

Annual Report of the  
Inspector of the  
Independent Commission  
Against Corruption,  
the Office for Public  
Integrity, and  
Ombudsman SA

For the period  
1 July 2024 to 30 June 2025



OFFICE OF  
THE INSPECTOR



# OFFICE OF THE INSPECTOR

OFFICIAL

30 September 2025

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

The Honourable Leon Bignell MP  
Speaker  
House of Assembly  
Parliament House  
ADELAIDE SA 5000

## By hand

Dear President and Speaker

I present the third Annual Report of the Inspector of the Independent Commission Against Corruption (**ICAC**), the Office for Public Integrity (**OPI**) and Ombudsman SA (**OSA**) to Parliament.

This Annual Report incorporates:

- the 2024–25 annual review examining the operations of ICAC and OPI and information about reviews of relevant complaints and other reviews undertaken during the 2024–25 financial year;<sup>1</sup>
- the 2024–25 annual review examining the operations of OSA and information about reviews of relevant complaints undertaken during the 2024–25 financial year.<sup>2</sup>

Yours sincerely

[signed]

**Charles Samuel Lempriere Abbott KC**  
Inspector

<sup>1</sup> Pursuant to cl 2(1)(a)-(b) of Sch 4 to the *Independent Commission Against Corruption Act 2012* (SA).

<sup>2</sup> Pursuant to s 29(1)(a)-(b) of the *Ombudsman Act 1972* (SA).



OFFICE OF  
THE INSPECTOR

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## FROM THE INSPECTOR

I was appointed Inspector of ICAC, OPI and OSA on 14 November 2024.

I acknowledge and am grateful for the considerable efforts of Mr Stephen Plummer who acted as Inspector from 1 May 2024 until my appointment (and therefore for over a third of the 2024–25 financial year). Mr Plummer very ably set up the practices and procedures within the Office of the Inspector from the time of its establishment and facilitated a fulsome and smooth transfer of corporate knowledge upon my appointment. I wish Mr Plummer all the very best with his future endeavours. I have also benefited from my review of the work of the inaugural Inspector, Mr Philip Strickland SC.

In performing my role I am supported by Ms Jocelyn Redden, who commenced as my Deputy on 5 December 2024, and a team of lawyers and administrative support officers. Their work is vital and valued in enabling me to perform my functions as Inspector efficiently and thoroughly.

The role of the Inspector is performed most usefully in the public interest when, in addition to oversight and holding the agencies I oversee to appropriate account, some value is provided by virtue of my reviews into those agencies' exercise of powers and functions, such that their practices and procedures can be improved and the regard of the public for the integrity scheme in South Australia may thereby be enhanced.

To that end, I have appreciated and acknowledge the mature and productive way each agency I oversee engages with my Office. My Deputy meets with the heads of each agency on a regular basis and maintains open communication with them. This has enabled us to meet challenges as they have emerged since my appointment. One example is the significant changes in the ways in which information may be shared between our offices. It has also enabled us to come together and request legal advice collectively on a matter which impacts each agency, thereby promoting efficiency in government spending on legal advice and encouraging and achieving a consistent approach to the interpretation of a provision commonly applied by us.

In February 2025 I responded to the CPIPC's call for submissions to its Inquiry setting out recommended amendments to the ICAC Act and other legislation that grants powers and functions to me or impacts on the powers or functions I exercise. That submission is publicly available. In formulating my seven recommendations, I had cause to review and document the significant volume of calls for legislative change made by my predecessor and current and former heads of the Integrity Agencies I oversee.<sup>3</sup> Much has been said about the need for legislative reform and it would be repetitious to set those issues out again in this report.

I have been impressed to note the culture of self-reporting to my Office by ICAC and OPI and consider that this is reflective of a culture of transparency and amenability to scrutiny in the integrity scheme, which I encourage the agencies to continue. I have been likewise impressed with the willingness of the Ombudsman to discuss improvements and enhancements in the operations of her Office.

Since my appointment, Ms Emma Townsend has been appointed as Commissioner of ICAC and Ms Vanessa Burrows has been appointed as Director of the OPI. To have new heads of

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<sup>3</sup> At the CPIPC's invitation, I gave evidence before the Committee in September 2025, shortly before the tabling of this report.

three of the four integrity agencies has not, to my observation, created any shortcomings or difficulties. Of course, Commissioner Townsend and Director Burrows have had significant experience in this field prior to their appointments.

As I write, my Office has a number of significant reviews underway.

In November 2024 Sch 4 to the ICAC Act was amended to include a power enabling me to delegate my powers and functions to any person. In addition to delegations of a large number of minor matters to my Deputy, I have delegated the exercise of my powers and functions to external Senior Counsel for the conduct of one significant review in light of a conflict I had in respect of that matter. As at date of writing that review is ongoing.

The number of complaints received by my Office has significantly increased over this last financial year (an 80% increase in the number of complaints received and own motions commenced from FY23–24 to FY24–25). There has been an increase from FY23–24 to FY24–25 in the number of matters finalised (34%). The reduction in staffing numbers at times during the year, together with the increase in new matters has seen a consequent increase in the number of matters not yet finalised as at 30 June 2025 (up to 51 from 27 at 30 June 2024). Focuses for the coming financial year will be on shortening times in which complaints are reviewed by my Office, engaging with complainants in both the public and government spheres with clearly communicated meaningful information and providing more guidance to complainants as to the limits of my jurisdiction. Work on a new online complaints form to guide complainants in this respect has been completed and will 'go-live' later this year, as will our new case management system.

Finally, both my Deputy and I wish to acknowledge and thank the Attorney-General's Department, in particular the Office of the Chief Executive, the Crown Solicitor's Office and the ICT, JTS, Finance and HR sections for the support that my Office receives in its day-to-day administration.

[signed]

**C.S.L. Abbott KC**  
**Inspector**

**REPORT PURSUANT TO SCHEDULE 4 TO THE *INDEPENDENT  
COMMISSION AGAINST CORRUPTION ACT 2012* AND  
SECTION 29 OF THE *OMBUDSMAN ACT 1972***

**For the period 1 July 2024 to 30 June 2025**

This Report is made pursuant to clause 2(1)(a) of Schedule 4 to the *Independent Commission Against Corruption Act 2012*, and sections 29(1)(a) and 29(11) of the *Ombudsman Act 1972*. This Report deals with the work of the Office of the Inspector during the 2024–25 financial year.

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## ACRONYMS AND ABBREVIATIONS

<b>AGD</b>	Attorney-General's Department
<b>Commissioner</b>	Ms Emma Townsend
<b>CPIPC</b>	Crime and Public Integrity Policy Committee
<b>Director, or Director of the OPI</b>	Ms Vanessa Burrows
<b>FY24–25</b>	2024-2025 financial year
<b>IA</b>	Integrity Agency (i.e. ICAC, OPI or OSA)
<b>ICAC</b>	Independent Commission Against Corruption
<b>ICAC Act</b>	<i>Independent Commission Against Corruption Act 2012</i>
<b>IIS</b>	Internal Investigation Section of South Australia Police
<b>Ombudsman</b>	Ms Emily Strickland
<b>Ombudsman Act</b>	<i>Ombudsman Act 1972</i>
<b>OPI</b>	Office for Public Integrity
<b>OSA</b>	Ombudsman SA
<b>PCD Act</b>	<i>Police Complaints and Discipline Act 2016</i>
<b>PID Act</b>	<i>Public Interest Disclosure Act 2018</i>
<b>SD Act</b>	<i>Surveillance Devices Act 2016</i>
<b>SAPOL</b>	South Australia Police
<b>TI Act</b>	<i>Telecommunications (Interception) Act 2012</i>

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# OFFICE OF THE INSPECTOR

I was appointed as the Inspector by Her Excellency the Governor in Executive Council on 14 November 2024 for a term of 3 years. In the first part of FY24–25 until my appointment, the former Deputy Inspector, Mr Stephen Plummer was Acting Inspector.

## Organisational structure

I have been assisted in my role as the Inspector by the staff of the Office of the Inspector, whose administrative, technical and legal support continues to be invaluable. At times, we have operated under significant time pressures and I am thankful for their considerable efforts.

As at 30 June 2025, the Deputy Inspector and I were supported by six staff, including two Senior Legal Officers, three Legal Officers and a Business Manager.

I wish to make especial recognition of and give thanks to Ms Redden, the Deputy Inspector. As a part-time Inspector, I could not acquit my duties and responsibilities without her very considerable assistance and support. I thank her sincerely for her very hard work, timely advice and much needed support.

