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Independent Commission Against Corruption

2021-22 Annual Report

Independent Commission Against Corruption
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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

To:

The Honourable Terry Stephens MLC
President of the Legislative Council

The Honourable Daniel Cregan MP
Speaker of the House of Assembly

This annual report will be presented to Parliament to meet the statutory reporting requirements of section 45 of the *Independent Commission Against Corruption Act 2012* (SA) as at 7 October 2021, section 45 of the *Independent Commissioner Against Corruption Act 2012* (SA) prior to 7 October 2021, and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

Included is a report on the number and general nature of sanctions imposed under the *Police Complaints and Discipline Act 2016* (SA), as required by section 31 of that Act.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted by:



The Honourable Ann Vanstone KC
Commissioner

29 September 2022

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

To:

The Honourable Kyam Maher MLC
Attorney-General

This annual report will be presented to Parliament to meet the statutory reporting requirements of section 12 of the *Public Sector Act 2009 (SA)* and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted by:



The Honourable Ann Vanstone KC
Commissioner

29 September 2022

From the Commissioner



This year has been one of significant change for the Commission.

In late 2021 the South Australian Parliament passed legislation which markedly altered the public integrity landscape in this state. The amending act came into operation on 7 October last year. The changes affected each aspect of our jurisdiction.

We are now to focus only on corruption: investigating it, evaluating agencies and conducting educational programs with a view to preventing and minimising it. Misconduct and maladministration are now out of our range.

Corruption itself is now defined very narrowly, in terms of a very few serious criminal offences and some offences found within the *Public Sector (Honesty and Accountability) Act 1995*. The Office for Public Integrity was taken from under my

control and created as a separate entity. This caused the movement elsewhere of 18 members of that office.

The speed with which the legislation took effect meant there was little time to plan for these substantial changes, and so there was significant disruption to much of our work and our plans. Naturally, our website and all our education resources including training courses became inaccurate and redundant.

Despite all this, I believe the staff of what is now the Commission has continued to deliver value to public officers in this state and thereby to the South Australian community, as we continue to enhance integrity in public administration.

Notwithstanding the changes we continue to receive referrals of potential corruption. Indeed, in the last financial year we commenced investigations in over 50 such matters, an increase on the 30 investigations commenced in the previous period. The steps that we have taken to expedite investigations have paid off. The average time taken for each is now five months, and none has taken more than nine months.

In last year's Annual Report I said that I had sought to focus more on prevention and to ensure that all our investigations added to our prevention initiatives. Under the amendments, investigating corruption is no longer our primary focus; it ranks equally with our prevention and education functions. This aspect of the changes is not unwelcome. I think that there is an increasing recognition in integrity agencies across the country that prevention is where our greatest value lies; in identifying and rectifying the weaknesses and failures of governance which can enable corruption to take root. An outcome where an agency can be helped to act quickly to address deficiencies in practices and procedures may be preferable to a matter going to

prosecution, years after the events, in circumstances where the odds of securing a conviction in the courts – especially since the amendments – are stacked against us.

I congratulate all staff of the Commission, not only upon responding to changes I have made in the organisation, but also to the way they have adjusted to the altered legislative framework.

October 7th will mark one year since the amendments took effect. In my view there are many areas in the legislation where improvements should be made. With this in mind I have suggested to the Attorney-General that it is timely for an independent review of the legislation to be undertaken. I think that the public in South Australia deserve the best possible system which resources allow.

A handwritten signature in black ink, appearing to read 'Ann Vanstone', written in a cursive style.

The Honourable Ann Vanstone KC
Commissioner

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Overview: about the agency

Strategic focus

The Independent Commission Against Corruption (the Commission) is established by the *Independent Commission Against Corruption Act 2012* (ICAC Act). The ICAC Act defines the Commission's objectives and functions. The legislative functions underpin the Commission's Strategic Plan 2021-24, which is available on the Commission's website: <https://www.icac.sa.gov.au/documents/our-org-related-documents/ICAC-Strategic-Plan-2021-2024.pdf>

Purpose

Preserve and promote integrity in public administration through the investigation of corruption in public administration and proactive prevention and educational initiatives.

Vision

A state in which public institutions insist on the highest standards of integrity.

Values

The Commission's values are:

Accountability

We are responsible for our actions and decisions. We use our resources responsibly. We scrutinise ourselves as vigorously as we scrutinise others.

Collaboration

We encourage the sharing of knowledge and ideas. We actively seek the contribution and perspectives of others. We work together to achieve best outcomes.

Excellence

We lead by example and demonstrate best practice. We continually strive to improve our capabilities, skills and knowledge. We are committed to professionalism and service.

Independence

We conduct ourselves without fear or favour and make decisions according to law.

Integrity

We are fair and unbiased in all our dealings. We are honest, trustworthy, reliable and fearless in fulfilling our duties.

Respect

We treat everyone with respect, fairness and courtesy. We take our responsibilities seriously and use our powers carefully.

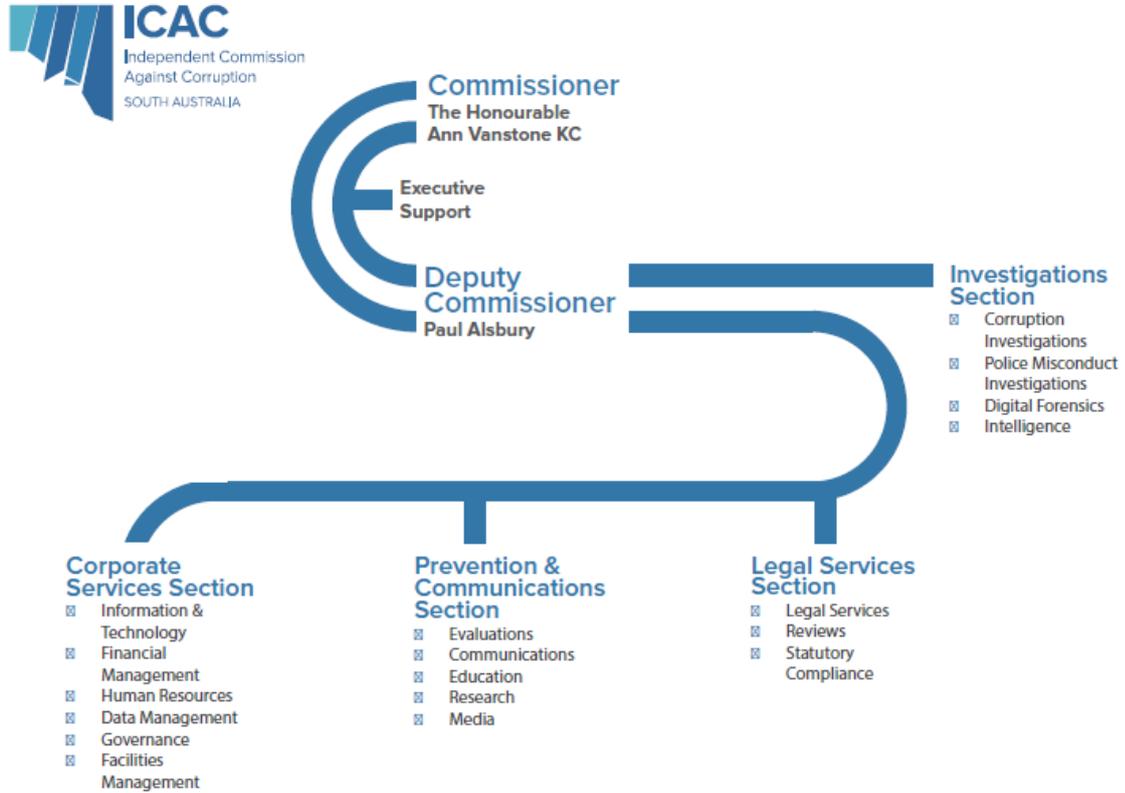
Functions and objectives

Section 7(1) of the ICAC Act sets out the functions of the Commission:

- (1) There is to be an Independent Commission Against Corruption with the following functions:
 - (a) to identify corruption in public administration and to—
 - (i) investigate and refer it to a law enforcement agency for any further investigation and prosecution; or
 - (ii) refer it to a law enforcement agency for investigation and prosecution;
 - (b) to evaluate the practices, policies and procedures of inquiry agencies and public authorities with a view to advancing comprehensive and effective systems for preventing or minimising corruption in public administration;
 - (c) to conduct or facilitate the conduct of educational programs designed to prevent or minimise corruption in public administration;
 - (d) if, in the course of performing functions in relation to potential corruption in public administration, any suspected misconduct or maladministration or any offences (not being offences that constitute the potential corruption in public administration) are identified—to report the matter to the Office or the Ombudsman for assessment or refer the matter to a law enforcement agency, the Ombudsman or a public authority or public officer, as the Commission considers appropriate.¹

¹ Reference to 'the Office' is the Office for Public Integrity.

Our organisational structure



Changes to the agency

Legislative changes

During the reporting period there were significant changes to the Commission's structure and functions as a result of the *Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Act 2021*.

As a consequence of those changes, the Office for Public Integrity (OPI) was removed from the Commission's purview and established as a separate agency. The 18 OPI staff employed by the Commissioner were transferred to the Attorney-General's Department.

The changes resulted in the Commission's jurisdiction being limited to a narrowed definition of corruption in public administration. The Commissioner's ability to commence investigations on her own initiative was also removed.

Further information about the changes and their consequences is outlined in the Commission's report entitled *An examination of changes effected by recent amendments to the Independent Commission Against Corruption Act 2012*. The report is published on the Commission's website.²

New Deputy Commissioner

On 14 February 2022, Paul Alsbury commenced in the role of Deputy Commissioner.

Paul has a Bachelor of Business (Accountancy) (QUT), a Bachelor of Laws (QUT) and a Master of Laws (QUT) and is a Graduate Member of the Australian Institute of Company Directors. He was originally admitted in Queensland as a Solicitor in 1999.

Paul has around 20 years' experience in the Queensland public sector, including as a Crown Prosecutor with the Office of the Director of Public Prosecutions, Executive Director (Legislation and Standards) with the Department of Transport and Main Roads, and Executive Director (Legal Division) with the Queensland Police Service. Before joining the Commission, he held the position of Senior Executive Officer (Corruption) at Queensland's Crime and Corruption Commission.

² www.icac.sa.gov.au/publications/published-reports/an-examination-of-changes-effected-by-recent-amendments-to-the-ICAC-act-2012

The Commission's Executive Team

Commissioner

The Honourable Ann Vanstone KC

The Commissioner is appointed in accordance with section 8 of the ICAC Act and is responsible for the functions outlined in the Act.

Deputy Commissioner

Paul Alsbury

The Deputy Commissioner is appointed in accordance with section 9 of the ICAC Act and is responsible for assisting the Commissioner as directed by the Commissioner.

Director Investigations

Andrew Baker

The Director Investigations leads and manages the Investigations Section and provides critical advice and recommendations on operational matters. The Director Investigations reviews corruption investigations referred to other law enforcement agencies to ensure the quality and integrity of those investigations.

Director Prevention and Communications

Tracy Riddiford

The Director Prevention and Communications leads the Prevention and Communications Section in the development and delivery of activities and initiatives which assist to prevent and minimise corruption in public administration. This includes evaluations, education, prevention driven research, communications and media engagement.

Acting Director Legal Services

Katie-Jane Orr

The Director Legal Services leads and manages the Legal Services Section in the provision of legal advice to support the Commission's statutory functions. The Director Legal Services exercises functions delegated by the Commissioner under the ICAC Act, including reviewing reports on investigations undertaken by public authorities where there is a direction to report back.

Director Corporate Services

Fiona Gowen

The Director Corporate Services leads the Commission's corporate operations, including governance, financial management, human resources, information and technology, data management and facilities management.

Legislation administered by the agency

The Commission administers the following legislation:

Independent Commission Against Corruption Act 2012

Other related agencies

The Commissioner held the role of Judicial Conduct Commissioner until 23 September 2021. Employees of the Commission and the OPI supported the Commissioner in her capacity as Judicial Conduct Commissioner until that time.

The Commission's performance

Performance at a glance

The ICAC Act defines the objectives and functions of the Commission.

Agency contribution to whole of Government objectives

Not applicable.

Agency specific objectives and performance

See section entitled *Reporting required under any other act or regulation*.

Corporate performance summary

During the reporting period the Commission's workforce decreased as a result of the separation of the OPI.

