

**REPUBLIC OF VANUATU
OFFICE OF THE OMBUDSMAN**

PMB 9081
Port Vila
Vanuatu

PUBLIC REPORT

ON THE

**ALLEGED MISAPPROPRIATION OF POLICE
SINGLE POLICE OFFICERS MESS FUND**

3 June 2003

9095/2002/10

**PUBLIC REPORT
ON THE
ALLEGED MIAPPROPRIATION
OF THE SINGLE POLICE OFFICERS MESS FUND**

SUMMARY

The Ombudsman received a complaint alleging that the single police officers mess at the Independence Park was forced to close down in December 1998 because there was an alleged misappropriation of the mess fund.

The single police mess was being run by funds that are being deducted from the single police officers salaries each payday to purchase food for the single police officers in order for them to have meals in the central area. The amount deducted was 2.525 Vt to 3,000 Vt per head per fortnight.

The Ombudsman found that the mess was closed for two main reasons. The reasons were that:

- There was a shortage of manpower to run and manage the single police officers mess, because some of the police officers who worked in the mess were short listed to be made redundant at the end of 1998, and,
- There was an outstanding debt of Vt583.748 at the Center Point Supermarket.

The Ombudsman also found that this debt was made in 1996 during the time when Superintendent Willie Samuel was managing the fund. At that time the salaries of 78 police officers were deducted each fortnight to the fund at the rate of 2.525 Vt per head. At this rate, the fund collected 196.950 Vt each fortnight from these deductions. From this calculation, the fund should receive Vt 4.726.800 in 1996 alone

The Ombudsman also found that the mess funds was being authorized by the former Commissioners of Police to be used for other purposes other than food for the single police officers. The investigation also found that 100.000 Vt was authorized to be taken from the mess funds to buy a billiard table in 1990 and a further 300.000 Vt was given to a senior police officer in the Force to use for personal purposes.

However, evidence gathered during the enquiry of this report confirmed that the amount of money borrowed were refunded at two different times in 1992 and 1999.

The Ombudsman also found that the outstanding debts of Vt583.748 at the Center Point Supermarket must be made due to alleged mismanagement and misappropriation of the mess funds by the police officers who managed the fund

Following this enquiry, the Ombudsman has made the following recommendations in this report:

- That, the Auditor General's Office assist the Police Department to audit the Mess Fund so that proper records of the expenditures of the mess funds are recorded.
- The Internal Investigation Section should lay charges against any police officers who may have misappropriated the mess funds which may be released in the Auditor General's report
- That the committee be formed comprising only of single police officers, whose salaries are being deducted each fortnight and that such committee would manage the fund.
- That the Police Commissioner, or any other senior police officers be no longer responsible of this fund.
- That , the expenditures from the fund be audited annually by an accountant and the financial report to be released to all single police officers whose salaries are being affected for their information

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1. JURISDICTION

- 1.1 This report is made in accordance with the Constitution and the Ombudsman Act. These laws give power to the Ombudsman to look into the conduct of the officers working in the Government and Government authorities. This includes the jurisdiction of the Ombudsman to inquire into administration of the Vanuatu Police Force, including the funds that is used for the single police officers mess.

2. PURPOSE, SCOPE OF INVESTIGATION AND METHODS USED

- 2.1 The purpose of this report is to present the Ombudsman's findings as required by the Constitution and the Ombudsman Act.
- 2.2 The scope of this investigation is to establish the facts about how the police single officers mess fund was used and to determine whether the funds was misappropriated by the police officers who managed the fund.
- 2.3 This Office collects information and documents by informal request, summons, letters, interviews and research.

3. RELEVANT LAWS, REGULATIONS AND RULES

PENAL CODE

- A person commits misappropriation of property who destroys, wastes or converts any property capable of being taken which has been entrusted to him for custody, return, accounting or any particular manner of dealing (not being a loan of money or of monies for consumption).

(a) No person shall cause loss to another-

- 5 by theft;
6 by misappropriation; or
7 by false pretences

Penalty: Imprisonment for 12 years

(b) No person shall-

- (a) without lawful authority appropriate any generated energy

- (b) without lawful authority use any property of another notwithstanding that he does not have the intention permanently to deprive the owner of it;
- (c) take or misappropriate his own property which is charged by any debt due by him.

Penalty: Imprisonment for 18 years.

POLICE GENERAL ORDERS

• MISCONDUCT

Any police officer who fails to comply with or disobeys any Police General Order, Force Standing Orders, Financial Instruction or Stores Regulation from time to time in force, may be charged with misconduct under the provisions of the Police Act and Rules made thereunder.

114. DISCIPLINARY PROCEEDINGS

- 4 Whenever a Formation Commander or officer in charge of a section has reasonable cause to believe that a police officer under his command has committed an act of misconduct, he shall act in accordance with Force Standing Orders and the provisions of the Police Act and Police Rules relating to discipline.

One disciplinary proceedings (including the preliminary inquiries) have commenced, the responsible officers must ensure that there is no unnecessary delay and that proceedings are pressed to their conclusion with all possible speed.

- 5 Whenever an officer is interdicted, suspended from duty or dismissed from the Service, the responsible officer concerned shall at once inform the Director General of Finance and the Auditor General.
- 6 Any letter to an officer conveying disciplinary charges against him under the provisions of the Police Act, Force Standing Orders or these Orders may, when it cannot otherwise be delivered to him, be delivered at the officer's last known address.

