

Public complaints

2020-21

Schedule 4 of the ICAC Act provides for the appointment of an independent reviewer who is responsible for an annual review of the exercise of the ICAC's powers, review of matters arising from relevant complaints and other reviews as contemplated by the schedule. The independent reviewer is required to present a report to the Attorney-General on or before 30 September each year setting out findings from an annual review of the exercise of powers.

The independent reviewer is the Honourable John Sulan QC.

In order to enable the reviewer to carry out his work, full and unfettered access is provided to corporate systems and hardcopy material.

Any person can make a relevant complaint to the reviewer. 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 an abuse of power, impropriety or other misconduct on the part of the Commissioner or employees of the Commissioner or of the Office [for Public Integrity].

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

The ICAC (including the OPI) invests a great deal of time and effort in ensuring it meets its many and varied compliance responsibilities.

Number of public complaints reported

The Commissioner, Deputy Commissioner and employees are subject to external review by the reviewer appointed under the ICAC Act. In 2020-21 all complaints made to the ICAC or the OPI regarding allegations of impropriety by the former and current Commissioner, Deputy Commissioner or an employee have been brought to the attention of the reviewer. Complaints may also be made directly to the reviewer, who reports the number of complaints he receives.

2019-20

Oversight

Schedule 4 of the ICAC Act provides for the appointment of an independent reviewer who is responsible for an annual review of the exercise of powers, review of matters arising from relevant complaints and other reviews as contemplated by the schedule. The independent reviewer is required to present a report to the Attorney-General on or before 30 September each year setting out findings from an annual review of the exercise of powers.

The independent reviewer is the Hon. John Sulan QC.

In order to enable the independent reviewer to carry out his work, full and unfettered access is provided to all corporate systems and hardcopy material. Live remote access to systems was limited for a short period while the organisation amended its systems to cater to widespread working from home arrangements in response to the coronavirus pandemic.

Any person can make a relevant complaint to the independent reviewer. 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 an abuse of power, impropriety or other misconduct on the part of the Commissioner or employees of the Commissioner or of the Office [for Public Integrity].

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

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

Number of public complaints reported

The Commissioner, Deputy Commissioner and employees are subject to external oversight by the independent reviewer appointed under the ICAC Act. In 2019-20 all complaints made to the ICAC or the OPI regarding allegations of impropriety by the Commissioner, Deputy Commissioner or a staff member have been brought to the attention of the independent reviewer. Complaints may also be made directly to the independent reviewer. The number of complaints received will be reported by the independent reviewer.

2018-19**Oversight**

Schedule 4 of the ICAC Act provides for the appointment of an independent reviewer who is responsible for an annual review of the exercise of powers, review of matters arising from relevant complaints and other reviews as contemplated by the schedule. The independent reviewer is required to present a report to the Attorney-General on or before 30 September each year setting out findings from an annual review of the exercise of powers.

The Hon. Kevin Duggan AM QC was the independent reviewer until 2 April 2019. The current independent reviewer is the Hon. John Sulan QC.

In order to enable the independent reviewer to carry out his work, full and unfettered access is provided to all corporate systems and hardcopy material.

Any person can make a relevant complaint to the independent reviewer. 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 an abuse of power, impropriety or other misconduct on the part of the Commissioner or employees of the Commissioner or of the Office [for Public Integrity].'

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

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

Number of public complaints made

The ICAC, Deputy Commissioner and his staff are subject to external oversight by the independent reviewer appointed under the ICAC Act. In 2018-19 all complaints made to the ICAC or the OPI regarding allegations of impropriety by the ICAC, Deputy Commissioner or a staff member have been brought to the attention of the independent reviewer. Complaints may also be made directly to the independent reviewer. The number of complaints received will be reported by the independent reviewer.

2017-18

On 15 July 2017 the Hon. Kevin Duggan AM QC was proclaimed the independent reviewer under Schedule 4 of the ICAC Act. Complaints regarding ICAC/OPI, including public complaints and expressions of dissatisfaction with the service received, or the conduct of employees or contractors working for the organisation have been referred to Mr Duggan through the financial year.

In 2017-18 and 2018-19 the specific numbers of complaints were not provided. The independent reviewer reports on public complaints about the ICAC / OPI.

Public complaints - summary of complaints by subject and outcomes

Category of complaints by subject	2016-17	2015-16	2014-15	2013-14 ¹
Service quality / delivery	0	0	0	Not reported
Behaviour of staff	0	0	1	
Service access / processes / procedures	0	0	1	
Other complaints	0	0	0	
Total complaints	0	0	2	

The above table does not include complaints made by people that may be aggrieved with a decision or outcome in relation to a complaint or report made to the OPI about public administration. It includes only complaints that express dissatisfaction with the service received, or the conduct of employees or contractors working for the organisation.

¹ Public complaints were not reported in 2013-14.