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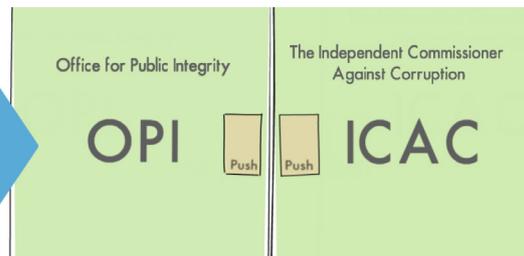
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WHY SHOULD YOU REPORT CORRUPTION?

complaints
and reports
this way please



If you are a public officer you should report corruption because you have a mandatory obligation to do so. However, even if you did not have an obligation by law, a sense of justice, fairness and integrity should motivate you to report this type of conduct. And if all that fails to resonate, then you should do it because ultimately it is in your own best interests to do so.

Corruption in public administration affects all of us. It takes trust out of the system, it takes money out of the system and eventually it makes all of us a little less safe and secure.

Trust is central to a well-functioning democratic society. We need to know and believe that government and public institutions act impartially and in the best interest of the community. When we learn of instances where decisions have not been made in the collective interest of the community but in the narrow interests of those making the decision, we trust less.

Corruption takes money out of the system that could otherwise be used for the good of the community. A man, falsely claiming to be a Tahitian Prince, defrauded Queensland Health of \$16 million. How could that money have been used to benefit

the people of Queensland? Whether the fraud is thousands or millions of dollars, the result is the same; money is diverted away from programs, services and projects that the community could benefit from. When people take what is not theirs, they are taking from all of us.

In a country like Australia we do not often associate corruption with matters of life and death, but it can be. When public officers act in their own vested interests, without regard to the interests of others, they put us at risk. Do you want share the road with an incompetent driver who did not earn their licence but bribed an examiner? Or perhaps eat in a restaurant that passed a health inspection because of an inducement paid to the person conducting the inspection? Would you be happy to undergo an invasive medical procedure that was never required because of kickbacks to the medical staff or hospital? If we know that someone is doing the wrong thing and we do nothing to stop them, we will all be less safe and it is possible that one day, someone might pay with their life.

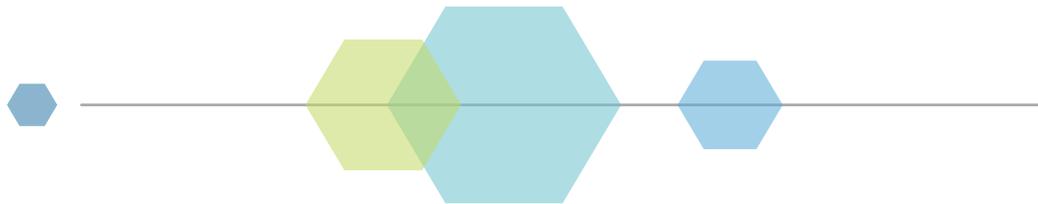
Report corruption not just because it is an obligation, report it because it's the right thing to do and it's in all of our best interests, including yours.

PROSECUTION UPDATE

The Commissioner released three public statements in March 2016 regarding charges laid against seven South Australian public officers.

Currently there are 19 people who are before the courts as a result of investigations by the Commissioner's office. Nine of those people are police officers or former police officers who have been charged as a result of joint investigations between the Commissioner and the Anti-Corruption Branch of SAPOL.

In addition, the courts finalised an ICAC referral against a former government translator in December 2015, after the person pleaded guilty to one count of using information to secure a benefit.



FACT OR FICTION

YOU CANNOT TELL ANYONE THAT YOU HAVE MADE A REPORT TO THE OPI?



It is widely believed and reported that the 'secret ICAC' will hunt you down if you tell anyone that you have made a report to the OPI. Although this is fiction, the basis for this belief came out of the original legislation.

When the ICAC Act first came into operation, the confidentiality provisions that prevented the publishing of this type of information were so tightly drawn that 'publishing' arguably included one person telling another person.