4. OUTLINE OF EVENTS

- 4.1 On 13 October 1998, the Office of the Ombudsman received this complaint from one of the member of the Police Force. He alleged that the single police officers' mess fund was being misappropriated by police officers who were managing the fund. This allegation was made after the single police mess at the Independence Park was forced to close down at the end of December 1998.
- 4.2 This fund is being deducted from the single police officers salaries, for the purpose of purchasing food for the single police officers in order for them to have

meals in the central area. The amount deducted was 2,525 Vt to 3,000 Vt per head per fortnight.

- 4.3 On 17 November 1998, in a letter to the Ombudsman, **the Commissioner of Police**, Mr Peter Bong confirmed that he had received the copy of the complaint. He advised that he had referred the complaint to the Police Internal Investigation Office (IIO) for further investigations into the matter.
- 4.4 On 22 January 1999, Inspector Noel Amkori from IIO confirmed to the Ombudsman that their office has received a directive from the Commissioner of Police to commence investigations into the complaint
- 4.5 Upon investigations into this alleged misappropriation of the fund, the Office of the Ombudsman received the following information:
- On 7 February 1992, the President of the officers mess committee, Captain Lester Roy wrote a letter to the Commissioner of Police to voice their concern about 100,000 Vt cheque which was taken out from the fund on 13 July 1990 by the Commissioner of Police to purchase a billiard table. However, no billiard table was purchased and the mess committee did not have any records of what happened to the 100,000 Vt. However, during the investigations, the Ombudsman found that this amount was refunded on 28 March 1992. **(refer to Annex A).**
 - On 29 July 1992, Mr Simon requested the Commissioner of Police to further allow him to borrow 300,000 Vt from the Police mess fund for a private overseas trip. He stated in that letter to the Commissioner that he intended to refund the amount in full at the end of August 1992
 - However, during the Ombudsman's investigation, we confirmed that Mr Simon refunded the 300,000 Vt in 1999. **(See Annex B).**
- 4.6 On 15 July 1998, Mr. Peter Bong ("Mr. Bong"), Commissioner of Police advised the Ombudsman about the police fund which was closed by the Director General of Finance. He stated that the Commissioner could not have access to the fund. He also stated that the fund was closed when Mr. Luc Siba was Commissioner of Police **(refer to Annex C).**
- 4.7 On 17 November 1998, Mr. Bong informed the Ombudsman that he has directed this matter to the Police Internal Investigation Office to investigate and report their findings to his office.

- 4.8 On 11 January 1999 the Ombudsman enquired about the matter with the Police Internal Investigation Office.
- 4.9 On 22 January 1999 Inspector Noel Amkori ("Inspector Amkori") from the IIO confirmed that their office had received a directive from the Commissioner of Police to investigate the complaint.
- 4.10 On 12 August 1999, the IIO sent a copy of their preliminary report to the Ombudsman's Office. This report was made after the Internal Investigation Office has conducted an investigation into the complaint.
- 4.11 The following findings were made in the IIO's report: **(refer to Annex D)**.
- Investigations was focussed on the outstanding debt of Vt 583.748 at the Center Point Store made in 1996 and the sudden halt of the Police Single Men's Mess operation on December 1998.
 - Four officers were posted to cater for Mess operation at the independence Park's Single Mess Kitchen. The officers were Sgt. Alan Tuku, Cpl. Kalsong Zepethy, Cpl. Judah Leo and Cpl. David Takiau.
 - The four officers were supervised by W/O Daniel Dam.
 - The Mess operation function smoothly until December 1998, when things started to turn out of order. Cpl. Judah Leo was scheduled to go on leave on December and Sgt. Tuku and Cpl. Zepethy were shortlisted to be made redundant towards the beginning of January 1999. This however, demoralised the two officers in carrying out their duties effectively. So, Cpl. Takiau was left alone to man the cook's duty in the kitchen.
 - When this mess situation arised, W/O Dam arranged for more manpower to assist Cpl. Takiau in the mess. Some general duty police officers were listed to assist in the mess until some officers are posted permanently to work in the Police Single men's mess.
 - When W/O Dam failed to get more cooks to assist Cpl. Takau in the Single Mess at the Independence Park, the mess was closed because Cpl. Takiau cannot cook the meals for all the single police officers alone.

- After the mess was closed, alternative arrangement was made for single police officers staying at the Independence Park to go and have their meals at the VMF Mess. Unfortunately, these police officers were faced with transport problems. Sometimes these single police officers cannot find the transport to go to the VMF Mess for their meals.
- When this situation came up, the police officers concerned complained about the unfair treatment of missing out on some of their rations. Then all the single police officers living at the Independence Park decided not to go to the VMF Mess and demanded that the deductions to their salaries be refunded at the end of each payday. The officers were then refunded 3,000 Vt at the end of each payday.
- Another factor which affected the closure of the Single Men's Mess at the Independence Park was the outstanding debt of Vt583.748 at the Center Point Supermarket.
- Investigations made on the records at the Center Point showed that the outstanding debt was made in 1996 when the fund was controlled by Superintendent Willie Samuel.
- This outstanding debt raised questions as to how the fund was managed and how this debt was made and was not settled as there was enough funds to cater for the Mess requirements.
- During 1996, there were 78 single police officers. The amount of 2.525 Vt was deducted each payday from each officer's salaries. At this rate, the fund collected 196.950 Vt each fortnight from these deductions. Also at this rate, the fund should receive Vt 4.726.800 in 1996 alone.
- According to this investigation, it certainly appears that there was mismanagement and misappropriation of the Police Single Mess Fund in 1996. This will be confirmed when investigations are done in the bank statements and copies of the cheques drawn from the bank during 1996.