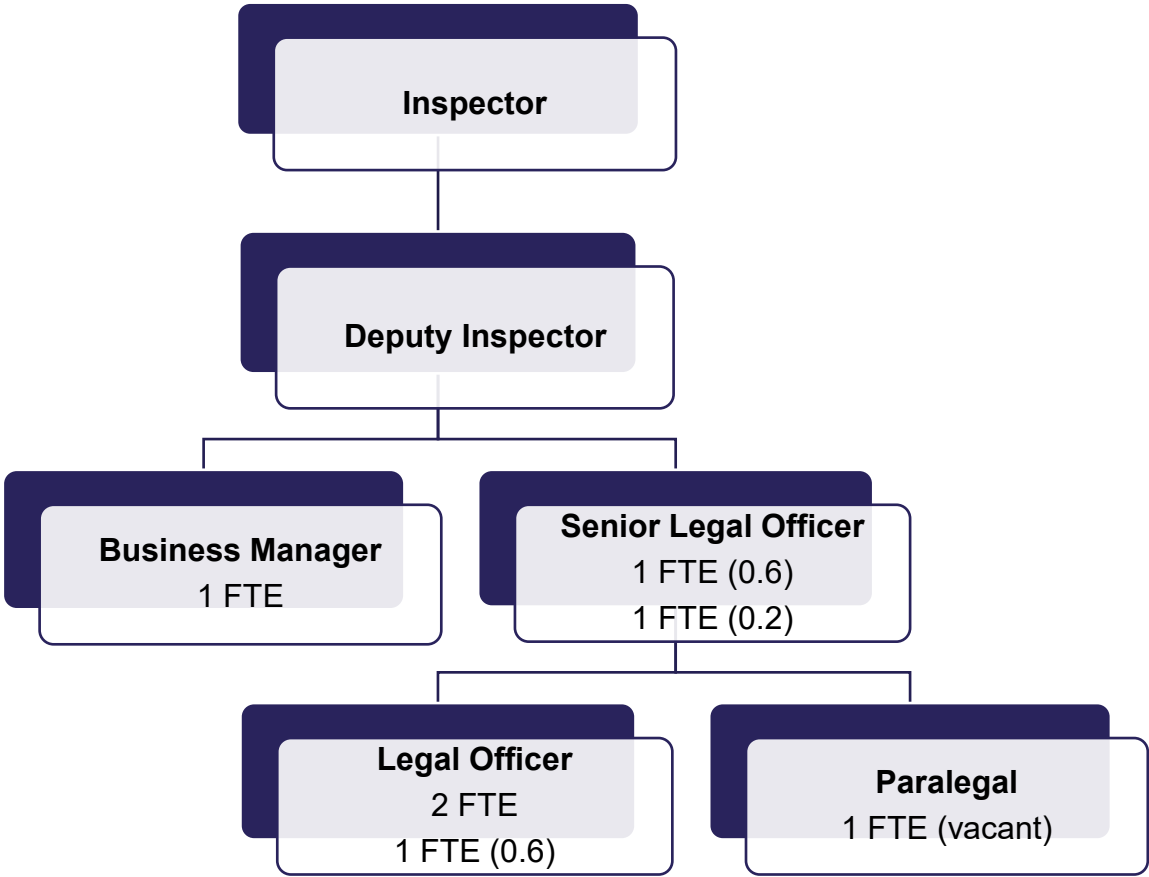


Table 1: OOTI organisational chart

During FY24–25, there were occasions when the Office operated with limited resources due to staff turnover. Existing staff continued to work with professionalism whilst awaiting recruitment processes to be finalised. As at 30 June 2025, the Office was staffed by 1.8 FTE less than at end of FY23-24.

The organisational structure of the Office of the Inspector remained largely unchanged from the previous financial year.

Staff recruitment continued during the year with new Legal Officers joining the Office, thereby adding further experience and stability.

The Inspector makes use of the services of the staff of the AGD. Accordingly, staff of the Office of the Inspector are required to comply with departmental performance and development processes. Performance review discussions continue to play an important role in staff development. These discussions involve setting objectives, goals, and development plans for the upcoming year. As at 30 June 2025, 100% of Office of the Inspector staff completed and recorded their bi-annual performance review and development discussion as required of staff of the AGD.

The Office of the Inspector recorded no workplace injury claims or return to work costs in FY24–25. There were no notifiable incidents under part 3 of the *Work Health and Safety Act 2012*.

## Financial Performance

Refer to Annexure A for the Office of the Inspector's financial statements for FY24–25.

## Inspector's functions and powers

The functions and powers of the Inspector are set out in Sch 4 to the ICAC Act and s 29 of the Ombudsman Act.

The Inspector's statutory functions include:

- the conduct of annual reviews examining the operations of ICAC, the OPI and OSA during each financial year;
- the conduct of reviews of relevant complaints received by me under the ICAC Act and the Ombudsman Act; and
- the conduct of other reviews on my own motion, or at the request of the Attorney-General, or the CPIPC; and
- other functions conferred on me by other Acts.

The powers vested in me for the purposes of conducting a review include:

- taking evidence on oath or affirmation or permit a witness to give evidence by other means, including written evidence;
- issuing summonses to require a person to appear before me to give evidence or produce documents or other things;

- exercising powers contained within Sch 2 to the ICAC Act regarding the conduct of examinations of witnesses;
- requiring a person to produce documents or things, or provide information, or to verify information by statutory declaration, or examine or make copies of any document or thing;
- entering and searching any place or vehicle occupied by ICAC, OPI, OSA or the Judicial Conduct Commissioner;<sup>4</sup> and
- applying for a warrant from a magistrate to search any place or vehicle occupied by anyone other than an inquiry agency.

Other functions and powers vested in me include:

- I may refer a matter to the relevant law enforcement agency for further investigation and potential prosecution;
- I may refer a matter to ICAC, OPI, OSA, or a public authority for further investigation and potential disciplinary action;
- if I find that undue prejudice to the reputation of any person has been caused by ICAC, OPI, or OSA, I may publish a statement or material that I think will help alleviate that prejudice, or recommend that ICAC, OPI, or OSA pay an amount in compensation to that person;
- I may disclose any information I have in respect of a matter to the relevant law enforcement agency, ICAC, OPI, OSA or any other public authority.

In exercising these functions and powers, I must bear in mind the objects of the ICAC Act, which aims to achieve an appropriate balance between the public interest in exposing corruption, misconduct, and maladministration in public administration and the public interest in avoiding undue prejudice to a person's reputation. The ICAC Act recognises that the balance may be weighted differently in relation to corruption in public administration as compared to misconduct or maladministration in public administration.

## The Work of the Inspector

The work of the Inspector is largely to undertake reviews of matters concerning the conduct of ICAC, OPI and OSA. Such matters typically originate from three sources

- complaints from members of the public or the public service about ICAC, OPI or OSA;
- self-reports from those agencies; or
- reviews I decide to conduct of my own motion, usually arising out of an existing complaint.

I can also receive requests from the Attorney-General or the CPIPC to conduct a review (Sch 4, cl 2), although none was received by my Office during FY24–25.

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<sup>4</sup> The effect of the reference to an 'inquiry agency' within cl 8 of Sch 4 to the ICAC Act is that the Inspector may enter and search a place or vehicle occupied by the Judicial Conduct Commissioner, an independent statutory officer over whom the Inspector has no oversight.

## Complaints

At the beginning of FY24–25, twenty-four complaints received by the Inspector in previous financial years were still ‘open’ and had not been finalised.

During FY24–25, 100 complaints<sup>5</sup> were received by the Inspector.

Source of complaint	Number of complaints
Complaints to the Inspector	97
Submissions treated as complaints <sup>6</sup>	3
<b>TOTAL</b>	<b>100</b>

Table 2: Source of complaints

In total, therefore, the Inspector considered these 124 complaints during FY24–25 in the following ways:

Jurisdiction	Number of complaints
<b>Under the ICAC Act</b>	<b>40</b>
Review of a relevant complaint <sup>7</sup>	24
Review on own motion <sup>8</sup>	16
<b>Under the Ombudsman Act</b>	<b>31</b>
Review of a relevant complaint <sup>9</sup>	29
Review on own motion <sup>10</sup>	2
<b>No review commenced</b>	<b>53</b>
Complaint not relevant / no further action	43
Not yet determined	10
<b>TOTAL</b>	<b>124</b>

Table 3: Summary of complaints considered

<sup>5</sup> This includes any matter reported to the Inspector by a member of the public or a public officer during in FY24-25 whether or not the complaint amounted to a relevant complaint under the relevant act or not.

<sup>6</sup> Submissions made in relation to the 2023–24 annual review that Acting Inspector Plummer determined to treat as complaints.

<sup>7</sup> ICAC Act Sch 4 cl 2(1)(b).

<sup>8</sup> Complaints about the conduct of either ICAC or OPI which were not ‘relevant complaints’ as defined, but that I nonetheless considered appropriate to review: ICAC Act Sch 4 cl 2(1)(c).

<sup>9</sup> Ombudsman Act s 29(1)(b).

<sup>10</sup> Complaints about the conduct of OSA which were not ‘relevant complaints’ as defined, but which raised issues that I nonetheless considered appropriate to review: Ombudsman Act s 29(1)(c).

It was often the case that complainants complained about more than one of the IAs. For the purposes of the table below, the number of complaints about each IA reflects the number of complaints received about that individual agency. For example, one complaint about ICAC and OSA has been reported in the table below as a complaint made about both agencies.

IA	Complaints carried forward	Complaints received in FY24–25	TOTAL
ICAC	3	6	9
OPI	12	49	61
OSA	6	33	39
Other/unclear <sup>11</sup>	8	19	27

Table 4: Complaint distribution by IA

Of the 124 complaints considered during FY24-25, 77 were finalised and 47 remained unfinalised and so were carried over into the 2025–26 financial year.

### Own motion reviews

At the beginning of FY24–25, three own motion reviews initiated in previous financial years were still ‘open’ and had not been finalised.

During FY24–25, the Inspector considered a further 19 matters which were not borne out of complaints made to the Inspector by a member of the public or a public officer.

Source of information	Number of matters
Self-reports by an agency	16
Arose out of a related review	1
Submissions treated as own motion reviews <sup>12</sup>	2
<b>TOTAL</b>	<b>19</b>

Table 5: Source of information for own motion reviews

<sup>11</sup> Some complaints contained allegations about a relevant agency as well as other bodies outside of the Inspector’s jurisdiction.

<sup>12</sup> Submissions made in relation to the 2023–24 annual review that raised complex issues that were not able to be finalised when that report was delivered. Acting Inspector Plummer determined to continue his review of those submissions pursuant to his own motion powers.