Total number of employees (as at June 30 2022) ¹	2021-22	2020-21	Change (+ / -)
Persons	53	71	-18
Full Time Employees (FTEs)	49.57	66.7	-17.13

¹While the Commissioner and the Deputy Commissioner have been included in the above tally, they are not employees of the Commission.

Recruitment and separations

Recruitment continued to be a significant activity throughout the reporting period.

Number of persons	2021-22	2020-21	Change (+ / -)
Recruited to the agency	22	23	-1
Separated from the agency ¹	22	27	-5

¹This figure does not include the 18 persons who separated from the Commission as a result of the legislative changes.

Employee turnover

Employee turnover has decreased during the reporting period compared with the previous period. Although employee turnover may be considered high, the Commission continues to attract talented employees who are committed to career progression.

Employee turnover	2021-22	2020-21
Persons ¹	35.5%	37%
FTEs ²	40.4%	39.4%

¹The figures do not include the 18 persons and 16.5 FTEs who separated from the Commission as a result of the legislative changes.

²The FTE turnover was higher during the reporting period due to changes in the number and the composition of part-time employees.

Leave management

Sick leave per FTE has decreased compared with the previous reporting period. Family leave per FTE has increased compared with the previous reporting period. Special leave with pay per FTE has increased due to some employees accessing defence reserve leave and urgent pressing necessity leave.

Leave type (average days per FTE)	2021-22	2020-21
Sick leave per FTE	6.4	7.2
Family leave per FTE	1.8	1.4
Special leave with pay per FTE	1.6	0.8

Employment opportunity programs

The Commission’s recruitment policy ensures that recruitment panels are diverse to ensure unbiased consideration of applicants. Recruitment panel members undertake training to assist them to recognise and manage unconscious bias.

Each applicant is encouraged to inform the Commission of any accessibility requirements to ensure adequate support and adjustments may be accommodated. The information is used to ensure a person with a disability can be accommodated throughout recruitment, placement, induction and employment.

	Performance
Employment opportunity programs	The Commission is a small agency with many employees holding specialist roles. Consequently, the Commission has not been in a position to offer employment opportunity programs during this reporting period.

Agency performance management and development systems

Performance management and development system	Performance
Performance and potential review	82% of fully inducted employees completed a documented performance and potential review for the November 2021 review. ¹
Performance and potential review discussion	82% of fully inducted employees completed a performance and potential review discussion for the May 2022 review. ²
Mentoring program	During the reporting period, no employees participated in the Commission’s mentoring program. ³
Learning and Development Committee	During the reporting period, 0.76% of total salary expenditure was committed to providing training and development programs through the Commission’s Learning and Development Committee and the Health and Wellbeing Committee.

¹ Six employees elected not to participate in a documented performance and potential review because they were on short term contracts or were separating employees. Two employees were on extended leave and were not available to participate. One performance and potential review discussion was not completed.

² Three employees elected not to participate in performance and potential review discussions because they were separating employees. Four employees were on extended leave and were not available to participate. Two performance and potential reviews were not completed.

³ Following the appointment of the new Deputy Commissioner, the Commission is taking the opportunity to review its mentoring program.

Diversity and inclusion

The Commission's *Diversity and Inclusion Strategy 2020-24* and *Disability Access and Inclusion Plan 2020-24* continue to guide the Commission's commitment to understand, foster, and be accountable for diversity and inclusion within the organisation. The guiding frameworks are designed to improve access and participation for any person who engages with the Commission, particularly under-represented groups.

In May 2022 the Commission established a Diversity and Inclusion Committee. The Committee seeks to progress the agency's commitment to diversity and inclusion and represent the wider employee voice in diversity and inclusion initiatives.

In July 2022 the Committee will distribute a Diversity and Inclusion Survey to profile the diversity of our organisation, identify diversity gaps and establish areas for further improvement in terms of inclusion.

The following diversity streams will be explored through the survey:

- age
- gender identity
- LGBTIQ+
- disability
- Aboriginal and/or Torres Strait Islander people
- cultural and linguistic diversity
- religion.

The Committee will analyse the data from the survey to inform future action items that seek to deliver on the Commission's commitment to:

- foster a culture of support, belonging, meaningful engagement and wellbeing
- respect and value every individual for the diversity of skills and experiences they bring
- aim to be an employer of choice with the best people attracted, recruited, developed and retained
- treat each other respectfully, fairly, justly, reasonably and equitably without discrimination
- hold each other accountable for advancing inclusive practices and cultures.

The Committee will also build upon the Commission’s disability inclusion initiatives which aim to improve access for people with disability and include strategies to support people in the following areas:

- access to our premises, events and facilities
- access to information and communications
- employment
- addressing the specific needs of people with disability in the delivery of our statutory functions.

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-workforce-statistics>

Work health, safety and return to work programs

Program name	Performance
Work health and safety/return to work programs	During the reporting period, there has been no requirement for a work health and safety or return to work program to address significant agency risks.
Employee assistance program	The employee assistance program continued to provide support to employees and their immediate families with informal and confidential short-term counselling services.
Mental health	The Commission’s Health and Wellbeing Committee and the Learning and Development Committee are committed to initiatives which increase awareness and understanding of mental health.
Workstation assessments	The Commission’s induction process includes engaging an occupational therapist to assess the employee’s workstation and accessibility requirements to ensure adjustments can be made, equipment provided or flexibility arranged.

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Workplace injury claims	2021-22	2020-21	% Change (+ / -)
Total new workplace injury claims	0	0	0
Fatalities	0	0	0
Seriously injured workers ¹	0	0	0
Significant injuries (where lost time exceeds a working week, expressed as frequency rate per 1000 FTE)	0	0	0

¹Number of claimants assessed during the reporting period as having a whole person impairment of 30% or more under the *Return to Work Act 2014 (Part 2 Division 5)*.

Work health and safety regulations	2021-22	2020-21	% Change (+ / -)
Number of notifiable incidents (<i>Work Health and Safety Act 2012, Part 3</i>)	0	0	0
Number of provisional improvement, improvement and prohibition notices (<i>Work Health and Safety Act 2012 Sections 90, 191 and 195</i>)	0	0	0

Return to work costs¹	2021-22	2020-21	% Change (+ / -)
Total gross workers compensation expenditure (\$)	0	0	0
Income support payments – gross (\$)	0	0	0

¹Before third party recovery

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-work-health-and-safety-and-return-to-work-performance>

Executive employment in the agency

Executive classification	Number of executives at 30 June 2022
Statutory appointments	2
SAES1	4 ¹

¹This figure includes two employees acting in executive positions as at 30 June 2022.

Executive classification is based on a total remuneration package value in excess of \$157,000 per annum.

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-executive-employment-in-the-agency>

The [Office of the Commissioner for Public Sector Employment](#) has a [workforce information](#) page that provides further information on the breakdown of executive gender, salary and tenure by agency.

Financial performance

Financial performance at a glance

The following is a brief summary of the Commission's overall financial position. The information is unaudited. Full audited financial statements for the reporting period are attached to this report.

Statement of Comprehensive Income	2021-22 Budget \$000s	2021-22 Actual \$000s	Variation \$000s	Past year 2020-21 Actual \$000s
Total Income	12,713	12,734	21	14,205
Total Expenses	12,713	12,283	(430)	13,955
Net Result	0	451	409	250
Total Comprehensive Result	0	451	409	250

Statement of Financial Position	2021-22 Budget \$000s	2021-22 Actual \$000s	Variation \$000s	Past year 2020-21 Actual \$000s
Current assets	9,791	12,078	2,287	11,483
Non-current assets	3,565	1,776	(1,789)	2,669
Total assets	13,356	13,854	498	14,152
Current liabilities	2,005	1,290	(715)	2,006
Non-current liabilities	567	754	187	787
Total liabilities	2,572	2,044	(528)	2,793
Net assets	10,784	11,810	1,026	11,359
Equity	10,784	11,810	1,026	11,359

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Consultants disclosure

The following is a summary of external consultants that have been engaged by the Commission, the nature of work undertaken, and the actual payments made for the work undertaken during the reporting period.

Consultancies with a contract value below \$10,000 each

Consultancies	Purpose	\$ Actual payment
MPH Architects	Architectural services	\$3,000.00
Rider Levett Bucknall SA Pty Ltd	Cost management services	\$8,500.00
Total		\$11,500.00

Consultancies with a contract value above \$10,000 each

Consultancies	Purpose	\$ Actual payment
System Solutions Engineering Pty Ltd	Engineering services	\$12,985.00
The Diverse Information Solutions Trust	Records management audits	\$13,200.00
CyberOps Pty Ltd	Remote access and WIFI security review	\$19,090.91
Bentleys (SA) Pty Ltd	Governance and risk management project	\$34,944.00
CyberCX Pty Ltd	System security and risk management plan	\$49,800.00
Total		\$130,019.91

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-consultants-disclosure>

See also the [Consolidated Financial Report of the Department of Treasury and Finance](#) for total value of consultancy contracts across the South Australian Public Sector.

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Contractors disclosure

The following is a summary of external contractors that have been engaged by the Commission, the nature of work undertaken, and the actual payments made for work undertaken during the financial year.

Contractors with a contract value below \$10,000

Contractors	Purpose	\$ Actual payment
Careerlink People Solutions	Temporary Senior Governance Officer	\$1,488.74
David Mark Reimers	Information technology support	\$1,715.00
Randstad Pty Limited	Placement fee - Procurement Coordinator	\$4,500.00
	Total	\$7,703.74

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Contractors with a contract value above \$10,000

Contractors	Purpose	\$ Actual payment
Kirstie Wyatt	Desktop publishing services	\$13,093.50
ISDefence Pty Ltd	Cyber security framework review	\$18,042.00
John Dunnery	Procurement support	\$19,462.50
Paxus Australia Pty Limited	Temporary Data Management Officer	\$23,382.88
Chamonix IT Management Consulting (SA) Pty Limited	Information technology	\$23,578.13
Randstad Pty Limited	Temporary Administration Officer	\$24,537.01
Randstad Pty Limited	Temporary Senior Governance Officer (Procurement)	\$30,005.39
Paxus Australia Pty Limited	Temporary Senior Policy Officer	\$41,433.25
Randstad Pty Limited	Temporary Senior Governance Officer	\$67,697.93
	Total	\$261,232.59

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-contractor-disclosure>

The details of South Australian Government-awarded contracts for goods, services, and works are displayed on the SA Tenders and Contracts website. [View the agency list of contracts](#).

The website also provides details of [across government contracts](#).

Risk management

Risk and audit at a glance

Protective security

In accordance with the South Australian Protective Security Framework, the Commission has completed an annual security attestation. The attestation reports on the Commission's security maturity, which increased from the previous reporting period.

Review of risk governance

Following recommendations made in June 2021 the Commission engaged an independent contractor to improve risk management and risk related governance within the agency.

Following completion of this work, the agency will finalise a Security Plan. The Plan will include a project schedule to enhance the Commission's risk management approach, with a focus on building security awareness within the Commission.

Fraud detected in the agency

Number of instances and nature of fraud detected in the agency: 0

NB: Fraud reported includes actual and reasonably suspected incidents of fraud.

Strategies implemented to control and prevent fraud

The Commission's Internal Corruption Control Policy is reviewed annually and provides the framework to minimise opportunities for corruption within the organisation and to maximise the potential for such conduct to be detected. It is an integral part of the Commission's risk management system.

The Internal Corruption Control Policy captures conduct that extends beyond fraud and corruption to conduct that involves misconduct or maladministration in public administration.

The Commission has undertaken an internal corruption risk assessment as part of its internal corruption control plan. The risk assessment included risks related to financial management and details controls that are in place to mitigate those risks.

Other controls that effectively control and prevent fraud include centralised management of procurement, contract management plans for complex and/or high value agreements and an annual financial management compliance program.

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-fraud-detected-in-the-agency>

Public interest disclosure

Number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Public Interest Disclosure Act 2018*: 0

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-public-interest-disclosure>

Note: Disclosure of public interest information was previously reported under the *Whistleblowers Protection Act 1993* and repealed by the *Public Interest Disclosure Act 2018* on 1 July 2019.

Reporting required under any other act or regulation

The Office for Public Integrity and own initiative matters

Prior to the October 2021 legislative changes, the OPI was responsible to the Commissioner for the performance of its functions.

The ICAC Act now requires the Director of OPI to prepare a separate annual report on the operations of the OPI. The Commission has provided relevant information to the Director to assist her to fulfil her reporting obligations.

