This document was created in response to a Freedom of Information request made to CSIRO.

**FOI Number:** FOI2016/44

**Date:** 6 September 2016

**Request:** All correspondence between CSIRO and the Australian Federal Police regarding a 2013 referral by CSIRO about possible theft of information and espionage.

**Document(s):** 1-17

For more information, please refer to CSIRO’s FOI disclosure log at [www.csiro.au/FOILog](http://www.csiro.au/FOILog)
I meant available Thursday.

Hello again,

That all sounds very good. I will probably have two people available tomorrow, so we should be able to knock over the three statements very quickly. As far as next week, I will have to work out a day that will suit everyone best and get back to you either tomorrow or Thursday.

Regards
Daniel

Hi Daniel,

will all be here on Thursday. has some experiments to run in the afternoon at another site, so morning is best for her. If you were to start with me at 10am, then follow with that would be fine.

Perhaps you can do
them on the same day the following week? They are both Tues-Fri all week next week, and I can book them for you in advance.

If that suits, I can book the little meeting room near our offices.

From: Rodriguez, Daniel [mailto:]
Sent: Tuesday, December 10, 2013 2:16 PM
To: (CMSE, Parkville)
Subject: RE: Follow up questions. [SEC=UNCLASSIFIED]

That would be really great. I have a couple of AFP members who will be assisting and are available tomorrow and Thursday. If you could organise the following people and let me know which day is best and what time, I will get things sorted:

I have already spoken to however I would still like to get their information into a statement. I will arrange to get a statement from

Let me know if you have any other questions.

Regards and thanks

Daniel
That is fine, I warned them in our group meeting this morning that you would be visiting them, and let them know it is not too onerous.

but the others are available.

If you would like to schedule it all in one day, I would be happy to gather the ones you need and book you a meeting room for the day.

---

**UNCLASSIFIED**

Hi

Thank you for the feedback. I will start contacting witnesses today and arranging times for written statements to be taken. These usually don't take more than an hour to do, so it hopefully won't impact too much on your staff's time. Eventually we will require a written statement from you, which will no doubt be a bit more technical and contain a lot more substance. At this stage, we are waiting to get all the evidence together in the coming week or two and review it fully before we get you to provide a statement.

Regards

Daniel

---

**UNCLASSIFIED**

Hi Daniel,

You should also get statements from [unnamed] also a research scientist as well as had a “discussion” with [unnamed] about the behavior and the consequences of poor
performance. This was a more open and frank conversation than I was willing to have with me, and occurred on 23/10/2013 (I discussed it later with [REDACTED] and added to my notes).

Also there is a scientist in my group, [REDACTED] who had some interactions with [REDACTED] earlier in the year that may be insightful. After [REDACTED] had joined the group I was alarmed to find [REDACTED] had almost no appreciation of experimental science at all, and unrealistic expectations of what he could do. So I arranged for [REDACTED] to observe some experimental work related to a project of [REDACTED] we sent us some samples, and [REDACTED] who has experience with both experiments and theory, performed some simple experiments on them so that he could see what was involved. [REDACTED] later relayed that the sample behaved and the whole exercise was [REDACTED] At the time I did not ask for elaboration, but in hindsight however, there may be something useful there.

---

From: Rodriguez, Daniel [mailto:s47F, s47E(c)]
Sent: Monday, December 09, 2013 3:32 PM
To: s47F, s47E(c) (CMSE, Parkville)
Subject: RE: Follow up questions. [SEC=UNCLASSIFIED]

Hi

Thanks for the information. We are currently in the process of arranging to get statements from witnesses and we will be doing that in stages. Initially we intend to get statements from anyone that may have worked with [REDACTED] or had any association with [REDACTED] at work, hence my second question. At the moment we probably want to speak further with [REDACTED] and obtain statements from them. If there is anyone else you think should be on that list please let me know.

A little further down the track will be obtaining statements of a more technical nature from other members of CSIRO staff (including yourself) in relation to the [REDACTED] Once we have all the information at hand.

I will endeavour to keep you updated with our progress and if anything changes.

Cheers

Daniel

---

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH TECH CRIME OPERATIONS
www.afp.gov.au

---
Hi Daniel,

Of course, I am happy to answer any questions.

As a research scientist in my team, I am working in the area of materials science and I am an expert in certain theoretical methods that provide a very high level of accuracy, and so we asked to simulate some of the structures to help validate our results. We simulated the structures and provided and returned the results to for comparison.

In the department of Materials Engineering, is the experimental collaborator on this project, and our plan was to make some comparisons with the results in years 2 and 3 of the project. The has not been told of departure at this stage.

