

## **Polycephalous ‘ndrangheta. Crimes, behaviours and organisation of the ‘ndrangheta in Australia**

### **Abstract**

While attention to the ‘ndrangheta, the Calabrian mafia, in Australia, has significantly increased in the past two decades, historical records referring to this peculiar manifestation of organised crime in the country date back almost a century. This research is situated in between studies on mafia mobility and studies on the nature of mafia-type organised crime in Italy and in Australia.

Relying on archival research, fieldwork and focus groups with law enforcement agencies across most Australian jurisdictions, this paper will essentially argue that there is in Australia an on-going criminal system that is made of ethnically hybrid criminal networks – predominantly made of, but not limited to, Calabrian ethnicity. Ethnic solidarity and traditional norms and values of the ‘ndrangheta, embedded in Calabrian migrant culture, provide the roof to these networks’ behaviours and organisation.

This paper will discuss how the resilience of this mafia in Australia is linked to the capacity of ‘ndrangheta clans to maintain different heads – to be polycephalous – all differently and equally important: their organisational head is stable and culturally homogeneous, their (mafia-type) behaviours are constant, flexible and rooted in ethnic solidarity, and their activities are very dynamic, but hybrid in their ethnic composition.

### **Introduction and methods**

The ‘ndrangheta is today considered the ‘most powerful’ Italian mafia, with specific reference to its penetration in Italian society as well as its international presence, especially in the drug trade (Sergi and Lavorgna, 2016). According to the Italian National Antimafia Prosecutor Directorate (DNA, 2017: 3), recent investigations “*confirm the diffused presence of the ‘ndrangheta in almost all Italian regions, as well as in different countries, not just in Europe, but also in America - United States and Canada - and in Australia*”. As any other mafia group (Sergi, 2017b), the ‘ndrangheta clans are characterised by the commission of criminal activities for profits as well as the quest for power, political and financial.

Building on previous studies on the topic (Sergi, 2015; Bennetts, 2016; Spagnolo, 2010), this study will present the results of two months fieldwork in Australia between July and August 2017 – and the accompanying desk research. Interviews and focus groups have been conducted with specialist law enforcement agencies, thanks to the support of the Australian Federal Police, as project partner. Meetings (interviews and focus groups) have been arranged in Sydney, Brisbane, Melbourne, Griffith (NSW), Perth, Adelaide, and Mildura (VIC); agencies successfully contacted include: Australian Federal Police (AFP), Australian Criminal Intelligence Commission (ACIC), New South Wales Police, Griffith (NSW) Police, Mildura (Vic) Police, Victoria Police, South Australia Police, Queensland Police, Western Australia Police, New South Wales Crime Commission, Queensland Crime and Corruption Commission, Independent Board of Anti Corruption (IBAC) for Victoria. While individual interviews (8) have lasted approximately 45 minutes, focus groups (10) have lasted up to two hours each. Fieldwork has included travels in different locations in what could be understood as mini-ethnographies, including historical archives researches and participant observations of communities in places like bars, restaurants, churches, even graveyards. Through content and discourse analyses this paper will present the multi-dimensional character of the ‘ndrangheta in Australia. This mafia ‘system’ is almost 100 years old

in Australia and never ceases to fascinate the public and concern law enforcement (Small and Gilling, 2016). For reasons of confidentiality, direct quotes from interviews and focus groups cannot be presented here, but statements made are products of knowledge acquired during these meetings.

Research questions were:

1. What are the current institutional knowledge and perceptions of manifestations of criminal groups, behaviours and activities linked to the 'ndrangheta?
2. How diverse are the manifestations of the 'ndrangheta (groups, behaviours and activities) across Australia?

The aims of this paper are strictly analytical and shall not be intended as evaluation or judgement of civil or criminal responsibility. Anyone mentioned in this paper not convicted by a court of law, obviously, shall be considered innocent until otherwise proven. All cases I refer to are *examples* to make analytical points. It is imperative also to remember that albeit the 'ndrangheta represents a qualified minority of the Calabrian community, the community as a whole shall not be misjudged or discriminated against for this.

The main argument of this paper is that there is an on-going criminal system operating in Australia modelled on the Calabrian 'ndrangheta. Group structures and activities of this on-going criminal system have been continuous – albeit with different degrees and manifestations - since before 1950s and have been linking together individuals and groups of Calabrian background/origins by employing and manifesting behaviours and culture/values of the Calabrian 'ndrangheta. Ethnic solidarity and traditional norms and values of the Calabrian 'ndrangheta, are embedded in Calabrian migrant culture, and provide the roof to these networks' behaviours and organisation. Group structures, behaviours and culture/values of the 'ndrangheta need to be unpacked separately in order to understand the complexity of this criminal system.

In fact, as in Calabria, also in Australia, the 'ndrangheta is a polycephalous association, it has different *heads* – dimensions: the (purely) criminal, the behavioural and the organisational ones. Albeit rooted and linked to Calabrian culture and Calabrian mafia groups, activities and behaviours, the Australian 'ndrangheta presents some differences due to local contexts and history. This paper will present the three sociological dimensions that qualify the 'mafia-type' organisation that is the 'ndrangheta in Australia. Only when seen together these three dimensions can picture the 'ndrangheta in the country; each dimension separately lacks the overall mafia connotation and risks to criminalise aspects of the phenomenon linked to migration, ethnicity and history of the Calabrian community instead. Questions related both to ethnicity in organised crime and to inter-generational cultural transmission in migrant culture are directly linked to this research and shall be considered throughout the analysis as far as it is feasible in the space of this article.

## **The 'ndrangheta, mafia mobility and Australia**

A mafia-type organisation, within Italian law (article 416-bis of the Italian Criminal Code), is an unlawful association that employs the mafia method, a criminal behaviour made of intimidation, via actual or potential use of threats and violence, to instil fear. Associations that use the mafia method generate *omertà*<sup>1</sup> and consensus across the territories they control and the communities they exploit, while securing financial or other benefits, such as political proximity and immunity from prosecution (Sergi, 2014; Antolisei, 2008; Turone, 2008). The 'ndrangheta – whose name comes from Greek and means 'society of honourable men' - has been declared a mafia-type

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<sup>1</sup> Diffused condition of silence out of fear or tacit consensus. See *Omertà* in the Global Informality Map <http://in-formality.com/wiki/index.php?title=Omert%E0>

organisation in Italy for the purposes of article 416-bis of the Criminal Code only in 2010<sup>2</sup>, notwithstanding the very long history of the clans (dating back to the unification of Italy at least) (Ciconte, 2011).

