

The Inspector and his role

The Inspector of the Independent Commission Against Corruption is Mr Graham Kelly. He was appointed on 1 July 2005 pursuant to s. 57A of the *Independent Commission Against Corruption Act 1988* ("the Act").

The Inspector is independent of the ICAC, is appointed by the Governor and reports annually to Parliament.

The Act empowers the Inspector to investigate the ICAC's operations and conduct of its officers.

The Inspector's role is to:

- audit the operations of the ICAC;
- deal with complaints of misconduct made against the ICAC or its officers;
- deal with maladministration by the ICAC or its officers; and
- assess the ICAC's procedures concerning the legality of and propriety of its activities.



New South Wales



Office of the Inspector

**of the Independent Commission
Against Corruption**



New South Wales

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**Making complaints against
the Independent Commission
Against Corruption**



Office of the Inspector
of the Independent Commission
Against Corruption

With what kinds of complaints does the Inspector deal?

The Inspector deals with complaints of:

- alleged abuses of power, impropriety and other forms of misconduct on the part of the Independent Commission Against Corruption (“the ICAC”) or officers of the ICAC; and
- alleged maladministration on the part of the ICAC (*e.g.* delay in the handling of complaints, unreasonable invasions of privacy).

Who may make a complaint to the Inspector?

Any person may make a complaint to the Inspector—provided it is about a matter with which the Inspector is able to deal.

What form should my complaint take?

Complaints should be in writing. You may choose to use a standard complaint form available from the Office of the Inspector. Complaints may be sent via post, fax or email.

Your correspondence or form should clearly outline the nature of the complaint against the ICAC or its officers. It should also provide a summary of any evidence which supports or explains the complaint.

If you seek confidentiality, you should tell us and provide your reasons. Although confidentiality cannot always be guaranteed (because we must balance confidentiality against the need for an effective investigation), we will take your wishes and reasons into account in dealing with your complaint.

What happens to my complaint?

When your complaint is received in writing, you will be sent an acknowledgement from the Office of the Inspector.

Your complaint will be initially assessed and a decision made by the Inspector on whether or not it warrants further investigation.

What happens if my complaint is investigated?

If the Inspector assesses your complaint as warranting an investigation then the Inspector will exercise such statutory powers as he considers necessary to investigate your complaint.

The initial steps of an investigation often involve the seeking of information and submissions from concerned parties. All parties are given reasonable opportunities to present relevant material and arguments on the issues involved. If he considers it appropriate, the Inspector may convene an inquiry with the powers of a Royal Commission.

Reports and further action

In an appropriate case, the Inspector may prepare a formal report, refer matters to appropriate public authorities or officials, or recommend disciplinary or criminal proceedings.