Annual Report of the Inspector of the Independent Commission Against Corruption, the Office for Public Integrity, and Ombudsman SA

For the period
1 July 2025 to 30 June 2026

OFFICE OF
THE INSPECTOR

30 September 2026

The Honourable Reggie Martin MLC
President
Legislative Council
Parliament House
ADELAIDE SA 5000

The Honourable Nat Cook MP
Speaker
House of Assembly
Parliament House
ADELAIDE SA 5000

By hand

Dear President and Speaker

I am pleased to deliver this Annual Report of the Inspector of the Independent Commission Against Corruption (**ICAC**), the Office for Public Integrity (**OPI**) and Ombudsman SA (**OSA**) to Parliament.

This Annual Report incorporates:

- the 2025–26 annual review examining the operations of ICAC and OPI and information about reviews of relevant complaints and other reviews undertaken during the 2025–26 financial year;[1]
- the 2025–26 annual review examining the operations of OSA and information about reviews of relevant complaints undertaken during the 2025–26 financial year.[2]

Yours sincerely

J Redden
Acting Inspector

[1] Pursuant to cl 2(1)(a)-(b) of Sch 4 to the *Independent Commission Against Corruption Act 2012* (SA).
[2] Pursuant to s 29(1)(a)-(b) of the *Ombudsman Act* 1972 (SA).

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FROM THE ACTING INSPECTOR

I have been Acting as Inspector since the resignation of the former Inspector, Mr Sam Abbott KC, on 9 June 2026[3]. Mr Abbott held the role for the bulk of FY25-26 (having been appointed Inspector on 14 November 2024) and I acknowledge his contribution to the promotion of integrity within this State during the period of his appointment and his stewardship of the Office of the Inspector.

Inspector Abbott previously adopted the approach that the role of the Inspector is performed most usefully in the public interest when, in addition to holding the agencies oversighted to appropriate account, reviews are conducted into those agencies' exercise of powers and functions with a view to making any recommendations which might enhance practices and procedures and public confidence in the integrity scheme in South Australia. I aspire to continue to carry out the functions and powers of the Inspector with that aim forefront of mind.

In presenting the Annual Review for this reporting period, I am pleased to state that the Integrity Agencies continue to engage with this office in a mature and co-operative manner, responding to enquiries or requests or recommendations I have made of them in a timely fashion. I have continued to receive self-reports from the agencies when errors have been identified by them. I meet with the heads of each agency on a regular basis and maintain open communication with them. I look forward to our productive relationships continuing in the present financial year.

I make a number of observations about trends that I and my staff have observed in complaints received and reviewed throughout the financial year.

The rise of the use of generative Artificial Intelligence (**AI**) in the drafting of complaints made to me has been stark and largely, in my view, unwelcome. I have observed the impact of 'AI hallucinations' in that AI generated correspondence may contain incorrect references to legislation and case law (that may not in fact exist) and set unrealistic expectations of complainants as to the merits of a complaint. In my view, the use of AI can, in some cases, lead to an unreasonable and unfounded sense of mistrust in government agencies. The length and complexity of complaints received has increased substantially and the extent to which clear meaning can be derived from them has reduced, resulting in more preliminary enquiries with complainants leading to longer timeframes for resolving complaints.

I am aware from discussions with the agencies the Inspector oversights who receive complaints from the public that this same trend has been observed, and the risk noted that this may in turn lead to longer response times, resulting in further complaints to this office. I suspect this trend will continue and the challenge of meeting it may require the imposition of guardrails to the use of AI and/or careful and considered adoption of appropriate AI use by government.

Throughout FY25-26 I have observed an increase in agencies conducting internal reviews and engaging with complainants who have expressed dissatisfaction with the outcome of their reports to those agencies at first instance, prior to making a complaint to the Inspector. On

[3] I formally record that in addition to Acting as Inspector since 9 June 2026, I also acted as Inspector on the following dates in FY25-26 when Inspector Abbott was unavailable to carry out the official duties of Inspector: 7–14 August 2025, 15–24 September 2025, 3–11 October 2025, 12 January–1 February 2026, 3–6 February 2026, 21 April 2026, 27 April–1 May 2026, 1–5 June 2026.

several occasions, complainants have raised their dissatisfaction with the subject agency at the same time as complaining to the Inspector. In these matters, I have generally postponed consideration of the agency's handing of that complaint until the agency has had an opportunity to respond to the complainant. I acknowledge that conducting an internal review of a complaint and engaging further with a complainant once a matter has been finalised places further demand on the resources of IAs, however, I have observed these processes to foster greater public confidence in the agency's processes; increasing transparency and clarity in communication with complainants. At times, an agency has internally reviewed the way in which it determined a complaint and has not altered the outcome but provided more detailed reasons and explanation for that determination. Having received further information about their complaint and reassurance that it was given detailed consideration, complainants have on occasion accepted that determination and withdrawn their complaint to the Inspector. There is no statutory requirement for an IA to conduct an internal review but I note the value in the agencies undertaking this process and acknowledge their willingness to do so.

I have, throughout this Annual Report, referred to section 8(1) of the *Public Interest Disclosure Act 2018* (**PID Act**) which restricts the ability for IAs to share information with me relevant to my reviews of relevant complaints, reviews on my own motion, annual reviews of the IAs and mandated inspections and audits of the IAs' exercises of powers. The definitions of 'appropriate disclosure', 'informant' and 'public interest information' set out in s 4 are broad and the PID Act does not provide an exception for protected information to be shared with the Inspector in the absence of consent of the informant. The difficulties posed by s 8 of the PID Act have been raised by Inspector Strickland, Inspector Abbott and, most recently, by me as Acting Inspector. Legislative reform is required to enable the Inspector to freely and comprehensively carry out their review function. I am hopeful that such reform will be contemplated following the release of the Crime and Public Integrity Policy Committee (**CPIPC**)'s report on its inquiry into the operation of the ICAC Act. That Inquiry commenced in November 2024 and Inspector Abbott made written submissions in February 2025 and gave evidence before the Committee in September 2025. Inspector Abbott recommended amendment to s 8 of the PID Act such that the IAs be permitted to disclose such information to the Inspector. Since then, the ICAC's Whistleblower Project (discussed in the body of this report) has made a similar recommendation. Where relevant, I have throughout this Annual Report made reference to the present iteration of s 8 and its continued impact upon the work of the Inspector.

The number of complaints received by this office has again increased in FY25-26 compared to FY24-25 (39% increase in the total number of matters for the FY). This represents a similar increase in matters from FY23-24 to FY24-25. Whilst there has been an increase in total matters considered by this office, the percentage of total matters not finalised at the end of FY24-25 has not changed; that is to say that an additional 56 matters were finalised in FY25-26 with similar staffing levels to the previous financial year.

The assessment and review of complaints is a significant portion of the day-to-day work of this office. When a significant and complex review is underway, there is a substantial reduction in the capacity of the legal team to progress other complaints. I also must allocate adequate resources to ensure compliance with statutory deadlines in other work including audits and reports.

I am nonetheless committed to shortening times in which complaints are reviewed by this office, including to identify complaints about discrete issues or that are not within the

Inspector's jurisdiction and deal with those expeditiously. Similarly, I am continuing to focus on engaging with complainants in both the public and government spheres with clearly communicated meaningful information and providing more guidance to complainants as to the complaints processes.

Work is continuing on the finalisation and rollout of the office's new case management system, which has been a significant project.

I also wish to acknowledge the work of Mr Tom Cox KC to whom Inspector Abbott delegated the review of a significant complaint, and Mr Matthew Boisseau who has been Counsel Assisting on that review. That review is expected to be completed in FY26-27.

Finally, I wish to acknowledge and thank the Attorney-General's Department, in particular the Office of the Chief Executive, the Crown Solicitor's Office and the ICT, JTS, Finance and HR sections for the support that the office receives in its day-to-day administration.



J Redden
Acting Inspector

REPORT PURSUANT TO SCHEDULE 4 TO THE *INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 2012* AND SECTION 29 OF THE *OMBUDSMAN ACT 1972*

For the period 1 July 2025 to 30 June 2026

This Report is made pursuant to clause 2(1)(a) of Schedule 4 to the *Independent Commission Against Corruption Act 2012*, and sections 29(1)(a) and 29(11) of the *Ombudsman Act 1972*. This Report deals with the work of the Office of the Inspector during the 2025–26 financial year.

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ACRONYMS AND ABBREVIATIONS

AGD	Attorney-General's Department
Commissioner	Ms Emma Townsend
CPIPC	Crime and Public Integrity Policy Committee
Director, or Director of the OPI	Ms Vanessa Burrows
FY24-25	2024-2025 financial year
FY25–26	2025-2026 financial year
IA	Integrity Agency (i.e. ICAC, OPI or OSA)
ICAC	Independent Commission Against Corruption
ICAC Act	*Independent Commission Against Corruption Act 2012*
IIS	Internal Investigation Section of South Australia Police
LG Act	*Local Government Act 1999*
Ombudsman	Ms Emily Strickland
Ombudsman Act	*Ombudsman Act 1972*
OPI	Office for Public Integrity
OSA	Ombudsman SA
PCD Act	*Police Complaints and Discipline Act 2016*
PID Act	*Public Interest Disclosure Act 2018*
SD Act	*Surveillance Devices Act 2016*
SAPOL	South Australia Police
TI Act	*Telecommunications (Interception) Act 2012*

OFFICE OF THE INSPECTOR

I was appointed as the Deputy Inspector by Her Excellency the Governor in Executive Council on 5 December 2024 for a term of 3 years. Inspector Abbott was appointed as Inspector on 14 November 2024 and held that role until his resignation on 9 June 2026, from which time I commenced Acting by operation of the ICAC Act[4]. Whilst Inspector Abbott held the role of Inspector during FY25–26 and conducted reviews of the IAs during that time, I record that he has not been involved in the preparation of this report nor inspections of the powers and functions exercised by each of the IAs which I conducted following the end of FY25-26.

Organisational structure

I have been assisted in my role as Acting Inspector by the staff of the Office of the Inspector, whose administrative, technical and legal support continues to be invaluable. At times, we have operated under significant time pressures and I am thankful for their considerable efforts.

As at 30 June 2026, I was supported by six staff, including two Senior Legal Officers, two Legal Officers, a Business Manager and a Paralegal.

