

**Australian Federal Police - Production**  
**Case Note: (151628033) Finalisation Report - PROMIS 5746819**

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## Case Note

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**ID:** 151628033  
**Date Created:** 18 Feb 2016 10:06  
**Title:** Finalisation Report - PROMIS 5746819  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**  
5746819

**Case Officers Comments - Rationale for finalisation**  
FINALISED - LACK OF EVIDENCE

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**  
Yes

**Case Officers Comments - Case Summary**

On s 47G(1)(a), s 47F herein referred to as the Victim boarded the Marine Vessel (M/V) s 47G(1)(a). The vessel was scheduled for s 47G(1)(a) s 47G(1)(a). On that same day, s 47F herein referred to as the Accused also boarded the s 47G(1)(a).

About 11:00pm on s 47G(1)(a) the Victim was at a licenced establishment named s 47G(1)(a) which is located on-board the M/V s 47G(1)(a).

s 47G(1)(a)

At this time, the Victim was in the bar area drinking with four other passengers s 47F s 47F. After a short time, the Victim and s 47F decided to dance and left the bar area headed for the dancefloor. Once on the dancefloor, the Victim saw there were only a few other adults seated in the booths. After a few songs had played s 47F and the victim approached the people seated around the dancefloor and asked them to dance. The Accused was one of those people and he declined the Victims offer. A short time later, the Victim again approached the Accused and asked him to dance, the Accused declined the offer.

After the Accused declined the Victim's second offer, she returned to the bar area and sat down with s 47F. Not long after returning to the bar, the Victim stated she was approached by the Accused and he said he was ready to dance. The Victim returned to the dancefloor in the company of the Accused and they began to dance.

s 47F

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151628033) Finalisation Report - PROMIS 5746819**

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s 47F

Police obtained a signed witness statement from [redacted] s 47F

s 47G(1)(a)

s 47F

Police obtained a signed witness statement from [redacted] s 47F

s 47G(1)(a)

s 47G(1)(a)

s 47F

Police obtained a signed witness statement from [redacted] s 47F

s 47G(1)(a)

s 47F

Police obtained a signed witness statement from [redacted] s 47F

s 47G(1)(a)

s 47F

Police interviewed the Accused. During this interview he stated that [redacted] s 47F(1)(a)

s 47F

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**Australian Federal Police - Production**  
**Case Note: (151628033) Finalisation Report - PROMIS 5746819**

s 47F

Police obtained a signed witness statement from [REDACTED] s 47F

s 47G

s 47G(1)(a)

s 47F

**Case Officers Comments - Results Summary**

A brief in relation to Indecent Assault contrary [REDACTED] s 47G(1)(a) arising pursuant to section 6 (2) of the Crimes At Sea Act 2000 (CTH) was submitted to the CDPP for consideration.

The CDPP stated there was no reasonable expectation of a conviction and as a result would not be pursuing the matter.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**

No

**Case Officers Comments - Offender photograph uploaded into PROMIS**

N/A - No offender arrested

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

**Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**

**Case Officers Comments - Commonwealth Offender convicted**

No

**Case Officers Comments - Offender photograph removed from PROMIS**

**Case Officers Comments - Date photograph/s removed from PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI) for removal**

**Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**

**Case Officers Comments - Serious Offender(s) convicted**

N/A - No serious offenders under sentence

**Case Officers Comments - DNA captured from convicted serious offender(s)**

N/A - No serious offenders under sentence

**Case Officers Comments - Were False/Compromised identities utilised**

No

**Case Officers Comments - Has a Case Note - False Identity been created**

N/A - No false identities used

**Checklist - Apprehensions (and Court Results) entered**

N/A

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**Australian Federal Police - Production**  
**Case Note: (151628033) Finalisation Report - PROMIS 5746819**

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**Checklist - Statement of Facts - Final version uploaded**

Yes

**Checklist - Value (Economic Fraud only) entered**

N/A

**Checklist - Case Note - AUSTRAC-related entered**

N/A

**Checklist - Case Note - DNA/Buccal Swab entered**

N/A

**Checklist - Case Note - Critical Decision documented**

Yes

**Checklist - Team Level accesses reviewed**

N/A

**Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**

N/A

**Checklist - POCA entered**

N/A

**Checklist - PACE alerts deleted**

N/A

**Checklist - Drug property cleared**

N/A

**Checklist - Property cleared**

Yes

**Checklist - Special Projects cleared**

N/A

s 37(2)(b)

