



4 June 2020

Our Reference: G3 2020 06

Mrs Tanya Davies MP  
Chair  
Committee on the Independent Commission Against Corruption  
Parliament of New South Wales  
6 Macquarie Street  
SYDNEY NSW 2000

Dear Mrs Davies

During my appearance before the Committee on 15 May 2020 I took on notice a question from the Hon. Rod Roberts MLC concerning a complaint identified as C20 2019 on page 22 of my 2018-2019 Annual Report.

In response to Mr Roberts, I advise that the matter was brought to my attention by the Chief Commissioner of ICAC in a letter to me dated 5 April 2019. The matter concerned a person who was doing a Google search on themselves and identified their LinkedIn profile on the Commission's public website. That person's profile had been sent as a document to the Commission as part of a complaint made to it via its public website. The Commission advised me that "there was nothing on the public website identifying that a complaint had been made to the Commission or that the profile was linked to a complaint".

The Commission's website was upgraded and went live on 30 March 2019. On 2 April 2019 the Commission received a complaint about the person who later identified their LinkedIn profile on the Commission's website. On 3 April 2019 the Commission was contacted by the person the subject of the complaint concerned that their LinkedIn profile was available on the Commission's website.

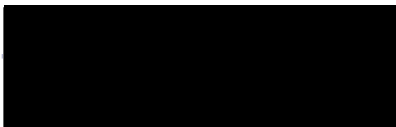
The Commission undertook an investigation into the matter which revealed that while the complaint itself was not publicly accessible, the uploaded attachment (being the LinkedIn profile) had been "automatically saved to a complaints container on the Commission's website and the container had not been categorised as private. The investigation revealed that the error enabled Google to identify and index the profile thereby making it publicly accessible".

I am assured by the Commission that the only document found in the complaints container that was publicly accessible was that of the person whose LinkedIn profile was revealed following the Google search on themselves. Also, the contracted website developer was contacted immediately by the Commission and the container was quickly marked as “private” so that it could no longer be accessed via the Commission’s public website. I am further assured that “there will be no repetition of this incident”.

The person that made the initial complaint was contacted by the Commission and told what had happened. That person was assured that the complaint they had submitted to the Commission was not accessible publicly. The technical issue related only to the LinkedIn profile and it was unlikely that they could be identified as being the complainant. The Commission determined not to investigate the complaint and advised the complainant accordingly.

On 8 April 2019 the person who was the subject of the original complaint and whose LinkedIn profile had been exposed was contacted by the Commission and advised that they were not under investigation and that the technical issue that led to the exposure of their LinkedIn profile had been resolved.

Yours sincerely



Bruce McClintock SC  
**Inspector, Independent Commission Against Corruption**