

Mr Richard Amery MP
Chair, Committee on the ICAC
Parliament House
Macquarie Street
SYDNEY NSW 2000

Our Ref: A10/0194

Dear Mr Amery

RE: Responses to Questions on Notice

Please find enclosed the Independent Commission Against Corruption's responses to questions on notice regarding the Annual Report 2008-2009.

Yours sincerely



The Hon David Ipp AO QC
Commissioner
12 August 2010

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INDEPENDENT COMMISSION
AGAINST CORRUPTION



HEARING INTO THE 2008-2009 ANNUAL REPORT

**QUESTIONS ON
NOTICE 2010**

**COMMITTEE ON
THE INDEPENDENT
COMMISSION
AGAINST CORRUPTION**

**HEARING DATE:
27 AUGUST 2010**

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

QUESTIONS ON NOTICE

ICAC ANNUAL REPORT 2008-2009

ASSESSING MATTERS

- 1. According to the Annual Report, although the Assessments Section experienced staff shortages in 2008-2009, performance measures showed significant improvements, for example, finalisation rates for matters received were reduced by 14% (pp. 22-3). What strategies has the Commission used to achieve these improvements with fewer staff?**

Assessments has utilised a number of strategies, including the two team leaders meeting on a monthly basis with each Assessment Officer within their team to discuss the status of current matters so that team leaders can assist staff in prioritising their work more effectively than had previously been the case. In addition, on a twice-yearly basis, Assessments conducts a finalisation drive to ensure that matters open for more than five-to-six months are targeted and any outstanding work is carried out, such as completing post-Assessment Panel assessment enquiries.

- 2. What factors does the Commission take into account in determining performance targets for work or activity that is within its control, for example, the average time taken to deal with complaints? How frequently does the Commission review performance targets and are there particular areas where the Commission considers benchmarking to be useful?**

The performance targets were established in the 2007-08 year to monitor the nature of the work done by Assessments staff during the life of a complaint. They include:

- The time taken to register a new matter from the date of receipt by the Commission (seven calendar days).
- The time taken to report a straightforward matter to the Assessment Panel (21 calendar days from receipt by the Commission).
- The time taken to report a moderate/complex matter to the Assessment Panel, for example, where pre-Panel enquiries need to be undertaken or where the nature of the complaint is complex and/or involves the review of substantial material – generally more than 20 pages (42 days from receipt by the Commission).
- The time taken to re-report a matter to the Assessment Panel upon receipt of a section 54 report (28 calendar days from the date of the report's receipt).
- The average time taken to finalise all matters (60 calendar days from the date of receipt by the Commission).

The targets were established by reference to the actual times taken for certain tasks by the majority of Assessment Officers and then shortened so that they constituted "stretch targets". The Manager Assessments reviews individual figures for Assessment Officers on a quarterly basis to gauge their levels of compliance with these targets, and regularly assesses the appropriateness of these targets in consultation with the two team leaders.

Regarding external benchmarking, while it is difficult to compare directly the Commission's performance with similar bodies, in the past the Commission has considered a useful benchmark to be the ratio of Assessments staff (or their equivalents in similar agencies) to the number of **general** public sector matters received. As noted on page 22 of the Annual Report, the Commission compares favourably in this regard to both the Queensland Crime and Misconduct Commission (CMC) and Western Australia's Corruption and Crime Commission (CCC).

- 3. One challenge reported for the Assessments Section was the referral by some agencies and members of Parliament of matters that did not involve suspected corrupt conduct. The Commission states that it addressed this issue by improving liaison with agencies and revising fact sheets outlining what should be referred to the Commission, in addition to compiling guidelines for Ministers (p. 22). Has the rate of referral of such matters to the Commission changed during the current reporting year?**

Yes, we have observed a reduction in the number of matters referred to the Commission for its "information", which do not involve allegations of corrupt conduct.

- 4. The Commission referred 27 matters to agencies for investigation during the reporting period, pursuant to ss.53 and 54 of the ICAC Act (p. 32). Was the Commission satisfied in general with the timeliness and standard of agency reports received in response to s.53 referrals?**

Yes, in general the timeliness and standard of agency reports received was satisfactory in the Commission's view. There were a number of requests for extensions of time beyond the initially agreed date. All requests for extension were granted. The reasons for the requests were most commonly the unforeseen unavailability of a key witness or forensic analysis of documents or other data taking longer than anticipated, due to unforeseen complexity.

The Commission is in the process of finalising a protocol with respect to sections 53/54 referrals. This will give more focused guidance to staff than currently exists as to what types of matters would be appropriate for recommendation to the Assessment Panel for sections 53/54 referral; how to better oversight such investigations, including requesting an investigation plan at the outset and a progress report, so that any difficulties can be addressed at earlier stages; and, upon receipt of the section 54 report, what factors must be considered in assessing the adequacy or otherwise of the investigation and resultant report. This protocol will be rolled out to staff in conjunction with training and a copy will, in due course, be provided to the Parliamentary Committee on the ICAC.

INVESTIGATING CORRUPTION

- 5. During the Committee's review of the ICAC's previous annual report, the Commission sought support for additional recurrent funding, stating that allocated funding for 2008-2009 had resulted in a reduction of funding for the Investigation Division.¹ However, the 2008-2009 Annual Report (p. 39) states that funding for the Division was \$5,503,728 up from \$5,269,095 as reported in 2007-2008 (p. 37). Did the Commission receive additional funding and is it satisfied with the existing level of funding for the Division?**

¹ Tabled document (11 August 2009 public hearing), *ICAC request for additional recurrent funding*, p. 7.

The Commission did receive extra funding in 2009–10, comprising an \$850,000- budget supplementation payment. This was made recurrent as “maintenance of effort” funding in 2010–2011. This extra funding has enabled the Division to increase the Full time Employee (FTE) positions to the 2007–2008 level of 43.

The Investigation Division is still under-resourced for the amount of investigation work undertaken. There was a 133% increase in the number of preliminary investigations referred to the Division in 2009–2010 (from 57 in the previous year to 133). In addition to the matters referred to the Division in this period there was also a need to continue the preliminary investigation into 32 matters carried over from the previous period – leading to a total of 170 preliminary investigations in this period.

There was also a corresponding increase in the number of full investigations (operations). In this instance the matters under full investigation increased by 100% from eight to 16. In addition, there was a need to investigate five operations carried over from the previous period. This resulted in 21 full investigations.

The existing level of funding restricts the number of investigators. This restriction, coupled with the escalating numbers of investigations, obviously impacts on the ability of the Investigation Division to provide an appropriate and timely response to these matters.

The increase in investigative activity also has a flow-on impact on other areas of the Commission, particularly the Legal Division and the Corruption Prevention, Education and Research Division.

6. The Commission also stated that a reduction in funding for the Investigation Division resulted in a drop in full-time equivalent positions from 43 to 39² or 38 as reported in the Annual Report. In the previous reporting year, the Commission reported that it employed 45 full-time staff in the Division on a budget of \$5,269,095. Funding for 2008-2009 was reported at \$5,503,728 and there appears to have been a net increase of 1.5% for employee related expenses.³ What factors impacted on staff numbers in the Investigation Division during 2008-2009?

The percentage budgetary increase for the Investigation Division between 2007–08 and 2008–09 was 4.45%. The 1.5% referred to above relates to the funding variation between the 4% award increase provided to staff and the 2.5% funding increase provided by NSW Treasury.