While the OPI was responsible to the Commissioner between 1 July 2021 and 6 October 2021, it received:

- 140 complaints from members of the public about public administration
- 160 reports from public officers about alleged corruption, misconduct and maladministration in public administration
- 346 complaints from members of the public about designated police officers³
- 8 reports from designated police officers about other designated officers⁴
- 361 enquiries
- 19 contacts concerning matters which did not fall within the Commissioner's jurisdiction.

During that period, the Commissioner required the OPI to assess one matter which was identified by the Commissioner acting on her own initiative. The changes to the ICAC Act mean that the Commission can no longer commence an investigation unless a complaint or report is made to the OPI and referred to the Commission.

³ And considered an additional 72 police complaints received by the SA Police Internal Investigation Section.

⁴ And considered an additional 108 police reports received by the SA Police Internal Investigation Section.

Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(b)(i) Report the number and general nature of matters investigated by the Commission.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(ii) Report the number and general nature of matters investigated by the Commissioner.

One of the Commission’s primary functions is to identify and investigate corruption in public administration.

Prior to the legislative amendments, the definition of corruption in public administration included a broad range of criminal offences committed by a public officer in his or her capacity as a public officer. As a result of the changes to the ICAC Act, the definition of corruption in public administration has been significantly narrowed to:

- an offence against Part 7 Division 4 of the *Criminal Law Consolidation Act 1935*, which includes offences like bribery of public officers, abuse of public office and offences relating to appointment to public office
- an offence against the *Public Sector (Honesty and Accountability) Act 1995* or the *Public Corporations Act 1993*, or an attempt to commit such an offence
- an offence against the *Lobbyists Act 2015*, or an attempt to commit such an offence
- being complicit in any of the above offences or conspiring with others to commit such an offence.

A matter assessed by the OPI as raising a potential issue of corruption in public administration and referred to the Commission can be investigated by the Commission, or referred to the SA Police or another law enforcement agency.⁵ The Commission may also conduct a joint investigation with a South Australian law enforcement agency, inquiry agency or public authority.⁶

Corruption investigations are by definition criminal investigations. The purpose of such an investigation is to collect evidence and where appropriate, to refer the matter for further investigation and potential prosecution.

⁵ *Independent Commission Against Corruption Act 2012* s 24.

⁶ *Independent Commission Against Corruption Act 2012* s 34(1).

Corruption investigations

During the reporting period the Commission commenced 50 new corruption investigations. Two of those investigations were commenced as a result of a complaint or report received in the previous reporting period. No investigations were conducted jointly with another agency.

From time to time, the OPI refers to the Commission matters of alleged police corruption or misconduct under section 29 of the *Police Complaints and Discipline Act 2016* (PCD Act). The Commissioner determines whether it is appropriate to investigate those matters under the PCD Act or the ICAC Act.

General nature of corruption investigations commenced	2021-22	%
Abuse of public office for personal benefit / benefit of another	37	74
Abuse of public office re contract / tender / procurement	8	16
Abuse of public office involving theft / misappropriation of public property / money	2	4
Improper use of information/systems	3	6
Total	50	100

During the reporting period, the Commission continued 12 corruption investigations which were commenced in a previous reporting period.

Misconduct Investigations

During the reporting period, the Commission commenced three misconduct investigations under section 30 of the PCD Act, following a referral by the OPI under section 29.

General nature	2021-22
Improper, unauthorised or mismanaged exercise of powers	3

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Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(b)(ii) Report the number of warrants issued by the Commission and by Justices of the Supreme Court.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(iii) Report the number of warrants issued by the Commissioner and by Justices of the Supreme Court.

The ICAC Act and other state and federal legislation vests the Commission and the Commission’s investigators with a range of statutory powers that can be utilised to carry out corruption investigations. Commission investigators who are police officers undertaking a secondment to the Commission maintain their police powers, including the power of arrest.

The numbers of warrants issued by the Commission and by Justices of the Supreme Court are:

Investigative powers	2021-22	2020-21	Change (+ / -)
Search warrants issued by the Commission	0	0	0
Search warrants issued by a Justice of the Supreme Court	15	14	1
Total	15	14	1

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Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(b)(iii) Report the number of examinations conducted.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(iv) Report the number of examinations conducted.

No examinations were conducted for corruption investigations during the reporting period:

Examinations	2021-22	2020-21	Change (+ / -)
Examinations	0	6	- 6

Act or Regulation	Requirement
<p><i>Independent Commission Against Corruption Act 2012</i></p> <p>Commenced 7 October 2021</p>	<p>Section 45(4)(b)(iv)</p> <p>Report the extent to which investigations have resulted in prosecutions or disciplinary action.</p>
<p><i>Independent Commissioner Against Corruption Act 2012</i></p>	<p>Section 45(2)(b)(v)</p> <p>Report the extent to which investigations have resulted in prosecutions or disciplinary action.</p>

While corruption investigations are often complex and protracted, every effort is made to meet performance benchmarks for the reporting period. One of those benchmarks is the completion of 80% of all corruption investigations within nine months.⁷ That benchmark was met this year: 44 of the 49 corruption investigations (90%) and two police misconduct investigations closed during the reporting period were completed within nine months of allocation.

Prior to the legislative changes, the Commissioner would determine whether to refer a brief of evidence to the Director of Public Prosecutions (DPP) at the conclusion of a corruption investigation. It was at the DPP’s discretion whether and what charges would be laid.

Where the Commissioner considered there was insufficient evidence to refer a brief of evidence to the DPP, the Commissioner would close the file or, where there was evidence of potential misconduct or maladministration, refer the matter to an inquiry agency (i.e. the South Australian Ombudsman) or a public authority.

As a result of the legislative changes, the Commission cannot refer matters directly to the DPP following a corruption investigation, nor can it investigate alleged misconduct or maladministration in public administration. Instead, where an investigation uncovers evidence of corruption in public administration, the Commission must, where appropriate, refer the matter to the SA Police for further investigation and potential prosecution.

⁷ Which is measured as the time between a file being allocated for investigation, and the Commissioner reviewing the investigator’s final report and determining whether or not to refer a brief of evidence to the relevant law enforcement agency.

During the reporting period, the Commission referred three matters to the SA Police for further investigation and potential prosecution. The SA Police determined to refer two of those matters to the DPP, who in turn determined to commence a prosecution. The third matter, which was referred late in the reporting period, remains under review by the SA Police.

Name	Brief referred to SA Police	Status
Public officer A	10 September 2021	Charged on 3 September 2021 with three counts of abuse of public office and one count of sell controlled drug.
Public officer B	26 August 2021	Charged on 14 December 2021 with 52 counts of deception.
Public officer C	30 June 2022	Under consideration by SA Police.

During the reporting period, four persons were charged with corruption offences. Eight matters were referred to a public authority to consider disciplinary action following a corruption investigation.

During the reporting period, one person, who was previously the subject of a Commission corruption investigation and subsequent prosecution, was sentenced by the courts.

Name	Offence	Sentencing date	Sentence
Andrew Jaunay	Aggravated Assault	1 March 2022	Three months imprisonment suspended upon entering into a 12 month good behaviour bond.

More information is available on the Commission's website.⁸

The legislative changes have significantly restricted the information the Commission can publish about operational matters.

The Commission did not refer any matters directly to the DPP during the reporting period, despite that course of action being endorsed by the Full Court of the Supreme Court of South Australia in respect of matters investigated prior to the legislative changes.

⁸ www.icac.sa.gov.au/prosecution-outcomes

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The following matters were investigated prior to the legislative changes and remain before the courts. In some instances, it was necessary to arrest the public officer before a brief of evidence was referred to the Director of Public Prosecutions. This occurred in discussion with, and often at the suggestion of, the DPP. The number and nature of the charges are determined by the DPP and may change during the course of proceedings.

Name	Brief referred to the DPP	Arrest / summons date	Initial charges laid
Bell, Troy	1 May 2017	9 August 2017	20 counts of theft and 6 counts of dishonestly dealing with documents.
Ellis, Fraser	17 December 2020	17 February 2021	23 counts of deception.
Hanlon, John	3 December 2018	5 March 2020	2 counts of abuse of public office, 3 counts of deception, 1 count of acting dishonestly and 5 counts of dishonestly dealing with documents.*
Hardy, Stephanie	3 December 2018	4 September 2019	4 counts of breaching confidentiality provisions in the ICAC Act.
Joubouri, Moutjaba	22 March 2019	3 December 2018	2 counts of bribery.
Patzel, Matthew	28 October 2019	15 July 2019	2 counts of aiding, abetting, counselling or procuring abuse of public officer (in relation to the matter of Paul Robinson).
Robinson, Paul	28 October 2019	15 July 2019	2 counts of abuse of public office and 2 counts of bribery.
Spark, James	7 December 2018	14 April 2021	25 counts of deception.

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(Suppressed)	19 January 2021	22 March 2021	1 count of aggravated assault.
(Suppressed)	19 January 2021	22 March 2021	1 count of aggravated assault.
Turner, Brian	1 November 2018	13 May 2020	1 count of abuse of public office.

*In June 2021, a Magistrate found that Mr Hanlon had no case to answer. In October 2021, the DPP charged Mr Hanlon in the District Court with one count of abuse of public office and two counts of dishonest dealings with documents. These charges relate to the same investigation.

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Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(b)(v) Report the number and general nature of matters referred for investigation to the Commissioner of Police or other law enforcement agency.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(vi) Report the number and general nature of matters referred for investigation to the Commissioner of Police or other law enforcement agency.

Matters referred for investigation

During the reporting period the Commission referred five complaints, 28 reports and no own initiative matters to the SA Police for investigation.

General nature	2021-22	%
Abuse of power for personal or financial gain / bribery	21	63.64
Assault	1	3.03
Breach of ICAC Act provisions regarding disclosure of information	1	3.03
Bribery	3	9.09
Failing to act honestly	4	12.12
Improper use and/or disclosure of information/systems	2	6.06
Offences associated with the use, sale or supply of prescription and/or illicit drugs	1	3.03
Total	33	100

The Commission has been advised by the SA Police that during the reporting period, eight prosecutions and two disciplinary investigations were commenced following referral.

Act or Regulation	Requirement
<p><i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021</p>	<p>Section 45(4)(b)(vi) Report the number and general nature of occasions on which public statements have been made by the Commission.</p>
<p><i>Independent Commissioner Against Corruption Act 2012</i></p>	<p>Section 45(2)(b)(vii) Report on the number and general nature of occasions on which public statements have been made by the Commissioner.</p>

Prior to the legislative changes, the Commissioner would not typically comment on operational matters. However, it was within the Commissioner’s discretion to make a public statement where she was satisfied that it was in the public interest to do so. News and announcements about non-operational matters were published by way of a media release.

Changes to the ICAC Act have narrowed the circumstances in which a public statement can be made.

During the reporting period, the Commission issued eight public statements and four media releases. Only one of those public statements concerned an operational matter, and was made by the Commissioner prior to the enactment of the legislative changes. One public statement related to a Commission report being tabled in Parliament, and the remaining six public statements concerned the Commission’s evaluation activities.

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Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(b)(vii) Report the number and general nature of matters referred to an inquiry agency or public authority.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(viii) Report the number and general nature of matters referred to an inquiry agency or public authority.

Matters referred to an inquiry agency

During the reporting period, two complaints and 19 reports were referred to an inquiry agency. Each of those referrals was to the SA Ombudsman.

Number of referrals made to the SA Ombudsman	2021-22	2020-21	Change (+ / -)
Complaints	2	4	-2
Reports	19	22	-3
Own initiative	0	0	0
Total	21	26	-5

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General nature of matters referred to the SA Ombudsman	2021-22	% ¹
Conduct in private capacity, failure to disclose/declare to employer	2	9.5
Excessive force/assault/intimidation/threats	1	4.8
Failure of duty, inaction or inadequate exercise of power	2	9.5
Improper budgeting, procurement, contract management, accounts payable	2	9.5
Improper, unauthorised or mismanaged exercise of power	2	9.5
Improper use of or access to information and improper record keeping	5	23.8
Improper or unauthorised use of employment entitlements	1	4.8
Improper votes/decision making	2	9.5
Negligence in management/oversight	1	4.8
Sexual harassment/sexual impropriety	1	4.8
Unprofessional conduct	1	4.8
Victimisation/reprisals for reporting	1	4.8
Total	21	100.1

¹Figures exceed 100% due to rounding.