In total, therefore, the Inspector considered these 22 own motion reviews during FY24–25 in the following ways:

Status as at 30 June 2025	Number of matters
<b>Finalised</b>	<b>18</b>
Review under the ICAC Act <sup>13</sup>	6
Review under the Ombudsman Act <sup>14</sup>	3
No review commenced – no further action taken	9
<b>Under consideration</b>	<b>4</b>
Review under the ICAC Act <sup>15</sup>	4
Review under the Ombudsman Act <sup>16</sup>	0
<b>TOTAL</b>	<b>22</b>

Table 6: Own motion reviews

### Requests from the Attorney-General or the CPIPC

No reviews at the request of the Attorney-General or the CPIPC were ongoing at the beginning of FY24–25.

The Inspector did not receive any requests to conduct reviews<sup>17</sup> from the Attorney-General or the CPIPC during FY24–25.

### Submission to the CPIPC

As discussed in my introductory note, in January 2025, I made a submission to CPIPC’s Inquiry into the operation of the ICAC Act.

### Reports delivered by the Inspector

Apart from the Annual Report for FY23-24, there were no other reports delivered to Parliament by the Inspector during FY24–25.

<sup>13</sup> Pursuant to ICAC Act Sch 4 cl 2(1)(c).  
<sup>14</sup> Pursuant to Ombudsman Act s 29(1)(c).  
<sup>15</sup> Pursuant to ICAC Act Sch 4 cl 2(1)(c).  
<sup>16</sup> Pursuant to Ombudsman Act s 29(1)(c).  
<sup>17</sup> Pursuant to ICAC Act Sch 4 cl 2(1)(c) or Ombudsman Act s 29(1)(c).

## Six-monthly Inspections under the SD Act and the TI Act

The SD and TI Acts require the Inspector, at least once in each period of six months, to inspect the records of both ICAC and SAPOL for the purpose of ascertaining the extent of their compliance with specified record keeping requirements under the respective Acts and thereafter to report to the Attorney-General the results of my inspections.

### Inspection for May to October 2024

On 14 November 2024 Acting Inspector Plummer made two reports to the Attorney-General following his inspection of ICAC's and SAPOL's records for the period 1 June 2024 to 18 October 2024. The Acting Inspector was satisfied that both ICAC and SAPOL had complied with all of the requirements of the SD Act and TI Act during the reporting period.

### Inspection for October to March 2025

On 18 July 2025 I submitted a report under the TI and SD Acts to the Attorney-General following my inspection of ICAC's records for the period 19 October 2024 to 18 March 2025. I reported to the Attorney-General that I was largely satisfied with the extent of ICAC's adherence to the requirements of the SD Act and TI Act during the reporting period.<sup>18</sup> I made one suggestion in relation to the records held and the Commissioner advised me that she is reviewing that process in any event, which I support.

ICAC also self-reported to me a breach associated with the activation of a surveillance device. The surveillance device did not record any product during the period of activation, nor did ICAC derive any information from the use of the surveillance device during that period, meaning that any intrusion outside of the terms of the warrant was merely potential rather than actual. ICAC acted appropriately by taking immediate remedial action once the issue was identified and by disclosing this issue to me shortly after.

I also reported to the Attorney-General on 18 July 2025 following an inspection of SAPOL's TI and SD records.<sup>19</sup> I reported to the Attorney-General that I had made a number of recommendations to SAPOL in relation to the record keeping practices of one section within SAPOL arising out of that section's non-compliance with record-keeping obligations in relation to warrants obtained in previous periods. I found that the non-compliances were explained by a loss of corporate knowledge and a consequent lack of understanding or attention to the myriad statutory reporting requirements. SAPOL has committed to addressing those recommendations. I reported that I was otherwise satisfied that SAPOL had been compliant during the period.

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<sup>18</sup> The only non-compliance being in relation to two statutory returns having been delivered late.

<sup>19</sup> The period of that inspection was the same as for ICAC: 19 October 2024 to 18 March 2025.

## Key statistics

The below table summarises the work of the Inspector throughout FY24–25 and the status of matters as of 30 June 2025.<sup>20</sup>

Status of matters as at 30 June 2025	Finalised	Not finalised	TOTAL
<b>Complaints</b>	<b>77</b>	<b>47</b>	<b>124</b>
Relevant complaints (ICAC Act)	18	6	24
Relevant complaints (Ombudsman Act)	16	13	29
Own motions (ICAC Act) <sup>21</sup>	4	12	16
Own motions (Ombudsman Act) <sup>22</sup>	-	2	2
Complaint not relevant / no further action	39	4	43
Not yet determined	-	10	10
<b>Own motion reviews</b>	<b>18</b>	<b>4</b>	<b>22</b>
Under the ICAC Act	6	4	10
Under the Ombudsman Act	3	-	3
No review commenced <sup>23</sup>	9	-	9
<b>TOTAL</b>	<b>95</b>	<b>51</b>	<b>146</b>

Table 7: Summary of work undertaken

<sup>20</sup> This table includes both matters carried over from previous financial years and new matters that were received during the 2024–25 financial year.

<sup>21</sup> These reviews were conducted pursuant to my own motion powers but arose out of complaints which typically did not fall within the definition of a relevant complaint.

<sup>22</sup> As above.

<sup>23</sup> Refers to matters self-reported to the Inspectors by an IA, where no further action was taken.

The table below shows a comparison between the workload of this office (in terms of numbers of complaints) between FY24–25 and the previous financial year.

	FY23–24	FY24–25	% change
<b>Total year’s matters<sup>24</sup></b>	<b>104</b>	<b>147</b>	40% ↑
Matters carried over at start of FY	38 <sup>25</sup>	27 <sup>26</sup>	29% ↓
Matters received during the FY	66 <sup>27</sup>	119 <sup>28</sup>	80% ↑
<b>Matters finalised during FY</b>	<b>77<sup>29</sup></b>	<b>95<sup>30</sup></b>	34% ↑
<b>Matters not finalised at end of FY</b>	<b>27<sup>31</sup></b>	<b>52<sup>32</sup></b>	89% ↑
<b>Clearance rate<sup>33</sup></b>	<b>74%</b>	<b>65%</b>	9% ↓

Table 8: Comparison with FY23–24

A number of points should be noted. First, this only reflects the *number* of matters (complaints and own motion reviews) and has nothing to say about the size and work required to deal with each matter. The workload in FY23–24 involved a considerable number of historical reviews which were the subject of published reports and involved a very extensive amount of time and effort expended by this Office. By contrast, there have been fewer large matters in this year, which likely explains, at least in part, the increase in numbers of matters finalised. Accordingly, the relevance of the number is really only to show how many individual new matters are being received by the office.

Secondly, it can be observed that there has been a significant (80%) increase in the numbers of complaints made. This reflects similar increases across all other IAs. Whether and, if so, to what degree those increases continue is a matter of some concern.

Thirdly, it should be noted that the work in this financial year was done in the context of new Inspector and Deputy commencing their roles and the turnover of experienced staff (including the Acting Inspector).

An aim in the next financial year is to improve clearance rates through improvements in efficiencies, user education about my jurisdictional limits and staff experience, but I do remain concerned if the number of complaints continues to increase. Of course, clearance rates are not an end in themselves. I remain intent on treating all complaints with rigour and the attention that each matter requires. I also acknowledge that there is also much benefit to complainants (and the IAs) in my Reviews being conducted and communicated as expeditiously as possible.

<sup>24</sup> Carried over and received in FY.  
<sup>25</sup> 31 complaints + 6 submissions + 1 request from the A-G.  
<sup>26</sup> 24 complaints + 3 own motions.  
<sup>27</sup> 61 complaints + 5 own motions.  
<sup>28</sup> 100 complaints + 19 own motion.  
<sup>29</sup> 68 complaints + 2 own motion reviews + 6 historical submissions + 1 request from A-G  
<sup>30</sup> 77 complaints + 18 own motions.  
<sup>31</sup> 24 complaints + 3 own motions.  
<sup>32</sup> 47 complaints + 4 own motions.  
<sup>33</sup> Matters finalised / total year’s matters.

## INSPECTOR'S REVIEWS OF THE IAS

In undertaking this annual review, I was required by the ICAC Act and Ombudsman Act to make a public call for submissions in relation to the operations of ICAC, OPI, and OSA for the reporting period, in this case FY24–25.<sup>34</sup>

On 3 July 2025, a notice calling for public submissions in relation to these annual reviews was published in the South Australian Government Gazette, on the Office of the Inspector's website on 27 June 2025 and in the 28 June 2025 edition of the *Adelaide Advertiser*. Submissions were open until 7 August 2025. I received one submission in response to my call for public submissions. That submission concerns the operations of OPI within FY24–25.

In conducting annual reviews under the ICAC Act and the Ombudsman Act, I am required to form a view in relation to the operations of ICAC, OPI and OSA throughout FY24–25. In doing so, I have not limited my review to conduct of the IAs during FY24–25 but have had broader regard to all relevant complaints received by me during FY24–25 (that is, including relevant complaints which related to past conduct).<sup>35</sup> Where I have finalised my reviews and have made relevant findings, I have reported on the ways in which the IAs have, in FY24–25, implemented any changes recommended as a consequence of my reviews, even if the complaints related to earlier conduct.

In some instances, in order to present the work of the Inspector as a whole, I have made comment on matters which do not reflect on the operations of the IAs in FY24–25 but arise from complaints about previous periods. Whilst this work does not strictly inform my consideration of the operations of the IAs in FY24–25, it is reported under the heading of the different agencies to avoid unnecessary repetition.

Whilst the findings in this annual review are my own, they are also informed by reviews conducted by:

- Acting Inspector Plummer who held that position from 1 June 2024 to 13 November 2024; and
- Deputy Inspector Redden who was appointed on 5 December 2024 and who performed reviews under my delegation under the ICAC Act.<sup>36</sup>

## Review under the ICAC Act

In conducting my annual review examining the operations of ICAC and OPI during FY24–25, I am required by cl 9(1)(a) of Sch 4 to the ICAC Act to consider the following matters:

- whether the powers under the ICAC Act were exercised in an appropriate manner, including:
  - whether there was any evidence of corruption, misconduct or maladministration in public administration on the part of ICAC, OPI or their employees;

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<sup>34</sup> In accordance with cl 9(2) of Sch 4 to the ICAC Act and s 29(4) of the Ombudsman Act.

