



# TRIENNIAL REPORT

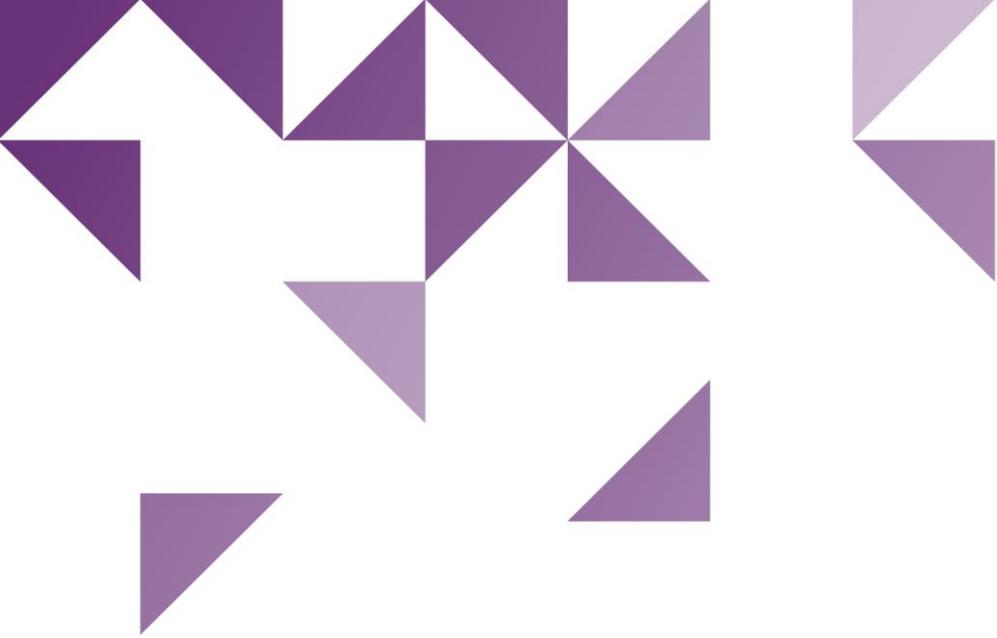
No. 1 of 2022–23 (Jul–Oct)



INTEGRITY  
COMMISSION  

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TASMANIA



The objectives of the Integrity Commission are to:

- improve the standard of conduct, propriety and ethics in public authorities in Tasmania;
- enhance public confidence that misconduct by public officers will be appropriately investigated and dealt with; and
- enhance the quality of, and commitment to, ethical conduct by adopting a strong, educative, preventative and advisory role.

We acknowledge and pay our respects to Tasmanian Aboriginal people as the traditional owners of the Land upon which we work. We recognise and value Aboriginal histories, knowledge and lived experiences, and commit to being culturally inclusive and respectful in our working relationships with all Aboriginal people.

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This report and further information about the Commission can be found on the website [www.integrity.tas.gov.au](http://www.integrity.tas.gov.au)

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### ABOUT THIS REPORT

This triannual report is an initiative of the Integrity Commission and is the first in an ongoing series to be published every 4 months. The initial report covers the period from 1 July to 31 October 2022 and provides an overview of the activities of the Operations Unit. Future triannual reports will report on data for the financial year to date, as well as detail activities of the Commission's Education and Engagement Unit.

## OPERATIONS UNIT

### 1. Complaints

Anyone can make a complaint to the Integrity Commission about Tasmanian public sector misconduct. Reporting misconduct helps to ensure that:

- ▼ public sector organisations operate honestly, ethically and fairly
- ▼ public money and resources are not wasted, and
- ▼ misconduct risks are identified so they can be dealt with and prevented.

#### 1.1. Complaints registered

Complaints about alleged public sector misconduct registered by the Commission, including complaints about Tasmania Police officers. An individual complaint may contain allegations against multiple public officers working in multiple public authorities.

Complaints registered	Jul-Oct 2022
Complaints (Total)	59
Complaints (Tasmania Police)	(21)

#### 1.2. Complaint triage

When a complaint is received by the Commission, our Chief Executive Officer (CEO) decides what action should be taken. This process is called 'triage'. The most common outcomes are:

- ▼ refer to another organisation for action – we then monitor the complaint
- ▼ dismiss the complaint
- ▼ accept the complaint for assessment by the Commission.