**Checklist - Tasks completed**

Yes

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

N/A

**Checklist - Have recommendations arising from reviews or EI/LL been actioned?**

N/A

**Checklist - Support Cases reviewed**

N/A

**Checklist - CPP Specific - Protectee's photo uploaded**

N/A

**Checklist - CPP Specific - Documents on file**

N/A

**Checklist - CPP Specific - Movements / Incidents entered**

N/A

**Checklist - CPP Specific - STP uploaded**

N/A

**Checklist - CPP Specific - PVR endorsed**

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**Australian Federal Police - Production**  
**Case Note: (151628033) Finalisation Report - PROMIS 5746819**

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N/A

**Checklist - Comments / Remarks**

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP15674)

**Case Officers Details - Title**

Senior Constable

**Case Officers Details - Team**

CBR-CO-HOI1

**Case Officers Details - Date**

18-FEB-2016

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

s 22(1)(a)(ii)

**Team Leader Comments - Title**

A/Team Leader

**Team Leader Comments - Team**

HOI

**Team Leader Comments - Date**

22-FEB-2016

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5746819	81	CRIMES AT SEA -ALLEGATION OF INDECENT ASSAULT	AFP15674	18 Feb 2016 10:06

**Attachments:**

ID	Object Type	Title	Created By	Date Created
6056134	TASK	Crimes at sea - Indecent Assault - Matter awaiting finalisation.	AFP15674	18 Feb 2016 10:08

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

Australian Federal Police - Production

Case Note: (151628068) Finalisation Report - PROMIS 5771432

Case Note

**ID:** 151628068  
**Date Created:** 18 Feb 2016 10:26  
**Title:** Finalisation Report - PROMIS 5771432  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**  
5771432

**Case Officers Comments - Rationale for finalisation**  
FINALISED - ACTION COMPLETED

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**  
Yes

**Case Officers Comments - Case Summary**

In march 2015, the Australian Federal Police received a referral from s 47F, herein referred to as the Victim, relating to an allegation of sexual assault. This matter was later accepted for investigation.

It was alleged that about 1700hrs on s 47F the Victim was s 47G(1)(a) on-board the marine vessel s 47G(1)(a). At this time, the Victim was approached by a male crew member and engaged in conversation. During this conversation the male crew member has begun touching the Victim's genitals. The Victim told the male to stop but he did not.

Shortly after this occurred, the male s 47F. The Victim verbally protested to this occurring but was frozen with shock.

The male crew member later stopped at the direction of the Victim and walked away. The Victim later saw the some male crew member in uniform at a cruise function. This crew member was identified as s 47F s 47F on-board the vessel.

Serval witness statements have been obtained by Police detailing conversations that the Victim had with friends and family disclosing the incident. A record of conversation has been conducted with the Victim which provides significant detail about what happened in the steam room.

**Case Officers Comments - Results Summary**

Police were investigating sexual intercourse without consent contrary to Section 54(1) of the Crimes Act 1900 (ACT) however, the complainant/victim has since withdrawn is complainant in writing.

In keeping with the wishes of the victims, Police will not be pursuing this matter further. All MAR's have been withdrawn, property cleared and tasks completed.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**  
No

**Case Officers Comments - Offender photograph uploaded into PROMIS**  
N/A - No offender arrested

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

**Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**

**Case Officers Comments - Commonwealth Offender convicted**  
No

**Case Officers Comments - Offender photograph removed from PROMIS**

**Case Officers Comments - Date photograph/s removed from PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

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BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151628068) Finalisation Report - PROMIS 5771432**

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for removal

**Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**

**Case Officers Comments - Serious Offender(s) convicted**

N/A - No serious offenders under sentence

**Case Officers Comments - DNA captured from convicted serious offender(s)**

N/A - No serious offenders under sentence

**Case Officers Comments - Were False/Compromised identities utilised**

No

**Case Officers Comments - Has a Case Note - False Identity been created**

N/A - No false identities used

**Checklist - Apprehensions (and Court Results) entered**

N/A

**Checklist - Statement of Facts - Final version uploaded**

N/A

**Checklist - Value (Economic Fraud only) entered**

N/A

**Checklist - Case Note - AUSTRAC-related entered**

N/A

**Checklist - Case Note - DNA/Buccal Swab entered**

N/A

**Checklist - Case Note - Critical Decision documented**

Yes

**Checklist - Team Level accesses reviewed**

N/A

**Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**

N/A

**Checklist - POCA entered**

N/A

**Checklist - PACE alerts deleted**

N/A

**Checklist - Drug property cleared**

N/A

**Checklist - Property cleared**

Yes

**Checklist - Special Projects cleared**

N/A

s 37(2)(b)