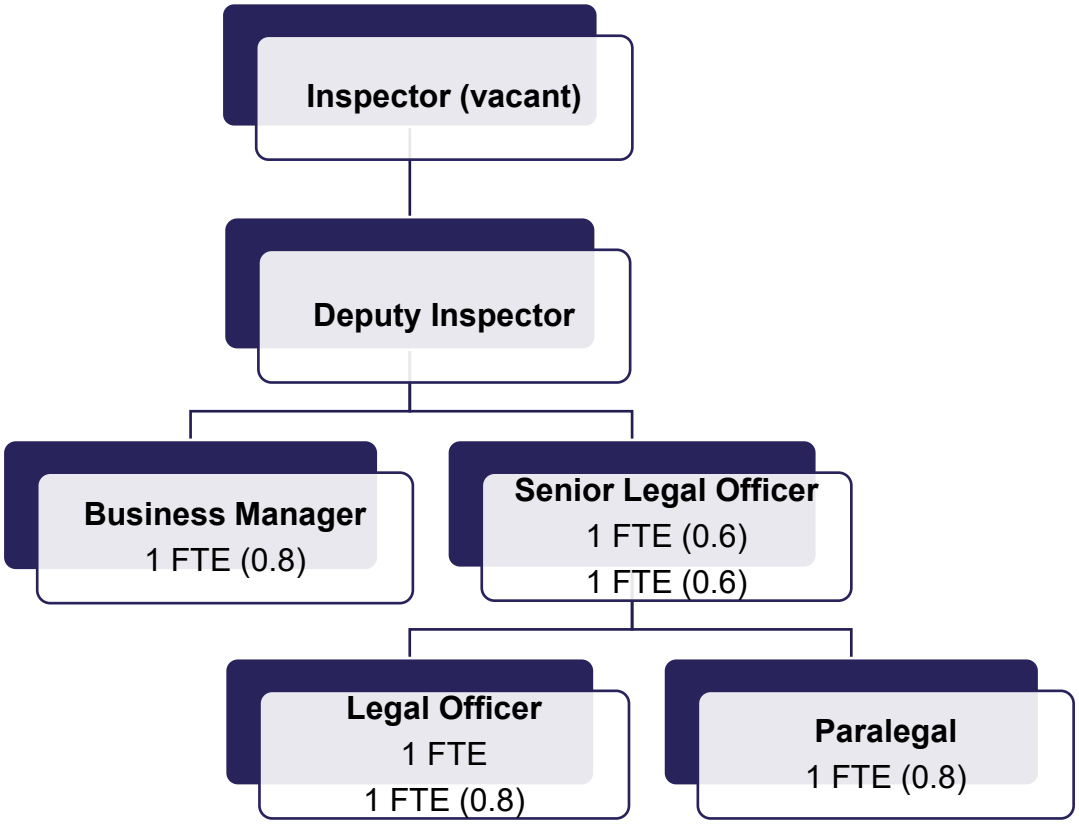


Table 1: OOTI organisational chart

[4] Clause 3(4)(a)(i) to Sch 4 to the ICAC Act.

The organisational structure of the Office of the Inspector remained largely unchanged from the previous financial year. Notable changes included the resignation of Sam Abbott KC as Inspector on 9 June 2026 and the filling of the Paralegal position to undertake legal, policy and administrative support.

The Inspector makes use of the services of the staff of the AGD. Accordingly, staff of the Office of the Inspector are required to comply with departmental performance and development processes. Performance review discussions continue to play an important role in staff development. These discussions involve setting objectives, goals, and development plans for the upcoming year. As at 30 June 2026, 100% of Office of the Inspector staff completed and recorded their bi-annual performance review and development discussion as required of staff of the AGD.

The Office of the Inspector recorded no workplace injury claims or return to work costs in FY25-26. There were no notifiable incidents under part 3 of the *Work Health and Safety Act 2012.*

Financial Performance

Refer to Annexure A for the Office of the Inspector's financial information for FY25–26.

Inspector's functions and powers

The functions and powers of the Inspector are set out in Sch 4 to the ICAC Act and s 29 of the Ombudsman Act.

The Inspector's statutory functions include:

- the conduct of annual reviews examining the operations of ICAC, the OPI and OSA during each financial year;
- the conduct of reviews of relevant complaints received by me under the ICAC Act and the Ombudsman Act; and
- the conduct of other reviews on my own motion, or at the request of the Attorney-General, or the CPIPC; and
- other functions conferred on the Inspector by other Acts.

The powers vested in the Inspector for the purposes of conducting a review include:

- taking evidence on oath or affirmation or permit a witness to give evidence by other means, including written evidence;
- issuing summonses to require a person to appear before me to give evidence or produce documents or other things;
- exercising powers contained within Sch 2 to the ICAC Act regarding the conduct of examinations of witnesses;
- requiring a person to produce documents or things, or provide information, or to verify information by statutory declaration, or examine or make copies of any document or thing;

- entering and searching any place or vehicle occupied by ICAC, OPI, OSA or the Judicial Conduct Commissioner;[5] and
- applying for a warrant from a magistrate to search any place or vehicle occupied by anyone other than an inquiry agency.

Other functions and powers vested in the Inspector include:

- referring a matter to the relevant law enforcement agency for further investigation and potential prosecution;
- referring a matter to ICAC, OPI, OSA, or a public authority for further investigation and potential disciplinary action;
- if, upon finding that undue prejudice to the reputation of any person has been caused by ICAC, OPI, or OSA, publishing a statement or material to alleviate that prejudice, or recommending that ICAC, OPI, or OSA pay an amount in compensation to that person;
- disclosing any information in respect of a matter to the relevant law enforcement agency, ICAC, OPI, OSA or any other public authority.

In exercising these functions and powers, the Inspector must bear in mind the objects of the ICAC Act, which aims to achieve an appropriate balance between the public interest in exposing corruption, misconduct, and maladministration in public administration and the public interest in avoiding undue prejudice to a person's reputation. The ICAC Act recognises that the balance may be weighted differently in relation to corruption in public administration as compared to misconduct or maladministration in public administration.

The Work of the Inspector

The work of the Inspector is largely to undertake reviews of matters concerning the conduct of ICAC, OPI and OSA. Such matters typically originate from three sources:

- complaints from members of the public or the public service about ICAC, OPI or OSA;
- self-reports from those agencies; or
- reviews commenced by the Inspector on own motion, usually arising out of an existing complaint.

The Inspector can also receive requests from the Attorney-General or the CPIPC to conduct a review (Sch 4, cl 2), although none were received by the Office during FY25–26.

Complaints

At the beginning of FY25–26, 47 complaints received by the Inspector in previous financial years were still 'open' and had not been finalised.

[5] The effect of the reference to an 'inquiry agency' within cl 8 of Sch 4 to the ICAC Act is that the Inspector may enter and search a place or vehicle occupied by the Judicial Conduct Commissioner, an independent statutory officer over whom the Inspector has no oversight.

During FY25–26, 128 complaints[6] were received by the Inspector. In total, therefore, the Inspector considered these 175 complaints during FY25–26 in the following ways:

Jurisdiction	Number of complaints
Under the ICAC Act	
Review of a relevant complaint[7]	24
Review on own motion[8]	31
Under the Ombudsman Act	
Review of a relevant complaint[9]	57
Review on own motion[10]	3
No review commenced	
Complaint not relevant / no further action	41
Not yet determined	19
TOTAL	**175**

Table 2: Summary of complaints considered

[6] This includes any matter reported to the Inspector by a member of the public or a public officer during FY25-26 whether or not the complaint amounted to a relevant complaint under the relevant act or not.
[7] ICAC Act Sch 4 cl 2(1)(b).
[8] Complaints about the conduct of either ICAC or OPI which were not 'relevant complaints' as defined, but that I nonetheless considered appropriate to review: ICAC Act Sch 4 cl 2(1)(c).
[9] Ombudsman Act s 29(1)(b).
[10] Complaints about the conduct of OSA which were not 'relevant complaints' as defined, but which raised issues that I nonetheless considered appropriate to review: Ombudsman Act s 29(1)(c).

It was often the case that complainants complained about more than one of the IAs. For the purposes of the table below, the number of complaints about each IA reflects the number of complaints received about that individual agency. For example, one complaint about ICAC and OSA has been reported in the table below as a complaint made about both agencies.

IA	Complaints carried forward	Complaints received in FY25–26	TOTAL
ICAC	7	1	**8**
OPI	25	44	**68**
OSA	18	58	**76**
Other/unclear[11]	4	31	**35**

Table 3: Complaint distribution by IA

Of the 175 complaints considered during FY25–26, 127 were finalised and 48 remained under consideration and so were carried over into FY26–27. This is a significant increase in the number of complaints received in FY25-26 in comparison to the previous financial year. However, a similar number of complaints were carried over to FY26-27 to the number carried over to FY25-26, representing that, overall, the office finalised an increased number of matters in FY25-26 compared with FY24-25.

Reports from agencies

At the beginning of FY25–26, four own motion reviews initiated in the previous financial year were still under consideration.

During FY25–26, the Inspector considered a further 25 matters which were not borne out of complaints made to the Inspector by a member of the public or a public officer.

Source of information	Number of matters
Self-reports by an agency	28
Referred by an agency	1
TOTAL	**29**

Table 4: Source of information for own motion reviews

[11] Some complaints contained allegations about a relevant agency as well as other bodies outside of the Inspector's jurisdiction.

In total, therefore, the Inspector considered these 29 own motion reviews during FY25–26 in the following ways:

Status as at 30 June 2026	Number of matters
Finalised	**24**
Review under the ICAC Act[12]	20
Review under the Ombudsman Act[13]	0
Noted, no further action taken	4
Under consideration	**5**
Review under the ICAC Act[14]	3
Review under the Ombudsman Act[15]	0
Self-reports/Referrals by Agency with jurisdiction not determined	2
TOTAL	**29**

Table 5: Own motion reviews

Requests from the Attorney-General or the CPIPC

No reviews at the request of the Attorney-General or the CPIPC were ongoing at the beginning of FY25–26.

The Inspector did not receive any requests to conduct reviews[16] from the Attorney-General or the CPIPC during FY25–26.

Reports delivered by the Inspector

Apart from the Annual Report for FY24–25, there were no other reports delivered to Parliament by the Inspector during FY25–26.

I highlight that on two occasions in FY25-26, the office finalised complex reviews of complaints made by persons who, as a result of media attention received about allegations surrounding them, had potentially suffered deteriorated reputations and weakened job prospects. After significant reviews undertaken by this office, Inspector Abbott was satisfied, in both instances, that the relevant powers and functions had been appropriately exercised by the agencies who had investigated them. Inspector Abbott determined in respect of both matters not to draft a formal report for tabling and publication.