The Investigation Division was funded for 43.5 FTE positions during 2007-08 and 43.3 FTE positions for 2008–09- a small reduction. The reduction in staff numbers from 43 to 39 relates to the 2009–10 financial year. The factors which impacted on the staff numbers in the Investigation Division *during 2009–10* include the actual staffing levels for the Division as at 30 June 2009 (39 FTE), known number of pending investigations, the assessed impact of the efficiency dividend as mandated by NSW Treasury and the degree of realisation of efficiency savings required to fund the 4% award increase.

² Tabled document (11 August 2009 public hearing), *ICAC request for additional recurrent funding*, p. 7.

³ Tabled document (11 August 2009 public hearing), *ICAC request for additional recurrent funding*, p. 1.

- 7. The Annual Report states that as a result of a need to prepare briefs to the DPP on possible criminal offences uncovered during inquiries conducted in 2007-08 (including the RailCorp and Wollongong City Council investigations) and the number of public inquiries and preparation of investigation reports in 2008-09, 32 preliminary investigations were carried over to the 2009-10 reporting period (p. 44).**

- 7a Has the Commission concluded the preliminary investigations that were carried over?**

In the course of implementing the MOCCA case management system, a review was conducted on the number of Preliminary Investigations carried over. The implementation of the MOCCA system required the transfer of material from the former ICAC Corporate System (ICS) into the new system. In the course this transfer, MOCCA checked various dates relating to the closure of matters. It would appear the ICS system had not recognised some of the dates correctly resulting in the figure of 32 in the Annual Report.

MOCCA, after the transfer of data, identified 35 matters carried over. The Investigation Division completed all of the matters carried over, as well as 55 other preliminary investigations in this period (total of 90 preliminary investigations). Three matters from the previous period (2007/08) are still outstanding. One of these matters is linked to a current operation. The other two have been progressed in the course of this period. Information has been obtained recently which will allow these matters to be finalised within the next three months.

- 7b How many matters under preliminary investigation are currently on hold?**

As at 12 August 2010, there are 26 matters on hold.

- 7c In the Commission's view, what effect does putting preliminary investigations on hold have on the results of investigations?**

Putting investigations on hold can have a detrimental effect on those investigations. Delay leads to the possibility that material evidence may be disposed of and the recollection of witnesses can be affected by an extended time frame. This can decrease the likelihood of substantiating that corrupt conduct has occurred. The Commission does its best to minimise the risks involved by reviewing matters on hold to ensure that documentary or other relevant evidence will not be lost due to delay.

- 7d Has the number of carried over preliminary investigations had any implications for the Commission's capacity to investigate new instances of serious and systemic corruption in 2009-10?**

Yes. Thirty-five matters were carried over to 2009-10, and had to be investigated in conjunction with the 133 new matters referred to the Division in 2009-10. There were 261 working days in 2009-10, so 133 matters being referred means that a new matter is being referred to the Division every two days. This level of new work, combined with investigations carried over from the previous year, necessarily impedes some matters being dealt with in a timely way.

- 8. The Annual Report states that there was a reduction from 78 to 57 in the number of investigations undertaken compared with the previous year, as a result of brief preparation and court attendances. (p. 40). The Committee understands that matters**

are assessed and referred for investigation by the Assessment Panel, if the Panel deems that an investigation is warranted, and that 57 matters were referred to the Division during the reporting period.

8a Can you provide further details as to how brief preparation and court commitments impacted on the number of investigations commenced?

In 2008–09 the investigators spent approximately 21% of their working time on brief preparation. In 2009–10, this figure was 19%. It is clear that if the investigators were not spending time on this aspect, more time would be spent on investigations, allowing a greater number to be completed.

8b To what extent does the Assessment Panel consider the workload of the Investigation Division in deciding whether to refer a matter to the Division, or to act upon the matter in another way, for example, referral to an agency?

The Assessment Panel is acutely aware of the workload within the Investigation Division, and the Division's Executive Director is a member of the Panel. The existing workload is taken into account when considering what action should be taken in relation to a matter. Some matters require the utilisation of powers under the ICAC Act so they cannot be referred to another agency.

It may be appropriate for other matters to be referred back to an agency under sections 53/54 of the ICAC Act. In this instance, the Commission provides guidelines for the agency to follow in order to obtain appropriate information to enable further assessment as to whether the matter should be referred to the Investigation Division. The targeted use of the sections 53/54 process can assist in obtaining relevant information so a further decision can be made as to what action should be taken.

9. During 2008-2009, 8 matters were escalated to full investigations, compared with 12 for the previous reporting year (p. 40). What factors are taken into account in determining whether to escalate matters to a full investigation?

There is a set procedure contained within the Charter of the Strategic Investigation Group (SIG) relating to the upgrade of a matter from a preliminary investigation. The Investigation Division must prepare a formal request to upgrade the investigation from a preliminary investigation to a full investigation.

The Charter states:

Criteria for escalation of a matter

To escalate a matter from preliminary investigation to investigation, two criteria must be satisfied:

1. That matter discloses evidence or reliable information sufficient to suggest the occurrence of corrupt conduct justifying further investigation.

AND

2. One or more of the following criteria is also met:

- seriousness of the alleged conduct for example, dollar value involved, seniority of public official or officials involved
- evidence of bribery or some other serious criminal offence
- systemic nature of the established conduct and/or there is evidence which suggests possibility of corrupt network
- the matter involves/will involve significant cross-divisional use of ICAC resources (nominate resources or level of resources)
- compulsory examinations or public inquiry likely to be held
- complexity of matter, for example, financial, forensic, large number of interconnected transactions
- covert methodologies are being used requiring exercise of formal powers, for example, surveillance devices, telephone intercepts, controlled operation.

The number of matters upgraded depends upon the nature, seriousness and reliability of the information received by the Commission in a particular year. In 2009–10, 16 matters were upgraded to full investigations using these criteria.

Brief Preparation

10. The Commission states that brief preparation work increased during the year, to the detriment of time available for investigations (p. 40). The Commission has previously advised that it is seeking to prepare briefs during investigations to reduce delays in the provision of briefs⁴ and the Office of the DPP also holds the view that the Commission should focus more on assembling admissible evidence for briefs during investigations, to prevent delays in the provision of the brief to the Office and minimise the need for requisitions.⁵

10a To what extent has brief preparation impacted on the Commission’s investigation capacity – how many investigations does the Commission consider that it may have been able to undertake if it had not been for the brief preparation work?

The percentage of time spent on brief preparation has been previously outlined. It is difficult to quantify “how many investigations” could have been undertaken if the investigators were not involved in brief preparation as the time of investigations varies according to the complexity of the matters.

However, it is clear that more investigations could have been undertaken if the investigators were not involved in this type of work.

Commission investigators do, where appropriate, gather relevant and admissible evidence for criminal offences in the course of an investigation. Gathering this material at

⁴ Committee on the ICAC, *Review of the 2006-2007 Annual Report of the Independent Commission Against Corruption*, report 3/54, October 2008, p. 4.

⁵ Ms Marianne Carey, Managing Lawyer, Group 6, ODPP, *Transcript of evidence*, 4 May 2009, p. 31.

the same time as preparations for the public inquiry are being made has assisted in preparing these briefs in timely manner and reducing the time spent on this task.

The process of brief preparation is continually under review in an effort to reduce the time involved to allow investigators to resume their core duties. The current process is to allocate an investigator this responsibility exclusive of other duties unless specifically approved by the Executive Director. This dedicated approach, while removing an investigator from involvement in investigative work, has resulted in a faster return rate for the submission of criminal briefs.

10b How does the Commission balance brief preparation and investigative work and set priorities in these areas?

This is a decision made by the Executive Director in consultation with the Chief Investigators who have a responsibility for the investigations. The current process is to allocate the primary investigator in a matter as the brief officer with the responsibility to prepare and submit the material. However, there may be instances where this person is required to assist in an investigation. It is always a matter of balancing the overall priorities.

