

OFFICIAL



**INDEPENDENT COMMISSION AGAINST
CORRUPTION
2023-24 Annual Report**

Independent Commission Against Corruption
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The Honourable Terence Stephens MLC
President
Legislative Council

The Honourable Leon Bignell MP
Speaker
House of Assembly

This annual report will be presented to Parliament to meet the statutory reporting requirements of section 45 of the *Independent Commission Against Corruption Act 2012* (SA), and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

Included within it, is a report based on material provided by the Commissioner of Police on the number and general nature of sanctions imposed under the *Police Complaints and Discipline Act 2016* (SA) as required by section 31 of that Act.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted by:

A handwritten signature in black ink, appearing to read 'Ann Vanstone', written in a cursive style.

The Honourable Ann Vanstone KC
Commissioner
6 September 2024

The Honourable Kyam Maher MLC
Attorney-General

This annual report will be presented to Parliament to meet the statutory reporting requirements of section 12 of the *Public Sector Act 2009* (SA) and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted by:

A handwritten signature in black ink, reading "Ann Vanstone". The signature is written in a cursive, flowing style.

The Honourable Ann Vanstone KC
Commissioner
6 September 2024

From the Commissioner



Corruption does not occur in a vacuum. It exists in a setting of practices, policies, procedures, culture and people. Working with agencies to address corruption vulnerabilities within their systems is where integrity agencies can provide their most significant public value.

Investigating corruption and supporting a resultant prosecution is a necessary part of our work; and, of course, seeing corrupt actors convicted undoubtedly has some deterrent effect. However, it is not the most valuable contribution an anti-corruption agency can make to integrity in public administration. This is because prosecutions which follow investigations do not usually address the cause of the corruption, which can leave an agency, and public administration more generally, vulnerable to future corruption.

This was implicitly recognised by Parliament in the terms of our original 2012 statute, which, alongside corruption investigations, established both education and corruption prevention functions. In the 2021 amendments (which I have criticised for other reasons) those two functions were elevated in importance, now achieving equal prominence with our investigation function. What I do not believe is clearly understood by those outside the Commission is how interconnected are all three functions. Most investigations we conduct – irrespective of whether they result in a prosecution – lead to prevention initiatives and education. Members of our prevention and legal teams work alongside investigators in the confident expectation that what we find in the course of inquiries will provide an opportunity to help the agency improve its corruption resilience. We do this by engaging with the agency about our observations and making recommendations for governance changes and outlining any cultural issues observed.

A culture which establishes norms to guide ethical decision making requires commitment and vigilance from agency leadership. Public officers will always face ethical dilemmas, very often arising from a conflict of interests. Good culture will provide bounds within which those decisions can be made; tacitly, they will guide the public officer to the correct value based decision.

I have spent many years working in the public sector, fewer in the private sphere. But, while I think I implicitly understood these things, it has only been in my term as Commissioner that I have analysed and been able to articulate all these extremely important ideas. For that, I am indebted to my senior staff at the Commission.

A good culture not only protects against corruption. It enhances respect for co-workers and an appreciation of their contribution to the organisation. It brings them in to share the aims and successes of the agency. It is antithetical to elitism and bullying. It enhances loyalty, commitment and productivity. When those valuable and valued employees leave the organisation, they take their practice and expectation of that good culture to their new workplace. Admiral principles make their presence felt.

In July at the Australian Public Sector Anti-Corruption Conference in Darwin, we announced the [“Fundamental Principles of Australian Anti-Corruption Commissions”](#). This is the product of consideration over two and a half years by the Commissioners of the ten anti-corruption commissions of Australia. Every six months the Commissioners meet to share our news, stories, best work and insights. I have found this invaluable. And these principles are what we, as a group, have determined are the attributes that are needed to enable an integrity agency to work at its most effective level.

Our own South Australian Commission lacks at least five of these attributes. These are most of the matters that I have been agitating since the 2021 amendments to the *Independent Commission Against Corruption Act 2012*.

Sadly, that seems to have been an annoyance to the Government. I consider that I am in a good position to inform the Government of what the enhancement of public integrity in this state requires. My request for a review of our statute – 10 years after its passage and three years after its substantial amendment – has been echoed by the former Ombudsman, the Director of the Office for Public Integrity, the outgoing Inspector of the three agencies, the Law Society of South Australia and the Centre for Public Integrity. And yet we are given no hope that there will be an independent review of the statute.

When it comes to the Fundamental Principles agreed upon by the Australian integrity agencies, South Australia (and possibly Tasmania) are the poor cousins. Unlike the others, we lack the ability to consider referrals from third parties: Principle 1. We only receive what the independent Office for Public Integrity sends us. We lack the ability to commence an investigation of our own volition: Principle 2. Again, despite what we know, we must wait for a referral from the Office for Public Integrity. Then, we are no longer able to refer a matter directly to the Director of Public Prosecutions: Principle 6. As a prosecutor of 15 years' experience and second in command of South Australia's prosecuting authority for six of them, I feel qualified to say that this impedes the ability of prosecutors to effectively present a prosecution case.

We lack the ability to fully report on our investigations and make public statements: Principle 8. This is critical to our prevention and education functions. In order to clearly explain what we have found and how it came about we must be able to suggest wrongdoing by those investigated. That does not necessarily mean identifying them; it means being free to describe the conduct and explicate the remedy. If a prosecution were to follow, such a report would await the outcome.

Principle 11 requires transparency of the process of appointing a Commissioner. Plainly I have no complaint about the process leading to my own appointment or indeed that of my predecessor. But this is a vexed area. And in the context of what has beset my own agency, I wholeheartedly agree that there should be an independent panel to assess applications and recommend a shortlist. The modern trend is to follow such a process in relation to other important recruitments, such as judicial appointments.

As might be imagined, these 12 principles have been extensively debated over an extended period by the integrity commissioners of this country. They are mostly people who have spent a substantial period in public service. They are neither bureaucratic nor 'woke'. They come to their positions as wise and respected leaders. Their collective views should not be lightly disregarded.

I leave my position on 6 September 2024 with mixed feelings. It has been an immense privilege and pleasure to lead an organisation of the Commission's quality. My gratitude to our leaders and all our staff is profound. I have learned a great deal, overseen what I think is the gain of a good deal of maturity in the organisation, and achieved satisfaction from almost all our work. There is no doubt in my mind that public administration is markedly better for our input.

However, I have failed to persuade the Government that legislative change is needed. And maliciously false narratives about us persist. While I believe the public overwhelmingly supports us, it might take a new voice to translate that support into the reform that is required.

I leave the Commission with the hope that it will continue to play a most important role – both seen and unseen – in the betterment of the state we love.

To the public officers of South Australia I say thank you for your hard work. Overwhelmingly you are well motivated and diligent.

To the staff of the Commission I say, keep up your excellent work.