[12] Pursuant to ICAC Act Sch 4 cl 2(1)(c).
[13] Pursuant to Ombudsman Act s 29(1)(c).
[14] Pursuant to ICAC Act Sch 4 cl 2(1)(c).
[15] Pursuant to Ombudsman Act s 29(1)(c).
[16] Pursuant to ICAC Act Sch 4 cl 2(1)(c) or Ombudsman Act s 29(1)(c).

In one of those matters, the complainant had petitioned the Inspector not to publish a report, and noting that the events in question had already been extensively publicly ventilated and scrutinised, the Inspector decided not to produce a report in respect of the review in circumstances where to do so could have attracted significant media attention and re-harmed the complainant in question.[17] In another matter, to publish a report also required detailed consideration of the PID Act provisions regarding confidentiality of an informant's identity.

In making the decision not to draft and publish a report on these reviews, it is important to acknowledge that the agencies in question did not receive the benefit of publicity that the Inspector found no error in the exercise of their powers and functions. Such publicity could have underscored public confidence in those agencies.

The findings in this Annual Review that the agencies carried out their functions appropriately should be understood against that context.

Six-monthly Inspections under the SD Act and the TI Act

The SD and TI Acts require the Inspector, at least once in each period of six months, to inspect the records of both ICAC and SAPOL for the purpose of ascertaining the extent of their compliance with specified record keeping requirements under the respective Acts and thereafter to report to the Attorney-General the results of my inspections.

The Annual Report for FY24–25 reported the results of inspections up until 18 March 2025. I now report on inspections for the period 19 March 2025 to 10 April 2026.

Inspection for March to October 2025

On 19 December 2025, Inspector Abbott made two reports to the Attorney-General following his inspection of ICAC's and SAPOL's records for the period of 19 March to 25 October 2025. Inspector Abbott was satisfied that both ICAC and SAPOL had complied with all requirements of the SD Act and TI Act during the reporting period.

During the inspection of ICAC's records, Inspector Abbott reviewed a new training package that had been formulated by ICAC and delivered by the compliance section. The Inspector was satisfied that it adequately encapsulated the various obligations and restrictions that the State and Commonwealth Acts require. ICAC advised that they implemented a new records register for FY25-26 to further minimise risk of downstream administrative error. Inspector Abbott reported to the Attorney-General that he was pleased to observe several practices indicative of a mature compliance culture within ICAC, including proactively disclosing issues concerning compliance, taking appropriate and timely remedial action in response to issues identified, and a willingness to consider further improvements.

During the inspection of SAPOL's records, Inspector Abbott highlighted that limited progress had been made since the previous inspection in relation to SAPOL General Orders and local policy reviews concerning the Police Commissioner's destruction obligations. The Inspector noted that whilst the Police Commissioner was compliant, there was further work to be done in relation to SAPOL General Orders and local policy reviews, and he would reconsider the issue during the next inspection.

[17] To report the facts in greater detail here would undermine that decision.

The Inspector reported to the Attorney-General that he was pleased to observe that the Ethics and Professional Standards Branch (**EPSB**) had taken remedial action in response to issues identified at his previous inspection and EPSB had significantly improved its compliance.

Inspection for October 2025 to April 2026

On 30 June 2026, I submitted a report under the TI and SD Acts to the Attorney-General following my inspection of ICAC's records for the period of 25 October 2025 to 10 April 2026. I reported to the Attorney-General that I was satisfied with the extent of ICAC's adherence to the requirements of the SD Act and TI Act during the reporting period.

ICAC self-reported to me a breach in relation to the destruction of restricted records. I determined that the breach occurred as a result of an administrative error and was unlikely to be repeated by another Commission employee with appropriate diligence. Prior to my attendance at this inspection, the Commissioner had self-reported a non-compliance with section 35 of the SD Act – Delegation. The definition of 'senior officer' in section 35(3) was overlooked when instruments delegating functions and powers to a new position were prepared. The Commissioner explained to me that once the issue was identified, immediate remedial action was taken and she advised what steps would be taken to prevent future occurrences. I reported to the Attorney-General that I considered the safeguards and response proposed by the Commissioner were appropriate and proportionate preventative measure likely to guard against future like errors.

I reported to the Attorney-General that it continues to be evident that ICAC, particularly through the staff of the compliance section, is highly motivated and determined to ensure ICAC's use of its telecommunications interception powers are lawful and informed by best-practice.

I also reported to the Attorney-General in June 2026 following an inspection of SAPOL's TI and SD records, that I was satisfied that SAPOL had been compliant during the period.

Since the last inspection, SAPOL had reviewed the relevant General Order which was then awaiting executive sign off. It is expected that this task will be completed by the next inspection. SAPOL also advised that it proposes to implement a periodic review of records to consider destructions and that a guideline is currently being formalised at a local level. It is also expected that this task be completed by the next inspection.

SAPOL self-reported to me a breach of section 4(a) of the TI Act when effectiveness reports were sent late. It was erroneously thought that effectiveness reports did not need to be sent until the warrant had ceased and no further applications were to be made. SAPOL acted appropriately by taking immediate remedial action once the issue was identified and by disclosing this issue to me during the inspection period.

Key statistics

The below table summarises the work of the Inspector throughout FY25–26 and the status of matters as of 30 June 2026.[18]

Status of matters as at 30 June 2026	Finalised	Not finalised	TOTAL
Complaints	**127**	**48**	**175**
Relevant complaints (ICAC Act)	19	5	**24**
Relevant complaints (Ombudsman Act)	40	17	**57**
Own motions (ICAC Act)[19]	26	5	**31**
Own motions (Ombudsman Act)[20]	3	0	**3**
Complaint not relevant / no further action	39	2	**41**
Not yet determined	-	19	**19**
Reports from agencies	**24**	**5**	**29**
Under the ICAC Act	20	3	**23**
Under the Ombudsman Act	0	0	**0**
Noted, no further action	4	2	6
TOTAL	**151**	**53**	**204**

Table 6: Summary of work undertaken

[18] This table includes both matters carried over from previous financial years and new matters that were received during FY25–26.
[19] These reviews were conducted pursuant to my own motion powers but arose out of complaints which typically did not fall within the definition of a relevant complaint.
[20] As above.

The table below shows a comparison between the workload of this office (in terms of numbers of complaints) between FY25–26 and the previous two financial years.

	FY23–24	FY24–25	FY25–26	% change from FY24–25
Total year's matters[21]	**104**	**147**	**204**	39% ↑
Matters carried over at start of FY	38	27	51[22]	89% ↑
Matters received during FY	66	119	153[23]	29% ↑
Matters finalised during FY	**77**	**95**	151	59% ↑
Matters not finalised at end of FY	**27**	**52**	53	0%
Clearance rate[24]	**74%**	**65%**	74%	9% ↑

Table 7: Comparison with previous financial years

A number of points should be noted. First, this only reflects the *number* of matters (complaints and own motion reviews) and has nothing to say about the size and work required to deal with each matter. For example, the delegated review of one matter (which is ongoing) has necessarily required significant resources for a large part of FY25-26. The figures alone give little insight into this; their relevance really only shows how many individual new matters are being received by the office.

Second, it can again be observed that there has been a significant (29%) increase in the numbers of complaints received. This reflects similar increases across all other IAs. Whether and, if so, to what degree those increases continue remains a matter of some concern.

An aim in the next financial year is to improve clearance rates through improvements in efficiencies, user education about my jurisdictional limits and staff experience, but I do remain concerned about the likely impact of AI continuing to increase the numbers and complexity of complaints received. Of course, clearance rates are not an end in themselves. I remain intent on treating all complaints with rigour and the attention that each matter requires. I also acknowledge that there is also much benefit to complainants (and the IAs) in my Reviews being conducted and communicated as expeditiously as possible.

INSPECTOR'S REVIEWS OF THE IAS

In undertaking this annual review, I am required by the ICAC Act and Ombudsman Act to make a public call for submissions in relation to the operations of ICAC, OPI, and OSA for the reporting period, in this case FY25–26.[25]

[21] Carried over and received in FY.
[22] 47 complaints + 4 own motions. 52 matters were reported as 'not finalised at end of FY24–25', but this was a typographical error.
[23] 128 complaints, 25 agency reports.
[24] Matters finalised / total year's matters.
[25] In accordance with cl 9(2) of Sch 4 to the ICAC Act and s 29(4) of the Ombudsman Act.

On 25 June 2026, a notice calling for public submissions in relation to these annual reviews was published in the South Australian Government Gazette, on the Office of the Inspector's website on 26 June 2026 and in the 27 June 2026 edition of the *Adelaide Advertiser*. Submissions were open until 6 August 2026. I received one submission in response to my call for public submissions. That submission concerns the operations of both the OPI and the Ombudsman within FY25–26. The submission was primarily concerned with petitioning for improvements to the way in which IAs communicate with complainants including provision of clearer explanations for decision making, clarity around the framework and pathways for review (particularly for Freedom of Information complaints) and accessible email communication. I acknowledge the issues raised in that submission and thank the member of the public for bringing them to my attention. Some of the issues raised have been observed by me in my review of the way in which an agency has handled a particular complaint or report to that office, which has in turn resulted in a complaint to this office. I have, where appropriate, highlighted issues in respect of improvements to communication to the relevant agency. For example, on several occasions during FY25-26, I wrote to an IA noting that I had reviewed the way in which it had handled a complaint and, although I had not identified an error in the exercise of powers and performance of functions, I observed that the complainant may have been assisted by the provision of more detailed reasons for a determination and/or a clearer explanation of a particular concept. I have taken matters raised in that submission into account in forming views about the operations of the IAs during FY25-26.

In conducting annual reviews under the ICAC and Ombudsman Acts, I am required to form a view in relation to the operations of ICAC, OPI and OSA throughout FY25–26. In keeping with the annual reviews conducted by Inspector Abbott for FY24-25, I have not limited these annual reviews to conduct of the IAs which occurred during FY25–26 but have had broader regard to all relevant complaints received by the Inspector during FY25–26 (that is, including relevant complaints which related to past conduct).[26]

Similarly, in some instances, in order to present the work of the Inspector as a whole, I have made comment on matters which do not reflect on the operations of the IAs in FY25–26 but arise from complaints about previous periods. Whilst this work does not strictly inform my consideration of the operations of the IAs in FY25–26, it is reported under the heading of the different agencies to avoid unnecessary repetition.

