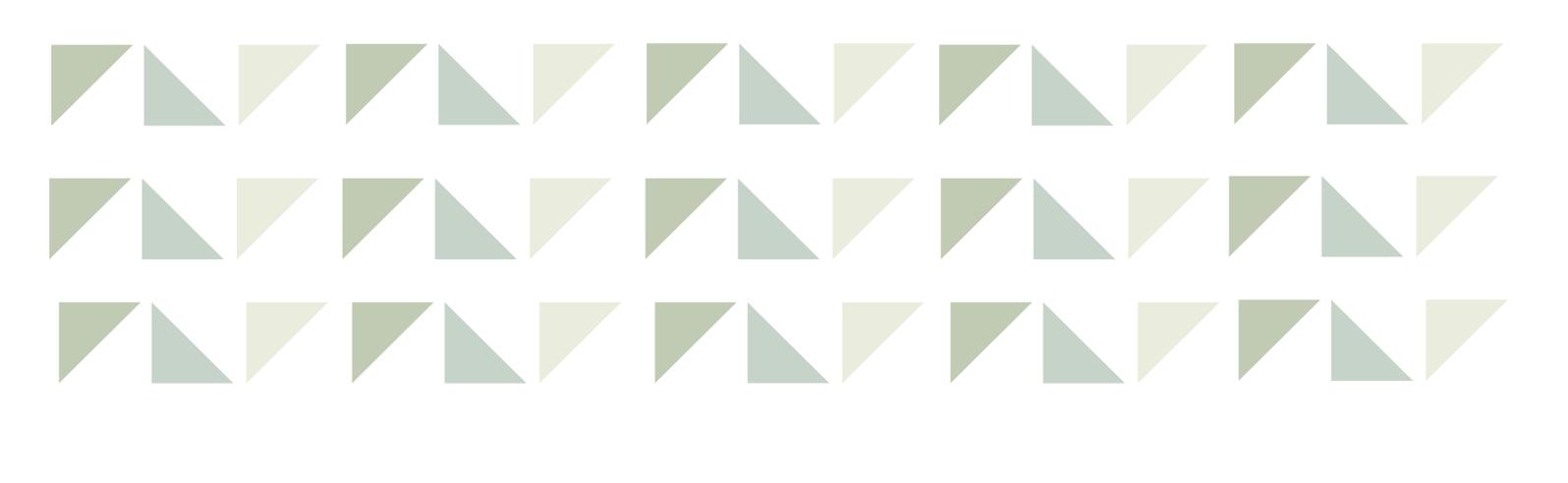




**OFFICE FOR
PUBLIC INTEGRITY**
SOUTH AUSTRALIA

OFFICE FOR PUBLIC INTEGRITY

2021-22 Annual Report



WHAT DOES THE OPI DO?

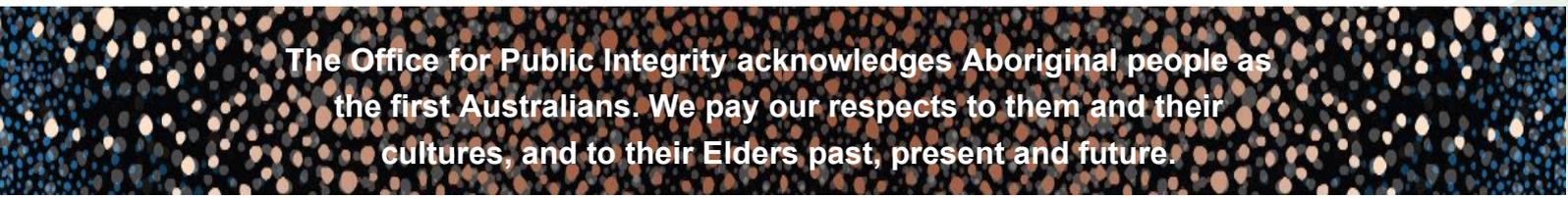
The Office for Public Integrity (OPI) is established by the *Independent Commission Against Corruption Act 2012* (ICAC Act). It plays an important role in keeping public institutions reliable, fair and trustworthy. The OPI does this by:

- Handling complaints about public administration from members of the public;
- Handling reports about corruption, misconduct and maladministration in public administration from public officers and authorities;
- Referring complaints and reports to inquiry agencies, public authorities or public officers for further investigation or action when needed;
- Receiving complaints and reports about the conduct of SA Police Officers under the *Police Complaints and Discipline Act 2016* (PCD Act);
- Overseeing the assessment and investigation of complaints and reports about the conduct of SA Police Officers under the PCD Act: and
- Overseeing the assessment and investigation of complaints and reports about the conduct of Protective Security Officers under the *Protective Security Act 2007*.

The OPI is also responsible for overseeing public interest disclosures and is a relevant authority for anyone wanting to make a disclosure of public interest information under the *Public Interest Disclosure Act 2018* (PID Act).

If you are not sure whether the OPI can help you, we are happy to discuss your matter with you. If it is not under our jurisdiction, we will be able to direct you to another agency who may be able to assist.

Visit our website for further information about our services or to register a complaint online: www.publicintegrity.sa.gov.au



The Office for Public Integrity acknowledges Aboriginal people as the first Australians. We pay our respects to them and their cultures, and to their Elders past, present and future.



**OFFICE FOR
PUBLIC INTEGRITY**
SOUTH AUSTRALIA

To:

The Honourable Dan Cregan MP
Speaker
House of Assembly
Parliament House
ADELAIDE SA 5000

The Honourable Terry Stephens MLC
President
Legislative Council
Parliament House
ADELAIDE SA 5000

The Honourable Kyam Maher MLC
Attorney-General
GPO Box 464
ADELAIDE SA 5001

It is my privilege to present the Office for Public Integrity's first Annual Report to Parliament as required by section 45 of the *Independent Commission Against Corruption Act 2012*.

I also present information about the Office for Public Integrity's functions pursuant to the *Police Complaints and Discipline Act 2016* and the *Public Interest Disclosure Act 2018*.

Emma Townsend
Director
Office for Public Integrity

30 September 2022



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OVERVIEW

INTRODUCTION FROM THE DIRECTOR

The work carried out by the Office for Public Integrity (OPI) is vital to ensuring that the South Australian community has a professional public sector in which it can have confidence. It is my privilege to have been the Director of the OPI since 7 January 2022.

On 7 October 2021, amendments to the *Independent Commissioner Against Corruption Act 2012*, (now the *Independent Commission Against Corruption Act 2012* (ICAC Act)) established the OPI as a separate and independent entity. While the amendments to the ICAC Act had a significant effect on the OPI as a whole they did not substantially impact the OPI's role or functions pursuant to the *Police Complaints and Discipline Act 2016* (PCD Act). Mr Fraser Stroud was the Acting Director from 7 October 2021 to 6 January 2022 and played a vital role in leading the OPI in its first three months of operation prior to my commencement on 7 January 2022.

The OPI commenced receiving and assessing new complaints and reports from 7 October 2021 and the data outlined in this report is from that date until 30 June 2021 unless specified otherwise. Additionally, complaints and reports received under the ICAC Act or PCD Act which were open at the time of the transition were migrated from ICAC and received by the OPI on 14 February 2022 and 9 May 2022 respectively. The OPI worked diligently to assess these transitional files while continuing to receive and assess new complaints and reports.

A number of significant projects and reforms were undertaken as a result of the establishment of an independent office and other amendments to the ICAC Act, including:

- In late 2021 the OPI published Directions and Guidelines in accordance with its obligation to prepare Directions and Guidelines governing the reporting of corruption in public administration: [Directions and guidelines | Office for Public Integrity](#).
- The OPI launched a new website on 15 June 2022 containing comprehensive information about the OPI, reporting obligations for public officers and detailed instructions for both public officers and members of the public about how to make a report or complaint to the OPI.
- The forms available to make a complaint about public administration and SA Police Officers were reviewed and rebranded to reflect the legislative changes. The new forms were made available on the OPI website.

- The OPI built new case management workflows, which align with the legislative changes under the ICAC Act, in particular at the assessment stage. Those workflows also allow for improved statistical reporting and better reflect internal processes.
- The OPI worked closely with ICAC, Ombudsman SA and the Internal Investigation Section (IIS) of SA Police to review existing processes and determine best practices. The OPI also conducted training days with IIS and Ombudsman SA at which the OPI shared information about its work and gained insight to the work of IIS and Ombudsman SA.
- Recognising the changes in reporting obligations and procedures for public officers, the OPI has prepared and delivered educational presentations about the OPI and its functions.

Much has been achieved by the OPI in its first year in operation and the above only highlights a small fraction of the work that has been undertaken to establish a new office.

I wish to thank the dedicated staff of the OPI who have demonstrated resilience and professionalism throughout a period of significant change. I look forward to continuing to work with them as the OPI moves into its second year in operation and consolidates the successful establishment of the office.