I wish you all well.

The Honourable Ann Vanstone KC
Commissioner

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Overview: about the agency

Strategic focus

The Independent Commission Against Corruption (the Commission) is established by the *Independent Commission Against Corruption Act 2012* (ICAC Act). The ICAC Act defines the Commission's objectives and functions. The legislative functions underpin the Commission's Strategic Plan 2021-24, which is available on the Commission's website: www.icac.sa.gov.au/documents/our-org-related-documents/Strategic-Plan-2021-2024.pdf.

Purpose

Preserve and promote integrity in public administration through the investigation of corruption in public administration and proactive prevention and educational initiatives.

Vision

A state in which public institutions insist on the highest standards of integrity.

Values

The Commission's values are:

Accountability

We are responsible for our actions and decisions. We use our resources responsibly. We scrutinise ourselves as vigorously as we scrutinise others.

Collaboration

We encourage the sharing of knowledge and ideas. We actively seek the contribution and perspectives of others. We work together to achieve best outcomes.

Excellence

We lead by example and demonstrate best practice. We continually strive to improve our capabilities, skills and knowledge. We are committed to professionalism and service.

Independence

We conduct ourselves without fear or favour and make decisions according to law.

Integrity

We are fair and unbiased in all our dealings. We are honest, trustworthy, reliable and fearless in fulfilling our duties.

Respect

We treat everyone with respect, fairness and courtesy. We take our responsibilities seriously and use our own powers carefully.

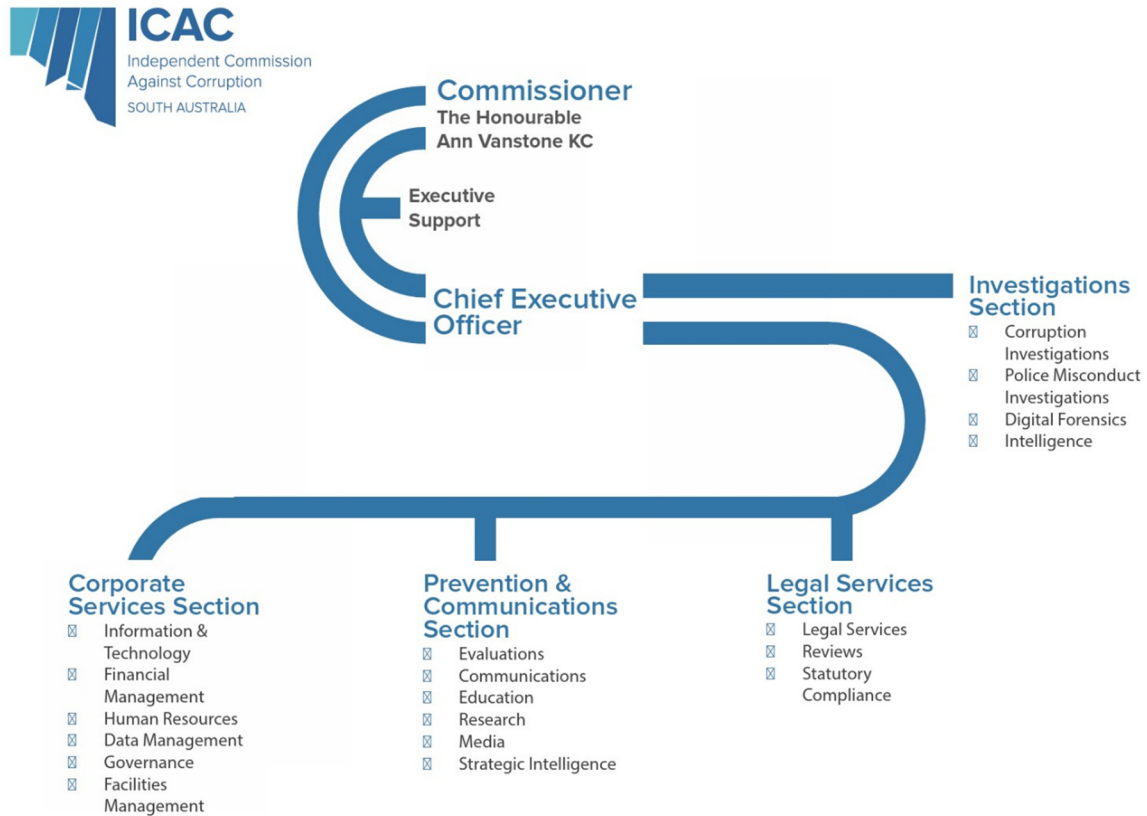
Functions and objectives

Section 7(1) of the ICAC Act sets out the functions of the Commission:

- (1) There is to be an Independent Commission Against Corruption with the following functions:
 - (a) to identify corruption in public administration and to—
 - (i) investigate and refer it to a law enforcement agency for any further investigation and prosecution; or
 - (ii) refer it to a law enforcement agency for investigation and prosecution;
 - (b) to evaluate the practices, policies and procedures of inquiry agencies and public authorities with a view to advancing comprehensive and effective systems for preventing or minimising corruption in public administration;
 - (c) to conduct or facilitate the conduct of educational programs designed to prevent or minimise corruption in public administration;
 - (d) if, in the course of performing functions in relation to potential corruption in public administration, any suspected misconduct or maladministration or any offences (not being offences that constitute the potential corruption in public administration) are identified—to report the matter to the Office or the Ombudsman for assessment or refer the matter to a law enforcement agency, the Ombudsman or a public authority or public officer, as the Commission considers appropriate.¹

¹ Reference to 'the Office' is the Office for Public Integrity.

Our organisational structure



Changes to the agency

During the 2023-24 reporting period there were no changes to the agency's structure and objectives as a result of machinery of government changes.

The Commission's executive team during the 2023-24 reporting period**Commissioner**

The Honourable Ann Vanstone KC

A former Justice of the Supreme Court, the Commissioner was appointed in accordance with section 8 of the ICAC Act. The Commissioner is the principal officer of the Commission and is responsible for the functions outlined in the Act.

Chief Executive Officer

Julie-Anne Burgess

The Chief Executive Officer supports the Commissioner in ensuring the effective operation and management of the Commission. The Chief Executive Officer is responsible for executing the decisions of the Commissioner and the Executive Management Group.

Director Investigations

Christine Baulderstone

The Director Investigations leads and manages the Investigations Section and provides advice and recommendations on operational matters. The Director Investigations reviews corruption investigations referred to other law enforcement agencies to ensure the quality and integrity of those investigations.

Director Prevention and Communications

Tracy Riddiford

The Director Prevention and Communications leads and manages the Prevention and Communications Section in the development and delivery of activities and initiatives which assist to prevent and minimise corruption in public administration. These include evaluations, education, prevention driven research and communications.

