

## **Senate Community Affairs Legislation Committee**

### **BUSDGET ESTIMATES – 1 JUNE 2017 ANSWER TO QUESTION ON NOTICE**

#### **Department of Human Services**

**Topic:** Staff criminal offences

**Question reference number:** HS 59 (SQ17-000141)

**Senator:** Rhiannon

**Type of question:** Written

**Date set by the committee for the return of answer:** 21 July 2017

**Number of pages:** 1

#### **Question:**

Is it the case or not that some DHS have been suspected of committing criminal offences and/or offences against the APS Code of Conduct and have been asked to resign instead of being investigated for these offences?

#### **Answer:**

No, employees are not asked to resign when suspected of committing criminal offences and/or offences against the APS Code of Conduct. Where an investigation into an alleged breach of the APS Code of Conduct is undertaken, the investigation continues, irrespective of whether an employee resigns.

Where serious misconduct is detected after an employee has exited the Department, the delegate may determine that a formal investigation will be undertaken in order to establish whether the former employee had breached the Code of Conduct during employment.

Each criminal matter is thoroughly investigated and where there is sufficient evidence a Brief of Evidence is referred to the Commonwealth Director of Public Prosecutions.