Whilst the findings in this annual review are my own, they are informed by reviews conducted by Inspector Abbott who held the position of Inspector from 14 November 2024 to 9 June 2026 (inclusive) (as well as those reviews I conducted in the capacity of Deputy Inspector pursuant to the delegation of Inspector Abbott under the ICAC Act).

[26] In accordance with cl 9(10)(a) of Sch 4 to the ICAC Act.

Review under the ICAC Act

In conducting my annual review examining the operations of ICAC and OPI during FY25–26, I am required by cl 9(1)(a) of Sch 4 to the ICAC Act to consider the following matters:

- whether the powers under the ICAC Act were exercised in an appropriate manner, including:
    - whether there was any evidence of corruption, misconduct or maladministration in public administration on the part of ICAC, OPI or their employees;
    - whether there was any evidence of unreasonable delay in the conduct of investigations under the ICAC Act;
    - whether there was any evidence of unreasonable invasions of privacy by ICAC, OPI or their employees.
- whether undue prejudice to the reputation of any person was caused;
- whether the practices and procedures of ICAC and OPI were effective and efficient; and
- whether ICAC and OPI carried out their functions in a manner that was likely to assist in preventing or minimising corruption in public administration.

Clause 9(10)(a) speaks of the requirements for this annual review which deal with two separate concepts:

- "examining the operations of the Office and the Commission…during a financial year"; and
- "relevant complaints received during a financial year".

In keeping with the approach Inspector Abbott took to the annual review of the IAs in FY24-25, to ensure that this annual review captures reviews of the Inspector relating to the operations of the IAs during FY25-26 *and* previous FYs, where those matters have not previously been reported on, I have decided to report on:

- matters finalised by this office in FY25–26, where the complaint was received in (i.e. carried over from) a previous financial year; and
- matters received and finalised in FY25–26.

I have noted in the statistics set out in the tables earlier in this report, but leave consideration for next year's report, all reviews that have not yet been finalised by end FY25–26.

I am satisfied[27] that publication of this report will have no effect on any complaint, report, assessment, investigation, or referral under the ICAC Act.

I have not included information in this report, publication of which would constitute an offence against s 54 of the ICAC Act. As OPI also has functions under the PCD Act, in conducting my annual review and preparing this report, I have been mindful of the confidentiality provisions under ss 44 to 46 of the PCD Act.

[27] As required by cl 9(9)(a) of Sch 4 to the ICAC Act.

The functions and powers of ICAC and OPI differ considerably. Therefore, it is appropriate to set out my reviews examining the operations of each agency separately.

Review of ICAC

Matters received during FY25–26

During FY25–26, the Office of the Inspector received five new matters concerning the conduct of ICAC.

Matters received during FY25–26 about ICAC	Number of matters
Complaints received during FY25–26	1
Self-reports received from ICAC during FY25–26	4
TOTAL	**5**

Table 8: Matters received during FY25–26 about ICAC

The one complaint this office received about ICAC in FY25-26 was from a member of the public. I determined that the complaint lacked sufficient detail for the purposes of review and was therefore not a relevant complaint. I took no further action in relation to that complaint.

Self-reports received from ICAC during FY25–26

ICAC self-reported four matters to the Inspector during FY25–26. This office finalised its review of two of the self-reports. Two self-reports are still under consideration and while no final determination has been reached characterising the alleged conduct, on the information currently available, the conduct in question does not raise issues of corruption.

In relation to the first finalised matter, Inspector Abbott considered an inadvertent confidentiality breach by the ICAC and was satisfied that the Commissioner's response to that matter was appropriate, thereby determining to take no further action.

In the second finalised matter, I considered a self-reported issue with the Commission's delegation instruments and authorisations. I was satisfied that the Commissioner's response to that issue in respect of delegations and authorisations was appropriate and proportionate such that it would guard against future errors.[28] I determined to take no further action.

Matters carried over from previous financial years

Seven of nine matters carried over from a previous financial year were finalised in FY25–26. One matter was commenced as an own motion review but was not proceeded with on the basis that a new statutory scheme had been enacted and there was little reason to apprehend that a similar concern would arise again. A second matter that commenced as an own motion review was also not proceeded with on the basis that it raised matters relating to the interaction

[28] This was discussed above in respect of the Inspection of the Commission's TI and SD records for October 2025 to April 2026 and I do not repeat that discussion.

and interpretation of statutory confidentiality provisions including the PID Act, that were addressed in other forums.

A further matter was a complaint about ICAC's investigation process. That complaint was extensively reviewed by Inspector Abbott who found no error on the part of ICAC and consequently determined to take no further action and closed the matter.

Two matters were general complaints about inaction by ICAC. I reviewed those complaints and made preliminary determinations that there was no error by the ICAC in its exercise of powers and functions in either matter. I advised each complainant of my preliminary determination and invited their response. Neither complainant responded and, accordingly, I confirmed my determination to take no further action.

Another matter was a complaint about the way that a previous Inspector had dealt with a complaint about ICAC. Inspector Abbott determined that there was no error identified in the way that the previous Inspector conducted that review and took no further action.

Another complaint was considered by Inspector Abbott, which he ultimately determined was not a relevant complaint. Inspector Abbott considered that insufficient facts had been provided by the complainant, he gave an opportunity to provide further detail but the complainant did not do so and he declined to conduct a review.

In respect of the matters that were not finalised in FY25-26, one matter is the review delegated to external Senior Counsel. That review commenced in the second half of FY24–25 and is not yet finalised. The second outstanding matter is a self-report made by ICAC during FY24-25. The review of this matter has involved obtaining complex technical evidence from experts from both inside and outside of government. Both reviews are expected to be finalised during FY26-27.

Materials provided by ICAC

During FY25–26, Ms Emma Townsend held the position of Commissioner of ICAC, having been appointed to that role on 3 February 2025. Ms Cassandra White commenced in the role of Deputy Commissioner on 4 May 2026.

For the purpose of the Inspector's annual review, Commissioner Townsend provided me with a significant amount of information and material in relation to ICAC's operations and exercises of power during FY25–26. This material sets out ICAC's work during the past financial year in respect of corruption allegations, education and prevention, and research projects on various topics identifying and protecting against fraud and corruption. The material provided sets out ICAC's organisational structure and robust policies and procedures which create the framework for ICAC to perform its statutory functions.

Receiving referrals and potential referrals for potential issues of corruption in public administration and investigating such referrals is undoubtably a significant and important component of ICAC's operations. Information and documentation from ICAC evidences that, in respect of corruption investigations under s 24(1)(a) of the ICAC Act during FY25–26, ICAC:

- continued 43 investigations from FY24–25 (up from 24 in FY23-24) and commenced 58 new investigations (down from 65 in FY24-25);
- concluded and closed 72 investigations (up from 42 in FY24-25), comprised of 31 investigations that commenced during FY25-26 and 41 investigations that were commenced in previous FYs;

- referred three matters to SA Police for further investigation and prosecution under s 36(1)(a) of the ICAC Act (this was an increase from two in FY24-25);
- referred eleven matters to a public authority for further investigation and potential disciplinary action under s 36(1)(b) of the ICAC Act (up from seven in FY24-25); and
- referred ten matters to the OSA pursuant to s 7(1)(d) of the ICAC Act and disclosed to the OSA information arising from investigations potentially relevant to the OSA's functions (up from four matters in FY24-25).

The Commission advised that, as at 31 July 2026, no charges have been laid in the three matters it referred to SAPOL for further investigation and potential prosecution during FY25–26. However, during FY25–26, charges were laid in a matter referred to SAPOL by the Commission in FY24–25.

During FY25–26, ICAC has continued work in relation to witness welfare in particular by the ICAC Witness Welfare Officer. This work included finalising a Witness Welfare policy and procedure and an information brochure for witnesses. ICAC reported that it is evaluating a proposal to engage an external provider to provide confidential advice to persons involved in ICAC investigations, in a similar model as an employee assistance program.

The Commissioner provided me with details and documents in respect of each time ICAC exercised powers under the ICAC Act. Most frequently, on 98 occasions, ICAC exercised the power under s 29A of the ICAC Act to inspect financial records (down from 132 in FY24-25) and on 22 occasions it exercised power to require a person to produce a document or other thing in accordance with s 29 of the ICAC Act (compared with 25 in FY24-25). On seven occasions, on application by an investigator, a judge of the Supreme Court issued a warrant authorising the search and entry of a place or vehicle pursuant to s 31(2) of the ICAC Act (down from 28 in FY24-25).

During FY25–26, two summonses to give evidence and/or produce documents or things were issued pursuant to cl 4 of Sch 2 to the ICAC Act.

I am advised that ICAC did not identify any corruption in public administration involving OPI, OSA, or employees of OPI or OSA during FY25–26, nor did it investigate any such conduct.

In relation to its prevention and education functions, ICAC published four reports in FY25–26 on various topics pursuant to ss 40, 41 and 42 of the ICAC Act. Those reports are available on ICAC's website which had approximately 39,500 visits in the last financial year (up from 31,000 visits in FY24-25). Of significant note is ICAC's report published in June 2026, on its review of South Australia's whistleblower protection regime.[29] This detailed report spans 184 pages and sets out 61 recommendations for reform. Prior to the release of the report, I attended a public forum facilitated by the Commission in April 2026 and was impressed with the quality of the discussion which importantly included voices with lived experience (having been whistleblowers) as well as other valuable contributors. I commend the Commission on this important contribution to enable informed policy development in this space.

Additionally, ICAC ran 62 training and education sessions delivered to approximately 2,074 attendees (compared with 67 sessions and presentations to 1,200 attendees in FY24-25).

[29] ICAC, *Doing right by those who call out the wrong* (Final Report, June 2026).

A note on inspection methodology

In the course of my review, I made enquiries with the Commissioner as to whether I could obtain full access to ICAC's case management system to assist with my review of ICAC's exercise of powers during FY25-26. The Commissioner advised that compliance with the PID Act and other legislation could not be assured if I were granted unrestricted access to the case management system. I understand the concerns the Commissioner raised in relation to compliance with PID Act and as discussed throughout this annual review, have noted the impact of the PID Act on the Inspector's review function. In lieu of unrestricted access to ICAC's case management system, I was provided with redacted documents containing the information sought, when requested, as well as being provided full access to particular matters where ICAC considered there was no restriction on access, for example, permission had been obtained from the reporter and there was no restriction of access arising under legislation. In those circumstances, in the balance of the current financial year, I intend to ask additional questions of ICAC as to the method by which it reports each exercise of a power or function to me, noting I am unable to determine this for myself without unfettered access to their systems.