This process is designed to reduce the time frames for brief preparation but it does come at the cost of having an investigator unavailable (unless authorised) for other duties.

11. The Commission indicated in answers to questions on notice during the Committee's previous review that implementation of the new complaints handling and case-management system, MOCCA, was expected to result in improvements to the Commission's operations, including brief preparation functionality to assist in the preparation of briefs.⁶ Please provide details of the improvements resulting from the MOCCA system.

The brief of evidence functionality in MOCCA is designed to assist in the compilation of briefs during the course of investigations. Once the investigation team forms the view that an offence has been committed on which advice may be sought from the DPP, a new brief of evidence can be created by selecting the offence from a master list. That list contains information relating to commonly encountered offences and will be added to as required.

A list of evidence items is automatically generated to provide a guide to the evidence required to prove each element of the offence. This list will assist in planning tasks for the investigation so that the requirements for briefs are addressed at an early stage. This will reduce the time between the publication of a report and the delivery of briefs to the DPP, as brief preparation will be well advanced before the report is published.

MOCCA was implemented without this feature being fully functional. The work on compiling evidence items for the master offence list is well advanced. There will also be a facility for generating an evidence summary by a way of a "mail merge" of data entered in respect of each evidence item.

⁶ ICAC, Answers to questions on notice, 4 May 2009, question 20b, p. 16.

The brief of evidence functionality can also be used to track progress on the preparation of briefs from commencement, through review processes and until final advice is received from the DPP. If the DPP advises that a prosecution should be commenced a corresponding prosecution module will be created and used to monitor progress until the prosecution is finalised.

Prosecutions and other action arising from ICAC investigations

12. The Commission recommended that the DPP consider prosecuting 51 persons for various offences in 2008–2009, compared with 23 for the previous year and 16 for 2006–2007 (pp. 38, 47).

12a In the Commission’s view, what factors have led to this increase?

The number of people who are the subject of statements under section 74A(2)(a) of the ICAC Act will depend on the number of public inquiries conducted, the nature of the conduct exposed as a result of each public inquiry, the number of people who potentially engaged in criminal activity and the extent to which there is sufficient evidence that would be admissible in a criminal court to justify making a recommendation. The number of recommendations will accordingly vary from year to year.

In 2008–09 the Commission published 13 investigation reports. These included seven reports dealing with corrupt conduct arising from the investigation into bribery and fraud at RailCorp (Operation Monto) and the main investigation report into corruption allegations affecting Wollongong City Council (Operation Atlas). These accounted for the majority of recommendations made under section 74A(2)(a) (33 people and 11 people respectively).

12b What strategies has the Commission adopted to manage the workload associated with this increase?

The identification of criminal offences and offenders occurs in the course of the investigation. Part of the investigation process is to identify relevant and admissible evidence for these offences. This takes place in the course of the investigation.

This process has increased the importance of the gathering of evidence in the course of the investigation. This has enabled the preparation and delivery of briefs to the Office of the Director of Public Prosecutions in shorter time frames. The Commission has decided to adopt a more selective approach in referring matters to the ODPP. Consideration will now be given to matters which are more serious in nature with a strong likelihood of conviction. This may result in a reduction in matters referred.

13. Please provide a table, similar to that provided to the committee during its previous review⁷, detailing the period of time that has elapsed between ICAC’s provision of briefs of evidence to the Office of the DPP and the Office’s decision on each matter, for matters current during the 2009-2010 reporting period (to date). Please include the date of all requisitions received from the Office of the DPP with respect to each matter.

Answer - Please see Attachment A

14. Please provide the Committee with an update on the progress of prosecutions for the following investigations:

- **Operation Cassowary (December 2005)**
- **Operation Ambrosia (December 2005)**
- **Operation Cadmus (September 2006)**
- **Operation Berna (December 2007)**
- **Operation Greenway (January 2008)**
- **Operation Monto (August-November 2008)**
- **Operation Atlas (October 2008)**
- **Operation Mirna (December 2008)**

CASSOWARY

The Commission's investigation report was published in December 2005. The section 74A(2)(a) statements contained recommendations affecting 18 people. Briefs were sent to the DPP in December 2007. The Commission is waiting on advice from the DPP. The DPP's office recently advised that a detailed report has been prepared in relation to this matter, and is currently under consideration in the Director's office.

AMBROSIA

The Commission's investigation report was published in December 2004. The section 74A(2)(a) statements contained recommendations affecting 35 people. Briefs were sent to the DPP in March 2007.

To date, DPP advice has been received with respect to 14 people. Of these 14, two were convicted and sentenced prior to June 2009. The prosecution in one matter ceased due to the death of the defendant and the prosecution in another did not proceed because of the death of the main potential witness (the defendant in the previous matter). Advice in relation to the other 10 people was received in June 2009. Eight of these people are currently being prosecuted. One person could not be located to serve a court attendance notice on and the prosecution of the remaining person has been completed with a conviction.

The Commission is waiting on the advice of the DPP with respect to the remaining 21 people. The DPP's office recently advised that a report in relation to 17 of these people has been prepared and is under consideration in the Director's office.

CADMUS

All prosecutions in Operation Cadmus have now been completed.

On 27 November 2009, Michael Ishaq was sentenced to 28 months imprisonment with an 18 month non-parole period for an offence of perverting the course of justice (section 319 Crimes Act) and an offence of giving false evidence to the Commission (section 87 ICAC Act).

On 27 November 2009, John Tourni was sentenced to 18 months imprisonment with a 16 month non-parole period for an offence of perverting the course of justice (section 319 Crimes Act) and an offence of giving false evidence to the Commission (section 87 ICAC Act).

On 27 November 2009, Brian Khouzane was sentenced to 18 months imprisonment with a non-parole period of 14 months for an offence of perverting the course of justice (section 319 Crimes Act) and an offence of giving false evidence to the Commission (section 87 ICAC Act).

On 27 November 2009, Mariam Tourni was given a 9-month suspended sentence for an offence of perverting the course of justice (section 319 Crimes Act) and an offence of giving false evidence to the Commission (section 87 ICAC Act).

On 16 October 2009, Albert Bullen was given a 2-year suspended sentence and fined \$1,300 in relation to offences of soliciting and receiving a corrupt reward (section 249B Crimes Act).

On 26 March 2010, Elias Khoury was sentenced to 30 months imprisonment with a non-parole period of 20 months for two offences of perverting the course of justice (section 319 Crimes Act) and one offence of giving false evidence to the Commission (section 87 ICAC Act).

On 20 May 2010, Hammurabi Barhy was sentenced to 3 years periodic detention and fined \$10,500 for one offence of obtaining a financial advantage by deception (section 178BA Crimes Act) and one offence of providing a false and misleading document (section 307C Crimes Act).

BERNA

Acting on advice received from the DPP, the Commission served court attendance notices on Lou Tasich on 19 November 2009 for an offence of offering a corrupt reward (section 249B Crimes Act) and three offences of giving false evidence to the Commission (section 87 ICAC Act). These matters are currently before the court.

GREENWAY

The Commission's investigation report was published in January 2008. The section 74A(2)(a) statements contained recommendations affecting five people. Briefs were sent to the DPP in October 2008. Subsequently one person died. Of the remaining four people, DPP advice has been received with respect to three people (in May, June and July 2010).

Prosecutions have commenced against the three people for whom DPP advice has been received.

