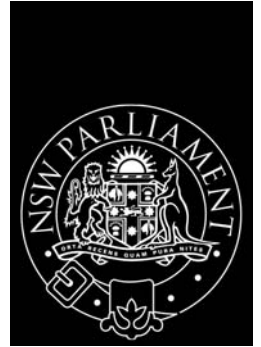


PARLIAMENT OF NEW SOUTH WALES



Committee on the Independent Commission Against Corruption

QUARTERLY EXAMINATION OF THE INSPECTOR OF THE
INDEPENDENT COMMISSION AGAINST CORRUPTION,
APRIL-JUNE 2006

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TERMS OF REFERENCE

The Committee on the Independent Commission Against Corruption is required under section 64(1)(c) of the Independent Commission Against Corruption Act 1988 to examine each annual and other report of the Inspector of the Independent Commission Against Corruption and to report to both Houses of Parliament on any matter appearing in, or arising out of, any such report.

CHAIRMAN'S FOREWORD

This report of the Committee on the Independent Commission Against Corruption (the ICAC Committee) documents activities of the Inspector of the Independent Commission Against Corruption.

The establishment of the office of the Inspector of the Independent Commission Against Corruption under the Independent Commission Against Corruption Amendment Act 2005, and the appointment of the first Inspector, Mr Graham Kelly, from 1 July 2005, allowed, for the first time, an external statutory body to examine complaints about the Commission and its officers and to oversee the exercise of Commission's powers. The exercise of the Inspector's functions is monitored by the ICAC Committee.

After discussion with the Inspector, the ICAC Committee established a program of quarterly examinations. The first quarterly examination was unreported, as there were only matters of administration (processes of selection and establishment of office quarters, recruitment of staff, etc.) involved. The quarterly examinations from the period October-December 2005 onward have been published by the Committee.

This report completes the quarterly examinations for the first full year of the Inspector's operations, and should be a valuable adjunct to the impending 2005-2006 annual report of the Inspector of the Independent Commission Against Corruption.

The ICAC Committee is pleased to report to both Houses of Parliament that for the period under examination—April-June 2006—the Committee is generally satisfied that the Inspector of the Independent Commission Against Corruption has conducted his activities in accordance with the Independent Commission Against Corruption Act 1988. The Inspector advised the Committee that there were no major issues impeding his ability to carry out his statutory functions in an optimal manner. I am therefore pleased to declare that there are no comments on any matter appertaining to the Inspector to which, in the opinion of the Committee, the attention of Parliament should be directed (under Independent Commission Against Corruption Act 1988 Section 64 (1)(b)).

There are, of course, some matters relating to complaints, audit activities, etc., that remain open, and the Committee will welcome the advice of Inspector on these matters in future meetings.

Generally, the Inspector reported that a total of 38 complaints have been received to August 2006, with 20 complaint matters closed and 18 still active. Of these, five complaints had been sent back to the Independent Commission Against Corruption for further consideration. Generally, the Inspector's view was that the vast majority of complaints were disposed of properly, but there does need to be better training of Independent Commission Against Corruption officers in assessments.

An important activity discussed by the Inspector was the audit of the Independent Commission Against Corruption assessment processes regarding allegations of possible

corrupt conduct. In keeping with the Independent Commission Against Corruption Act 1988 57B(1)(a), the Inspector conducted an audit of around 10% of the Commission's files for one year. The aim of the audit was to determine if Independent Commission Against Corruption is complying with its obligations under section 12A of the Act. Three major factors were considered: first, whether the Commission had conducted a reasonable assessment of the allegations of possible corrupt conduct it received before it decided not to investigate; second, whether the Commission has adequate policies and procedures to identify cases of possible corrupt conduct; and third, whether the Commission takes into account the roles and responsibilities of other public authorities and officials in dealing with allegations of possible corrupt conduct. With approximately 10 staff working in the assessments area, the audit found that it required each officer to deal with about one allegation of possible corrupt conduct per day. The audit also found that there was a high turnover of staff in the assessments area of the Independent Commission Against Corruption. The audit indicated that around 95% of cases were properly dealt with. However, the Inspector found that the Commission does not have fully adequate policies and procedures in place for assessments. The Inspector indicated that he was contemplating a triage system to allow Commission staff to concentrate on allegations of possible corrupt conduct involving serious and systemic corruption. A triage system would allow allegations of possible corrupt conduct not dealt with by Commission to be sent back to the responsible agency or to other public integrity authorities such as the Ombudsman. The Inspector expressed concern that some allegations of possible corrupt conduct were being sent back to the relevant agency when there was no reporting back mechanism. Accordingly, the Independent Commission Against Corruption could not know if any action was taken.

The Independent Commission Against Corruption's relationship with the Office of the Director of Public Prosecutions has been problematic due to the Commission's delays in providing evidence to support prosecutions. However, the Inspector noted that it is improving under the new Memorandum Of Understanding.

In 2006-07, the Inspector wants to focus on improving the Independent Commission Against Corruption's systems for dealing with allegations of possible corrupt conduct. He noted that a new sign off procedure should be put in place when a determination was made not to investigate an allegation of possible corrupt conduct.

The Inspector advised the Committee that he had only indirectly dealt with complaints involving protected disclosures.

The Inspector noted that, currently, he and his Office had a cordial relationship with their counterparts in the Independent Commission Against Corruption.

Acknowledgments

I thank my colleagues—Government, Opposition, and cross bench—for their work on the ICAC Committee generally, and their diligence in examining the activities of the Inspector of the Independent Commission Against Corruption.

I also thank Mr Ian Faulks, my Committee Manager, and his staff for their assistance, and I note, in particular, the assistance of Ms Elayne Jay, a Senior Committee Officer newly attached to the secretariat, in editing this report.

I commend this report to Parliament.

The Hon. Kim Yeadon MP
Chairman, ICAC Committee

Chapter One - Introductory remarks

This report comprises a record of the examination of the Inspector of the Independent Commission Against Corruption at a public hearing of the ICAC Committee (the Committee on the Independent Commission Against Corruption) held at Parliament House, Sydney, on Friday 4 August 2006. The report includes both an edited record of the testimony of the Inspector and written documentation tabled at the meeting.

The relationship between the ICAC Committee and the Inspector of the Independent Commission Against Corruption

The statutory relationship between the ICAC Committee and the Inspector of the Independent Commission Against Corruption is established by the Independent Commission Against Corruption Act 1988.

It is a function of the ICAC Committee to monitor and to review the exercise by the Inspector of the Inspector's functions—Independent Commission Against Corruption Act 1988 Section 64 (1)(a), and to report to both Houses of Parliament, with such comments as it thinks fit, on any matter appertaining to the Inspector to which, in the opinion of the Committee, the attention of Parliament should be directed—Independent Commission Against Corruption Act 1988 Section 64 (1)(b).