Emma Townsend

Director

Office for Public Integrity

YEAR AT A GLANCE (7 OCTOBER 2021 – 30 JUNE 2022)

ACHIEVEMENTS IN THE OPI'S FIRST YEAR



New office accommodation secured and established

Launched new website and branding, including updated complaint forms and educational materials



Published new Directions and Guidelines, as well as new operational and corporate policies, procedures and guidelines

Held training days and education sessions with numerous external agencies



Implemented a new phone system to allow for business continuity

Recruited, onboarded, and trained new staff and developed a succinct induction process



Built new workflows in our case management system to capture statistical data

KEY STATISTICS IN THE OPI'S FIRST YEAR

319

REPORTS ABOUT
PUBLIC
ADMINISTRATION
RECEIVED

431

COMPLAINTS ABOUT
PUBLIC
ADMINISTRATION
RECEIVED

128

QUERIES
WERE OUTSIDE
OF OUR
JURISDICTION

390

POLICE
REPORTS
RECEIVED

3,416

CONTACTS WERE MADE TO THE OPI

66

PUBLIC
INTEREST
DISCLOSURES
RECEIVED

1340

POLICE
COMPLAINTS
RECEIVED

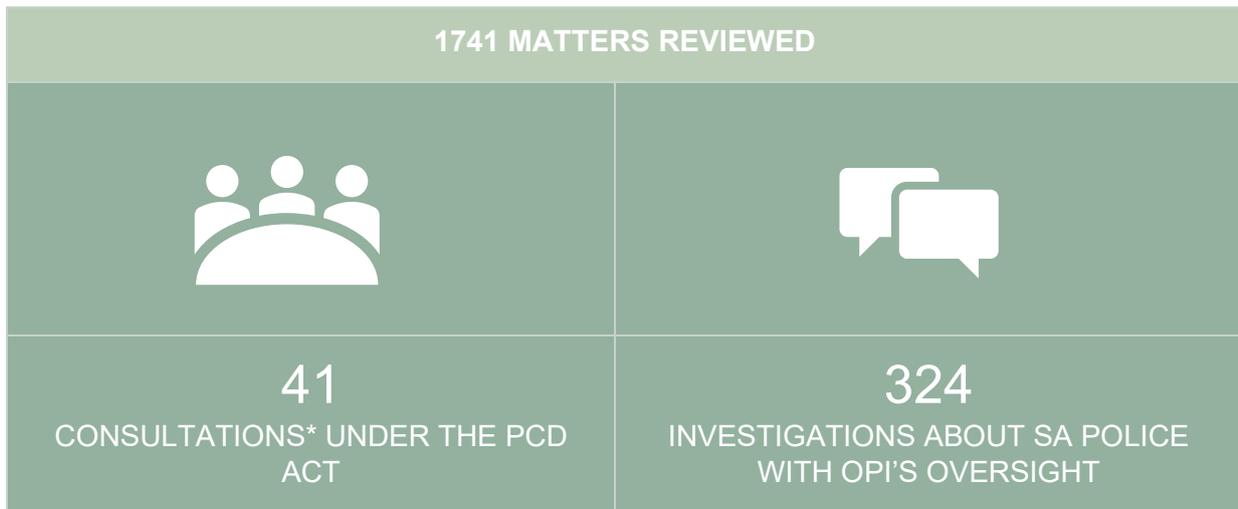
19

PROTECTIVE
SECURITY
OVERSIGHT
REPORTS
RECEIVED

723

GENERAL
ENQUIRIES
RECEIVED

OPI'S OVERSIGHT PURSUANT TO THE PCD ACT



*Consultations occur when the OPI does not agree with the assessment made by IIS

OPI'S ASSESSMENTS AND REFERRALS PURSUANT TO THE ICAC ACT



*The OPI is responsible for assessing all complaints and reports in public administration. Upon assessment it may be determined that there are separate issues raised in a particular matter and the OPI assesses each issue individually.

GOALS FOR 2022-23 FINANCIAL YEAR

Since 7 October 2021 the OPI has laid the foundations for a new vision and organisational identity. This will be built upon and strengthened in the 2022-23 financial year through collaboration and engagement with staff and external agencies.

A planning day will be organised proximate to the first anniversary of OPI becoming an independent body. In this forum the OPI will determine business plans, goals and values, and agree upon a strategic vision for the year ahead. The ideas generated at the OPI planning day will form the groundwork for a formalised OPI strategic and corporate plan.

HUMAN RESOURCES

An important aspect of the continued development of the OPI's strategy and vision will be a review of the organisational structure and all roles within it to ensure that they align with operational requirements. Training and development of our current human resources will be another key factor going forward. The OPI will implement a training program for its staff, including external education opportunities to ensure that OPI staff are continuously improving their knowledge and skills.

INTERNAL SECURITY AND SUITABILITY FRAMEWORK

OPI staff are responsible for handling sensitive complaints, reports and information. The OPI has policies in place to ensure the security of its data. A key goal in the 2022-23 financial year will be to establish an internal security and suitability framework for staff which will include rigorous security screening processes throughout the entire employment cycle. Several roles within the OPI organisational structure have the potential to access protected information and require a AFGSVA Baseline Clearance. The security screening process will include a pre- and post-employment declaration, as well as annual staff suitability assessments.

EDUCATION

In 2022-23 the OPI will prioritise the education of external agencies. The OPI will create a formal education framework to ensure that all public officers are aware of their reporting obligations.

2022-23 KEY PERFORMANCE INDICATORS

The timely disposition of matters is important to those who make a complaint or report, those about whom a report is made and the community as a whole. The OPI uses several key performance indicators (KPIs) to measure its efficiency. The quality of work performed is equally as important as the timeliness of it. Providing a high-quality service in every aspect of its work will continue to be a priority for the OPI.

The OPI has reviewed its KPIs and developed a thorough reporting process through which performance can be measured and monitored. The OPI case management system and workflows allow the OPI to produce reports that measure performance against internal and legislated KPIs.

It is a goal of the OPI to improve its internal data capabilities in order to identify, monitor and analyse trends.

The KPIs for the 2022-23 financial year are as follows:

TEAM	KPI	TIMEFRAME
INTAKE	Register a complaint or report	2 business days
	Register and refer a complaint to SAPOL	3 calendar days*
	Register, action and close a General Enquiry	10 business days
	Register, action and close an Outside Jurisdiction enquiry	10 business days
ASSESSMENTS	Complete an assessment	20 business days
	No further action or Section 17 ICAC Act referral	5 business days
	Referral to inquiry agency	15 business days
	Complete a recontact	20 business days
	Complete a police review	3 business days*
POLICE OVERSIGHT	Responding to Section 22 notice	2 business days
	Initial review on allocated investigation	5 business days

*legislative timeframe

The Intake Team is responsible for receiving and registering complaints and reports received by the OPI. The Intake Team consistently meets the legislative requirements under the PCD Act and the internal KPIs for registration of complaints and reports under the ICAC Act. In the next financial year, the Intake Team intends to improve upon its response time to general enquiries and recontacts to provide an even more efficient service to the public.

