

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
CRIMTRAC

Question No. 29

Senator Humphries asked the following question at the hearing on 12 February 2013:

Senator HUMPHRIES: ... So there were nine investigations into APS Code of Conduct breaches from July 2010 to May 2012. Could you take on notice providing us with the detail of the outcome of the seven investigations which have now been finalised. Are there any more that have been finalised since that answer was provided?

Mr Smith: All the investigations referred to at that time are completed.

Senator HUMPHRIES: Great. If we could have whatever detail you are able to provide about that, please. In particular, I would like to know whether the matters were accepted or whether they were rejected and things of that kind.

Mr Smith: As you would appreciate, Senator, there are some rules around disclosure that I will need to get clarity on, but I will take that on notice.

The answer to the honourable senator's question is as follows:

Of the 9 formal investigations completed:

- i. No breach of the APS Code of Conduct was determined by the delegate in relation to five of the nine investigations.
- ii. Two employees resigned prior to the completion of the formal investigations.
- iii. One employee resigned following the finding of a breach of the APS Code of Conduct but prior to a sanction being applied.
- iv. In relation to one employee, a breach was found by the investigator and recommendations made, however the employee transferred to another APS Agency prior to the report and recommendations being made to the delegate. As per Direction 5.6 of the Public Service Commissioner's Directions, the matter was transferred to the receiving APS Agency.