4.12 On 29 August 2000, Inspector Amkori from the Police Internal Investigations Office advised the Office of the Ombudsman that their Office had sent a request to the Auditor General's Office to assist with the auditing of the bank statements on the mess fund

- 4.13 Inspector Amkori also advised that the Police Single Mess at the Independence Park had been re-opened and it is in operation again.

5. RESPONSES BY THOSE WITH COMPLAINTS AGAINST THEM

- 5.1 The copies of this report was sent to those persons whose names appear in this report for their right to reply to the Ombudsman's Office findings in this matter, and also copies of this report were sent to the responsible authorities for their comments to settle this complaint. The following responses were received:
- 5.2 Mr Holi Simon responded on 15 April 2003 and forwarded copies of letters that confirm that he had refunded the two amounts, that he has borrowed from the fund **(Refer to Annexes E)**
- 5.3 Mr Willie Samuel responded to the Working Paper and stated that the outstanding debts mentioned in 1996 was not made only in 1996. This debts was created before 1996 and the amount accumulated to the debt amount that was reported in 1996. He also mentioned some of the things that further need to be found out by the investigations before laying charges on people for the misappropriation **(Refer to Annex F)**

6. PRELIMINARY FINDINGS

6.1 Finding 1: The Police Fund

The Ombudsman found in this enquiry that Police Fund referred to in the documents in this investigations referred to the fund that is being deducted from the Single Police Officers salaries each fortnight for their food. This fund is being called as the Single Police Officers Mess Fund. The salaries deduction for the fund is being made and kept by the Finance Department and the fund is jointly managed by the police officer, chosen by the Commissioner of Police to supervise and manage the running of the Single Police Officers Mess. The Commissioner has the overall authority over this Fund.

6.2 Finding 2: The improper decision by the former Commissioner of Police

The enquiry found that the former Police Commissioners made improper decision in 1991, to allow the 100.000 Vt from the Mess Fund to be taken out to buy the billiard table for the officers mess. The Mess Fund was being deducted from the single police officers salaries for their food. This fund was raised solely for the purposes for feeding the single officers and nothing else. The decision by the

Police Commissioner to use 100.000 Vt from this fund to purchase a billiard table that will be used in the officers mess was improper since that money came out from the single police officers salaries only to be use for their food. The officers mess is only used by senior police officers.

6.3 Finding 3: Senior Officers used this fund for their own benefit

The Ombudsman also found that senior police officers appears to take advantage of this fund to divert its use for other purposes other than food for the single police officers. An example for these was when the Commissioner of Police decided to take 100.000 from the fund to buy a billiard table for the senior ranking police officers to benefit from the fund that does not belong to them

Another example was about the Commissioner of Police allowing a senior police officer to borrow 300.000 Vt from the fund for personal purpose.

Even though that both the amounts were refunded, the Police Commissioners had no right to allow the fund from the single police officers salaries to be borrowed without their consents.

6.5 Finding 5: Further alleged misappropriation of the Mess Fund

This enquiry found that in 1996, the estimated total amount deducted from the officers salaries was estimated at 4.726.800 Vt. However, there were debts made in the supermarkets for food for the single officers when there was supposed to be enough funds deducted from their salaries for their food. The Ombudsman found that in 1996, Superintendent Willie Samuel was managing the Fund. However, this investigation did not managed to find out names of other senior police officers who may have allegedly misappropriated the fund previously. One evidence of this may have happened when the Director of Finance made a decision to close the Fund during the period when Mr. Luc Siba was Commissioner of Police (refer to Annex C).

7. RECOMMENDATIONS

The Ombudsman makes the following recommendations in this report:

- Recommendation 1:** That, the Auditor General's Office assist to audit the Mess Fund so that proper records of the expenditures of the mess funds are recorded.
- Recommendation 2:** The Internal Investigation Section should lay charges against any police officers who may have misappropriated the mess funds which may be released by the Auditor General's report.
- Recommendation 3:** Police Commissioner set up a Mess Committee to be responsible to manage the funds deducted from single police officers' salaries. Furthermore, the accounts must be audited annually.
- Recommendation 4:** Police Commissioner must ensure that any decision to use the fund for other purposes other than food must be approved by the Mess Committee subject to the consent of the majority of the single officers whose salaries are being deducted into the fund

Dated the 3rd day of June 2003.



Hannington G Alatoa

OMBUDSMAN OF THE REPUBLIC OF VANUATU

8. INDEX OF APPENDICES

- A** Letter to confirmed that 100.000 Vt was repaid
- B** Letter to confirmed that 300.000 Vt was repaid.
- C** Letter to advise that the fund was closed by the Director of Finance when Luc Siba was the Police Commissioner.
- D** IIO's report of the findings.
- E** Mr Holi Simon's response to the Working Paper.
- F** Mr Willie Samuel's response to the Working Paper.

From : Major H.Simon
 RAN Staff College
 HMAS PENGUIN
 BALMORAL 2091 NSW

To : Lt.Col.S.Takal
 VMF HQ
VILA.

SUBJECT : TRANSFER OF FUNDS

1. I, Major.H.Simon certify that on this day ²³.....(date)
 of.....^{MARCH}.....(month) 1992 the amount of 90.000 VT cash was
 transferred from my possession and received by the Commander
 VMF, Lt.Col.S.Takal and witnessed by L/Cpl.J.Wetias.

Signature
 Maj.H.Simon
 Date. 23 MARCH 92.

Witness
 for L/Cpl.J.Wetias
 Date. 23 MARCH 92

Signature
 Lt.Col.S.Takal
 Date. 23 MARCH.



