



**Australian Government**  
**Australian Commission for  
Law Enforcement Integrity**

**2015–16 ANNUAL REPORT**  
**Corrections to statistics**

**Table of corrections**

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Corrections appear in red text or are circled.

**Summary of corrections:**

Department of Immigration and Border Protection (DIBP):

- » 23 too many matters were attributed to DIBP, as follows:
  - 25 instances had been attributed to DIBP that belonged to other agencies
  - (minus) 2 DIBP Referrals had been missed (not included in the reporting year, but should have been)
- » In addition:
  - 3 DIBP matters had been recorded as DIBP Notifications, when they were in fact DIBP Referrals

Australian Federal Police (AFP):

- » 26 too few matters were attributed to AFP, as follows:
  - 20 Notifications (18 wrongly attributed to DIBP, and 2 not included in the reporting year, but should have been)
  - (plus) 5 Referrals (wrongly attributed as DIBP Notifications)
  - (plus) 1 AFP Referral that was incorrectly recorded as a DIBP Referral

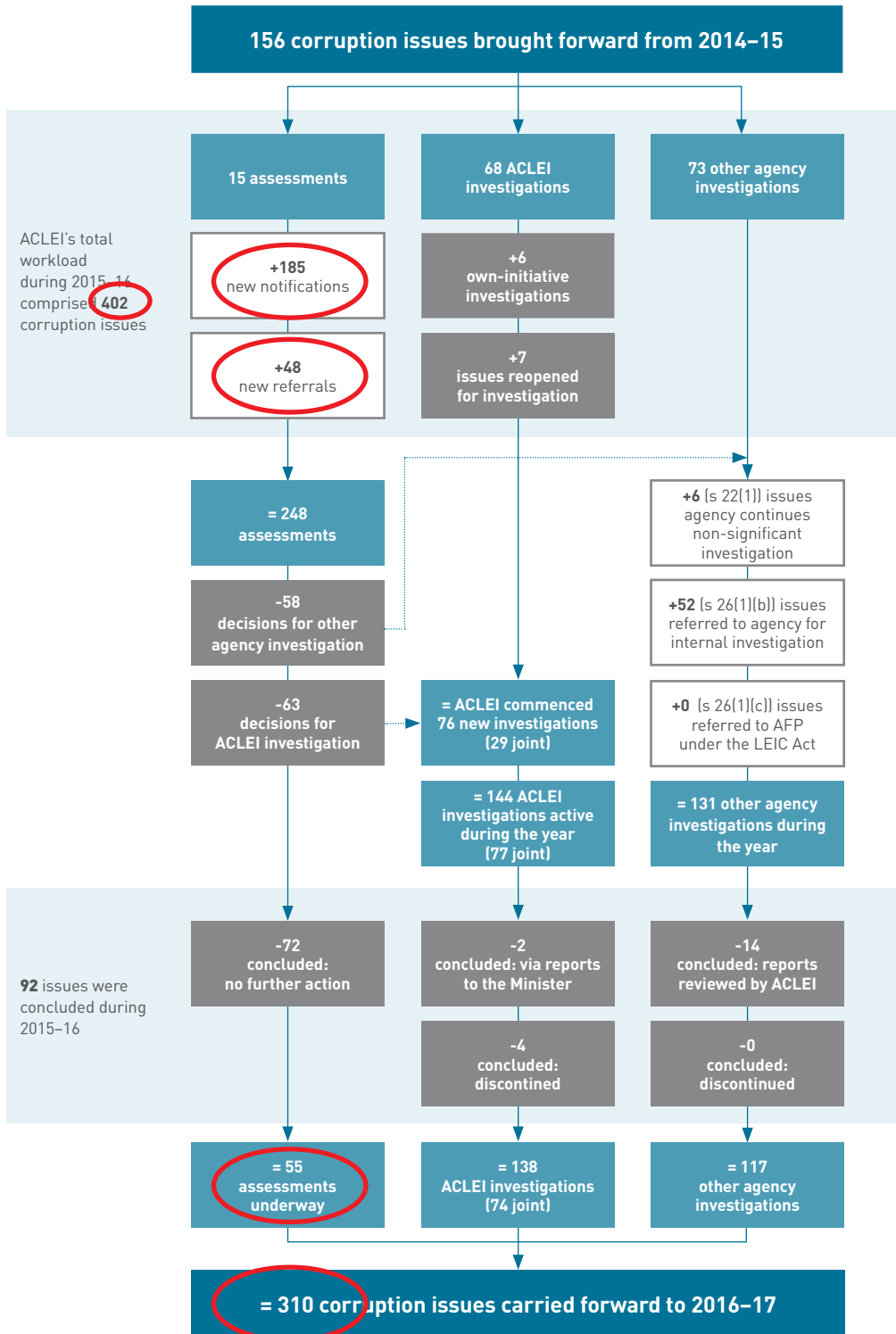
CrimTrac Agency:

- » 1 matter too few was attributed to CrimTrac, as follows:
  - 1 Notification was wrongly attributed to DIBP

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Corrections are circled.

How corruption issues were dealt with in 2015-16



**(At page 25)**

A higher than expected volume of notifications arose mainly from the newly-extended DIBP jurisdiction (128 out of 185—69% of all notifications). Notifications from other agencies remained relatively stable—except for the AFP, for which notifications rose from 32 to 52 this reporting year (see Appendix Four).

Notifications from LEIC Act agencies	2011-12	2012-13	2013-14	2014-15	2015-16
	73	56	69	71	185

Referrals from other sources	2011-12	2012-13	2013-14	2014-15	2015-16
Government agencies only	18	12	15	24	39
Total referrals (all sources)	38	21	23	30	48

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ACLEI's assessment workload in 2015-16 was 248 assessments (including assessments brought forward from 2014-15). ACLEI completed 190 of these assessments during the reporting period, giving priority to credible information.

Assessment statistics	2011-12	2012-13	2013-14	2014-15	2015-16
Total assessments completed	97	77	75	120	190
% that met the 90-day benchmark (against a target of 75%)	63%	75%	64%	83%	63%

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## APPENDIX 4

### Statistical Reporting

The Law Enforcement Integrity Commissioner Regulations 2006 set out the particulars that are required to be included in the Annual Report. The relevant statistics are presented in the following pages, along with other data that illustrates some of the year's work in numbers.

#### Notes to the statistics

- » The data provided here represents 'corruption issues'—instances of information or allegations about possible corrupt conduct that are notified to the Integrity Commissioner for assessment under the LEIC Act framework by agency heads, or that are referred by other people. The LEIC Act recognises that not all 'corruption issues' will have substance or require investigation.
- » ACLEI also receives information from time to time that, following evaluation, is not treated as a corruption issue—for instance, where the information relates to an agency outside of jurisdiction, or where the allegation made is unlikely to be plausible.
- » Some minor variations in statistics occur between Annual Reports—for instance, to update a record when a decision is made to reopen a case that had previously been closed, or to correct errors in previous reports.
- » The definition of the ACC in the following tables includes members of the former NCA. Similarly, the definition of the DIBP includes staff members of the former Australian Customs and Border Protection Service.
- » Numbers appearing in (brackets) are for the previous reporting period, 1 July 2014 to 30 June 2015.

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## Notifications from agency heads (Regulation 17)

Corruption issues notified in 2015–16 under section 19—by corruption class, as assessed upon receipt

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
Abuse of office [s 6(1)(a)]	1 (3)	36 (23)	1 (0)	1 (2)	0 (1)	107 (31)	146 (60)
Pervert the course of justice [s 6(1)(b)]	0 (0)	6 (4)	0 (0)	0 (0)	0 (0)	0 (1)	6 (5)
Corruption of any other kind [s 6(1)(c)]	1 (0)	10 (5)	0 (0)	0 (0)	1 (0)	21 (1)	33 (6)
<b>Total</b>	<b>2 (3)</b>	<b>52 (32)</b>	<b>1 (0)</b>	<b>1 (2)</b>	<b>1 (1)</b>	<b>128 (33)</b>	<b>185 (71)</b>