The ICAC Committee has established a quarterly review process with the Inspector of the Independent Commission Against Corruption.

The ICAC Committee will also conduct an examination of each annual report of the Inspector of the Independent Commission Against Corruption and report to Parliament on matters arising, in accordance with the Independent Commission Against Corruption Act 1988 Section 64(1)(c). This will be integrated with the quarterly review process.

Quarterly examinations of the Inspector of the Independent Commission Against Corruption

Quarterly examinations of the Inspector of the Independent Commission Against Corruption, are conducted by the ICAC Committee. Typically, the Inspector of the Independent Commission Against Corruption, and his Executive Officer, appear before the Committee. The quarterly review process reflects the important and closer working relationship envisaged for the Committee and the Inspector, than is possible for then Committee and the Independent Commission Against Corruption itself.

This report documents the fourth quarterly review that has been conducted by the ICAC Committee since the establishment of the Inspector's office from 1 July 2005. The reviews, and the reports of the reviews, are shown below:

- July-September 2005 (No formal report).
- October-December 2005 (ICAC Committee report 6/53)
- January-March 2006 2005 (ICAC Committee report 8/53)
- April-June 2006 (ICAC Committee report 9/53, this report)

The quarterly review process does not supplant the ICAC Committee's statutory role in reviewing the annual reports of the Inspector of the Independent Commission Against Corruption, the first of which will be tabled in Parliament in several months time.

The Independent Commission Against Corruption Act 1988

The functions and powers of the Inspector of the Independent Commission Against Corruption are defined in Part 5A of the Independent Commission Against Corruption Act 1988, Sections 57A-57F, as follows:

Part 5A Inspector of the Independent Commission Against Corruption

57A Inspector of the Independent Commission Against Corruption

(1) Appointment

The Governor may appoint an Inspector of the Independent Commission Against Corruption.

(2) Schedule of provisions relating to Inspector

Schedule 1A has effect.

57B Principal functions of Inspector

(1) The principal functions of the Inspector are:

- (a) to audit the operations of the Commission for the purpose of monitoring compliance with the law of the State, and
- (b) to deal with (by reports and recommendations) complaints of abuse of power, impropriety and other forms of misconduct on the part of the Commission or officers of the Commission, and
- (c) to deal with (by reports and recommendations) conduct amounting to maladministration (including, without limitation, delay in the conduct of investigations and unreasonable invasions of privacy) by the Commission or officers of the Commission, and
- (d) to assess the effectiveness and appropriateness of the procedures of the Commission relating to the legality or propriety of its activities.

(2) The functions of the Inspector may be exercised on the Inspector's own initiative, at the request of the Minister, in response to a complaint made to the Inspector or in response to a reference by the Joint Committee or any public authority or public official.

(3) The Inspector is not subject to the Commission in any respect.

(4) For the purposes of this section, conduct is of a kind that amounts to maladministration if it involves action or inaction of a serious nature that is:

- (a) contrary to law, or
- (b) unreasonable, unjust, oppressive or improperly discriminatory, or
- (c) based wholly or partly on improper motives.

57C Powers of Inspector

The Inspector:

- (a) may investigate any aspect of the Commission's operations or any conduct of officers of the Commission, and
- (b) is entitled to full access to the records of the Commission and to take or have copies made of any of them, and
- (c) may require officers of the Commission to supply information or produce documents or other things about any matter, or any class or kind of matters, relating to the Commission's operations or any conduct of officers of the Commission, and
- (d) may require officers of the Commission to attend before the Inspector to answer questions or produce documents or other things relating to the Commission's operations or any conduct of officers of the Commission, and
- (e) may investigate and assess complaints about the Commission or officers of the Commission, and
- (f) may refer matters relating to the Commission or officers of the Commission to other public authorities or public officials for consideration or action, and
- (g) may recommend disciplinary action or criminal prosecution against officers of the Commission.

57D Inquiries

- (1) For the purposes of the Inspector's functions, the Inspector may make or hold inquiries.
- (2) For the purposes of any inquiry under this section, the Inspector has the powers, authorities, protections and immunities conferred on a commissioner by Division 1 of Part 2 of the Royal Commissions Act 1923 and that Act (section 13 excepted) applies to any witness summoned by or appearing before the Inspector in the same way as it applies to a witness summoned by or appearing before a commissioner.
- (3) A witness summoned by or appearing before the Inspector is to be paid such amount as the Inspector determines, but not exceeding the amount that would be payable to such a witness if he or she were a Crown witness subpoenaed by the Crown to give evidence.

57E Staff of Inspector

- (1) Such staff as may be necessary to assist the Inspector may be employed under Chapter 2 of the Public Sector Employment and Management Act 2002.
- (2) The Inspector may also employ staff. Chapter 2 of the Public Sector Employment and Management Act 2002 does not apply to or in respect of any such staff.
- (3) The Inspector may engage persons as consultants to the Inspector or to perform services for the Inspector.
- (4) The Inspector may arrange for the use of the services of:
 - (a) any staff or facilities of the Commission, a Department or a local or public authority, or
 - (b) any staff who are employed by or for or assigned to the person who is Inspector, in his or her capacity as the holder of some other position (for example, as a Judge).
- (4A) The Department Head of a Department in which staff of the Inspector are employed may delegate to the Inspector or a member of staff of the Inspector any of the Department Head's functions under the Public Sector Employment and Management Act 2002 with respect to those staff (other than this power of delegation).
- (5) Such provisions of this Act as are prescribed by the regulations apply to persons referred to in subsections (1)–(4) in the same way as they apply to staff of the Commission, with any necessary adaptations and with such modifications as are prescribed.
- (6) In this section:

Department has the same meaning as in the Public Sector Employment and Management Act 2002.

Department Head has the same meaning as in the Public Sector Employment and Management Act 2002.

57F Incidental powers

The Inspector has power to do all things necessary to be done for or in connection with, or reasonably incidental to, the exercise of the Inspector's functions. Any specific powers conferred on the Inspector by this Act are not taken to limit by implication the generality of this section.

CHAPTER TWO – Quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006

This chapter contains an edited transcript of the quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006, which was conducted by the ICAC Committee on Friday 4 August 2006.

The witnesses examined were:

- Mr Graham John Kelly, Inspector of the Independent Commission Against Corruption; and
- Ms Seema Srivastava, Executive Officer, Office of the Inspector of the Independent Commission Against Corruption

Hon. KIM YEADON (CHAIRMAN): The ICAC Committee would again like to welcome to our meeting the Inspector of the Independent Commission Against Corruption, Mr Graham Kelly, and the Executive Officer of the inspectorate, Ms Seema Srivastava. The meeting today continues a practice established between the ICAC Committee and Inspector Kelly to conduct regular quarterly examinations to discuss recent developments and issues of mutual interest. This is the fourth such meeting held since the appointment of the inspector and the second conducted this year. It follows the previous meeting conducted on 29 March 2006, when governance and administrative matters relating to the operation of the inspector's office and other relevant issues were explored. The examination today will continue to pursue matters relating to the oversight function of the inspector. In addition, it will provide an opportunity for the inspector to provide the Committee with an update on activities associated with his office and to highlight issues of concern to him.