Director Legal Services

Ben Broyd

The Director Legal Services leads and manages the Legal Services Section in the provision of legal advice to support the Commission's statutory functions. The Director Legal Services exercises functions delegated by the Commissioner under the ICAC Act.

Director Corporate Services

Fiona Gowen

The Director Corporate Services leads and manages the Commission's corporate operations, including governance, financial management, human resources, information and technology, data management and facilities management.

Legislation administered by the agency

The Commission administers the following legislation:

Independent Commission Against Corruption Act 2012.

The Commission’s performance

Performance at a glance

The ICAC Act defines the objectives and functions of the Commission.

Agency contribution to whole of government objectives

Not applicable.

Agency specific objectives and performance

See section entitled *Reporting required under any other Act or regulation*.

Corporate performance summary

During the reporting period the Commission’s workforce has increased.

Total number of employees (as at June 30 2024) ¹	2023-24	2022-23	Change (+ / -)
Persons	54	43	+11
Full Time Equivalent (FTEs)	49.35	38.77	+10.58

¹While the Commissioner has been included in the above tally, she is not an employee of the Commission.

Separations and recruitment

Separations and recruitments continued to be a significant activity throughout the reporting period.

Number of persons	2023-24	2022-23	Change (+ / -)
Recruited to the agency	23	9	+14
Separated from the agency	12	19	-7

Employee turnover

Employee turnover has decreased during the reporting period compared with the previous period. Although employee turnover may be considered relatively high, the Commission continues to attract talented employees who are committed to career progression.

Employee turnover	2023-24	2022-23
Persons	24.7%	39.6%
FTEs	37.4%	50.7%

Leave management

Compared with the previous reporting period, sick leave, family leave and special leave with pay have all decreased.

Leave type (average days per FTE)	2023-24	2022-23
Sick leave per FTE	6.3	10.3
Family leave per FTE	1.4	2.0
Special leave with pay per FTE	1.5	2.0

Employment opportunity programs

The Commission’s recruitment policy requires that recruitment panels have some diversity to assist the unbiased consideration of applicants. Recruitment panel members undertake training to support them in recognising and managing unconscious bias.

Each applicant is encouraged to inform the Commission of any accessibility requirements so that they may be accommodated throughout recruitment, placement, induction and employment.

Program name	Performance
Employment opportunity programs	The Commission is a small agency with many employees holding specialist roles. Consequently, the Commission has not been in a position to offer employment opportunity programs during this reporting period.

Agency performance management and development systems

Performance management and development system	Performance
Performance and potential review	93% of fully inducted employees completed a documented performance and potential review for the November 2023 review. ¹
Performance and potential review discussion	86% of fully inducted employees completed a performance and potential review discussion for the May 2024 review. ²
Mentoring program	Three employees (6.08% of full time equivalent employees) participated in the Commission's mentoring program.
Training and Development	2.33% of total salary expenditure was committed to providing training and development programs through the Commission's Learning and Development Committee, Diversity and Inclusion Committee and Work Health and Safety Committee.

¹One employee did not participate in a documented performance and potential review because they were on a short term contract. Two performance and potential review discussions were not completed.

²Two employees elected not to participate in performance and potential review discussions because they were separating. Five performance and potential reviews were not completed.

Diversity and inclusion

The Commission has a *Diversity and Inclusion Strategy 2020-24* and *Disability Access and Inclusion Plan 2020-24*. These frameworks are designed to improve access and participation for any person who engages with the Commission.

The Commission's Diversity and Inclusion Committee was established to progress the agency's commitment to diversity and inclusion and represent the wider employee voice in diversity and inclusion initiatives. Initiatives instigated by the committee in the 2023-24 year include:

- Becoming a member of the Commissioner for Equal Opportunity's We're Equal campaign
- Training and development opportunities focussed on unconscious bias and mental health awareness
- All staff events in recognition of international day for Elimination of Racial Discrimination / Harmony Day and NAIDOC week.
- Distributing the bi-annual employee diversity and inclusion survey.

Priorities for the 2024-26 years will largely be shaped by the results of the Diversity and Inclusion 2024 survey. Also scheduled are the following:

- Review and update the Diversity and Inclusion Strategy 2020-24
- Review and update the Disability Access and Inclusion plan 2020-24
- Identify and organise training and development opportunities to promote inclusion
- Facilitate all-staff events to celebrate significant cultural events.

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-workforce-statistics>

Work health, safety and return to work programs

Program name	Performance
Work health and safety/return to work programs	During the reporting period, there has been no requirement for a work health and safety or return to work program to address significant agency risks.
Employee assistance program	The employee assistance program continues to provide support to employees and their immediate families with informal and confidential short term counselling services.
Mental health	The Commission’s Work Health and Safety Committee and Learning and Development Committee promote increased awareness and understanding of mental health.
Workstation assessments	The Commission’s induction process includes engaging an occupational therapist to assess each employee’s workstation and accessibility requirements to ensure adjustments can be made, equipment provided or flexibility arranged.

Workplace injury claims	2023-24	2022-23	% Change (+ / -)
Total new workplace injury claims	0	0	-
Fatalities	0	0	-
Seriously injured workers ¹	0	0	-
Significant injuries (where lost time exceeds a working week, expressed as frequency rate per 1000 FTE)	0	0	-

¹Number of claimants assessed during the reporting period as having a whole person impairment of 30% or more under the Return to Work Act 2014 (Part 2 Division 5)

Work health and safety regulations	2023-24	2022-23	% Change (+ / -)
Number of notifiable incidents (<i>Work Health and Safety Act 2012, Part 3</i>)	0	0	-
Number of provisional improvement, improvement and prohibition notices (<i>Work Health and Safety Act 2012 Sections 90, 191 and 195</i>)	0	0	-

Return to work costs¹	2023-24	2022-23	% Change (+ / -)
Total gross workers compensation expenditure (\$)	0	0	-
Income support payments – gross (\$)	0	0	-

¹Before third party recovery.

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-work-health-and-safety-and-return-to-work-performance>

Work Health and Safety Committee

The Commission's Work Health and Safety Committee was established to oversee the following functions as outlined within Section 77 of the *Work Health and Safety Act 2012* (SA):

- to facilitate co-operation between the Commission and workers in instigating, developing, and carrying out measures designed to ensure a healthy and safe working environment for workers, contractors, and visitors to its premises
- to assist in developing policy, procedures and guidelines relating to health and safety that are to be followed or complied with at the workplace
- perform any other functions prescribed by regulations or agreed between the Commission and the Committee.

Executive employment in the agency

Executive classification	Number of executives at 30 June 2024
Statutory appointments	1
SAES2	1
SAES1	4

An executive is someone who receives a total remuneration package valued in excess of \$157,715 per annum and has professional or managerial executive responsibilities.

The [Office of the Commissioner for Public Sector Employment](#) website has a [workforce information](#) page that provides further information on the breakdown of executive gender, salary and tenure by agency.