The current structure of the 'ndrangheta in Calabria is made of a dense group of clans concentrated in the city and province of Reggio Calabria, organised through coordinated, but substantially equal, structures. Differently from the Sicilian mafia where a Godfather and a Commission direct(ed) everyone's strategies (Pignatone and Prestipino, 2013), each 'ndrangheta clan enjoys autonomy and independence from others, and higher structures of power (such as the *locale*<sup>3</sup>, or the *Crimine/Provincia*<sup>4</sup>) exist for coordination purposes and conflict resolution. The clans are not anomic in their interaction; the rules that govern affiliation and behaviours of this mafia are rituals that demonstrate a commitment to symbolism, religion, tradition, and an attachment to Calabrian folklore and culture (Ciconte, 2015; Trumper et al., 2014).

The success of some clans in different sectors of legal economy everywhere in Italy is the most concerning trait of the 'ndrangheta today (DNA, 2017; Storti et al., 2016). Also, a growing focus on the global presence of the Calabrian clans in drug trafficking – primarily cocaine but also heroin and methamphetamines - has been prompted by a series of investigations from the Antimafia prosecutors (Sergi and Lavorgna, 2016). "Operation Crimine<sup>5</sup>", initiated in 2008 and successfully concluded in the Supreme Court in 2016<sup>6</sup>, which has shed light on transnational criminal activities across Canada, Germany, Switzerland, Latin America, the USA and Australia. This has also translated in increased attention from scholars, from classical work on mafia mobility (Lupo, 2002) to recent comparative and more focused work on the 'ndrangheta abroad (Sciarrone and Storti, 2014; Varese, 2011; Allum, 2016; Sergi, 2018a)

The presence of 'ndrangheta clans, their structures, affiliates and activities, in Australia has been object of scholarly attention to which this paper refer to for a full historical account (Sergi, 2017b; Bennetts, 2016; Spagnolo, 2010; Sergi, 2015). The history of the 'ndrangheta in Australia is rich of events, historical occurrences and anecdotes (Small and Gilling, 2016). Some are extremely popular, like the connection of clans from the Calabrian town of Platì, settled in Griffith (NSW) - and engaged in drug cultivation and distribution - to the murder of anti-drug campaigner Donald Bruce MacKay in 1977 (Moor, 2009 [1989]); or the 2008 'world's largest ecstasy bust' (4.4 tonnes of MDMA) at the port of Melbourne involving clans from Melbourne, Griffith, Sydney and Adelaide (McKenzie et al., 2015). Some others are less known to the public, like the fact that in Australia three different books of 'ndrangheta's rituals of affiliation have been found (one in 1930 and two in 1987) (Macrì and Ciconte, 2009). As first accounts of the 'ndrangheta in Australia date back to 1922 the phenomenon is today bound to be hybrid and multi-dimensional. As previously said, I will analyse three sociological dimensions that together make the Australian 'ndrangheta: crimes, behaviours and organisation. These three dimensions must be considered together to understand why the 'ndrangheta remains an on-going criminal system in Australia.

### **'Ndrangheta 'crimes'**

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<sup>2</sup> Law Decree 50/2010

<sup>3</sup> A 'locale' of the 'ndrangheta indicates a union of different clans (3-6) in a specific geographical area for supporting each other and each other's families in the territory and avoid conflict.

<sup>4</sup> The highest 'office'/role of the 'ndrangheta is referred to as 'Crimine' or 'Provincia', it is usually embodied by a senior and widely respected member, and other people from the major *società* close to him. Even if he is not from the most powerful clans, he represents the ultimate conflict resolution institution. There are currently Crimine functions in Calabria, in Canada and Australia, according to the Italian authorities (DNA, 2017)

<sup>5</sup> Operation Crimine, RGNR. DDA 1358/2008 Procura della Repubblica di Reggio Calabria; Sentenza no.106/12 Tribunale di Reggio Calabria

<sup>6</sup> Corte di Cassazione, Decision no. 39799/15 RG 17 June 2016

When asking whether there is an on-going criminal conspiracy linking men of Calabrian background in Australia and how this can be described as evidence of the 'ndrangheta, it is necessary to start from the crimes attributed to individuals or clans characterised by Calabrian ethnicity. However, the size of Australia makes it extremely complex to link criminal activities of the clans across territories from a policing perspective. Research into criminal activities of the clans across all Australian jurisdictions has revealed primarily two main aspects worth focusing on: the ethnic hybridisation of Calabrian clans and their poly-crime and poly-location nature.

### 1. Ethnic hybridisation

Notwithstanding popular beliefs, clans and individuals committing crimes associated to the 'ndrangheta in Australia are not just Calabrian, often not even Italian. The ethnic compositions of groups involved, for example, in large scale drug trafficking and production are hybrid and opportunistic. It is not unusual that 'ndrangheta affiliates (Calabrians or Calabrian-descents - members of a clan) work with others in criminal crews of different compositions, often but not only displaying a preference towards Mediterranean partners. These are not part of the 'ndrangheta as 'organisation' but they are functional to its activities.

In Operation Inca - the operation bringing to the seizure of 4.4 tonnes of MDMA in Melbourne in 2008 - together with Pasquale Barbaro, Saverio Zirilli, Salvatore Agresta, Pasquale Sergi and Carmelo Falanga (all found guilty, and according to the authorities, 'ndrangheta members) were John Higgs, Rob Karam and Jan Visser whose origins are not Italian but whose role in the network was still quite significant<sup>7</sup>. Specifically, in this network 38% of 40 participants were of Italian descent (the majority Calabrian) (Hughes et al., 2016). While the leading role remained in the hands of Calabrians, Higgs, for example, was acting as "a conduit" and a "meeting facilitator"<sup>8</sup>.