MONTO

The Commission's seven investigation reports were published between August and November 2008. The section 74A(2)(a) statements contained recommendations affecting 33 people. Briefs were sent to the DPP between October 2008 and November 2009. The Commission is waiting on advice from the DPP in relation to all matters. The DPP's office has recently advised that reports in relation to Monto B, Monto J, Monto D and Monto E will be finalised within the next few weeks.

ATLAS

The Commission's investigation report was published in October 2008. The section 74A(2)(a) statements contained recommendations affecting 11 people. Briefs were sent to the DPP between October 2008 and July 2009.

To date, the DPP has provided final advice with respect to Kiril Jonovski and Zeki Esen and provided advice with respect to some of the offences affecting Frank Gigliotti and Glen Tabak.

Messrs Jonovski and Esen were prosecuted for offences of furnishing false or misleading information to the Commission (section 82(b) ICAC Act) and giving false or misleading evidence to the Commission (section 87 ICAC Act). Both were found not guilty on 2 July 2010.

Mr Gigliotti was prosecuted for an offence of furnishing false or misleading information to the Commission (section 82(b) ICAC Act) and an offence of giving false or misleading evidence to the Commission (section 87 ICAC Act). The section 82(b) offence was subsequently withdrawn by the DPP and the section 87 offence was dismissed by the court.

Mr Gigliotti was also prosecuted for two other offences of giving false or misleading evidence to the Commission (section 87 ICAC Act) and an offence of misleading a Commission officer (section 80(c) ICAC Act). He was convicted on the section 87 offences and is to be sentenced in November 2010. The section 80(c) offence is to go to hearing this November.

Mr Tabak was prosecuted for two offences of misleading a Commission officer (section 80(c) ICAC Act). On 6 July 2010 he was convicted of one offence (the other being taken into account on sentencing) and placed on a 2-year good behaviour bond and fined \$2,500.

The Commission is waiting on advice from the DPP in relation to all outstanding matters.

MIRNA

The Commission's investigation report was published in December 2008. The section 74A(2)(a) statements contained recommendations affecting five people. Briefs were sent to the DPP in January 2009. The Commission is waiting on advice from the DPP in relation to all matters. The DPP's office recently advised that the report in this matter would be finalised within the next few weeks.

15. Did the three individuals who are awaiting sentence arising out of Operation Aztec enter guilty pleas?

Yes. Graham Wade was sentenced to 15 months periodic detention. John Ashe was given a 12-month suspended sentence and Ken Williams was placed on a 12-month good behaviour bond.

Referrals to the NSW Crime Commission

16. According to the Annual Report (p. 12), four matters were referred to the NSW Crime Commission for consideration of assets restraint or forfeiture for amounts totalling \$2,634,000. What is the current status of these referrals?

The NSW Crime Commission has advised that orders of confiscation/forfeiture have now been made in five matters referred by the ICAC, in the following amounts:

- \$534,000
- \$50,000
- \$273,000
- \$412,000
- \$952,000

17. The Annual Report states that the ICAC will focus on identifying appropriate matters for referral to the NSW Crime Commission for action to forfeit illegally obtained assets (p. 49).

17a What factors does the Investigation Division take into account in identifying such matters?

The NSW Crime Commission acts under specific legislation in relation to confiscation of assets. The ICAC advises the Crime Commission if it is apparent an asset (including money) has been obtained as a result of corrupt conduct. If this asset is “tainted”, then the Crime Commission will make an independent decision as to whether it will take action. The same applies to property items obtained through corrupt conduct.

17b In general, at what stage of an investigation are matters referred to the Crime Commission?

This depends on the nature of the asset and whether it is likely to be disposed of (even though there is the ability for the Crime Commission to take action in such cases). If there is evidence of substantial assets which may be subject to forfeiture, the Crime Commission is advised so it can consider what action is to be taken. Generally such advice will occur when the investigation is overt and there may be some potential for asset disposal.

17c How many matters have been identified for referral in the current financial year to date?

Restraining orders were made against Ahmed Moosani and Roshan Moosani (Operation Columba) for the sum of \$425,000 each (\$850,000 total).

18. Please outline to the Committee the terms of the Division's protocol in relation to matters being referred to the NSW Crime Commission, as referred to in the Commission's funding request tabled with the Committee on 11 August 2009.⁷

There is no written protocol, but it is the Commission's standard procedure to identify in any investigation undertaken any matters that may fall within the province of the Asset Forfeiture Section within the NSW Crime Commission, taking into account the terms of the statute under which it operates. Once this is done, depending on the stage of the investigation, contact is made with this area to alert it of the potential for action. There is then ongoing liaison with the Crime Commission as required.

CORRUPTION PREVENTION (CPER)

19. Table 2 of the Annual Report shows that the number of external visitors to the Commission's website fell from 568,170 in 2007-08 to 372,782 in 2008-09.

19a. In the Commission's view what factors have led to this decrease?

During 2007-08, the Commission conducted two high-profile public enquiries (Wollongong City Council and RailCorp) that attracted strong public and media interest. The period when these public enquiries were held correlates with a spike in website visits. That these public enquiries raised awareness of the ICAC was also reflected in a spike in training requests.

19b. In what ways does the ICAC promote its website?

The website is promoted in correspondence, training, media releases and publications. When new products (such as research papers and tip sheets) are uploaded onto the website it is generally promoted through electronic networks such as the corruption prevention network, internal auditors network and the local government auditors network.

Once an investigation report has been furnished to Parliament and made public, it is also placed on the website and promoted via a media release which also draws attention to its availability on the web. The same also applies if media liaison is undertaken to promote research reports, outreach visits and other activities.

20. Has the Commission sought feedback from external stakeholders on its new website?

Focus group input from external stakeholders (both the community and public sector) was used in the design of the new site. User feedback is invited on an ongoing basis via a feedback link in the home page footer.

21. The Commission stated in answers to questions on notice during the Committee's previous review that the implementation of MOCCA was expected to result in improvements to the Commission's operations, including improved corruption prevention capabilities. In what way has the adoption of MOCCA improved ICAC's corruption prevention capabilities?

⁷ Tabled document (11 August 2009 public hearing), *ICAC request for additional recurrent funding*, p. 8.

MOCCA has provided several benefits to CPER. The enhanced search capability of MOCCA has increased the capacity of CPER to conduct background research. MOCCA allows CPER recommendations to be entered in a searchable form, which aids both the development of new recommendations and the monitoring of recommendation implementation. MOCCA makes it easier to locate advice previously provided by CPER officers, which can be very useful background information for agency visits or advice requests.

- 22. The Annual Report states that the Division is participating in a major research project with the Australian New Zealand School of Government (ANZSOG), aimed at developing ways to assess the effectiveness of corruption prevention activities (p.63). Is it the intention of the ICAC to publish the findings of the project in conjunction with the ANZSOG?**

The report represents a substantive piece of work by ANZSOG students towards their Masters degrees. Where students have conducted such research it is customary in universities for the students to attempt to publish the work under their own names, or with their supervisor, in as prestigious a journal as possible. Rather than the Commission publishing this report, we believe it would be more appropriate to follow this custom and for the students to publish their work under their names.

- 23. According to the Commission, in 2008-2009 there were no significant delays in agency reports on implementation of corruption prevention recommendations arising from investigations (p.55). Have there been any delays in the receipt of agency responses during the current financial year to date?**

There have been no significant delays in receiving agency reports during 2009–10.

Previously, the Commission requested an implementation plan three months after the publication of the investigation report, followed by a progress report at 12 months and a final report 24 months later.

During 2009–10, CPER moved towards a more flexible approach in recognition that some recommendations can be implemented quite quickly whereas others may take many years to implement. The time taken to develop an implementation plan and the timing of the progress and final reports are now determined in consultation with the relevant agency and based on factors such as the complexity of the changes required and the history of the agency.