<sup>35</sup> In accordance with cl 9(10)(a) of Sch 4 to the ICAC Act.

<sup>36</sup> There is no power of delegation under the Ombudsman Act.

- whether there was any evidence of unreasonable delay in the conduct of investigations under the ICAC Act;
- whether there was any evidence of unreasonable invasions of privacy by ICAC, OPI or their employees.
- whether undue prejudice to the reputation of any person was caused;
- whether the practices and procedures of ICAC and OPI were effective and efficient; and
- whether ICAC and OPI carried out their functions in a manner that was likely to assist in preventing or minimising corruption in public administration.

Clause 9(10)(a) speaks of the requirements for this annual review which deal with two separate concepts:

- “examining the operations of the Office and the Commission...during a financial year”; and
- “relevant complaints received during a financial year”.

Conceptually, the first concentrates on the work and performance of ICAC and OPI only during this FY24–25. The second instead deals with the work of my Office in dealing with complaints it has received during the same period. Often, complaints can be received in one financial year but relate to decisions or conduct of the relevant IA in a previous period. They can also be received in one financial year but only be finalised by my Office in a subsequent financial year. Recommendations can be made concerning (say) enhancements in procedure that emerge from a review by me of something that happened long before the recommendation is made. Addressing only complaints *received* in a financial year in this report would have the potential that reviews carried over from, or conduct that occurred in, a previous year may not be captured in any annual report. In the interests of completeness and transparency, therefore, I have decided to report on:

- matters finalised by me in FY24–25, where the complaint was received in (i.e. carried over from) a previous financial year; and
- matters received and finalised in FY24–25.

I have noted in the statistics set out in the tables earlier in this report, but leave consideration for next year’s report, all reviews that have not yet been finalised by end FY24–25.

I am satisfied<sup>37</sup> that publication of this report will have no effect on any complaint, report, assessment, investigation, or referral under the ICAC Act.

I have not included information in this report, publication of which would constitute an offence against s 54 of the ICAC Act. As OPI also has functions under the PCD Act, in conducting my annual review and preparing this report, I have been mindful of the confidentiality provisions under ss 44 to 46 of the PCD Act.

The functions and powers of ICAC and OPI differ considerably. Therefore, it is appropriate to set out my reviews examining the operations of each agency separately.

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<sup>37</sup> As required by cl 9(9(a) of Sch 4 to the ICAC Act.

## Review of ICAC

### Matters received during FY24–25

During FY24–25, the Office of the Inspector received nine new matters about the conduct of ICAC.

Matters received during FY24–25 about ICAC	Number of matters
Complaints received during FY24–25	6
Self-reports received from ICAC during FY24–25	3
<b>TOTAL</b>	<b>9</b>

*Table 9: Matters received during FY24–25 about ICAC*

Two complaints related to the fact that complaints about public administration need to be made to OPI rather than to the ICAC directly. Both complaints, insofar as they related to ICAC, were resolved by way of no further action, noting that the procedure for complaints about public administration is a creature of statute and is therefore a matter for Parliament.

One complaint was about the conduct of ICAC during FY24–25 but I determined that on its face the complaint did not raise a clear factual basis from which I could form a reasonable apprehension that there could be evidence of maladministration, misconduct or corruption or that functions and/or powers appeared to have been erroneously exercised. I took no further action in relation to that complaint.

Two complaints related to the exercise and performance of functions prior to the amendments in 2021. One occupied a significant amount of my Office’s resources throughout the financial year and will be finalised in FY25–26. One complaint made reference to a pre-2021 ICAC investigation but could also be described as a complaint about a decision of the inaugural Inspector. I have yet to finalise my review of this complaint.

One complaint was not pressed by the complainant and not further reviewed. Given the introduction of a new code of conduct relating to the entity the subject of the first-instance report, I found that there was little reason to apprehend a similar concern arising again.

### Self-reports received from ICAC during FY24–25

ICAC self-reported three matters to the Inspector<sup>38</sup> during FY24–25. Two of them related to actions taken by ICAC during FY24–25, one of which I considered did not require me to take further action and one of which I am awaiting the supply of further information.

The third is still under consideration.

<sup>38</sup> Excluded from this number is the self-report referred to under heading Six-monthly Inspections under the SD Act and the TI Act as that was dealt with under the Inspector’s Inspection Report.

## **Matters carried over from FY23-24**

Four of five matters carried over from the previous financial year were finalised in FY24–25.

One of those had been on hold at the request of the complainant and was ultimately not pressed. In another matter, I determined that the issues raised had been extensively considered in one of my predecessor's published reports and I was satisfied that, in any event, the issue would be unlikely to arise again.

The other two were own motions commenced by Acting Inspector Plummer, born out of information received about alleged breaches of s 54 of the ICAC Act by (alleged) ICAC officers. One was resolved on the basis that there was no impropriety and therefore no further action was to be taken and the other on the basis that there was specific evidence to refute the allegation that a particular person had ever worked for ICAC and there was no evidence to substantiate the allegation about a breach of s 54.

The outstanding matter is the review I have delegated to external Senior Counsel. That Review commenced in the second half of FY24–25 and is not yet finalised.

## **Materials provided by ICAC**

During FY24–25, the following persons held the position of Commissioner of ICAC:

- The Honourable Ann Vanstone KC from 1 July 2024 to 6 September 2024;
- Mr Ben Broyd, who acted in the role from 7 September 2024 to 2 February 2025; and
- Ms Emma Townsend from 3 February 2025 to 30 July 2025.

Commissioner Townsend has provided me with a significant amount of information and material in relation to ICAC's operations and exercises of power during FY24–25. This material sets out ICAC's work during the past financial year in respect of corruption allegations, education and prevention, and research projects on various topics identifying and protecting against fraud and corruption. The material provided sets out ICAC's organisational structure and robust policies and procedures which create the framework for ICAC to perform its statutory functions.

Receiving referrals and potential referrals for potential issues of corruption in public administration and investigating such referrals is undoubtedly a significant and important component of ICAC's operations. During FY24–25, the matters reported to the OPI (under both the ICAC and PCD Acts) increased by 23%. However, matters referred to the ICAC by the OPI (under both ICAC and PCD Acts) increased by 146%. Information and documentation from ICAC evidences that, in respect of corruption investigations under s 24(1)(a) of the ICAC Act during FY24–25, ICAC:

- continued 24 investigations from FY23–24 financial year and commenced 69 new investigations;
- concluded and closed 42 investigations;
- referred two matters to SA Police for further investigation and prosecution under s 36(1)(a) of the ICAC Act;
- referred seven matters to a public authority for further investigation and potential disciplinary action under s 36(1)(b) of the ICAC Act;

- referred four matters to the OSA pursuant to s 7(1)(d) of the ICAC Act and disclosed to the OSA information arising from investigations potentially relevant to the OSA's functions;
- made recommendations to a relevant public authority following eight investigations.

During FY24-25, four witness summonses were issued pursuant to cl 4 of Sch 2 to the ICAC Act requiring the attendance of witnesses at an examination. No person the subject of those four examinations has subsequently been charged with a criminal offence. From a review of the internal examination records, it is apparent that ICAC was well aware of the potential for the application of the statutory privilege against self-incrimination contained in cl 8 of Sch 2.

During FY24–25, ICAC engaged a principal witness welfare officer and it is anticipated that this role will be a permanent part of ICAC structure in the future.

The Commissioner provided me with details and documents in respect of each time ICAC exercised powers under the ICAC Act. Most significantly, on 132 occasions, ICAC exercised the power under s 29A of the ICAC Act to inspect financial records and on 25 occasions it exercised power to require a person to produce a document or other thing in accordance with s 29 of the ICAC Act. On 28 occasions, on application by an investigator, a judge of the Supreme Court issued a warrant authorising the search and entry of a place or vehicle pursuant to s 31(2) of the ICAC Act.

I am advised that ICAC did not identify any corruption in public administration involving OPI, OSA and employees during FY24–25, nor did it investigate any such conduct.

The Commissioner has reported to me one matter that relates to conduct within ICAC during FY24–25. That matter has only recently (i.e. after 30 June 2025), been reported to me such that it is not caught by the numbers reported above. Consideration of it has not yet been finalised by my Office.

In relation to its prevention and education functions, ICAC published ten reports in FY24–25 on various topics pursuant to ss 41 and 42 of the ICAC Act. Those reports are available on ICAC's website which had approximately 31,000 visits in the last financial year. Additionally, ICAC ran 67 training and education sessions to approximately 1200 attendees and offered three online courses of which there were 2026 users.

### **Were the powers of ICAC exercised in an appropriate manner?**

Having conducted reviews in relation to the conduct of ICAC and having considered information and material provided by the Commissioner concerning each instance where the Commissioner (or delegate) exercised a power under the ICAC Act during FY24–25, I am satisfied that the powers of ICAC were exercised in an appropriate manner during FY24–25. ICAC has carefully considered and diligently recorded its exercise of powers.

### **Evidence of Corruption, etc**

During this period, I did not identify any evidence of corruption, misconduct, or maladministration in public administration by ICAC or its employees.

I did not identify any evidence of unreasonable delay in the conduct of investigations that were conducted by ICAC under the ICAC Act. ICAC has recently reviewed KPIs set in relation to timeframes for investigations and has numerous procedures in place to support and promote

the efficient advancement of investigations including regular reviews and a recent increase in both the level of seniority and number of investigators.