Referrals to a public authority

During the reporting period, seven complaints, 39 reports and one own initiative matter were referred to a public authority. This was significantly less than the number of referrals made in last reporting period. This is because the Commission’s role to receive complaints and reports, and refer matters of alleged misconduct and maladministration, was removed as a result of the legislative changes.

Number of referrals made to a public authority	2021-22	2020-21	Change (+ / -)
Complaints	7	32	-25
Reports	39	153	-114
Own initiative	1	2	-1
Total	47	187	-140

General nature of matters referred to a public authority	2021-22	%
Bribery/inducements	2	4.3
Excessive force/assault/intimidation/threats	1	2.1
Failure of duty, inaction or inadequate exercise of power	2	4.3
Improper budgeting, procurement, contract management, accounts payable	3	6.4
Improper recruitment/deception in employment	9	19.1
Improper, unauthorised or mismanaged exercise of power	8	17.0
Improper or unauthorised use of employment entitlements	3	6.4
Improper use/access of information and improper record keeping	7	14.9
Improper use, damage or theft of resources	1	2.1

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General nature - continued	2021-22	%
Negligence in management/oversight	1	2.1
Other criminal conduct while acting in capacity as a public officer	1	2.1
Sexual harassment/sexual impropriety	2	4.3
Theft and fraud – monetary	1	2.1
Unprofessional conduct	6	12.8
Total	47	100

Act or Regulation	Requirement
<p><i>Independent Commission Against Corruption Act 2012</i></p> <p>Commenced 7 October 2021</p>	<p>Section 45(4)(b)(viii)</p> <p>Report the number and general nature of directions or guidance given in referring matters under this Act.</p>
<p><i>Independent Commissioner Against Corruption Act 2012</i></p>	<p>Section 45(2)(b)(ix)</p> <p>Report the number and general nature of directions or guidance given in referring matters under the ICAC Act.</p>

Of the 47 matters referred to a public authority during the reporting period, 25 were referred with directions. Those directions included a requirement for the public authority to undertake an investigation and submit a report to the Commission within a specified timeframe, outlining the inquiries conducted and any action taken as a result of the investigation. The remaining 22 matters were referred to public authorities without any directions or guidance.

Where a referral to a public authority is accompanied by a direction to provide a report back to the Commission, the Commission must be satisfied that action has been duly and properly taken in relation to the matter. As part of the review process, additional information or clarification may be sought from the public authority, or feedback provided in an effort to assist the public authority to improve its processes.

If the Commission is not satisfied that a public authority has duly and properly taken action in respect of a referral, the ICAC Act provides a mechanism for the Commission to express that dissatisfaction: first with the public authority, then with the Minister responsible for the public authority and finally by way of a report to both Houses of Parliament.

During the reporting period, the Commission received 60 reports from public authorities in respect of the action taken on a referral. A number of those reports concerned matters which were referred in previous financial years. Each report was reviewed for the purpose of determining whether action had been duly and properly taken in relation to the referral. On a number of occasions, the Commission sought further information or clarification from the public authority. However, there were no instances where the Commission was dissatisfied with the action taken by a public authority in response to a referral.

On one occasion, a public authority provided further information which caused the Commission to revoke the directions requiring the authority to report back on the outcome of its investigation.

The Commission strives to review final reports from public authorities on the outcome of a referral, on average, within ten working days. During the reporting period, the average time taken to review a report was 9.8 working days.

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Act or Regulation	Requirement
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(x) Report the number and general nature of the occasions on which the Commissioner exercised the powers of an inquiry agency.

Prior to the legislative changes, the Commissioner could exercise the powers of an inquiry agency to investigate certain misconduct and maladministration matters. The Commissioner did not exercise the powers of an inquiry agency during the reporting period.

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Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(b)(ix) Report the number and general nature of requests for examinations of accounts by the Auditor-General.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(b)(xi) Report the number and general nature of requests for examinations of accounts by the Auditor-General.

During the reporting period, the Commission made no requests for examinations of accounts by the Auditor-General.

Act or Regulation	Requirement
<p><i>Independent Commission Against Corruption Act 2012</i></p> <p>Commenced 7 October 2021</p>	<p>Section 45(4)(b)(x)</p> <p>Report the number and general nature of recommendations made to an inquiry agency or public authority by the Commission.</p>
<p><i>Independent Commission Against Corruption Act 2012</i></p>	<p>Section 45(2)(b)(xii)</p> <p>Report the number and general nature of recommendations made to an inquiry agency or public authority by the Commission.</p>

In May 2022, the Commission’s report entitled ‘*Failing the Corruption Road Test: Corruption Risks in South Australia’s Driver Training Industry*’ was tabled in Parliament. The report outlined a number of corruption risks in the driver training industry and made nine recommendations to the Registrar of Motor Vehicles, as the public authority responsible for authorised examiners, to address those risks.

The recommendations related to:

- Regulating pricing arrangements for driving lessons
- Providing information to driving students about what they can expect from driving instructors and authorised examiners
- Reviewing systems and processes for recording bookings and other information in respect of driving tests
- Reviewing the Registrar’s auditing capabilities in respect of authorised examiners.

A copy of the report is available on the Commission’s website.⁹

The Commission did not make any recommendations to an inquiry agency during the reporting period.

⁹ www.icac.sa.gov.au/publications/published-reports/failing-the-corruption-road-test-report

Act or Regulation	Requirement
<p><i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021</p>	<p>Section 45(4)(b)(xi) Report the number and general nature of reports made to the Attorney-General, President of the Legislative Council or Speaker of the House of Assembly.</p>
<p><i>Independent Commissioner Against Corruption Act 2012</i></p>	<p>Section 45(2)(b)(xiii) Report the number and general nature of reports made to the Attorney-General, President of the Legislative Council or Speaker of the House of Assembly.</p>

The Commission publishes a range of reports where it is in the public interest to make observations about integrity issues within public administration. Reports may include findings or recommendations resulting from completed investigations, or they may be based on other matters arising in the course of the performance of the Commission’s other functions.

The following reports were published during the reporting period:

Facilities Management in Local Government

Published on 25 August 2021, this report outlines the corruption risks present in council facilities maintenance practices.¹⁰

An examination of changes effected by recent amendments to the *Independent Commission Against Corruption Act 2012*

Published on 16 November 2021, this report details the most significant consequences of the enactment of the *Independent Commissioner Against Corruption (CIPIC Recommendations) Amendment Act 2021 (SA)* in terms of the scheme designed to ensure the integrity of public administration in South Australia.¹¹

¹⁰ www.icac.sa.gov.au/publications/published-reports/facilities-maintenance-local-government

¹¹ www.icac.sa.gov.au/publications/published-reports/an-examination-of-changes-effected-by-recent-amendments-to-the-ICAC-act-2012

Failing the Corruption Road Test: Corruption Risks in South Australia's Driver Training Industry

Published on 17 May 2022, this report was prompted by an examination of more than 40 complaints and reports about authorised examiners which were assessed by the OPI or investigated by the Commission. The report details a number of integrity issues in the industry and makes nine recommendations to the Registrar of Motor Vehicles to address those issues.¹²

Received or Deceived? Managing and monitoring the conduct of government contractors

Published on 16 June 2022, this report was prompted by a completed Commission investigation into a registered training organisation contracted to the Department for Innovation and Skills which was alleged to have inflated the amounts due to it for delivering vocational education and training services.¹³

¹² www.icac.sa.gov.au/publications/published-reports/failing-the-corruption-road-test-report

¹³ www.icac.sa.gov.au/publications/published-reports/receivedordeceived

Act or Regulation	Requirement
<p><i>Independent Commission Against Corruption Act 2012</i></p> <p>Commenced 7 October 2021</p>	<p>Section 45(4)(b)(xii)</p> <p>Report a description of the activities carried out in relation to its evaluation and educational functions.</p>
<p><i>Independent Commissioner Against Corruption Act 2012</i></p>	<p>Section 45(2)(b)(xiv)</p> <p>Report a description of the activities carried out in relation to its evaluation and educational functions.</p>

Evaluation function

The Commission may evaluate the practices, policies and procedures of inquiry agencies and public authorities with a view to advancing comprehensive and effective systems for preventing or minimising corruption in public administration.¹⁴

During the reporting period, the Commission commenced three evaluations:

- On 1 November 2021 the Commission announced an evaluation of Super SA.¹⁵ The evaluation will review and report on Super SA’s practices, policies and procedures as they relate to the management of human resources, projects, contracts and information.
- On 4 April 2022 the Commission announced an evaluation of TAFE SA.¹⁶ The evaluation will review and report on TAFE SA’s practices, policies and procedures as they relate to the management of human resources, procurements, contracts, assets and facilities.
- On 29 April 2022 the Commission announced an evaluation of the Central Adelaide Local Health Network.¹⁷ The evaluation will review and report on the Network’s practices, policies and procedures as they relate to the receipt, management, investigation and outcomes of complaints about the Network and its staff.

Each evaluation will result in a report being tabled in Parliament during the next reporting period. Once tabled, the evaluation reports will be published on the Commission’s website.

¹⁴ *Independent Commission Against Corruption Act 2012* s 7(1)(b).

¹⁵ www.icac.sa.gov.au/evaluations-and-reviews/evaluation-of-super-sa

¹⁶ www.icac.sa.gov.au/evaluations-and-reviews/evaluation-of-tafe-sa

¹⁷ www.icac.sa.gov.au/evaluations-and-reviews/evaluation-of-the-central-adelaide-local-health-network

Education function

Prior to the legislative changes, the Commission could conduct or facilitate educational programs designed to prevent or minimise corruption, misconduct and maladministration in public administration.¹⁸

The ICAC Act now limits the Commission’s educational programs to preventing and minimising corruption in public administration.¹⁹ However, the Commission takes the view that misconduct and maladministration often indicates or enables corruption.

The Commission’s corruption prevention function is served by a combination of education and communication activities and initiatives delivered to public officers and the South Australian community.

The speed at which the legislative changes were enacted meant that the Commission’s existing education programs and resources were no longer relevant and contained inaccurate information. Consequently, the programs were suspended and resources were removed from the Commission’s website so that the content could be reviewed and updated.

Presentations, seminars and workshops

The number of education sessions delivered during the reporting period was notably fewer than in the previous period. This was in part a result of the ongoing restrictions arising from the COVID-19 pandemic. However, the reduced figure was primarily the result of the Commission’s education program being suspended for a number of months so that content could be reviewed and updated following the legislative changes.

Education sessions	2021-22	2020-21	Change (+ / -)
Education sessions delivered	22	50	-28
Attendees	673	1,441	-768

Online education programs

Despite the disruption caused by the legislative changes:

- 721 individuals enrolled in the ICAC Induction for Public Officers course.²⁰
- 1,025 individuals enrolled in the ICAC Conflicts of Interest course. This course assists public officers to identify, declare and manage of conflicts of interest.
- 679 individuals enrolled in the ICAC Internal Investigations – Concepts and Principles course. This course assists public officers tasked with conducting internal investigations to understand the legal concepts and principles which underpin fair internal investigations.

¹⁸ *Independent Commissioner Against Corruption Act 2012* s 7(1)(e).

¹⁹ *Independent Commission Against Corruption Act 2012* s 7(1)(c).

²⁰ This course was not offered after 7 October 2021 as a result of changes to the ICAC Act.

Education resources

The Commission makes resources available to assist public officers and members of the community to understand the importance of public integrity and the role of the Commission. Those resources are accessible on the Commission's website.

During the reporting period, the Commission published:

- Three newsletters containing corruption and integrity related news, resources and general interest articles.²¹
- Ten resources designed to assist and educate public authorities and public officers on corruption and integrity related matters. Those resources were in the form of factsheets, guides and advisories:²²
 - Integrity Spotlight: Policy Framework
 - Integrity Spotlight: Conflicts of Interest
 - Factsheet: Confidentiality
 - Factsheet: What is an Examination?
 - Integrity Spotlight: Flexible and Remote Work
 - Factsheet: Summary of Legislative Changes
 - Integrity Spotlight: Conducting Internal Investigations
 - Integrity Spotlight: Managing Risk Through the Separation Process
 - Integrity Spotlight: Confidentiality and Misuse of Information
 - Integrity Spotlight: Gifts and Benefits

Prevention letters

The Commission informs public authorities of lessons learned from completed investigations. This commonly takes the form of a 'prevention letter' to the public authority. These letters outline the matters observed by the Commission and suggest improvements to the agency's practices, policies, procedures and training initiatives, with a view to preventing or minimising corruption and other improper conduct.

