

Australian Public Service Commissioner



Australian Government
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Mr Russell Matheson MP
Chair
Parliamentary Joint Committee on the Australian
Commission for Law Enforcement Integrity
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Mr Matheson

Thank you for the invitation to make a submission to the parliamentary inquiry into the jurisdiction of the Australian Commission for Law Enforcement Integrity (ACLEI). I am happy for the Committee to publish this submission on its website.

In previous submissions to the Committee about the jurisdiction of the Australian Commissioner for Law Enforcement Integrity I have noted that there was little evidence to support a conclusion that there is widespread or systemic corruption with the Australian Public Service (APS). Since that time ACLEI and its partner agencies have identified a number of serious instances of corrupt behaviour. Nonetheless the available data indicates that, taken overall, the incidence of corruption within the APS remains relatively low and there does not appear to be a strong case to extend ACLEI's jurisdiction on that evidence.

It may be helpful to the Committee's deliberations to report that we are moving to improve the level of data we hold about corruption in the APS. In this year's employee census conducted for the purposes of the State of the Service Report we are seeking new data on the perceptions of Australian Public Service employees about corruption risk in their agencies. This data, along with data concerning the incidence of internal corruption collected from agencies, will be published in November this year.

In the meantime, given the relative shortage of available evidence, this submission comments only on 5 and 6 of the inquiry's terms of reference concerning the preferred approach and method for altering ACLEI's jurisdiction, if the Committee considers this necessary.

I support the proposal that any change to the jurisdiction of ACLEI should be activity-based, i.e. focussed on particular law-enforcement activities within an agency, rather than adopting a whole of agency approach. This would allow ACLEI and agencies to take a strategic, targeted approach to dealing with suspected corruption. Importantly, it would also support continuity of

approach in the event of any relevant machinery of Government change that altered administrative arrangements between agencies.

In terms of the method of implementing any change to the jurisdiction, I also support adopting a model that would allow APS agency heads to refer issues of suspected corruption to ACLEI as appropriate, consistent with the method proposed for extending the jurisdiction to 'Tier 2' agencies in ACLEI's July 2009 submission to the Committee.

Yours sincerely

Stephen Sedgwick AO, FIPAA

14 May 2014