**Checklist - Tasks completed**

Yes

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

N/A

**Checklist - Have recommendations arising from reviews or EI/LL been actioned?**

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**Australian Federal Police - Production**  
**Case Note: (151628068) Finalisation Report - PROMIS 5771432**

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N/A

**Checklist - Support Cases reviewed**

N/A

**Checklist - CPP Specific - Protectee's photo uploaded**

N/A

**Checklist - CPP Specific - Documents on file**

N/A

**Checklist - CPP Specific - Movements / Incidents entered**

N/A

**Checklist - CPP Specific - STP uploaded**

N/A

**Checklist - CPP Specific - PVR endorsed**

N/A

**Checklist - Comments / Remarks**

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP15674)

**Case Officers Details - Title**

Senior Constable

**Case Officers Details - Team**

CBR-CO-HO11

**Case Officers Details - Date**

18-FEB-2016

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

s 22(1)(a)(ii)

**Team Leader Comments - Title**

A/TL

**Team Leader Comments - Team**

HO1

**Team Leader Comments - Date**

22-FEB-2016

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5771432	136	ALLEGED SEXUAL ASSAULT AT SEE - s 47F	AFP15674	18 Feb 2016 10:26

**Attachments:**

ID	Object Type	Title	Created By	Date Created
6056158	TASK	Crimes at sea - s 47G(1)(a) sexual assault	AFP15674	18 Feb 2016 10:35

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Australian Federal Police - Production

Case Note: (151779774) Finalisation Report - PROMIS 5802272

Case Note

**ID:** 151779774  
**Date Created:** 09 Aug 2016 14:28  
**Title:** Finalisation Report - PROMIS 5802272  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**  
5802272

**Case Officers Comments - Rationale for finalisation**

FINALISED - NO OFFENCE DISCLOSED

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**

Yes

**Case Officers Comments - Case Summary**

On s 47F, was reported missing from the bulk cargo carrier s 47G(1)(a) s 47G(1)(a) s 47F was last seen about 1300hrs AEST when the ship was approximately s 47G(1)(a) s 47F was reported missing overboard and a subsequent search failed to locate him.

When the ship arrived in s 47G(1)(a) it was boarded by Australian Customs along with members of AFP Crime operations and s 47G(1)(a) Police Marine Area Command. A subsequent investigation was unable to identify any evidence of foul play and the matter was referred to the s 47G(1)(a) coroner for examination.

**Case Officers Comments - Results Summary**

s 47G(1)(b) Deputy State Coroner s 47F heard the matter on s 47G(1)(a) and determined s 47F died due to injuries sustained in the fall overboard, exposure or a combination of both and that the accidental fall was due to equipment failure.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**

No

**Case Officers Comments - Offender photograph uploaded into PROMIS**

N/A - No offender arrested

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

**Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**

**Case Officers Comments - Commonwealth Offender convicted**

No

**Case Officers Comments - Offender photograph removed from PROMIS**

**Case Officers Comments - Date photograph/s removed from PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI) for removal**

**Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**

**Case Officers Comments - Serious Offender(s) convicted**

N/A - No serious offenders under sentence

**Case Officers Comments - DNA captured from convicted serious offender(s)**

N/A - No serious offenders under sentence

**Case Officers Comments - Were False/Compromised identities utilised**

No

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(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151779774) Finalisation Report - PROMIS 5802272**

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N/A - No false identities used

**Checklist - Apprehensions (and Court Results) entered**

N/A

**Checklist - Statement of Facts - Final version uploaded**

N/A

**Checklist - Value (Economic Fraud only) entered**

N/A

**Checklist - Case Note - AUSTRAC-related entered**

N/A

**Checklist - Case Note - DNA/Buccal Swab entered**

N/A

**Checklist - Case Note - Critical Decision documented**

No

**Checklist - Team Level accesses reviewed**

N/A

**Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**

N/A

**Checklist - POCA entered**

N/A

**Checklist - PACE alerts deleted**

N/A

**Checklist - Drug property cleared**

N/A

**Checklist - Property cleared**

N/A

**Checklist - Special Projects cleared**

N/A

s 37(2)(b)

**Checklist - Tasks completed**

Yes

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

N/A

**Checklist - Have recommendations arising from reviews or EI/LL been actioned?**

N/A

**Checklist - Support Cases reviewed**

N/A

**Checklist - CPP Specific - Protectee's photo uploaded**

N/A

**Checklist - CPP Specific - Documents on file**

N/A

**Checklist - CPP Specific - Movements / Incidents entered**

N/A

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(COMMONWEALTH)  
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**Australian Federal Police - Production**  
**Case Note: (151779774) Finalisation Report - PROMIS 5802272**

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**Checklist - CPP Specific - STP uploaded**

N/A

**Checklist - CPP Specific - PVR endorsed**

N/A

**Checklist - Comments / Remarks**

s 47G(1)(a) Marine Area Command commented that they were very happy with the joint model implemented in this case and wished it could serve as a standard template for any similar matters in the future. This was conveyed to Coordinator CO(A), FA s 22(1)(a)(ii) .  
From the AFP's perspective, this model is beneficial as it allows AFP investigators immediate involvement in the matter should it have been determined to be a Commonwealth offence and thus Federal jurisdiction.

