

Chapter 1

Introduction

1.1 The Australian Commission for Law Enforcement Integrity (ACLEI) was established by the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act), and commenced operation on 30 December 2006. The LEIC Act established the Office of Integrity Commissioner, supported by a statutory authority, ACLEI.

1.2 Section 3 of the LEIC Act sets out the objectives of ACLEI to:

- facilitate the detection of corrupt conduct in law enforcement agencies;
- facilitate the investigation of corruption issues that relate to law enforcement agencies;
- enable criminal offences to be prosecuted, and civil penalty proceedings to be brought, following those investigations;
- prevent corrupt conduct in law enforcement agencies; and
- maintain and improve the integrity of staff members of law enforcement agencies.¹

1.3 The 2013-14 Annual Report of the Integrity Commissioner (annual report) was presented to the Minister for Justice, the Hon Michael Keenan MP, on 7 October 2014, and tabled in the Senate on 27 October 2014² and in the House of Representatives on 24 November 2014.³

Requirements for annual reports

1.4 Section 201 of the LEIC Act sets out the requirement for ACLEI to provide an annual report that must provide details of:

- corruption issues notified to the Integrity Commissioner dealt with by the Integrity Commissioner or referred to a government agency for investigation. Reports must include corruption issues investigated over the year and certificates issued under section 149 during the year⁴;
- investigations conducted that 'raise significant issues or developments in law enforcement' and the extent to which ACLEI investigations have resulted in prosecutions or confiscation proceedings;

1 *Law Enforcement Integrity Commissioner Act 2006*, s. 3.

2 *Journals of the Senate*, 27 October 2014, p. 1604.

3 *House Votes and Proceedings*, 24 November 2014, p. 979.

4 Certificates issued under section 149 relate to the Attorney-General's ability under the LEIC Act to certify that disclosure of information or document contents would be contrary to the public interest on one or more grounds. These include, but are not limited to: prejudicing the security, defence or international relations of the Commonwealth; or the disclosure of ministerial communications or relations between the Commonwealth and states and territories.

- trends and patterns including the nature and scope of corruption in law enforcement and other Commonwealth agencies that have law enforcement functions; and
- recommendations for changes to Commonwealth laws or administrative practices of Commonwealth government agencies.

1.5 The 2013-14 annual report includes an index that provides a guide to the report's compliance with the requirements set out in the LEIC Act and associated regulations. The committee is satisfied that ACLEI has fulfilled its annual report obligations under the LEIC Act and other requirements as set out in the compliance index of the annual report.⁵

Requirements for the examination of annual reports

1.6 Paragraph 215(1)(c) of the LEIC Act requires the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity (the committee) to examine:

- each annual report prepared by the Integrity Commissioner under section 201;
- any special report prepared by the Integrity Commissioner under section 204; and
- report to the Parliament on any matter appearing in, or arising out of any such annual report or special report.

Requirements for special reports

1.7 Under section 204 of the LEIC Act, the Integrity Commissioner may prepare special reports that relate to the operations of the Integrity Commissioner or any matter in connection with the performance of the Integrity Commissioner's powers or functions under the LEIC Act.

1.8 In its report on ACLEI's 2010-11 annual report, the committee suggested that future ACLEI annual reports 'clearly state whether any special reports have been provided to the Minister and make an appropriate reference in the compliance index'.⁶ ACLEI has adopted this suggestion.

1.9 The 2013-14 annual report states that the Integrity Commissioner prepared no special reports under section 204 of the LEIC Act during the review period.⁷

5 ACLEI, *Annual Report of the Integrity Commissioner 2013-14*, pp 210-211.

6 PJC ACLEI, *Examination of the Annual Report of the Integrity Commissioner 2010-11*, p. 2.

7 ACLEI, *Annual Report of the Integrity Commissioner 2013-14*, p. 212.

Conduct of the inquiry

1.10 The committee held a public hearing to examine the annual report on 27 November 2014. During the hearing, the committee heard evidence from the Acting Integrity Commissioner, Mr Robert Cornall AO and other ACLEI officers. The list of witnesses is provided in Appendix 1.

Acknowledgements

1.11 The committee congratulates both Mr Philip Moss and Mr Robert Cornall, for their contributions as Integrity Commissioner and Acting Integrity Commissioner respectively. The committee also congratulates ACLEI officers for their consistently high quality and readable annual reports, and for their ongoing co-operation and engagement with the committee with its inquiries.

1.12 The committee, having noted last year the impressive contribution of the inaugural Integrity Commissioner, Mr Philip Moss, wishes to extend its gratitude to the former acting Integrity Commissioner, Mr Robert Cornall.

1.13 Further, the committee wishes to congratulate Mr Michael Griffin AM on his appointment as Integrity Commissioner, effective 19 January 2015.