

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN CRIME COMMISSION

Question No. 73

Senator Ludwig asked the following question at the hearing on 14 February 2006:

- a) As a result of any of the complaints against the ACC brought to the Ombudsman or through internal ACC complaints procedures, did the ACC institute any new procedures or guidelines?
- b) If so, what were they and why were they necessary?

The answer to the honourable senator's question is as follows:

- a) Yes
- b) Following the allegations of corrupt behaviour against former NSW Police seconded officer Samuel Foster and former Victoria Police seconded officer James McCabe, the ACC commissioned an independent, external investigation of the operational and corporate implications of the allegations against two seconded police officers. The investigation was undertaken by two senior investigators. Their report was titled "*A review of operational and corporate implications arising from the alleged activities of certain police secondees to the former National Crime Authority and Australian Crime Commission during the period 28 February 2000 to 18 February 2004: A report commissioned by the Australian Crime Commission*". The review was completed on 8 June 2004 and made 53 recommendations on the ACC's operational and corporate policies and procedures to improve the ACC's ability to prevent and detect corrupt behaviour.

The Commonwealth Ombudsman undertook an investigation of the ACC's independent review. The Commonwealth Ombudsman's report *Own motion investigation into a review of the operational and corporate implications for the Australian Crime Commission arising from alleged criminal activity by two former secondees*, was completed on 28 June 2004. The Ombudsman endorsed the review's recommendations and made three additional recommendations.

The recommendations relate to operational methodology and in accordance with long-standing convention the ACC will not reveal operational methodology.

The Commonwealth Ombudsman undertook a further review, during November 2004, of the ACC's implementation of the recommendations from the independent, external review and the Ombudsman's own recommendations. The Ombudsman was satisfied that the ACC had developed policies and programs to promote the concepts of professionalism and integrity as its primary corruption risk management approach, and commended the ACC for its commitment not only to developing these documents, but to formulating a strategy to address the issues that had been identified. He formed the opinion that the actions taken by the ACC were appropriate and proportional responses to the independent, external review and the Ombudsman's recommendations.

All policies and procedures have been reviewed and revised, where appropriate, to ensure they meet contemporary business needs.

Random auditing of vehicle log books and police diaries has been implemented to complement existing regular auditing.

A position of Professional Standards and Integrity Coordinator has been created and filled to improve the ACC's ability to develop, implement and monitor professional standards and integrity measures.

A Professional Standards and Integrity Management Plan has been developed and implemented to promote professional standards and integrity.

A Fraud and Corruption Prevention Advisory Group has been created to provide advice to the ACC Senior Executive on fraud control.

The ACC developed programs to improve awareness of corruption, fraud and ethics issues.