

29 August 2019

Our Reference: C3

Dear Mr

I refer to your email and its attachment of 28 August 2019 to my Office, concerning a decision by the Independent Commission Against Corruption (ICAC) not to investigate your complaints about the NSW Civil and Administrative Appeals Tribunal (NCAT).

My principal functions and powers are those set out in Part 5A of the *Independent Commission Against Corruption Act 1988* (ICAC Act) and are limited to dealing with complaints of abuse of power, impropriety and other forms of misconduct on the part of the ICAC or officers of the ICAC (section 57B(1)(b) and conduct amounting to maladministration (including delay in the conduct of investigations and unreasonable invasions of privacy) by the ICAC or officers of the ICAC (section 57B(1)(c)). I have no power to consider the merits of any action or recommendation of ICAC unless it falls within the provisions referred to above. Nor do I have any power to reverse or change any decision of ICAC.

Having considered the matters you raise, I have determined that the conduct of ICAC in dealing with your complaint does not amount to an abuse of power, impropriety, misconduct or maladministration as those terms are used in the ICAC Act. Specifically, the decision by ICAC not to investigate your complaint does not, in the circumstances, constitute any of the matters with which I am empowered to deal with.

Accordingly, I have determined that I will not take any further action in relation to your complaint.

Yours sincerely,

Bruce McClintock SC  
Inspector, Independent Commission against Corruption.