Were the powers of ICAC exercised in an appropriate manner?

ICAC advised me that it obtained search warrants issued by a judge of the Supreme Court pursuant to section 31(2) of the ICAC Act on seven occasions during FY25-26. ICAC provided a copy of each warrant and the associated application and affidavit. On review of those materials, I identified that two of those warrants were not dated by the Issuing Judge (nor was the time they were issued recorded) and three of the warrants were not fully completed by the Issuing Judge in that "tick boxes" specifying what the warrant authorised an investigator or police officer to do were not selected. ICAC's legal officers who attended before the Issuing Judges did not detect those issues. At the time the warrants were executed (in the cases where they were executed), those issues were not detected by the holders of the warrants.

I wrote to the Commissioner and brought these issues to her attention. I advised the Commissioner that I intend to recommend that ICAC reviews its proforma warrant documents to ensure that there is a field for the Issuing Judges to record the date and time that any warrant is issued and that ICAC provides training to its legal officers who may be preparing and attending before Issuing Judges with applicants, and to investigators who could be applicants and holders of issued warrants as what is required to render a warrant valid on its face.

The Commissioner has advised me that her staff use forms from the Courts website which themselves do not contain a field specifying the recording of a date or time of issue. The Commissioner advised that a draft procedure for applications for search warrants is currently under final review with ICAC's Policy and Compliance Committee. Whilst the Commissioner is of the view that the warrants in question were not defective by virtue of the failure to select the tick boxes, or record the date of issue (noting the date could be determined from the applications and the Commission's file), she has agreed that the failure to ensure that the warrants were dated, time of issue recorded and 'tick boxes' selected was not best or usual practice and has advised that legal officers will receive training in this procedure once it is finalised. The Commissioner has advised me that she does not consider that investigators require training. The Commissioner has advised me that she will alert SAPOL, to whom evidence derived from a search utilising the undated warrant has been referred, to the fact that the executed warrants were undated.

In light of these issues, I intend to write to the Commissioner and request that she provide me with copies of warrants issued to Commission staff following their issue henceforward with a view to this office providing oversight of compliance with usual practice in real time.

The Commissioner self-reported that a number of s29A Notices, which can be issued to an 'investigator' by the Commissioner for the purpose of inspecting and taking copies of financial records in accordance with the issued authorisation, had been issued to a SAPOL officer who was not an 'investigator' for the purposes of the ICAC Act and who was therefore ineligible for a section 29A authorisation. The Commissioner advised that any records that had been received pursuant to the relevant Notices were quarantined and fresh Notices were prepared.

I am satisfied that the steps taken by the ICAC to quarantine the relevant Notices, issue fresh Notices in the name of an ICAC investigator and to inform the financial institutions that there had been an administrative error was appropriate.

ICAC advised that in FY25-26, an examiner included a notation on two notices to produce documents, the effect of which was to prohibit the recipient releasing specified information[30]. In response to some questions I raised (which were answered to my satisfaction), ICAC discovered that due to an oversight, notices under clause 6(5) of Sch 2 to the ICAC Act were not issued upon the cancellation of four notices in that investigation. ICAC has advised that action is now being taken to address the non-notification of the statutory cancellation in this investigation. Whilst there is no time limit stipulated, ICAC acknowledges that this action should have been taken at an earlier time once the notices were cancelled. ICAC also advised as to the additional measures it will put in place to guard against the requirements in Sch 2 clause 6(5) being overlooked when notices are issued in future.

The Commissioner provided me access to view eight notices limiting action by other agencies and authorities and three notices of joint investigation issued pursuant to s 34 of the ICAC Act. I consider that, during FY25–26, the Commission exercised powers pursuant to s 34 of the ICAC Act appropriately.

Having conducted reviews in relation to the conduct of ICAC and having considered information and material provided by the Commissioner concerning each instance where the Commissioner (or her delegate) exercised a power under the ICAC Act during FY25–26, I am satisfied that the powers of ICAC were exercised in an appropriate manner during FY25–26, although I consider that ICAC could improve its practices with respect to the checking of warrants issued to it by judicial officers as discussed above which I intend to continue to discuss with the Commissioner.

Evidence of Corruption, etc

During this period, I did not identify any evidence of corruption, misconduct, or maladministration in public administration by ICAC or its employees. As noted above, there are currently four reviews underway in respect of the conduct of ICAC, which conduct occurred prior to FY25–26. It is important to note that three of those matters have been brought to this office's attention via self-reports by the current or a former Commissioner. Those reviews have not yet been finalised and, as such, no final determinations have been made. As no findings have yet been made in those reviews, they have not informed the conclusions I have made in

[30] Under clause 6(2) of Sch 2 to the ICAC Act

this annual review. I anticipate that, if any significant findings are made in due course, those reviews will inform the Inspector's annual review of the ICAC in the next FY.

I did not identify any evidence of unreasonable delay in the conduct of investigations that were conducted by ICAC under the ICAC Act. I am advised that, from 1 July 2025, the KPI for closing new Non-Complex Investigations is within 9 months, compared with within 15 months for Complex Investigations. ICAC advised that all investigations commenced after 1 July 2025 were finalised within the KPI period, with a number of complex investigations remaining open. I also note that 28 matters were closed in FY25-26 which took longer than the 9 month KPI, however, I understand that these matters were commenced prior to 1 July 2025 (when the revised KPIs for new matters were introduced) and therefore, they were not subject to an assessment as to whether a 9 or 15 month KPI applied. ICAC has provided me with information about each of these matters and I accept ICAC's reasons for the time taken to investigate them which include complexity of the matter, staffing matters and competing priorities.

It was previously reported that ICAC has a number of measures in place to guard against unreasonable invasions of privacy including robust procedures for the authorisation of each proposed exercise of coercive power and applications for warrants, and regular training in the appropriate use and disclosure of information. Whilst I have made recommendations to the Commissioner that practices and procedures in relation to the checking of warrants obtained require further review and training for Commission staff, I have not detected unreasonable invasions of privacy by ICAC.

I did not identify any instances of undue prejudice being caused to the reputation of any person by ICAC or employees. It follows that no statements or materials were published by Inspector Abbott or me during FY25–26 to alleviate such prejudice, nor were any recommendations made that compensation be paid to any person by ICAC.

Were the practices and procedures of ICAC effective and efficient?

I have reviewed material provided by the Commissioner which includes detailed and considered procedures on topics such as investigations, requests and referrals of matters to the Commission by the OPI, and media management, thereby augmenting the effective and efficient work of ICAC.

I note that in FY25–26, 58 corruption investigations were commenced (compared with 65 in FY24-25) and 72 such investigations were closed including investigations commenced in previous FYs, three matters were referred to SAPOL for further investigation with additional matters being referred to other relevant authorities for further investigation and disciplinary action.

I consider that the practices and procedures of ICAC were effective and efficient during FY25–26.

Did ICAC carry out their functions in a manner likely to assist in preventing or minimising corruption in public administration?

I am satisfied that ICAC has carried out its functions set out in s 7 of the ICAC Act in a manner likely to assist in preventing or minimising corruption in public administration. I have had regard to the significant number of potential corruption allegations identified and investigated by ICAC and referrals to both SA Police and other relevant authorities.

I also note the important work of ICAC in the publication of reports as part of its prevention function, various strategic research projects as part of its evaluative function and the significant number of attendees at ICAC's training in the performance of ICAC's education function.

Review of OPI

In conducting this Annual Review, I am informed by reviews conducted by Inspector Abbott, reviews conducted by me as Deputy Inspector under delegation and as Acting Inspector, and my review of materials provided or made available by OPI for the purpose of the annual review.

In conducting my annual review of OPI, I am required under cl 9(1)(a)(i) of Sch 4 to the ICAC Act to consider whether OPI exercised its powers under the ICAC Act in an appropriate manner. Clause 9(1)(b) of Sch 4 to the ICAC Act enables me to examine any particular exercise of power by OPI. I consider that it is appropriate for me also to review OPI's oversight of complaints and reports relating to designated officers under the PCD Act pursuant to cl 9(1)(b) of Sch 4 to the ICAC Act.

Matters received or initiated during FY25–26

During FY25–26, the Office received or initiated the following new matters about the operations of OPI:

Matters received or initiated during FY25–26 about OPI	Number of matters
Complaints	**44**
Reviews of relevant complaints	12
Own motion reviews[31]	16
Complaint not relevant / no further action	10
Jurisdiction not yet determined	6
Self-reports	**19**
Own motion reviews	15
Noted, no further action taken	3
Jurisdiction not yet determined	1
TOTAL	**63**

Table 9: Matters received or initiated during FY25–26 about OPI

[31] These reviews were conducted pursuant to my own motion powers under the ICAC Act but arose out of complaints which typically did not fall within the definition of a relevant complaint (including complaints about the OPI's oversight of matters under the PCD Act).

Sixteen of the 44 complaints received about the OPI during FY25-26 related to OPI's oversight function under the PCD Act. In each of those matters, reviews pursuant to the Inspector's own motion jurisdiction were initiated. Eleven of those complaints were finalised by way of no further action and the remaining five are under consideration.

The Inspector received 12 'relevant complaints' about the OPI during FY25-26. Ten of those complaints arose out of disagreement with the outcome of an assessment conducted by OPI pursuant to s 18E(1) of the ICAC Act. Eight of those matters were finalised. No errors were identified in OPI's assessment of the first instance complaints under the ICAC Act. In each case, the actions taken by the OPI were considered to have been appropriate in the circumstances of the particular matter. Two relevant complaints about the OPI's discretion under s 18E(1) of the ICAC Act remain under consideration. One relevant complaint related to the OPI making a determination to not receive the complaint under section 18A(3) (with which I found no error). One relevant complaint concerned a purported misstatement by the OPI in the course of a referral to another agency. That matter remains under consideration.

Ten complaints received about the OPI were deemed to be outside of the Inspector's jurisdiction. In six of those matters, the first instance complaint to the OPI was still under consideration. Complainants in those matters were invited to re-agitate their complaint to the Inspector once the matter had been finalised by OPI, should their concerns remain. Two complaints, whilst making reference to OPI, lacked sufficient detail about the alleged conduct such that the definition of a relevant complaint was not met. In both instances, the complainant was invited to provide further information about their complaint, in one instance the complainant did not respond and in the second instance, better detail was not provided. One complaint also raised a disagreement with OPI's decision to not provide an in-person interview to a complainant without further information (which I considered was appropriate in the particular circumstances of that matter). One complaint, whilst about the OPI, re-agitated issues which had already been the subject of a review of a relevant complaint by the Inspector. In each of these matters, the complaint was determined to be outside of the Inspector's jurisdiction and a review was not commenced. All ten complaints were finalised during FY25-26.

