information from s33(a)(iii) in relation to Trio Capital	ATTACHED TO CASE NOTE (FROM CASE NOTE ENTRY)		06/07/2012 9:44

Date Actioned	Entry Type	Title	Involvement Type	Creator	Created
06/07/2012	TASK	Request for information from s33(a)(iii) in relation to Trio Capital	INVOLVED WITH CASE	s22(1)(a)(ii)	06/07/2012 9:43
05/07/2012	CASE NOTE ENTRY	INTN - TRIO CAPITAL & s47F s33(a)(iii)	RELATED TO		05/07/2012 16:57
02/07/2012	CASE NOTE ENTRY	Initial referral evaluation for OC	RELATED TO		02/07/2012 10:10
02/07/2012	STATEMENT	STATEMENT OF CONVICTED OFFENDER s22(1)(a)(ii) 3 DECEMBER 2010	RELATED TO		02/07/2012 9:39
02/07/2012	TEAM CHANGE	Case officer has been changed to s22(1)(a)(ii) (AFP11630)			02/07/2012 9:30
02/07/2012	CASE ATTRIBUTE	Case Changes			02/07/2012 9:30
02/07/2012	REFERRAL DOCUMENTA	Parliamentary Joint Committee on Corporations and Financial Services - Inquiry into the collapse of Trio Capital May 2012	REFERRAL INFORMATION REFERR (FROM CASE NOTE ENTRY)		02/07/2012 9:12
02/07/2012	REFERRAL DOCUMENTA	Summary of allegations (attached to referral letter)	INFORMATION FROM CLIENT / C (FROM CASE NOTE ENTRY)		02/07/2012 9:12
02/07/2012	REFERRAL DOCUMENTA	Referral letter from ASIC dated 21 June 2012	INFORMATION FROM CLIENT / C (FROM CASE NOTE ENTRY)		02/07/2012 9:12
02/07/2012	CASE NOTE ENTRY	Referral to AFP: email from s22(1)(a)(ii) Senior Manager Deterrence, ASIC	RELATED TO		02/07/2012 9:12
02/07/2012	POCA CONSIDERATION	POCA Consideration - asset recovery is not to be pursued			02/07/2012 9:08
02/07/2012	CASE ATTRIBUTE	New CCPM			02/07/2012 9:07
02/07/2012	CASE ATTRIBUTE	New Case Created			02/07/2012 9:04
02/07/2012	CASE STATUS CHANGE	Case created with status of EVALUATION			02/07/2012 9:04

End of Case Log Report

Total Records 152

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UNDER THE
FREEDOM OF INFORMATION ACT 1982



ASIC

Australian Securities & Investments Commission

Level 5, 100 Market Street, Sydney
GPO Box 9527 Sydney NSW 2001
DX 653 Sydney

Telephone: (02) 9911 2000
Facsimile: (02) 9911 2414

Our Reference:

21 June 2012

[REDACTED] s22(1)(a)(ii)
Australian Federal Police
110 Goulburn St
SYDNEY NSW 2000

Dear [REDACTED] s22(1)(a)(ii)

**SOLICITED RELEASE OF PROTECTED DOCUMENTS UNDER THE
AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION ACT 2001
("the ASIC Act")**

Re: TRIO CAPITAL LIMITED AND [REDACTED] s22(1)(a)(ii)

I refer to the discussions with you and [REDACTED] s22(1)(a)(ii) about ASIC potentially providing the AFP with a referral in relation to Trio Capital Limited and [REDACTED] s22(1)(a)(ii)

Please find attached by way of background a Statement of Facts dated 3 December 2010 and a document entitled Draft Outline Memo Re [REDACTED] s22(1)(a)(ii) dated 21 June 2012, displaying barcode S01827174.

With respect to the Draft Outline Memo Re [REDACTED] s22(1)(a)(ii) I am satisfied that this will assist the AFP perform its functions or exercise its powers and have decided to release it under subparagraph 127(4)(a) of the ASIC Act.

However, I impose the following restrictions on the use of the Draft Outline Memo Re [REDACTED] s22(1)(a)(ii)

1. the information is confidential and cannot be disclosed beyond AFP's officers, employees or agents;
2. the information is provided to AFP for use in connection with its powers and functions as set out in the *Australian Federal Police Act 1979*;
3. if AFP intends to disclose the information to a third party or in a public forum it must notify ASIC prior to the information being disclosed and seek ASIC's consent to that disclosure; and

4. if AFP is required to disclose the information by subpoena, discovery order or other requirement of the law, ASIC must be notified without delay and prior to the information being disclosed.