I did not identify any evidence of unreasonable invasions of privacy by ICAC or employees. ICAC has a number of measures in place to guard against unreasonable invasions of privacy including robust procedures for the authorisation of each proposed exercise of coercive power and applications for warrants, and regular training in the appropriate use and disclosure of information.

I did not identify any instances of undue prejudice being caused to the reputation of any person by ICAC or employees. I note ICAC maintained a media management policy limiting persons who can make public comment and says it will observe procedural fairness obligations before exercising any publication power such as a report under s 42 of the ICAC Act. It follows that no statements or materials were needed to be published by Acting Inspector Plummer or me during FY24–25 to alleviate such prejudice, nor were any recommendations made that compensation be paid to any person by ICAC.

### **Section 39A of the ICAC Act**

During FY24–25, in a report to this Office, ICAC identified a potential tension in s 39A of the ICAC Act and s 8 of the PID Act.

Section 8 of the PID Act protects the identity of informants who make a disclosure of public interest information. The protection applies despite any other statutory provision or common law rule to the contrary.

Section 39A of the ICAC Act requires ICAC, on a determination not to refer the matter to a law enforcement agency or public authority, to notify the person the subject of the investigation, of ICAC's determination. That obligation may be dispensed with upon order of the Supreme Court if the conditions in s 39A(4) are met.<sup>39</sup> However, those conditions do not extend to circumstances where the notification may reveal the identity of an informant who is protected under s 8 of the PID Act or which potentially cause harm which falls short of imminent risk to the safety of a person or persons. ICAC has indicated that previously its policy was not to make a s 39A notification to the subject of an investigation where either (a) to do so would contravene the protections afforded by s 8 of the PID Act or (b) public interest immunity protects that information.

ICAC is presently considering what impact the recent amendments to s 39A have on the question of whether that section should continue to be interpreted as not applying in circumstances where public interest immunity would prevent the disclosure of information.

In my view it would be preferable for s 39A to be more clearly worded so that the application and scope of the provision is certain.<sup>40</sup>

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<sup>39</sup> The sub-section provides:

- (4) The Supreme Court may make an order on an application under sub-s (3) if the Court is satisfied that—
  - (a) informing the person will—
    - (i) be likely to compromise another investigation by the Commission or by a law enforcement agency or public authority; or
    - (ii) give rise to an imminent risk to the safety of a person or persons; and
  - (b) the making of the order is reasonable in all the circumstances.

<sup>40</sup> This matter has been raised by Commissioner Townsend in her submission dated 14 February 2025 to the CPIPC Inquiry into the ICAC Act.

### **Were the practices and procedures of ICAC effective and efficient?**

I have reviewed material provided by the Commissioner which includes detailed and considered procedures on topics such as investigations, referrals to other agencies and sharing of information, thereby augmenting the effective and efficient work of ICAC.

I note that in FY24–25, 69 corruption investigations were commenced, two matters were referred to SAPOL for further investigation with additional matters being referred to other relevant authorities for further investigation and disciplinary action.

I consider that the practices and procedures of ICAC were effective and efficient during FY24–25.

### **Did ICAC carry out their functions in a manner likely to assist in preventing or minimising corruption in public administration?**

I am satisfied that ICAC has carried out its functions set out in s 7 of the ICAC Act in a manner likely to assist in preventing or minimising corruption in public administration. I have had regard to the significant number of potential corruption allegations identified and investigated by ICAC and referrals to both SA Police and other relevant authorities.

I also note the work of ICAC in the publication of reports as part of its prevention function, various strategic research projects as part of its evaluative function and the significant number of attendees at ICAC's in person and online training in the performance of ICAC's education function.

### **Review of OPI**

In conducting this Annual Review, I am informed by reviews conducted by myself, Deputy Inspector Redden under delegation and Acting Inspector Plummer, the aforementioned submission and my review of materials provided by OPI for the purpose of the annual review.

In conducting my annual review of OPI, I am required under cl 9(1)(a)(i) of Sch 4 to the ICAC Act to consider whether OPI exercised its powers under the ICAC Act in an appropriate manner. Clause 9(1)(b) of Sch 4 to the ICAC Act enables me to examine any particular exercise of power by OPI. I consider that it is appropriate for me also to review OPI's oversight of complaints and reports relating to designated officers under the PCD Act pursuant to cl 9(1)(b) of Sch 4 to the ICAC Act.

## Matters received or initiated during FY24–25

During FY24–25, the Office received or initiated the following new matters about the operations of OPI:

Matters received or initiated during FY24–25 about OPI	Number of matters	Conduct occurring during FY24–25
<b>Complaints</b>	<b>49</b>	<b>32</b>
Relevant complaints	12	9
Own motions <sup>41</sup>	15	12
Complaint not relevant / no further action	15	6
Not yet determined	7	5
<b>Self-reports</b>	<b>13</b>	<b>10</b>
Own motions	5	3
No review commenced / no further action <sup>42</sup>	8	7
<b>Other own motion reviews</b>	<b>1</b>	<b>0</b>
<b>TOTAL</b>	<b>63</b>	<b>42</b>

Table 10: Matters received or initiated during FY24–25 about OPI

Of the nine relevant complaints relating to conduct during FY24–25, five of those arose out of disagreement with the outcome of an assessment conducted by OPI pursuant to s 18E(1) of the ICAC Act. No errors were identified in OPI’s assessment of the first-instance complaints. Three of the nine raised issues in relation to steps taken by OPI in order to manage communication with complainants. One was a complaint about the length of time to conduct an assessment. In each case, I considered the actions taken by OPI to be appropriate in the circumstances of the particular matter.

Approximately half of complaints received related to OPI’s oversight of complaints and reports under the PCD Act. Reviews pursuant to the Inspector’s own motion jurisdiction were initiated in respect of 15 complaints received about OPI’s oversight of PCD Act matters. OPI has undertaken a significant amount of work in response to complainant dissatisfaction in PCD Act matters, which is discussed in further detail below.

The balance of complaints made about OPI related to the exercise of their functions under the ICAC Act. In the large majority of those ICAC Act matters, I found no reason to liaise with OPI in relation to their exercises of powers and functions, finding no error. Complaints that raised issues relevant to my annual review are discussed below.

<sup>41</sup> These reviews were conducted pursuant to my own motion powers under the ICAC Act but arose out of complaints which typically did not fall within the definition of a relevant complaint.

<sup>42</sup> Refers to matters self-reported to the Inspector by the OPI where no further action was taken.

OPI also self-reported 13 matters to the Inspector. In five such matters, own motion reviews were commenced to inquire further into the matters raised. Three of those five matters related to conduct occurring during FY24–25. The remaining eight matters self-reported to me by OPI were resolved by way of no further action. While an own motion review into those matters was not commenced, I consider it was nonetheless entirely appropriate that the Director reported those matters to me.

I received one response to my call for submissions in relation to the operations of the OPI. The responder complained about the content of the outcome letter from the IIS (and by implication the oversight role of OPI) and of a delay by my Office in assessing their complaint. The responder's complaint to my Office has since been assessed and an outcome provided to them.

### **Matters carried over from previous financial years**

Of the 12 matters carried over from previous financial years, determinations have been made in all but two.

Of the 10 matters finalised, where the Acting Inspector or I engaged with the OPI in respect of issues raised in these complaints or self-reports, the responses were appropriate, we ultimately found no error and made no practices and procedures recommendations.

One of the carried over matters requires me to resolve what I consider to be a tension between the confidentiality provisions in the Integrity suite of Acts<sup>43</sup> and the operation of s 8 of the PID Act. I am considering what options may be available to me in light of this tension so that my review of the matter can proceed. It may be that legislative amendment is necessary, and if so, I will raise this formally in due course.

The second unfinalised matter was on hold, as at 30 June 2025, pending a review of the first instance decision (over which OPI had oversight). This week, that first instance review has finalised and I will now proceed with my review of it.

### **Materials provided by OPI**

In December 2024, after Ms Townsend was appointed the Commissioner of the ICAC, Ms Vanessa Burrows took over as Acting Director of OPI. In March 2025, Ms Burrows was appointed the Director of OPI.

Director Burrows has provided me with information and materials in relation to OPI's operations and exercises of power in FY24–25. She reported that in FY24–25, OPI received a total of 1,282 complaints and reports under the ICAC Act and dealt with another 3,221 complaints and reports under the PCD Act. The information and material provided to me by Director Burrows also outlines how OPI is continuously working to improve its practices and procedures, which I will discuss further below.

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<sup>43</sup> The ICAC Act, Ombudsman Act and PCD Act.

## **Were the powers of OPI exercised in an appropriate manner?**

OPI under the ICAC Act has only one coercive power: to compel information from a public authority or public officer pursuant to s 18E(3) of the ICAC Act. OPI reported to me that during FY24–25, OPI issued 10 notices pursuant to s 18E(3). In order for me to review OPI's exercise of this power, OPI granted my Office access to OPI's electronic case management system and my Office inspected six of these matters which were complaints from members of the public. OPI did not provide my Office access to the other four matters as the PID Act applied to them. Instead, OPI provided my Office with a general summary of each file and the agency they related to. I have assumed that the information provided by OPI about those four matters is accurate. However, my Office's inability, due to s 8 of the PID Act, to have unrestricted access to the records of OPI hinders my ability to conduct a thorough review of OPI's exercises of power and requires additional resources from OPI to summarise the matters for the purpose of my annual review.

In September 2024 Acting Inspector Plummer identified a number of deficiencies in s 18E(3) notices issued by OPI to public authorities and public officers. The then Director advised the Acting Inspector that identified deficiencies would be rectified in future notices and that OPI would develop a template letter containing a standardised wording.

My review of these notices confirms that the notices now contain reference to a requirement to comply with the notice, to the fact that it is a criminal offence to fail to do so and, they use standardised wording.

