

**MINUTES**  
**5<sup>th</sup> MEETING OF 2012**  
**THE ANTI-CORRUPTION COMMISSION**  
**26 JUNE, 2012**  
**CONFERENCE ROOM, COMMISSIONS SECRETARIAT**

**COMMISSION MEMBERS PRESENT:**

Commissioner of Police David Baines	Chairman
Sir Peter Allen	Member
Leonard Ebanks	Member
Auditor General Alastair Swarbrick	Member
Complaints Commissioner Nicola Williams	Member

**APOLOGIES:** N/A

**ANTI-CORRUPTION UNIT MEMBERS PRESENT:**

Richard Oliver	Detective Inspector
----------------	---------------------

**SECRETARIAT MEMBERS PRESENT:**

Deborah Bodden	Manager, Commissions Secretariat
----------------	----------------------------------

Also present was Legal Counsel for the Commission as assigned by the Director of Public Prosecutions.

1. **Meeting called to order**  
The meeting was called to order at 10:10am.
2. **Confirmation of previous minutes**  
The minutes of the 29 May, 2012 meeting were confirmed.
3. **Matters Arising from Previous Minutes**
  - a. **Legal Counsel to enquire as to the timeframe of completion of the ACC legislation**  
The changes requested by the Commission are now ready for review however there is an outstanding issue regarding the Private Member's Motion to remove the three ex-officio members from the Commission and this is stalling the process. The matter will now be raised in writing by the Chairman to the Governor as he oversees the Commissions as a whole and ask him to liaise with the Attorney General to expedite this issue.
  - b. **D/I Oliver to set up a meeting with the electronic subject matter expert**  
D/I Oliver met with this subject matter expert within the RCIPS to investigate whether the same database can be used however funding has not yet been approved for the server to be purchased however the software has been purchased. The Chairman will also follow up the need of funding for this necessary resource with His Excellency the Governor.
  - c. **Legal Counsel will tidy up the Draft Protocols for presentation and adoption**  
Draft protocols were forwarded to each member for feedback prior to adoption. Members are being asked to provide the Legal Counsel with feedback by 24 July, 2012.
  - d. **Secretariat to work with D/C Hussey to develop an educational programme**  
The Secretariat has begun working on developing an online educational programme and it is hoped that the material can be presented at the August meeting of the Commission.

- e. **The Commissioner will approach the Governor and Deputy Governor to ensure the online education programme is made mandatory for all public officials which will include Statutory Authorities**

The Chairman approached the Governor and Deputy Governor on this matter and the Deputy Governor informed that the PoCS/Civil Service College has created a DVD on this subject matter already. The Secretariat will request a copy of this DVD for the Commission to review.

- f. **All members are to review the New South Wales Complaints Form that will be forwarded by the Legal Counsel**

Members were forwarded copies of the Complaints Form and a discussion took place surrounding questions that persons need to answer to assist the Commission with understanding whether the complaint is one for the ACC or another Commission/entity. Legal Counsel will meet with the Manager of the Commissions Secretariat will meet to discuss the changes to the reporting form.

- g. **The Secretariat is to work on creating a document detailing best practices and trend issues for presentation to the Chairman and D/I Oliver for their review and input**

The Secretariat presented a draft best practices newsletter which it is proposed would be distributed to the public on a quarterly basis. This first edition will be released for 1 July with a cover letter to all Chief Officer's and Head of Departments.

4. **New Business**

The Commission has been provided information regarding a new case which will be reviewed for a determination as to whether this case is one for the ACC.

5. **Legal Counsel's Report**

The business listed under this heading was dealt with under matters arising from the last minutes.

6. **Operational Update**

The Commission received an update from D/I Oliver on the nine ongoing investigations being conducted by the ACC Unit. The purpose of these updates is to provide the members with insight into the types of cases being handled by the ACC Unit and as a result the levels of workload they are experiencing and the resources necessary to handle such workloads. Specific details such as names, locations, dates, etc. are included in a separate schedule due to security issues. Information shared with members is done so to ensure they are able to fully act in their capacity as an oversight body.

The Commission was informed that since inception (1<sup>st</sup> Jan. 2010) there have been 50 complaints registered by the ACC (33 of which have been received within the current reporting period), of which:

- a. 18 are 'pending' awaiting further or sufficient information which may make it appropriate to make further investigations;
- b. 20 have been concluded;
- c. 3 have been transferred to other investigative units for action; and
- d. 9 are under current active investigation.