Please notify me immediately if these restrictions are not acceptable to AFP.

If you wish to discuss this matter further, please contact [redacted] or email [redacted]

Yours sincerely

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

Senior Manager
Australian Securities & Investments Commission

THIS DOCUMENT IS DE-CLASSIFIED
AND RELEASED BY THE
AUSTRALIAN FEDERAL POLICE
UNDER THE
FREEDOM OF INFORMATION ACT 1982

National Manager Crime Operation

NYCO, 27/2/13
Recommending actions agreed. We should engage AGD ahead of any future RJC hearing in areas of possible legislation (refuse) - that way we have a positive story to advise the RJC.



AFP
AUSTRALIAN FEDERAL POLICE

REF: CMS 2013/ 3578

DATE: 27.2.13

Security:

FROM : National Manager Crime Operations

LOCATION : Crime Operation

SUBJECT : EB: TRIO CAPITAL

MFAC

Note Comment + direction provided by DCO. This is sensitive so might be a positive story.

- | | |
|--|---|
| <input type="checkbox"/> NM CO | <input type="checkbox"/> NM SOC |
| <input type="checkbox"/> MSOC | <input type="checkbox"/> MCO |
| <input type="checkbox"/> MIN | <input type="checkbox"/> MSR |
| <input type="checkbox"/> MCA | <input type="checkbox"/> MPS |
| <input type="checkbox"/> Coordinator SOC | <input type="checkbox"/> Coordinator CO |
| <input type="checkbox"/> Coordinator CA | <input type="checkbox"/> Coordinator SR |
| <input type="checkbox"/> Coordinator INT | <input type="checkbox"/> Coordinator PS |

☒ DCO

COMMISSIONER

RECEIVED

27 FEB 2013

CMS No:
Deputy Commissioner Operations

Other:

Forwarded for : (please cross relevant box)

- | | | |
|---|------------------------------------|--|
| <input checked="" type="checkbox"/> Discuss / Advice | <input type="checkbox"/> Report | <input type="checkbox"/> Information / File |
| <input type="checkbox"/> Draft Reply for my signature | <input type="checkbox"/> Attention | <input type="checkbox"/> Signature |
| <input type="checkbox"/> Reply Direct | <input type="checkbox"/> Clearance | <input type="checkbox"/> Information/Consideration |

DEADLINE : PRIORITY

Comments : FIND ATTACHED AN EB THAT PROVIDES THE LATEST SIT REP WHICH AUTOMATICALLY FOLLOWS OUR CONVICTION THIS MORNING RE SELF MANAGED FUNDS, REFERRALS FROM ASIC + DIFFICULTY IN AFV TO IDENTIFY & PROSECUTE CRIMINAL OFFENCE RELATED TO THESE MATTERS. I ALSO NOTE THIS WILL BE VARIABLY AS THE RJC SO IMPORTANT WE UNDERSTAND OUR POSITION.

National Manager Crime Operation



AFP

AUSTRALIAN FEDERAL POLICE

Crime Operations

PROTECTED

DATE	26/02/2013	Ref: CMS 2013/3578	Other Ref:
FROM	Manager Fraud & Anti-Corruption		
LOCATION	Crime Operations EBB		
SUBJECT	Executive Brief - Trio Capital		
DEADLINE		<input checked="" type="checkbox"/> PRIORITY	<input type="checkbox"/> ROUTINE

<input type="checkbox"/> Commissioner	<input type="checkbox"/> DC O	<input type="checkbox"/> DC NS	<input type="checkbox"/> DC COS
<input checked="" type="checkbox"/> NM CO	<input type="checkbox"/> NMSOC	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> M SR	<input type="checkbox"/> M SOC	<input type="checkbox"/> M FAC	<input type="checkbox"/> M COR
<input type="checkbox"/> NC SR	<input type="checkbox"/> NC PS	<input type="checkbox"/> NC FAC	<input type="checkbox"/> NC COR

Forwarded for :

<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Comment	<input type="checkbox"/> Clearance
<input type="checkbox"/> Attention	<input type="checkbox"/> Report	<input type="checkbox"/> Filing
<input type="checkbox"/> Discussion/Advice	<input type="checkbox"/> Draft reply for	<input type="checkbox"/> Information

NCFAC,

Please see attached Executive Brief providing an overview and recommendations in regard to AFP consideration of alleged offences committed by US Citizen [redacted] in connection with the collapse of Trio Capital. s22(1)(a)(ii)

