

• Adversely affects or could adversely affect the way a public official's duties are exercised and which could involve any of the matters set out in s.8(2) of the ICAC Act, AND

• Is serious enough to constitute a criminal or disciplinary offence, or reasonable grounds for dismissing the services of a NSW public official.

The ICAC Act also requires the ICAC to focus its attention on serious and systemic corrupt conduct. This means that not all matters involving suspected corrupt conduct will be investigated.

The ICAC has assessed the information you recently provided in conjunction with the information you have previously provided to the ICAC.

You have provided a timeline of your actions and proposed actions in relation to your dispute with NSW Police and the lack of action by the Ombudsman and the PIC. You also advised that you intend to take further legal action against the Police and intend to use the proceeds to pressure the Police Commissioner to take action against Police involved in the original matter. As this information does not add further support to your allegations of corrupt conduct, the ICAC's decision not to pursue this matter stands.

Yours faithfully

Mark Nolan

Assessment Officer

February 2009

IMPORTANT - PRIVACY & CONFIDENTIALITY NOTICE

The information contained in this e-mail and any attachments thereto may be of a confidential and/or private nature, and it may also be the subject of legal professional privilege.

If you are not the intended recipient, any use, disclosure or copying of this e-mail or its attachments is unauthorised.

If you have received this e-mail in error, please notify the Commission immediately by return e-mail and erase all copies of the message and attachments.

IMPORTANT DISCLAIMER: No liability is assumed by the Independent Commission Against Corruption for expressions of opinion in this Communication which are other than the

Nierop, Dirk

From: Nierop, Dirk
Sent: Tuesday, 10 March 2009 2:10 PM
To: 'mnolan@icac.nsw.gov.au'
Subject: Do I now work for ICAC?
Attachments: TIMELINE OF CORRUPTION..doc

Hi Mark

(timeline updated since last transmission)

After my initial acceptance of your latest reason for not investigating my proof of corruption, I have examined the ICAC act in detail and am quite sure that my case easily fits the criteria for all the points that you have supplied me with. I am going to break down each paragraph and point out how my case clearly satisfies your criteria. Whether or not this is new information or information that I have already supplied to you is irrelevant. (but if it is, could you please explain how)

1)-"Results or could result in a public official or agency exercising their functions or authority in a partial or dishonest way, breaching the public trust or misusing information or resources."

a)-The police and the DPP clearly over charging me with pre-meditated offences when it was obvious to all that I was fighting against huge odds, at work, protecting my barman. (check out Judges comments). Not only were the commandos injuries not serious, but they were not inflicted by me. Which the police were well aware of. How can this alone not qualify?

b)-The police refusing to take a statement from the barman or security officers on the night; who were all sober-yet took Cuca's statement 30 minutes after the brawl? (Cuca a good friend of commando)

c)-Police sending me a \$5,500 fine in the mail for an alleged security licence offence 17 months prior-(when I had written permission from the security Industry Registry to work)

d)-Police lying to the Attorney Generals Department that I was convicted in order to stop my claim and to bolster commandos claim (The Attorney generals Department are investigating this latest corruption as I write)

e)-Police perverting the course of justice to such an extent that a Judge from the district criminal court suggesting that they be in jail and that the PIC be involved

Mark, I could list literally hundreds more examples of a "public official exercising their functions or authority in a partial or dishonest way, breaching the public trust or misusing information or resources"

Do you really want me to list them all? Perhaps you would like to re-read my revamped website. It has lots of extra corruption since you last looked. However, if you don't have the time, I do, and am more than happy to send you a brief several inches thick, but at this stage I prefer not to overwhelm you.

2)-"Is serious enough to constitute a criminal or disciplinary offence, or reasonable grounds for dismissing the services of a NSW public official"

a)-Trying to put someone in jail for life because you don't personally like them should satisfy this criteria, don't you think? The Judge specifically said that if the police knew the details of the incident, then I would never have been brought before his court. I have proved beyond doubt that they knew very well the details. Please re-read overview chapter-(takes 90 seconds)

3)-"The ICAC act also requires the ICAC to focus its attention on serious and systemic corrupt conduct.

a)-How serious does it have to be? Life in jail because they don't like you. Is it possible to get more serious? The ease at which these corrupt officials side stepped evidence that did not suit their agenda means they have done this many times before. It means that they are still doing it. It means they will continue doing it. It is serious; it is systemic. The whole system has holes big enough to drive trucks through. They have virtually no one to answer to. And when they do, they are allowed to investigate themselves. You can't see the problem with this? I am not only

fighting these corrupt officials for myself, but for all the innocents to come. For you to not ask questions means innocent people going to jail. How do you justify your inaction to the people sitting in jail and the people yet to have this dubious privilege?

