



BY THE HON. BRUCE LANDER QC INDEPENDENT COMMISSIONER AGAINST CORRUPTION

10 May 2018

SafeWork SA Evaluation

Yesterday I informed the Chief Executive of the Attorney-General's Department of my decision to conduct an evaluation of the agency's practices, policies and procedures, in so far as those practices, policies and procedures relate to the regulatory arm of SafeWork SA.

Since my office commenced in September 2013, the Office for Public Integrity has received a number of complaints and reports about SafeWork SA. Each complaint and report has been dealt with on its merits. Some resulted in no further action being taken. Others resulted in investigations undertaken by me (including the investigation I announced last week), or by the Chief Executive of the Attorney-General's Department, on referral from me.

The nature of those complaints and reports, together with other information I have received in respect of SafeWork SA, has led me to the view that an evaluation of its regulatory functions is in the public interest. The purpose of the evaluation will be to consider what, if any, improvements can be made to minimise the potential for corruption, misconduct or maladministration to occur within the agency.

The ICAC Act in its present form allows for a public inquiry in respect of an evaluation of this kind. I have also decided to conduct the evaluation by way of public inquiry because I think there is good reason to do so. First, it is critical that those who are regulated by SafeWork SA, as well as the public, have confidence in the way in which the agency carries out its functions. Carrying out such an evaluation in public allows both weaknesses and strengths of the agency to be highlighted and opportunities for improvement to be debated openly.

Secondly, members of the public who have had experiences with SafeWork SA, as well as public officers within SafeWork SA, ought to be afforded an opportunity to make submissions

PUBLIC STATEMENT



in respect of the evaluation. By holding the evaluation by way of a public inquiry, members of the public can be made aware of the evaluation, its scope and progress and may be more willing to come forward with information relevant to the evaluation.

Finally, people will be able to judge for themselves whether the content of my final report is appropriate in light of the evidence and submissions received.

Once I have established the precise scope of the evaluation and secured the necessary resources to carry it out, I will make public further information including a call for submissions and a timeframe and location for any public hearings.

I emphasise that this is an evaluation of practices, policies and procedures, not an investigation of any individual conduct. To the extent that matters require investigation, they will be dealt with separately and in accordance with legislation.

The power to conduct this evaluation and to conduct it by way of a public inquiry arises from section 7(1)(d) and section 7(5) of the ICAC Act, respectively.

The publication of this information has been authorised by the Commissioner under section 25 of the ICAC Act.