Best,

CSIRO Materials Science & Engineering
E:  

Hi,

I have a few follow up queries regarding members of staff that may have either worked with or had day to day interactions with . Any information you might be able to provide would be great.

Scott has been going through the HR file and was wanting to know more about These two people appear in the file and may have collaborated with and we were curious to know whether they might be able to shed some more light on work.

Scott and I, during out meeting with Justine, spoke to regarding what they knew about . Are there any other members of staff who
may have either worked with or associated with that might be able to shed some light on work or behaviour.

Feel free to contact me if you have any queries or wish to discuss anything further.

Regards

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH-TECH CRIME OPERATIONS
Tel: [redacted]
www.afp.gov.au

UNCLASSIFIED

*******************************************************************************************************

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------------------------------------------------------------------------------------------
Thanks
Thanks: s47F, s47E(c)

I'll see you tomorrow at about 10.30.

Regards

Leigh

LEIGH HUNTER
FEDERAL AGENT
SERIOUS & ORGANISED CRIME
s47F

www.afp.gov.au
UNCLASSIFIED

Hi,

Not a problem. I will get the members who will be obtaining the statements to touch base with you today and confirm the times.

I may not be there tomorrow, however I will get in contact with you on Friday to firm up the appointments for next week.

Regards

Daniel

UNCLASSIFIED

Hi Daniel,

Got it. I have booked a room between 10am-2pm. I can change that if you wish.

I will send meeting requests.

I will be here too, so we can talk about next week then.
Hi,

A few words. Will there be any further contact from HR to confirm the employment?

Daniel

[Logo: Australian Federal Police]

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH TECH CRIME OPERATIONS
www.afp.gov.au

Dear All,

At 4:03 am this morning, we received this message, from [Redacted]

CSIRO Materials Science & Engineering
E:

[Redacted]

Dear Lesley and [Redacted],

I just arrived in [Redacted] and will start a [Redacted] position.

Thank you.

Regards,

On Fri, Nov 22, 2013 at 3:05 AM, [Redacted] wrote:
Dear [REDACTED]

We have noted that you have been absent from work since 18 November 2013. As we have not heard from you since Friday the 15th November, we are concerned about your wellbeing. As part of our duty of care to you, we respectfully request that you contact either myself or your line manager,

Kind Regards,
Lesley Kilska
Senior HR Advisor
CSIRO Materials Science and Engineering
Phone: [REDACTED] www.csi.gov.au
Address: David Rivett Laboratory, Bag 3, Clayton South, 3169

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AFP Web site: http://www.afp.gov.au
Good Morning

I have only just realised that Dan has not given me an address to attend this morning. Can you let me know where exactly it is I’m coming to take these statements.

Regards

LEIGH HUNTER
FEDERAL AGENT
SERIOUS & ORGANISED CRIME

UNCLASSIFIED

From: Leigh Hunter [mailto:leigh hunter@csiro.au]
Sent: Wednesday, 11 December 2013 9:50 AM
To: Leigh Hunter
Subject: RE: AFP Statements [SEC=UNCLASSIFIED]

Dear Leigh,

Yes, that will be fine. I warned staff that the exact times are subject to change, depending on how long things take. I have booked the room from 10-2pm for you, and so you can adjust the timings as you need to within that window.

Best,

CSIRO Materials Science & Engineering
E: leigh hunter@csiro.au

UNCLASSIFIED

Good Morning

I have been tasked to assist Dan Rodriguez with taking the statements from the staff tomorrow morning. I believe the first appointment is scheduled for 10am. I was hoping to push this back
to 10.30am as I have some other commitments tomorrow morning. I think that considering the nature of the statements, we should be able to finish up with all three available staff members by lunch time.

Can you let me know if this change is suitable to all the staff?

Regards

Leigh

LEIGH HUNTER
FEDERAL AGENT
SERIOUS & ORGANISED CRIME
Tel: [redacted]
www.afp.gov.au

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inbox.

AFP Web site: http://www.afp.gov.au
Hi,

Friday is perfect. I will see you then, hopefully we won’t cut into anybody’s festivities.

Cheers

Daniel

UNCLASSIFIED

From: Rodriguez, Daniel
To: Rodriguez, Daniel
Cc: Mallis, Scott
Subject: RE: Statements. [SEC=UNCLASSIFIED]
Date: Monday, 16 December 2013 2:50 PM

Hi:

Yes, we can certainly do Friday morning. Sam is a good time, as it is the site Christmas party that afternoon, and that way you will not get sucked into the festivities. Unless you both want a free lunch, of course.