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-executive-employment-in-the-agency>

Financial performance

Financial performance at a glance

The following is a brief summary of the overall financial position of the agency. The information is unaudited. Full audited financial statements for 2023-24 will be published separately to this report.

Statement of Comprehensive Income	2023-24 Budget \$000s	2023-24 Actual \$000s	Variation \$000s	Past year 2022-23 Actual \$000s
Total income	12,818	12,996	(178)	12,182
Total expenses	12,817	12,461	356	12,512
Net result	1	535	(534)	(330)
Total comprehensive result	1	535	(534)	(330)

Statement of Financial Position	2023-24 Budget \$000s	2023-24 Actual \$000s	Variation \$000s	Past year 2022-23 Actual \$000s
Current assets	12,606	12,863	(257)	12,208
Non-current assets	1,460	1,459	1	1,865
Total assets	14,066	14,322	(256)	14,073
Current liabilities	1,918	1,207	711	1,917
Non-current liabilities	718	1,151	(433)	727
Total liabilities	2,636	2,358	(278)	2,644
Net assets	11,430	11,964	(534)	11,429
Equity	11,430	11,964	(534)	11,429

Consultants disclosure

The following is a summary of external consultants engaged during the reporting period by the agency, the nature of work undertaken, and the payments made for the work.

Consultancies with a contract value below \$10,000

Consultancy	Purpose	\$ Actual payment
IPAA South Australia	Public event management	\$2,557.00
Total		\$2,557.00

Consultancies with a contract value above \$10,000

Consultancy	Purpose	\$ Actual payment
Chamonix IT Management Consulting (SA) Pty Ltd	Microsoft 365 environment design	\$10,075.00
Mercer Consulting (Australia) Pty Ltd	Remuneration framework design	\$26,350.00
CyberCX Pty Ltd	Cyber security framework and maturity	\$78,317.76
KPMG	Enterprise data management framework and technology strategy	\$181,818.18
Total		\$296,560.94

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-consultants-disclosure>

See also the [Consolidated Financial Report of the Department of Treasury and Finance](#) for total value of consultancy contracts across the South Australian Public Sector.

Contractors disclosure

The following is a summary of external contractors engaged during the reporting period by the agency, the nature of work undertaken, and the payments made for the work undertaken.

Contractors with a contract value below \$10,000

Contractor	Purpose	\$ Actual payment
David Reimers	Technology system upgrade service	\$1,175.00
Vicki Tomlinson	Recruitment services	\$1,500.00
Vicki Tomlinson	Technology funding support services	\$2,281.25
Vicki Tomlinson	Policy governance services	\$2,593.75
Randstad Pty Ltd	Temporary Corporate Services Officer	\$3,667.41
Laura Deane	Writing and editing services	\$3,762.00
John Dunnery	Microsoft 365 environment	\$4,921.82
Medical Quality Management	Risk management workshop	\$5,000.00
Kirstie Wyatt	Web design services	\$5,975.64
Vicki Tomlinson	Financial services 2023-24	\$6,937.50
	Total	\$37,814.37

Contractors with a contract value above \$10,000

Contractor	Purpose	\$ Actual payment
Vicki Tomlinson	Information support services	\$11,281.25
Randstad Pty Ltd	Temporary Corporate Services Officer	\$16,594.38
Kirstie Wyatt	Desktop publishing services	\$20,342.25
Hays Specialist Recruitment (Australia) Pty Ltd	Temporary Senior Communications Officer	\$20,668.16
Vicki Tomlinson	Financial services 2022-23	\$26,781.25
Randstad Pty Ltd	Temporary Administration Officer	\$26,917.33
Hays Specialist Recruitment (Australia) Pty Ltd	Temporary Senior Finance Officer	\$31,703.45
Randstad Pty Ltd	Temporary Data Management Officer	\$36,014.40
Randstad Pty Ltd	Temporary Project / Facilities Manager	\$41,947.16
Hays Specialist Recruitment (Australia) Pty Ltd	Temporary Senior Human Resources Business Partner	\$44,498.11
Randstad Pty Ltd	Temporary Senior Finance Officer	\$44,896.30
	Total	\$321,644.04

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-contractor-disclosure>

The details of South Australian Government awarded contracts for goods, services, and works are displayed on the SA Tenders and Contracts website. [View the agency list of contracts](#). The website also provides details of [across government contracts](#).

Legal services disclosure

The following is a summary of external legal services engaged by the agency during the reporting period, the nature of work undertaken, and the payments made for the work undertaken.

Legal Services with a contract value below \$10,000

Legal Services	Purpose	\$ Actual payment
EMA Legal	Human resource management	\$2,527.80
Peter Healey	Legal advice for operations	\$5,205.00
Total		\$7,732.80

Legal Services with a contract value above \$10,000

Legal Services	Purpose	\$ Actual payment
Stephen McDonald SC	Legal advice for operations	\$10,250.00
Total		\$10,250.00

Risk management

Risk and audit at a glance

The Commission's Risk and Security Committee met on two occasions during the reporting period. The purpose of the Committee is to manage the Commission's enterprise risk. The Committee reports directly to the Commissioner and executive management team, and via the Commissioner to the Audit and Risk Committee.

The responsibilities of the Committee exist across three areas: risk management, protective security and cyber security.

Risk Management

The Commission's risk management documentation, including a risk management framework, policy, appetite statements and metrics, have been approved and communicated to all employees. The Commission continues to develop operational risk registers for each section, which it anticipates will be completed before the end of the next reporting period.

A strategic risk register has been developed by the executive management team.

Protective Security

The Commission's 2023-24 protective security attestation showed an increase in the Commission's maturity from 2022-23.

A Security Plan for 2024-25 was approved in June 2024. The Commission's Security Plan for 2024-25 builds upon the work undertaken in this reporting period and will assist the Commission to identify and manage security risks, and enhance its security posture in accordance with the South Australian Protective Security Framework.

Cyber Security

Cyber security is critical to the Commission's operations. The Commission's cyber security framework safeguards the availability and integrity of information held by the Commission. The Commission completed the South Australian Cyber Security Attestation for 2023-24.

Fraud detected in the agency

Number of instances and nature of fraud detected in the agency: 0

Strategies implemented to control and prevent fraud

The Commission's Internal Corruption Control Policy provides a framework for minimising opportunities for corruption and maximising the potential for any such conduct to be detected. It is an integral part of the Commission's risk management system.

The Internal Corruption Control Policy captures conduct that involves misconduct or maladministration in public administration.

The Commission has undertaken an internal corruption risk assessment as part of its internal corruption control plan. The assessment covered risks related to financial management. It details controls that are in place to mitigate those risks.

Other controls include centralised management of procurement, contract management plans for complex and high value agreements, and an annual financial management compliance program.