During the reporting period, the Commissioner sent 17 prevention letters to public authorities: 14 to state government departments or statutory authorities, and three to councils. Some of those public authorities subsequently informed the Commissioner of the changes they had made or action they had taken to address the matters raised in the prevention letter.

The Commission intends to periodically prepare reports to Parliament which outline the issues observed and recommendations made in prevention letters.²³

²¹ www.icac.sa.gov.au/media-and-news/newsletter

²² www.icac.sa.gov.au/education/education-resources

²³ *Independent Commission Against Corruption Act 2012 s 41.*

Communication and engagement

The Commissioner and the Commission's employees make themselves available to engage with stakeholders where possible and appropriate.

A range of engagement channels are used to communicate with public officers and the community, the most common being the Commission's website.

Section 48(1) of the ICAC Act describes the material that must be available on the Commission's website, including:

- information about educational programs conducted or facilitated by the Commission
- information about the Commission's evaluations
- information about the other functions of the Commission
- the Commission's standard operating procedures
- reports prepared under sections 41 and 42 of the ICAC Act
- the Commission's annual reports.

The Commission publishes on its website the material required by section 48(1).

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Act or Regulation	Requirement
<i>Independent Commission Against Corruption Act 2012</i> Commenced 7 October 2021	Section 45(4)(c) Deal with any other matters stipulated by the regulations.
<i>Independent Commissioner Against Corruption Act 2012</i>	Section 45(2)(c) Deal with any other matters stipulated by the regulations.

There are no matters to report.

Act or Regulation	Requirement
<i>Police Complaints and Discipline Act 2016</i>	Section 31(1) Report on the number and general nature of sanctions imposed under section 26 in relation to breaches of discipline in the preceding financial year.

Complaints and reports about the conduct of a SA Police officer can be made to a designated officer, a police public servant or to the OPI.

The OPI is no longer responsible to the Commission and the Commission has limited involvement in the operation of the *Police Complaints and Discipline Act 2016*. However, the Commission is required to report on the number and general nature of sanctions imposed on designated officers under that Act.

Those sanctions are imposed by the Commissioner of Police. The Commission does not have any role in making findings in relation to a breach of discipline by a designated officer or in the sanctions imposed. In most cases, the Commission has no knowledge of the matters reported under section 26 of the *Police Complaints and Discipline Act*.

Sanctions imposed under the *Police Complaints and Discipline Act 2016*

Section 31 of the *Police Complaints and Discipline Act* provides that the Commissioner of Police must, before 30 September of each year, prepare a report on the number and general nature of sanctions imposed under section 26 of the *Police Complaints and Discipline Act* for breaches of discipline in the preceding financial year.

The requirement to prepare the report on sanctions does not extend to requiring the Commissioner of Police to provide an opinion as to the appropriateness of any sanction or consistency across sanctions.

The Commissioner of Police has provided the following tables outlining the breaches identified and the sanctions imposed.

Sanctions that may be imposed by the Commissioner of Police are found in those regulations that were in force at the time the breach of the Code of Conduct occurred. The Code of Conduct prescribed by Schedule 3 of the *Police Complaints and Discipline Regulations 2017* has been in effect since 4 September 2017 and is preceded by Codes of Conduct prescribed by the *Police Regulations 1999* and the *Police Regulations 2014*.

Officers may be sanctioned for breaches occurring under different regulations. It can take time for alleged breaches to be appropriately resolved and a sanction applied.

1 July 2021 to 30 June 2022:

SAPOL reference No.	Section 26 (1)(a) <i>Police Complaints and Discipline Act 2016</i> 'Criminal Offences'	Sanctions imposed by Sentencing Officer
	NIL reports for this table	

1 July 2021 to 30 June 2022:

SAPOL reference No.	Section 26 (1)(b) and (c) <i>Police Complaints and Discipline Act 2016</i> 'Code of Conduct' – <i>Police Complaint Discipline Regulations 2017</i>	Sanctions imposed by Sentencing Officer
1	<i>Clause 4</i> Performance of orders / duties – Failure to carry out a lawful order	Fine/recorded reprimand/training and education
2	<i>Clause 10</i> Confidentiality of information – improper release / access	Recorded reprimand / fine
3	<i>Clause 3</i> Conduct prejudicial – reflects adversely (2 counts) <i>Clause 4</i> Performance of orders / duties – Failure to carry out a general order (2 counts)	Fine / recorded reprimand
4	<i>Clause 7</i> Conduct public / SAPOL – conduct towards employee	Fine / transfer / recorded reprimand / counselling
5	<i>Clause 4</i> Performance of orders / duties – failure to carry out a general order	Fine / transfer / recorded reprimand
6	<i>Clause 2</i> Honesty and Integrity – Honesty <i>Clause 3</i> Conduct Prejudicial – reflects adversely <i>Clause 5</i> Negligence – neglect of duty	Fine / recorded reprimand
7	<i>Clause 4</i> Performance of orders / duties – disobey orders <i>Clause 10</i> Confidentiality of information – improper disclosure of information	Fine / recorded reprimand

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8	<i>Clause 4</i> Performance of orders / duties – disobey orders <i>Clause 10</i> Confidentiality of information – improper disclosure of information	Fine / recorded reprimand
9	<i>Clause 3</i> Conduct prejudicial – reflects adversely	Fine / transfer / recorded reprimand
10	<i>Clause 4</i> Performance of orders / duties – disobey orders	Recorded reprimand
11	<i>Clause 4</i> Performance of orders / duties – disobey orders <i>Clause 4</i> Performance of orders / duties – failure to carry out a general order	Fine / recorded reprimand
12	<i>Clause 4</i> Performance of orders / duties – disobey orders	Transfer / recorded reprimand / reduction in rank
13	<i>Clause 6</i> Proper exercise of authority – excessive force	Fine / recorded reprimand
14	<i>Clause 3</i> Conduct prejudicial – reflects adversely	Fine / recorded reprimand
15	<i>Clause 10</i> Confidentiality of information – improper release / access	Fine / recorded reprimand

1 July 2021 to 30 June 2022:

SAPOL reference No.	Section 26 (1)(b) and (c) <i>Police Complaints and Discipline Act 2016</i> <i>'Code of Conduct' – Police Regulations 2014</i>	Sanctions imposed by Sentencing Officer
	NIL reports for this table	

1 July 2021 to 30 June 2022:

SAPOL reference No.	Section 26 (1)(b) and (c) <i>Police Complaints and Discipline Act 2016</i> 'Code of Conduct' – <i>Police Regulations 1999</i>	Sanctions imposed by Sentencing Officer
	NIL reports for this table	

For data on 'Reporting required under any other act of regulation' for previous years, it is available at: <https://data.sa.gov.au/data/dataset/icac-annual-report-data-reporting-required-under-any-other-act>

Public complaints

Schedule 4 of the ICAC Act provides for the appointment of an independent reviewer who is responsible for an annual review of the exercise of the Commission's powers, a review of matters arising from relevant complaints and other reviews as contemplated by the schedule. The independent reviewer is required to present a report to the Attorney-General on or before 30 September each year setting out findings from an annual review of the exercise of powers.

The independent reviewer is the Honourable John Sulan KC.

In order to enable the reviewer to carry out his work, full and unfettered access is provided to the Commission's corporate systems and hardcopy material.

Any person can make a relevant complaint to the reviewer. A 'relevant complaint' is defined in Schedule 4 of the ICAC Act to be:

A complaint made in accordance with any requirements prescribed by the regulations relating to an abuse of power, impropriety or other misconduct on the part of the Commissioner or employees of the Commissioner or of the Office.

Additionally, the operations of the Commission, and the ICAC Act are the subject of review by the Parliamentary Crime and Public Integrity Policy Committee. Other legislation provides for supervision of different aspects of the Commission's operations by the Commonwealth Ombudsman, the Commonwealth Department of Home Affairs, the South Australian Attorney-General and the Auditor-General.

The Commission invests a great deal of time and effort in ensuring it meets its many compliance responsibilities.

Number of public complaints reported

The Commissioner, Deputy Commissioner and employees of the Commission are subject to external review by the reviewer appointed under the ICAC Act. During the reporting period no complaints regarding allegations of impropriety by the Commissioner, Deputy Commissioner or an employee were made to the Commission. Were such a complaint received, it would have been brought to the attention of the reviewer. Complaints may also be made directly to the reviewer, who reports the complaints he receives.

Data for previous years is available at: <https://data.sa.gov.au/data/dataset/icac-reporting-data-public-complaints>

Other accountability mechanisms

The operations of the Commission and the ICAC Act are subject to review by the Parliamentary Crime and Public Integrity Policy Committee. Other legislation provides for supervision of different aspects of the Commission’s operations by the Commonwealth Ombudsman, the Commonwealth Department of Home Affairs, the South Australian Attorney-General and the Auditor-General.

The Commission invests a great deal of time and effort in ensuring it meets its many and varied compliance responsibilities.

Compliance Statement

The Independent Commission Against Corruption is compliant with Premier and Cabinet Circular 039 – complaint management in the South Australian public sector	Y
The Independent Commission Against has communicated the content of PC 039 and the agency’s related complaints policies and procedures to employees.	Y

Appendix: Audited financial statements 2021-22

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption



Government of South Australia
Auditor-General's Department

Our ref: A22/415

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State Administration Centre
200 Victoria Square
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www.audit.sa.gov.au

The Hon Ann Vanstone KC
Independent Commissioner Against Corruption
Independent Commission Against Corruption
Level 1
55 Currie Street
ADELAIDE SA 5034
email: admin@icac.sa.gov.au

Dear Commissioner

Audit of the Independent Commission Against Corruption for the year to 30 June 2022

We have completed the audit of your accounts for the year ended 30 June 2022. Two key outcomes from the audit are the:

- 1 Independent Auditor's Report on your agency's financial report
- 2 audit management letter.

1 Independent Auditor's Report

We are returning the financial report for the Independent Commission Against Corruption, with the Independent Auditor's Report. This report is unmodified. The *Public Finance and Audit Act 1987* allows me to publish documents on the Auditor-General's Department website. The enclosed Independent Auditor's Report and accompanying financial report will be published on that website on Tuesday, 18 October 2022.

2 Audit management letters

As the audit did not identify any significant matters requiring management attention, we will not issue an audit management letter.

What the audit covered

Our audits meet statutory audit responsibilities under the *Public Finance and Audit Act 1987* and the Australian Auditing Standards.

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Our audit covered the principal areas of the agency's financial operations and included test reviews of systems, processes, internal controls and financial transactions. Some notable areas were:

- governance
- expenditure
- payroll
- revenue
- cash
- general ledger processing.

Particular attention was given to the changes brought about by the *Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Act 2021*, and the impacts this had on the operations of the Independent Commission Against Corruption and your role as Commissioner.

I would like to thank the staff and management of your agency for their assistance during this year's audit.

Yours sincerely



Andrew Richardson
Auditor-General

29 September 2022

enc

INDEPENDENT AUDITOR'S REPORT



Government of South Australia
Auditor-General's Department

Level 9
State Administration Centre
200 Victoria Square
Adelaide SA 5000
Tel +618 8226 9640
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**To the Independent Commissioner Against Corruption
Independent Commission Against Corruption**

Opinion

I have audited the financial report of the Independent Commission Against Corruption for the financial year ended 30 June 2022.

In my opinion, the accompanying financial report gives a true and fair view of the financial position of the Independent Commission Against Corruption as at 30 June 2022, its financial performance and its cash flows for the year then ended in accordance with relevant Treasurer's Instructions issued under the provisions of the *Public Finance and Audit Act 1987* and Australian Accounting Standards – Simplified Reporting Requirements.

The financial report comprises:

- a Statement of Comprehensive Income for the year ended 30 June 2022
- a Statement of Financial Position as at 30 June 2022
- a Statement of Changes in Equity for the year ended 30 June 2022
- a Statement of Cash Flows for the year ended 30 June 2022
- notes, comprising material accounting policies and other explanatory information
- a Certificate from the Independent Commissioner Against Corruption and the Director, Corporate Services.