7. **Auditor General's Report**

The Auditor General provided a briefing of the concerns he is experiencing and investigating which relate to the Anti-Corruption Commission. It is noted that his office works closely with the Anti-Corruption Unit in some instances. Certain issues were identified as requiring further work and actions raised appropriately.

8. **Any Other Business**
  - a. **12-13 Budget**

The Manager of the Commissions Secretariat indicated that the four posts which she had requested to assist with the Anti-Corruption Unit within the 2012-2013 Budget were cut during the budget reduction process.
  - b. **PPCC**

A query was raised as to what is the status is with the Public Police Complaints Commission. The Chairman gave a brief update on the status of this which still needs legislative changes, funding, resources and staffing prior to it being implemented.
  - c. **Educational Opportunities**

It was agreed that an opportunity to educate the public would occur prior to the May 2013 elections. The Secretariat will create a pr/education strategy to assist to this end. The Commission members also agreed that a release should be made prior to the Referendum on 18 July, 2012. The Chairman agreed to work with the Legal Counsel to draft a release which will be forwarded to the Secretariat in order release it to the public and media by 10 July, 2012.
  - d. **Declaration of Interest**

Member Leonard Ebanks indicated that he was a member of the Constitutional Review Commission in 2001 at which time he was a supporter of the One Man One Vote. He has been approached to again give his support to this campaign but has declined due to his membership on the ACC. In this regard Mr. Ebanks will not vote or have any say in the release which the Commission makes on the expectations of persons behaviours who are involved on either side in the referendum process.
  - e. **Website Improvements**

The Commission would like to allow members of the public to complete a reporting form online and as such the Secretariat will approach Computer Services Department if this is now possible.
9. **Items to be Discussed at the Next Meeting**
  - a. Update on ACC Legislation;
  - b. Funding for electronic resources;
  - c. Adoption of the Draft Protocols;
  - d. DVD Training Programme;
  - e. Updated Reporting Form;
  - f. Distribution of First Edition of the Best Practices Newsletter;
  - g. Public Release on the Referendum;
  - h. Update on Website Capabilities; and
  - i. Submission of the Annual Report.
10. **Action Items**
  - a. The Chairman will raise the issue of the stalled legislative changes with His Excellency the Governor;
  - b. The Chairman will raise the issue of the funding for the electronic resources needed for the Unit to function;
  - c. Members are asked to provide feedback to the Legal Counsel on the draft protocols by 24 July, 2012;
  - d. The Secretariat will continue to work on the online educational programme in order to make a presentation at the meeting in August;
  - e. The Secretariat will obtain a copy from the Deputy Governor of the DVD he references in his e-mail to the Commissioner regarding the online training programme indicated that the PoCS/CSC has created;
  - f. Legal Counsel will meet with the Secretariat to discuss changes to the reporting form;

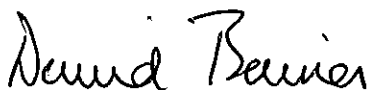
- g. The Secretariat will distribute the July edition of the best practices newsletter with a cover letter from the Commission to all CO's and HOD's;
- h. The Chairman will liaise with the Legal Counsel will draft a message to be forwarded to the members involved in the Referendum process and to the media;
- i. The Secretariat will begin creating a PR/education plan to be implemented within the first quarter of next year in preparation for the May 2013 elections taking into account;
- j. The Secretariat will check with CSD to find out if they are now able to allow persons to complete a reporting form online; and
- k. The Secretariat will forward the Draft Annual Report to all members who are asked to give feedback to the Secretariat by Tuesday, 3 July, 2012.

11. **Next Meeting**

The next meetings will take place on Tuesday, 31 July, 2012. Member Leonard Ebanks, Unit Representative D/I Oliver, Rep from Legal Counsel, and the Manager of the Commissions Secretariat have expressed their apologies. The following meeting will take place on Tuesday, 28 August, 2012 both at 10am.

12. **Adjournment**

The meeting was adjourned at 12:32pm.



---

**David Baines**  
**CHAIRMAN**  
**ANTI-CORRUPTION COMMISSION**