...

Mr KELLY: With the Committee's indulgence, I would like to continue the previous practice of providing an aide-mémoire of what I will say to the Committee orally for distribution subsequent to the hearing.

Hon. KIM YEADON (CHAIRMAN): Thank you. I now ask you to make an opening statement.

Mr KELLY: Thank you, Mr Chairman. I should begin by introducing Ms Vickie Jeffrey, who I have taken the liberty of bringing along today. You may remember that Ms Janine Lake had been acting as our office manager. That secondment has come to an end and I am pleased to say that we have been able to make a permanent appointment of Ms Jeffrey. She came to us initially through a recruitment agency but we transformed that into an ongoing appointment. A senior project officer was also seconded to us from the Ombudsman's Office for a period of three months, which expired today. Hence he is not here with us.

Hon. KIM YEADON (CHAIRMAN): He has gone back home.

Mr KELLY: Yes. That was to undertake a very particular task—namely, our first audit of Independent Commission Against Corruption office operations. I will deal with that a little later in the report today. As to complaints, when I last reported to you in March 2006 we had had 30 complaints, with 11 closed and 19 active. We have now had a total of 38 complaints. Twenty have been closed and 18 are still active in one way or another. The breakdown of complaints closed is as follows: 10 not substantiated, four not in jurisdiction and two referred back to the Commission for resolution in the first instance, two were not actionable and two of the complaints were withdrawn.

The trends that I reported on at my last meeting are continuing. These are that the majority of complaints are from men and only a small minority from women. The majority are from people with a Caucasian background. Those two facts mirror the Independent Commission Against Corruption's own statistics. The majority of the complaints relate to or give rise to questions of maladministration and the majority also have related to conduct prior to 1 July 2005, with only a minority concerning conduct by the commission or its officers in the last 12 months. Out of the complaints that are still active, five have been sent back to Commission with my comments and recommendations for further consideration. While, as the Committee appreciates, I am prevented by the Act from discussing individual complaints with you, I can say that my comments were directed at the quality of the judgment calls made by Commission officers in assessing evidence. That experience confirms my general view that there needs to be better training of assessment officers regarding the assessment of evidence as well as a better understanding of the kinds of matters to which the Commission will give priority.

Having made those observations, I do want to emphasise a point that I will make in relation to our preliminary results from the audit—that is, that the overwhelming majority of matters that we looked at in the audit were ultimately properly disposed of, even if there might be some issue about some of the processes on the way forward. I am also pleased to report to the Committee that the Commission itself has been most responsive to my recommendations and, in particular, I would like to put on record my thanks to the commissioner for his co-operation from the very beginning of my appointment—which co-operation continues in a most forthcoming and generous way.

I will turn now to the audit to which I have alluded. The purpose of the audit was to determine whether the Independent Commission Against Corruption is complying with its obligations under section 12A of the Independent Commission Against Corruption Act 1988, which requires it to direct its attention to serious and systemic corrupt conduct, taking into account the responsibility and role of other public authorities and public officials in the prevention of corrupt conduct. In assessing this, the audit considered a number of factors but particularly the following three: whether the Commission conducted a reasonable assessment of the complaints it decided not to investigate, whether the Commission has adequate policies and procedures to identify complaints involving corrupt conduct and serious and systemic corruption, and, thirdly, whether the Commission takes into account the responsibility and roles that other public authorities and officials have in the prevention of corrupt conduct in exercising its obligations under section 12A.

During the audit my office examined some 215 files. So in the range of these kinds of audits that was a very large sample proportionate to the total number of complaints that the Independent Commission Against Corruption receives in any given period. From that, I think I am entitled to draw a measure of comfort, as I would suggest the Committee is entitled to draw.

Hon. KIM YEADON (CHAIRMAN): Were they randomly selected?

Mr KELLY: Yes.

Mr JOHN MILLS (ICAC Committee): How many were there again?

Mr KELLY: Two hundred and fifteen. In my view, the Independent Commission Against Corruption is to be commended for making reasonable decisions on the vast majority of its complaints. The audit did, however, as one might ordinarily expect with any audit, highlight some procedural issues—for example, not recording decisions adequately or as fully as might be. I will consider these further, with a view to asking the Commission to improve its procedures in that regard. Where appropriate, I may also ask the Commission to review such issues on the small number of complaints that are affected. I should mention that the draft report is in a relatively advanced stage and we would hope to send it to Commission next week for comment. I have spoken to the commissioner about this and also mentioned to him that I proposed to inform the Committee in the manner in which I have, and will further do so, today.

I note that the Independent Commission Against Corruption has no written guidelines about its interpretation of section 12A, and I propose to recommend that guidelines be developed in order to ensure consistency with its decision making.

I might take this opportunity to make a general observation about the number of complaints and the way in which they are dealt with in the assessment branch and the workload and, therefore, the resources, which is something that I know the Committee has impressed upon me over the time to be particularly cognisant of. The figures that I am about to mention are purely ballpark figures, but do paint the general picture of the workload that the Independent Commission Against Corruption has to cover. Plus or minus a couple of hundred in any given year, the Commission receives approximately 2,000 complaints a year. The assessment branch, plus or minus a bit here or there at any given point in the year, has approximately 10 people working at the coalface. When you take into account the total number of working days in a year and allow, roughly speaking, 10 per cent for administrative or non-core activities you can see that each officer has to deal with about 200 complaints a year, in other words about a complaint a day. That is a very big ask in a process sense.

I have discussed before, I think with the Committee but certainly the commissioner, about whether some kind of triage system could be introduced that would facilitate a quick sifting of those complaints. I have also mentioned to the Committee before, I recall, and to the commissioner, that in my view we need to start thinking about whether the Independent Commission Against Corruption's jurisdiction should be refined in such a way that it facilitates concentrating on serious and systemic corruption instead of this very large number for what are, necessarily, limited resources. I think our audit, in many ways, has thrown up

the pressure that has been historically placed on the assessment system. The assessment system has done extraordinarily well, because over 95 per cent of the cases that we have looked at have been properly dealt with. If you look at that in any kind of scorecard that is a pretty spectacular result, in my view. Nevertheless, I believe if the resources were concentrated in a narrower field and not diverted to complaints that are never ever going to rise to a major matter of public interest then the quality of the process would necessarily be improved. As I say, that is something I have discussed with the commissioner and, in due course, I hope to develop some ideas around that.

Mr PAUL PEARCE (ICAC Committee): How would that sit with your earlier comment that the number of complaints you are getting in relation to the Independent Commission Against Corruption not pursuing what are, I suspect, invariably those smaller matters? Will that not simply intensify a sort of objection?