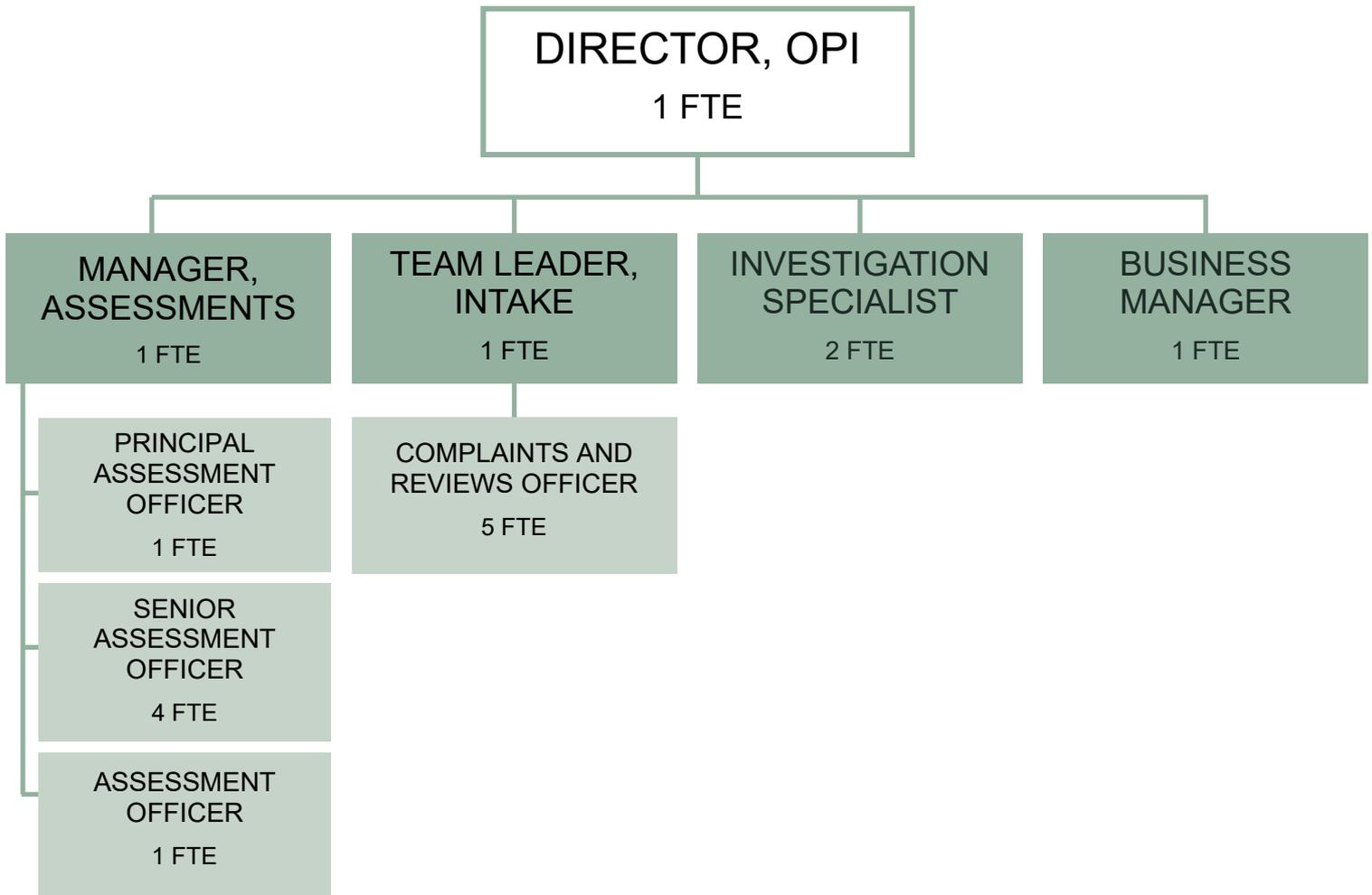
The Assessment Team reviews the complaints and reports received and determines whether a referral is appropriate. In the 2021-22 financial year, the Assessment Team successfully reduced the average assessment time as compared with the previous financial year and ended the reporting period with a lower number of complaints and reports awaiting assessment than the twelve months prior. Recognising the importance of complaints and reports being addressed in a timely manner, the Assessment Team has reduced the KPI for average assessment time from 25 to 20 working days for the next financial year.

In relation to the OPI's oversight of the operation and enforcement of the PCD Act, new workflows now capture more comprehensive data than has previously been available. The OPI is able to demonstrate the stage at which it has intervened during the investigation process or at the time that a final investigation report has been submitted. Consequently, the OPI is better equipped to measure the nature and extent of its oversight function.



CORPORATE

ORGANISATIONAL STRUCTURE



MANAGEMENT TEAM

DIRECTOR, OPI

The Director, OPI is appointed in accordance with section 18 of the ICAC Act and is responsible for the functions of the OPI as outlined in that Act. The Director is responsible for the strategic direction and operational performance of the OPI. The Director provides legal oversight across the OPI and ensures that it provides a consistently high-quality service.

MANAGER, ASSESSMENTS

The Manager, Assessments is a pivotal leadership role within the OPI. They are responsible for managing the Assessment Team and the work undertaken by that team. They also have significant responsibility in providing advice to the Director on issues relating to complaints and reports and the discharge of the OPI's legislative functions.

TEAM LEADER, INTAKE

The Team Leader, Intake manages the daily workflow of the Intake Team. Within the Intake Team, they provide leadership and delegate and monitor workload. They are responsible for ensuring that contacts with the OPI receive a timely and accurate response in line with KPIs and legislative requirements.

INVESTIGATION SPECIALIST

The Investigation Specialists are responsible for the independent oversight of police conduct investigations resulting from reports and complaints made under the PCD Act. They monitor each investigation in accordance with the PCD Act and Regulations.

BUSINESS MANAGER

The Business Manager is responsible for developing and implementing systems and advice on human resources, finance, procurement, information technology and records management across the OPI. They initiate and deliver on business improvement projects and strategies for the OPI, whilst ensuring compliance through regular reporting.

OUR PEOPLE

	FTE	Headcount
Transitioned on 7 October 2021*	17.1	18
As at 30 June 2022	15.3**	17

*includes Acting Director, appointed at 7 October 2021

**budgeted FTE is 17 as at 30 June 2022

The organisational structure of the OPI remains largely unaffected by its transition from ICAC. The notable changes are the creation of a Business Manager role to undertake corporate functions and changing the title of Operations Support Officer to Complaints and Reviews Officer to reflect the key function of that role more accurately.

Recruitment was a significant activity throughout the year and the OPI now has a stable and highly skilled team. The OPI has undertaken 5 recruitment processes and successfully recruited 8 new employees.

Since 7 October 2021, the OPI has had 10 employees who were transitioned from ICAC take extended leave, accept a secondment, or resign. Those who are undertaking secondments remain employed by the OPI.

As at 30 June 2022, 71% of OPI employees have completed and recorded their bi-annual performance review and development discussion, which involves setting objectives, goals and development plans for the upcoming year. The remaining employees have recently started with the OPI and therefore have not completed their initial goal setting discussion.

There were no workplace injury claims or attributable Return to Work costs this year. There were no notifiable incidents under part 3 of the *Work Health and Safety Act 2012*.

Throughout the year, the OPI created, consulted on and reviewed a suite of human resource procedures in order to implement policies that align with the strategic direction of the OPI. A significant component of this involved the development of an induction checklist, a training plan and training resources covering legislative and operational processes so that all employees are provided with consistent and precise material.

The OPI has a regular whole of office meeting and a management team meeting providing opportunities to review and discuss performance indicators, current matters and to raise any issues relating to staffing, operations or work, health and safety.

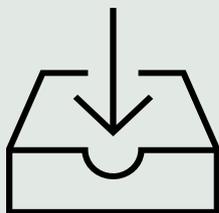
FINANCIAL PERFORMANCE

Refer to Annexure E for the OPI's audited financial statements.



OPERATIONS

INTAKE



The Intake Team is managed by the Team Leader Intake, who is supported by a team of Complaints and Reviews Officers (CROs).

As the customer service providers for the OPI, the Intake Team handles a high volume of incoming contact from the public and public officers. Since 7 October 2021 the Intake Team has received over 1300 telephone calls and over 1300 emails.

RECEIPT AND REGISTRATION

The Intake Team receives complaints and reports under both the PCD Act and the ICAC Act.

Complaints and reports can be made to the OPI by telephone, in person, in writing or by online form. Since 7 October 2021 the Intake Team has received 750 complaints and reports under the ICAC Act. Complaints were primarily received over the telephone, while reports from public officers were mainly lodged using the OPI's online form.

The registration of those matters is measured against an internal KPI. Any matters received under the ICAC Act must be registered within 2 business days. Since 7 October 2021 complaints and reports received under the ICAC Act were registered in an average of 1.5 business days.

Since 7 October 2021 the Intake Team has registered 1749 complaints and reports under the PCD Act and the *Protective Security Act 2007*. Most complaints about SA Police Officers or Protective Security Officers were made by telephone. Reports were primarily received from the Internal Investigation Section (IIS) of SA Police, which is obliged to advise the OPI of all reports that it receives internally. Any complaints or reports received by the IIS are also registered by the CROs into the OPI's case management system.

The Intake Team is responsible for referring any complaint or report received by the OPI about a SA Police Officer to the IIS within 3 days in accordance with section 13(2) of the PCD Act. CROs work with IIS staff to ensure that matters are referred within that time. Since 7 October 2021 complaints and reports about SA Police Officers were referred to the IIS within an average time of 1 day.

GENERAL ENQUIRES AND JURISDICTIONAL QUERIES

The Intake Team is also responsible for responding to any general enquiries made to the OPI. This may include a question about how to make a complaint or report or questions about the status of an existing complaint or report. Where a complaint or report does not fall within the jurisdiction of the ICAC Act or PCD Act, the CROs will refer the caller to the appropriate agency or organisation.

Between 7 October 2021 and 30 June 2022 the Intake Team responded to 723 general enquiries and 128 matters outside of the jurisdiction of the OPI. The OPI identified an increase in the number of general enquiries made to the office in late 2021 which may be attributed to questions from members of the public and public officers about the legislative changes.



ASSESSMENT

The Assessment Team is managed by the Manager Assessments. The team is comprised of a Principal Assessment Officer, Senior Assessment Officers and an Assessment Officer.

The Assessment Team is primarily responsible for considering the complaints and reports received by the OPI under the ICAC Act and the PCD Act and making recommendations to the Director and other senior staff about what action, if any, should be taken.

ASSESSMENTS UNDER THE ICAC ACT

The Assessment Team conducts assessments of complaints and reports under the ICAC Act. In accordance with section 18E of the ICAC Act, the OPI must assess whether a matter raises a potential issue of corruption, some other issue that should be referred to an inquiry agency or whether no further action should be taken.

