



CDPP

Australia's Federal Prosecution Service

**Commonwealth Director
of Public Prosecutions**

GPO Box 3104
Canberra ACT 2601
4 Marcus Clarke Street
Canberra City ACT 2600

Telephone **02 6206 5666**
Facsimile 02 6257 5709
www.cdpp.gov.au

MEDIA RELEASE

BANKRUPT GAOLED FOR DISPOSAL OF ASSETS

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Prosecution by the Commonwealth Director of Public Prosecutions (CDPP) results in eight months gaol for Hobart man who dealt with \$55,000 before filing for bankruptcy.

On 14 October 2014, Julian Anthony Riza pleaded guilty in the Hobart Court of Petty Sessions to concealing and, or removing property worth \$55,000 within 12 months of becoming bankrupt and one count of making a false declaration, both of which are offences under the *Bankruptcy Act 1966*.

According to the agreed statement of facts, in May 2013 Riza had received property settlement funds of \$60,627, but he declared bankruptcy less than 8 weeks later. In filing his bankruptcy application, Riza failed to disclose the sale of the property and the receipt of funds. When questioned by the Australian Financial Security Authority about the existence of the funds and withdrawal of \$55,000 from his bank account, Riza was unable to provide evidence to support how the majority of money was spent. Riza later claimed to have spent the funds on gambling and entertainment expenses.

The CDPP contended Riza withdrew the funds from his account when he knew or was at very least contemplating the option of going bankrupt. The federal prosecutor noted that Riza could have avoided bankruptcy as he had the funds to repay the \$54,000 he owed to his creditors.

CDPP Deputy Director, International Assistance and Specialist Agencies, Graeme Davidson said prosecution of such offences form an important part of the work of the CDPP's efforts to ensure the laws of the Commonwealth are respected.

In handing down sentence, Magistrate Sam Mollard accepted the CDPP's submission that Riza's offending fell into the serious category and a sentence was required that would deter others in the community. Mr Mollard said the only appropriate sentence was a sentence of imprisonment.

Riza will have to serve two months in gaol before being released on a three-year good behaviour bond.

Background

Julian Anthony Riza was convicted of the following offences:

- one count of concealing and or removing property worth more than \$20 (namely \$55,000) within 12 months of becoming bankrupt upon presentation of debtor's petition contrary to section 265(7) together with section 265(4)(a) of the *Bankruptcy Act 1966* (Cth).
- one count of making false declaration in a Statement of Affairs contrary to section 267(2) of the *Bankruptcy Act 1966*.

Further information is available in the [summary of facts \[PDF\]](#) / [summary of facts \[RTF\]](#).

About the CDPP – Australia's Federal Prosecution Service

The Office of the Commonwealth Director of Public Prosecutions (CDPP) is an independent prosecution service established by Parliament to prosecute alleged offences against Commonwealth law. We aim to provide an effective, ethical, high quality and independent criminal prosecution service for Australia in accordance with the Prosecution Policy of the Commonwealth.