Annex "B"

8/10

OFFICE OF THE POLICE COMMISSIONER
PMB 014, PORT VILA

Telephone: (678) 22 222
Fax: (678) 22 800

REPUBLIC OF VANUATU

July 20 1999

Deputy Commissioner Operations
Mr. Holi A SIMON
Joint Planning and Operations Center
VANSEC House
PORT Vila

Dear Deputy Commissioner,

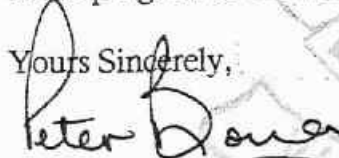
APPRECIATION FOR REFUND OF VT 300,000 VATU BEING THE POLICE FUNDS

I write to record my sincere appreciation for the effort you have taken to refund the amount of VT 300,000, being the Police funds during a ceremony at the VABNSEC House witnessed by various heads of formations and Mr. Charley Obed MONOMONO.

As you are well aware, the money has been set aside, and will be return to the Police Subordinate Association for the administration of the Association.

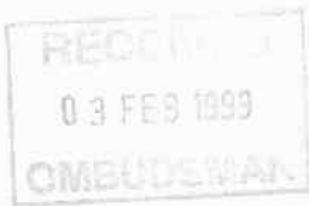
Once again, thank you, and I look forward to your continuous fruitful contributions to the progress of the Vanuatu Police Force (VPF).

Yours Sincerely,


Peter Bong
Commissioner of Police



CC: CDR MF
CDR JAC
CDR SOUTHERN



8802.

OFFICE OF THE POLICE COMMISSIONER
PMB 014, PORT VILA

Telephone: (678) 22 222
Fax: (678) 22 800

REPUBLIC OF VANUATU

Our Reference:
Date: 15th July 98

Office of the Ombudsman
P.O. Box 126
Port Vila VANUATU

RE: POLICE FUND

References:

- A. CAP 105 -75 (Establishment of Police Fund).
 - B. Jack I.Kilu's (Solicitor General) letter to COMPOL date of 13 July 98.
1. In reference A it clearly explained the establishment of a Police Fund by law, the Director General of Finance has closed the Fund since Mr. Luke Siba was Commissioner of Police.
 2. During the Development Committee meeting of 2nd July 1998, the Commissioner has raised concern that the Director General of Finance still has not reopened the Police Fund Account. As such the Commissioner could not have access to the Fund to use as specified in CAP 105-75.
 3. Without a favorable response from the Director of Finance, I Commissioner of Police would like to launch a complaint against the Director General's actions for investigation by your office. Enclosed are the references.

Peter Bong
Peter Bong
Commissioner of Police



D

2/6

copy for file

2/6

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VANUATU POLICE FORCE

INTERNAL INVESTIGATION OFFICE

PRELIMINARY REPORT OF THE

INVESTIGATION INTO MATTERS

**AFFECTING THE
POLICE SINGLE MEN'S MESS FUND**

**AND
OPERATIONS**

.....

CONFIDENTIAL

21

1

INTERNAL INVESTIGATION OFFICE PRELIMINARY REPORT ON THE POLICE SINGLE MEN'S MESS FUND

1.1. INTRODUCTION

- 1.2. Investigation into the alleged misuse of a fund known as the **POLICE SINGLE MEN'S MESS FUND [PSMMF]** was carried out by the Police Internal Investigation Officer by Sgt. Willie A Pakoa and Sgt. Noel Amkor following a complaint from the office of the Ombudsman and a follow up letter from the office of the commissioner of Police.
- 1.3. The investigation was conducted in two main areas affecting the single Men's mess operation which suddenly came to a halt on December 1998.
- i.} The outstanding debt of Vt. 583.748 at Center Point store
 - ii.} The sudden halt of the PSMM operation.
- 1.4. We have so far conducted our investigation into the following avenues :-
- i.} The Payment section of the Finance Department
 - ii.} The PSMMF account at Banque de Hawaïi, Vanuatu Ltd
 - iii.} The PSMMF purchase and accounts records at Center Point Store
 - iv.} Few documents at Mess office.

2.1. SUDDEN HALT OF THE OPERATION OF THE PSMM

- 2.2. Four officers were posted to cater for the PSMM operation at their kitchen at independence Park, VTLA, all under the supervision of W/O Daniel Dam. The officers were, Sgt. Alan Tuku, Cpl. Kalsong Zepethy Cpl. Judah Leo, and Cpl. David Takiau.
- 2.3. The PSMM operation function smoothly until December of last year when things started to turn out of order. Cpl. Judah Leo was scheduled to go on leave on December which left only three cooks, Sgt. Tuku, Cpl. Zepethy and Cpl. Takiau to man the cook's duty in the kitchen. Unfortunately, two of these three officers, Sgt. Tuku and Cpl. Zepethy, were short listed to be made redundant. The fact that they were to be made redundant on early January 1999 demoralize them therefore they began to act reluctantly towards their duties just before their redundancy confirmation towards the beginning of January 1999.
- 2.4. Seeing this problem affecting the operation of the Kitchen, W/O Daniel Dam then arrange with the former OCPD(S), Supt. Anatole Koulong to get more man power to assist Cpl. David Takiau who was the only cook doing full time catering



for the single Police officers. The arrangement was that some single officers rostered for duties have to help in the kitchen until W/O Dam gets some more cooks to help, especially in the single Police kitchen.