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-fraud-detected-in-the-agency>

Public interest disclosures

The number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Public Interest Disclosure Act 2018*: 0

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-public-interest-disclosure>

Note: Disclosure of public interest information was previously reported under the *Whistleblowers Protection Act 1993* which was repealed by the *Public Interest Disclosure Act 2018* on 1/7/2019.

Reporting required under any other act or regulation

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(i) The number and general nature of matters investigated by the Commission.

One of the Commission's functions is to identify and investigate corruption in public administration.

Corruption in public administration is defined in section 5 of the ICAC Act and includes conduct that constitutes:

- an offence against Part 7 Division 4 of the *Criminal Law Consolidation Act 1935*, which includes offences such as bribery of public officers, abuse of public office and offences relating to appointment to public office
- an offence against the *Public Sector (Honesty and Accountability) Act 1995* or the *Public Corporations Act 1993*, or an attempt to commit such an offence
- an offence against the *Lobbyists Act 2015*, or an attempt to commit such an offence
- being complicit in, or conspiring with others to, commit such an offence.

A matter assessed by the Office for Public Integrity (OPI) as raising a potential issue of corruption in public administration and referred to the Commission can be investigated by the Commission or referred to South Australia Police (SA Police) or another law enforcement agency.² The Commission may also conduct a joint investigation with a South Australian law enforcement agency, inquiry agency or public authority.³

Corruption investigations are, by definition, criminal investigations. The purpose of such an investigation is to collect evidence and, where appropriate, refer the matter to SA Police or another law enforcement agency for further investigation and potential prosecution.

² *Independent Commission Against Corruption Act 2012* (SA) section 24

³ *Independent Commission Against Corruption Act 2012* (SA) section 34(1)

Corruption investigations

The OPI refers to the Commission matters assessed as ‘raising a potential issue of corruption in public administration that could be the subject of a prosecution’.⁴ The OPI obtains the Commissioner’s views on a referral before formally referring a matter.⁵ The Commissioner determines whether the Commission will investigate the matter or refer it to SA Police.

The OPI also refers to the Commission matters involving the conduct of SA Police officers.⁶ The Commissioner determines whether it is ‘appropriate’ to investigate the matter, and, if so, whether it will be investigated under the *Police Complaints and Discipline Act 2016* (PCD Act) or the ICAC Act.⁷

During the reporting period the Commission commenced 35 new corruption investigations. No investigations were commenced as a result of a referral received in the previous reporting period.

No investigations were conducted jointly with another agency.

General nature of corruption investigations commenced	2023-24
Abuse of public office	35

During the reporting period, the Commission continued 18 corruption investigations which were commenced in the previous reporting period.

Other Investigations

During the reporting period, the Commission investigated three matters in accordance with section 30 of the PCD Act.

General nature	2023-24
Code of Conduct	3

⁴ *Independent Commission Against Corruption Act 2012* (SA) section 18F

⁵ *Independent Commission Against Corruption Act 2012* (SA) section 18G

⁶ *Police Complaints and Discipline Act 2016* (SA) section 29

⁷ *Police Complaints and Discipline Act 2016* (SA) section 30

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(ii) The number of warrants issued by the Commission and by judges of the Supreme Court.

Warrants authorising the entry and search of a vehicle or place can be issued by the Commissioner or a Judge of the Supreme Court.⁸ A warrant may be issued if the Commissioner or Judge is satisfied the warrant is reasonably required in the circumstances for the purposes of an investigation into a potential issue of corruption in public administration.

It is Commission policy that in all but exceptional circumstances an application for a warrant under section 31 should be made to a Judge and not the Commissioner.

The number of warrants issued by the Commissioner and by Judges of the Supreme Court:

Investigative powers	2023-24	2022-23	Change (+ / -)
Search warrants issued by the Commissioner	0	0	-
Search warrants issued by a Judge of the Supreme Court	0	2	-2
Total warrants	0	2	-

⁸ *Independent Commission Against Corruption Act 2012* (SA) section 31

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(iii) The number of examinations conducted.

The Commission may conduct an examination for the purposes of an investigation into corruption in public administration.⁹

One examination was conducted during the reporting period:

Examinations	2023-24	2022-23	Change (+ / -)
Examinations	1	0	+1

⁹ *Independent Commission Against Corruption Act 2012* (SA) section 29

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(iv) The extent to which investigations have resulted in prosecutions or disciplinary action.

Since the October 2021 amendments to the ICAC Act, the Commission cannot refer matters directly to the Director of Public Prosecutions following a corruption investigation. Instead, where an investigation uncovers evidence of corruption in public administration, the Commission may, where appropriate, refer the matter to SA Police, or another law enforcement agency, for further investigation and potential prosecution.

Where the Commissioner determines not to refer a brief to another law enforcement agency, the matter may be closed, or referred to a public authority to deal with any potential misconduct or maladministration.

During the reporting period, the Commission referred one matter to SA Police for further investigation and potential prosecution. This matter, which was referred late in the reporting period, remains under review by SA Police.

Name	Brief referred to SA Police	Status
AK (22/1348)	8 May 2024	Under review

While corruption investigations are often complex and protracted, every effort is made to meet performance benchmarks. One of those benchmarks is the completion of 80% of all corruption investigations within nine months.

The Commission closed 27 corruption investigations during the reporting period. Of those, 21 (78%) were completed within nine months of allocation.

During the reporting period, four persons, who were previously the subject of a Commission corruption investigation and subsequent prosecution, were sentenced by the courts.

Name	Offence	Sentencing date	Sentence
Joubouri, Moujtaba	Bribery	30 August 2023	Home detention (2.5 years)
Hardy, Stephanie	Breach of confidentiality	7 February 2024	Without conviction, fine
Spark, James	Deception	11 April 2024	Suspended sentence and good behaviour bond (10 months)
AF (22/1350)	Possessing prescription medication	26 April 2024	Without conviction, good behaviour bond (9 months)

The following matters have been investigated by the Commission and charges laid by the Director of Public Prosecutions or SA Police, and remain before the courts. The number and nature of the charges may change during the course of proceedings.

Name¹⁰	Brief referred date	Arrest / summons date	Initial charges laid
Bell, Troy	1 May 2017 (DPP)	9 August 2017	20 counts of theft and 6 counts of dishonestly dealing with documents
Ellis, Fraser	17 December 2020 (DPP)	17 February 2021	23 counts of deception ¹¹
Patzel, Matthew	28 Oct 2019 (DPP)	15 July 2019	2 counts of aiding, abetting, counselling or procuring abuse of public officer (in relation to the matter of Paul Robinson)
Robinson, Paul	28 Oct 2019 (DPP)	15 July 2019	2 counts of abuse of public office and 2 counts of bribery
TB (21/345)	26 August 2021 (SA Police)	14 December 2021	52 counts of deception
AG (21/3974)	10 September 2021 (SA Police)	3 September 2021	3 counts abuse of public office and 1 count of selling a controlled drug
PP and GJ (22/1381)	6 June 2023 (SA Police)	22 November 2023	119 counts of abuse of public office

¹⁰ The amendments to the *Independent Commission Against Corruption Act 2012* (SA) which came into operation in October 2021 restrict the ability of the Commission to identify those who have been the subject of investigation. The Commission will not name individuals it has investigated if those individuals had charges laid against them after the amendments and those charges have not been finalised.