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP15966)

**Case Officers Details - Title**

Federal Agent

**Case Officers Details - Team**

s 47G(1)(a) D-A 5

**Case Officers Details - Date**

09-AUG-2016

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

s 22(1)(a)(ii)

**Team Leader Comments - Title**

Team Leader

**Team Leader Comments - Team**

s 47G(1)(a) Crime Operations A 5

**Team Leader Comments - Date**

10-AUG-2016

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5802272	50	s 47G(1)(a) MAN OVERBOARD - s 47F	AFP15966	09 Aug 2016 14:28

**Attachments:**

No Attachments.

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THIS DOCUMENT HAS BEEN DECLASSIFIED  
AND RELEASED IN ACCORDANCE WITH THE  
FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151488756) Finalisation Report - PROMIS 5808832**

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## Case Note

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**ID:** 151488756  
**Date Created:** 01 Sep 2015 10:06  
**Title:** Finalisation Report - PROMIS 5808832  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**  
5808832

**Case Officers Comments - Rationale for finalisation**  
REJECTED - LOW PRIORITY

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**  
No

**(Further Information)**

Rejected not finalised. Evaluation not investigation.

**Case Officers Comments - Case Summary**

On 14 May 2015, the Australian Federal Police (AFP) received a referral from the s 47G(1)(a) Police Force s 47G(1)(BF) relating to allegations of assault of a US citizen by an Australian Citizen while on-board the Marine Vessel s 47G(1)(a). It was alleged that a common assault occurred in which a male suspect (Australian citizen) pushed another male (US Citizen) causing him to fall over. Members of Head Office Investigations conducted an evaluation of this matter and identified the suspect currently resides in s 47F. As a result, the matter was sent to the s 47F Regional Operations and Capacity Committees 47FOCC for consideration of investigation. The 47FOCC determined the matter would not be investigated as it did not meet the threshold of the Case Categorisation and Priority Model (CCPM). The referral was categorised as a low priority and low impact referral as it involved a common assault with no aggravating factors or serious injury.

**Case Officers Comments - Results Summary**

As this matter did not meet the threshold of the CCPM, Head Office Investigations recommends that no further action be taken in relation to this matter. A draft letter from NMCO to s 47F of the s 47G(1)(BF) is attached to this correspondence.

The case officer has written to the victim and informed him of the outcome of the evaluation.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**  
No

**Case Officers Comments - Offender photograph uploaded into PROMIS**  
N/A - No offender arrested

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

**Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**

**Case Officers Comments - Commonwealth Offender convicted**  
No

**Case Officers Comments - Offender photograph removed from PROMIS**

**Case Officers Comments - Date photograph/s removed from PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI) for removal**

**Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**

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FREEDOM OF INFORMATION ACT 1982  
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**Australian Federal Police - Production**  
**Case Note: (151488756) Finalisation Report - PROMIS 5808832**

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N/A - No serious offenders under sentence

**Case Officers Comments - DNA captured from convicted serious offender(s)**

N/A - No serious offenders under sentence

**Case Officers Comments - Were False/Compromised identities utilised**

No

**Case Officers Comments - Has a Case Note - False Identity been created**

No

**(Further Information)**

N/A

**Checklist - Apprehensions (and Court Results) entered**

N/A

**Checklist - Statement of Facts - Final version uploaded**

N/A

**Checklist - Value (Economic Fraud only) entered**

N/A

**Checklist - Case Note - AUSTRAC-related entered**

N/A

**Checklist - Case Note - DNA/Buccal Swab entered**

N/A

**Checklist - Case Note - Critical Decision documented**

N/A

**Checklist - Team Level accesses reviewed**

N/A

**Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**

N/A

**Checklist - POCA entered**

N/A

**Checklist - PACE alerts deleted**

N/A

**Checklist - Drug property cleared**

N/A

**Checklist - Property cleared**

N/A

**Checklist - Special Projects cleared**

N/A

s 37(2)(b)