Since 7 October 2021 the Assessment Team has assessed 704 complaints and reports comprised of 863 separate issues.

The Assessment Team considers all complaints and reports to determine whether they raise a potential issue of corruption that should be referred to ICAC. Since 7 October 2021 the OPI has referred 61 complaints and reports raising potential issues of corruption in public administration to ICAC. Of those matters the majority related to allegations of bribery/inducement, improper use of information or improper budgeting and procurement.

The majority of the matters assessed as raising potential corruption in public administration were reported to the OPI by public officers who are obliged to report such conduct to the OPI in accordance with the Directions and Guidelines. The number of matters referred to ICAC reflects the willingness of public officers to report improper conduct and the expertise of the OPI in identifying issues of corruption in public administration which may require further investigation.

If an issue of potential corruption is not identified, the Assessment Team considers whether a matter should be referred to an inquiry agency, namely either Ombudsman SA or the Judicial Conduct Commissioner. Since 7 October 2021 all 140 matters assessed as raising some other issue were referred to Ombudsman SA.

When deciding to refer a matter to Ombudsman SA, the OPI considers whether the allegations raise potential issues of misconduct and maladministration as defined in the *Ombudsman Act 1972*. Matters referred by the OPI to Ombudsman SA usually raise serious allegations about the conduct of public officers. The majority of matters referred to Ombudsman SA related to improper use of information, improper recruitment or improper budgeting and procurement.

As with matters assessed as raising a potential issue of corruption, most matters referred to Ombudsman SA were reports received from public officers. While public officers are no longer under any statutory obligation to report potential misconduct and maladministration to the OPI, the number of referrals to Ombudsman SA arising from reports suggests that public officers continue to report matters of a serious nature to the OPI.

On occasion the OPI may consider that a complaint or report raises an issue which requires action even though the allegations do not meet the threshold for a referral to the ICAC or an inquiry agency. In those circumstances the OPI may refer the complaint or report to a law enforcement agency, public authority or public officer.

If a complaint or report raises allegations of criminal conduct that does not meet the definition of corruption, the OPI may notify a law enforcement agency about the matter. This includes complaints and reports alleging criminal conduct which may have met the definition of corruption prior to the amendments to the ICAC Act. It may include matters alleging that criminal conduct occurred outside of a public officer's role or that did not involve a public officer. Since 7 October 2021 the OPI has referred 16 complaints and reports to SA Police.

On 66 occasions the OPI determined that it would notify a public authority or public officer about a complaint or report. The majority of complaints and reports referred to public authorities since 7 October 2021 related to the failure to act or exercise powers, improper use of power and unprofessional conduct.

Of the 704 complaints and reports assessed by the Assessment Team since 7 October 2021, no action was taken on 421 of those matters. No action may be taken on a complaint or report for a variety of reasons, including that another agency has already dealt with the matter or that there was not enough information available to refer the matter to another agency. In making an assessment the Assessment Team will sometimes consider information contained within previous complaints and reports made to the OPI. As information received by the OPI under the ICAC Act prior to 7 October 2021 remains with ICAC, the Assessment Team is no longer able to access that database of information. However, the OPI worked collaboratively with ICAC to implement a process enabling the OPI to seek information from ICAC with respect to past complaints and reports. This has allowed the OPI to continue to assess incoming complaints and reports with reference to both the historical data held by ICAC and the new database of information compiled by the OPI since 7 October 2021.

During the 2021-22 financial year the OPI aimed to assess all complaints and reports received under the ICAC Act within 25 working days. The complaints and reports assessed by the OPI since 7 October 2021 were assessed, on average, in 17.6 working days. As at 30 June 2022, there were 49 complaints and reports awaiting assessment.

TRANSITIONAL FILES

At the time of transition there were 69 complaints and reports awaiting assessment by the OPI. Of those 21 were made again to the OPI after 7 October 2021 and therefore are included in the statistics for matters received after that date.

The remaining 48 complaints and reports were migrated to the OPI's case management system on 14 February 2022. The Assessment Team worked quickly to prioritise those matters and all transitional files were assessed, referred if appropriate, and closed within two months. The time taken to assess those complaints and reports has been included in the OPI's calculation of the average assessment time referred to above, using the migration date as the received date.

POLICE REVIEWS

In accordance with the PCD Act the IIS has responsibility for the assessment of complaints and reports made about SA Police Officers. However, all assessments conducted by the IIS are reviewed by members of the Assessment Team. Since 7 October 2021 the OPI has reviewed 1,741 assessments conducted by the IIS.

If an Assessment Officer does not agree with the assessment of the IIS, consultation with the IIS may be recommended. The consultation process involves the Director or senior members of the Assessment Team communicating with the Officer-In-Charge of IIS about the matter.

After consultation the IIS may amend its assessment. Alternatively, the OPI may be satisfied that the assessment is appropriate taking into account information provided to it by IIS. If neither of these outcomes are reached, the OPI can substitute its own assessment which means that IIS must act on the complaint or report in accordance with the OPI's assessment of it. Pursuant to section 28 of the PCD Act the OPI only has three working days in which to consult, re-assess and substitute an assessment if it considers such action is appropriate.

Since 7 October 2021 the OPI has consulted on 41 matters assessed by the IIS. On 9 occasions the IIS agreed to reassess the complaint or report following consultation with OPI. On 2 occasions the OPI substituted its own assessment. The remaining 30 assessments were unaltered after the OPI took into account information received from IIS during the consultation process.

RECONTACTS

At the conclusion of the assessment of a complaint or report about public administration, the OPI informs the complainant or reporter about the outcome of the assessment. On occasion, the complainant or reporter may request that the OPI's decision be reviewed. In those circumstances the Assessment Team may conduct a substantive review of the complaint or report. This is referred to as a recontact.

Since 7 October 2021 the OPI has received 38 recontacts with respect to 33 complaints and reports. Of those 33 matters, it was determined that 15 did not require a substantive review. The remaining 18 were reviewed. As at 30 June 2022, 11 of those reviews were finalised. Eight of those reviews resulted in no further action being taken on the matter. Three matters were re-opened for further action to be taken.



POLICE OVERSIGHT

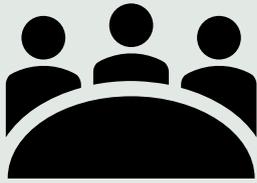
If the Officer-In-Charge of IIS determines that a complaint or report will be the subject of an investigation the OPI's corresponding file will be allocated to an Investigation Specialist for oversight.

The OPI's Investigation Specialists are responsible for the day-to-day oversight of each investigation and will monitor it in accordance with the PCD Act and the *Police Complaints and Discipline Regulations 2017* (the PCD Regulations).

The Investigation Specialists monitor the progress of each investigation with particular attention to matters such as the investigation plan, running sheet and progress reports. They monitor key aspects of the investigation including reviewing witness statements, video footage (for example, body worn video or CCTV) and the record of interview with the designated officer.

Pursuant to section 27 of the PCD Act the OPI may direct the Commissioner of Police, the IIS or a police officer assisting in the investigation or conducting an investigation on behalf of the IIS, as the OPI thinks fit. Such directions may include that specified information is provided, that specified documents or records are produced and that certain matters should be investigated or evidence obtained. Since 7 October 2021, the OPI has not issued a direction. As a result of thorough consultation between the OPI and the Officer-In-Charge of the IIS matters that may have resulted in the issuing of a direction have been resolved.

On 7 October 2021 the OPI had oversight over 182 open investigations. While some of those investigations were closed during the financial year, 142 new complaints and reports received between 7 October 2021 and 30 June 2022 proceeded to an investigation. As a result, as at 30 June 2022, the OPI had oversight of 268 IIS investigations.



PUBLIC INTEREST DISCLOSURE

The OPI is a relevant authority under the PID Act and may receive public interest disclosures about public administration information and environmental and health information. Many of the reports made to the OPI under the ICAC Act also constitute public interest disclosures and are treated accordingly.

Since 7 October 2021 the OPI has received 66 notifications about public interest disclosures.

While the OPI does not have any statutory obligation to review those notifications, the OPI reviews every notification received to ensure that public interest disclosures are being appropriately assessed and acted upon if required.

STATISTICAL REPORTING

Section 45 of the ICAC Act requires that the OPI report on:

- the number and general nature of complaints and reports received by the OPI;
- the number and general nature of matters referred for investigation to the Commissioner of Police or other law enforcement agency; and
- the number and general nature of matters referred to an inquiry agency or public authority.

The OPI is also reporting on other statistics related to its operations under the ICAC Act and the PCD Act which may be of public interest.