### How these notifications were dealt with

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
<b>Investigations</b>							
ACLEI investigation [s 26(1)(a)]	1 (0)	13 (3)	0 (0)	1 (0)	0 (0)	4 (2)	19 (5)
Joint investigation [s 26(2)]	1 (1)	1 (1)	1 (0)	0 (1)	0 (0)	9 (10)	12 (13)
Managed investigation [s 26(1)(b)(i) or 26(1)(d)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
AFP investigation managed by ACLEI [s 26(1)(c)(i)]	0 (0)	N/A	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Overseen investigation [s 26(1)(b)(ii) or 26(1)(e)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
AFP investigation overseen by ACLEI [s 26(1)(c)(iii)]	0 (0)	N/A	0 (0)	0 (0)	0 (1)	0 (0)	0 (1)
Unsupervised agency investigation [s 26(1)(b)(iii)]	0 (1)	9 (14)	0 (0)	0 (1)	0 (0)	34 (11)	43 (27)
Unsupervised AFP investigation [s 26(1)(c)(iii)]	0 (0)	N/A	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Not 'significant'—agency investigates [s 22(1)]	0 (0)	5 (0)	0 (0)	0 (0)	0 (0)	0 (4)	5 (4)
Direction to agency to investigate [s 22(2A)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Sub Total</b>	<b>2 (2)</b>	<b>28 (18)</b>	<b>1 (0)</b>	<b>1 (2)</b>	<b>0 (1)</b>	<b>47 (27)</b>	<b>79 (50)</b>

### How these notifications were dealt with (continued)

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
<b>Reasons for taking no further action</b>							
Arranged for State integrity agency to investigate [s 29(6)(b)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Satisfied that another agency should investigate [s 31(4)(a)]	0 (0)	0 (1)	0 (0)	0 (0)	0 (0)	0 (0)	0 (1)
Frivolous or vexatious [s 31(4)(b)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Subject of proceedings before a court [s 31(4)(d)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Investigation not warranted [s 31(4)(e)]	0 (0)	1 (4)	0 (0)	0 (0)	0 (0)	63 (7)	64 (11)
Did not raise a corruption issue under the LEIC Act	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Sub Total</b>	<b>0 (0)</b>	<b>1 (5)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>63 (7)</b>	<b>64 (12)</b>
<b>Under assessment at close of reporting period</b>							
Under assessment	0 (1)	23 (5)	0 (0)	0 (0)	1 (0)	18 (3)	42 (9)
<b>Total</b>	<b>2 (3)</b>	<b>52 (28)</b>	<b>1 (0)</b>	<b>1 (2)</b>	<b>1 (1)</b>	<b>128 (41)</b>	<b>185 (75)</b>

### Referrals from other sources (Regulation 18)

Corruption issues referred in 2015–16 under section 18 or 23—by corruption class, as assessed upon receipt

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
Abuse of office [s 6(1)(a)]	1 (3)	10 (7)	6 (1)	0 (0)	0 (0)	22 (17)	39 (28)
Pervert the course of justice [s 6(1)(b)]	0 (0)	1 (1)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)
Corruption of any other kind [s 6(1)(c)]	1 (0)	4 (0)	1 (0)	0 (0)	0 (0)	2 (1)	8 (1)
<b>Total</b>	<b>2 (3)</b>	<b>15 (8)</b>	<b>7 (1)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>24 (18)</b>	<b>48 (30)</b>

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How these referrals were dealt with

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
<b>Investigations</b>							
ACLEI investigation [s 26(1)(a)]	1 (1)	3 (2)	4 (0)	0 (0)	0 (0)	9 (1)	17 (4)
Joint investigation [s 26(2)]	1 (2)	2 (0)	0 (1)	0 (0)	0 (0)	5 (5)	8 (8)
Managed investigation [s 26(1)(b)(i) or 26(1)(d)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Overseen investigation [s 26(1)(b)(iii) or 26(1)(e)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
AFP investigation managed or overseen by ACLEI [s 26(1)(c)(i) or 26(1)(c)(ii)]	0 (0)	N/A	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Unsupervised agency investigation [s 26(1)(b)(iii)]	0 (0)	3 (1)	0 (0)	0 (0)	0 (0)	3 (5)	6 (6)
Unsupervised AFP investigation [s 26(1)(c)(iii)]	0 (0)	N/A	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Sub Total</b>	<b>2 (3)</b>	<b>8 (3)</b>	<b>4 (1)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>17 (11)</b>	<b>31 (18)</b>
<b>Reasons for taking no further action</b>							
Satisfied that another agency should investigate [s 31(4)(a)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Frivolous or vexatious [s 31(4)(b)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Subject of proceedings before a court [s 31(4)(d)]	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Investigation not warranted [s 31(4)(e)]	0 (0)	2 (3)	2 (0)	0 (0)	0 (0)	2 (5)	6 (8)
Did not raise a corruption issue under the LEIC Act	0 (0)	0 (1)	1 (0)	0 (0)	0 (0)	0 (0)	1 (1)
<b>Sub Total</b>	<b>0 (0)</b>	<b>2 (4)</b>	<b>3 (0)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>2 (5)</b>	<b>7 (9)</b>
<b>Under assessment at close of reporting period</b>							
Under assessment	0 (0)	5 (1)	0 (0)	0 (0)	0 (0)	5 (2)	10 (3)
<b>Total</b>	<b>2 (3)</b>	<b>15 (8)</b>	<b>7 (1)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>24 (18)</b>	<b>48 (30)</b>