¹¹ On 1 July 2024 Ellis was found guilty of 4 counts of deception. The matter is subject to appeal.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(v) The number and general nature of matters referred for investigation to the Commissioner of Police or other law enforcement agency

Matters referred for investigation

During the 2023-24 financial year, the Commission referred 29 matters to SA Police for investigation.

General nature	2023-24
Abuse of public office	29

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(vi) The number and general nature of occasions on which public statements have been made by the Commission.

During the reporting period, the Commission issued seven public statements. Of those:

- three related to the Commission’s lobbying and influence corruption prevention project, including an evaluation of the administration of the lobbying scheme
- two related to the Commissioner’s response to a number of reviews conducted by the Inspector of the Commission
- one announced the evaluation of emergency grants administration
- one announced a project to understand corruption vulnerabilities within the planning and development systems.

Non-operational news and announcements are generally made via media release. The Commission issued ten media releases during the reporting period.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(vii) The number and general nature of matters referred to an inquiry agency or public authority.

Matters referred to an inquiry agency

The Commission did not refer any matters to an inquiry agency.

Referrals to a public authority

Section 36 of the ICAC Act provides that the Commission can refer a matter to a public authority for further investigation and potential disciplinary action against a public officer for whom the authority is responsible.

During the reporting period, two matters were referred to a public authority.

General nature of the matters referred to a public authority	2023-24	%
Use of employment entitlements	1	50%
Improper disclosure of confidential information	1	50%
Total	2	100%

A further matter (17/498) was referred to a public authority under section 36(1)(b) of the *Independent Commissioner Against Corruption Act 2012* (SA). This matter related to a report made before 25 August 2021.¹² The general nature of the matter referred was failing to disclose a conflict of interests.

¹² Clause 70 of the *Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Act 2021* (SA) provides that the *Independent Commissioner Against Corruption Act 2012* (SA) as in force before the commencement of the Amendment Act continues to apply in relation to any complaint or report made under that Act on or before 25 August 2021, or any investigation commenced under that Act before 25 August 2021.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(viii) The number and general nature of directions or guidance given in referring matters under this Act.

The Commission referred a matter to a public authority under section 36(1)(b) of the Act on two occasions.

Number and general nature of directions	2023-24
Undertake investigation and report back	1
No directions	1
Total	2

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(ix) The number and general nature of requests for examinations of accounts by the Auditor-General.

During the reporting period, the Commission made no requests for examinations of accounts by the Auditor-General.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(x) The number and general nature of recommendations made to an inquiry agency or public authority by the Commission.

During the reporting period, the Commission made 116 recommendations. Those recommendations were made across nine reports, in accordance with sections 41 or 42 of the ICAC Act.

Ninety-six recommendations were made to specific public authorities with 20 recommendations being directed more broadly across public administration.

The recommendations made by the Commission fall into the following general categories:

- Accounts Payable – *audits and policies*
- Complaint Management – *policies, reviews and training*
- Conflicts of Interests – *suppliers and contractors’ awareness as public officers*
- Employee Leave – *approval processes, delegations and verifications*
- Employee Inductions – *contractors and reporting obligations*
- Employee Time and Attendance – *record keeping mechanisms*
- Employee Management – *remote employee communications and monitoring*
- Exhibit Management – *accountability and visibility*
- Gifts and Benefits – *policies in high risk functions*
- Grants Administration – *surge capacity, conflicts of interests, gifts and benefits, policies and data sharing*
- Information Management – *access, confidentiality and control mechanisms*
- Procurement – *frameworks, conflicts of interests, segregation and training*
- Secondary Employment – *obligations and audits*
- Unsolicited Proposals – *frameworks, communications and training.*

The Commission has a performance target of 50 recommendations aimed at improving public integrity each year.

The Commission’s tabled reports are available on the Commission’s website.¹³

¹³ [Published reports | Independent Commission Against Corruption SA \(icac.sa.gov.au\)](https://www.icac.sa.gov.au)

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(xi) The number and general nature of reports made to the Attorney-General, President of the Legislative Council or Speaker of the House of Assembly.

The Commission publishes reports about integrity issues in South Australian public administration where it is in the public interest to do so.

Reports may include findings or recommendations resulting from completed investigations or other matters identified during the course of the Commission’s functions.

During the reporting period, the Commission provided the following nine reports to the Attorney-General, the President of the Legislative Council and the Speaker of the House of Assembly, in accordance with either section 41 or 42 of the ICAC Act.

Off the Radar – Failures of supervision

Tabled on 29 August 2023, this report outlines how the inadequate supervision of staff can lead to impropriety and corruption. The report makes six recommendations aimed at strengthening accountability measures, including by properly defining and documenting roles, rules, expectations and reporting responsibilities for business units, staff, and those responsible for managing them.

Robust Recruitment

Tabled on 29 August 2023, this report focuses on inadequate recruitment practices observed across a number of investigations by the Commission. While the report does not make explicit recommendations, it highlights how inadequacies in recruitment practices, policies and procedures expose public administration to the risk of corruption and provides public authorities with guidance for mitigating those risks.

Integrity Trade-off – an update on Troubling Ambiguity: Governance in SA Health

Tabled on 29 August 2023, this report provides an update on integrity issues in SA Health in relation to clinician rights of private practice and attendance. The report made three recommendations to address deficiencies in governance and industrial arrangements.

Response to Inspector's Review of the investigation and prosecution of Mr John Hanlon

Tabled on 26 September 2023, this report responds to Commission Inspector, Mr Philip Strickland SC's review of the investigation and prosecution of Mr John Hanlon.

Integrity State – Corruption prevention recommendations

Tabled on 17 October 2023, this report summarises 16 prevention letters provided to public authorities during the 2022-23 financial year, where investigations revealed vulnerabilities to corruption.

The 16 prevention letters contained 51 recommendations.

Evaluation of grants administration – Phase one: Commercial grants

Tabled on 28 November 2023, this report details information and recommendations made during the first phase of the Commission's evaluation of grants administration. Phase one of the evaluation focussed on commercial, entrepreneurial and research grants and made 29 recommendations directed to either the Department for Industry, Innovation and Science or the Department for Trade and Investment.

Evaluation of grants administration – Phase two: Emergency grants

Tabled on 30 April 2024, this report details information and recommendations made during the second phase of the Commission's evaluation of grants administration. Phase two focussed on emergency grants and made nine recommendations across the Department of Primary Industries and Regions South Australia, the Department of Treasury and Finance, and the Department of the Premier and Cabinet. The report also contained a broad recommendation for all agencies involved in emergency grants administration.

