





despite concerns expressed by some of my counterparts that, in the case of an impasse with their respective corruption agency, there does not exist a clear statutory solution under their various statutes.

From the various reports and submissions made during the past year to the New South Wales Parliament and its Parliamentary Committee on the Independent Commission Against Corruption by the Commission and Mr Levine, copies of which my Office has provided to you, the issue of the Commission's desirability in that State of holding public or private examinations as part of its investigations remains a contested one. I am of the view that ss 139 and 140 of our Act, and their application by Commissioner McKechnie QC, provide a sound basis for balancing the competing interests which underpin this issue.

Observations were made of the low level of staffing and budgetary resources common to the oversight offices in all four jurisdictions in comparison to the resources provided by State governments to their corruption agencies. In Queensland there is one full-time employee (a principal legal officer) and Mr Favell's appointment is part-time (as is the case with my Office). In New South Wales, in addition to the Parliamentary Inspector and Acting Parliamentary Inspector, both of whom are part-time appointments, there is a full-time principal legal adviser and an executive support officer; and in Victoria there are 10 full-time staff (soon to become 11). However, the inspectorate performs oversight functions in respect of IBAC, the Public Interest Monitor, the Auditor-General's Office and the Ombudsman.

My unsuccessful request in 2015 for a 0.5 FTE employee stands in contrast to the Commission's recently-granted authority to recruit 18 more full-time employees. It has to be said that, were it not for the high level of cooperation between the Commission and myself, my capacity to perform my oversight function to an adequate degree by self-generated audit processes in respect of nominated areas of Commission activities would be adversely to a substantial degree.

Finally, reference was also made to our inability to audit the activities of the agencies we oversee when those activities involve the use of their powers under the *Telecommunications (Interception and Access) Act 1997 (Com)*, and the continuing absence of an amendment by the government to rectify this legislative lacuna, despite past representations and recommendations made to the Commonwealth Attorney-General by our State and New South Wales. Frustration and a sense of hopelessness weighed upon our discussions on this issue.

Since my return to WA I have received advice from the Hon Attorney-General, Michael Mischin MLC, that he has been informed that a Commonwealth review has been started, but not concluded. A discussion paper has been circulated for comment to various state corruption and law enforcement agencies, but, it would appear, not to me or my counterparts. If I may be forgiven a personal observation, it escapes me why such an apparently simple matter as this has not been resolved long ago.

I have extended an invitation to my counterparts, and their key staff, to come to Perth in 2017 for our annual conference.