- 24. In terms of final implementation reports received from agencies, the Department of Corrective Services (DCS) fully implemented 69% of the corruption prevention recommendations arising from Operation Inca and the Attorney-General's Department (AGD) fully implemented 50% of the recommendations relating to Operation Hunter. DCS and AGD did not agree with 3 and 2 of the Commission's recommendations respectively (p.146). According to the Annual Report, the 12-month progress report received from the Department of Housing in February 2009 indicated it had implemented 11% of the recommendations arising from Operation Greenway.**

Generally is the Commission satisfied with the level of implementation of its corruption prevention recommendations?

Final reports received in 2009–10 indicate that agencies had fully implemented 87% of recommendations. A further 11% had been partially implemented or implemented in a different way so as to meet the intention of the recommendation. The Commission is satisfied with this level of implementation.

Specifically in relation to Operation Greenway, a further progress report received in March 2010 indicated that 72% of the recommendations had either been fully or partially implemented. Four of the five remaining recommendations are contingent on Housing NSW's implementation of its "HOMES" database. Additionally, completion of most of the partially implemented recommendations is also contingent on the commissioning of this database. Housing NSW will provide the Commission with a final report once HOMES has been rolled out.

25. The Annual Report states that the Commission will focus on the high risk represented by undeveloped land held by Aboriginal Land Councils (p.62). What strategies has the Division developed to target potential corruption in relation to Local Aboriginal Land Councils land?

The possibility of obtaining and developing high-value land can be an incentive for corrupt behaviour. Local Aboriginal Land Councils (LALCs) in NSW own and manage large tracts of land. The land can have cultural value for Aboriginal people. It can also provide opportunities for economic development by Aboriginal communities. Local Aboriginal Land Councils may also decide to develop, sell or lease portions of this land. The risks for LALCs in land dealings are exacerbated by the increasing scarcity of other large land holdings on the NSW coastal area with potential for development.

Over the last 12 months, CPER has met with Indigenous governance researchers, Indigenous organisations, and public sector agencies from NSW and other jurisdictions. The meetings assisted the Commission in the development of practical resources for NSW Aboriginal communities. A primary contact with the NSW Aboriginal community has been through the NSW Aboriginal Land Council by way of meetings, presentations, workshops and forums.

In February 2010 the Commission released a guide for LALC staff, board members and Zone directors on "Minimising corruption risks in land dealings". The advice in the guide includes that LALCs:

- Obtain an independent valuation of the land prior to considering any land dealing.
- Consider their options in relation to a land holding, and test the market.
- Have appropriate policies and procedures in place in regard to gifts and benefits and managing conflicts of interest.
- Be alert to "grooming" by developers, including the risks in accepting incremental, and apparently innocuous, gifts and benefits.

The Commission also prepared a training workshop to support the advice in the guide. The workshop included references to amendments to the *Aboriginal Land Rights Act 1983*, gazetted in March 2010, which clarified and strengthened the approval processes LALCs are required to follow in their land dealings.

Due to the comparative commercial value of LALC land on the eastern seaboard, the ICAC held its first round of workshops for LALCs on or close to the coast.

Due to the comparative commercial value of LALC land on the eastern seaboard, the ICAC held its first round of workshops for LALCs on or close to the coast, with 11 workshops held in locations from Ballina in the north to Eden in the south. A further two workshops were held in Central Western NSW as part of the Commission's twice yearly rural and regional outreach program.

Fifty of the LALCs on the eastern seaboard were invited to the workshops and, in all, representatives from 39 of the LALCs attended. Some LALCs were unable to attend because of other commitments and these remaining LALCs will be followed up in the coming months.

The ICAC also delivered workshops to staff at three of the four Zone offices.

Participants gave positive evaluations of the workshops and also provided valuable feedback about the future training and other resources they would like the ICAC to develop for the land council network. The training also provided the opportunity for ICAC officers to remind LALCs about the ICAC's corruption prevention advice service and this has since been utilised by participants.

Further workshops will be held in 2010-2011 with the aim of reaching representatives from the majority of the LALCs in NSW.

- 26. The Commission also identifies the 'revolving door for corrupt individuals' in the public sector as a high risk area (p.62), stating that public sector employees faced with misconduct allegations are being permitted to resign and are then re-employed by other agencies 'with adverse results'. The Annual Report states that agencies may accept resignations due to factors such as the costs associated with investigating alleged misconduct and the perception that disciplinary action will be overturned on review (p.62).**

- 26a. Can the Commission provide the Committee with further details on this issue, i.e. the number of incidents involved and whether they occurred following an ICAC investigation or an internal agency investigation?**

The Commission generally does not track or investigate cases of the "revolving door" as they do not tend to involve specific allegations of corruption. However, the ICAC does have experience of cases where investigations were not completed or selection was not rigorous which indicates the probability of a "revolving door" is high.

For example, in Operation Torrens, a council employee was investigated by the council in relation to irregularities in contracting and disciplinary action was recommended. The employee resigned and then secured employment at another nearby council, before any disciplinary action was taken.

In 2002, the Commission was notified that a doctor employed by an area health service entered into a consultancy agreement without authority on behalf of his employer, and corruptly received a benefit of \$9,300 for the services applicable to the agreement. The doctor resigned the day after being spoken to about the matter but was later reemployed

by a hospital within the same area health service, where he came under notice in 2009 for accessing pornographic sites on hospital computers. Again the doctor resigned before any action was taken to investigate the conduct.

KPMG's *Fraud Survey 2008* found that "3 per cent of employees involved in fraudulent conduct during the survey period had a history of dishonesty with a previous employer that was known to the current employer" and that "Twelve percent of employees who were involved in fraudulent conduct during the survey period were subsequently found to have had a prior history of dishonesty".

Information about the incidence of resume falsification arose during the Commission's Operation Avoca, which featured councils that failed to properly check the background of an applicant who had a history of falsifying his resume. Evidence gathered by the Commission during that investigation suggests that resume falsification occurs in approximately one-quarter of NSW public sector applications.

26b. In the Commission's experience, how frequently is disciplinary action resulting from a misconduct investigation overturned on review?

The Commission's experience is limited to recommendations it makes in its reports that consideration should be given to the taking of disciplinary action. The action taken as a result of these recommendations is published in the Commission's annual reports. The Commission does not otherwise monitor the taking of disciplinary action by public sector agencies.

26c. What corruption prevention activities has the Division undertaken in relation to this issue?

The Commission has produced a paper on selection screening and the need to investigate, even if the employee resigns. The Commission's release of this paper was postponed when it decided in 2009 to undertake Operation Avoca (see response to question 26a above).

When the Commission finalises the Operation Avoca investigation report in August 2010, our advisory publication will be released simultaneously to achieve maximum reach.

Following the release of the Operation Avoca report the Commission will also write to all public agencies in NSW about this issue, and include a copy of the new advisory publication.

27. According to the Annual Report, a staff survey undertaken by the Commission indicates that, although agencies have adopted corruption prevention procedures such as codes of conduct, 'operational officers are much less aware of prevention mechanisms... there may have been the adoption of these mechanisms on paper, but... there is a substantial gap in the practical application' (p.62).

27a. In the Commission's view, how can agencies promote the practical application of corruption prevention mechanisms?

Ultimately the responsibility sits with the senior executive team of an agency. Changes must be implemented, not only in the policy and procedures, but also in the culture and

the practices of the staff. The Commission's experience is that corruption prevention initiatives that are introduced solely as a reaction to uncovered corruption, rather than as a genuine commitment to integrity, can encourage cynicism and non-compliance among an organisation's staff.

