



NEW SOUTH WALES
Crime Commission

1 July 2014

Mr Greg Smith SC MP,
Committee Chair,
Parliament of New South Wales,
Committee on the Independent Commission Against Corruption,
Macquarie Street,
SYDNEY. NSW. 2000.

Your Ref: D14/15996

Dear Mr Smith:

**RE: PROSECUTIONS ARISING FROM INDEPENDENT COMMISSION AGAINST
CORRUPTION INVESTIGATION**

Thank you for your letter of 27 June 2014. However I believe there is nothing I can usefully contribute to the Committee's deliberations either as Chairman of the Management Committee or in a personal capacity except to make the bald observation that there may well be a need to create statutory offences which explicitly contemplate some of the more egregious conduct uncovered by ICAC over the last 12 months.

As you know the Crime Commission has no prosecutorial function but it does have responsibility under the *Criminal Assets Recovery Act*. In that role I can assure you that it takes a very active interest in matters before ICAC. As proceedings under the *Criminal Assets Recovery Act* predicate proof of criminal activity statutory clarification of the way the criminal law impacts upon proved corrupt conduct might be of great benefit to the Crime Commission.

Yours sincerely,

David Patten,
Chairman of the Management Committee.