

On 7 September 2017, ACLEI appeared before the ACT Select Committee on an Independent Integrity Commission to provide evidence to the 'Inquiry into an Independent Integrity Commission'.

During this hearing, ACLEI received a number of questions on notice from Members.

ACLEI's responses to these questions are as follows:

Question on Notice No. 1—refer pp. 138–139 proof transcript—it is noted that the three reports referred to are publicly available—for completeness (as the transcript is linked to the inquiry and responses are uploaded to the inquiry homepage) it would be helpful if a response can be provided with detail re the three reports and hyperlinks for access;

MS CODY: Can you provide some examples of the types of complaints that you have investigated in regard to ACT Policing—if not now, on notice?

Mr Griffin: Yes, we could do that on notice. I will turn to the executive director, operations, because she has a better grasp of that.

Ms Marshall: We have previously reported, and the reports are available on our website, in relation to three investigations concerning ACT Policing. They are historical. They are from the years 2011 and 2012. Their names are Buckler, Comport and Ashlar. They involved some drug matters and some sexual servitude. We can certainly provide those reports to you.

ACLEI's response: The three reports requested by the Committee are attached:

Report 01/2011: Operations Buckler—An investigation into the actions of an Australian Federal Police (Australian Capital Territory Policing) appointee concerning the handling of controlled substances, and other integrity issues:
<https://www.aclei.gov.au/investigation-report-012011-operation-buckler-investigation-actions-australian-federal-police>

Report 02/2011: Operation Comport—An investigation into the conduct of an Australian Federal Police (Australian Capital Territory Policing) appointee concerning his association with the manager of a prostitution enterprise:
<https://www.aclei.gov.au/investigation-report-022011-operation-comport-investigation-conduct-australian-federal-police>

Report 01/2012: Operation Ashlar—An investigation into the actions of Australian Federal Police (Australian Capital Territory Policing) appointees concerning alleged "tip-offs" to a criminal and related integrity matters:
<https://www.aclei.gov.au/investigation-report-012012-operation-ashlar-investigation-actions-australian-federal-police>

Following these investigations, in June 2013, ACLEI and the AFP jointly completed **Project Apex**—A strategic assessment of corruption risk factors in ACT Policing:
<https://www.aclei.gov.au/reports/project-reports>

Questions on Notice No. 2 [3 parts]—refer pp. 143–144 proof transcript—part 2a is answered by QoN No. 1—leaving two parts for answer—2b and 2c.

Question on Notice 2b

Ms Marshall: It is quite difficult to break down the numbers of investigations into specifically ACT Policing without identifying our current areas of interest or operational activity more broadly. Probably of most use to you from that perspective are those reports, which are investigations that have concluded into ACT Policing specifically.

MR STEEL: Yes, okay.

MRS JONES: And, on that, if you have conceptual types of areas that you look at, even if you look historically at the relationship, it would be useful for us to know what types of matters they are, even if you cannot be too specific about individual cases that are ongoing and so on.

Ms Marshall: Sure.

ACLEI's response: The Australian Commission for Law Enforcement Integrity has historically investigated ACT Policing matters involving the following conduct:

- Disclosure of sensitive law enforcement information
- Relationships which may cause a conflict of interest
- Handling of controlled substances



Question on Notice 2C

MR STEEL: The other part to it was how many cases—I think Mr Rattenbury alluded to this—you have referred back to the AFP for investigation. How many have come to you that you have referred back, essentially, over the last four years?

MRS JONES: Over the same period, yes.

Ms Marshall: We can certainly check for those figures. I am not sure that we keep a breakdown of matters that we have referred back to the AFP, differentiating between ACT Policing and the AFP more broadly.

ACLEI's response:

The table below contains:

- the total number of AFP corruption issues registered during the reporting period, and
- of those AFP corruption issues registered, how many were referred to the AFP for investigation under section 26(1)(b) of the *Law Enforcement Integrity Commissioner Act 2006* (LEIC Act) (regardless of the date referred)

	13–14	14–15	15–16	16–17
AFP corruption issues registered*	42	39	71	44
Referred to the AFP for investigation under section 26(1)(b) LEIC Act	7	15	18	11

*AFP corruption issues registered include notifications from the AFP and referrals from other agencies or members of the public, which concern the AFP.

ACLEI does not separately record in its database whether AFP corruption issues include past or present members of ACT Policing.