- 2.5. This arrangement by W/O Dam seems to be effective only during a short period of time. G/D officers assisting in the kitchen operation began to stop their assistance due to the fact that W/O Dam fail to get more cooks thus Cpl. Takiau was left alone to shoulder the responsibility of feeding our single officers. Unfortunately human will and power has it's limits. Cpl. Takiau found Out that he alone could not continue to cook every day for our single officers.
- 2.6. The other arrangement by W/O Dam, after failing to get more cooks, was to close the Police single men' Mess at Independence Park and posted Cpl. Takiau to VMF officers Mess. The arrangement included single Police officers to eat at VMF mess instead of their Mess at Independence Park.
- 2.7. Like the first arrangement, it has it's disadvantages. Single officers from Police found that their main problem was luck of transport to transport them to and from VMF Mess. Sometimes these officers could not find their way to the Kitchen in time and miss out their rations.
- 2.8. Police single officers then complain of this unfair treatment of missing out on some of the rations that they were missing out from. All of a sudden , all single Police officers refused to go to VMF Mess and demanded that their deductions were to be refunded at the end of each pay period.
- 2.9. Once again and until today, our single Police officers were still being refunded Vt. 3.000 at the end of every pay day. How our single officers were feeding themselves were left at their own discretion . However, the then OCPD{S} under the direction of Inspector Seru Tapairangi made arrangements to feed his own boys at the Station but again this arrangement was also not successful.

3.1. OUTSTANDING DEBT AT CENTER POINT STORE

- 3.2. Another factor affecting the operation of the PSMM is an outstanding debt of VT.583,748.
- 3.3. Investigation carried out into the PSMMF record at Center Point store indicated very clearly that this outstanding debt was made during the year 1996 when this fund was at that time being controlled by Supt. Willie Samuel.
- 3.4. This outstanding debt raise question as to how the Fund was managed ,how the debt was made, and why was it never settled as there was enough funds to cater for all



requirements of the PSMM instead of going into debt.

35. *During 1996, there were about 78 single Police officers whose salaries were being Deducted at a rate of Vt. 2.525 per pay day to a total of Vt.196.950. At this deduction rate, it would give us a total of Vt.4..726.800 for this year 1996.*
- 3.6. *There is a likely hood of mismanagement and misappropriation of the SPMMF during 1996 of which our investigation is targeted at unveiling. The delay so far is the Bank's lawyer, Mr. John Malcolm who is engaged in some of his cases after our first arrangement was missed out by myself and sgt. Amkori. We have already obtained an inspection order from the court. We would obtain bank statements and copies of cheques drawn during that year 1996. Comparison of the Bank statements, the cheques, credits accumulated and statements showing deductions made towards that fund in 1996, we hope, would give us a clear picture of how the fund was managed.*
- 3.7. *We will complete this case as soon as we obtain these documents from the bank.*