This issue is one of change management and should be addressed by the senior executive team as such.

27b. What initiatives has the Division taken to assist/support agencies to properly implement corruption prevention strategies?

The Commission continues to provide advice, manager training and advisory/resource publications when needed and to develop new approaches when opportunities arise. During 2009–10 a senior executive workshop was developed which works through the corruption risks inherent in the structures, processes and culture of an agency and examines the organisational changes needed to reduce corruption. This half-day/full-day workshop resembles a strategic retreat or planning day, rather than traditional training.

In addition, the new online corruption risk management toolkit can be used to develop a comprehensive approach to corruption prevention. A total of 46 units have been published on the website, including 28 that address specific corruption risks (for example, secondary employment, cash handling and joint ventures). The remaining 18 units focus on developing and implementing an organisational corruption prevention strategy.

COMPLIANCE AND ACCOUNTABILITY

28. The Commission states that staff training presentations during the reporting year dropped due to operational matter (sic) and the development of the new case management system, and that in the year ahead it will seek to increase the number of internal training presentations to staff in relation to existing and new legislative requirements (pp. 76-8). Has the Commission succeeded in conducting more training presentations in the reporting year to date?

The ICAC has previously developed training presentations for Commission staff on the use of various statutory powers. These were designed to complement the comprehensive procedures for the exercise of statutory powers set out in the Commission's *Operations Manual*. Each presentation takes about an hour and requires the attendance of the presenter and a sufficient number of Commission officers to make it worthwhile. Commitments to operational work meant that there has been insufficient available time to conduct or attend these presentations. To overcome this problem the Commission's Legal Division has developed webcast training sessions in relation to:

- the ICAC Act
- obtaining and executing search warrants
- obtaining and executing warrants under the *Telecommunications (Interception and Access) Act 1979*

- protected disclosures
- obtaining and executing warrants and record-keeping under the *Surveillance Devices Act 2008*.

A webcast is a web-based seminar or presentation that is transmitted over the web. In the Commission's case, this is done via the ICAC Intranet. The advantage of a webcast is that an individual can access it for training purposes when the individual needs training or updating on a topic, rather than having to wait for a formal training session. The Commission also requires new staff to view relevant webcasts as part of their induction process.

Between the inception of the webcasts in November 2009 and 30 June 2010, the ICAC Act webcast was accessed 44 times, the search warrant webcast was accessed 18 times, the telecommunications interception webcast was accessed 16 times, the protected disclosures webcast was accessed 25 times and the surveillance device webcast was accessed 17 times.

One training session was conducted in the 2009–10 financial year on criminal brief preparation and the use of the Commission's case management system (MOCCA) to assist with brief preparation.

29. The Annual Report states that during 2008-2009 five complaints were made against Commission officers - three from external sources and two from internal sources. In terms of the internal complaints, one of the matters related to the failure by two officers to seek authorisation for secondary employment, which was subsequently sought and granted (p. 75).

a. What factors does the Commission take into account in deciding whether to grant approval for secondary employment?

The factors taken into account when assessing an employee's request for approval to undertake secondary employment are detailed in the Secondary Employment Policy and are as follows:

- The work must not arise from, nor be associated with, the officer's official knowledge and duties although approval will be considered in cases where technical or professional expertise may be involved
- the work is to be undertaken in the officer's own time
- the work must not involve a conflict of interest with the officer's Commission duties
- the approved arrangements will not be varied without submission of a further approval and
- the Commission will be formally notified of any significant change in the employee's financial circumstances arising from the secondary employment.

b. How does the Commission manage the risks associated with employees' secondary employment?

A member of the senior executive management group assesses the employee's application for secondary employment and approves or declines the application. Where approved, the maximum period of approval is 12 months. Details of the secondary

employment are then forwarded to Human Resources and Administration. Human Resources and Administration retain the supporting documentation on the employee's personnel file and send a reminder to the executive director and employee one month prior to the 12-month period falling due to update/re-submit for any further secondary employment.

c. What training does the Commission undertake to inform its employees about policies and procedures relevant to secondary employment?

New starters are issued with a copy of the Commission's Code of Conduct, which advises them that permission is needed for secondary employment. The Security and Risk Management Officer also explains this to them during their induction.

d. Has the Commission amended any of its policies or training in light of the complaints referred to above?

The Secondary Employment Policy was last reviewed and updated in 2007, prior to the complaints in 2008-2009. The Commission continues to advise new staff of the rules around secondary employment at the ICAC. The Commissioner has recently considered several requests for secondary employment, which in themselves have raised various issues. As a consequence, the ICAC will review the Secondary Employment Policy and its application. This will include consideration of the policy factors and forms of permanent, part-time and contract employment.

30. The investigation into the remaining internal complaint found that the officer who was the subject of the complaint had engaged in misconduct. The officer resigned during the investigation and a record of the finding was placed on their personnel file (p. 75).

30a. In terms of the misconduct matter, in general terms, what was the nature of the misconduct concerned?

The misconduct principally involved falsely representing that entries in the officer's official work journal were made contemporaneously. The officer was required to keep an official work journal to record day-by-day work events. The officer failed to make day-to-day entries but instead reconstructed entries in a new book which the officer then presented to a supervisor on the basis that it contained contemporaneous entries.

30b. What measures does the Commission have in place to prevent such misconduct recurring in future and has there been any need to review relevant policies and procedures in light of this particular investigation?

Since at least 1991 the Commission has required certain classes of officers to keep an accurate record of their official duties in a work journal or diary. Supervisors compare entries in the work journal or diary with entries made on timesheets in order to confirm times claimed to have been worked. Written Commission policy requires senior officers to review journals kept by relevant staff on a quarterly basis.

It was through this process that the possibility was first identified that the officer had reconstructed entries. The Commission is satisfied current procedures for checking

journals and diaries are appropriate. The investigation did not identify any need for changes to Commission policies or procedures.

30c. Does the commission notify the ICAC Inspector of internal misconduct investigations?

Yes. The ICAC contacts the ICAC Inspector in accordance with our memorandum of understanding to advise him when any allegation of misconduct has been made, and obtains the Inspector's approval to conduct an internal investigation. If the Inspector wishes to investigate a matter himself, the matter would be referred to him for action.

OUR ORGANISATION

31. The Annual Report states that the implementation of ICAC's new complaints-handling and case management system (MOCCA) was delayed due to significant technical issues that arose during final testing of data migration from the old case management system (p. 84). Has MOCCA been fully implemented?

MOCCA went live on 9 November 2009. Further system enhancements have been developed and are currently under testing.

32. The Commission established a new Communications and Media Section within its Executive Unit, transferring staff from the Corruption Prevention, Education and Research Division to staff the Section (p. 84). Please outline to the Committee the nature of the work undertaken by the new Section, highlighting key projects and initiatives.

The Communications and Media Section manages the Commission's internal and external communications functions. Bringing together staff from the CPER Division with existing Executive Unit staff has consolidated these functions into the one area and enabled it to work effectively to provide services to all divisions and sections across the Commission.

These services and functions include media liaison and management at public inquiries. The section also manages all Commission publishing work including the editing, design and print-production management of corporate publications, investigation reports, corruption prevention resources, research reports, education materials and information brochures. The section assumed responsibility for the content management of the new website once it went live in November 2009.

Communications and Media also provides internal advice on preparing print and web materials, and managing pro- and reactive media liaison. It also works with the media to promote the Commission's investigation work via public inquiries and reports, and to promote the Commission's corruption prevention work including the rural and regional outreach program, and research activities.