Best,

Daniel

CSIRO Materials Science & Engineering
E: sciro.au

From: Rodriguez, Daniel
Sent: Monday, December 16, 2013 2:47 PM
To: Mallis, Scott
Cc: Rodriguez, Daniel
Subject: RE: Statements. [SEC=UNCLASSIFIED]
Given that [REDACTED], will be flying in that morning, would we be able to push it back to Friday. I am happy to come in on that day and get statements from both [REDACTED] on the same day. I should be able to come in anytime of the morning that suits.

Daniel

---

Hi Daniel,

Certainly I will be here at that time, and so will [REDACTED]'s on the way back from [REDACTED] and when I contacted [REDACTED] to confirm, has advised that the original flight was cancelled and a new flight will have landing on Wednesday morning. While I am able to come on Wednesday, it might not be until mid-day.

Let me know what you want to do.

Vest,

[REDACTED]

---

CSIRO Materials Science & Engineering

From: Rodriguez, Daniel [mailto: RodriguezDaniel@csiro.au]
Sent: Monday, December 16, 2013 12:58 PM
To: [REDACTED] (CMSE, Parkville)
Subject: Statements. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED],

If [REDACTED] are available a bit earlier on Wednesday, around 9 am, Scott and I will attend to get statements from both of them. Let me know if this is okay, otherwise we can try and work something else out.

Cheers
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AFP Web site: http://www.afp.gov.au
Hi Damien,

What can you tell me about \texttt{S47E(d)}. Is there anything significant about its use or is it just a general PC. We would really need to look at event logs on this machine to see what evidence we might be able to find. If the guys in Victoria took an image to the machine, that would be all we need.

Daniel

Hi Daniel,

\texttt{[Redacted]} is a shared machines used by the research team in Victoria.

My understanding is that this machine had been looked at with no evidence of corruption or tampering (I could be wrong though), I also thought a copy of the drive was taken by the team in Victoria for forensics.

When we had a look at this machine ourselves we couldn’t see anything, this machine is used
heavily by the research team, I am reluctant to pull it off the network now after a couple of months, of course if this action is necessary we will do it.

Thank you
Damien

From: Rodriguez, Daniel [mailto:*] Sent: Friday, 17 January 2014 11:07 AM
To: Penny, Damien (CSIRO IM&T, Yarralumla); Tilley, Alex
Subject: RE: CSIRO [s47E(d)] incident [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Damien,

Are you able to identify which machine [REDACTED] is? We would probably need to examine this machine to see what evidence we can obtain from it. We would probably also need it to be isolated from the network to prevent anymore contamination in the hope to see if there is still anything of significance we can salvage.

Regards
Daniel

UNCLASSIFIED
UNCLASSIFIED

Hi

Excellent, we will see you then.

Cheers

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH TECH CRIME OPERATIONS
AUSTRALIAN FEDERAL POLICE

Tel

www.afp.gov.au

-----Original Message-----
From: Rodriguez, Daniel [mailto:s47f, s47e@csiro.au]
Sent: Monday, 20 January 2014 9:02 AM
To: Rodriguez, Daniel
Subject: RE: Meeting. [SEC=UNCLASSIFIED]

Hi Daniel,

That's fine. I will see you then.

CSIRO Materials Science & Engineering

-----Original Message-----
From: Rodriguez, Daniel [mailto:s47f, s47e@csiro.au]
Sent: 20 January, 2014 9:01 AM
To: s47f, s47e@CMSE, Parkville
Subject: RE: Meeting. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi

They are always too short. How about a time tomorrow. We can aim for around 10am.

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH TECH CRIME OPERATIONS
AUSTRALIAN FEDERAL POLICE
Hi Daniel,

The holidays were wonderful, though way too short; as usual. I hope you also has a good few weeks.

Next week is entirely free, so you can nominate a time and I will be available.

best,

********************************

CSIRO Materials Science & Engineering
Parkville, VIC, 3052, Australia

To: Daniel Rodriguez
E: Daniel.Rodriguez@csiro.au

********************************

UNCLASSIFIED

Hi

I hope you had an enjoyable break. I was just wanting to make an appointment to come and see you regarding the information we have next week. If you could let me know of a time you are free, I can bring over what we have and have a discussion regarding where we are at.

Cheers

Daniel

[cid:image001.gif@01CF1393.212755E0]

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH TECH CRIME OPERATIONS
Tel

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AFP Web site: http://www.afp.gov.au
Hi Daniel,

Anytime from tomorrow on should be fine. We wouldn’t really need to take up too much of your time as ideally we would probably just want to take an image of the computer hard drive. This procedure might take a little bit of time, however if someone from IT would be happy to sit with us for a little bit the computer will only be offline for that time.