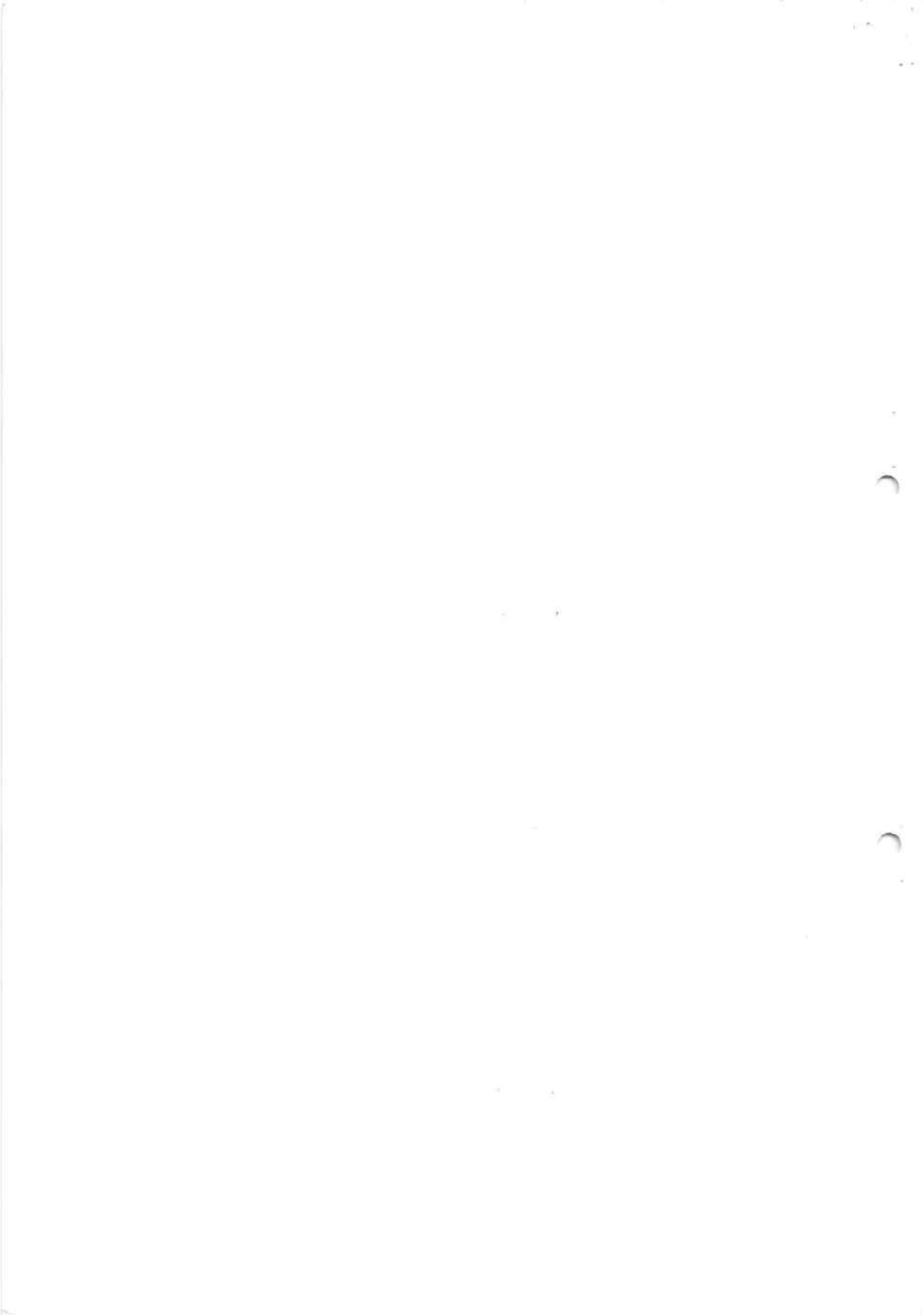
4.1. CONCLUSION

- 4.2. *It is very clear that the main problem disturbing the operation of the PSMM is man shortages of power. The Mess should be re-operated and sufficient number of cooks are to be posted into the Kitchen to perform the task.*
- 4.3. *The outstanding debt made during 1996 does not affect the operation of the SPMM As sufficient funds are being made by deductions from existing single police officers who were currently being catered for by this entity.*
- 4.4. *After completion of the case, we will make our recommendation on how this debt could be settled. The kitchen was functioning well after this debt was incurred in 1996 therefore we could not see any other obstacles other than the man power problem affecting the operation of the SPMM.*

5.1. RECOMMENDATION

- 5.2. *In view of the above report, we would like to recommend that:-*

- i.) a committee be set up to prepare and plan for the reopening of the Police single men's mess operation as soon as possible. The committee should be comprised of the OCPD{S} and OCPS, 3 nominated members of the single Police Men's Mess, the O/C CID, The O/C Traffic and acting director of the Force Training Wing*
- ii.) the committee's first task is to consider ways of renovating the SPMM kitchen and acquire cooking utensils.*



iii.} the committee find ways of getting 4 officers to provide full time cook and other such duties that may be required by the operation of the SPMM

iv.} the committee select within the committee , 3 members, who shall be responsible for the proper management and control of the SPMMF

5.3. Commissioner , sir, this is a preliminary report of our investigation into the Single Police Men's Mess Fund submitted for your attention and action.

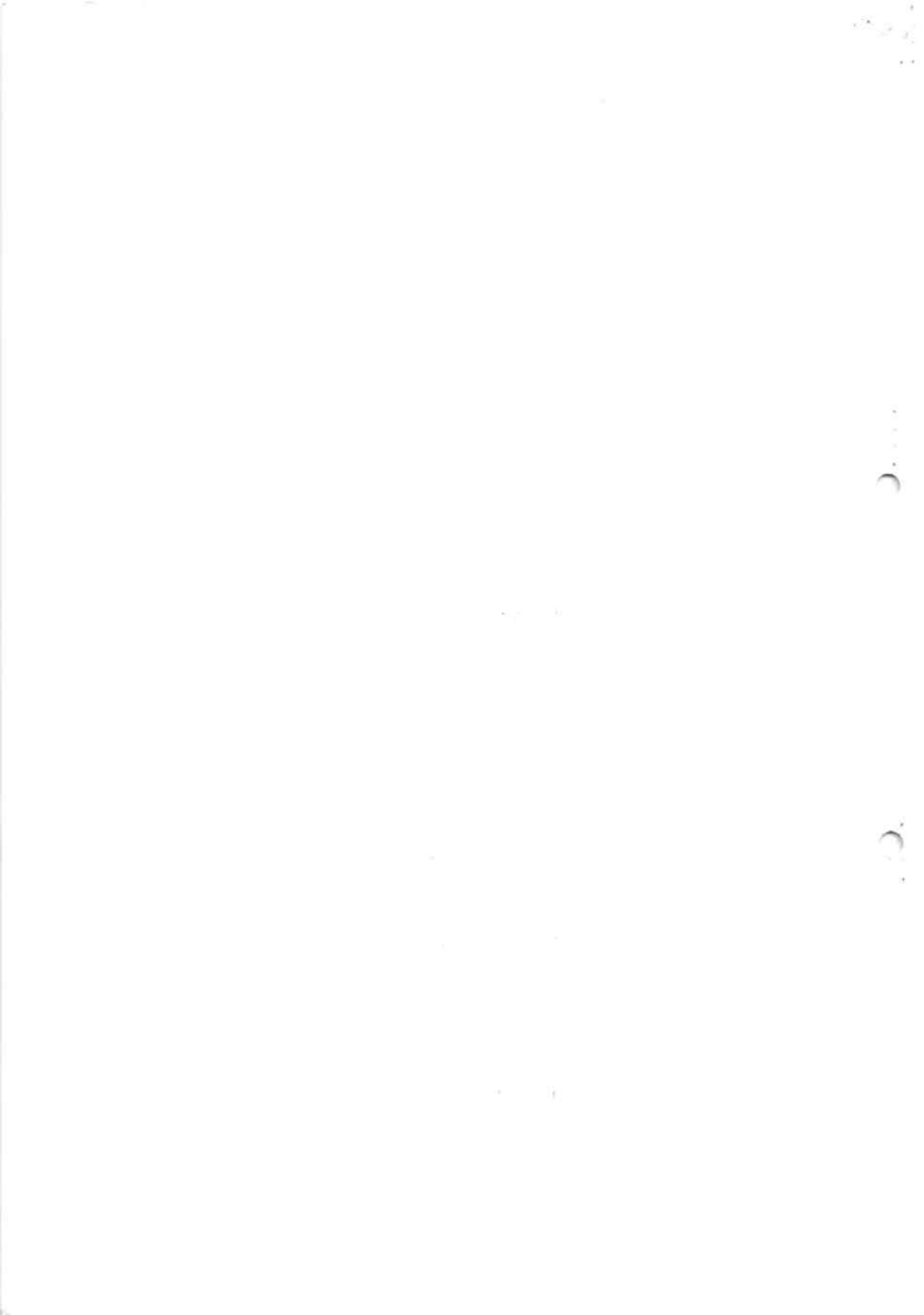
5.4. Finally, we would be grateful if the contents of this report is kept confidential at this stage as the case is still under investigation.