Regards,

Team Leader
Fraud & Anti-Corruption

Title/Name:	NCFAC			
Date/Initial:	26/2/13			

MFAC, Background Briefing re TRIO matter attached. Recommendations supported NCFAC, [redacted] s22(1)(a)(ii)

Legel/Asic

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FOI 2016/45

NMCO,
I agree with the recommendations and support the AFP writing to ASIC, to update and inform them in time for their response to AJC in March. Our letter will include all key aspects of our support including the ACC. s22(1)(a)(ii)

Folio 39
27/2/13



Addressee NMCO through MFAC

Title Referral from ASIC regarding TRIO collapse

Action required:

For approval of recommendations

Deadline:

1 March 2013. ASIC are required to respond to the Parliamentary Joint Committee (PJC) in early March 2013.

Reasons for proposed actions:

Background

On 17 December 2009, ASIC and APRA commenced an investigation into Trio Capital (Trio) following an allegation by an independent fund manager of irregular investment returns of Trio during the Global Financial Crisis. As a result APRA issued a suspension of Trio as the trustee of four superannuation funds and one pooled trust – these funds held about \$300 million on behalf of 10,000 investors.

Trio was a funds management group based in Albury, NSW and provided a complex suite of managed investment funds which were heavily marketed through several financial advisers in Australia. These financial planners earned fees and commissions based on investments into Trio funds. Money was invested in the Trio funds either by APRA regulated Australian Superannuation funds or Self Managed Superannuation Funds (SMSF).

It is alleged that financial advisers provided recommendations to clients due to high commissions which were paid by Trio. It is further alleged that the complex structure of the Trio scheme was designed to conceal fraudulent activity. The ASIC investigations discovered that investors' money was channelled into financial entities and then distributed to different companies in places such as the British Virgin Islands, Liechtenstein and Curacao.

These companies are alleged to have been controlled by United States citizen [redacted] and he is alleged to have instructed Australian-based controllers of the Trio funds to transfer the money offshore. It is understood that [redacted] then invested this money through the purchase of US shares from other companies which are that alleged to have been controlled by [redacted]

The method of purchasing these shares was through the Over the Counter Bulletin Board trading system, that is used for shares not listed on a stock exchange such as the Nasdaq. This type of trading is used for very low volume traded stocks and as such can be vulnerable to price manipulation.

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To date ASIC have not been successful in establishing the exact nature of these investments, or whether these investments constitute a criminal offence by [REDACTED] s22(1)(a)(ii). Approximately \$170 million of the funds invested in Trio has not been recovered.

The ASIC investigation resulted in an Australian Citizen, [REDACTED] s22(1)(a)(ii), being charged and pleading guilty to two charges of dishonest conduct and one charge of making a false statement pursuant to the *Corporations Act 2001*. [REDACTED] s22(1)(a)(ii) represented himself to investors as being the controller of Trio and was involved in the preparation of the Product Disclosure Statement and used his position as a director of Trio to move investor's funds offshore. On 12 August 2011 [REDACTED] s22(1)(a)(ii) was sentenced to two years and 6 month imprisonment, followed by one year and three months good behaviour.

In May 2012, the Parliamentary Joint Committee (PJC) on Corporations and Financial Services published its report into the collapse of Trio. As part of its findings the PJC recommended the AFP, in cooperation with ASIC, pursue criminal investigations into key figures responsible for the Trio collapse, notably [REDACTED] s22(1)(a)(ii).

In June 2012, members of the AFP met with ASIC and were subsequently provided information relating to the case for review.

Review of ASIC Material regarding [REDACTED] s22(1)(a)(ii)

Preliminary AFP inquiries undertaken during the review of the ASIC material show that [REDACTED] s33(a)(iii), s22(1)(a)(ii)

The material provided by ASIC, including a statement taken from [REDACTED] s22(1)(a)(ii) by ASIC in January 2013, does not provide sufficient information to support an investigation into any *Criminal Code Act 1995* offences in respect to [REDACTED] s22(1)(a)(ii).

The AFP is, however, continuing to offer support to ASIC in respect to facilitating offshore inquiries which require police to police assistance.

Intelligence Probe

The AFP is currently participating in an ACC-led multi-agency intelligence review into the Trio collapse. This taskforce includes ASIC, APRA, ACC and the ATO. It is anticipated this task force will deliver a report within the next month outlining whether there are any other opportunities to explore lines of inquiry relating to any entity involved with Trio. It is likely that, after receipt of this report, the AFP will be required to conduct various enquiries, including interviewing several persons of interest, with a view to ensuring all reasonable efforts have been made to identify criminal acts.