**Checklist - Tasks completed**

N/A

**Checklist - Primary or supplementary POA endorsed (were completed)**

N/A

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

N/A

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**Australian Federal Police - Production**  
**Case Note: (151488756) Finalisation Report - PROMIS 5808832**

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**Checklist - Support Cases reviewed**

N/A

**Checklist - CPP Specific - Protectee's photo uploaded**

N/A

**Checklist - CPP Specific - Documents on file**

N/A

**Checklist - CPP Specific - Movements / Incidents entered**

N/A

**Checklist - CPP Specific - STP uploaded**

N/A

**Checklist - CPP Specific - PVR endorsed**

N/A

**Checklist - Comments / Remarks**

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP15674)

**Case Officers Details - Title**

Senior Constable

**Case Officers Details - Team**

CBR-CO-HO11

**Case Officers Details - Date**

01-SEP-2015

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

s 22(1)(a)(ii)

**Team Leader Comments - Title**

FA 2977 TL HOI 1

**Team Leader Comments - Team**

Crime Ops HOI

**Team Leader Comments - Date**

07-SEP-2015

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5808832	44	ASSAULT COMPLAINT CRUISE SHIP s 47G(1)(a)	AFP15674	01 Sep 2015 10:06

**Attachments:**

ID	Object Type	Title	Created By	Date Created
5947859	TASK	Case Rejection - s 47G(1)(a)	AFP15674	07 Sep 2015 16:02

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151436052) Referral to OC - PROMIS No. 5815523**

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## Case Note

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**ID:** 151436052  
**Date Created:** 29 Jun 2015 14:12  
**Title:** Referral to OC - PROMIS No. 5815523  
**Note Type:** REFERRAL  
**Applies To:** s 22(1)(a)(ii)

### Details:

**Details of Referral - PROMIS Number**  
5815523

### Details of Referral - Circumstances / Allegation

The Defence Abuse Response Taskforce (DART) referred a matter relating to allegations a crew member on board a Royal Australian Navy (RAN) vessel was assaulted by another crew member. The details are as follows:

#### Allegation 1

The complainant states he was assaulted a number of times by a fellow crew member while serving together on the s 47F. The assaults are alleged to have occurred between s 47F. While no details are known of the location of the s 47F at the time of the assaults it is assumed the vessel was at sea and not in port.

#### Allegation 2

The complainant alleges that he was on board the s 47F in Indonesian territorial waters when he was assaulted by a fellow crew member whereby s 47F. The matter is not a sexual assault. This incident is alleged to have occurred on s 47F and appears to be in the more serious category than the conduct described in allegation 1.

The DART referral recommends the AFP consider the offence of Common Assault under section 335 Criminal Code Act 1899 (Qld) and section 61 Crimes Act 1900 (ACT). Neither of these offences are applicable.

### Details of Referral - AFP Action Requested

Investigation

### Details of Referral - Summary of Alleged Offences

The DART has since withdrawn their referral as their internal legal advice was incorrect. There is no jurisdiction for the AFP to investigate either matter.

### Suspect Details - Suspect(s) details, including Name, DOB, Locations

N/K

### Suspect Details - Does the suspect(s) have a criminal history?

### Issues for Consideration - Service Agreement/MOU

No

### Issues for Consideration - Potential Media Interest

No

### Issues for Consideration - Potential Political Interest

No

### Issues for Consideration - Resource Considerations

### Recommendation(s) to OC - Recommendations put forward by

s 22(1)(a)(ii) FA 2977 TL HOI

### Recommendation(s) to OC - Recommendation

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE



**Australian Federal Police - Production**  
**Case Note: (151436052) Referral to OC - PROMIS No. 5815523**

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The referral has been withdrawn by the DART due to the lack of Commonwealth jurisdiction to investigate either of the complaints.

**Recommendation(s) to OC - OC**

**Recommendation(s) to OC - Date to go to OC**

**Referral Completed By - Name**

s 22(1)(a)(ii)

**Referral Completed By - Team**

CBR-CO-HOI 1

**Referral Completed By - Date**

29-JUN-2015

**OC Decision - Interim - Date of Decision**

**OC Decision - Interim - OC Decision Type**

**OC Decision - Interim - Persons Present**

**OC Decision - Interim - Decision**

**OC Decision - Interim - Reasons**

**OC Decision - Interim - Name**

**OC Decision - Interim - Team**

**OC Decision - Interim - Date**

**OC Decision - Final - Date of Decision**

**OC Decision - Final - OC Decision Type**

**OC Decision - Final - Persons Present**

**OC Decision - Final - Decision**

**OC Decision - Final - Reasons**

**OC Decision - Final - Was the referral REJECTED and assessed by the CCPM as Essential or Response Priority OR High or Very High Impact.**