Six complaints received about the OPI during FY25-26 were, as at 30 June 2026, under initial consideration and had not had a determination as to jurisdiction or issues raised.

OPI also self-reported 19 matters to the Inspector. In 15 such matters, own motion reviews were commenced to inquire further into the matters raised. Ten of the 19 matters were about confidentiality breaches. I have commented further on inadvertent disclosures below. Three self-reported matters were resolved by way of no further action. While an own motion review into those matters were not commenced, I consider it was nonetheless entirely appropriate that the Director reported those matters to me. One self-reported matter remains under consideration.

Complaint themes – PCD Act oversight

A common theme in OPI matters (both complaints and self-reports to the Inspector) was that OPI was more likely to, understandably, make an error in its consideration of a matter where a complainant had made a multitude of complaints or made repeated contacts with OPI. For example, OPI may have initially overlooked a particular aspect of a complaint or failed to register a new complaint. That an aspect of a complaint is missed is unsurprising, particularly

in the conduct of oversight of PCD Act complaints where OPI has a statutorily mandated 3 days to register and refer a complainant to the IIS and where it receives so many complaints.

Repeat contact by particular individuals, who may have difficulty clearly expressing the precise event that they complain about, is a regular challenge for OPI. I have observed and commend the significant efforts of the Director and her staff to assist persons who are often more vulnerable to articulate their complaints and ensure that each are registered and assessed by the IIS.

Several complaints received about OPI's oversight of PCD Act matters were, at their heart, a disagreement with the IIS' assessment to resolve the matter by way of 'management resolution'[32] or no further action. Complainants to this office were aggrieved that OPI failed to intervene in the assessment of their complaint. I observe the circumstances of these matters are often very personal and emotional for complainants, so the perceived lack of action or consequence often leaves complainants frustrated. For example, in one matter, in the course of their duties, SAPOL had cause to publish a public notice naming the complainant. The detail of the notice went beyond what was strictly required and included private information about the complaint. This took place within a small community and understandably caused the complainant embarrassment and distress. IIS determined Management Resolution was appropriate for the officer who drafted the notice and the OPI agreed, but this did little to alleviate the embarrassment and distress which had already been caused to the complainant.

In FY25-26, the Inspector considered the OPI's oversight of the IIS' handling of complaints with respect to the application of the law of trespass. The OPI self-reported apparent errors in its oversight on two occasions and the Inspector received a complaint in respect of one of those incidents.

The complaint received alleged that OPI, instead of exercising independent oversight, appeared to simply endorse the decision of SAPOL's Internal Investigation Section (**IIS**). The complainant stated that they had submitted several complaints to OPI concerning serious misconduct by SAPOL officers, including unlawful trespass and property damage which were supported by audio evidence. The complainant alleged that the OPI closed their complaints without any thorough consideration. The complainant advised that in mid-2025, the IIS informed them that the same complaint previously dismissed twice was deemed suitable for "Management Resolution", despite no new evidence being submitted. The complainant advised that OPI offered no explanation for this sudden reclassification, nor any clarity on how or why the prior assessments were overturned.

Approximately a week after this office received the complaint, OPI self-reported to the Inspector that, in the course of performing their oversight function, OPI had failed to detect the potential breach of discipline raised by the complainant. The OPI appropriately conceded that this issue should have been raised with the Officer in Charge of the IIS. The error was identified by IIS when they reconsidered the matter.

As part of the Inspector's consideration of the complaint and the OPI's self-report, Inspector Abbott and I attended the OPI and viewed body worn video (**BWV**) of the officers attending the complainant's home. We noted the officers' attendances at the complainant's property, the duration of those attendances and the officers' actions of knocking on the complainant's door and moving around other parts of the complainant's property. Inspector Abbott considered that

[32] PCD Act s 18.

the actions of the police, in light of the notice on the complainant's front door, raised a potential breach of discipline.

The Inspector sought further information from the OPI as to why this breach had not been detected and what measures were in place to ensure such an error is not repeated in the future.

In response, the Director of the OPI acknowledged that the OPI was in error in conducting the oversight of the IIS in relation to this matter. The Director informed the Inspector that based on the information she had, she considered the error was as a result of:

- first, the adoption of the erroneous interpretations of the IIS;
- second, an incorrect assumption about the wording of the signage; and
- third, an erroneous view on whether a trespass had occurred (incorrect legal interpretation).

In relation to the Inspector's enquiry about the measures in place to ensure that such an error is not repeated, the Director advised:

- that the OPI maintains a database of resources – including resources outlining the powers of police on private property;
- OPI staff are frequently reminded of the resources available in the database;
- she reminded staff of matters pertinent to the powers and obligations of police when they attend on private property;
- the OPI is committed to providing ongoing training on the topic in 2026;
- when staff commence employment with the OPI, they are provided training on using the research resources on the database; and
- all legal staff at OPI are provided with training on SA Police resources available to them, including SAPOL General Orders, and staff have been observed locating and reviewing General Orders when they have not been referenced by the IIS.

Further, the Director advised that the management resolution process resulted in both police officers being recorded as having been apologetic for a genuine mistaken belief about their authority.

The Inspector considered the information provided by the OPI and the frank concession that an error was made. The complainant was informed that the Inspector had determined to take no further action in relation to their complaint because:

- the error was identified and rectified by the IIS and the OPI self-reported the error as soon as it became aware of it;
- staff at the OPI received relevant training; and
- the error was innocent and not a result of corruption or intentional misconduct.

The complainant was assured that the error in oversight would be transparently reported upon in this Annual Review.

After the above determination, the OPI self-reported to this office a further occasion in which assessing officers had failed to identify an instance of trespass by police officers who had attended an address where the resident had revoked implied consent for the police to be on

the property. The circumstances of the matter were complex in that the police were trying to locate a missing and very vulnerable person. Nevertheless, the incident again highlighted the need for training on the operation of the law with respect to revocation of consent to be on private property.

In the time between the above failure to identify the trespass and the self-report, the OPI had delivered training to its staff on the law of trespass. On the basis that this Office had not received a complaint from the resident, that this training was provided after the erroneous OPI assessment and noting also that the Director of the OPI had recommended to the IIS that the law of trespass is an area for the IIS' further training, the Inspector determined to note the self-report and publish its details here but otherwise take no further action.

Matters carried over from previous financial years

Of the 27 matters carried over from previous financial years, determinations have been made in all but one.

Of the 26 matters finalised, where Inspector Abbott or I engaged with the OPI in respect of issues raised in these complaints or self-reports, the responses were appropriate, we ultimately found no error and made no practices and procedures recommendations.

The one matter that was carried over from FY24-25 and remained under consideration at the end of FY25-26 was paused from November 2025 to June 2026, pending further consideration by the OPI of issues relating to the substance of the complaint. In June 2026, the OPI finalised its consideration of that matter, the complainant has since indicated to the Inspector that they wish to press their complaint albeit now raising revised issues and material. That complaint remains under consideration by this office.

Materials provided by OPI

Ms Vanessa Burrows held the position of Director of OPI for FY25-26, having been appointed to that role in March 2025. Director Burrows has provided me with information and materials in relation to OPI's operations and exercises of power in FY25–26. It is evident that the OPI continues to receive a substantial number of reports, complaints and enquiries both in respect of matters under the PCD Act and the ICAC Act. I am advised that a focus of FY25-26 for OPI has been training its frontline staff to provide more robust advice at the point of first contact including about the role of the OPI under the ICAC and PCD Acts and the roles of other complaint resolution bodies. I commend this work as a strategy to efficiently deal with the high volume of enquiries, which continues to increase in keeping with trends across all IAs and this office. The information and material provided to me by Director Burrows outlines how OPI is continuously working to improve its practices and procedures, which I will discuss further below.

Were the powers of OPI exercised in an appropriate manner?

OPI under the ICAC Act has only one coercive power: to compel information from a public authority or public officer pursuant to s 18E(3) of the ICAC Act.

The OPI reported to me that, during FY25-26, it implemented a change in practice to information sharing arrangements between the OPI and OSA. Previously, those IAs agreed that because of the confidentiality provisions of the ICAC Act and Ombudsman Act, it was appropriate for the OPI to use s 18E(3) powers to compel information from the OSA if so

required. On 31 March 2026, the OPI and OSA agreed to amend this process such that, in general, requests for information are to be made by informal request, rather than relying on statutory powers. Power pursuant to s 18E(3) may still be exercised by the OPI if the circumstances require. Due to this agreement, I anticipate a decrease in the OPI exercising power pursuant to s 18E(3) in respect of requests for information from the OSA.

OPI reported to me that during FY25–26, OPI issued four notices pursuant to s 18E(3). The OPI also reported a further notice pursuant to s 18E(3) that was issued in June 2025 (i.e. in the previous FY) but was not previously reported to the Inspector due to the time the action was recorded in the OPI's case management system. It was therefore not included in the annual review for FY24-25. For completeness, I have also had regard to this June 2025 exercise of s 18E(3) power in this annual review. In order for me to review OPI's exercise of power per s 18E(3), OPI granted access to OPI's electronic case management system in respect of two complaint files. The OPI advised that information on the remaining three files where s 18E(3) power was exercised, were protected pursuant the provisions of the PID Act.

My office inspected the two aforementioned matters which arose from complaints from members of the public. In one matter, a request for information was made to a government agency in the first instance in lieu of a formal notice pursuant to s 18E(3). When corresponding with that government agency, the relevant OPI officer referred to s 18E(3) but did not use the OPI template Notice. I am advised by OPI that this officer has been reminded to use the Notice template when seeking information pursuant to s 18E(3). As I understand that formal Notices are used infrequently (in favour of informal requests) and the OPI has reported this instance to me, I do not consider this to be a systemic issue. The notice I have reviewed for the purpose of this annual review and template comprehensively sets out the terms of s 18E(3) and fosters compliance with that provision.

In respect of the three files in which power pursuant to s 18E(3) was exercised during FY25-26 and to which PID Act confidentiality provisions apply, OPI provided a general summary of each file and the agency they related to. I have assumed that the information provided by OPI about those three matters is accurate. However, this office's inability, due to s 8 of the PID Act to have unrestricted access to the records of OPI hinders my ability to conduct a thorough review of OPI's exercises of power and requires additional resources from OPI to summarise the matters for the purpose of my annual review.

