

## Information for witnesses

### Giving evidence at an interview

You have received a Notice to attend and give evidence, issued under section 47 of the *Integrity Commission Act 2009* (Tas) (the Act). This means you have been identified as someone who may be able to assist us with an investigation.

Investigations are formal fact-finding exercises conducted under the Act.

### About your Notice

Your Notice requires you to provide evidence to the Investigator. The Notice states what you are required to do, including your interview's date, time and place. It will also explain broadly the evidence you will need to provide.

A Notice is a legal document, so it is important that you comply. If you fail to comply with the Notice, you could receive a fine of up to 5,000 penalty units.

Attached to the Notice is a document called *Important information for recipients of a Notice under section 47*, which has more information about your rights and responsibilities.

### Providing evidence

At your interview, you will usually give evidence on oath or affirmation. The interview will be electronically recorded and then transcribed. You will usually be asked if you would like a copy of the transcript.

Evidence may be used for the purposes of the investigation, in the prosecution of offences, or in disciplinary proceedings under any Act.

It is an offence when giving evidence to make a statement knowing it to be false or misleading. It is also an offence to omit any matter from a statement knowing that the omission will make the statement false or misleading. Significant penalties apply for making a false or misleading statement.

### Your welfare and privacy

Your welfare is our priority. We understand that giving evidence is not common and can cause anxiety. It is important that you seek any necessary medical or other welfare assistance to support you through the process.

The evidence you provide and any personal information will be treated confidentially under the Act.

It is an offence for another person to take reprisal action against you for having given evidence. If you are concerned about this, please speak to us.

We can provide details of Employee Assistance Providers if required and establish a welfare contact in your organisation.

## **Confidentiality**

Your Notice may include information about confidentiality. If the Notice is confidential, it is an offence under the Act to disclose the existence of the Notice or any matters arising from it. The confidentiality requirements will not stop you from seeking legal advice before your interview or medical or other health assistance.

If you need to let another person know about the Notice, you must tell them that the confidentiality obligations also apply to them.

## **Legal or other representation**

You have the right to seek legal advice or other representation about your Notice. It would be best if you did this as soon as you can. Failure to seek timely advice is not a reasonable excuse to not comply with the Notice.

If you want to bring a lawyer, union representative or support person to your interview, you should inform us of their identity at least 48 hours before your interview. Your representative must not have any conflicts or be involved in the matter under investigation. If they do, we will require you to select a different representative.

During an interview, you may have breaks to confer privately with your representative. However, the obligation to give evidence is on you. Your representative cannot answer questions or provide evidence on your behalf. You or your representative may seek clarification of an issue if that will assist you to give evidence.

## **After you have given evidence**

After the interview, you may voluntarily provide further information if you wish to do so. We may also give you an opportunity to provide further submissions or responses or ask you to provide more evidence.

After an investigation, the Investigator will prepare and provide a report of factual findings to the Commission CEO. The CEO will report to the Board of the Commission. The Board is then required to make a determination about the investigation. You may not necessarily be made aware of the outcome of the investigation.

The investigation may be the subject of a report provided to Parliament and made public or to the Joint Standing Committee on Integrity. The report and its supporting evidence, including a transcript of your evidence, may also be referred to one or more public authorities for further investigation or action.

## Expenses

The Commission does not generally reimburse expenses associated with giving evidence. Your employer may have a legal assistance program that you can access for legal support.

## Parking at the Commission

The Integrity Commission is located on the second floor of Surrey House at 199 Macquarie Street. Parking for the Commission is at the back of the building. Turn off at the driveway just before 199 Macquarie Street, and follow the driveway on the right that is closest to the building (see map on the next page).

The parking spot for Integrity Commission visitors is on the right-hand side of the parking lot (shaded green). Stairs and a path lead you to the front of the building. If you cannot use stairs, you can walk up the driveway, or you will need to park on Macquarie Street (metered parking).

## Accessibility

There is a lift within the building as well as stairs. When parking, if you cannot use rear stairs or the driveway, you will need to park on Macquarie Street (metered parking).

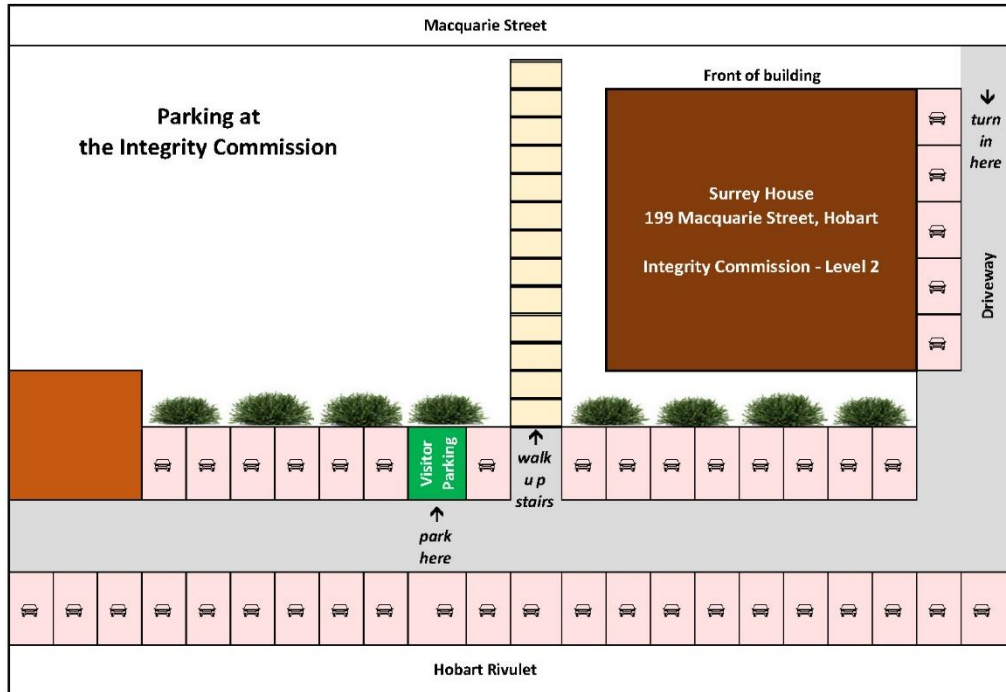
## Security

The foyer of the Commission and interview rooms are monitored by closed-circuit television.

## More information

For further information or help with your Notice, please call your contact officer or the Commission on 1300 720 289 or email [contact@integrity.tas.gov.au](mailto:contact@integrity.tas.gov.au)

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



## The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: [prevention@integrity.tas.gov.au](mailto:prevention@integrity.tas.gov.au) or 1300 720289.

For more Integrity Commission resources go to [www.integrity.tas.gov.au/resources](http://www.integrity.tas.gov.au/resources)