**OC Decision - Final - Name**

**OC Decision - Final - Team**

**OC Decision - Final - Date**

**Rejected- Functional Review - Date Reviewed**

**Rejected- Functional Review - Outcome of Review**

**Rejected- Functional Review - Review Completed by**

**Rejected- Functional Review - Comments/Additional Information**

**WOC - Date Present to WOC**

**WOC - WOC Decision**

**WOC - Comments/Additional Information**

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5815523	22	DEFENSE ABUSE RESPONSE TASKFORCE s 47F REFERRAL	AFP2977	29 Jun 2015 14:12

**Attachments:**

No Attachments.

---

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE



**Australian Federal Police - Production**  
**Case Note: (151716405) Finalisation Report - PROMIS DOD Historic sexual assaults**

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## Case Note

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**ID:** 151716405  
**Date Created:** 31 May 2016 15:41  
**Title:** Finalisation Report - PROMIS DOD Historic sexual assaults  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**

DOD Historic sexual assaults

**Case Officers Comments - Rationale for finalisation**

REJECTED - NOT AFP JURISDICTION

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**

Yes

**Case Officers Comments - Case Summary**

Matter referred by DOD relating to s 47F allegations of assault and sexual assault while a member of the RAN in 1987. These allegations were originally made to the DART, however due to the fact the alleged incidents were said to have occurred whilst the victim was at sea and as such were referred to the AFP for evaluation.

**Case Officers Comments - Results Summary**

AFP legal provided advice that at the time of the offences AFP did not have jurisdiction to investigate the allegations. NSW is the appropriate jurisdiction. The matter has been rejected and DOD advised of same. A summary of the legal advice has been supplied to DOD to assist with referral.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**

No

**Case Officers Comments - Offender photograph uploaded into PROMIS**

N/A - No offender arrested

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

**Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**

**Case Officers Comments - Commonwealth Offender convicted**

No

**Case Officers Comments - Offender photograph removed from PROMIS**

**Case Officers Comments - Date photograph/s removed from PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI) for removal**

**Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**

**Case Officers Comments - Serious Offender(s) convicted**

N/A - No serious offenders under sentence

**Case Officers Comments - DNA captured from convicted serious offender(s)**

N/A - No serious offenders under sentence

**Case Officers Comments - Were False/Compromised identities utilised**

No

**Case Officers Comments - Has a Case Note - False Identity been created**

N/A - No false identities used

**Checklist - Apprehensions (and Court Results) entered**

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151716405) Finalisation Report - PROMIS DOD Historic sexual assaults**

---

N/A

**Checklist - Statement of Facts - Final version uploaded**

N/A

**Checklist - Value (Economic Fraud only) entered**

N/A

**Checklist - Case Note - AUSTRAC-related entered**

N/A

**Checklist - Case Note - DNA/Buccal Swab entered**

N/A

**Checklist - Case Note - Critical Decision documented**

N/A

**Checklist - Team Level accesses reviewed**

N/A

**Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**

N/A

**Checklist - POCA entered**

N/A

**Checklist - PACE alerts deleted**

N/A

**Checklist - Drug property cleared**

N/A

**Checklist - Property cleared**

N/A

**Checklist - Special Projects cleared**

N/A

s 37(2)(b)

**Checklist - Tasks completed**

Yes

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

N/A

**Checklist - Have recommendations arising from reviews or EI/LL been actioned?**

N/A

**Checklist - Support Cases reviewed**

N/A

**Checklist - CPP Specific - Protectee's photo uploaded**

N/A

**Checklist - CPP Specific - Documents on file**

N/A

**Checklist - CPP Specific - Movements / Incidents entered**

N/A

**Checklist - CPP Specific - STP uploaded**

N/A

**Checklist - CPP Specific - PVR endorsed**

---

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151716405) Finalisation Report - PROMIS DOD Historic sexual assaults**

---

N/A

**Checklist - Comments / Remarks**

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP10727)

**Case Officers Details - Title**

DLSC

**Case Officers Details - Team**

CBR-CO-HOI 2

**Case Officers Details - Date**

31-MAY-2016

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

s 22(1)(a)(ii)

**Team Leader Comments - Title**

D/Sgt 10089

**Team Leader Comments - Team**

HOI Team 2

**Team Leader Comments - Date**

31-MAY-2016

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5920493	29	DOD HISTORIC SEXUAL ASSAULTS	AFP10727	31 May 2016 15:41

**Attachments:**

No Attachments.