In respect of one of these matters, OPI explained that it did not receive a response from the agency to whom the s 18E(3) notice was issued. However, this appears to have been primarily due to process error and oversight by the relevant administrative officer holding a temporary position within the agency that received the notice. Director Burrows has explained to me, the remedial action taken by the OPI in response to this error which included reminding staff of correct procedures and reporting within the OPI's case management system to enable s 18E(3) notices to be tracked and reported.

In summary, having conducted reviews in relation to the conduct of the OPI and having been provided with materials and information concerning each instance where the OPI exercised a power under the ICAC Act during FY25–26, I am satisfied that OPI overall exercised its powers in an appropriate manner during FY25–26.

Evidence of Corruption, etc

During this period, I did not identify any evidence of corruption, misconduct, or maladministration in public administration by the OPI or employees of the OPI.

Director Burrows has informed me that OPI encourage accountability of its staff. The OPI support staff to self-report any errors that they have made and consider it important to report such errors to this office. Director Burrows noted OPI staff have recently been reminded of the role of the Inspector and their obligation to report any errors to their manager, noting the proactive approach that the OPI takes to reporting matters to this office. Staff have also been instructed on how to manage a self-report.

During FY25–26, and in keeping with the culture of self-reporting that the OPI has demonstrated in previous FYs, this office received a number of self-reports in relation to various inadvertent errors by OPI. These reports largely relate to administrative errors and oversights which resulted in potential breaches of privacy and potential breaches of s 13(2) of the PCD Act (failure to refer complaints about SAPOL officers to the IIS within the statutorily required three days of receipt). In making self-reports, OPI has maintained its practice of providing me with access to the relevant OPI file and setting out any action taken by OPI when a potential error has been identified.

During FY25-26, the OPI self-reported to Inspector Abbott a potential conflict of interest in respect of one matter concerning a report made to the OPI. Inspector Abbott determined to take no further action in respect of that matter. I have considered this self-report as part of this annual review and it is evident that the report by OPI was made out of an abundance of caution and transparency and that there was, in fact, no actual or perception of a conflict of interest. In reviewing this matter, Inspector Abbott noted the OPI's proactive approach towards self-reporting such matters.

The OPI is acutely aware of the confidentiality requirements pursuant to the ICAC Act, PID Act and PCD Act that it must adhere to in carrying out its role and functions. The confidentiality provisions include restrictions pertaining to the complainant and reporter's personal details.

I am informed by Director Burrows that OPI trains all its staff in relation to the legislative confidentiality provisions in the ICAC, PCD and PID Acts. I am told that the confidentiality provisions of each Act are explained during staff inductions and, thereafter, in ongoing training.

I am advised by Director Burrows that the OPI has several operational processes in place to ensure the privacy of complainants and reporters. In FY25-26, OPI maintained the practice of when it registers a complaint under the ICAC or PCD Acts, whether by telephone or online form, it ascertains whether the complainant or reporter consents to their details being provided to another agency. A banner is displayed within Resolve (the electronic case management system) warning users if a person does not consent to being identified as the informant, in which case OPI takes care to redact identifying details from documents before referring the matter to another agency. The OPI also has 'double checking' and 'secondary checks' practices in place when sending mail to prisoners and when redacting reporter's details in documents to be shared. Staff are encouraged to actively participate in continuous improvements of OPI practices, particularly in relation to the management of confidential information.

Notwithstanding a diligent and robust approach to the maintenance of confidential information, I acknowledge that human error can occur, particularly when handling a high volume of complaints and confidential information.

The OPI has reported to me, 13 occasions where errors were invertedly made in respect of confidential information during FY25-26. These errors relate to inadvertent disclosure of confidential information (in particular, complainant or reporter details), due to human error or oversight. There is no suggestion on the information provided by the OPI that any of the erroneous disclosures were intentional, and there is no evidence of corruption or misconduct. Seven of the 13 errors were separately reported to the Inspector over FY25-26 in keeping with the OPI's practice of self-reporting. Those seven self-reports were reviewed by either Inspector Abbott or myself and a determination made to take no further action. My review of the remaining six matters has not yet been finalised. On the information available and subject to further review, the issues reported relate to administrative error and do not suggest evidence of corruption or misconduct.

In one matter that was the subject of a self-report by the OPI, a reporter to the OPI made serious and credible allegations of corruption which were subsequently referred to ICAC (with other aspects of their complaint referred to the Ombudsman and one further aspect to an interstate regulatory body). The reporter explained to the OPI's intake officer that they were very nervous about having made the report – asking questions about who in the OPI would have access to their information and expressly referring to their nervousness. The intake officer reassured the complainant that given their qualified consent was only to provide their details to the Ombudsman, they would be contacted if their complaint was assessed as needing to go to another agency. There were further discussions about which agencies would be contacted.

Unfortunately, due to a cut and paste error, the reporter's name *was* included in the letter referring part of the reporter's complaint to the interstate regulatory body. The OPI self-reported this error and apologised to the reporter.

The Inspector raised with the OPI a number of areas for systems improvements. The OPI implemented:

- a procedure in relation to the redaction of documents, which requires that documents be searched for any reference to redacted text and that a second staff member check the document before sending. This procedure also requires that any correspondence where the identity of a complainant or reporter has been removed (after checking that consent is not provided) to be submitted to a decision maker to be settled; and
- a change to their case management system so that the 'consent to provide name' field could be marked as "conditional".

Whilst I consider that inadvertent disclosures are serious matters, I acknowledge the OPI's commitment to continuous improvement and response from the Director of OPI upon any inadvertent errors in the work of that office being identified. I also acknowledge the transparent and mature approach taken by the Director of the OPI with respect to her prompt self-reporting to this office of any issues identified.

I am of the view that whilst there have been errors made on occasion by the OPI in respect of complainant details, the errors are reflective of a high volume of work and significant time pressures. I do not consider there are systemic issues in respect of the handling of confidential

information, and I am not aware of any instances that have been reported to me, affecting the outcome or treatment of a complaint or report. Overall, neither I nor Inspector Abbott identified, in the course of our reviews concerning the operations of OPI during FY25–26, any evidence of unreasonable invasions of privacy by OPI or employees of OPI.

The OPI has advised that, when determining whether to authorise disclosure of information pursuant to s 54 of the ICAC Act, it will always consider the risk of undue prejudice. In considering how a complaint or report should be dealt with under the ICAC Act, the OPI will weigh the risk of undue prejudice to a person's reputation and balance this with the public interest in exposing corruption, misconduct and maladministration in public administration. In doing so, the OPI has regard to the primary objects of the ICAC Act set out in s 3(1)(c).

I did not identify any instances of undue prejudice being caused to the reputation of any person by OPI or employees of OPI. It follows that no statements or materials were published by Inspector Abbott or me to alleviate such prejudice, nor were any recommendations made that compensation be paid to any person by the OPI.

Were the practices and procedures of OPI effective and efficient?

I am advised by Director Burrows that the OPI is committed to continuous improvement, in particular, in relation to the efficiency and effectiveness of its operations.

The OPI has also advised that the requirement to refer a police complaint to the IIS within 3 calendar days (in accordance with s 13 of the PCD Act), continues to pose administrative difficulties. The OPI has produced to me a register of matters that were referred to IIS after the 3 calendar days. The register records that 145 complaints or reports were referred to IIS outside of the required 3 day period. Each entry on the register records the reason why the matter was not referred within 3 days. The most common reasons cited are staff workload and/or time taken to clarify matters reported to ensure appropriate referral to IIS. On most occasions, the complaint or report was referred only a number of days after the 3 day requirement. In the circumstances, whilst I acknowledge that these matters were referred to IIS outside of the timeframe prescribed by s 13 of the PCD Act, I consider that the delay would have likely been of no consequence and make no criticism of the OPI. I acknowledge the efforts of OPI to ensure compliance with s 13, the high volume of complaints and challenges posed by staff workload and resourcing. OPI has requested legislative reform on this issue which request I endorse.

Director Burrows has advised me that in the FY25–26, OPI introduced the following innovations:

- ongoing improvements to information available to OPI staff on 'SharePoint' including instructions for managing 'self-reporting' to the Inspector.
- an 'early resolution process' to identify matters at the time they are received as being recommended for 'full assessment' by a legal officer, or for more simple matters, a more efficient 'recommendation' to a legal officer as to how the matter should be assessed. In FY25-26, approximately one third of matters were assessed in the early resolution process, resulting in faster outcomes for simpler matters. Additionally, since April 2026, senior legal officers have been heavily involved in triaging matters for assessment. These changes in practice have had the combined effect of reducing matters waiting assessment under the ICAC Act from approximately 237 in March 2026 to approximately 108 at the end of FY25-26.

- From July 2025, the OPI commenced an organisational restructure process which was finalised and implemented on 1 September 2025. The restructure involved removal of some positions and replacement of alternative roles, and change to team structure and management responsibility. This has streamlined the progression of work through OPI and expedited the early resolution of complaints, where possible. Director Burrows intends to review the restructure at the conclusion of 12 months of operation.
- Creation of a new file type (Oversight Review) to record when the OPI conducts an internal review of its oversight of a police complaint, following a complainant reporting they were 'Dissatisfied with IIS'. On occasion, this practice has identified errors in the OPI's oversight of police complaints, which have, in turn been reported to the Inspector.
- Review of the OPI's 'Working from Home' guidelines to ensure consistency with SA Government and Attorney-General's Department position on flexible working arrangements.
- Review and development of several employment documents including Conflicts of Interest forms and Declarable Associations form, with a view to identifying potential risks to the security of information and maintaining integrity.
- Implementation of a new process of secondary checking of all redacted documents being sent from OPI.
- Amendment of OPI's policy: 'Threats and Welfare Concerns' to include information about extremism and 'red flags' in the wake of the Bondi Beach attack.
- Ongoing training for staff including professional development for legal officers, E-Matrix training for dealing with complainants and vicarious trauma training.
- A new process of managing and recording correspondence received on closed files to ensure such correspondence is not at risk of being overlooked and it is appropriately actioned.
- Instructions to staff about OPI's external stakeholder contact list to ensure correct contact details for referrals and appropriate disclosure of such contact details.
- Streamlining of the way in which the OPI communicates with members of the public by encouraging contact via telephone and online form communications rather than email, and creation of new email addressed for 'do not reply' correspondence and referrals to inquiry agencies and public authorities.
- Establishment of a 'Resolve' working group within OPI, comprised of staff from each team across the office, to identify issues and efficiencies relating to the Resolve case management system.