At the request of the Commissioner, the Parliament changed the definition of 'publish' to align it with a more intuitive definition of the term, being to put information into the public domain. As a result of this change you are not prohibited from telling someone that you have made a report to the OPI. However, you are still prohibited from publishing it or causing it to be published in newspapers, radio, television, on the internet or other electronic means of creating and sharing content with the public. This includes via social media and networking applications.



EDUCATION UPDATE

The education team is looking for volunteers to test their e-learning course 'ICAC induction for public officers'. Please [contact us](#) if you are ready, willing and able and we will send you a link.

The Commissioner continues to be actively involved in his education program. Since the office opened, the Commissioner has delivered 153 ICAC education sessions to nearly 10,000 people.

The Commissioner's staff also deliver ICAC seminars and workshops. A new workshop on how to conduct an internal investigation is being piloted and will be offered more broadly later in the year.

If you would like a member of the ICAC education team to attend your agency or event to speak about ICAC, please email us at education@icac.sa.gov.au.

The Commissioner's next open awareness session is on 23 May. If you or anyone in your agency has not heard the Commissioner talk about the role and functions

of his office, and the impact it has on public officers, you are encouraged to [register via the ICAC website](#).

For a brief overview of ICAC and the OPI, please take a few minutes to watch the [ICAC Induction for Public Officers video](#).

You can now [follow the ICAC on Twitter](#) for more education news, resources and upcoming events.



RECRUITMENT

WHAT COULD POSSIBLY GO WRONG?

The South Australian public sector and local government employs over 100,000 people, making them the State's largest employment sector. Given that people are the most valuable asset of every agency and that payroll is a significant expense for the sector, what could possibly go wrong?

There are many risks inherent in the recruitment process, which if not well managed, can turn out to be costly and have far reaching ramifications for an agency.

Selecting the wrong person for the job can have a negative impact on the morale of colleagues and it can affect their productivity. A poor selection decision has the potential to consume a lot of resources in an attempt to manage the situation. It can result in industrial disputes or other

legal issues arising from the selected person's inability to do the job. More importantly it commits the agency to mediocrity as opposed to the excellence that can be gained by striving to attract the top talent.

An agency's security might also be jeopardised by poor recruitment practices. There are known cases where agencies have been infiltrated by people associated with organised crime groups or where 'safe' people have been placed in positions by someone trying to cover up their own wrong doing or poor performance.

Problems arise if the process is not fair and transparent, conflicts of interest are not well managed and best practice processes and procedures are not followed.

Although risks in recruitment cannot be entirely eliminated they can be managed. Every recruitment process should begin with a recruitment plan and a relevant and up-to-date job and person specification. Diverse selection panels that avoid conflicts of interests and both direct and unconscious bias should be assembled. The interviewing process ought to be structured and well documented and the preferred candidate should be properly reference checked and if appropriate, security checked.

There will always be interest in who gets the jobs, how they get them and why they get them. With the right processes and procedures in place, answering these questions should not pose too much of a problem.

THE PROBLEM OF MALADMINISTRATION

AND WHY IT CAN HURT MORE THAN CORRUPTION

As the name suggests, the South Australian Independent Commissioner Against Corruption is charged with stamping out corruption in South Australian public administration. But that is not the only thing the Commissioner does.

Maladministration, which also falls under the Commissioner's charter, is about the conduct of public officers and the practices, policies and procedures of public authorities, which result in irregular and unauthorised use of public money, the substantial mismanagement of public resources, or the mismanagement of official functions. It includes conduct that might be described as incompetent or negligent, but it is not criminal conduct.

It is the Commissioner's role to deal with maladministration in South Australian public administration by either assisting inquiry agencies or public authorities to do so,

or alternatively, investigating the matters himself by exercising the powers of an appropriate inquiry agency.

