INTRODUCTION TO ICAC

THE INDEPENDENT COMMISSIONER AGAINST CORRUPTION AND THE OFFICE FOR PUBLIC INTEGRITY.

THE INDEPENDENT COMMISSIONER AGAINST CORRUPTION

The Hon. Ann Vanstone QC has been appointed the Independent Commissioner Against Corruption. The role of the Commissioner is to identify and investigate corruption in public administration, and prevent or minimise corruption, misconduct and maladministration in public administration.

The Office for Public Integrity (OPI) is responsible to the Commissioner and is the central point of contact to receive and assess complaints and reports about corruption, misconduct and maladministration in public administration.

POWERS AND FUNCTIONS

The Commissioner has significant powers to investigate corruption in public administration. The Commissioner may investigate allegations relating to the conduct of state and local government authorities and public officers, including Members of Parliament, members of the judiciary, police officers, public servants, councillors, council employees and private individuals contracted to perform work for a public authority or the Crown.

The Commissioner does not prosecute individuals. If the Commissioner finds, after an investigation, that there are grounds for a prosecution, the matter will be referred to an appropriate prosecution authority, such as the Director of Public Prosecutions.

WHAT IS CORRUPTION, MISCONDUCT AND MALADMINISTRATION IN PUBLIC ADMINISTRATION?

The full definitions of corruption, misconduct and maladministration in public administration are provided in the *Independent Commissioner Against Corruption Act 2012*.

Corruption includes conduct that constitutes one of a number of offences, including bribery or corruption of public officers, threats or reprisals against public officers and abuse of public office. It includes any other offences committed by a current or former public officer while acting in his or her capacity (or former capacity) as a public officer. If it is not a crime, it is not corruption.

Misconduct occurs when a public officer contravenes a code of conduct or is involved in any other misconduct while acting in his or her capacity as a public officer.

Maladministration includes irregular and unauthorised use of public money or substantial mismanagement of public resources. It also includes substantial mismanagement in or in relation to the performance of official functions and conduct resulting from impropriety, incompetence or negligence.

MAKING A COMPLAINT

Members of the public who witness or reasonably suspect corruption, misconduct or maladministration in public administration should report that conduct to the OPI.

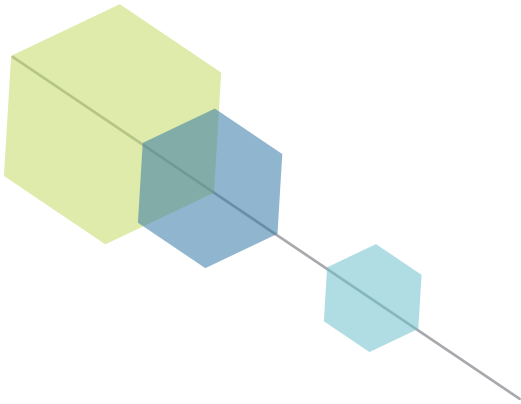
Complaints can be made by telephone, in writing, in person or via an online form on the Commissioner's website. Complaints cannot be made directly to the Commissioner.

WHAT HAPPENS ONCE A COMPLAINT OR REPORT IS MADE?

The OPI will assess your complaint or report and can make a recommendation to the Commissioner about how it should be dealt with.

If the matter is assessed as raising a potential issue of corruption, then the Commissioner will determine whether to investigate the matter or refer it to an appropriate agency for investigation.

If the matter is assessed as raising a potential issue of misconduct or maladministration in public administration, the Commissioner or the OPI may refer the matter to an inquiry agency, such as the Ombudsman or the Police Ombudsman, or to a public authority.



MORE INFORMATION & ADVICE

SWITCHBOARD & COMPLAINTS
(08) 8207 1777
OR 1300 782 489
Cost of a local call for country callers

WWW.ICAC.SA.GOV.AU

LEVEL 1, 55 CURRIE ST.
GPO BOX 11066
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The information contained in this document is for general information only and does not constitute legal advice.

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FACTSHEET

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Independent Commissioner Against Corruption
SOUTH AUSTRALIA
Office for Public Integrity