



Australian Government

**Australian Commission for
Law Enforcement Integrity**

SUMMARY OF REPORT 01/2013

An investigation into the conduct of an Australian Federal Police appointee in relation to a conflict of interest in procurement and official duties

Regulation 20(e) of the *Law Enforcement Integrity Commissioner Regulations 2006* requires a summary of the outcomes of the investigations completed during the reporting period, together with any recommendations and any action taken as a result of the investigations, to be presented in the Integrity Commissioner's annual report.

Report 01/2013 was provided to the Minister on 10 May 2013 and has not been made public. A summary of the report appears in Chapter Six of the Integrity Commissioner's 2012–13 Annual Report, available at www.aclei.gov.au, and is reproduced below.

Public sector procurement and asset management are areas of high corruption risk, where an employee might misuse his or her public position to derive a private benefit. For this reason, and others, appointees of the AFP are required to declare potential conflicts of interest, and to seek permission for secondary employment. In these ways, any conflicts of interest may be avoided or otherwise properly managed.

This investigation concerned the possibility that an AFP appointee had abused his office to secure a benefit for a company in which a member of his family held a pecuniary interest.

The Integrity Commissioner found that the appointee did not take sufficient action to disclose the conflict of interest. On the available facts, the Integrity Commissioner considered that the appointee's actions did not amount to corrupt conduct. However, in the Integrity Commissioner's view, the appointee's judgement in these matters did not meet the standard expected of AFP appointees. Accordingly, the Integrity Commissioner recommended that the AFP Commissioner assess the appointee's suitability for continued employment.

In light of the issues raised by this investigation, the Integrity Commissioner recommended that the AFP Commissioner arrange for an independent audit to be conducted of practices and procedures in the area in which the appointee worked, including acquisition and disposal processes relating to specialised equipment.

The Integrity Commissioner also recommended that the AFP Commissioner consider placing a renewed emphasis on ensuring that AFP appointees comply with their conflict of interest declaration and secondary employment obligations.

Pending the AFP Commissioner's consideration of the issues identified in this investigation, the Integrity Commissioner has decided not to publish the report at this time.

Australian Federal Police response

The AFP Commissioner accepted the Integrity Commissioner's recommendations. As of the end of 2012–13, an independent audit of practices and procedures had commenced, and an assessment of the appointee's suitability for continued employment was underway. The AFP has also ensured that obligations relating to conflicts of interest and secondary employment, together with other elements of the AFP Integrity Framework, are properly communicated and understood across the organisation.