In reality we only want to have a look at some logs on the system, but having a copy would also be beneficial.

Whatever works best for you.

Cheers

Daniel

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To: Rodrigez, Daniel
Subject: RE: availability during next 10 days [SEC=UNCLASSIFIED]
Date: Thursday, 23 January 2014 1:06:03 PM

RE: availability during next 10 days [SEC=UNCLASSIFIED]

Hi Scott,

I just wanted to let you know that my calendar for the next week or so is filling up fast, so if you want to make a time to check those files you might have to book it in soon.

Monday is a public holiday, and Thursday 30th and Friday 31st are now already booked. Also Tuesday after 3pm is already booked too.

I have some other meeting requests pending that I have not responded to yet, awaiting your preferences.

Best,

Daniel
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AFP Web site: http://www.afp.gov.au
From: Rodriguez, Daniel
To: Rodriguez, Daniel
Subject: RE: Meeting today. [SEC=UNCLASSIFIED]
Date: Wednesday, 29 January 2014 11:55:11 AM

UNCLASSIFIED

Yes, very big mix up. My apologies.

We are at 383 La Trobe Street. About halfway between William and Queen Street. If you get here about 12:30, we will be ready to go.

Just ask for me at Security and I will come down.

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
HIGH TECH CRIME OPERATIONS
Tel 0477 477 477
www.afp.gov.au

UNCLASSIFIED

From: Rodriguez, Daniel [mailto:s47f.s47e(c)@csiro.au]
Sent: Wednesday, 29 January 2014 11:49 AM
To: Rodriguez, Daniel
Subject: RE: Meeting today. [SEC=UNCLASSIFIED]

Hi,

Yes, a mix up. Since you never told me where “here” is, and had offered to come and get me, I was waiting for you here. I can still come now if you tell me where the taxi should take me.

CSIRO Materials Science & Engineering
E: s47f.s47e(c)@csiro.au

From: Rodriguez, Daniel [mailto:s47f.s47e(c)@cmse.parkville.csiro.au]
Sent: 29 January 2014 11:43 AM
To: Rodriguez, Daniel
Subject: RE: Meeting today. [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi,

Sorry, I think there might have been a mix up. We were hoping to have you come here and look through the data we have located on my laptop and external hard drive. If need be, I can come pick you up and drop you back off if transport is the issue.
Depending on the data we find, we should get through in about an hour maybe a little more.

Daniel

Hi Daniel,

Yes, I assumed something came up and you could not make it. I am free today until 2pm, then the next day would be the morning of Friday 7th of Feb.

Hi

I was just following up regarding our meeting today at 10am. I hope everything is okay, let me know if you would like to reschedule.

Cheers

Daniel
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***************************************************************************************
Hi $47F, $47E(e)

I will drop by after lunch to deliver a USB key. We managed to extract about 58GB of data from both the laptop and external drive. It seems to be a mix of the file types you requested, however I am pretty sure you are the only one who can make heads or tails of it.

Cheers

Daniel

UNCLASSIFIED

UNCLASSIFIED

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AFP Web site: http://www.afp.gov.au

UNCLASSIFIED
Michael,

Below are some basic points from our meeting this morning as requested. If you need more, please let me know:

Regards

SCOTT MELLIS
TEAM LEADER Cybercrime Operations
High Tech Crime Operations
Tel: [Redacted]
www.afp.gov.au

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AFP Web site: http://www.afp.gov.au

*************************************************************************************
Hi

That's not a problem, I will come pick it up next time I am out. I am not too worried about the data, but would hate for it to get lost in the mail.

Daniel

Hi Daniel,

I am not confident I could do a good enough job of deleting the contents. I will seal it in an envelope and have it waiting at our reception for whenever you are passing by. The receptionists will lock it safely, so you don't need to rush. They will have no idea what it is either.

Best,

Hi

I might arrange a time to come and pick up the USB stick, would hate for it to go missing in the mail. Unless you are happy to completely scrub any data off it, then that
would be fine to mail it back. Though, there is no rush.

In regards to the investigation, I will keep you updated as to what is still happening. At this stage it may be a number of months before we get any indication of when anyone will speak to...

However, like you said it appears to have been a wake-up call for the whole organisation. Hopefully, positive things will come out of this all and solutions will be found to a few problems we identified.

In the meantime, good luck with getting everything back on track.

Regards

Daniel

---

Hi Daniel,

I just called you number (below) and accidently got Scott. Ooops.

