



Our ref: 17/1024

5 June 2018

Ms Sophie Dunstone
Committee Secretary
Parliamentary Joint Committee on the
Australian Commission for Law Enforcement Integrity
PO Box 1600
Parliament House
Canberra ACT 2600

Dear Ms Dunstone

Examination of the Annual Report of the Integrity Commissioner 2016-17

I acknowledge receipt of the draft Hansard transcript of the Committee hearing held on 10 May 2018. I have reviewed my evidence and seek to clarify the record in a number of areas.

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Senator BILYK: Sorry, Commissioner. Are you talking about including the non-ongoing staff? I'm talking about permanent staff.

Mr Griffin: Not including them.

Senator BILYK: So it's at 52, is it?

Mr Griffin: Yes.

As at 30 April 2018, ACLEI's staffing profile was as follows:

Ongoing employees (and Integrity Commissioner)	37
Non-ongoing (specified-term) employees	9
Temporary transfers and secondments	6
Total	52
Ongoing employees on leave/transfer	2
Non-ongoing (Casual) employees	7

ACLEI's staffing headcount, including ongoing employees, non-ongoing (specified term) employees, temporary transfers and secondments from other agencies, was 52 as at 30 April 2018. However, this number does consist of both ongoing (permanent) and non-ongoing employees, as well as secondments and temporary transfers.

To ensure it operates within its budgeted Average Staffing Level (ASL), ACLEI utilises a mix of ongoing, non-ongoing and casual employment (which count towards ASL) as well as secondments from other agencies (which do not count towards ASL).

ACLEI's budgeted ASL for the current 2017-18 Financial Year is 49. As at 30 April 2018, ACLEI's year to date ASL was running at 48.67 (excluding casual employees).

Due to funding measures that terminate at the end of the 2018-19 Financial Year, ACLEI's budgeted ASL for 2019-20 is expected to be as low as 43. The use of non-ongoing employees in positions associated with terminating funding ensures that the agency can continue to operate within its budget should additional funding not be secured into the future.

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Mr BUCHHOLZ: For the benefit of Hansard can you run the committee through the summary of prosecutions arising from your activities? It looks like a number of prosecutions there.

Mr Griffin: Operation Murray was an issue that arose out of Sydney Airport. It was quite a complex investigation that revealed a considerable spread of criminal and corrupt activity within the then Customs staff.

Operation Murray was actually in relation a joint ACLEI and AFP investigation into corruption within the AFP Sydney Office which resulted in the conviction of a sworn officer of the AFP as well as the civilian mentioned in the 2016-17 Annual Report.

CHAIR: Will we see the statistics in next year's report showing a further aberration or will it be more stable from here?

Mr Griffin: There are a number of factors operating there. One of them that probably isn't apparent in the report is that the act enables me to enter into section 17 agreements with agency heads about what matters will be considered non-significant corruption or significant corruption. I have entered an agreement with the Australian Federal Police Commissioner to that effect and I have recently entered one with the Secretary of the Department of Immigration and Border Protection. So before those agreements they sent me everything that raised a corruption issue. Now they can keep things that we've agreed under those MOUs are not significant corruption. They'll deal with those and they'll tell me later.

CHAIR: Is that falling down to 135 the year after a reflection of those agreements, unless they were saving them up for you? If it bumped because you took on Immigration and Border Protection then I would have thought that that would continue at the higher level in the normal course rather than dropping down so significantly again, unless the reason is those agreements.

Mr Griffin: It's partially the agreements. It's partially the legacy matters that they had.

While the section 17 agreements that I have put in place with the AFP and Home Affairs have resulted in significant investigative efficiencies, as the issues arising under these agreements are still reported in our statistics, they cannot be said to have had any influence on the numbers reported in the Annual Report.

Question on Notice

On page 10, I agreed to take on notice the following query from the Chair:

Does it explain the referrals from other sources, though? There was a bump in 2015-16 and then a drop afterwards. It's on page 22.

Statistics for referrals from other sources—being referrals from government agencies other than those in jurisdiction—including state-based agencies, can be quite variable and there is no apparent underlying basis for the drop seen in the figures from 2015-16.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Griffin'.

Michael Griffin AM
Integrity Commissioner