



## PARLIAMENT OF AUSTRALIA

### Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity

#### Annual Report 2021-22 Public hearing –8 February 2023 Questions Taken on Notice Australian Commission for Law Enforcement Integrity

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**Senator SHOEBRIDGE:** The average delay is 852 days, almost 2½ years. What is the longest delay that you've been tracking?

**Mrs Hinchcliffe:** Mr Ratcliffe, do you have that number.

**Mr Ratcliffe:** I don't have that number. What I can tell you is that, since the annual report, that number has dropped to 697 days, which is still not ideal.

**Senator SHOEBRIDGE:** It would be useful for my purposes to see that agency by agency. Could you provide that detail? I tend to find the average is not a useful figure. The median would be a far more accurate reporting figure and an identification of what the longest outstanding is.

**Mrs Hinchcliffe:** Of course, that changes at a point in time, but we will take that on notice and get that information for you.

**Senator SHOEBRIDGE:** If we could get it for the end of 2021-22 so that we can compare it to that and then whatever the current figures are, that would be great...

**Answer:**

- (a) As at 8 February 2023 the longest running agency investigation was a Home Affairs investigation, which had been running for 1621 days since the corruption issue was referred back to Home Affairs for investigation.
- (b) The median duration of finalised investigations by agency for 2021-2022 and 2022 – 8 February 2023 are set out below

2021-2022

Agency	Total number of finalised investigations	Median duration of finalised investigation
ACIC	1	N/A (1 report with duration of 632 days)
AFP	20	760 days
Home Affairs	61	696 days
DAWE	7	1020 days
ASIC	1	N/A (1 report with duration of 165 days)



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Total s 66 reports provided to the Integrity Commissioner	90	652 days
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2022- 8 February 2023

Agency	Total number of finalised investigations	Median duration of finalised investigation
ACIC	1	N/A (1 report with duration of 1563 days)
AFP	8	810.5 days
Home Affairs	20	972 days
DAWE	4	1311 days
ATO	1	N/A (1 report with duration of 342 days)
Total s 66 reports provided to the Integrity Commissioner	34	974.5 days

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**Senator SHOEBRIDGE:** I'm trying to find out how many section 66 reports were received from different agencies and whether they found corruption or didn't find corruption, and whether you were satisfied with the action that was taken. That seems to be an important part of your work, given more than half of the identified corruption issues are dealt with that way. Can you give us that?

**Mrs Hinchcliffe:** Under the act, agency heads have to provide, as I said, a report under section 66. Then I can make recommendations or comments on that. On my recollection, there's discussion in the act in terms of whether or not I've made any comments in relation to those matters in that financial year. I'm happy just to have a quick look for that for you.

**Answer:**

Once an agency submits its investigation report required by section 66 of the *Law Enforcement Integrity Commissioner Act 2006* (the LEIC Act), it is reviewed by ACLEI. The review considers whether the investigation covered relevant lines of inquiry, if relevant people were spoken to during the investigation and the outcome of the investigation.

After this review, the Integrity Commissioner determines whether to make any recommendations or comments relating to the report or the investigation under section 67 of the LEIC Act. In 2021-22,



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the Integrity Commissioner made one recommendation under section 67(1)(a) of the LEIC Act, which was accepted by the Head of the relevant law enforcement agency.

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**Senator SHOEBRIDGE:** Can you give us the data from 2020-21 on the number of section 66 reports and the number that identified corruption, and can you give us the data, if you have it, for this financial year on the section 66 reports and the number that identified corruption?

**Mrs Hinchcliffe:** Yes. The number of section 66 reports is on page 66 of the annual report. The total number we reviewed this financial year has been 89, and the number that we reviewed within our time frame was 87. That's in table 15. Just above that, it indicates that I made one recommendation, which was accepted by the partner agency, out of those 89 that were reviewed. So that was the number that we received.

**Senator SHOEBRIDGE:** But what was the outcome from it? How many identified corruption? Did it have a corruption finding?

**Mrs Hinchcliffe:** We'll take that on notice for you.

**Answer:**

**In 2020 – 2021,** 91 section 66 reports were provided to the Integrity Commissioner under the LEIC Act. In 28 of those reports, the agency reported making an adverse finding as a result of the investigation.

**In 2021 - 2022,** 90 section 66 reports were provided to the Integrity Commissioner under the LEIC Act. In 23 of those reports, the agency reported making an adverse finding as a result of the investigation.

**In 2022-2023 as at 8 February 2023,** 34 section 66 reports have been provided to the Integrity Commissioner under the LEIC Act. In 5 of those reports, the agency reported making an adverse finding as a result of the investigation.