Again in Melbourne, in the recent case of Australian-Calabrian Rocco Arico<sup>9</sup> (Aricò in Calabrian spelling), convicted (in first degree and awaiting appeal) to 14 years imprisonment in March 2017 on charges ranging from extortion to drug trafficking – we find a ethnically hybrid criminal network. Arico was well connected to known 'ndrangheta members in Carlton - Melbourne's historical Italian district – with whom he shared business ventures and family ties. He also forged opportunistic links with other convicted criminals like Carl Williams, other drug traffickers of Greek origin and bikies of the Bandidos club. Arico had a reputation for violence, which granted him respect often through fear of retaliation, but also because of the ties to the Calabrian criminal community he had been nurturing since childhood.

Another significant case, which exemplifies the hybrid ethnic characters of 'ndrangheta ties, is the murder of Pasquale Barbaro (aged 35 and related to the abovementioned Pasquale Barbaro) in Sydney in November 2016<sup>10</sup>. Barbaro's links with the 'ndrangheta clan bearing his own surname are inherited by birth – many male members of his family have had serious issues with justice<sup>11</sup>. His surname and family ties gave him the reputation and the standing in the criminal world. However, Pasquale Barbaro's death seems to be linked to an all-embracing network in the Sydney underworld, including the Rebels bikers' club and others with whom Barbaro was in business especially for drug importation. He appears as having had a role in a 'gangland' murder linked to

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<sup>7</sup> DPP v Karam and Ors [2013] VSC 133 (30 April 2013); Barbaro v The Queen; Zirilli v The Queen [2012] VSCA 288 (30 November 2012); DPP (Cth) v Barbaro & Zirilli [2012] VSC 47 (23 February 2012); R v Visser & Falanga (No 1) [2013] VSC 618 (21 November 2013)

<sup>8</sup> Higgs v The Queen [2015] VSCA 223 (26 August 2015)

<sup>9</sup> Indictment - DPP v Rocco Arico [2017], CR-15-02021 County Court, Melbourne, Victoria.

<sup>10</sup> <http://www.news.com.au/national/nsw-act/crime/sydney-crime-figure-pasquale-barbaro-taken-out-in-targeted-shooting/news-story/458ccea7d535f14db9d8076f862cf5d>

<sup>11</sup> For example Barbaro (Giuseppe) v Regina [2006] NSWCCA 180. Clans are identified by Family Surnames in the 'ndrangheta and affiliation is for male family members only.

the Qaumi brothers<sup>12</sup>, and in a series of other serious criminal offences, including intimidation, use of violence and money laundering – all with the support of various other non-Calabrian associates<sup>13</sup>.

These examples suggest that the involvement of the ‘ndrangheta might indeed seem residual if we look at criminal activities only. However, the behaviours of the clans exceeds their criminal dimension; their global networks, their cash availability and credit reserves as well as their ability to indirectly control markets and money transfers, in fact, may provide the ‘ndrangheta with priority lanes over other criminal groups, also in Australia, especially for drug trafficking, as explained by Italian Antimafia prosecutors (DNA, 2017: 31):

“Investigations have revealed more and more consolidated and privileged connections between ‘ndrangheta clans and Southern American narco-traffickers for the furniture of large amounts of narcotics (primarily cocaine). At the same time, the existence of a tight network of influential relationships across different European states (Spain, Netherlands, France, Belgium, Germany, Switzerland) and in North America (USA and Canada), support the clans’ investments in different criminal markets, as well as money laundering and sheltering of fugitives”.

## 2. *Poly-criminality and poly-location reach*

During fieldwork it has become apparent that the focus on the criminal activities is not necessarily the most revealing aspect of the penetration of the ‘ndrangheta clans in Australian society and economy. In fact, the growing sophistication of this mafia in the past decades has led to its sophistication so that they are less “hands-on” drugs than during the 1970s and 1980s. For example, the abovementioned Perre clan in Adelaide is also connected to a number of other interests in commercial and legal activities in the city<sup>14</sup>. Furthermore, Police and AFP in Victoria consider the clans’ presence at the borders of Melbourne (port and airport for example) as “*embedded*”, which means that their participation to certain drug shipments is limited to the provision of *access* and/or other types of *infrastructure* and *logistical support* (from phones to cars) to other groups/criminals. The reputation they enjoy in the criminal ‘underworld’ is based on their control of access to certain routes. However, activities linked to the ‘ndrangheta range from drugs to re-investments of proceeds of crime, from extortion to political corruption, in all Australian locations.

For example, in late 1980s, the National Crime Authority heard from an informer about activities carried out between Tasmania and Victoria by a high-ranking member of the ‘ndrangheta trading in animal skins (fox) by using the same routes for guns smuggling between Australia and Europe. In the same occasion, the NCA heard of investments in the Gold Coast, Queensland, by a senior ‘ndrangheta member from South Australia, who had bribed someone in the local council to speed up the permits to build. These investigations led to the establishment of the Cerberus Task Force<sup>15</sup> into Italian Organised Crime.

Another example of activities in multiple locations is a case in South Australia of 1993. The case involved a large production of cannabis in the Hidden Valley (Northern Territory)<sup>16</sup>; the defendants were all from South Australia, most of Calabrian (and members of ‘ndrangheta clans) and Greek origins. They had agreed to cultivate cannabis in the Northern Territory and sell the

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<sup>12</sup> R v Farhad Qaumi, Mumtaz Qaumi & Jamil Qaumi (Sentence) [2017] NSWSC 774 (16 June 2017); R v Qaumi & Qaumi (No 12) [2017] NSWSC 134

<sup>13</sup> CDPP v Shaffi & Khan [2016] Statement of facts (17 November 2017)

<sup>14</sup> R v Perre [2017] SASC 102 (5 July 2017)

<sup>15</sup> Updated view of Cerberus. A joint-agency overview of Italo-Australian Organised Crime 2000-2002 [March 2003] facilitated by the NCA/ACC. Cerberus Task Force – Protected/Confidential

<sup>16</sup> R v Saverio Catanzariti and Others No. SCCRM 95/321 Judgment No. 5298 Number of pages - 17 Criminal law - particular offences - conspiracy (1995) 65 SASR 201 [1995] SASC 5298 (18 October 1995)

crops in South Australia where they also shared the proceeds. As the court observed this was “*a matter of some complexity involving 10 accused and complex questions of law in relation to jurisdiction*”<sup>17</sup>. Some of the defendants, from the Perre family, in this case were later on involved in investigations on the murder of NCA Detective Geoffrey Bowen in Adelaide in 1994 the day before he was supposed to appear in court against them<sup>18</sup>. Charges were dropped in the first instance in 1999, but in February 2018, Domenico Perre has been arrested for the murder, and awaits trial<sup>19</sup>.