Mr KELLY: It may do, but there is still a very serious issue about the proper application of limited resources, and a significant proportion of the complaints that have come to me, even if I were to come to the conclusion that there was some inappropriate dealing with them by the Independent Commission Against Corruption, at the end of the day the majority of them are due not to major issues to which you could justify devoting a large amount of resources. In fact, I want to be careful to be fair to the complainants, but some of them are complaints almost for the sake of complaining and really do not get anywhere near to rising to having a level of substance that would enable me to make a finding of maladministration against the Commission.

Mr PAUL PEARCE (ICAC Committee): In a sense, would that not be due to the very nature of the Independent Commission Against Corruption and the virtual inviting of people to put that sort of complaint before it?

Mr KELLY: You have absolutely hit the nail on the head. There is a tremendous tension between, on the one hand, properly drawing attention to complaint mechanisms and, on the other hand, generating complaints that have very little substance to them. Indeed, we have faced that dilemma ourselves. One of the things that I will report on in a moment is our attempt to go out to the ethnic communities. Not very successfully I might say, but, nevertheless, the more you ask for complaints the more you will generate complaints, but not necessarily complains of a serious or systemic nature. It is a dilemma, and I do not think there is any solution to that problem.

Hon. KIM YEADON (CHAIRMAN): If the commission were to adopt such a triage system as you are proposing, would you also recommend that those who do not 'get a guernsey', for want of a better description, be referred to some other body or forum to be dealt with that perhaps is not as intensive and requires fewer resources to have a quick look at those complaints, perhaps a Ombudsman or someone else? What are your views on that?

Mr KELLY: I think that is a very good point. I think there is a strong case for sending them back to someone more senior in agencies or, in some cases, to the Ombudsman. Ultimately it is a matter for the Parliament and the Government as to how many resources should be devoted to an organisation like the Independent Commission Against Corruption. My own legitimate view is to take the terms of the Independent Commission Against Corruption Act

1988 as it is, and that is that the attention should be devoted to serious and systemic conduct, and conduct within a pretty narrowly defined range of behaviour.

For what it is worth, if I go beyond the terms of the current Act that is my own personal belief as well, that an agency like the Independent Commission Against Corruption much better serves society by focusing on the serious stuff than a bunch of stuff that, at the end of the day, really, even if made out, would not make much difference. It is about the quality of government administration, it is not about corruption. I mentioned in passing the reference back to other public authorities. The Commission has a broad discretion to do so. I have noted in the audit process so far that the Commission sometimes refers complaints about what appears to be reasonably serious corruption back to public authorities without any prior consultation with them and, apparently, without any requirement for them to report back to the Commission.

I am minded to recommend that the Independent Commission Against Corruption develop some policy guidelines to minimise the risk that where it refers a matter back to a public authority and no further action is taken on it. It would be a reporting mechanism back rather than getting into the substance of it and, therefore, the accountability and transparency would be achieved. A matter that I have mentioned to the Committee before and the Committee, I think, has shown interest in is the Commission's staff turnover. I have also in the past mentioned it to the commissioner. We have been receiving advice from the Commission about this. Our analysis shows that at any given time there appears to be, although small, an ongoing turnover of staff in the various divisions. We have noted a number of terminations as well as new starters in the strategic operations division, and that is a matter that I continue to discuss with the commissioner. I am not in a position to go into much more detail with the Committee. It is something that I know the commissioner's attention is focused on.

I have mentioned to you previously that my office has developed a number of policies, for example on interviewing people and what have you. In the time under report now we have developed a further policy concerning referring back matters to the Independent Commission Against Corruption where allegations of misconduct are made against the Commission's officers when they are off duty. Basically the Commission itself has a procedure for dealing with complaints about the Commission's officers off duty, and our policy is responsive to that. If we get a complaint about a Commission officer in relation to non-duty activity our procedure is to refer it to the appropriate person in the Commission to take up as appropriate. That, really, is reflective of the fact that we do not have the resources to entertain those kinds of things. It is also reflective of the fact that ultimately off duty conduct is, really, mostly a management issue rather than a maladministration issue. I mentioned before that we were developing a business plan for 2006 and 2007. It is currently being finalised, and I will make it available at all before our next meeting. The reason we have not completely finalised it is that we have not completely reached a finalisation of our budget enhancement request. But we expect to be able to progress that in the next couple of weeks.

In general terms, over 2006-07 we want to focus on improving the Independent Commission Against Corruption's systems, policies and procedures. This is an area where we believe the most profitable employment of our efforts can be made rather than necessarily dealing reactively with a relatively small number of complaints. That is not to say, of course, that we

would not give appropriate attention to complaints that deserve it, but instead of being reactively driven against complaints only we wanted to focus much more on the audit enhancement process of the Commission. I think it would be easy in respect of the complaints we have received to focus on questions about the judgment of the individual officers that have been involved in assessing of the complaints. However, our review of the complaints we have received, reiterated effectively by the audit, shows that where there have been—I hesitate to say mistakes—approaches that we do not feel completely comfortable with, those are deficiencies or discrepancies have been affected by a host of systemic factors, including: perhaps, lack of training or, perhaps, lack of proper or clear enough procedures. It seems to us that it is much more profitable and effective in focusing on the systemic issues rather than too much focusing on how a particular officer disposed of a particular complaint.

While, of course, the ultimate responsibility for improvement in its systems, and policies and procedures lie with the Independent Commission Against Corruption itself, I believe that we can profitably and effectively with positive ideas in a sense look through a small window into the organisation in the way in which, really, no-one else is empowered to do. I turn now to some legislative issues. As the Committee is aware, new provisions were inserted into the Independent Commission Against Corruption Act 1988 recently to clarify that we can look at the conduct of former officers of the Commission as well as current officers, and that has been pushed beyond any measure of doubt, as I understand it, by the amendments. Those amendments had their genesis in a view that, I think, the Inspector of the Police Integrity Commission raised in respect of the comparable provisions in the Police Integrity Commission Act 1996.

I mentioned on a previous occasion that I wondered whether there should be an explicit provision in the Independent Commission Against Corruption Act 1988 empowering the inspector to refer matters back to the Commission for reconsideration. I think I mentioned to you that the commissioner had advised me that if I ever made a recommendation he would take it on board. Subsequently, we have in fact used that approach. Indeed, there is some explicit support in the Act itself because the inspector has explicit power to make recommendations. So on a number of occasions I have written back to the commissioner recommending that the commissioner undertaken various kinds of steps in relation to particular matters. I am pleased to say that the commissioner has been highly responsive to that approach.