Basis for opinion

I conducted the audit in accordance with the *Public Finance and Audit Act 1987* and Australian Auditing Standards. My responsibilities under those standards are further described in the 'Auditor's responsibilities for the audit of the financial report' section of my report. I am independent of the Independent Commission Against Corruption. The *Public Finance and Audit Act 1987* establishes the independence of the Auditor-General. In conducting the audit, the relevant ethical requirements of APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* have been met.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Independent Commissioner Against Corruption for the financial report

The Independent Commissioner Against Corruption is responsible for the preparation of the financial report that gives a true and fair view in accordance with relevant Treasurer's Instructions issued under the provisions of the *Public Finance and Audit Act 1987* and the Australian Accounting Standards – Simplified Reporting Requirements, and for such internal control as management determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Independent Commissioner Against Corruption is responsible for assessing the entity's ability to continue as a going concern, taking into account any policy or funding decisions the government has made which affect the continued existence of the entity. The Independent Commissioner Against Corruption is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

Auditor's responsibilities for the audit of the financial report

As required by section 31(1)(b) of the *Public Finance and Audit Act 1987*, I have audited the financial report of the Independent Commission Against Corruption for the financial year ended 30 June 2022.

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control

OFFICIAL

2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Independent Commission Against Corruption's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Independent Commissioner Against Corruption
- conclude on the appropriateness of the Independent Commissioner Against Corruption's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify the opinion. My conclusion is based on the audit evidence obtained up to the date of the auditor's report. However, future events or conditions may cause an entity to cease to continue as a going concern
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

My report refers only to the financial report described above and does not provide assurance over the integrity of electronic publication by the entity on any website nor does it provide an opinion on other information which may have been hyperlinked to/from the report.

I communicate with the Independent Commissioner Against Corruption about, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during the audit.



Andrew Richardson
Auditor-General

29 September 2022

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

**Independent Commission Against Corruption
(ICAC)**

Financial Statements

For the year ended 30 June 2022

OFFICIAL

2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption Certification of the Financial Statements for the year ended 30 June 2022

We certify that the

- financial statements for the Independent Commission Against Corruption:
 - are in accordance with the accounts and records of the Independent Commission Against Corruption;
 - comply with relevant Treasurer's Instructions;
 - comply with relevant accounting standards; and
 - present a true and fair view of the financial position of the Independent Commission Against Corruption at the end of the financial year and the result of its operation and cash flows for the financial year.
- internal controls employed by the Independent Commission Against Corruption for the financial year over its financial reporting and its preparation of financial statements have been effective.



The Honourable Ann Vanstone KC
Commissioner
28 September 2022



Fiona Gowen
Director Corporate Services
28 September 2022

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption Statement of Comprehensive Income for the year ended 30 June 2022

	Note	2022 \$'000	2021 \$'000
Income			
SA Government grants, subsidies and transfers	2.1	12 557	13 875
Resources received free of charge	2.2	156	320
Recoveries and other income	2.3	28	10
Total income		12 741	14 205
Expenses			
Employee benefits expenses	3.2	7 333	8 380
Supplies and services	4.1	3 841	4 215
Depreciation and amortisation	5.1, 5.3	1 096	1 136
Loss on revaluation of property plant and equipment	5.1	-	186
Net loss from disposal of non-current assets	4.3	7	-
Other expenses	4.2	38	38
Total expenses		12 315	13 955
Net result		426	250
Total comprehensive result		426	250

The accompanying notes form part of these financial statements. The net result and total comprehensive result are attributable to the SA Government as owner.

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption Statement of Financial Position as at 30 June 2022

	Note	2022 \$'000	2021 \$'000
Current assets			
Cash and cash equivalents	6.1	11 653	11 209
Receivables	6.2	388	274
Total current assets		12 041	11 483
Non-current assets			
Property, plant and equipment	5.1	1 764	2 585
Intangible assets	5.3	12	84
Total non-current assets		1 776	2 669
Total assets		13 817	14 152
Current liabilities			
Payables	7.1	514	504
Lease liabilities	7.3	11	20
Employee benefits	3.3	609	1 346
Provisions	7.2	9	-
Other liabilities	7.4	135	136
Total current liabilities		1 278	2 006
Non-current liabilities			
Payables	7.1	62	55
Lease liabilities	7.3	1	11
Employee benefits	3.3	669	586
Provisions	7.2	22	-
Other liabilities	7.4	-	135
Total non-current liabilities		754	787
Total liabilities		2 032	2 793
Net assets		11 785	11 359
Equity			
Retained earnings		11 785	11 359
Total equity		11 785	11 359

The accompanying notes form part of these financial statements. The total equity is attributable to the SA Government as owner.

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption **Statement of Changes in Equity** *for the year ended 30 June 2022*

	Retained earnings \$'000	Total equity \$'000
Balance at 1 July 2020	11 109	11 109
Net result for 2020-21	250	250
Total comprehensive result for 2020-21	250	250
Balance at 30 June 2021	11 359	11 359
Net result for 2021-22	426	426
Total comprehensive result for 2021-22	426	426
Balance at 30 June 2022	11 785	11 785

The accompanying notes form part of these financial statements. All changes in equity are attributable to the SA Government as owner.

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2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption
Statement of Cash Flows
for the year ended 30 June 2022

	2022	2021
	Inflows (Outflows)	Inflows (Outflows)
Note	\$'000	\$'000
Cash flows from operating activities		
Cash inflows		
SA Government grants, subsidies and transfers	12 557	13 875
Recoveries and other income	39	8
Cash generated from operating activities	12 596	13 883
Cash outflows		
Employee benefits payments	(7 802)	(9 121)
Supplies and services payments	(3 877)	(4 568)
Cash used in operating activities	(11 679)	(13 689)
Net cash provided by / (used in) operating activities	8.1 917	194
Cash flows from investing activities		
Cash outflows		
Purchase of property, plant and equipment	(210)	(400)
Cash used in investing activities	(210)	(400)
Net cash used in investing activities	(210)	(400)
Cash flows from financing activities		
Cash outflows		
Cash transferred as a result of restructuring activities	1.4 (244)	-
Repayment of leases	(19)	(19)
Cash used by financing activities	(263)	(19)
Net cash used in financing activities	(263)	(19)
Net decrease in cash and cash equivalents	444	(225)
Cash and cash equivalents at the beginning of the reporting period	11 209	11 434
Cash and cash equivalents at the end of the reporting period	6.1 11 653	11 209

The accompanying notes form part of these financial statements.

Independent Commission Against Corruption
Notes to and forming part of the financial statements
For the year ended 30 June 2022

1 About the Independent Commission Against Corruption

The Independent Commission Against Corruption (the Commission) is a body corporate established under Part 2 of the *Independent Commission Against Corruption Act 2012* (ICAC Act).

The Commission is independent of and accountable to the SA Parliament.

Section 45 of the ICAC Act states that the Commission must, before 30 September in each year, prepare a report on the operations of the Commission.

As a result of amendments to the ICAC Act in October 2021, the Office for Public Integrity (the OPI) separated from the Commission, effective at 11:59pm on 6 October 2021. The OPI continues to exist as a separate entity for financial reporting purposes from 7 October 2021. Relevant assets, rights and liabilities were transferred from the Commission to the OPI (refer to note 1.4 for details). The report encompasses the operations of the Commission for the year ended 30 June 2022 and for the OPI for the period up until 6 October 2021.

The Commission does not control any other entity and has no interests in unconsolidated structure entities. The Commission has not entered into any contractual arrangements which involve the sharing of control or significant influence over another entity.

1.1. Basis of preparation

The financial statements are general purpose financial statements prepared in accordance with:

- section 23 of the *Public Finance and Audit Act 1987*;
- Treasurer's Instructions and Accounting Policy Statements issued by the Treasurer under the *Public Finance and Audit Act 1987*; and
- relevant Australian Accounting Standards, applying simplified disclosures.

The financial statements are prepared based on a 12 month reporting period and presented in Australian currency. All amounts in the financial statements and accompanying notes have been rounded to the nearest thousand dollars (\$'000). The historical cost convention is used unless a different measurement basis is specifically disclosed in the note associated with the item measured.

All financial assets and financial liabilities are measured at amortised cost.

Assets and liabilities that are to be sold, consumed or realised as part of the normal operating cycle have been classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

Significant accounting policies are set out throughout the notes.

Income, expenses and assets are recognised net of the amount of Goods and Services Tax (GST).

The net amount of the GST receivable/payable to the ATO is not recognised as a receivable/payable in the Statement of Financial Position as the Commission is a member of an approved GST group of which the Attorney-General's Department is responsible for the remittance and collection of GST.

Cash flows are included in the Statement of Cash Flows on a gross basis.

Independent Commission Against Corruption
Notes to and forming part of the financial statements
For the year ended 30 June 2022

1.2. Objectives and programs

The Commission is established to:

- (a) identify and investigate corruption in public administration; and
- (b) prevent or minimise corruption in public administration through education and evaluation of practices, policies and procedures.

The Commission has the following functions:

- (a) to identify corruption in public administration and to -
 - (i) investigate and refer it to a law enforcement agency for any further investigation and prosecution; or
 - (ii) refer it to a law enforcement agency for investigation and prosecution;
- (b) to evaluate the practices, policies and procedures of inquiry agencies and public authorities with a view to advancing comprehensive and effective systems for preventing or minimising corruption, misconduct and maladministration in public administration;
- (c) to conduct or facilitate the conduct of educational programs designed to prevent or minimise corruption, misconduct and maladministration in public administration;
- (d) if, in the course of performing functions in relation to potential corruption in public administration, any suspected misconduct or maladministration or any offences (not being offences that constitute the potential corruption in public administration) are identified – to report the matter to the OPI or the Ombudsman for assessment or refer the matter to a law enforcement agency, the Ombudsman or a public authority or public officer, as the Commission considers appropriate.

1.3. Impact of COVID-19 pandemic

There has been no material impact on the operations of the Commission because of the COVID-19 pandemic.

1.4. Net assets transferred to OPI

At 11:59pm on 6 October 2021, the Office for Public Integrity (OPI) became a separate reporting entity.

As a result of amendments to the ICAC Act and as per the *Public Sector (Reorganisation of Public Sector Operations – Office for Public Integrity) Notice 2021*, (contained in the South Australian Government Supplementary Gazette No 65 dated 6 October 2022), 18 staff were transferred from the Commission to the OPI. The following assets and liabilities were transferred from the Commission to the OPI:

Transferred Out	\$'000
Cash	244
Property, plant and equipment	14
Total assets	258
Employee benefits	230
Payables	28
Total liabilities	258
Total net assets transferred	-

Independent Commission Against Corruption
Notes to and forming part of the financial statements
For the year ended 30 June 2022

1.5. Significant transactions with government related entities

Significant transactions with the SA Government are identified throughout this financial report. In addition:

- SA Government transfers received from the Department of Treasury and Finance (DTF) through the Attorney-General's Department.
- 100% of accommodation payments relate to accommodation supplied by the Department for Infrastructure and Transport (DIT) and cars supplied by Fleet SA.

2. Income

2.1. SA Government grants, subsidies and transfers

	2022	2021
	\$'000	\$'000
SA Government transfers	12 557	13 875
Total SA Government grants subsidies and transfers	12 557	13 875

SA Government transfers are recognised on receipt.

SA Government transfers consist of \$12.116 million (\$12.513 million) for operational funding and \$0.440 million (\$1.362 million) for capital projects via the Attorney-General's Department's intra-government transfers.

2.2. Resources received free of charge

	2022	2021
	\$'000	\$'000
Resources received free of charge - Department of the Premier and Cabinet	87	103
Resources received free of charge - Shared Services SA	69	68
Donated assets	-	149
Total services received free of charge	156	320

Contribution of services are recognised only when a fair value can be determined reliably, and the services would be purchased if they had not been donated.

The Commission receives Accounting, Taxation, Payroll, Accounts Payable and Accounts Receivable services from Shared Services SA. Information, Communication and Technology services are received from the Department of the Premier and Cabinet, following Cabinet's approval to cease intra-government charges.

A corresponding expense is recognised in the financial statements (see note 4.1).

2.3. Recoveries and other income

	2022	2021
	\$'000	\$'000
Sundry recoveries	28	10
Total recoveries and other income	28	10

Recoveries are from SA Government agencies and employee reimbursements and are recognised on receipt.

