

Neil Winzer

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Submission No. 59a

Date Received

BY: LACA

Committee Secretary

House of Representatives Standing Committee on Legal and Constitutional Affairs

CANBERRA ACT 2600

Inquiry into whistleblowing protections within the Australian Government public sector

I began my submission of 29.10.08 to you with the seemingly obvious and reasonable proposition that, in the public interest, all 'authorities' should be accountable.

I explained in regard to my 'whistleblower' claim that as a result of the entire network of Western Australian authorities effectively operating without an accountability regime in place, a problem has been created at the Federal level. That problem is adequate security checks have not been carried out in regard to the member the Board of the Australian Crime Commission who, I claim, has, or may have had, engaged in corrupt conduct.

From the documentation I provided you would now understand that the Board of the Australian Crime Commission is not within the jurisdiction of any Federal authority. That is, having approached every authority in the Federal network, I discovered that my offer to present the evidence I have as to that member of the Board of the ACC was not going to be or could not be taken up. I was referred back to the Western Australian authorities.

However, I have pressed my claim to the 'end of the line' in WA and discovered that ultimately, there is no accountability.

Malcolm McCusker AO QC, the Parliamentary Inspector of the Western Australian Corruption and Crime Commission has on 5.11.08 advised:

"...that my jurisdiction under section 195 of the *Corruption and Crime Commission Act 2003* does not included a power to:

- direct the Commission to investigate any issue raised by you;
- direct the Commission to revisit any particular issue raised by it; or
- direct the Commission to provide any further explanation to you other than that in its assessment of 14 August 2008."

Copies of the Parliamentary Inspector's letter of 5.11.08 and my submissions to him of 5.11.08 and 10.11.08 are attached. I strongly contend the detail I provided 5.11.08 will 'open your eyes'.

I submit to you that membership of the Board of the ACC is a national security issue and therefore some measure of accountability should apply. Furthermore, I submit that it is reasonable for me to ask for a 'put up [evidence] or shut up' opportunity and protection.

Yours sincerely

Neil Winzer