I turn now to some outstanding matters that the Committee has raised, in particular in its December 2005 report. One is to oversee the relationship between the Independent Commission Against Corruption and the Office of the Director of Public Prosecutions as to managing briefs and prosecutions. At our last meeting I advised you that I had recently obtained a copy of the memorandum of understanding and that I had met with the Director of Public Prosecutions, who advised that he felt that the new memorandum of understanding was working well. Since then the executive officer has followed up with an officer of the Office of the Director of Public Prosecutions as to progress. We have been advised that the Office of the Director of Public Prosecutions is still generally happy with the working relationship established under the new memorandum of understanding, though some delays are still being experienced in the Commission providing evidence as requested by the Office of the Director of Public Prosecutions. However, we have been advised by the Director of

Public Prosecutions that both agencies are conscious of the issue and are actively working to reduce delays wherever possible. I give an undertaking to the Committee that I will continue to monitor this matter from time to time.

Another outstanding matter has been overtaken by events. That is improvements to the Operations Review Committee operating procedures. Of course, since then the Operations Review Committee has been abolished. In connection with that abolition, the government, I think as I mentioned to the Committee on a previous occasion, did ask for a review from me. I said that I had no difficulty with the abolition of the Operations Review Committee, but that some other procedure needed to be put in place in connection with the sign-off of decisions not to investigate. I have been recently advised by the commissioner that the assessments panel in the Independent Commission Against Corruption will be primarily responsible for decisions concerning whether or not to investigate. However, the commissioner himself has issued an instruction that any contentious decisions will be referred to him personally for review. I will continue to look at how that process is working. But, in principle, I have no difficulty with it.

I think the third thing that was requested in the 2005 annual report was that the inspector will use the information contained in the Independent Commission Against Corruption's annual reports regarding the time taken to deal with complaints to examine issues of delay. I will report to you on this issue after I have had an opportunity to examine the 2005-06 report. In the meantime, I might share some preliminary views. Consistent with what I have said so far today and previously, I believe a major factor for delay is that Commission resources are not strategically focussed on its investigations of alleged corrupt conduct. Rather, its resources are thinly spread over a variety of functions, including corruption prevention, research and education, which although a vital function in general absorbs a significant amount of the commission's resources. The Corruption Prevention, Research and Education division within the Commission has approximately 26 staff, being second in size only to the Strategic Operations division, that is to say, the investigators. This is significantly more than the assessments division, with a staff of approximately 10 only.

Although it is a matter for the Parliament and the government as to the roles of the Independent Commission Against Corruption, I do believe there are some inherent tensions in placing in the one body a corruption prevention function and a corruption investigation function. In particular, it is very difficult, within a global budget, to make rational decisions about what proportion of the budget you spend on one activity compared with the other activity. It would probably be inappropriate for me to say more on that at the moment until I am in a position to give a much more considered view to the Committee.

We touched on earlier efforts to raise awareness among the ethnic communities. At the last meeting Mr Kerr raised with me the issue of follow-up of advertising in the ethnic communities press. On 10 May 2006 I met with the executive of the Ethnic Communities Council, and at the meeting we discussed a range of possible reasons for people of an ethnic background representing only a small proportion of the total number of complaints to the Independent Commission Against Corruption and to the inspectorate.

Members of the executive made a number of very profitable and sensible suggestions. For example, that the Independent Commission Against Corruption's literature should be

distributed at venues and services where ethnic people were likely to use them, for example, local councils, the Department of Community Services, Housing, the Ethnic Communities Council and the Community Relations Commission. A lack of understanding of cultural issues by the Commission that prevents certain ethnic groups from making complaints in the first place, for example fear of authority, was also suggested as a possible reason for there being such a low number of complaints from people with ethnic backgrounds.

Another issue that was raised was the treatment of people with an ethnic background, particularly people of a non-English-speaking background, when they come into contact with the Independent Commission Against Corruption, for example, a lack of skills to deal with language use issues appropriately and being able to take the time to identify issues that the persons may not be able to articulate easily themselves. I should say that I mentioned these things to the commissioner, who was appreciative of them.

As a result of the meeting, the Committee also suggested that both my office and the Independent Commission Against Corruption should consider advertising in the ethnic press about our respective roles and functions. Again, I passed these recommendations on to the commissioner. Also, during May and June, press advertisements and articles concerning my role and functions were placed in a list of papers, which I will not go through now, but are in the aide-memoire. I have also included with the aide-memoire copies of the advertisements.

Finally, in connection with the relationship with the Independent Commission Against Corruption, the commissioner and I have continued our regularly monthly meetings in a very informal kind of way, and I reiterate what I said earlier: I do not think it would have been realistic for me to hope that I could have established a better working relationship with the commissioner, who is highly responsive to suggestions, including, very importantly in my view, perfectly informal and en passant kinds of suggestions. I want to place on record my gratitude to the commissioner for being so co-operative.

Then, at a technical level, I think I mentioned to you previously that we were establishing electronic access to the Independent Commission Against Corruption's database. I am pleased to say that we have finally achieved that in a satisfactory way. I do not mean to suggest that there was any lack of co-operation from the Commission. Like all these technical things, it takes a bit longer to get to the level of satisfaction that you want than you might at first think.

So, generally speaking, Chairman, that is what has happened in the period since I last saw you.

Hon. KIM YEADON (CHAIRMAN): Did you wish to make any comments, Ms Srivastava?

Ms SRIVASTAVA: No, Chairman.

Hon. KIM YEADON (CHAIRMAN): Your report was succinct and relevant to the point where it has just about answered the questions that I had to put. You are reporting to us this afternoon that you are happy that there are no remaining significant organisational or operational issues that are impeding your ability to carry out your statutory functions in an optimal manner?

Mr KELLY: There is a budgetary item outstanding, Chairman. But, beyond that, there probably is not an issue.

HON. KIM YEADON (CHAIRMAN): Are there any remaining aspects of your dealings with the Independent Commission Against Corruption which impact on your ability to discharge your functions effectively, other than the budget matter that you mentioned?

Mr KELLY: No, Chairman, not at this stage.

HON. KIM YEADON (CHAIRMAN): I noted that you mentioned earlier that some matters of judgement by individual Independent Commission Against Corruption officers may come down to training. I note also your comment in relation to dealings with ethnic communities and cultural background, and that that may reflect a need for further sensitivity or for training within the Commission for its officers. You will continue to keep an eye on that in the future?

Mr KELLY: I would not want it to be thought that in raising an issue about training I am suggesting that the people are not competent.

Hon. KIM YEADON (CHAIRMAN): I certainly did not take it that way.

Mr KELLY: It is just that the general approach is that training will occur on the job, so to speak. In my experience, that is not the most efficient way to grant people the range of skills that they need quickly. Historically, it seems that there has not been a strategically placed program for enhancing the skills of its people. I would be the first to admit that that probably reflects a personal bias that the way to get a smart organisation is to train people; that it is not sufficient just to hope that you have got good people and to rely on them being good people. You train them as to how to go about things. I think there is scope in the Independent Commission Against Corruption for that to occur. The commissioner is aware of the views that I have expressed. At the end of the day, it is a matter for the commissioner to take up.