Independent Commission Against Corruption
Notes to and forming part of the financial statements
For the year ended 30 June 2022

3. Employee Related Expenses

3.1. Key management personnel

Key management personnel of the Commission include the Commissioner, the Deputy Commissioner, and 11 employees who have at times throughout the period been members of the management team. This includes the standing members of the management team, former employees who were members of the management team and employees who acted in roles that are members of the management team. The key management personnel are responsible for supporting and leading the strategic direction and management of the Commission.

	2022	2021
	\$'000	\$'000
Salaries and other short-term employee benefits	1 609	1 962
Post-employment benefits	150	178
Other long-term employment benefits	57	234
Total compensation	1 816	2 374

Transactions with key management personnel and other related parties

Related parties of the Commission include all key management personnel and their close family members.

The Commission did not enter into any transactions with key management personnel or their close family members during the reporting period.

OFFICIAL

2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption Notes to and forming part of the financial statements For the year ended 30 June 2022

3.2. Employee benefits expenses

	2022	2021
	\$'000	\$'000
Salaries and wages	5 792	6 770
Employment on-costs - superannuation	635	702
Annual leave	544	564
Employment on-costs - other	357	391
Long service leave	(14)	(73)
Skills and experience retention leave	19	26
Total employee benefits expenses	7 333	8 380

References to employee(s) in these financial statements include the Commissioner and Deputy Commissioner, who are statutory appointments.

Employment on-costs – superannuation

The superannuation employment on-cost charge represents the Commission's contributions to superannuation plans in respect of current services of current employees.

Employee remuneration

The number of employees whose remuneration received or receivable falls within the following bands:

	2022	2021
	Number	Number
\$154 001 to \$157 000*	n/a	1
\$157 001 to \$177 000	8	3
\$177 001 to \$197 000	2	2
\$197 001 to \$217 000	1	2
\$217 001 to \$237 000	-	1
\$237 001 to \$257 000	1	-
\$397 001 to \$417 000	-	1
\$417 001 to \$437 000	-	1
\$477 001 to \$497 000	-	1
\$557 001 to \$597 000	1	-
Total	13	12

*This band has been included for the purposes of reporting comparative figures based on the executive base level remuneration rate for 2020-21.

The total remuneration received by those employees for the year was \$2.7 million (2021: \$2.9 million).

The table includes all employees (including the Commissioner and Deputy Commissioner) whose normal remuneration was equal to or greater than the base executive remuneration level during the year. Remuneration of employees reflects all costs of employment including salaries and wages, payments in lieu of leave, superannuation contributions, salary sacrifice benefits, fringe benefits and any fringe benefits tax paid or payable in respect of those benefits, as well as any termination benefits for employees who have left the Commission.

Independent Commission Against Corruption
Notes to and forming part of the financial statements
For the year ended 30 June 2022

3.3. Employee benefits liability

	2022	2021
	\$'000	\$'000
Current		
Annual leave	524	643
Long service leave	45	465
Accrued salaries and wages	30	228
Skills and experience retention leave	10	10
Total current employee benefits	609	1 346
Non-current		
Long service leave	669	586
Total non-current employee benefits	669	586
Total employee benefits	1 278	1 932

Employee benefits accrue as a result of services provided up to the reporting date that remain unpaid. Long-term employee benefits are measured at present value and short-term employee benefits are measured at nominal amounts.

Salaries and wages, annual leave, skills and experience retention leave (SERL) and sick leave

The liability for salaries and wages is measured as the amount unpaid at the reporting date at remuneration rates current at the reporting date.

The annual leave liability and the SERL liability in full are expected to be payable within 12 months and are measured at the undiscounted amount expected to be paid.

Salary inflation rate for annual leave and skills, experience and retention leave liability changed to 1.5% (2.0%: 2021).

No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees is estimated to be less than the annual entitlement for sick leave.

Long service leave

The amounts for long service leave include amounts accrued for investigators seconded under a MoAA between SA Police and the Commission. The Commission is required to reimburse SA Police an amount equivalent to long service leave accrued while an investigator is on secondment. The amount is due to SA Police when the seconded investigator ceases employment with the Commission. The amount accrued is therefore equivalent to the long service leave provision amount.

The liability for long service leave is measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method.

AASB 119 *Employee Benefits* contains the calculation methodology for long service leave liability.

The actuarial assessment performed by the DTF has provided a basis for the measurement of long service leave and is based on actuarial assumptions on expected future salary and wage levels, experience of employee departures and periods of service. These assumptions are based on employee data over SA Government entities.

AASB 119 *Employee Benefits* requires the use of the yield on long term Commonwealth Government bonds as the discount rate in the measurement of the long service leave liability. The yield on long term Commonwealth Government bonds has increased to 3.5% (1.25%: 2021).

The actuarial assessment performed by the DTF has left the salary inflation rate at 2.5% for long service leave liability.

This increase in the bond yield, which is used as the rate to discount future long service leave cash flows, results in a decrease in the reported long service leave liability.

Independent Commission Against Corruption
Notes to and forming part of the financial statements
For the year ended 30 June 2022

3.3 Employee benefits liabilities (continued)

The net financial effect of the changes to actuarial assumptions in the current financial year is a decrease in the long service leave liability of \$127 000 and employee benefits expense of \$127 000. The impact on future periods is impracticable to estimate as the long service leave liability is calculated using a number of demographical and financial assumptions – including the long-term discount rate.

4. Expense

4.1. Supplies and services

	2022	2021
	\$'000	\$'000
Accommodation	1 282	1 412
Information and communications technology	1 092	1 249
Contract staff	269	181
Repairs, maintenance and minor purchases	162	60
Shared Services SA and DPC charges	156	171
Outsourced services	154	381
Employee related payments	149	38
Consultants	142	73
Legal fees	124	272
Promotions and publications	59	20
Employee training	55	70
Tax and taxable payments	39	15
Motor vehicle expenses	8	9
Office expenses	17	37
Telephone related expenses	10	9
Internal audit fee	-	31
Website development	-	20
Other	123	167
Total supplies and services	3 841	4 215

Accommodation

All of the Commission's accommodation is provided by DIT under Memoranda of Administrative Arrangement (MoAA) issued in accordance with Government-wide accommodation policies. MoAA do not meet the definition of lease set out in AASB 16. Information about accommodation incentives relating to this arrangement is shown at note 7.4.

Consultants

The number of consultancies and the dollar amount paid/payable (included in supplies and services expense) to consultants that fell within the following bands:

	2022	2022	2021	2021
	Number	\$'000	Number	\$'000
Below \$10 000	2	12	10	35
\$10 000 or above	5	130	2	38
Total	7	142	12	73

OFFICIAL

2021-22 ANNUAL REPORT for the Independent Commission Against Corruption

Independent Commission Against Corruption Notes to and forming part of the financial statements For the year ended 30 June 2022

4.2. Other expenses

Audit fees paid / payable to the Auditor-General's Department relating to work performed under the *Public Finance and Audit Act 1987* were \$38 000 (\$38 000). No other services were provided by the Auditor-General's Department.

4.3. Net loss from disposal of non-current assets

	2022 \$'000	2021 \$'000
Plant and equipment		
Proceeds from disposal	-	-
Less net book value from disposal of plant and equipment	7	-
Total net gain / net loss from disposal of non-current assets	7	-

5. Non-financial assets

5.1. Plant and equipment owned by the Commission

Property, plant and equipment owned by the Commission with a value equal to or in excess of \$10 000 is capitalised, otherwise it is expensed. Property, plant and equipment owned by the Commission is recorded at fair value. Detail about the Commission's approach to fair value is set out in note 11.1.

Impairment

Property, plant and equipment owned by the Commission have not been assessed for impairment as they are non-cash generating assets, that are specialised in nature and held for continual use of their service capacity and are subject to regular revaluation.

Revaluation of leasehold improvements was undertaken in 2021 as detailed in note 11.1.

Depreciation and amortisation

All non-current assets, having a limited useful life, are systematically depreciated/amortised over their useful lives in a manner that reflects the consumption of their service potential.

Lease incentives in the form of leasehold improvements are capitalised as an asset and amortised over the remaining term of the lease or estimated useful life of each improvement, whichever is shorter.

Useful life

Depreciation and amortisation are calculated on a straight-line basis. Property, plant and equipment and intangible assets depreciation and amortisation are calculated over the estimated useful life as follows:

Class of asset	Useful life (years)
Accommodation Leasehold improvements	2
Plant and equipment	5-10
Information Technology	3-10
Intangible assets	3-5
Right-of-use vehicles	1

Review of accounting estimates

Assets' residual values, useful lives and amortisation methods are reviewed and adjusted, if appropriate, on an annual basis. Changes in the expected useful life or the expected pattern of consumption of future economic benefits embodied in the asset are accounted for prospectively by changing the time period or method, as appropriate.

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5.1 Property, plant and equipment owned by the Commission (continued)

Reconciliation

2022	Accommodation and leasehold improvements \$'000	Plant & equipment \$'000	Information Technology assets \$'000	ROU Vehicles \$'000	Capital Work in progress \$'000	Total \$'000
Carrying amount at beginning of the period	1 525	260	757	32	11	2 585
Acquisitions	-	61	10	-	154	225
Disposal through administrative restructuring	-	(14)	-	-	-	(14)
Disposals	-	(7)	-	-	-	(7)
Other	-	-	-	(1)	-	(1)
Subtotal:	1 525	300	767	31	165	2 788
Gains/(losses) for the period recognised in net result:						
Depreciation and amortisation	(763)	(62)	(178)	(21)	-	(1 024)
Subtotal:	(763)	(62)	(178)	(21)	-	(1 024)
Carrying amount at the end of the period	762	238	589	10	165	1 764
Gross carrying amount						
Gross carrying amount	1 525	595	3 365	61	165	5 711
Accumulated depreciation/amortisation	(763)	(357)	(2 776)	(51)	-	(3 947)
Carrying amount at the end of the period	762	238	589	10	165	1 764

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5.1 Property, plant and equipment owned by the Commission (continued)

2021	Accommodation and leasehold improvements	Plant & equipment	Information Technology assets	ROU Vehicles	Capital Work in progress	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at beginning of the period	2 406	331	186	31	365	3 319
Acquisitions	-	-	-	19	400	419
Transfers to/(from) capital WIP	-	-	754	-	(754)	-
Revaluation decrement	(186)	-	-	-	-	(186)
Other	(1)	(2)	(1)	1	-	(3)
Subtotal:	2 219	329	939	51	11	3 549
Gains/(losses) for the period recognised in net result:						
Depreciation and amortisation	(694)	(69)	(182)	(19)	-	(964)
Subtotal:	(694)	(69)	(182)	(19)	-	(964)
Carrying amount at the end of the period	1 525	260	757	32	11	2 585
Gross carrying amount						
Gross carrying amount	1 525	688	3 355	61	11	5 640
Accumulated depreciation/amortisation	-	(428)	(2 598)	(29)	-	(3 055)
Carrying amount at the end of the period	1 525	260	757	32	11	2 585

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5.2. Property, plant and equipment leased by the Commission

Right-of-use vehicles leased by the Commission are measured at cost.

Short-term leases of 12 months or less and low value leases where the underlying asset value is less than \$15,000 are not recognised as right-of-use assets. The associated lease payments are recognised as an expense, if any will be disclosed in note 4.1.

The Commission has a limited number of leases:

- 3 motor vehicle leases with the South Australian Government Financing Authority (SAFA). Motor vehicle leases are non-cancellable, with rental payments monthly in arrears. Motor vehicle lease terms can range from 3 years (60,000km) up to 5 years (100,000km). No variable lease payments are provided for in the lease agreements and no options exist to renew the leases at the end of their term.

The lease liabilities and the associated maturity analysis is disclosed in note 7.3. As per note 5.1, depreciation was \$21,000 and interest expenses were nil. Cash outflows related to leases are disclosed in note 7.3.

Impairment

Property, plant and equipment leased by the Commission has been assessed for impairment. There was no indication of impairment. No impairment loss or reversal of impairment loss was recognised.

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5.3. Intangible assets

Intangible assets are initially measured at cost and are tested for indications of impairment at each reporting date. Following initial recognition, intangible assets are carried at cost less any accumulated amortisation and any accumulated impairment losses.

The acquisition of or internal development of software is capitalised only when the expenditure meets the definition and recognition criteria and when the amount of expenditure is greater than or equal to \$10 000.

Impairment

There were no indications of impairment of intangible assets at 30 June 2022.