A NOTE ON THE DATA

As a result of the legislative amendments, the statistics for the 2021-22 financial year have been separated into the periods of 1 July 2021 – 6 October 2021 and 7 October 2021 – 30 June 2022. Please refer to the annexures outlined below for statistical reporting for the 2021-22 financial year:

- Annexure A: Reporting under ICAC Act (1 July 2021 – 6 October 2021)
- Annexure B: Reporting under PCD Act (1 July 2021 – 6 October 2021)
- Annexure C: Reporting under ICAC Act (7 October 2021 – 30 June 2022)
- Annexure D: Reporting under PCD Act (7 October 2021– 30 June 2022)



ANNEXURES

ANNEXURE A: REPORTING UNDER THE ICAC ACT (1 JULY 2021 – 6 OCTOBER 2021)

The below statistics have been provided to the OPI by the ICAC.

CONTACT WITH THE OPI

	Total
Complaints	140
Reports	164
General Enquiry	361
Public Interest Disclosure	24
TOTAL	689

METHOD OF RECEIPT OF COMPLAINTS AND REPORTS

	Complaints	Reports	Total
Telephone	55	12	67
Email	14	33	47
Website	57	116	173
In person	1	2	3
Letter	13	1	14
Total	140	164	304

GENERAL NATURE OF MATTERS RECEIVED

	Complaints	Reports	Total
Bribery/Inducement	1	1	2
Coercion/Extortion	1	0	1
Conduct in private capacity, failure to disclose/declare to employer	5	16	21
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	7	4	11
Failure of duty, inaction or inadequate exercise of power	42	18	60
Improper budgeting, procurement, contract management, accounts payable	4	8	12
Improper or unauthorised use of employment entitlements	3	6	9
Improper Recruitment/Deception in Employment	6	9	15
Improper use, damage or theft of resources	2	5	7
Improper use/access of information and improper record keeping	8	23	31
Improper votes/decision making	2	1	3
Improper, unauthorised or mismanaged exercise of power	24	18	42
Negligence in management/Oversight	4	6	10
Not otherwise categorised	1	2	3
Other criminal conduct while acting in capacity as a public officer	3	12	15
Sexual harassment/sexual impropriety	2	8	10
Theft and fraud monetary	0	6	6
Unprofessional Conduct	23	20	43
Victimisation/Reprisals for Reporting	2	1	3
TOTAL	140	164	304

SUBJECT OF COMPLAINTS AND REPORTS

	Complaints	Reports	Total
Ombudsman	1	0	1
Local Government	37	52	89
Member of Parliament	2	12	14
Statutory Authority	14	12	26
State Government	86	87	173
Private/unknown	0	1	1
TOTAL	140	164	304

ASSESSMENTS UNDER THE ICAC ACT

Matter type	Number assessed
Complaints	129
Reports	170
TOTAL	299

*Within these matters, 386 issues were assessed.

OUTCOMES OF MATTERS

Matter type	Investigation	Misconduct / Maladministration	Some other issue	No further action
Complaints	4	10	26	89
Reports	16	45	12	97
TOTAL	20	55	38	186

NUMBER AND GENERAL NATURE OF MATTERS REFERRED TO A PUBLIC AUTHORITY AS RAISING SOME OTHER ISSUE

	Complaints	Reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	0	2	2
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	0	0	0
Failure of duty, inaction or inadequate exercise of power	11	0	11
Improper budgeting, procurement, contract management, accounts payable	1	2	3
Improper or unauthorised use of employment entitlements	0	0	0
Improper Recruitment/Deception in Employment	0	0	0
Improper use, damage or theft of resources	0	0	0
Improper use/access of information and improper record keeping	2	1	3
Improper votes/decision making	0	0	0
Improper, unauthorised or mismanaged exercise of power	7	3	10
Negligence in management/Oversight	0	0	0
Not otherwise categorised	0	0	0
Other criminal conduct while acting in capacity as a public officer	0	0	0
Sexual harassment/sexual impropriety	0	0	0
Theft and fraud - monetary	0	0	0
Unprofessional conduct	4	2	6
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	25	10	35

NUMBER AND GENERAL NATURE OF MATTERS REFERRED TO A PUBLIC AUTHORITY OR INQUIRY AGENCY AS RAISING POTENTIAL ISSUES OF MISCONDUCT AND MALADMINISTRATION

	Complaints	Reports	Total
Bribery/Inducement	0	2	2
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	0	2	2
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	1	0	1
Failure of duty, inaction or inadequate exercise of power	2	2	4
Improper budgeting, procurement, contract management, accounts payable	1	3	4
Improper or unauthorised use of employment entitlements	1	4	5
Improper Recruitment/Deception in Employment	0	8	8
Improper use, damage or theft of resources	0	1	1
Improper use/access of information and improper record keeping	1	7	8
Improper votes/decision making	0	2	2
Improper, unauthorised or mismanaged exercise of power	1	8	9
Negligence in management/Oversight	0	2	2
Not otherwise categorised	0	0	0
Other criminal conduct while acting in capacity as a public officer	0	1	1
Sexual harassment/sexual impropriety	0	1	1
Theft and fraud – monetary	0	0	0
Unprofessional Conduct	1	1	2
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	8	44	52

NUMBER AND GENERAL NATURE OF MATTERS REFERRED TO A LAW ENFORCEMENT AGENCY

	Complaints	Reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	0	0	0
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	0	0	0
Failure of duty, inaction or inadequate exercise of power	0	2	2
Improper budgeting, procurement, contract management, accounts payable	0	0	0
Improper or unauthorised use of employment entitlements	0	0	0
Improper Recruitment/Deception in Employment	0	1	1
Improper use, damage or theft of resources	0	0	0
Improper use/access of information and improper record keeping	0	0	0
Improper votes/decision making	0	0	0
Improper, unauthorised or mismanaged exercise of power	0	0	0
Negligence in management/Oversight	0	0	0
Not otherwise categorised	0	0	0
Other criminal conduct while acting in capacity as a public officer	0	0	0
Sexual harassment/sexual impropriety	0	0	0
Theft and fraud - monetary	0	0	0
Unprofessional Conduct	0	5	5
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	0	8	8

ANNEXURE B: REPORTING UNDER THE PCD ACT (1 JULY 2021 – 6 OCTOBER 2021)

The below statistics have been provided to the OPI by the ICAC.

CONTACT WITH THE OPI

	Total
Police complaints (OPI)	346
Police reports (OPI)	8
Protective Security Oversight	5
Police reports (IIS)	108
Police complaints (IIS)	72
TOTAL	539

METHOD OF RECEIPT OF COMPLAINTS AND REPORTS

	Complaints	Reports	PSO oversight
Telephone	143	0	0
Email	24	0	0
Website	151	8	1
In person	2	0	0
Letter	26	0	0
IIS	72	108	4
TOTAL	418	116	5

GENERAL NATURE OF MATTERS RECEIVED BY OPI

	Police complaints	Police reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	1	3	4
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	36	0	36
Failure of duty, inaction or inadequate exercise of power	158	1	159
Improper budgeting, procurement, contract management, accounts payable	1	0	1
Improper or unauthorised use of employment entitlements	7	1	8
Improper Recruitment/Deception in Employment	1	0	1
Improper use, damage or theft of resources	0	0	0
Improper use/access of information and improper record keeping	16	0	16
Improper votes/decision making	0	0	0
Improper, unauthorised or mismanaged exercise of power	50	1	51
Negligence in management/Oversight	3	0	3
Not otherwise categorised	1	0	1
Other criminal conduct while acting in capacity as a public officer	0	1	1
Sexual harassment/sexual impropriety	1	0	1
Theft and fraud – monetary	1	0	1
Unprofessional Conduct	70	1	71
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	346	8	354

GENERAL NATURE OF MATTERS RECEIVED BY IIS

	Police complaints	Police reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	3	14	17
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	10	8	18
Failure of duty, inaction or inadequate exercise of power	22	31	53
Improper budgeting, procurement, contract management, accounts payable	0	0	0
Improper or unauthorised use of employment entitlements	0	2	2
Improper Recruitment/Deception in Employment	0	0	0
Improper use, damage or theft of resources	1	8	9
Improper use/access of information and improper record keeping	5	6	11
Improper votes/decision making	0	0	0
Improper, unauthorised or mismanaged exercise of power	12	4	16
Negligence in management/Oversight	2	2	4
Not otherwise categorised	1	1	2
Other criminal conduct while acting in capacity as a public officer	3	2	5
Sexual harassment/sexual impropriety	1	2	3
Theft and fraud – monetary	0	1	1
Unprofessional Conduct	12	27	39
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	72	108	180

GENERAL NATURE OF MATTERS RECEIVED UNDER *PROTECTIVE SECURITY ACT 2007*

	Total
Bribery/Inducement	0
Coercion/Extortion	0
Conduct in private capacity, failure to disclose/declare to employer	1
Environmental & Health	0
Excessive force/Assault/Intimidation/Threats	0
Failure of duty, inaction or inadequate exercise of power	1
Improper budgeting, procurement, contract management, accounts payable	0
Improper or unauthorised use of employment entitlements	0
Improper Recruitment/Deception in Employment	0
Improper use, damage or theft of resources	0
Improper use/access of information and improper record keeping	1
Improper votes/decision making	0
Improper, unauthorised or mismanaged exercise of power	0
Negligence in management/Oversight	0
Not otherwise categorised	0
Other criminal conduct while acting in capacity as a public officer	0
Sexual harassment/sexual impropriety	0
Theft and fraud – monetary	0
Unprofessional Conduct	2
Victimisation/Reprisals for Reporting	0
TOTAL	5

ASSESSMENTS REVIEWED AND CONSULTATION

	Assessments Reviewed	Consultation Required	Consultation Not Required
Police Complaints	361	7	354
Police Reports	117	4	113
PSO (data not provided by ICAC)	-	-	-
TOTAL	478	11	467

REASSESSMENT AND SUBSTITUTION

	Total
Police Complaints	2
Police Reports	2
PSO	0
TOTAL	4

*Information was not provided by ICAC as to whether all 4 matters resulted in a substitution by the OPI or whether the IIS changed its assessment after consultation.