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151695156) Finalisation Report - PROMIS 5948113**

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## Case Note

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**ID:** 151695156  
**Date Created:** 09 May 2016 08:18  
**Title:** Finalisation Report - PROMIS 5948113  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**  
5948113

**Case Officers Comments - Rationale for finalisation**

FINALISED - ACTION COMPLETED

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**

Yes

**Case Officers Comments - Case Summary**

A s 47G was travelling from s 47G. On the s 47G(1)(a) the bosun of the vessel s 47F a Filipino national was stabbed three times by Able Seaman s 47F (also a Filipino national) s 47F stabbed s 47F with a steak knife 3 times, he was treated on the vessel and his wounds stitched and his condition is stable.

This incident occurred approximately 1000 nautical miles from Australia in the Indian Ocean.

**Case Officers Comments - Results Summary**

ROCCC decision to reject matter on 18/4/16. Case finalised, then re-opened because of correspondence received from s 33(a)(iii).

s 33(a)(iii) advised no further police action - all outstanding matters now completed.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**

No

**Case Officers Comments - Offender photograph uploaded into PROMIS**

Yes

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI)**

**Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**

**Case Officers Comments - Commonwealth Offender convicted**

No

**Case Officers Comments - Offender photograph removed from PROMIS**

**Case Officers Comments - Date photograph/s removed from PROMIS**

**Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI) for removal**

**Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**

**Case Officers Comments - Serious Offender(s) convicted**

No

**Case Officers Comments - DNA captured from convicted serious offender(s)**

N/A - No serious offenders under sentence

**Case Officers Comments - Were False/Compromised identities utilised**

---

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151695156) Finalisation Report - PROMIS 5948113**

---

No

**Case Officers Comments - Has a Case Note - False Identity been created**

N/A - No false identities used

**Checklist - Apprehensions (and Court Results) entered**

**Checklist - Statement of Facts - Final version uploaded**

N/A

**Checklist - Value (Economic Fraud only) entered**

**Checklist - Case Note - AUSTRAC-related entered**

**Checklist - Case Note - DNA/Buccal Swab entered**

**Checklist - Case Note - Critical Decision documented**

**Checklist - Team Level accesses reviewed**

**Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**

**Checklist - POCA entered**

**Checklist - PACE alerts deleted**

**Checklist - Drug property cleared**

**Checklist - Property cleared**

**Checklist - Special Projects cleared**

s 37(2)(b)

**Checklist - Tasks completed**

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

**Checklist - Have recommendations arising from reviews or EI/LL been actioned?**

**Checklist - Support Cases reviewed**

**Checklist - CPP Specific - Protectee's photo uploaded**

**Checklist - CPP Specific - Documents on file**

**Checklist - CPP Specific - Movements / Incidents entered**

**Checklist - CPP Specific - STP uploaded**

**Checklist - CPP Specific - PVR endorsed**

**Checklist - Comments / Remarks**

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP19044)

**Case Officers Details - Title**

Team Leader

**Case Officers Details - Team**

s 47G(1)@MC

**Case Officers Details - Date**

09-MAY-2016

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

---

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151695156) Finalisation Report - PROMIS 5948113**

---

s 22(1)(a)(ii)

**Team Leader Comments - Title**

Team Leader

**Team Leader Comments - Team**

MEL-OMC

**Team Leader Comments - Date**

09-MAY-2016

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5948113	82	MEL-CO-CRIMES AT SEA-PN5948113	AFP19044	09 May 2016 08:18

**Attachments:**

No Attachments.

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151840572) Finalisation Report - PROMIS 5979171**

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## Case Note

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**ID:** 151840572  
**Date Created:** 24 Oct 2016 14:30  
**Title:** Finalisation Report - PROMIS 5979171  
**Note Type:** CASE FINALISATION  
**Applies To:** s 22(1)(a)(ii)

**Details:**

**Case ID**  
5979171

**Case Officers Comments - Rationale for finalisation**  
FINALISED - REFERRED TO ANOTHER AGENCY

**Case Officers Comments - Case has been finalised in accordance with PROMIS Procedure 20**  
Yes

**Case Officers Comments - Case Summary**

On 28/6/16, s 47F rang s 47F OMC re a sexual assault at sea that occurred in 1988/89 which was investigated in 2005/6, whilst in the Australian Navy.