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## Own initiative investigations (Regulation 19)

Investigations commenced in 2015–16 by the Integrity Commissioner without a notification or referral

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
Abuse of office [s 6(1)(a)]	1 (0)	3 (0)	0 (0)	0 (0)	0 (0)	1 (1)	5 (1)
Corruption of any other kind [s 6(1)(c)]	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)
<b>Total</b>	<b>1 (0)</b>	<b>4 (0)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>1 (1)</b>	<b>6 (1)</b>

## ACLEI investigations (Regulation 20)

Corruption issues investigated in 2015–16 under section 26(1)(a)—including joint investigations and investigations carried forward from previous years—by corruption class

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
Abuse of office [s 6(1)(a)]	12	46	11	2	1	54	126
Pervert the course of justice [s 6(1)(b)]	0	2	0	0	0	1	3
Corruption of any other kind [s 6(1)(c)]	3	6	0	0	0	6	15
<b>Total corruption issues active in 2015–16</b>	<b>15</b>	<b>54</b>	<b>11</b>	<b>2</b>	<b>1</b>	<b>61</b>	<b>144</b>

## Investigations concluded in 2015–16

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
Reports to the Minister	2 (1)	0 (1)	0 (0)	0 (0)	0 (0)	0 (2)	2 (4)
Discontinued after reconsideration [s 42]	0 (1)	0 (0)	0 (0)	0 (0)	0 (0)	4 (2)	4 (3)
<b>Total</b>	<b>2 (2)</b>	<b>0 (1)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>0 (0)</b>	<b>4 (4)</b>	<b>6 (7)</b>



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## Corruption issues carried forward

Total corruption issues carried forward to 2016–17 (new table)

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
Total	14	133	11	4	2	146	310

Assessments carried forward to 2016–17, by year of notification or referral

	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
2013–14	0	2	0	0	0	1	3
2015–16	0	28	0	0	1	23	52
Total under assessment at 30 June 2016	0	30	0	0	1	24	55

ACLEI investigations carried forward to 2016–17, by year of notification or referral

ACLEI or joint investigation [s 26(1)(a) and s 26(2)]*	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
2009–10	3	0	N/A	N/A	N/A	N/A	3
2010–11	0	2	N/A	N/A	N/A	0	2
2011–12	3	4	N/A	N/A	N/A	1	8
2012–13	0	4	N/A	N/A	N/A	4	8
2013–14	0	11	4	0	0	6	21
2014–15	2	10	2	1	1	18	34
2015–16	5	23	5	1	0	28	62
Total under investigation by ACLEI at 30 June 2016	13	54	11	2	1	57	138**

\*At 30 June 2016, 74 corruption issues were under joint investigation by ACLEI and other agencies.

\*\* Includes seven re-opened cases.

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**LEIC Act agency investigations carried forward to 2016–17, by year of notification or referral**

Agency investigations [s 22 and s 26(1)(b, c, d, e)]	ACC	AFP	Ag	AUSTRAC	CrimTrac	DIBP	TOTAL
2011–12	0	4	N/A	N/A	N/A	2	6
2012–13	0	6	N/A	N/A	N/A	5	11
2013–14	0	6	0	1	0	6	13
2014–15	1	16	0	1	0	15	33
2015–16	0	17	0	0	0	37	54
<b>Total under investigation by other agencies at 30 June 2015</b>	<b>1</b>	<b>49</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>65</b>	<b>117</b>