The CEO may also recommend to the Board that the Board recommend to the Premier that a commission of inquiry be established under the *Commissions of Inquiry Act 1995* (Tas).

From 1 July to 31 October 2022, the median time from complaint registration to the CEO's triage decision was 4 working days.

Complaints: triage outcomes	Jul-Oct 2022
CEO decision pending (includes complaints still in triage and assessments without an appointed assessor)	10
Refer	17
Dismiss	36
Assess	9
<b>Total</b>	<b>72</b>

### 1.3. Complaint dismissal

At triage, the CEO may decide to dismiss a complaint for a range of reasons. There may be more than one reason for dismissing a complaint.

Where a complaint is dismissed on the basis of 'public interest', the CEO may consider a number of factors including:

- ▼ the nature and seriousness of the alleged misconduct
- ▼ the time that has elapsed since the alleged misconduct occurred, and the availability of evidence and the recollection of any witnesses
- ▼ the likely degree of culpability of the person being complained about
- ▼ whether the alleged misconduct could be of significant public concern, or may be indicative of or expose entrenched or systemic behaviour
- ▼ whether the alleged misconduct has been previously investigated and appropriately dealt with, and
- ▼ the sanctions available to deal with the alleged misconduct.

Reasons for complaint dismissal	Jul-Oct 2022
Not in the public interest to investigate	21
Unjustifiable use of resources to investigate	5
Unrelated to Commission functions	1
Lacks substance or credibility	12
Not made in good faith	-
Frivolous or vexatious	-

### 1.4. Complainant anonymity

When making a complaint to the Commission complainants may either:

- ▼ make a complaint anonymously
- ▼ provide their contact details, or
- ▼ provide their contact details and request this information is withheld in the event of the complaint being referred to another organisation.

The table below shows the percentage of closed complaints by anonymity preference of complainant. It includes complaints that are assessed, investigated and the subject of an integrity tribunal.

Complainant anonymity	Jul-Oct 2022
Anonymous complainants	12%
Complainants not consenting to be identified to other organisations*	46%

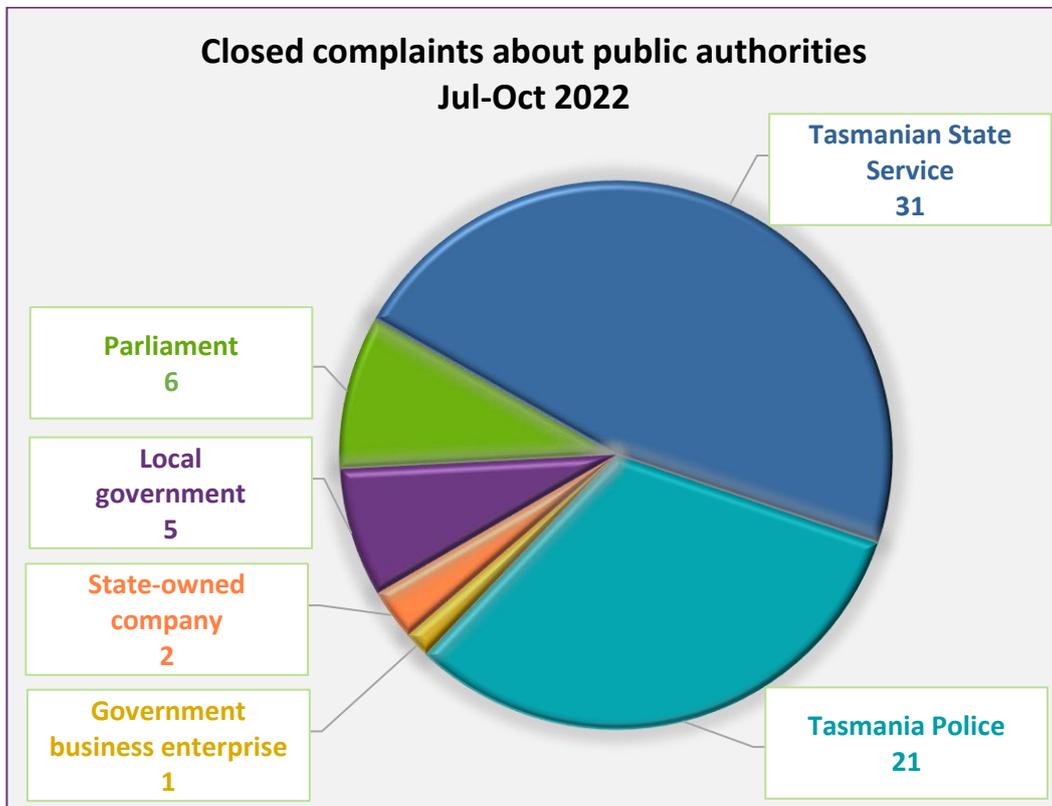
\* Does not include anonymous complainants.