In the phone call s 47F stated the following:

s 47F

**Case Officers Comments - Results Summary**

After liaison with the ADFIS liaison member it was suspected that the original investigation into the matter may have had some issues in that;

1. ADFIS info received stated that the matter was not investigated. This was contrary to the documents and information provided by the victim which clearly showed one had occurred.
2. Documents provided by the victim were statements taken by ADFIS and resulting documentation on the investigation and a later compensation claim.
3. No investigation was carried out by AFP the information was evaluated and it was deemed appropriate that the case be referred to the Defence force Ombudsman. The victim was advised of this by phone and e-mail. The Ombudsman was 'CC'd' into the e-mail.

As such the matter was referred to the ADF Ombudsman for review of the original ADFIS investigation. The victim s 47F was advised by phone and by email of which he was in agreement.

**Case Officers Comments - Did the investigation result in the arrest of a Commonwealth Offender**  
No

**Case Officers Comments - Offender photograph uploaded into PROMIS**  
N/A - No offender arrested

**Case Officers Comments - Date photograph/s uploaded into PROMIS**

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151840572) Finalisation Report - PROMIS 5979171**

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- Case Officers Comments - Date AFP Facial Recognition System (MFI) task email sent**
- Case Officers Comments - Commonwealth Offender convicted**  
No
- Case Officers Comments - Offender photograph removed from PROMIS**
- Case Officers Comments - Date photograph/s removed from PROMIS**
- Case Officers Comments - Offender photograph/s tasked by email to AFP Facial Recognition System (MFI) for removal**
- Case Officers Comments - Date AFP Facial Recognition System tasked by email for removal**
- Case Officers Comments - Serious Offender(s) convicted**  
N/A - No serious offenders under sentence
- Case Officers Comments - DNA captured from convicted serious offender(s)**  
N/A - No serious offenders under sentence
- Case Officers Comments - Were False/Compromised identities utilised**  
No
- Case Officers Comments - Has a Case Note - False Identity been created**  
N/A - No false identities used
- Checklist - Apprehensions (and Court Results) entered**  
N/A
- Checklist - Statement of Facts - Final version uploaded**  
N/A
- Checklist - Value (Economic Fraud only) entered**  
N/A
- Checklist - Case Note - AUSTRAC-related entered**  
N/A
- Checklist - Case Note - DNA/Buccal Swab entered**  
N/A
- Checklist - Case Note - Critical Decision documented**  
N/A
- Checklist - Team Level accesses reviewed**  
N/A
- Checklist - Effectiveness Report/s (TI, LD, SD, CD) entered**  
N/A
- Checklist - POCA entered**  
N/A
- Checklist - PACE alerts deleted**  
N/A
- Checklist - Drug property cleared**  
N/A
- Checklist - Property cleared**  
N/A
- Checklist - Special Projects cleared**  
N/A

s 37(2)(b)

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FREEDOM OF INFORMATION ACT 1982  
(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE



**Australian Federal Police - Production**  
**Case Note: (151840572) Finalisation Report - PROMIS 5979171**

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N/A

**Checklist - Tasks completed**

Yes

**Checklist - Emerging Issues/Lessons Learnt CNE entered**

N/A

**Checklist - Have recommendations arising from reviews or EI/LL been actioned?**

N/A

**Checklist - Support Cases reviewed**

N/A

**Checklist - CPP Specific - Protectee's photo uploaded**

N/A

**Checklist - CPP Specific - Documents on file**

N/A

**Checklist - CPP Specific - Movements / Incidents entered**

N/A

**Checklist - CPP Specific - STP uploaded**

N/A

**Checklist - CPP Specific - PVR endorsed**

N/A

**Checklist - Comments / Remarks**

**Case Officers Details - Name**

s 22(1)(a)(ii) (AFP20825)

**Case Officers Details - Title**

OPMA

**Case Officers Details - Team**

s 47F OMC

**Case Officers Details - Date**

24-OCT-2016

**Team Leader Comments - DNA consideration for serious offenders under sentence (including no DNA capture) approved**

N/A - No serious offenders under sentence

**Team Leader Comments - Case Finalisation case note entry and checklist is completed to my satisfaction**

Yes

**Team Leader Comments - Name**

s 22(1)(a)(ii)

**Team Leader Comments - Title**

s 47F OMC T/L

**Team Leader Comments - Team**

s 47F-OMC

**Team Leader Comments - Date**

08-NOV-2016

**Involvements:**

Case ID	Log #	Title	Created By	Date Created
5979171	41	ALLEGED SEXUAL ASSAULT - s 47F	AFP20825	24 Oct 2016 14:30

**Attachments:**

---

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(COMMONWEALTH)  
BY THE AUSTRALIAN FEDERAL POLICE

**Australian Federal Police - Production**  
**Case Note: (151840572) Finalisation Report - PROMIS 5979171**

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