ANNEXURE C: REPORTING UNDER THE ICAC ACT (7 OCTOBER 2021 – 30 JUNE 2022)

CONTACT WITH THE OPI

	Total
Complaints about public administration	431
Reports about public administration	319
General Enquiry	723
Outside Jurisdiction	128
Public Interest Disclosure	66
TOTAL	1,667

METHOD OF RECEIPT OF COMPLAINTS AND REPORTS

	Complaints	Reports	Total
Telephone	210	28	238
Email	53	51	104
Website	132	234	366
In person	3	1	4
Letter	33	5	38
TOTAL	431	319	750

GENERAL NATURE OF COMPLAINTS AND REPORTS TO THE OPI

	Complaints	Reports	Total
Bribery/Inducement	11	11	22
Coercion/Extortion	1	0	1
Conduct in private capacity, failure to disclose/declare to employer	8	15	23
Environmental & Health	5	0	5
Excessive force/Assault/Intimidation/Threats	18	12	30
Failure of duty, inaction or inadequate exercise of power	136	19	155
Improper budgeting, procurement, contract management, accounts payable	11	39	50
Improper or unauthorised use of employment entitlements	8	14	22
Improper Recruitment/Deception in Employment	14	39	53
Improper use, damage or theft of resources	14	8	22
Improper use/access of information and improper record keeping	21	51	72
Improper votes/decision making	7	7	14
Improper, unauthorised or mismanaged exercise of power	75	31	106
Negligence in management/Oversight	13	8	21
Not otherwise categorised	2	4	6
Other criminal conduct while acting in capacity as a public officer	9	9	18
Sexual harassment/sexual impropriety	0	6	6
Theft and fraud – monetary	4	8	12
Unprofessional Conduct	73	34	107
Victimisation/Reprisals for Reporting	1	4	5
TOTAL	431	319	750

THE SUBJECT OF COMPLAINTS AND REPORTS RECEIVED

	Complaints	Reports	Total
Ombudsman	4	0	4
Local Government	71	56	127
Member of Parliament	13	3	16
Statutory Authority	61	40	101
State Government	281	220	501
Private/unknown	1	0	1
TOTAL	431	319	750

ASSESSMENTS

Matter type	Number assessed
Complaints	409
Reports	295
TOTAL	704

*There were 49 matters awaiting assessment on 30 June 2022

OUTCOME OF ASSESSMENTS

Matter type	Referral to the ICAC	Referral to an inquiry agency	Referral to a law enforcement agency, public authority or public officer	No further action
Complaints	14	55	54	286
Reports	47	85	28	135
TOTALS	61	140	82	421

*The above includes the 46 transitional files that were migrated from ICAC to the OPI and assessed after 7 October 2021.

**The above total includes matters where the referral was in progress as at 30 June 2022.

GENERAL NATURE OF COMPLAINTS AND REPORTS ASSESSED

	Complaints	Reports	Total
Bribery/Inducement	11	11	22
Coercion/Extortion	2	0	2
Conduct in private capacity, failure to disclose/declare to employer	8	11	19
Environmental & Health	5	0	5
Excessive force/Assault/Intimidation/Threats	15	11	26
Failure of duty, inaction or inadequate exercise of power	126	14	140
Improper budgeting, procurement, contract management, accounts payable	11	38	49
Improper or unauthorised use of employment entitlements	7	13	20
Improper Recruitment/Deception in Employment	10	36	46
Improper use, damage or theft of resources	12	8	20
Improper use/access of information and improper record keeping	20	47	67
Improper votes/decision making	6	7	13
Improper, unauthorised or mismanaged exercise of power	67	29	96
Negligence in management/Oversight	12	9	21
Not otherwise categorised	2	4	6
Other criminal conduct while acting in capacity as a public officer	7	8	15
Sexual harassment/sexual impropriety	2	7	9
Theft and fraud – monetary	4	8	12
Unprofessional Conduct	80	31	111
Victimisation/Reprisals for Reporting	2	3	5
TOTAL	409	295	704

THE NUMBER AND GENERAL NATURE OF MATTERS REFERRED FOR INVESTIGATION TO THE COMMISSION

	Complaints	Reports	Total
Bribery/Inducement	7	9	16
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	0	0	0
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	0	0	0
Failure of duty, inaction or inadequate exercise of power	0	0	0
Improper budgeting, procurement, contract management, accounts payable	1	6	7
Improper or unauthorised use of employment entitlements	2	4	6
Improper Recruitment/Deception in Employment	2	1	3
Improper use, damage or theft of resources	1	2	3
Improper use/access of information and improper record keeping	0	12	12
Improper votes/decision making	0	1	1
Improper, unauthorised or mismanaged exercise of power	0	4	4
Negligence in management/Oversight	0	0	0
Not otherwise categorised	0	0	0
Other criminal conduct while acting in capacity as a public officer	0	5	5
Sexual harassment/sexual impropriety	0	0	0
Theft and fraud – monetary	1	3	4
Unprofessional Conduct	0	0	0
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	14	47	61

THE NUMBER AND GENERAL NATURE OF MATTERS REFERRED TO AN INQUIRY AGENCY

	Complaints	Reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	3	5	8
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	5	2	7
Failure of duty, inaction or inadequate exercise of power	14	2	16
Improper budgeting, procurement, contracts management, accounts payable	1	15	16
Improper or unauthorised use of employment entitlements	2	3	5
Improper Recruitment/Deception in Employment	1	16	17
Improper use, damage or theft of resources	5	2	7
Improper use/access of information and improper record keeping	4	15	19
Improper votes/decision making	3	3	6
Improper, unauthorised or mismanaged exercise of power	7	8	15
Negligence in management/Oversight	1	6	7
Not otherwise categorised	0	2	2
Other criminal conduct while acting in capacity as a public officer	2	1	3
Sexual harassment/sexual impropriety	0	2	2
Theft and fraud – monetary	0	0	0
Unprofessional Conduct	7	2	9
Victimisation/Reprisals for Reporting	0	1	1
TOTAL	55	85	140

*No complaints or reports have been referred by the OPI to the Judicial Conduct Commissioner, they were all referred to Ombudsman SA.

THE NUMBER AND GENERAL NATURE OF MATTERS REFERRED TO A PUBLIC AUTHORITY OR PUBLIC OFFICER

	Complaints	Reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	1	0	1
Conduct in private capacity, failure to disclose/declare to employer	0	2	2
Environmental & Health	1	0	1
Excessive force/Assault/Intimidation/Threats	4	0	4
Failure of duty, inaction or inadequate exercise of power	12	2	14
Improper budgeting, procurement, contract management, accounts payable	3	2	5
Improper or unauthorised use of employment entitlements	0	2	2
Improper Recruitment/Deception in Employment	0	5	5
Improper use, damage or theft of resources	0	0	0
Improper use/access of information and improper record keeping	0	2	2
Improper votes/decision making	1	1	2
Improper, unauthorised or mismanaged exercise of power	10	2	12
Negligence in management/Oversight	0	0	0
Not otherwise categorised	0	0	0
Other criminal conduct while acting in capacity as a public officer	1	0	1
Sexual harassment/sexual impropriety	2	0	2
Theft and fraud – monetary	0	1	1
Unprofessional Conduct	10	2	12
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	45	21	66

THE NUMBER AND GENERAL NATURE OF MATTERS REFERRED FOR INVESTIGATION TO A LAW ENFORCEMENT AGENCY OR COMMISSIONER OF POLICE

	Complaints	Reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	0	0	0
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	0	1	1
Failure of duty, inaction or inadequate exercise of power	1	0	1
Improper budgeting, procurement, contract management, accounts payable	0	1	1
Improper or unauthorised use of employment entitlements	0	0	0
Improper Recruitment/Deception in Employment	0	0	0
Improper use, damage or theft of resources	0	0	0
Improper use/access of information and improper record keeping	1	0	1
Improper votes/decision making	0	0	0
Improper, unauthorised or mismanaged exercise of power	0	1	1
Negligence in management/Oversight	0	0	0
Not otherwise categorised	0	0	0
Other criminal conduct while acting in capacity as a public officer	1	0	1
Sexual harassment/sexual impropriety	0	0	0
Theft and fraud – monetary	0	2	2
Unprofessional Conduct	6	2	8
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	9	7	16

