

11 December 2019

Mr Wayne Lines  
South Australian Ombudsman

*via hand delivery*

Dear Mr Lines

**Directions and Guidelines for South Australian Ombudsman issued pursuant to s 20 of the Independent Commissioner Against Corruption Act 2012 (ICAC Act)**

By letter dated 19 April 2017 I issued directions to the South Australian Ombudsman.

I am in the process of amending the Directions and Guidelines for Public Officers and SAPOL Public Officers following the commencement of the *Public Interest Disclosure Act 2018* on 1 July 2019 which repealed the *Whistleblowers Protection Act 1993*.

As there is presently only one inquiry agency in this State I will address the reporting obligations for the South Australian Ombudsman by this letter, which I will publish on my website in accordance with s 20(2)(c) of the ICAC Act.

The purpose of this letter is to set out the reporting obligations which will replace the reporting obligations set out in my letter dated 19 April 2017.

Pursuant to s 20 of the ICAC Act, I give the following directions to the South Australian Ombudsman:

The Ombudsman **must** report to the OPI any matter that the Ombudsman reasonably suspects involves corruption in public administration, unless the Ombudsman knows that the matter has already been reported to the OPI.

The Ombudsman **must** report to the OPI any matter that the Ombudsman reasonably suspects involves serious or systemic misconduct in public administration, unless the Ombudsman knows that the matter has already been reported to the OPI.

The Ombudsman **must** report to the OPI any matter that the Ombudsman reasonably suspects involves serious or systemic maladministration in public administration, unless the Ombudsman knows that the matter has already been reported to the OPI.

The Ombudsman **must** report to the OPI any matter that the Ombudsman reasonably suspects involves misconduct or maladministration in public administration in the office of the Ombudsman.

The Ombudsman **may** report to the OPI any other matter that the Ombudsman considers appropriate.

Pursuant to s 20 of the ICAC Act, I provide the following guidelines in respect of reports made by the Ombudsman:

The report should be made as soon as practicable after the Ombudsman becomes aware that the matter is of a kind that must be reported.

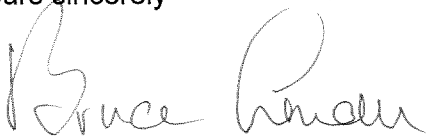
The report should be made by the Ombudsman via the online report form on the ICAC website.

The Ombudsman must not divulge the identity of an informant if s 8 of the *Public Interest Disclosure Act 2018* applies and the informant has not consented to the informant's identity being divulged and an exception within the section does not apply.

The Ombudsman may request the OPI or the Commissioner receive a report required to be made in accordance with these directions in some other form and if the OPI or Commissioner requests the Ombudsman to report in some other form the Ombudsman should report as requested.

If you have any questions about these directions and guidelines please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink that reads "Bruce Lander". The signature is written in a cursive style with a large initial 'B'.

The Hon. Bruce Lander QC

**INDEPENDENT COMMISSIONER AGAINST CORRUPTION**