Reconciliation

	Externally acquired software	Total
2022	\$'000	\$'000
Carrying amount at 1 July 2021	84	84
Subtotal:	84	84
Gains/(losses) for the period recognised in net result:		
Amortisation	(72)	(72)
Subtotal:	(72)	(72)
Carrying amount at the end of the period	12	12
Gross carrying amount		
Gross carrying amount	867	867
Accumulated depreciation/amortisation	(855)	(855)
Carrying amount at the end of the period	12	12
2021	Externally acquired software	Total
Carrying amount at 1 July 2020	256	256
Subtotal:	256	256
Gains/(losses) for the period recognised in net result:		
Amortisation	(172)	(172)
Subtotal:	(172)	(172)
Carrying amount at the end of the period	84	84

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6. Financial assets

6.1. Cash and cash equivalents

	2022	2021
	\$'000	\$'000
Deposits with the Treasurer	11 637	11 189
Cash on hand	16	20
Total cash and cash equivalents	11 653	11 209

Deposits with the Treasurer

Deposits with the Treasurer are non-interest bearing. The carrying amount of cash and cash equivalents represents fair value.

6.2. Receivables

	2022	2021
	\$'000	\$'000
Current		
Trade receivables	21	32
Prepayments	367	242
Total current receivables	388	274

Trade receivables arise in the normal course of selling goods and services to other government agencies and to the public. Trade receivables are normally settled within 30 days after the issue of an invoice or the goods/services have been provided under a contractual arrangement. Trade receivables and prepayments are non-interest bearing. Receivables are held with the objective of collecting the contractual cash flows and they are measured at amortised cost.

Other than as recognised in the allowance for impairment loss on receivables, it is not anticipated that counterparties will fail to discharge their obligations. The carrying amount of receivables approximates net fair value due to being receivable on demand. There is no concentration of credit risk.

Refer to note 11.2 for further information on risk management.

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7. Liabilities

7.1. Payables

	2022	2021
	\$'000	\$'000
Current		
Trade payables	384	292
Employment on-costs	92	175
Accrued expenses	38	37
Total current payables	514	504
Non-current		
Employment on-costs	62	55
Total non-current payables	62	55
Total payables	576	559

Payables and accruals are raised for all amounts billed but unpaid and are settled within the normal terms of payment of 30 days, unless otherwise agreed. All payables are non-interest bearing. The carrying amount of payables represents fair value due to their short-term nature.

Statutory payables do not arise from contracts.

Employment on-costs

Employment on-costs include payroll tax and superannuation contributions and are settled when the respective employee benefits that they relate to are discharged.

The Commission contributes to several State Government and externally managed superannuation schemes. These contributions are treated as an expense when they occur. There is no liability for payments to beneficiaries as they have been assumed by the respective superannuation schemes. The only liability outstanding at reporting date relates to any contributions due but not yet paid.

As a result of an actuarial assessment performed by DTF, the proportion of long service leave taken as leave has remained the same as the 2021 rate at 42%. The average factor for the calculation of employer superannuation on-costs changed from the 2021 rate (10.1%) to 10.6%. These rates are used in the employment on-cost calculation. The net financial effect of the changes in current financial year is immaterial.

Further information on risk management is provided as note 10.2.

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7.2. Provisions

All provisions relate to workers compensation.

	2022	2021
	\$'000	\$'000
<i>Movement in provisions</i>		
Carrying amount at the beginning of the period	-	-
Additional provisions recognised	31	-
Carrying amount at the end of the period	31	-

The Commission is an exempt employer under the *Return to Work Act 2014*. Under a scheme arrangement, the department is responsible for the management of workers rehabilitation and compensation, and is directly responsible for meeting the cost of workers' compensation claims and the implementation and funding of preventive programs. Accordingly, a liability has been reported to reflect unsettled workers compensation claims. The workers compensation provision is based on an actuarial assessment of the outstanding liability as at 30 June 2022 provided by a consulting actuary engaged through the Office of the Commissioner for Public Sector Employment. There is a significant degree of uncertainty associated with estimating future claim and expense payments and also around the timing of future payments due to the variety of factors involved. The liability is impacted by agency claim experience relative to other agencies, average claim sizes and other economic and actuarial assumptions.

7.3. Lease liabilities

Lease liabilities have been measured via discounting lease payments using either the interest rate implicit in the lease (where it is readily determined) or DTF's incremental borrowing rate. There were no defaults or breaches on the financial liabilities throughout the year.

The borrowing costs associated with these lease liabilities was nil (2021: nil).

Total cash outflows for leases was \$19 000 (2021: \$19 000). All material cash outflows are reflected in the lease liabilities disclosed above.

	2022	2021
	\$'000	\$'000
Lease Liabilities		
1 to 3 years	12	31
Total lease liabilities (undiscounted)	12	31

7.4. Other liabilities

A maturity analysis of other liabilities based on undiscounted gross cash flows is reported in the table below:

	2022	2021
	\$'000	\$'000
Current		
Accommodation incentive	135	136
Total current other liabilities	135	136
Non-current		
Accommodation incentive	-	135
Total non-current other liabilities	-	135
Total other liabilities	135	271

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7.4 Other liabilities (continued)

Accommodation incentive liabilities relate to arrangements with DIT for office accommodation. These arrangements do not comprise leases and the accommodation incentives do not comprise financial liabilities. DIT has provided a range of incentives. The benefit of this incentive is spread over the accommodation term so that each year reported accommodation expenses reflect the economic substance of the Commission's accommodation arrangements and related benefits provided.

8. Other disclosures

8.1. Cash flow

Cash flows are included in the Statement of Cash Flows on a gross basis and the GST component of cash flows arising from investing and financing activities, which is recoverable from, or payable to, the ATO is classified as part of operating cash flows.

<i>Reconciliation of net result to cash flows from operating activities</i>	2022	2021
	\$'000	\$'000
Reconciliation of cash and cash equivalents at the end of the reporting period		
Cash and cash equivalents disclosed in the Statement of Financial Position	11 653	11 209
Balance as per the Statement of Cash Flows	11 653	11 209
Reconciliation of net cash provided by operating activities to net result		
Net cash provided by operating activities	917	194
Add / (less) non-cash items		
Depreciation and amortisation	(1 096)	(1 136)
Resources received free of charge - expense	(156)	(171)
Resources received free of charge - income	156	171
Decrements on revaluation of non-current assets	-	(186)
Donated assets	-	149
Net loss from disposal of non-current assets	(7)	-
Lease incentive amortisation	135	143
Movement in assets and liabilities		
Increase in receivables	114	92
(Increase)/decrease in payables	(61)	311
Decrease in employee benefits	424	683
Net result	426	250

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9. Outlook

9.1. Unrecognised commitments

Commitments include operating, capital and outsourcing arrangements arising from contractual or statutory sources and are disclosed at their nominal value.

Expenditure commitments

	2022	2021
	\$'000	\$'000
Within one year	1 616	1 560
Later than one year but not longer than five years	59	1 168
Total other commitments	1 675	2 728
Software maintenance ⁽¹⁾	208	302
Other ⁽²⁾	1 467	2 426
Total	1 675	2 728

⁽¹⁾ Software maintenance commitments relate to maintenance and support services from contracts relating to software purchases. These contracts will expire within one to three years.

⁽²⁾ Other commitments relate to purchase orders placed for goods and services before 30 June 2022 and MoAA with DIT for accommodation.

9.2. Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Statement of Financial Position, but are disclosed by way of a note and, if quantifiable, are measured at nominal value.

In the ordinary course of operations, the Commission may become liable to pay costs or to receive costs arising from legal proceedings.

9.3. Impact of standards and statements not yet effective

The Commission continues to assess the impact of the new and amended Australian Accounting Standards and Interpretations not yet implemented and changes to the Accounting Policy Statements issued by the Treasurer.

Amending Standard AASB 2020-1 *Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current* will apply from 1 July 2023. The Commission continues to assess liabilities e.g. LSL and whether or not there is a substantive right to defer settlement. Where applicable these liabilities will be classified as current.

9.4. COVID-19 pandemic outlook for the Commission

The COVID-19 pandemic is not expected to have a material impact in 2022-23.

9.5. Events after the reporting period

There are no known events after balance date that affect these financial statements.

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10. Trust funds

The funds below are held in trust and represent monies seized as part of investigation activities as per the ICAC Act and the regulations. As the Commission only performs a custodial role in respect of these trust monies, they are excluded from the financial statements as the Commission cannot use these funds to achieve its objectives.

	2022	2021
	\$'000	\$'000
Balance at the beginning of the period	5	5
Receipts	2	-
Payments	-	-
Balance at the end of the period	7	5

11. Measurement and risk

11.1. Fair value measurement

Fair value measurement

AASB 13 *Fair Value Measurement* defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants, in the principal or most advantageous market, at the measurement date.

Initial recognition

Non-current tangible assets are initially recorded at cost or at the value of any liabilities assumed, plus any incidental cost involved with the acquisition.

Where assets are acquired at no value, or minimal value, they are recorded at fair value in the Statement of Financial Position. However, if the assets are acquired at no or nominal value as part of a restructure of administrative arrangements, then the assets are recognised at book value (i.e. the amount recorded by the transferor public authority immediately prior to the restructure).

Revaluation

Property, plant and equipment, other than right-of-use assets are subsequently measured at fair value after allowing for accumulated depreciation.

An independent valuation of leasehold improvements owned by the Commission was performed by Simon O'Leary, Director, and independent Certified Practising Valuer from Public Private Property as at 30 June 2021.

Non-current tangible assets are valued at fair value and revaluation of non-current assets or a group of assets is only performed when the fair value at the time of acquisition is greater than \$1.5 million and the estimated useful life is greater than three years.

Revaluation is undertaken on a regular cycle as detailed below. If at any time the Commission considers that the carrying amount of an asset materially differs from its fair value, then the asset will be revalued regardless of when the last valuation took place.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amounts of the assets and the net amounts are restated to the revalued amounts of the asset.

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11.1. Fair value measurement (continued)

Fair value hierarchy

The Commission classifies fair value measurement using the following fair value hierarchy that reflects the significance of the inputs used in making the measurements, based on the data and assumptions used in the most recent revaluation.

Level 1: traded in active markets and is based on unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at measurement date.

Level 2: not traded in an active market and are derived from inputs (inputs other than quoted prices included within level 1) that are observable for the asset, either directly or indirectly.

Level 3: not traded in an active market and are derived from unobservable inputs.

The Commission has categorised all leasehold improvements, information technology assets and plant and equipment assets (refer to note 5.1) into level 3 for 2021 and 2022. The Commission's policy is to recognise transfers into and out of fair value hierarchy levels as at the end of the reporting period. There have been no transfers into or out of fair value hierarchy levels during the reporting period.

Plant and equipment

All items of plant and equipment owned by the Commission had a fair value at the time of acquisition less than \$1.5 million and had an estimated useful life less than three years. Plant and equipment have not been revalued. The carrying value of these items are deemed to approximate fair value.

11.2. Financial instruments

Financial risk management

Risk management is managed by the Commission's Corporate Services Section. The Commission's risk management policies are in accordance with the *SA Government Risk Management Guide* and the principles established in the *Australian Standard Risk Management Principles and Guidelines*.

The Commission's exposure to financial risk (liquidity risk, credit risk and market risk) is low due to the nature of financial instruments held. There have been no changes in risk exposure since the last reporting period.

Liquidity risk

The Commission is funded principally from SA Government transfer. The Commission works with the DTF to determine the cash flows associated with its Government approved program of work and to ensure funding is provided through SA Government budgetary processes to meet the expected cash flows.

The continued existence of the Commission in the present form, and with the present programs, is dependent on State Government policy and on continuing appropriations by Parliament for the Commission's administration and programs. The Commission's exposure to liquidity risk is insignificant based on past experience and current assessment of risk.

Credit risk

The Commission is not exposed to any credit risk.

Currently the Commission does not hold any collateral as security for any of its financial assets. There is no evidence to indicate that financial assets are impaired.

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11.2. Financial instruments (continued)

Market risk

The Commission does not trade in foreign currency, and did not enter into transactions for speculative purposes, nor for hedging. The Commission does not undertake any hedging in relation to interest or foreign currency risk and manages risk as per the government's risk management strategy articulated in TI 23 *Management of Foreign Currency Exposures*.

There have been no changes in risk exposure since the last reporting period.

Categorisation of financial instruments

Details of the significant accounting policies and methods adopted including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised with respect to each class of financial asset, financial liability and equity instrument are disclosed in the respective financial asset/ financial liability notes.