Commissioner's response to three reports of the Inspector

Tabled on 4 June 2024, this report responds to the Commission Inspector's review of three matters dealt with by the Commission.

Buying Trust – Corruption Risks in Public Sector Procurement

Tabled on 4 June 2024, this was the second report in the Commission's examination of corruption risks in public sector procurement. The report includes case studies illustrating common corruption risks and makes 18 recommendations to address weaknesses in public sector procurement.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(b)(xii) A description of the activities carried out in relation to its evaluation and educational functions.

Evaluation function

The Commission may evaluate the practices, policies and procedures of inquiry agencies and public authorities with a view to advancing comprehensive and effective systems for preventing or minimising corruption in public administration.

During the reporting period the Commission completed four evaluations.

The Commission has a performance target of completing at least two evaluations each financial year.

Evaluation of grants administration – Phase one: Commercial grants

The Evaluation of grants administration – Phase one: Commercial grants examined both the Department for Industry, Innovation and Science and the Department for Trade and Investment and was completed in November 2023.

The evaluation reviewed and assessed the practices, policies and procedures of those departments including the initiation, planning, promotion, approval and execution of grants and conflicts of interests management. Assessments and recommendations were made on the integrity, controls and due diligence evident at each stage of a grants program.

Evaluation of grants administration – Phase two: Emergency grants

The Evaluation of grants administration – Phase two: Emergency grants examined the Department of Primary Industries and Regions South Australia, and the Department for Treasury and Finance. The evaluation was completed in April 2024 and examined four programs administered by the two public authorities during the COVID-19 pandemic, the 2019-20 Black summer bushfires and 2022-23 Murray River floods. The evaluation was focused on the program level rather than administration of individual grants.

The evaluation reviewed and assessed corruption vulnerabilities arising from time and resource pressures, adequate preparedness, staff training, surge capacity, due diligence and management of conflicts of interests. Assessments and recommendations were made, including on the improvement of data sharing to safeguard against fraud and corruption in emergency grants.

Education function

The Commission leads and delivers an education program aimed at assisting public authorities and public officers to prevent or minimise corruption in public administration.

Online learning, video resources, and advisories are made available to provide to public officers and the community a better understanding of corruption risks and integrity measures.

Presentations, seminars and workshops

The Commission’s presentations and workshops reach a diverse range of participants from executives to front line staff, external contractors and police cadets.

During the reporting period 51 education sessions were delivered by way of presentations and workshops to over 1,500 attendees from public administration.

Of particular significance was the *Lobbying and Influence Public Forum*, where an expert panel examined integrity risks associated with lobbying and influencing activity in South Australia, and the adequacy of the current regulatory scheme.

The Commission’s internal investigations workshop *What Happened? How to Conduct an Internal Investigation* continues to be in high demand. Five workshops were delivered during the reporting period.

Education sessions	2023-24	2022-23	Change (+ / -)
Education sessions delivered	51	33	18
Attendees	1,560	935	625

Online education programs

During the reporting period, the Commission offered three online education programs.

- Conflict of Interests
- Internal Investigations – Concepts and Principles
- Preserving Integrity in Public Administration.

Enrolments totalled 3,862.

Education resources

The Commission makes resources available to assist public officers and members of the community to understand the importance of public integrity and the role of the Commission. Those resources are available on our website.

In addition, during the reporting period the Commission published:

- Eight news items: Four related to corruption and integrity matters including whistleblower protection and complaint management. The other four contained updates of general interest relevant to the Commission's functions.
- Six resources to assist and educate public authorities and public officers on corruption and integrity related matters including:

Integrity Spotlight Advisories

- Government Emails
- Integrity in Government Boards
- Lessons from the Royal Commission into the Robodebt Scheme
- Misuse of public sector resources

Integrity Spotlight Alerts

- Compliance and enforcement powers in Local Government

Fact Sheet

- Volunteering with State and Local Government Authorities.

Prevention letters

The Commission advises public authorities of the lessons emerging from completed investigations and opportunities to minimise and prevent corruption.

This generally takes the form of a *prevention letter* to the public authority. These outline observations by the Commission and make recommendations to improve the agency's practices, policies, procedures and training initiatives.

During the reporting period, the Commissioner sent nine prevention letters to public authorities:¹⁴

- six to state government departments or statutory authorities
- two to local health networks
- one to a council.

Public authorities are responsive to receiving such letters, and many inform the Commission of the action taken or intended to address the matters raised.

¹⁴The 16 prevention letters summarised in Integrity State – Corruption prevention recommendations report relate to letters sent to public authorities in 2022-23.

Communication and engagement

The Commissioner and the Commission's employees make themselves available to engage with stakeholders where possible and appropriate. This may extend to guest speaker roles at various board meetings, forums and conferences.

Various engagement channels are used to communicate with public officers and the community, the most utilised being the Commission's website.

Section 48(1) of the ICAC Act describes the material that must be available on the Commission's website, including:

- information about educational programs conducted or facilitated by the Commission
- information about the Commission's evaluations
- information about the other functions of the Commission
- the Commission's standard operating procedures
- reports prepared under sections 41 and 42 of the ICAC Act
- the Commission's annual reports
- information designed to assist in preventing or minimising corruption.

The material required by section 48(1) is available on the Commission's website. The Commission is currently developing a new website which will be launched in the 2024-25 financial year.

The Commission has a performance target of delivering 60 prevention, education or information initiatives each year. During the reporting period 85 initiatives were delivered.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i>	Section 45(4)(c) Deal with any other matters stipulated by the regulations

There are no matters to report.

Act or Regulation	Requirement
<i>Police Complaints and Discipline Act 2016</i>	Section 31(1) Report on the number and general nature of sanctions imposed under section 26 in relation to breaches of discipline in the preceding financial year.

The Commission has limited involvement in the operation of the PCD Act; however, the Commission is required to report on the number and general nature of sanctions imposed on designated officers under that Act.

Those sanctions are imposed by the Commissioner of Police. The Commission does not have any role in making findings in relation to a breach of discipline by a designated officer or in the sanctions imposed. In most cases, the Commission has no knowledge of the matters reported under section 26 of that Act.

Sanctions imposed under the *Police Complaints and Discipline Act 2016*

The Commissioner of Police has provided the following tables outlining breaches of discipline and the sanctions imposed.

Sanctions that may be imposed by the Commissioner of Police are found in those regulations that were in force at the time the breach of the Code of Conduct occurred. The Code of Conduct prescribed by Schedule 3 of the *Police Complaints and Discipline Regulations 2017* has been in effect since 4 September 2017.

Officers may be sanctioned for breaches occurring under different regulations. It can take time for alleged breaches to be appropriately resolved and a sanction applied.

