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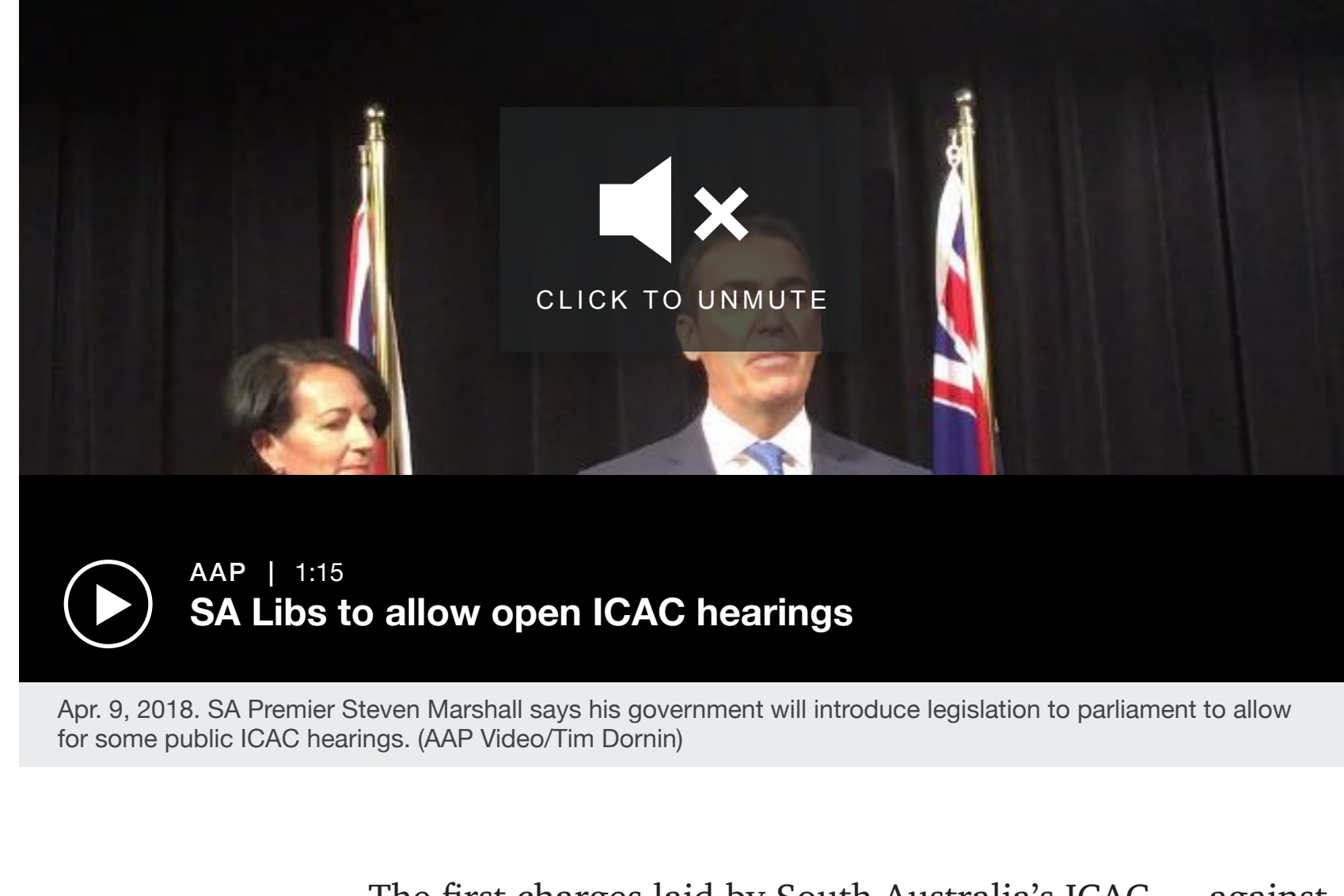
True Crime Australia

Secret South Australian ICAC trials end with zero convictions

After two hidden trials and millions spent on legal fees following the first arrests by SA's ICAC, none of the seven Sturt Police Station officers charged with crimes have been convicted.

Elizabeth Henson

@Eliz_henson June 27, 2019 - 9:36AM The Advertiser



Apr. 9, 2018. SA Premier Steven Marshall says his government will introduce legislation to parliament to allow for some public ICAC hearings. (AAP Video/Tim Dornin)

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The first charges laid by South Australia's ICAC — against seven police officers — have ended without a single conviction, leaving taxpayers potentially facing a multimillion-dollar legal bill to reimburse them for their costs.