Mr JOHN MILLS (ICAC Committee): Mr Kelly, I wrote a little aide-memoire of my own. Who is to do the training? As an example, senior public servants and senior executive people of private companies go to places like the Australian Administrative Staff College and one or two other institutions that are high-level training grounds for senior management in large organisations. The Independent Commission Against Corruption is not large, but there must be some specific skill sets that are needed, and I wondered who would do the training. It is usually academic experts who do the bulk of the training in a place like the Australian Administrative Staff College—although sometimes practitioners in the field are brought in as well. I am wonder who will do the training. It is not just a lawyer that you need, and it is not just a former policeman that you need.

Mr KELLY: It might be all of the above, Mr Mills. For example, in connection with the tension that seems to have existed in the past between the Office of the Director of Public Prosecutions and the Independent Commission Against Corruption, it occurs to me that a simple thing would be for one of the prosecutors to run a couple of courses to provide the

skills they need. Relatively straightforward things like that often can be done. I do not necessarily mean spending a whole bunch of money on getting in consultants. A lot of training can be done internally if it is organised properly. I do not characterise that as on-the-job training.

Mr JOHN MILLS (ICAC Committee): That is right, having a prosecutor come in from somewhere to give instruction is not on-the-job training as such.

Mr KELLY: But I am not in a position to make recommendations on the precise way in which that would be done. I am happy to talk to the commissioner about it. He is alert to my views generally.

Mr JOHN MILLS (ICAC Committee): It is a qualitative thing.

Mr KELLY: Yes.

Mr JOHN MILLS (ICAC Committee): I was seeking to tease out the training issue. So prosecutors are one possibility of who might provide training to fill any gap in skills.

Mr KELLY: Yes.

Mr JOHN MILLS (ICAC Committee): Mr Kelly, you mentioned the Independent Commission Against Corruption referring complaints back to the agency that the complaint was about for investigation, but there being no process to follow through and for Commission to monitor whether the agency takes its referral back seriously or just buries the thing. Do you think that is a legislative requirement, or is it something that can be solved simply by management at Commission having an appropriate process? Do you need the force of legislation to oblige the agency to take Commission's referral seriously?

Mr KELLY: Not initially. This may happen to a greater extent than the files reveal. We looked at the files. On some of the files there was no evidence that there was any requirement for the agency to report back, or request, or anything like that, and there was no report back. So initially all that needs to happen is for the Independent Commission Against Corruption to say, "When you have looked at this please send us a letter and tell us what you did", even if the answer is that they looked at it, there was nothing there and they did nothing. At least it closes the loop. If, having done that, the Commission nevertheless does not get any responses, I suppose there is a real question about whether agencies should be forced to account for it.

Mr JOHN MILLS (ICAC Committee): My next question is mainly to benefit my constituents. You referred to an advertisement that you put in some of the media. Could you give us a copy of that? I might put a variation of that in my community newsletter to report to local people what has been going on and to use that opportunity to give them the telephone number for the Inspector of the Independent Commission Against Corruption as well as the Independent Commission Against Corruption's telephone number.

Mr KELLY: We have attached to the aide memoire a whole bunch in the ethnic press. I am informed that there is an English one at the back.

Mr JOHN MILLS (ICAC Committee): I would prefer the one in English.

Mr ANTHONY ROBERTS (ICAC Committee): That is not the one you put in the Chinese press, is it?

Mr KELLY: I hope not, otherwise we will be getting a refund.

Hon. KIM YEADON (CHAIRMAN): You, among other bodies, are one of the locations for the lodgement of protected disclosures. To date have you had any occasion to deal with any protected disclosures?

Mr KELLY: Only very indirectly. A couple of the files that we audited raised issues about whether there were proper protected disclosure classifications, but the issues were not major ones. I think it is fair to say that they were procedural issues in nature. So we have not had any experience with protected disclosures.

Hon. KIM YEADON (CHAIRMAN): Did the ones you looked at turn on the question of whether or not it was a protected disclosure?

Mr KELLY: Yes.

Hon. KIM YEADON (CHAIRMAN): Do you have any comment on that? This Committee is charged with the review of the Protected Disclosures Act 1994. There are some issues about identifying in a precise or legal way whether or not something is a protected disclosure.

Mr KELLY: Could I take that question on notice and give you a short note in the next week or so? I would like to go back and look at the cases where there was a slight issue about classification.

Hon. KIM YEADON (CHAIRMAN): I suppose, to give you the benefit of our deliberations on the evidence that we have received, it may be a requirement that a court of law determine whether or not it sits within the protected disclosures legislation. While a number of people around the place make that decision, it is hard to say whether or not it is accurate at the time. It could be quite detrimental to a whistleblower at the end of the day if they got it wrong.

Mr KELLY: Absolutely.

Hon. KIM YEADON (CHAIRMAN): I congratulate you on reaching the end of your first twelve months. It seems like your relationship with the Commissioner is going very well. I indicate to you—and you probably know—that we examined the annual report of the Independent Commission Against Corruption earlier this afternoon. They seem to be very comfortable with their relationship with you and with your office. Things seem to be going pretty well.

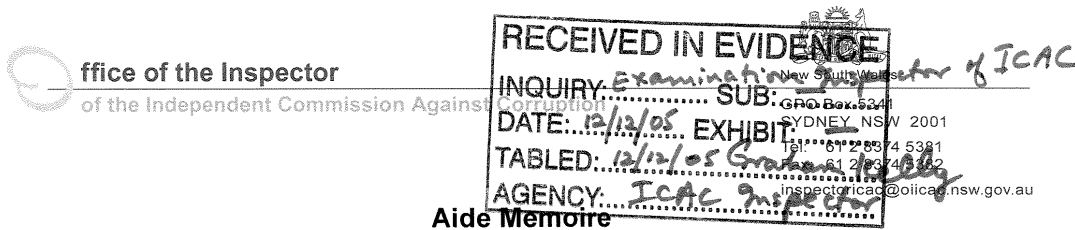
Mr KELLY: There was one outstanding matter that I failed to mention. At the last meeting Ms Keneally asked me whether I would be available to talk to parliamentarians generally

about my role. We had set a date but, unfortunately, I caught a dreadful bout of gastroenteritis and had to cancel, and that has not yet been reactivated.

Hon. KIM YEADON (CHAIRMAN): I will talk to Ms Keneally about arranging that in the future. Thank you both very much for your time this afternoon. It is appreciated.

I also thank the people who work behind us in both the examination of the Independent Commission Against Corruption, the Office of the Inspector of the Independent Commission Against Corruption, and our work on protected disclosures. That is, of course, our secretariat but, in particular, Bjarne Norvin, Jim Jefferis, Annette Phelps and Ian Faulks. They have done a fine job on servicing us throughout this process over the last few days.