Willie Alick Pakoa

Willie Alick Pakoa {Sgt}

Internal Investigation Officer





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1479095

RECEIVED
16 APR 2003
VANUATU

Tel: 47982.

To: OFFICE OF THE OMBUDSMAN

BUREAU DU MEDIGATEUR.
PMB 081, PORT-VILA.
VANUATU.

Ref: A. Your letter Dated 17 March 2003

B. WORKING PAPER ON ALLEGED MISUSE OF POLICE TRUST FUNDS

Dated 17 March 2003.

Date: 15 April 2003

Dear Sir,

Re: ALLEGED MISUSE OF POLICE TRUST FUNDS.

Sir, with due respect and honour I hereby
wish to acknowledge your letter dated 17 March
2003 following the above mentioned subject.

I have read through your working papers dated
17 March 2003 to check and ascertain for myself
where I might have been implicated in the
Alleged Misuse of Police Funds.
I wish to clarify here that after I have
read through the working paper and its content
I believe I have not involved any
of the Men guards for personal efforts.

Firstly The 100,000 V funds handed over to me
on the President of the Men at that time was
for purchasing a billboard table which cost about
250,000 V from a local Chinese Businessman.

Mr. Holi Simon
Vanuatu Police Force.
PMB 014.
Port Vila.
Your Ref: 3450/9095/214hs
1/10

Date: 12 April 2002

We needed additional funds to purchase the second hand Billiard table which meant that we needed to organise some type of fundraising. After we spend 10.000 v on a BBQ Mess fund raising the turn out was poor. The remaining balance of 90.000 v was not misused in any other way.

Since I was selected to attend a six months long Course in Australia at The Royal Naval Staff College that year I saw the opportunity of getting one from the Navy or Army Messes in Australia during my training period and ship it back to Vanuatu on one of the Navy ship or patrol boats.

However when I was in Australia I received a letter accusing me of misusing the funds (100.000 v) on personal effort and an investigation was to be launched on this case I decided to handover the funds back to the Commander at that time Lt. Col. Seule Tahal, following the letter from Mr. Harold Thompson, Deputy Commissioner Management Services at that time dated 12 March 1992, page Annex 'B' on the working paper.

I prepared a handing over note at the RAN Staff College in Australia and send the funds back to the Commander, Lt. Colonel Seule Tahal through Corporal James Weitas working in VMF at that time. The funds were transferred in cash (90.000 v) handed over to Mr. Seule Tahal in his office on 23 March 1992. A true copy of the handing over note is attached herewith as Annex "A1", no Annex "A2."

10/3

As to where the funds went from there I do not know. I suggest your office should send a note to Royal Scots Take who is now the head of Police Special Branch for him to clarify his position and who may have used or received the funds from him then. I did not have any more dealings with the British take fund on my return to Vancouver after my six months training course in Australia.

Accord part of the account for moving the Police Men's fund for my official overseas trip. I would like to confirm here also that the 300,000 was borrowed from Mr. Sato Kilman who was the Police Commissioner at that time who already refused to Mr. Peter Bong who was the Commissioner from the period 1997 to 2001. I personally handed over that 300,000 to the bank witnessed by Mr. Charly Obod (former Deputy Commissioner) Mr. Saling Stephens who was the force legal officer at that time and you other senior Police and Vint officers. I am attaching copies of the letter from the Police Commissioner, Peter Bong for confirmation. The funds was handed over on 15 July 1999. For your confirmation you may wish to send a letter to Mr. Peter Bong currently working with Mr. Bui Ben and Fortson and Mr. Saling Stephens and Associates. Where the funds went after that handing over ceremony I am not aware who else may have used or received the 300,000.

4
10

The refund of the 300,000 has been confirmed with a letter by Mr. Peter Bong dated 20 July 1999 marked as Annex "B" to this letter.

I am not sure where the 300,000 went after that and who used the funds, I would not be able to contact your office.

I suggest you send a formal enquiry note to Mr. Peter Bong the former Police Commissioner at that time to clarify on the funds.

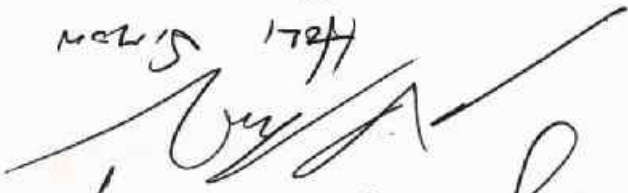
Mr. Bong can be contacted at the office of Bas Bani and Partners Law Firm located in Port Vila.

You may also wish to send a note to Mr. Soling Stephens to certify the refund of the funds.

That is all I can explain about myself as implicated and I ask that after considering the attached document please delete my name from your report and recommendations to deduct my salary to recover the funds as the funds have been fully refunded.

Thank you for your time

Yours sincerely,


Heli Simon

Port-Vila

The report of the ... has been ...
will be ... of the ...
app ... in ...

I am not sure where the ...
that ... the ...
be able to ...

I ... a ...
to ... the ...
at that time to ...
the ... be ...
office of ...
located in ...

