

Mr Steven Ridd  
By email: [steve@naturetrail.com.au](mailto:steve@naturetrail.com.au)

Our ref: E24/1996  
Contact: Stuart Griffiths  
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16 October 2024

Dear Mr Ridd

I refer to your online form of 14 September 2024, and the emails of 18 September 2024 to 7 October 2024 containing supporting documents. You raise concerns about Service NSW, including CEO Mr Greg Wells and Executive Director Service NSW Business Bureau Cassandra Gibbens; Revenue NSW; the Hon Jihand Dib MP; the Hon Courtney Houssos MLC; and Premier the Hon Chris Minns MP, and the auditing of the Covid19 business grant audits.

First, we acknowledge that people applied for the business grants in good faith and used the money to survive during the COVID-19 pandemic, and that being asked to repay the money has had a significant financial and emotional impact on those recipients.

### Your allegations

Noting you have provided us with a large volume of material in support of your complaint, the following is a broad summary of your allegations, only. It is not a complete list of every issue you have raised in your complaint. That said, we have considered all of the material you have given us.

In summary, you have alleged that the above-named agencies and persons are engaging in corrupt conduct by conspiring to extort money from recipients of the COVID-19 business grants, under the guise of “auditing” each applicant and demanding they repay the money.

This alleged conduct includes the following:

1. That Service NSW set up a “secret internal sub-department within Service NSW” called the “Business Bureau” under the management of Ms Gibbens and staffed it with newly-recruited contracted debt collectors for the purpose of “clawing back” the grant money.
  - The Business Bureau is contacting every single grant recipient to recover the full monies paid, by “blanketly tar-brushing” everyone as retrospectively ineligible, and that management and contractors receive bonuses and commissions for successful recovery of the grant money.
  - Service NSW is “mischievously” relying upon the declaration acceptance clause on the original online application form, which states by applying, the applicant consents to be audited in the future.
2. The manner of contact by the debt collectors is intimidating and harassment, including by cold calling, only using first names, accusing the recipient of fraud, and threatening them with garnishee orders, which amounts to extortion.
3. The applicants are receiving invoices that come from the Department of Customer Service (DCS) and/or Revenue NSW (Revenue), which have different ABN numbers

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and the applicants did not enter a contract with either of these agencies. The applicants' agreement/contract was with Service NSW, so the invoices from DCS and/or Revenue are illegal. You believe this shows collusion between Minister Dib and Minister Houssos.

4. The invoices do not contain an explanation of why the applicant is ineligible, instead having one line that says: "Reason for determination: The fees have been charged for the MB Support Grant 21 - Application as the eligibility criteria were not met". You believe sending invoices without providing an explanation for the debt supports the allegation that Service NSW is trying to recover all grant monies without actually auditing the applicants.

## **Our decision**

The Commission's Assessment Panel considered the allegations you raised and decided that the Commission will not investigate your allegations, for the following reasons.

It is not the role of the Commission to review the decisions taken or processes followed by NSW public officials or agencies where corrupt conduct is not otherwise evident. While we are not investigating this matter, we have considered the issues you have raised.

The information available does not appear to indicate corrupt conduct having occurred in the manner you describe. Specifically:

1. Government agencies are expected to ensure public money is spent correctly. The decision to undertake an auditing program in relation to the awarding and payment of grants monies is an administrative decision for the agency.

Based on the information provided, it would appear that Service NSW checked that supporting documents were included on applicants' files when lodged but may not have checked the content or eligibility of each application. Instead, it would appear that each applicant was self-certifying that they were eligible, and a condition of being able to apply was the applicant had to agree to be audited in future. It is noted from the material you provided that, 11 out of 33 of the cases you refer to, were resolved in favour of the applicant after they provided the requested information in response to the audit.

Setting up a dedicated division within an agency to deal with a particular business issue, again is an administrative decision by Service NSW. There is insufficient information to support that Service NSW is blanketly making every applicant retrospectively ineligible, or that staff are receiving commissions for the successful recovery of grant monies. The available information is not sufficient to suggest that Service NSW or its staff have engaged in corrupt conduct in their handling of the COVID-19 grant auditing process.

2. The manner in which Service NSW contacts applicants is similarly an administrative decision for the agency and does not appear to concern corrupt conduct. Although Service NSW does attempt contact through various ways including by telephone, text message, email, and letter, the use of one or more of these media, does not sufficiently indicate that such contact amounts to harassment. Again, we acknowledge that the information could be upsetting (especially when the person believes they do not owe the money), however, an agency advising a recipient of potential consequences in the event of not complying, does not sufficiently amount to intimidation or extortion.

3. Service NSW and Revenue NSW are both agencies within the broader Department of Customer Service. The information appears to show the involvement of each agency within the audit process, which is understandable, noting their respective roles. However, there is insufficient information to support that the agencies or the respective ministers are colluding, or that their involvement amounts to corrupt conduct.
4. In relation to the invoices not explaining to the applicant why they have been found ineligible, the information before the Commission indicates that:
  - a. An applicant will have gone through at least one, and possibly two, reviews by the time they receive the invoice, and the reviews explained what further information is/was required.
  - b. The review outcome letters to applicants appear to provide comprehensive explanations about the basis for the decision, and/or what criteria and guidelines have found the application to be ineligible.

On that basis, the invoice does not need to provide details of the decision (as the applicant will already have been provided with an explanation). This aspect of your concerns does not appear to indicate corrupt conduct is occurring.

The Commission notes that one of the options available to recipients required to pay back the grant is to contest the matter in the local court. The Commission believes this may be the best way for people to resolve their individual circumstances.

Although we are not investigating your matter, we appreciate receiving information about possible corrupt conduct as it can assist us in our corruption prevention work. Further information about our role can be found in the fact sheet, [Explaining the ICAC's decision](#).

Thank you for bringing this matter to our attention.

Yours sincerely



**Stuart Griffiths**  
Senior Assessment Officer