The Advertiser can reveal that, after two trials cloaked in suppression orders, the drug squad officers have been cleared of any wrongdoing.

Part of Operation Mantle, they were the first people arrested after ICAC's establishment in 2013.

Now the SA Police Association — which footed the defence bill for both trials — wants the State Government to reimburse the \$2 million spent fighting the allegations.

In a memo to members, association president Mark Carroll said the union would also help the members “to resume their careers so cruelly taken from them”.

“The association has expended in excess of \$2 million in defending our members from these charges,” he wrote.

“The committee of management will seek to recover these costs from the State Government.”

He wrote that the association had “supported these members from the beginning”.

“All members protested their innocence from the beginning and have not wavered in their determination to clear their names,” he said.

“They have been subjected to media exposure, rumour, gossip and innuendo.”

The officers, including a detective sergeant, brevet sergeant, senior constables and a constable, formed the seven-person Operation Mantle drug squad, based at Sturt Police Station.

Three officers were tried in the Supreme Court in 2018 over the allegations, which dated back to 2014, but a jury either found them not guilty or did not reach a verdict.

Another three officers were referred to the District Court, where two were acquitted by a jury earlier this year.

Prosecutors withdrew charges against the third officer, allowing the DPP to lay them again if they obtained new evidence.

The seventh officer had charges withdrawn in the Adelaide Magistrates Court in 2015.

Acting Director of Public Prosecutions Sandi McDonald said prosecutors proceeded with the charges because “an initial determination was made, based upon a consideration of the available evidence, that there was a reasonable prospect of securing a conviction”.

Ms McDonald said that view changed after the outcome of the Supreme Court trial.

“It having been determined, following the verdicts in the preceding trials, that there was no longer a reasonable prospect of conviction, the only course open to the director was to discontinue the prosecution,” she told *The Advertiser*.

Ms McDonald said the decision to discontinue any case “reflects a legal assessment that there is no reasonable prospect of a conviction being obtained”.

A State Government spokeswoman said it was not in a position to comment on individual cases or on any private arrangements between the Police Association and its members.

“In accordance with the Government's policy, the Attorney-General has a discretion to approve reimbursement of legal costs incurred by Government employees as a result of their conduct in the course of their employment,” she said.

“Ordinarily, reimbursement will only be made to an employee who has been acquitted, or whose charges have been withdrawn, where there is no dereliction of duty or other conduct rendering it inappropriate for the costs to be reimbursed.”

SA Police and ICAC both declined to comment.

The process of telling the story

In order to share this story with our readers, *The Advertiser* was required to undertake an exhaustive and laborious process over days.

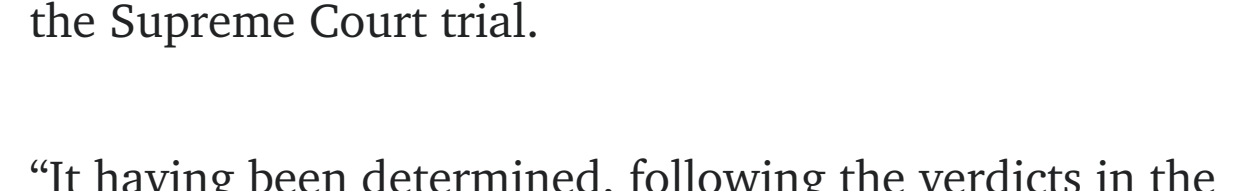
The prosecution of seven police officers was shrouded in secrecy and the work required to find and review all of the suppression orders included:

- * Two visits to the District Court registry.
- * Six emails to court registries.
- * Checking six court files.
- * Reviewing 19 certificates of record.
- * Reviewing 10 suppression orders.
- * One telephone call to the Magistrates Court registry.
- * One telephone call to the District Court registry.

The reporting of this story was an onerous but necessary task. The public has a right to know, particularly given taxpayers are now facing a multimillion-dollar legal bill.

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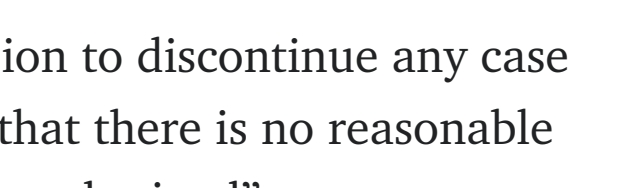


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