### 1.5. Public authorities (public sector organisations)

The table below shows public authorities (public sector organisations)\* referenced in complaints that were closed during this period. It includes complaints that are assessed, investigated or the subject of an integrity tribunal. A complaint may refer to multiple public authorities.

Public authorities referenced in complaints	Jul-Oct 2022
Tasmanian State Service	31
Tasmania Police	21
Local government	5
Government business enterprise	1
Statutory office holder/appointed authority	–
State-owned company	2
University of Tasmania	–
Parliament	6
Not in jurisdiction	–
<b>Total</b>	<b>66</b>

\*Public authorities are defined in section 5 of the *Integrity Commission Act 2009*. Some of the categories have been combined for this table.



## 1.6. Protected disclosures

Complaints made to the Commission must also be considered under the *Public Interest Disclosures Act 2002* (PID Act). Where a complaint is also a protected disclosure, the complainant will receive protection from retribution under the *PID Act*.

If a person makes a disclosure to the Ombudsman or a public body, they may refer the disclosure to the Integrity Commission under the *PID Act*.

Protected disclosures managed by the Commission	Jul-Oct 2022
Complaints assessed as protected disclosures	1
Protected disclosure referrals received	1

## 2. Notifications, information reports and projects

### 2.1. Notifications and information reports registered

A ‘notification’ is formal notice of a matter that may involve misconduct from a public authority.

‘Information reports’ are reports of potential misconduct made to the Commission that are not complaints or notifications.

Non-complaint matters registered	Jul-Oct 2022
Notifications (not including police notifications)	27
Police notifications	6
Information reports	12

### 2.2. Completed projects

The Commission undertakes operational projects about misconduct risk areas to assist us in deciding whether to take further action. Further action may include good practice educational materials, a research report, and/or an own-motion investigation.