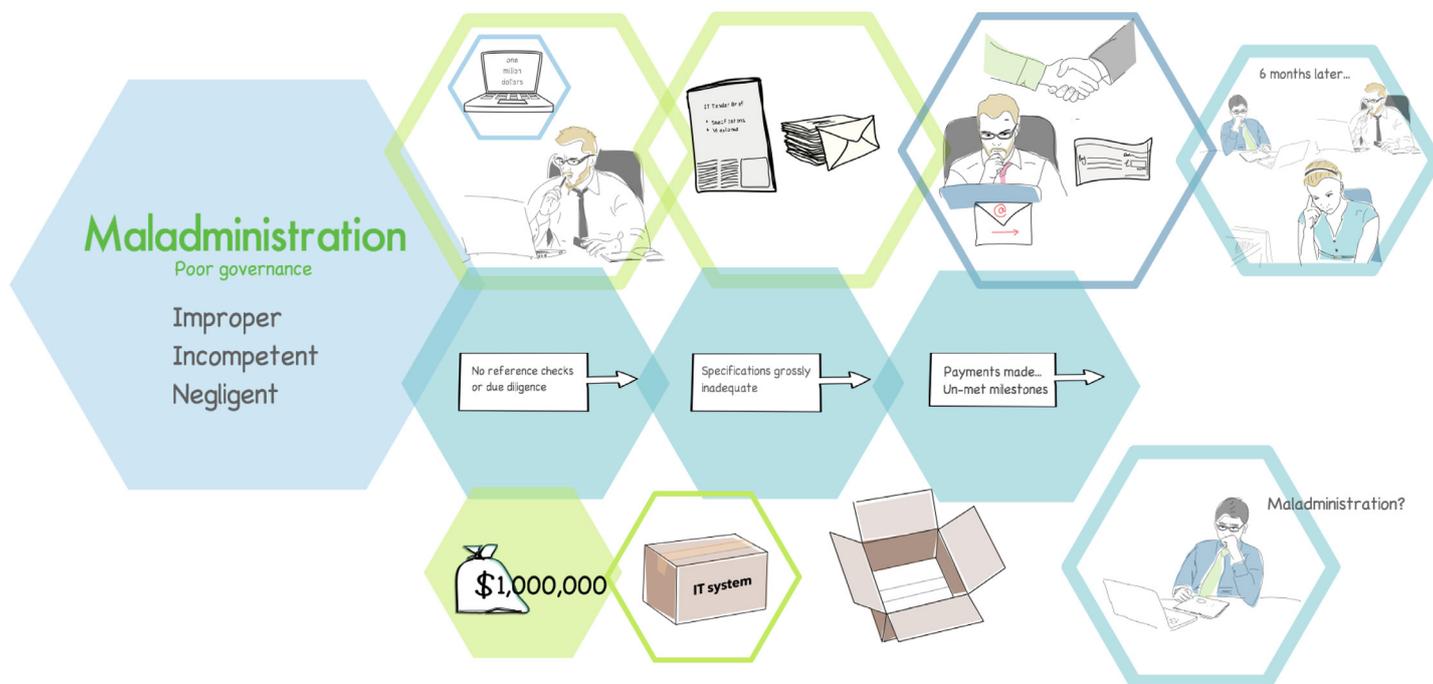
Dealing with maladministration is possibly more important than corruption because maladministration is more prevalent than corruption, it can cause more damage than corruption, and it is a breeding ground where corruption opportunities can be found and exploited.

In many cases corruption can only exist in the presence of maladministration. In a way the two are inextricably linked, with maladministration acting as an enabler. Although it is not impossible, it is difficult to steal large sums of money from an agency unless there is something wrong with the governance of that agency.

Maladministration does not always give rise to corruption, but it does make it possible. The impact of widespread maladministration can be far more damaging and financially costly than the opportunistic wrongdoing of corrupt individuals. Millions of dollars can disappear from publicly funded projects and agencies without a crime having been committed. Likewise poor, inappropriate and even incompetent decisions can be made, which have long term negative implications for public administration in South Australia.

Maladministration can cost more and cause more damage than corruption; hence, the fight against corruption begins with the fight against maladministration.

Getting the house in order must be a priority for all public authorities.



[View the 'What is Maladministration' video on the ICAC website](#)

THE INFORMATION CONTAINED IN THIS NEWSLETTER MUST NOT BE UNDERSTOOD TO CONSTITUTE LEGAL ADVICE.