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Asset Recovery

ASIC have provided funding to a commercial liquidator PPB Advisory which has conducted investigations into the status of lost funds. To date, PPB have not been successful in locating any missing money and ASIC have been advised that any identification of funds by PPB is now unlikely.

47C

Resource implications:

The AFP will dedicate sufficient resources to conduct post-ACC report enquiries in a timely manner and ongoing assistance to ASIC, including utilising the International Network.

Consultation

CACT Canberra, Legal, ASIC

Expected Reaction:

The AFP's response to the PJC recommendations will be closely monitored by the PJC, the media and the citizens who lost their savings through this scheme.

In summary, the AFP: 1) have responded to ASIC's requests for assistance to their investigation through agency assistance warrants, review of selected material and some ongoing overseas inquiries, 2) have contributed to the ACC-led intelligence probe and 3) will action any information stemming from the Intelligence probe within our jurisdiction.

Recommendations:

1. Inform ASIC that the material provided to the AFP to date does not contain sufficient information to initiate an investigation into Mr Flader for *Criminal Code Act 1995* offences.
2. Continue to assist the ongoing ASIC investigation and the ACC-led intelligence probe where possible.
3. Assess the results of the joint intelligence probe with regard to further AFP action.

22(1)(a)(ii)
Team leader

26 February 2012

Page 13 redacted for the following reason:

s33(a)(iii)

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FREEDOM OF INFORMATION ACT 1982

Senior Liaison Officer Manila

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www.afp.gov.au
ARH 1/351 631 143

21 April 2014

s33(a)(iii)

Request for Assistance – Latest Address for

s22(1)(a)

Dear Sir,

This is further to my correspondence dated 13 Feb 2014 relating to the above-named subjects. (copy attached)

s22(1)(a)(ii)

s22(1)(a)(ii)

As mentioned in my previous correspondence, we need to know their current whereabouts so that we can interview them and seek their permission in obtaining their statements.

Your continued assistance in matters of mutual concern is truly acknowledged.

Yours faithfully,

s22(1)(a)(ii)

**Senior Liaison Officer
Australian Federal Police, Manila
Philippines**

This document contains Australian Federal Police (AFP) information that is security classified by the Australian Government and is subject to secrecy and/or privacy laws. This information may only be used for official internal purposes of the recipient and must not be disclosed to another agency or third party without the prior written consent of the AFP. The recipient must ensure appropriate security measures are in place to protect the information from unauthorised access, use or disclosure and must restrict access to recipient personnel on a 'need to know' basis only.

13 February 2014

s33(a)(iii)

Request for Travel Movement Check and Philippine Address -

s22(1)(a)(i)

Dear Sir,

Thank you for your full support in our joint efforts in the fight against transnational crime in the Philippines and across the South East Asian Region.

The Australian Securities and Investments Commission (ASIC) identified two potential witnesses in the Philippines who might be able to provide crucial evidence on an ongoing investigation in Australia. They are identified as:

s22(1)(a)(ii)

We need to interview them and seek their permission in obtaining their statements. In order to confirm if they are in the country, we would like to request your good office to provide:

s22(1)(a)(ii)

It would also be appreciated if your office could provide their respective Philippine address so that we can approach and speak with them directly.

s22(1)(a)(ii)

For further query about this request, please contact [redacted] at telephone no: [redacted]

s22(1)(a)(ii)

s22(1)(a)(ii)

Yours sincerely,


s22(1)(a)(ii)

**Senior Liaison Officer
Australian Federal Police,
Australian Embassy, Philippines**

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Senior Liaison Officer Manila

Level 23, Tower 2, RCBC Plaza, 6819 Ayala Ave., Makati City
Australian Embassy, Manila, Philippines



www.afp.gov.au
ABN 17 654 631 143


21 April 2014


s33(a)(iii)


Request for Discreet Verification: Request for

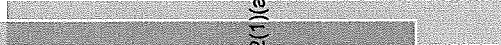
Dear Sir,

Thank you for your letter dated 26 March 2014 in response to my previous request for verification of the current whereabouts of  (Copy attached).

According to intelligence, 


Reports were received that 

We are attempting to obtain a more specific address for  and we will pass the same to you as soon as we have the address.

It will be appreciated if your office can confirm if 

Your continued assistance in matters of mutual concern is truly acknowledged.

Yours faithfully,


Senior Liaison Officer
Australian Federal Police, Manila
Philippines

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s33(a)(iii)

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