The growing sophistication of money laundering schemes is also a testimony that financial gains are not diminishing. For example, in September 2014 the Enforcement Directorate in India together with the AFP investigated a multi-million drug trade run in Punjab via Thailand, Australia, USA and Hong Kong<sup>20</sup>. In Australia, the network was headed by the Barbaro clan and other members of the ‘ndrangheta between New South Wales and Victoria and the money was laundered using Australian bank accounts, complex corporate structures and different remitting agents facilitating the occultation of the proceeds of crime<sup>21</sup>. Also in the case of Rocco Arico mentioned before, Commonwealth lenders, involving the CBA, ANZ and Westpac were involved with Arico in a scam to launder money in luxury properties<sup>22</sup>. None of these agents in both cases are Italian or Calabrian, thus confirming the ability to engage opportunistically with whoever is useful.

During the different focus groups, it has become quite clear how it is specifically the AFP and to a minor extent the ACIC, in their multi-location and federal capacity, who are able to see clans’ activities *beyond* drugs, and the ‘ndrangheta as a network – a system - that connects individuals, activities and money trails across states. Indeed, at state level, the clans’ *submersion* in the underworld and the opportunistic nature of their networks makes them difficult to identify in all their reach. Thus, another level of analysis – the second dimension - is needed to understand the whole system.

### **‘Ndrangheta ‘behaviours’**

The ‘ndrangheta’s resilience in Australia is explained by the successful exploitation of the mafia method and in particular of the ‘ndrangheta’s set of behaviours by individuals and clans of Calabrian background notwithstanding their hybridisation. ‘Ndranghetist behaviours include: exploitation of cultural norms (e.g. omertà, endogamy etc.); keeping of a low-key, apparently humble, profile; interaction - via economic control or through social consensus - with the territory; attempts to demonstrate a ‘legitimate’ face; intimidation due to (social/criminal) reputation, wealth or fear of retaliation; threat or use of violence; acquisition of financial benefits via the nurturing of contacts in politics and public administration; political proximity to secure social prestige and/or immunity from prosecution.

Literature looks repeatedly at the difficult relationship between mafia culture and the communities in which this culture exists (Giordano et al., 2017). Census data in 2016 reveal that with only 194,000 people born in the whole of Italy, over a million traces back their family origins

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<sup>17</sup> R v Saverio Catanzariti and Others No. SCCRM 95/321 Judgment No. 5298 Number of pages - 17 Criminal law - particular offences - conspiracy (1995) 65 SASR 201 [1995] SASC 5298 (18 October 1995)

<sup>18</sup> Finding of Inquest before Wayne Cromwell Chivell, Coroner for South Australia, concerning the death of Geoffrey Leigh Bowen, No. 5/99, 17<sup>th</sup> September 1999

<sup>19</sup> See also <https://www.theaustralian.com.au/national-affairs/national-security/man-arrested-over-adelaide-national-crime-authority-bombing/news-story/20a7057db32c6e9dfb99877626c7b5a3>

<sup>20</sup> See also <https://timesofindia.indiatimes.com/india/ED-working-with-several-nations-to-crack-down-on-global-drug-network/articleshow/44050840.cms>

<sup>21</sup> CDPP v Arslan Shaffi; CDPP v Salman Khan, Statement of Facts, 17 November 2016

<sup>22</sup> See also <https://www.smh.com.au/business/banking-and-finance/bankers-for-a-gangster-commonwealth-lenders-help-mafia-boss-do-laundry-20180330-p4z72j.html>



there<sup>23</sup>. Historically, Calabrian and Sicilian communities have been the largest Italian sub-regional groups in Australia (Sergi, 2013). It is clear that we are not talking about large numbers of people and that interactions will change and adapt depending on which communities the clans engage with, i.e. Calabrians and (Southern) Italians, as well as the rest of Australian society. Manifestations of mafia behaviours in Australia can be grouped into two main categories: interactions with the territory and nurturing of political proximity.

### *1. Interactions with the territory*

Community engagement might include both economic and social investments. While investments in the legal economy are dependent on success and proceeds of criminal activities, it is instead complicated to identify social investments and connect them to mafia power. Examples of social investments are sponsorships of local festivals, football clubs or religious ceremonies, contributions to works or initiatives of public interest, monetary or personal (voluntary) contributions to boards of directors or trusts or committees in support of institutions with a high profile in a community. Social investments are fundamental to build social consensus within the community of reference.

To illustrate the interaction between financial and social investments in a territory connected to mafia power in Australia, we can bring the example of the Casella family. Owner of one of the most successful wine brands of Australia – Yellow Tail – in Griffith, NSW<sup>24</sup>, the family has sometimes been publicly likened as a ‘mafia dynasty’ (Koutsoukis and McClymont, 2010). Griffith is considered the cradle and one of the centres of power of the ‘ndrangheta, since the 1970s when the Woodward Commission<sup>25</sup> (in 1979) depicted the leading role of local Calabrian families (i.e. the clans Sergi, Barbaro, Trimboli) in the drug trade and the murder of Donald Mackay. Without claiming the involvement of the Casellas with the ‘ndrangheta – which is a matter for a court of law - we can however see how the proximity of the Casellas to mafia families as well as the family’s history and members’ behaviours, have led to question the legitimacy of their investments in a territory considered mafia dense.

Brothers Joe, John and Marcello Casella, together with their father Filippo, of Sicilian origins, have been in the public eye for decades. Very rich, the Casellas have a range of capitals and properties resulting, for example, from the merge and acquisition with other wineries (recently in South Australia), or linked to shopping centres in the Gold Coast and commercial buildings in St Leonards. They are also main sponsors of festivals like the Italian Festa, the Annual Wine Show, or the Salami Festival in Griffith, while also supporting sporting teams, like the Griffith Gun Club, the Jets Rugby League club, the Southern Football Netball League and the Football Riverina, as well as offering scholarships for local students and supporting the building of a local hospital<sup>26</sup>.

