



**REPORT OF THE JOINT STANDING COMMITTEE ON THE INDEPENDENT
COMMISSION AGAINST CORRUPTION – REVIEW OF ASPECTS OF THE
INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 1988 (REPORT 6/57 –
DECEMBER 2022)**

GOVERNMENT RESPONSE

The Joint Standing Committee on the Independent Commission Against Corruption (**Committee**) self-referred an inquiry into the review of aspects of the *Independent Commission Against Corruption Act 1988* on 9 June 2022.

The Committee released its report (**Report**) on 15 December 2022.

The Government accepts both of the two recommendations made by the Committee which are directed to the Government.

The Government's position on each of the Committee's recommendations is set out in **Attachment A**.

Consistent with the commitment provided by the Leader of the Government in the Legislative Council to the Clerk of the Parliaments by letter dated 24 May 2023, the Government provides this response on a voluntary basis.

ICAC COMMITTEE RECOMMENDATION	GOVERNMENT RESPONSE	COMMENT
<p>1. That the Government amend the <i>Independent Commission Against Corruption Act 1988</i> to require the ICAC to develop and publish time standards for completing section 74 reports, and to report on its own performance against these standards.</p>	<p>Accepted</p>	<p>The Government supports a strong Independent Commission Against Corruption (ICAC) and recognises the complexity of the investigations it undertakes.</p> <p>Requiring the ICAC to develop its own time standards and measure its performance against them will increase transparency and public accountability of the ICAC's reporting functions without imposing inflexible restrictions on the ICAC.</p>
<p>2. That the ICAC, in its next annual report, provide an update on whether the increased funding made available in the 2022-23 Budget shortens the time in which investigations are undertaken and reports finalised.</p>	<p>N/A</p>	<p>This recommendation is directed to the ICAC.</p>
<p>3. That the NSW Government consider amending the <i>Independent Commission Against Corruption Act 1988</i> to provide the Inspector of the ICAC with similar powers to those currently held by the Inspector of the Law Enforcement Conduct Commission under section 124 of the <i>Law Enforcement Conduct Commission Act 2016</i>, including broader powers to:</p> <ul style="list-style-type: none"> a. investigate maladministration, and b. require the ICAC to respond to the Inspector's recommendations, escalating to the Minister if dissatisfied with the response. 	<p>Accepted</p>	<p>The Government will consult the Chief Commissioner of the ICAC and the Inspector of the ICAC on the proposed amendments to the <i>Independent Commission Against Corruption Act 1988</i> set out in this recommendation.</p>