1 July 2023 to 30 June 2024:

SA Police reference No.	Section 26 (1)(a) Police Complaints and Discipline Act 2016 'Criminal Offences'	Sanctions imposed by Sentencing Officer
Q1 – 1	Criminal – Firearm Offence	Criminal conviction / Transfer and recorded reprimand
Q1 – 2	Criminal – Traffic Offence	Criminal Conviction / Fine / Recorded reprimand
Q1 – 3	Criminal – Traffic Offence	Fine without conviction / Recorded reprimand
Q2 – 1	Criminal – Traffic Offence	Criminal conviction / Fine and Licence Disqualification / Recorded Reprimand and Transfer
Q3 – 1	Criminal – Fraud Offence Criminal – Firearm Offence	Employment with SAPOL Terminated

1 July 2023 to 30 June 2024:

SA Police reference No.	Section 26 (1)(b) and (c) Police Complaints and Discipline Act 2016 'Code of Conduct' – Police Complaints and Discipline Regulations 2017	Sanctions imposed by Sentencing Officer
Q1 – 2	Clause 2: Honesty & Integrity – Integrity Clause 3: Conduct Prejudicial – Reflects Adversely Clause 4: Performance of Orders / Duties – Failure to carry out General Order Clause 5: Negligence – Inadequate Service Delivery	Fine / Transfer / Reduction in Rank
Q1 – 3	Clause 3: Conduct Prejudicial – Reflects Adversely Clause 4: Performance of Orders / Duties – Failure to carry out General Order Clause 5: Negligence – Inadequate Service Delivery	Fine / Recorded Reprimand / Transfer
Q1 – 4	Clause 3: Conduct Prejudicial – Good order and discipline	Fine / Recorded Reprimand /

	Clause 4: Performance of Orders / Duties – Failure to carry out General Order (2 counts) Clause 5: Negligence – Neglect of Duty	Unrecorded Reprimand
Q1 – 5	PSO: Reg 5 – Honesty & Integrity PSO: Reg 6 – Conduct Prejudicial PSO: Reg 7 – Performance of orders and duties	Counselling, Training and Education / Recorded Reprimand
Q2 – 2	Clause 8: Conflict of Interest – Conflict of Interest (2 counts) Clause 10: Confidentiality of Information – Improper Release / Access (14 counts)	Fine / Recorded Reprimand
Q2 – 3	Clause 3: Conduct Prejudicial – Reflects Adversely	Fine / Recorded Reprimand / Unrecorded Reprimand
Q2 – 4	Clause 8: Conflict of Interest (2 counts) Clause 10: Confidentiality of Information – Improper Release / Access (11 counts)	Fine / Recorded Reprimand
Q3 – 2	Clause 2: Honesty & Integrity – Honesty Clause 4: Performance of Orders / Duties – Failure to carry out General Order	Fine / Recorded Reprimand
Q3 – 3	Clause 4: Performance of Orders / Duties – Failure to carry out General Order	Recorded Reprimand
Q3 – 4	Clause 7: Conduct public / SAPOL – Conduct towards Employee	Recorded Reprimand
Q3 – 1	Clause 3: Conduct Prejudicial – Good Order & Discipline / Reflects Adversely	Employment with SAPOL terminated
Q4 – 1	Clause 2: Honest & Integrity – Honesty Clause 3: Conduct Prejudicial – Reflects Adversely Clause 5: Negligence – Neglect of Duty	Fine / Recorded Reprimand
Q4 – 2	Clause 4: Performance of Orders / Duties – Failure to carry out a lawful order (3 allegations) Clause 5: Negligence – Neglect of Duty	Fine / Recorded Reprimand
Q4 – 3	Clause 4: Performance of Orders / Duties – Failure to carry out a lawful order (3 allegations) Clause 5: Negligence – Neglect of Duty	Fine / Recorded Reprimand
Q4 – 4	Clause 4: Performance of Orders / Duties – Failure to carry out General Order (2 allegations)	Fine / Counselling, Training and Education /

		Recorded Reprimand
Q4 – 5	Clause 2: Honesty & Integrity – Integrity Clause 4: Performance of Orders / Duties – Failure to carry out General Order (2 allegations)	Fine / Counselling, Training and Education / Recorded Reprimand

1 July 2023 to 30 June 2024:

SA Police reference No.	Section 26 (1)(b) and (c) <i>Police Complaints and Discipline Act 2016</i> 'Code of Conduct' – <i>Police Regulations 2014</i>	Sanctions imposed by Sentencing Officer
	NIL Reports for the table	

1 July 2023 to 30 June 2024:

SA Police reference No.	Section 26 (1)(b) and (c) <i>Police Complaints and Discipline Act 2016</i> 'Code of Conduct' – <i>Police Regulations 1999</i>	Sanctions imposed by Sentencing Officer
	NIL Reports for the table	

For data on 'Reporting required under any other Act or regulation' for previous years, see <https://data.sa.gov.au/data/dataset/icac-annual-report-data-reporting-required-under-any-other-act>

Public complaints

Schedule 4 of the ICAC Act provides for the appointment of an Inspector who is responsible for an annual review examining the operations of the Commission. The Inspector also conducts reviews of matters arising from relevant complaints, and other reviews as contemplated by the schedule.

In the case of an annual review examining the operations of the Commission, the Inspector is required to deliver a report to the President of the Legislative Council and the Speaker of the House of Assembly on or before 30 September in the following financial year. In any other case, the Inspector is required to deliver a report to the President of the Legislative Council and the Speaker of the House of Assembly as soon as practicable after completion of the review.

In order to enable the Inspector to carry out his work, full and unfettered access to the Commission's corporate systems and hardcopy material is provided to him and employees of his office.

Any person can make a relevant complaint to the Inspector. A 'relevant complaint' is defined in Schedule 4 of the ICAC Act to be:

A complaint made in accordance with any requirements prescribed by the regulations relating to the conduct of any person exercising or purporting to exercise functions and powers under this Act.

Number of public complaints reported

The Commissioner and employees of the Commission are subject to external review by the Inspector. During the reporting period all complaints made to the Commission regarding the conduct of the Commissioner or an employee were brought to the attention of the Inspector. Complaints may also be made directly to the Inspector. The number of complaints received will be reported by the Inspector.

Data for previous years is available at <https://data.sa.gov.au/data/dataset/icac-reporting-data-public-complaints>

Other accountability mechanisms

The operations of the Commission and the ICAC Act are subject to review by the Parliamentary Crime and Public Integrity Policy Committee. Other legislation provides for supervision of different aspects of the Commission's operations by the Commonwealth Ombudsman, the Commonwealth Department of Home Affairs, the South Australian Attorney-General and the Auditor-General.

The Commission invests a great deal of time and effort in ensuring it meets its many compliance responsibilities.