ANNEXURE D: REPORTING UNDER PCD ACT (7 OCTOBER 2021 – 30 JUNE 2022)

CONTACT WITH THE OPI

	Total
Police complaints (OPI)	1,101
Police reports (OPI)	12
Protective Security Oversight	19
Police reports (IIS)	378
Police complaints (IIS)	239
TOTAL	1,749

METHOD OF RECEIPT OF COMPLAINTS AND REPORTS

	Complaints	Reports	PSO oversight
Telephone	523	1	
Email	146	0	
Website	342	10	
In person	7	0	
Letter	83	1	
IIS	239	378	19
TOTAL	1,340	390	19

GENERAL NATURE OF COMPLAINTS AND REPORTS RECEIVED BY OPI

	Police complaints	Police reports	Total
Bribery/Inducement	1	1	2
Coercion/Extortion	1	0	1
Conduct in private capacity, failure to disclose/declare to employer	13	2	15
Environmental & Health	0	0	0
Excessive force/Assault/Intimidation/Threats	123	0	123
Failure of duty, inaction or inadequate exercise of power	493	2	495
Improper budgeting, procurement, contract management, accounts payable	3	0	3
Improper or unauthorised use of employment entitlements	6	0	6
Improper Recruitment/Deception in Employment	6	1	7
Improper use, damage or theft of resources	9	0	9
Improper use/access of information and improper record keeping	22	1	23
Improper votes/decision making	1	0	1
Improper, unauthorised or mismanaged exercise of power	163	3	166
Negligence in management/Oversight	7	0	7
Not otherwise categorised	3	0	3
Other criminal conduct while acting in capacity as a public officer	14	0	14
Sexual harassment/sexual impropriety	3	1	4
Theft and fraud – monetary	0	0	0
Unprofessional Conduct	231	1	232
Victimisation/Reprisals for Reporting	2	0	2
TOTAL	1,101	12	1,113

GENERAL NATURE OF COMPLAINTS AND REPORTS RECEIVED BY IIS

	Police complaints	Police reports	Total
Bribery/Inducement	0	0	0
Coercion/Extortion	0	0	0
Conduct in private capacity, failure to disclose/declare to employer	11	34	45
Environmental & Health	0	1	1
Excessive force/Assault/Intimidation/Threats	21	29	50
Failure of duty, inaction or inadequate exercise of power	78	144	222
Improper budgeting, procurement, contract management, accounts payable	0	8	8
Improper or unauthorised use of employment entitlements	2	0	2
Improper Recruitment/Deception in Employment	0	2	2
Improper use, damage or theft of resources	2	4	6
Improper use/access of information and improper record keeping	15	34	49
Improper votes/decision making	0	0	0
Improper, unauthorised or mismanaged exercise of power	37	30	67
Negligence in management/Oversight	3	5	8
Not otherwise categorised	8	8	16
Other criminal conduct while acting in capacity as a public officer	0	5	5
Sexual harassment/sexual impropriety	4	4	8
Theft and fraud – monetary	1	1	2
Unprofessional Conduct	57	69	126
Victimisation/Reprisals for Reporting	0	0	0
TOTAL	239	378	617

GENERAL NATURE OF MATTERS RECEIVED UNDER *PROTECTIVE SECURITY ACT 2007*

	Total
Bribery/Inducement	0
Coercion/Extortion	0
Conduct in private capacity, failure to disclose/declare to employer	4
Environmental & Health	0
Excessive force/Assault/Intimidation/Threats	0
Failure of duty, inaction or inadequate exercise of power	2
Improper budgeting, procurement, contract management, accounts payable	0
Improper or unauthorised use of employment entitlements	0
Improper Recruitment/Deception in Employment	0
Improper use, damage or theft of resources	0
Improper use/access of information and improper record keeping	1
Improper votes/decision making	0
Improper, unauthorised or mismanaged exercise of power	1
Negligence in management/Oversight	0
Not otherwise categorised	0
Other criminal conduct while acting in capacity as a public officer	2
Sexual harassment/sexual impropriety	1
Theft and fraud – monetary	0
Unprofessional Conduct	8
Victimisation/Reprisals for Reporting	0
TOTAL	19

ASSESSMENTS REVIEW AND CONSULTATION

	Assessments Reviewed	Consultation Required	Consultation Not Required
Police Complaints	1354	23	1328
Police Reports	387	18	369
	0	0	0
TOTAL	1741*	41	1697

*The total reviewed is 3 matters higher than the consultation figures, due to these matters being reviewed by 30 June 2023 but no decision yet made regarding consultation.

REASSESSMENTS AND SUBSTITUTIONS

Assessments reassessed and substituted	
Police Complaints	7
Police Reports	4
PSO	0
TOTAL	11

*2 matters were re-assessed and the OPI's assessment substituted for that of IIS. For the remaining 9 matters, IIS changed its assessment after consultation.

OUTCOMES OF COMPLAINTS AND REPORTS

	Corruption investigation	S29 referrals	Misconduct	No Further Action
Police Complaints	1	3	326	1024
Police Reports	1	7	269	113
TOTAL	2	10	595	1,137

*The above outcomes include the consultation figures and 8 matters that were referred to ICAC on receipt by the OPI. As those 8 matters were not assessed by IIS they are not captured in the number of assessments reviewed.

IIS SANCTIONS

Section 26 of the PCD Act provides that, following an investigation by the IIS, sanctions may be imposed on an officer. Although the OPI has oversight of those investigations, section 31 of the PCD Act requires that ICAC report on the number and general nature of sanctions imposed. Please see the ICAC's Annual Report for this information.

ANNEXURE E: AUDITED FINANCIAL STATEMENTS 2021-22

INDEPENDENT AUDITOR'S REPORT



Government of South Australia
Auditor-General's Department

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**To the Director
Office for Public Integrity**

Opinion

I have audited the financial report of Office for Public Integrity for the period 7 October 2021 to 30 June 2022.

In my opinion, the accompanying financial report gives a true and fair view of the financial position of the Office for Public Integrity as at 30 June 2022, its financial performance and its cash flows for the period 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 period 7 October 2021 to 30 June 2022
- a Statement of Financial Position as at 30 June 2022
- a Statement of Changes in Equity for the period 7 October 2021 to 30 June 2022
- a Statement of Cash Flows for the period 7 October 2021 to 30 June 2022
- notes, comprising material accounting policies and other explanatory information
- a Certificate from the Director and the Executive Director, Finance, People and Performance, Attorney-General's Department.

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 Office for Public Integrity. 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 Director for the financial report

The Director 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 Director 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 Director 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 Office for Public Integrity for the period 7 October 2021 to 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
- 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 Office for Public Integrity's internal control

- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Director
- conclude on the appropriateness of the Director'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 Director 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.



Daniel O'Donohue
Assistant Auditor-General (Financial Audit)

30 September 2022

Office for Public Integrity

Financial Statements

For the period 7 October 2021 to 30 June 2022

We certify that the:

- financial statements of the Office for Public Integrity (OPI):
 - are in accordance with the accounts and records of the OPI;
 - comply with relevant Treasurer's Instructions;
 - comply with relevant accounting standards; and
 - present a true and fair view of the financial position of the OPI at the end of the financial year and the result of its operation and cash flows for the period 7 October 2021 to 30 June 2022.
- internal controls employed by the OPI for the financial year over its financial reporting and its preparation of financial statements have been effective.



Andrew Swanson
Executive Director, Finance People and Performance
29 September 2022



Emma Townsend
Director, Office for Public Integrity
29 September 2022

Office for Public Integrity
Statement of Comprehensive Income
for the period 7 October 2021 to 30 June 2022

	Note	2022 \$'000
Income		
SA Government grants, subsidies and transfers	2.1	1 486
Resources received free of charge	2.2	19
Total income		<u>1 505</u>
Expenses		
Employee benefits expenses	3.2	1 280
Supplies and services	4.1	443
Depreciation	5.1	4
Other expenses	4.2	40
Total expenses		<u>1 767</u>
Net result		<u>(262)</u>
Total comprehensive result		<u><u>(262)</u></u>

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

Office for Public Integrity
Statement of Financial Position
As at 30 June 2022

	Note	2022 \$'000
Current assets		
Cash and cash equivalents	6.1	54
Receivables	6.2	<u>7</u>
Total current assets		<u>61</u>
Non-current assets		
Property, plant and equipment	5.1	<u>154</u>
Total non-current assets		<u>154</u>
Total assets		<u>215</u>
Current liabilities		
Payables	7.1	162
Employee benefits	3.3	<u>130</u>
Total current liabilities		<u>292</u>
Non-current liabilities		
Payables	7.1	16
Employee benefits	3.3	<u>169</u>
Total non-current liabilities		<u>185</u>
Total liabilities		<u>477</u>
Net assets		<u><u>(262)</u></u>
Equity		
Retained earnings		<u>(262)</u>
Total equity		<u><u>(262)</u></u>