Projects completed	Jul-Oct 2022
Projects completed	-

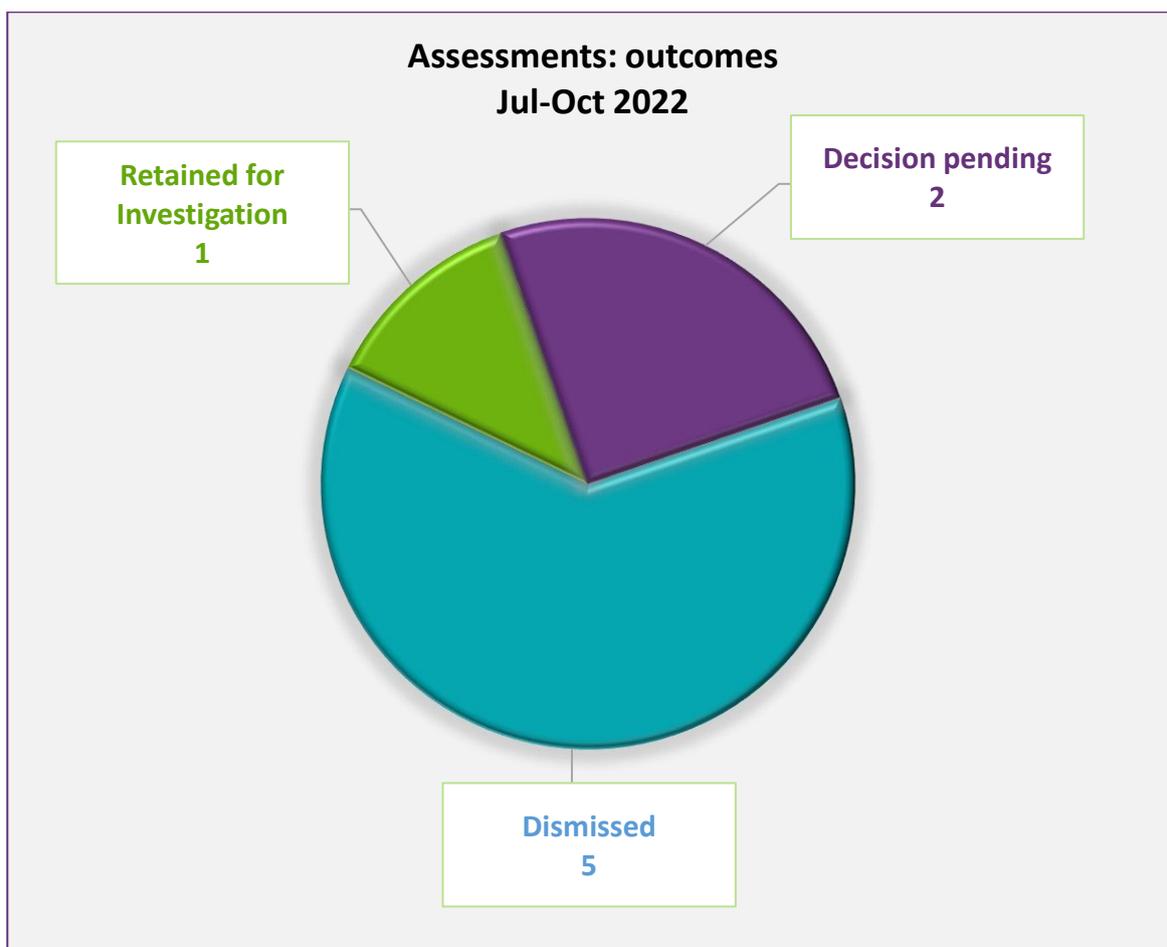
### 3. Assessments

An assessment is a preliminary inquiry to decide whether a complaint should be investigated and, if so, whether the Commission is the best organisation to undertake the investigation.

We aim to complete assessments within 40 working days. The median duration of completed assessments during this reporting period was 38 working days.

Assessments	Jul-Oct 2022
Commenced	9
Completed	8
<i>Duration (median, workdays)</i>	38

Eight assessments were completed. Of these, 5 were dismissed, one was accepted for investigation, and 2 await finalisation by the CEO.



## 4. Investigations

Investigations are conducted for the most serious misconduct allegations received by the Commission, and/or allegations about senior public officers.

Complaint investigations	Jul-Oct 2022
Commenced	1
Completed	1
<i>Duration of completed complaint investigations (median, workdays)</i>	257

The Commission undertakes investigations into misconduct without receiving a complaint or notification. These are known as 'own-motion' investigations (OMI).

OMI	Jul-Oct 2022
Commenced	-
Completed	-
<i>Duration of completed OMIs (median, workdays)</i>	-

Investigation outcomes (both complaint and OMI)	Jul-Oct 2022
Dismiss	-
Refer	1*
Inquiry by Integrity Tribunal	-
Commission of Inquiry	-
No determination	-
Board decision pending	1
Includes Board recommendation	-

\* Decision for OMI completed in 2021-22

## 5. Research and compliance

### 5.1. Audits

The Commission audits matters that are referred for action, or matters notified to us by public authorities.

Audits: completed	Jul-Oct 2022
Ad hoc audits (does not include ad hoc police audits)	1
Ad hoc police audits	–
Audit of a class of complaints against police under section 88(1)(c) of the <i>IC Act</i>	–
<b>Total</b>	<b>1</b>

### 5.2. Public reports

Public reports published on our website between July and October 2022 are accessible via these links:

- ▼ [Report 1 of 2022](#) – a summary report of own-motion Investigation Fisher
- ▼ [Managing conflicts of interest between local government councillors and property developers](#)
- ▼ [Overview of submissions received for Integrity Commission consultation process: Reforming lobbying oversight in Tasmania](#)

Public reports and recommendations	Jul-Oct 2022
<b>Reports published on website</b>	3*
<i>Compliance</i>	–
<i>Research</i>	2
<i>Operational</i>	1
<b>Reports tabled in Parliament</b>	1
<b>Reports Provided to Joint Standing Committee on Integrity</b>	-
<b>Reports with public recommendations</b>	1

\* Not including Annual Report 2021-22