In summary, having conducted reviews in relation to the conduct of the OPI and having been provided with materials and information concerning each instance where the OPI exercised a power under the ICAC Act during FY24–25, I am satisfied that OPI exercised its power in an appropriate manner during FY24–25.

## **Evidence of Corruption, etc**

During this period, I did not identify any evidence of corruption, misconduct, or maladministration in public administration by the OPI or employees of the OPI.

Director Burrows has informed me that OPI encourage accountability in its staff and supports staff to self-report any errors that they have made and considers it important to report such errors to my Office. During FY24–25, my Office received a number of self-reports in relation to various inadvertent errors by OPI including a potential breach of privacy and potential breaches of s 13(2) of the PCD Act (failure to refer complaints about SAPOL officers to the IIS within the statutorily required three days of receipt). In making self-reports, OPI has demonstrated a practice of providing me with access to the relevant OPI file and setting out any action taken by OPI when a potential error has been identified.

In early 2025, OPI self-reported to my Office that as a result of an administrative error, the name of one complainant was accidentally disclosed to another complainant. To rectify the breach, Director Burrows asked the Team Leader of Intake to write to the complainant to advise that their name was disclosed in error. Additionally, OPI reminded staff to take care when contacting members of the public.

I have been advised by Director Burrows that when OPI registers a complaint under the ICAC Act or the PCD Act, whether by telephone or online form, OPI ascertains whether the complainant or reporter consents to their details being provided with a referral of their matter

to another IA. A banner is displayed within Resolve warning users if a person does not consent to being identified as the informant, in which case OPI takes care to redact identifying details from documents before referring the matter to another agency.

In one self-report, Acting Director Burrows reported to me an allegation that had been levelled against her by a complainant to her office that she had acted without authority in the course of performing a function or power. Although the allegation was entirely without legal merit (which I communicated to her), I consider it appropriate that it was brought to my attention and consistent with her commitment to transparency that she did so.

One complaint during FY24–25 concerning conduct of OPI in the previous financial year called on me to consider whether there was an unreasonable invasion of privacy by OPI in its handling of confidential information. I engaged with the Director of OPI on this matter and considered OPI's policies and information available on OPI's website regarding disclosure of confidential information. I determined that there was no error in the way in which OPI handled the confidential information. Notwithstanding that I considered OPI's actions were appropriate, this review led to OPI amending information on its website to increase transparency as to the use of information and include a clear warning about the circumstances in which the identity of a complainant can be disclosed without their consent.<sup>44</sup>

OPI is exempt from the Information Privacy Principles. However it aligns with those Principles and the Information Sharing Guidelines where appropriate. When determining whether to disclose information, OPI has regard to its primary objects which include the identification and exposure of corruption, misconduct and maladministration in public administration.

I am informed by Director Burrows that OPI trains all its staff in relation to strict legislative confidentiality provisions in the ICAC Act, the PCD Act and the PID Act. I am told that the confidentiality provisions of each Act are explained during staff inductions and staff are regularly reminded of the importance of them at meetings.

I did not identify any instances of undue prejudice being caused to the reputation of any person by OPI or employees of OPI. It follows that no statements or materials were published by the Acting Inspector or me to alleviate such prejudice, nor were any recommendations made that compensation be paid to any person by the OPI.

The role of OPI is to determine whether a complaint or report raises a potential issue that should be referred to another agency for investigation. OPI does not conduct investigations. I have been informed by Director Burrows that in making an assessment under s 18E of the ICAC Act, particularly in circumstances where there is raised the possibility of a vexatious motive of the complainant or reporter, OPI weighs the risk of undue prejudice into its assessment of how the complaint should be dealt with. As required by s 3(1)(c) of the ICAC Act, in its assessments, OPI strives to identify the appropriate balance between the public interest in exposing corruption, misconduct and maladministration in public administration and the public interest in avoiding undue prejudice to a person's reputation.

Further, the strict confidentiality provisions in s 54 of the ICAC Act mitigate the risk of undue prejudice by limiting what information can be disclosed or published. I have also been informed by Director Burrows that when a person requests an authorisation to disclose or publish

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<sup>44</sup> Where there is a risk to the safety or wellbeing of a person; where the evidence may be essential in an investigation; and where OPI becomes aware of criminal conduct or information relevant to a criminal investigation.

information relevant to a complaint or report that has been or is to be assessed by OPI, the risk of undue prejudice to reputation is one factor that is taken into account in deciding whether or not an authorisation should be granted.

The reviews undertaken by Acting Inspector Plummer, Deputy Inspector Redden and me concerning the operations of OPI during FY24–25 did not identify any evidence of unreasonable invasions of privacy by OPI or employees of OPI.

### **Were the practices and procedures of OPI effective and efficient?**

OPI has seen an increase in the volume of complaints and reports since its establishment as an independent statutory authority on 7 October 2021. As a result, OPI has been constantly reviewing how it performs its functions under the ICAC Act, PCD Act and the PID Act.

During FY24–25, I observed an increase in complaints to my Office about complaints under the PCD Act of which OPI has oversight. The Director of OPI advised that OPI had experienced a significant increase in work under the PCD Act at that time as a result of the IIS assessing a backlog of complaints. Together with OPI, my Office identified that these complainants could benefit from more comprehensive information and greater transparency around the police complaints process and OPI's independent oversight. I observed OPI to be very responsive, proactive and practical in taking action in respect of this trend, including implementing their new 'dissatisfied with IIS' process. This process allows information to be sent to complainants which more clearly sets out the role of OPI in the process and provides complainants with the options to: (1) provide further information for the IIS to assess; (2) complain under the PCD Act about the IIS; or (3) have OPI review its oversight of the IIS' assessment.

Director Burrows has advised me that in the FY24–25, OPI also made the following innovations:

- In accordance with s 44(2) of the *Legislation Interpretation Act 2021*, OPI updated its internal instructions about the date by which referral is due to be made to the IIS under s 13(2) of the PCD Act.
- In relation to its work under the ICAC Act, OPI developed 'simple assessment templates' to streamline the assessment of common complaints by topic. This ensures that such complaints are able to be dealt with quickly and consistently and accurate records can be kept and more easily accessed.
- OPI updated its 'difficult or unreasonable complainants' process to ensure the safety of staff and the efficacy of its communication with the public.
- OPI updated its template referral letter for referrals made to ICAC, the Ombudsman and to public officers and public authorities to include clear instructions about the requirements of the PID Act to ensure that public interest disclosures that OPI referred to another agency were dealt with by that agency in accordance with the PID Act.
- OPI commenced a weekly 'allocations meeting' where each of the persons authorised to make decisions about the assessment of matters under the ICAC Act and each of the persons authorised to consult with the Officer in Charge of the IIS meet with the Director and the Intelligence Officer to discuss trends observed each week and the appropriate allocation of resources across the office.

- OPI has a regular all-of staff meeting fortnightly at which the Director provides an update to staff and staff are encouraged to share information about matters that they have worked on.
- OPI managers meet monthly to discuss various issues, including the efficacy of processes and procedures.

From my Office's review of the complaints about OPI, I identified a small number of matters where it was apparent that administrative errors had been made, and I brought these errors to OPI's attention. OPI promptly undertook a detailed internal review of these matters which led to the potential errors (where substantiated) being promptly rectified and prompting OPI to consider how to prevent such errors in the future. For example, in one matter, OPI overlooked one aspect of the complainant's complaint and did not refer it to IIS. This issue was brought to the attention of OPI. OPI agreed to contact the complainant and enquire whether they wished to lodge a new complaint.

OPI has also self-reported to me instances where, due to administrative error restricting OPI's access to SAPOL's electronic systems, OPI was unable to perform its oversight function of police complaints in accordance with the timeframe set out in s 28 of the PCD Act. Although the self-report was made in FY24–25, the conduct occurred prior to that financial year. OPI advised that an audit was conducted and the oversight function was retrospectively performed for any matters that had not previously been identified. OPI has indicated that this particular systems issue has now resolved but it continues to be alert to any future issues that may arise due to the different electronic systems used by SAPOL IIS and OPI.

When I have raised constructive suggestions about how OPI might improve its practices, they have been received and acted upon in ways I observe will enhance how the Office will deal with complaints it receives.

Overall, I consider that the practices and procedures of the OPI were effective and efficient during the FY24–25.

### **Did OPI carry out their functions in a manner likely to assist in preventing or minimising corruption in public administration?**

The functions of OPI, pursuant to s 17 of the ICAC Act, are to:

- receive and assess complaints about public administration from members of the public;
- receive and assess reports about corruption, misconduct, and maladministration in public administration from inquiry agencies, public authorities, and public officers; and
- refer complaints and reports to inquiry agencies, public authorities and public officers or determine to take no further action.

One of the primary objects of the ICAC Act is to establish OPI to manage complaints about public administration with a view to the identification of corruption, misconduct and maladministration; and to ensure that complaints about public administration are dealt with by the most appropriate person or body.<sup>45</sup>

I have been informed by Director Burrows that OPI carries out its functions with the primary objects of the ICAC Act in mind and in a manner that is designed to assist in preventing or

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<sup>45</sup> ICAC Act s 3(1).

minimising corruption in public administration. Director Burrows has referred to the following instances as examples of how OPI carries out its functions in manner that is designed to assist in preventing or minimising corruption in public administration.