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

Office for Public Integrity
Statement of Changes in Equity
for the period 7 October 2021 to 30 June 2022

	Retained earnings \$'000	Total equity \$'000
Balance at 7 October 2021	-	-
Net result for 2021-22	(262)	(262)
Total comprehensive result for 2021-22	(262)	(262)
Balance at 30 June 2022	(262)	(262)

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

Office for Public Integrity
Statement of Cash Flows
for the period 7 October 2021 to 30 June 2022

	Note	2022 Inflows (Outflows) \$'000
Cash flows from operating activities		
Cash inflows		
SA Government grants subsidies and transfers		1 486
Cash generated from operations		<u>1 486</u>
Cash outflows		
Employee benefits payments		(1 176)
Payments for supplies and services		(396)
Other expenses		(19)
Cash used in operations		<u>(1 591)</u>
Net cash provided by operating activities		<u>(105)</u>
Cash flows from investing activities		
Cash outflows		
Purchase of property, plant and equipment		(85)
Cash used in investing activities		<u>(85)</u>
Net cash used in investing activities		<u>(85)</u>
Cash flows from financing activities		
Cash inflows		
Cash received from restructuring activities		244
Cash generated from financing activities		<u>244</u>
Net cash provided by financing activities		<u>244</u>
Net increase in cash and cash equivalents		<u>54</u>
Cash and cash equivalents at the beginning of the reporting period		-
Cash and cash equivalents at the end of the reporting period	6.1	<u><u>54</u></u>

The accompanying notes form part of these financial statements.

Office for Public Integrity

Notes to and forming part of the financial statements

for the period 7 October 2021 to 30 June 2022

1. About the Office for Public Integrity

The Office for Public Integrity (OPI) is a not-for-profit independent office established under Part 3 of the *Independent Commission Against Corruption Act 2012* (ICAC Act).

As a result of amendments to the ICAC Act in October 2021, and although OPI continued in existence, it did so as a separate entity for financial reporting purposes from 7 October 2021. Relevant assets, rights and liabilities were transferred from the Independent Commission Against Corruption (ICAC) to OPI, effective 7 October 2021 (refer to note 1.3 for details).

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

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

1.1. Basis of Preparation

These 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 have been prepared based on the period 7 October 2021 to 30 June 2022 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 OPI 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 flow

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

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

1.2. Objectives and programs

OPI exercises its responsibilities based on the following legislation:

- ICAC Act 2012;
- *Police Complaints and Discipline Act 2016 and Regulations*;
- *Public Interest Disclosure Act 2018* (PID Act).

OPI's responsibilities include:

- handling complaints about public administration from members of the public;
- handling reports about corruption, misconduct and maladministration in public administration from public officers and authorities;
- referring complaints and reports to inquiry agencies, law enforcement agencies, public authorities or public officers for further investigation or action when needed, such as:
 - Ombudsman SA;
 - ICAC;
 - Judicial Conduct Commissioner;
 - Chief Executives of Government Departments;
 - SA Police.
- overseeing the assessment and investigation of complaints and reports about the conduct of SA Police Officers and other functions pursuant to section 8 of the *Police Complaints and Discipline Act 2016*.

OPI also has responsibility for overseeing public interest disclosures and receives disclosures of public interest information under the PID Act.

1.3. Net assets received from an Administrative Restructure

On 7 October 2021, 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 2021), 18 staff were transferred from the Commission to the OPI. The following assets and liabilities were transferred from the Commission to the OPI:

Transferred in

	Total \$'000
Cash and cash equivalents	244
Property, plant and equipment	14
Total assets	258
Employee entitlements	230
Payables	28
Total liabilities	258
Total net assets received	-

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

1.4. Impact of COVID-19 pandemic on the OPI

There has been no material impact on the operations of OPI due to the COVID-19 pandemic.

2. Income

2.1. SA Government grants, subsidies and transfers

SA Government transfers are recognised on receipt. SA Government transfers consist of \$1.486 million for operational funding.

2.2. Resources received free of charge

	2022
	\$'000
Resources received free of charge - Shared Services SA	<u>19</u>
Total resources received free of charge	<u>19</u>

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.

OPI receives Accounting, Taxation, Payroll, Accounts Payable and Accounts Receivable services from Shared Services SA.

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

3. Employee related expenses

3.1. Key Management Personnel

The key management personnel of OPI is the Director OPI who has responsibility for the strategic direction and management of OPI. OPI is independent and accountable to the South Australian Parliament.

Total compensation for key management personnel was \$184 000 which includes both acting Director and current Director

Transactions with Key Management Personnel and other related parties

Related parties of OPI include the key management personnel and their close family members. There are no other transactions or balances to disclose with key management personnel or related parties.

3.2. Employee Benefit Expenses

	2022
	\$'000
Salaries and wages	957
Employment on-costs - superannuation	107
Long service leave	81
Annual leave	73
Employment on-costs - other	59
Skills and experience retention leave	3
Total employee benefits expenses	1 280

Employment on-costs – superannuation

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

Employee remuneration

In 2021-22 there were no employees whose normal remuneration was equal to or greater than the base executive remuneration level during the year.

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

3.3. Employee Benefits Liability

	2022
	\$'000
Current	
Annual leave	118
Long service leave	11
Skills and experience retention leave	1
Total current employee benefits	130
Non-current	
Long service leave	169
Total non-current employee benefits	169
Total employee benefits liability	299

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 is expected to be payable within 12 months and is measured at the undiscounted amount expected to be paid.

Salary inflation rate for annual leave and SERL liability was 1.5%.

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 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 the long service leave liability.

The actuarial assessment performed by the Department of Treasury and Finance (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.

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 for 2022 is 3.5%.

The actuarial assessment performed by DTF applied a salary inflation rate of 2.5% for the long service leave liability.

The non-current portion of long service leave reflects the estimate of leave to be taken in greater than 12 months.

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 \$35 000 and employee benefits expense of \$35 000. 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.

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

4. Expenses

4.1. Supplies and Services

	2022
	\$'000
Accommodation	349
General administrative expense	16
Information technology and communications charges	16
Marketing information	22
Consultants	7
Other supplies and services	33
Total supplies and services	443

Consultants

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

	2022	2022
	Number	\$'000
Below \$10 000	1	7
Total	1	7

4.2. Other expenses

Other expenses include audit fees paid / payable to the Auditor-General's Department relating to work performed under the *Public Finance and Audit Act 1987* were \$21 000. No other services were provided by the Auditor General's Department.

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

5. Non-financial assets

5.1. Property, plant and equipment

Property, plant and equipment owned by OPI with a value equal to or in excess of \$10 000 is capitalised, otherwise it is expensed. Property, plant and equipment owned by OPI is recorded at fair value.

Impairment

There were no indications of impairment on OPI's owned plant and equipment.

	Leasehold improvements \$'000	Plant and equipment \$'000	Total \$'000
Carrying amount at 7 October 2021	-	-	-
Additions	144	-	144
Transferred in from restructure	-	14	14
Subtotal	144	14	158
Losses for the period recognised in net result:			
Depreciation	-	(4)	(4)
Subtotal	-	(4)	(4)
Carrying amount at 30 June 2022	144	10	154
Gross carrying amount			
Gross carrying amount	144	73	217
Accumulated depreciation	-	(63)	(63)
Carrying amount at the end of the period	144	10	154

Office for Public Integrity
Notes to and forming part of the financial statements
for the period 7 October 2021 to 30 June 2022

6. Financial Assets

6.1. Cash

	2022
	\$'000
Deposits with the Treasurer	54
Total cash and cash equivalents	54

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

6.2. Receivables

	2022
	\$'000
Current	
Prepayments	7
Total receivables	7

Prepayments are non-interest bearing.

7. Liabilities

7.1. Payables

	2022
	\$'000
Current	
Accrued expenses	84
Creditors	59
Employment on-costs	19
Total current payables	162
Non-current	
Employment on-costs	16
Total non-current payables	16
Total payables	178

Payables and accruals are raised for all amounts owing but unpaid. Sundry payables are normally settled within 30 days from the date the invoice is first received. All payables are non-interest bearing. The carrying amount of payables represents fair value due to their short-term nature.

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.

OPI makes contributions 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 to the superannuation schemes.

In the actuarial assessment performed by DTF, the portion of long service leave taken as leave is 42% and the average factor for the calculation of employer superannuation cost on-costs is 10.6%. These rates are used in the employment on-cost calculation.

8. Outlook

8.1. Unrecognised contractual commitments

There are no material commitments as at 30 June 2022.

8.2. 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.

OPI is not aware of any contingent assets or liabilities at reporting date.

8.3. COVID-19 pandemic outlook for the OPI

OPI does not expect any material impacts as a result of the COVID-19 pandemic in 2022-23.

8.4. Events after the reporting period

There were no events occurring after the end of the reporting period that had a material financial implication on these financial statements.