

## FACT SHEET

# PROCEDURAL FAIRNESS

Procedural fairness, also known as **natural justice**, is about ensuring our decisions are fair and reasonable.

### Our obligations

Except for in limited circumstances, the *Integrity Commission Act 2009* requires us to follow the rules of procedural fairness when conducting an investigation.

Specifically, we must provide procedural fairness when we make decisions that could adversely affect the rights, interests or legitimate expectations of a person or organisation.

### How we achieve procedural fairness

When an investigation is nearing completion, we prepare a draft report outlining the process to date. This includes evidence we have gathered and any draft findings we intend to make. This report is the key to our procedural fairness process.

Once a draft report is written, we provide specific individuals or organisations who have an interest in the investigation with a right to reply to the report.

Depending on the circumstances, the report may be redacted in places – for example, the identity of confidential sources may be hidden, or you may only be provided with sections of the report that are directly relevant to you.

### Your opportunity

If you are involved in a procedural fairness process with us, it is your opportunity to be heard. If you feel that there is information we may not have fully considered when drafting our findings or have other concerns, this is your chance to let us know.

Take some time to read through all of the documents and make sure that you understand the information that has been included in the draft report. You will have a reasonable amount of time to consider the information and prepare your response.

If you have any additional information, provide the details to us in writing in accordance with the requirements outlined in the letter.

### What next

Once received, we carefully and objectively consider all of the responses. In some cases, the responses may highlight issues that require us to investigate the matter further. Based on the responses we receive, we may choose to amend the draft report, including the draft findings.

After considering the responses and making any necessary adjustments, we finalise the procedural fairness process and move on to finalising the investigation.

### More information

More information about the Commission and our processes is available at [www.integrity.tas.gov.au](http://www.integrity.tas.gov.au).