National Anti-Corruption Commission

Case study
Operation Pentecost

Operation Pentecost investigated the unauthorised disclosure of highly sensitive law enforcement information by an Australian Federal Police (AFP) employee to a relative for that relative's benefit, which could have prejudiced a major law enforcement operation.

This was a joint investigation commenced by the former Australian Commission for Law Enforcement Integrity (ACLEI) and the AFP and finalised after 1 July 2023 by the National Anti-Corruption Commission.

This case study uses pseudonyms.

Abuse of office

A public official may engage in corrupt conduct if they misuse their position to gain a benefit for themselves or another person, or to cause a detriment to others.

In this case, a Commonwealth public official used their position to share sensitive information with a relative who was involved in criminal activity. This conduct was found to be an abuse of office.

See Types of corrupt conduct.

Referral

The AFP received information that the subject of one of their operations, Mr Mark Dalloway, had received highly sensitive information about the AFP's ability to intercept encrypted communications, from an AFP appointee who was related to Mr Dalloway.

The AFP made a formal notification to ACLEI in May 2021 under the *Law Enforcement Integrity Commissioner Act 2006* (no longer in force). A 'formal notification' is now known as a mandatory referral under the *National Anti-Corruption Commission Act 2022*.

What happened

Mr Christopher Harbani joined the AFP in 2013 and, through his role, had access to sensitive operational information and AFP systems.

Between late 2020 and mid-2021, Mr Harbani maintained regular contact with his cousin, Mr Dalloway, who was associated with organised crime. During this period, Mr Harbani had access to AFP shared drives and information relation the AFP's Operation Ironside investigation.

Operation Pentecost identified encrypted ANØM communications (which was distributed, sold and used in Australia and worldwide by organised crime groups) between users linked to Mr Dalloway and another associate. The communications indicated awareness of an upcoming law enforcement operation and concern that the encrypted platform had become unsafe to use.

The investigation established, on the balance of probabilities, that Mr Harbani disclosed sensitive law enforcement information relating to AFP operational capabilities and activities to Mr Dalloway.

The abrupt cessation of ANØM communications by relevant users shortly afterwards supported the finding that operationally sensitive information had been compromised.

Outcome

The Commissioner found that Mr Harbani engaged in serious corrupt conduct by abusing his position to disclose sensitive law enforcement information to a criminal associate.

The conduct could have compromised a major law enforcement operation and created a significant risk to operational effectiveness, investigation methodologies and officer safety.

Mr Harbani resigned from the AFP during the investigation. Had he not resigned, the Commissioner would have recommended the termination of his employment.

Corruption prevention takeaways

Operation Pentecost highlights the significant corruption risks associated with access to sensitive operational information. Disclosure of operational information can undermine investigations, compromise operational capability, place personnel at risk, and assist criminal entities. This emphasises the importance of having strong organisational control measures around operational information.

Operation Pentecost also demonstrates how these risks are exacerbated where an official with access to operational information has personal relationships with individuals involved in criminal activity. This reinforces the importance of requiring disclosure of any relationship with any individual known or suspected to be involved in criminal activity.

Further information

- Operation Pentecost investigation report
- NACC corruption prevention and education resources
- To report a corruption issue, see report corrupt conduct