- OPI is committed to producing information about its role that is accessible and easy to understand.
- On 22 July 2025, at OPI's request, the Department of Premier and Cabinet sent an all of government email reminding public officers of their obligation to report corruption to OPI.
- Over the FY24–25, staff of OPI delivered approximately 90 education sessions to public officers and police officers about its role under the ICAC Act and PCD Act to inform public officers about what corruption might look like and when their obligation to make a report arises. A number of these education sessions was delivered jointly by OPI, ICAC and OSA to deliver the message that there is 'no wrong door' for making a report.
- In April 2025, staff of OPI, OSA and ICAC joined together for an inter-agency training day including a keynote address from the Honourable Justice Judy Hughes; a panel discussion with the leaders of each agency; and an interactive workshop where staff from each agency were able to share ideas and knowledge.
- In June 2025, OPI, Ombudsman and ICAC entered into a Memorandum of Understanding in relation to Information Sharing.

In July 2025 (and so not technically with this reporting period), Deputy Inspector Redden and I visited and addressed the staff of OPI on how their office and mine interact and the importance of self-reporting. The interaction with staff members indicated to me that the staff of OPI were a thoughtful and conscientious group.

OPI holds itself accountable in dealing with complaints about its conduct and by making self-reports to my Office where the need arises.

I am satisfied that the OPI carried out its function in a manner likely to assist in preventing or minimising corruption in public administration during FY24–25.

## Review of OSA

I am required by the Ombudsman Act to conduct an annual review of OSA. I am required by s 29(2) to consider the following matters in relation to the operations of OSA during the FY24–25 whether:

- the powers under the Ombudsman Act were exercised in an appropriate manner (including whether undue prejudice to the reputation of any person was caused);
- the practices and procedures of OSA were effective and efficient; and
- OSA carried out the functions of the OSA under the Ombudsman Act in a manner that was likely to assist in the proper exercise of administrative powers in the State.

As with ICAC and OPI, I have not limited my review of the OSA to complaints and self-reports about actions of the OSA during FY24–25 and have had regard to all relevant complaints received by my Office during FY24–25<sup>46</sup> and also to carried over complaints.

I am satisfied<sup>47</sup> that publication of this report will have no effect on any complaint, report, assessment, investigation, or referral under the Ombudsman Act.

I called for submissions into the operations of OSA during FY24–25 as required by s 29(4) of the Ombudsman Act but received no responses.

### Complaints and reviews about OSA

In FY24–25, I received or initiated the following new matters about the operations of OSA:

Matters received or initiated about OSA during FY24–25	Number of matters	Conduct occurring during FY24–25
<b>Complaints</b>	<b>33</b>	<b>26</b>
Reviews of relevant complaints <sup>48</sup>	23	19
Own motion reviews <sup>49</sup>	2	1
Complaint not relevant / No further action	5	3
Not finalised	3	3
<b>Other own motion reviews</b>	<b>2</b>	<b>-</b>
<b>TOTAL</b>	<b>35</b>	<b>26</b>

Table 11: Matters received or initiated during FY24–25 about OSA

I am required by s 29(11)(c) to describe the types of relevant complaints made during FY24–25 (in terms of the type of conduct being complained of) and specify how many complaints of each such type were made:

- 18 complaints related, wholly or partly, to OSA’s assessment of complaints or reports, specifically the exercise of the discretion not to investigate pursuant to s 12H(1)(c) of the Ombudsman Act. While the basis for each assessment and exercise of discretion by OSA turned upon its own facts, upon interrogation, it was often the case that the first-instance complaint was made to OSA more than 12 months after the matters alleged occurred,<sup>50</sup> was otherwise outside of OSA’s jurisdiction, or was not investigated

<sup>46</sup> Required by s 29(13)(a) of the Ombudsman Act.  
<sup>47</sup> As required by 29(12)(b) of the Ombudsman Act.  
<sup>48</sup> Information required by s 29(11)(a) and (b). ‘Relevant complaint’ is not defined in the Ombudsman Act, so the definition in the ICAC Act is adopted.  
<sup>49</sup> Arising out of complaints which typically did not fall within the definition of a relevant complaint.  
<sup>50</sup> Ombudsman Act s 12C

because the complainant had other legal remedies available to them.<sup>51</sup> In each instance, no error in the exercise of the Ombudsman's discretion was identified.

- Two complaints were received about the Ombudsman's decisions to decline to review matters because they were outside of her jurisdiction to consider (one relating to police conduct and one to conduct in Parliament House). The Ombudsman made no error in identifying these jurisdictional limits.
- Two complaints related, in part, to the Ombudsman's review jurisdiction under the *Freedom of Information Act 1999* (SA). My reviews in relation to those matters have not been finalised.
- One complaint related to an oversight by a staff member of the OSA to assess part of a complaint received. I raised this matter with the Ombudsman, who agreed to promptly assess and rectify that misunderstanding of the complaint.
- There were minor practices and procedures complaints (for example an email not responded to for 2-3 days) in respect of which I did not find error or make any practices and procedures recommendation.
- Two complaints related to the Ombudsman's investigations of the conduct of local government members or employees. One complaint was not pressed by the complainant (and not further reviewed by the Inspector) against the background of the introduction of a new code of conduct relating to local government administration and little reason to apprehend a similar concern arising. The other concerned the length of time taken by the former Ombudsman to conduct an investigation into a conduct allegation levelled against an elected member and also the utility of the recommendations made by the former Ombudsman. Upon review, I did not consider that the former Ombudsman had erred in making the recommendation he did. In view of the fact that there were lengthy external influences for the delay, I did not make a formal practices and procedures recommendation arising out of this complaint, although I did raise the duration of the investigation with the current Ombudsman who has drawn my attention to resourcing challenges within her Office which I recognise are very real.
- One complaint concerned a finding of misconduct in public administration made by the Ombudsman in respect of the conduct of a public servant. My review of this complaint has not yet been finalised.
- One complaint was received about an investigation in which a final determination had not yet been made. I declined to review that complaint until such time as the Ombudsman's powers and functions had been exercised. The complainant did not press me to Review this matter and it has therefore been closed.

## Other own motion reviews

Two separate but related submissions were received in respect of the call for submissions for the Annual Review for FY23-24. The Acting Inspector determined to carry out own motion reviews in respect of them. In the course of these own motion reviews he considered and

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<sup>51</sup> Ombudsman Act s 13(3)

liaised with the Ombudsman in relation to the process of making a complaint to OSA; the sufficiency of recommendations legislatively available to OSA; the ease of a lay person understanding reasons provided by OSA; decisions about taking evidence on oath and the recording and sufficiency of reasons by OSA as communicated to complainants.

The Acting Inspector was satisfied that the complaint process was appropriate. The Ombudsman made appropriate concessions and gave undertakings to this Office about certain improvements in OSA's practices and as a result the Acting Inspector made no recommendations as to practices and procedures. Both reviews were closed.

## **Matters carried over from previous financial years**

All of the seven matters carried over from previous financial years were determined during the course of FY24–25. In each matter no error or impropriety on the part of OSA was identified.

## **Materials considered for the purpose of my annual review**

Ms Strickland was the Ombudsman for FY24–25.<sup>52</sup> She provided me with information relating to the exercise of powers during FY24–25 including material relevant to whether undue prejudice to the reputation of any person had been caused during the exercise of those powers, OSA practices and procedures manuals and details of the ways in which the OSA has carried out the functions under s 5A of the Ombudsman Act. I have also examined a sample of documents contained in OSA's files, made accessible to me by the Ombudsman for the purpose of this review.

In forming views in relation to the operations of OSA during the FY24–25, I have considered information and materials provided by the Ombudsman, documents on OSA's electronic database and complaints made to, and reviews undertaken by, my Office.

## **Were the Powers of OSA exercised in an appropriate manner?**

### **Assessment Powers**

Section 12H(1) of the Ombudsman Act requires the Ombudsman to take certain action upon receipt and assessment of a complaint or report. Broadly, once a matter is assessed, the Ombudsman may determine to:

- investigate it (s 12(1)(a));
- refer it to another agency (s 12(1)(b)); or
- take no further action if certain criteria are met (s 12H(1)(c)).

For the purpose of assessing a matter, the Ombudsman may exercise coercive<sup>53</sup> powers set out in s 12H(2) such as requiring a public officer to produce a specified document.

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<sup>52</sup> and has been since 30 November 2023

<sup>53</sup> Section 12H(3) provides that a penalty applies for non-compliance with a notice issued by the OSA pursuant to s 12H(2).

I requested a report of matters in which OSA exercised powers under s 12H(2) of the Ombudsman Act but it has not been provided. The Ombudsman has advised that the exercise of any such powers is recorded within the relevant file but is not the subject of a reportable field within the OSA case management system. Thus, I have assumed, the task of reviewing every file to obtain the relevant data and comply with my request would be unduly oppressive.

The Ombudsman notes that her office typically receives cooperation when making a request for documents for the purposes of an assessment and so coercive powers are not usually needed. The Ombudsman has informed me that she intends to explore ways that she can record exercises of power that can be searched and reported. I support her attempts to do so.

During the course of my review of complaints that I have received from members of the public about OSA's conduct throughout the year, I have had cause to review many instances in which the Ombudsman has exercised her discretion pursuant to s 12H(c) to decline to commence an investigation on the grounds that there was good reason to take no action, including that it was not in the public interest to do so. In each case, I have found that either her discretion was exercised appropriately or I was ultimately satisfied that there was no error in the substantive decisions to take no further action.

I have at times raised constructive suggestions, stemming from a consideration of complaints I have received, about how OSA might improve its practices and procedures. OSA has received and acted on them in ways which I anticipate will enhance the way it will deal with complaints it receives in the future.

I consider that, during FY24–25, OSA exercised powers pursuant to s 12H of the Ombudsman Act appropriately.

## Investigation Powers

The Ombudsman may investigate any administrative act or suspected misconduct or maladministration in public administration.<sup>54</sup> Section 18 of the Ombudsman Act sets out the procedure to be followed by the Ombudsman on investigations. Section 19 provides the Ombudsman with the powers of a Royal Commission for the purposes of an investigation. Generally, these provisions provide the Ombudsman with broad and discretionary powers in relation to the conduct of investigations.