He filled me in on status, and the feedback given to Michael and Mark in Canberra. I would like to thank you for all the hard work that you put in over the course of this case, and the lengthy attempts to recover anything that remained of the project. At the end of the day we got nothing back, but we learned a lot and so I class that as a “win”, given the circumstances.

If I don’t speak to you again, all the best with your other cases,

PS: Do you want me to mail back the blue USB stick back to you?

---

CSIRO Materials Science & Engineering
E: csiro.au
Hi [Name]

I just wanted to touch base with you regarding where we are at with the investigation. If you could give me a call when you have a bit of time we can discuss where things are at regarding the investigation.

Regards

Daniel

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Thank you Daniel,

I'll pass on the information to the relevant folks at CSIRO so they'll be ready to respond in a consistent way.

Best wishes,

Sent from my iPhone

On 9 Sep 2015, at 09:51, Rodriguez, Daniel... wrote:

Hello...

I have been asked to advise you that the AFP has received a request from a media outlet regarding a follow up on their story reported in December 2013. My understanding is that we will be reporting back that the matter is under investigation and won't be commenting. However, we thought it would be prudent just to let you and your organisation know about the request.

Regards

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
ORGANISED CRIME & CYBER
www.asic.gov.au

Dear Daniel,

That should be fine. It is just for their records and for the purposes of closing it off at our end.

Best,

From: Rodriguez, Daniel [mailto:...]
Sent: Tuesday, 28 July 2015 1:16 PM
To: ... (Manufacturing, Parkville)
Subject: RE: report on [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello [SEC=UNCLASSIFIED]

I will prepare something and send it through. Unfortunately I will only be a
letter detailing that the investigation can no longer proceed due to insufficient
evidence and my reluctance to assist. In regards to a report, there won’t be anything that isn’t already recorded with your organisation and anything we did discover we shared with you.

If there is anything else you require, please don’t hesitate to contact myself or Scott.

Regards

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
ORGANISED CRIME & CYBER
To: [SEC=UNCLASSIFIED]
www.afp.gov.au

UNCLASSIFIED

From: [SEC=UNCLASSIFIED] [mailto: [SEC=UNCLASSIFIED], [SEC=UNCLASSIFIED]]
Sent: Monday, 27 July 2015 9:46 AM
To: Rodriguez, Daniel
Subject: report on [SEC=UNCLASSIFIED] case

Dear Daniel,

Thank you again for the update on the [SEC=UNCLASSIFIED] case and the outcome of the interview. I passed your conclusions on to the relevant people here, and they have gotten back to me to request a copy of your report — when/if it is available — or some other written advice. This will enable us to close it off at our end, and we appreciate your offer to prepare or share something with us (as the AFP deems appropriate, of course).

With best wishes,

[SEC=UNCLASSIFIED]

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Hello [REDACTED],

I just wanted to let you know that I contacted Michael yesterday when I received your out of office reply. I just wanted to advise you both quickly regarding developments regarding the media request received from a media outlet. As requested Michael, here is what exactly was requested:

"thought it prudent at this time to also follow up on a December 2013 story we published regarding an investigation involving the alleged penetration of the CSIRO by an alleged Chinese spy. The AFP was investigating the matter and we understand a mutual assistance request was lodged with the French Government, as the suspect is understood to have fled there.

Has the AFP made any headway on this investigation? Has anyone been questioned? Or is it still on-going?"

At this time, AFP media have not formulated a response, however (and I was only advised of this, this morning) they may respond advising the media outlet that the investigations has been finalised and that there was no indication of espionage. Once I have been advised by our media team regarding their response I can pass it to you both.

If either of you have any queries or concerns please let me know.

Regards

Daniel

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Hi Daniel,

Yes, that will be fine. I am around tomorrow before 4pm.

Best,

Hi,

I apologies, but are we able to move our appointment to tomorrow? I have a meeting this afternoon that may run overtime. If it is alright can you please nominate a time tomorrow that would suit, if you are still free.

Regards
Daniel

Hi Daniel,

Ok – Let’s nominate any time between 1pm-3pm. Just come by when you are free. I’d like an excuse to block off some time to stay at my desk anyway.

Best,
Hi Daniel,

Let's make it for a time on Wednesday the 30th. I should be available from 12pm until about 3pm. So just pick a time and I will pencil it in.

Regards

Daniel
Regards

Daniel

DANIEL RODRIGUEZ
CYBERCRIME OPERATIONS
ORGANISED CRIME & CYBER
Tel: [Redacted]
www.afp.gov.au

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