4)-in your last paragraph, you seem to take the view that as I am doing your work, and challenging their corruption myself, then you are not going to do anything. Could you please clarify that this is your reasoning? Am I now on ICAC's payroll? My website is slowly crushing the life out of these corrupt officials. I will have my justice. All bodies involved in this debacle will be held accountable in the end. This is my life's mission, and all will be held to account, as I was forced to. As I deal with each level of watchdogs, all correspondence will be used. I have been fighting for only 3 years. I have set aside the rest of my life to complete my mission and I will not waver. Please reread "updates since trial" so you know that this issue is still very much current; that these corrupt officials are still acting corruptly without any restraint.

I look forward to your response

cheers

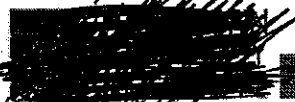

Dirk Nierop

Security Shift Supervisor

OH&S Chair

Occupational First Aider


Customer Service



This email is intended only for the person or entity to which it is addressed and may contain confidential or privileged information. If you are not the intended recipient of the email, any use, interference with, disclosure or copying of this email is unauthorised. If you have received this email in error, please delete it and notify me promptly. Thank you.

Nierop, Dirk

From: Mark Nolan [mnolan@icac.nsw.gov.au]
Sent: Thursday, 20 July 2006 10:21 AM
To: Nierop, Dirk
Subject: YOUR LETTER FROM THE ICAC

Mr Dirk Nierop

~~Dirk.Nierop@nsw.gov.au~~

Our Ref: E06/0988
Contact: Mark Nolan
Telephone: 8281 5881

IN CONFIDENCE

Dear Mr Nierop

I refer to your email of 13 June 2006, regarding officers of the NSW Police Service.

As you may be aware, the Police Integrity Commission was established in 1997 to investigate serious allegations of suspected corrupt conduct involving police officers. As such, the ICAC no longer deals with allegations of corrupt conduct involving police officers. The NSW Police Service and the Office of the Ombudsman also investigate complaints about police officers.

Under section 128 of the *Police Integrity Commission Act 1996*, the ICAC is required to refer all complaints involving police officers to the NSW Ombudsman or Police Integrity Commission. Accordingly, your matter has been referred to the NSW Ombudsman for consideration. The Ombudsman's Office will advise you whether it proposes to take any action in relation to your complaint. You may also consider raising your concerns directly with the Ombudsman's Office.

Thank you for contacting the ICAC.

Yours faithfully

Mark Nolan
Assessment Officer
July 2006

IMPORTANT - PRIVACY & CONFIDENTIALITY NOTICE

The information contained in this e-mail and any attachments thereto may be of a confidential and/or private nature, and it may also be the subject of legal professional privilege.

20/07/2006

[Redacted]

From: Nierop, Dirk
Sent: Tuesday, 6 March 2007 7:53 PM
To: [Redacted]
Cc: [Redacted]
Subject: FW: 2ND FINAL LETTER RE: NSW POLICE

Hiend print by [Redacted]

From: Nierop, Dirk
Sent: Monday, 5 March 2007 7:30 PM
To: [Redacted]
Subject: Fw: 2ND FINAL LETTER RE: NSW POLICE

FYI

From: Nierop, Dirk
Sent: Monday, 5 March 2007 7:04 PM
To: 'Mark Nolan'
Subject: RE: 2ND FINAL LETTER RE: NSW POLICE

Dear Mr Nolan

Thank you for your response. After all this time, none of my questions can or have been answered and I thought it important that you should be aware of this. However, I understand what you are telling me and I will not bother you again

Sincerely yours

From: Mark Nolan [mailto:mnolan@icac.nsw.gov.au]
Sent: Monday, 5 March 2007 3:27 PM
To: Nierop, Dirk
Subject: 2ND FINAL LETTER RE: NSW POLICE

Dirk Nierop
Dirk.Nierop@[Redacted]

Our Ref: E06/0988
Contact: Mark Nolan
Telephone: 8281 5881

IN CONFIDENCE

Dear Mr Nierop

I refer to your email of 26 February 2007 concerning NSW Police.

6/03/2007

You previously provided information to the ICAC on 13 June 2006 and 29 January 2007. As previously advised, the Police Integrity Commission was established in 1997 to investigate serious allegations of suspected corrupt conduct involving police officers. As such, the ICAC no longer deals with allegations of corrupt conduct involving police officers. The NSW Police Service and the Office of the Ombudsman also investigate complaints about police officers.

The ICAC has now reviewed the information you have most recently provided. The information is substantially similar to the information you previously provided to us, about which we determined not to take further action. As such, our decision not to pursue the matter further stands.

Thank you for contacting the ICAC.

Yours faithfully

Mark Nolan
Acting Senior Assessment Officer
March 2007

IMPORTANT - PRIVACY & CONFIDENTIALITY NOTICE

The information contained in this e-mail and any attachments thereto may be of a confidential and/or private nature, and it may also be the subject of legal professional privilege.

If you are not the intended recipient, any use, disclosure or copying of this e-mail or its attachments is unauthorised.