Members of the Casella family have been at the centre of a number of scandals, involving extortion allegations, drug charges together with mysterious accumulation of huge capitals (Knott, 2010; Koutsoukis and McClymont, 2010). The recent arrest in 2016, of Marcello Casella - trial starting April 2018 - for participating in a criminal group and in the cultivation of a large quantity of cannabis<sup>27</sup>, has not come without public scrutiny. Together with him were individuals linked to the Sergi clan in Griffith and members of a drug network headed by convicted drug broker Luigi

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<sup>23</sup> Australian Bureau of Statistics, Migration, Australia, 2015-16 - <http://www.abs.gov.au/ausstats/abs@.nsf/mf/3412.0>

<sup>24</sup> The Casellas <http://www.abc.net.au/tv/familyconfidential/pages/s3385650.htm>

<sup>25</sup> Report of the Royal Commission into Drug Trafficking chaired by Philip Woodward. October 1979. New South Wales. Royal Commission into Drug Trafficking

<sup>26</sup> <http://www.arennews.com.au/story/3506280/donation-gives-boost-for-private-hospital/>

<sup>27</sup> Casella v Director of Public Prosecutions (NSW) [2016] NSWSC 204 (9 March 2016) Case No. 2014/00278180

Fato, also of Southern Italian origins<sup>28</sup>. Previous drug convictions of Marcello Casella in Queensland<sup>29</sup> and also charges in 2014 against him under the NSW Firearms and Explosive Acts for possession of unlicensed ammunition and negligent handling of explosives in his own ammunition factory Bronze Wing Ammunition Pty<sup>30</sup>, in Griffith (which cost him the licence to own firearms<sup>31</sup>) have all been singled out in the news.

The shadow of the mafia proximity also involved speculations related the origins of the father's money as well as the family's involvement in a (mafia) murder of 1986 (McClymont, 2010) following an extortion attempt against the family, which ended with the imprisonment of the blackmailer (Jensen, 2010). John Casella, citizen of the year 2016 in Griffith<sup>32</sup>, and managing director of the Casella Family Brands, in the 1990s used to work for Tony Sergi in his winery; Tony Sergi was named by the Woodward Commission as the head of the 'ndrangheta in Griffith<sup>33</sup>. Connections between the Sergi family – with controversial involvement of some members in mafia-related criminal activities – and the Casellas, remain mostly business-related throughout the years<sup>34</sup>. In 2012, during one of the hearings for the MDMA bust of 2008 in Melbourne, it became known that one of the defendants, Saverio Zirilli, of the Barbaro clan, was working for the Casellas trading in grapes<sup>35</sup>.

In 2011 John Casella sued Fairfax Media<sup>36</sup> for an allegedly defamatory article in the Sydney Morning Herald that insisted on his connections with Tony Sergi, Marcello's criminal past and the mixed reputation of the family. In that case, the Supreme Court considered the article not defamatory, as "*the guilt or involvement in criminal activities of the identified family members provides no rational basis for the inference that the plaintiff himself is involved in the criminal organisation, the Mafia*". This not-guilt-by-association statement is certainly in line with the law of organised crime in Australia (Sergi, 2017a; Ayling and Broadhurst, 2014) but contrary to the whole sociological and legal concept of mafias (Turone, 2008; Sergi, 2017b). Nevertheless, speculation on the philanthropy of the family and their visibility in Griffith - for example a statue in their name has been built in the main street in Griffith - their social and financial investments in Griffith, their proximity to mafia culture, and ultimately the involvement of members of the family in the drug trade with mafia members, all contribute to building and spreading a reputation based not just on the actual involvement in crimes, but on suggestions of mafia-type behaviour and proximity. As it would be for a mafia family, their social and financial investments in the territory help generating community's support, while their Southern Italian origins explain the easy association and proximity to mafia families and culture.

## 2. Nurturing the 'grey area'

Another successful aspect of the 'ndranghetist behaviour in Australia relates to *political* proximity, that is the nurturing of contacts in high spheres of public administration and politics, either directly by members or mafia clans or indirectly by people close to them. These networks - usually indicated with the term 'grey area' (Sciarrone, 2011) - might not be perceived as criminal,

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<sup>28</sup> Fato v R [2017] NSWCCA 190 (11 August 2017)

<sup>29</sup> R v Casella [1995] QCA 599 (20 December 1995)

<sup>30</sup> Casella v Queensland Police Service, Weapons Licensing Branch [2014] QCAT 255 (12 June 2014)

<sup>31</sup> Bronze Wing International Pty Ltd v SafeWork NSW [2017] NSWCA 41 (9 March 2017)

<sup>32</sup> [https://www.griffith.nsw.gov.au/cp\\_content/resources/January\\_27\\_2017\\_-\\_Council\\_News\\_\[T84\]\\_Page\\_1.pdf](https://www.griffith.nsw.gov.au/cp_content/resources/January_27_2017_-_Council_News_[T84]_Page_1.pdf)

<sup>33</sup> Report of the Royal Commission into Drug Trafficking chaired by Philip Woodward. October 1979. New South Wales. Royal Commission into Drug Trafficking

<sup>34</sup> <http://www.arennews.com.au/story/1506790/dollar-suffocating-business-casella/>

<sup>35</sup> DPP (Cth) v Barbaro & Zirilli [2012] VSC 47 (23 February 2012)

<sup>36</sup> John Casella v Fairfax Media Publications Pty Ltd & Ors [2011] NSWSC 1256 (27 October 2011)



but might enable criminal activities by providing immunity, or by supporting the acquisition of influence and privileges towards new investments. The ‘grey area’ can develop at times because of actual proximity with politicians or others in positions of power (being born in the same area/place, growing up together, attending schools together, attending the same social clubs), at times strategically, by corrupting or bribing politicians or others in positions of power.