While the work of the section is ongoing, key projects in the 12 months to 30 June 2010 included project management of the annual report, and the production of more than 50 print and electronic publications including all investigation reports, research reports, discussion papers, education materials and corporate publications. Communications and Media has promoted the Commission's work via generating media interest and coverage of all Commission public inquiries and reports, two regional outreach visits to the

Illawarra/South Coast and Central West, and managed numerous inquiries from the media on a 24-hour, seven-day-per-week basis.

The section also produces the Commission's stakeholder newsletter, *Corruption Matters*, twice a year, and the internal staff newsletter, *ICAC Matters*, each second month.

Communications and Media has also, in conjunction with the Information Management and Technology Unit, completed the redesign, development and commissioning of the Commission's Intranet site to improve its use and value as a major internal communications tool.

- 33. According to the Annual Report, during the year an existing staff secondment was extended, a secondment was approved and a staff member was granted leave without pay to work with the United Nations (p. 86). Was the Commission able to fill the resulting temporary vacancies?**

In terms of secondments the staff member working for the United Nations has had his leave without pay extended until April 2011. Similarly the staff member on secondment has had her secondment extended until 31 December 2010. Both positions have been backfilled on a temporary basis.

- 34. The Commission entered into a shared corporate services arrangement with the Health Care Complaints Commission in 2004–05, which was reviewed in March 2009. Due to significant workload increases, it was determined that in order to improve the operation and effectiveness of the agreement, the financial accounting work for the HCCC would no longer be undertaken by ICAC staff, but would be provided by an in-house HCCC officer from the 2009–10 financial year (p. 91).**

- a. Has this new arrangement improved the operation and effectiveness of the agreement?**

The operation and effectiveness of the shared services agreement has improved following the recruitment of a financial accountant by the HCCC. The HCCC's management is better able to obtain in-house assistance and advice on various financial/accounting issues. The workload for the HCCC is more evenly distributed thus providing relief to the ICAC's Finance Unit.

- b. Does the arrangement allow ICAC to cover its full costs of providing services to the HCCC?**

The agreement allows the ICAC to recover its costs of providing administrative services to the HCCC. The current annual fees recoverable from the HCCC are at \$330,000, which are included in the Commission's Net Cost of Service budget allocation from NSW Treasury. This means that the Treasury makes an adjustment to the Commission's budget so that the Commission is not able to use the \$330,000 as additional funding.

ATTACHMENT A

**PROSECUTION TIMESCALES FOR MATTERS CURRENT FROM
1 JULY 2009 TO 31 JULY 2010**

REPORT	DATE OF REPORT	DATE BRIEF TO DPP	DAYS FROM REPORT TO BRIEF TO DPP	DATE OF DPP REQUISITIONS	DATE OF ICAC FINAL RESPONSE TO DPP REQUISITIONS	DATE OF FINAL DPP ADVICE	DAYS BETWEEN DELIVERY OF BRIEF AND FINAL DPP ADVICE
AGNELLI							
Lawrence	28/8/03	1/3/04	186	25/10/04, 25/8/06 & 27/2/07	Various.	11/02/08	1442
Fitzgerald	28/8/03	1/3/04	186			11/02/08	1442
UNICORN							
Smith (1)	1/4/05	3/11/05	216	Various	Various	13/6/08	953
Smith (2)	1/4/05	3/11/05	216			6/8/09	1372
Perkins	1/4/05	3/11/05	216			6/8/09	1372
Scott	1/4/05	3/11/05	216			6/8/09	1372
Wilson	1/4/05	3/11/05	216			6/8/09	1372
Holt	1/4/05	3/11/05	216			6/8/09	1372
Griffen	1/4/05	3/11/05	216			13/6/08	953
Bailey	1/4/05	3/11/05	216			13/6/08	953
CORDOBA							
Abi-Saab	23/6/05	28/9/05	96	Nil	Nil	21/11/06	419

REPORT	DATE OF REPORT	DATE BRIEF TO DPP	DAYS FROM REPORT TO BRIEF TO DPP	DATE OF DPP REQUISITIONS	DATE OF ICAC FINAL RESPONSE TO DPP REQUISITIONS	DATE OF FINAL DPP ADVICE	DAYS BETWEEN DELIVERY OF BRIEF AND FINAL DPP ADVICE
CASSOWARY							
Whitcher	14/12/05	14/12/07	730	4/8/09 & 13/8/09	13/9/09 & 11/9/09		
Whaanga	14/12/05	14/12/07	730				
Fraser	14/12/05	14/12/07	730				
Ratkovic	14/12/05	14/12/07	730				
Browning	14/12/05	14/12/07	730				
Gomez	14/12/05	14/12/07	730				
Mohammad	14/12/05	14/12/07	730				
Abboud	14/12/05	14/12/07	730				
Leon	14/12/05	14/12/07	730				
Noel	14/12/05	14/12/07	730				
Ritchie	14/12/05	14/12/07	730				
Kalland	14/12/05	14/12/07	730				
Burton	14/12/05	14/12/07	730				
Bacon	14/12/05	14/12/07	730				
Bishop	14/12/05	14/12/07	730				
McAndrew	14/12/05	14/12/07	730				
Atkins	14/12/05	14/12/07	730				
McMaster	14/12/05	14/12/07	730				
Moya	14/12/05	14/12/07	730				
Senior	14/12/05	14/12/07	730				

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AMBROSIA							
Williams	21/12/05	16/3/07	450				
More	21/12/05	16/3/07	450				
Younis	21/12/05	16/3/07	450				
Kayrouz	21/12/05	16/3/07	450				
Aboulhosn	21/12/05	16/3/07	450				
Sleiman	21/12/05	16/3/07	450				
Karam	21/12/05	16/3/07	450				
Bazouni	21/12/05	16/3/07	450				
Tannous	21/12/05	16/3/07	450				
Makdessi	21/12/05	16/3/07	450				
Nader	21/12/05	16/3/07	450				
Ben	21/12/05	16/3/07	450				
Dib	21/12/05	16/3/07	450				
Punz	21/12/05	16/3/07	450				
Borovina	21/12/05	16/3/07	450				
Akiki	21/12/05	16/3/07	450				
Ayoub	21/12/05	16/3/07	450				
Harb, B	21/12/05	16/3/07	450				
Allem	21/12/05	18/9/07	636				
Megas	21/12/05	22/4/08	853				
Constantin	21/12/05	18/9/07	636				
Nehme, J	21/12/05	24/5/06	154	Nil	N/A	31/1/08	617
Massoud	21/12/05	22/5/08	883	Nil	N/A	5/6/09	378
Zaiter	21/12/05	24/5/06	154	Nil	N/A	5/6/09	1108
Barrakat	21/12/05	17/3/08	817				
Sabra	21/12/05	5/9/08	988	Nil	N/A	5/6/09	273