Appendix 1 - Aide Memoire



**Inspector Graham Kelly
Meeting with the Parliamentary Committee on ICAC**

9.30 a.m. Monday 12 December 2005
Rm 814-815, Parliament House
Macquarie Street, SYDNEY

1. STAFFING:

- 2 positions
- Permanent Executive Officer, Ms. Seema Srivastava, commenced duty on 28 November 2005
- Difficulties in recruiting suitable Office manager. Last round of recruitment unsuccessful.
- Currently recruiting again for the position. Hope to have someone on board prior to Christmas. This is a six month position being offered at a higher grade (5/6) to get the Office up and running. The permanent position at the original grade (3/4) will be advertised in six months.

2. OFFICE PROFILE / ACCESSIBILITY

- Draft information brochure currently being finalised with aim of having it publicly available in early 2006.
- Draft pro forma for complaints developed.

- A policy on interviewing complainants and other witnesses is being developed.

3. RELATIONSHIP WITH ICAC:

- Regular (monthly) meetings with Commissioner occurring.
- Commissioner also bringing matters to my attention which they are currently considering which are relevant to my functions under the Act.
- Meeting next week with Executive Director, Corporate Services to review ICAC budget in detail.
- New Executive Officer has begun to develop relationships with key ICAC personnel. A key focus of her work (alongside the complaints management work) will be developing a sound understanding of ICAC processes and procedures.

4. COMPLAINTS

- 15 received to date
- 9 have been completed. The breakdown of these are as follows:
 - 3 not actionable (i.e. no request for action made);
 - 1 assessed as not involving inappropriate action by ICAC; and
 - 3 assessed as not in the jurisdiction of my Office;

- 1 was anonymous and following an assessment of ICAC's advice on how it dealt with the matter, the file was closed.
 - 1 was referred by ICAC rather than directly, and so was referred back to ICAC with the advice that the complainant should be advised to lodge a complaint with my Office directly if he wished to do so.
- • Out of the 6 active complaints
 - 4 currently being actioned through requests for further information/clarification from ICAC and/or the complainant.
 - 1 is likely to require an interview with the complainant as despite his best efforts, there have been difficulties in obtaining written clarification on key issues.
- ○ 1 was received last week and is currently being assessed.

Appendix 3 - Extracts from the minutes of the ICAC Committee regarding the quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006

This appendix contains relevant extracts from the minutes of ICAC Committee meetings of:

- Friday 4 August 2006; and
- Wednesday 22 November 2006

regarding the quarterly examination of the Inspector of the Independent Commission Against Corruption for the period April-June 2006.

**PROCEEDINGS OF THE
COMMITTEE ON THE INDEPENDENT COMMISSION
AGAINST CORRUPTION**

**10:00 A.M., FRIDAY 4 AUGUST 2005
AT PARLIAMENT HOUSE, SYDNEY**

Legislative Council

Mr Primrose

Legislative Assembly

Mr Yeadon
Mr Mills
Mr Pearce
Mr Turner
Mr Roberts

Also in attendance: Mr Faulks, Manager of the Committee, and Mr Jefferis, Senior Committee Officer.

The Chairman presiding.

1. Apologies

Apologies were received from Ms Gardiner, Revd. Nile, Mr Kerr, Ms Keneally and Mr Price.

....

4. Hearing to examine the activities of the Inspector of the Independent Commission Against Corruption, April-June 2006

The public were admitted.

**Graham John Kelly
Seema Srivastava**

were called and sworn.

The Committee examined the witnesses.

Evidence concluded, the witnesses withdrew.

5. General business

There being no further business, the Committee adjourned at 3:50 p.m..

Chairman

Committee Manager

**PROCEEDINGS OF THE
COMMITTEE ON THE INDEPENDENT COMMISSION
AGAINST CORRUPTION**

**5:00 P.M., WEDNESDAY 22 NOVEMBER 2006
AT PARLIAMENT HOUSE, SYDNEY**

MEMBERS PRESENT

Legislative Council
Ms Gardiner

Legislative Assembly
Mr Yeadon (Chairman)
Mr Turner
Mr Pearce
Ms Keneally
Mr Roberts
Mr Kerr
Mr Mills
Mr Price

Also in attendance: Mr Faulks, Manager of the Committee; Mr Jefferis, Senior Committee Officer; Ms Jay, Senior Committee Officer; Ms Phelps, Committee Officer; and Ms Yeoh, Assistant Committee Officer.

The Chairman presiding.

1. Apologies

Apologies were received from Mr Primrose and Revd. Nile.

2. Previous minutes

On the motion of Ms Keneally, seconded Mr Turner, the minutes of Meeting No. 22 of Wednesday 20 September 2006 was accepted as a true and accurate record.

....

7. Consideration of draft report: 'Quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006'

The Chairman presented his draft report: “Quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006”.

The report, have been distributed previously, was accepted as being read.

The Committee proceeded to deliberate on the draft report:

Chapter 1: read and agreed to
Chapter 2: read and agreed to

Appendix 1: read and agreed to
Appendix 2: read and agreed to

On the motion of Ms Gardiner, seconded Mr Pearce:

That the draft report: “Quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006”, be read and agreed to.

Passed unanimously.

On the motion of Ms Gardiner, seconded Mr Pearce:

That the draft report: “Quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006” be accepted as a report of the ICAC Committee, and that it be signed by the Chairman and presented to the House.

Passed unanimously.

On the motion of Ms Gardiner, seconded Mr Pearce:

That the Chairman and Committee Manager be permitted to correct any stylistic, typographical and grammatical errors in the report.

Passed unanimously.

....

11. General business

This being the last scheduled meeting of the ICAC Committee of the 53rd Parliament, the Chairman thanked the Members for their contribution and commitment over the period 2003-2006.

The Chairman also thanked, on behalf of the Committee, the staff of the ICAC Committee secretariat: Mr Faulks, Manager of the Committee; Mr Jefferis, Senior Committee Officer; Ms Jay, Senior Committee Officer; Ms Phelps, Committee Officer; and Ms Yeoh, Assistant Committee Officer; for their efforts in supporting the Committee's work.

There being no further business, the Committee adjourned at 5:20 p.m..