To discuss these mechanisms we can refer to events surrounding Joseph (“Joe”) Tripodi, former Member of Parliament for Fairfield (Sydney, 1995-2011), Minister of Finance, and Minister for Infrastructure and Maritime Authority in NSW (2006-2009). Tripodi has been investigated in serious cases, among which the so-called Obeid scandals<sup>37</sup>, where he was found guilty with Eddie Obeid of engaging in corrupt conduct by the NSW Independent Commission Against Corruption (ICAC, 2017). Investigations also involved NSW Liberal Party electoral funding for the 2011 elections (ICAC, 2016). Joe Tripodi’s Calabrian origin has facilitated his proximity to several other Calabrian individuals, some with links to the ‘ndrangheta. Among these is Pasquale ‘Pat’ Sergi, from Platì (in the province of Reggio Calabria and ‘ndrangheta stronghold) cousin of the abovementioned Tony Sergi, mentioned in the Woodward Commission in 1979 because he was laundering money via the buying and selling of real estate for ‘ndrangheta figure Robert Trimboli/e. Tripodi thanked Pat Sergi, together with Roy Spagnolo (who, incidentally, is an accountant for the Casellas in Griffith) as “*friends (...) to keep for a long time*” in his inaugural speech to state parliament<sup>38</sup>. Pat Sergi is director of Westside Property Developments Pty Ltd in Fairfield – a company in which Joe Tripodi had a shareholding between 1996 and 2000. Pat Sergi has been praised for his charity work; he has been member of the Italian Affair Committee and he has been consistently donating – or arranging donations, at times illegally (ICAC, 2016) – for political support, including Joe Tripodi’s election campaigns. Pat Sergi appears to have links with three Calabrian businessmen: from Fairfield, Nick Scali - investigated in Italy for an alleged attempt to corrupt an Australian-Italian politician on behalf of former Italian premier Silvio Berlusconi’s party in 2008<sup>39</sup> and whose political donations were investigated as illegal by NSW Anti-Corruption Commission in Operation Credo<sup>40</sup>; also from Fairfield, Tony Labbozzetta – controversial head of Soccer Australia and former president of the Italian social club Marconi in Fairfield, banned from the club in 1999<sup>41</sup> for exploiting the club to his own benefit while facing allegation links to mafia figures in South Australia (McClymont, 2009); and, from Melbourne, multimillionaire and alleged mafia boss Antonio Madafferi (McKenzie and Baker, 2009; McKenzie et al., 2015; Edwards, 2017). Together with Pat Sergi they have all been involved in the lobbying for Francesco Madafferi’s (Antonio Madafferi’s brother) visa in 2003 (McKenzie et al., 2015), before he was convicted for drug trafficking in the MDMA bust of 2008 in Melbourne. Lastly, in a trial discussing land and zoning matters relating to the Calabria Community Club – whose founders and members were prominent members of the Calabrian community including the abovementioned ones - in Sydney in 2013, the Supreme Court<sup>42</sup> found Joe Tripodi acting as “shadow director” of the Club and declared that “*an attempt was being made to paint Mr Tripodi as some kind of puppeteer who manipulated the affairs of the Club (...) Mr Tripodi (...) was a respected figure in the relevant community, to whom many - on both sides - resorted for advice*”. In this declaration lies the

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<sup>37</sup> R v Obeid [2015] NSWSC 897 (7 July 2015)

<sup>38</sup> "Inaugural speech: Mr Joe Tripodi MP (Public Health Amendment (Tobacco) Bill 1996)" - Parliament of New South Wales, 30 April 1996.

<sup>39</sup> Tribunale Ordinario di Roma - Sezione dei Giudici per le Indagini Preliminari – Ufficio 27 – RGNR No. 1348/08 + 1895/08 + 10379/08 R.GIP – Decreto di Archiviazione

<sup>40</sup> See transcripts of Operation Credo – ICAC Public Hearing 01/05/2014 No. E12/2107/0821PUB02924: <https://www.icac.nsw.gov.au/docman/transcripts/credo-spicer/4349-01-05-2014-operation-credo-spicer-transcript-pp-02924-03011-from-10-04am-to-12-52pm/file>

<sup>41</sup> Labbozzetta v Director of Liquor and Gaming [1999] NSWSC 96 (23 February 1999)

<sup>42</sup> In the matter of Calabria Community Club Ltd [2013] NSWSC 998 (26 July 2013)

quintessential controversial character of the grey area: the difficulty to fully understand, prove or otherwise clear certain individuals' involvement, or lack of it, in unethical and illegal behaviours.

Grey areas, following Sciarrone and Storti (2016), are made of: a) long-term contacts and persistent contiguity (within Calabrian/Southern Italian networks) that b) facilitate trafficking of favours and access to institutional positions, while c) reinforcing social consensus (Tripodi's respected role within the Calabrian community). In the Australian case, (Southern/Calabrian) ethnicity - intended as shared origins and/or descent-based attributes (Chandra, 2006) - offers a privileged path into this ideal grey area, as it provides strong ties and offers access to resources and benefits for those inside certain circles. As power is negotiated also through ethnicity, it becomes irrespective of ambiguous or illicit behaviours. In this grey area being (Southern) Italian nurtures the acquisition of privileges and facilitates the reach of higher political powers.

### **'Ndrangheta 'organisation'**

It might seem justifiable at this stage to conclude that indeed the 'ndrangheta might be nothing more than a bogeyman created and maintained by law enforcement or policy-makers to justify a target of ethnic (Italian/Calabrian) organised crime, also in line with media representations of the phenomenon in the country (Leiva and Bright, 2015). The mixed activities and nebulous grey areas described so far leave little space to a collective, rational identity of a criminal system. Such a conclusion, however, would be short-sighted. Indeed, we must be reminded that the name 'ndrangheta has come to indicate both a set of (mafia-type) *behaviours* as well as a system - an organisation - made of initiation rituals, membership and recruitment regulations, sanctions and conflict resolution mechanisms, which all confer the single and collective name to the criminal group. The *organisation* 'ndrangheta is a reticular, multi-focal and horizontal network (Sciarrone, 2014), which has a command centre, corporate agency and different types of ties and connectors among its actors. Criminal activities and the mafia behaviours described earlier in this paper are direct and indirect products, evidence, and manifestations of the existence of such an organisation. The organisational aspect consists of: 1) the split between financial interests and areas of social power; 2) membership rules; 3) the existence of conflict resolution mechanisms.

#### *1. Split interests*

Criminal activities of the 'ndrangheta clans and their investment in legal sectors are not necessarily coincident with geographical location of social aggregation. This explains, for example, why national police forces in Brisbane do not consider the presence of the 'ndrangheta as a current threat to Queensland, notwithstanding federal agents' knowledge of substantial investments and money laundering activities in the Gold Coast by 'ndrangheta members. This shows how activities might appear scattered and diversified, but nevertheless the mafia method becomes recognisable from a higher/privileged observation point in patterns of (mafia) behaviours and investment across the country.