After many ...
looking ...
the ...

that ... I ...
... and I ...
the ...
from ...
...
the ...

Thank you for your ...

Yours ...

Wm. ...
...

- ANNEX "A1" - Letter from Holi Simon to JAMES WEITAS .
- ANNEX "A2" - Letter from Holi Simon to Sente Takal
as Transfer form along Vata witnessed
by Mr. James WEITAS .
- ANNEX "B" - Letter from Mr. Peter Bong to Holi Simon
Certifying the refund of 300.000 vr .
- ANNEX "C" - Letter from Mr. Saling Stephen to
Holi Simon about refunding 300.000 vr .
- ANNEX "D" - Letter from Holi Simon to Saling
Stephen about The date to refund
the 300.000 vr .


Holi Simon
VILA

Ran Staff College
HMAS Penguin
Balmoral NSW 2091
Australia
21 February 92

Dear Brother James,

Greetings to you and family in the name of our Lord Jesus Christ. I hope you are all ~~in~~ well.

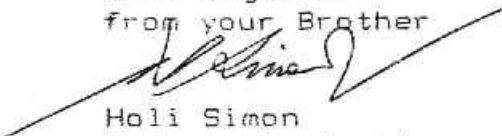
Bro, mi stap write folem wan request we mi kasem from Commander VMF long 19 February. Hemi stap askem wan watu we mi bin karem so hemia nap watu ya we amount blong hem hemi kasem 90.000 VT cash. So mi wantem se taem yu kasem yu tekem stret iko kivim long hem without delay.

Hemi save wanem blong mekem wetem watu ya so imo good yu tekem iko kivim long hem long office blong hem mo askem hem blong signem form ya we mi attachem wetem. Yu too yu sign underneath long hem olsem witness long handing over long watu ya.

After mbai yu postem form ya ikam back long mi.

Brother thank you tumas long help blong you mo God mbai hemi continue blong richly blessem yu mo family blong yu.

Kind Regards
from your Brother



Holi Simon
Sydney, Australia

IA 214

14

9095

1/2

TEL / FAX (678) 36064
TEL. (678) 36222

"SERVING THE COMMUNITY
TOGETHER"



COMMANDER
POLICE DISTRICT NORTH
P.O.BOX 018
LUGANVILLE
SANTO
VANUATU

TO. Office Of The Ombudsman
Port Vila

YOUR REF: 3449/9095/L14/ws

OUR REF: PND/03

DATE: 25/03/03

03 APR 2003

Dear Sir,

RE ALLEGED MISUSE OF SINGLE POLICE OFFICERS MESS FUND

1. I write in respond to the investigation submitted by the Police internal investigation officer to the Ombudsman office concerning my self on the report received on 24/03/03.
2. Firstly I wish to say that the Police officers submitting different report against me knew nothing about what is happening in the Police single mess. I joint the Police in 1984 and spend all my time in the Police single barrack and eat in the single mess until 1996 when I was instructed by the Police commissioner to live out of the single barrack. I was in the rank of superintendent during that time.
3. According to my understanding to do with investigation, Mr. Noel Amkori the Police IIO had submitted a very unreliable report against me proofing nothing.
4. I wish to inform you to direct Mr. Noel Amkori to find out these documents before accusing me of the mess fund publicly.
 - a. My appointment letter to take care of the Police single mess.
 - b. Find out the out standing account at the Center Point when I took over the Police single mess.
 - c. Find out the out standing account at the Au Boh Marche whole sale when I took over the single mess.
 - d. Find out the out standing account at the Ah Boh berkery when I took over the single mess.
 - e. Find out my hand over note to the Police finance, which was agreed, and signed by both parties.
 - f. Check the kitchen records to confirm the expenditures.
 - g. Find out the accurate figure of the single officers during the time I took over and when handed over responsibility.
 - h. Market receipt book.



TO: THE COMMISSIONER
OF POLICE
NORTH LONDON

TO: THE COMMISSIONER
OF POLICE
NORTH LONDON

Dear Sir,

RE: ALLEGED MISUSE OF SINGLE POLICE OFFICERS MISS FURY

1. I refer to the investigation conducted by the Police Internal Investigation Unit into the alleged misuse of single police officers by Miss Fury.
2. I wish to say that the Police officers who were involved in the investigation were working in the Police North London area. I was the Police Officer who was in charge of the investigation and I was the Police Officer who was in charge of the investigation.
3. According to my understanding of the investigation, Mr. Fury, who is the Police Officer who was in charge of the investigation, was the Police Officer who was in charge of the investigation.
4. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.

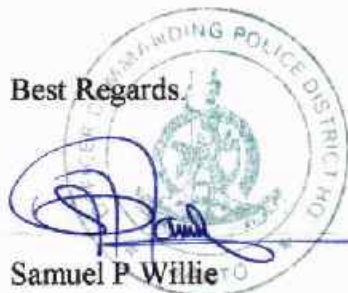
5. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.
6. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.
7. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.
8. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.
9. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.
10. I wish to inform you that the Police Officer who was in charge of the investigation was the Police Officer who was in charge of the investigation.

2/2

- i. Inform the Police IIO to investigate down wards to fine out where the out standing account started and submit appropriate records.
5. I tried all my best to settle all different out standing account commencing from year 80s up wards at the Au Boh Marche, Ah Boh berkery and reduce the Center Point out standing account. I agreed to take over the single mess on my appointment by the Police Commissioner to solve the out standing account because my salary was also deducted to the mess and we are facing the same problem.

Please do not hesitate to conduct me for any further explanation.

Best Regards,



Samuel P Willie
Superintendent
Commander Northern Patrols