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...AMBROSIA							
Nguyen	21/12/05	17/3/08	817	Nil	N/A	5/6/09	445
Boumelhem	21/12/05	5/9/08	988	Nil	N/A	5/6/09	273
Nehme, N	21/12/05	28/4/08	859	Nil	N/A	5/6/09	403
Nakhoul	21/12/05	22/4/08	853	Nil	N/A	5/6/09	409
Daoud	21/12/05	22/4/08	853	Nil	N/A	5/6/09	409
Haidar	21/12/05	14/4/08	845	Nil	N/A	5/6/09	417
Mouwad	21/12/05	17/3/08	817	Nil	N/A	5/6/09	445
CADMUS							
Ishaq	20/9/06	18/7/07	301	Nil.	N/A	10/6/08	327
Tourni	20/9/06	18/7/07	301	Nil.	N/A	10/6/08	327
Khoury	20/9/06	18/7/07	301	Nil.	N/A	10/6/08	327
Khouzame	20/9/06	18/7/07	301	Nil.	N/A	10/6/08	327
Hilal	20/9/06	18/7/07	301	Nil.	N/A	10/6/08	327
Bullen	20/9/06	18/7/07	301	Nil.	N/A	8/7/09	720
Barhy	20/9/06	18/7/07	301	Nil.	N/A	4/9/09	778
M.Tourni	20/9/06	18/7/07	301	Nil.	N/A	10/6/08	327
AZTEC							
Wade	26/10/06	10/8/07	288	Nil	N/A	21/11/08	469
Williams	26/10/06	10/8/07	288	Nil	N/A	21/11/08	469
Ashe	26/10/06	10/8/07	288	Nil	N/A	21/11/08	469
QUILLA							
Stepito	21/12/06	21/4/08	487	Nil	N/A	19/06/09	424
Job	21/12/06	21/4/08	487	Nil	N/A	19/06/09	424
PERSIS							
S. Marcos	18/06/07	3/4/08	290	Nil	N/A	5/3/09	309
B. Marcos	18/06/07	3/4/08	290	Nil	N/A	5/3/09	309
Mourched	18/06/07	3/4/08	290	Nil	N/A	5/3/09	309
Mikhail	18/06/07	3/4/08	290	Nil	N/A	5/3/09	309

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PELION							
Fryar	22/08/07	13/6/08	296	N/A	N/A	18/11/08	158
Huang	22/08/07	13/6/08	296	N/A	N/A	18/11/08	158
Lu	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Srijan	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Innes	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Kuang	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Tina	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Song	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Shan	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Xu	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
Carle	22/08/07	13/6/08	296	N/A	N/A	20/04/09	318
SIRONA							
McPherson	20/09/07	5/5/08	230	Nil	N/A	16/03/09	283
Phomsavanh	20/09/07	5/5/08	230	Nil	N/A	16/03/09	283
Jaturawong	20/09/07	5/5/08	230	Nil	N/A	16/03/09	283
BERNA							
Tasich	20/12/07	20/10/08	305	30/7/09		30/7/09	274
GREENWAY							
Norris Murray	31/1/08	30/9/08	243	Nil	N/A	26/7/10	664
Peters	31/1/08	30/9/08	243	6/2/09	29/06/09		
Nolan	31/1/08	30/9/08	243	6/2/09	29/06/09	7/5/10	584
	31/1/08	30/9/08	243	Nil	N/A	2/6/10	610

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MONTO F							
Blackstock	13/8/08	14/10/08	62	12/03/09	24/8/09		
Madrajat	13/8/08	14/10/08	62	12/03/09	24/8/09		
Ward	13/8/08	14/10/08	62	12/03/09	24/8/09		
Chambers	13/8/08	14/10/08	62	Nil	N/A		
Clarke	13/8/08	14/10/08	62	Nil	N/A		
MONTO C							
Hughes	13/8/08	31/10/08	79	28/5/09	16/06/09		
Kuipers, W	13/8/08	31/10/08	79	28/5/09	16/06/09		
Kuipers, K	13/8/08	31/10/08	79	28/5/09	16/06/09		
MONTO B							
Walker	8/9/08	22/04/09	226				
Azzopardi	8/9/08	22/04/09	226				
Kuipers, W	8/9/08	22/94/09	226				
Napier, Michael	8/9/08	22/04/09	226				
Napier, Matt	8/9/08	22/04/09	226				
Dulhunty	8/9/08	22/04/09	226				
MONTO D							
Stanic	8/9/08	7/7/09	302				
Szoboszlay	8/9/08	7/7/09	302				
Kouraos	8/9/08	7/7/09	302				
Palombo	8/9/08	7/7/09	302				
MONTO A							
Hetman	25/9/08	14/10/09	384				
Murdocca, D	25/9/08	14/10/09	384				
Murdocca, S	25/9/08	14/10/09	384				
Murdocca, P	25/9/08	14/10/09	384				

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MONTO E							
Akkawi	25/9/08	23/04/09	210				
ATLAS							
Morgan	8/10/08	17/7/09	282				
Vellar	8/10/08	6/7/09	271				
Zanotto	8/10/08	6/7/09	271				
Gigliotti (1)	8/10/08	13/7/09	278				
Younan	8/10/08	13/7/09	278				
Carroll	8/10/08	13/7/09	278				
Tasich	8/10/08	13/7/09	278				
Tabak (1)	8/10/08	29/04/09	203				
Scimone	8/10/08	7/04/09	181				
Gigliotti (2 & 3)	8/10/08	31/03/09	174	Nil	N/A	14/9/09	166
Jonovski	8/10/08	31/03/09	174	Nil	N/A	14/9/09	166
Esen	8/10/08	31/03/09	174	Nil	N/A	14/9/09	166
Tabak (2)	8/10/08	29/4/09	203	Nil	N/A	11/5/10	377
MIRNA							
Sanhueza	18/12/08	8/1/09	21				
C. Taylor	18/12/08	8/1/09	21				
A Taylor	18/12/08	8/1/09	21				
Xuereb	18/12/08	8/1/09	21				

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MONTO G H J & MINERVA							
Laidlaw	19/11/08	25/11/09	371				
Kotevski	19/11/08	25/11/09	371				
Hansen	19/11/08	25/11/09	371				
Araldi	19/11/08	25/11/09	371				
Hili	19/11/08	25/11/09	371				
Schliebs	19/11/08	25/11/09	371				
Severino	19/11/08	25/11/09	371				
Petrovski	19/11/08	25/11/09	371				
Affleck	19/11/08	25/11/09	371				
Penny	19/11/08	25/11/09	371				
Skinner	19/11/09	25/11/09	371				
Dulhunty	19/11/09	25/11/09	371				
BELLIN							
Pei	12/2/09	16/2/09	4	Nil	N/A	22/5/09	95
Lu	12/2/09	16/2/09	4	Nil	N/A	22/5/09	95
CAPELLA							
Huang	26/2/09	10/3/09	12	Nil	N/A	6/8/09	149
BAUER							
Chen	30/06/09	14/7/09	14	25/8/09 & 1/9/09	27/8/09 & 7/10/09	17/11/09	126
Sun	30/06/09	14/7/09	14			17/11/09	126
TAMBO							
Pevec. G	9/9/09	8/2/10	152				
Murdocca	9/9/09	11/2/10	155				
Pevec. L	9/9/09	11/2/10	155				

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CHAUCER							
Khan. W	23/9/09	29/9/09	6				
Ali	23/9/09	29/9/09	6				
Khan. T	23/9/09	29/9/09	6				
ARGYLE							
Smith	4/11/09						
Rossello	4/11/09						
COLUMBA							
Merchant	9/12/09	24/5/10	166				
Hyland	9/12/09	24/5/10	166				
Moosani	9/12/09	24/5/10	166				
Camilleri	9/12/09	24/5/10	166				
Alqudsi	9/12/09	24/5/10	166				
Shipway	9/12/09	24/5/10	166				
Raghavan	9/12/09	24/5/10	166				
Brandusoiu	9/12/09	24/5/10	166				
Wheeler	9/12/09	24/5/10	166				
SEGOMO							
Hart	15/3/10						
Paul	15/3/10						
Kelly	15/3/10						
Trinder	15/3/10						
Nankivell	15/3/10						
CENTURION							
Pyo	13/5/10	13/5/10	0				
CORAL							
Garzaniti	2/6/10	18/6/10	16				

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CORSAIR Cooper	10/6/10	25/5/10	(-15)				
CORINTH Paluzzano	13/7/10	19/7/10	6				
CICERO Wade	27/7/10	TBA					