The Ombudsman reported to me that, in FY24–25, she investigated 11 matters. In only one of them did she exercise coercive powers to obtain evidence<sup>55</sup> and in nine of them she published the outcome of the matter pursuant to s 26 of the Ombudsman Act.

In addition to matters reviewed by me relating to investigations by OSA during FY24–25,<sup>56</sup> I have reviewed a sample of documents relating to matters investigated by OSA that were not the subject of complaints or reports to my Office to examine OSA's practices and procedures on the handling of complaints and reports with reference to various requirements of the Ombudsman Act. In respect of matters the subject of OSA investigation during FY24–25, I consider that OSA exercised its investigation powers appropriately.

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<sup>54</sup> Other than certain categories of matters set out in sub-s 13(2a) and (3) of the Ombudsman Act.

<sup>55</sup> OSA did use the powers of a Royal Commission in one other matter that was finalised during FY24–25, but the power was exercised during FY23–24.

<sup>56</sup> Pursuant to s 29 of the *Ombudsman Act 1972*.

## **Powers available to the OSA but not exercised during FY24–25**

The Ombudsman has advised that, to the best of her knowledge, the following powers under the Ombudsman Act were not exercised by her or any of her delegates during FY24–25:

- direct an agency to refrain from performing an administrative act (s 19A);
- enter and inspect (s 23);
- issue, vary or revoke directions to a public authority (s 28A(1) and (2)); and
- additional powers under the *Health and Community Services Complaints Act 2004* (s 13(3d)).

## **Undue prejudice to the reputation of any person**

I am advised by the Ombudsman that every investigation is conducted in private, in accordance with s 18(2) of the Ombudsman Act. OSA Officers provide reminders regarding confidentiality obligations when communicating with individuals and agencies in the course of an investigation pursuant to s 29A of the Ombudsman Act.

I note the Ombudsman maintained an *Operational Policy: Confidentiality and Disclosure* to govern the disclosure of information about an investigation, including any decision to publish information upon the conclusion of an investigation. This policy is supported by the *Business Rule: Publication and Media Management*. Individuals whose interests may be affected are consulted regarding any proposed publication.

I am currently conducting a review under s 29(1)(c) of the Ombudsman Act of an investigation by OSA into the conduct of a public servant. This matter is ongoing and has not yet been finalised, however it may involve a consideration of whether there was any undue prejudice caused to that person.

Leaving aside the incomplete review referred to directly above, I found no evidence of undue prejudice having been caused to the reputation of any person by the Ombudsman or employees of the Ombudsman.

## **Conclusion relating to the OSA’s exercise of powers during FY24–25**

I am satisfied that, on the whole, noting that I have not yet finalised my reviews of each exercise of power / function complained about, the powers of the Ombudsman were exercised in an appropriate manner during FY24–25.

## **Were the practices and procedures of OSA effective and efficient?**

I am advised that OSA has a number of policies in place to achieve effective and efficient practices and procedures. Updates were made during the financial year to the ‘Operational Policy: Assessing Complaints’ and the ‘Business Rule: Matter Outcomes.’ Notably, the OSA has a continuous improvement register to identify issues requiring improvement in the practices and procedures and a quality assurance program which provides a framework to review files periodically and ensure it is statutorily compliant, meets expected standards including timeliness and is consistent as to style and communication.

I confirm that my Office has reviewed a copy of the suite of Operational Policies (which spans 137 pages) and Business Rules (163 pages) which cover a range of topics including assessing

complaints, investigations, referrals and confidentiality. These policies foster compliance with the requirements of the Ombudsman Act and other relevant legislation including the PID Act. Additionally, these policies encourage the efficient and timely progression of matters by OSA.

I am satisfied that the practices and procedures of OSA were effective and efficient during FY24–25 and, indeed, that the OSA took steps during the year to improve them.

## **Were functions carried out in a manner likely to assist in the proper exercise of administrative powers in the State?**

The OSA's functions are set out in s 5A of the Ombudsman Act. The Ombudsman has provided me with information as to how she has carried out each of her statutory functions in a manner likely to assist in the proper exercise of administrative powers in the State. I highlight the following:

### **Receiving, assessing and investigating or otherwise dealing with complaints made or referred to the Ombudsman about public administration (s 5A(a))**

OSA continues to receive a high volume of complaints. During FY24–25, OSA received 4,746 complaints and completed 4,742 matters (this number includes those opened during FY23–24). A priority of Ombudsman has been increasing the rate of matters addressed through early informal and formal resolution to secure faster and more efficient outcomes. As at 30 June 2025, OSA had 44 matters under investigation, compared with 11 at the same time the previous year.

### **Receiving, assessing and investigating or otherwise dealing with reports about misconduct and maladministration in public administration made or referred to the OSA (s 5A(b))**

Matters received by OSA involving potential misconduct and maladministration increased by approximately 10% in FY24–25 compared with the previous financial year. Public Interest Disclosures increased by 40%.

### **Assisting agencies to identify and deal with inappropriate or improper administrative acts (s 5A(c))**

OSA has a practice of referring complaints back to agencies' internal complaint handling mechanisms in the first instance to provide agencies with the opportunity to resolve and learn from complaints and drawing any patterns of complaints to the attention of senior executives in the relevant agency. Additionally, OSA has prioritised increasing the rate of matters addressed through early and informal resolution. In FY24–25, matters that were resolved by informal resolution increased from 159 to 206 and matters resolved by formal resolution increased from 22 to 48.

### **Giving directions or guidance to public authorities in dealing with misconduct and maladministration in public administration, as the Ombudsman considers appropriate (s 5A(d))**

OSA has not issued any directions to public authorities concerning misconduct and maladministration in public administration. OSA has, however, referred reports of misconduct or maladministration to a public authority and monitored the agency's investigation or other action in relation to that matter. In the course of monitoring, the Ombudsman has provided her views regarding the agency's approach and/or

suggested further action. The OSA monitored 41 agency investigations relating to misconduct or maladministration.

**Evaluating the practices, policies and procedures of public authorities with a view to advancing comprehensive and effective systems for preventing or minimising misconduct and maladministration in public administration (s 5A(e))**

OSA has not conducted any evaluations pursuant to s 5A(e).

**Conducting or facilitating the conduct of educational programs and publishing or distributing educational materials designed to prevent or minimise misconduct and maladministration in public administration (s 5A(f))**

The Ombudsman provided a full list of the education and engagement activities undertaken to increase awareness of integrity risks and the prevention of misconduct or maladministration. Education forums were delivered by OSA, some in conjunction with ICAC and OPI, to a variety of agencies including local government, SA Health networks and Freedom of Information officers.

**Performing other functions conferred on the Ombudsman by this or any other Act (s 5A(g))**

OSA has functions under the *Criminal Law (Forensic Procedures) Act 2007*, *Freedom of Information Act 1991* and *Return to Work Act 2014*. The work undertaken by OSA in respect of these functions during FY24–25 was of a significant volume, including 176 Freedom of Information external review applications, 75 complaints concerning FOI practices and 90 matters under Sch 5 of the *Return to Work Act 2014*.

Noting that the Ombudsman has not had cause to issue directions pursuant to s 5A(d) or performed an evaluation pursuant to s 5A(e) of the Ombudsman Act, I have found no evidence that the Ombudsman has not carried out her functions under the Ombudsman Act and the Acts referred to above appropriately. I therefore consider that she has carried out her statutory functions in a manner that was likely to assist in the proper exercise of administrative powers in the State.

**C.S.L. Abbott KC**  
**Inspector**

# ANNEXURE A – FINANCIAL STATEMENTS

In FY24–25, there was an underspend in the Office’s allocated budget. The underspend mainly related to an ICT matter management system that was not deployed/completed by year end, as well as a period when Deputy Inspector Plummer was the Acting Inspector. Both of these contributed to a favourable variance compared to budget.

The tables below summarise the unaudited financial information of the Office of the Inspector for the FY24–25.

## Statement of comprehensive income

	Budget \$'000	Actual \$'000	Variance \$'000
<b>REVENUE</b>			
Appropriation	2,570	2,570	0
<b>TOTAL REVENUE</b>	<b>2,570</b>	<b>2,570</b>	<b>0</b>
<b>EXPENSES</b>			
Salaries	1,372	1,202	170
Supplies and Services	1,198	521	677
<b>TOTAL EXPENSES</b>	<b>2,570</b>	<b>1,723</b>	<b>847</b>
<b>NET RESULT</b>	<b>0</b>	<b>847</b>	<b>847</b>

Table 12: Statement of comprehensive income

# Statement of financial position

	\$'000
<b>ASSETS</b>	
Cash	1,564
<b>TOTAL ASSETS</b>	<b>1,564</b>
<b>LIABILITIES</b>	
Employee Benefits Liability	214
<b>Payables</b>	
Employment on costs	13
Creditors	85
<b>TOTAL LIABILITIES</b>	<b>312</b>
<b>NET ASSETS</b>	<b>1,252</b>

Table 13: Statement of financial position

## Consultants

There was no expenditure on consultants for FY24–25.

## Contractors

Only one external contractor was engaged by the Office in FY24–25.

Talent International (SA) Pty Ltd was retained to provide ICT Project Management services in building and implementing a records management system, which this Office has not previously had. Actual payments to this contractor in FY24-25 were \$44,928.

## Legal Services

External legal services engaged by the Office were provided by Mr Tom Cox KC. Payments in FY24-25 were \$49,900.

## **Risk Management**

### **Fraud detected in the Office of the Inspector**

There were no instances of fraud detected in the Office of the Inspector during FY24–25.

### **Risk and audit framework**

Refer to the AGD Annual Report 2024–25.

### **Strategies to control and prevent fraud**

Refer to the AGD Annual Report 2024–25.