#### *2. Membership rules*

Activities linked to the 'ndrangheta are detected in every Australian jurisdictions, but 'ndrangheta clans lack a vertical hierarchical structure and an overarching tactical approach to criminal activities. Indeed, family clans are the units of reference and they are autonomous in their activities; the surnames, consolidated through historical reputation, or marriage or other types of alliance still determine the position of the groups and their associates in the underworld. The existence of initiation rituals has been witnessed by law enforcement agencies in Griffith (NSW) and Melbourne and rituals occurring in certain family clans are 'ndrangheta affiliation rituals.

These, together with the reputation enjoyed by certain families, and the importance of blood alliances in forging higher-level affiliation are all indicators that a structure does exist, and has been in existence since certain ‘ndrangheta affiliated family clans have moved to Australia and carried out these rituals since their arrival in 1950s or even before and throughout generations.

Even though there are no ‘bosses of the bosses’ in the ‘ndrangheta, every clan has its own boss and every *locale* - territorial coordination structure - handles relationships across clans through recognition of merit and seniority. The importance of family surnames is further demonstrated by a testimony given by Domenico Agresta, a prominent member of the Agresta clan from Platì established also in the Piemonte region, to Antimafia prosecutors in Turin in early 2017 as part of his commitment to cooperate with justice<sup>43</sup>. He confirmed how members of his family had successfully set up two ‘*locale*’ in Australia in early 2000 (Agius, 2017a). This confirms that other clans – independent and autonomous - were already in the country ready to form the *locale* with the Agrestas to coordinate activities in the same location. Oversight and approval from the most senior and authoritative clans in this case can be assumed as the existence of a ‘chamber of control’ in Australia is confirmed by Italian investigations.

### 3. Conflict resolution mechanisms

The strength of the ‘ndrangheta remains anchored to the ability to resort to higher powers, including political contacts, in case of conflict across clans or with the rest of society. It is thanks to this that more criminal activities are enabled – as more secure of backup in and protection in case of problems. Conflict might arise in consideration of existing rules across different clans’ and different *locali*’s interests. Conflict resolution mechanisms are structures of power, based on more or less ritualised recognition that some mafia families have higher reputation and higher standing. There is some evidence that this same structural feature is represented in the Australian context. Concentric mechanisms of conflict resolution appear to be in place in different Australian locations, whereby certain family clans, certain surnames, mean more than others and certain individuals hold a more prestigious standing in both the Calabrian community (by providing access to politics and public administration as needed) and the ‘ndrangheta culture. The last of these concentric mechanisms is a structure similar to the one identified in Italy - named *Provincia* or *Crimine* - held by individuals holding the highest degree of recognition and attachment to traditional ‘ndrangheta codes. The existence of an Australian *Crimine* is not a new claim. Bennetts (2016) found evidence in a 1966 NSW Commissioner of Police report about national meetings of the most important families being held each year in Mildura to coordinate activities across Australia. Operation *Crimine* in Italy has also suggested the existence of a ‘roundtable’ or ‘chamber of control’ of the most esteemed members of the ‘ndrangheta meeting from all over Australia following the declarations (and) of Domenico Antonio “Tony” Vallelonga in Stirling, Perth, during intercepted conversations with Siderno-based boss Giuseppe Comisso (convicted mafia member) in 2009<sup>44</sup>. Italian authorities sought his extradition, which was denied by Australian authorities because of the lack of a mafia membership offence in Australia. These intercepted conversations discuss the existence of a way to “do things right” also in Australia: whoever does not follow the rules of the ‘ndrangheta will face judgement and will be prevented to proceed and damage everyone else’s *reputation*. A group of entrusted individuals from the most traditional families enforces the ‘way of doing things right’<sup>45</sup>.

## Reframing the Australian ‘ndrangheta

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<sup>43</sup> 13.03.2017 - Domenico Agresta – Witness Examination in the trial vs Rocco Schirripa, Torino.

<sup>44</sup> Operation *Crimine*, RGNR. DDA 1358/2008 Procura della Repubblica di Reggio Calabria; Sentenza Anno 12 no.106 Tribunale di Reggio Calabria, Sezione GIP-GUP

<sup>45</sup> Operation *Crimine* - Sentenza Anno 12 no.106 Tribunale di Reggio Calabria, Sezione GIP-GUP, p-2064-2067

The thorniest issue in the recognition of the 'ndrangheta in Australia appears to be the difficulty in understanding to what extent groups of criminals of Calabrian background active in Australia, if any, do qualify as a criminal system which could be traced back to the 'ndrangheta. It almost seems that the *confirmation* of Calabrian ethnicity in committing crimes goes together with the *affirmation* of the existence of the organisation. The paper has presented the ethnic hybridisation of criminal networks where Calabrian groups and individuals are active. As said, the criminal head/dimension – where *Calabrianness* is crucial for certain apical roles but is not the only ethnicity in the criminal networks – is the most exposed and visible one, but it does not show alone the true nature of the 'ndrangheta as an integrated mafia phenomenon.

Thus, one must ask whether without the Calabrian connotation in criminal activities, it does even make sense to talk about the 'ndrangheta in Australia, considering that the 'ndrangheta is a mafia-type group from Calabria and within Calabrian cultural codes. The short answer to this question is yes: the Australian 'ndrangheta is Calabrian, just not in all its dimensions. In other words, Calabrian mafia clans in Australia often do not appear directly or exclusively (ethnically) linked to large-scale criminal activities. Nevertheless, 'ndrangheta affiliates do participate to criminal networks and often in apical positions precisely because the 'ndrangheta – as organisation and *brand* – provides networks, credit, cash, political access and protection. Calabrianness plays a crucial role in two nodal instances: as *behavioural facilitator* – at the basis of the grey area; and as *organisational bulwark*, where rituality, ethnic solidarity and cultural norms of origin are key elements to formalise the existence of the organisation as such.

Therefore, to fully see the phenomenon in its totality, one must go beyond Calabrian ethnicity in criminal activities towards more fluid socio-behavioural paradigms of what Calabrian culture is in today's Australia and how it interacts with the rest of Australian society.

