

**Submission  
No 2**

**INQUIRY INTO PROPOSED AMENDMENTS TO THE  
INDEPENDENT COMMISSION AGAINST CORRUPTION ACT  
1988**

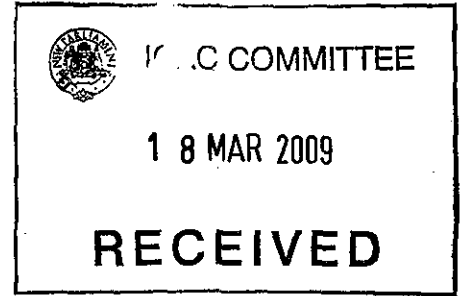
**Organisation:** Inspector of the Police Integrity Commission  
**Name:** The Hon Peter Moss QC  
**Position:** Inspector  
**Telephone:**  
**Date received:** 18/03/2009

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NEW SOUTH WALES

*Inspector  
of the  
Police Integrity Commission*



Our Ref: CI00-09AA

17 March 2009

Mr Frank Terenzini MP  
Chair  
Committee on the Independent Commission  
Against Corruption  
Parliament of New South Wales  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr Terenzini

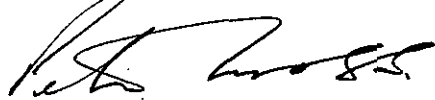
**RE: PROPOSED AMENDMENTS TO THE INDEPENDENT COMMISSION  
AGAINST CORRUPTION ACT 1988**

- 1) I acknowledge receipt of your letter dated 6 March 2009.
- 2) As you would be no doubt aware, the comparable Section under the Police Integrity Commission Act 1996, namely, Section 40(3), excludes from the general prohibition as to the use of the relevant evidence, as contained in Section 40(3), the use of such evidence in relation to the specified Sections of the Police Act 1990, and also in respect of any disciplinary proceedings.
- 3) If comparable amendments were made to Section 37(3) of the ICAC Act, it would follow that this would have the effect of bringing the Act into line with the relevant provisions of the Police Integrity Commission Act.
- 4) I also note that your inquiry has a wider jurisdiction than the abovementioned matters, in that it includes an inquiry into whether the relevant provision

should be amended to allow use of the relevant evidence in civil proceedings generally or in specific classes of civil proceedings.

- 5) If it were thought that I could be of any further assistance to your Committee, please do not hesitate to advise.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P.J. Moss', written in a cursive style.

The Hon. P.J. Moss, QC  
Inspector of the Police Integrity Commission