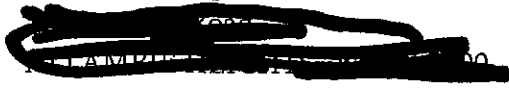
If you have received this e-mail in error, please notify the Commission immediately by return e-mail and erase all copies of the message and attachments.

IMPORTANT DISCLAIMER: No liability is assumed by the Independent Commission Against Corruption for expressions of opinion in this Communication which are other than the official opinion of the Commission and a communication of other than official opinion is not to be regarded as a communication from the Commission.



INDEPENDENT COMMISSION AGAINST CORRUPTION

Mr Dirk Nierop



Our Ref: E07/1821

Contact: Mark Nolan

Telephone: 8281 5881

IN CONFIDENCE

Dear Mr Nierop

Thank you for the information you provided to the ICAC on 28 September, 1 October and 29 November 2007 regarding the Police Integrity Commission (PIC) and the Office of the NSW Ombudsman.

The ICAC understands your allegation to be that the PIC and Ombudsman have taken no action as a result of complaint you made to them about Police handling of your arrest and charging for assault

The ICAC Act 1988 sets out the ICAC's functions, which include investigating and educating the NSW public sector and the community about corrupt conduct and how to combat it.

The ICAC can only deal with corrupt conduct as it is defined in the ICAC Act. In simple terms, conduct is corrupt when it:

- Results or could result in a public official or agency exercising their functions or authority in a partial or dishonest way, breaching the public trust or misusing information or resources, *OR*
- Adversely affects or could adversely affect the way a public official's duties are exercised and which could involve any of the matters set out in s.8(2) of the ICAC Act, *AND*
- Is serious enough to constitute a criminal or disciplinary offence, or reasonable grounds for dismissing the services of a NSW public official.

The ICAC does not investigate all matters received and, even if a matter involves corrupt conduct, the ICAC Act requires the ICAC to focus its attention on serious and systemic corrupt conduct.

Your matter has been carefully considered by the ICAC's Assessment Panel. The Assessment Panel is a committee made up of senior ICAC officers, and is responsible for determining what action the ICAC should take on each matter received. The Assessment Panel has determined that the ICAC should take no action.

In making its decision, the Assessment Panel took into account a number of issues, including the fact that it is not corrupt conduct for the PIC or Ombudsman to decide to take no action in regard to your complaint.

Thank you for bringing this matter to our attention. Although we are unable to investigate every matter we receive, your information is important to us as it can help us improve our understanding of corruption risks and trends in the NSW public sector. While the information you have provided may not on its own be sufficient for us to commence an investigation at this time, it will be retained and may well assist in future matters. The information you have provided may also be used to inform our corruption prevention and education work.

For more information about the ICAC's decision-making processes, please read the enclosed Information Sheet or visit our website at www.icac.nsw.gov.au.

In any further correspondence to the ICAC please quote the reference number provided.

Yours faithfully



Mark Nolan
Assessment Officer

7 December 2007



INDEPENDENT
COMMISSION
AGAINST
CORRUPTION

INFORMATION SHEET 2

Notifying you of the ICAC's decision

How does the ICAC assess information?

All information provided to the ICAC is analysed to help us understand the nature and extent of actual and potential corruption within the NSW public sector.

The ICAC Act 1988 requires that the ICAC, as far as practicable, direct its attention to **serious and systemic corrupt conduct**.

Broadly, the ICAC considers information to decide whether corrupt conduct may have occurred, or whether the information may indicate a weakness in the way a NSW government agency works. All information is considered in light of other relevant details on the same people, agencies or similar types of conduct. Investigation efforts are targeted at matters which will have the greatest benefit for the public sector and complainants.

How does the ICAC decide what to do with information?

All matters the ICAC receives are considered by an internal committee made up of senior ICAC officers, called the Assessment Panel. The Assessment Panel is responsible for deciding what action the ICAC will take in relation to each new matter received, including whether the matter should be investigated or whether other action should be taken.

Your matter may be the subject of enquiries we conduct with the agency concerned, or we may refer the matter to that (or another) agency to follow up or investigate. This is because other public authorities also play a role in the investigation and prevention of corrupt conduct. Your information may result in an ICAC investigation. Regardless, your information will be retained and may assist with other matters of current or future interest to the ICAC. Your information may help inform a corruption prevention project, an education program or a combination of these approaches.

What if you have more information?

We will consider any additional information you provide after we have made our decision, and assess whether that decision should stand or alternative action should be taken.

THE INDEPENDENT COMMISSION AGAINST CORRUPTION

OFFICE ADDRESS:
LEVEL 21
133 CASTLEREAGH STREET
SYDNEY NSW 2000

POSTAL ADDRESS:
GPO Box 500
SYDNEY NSW 2001

PHONE: (02) 8281 5999 OR
TOLL FREE: 1800 463 909
FAX: (02) 9264 5364

WEBSITE: www.icac.nsw.gov.au

JUNE 2006