Chairman

Committee Manager

REPORTS OF THE COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

ICAC Committee (2006).	Quarterly examination of the Inspector of the Independent Commission Against Corruption, April-June 2006
ICAC Committee (2006).	Quarterly examination of the Inspector of the Independent Commission Against Corruption, January-March 2006
ICAC Committee (2006).	Proceedings of the 2nd National Conference of Parliamentary Oversight Committees of Anti-Corruption/Crime Bodies, 22-23 February 2006
ICAC Committee (2006).	Quarterly examination of the Inspector of the Independent Commission Against Corruption, October-December 2005.
ICAC Committee (2005).	Examination of the 2003-2004 annual report of the Independent Commission Against Corruption
ICAC Committee (2004).	Examination of the report of the Independent Commission Against Corruption profiling the NSW public sector
ICAC Committee (2004).	Report on examination of the 2002-2003 annual report of the Independent Commission Against Corruption
ICAC Committee (2004).	Report on examination of the 2001-2002 annual report of the Independent Commission Against Corruption
ICAC Committee (2004).	The prevention and investigation of misconduct and criminal wrongdoing involving public officials
ICAC Committee (2002).	Report on matters arising from the general meeting with the Commissioner of the ICAC, 27 November 2000
ICAC Committee (2002).	Stage III, Review of the ICAC: Conduct of hearings
ICAC Committee (2001).	Stage III, Review of the ICAC: Issues paper
ICAC Committee (2001).	General meeting with the Commissioner of the ICAC , 30th November 2001
ICAC Committee (2001).	Stage II, Review of the ICAC: Jurisdictional issues
ICAC Committee (2001).	Report on alleged contempt in relation to the draft report of Bron McKillop on inquisitorial systems
ICAC Committee (2001).	General meeting with the Commissioner of the ICAC , 27th November 2000
ICAC Committee (2000).	Consideration of proposed powers
ICAC Committee (2000).	Review II, Jurisdictional issues, Issues paper
ICAC Committee (2000).	The ICAC: Accounting for extraordinary powers
ICAC Committee (1999).	General meeting with the Commissioner of the ICAC, 1st December 1999
ICAC Committee (1999).	Review of the ICAC, Issues paper
ICAC Committee (1999).	Comparative study of the Hong Kong ICAC: Delegation's report to the Committee
ICAC Committee (1998).	Inquiry into Section 13A of the Constitution Act 1902

- ICAC Committee (1998). Collation of evidence of the Commissioner of the ICAC, the Hon B.S.J. O'Keefe AM QC, on general aspects of the Commission's operations, July 1998
- ICAC Committee (1997). Study tour of organisations and oversight bodies comparable to the ICAC, London, Berlin, New York, Washington, February 1997
- ICAC Committee (1997). Collation of evidence of the Commissioner of the ICAC, the Hon B.S.J. O'Keefe AM QC, on general aspects of the Commission's operations, November 1997
- ICAC Committee (1997). Review of the Role and Functions of the Independent Commission Against Corruption, Issues Paper, October 1997
- ICAC Committee (1997). Collation of Evidence of the Commissioner of the ICAC, the Hon B.S.J. O'Keefe AM QC, on general aspects of the Commission's operations, July 1997
- ICAC Committee (1996). Collation of Evidence of the Commissioner of the ICAC, the Hon B.S.J. O'Keefe AM QC, on general aspects of the Commission's operations, October/December 1996
- ICAC Committee (1996). Public hearing with the Hon B.S.J. O'Keefe AM QC, Questions upon notice, 25th October 1996
- ICAC Committee (1996). Collation of evidence of the Commissioner of the ICAC, the Hon B.S.J. O'Keefe AM QC, on general aspects of the Commission's operations, 27th May 1996
- ICAC Committee (1995). Study Tour to USA, Canada, United Kingdom and Ireland 30th June – 16th July 1995
- ICAC Committee (1995). Visit to Brisbane, 22nd-23rd June 1995
- ICAC Committee (1995). Collation of Evidence of the Commissioner of the ICAC, the Hon B S J O'Keefe AM QC, on General Aspects of the Commission's Operations, 15 September 1995
- ICAC Committee (1994). Inquiry into Pecuniary Interest Provisions for Members of Parliament and Senior Executives and A Code of Conduct for Members of Parliament
- ICAC Committee (1994). Report in response to the motion passed by the Legislative Assembly on 15th September 1994 and the Legislative Council on 20th September 1994 re: Justice O'Keefe's appointment
- ICAC Committee (1994). Collation of evidence of the Acting Commissioner of the ICAC, Mr John Mant, on general aspects of the Commission's operations, 3rd August 1994
- ICAC Committee (1994). Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's operations, 4th March 1994
- ICAC Committee (1994). Collation of material relating to the Committee's visit to Kyogle, 1st October 1992
- ICAC Committee (1994). Sixth International Anti-Corruption Conference, 22nd-25th November 1993 and United States Study Tour, 29th November-2nd December 1993
- ICAC Committee (1993). Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's operations, 15th October 1993

ICAC Committee (1993).	Inquiry into Section 52 of the ICAC Act and legal representation before the ICAC
ICAC Committee (1993).	Visit to Brisbane, 2nd-3rd November 1993
ICAC Committee (1993).	Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's operations, 26th March 1993
ICAC Committee (1993).	Review of the ICAC Act
ICAC Committee (1993).	Minutes of Evidence taken before the Committee Concerning the Review of the Independent Commission Against Corruption Act
ICAC Committee (1993).	Review of the ICAC Act – Correspondence on primary facts issue
ICAC Committee (1993).	Matter raised by Andrew Tink MP
ICAC Committee (1992).	Review of the ICAC Act – Discussion paper
ICAC Committee (1992).	Review of the ICAC Act
ICAC Committee (1992).	Operations Review Committee and Assistant/Deputy Commissioners
ICAC Committee (1992).	Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's operations, 9th November 1992
ICAC Committee (1992).	Fifth International Anti-Corruption Conference 8th-12th March 1992 And Hong Kong Study Tour 11th-18th April 1992
ICAC Committee (1992).	Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's operations, 31st March 1992
ICAC Committee (1991).	Inquiry into matters raised by Paul Gibson MP
ICAC Committee (1991).	Collation of Evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on General Aspects of the Commission's Operations, 14th October 1991
ICAC Committee (1991).	Collation of Evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on General Aspects of the Commission's Operations, 27th March 1991
ICAC Committee (1991).	Inquiry into Commission procedures and the rights of witnesses, Second report
ICAC Committee (1990).	Inquiry into Commission procedures and the rights of witnesses, First report
ICAC Committee (1990).	Inquiry into Commission Procedures and The Rights of Witnesses, First Report, together with Minutes of Evidence, Submissions, Minutes of Proceedings, and the report of the Salmon Royal Commission on tribunals of inquiry
ICAC Committee (1990).	Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's operations, 15th October 1990
ICAC Committee (1990).	Openness and secrecy in inquiries into organised crime and corruption: Questions of damage to reputations, Discussion paper prepared by the Hon A.R. Moffitt

- ICAC Committee (1990). Further information about witnesses before the ICAC, Correspondence between the Committee and the Commissioner, Mr Ian Temby QC
- ICAC Committee (1990). Inquiry into a proposal for the televising of public hearings of the ICAC
- ICAC Committee (1990). Collation of evidence of the Commissioner of the ICAC, Mr Ian Temby QC, on general aspects of the Commission's Operations, 30th March 1990
- ICAC Committee (1989). Report on witnesses for the Committee on the ICAC (Parliamentary Joint Committee)