It has become clear during fieldwork that there are areas – hotspots – where 'ndrangheta clans have been most active throughout the years. These coincide with locations of historical or contemporary high density of Calabrian/Southern Italian communities such as Griffith (NSW) and Melbourne (e.g. Carlton's Little Italy), but also other areas like Fairfield and Bossley Park (Sydney), Stirling (Perth), districts in Adelaide, and Canberra's hinterland. Scholars have researched the strong preservation of Calabrian cultural traditions through intergenerational transmission in Australia (Marino and Chiro, 2014), mindful of the crystallisation of practices observed in migrant communities across generational changes (Logemann, 2013). One must question the significance that the preservation of Calabrian cultural values for affiliates and clans of the 'ndrangheta – i.e. for the *organisation* 'ndrangheta. As mafias twist culture of origins (Schneider and Schneider, 2005; Sergi, 2018b), there is, unfortunately, a shared space between Calabrian cultural values and mafia values.

Around Australia Calabrian traditions are mostly cultural and religious (Papalia, 2008): from social and sporting clubs in all cities, to celebrations of the Madonna di Loreto, protector of the town of Platì in Calabria, in August in Fairfield; from the salami festival in Griffith to the celebration of Santa Maria Immacolata in Harvey (WA) by the migrant community from Siderno in Calabria and the celebrations of the Madonna di Polsi, the protector of San Luca and the Aspromonte, in Carlton, Melbourne. In certain areas more than others, the perpetuation of these traditions comes with practices of intermarriage and endogamy across families and preservation of ethnic bonds, for example by having children of Calabrian families attend the same Catholic school or church.

Calabrian communities appear extremely tight and more committed than other regional Italian communities to the preservation of their identity. This is also the result of a history of discrimination that has affected Southern Europeans, thus Southern Italians too, since their arrival

in Australia. For example, the so-called “wog-pride<sup>46</sup>” among youth of Calabrian families (at 4<sup>th</sup> generations) in Griffith or Melbourne, reflects the resistance to Anglo-Saxon domination/discrimination on one side, and the attempt to reclaim migrant culture as part of communities’ identities, on the other side. A siege mentality among Calabrians and Southern Italians is not uncommon and it fosters ethnic solidarity as quintessential characteristics of belonging to the community. However, this mentality also provides a roof to protect *mafiosi* and mafia behaviours or those who defend them. Indeed, ‘ndrangheta values in Australia are still rooted in Calabrian cultural codes: the role of women in the ‘ndrangheta often overlaps with the role of women in traditional Calabria (Siebert, 2007); the ways in which punishment is delivered comes from traditional Calabrian values of family honour and respect (Gambino, 1975); the rituals and the meetings preserve their religious character, including the devotion to the Madonna (Ciconte, 2015).

In most hotspots mafia families hold status, reputation, economic, and social standing. They act as the symbolic keepers of those cultural traits the community cherishes and wishes to preserve, so that the rest of the community not only accepts them, but shares with them cultural values. This is a form of *omertà* that derives from ethnic solidarity and wog-pride feelings.

Finally, that Calabrian culture and its preservation can act as amplifier of ‘ndrangheta codes behaviours is confirmed by the fact that ‘ndrangheta affiliates on the run from Italy can successfully seek refuge among mafia families in Australia. The recent cases of Bruno Crisafi harboured in Perth, and Antonio Vottari, harboured in Adelaide and then Melbourne (Agius, 2017b) – both convicted ‘ndrangheta members in Italy - confirm that family ties and ethnic solidarity works at the advantage of the clans across borders. Both established links with local ‘ndrangheta members while in Australia; both maintained low profiles in the communities, as ‘ndrangheta codes require (Crisafi used to work in a pizzeria in Perth and Vottari was officially undertaking a university degree in Melbourne); and both used family ties to create bridges between ‘ndrangheta clans in different locations. Once again, more than just Calabrian ethnicity in criminal activities, it is in the behaviours that this ethnicity can entails or justify that one finds the ‘ndrangheta.

## Conclusion

With all its different heads and dimensions, the ‘ndrangheta in Australia qualifies as a mafia-type organisation originating from - and similar but not equal to - the ‘ndrangheta in Calabria. In brief, organisational features similar to the ones in Calabria - such as geographical sub-structures (the ‘locale’), rituals for affiliation and conflict resolution mechanisms – as well as cultural roots demonstrate the existence of a corporate entity. This entity is a mafia-type organisation, as clans and affiliates’ behaviours align with the ‘mafia method’, made of intimidation deriving from the reputation and strength of the associative bond, and investments in both power – by nurturing grey area – and profit – through licit and illicit economic activities, as every mafia does. Involvement of ‘ndrangheta affiliates, clans and networks of contacts in different criminal activities will not stop until the organisational core is preserved. This core remains Calabrian, not solely in terms of ethnicity, but rather in reference with its socio-behavioural and cultural context. Ethnic solidarity and ethnic pride; maintenance of cultural bonds; commitment to the territory and the Calabrian community; money and reputation enabling and deriving from successful engagement in criminal activities: these together make the ‘ndrangheta in Australia.

This paper leaves a number of questions open for future research. Primarily there is a question related to policy and policing strategies able to target all ‘ndrangheta dimensions. A holistic approach to the ‘ndrangheta phenomenon in Australia does require four steps at least: first, an effort to differentiate ‘ndrangheta culture from ethnic/migrant Calabrian culture; second, an attempt to

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<sup>46</sup> “Wog” is a discriminatory, offensive Australian slang indicating a foreigner or immigrant, especially one from Southern Europe, such as Italy, Greece, Malta.

understand the ties of the 'ndrangheta clans with local communities as well as national actors, in both illicit and licit activities; third, an attempt to understand how culture is manipulated to create a functional network of political and financial contacts and supporters in a grey area; fourth, an attempt to target those in the grey area, their wealth, their abuses of power and other corruption-prone ties. Many law enforcement agencies in Australia are bound to maintain a focus on criminal activities, for reasons that have to do with visibility of threats, alarm, risk and harm reductions, and prioritisation of resources (Sergi, 2017a). Targeting mafia *behaviours* that eventually make a criminal *organisation* needs to become a matter of policy change, in terms of both criminal law and indirect measures of contrast, before it can become a matter of policing strategies by single agencies.

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