Overall, I consider that the practices and procedures of the OPI were effective and efficient during the FY25–26.

Did OPI carry out their functions in a manner likely to assist in preventing or minimising corruption in public administration?

The functions of OPI, pursuant to s 17 of the ICAC Act, are to:

- receive and assess complaints about public administration from members of the public;

- receive and assess reports about corruption, misconduct, and maladministration in public administration from inquiry agencies, public authorities, and public officers; and
- refer complaints and reports to inquiry agencies, public authorities and public officers or determine to take no further action.

One of the primary objects of the ICAC Act is to establish OPI to manage complaints about public administration with a view to the identification of corruption, misconduct and maladministration, and to ensure that complaints about public administration are dealt with by the most appropriate person or body.[33]

I have been informed by Director Burrows that OPI carries out its functions with the primary objects of the ICAC Act in mind and in a manner that is designed to assist in preventing or minimising corruption in public administration. Director Burrows has referred to the following instances as examples of how OPI carries out its functions in a manner that is designed to assist in preventing or minimising corruption in public administration:

- During the FY25–26, staff of OPI delivered approximately 59 education sessions to public sector agencies and police officers about the role of the OPI. The education sessions included information about the early identification of corruption, reporting obligations and other integrity agencies (Ombudsman and ICAC). This number of education sessions is a decrease on the 90 delivered in FY24-25 and reflects the increased workload in OPI.
- Attendance by OPI staff at an interagency training day with staff of the Ombudsman and ICAC in May 2026, which allowed for staff from each IA to engage in discussions on key issues across the integrity landscape.
- In June 2025, the IAs entered into a Memorandum of Understanding regarding information sharing and during FY25-26, the IAs established a data-sharing committee, with representatives from each IA.
- By the OPI itself demonstrating accountability in encouraging self-reporting of any mistakes or problems of OPI staff, educating public officers about the role of the Inspector in overseeing OPI, and providing complainants and reporters with information about OOTI when they express dissatisfaction with OPI.
- The OPI engaged with the ICAC in its recent Whistleblower project including through a formal submission, participating in the recent public forum and providing feedback on draft recommendations.

As I have regularly met with Director Burrows across the financial year and in my correspondence with same, I have observed that the OPI take as a proactive approach to self-reporting matters to OOTI and their culture of transparency and accountability remains strong in FY25-26.

I am satisfied that the OPI carried out its function in a manner likely to assist in preventing or minimising corruption in public administration during FY25–26.

[33] ICAC Act s 3(1).

Information provided by the OPI about the operations of the ICAC and Ombudsman

Separately to my annual review of the OPI, for the purpose of my annual review of the ICAC and Ombudsman, I requested of the OPI that it inform me of whether it had received any complaints or reports about those agencies during FY25-26.

The OPI reported to me, that on 11 occasions during FY25-26, it registered complaints about the OSA and/or the ICAC. On only one occasion, it assessed a complaint and referred an administrative matter to a public authority, pursuant to s 17(1)(c). On the information available to me, I am satisfied that the issues raised are not related to any potential evidence of corruption or concern as to the subject agency's performance of functions and exercises of powers. Whilst I acknowledge the OPI's transparency and efforts to enable me to be fully informed about matters concerning all IAs, and diligence in providing a comprehensive response to my inquiry, I am of the view that the issues raised are not relevant to my annual review of the agency in question.

In respect of the 10 remaining complaints, the OPI took no further action and closed the file for reasons that I consider to be appropriate including that the OPI had received notice of the complaint as it had been copied into correspondence (which was not directly addressed to OPI), that the complaint had already been considered by another agency and did not require re-examination, or the OPI provided the complainant with OOTI's contact details and directed the complainant to make their complaint to the Inspector.

Review of OSA

I am required by the Ombudsman Act to conduct an annual review of OSA. I am required by s 29(2) to consider the following matters in relation to the operations of OSA during the FY25–26 whether:

- the powers under the Ombudsman Act were exercised in an appropriate manner (including whether undue prejudice to the reputation of any person was caused);
- the practices and procedures of OSA were effective and efficient; and
- OSA carried out its functions under the Ombudsman Act in a manner that was likely to assist in the proper exercise of administrative powers in the State.

As with ICAC and OPI, I have not limited my review of the OSA to complaints and self-reports about actions of the OSA during FY25–26 and have had regard to all relevant complaints received by this office during FY25–26[34] and also to carried over complaints.

I am satisfied[35] that publication of this report will have no effect on any complaint, report, assessment, investigation, or referral under the Ombudsman Act.

I called for submissions into the operations of OSA during FY25–26 as required by s 29(4) of the Ombudsman Act and received one submission in relation to the operations of the OSA being the submission previously referred to.

[34] Required by s 29(13)(a) of the Ombudsman Act.
[35] Required by s 29(12)(b) of the Ombudsman Act.

Complaints and reviews about OSA

In FY25–26, I received or initiated the following new matters about the operations of OSA:

Matters received or initiated about OSA during FY25–26	Number of matters
Complaints	**58**
Reviews of relevant complaints[36]	43
Own motion reviews[37]	1
Complaint not relevant / No further action	2
Jurisdiction not yet determined	12
Self-reports	**1**
Own motion reviews	0
Noted, no further action	1
TOTAL	**59**

Table 10: Matters received or initiated during FY25–26 about OSA

I am required by s 29(11)(c) of the Ombudsman Act to describe the types of relevant complaints made during FY25–26 (in terms of the type of conduct being complained of) and specify how many complaints of each such type were made and the outcome of those complaints:

- 37 complaints related, wholly or partly, to OSA's assessment of complaints or reports under the Ombudsman Act. These complaints were mostly directed at the exercise of the discretion not to investigate pursuant to s 12H(1)(c) of the Ombudsman Act. While the basis for each assessment and exercise of discretion by OSA turned upon its own facts, upon interrogation, it was often the case that the first-instance complaint was outside of OSA's jurisdiction,[38] was not investigated because the complainant had other legal remedies available to them,[39] or there was other good reason why no action should be taken in respect of it.[40] Twenty-two reviews were finalised prior to 30 June 2026. In each instance, no error in the exercise of the Ombudsman's discretion was identified. Where applicable, the Ombudsman made no errors in identifying jurisdictional limits.

[36] Information required by s 29(11)(a) and (b). 'Relevant complaint' is not defined in the Ombudsman Act, so the definition is the ICAC Act is adopted.
[37] Arising out of complaints which typically did not fall within the definition of a relevant complaint.
[38] For example, pursuant to Ombudsman Act ss 5(2) or 13(2a).
[39] Ombudsman Act s 13(3).
[40] Ombudsman Act, s 12H(1)(c), 'other good reason' included that it was not in the public interest, that the subject agency did not make an error or that the OSA had engaged with the subject agency to resolve the issue.

- Four complaints related, in part, to the Ombudsman's review jurisdiction under the *Freedom of Information Act 1999* (SA). Two reviews were finalised prior to 30 June 2026 in which no error by the Ombudsman was found.[41]
- Two complaints related to the conduct of investigations under the Ombudsman Act. One of those complaints was finalised, one remains under consideration. In the finalised matter, no error was found on part of the Ombudsman.
- One complaint related, in part, to the Ombudsman's practice of disclosing outcome letters to principal officers of agencies complained about. That practice was not, on this particular occasion, explained with sufficient clarity to the complainant and led to a misunderstanding about the nature of contact that OSA had with the agency when assessing the complaint. In his review of that complaint, Inspector Abbott sought information from OSA in relation to the practice, their related policies and raised opportunities for improvement. In response, the Ombudsman, as part of its continuous improvement program, has committed to making several amendments to OSA's practices and policies, including OSA's online complaint form. In those circumstances, Inspector Abbott determined it was not necessary to take any further action.
- One complaint related to the conduct of an employee of OSA whilst receiving a complaint from a member of the public. This complaint was reviewed and no error was identified. In fact, my review identified that the OSA staff member had engaged with the complainant appropriately in ending a phone conversation that had become unproductive and had appropriately followed up with the complainant with an opportunity to provide submissions in writing.

Other reviews about OSA

The Ombudsman self-reported one matter during FY25–26 regarding an inadvertent breach of confidentiality. Inspector Abbott considered the matters raised but determined to take no further action in the circumstances.

No referrals from the Attorney-General or CPIPC and no reports or referrals from other agencies about OSA were received in FY25–26.

[41] Review of external review determinations themselves lie with SACAT and the Inspector's review jurisdiction relates to the exercise of powers and functions in the course of the review, or a related complaint under the Ombudsman Act.

Matters carried over from previous financial years

All of the 18 matters carried over from previous financial years were determined during the course of FY25–26. In one matter, I identified that there was a possible factual error that informed the subject agency's decision and, flowing from that, the OSA's determination. I raised this with the Ombudsman who determined to open a new file and reassess the complaint to her office in light of that possible factual error. I was satisfied that the Ombudsman's response appropriately addressed the issues raised and determined to take no further action in respect of that complaint. In the remaining 17 matters, either myself or Inspector Abbott determined that no error or impropriety on the part of OSA was identified, the complaint was premature or it was not a relevant complaint and there was an insufficient basis to conduct an own motion review of the issue raised.

Inspector Abbott finalised an own motion review in May 2026 in respect of the exercises of powers and performance of functions by the Ombudsman in an investigation conducted in the previous FY which resulted in a finding of misconduct. That matter had been carried over from FY24-25. It was given detailed consideration by Inspector Abbott and encompassed several requests for information and material of the Ombudsman. The Ombudsman provided timely and detailed responses which enabled a fulsome review by Inspector Abbott. Ultimately, Inspector Abbott found that there was no evidence of an error in the Ombudsman's investigation of the relevant report to her office and the OSA's findings. Inspector Abbott did not produce a report in that matter for several reasons, including that s 8 of the PID Act applied to the report to the Ombudsman. I acknowledge that there is value in publication of reports on reviews by this office, even when no error by an IA has been found, however, in that matter there were circumstances that weighed against a report, most notably s 8 of the PID Act and undue prejudice that may have been caused to the person the subject of the misconduct allegations.

Materials considered for the purpose of my annual review

Ms Strickland was the Ombudsman for FY25–26.[42] I requested of the Ombudsman information relating to the exercise of powers during FY25–26 including material relevant to whether undue prejudice to the reputation of any person had been caused during the exercise of those powers, OSA practices and procedures manuals and details of the ways in which the OSA has carried out the functions under s 5A of the Ombudsman Act.

In responding to my request for information, the OSA identified that it had previously interpreted Inspector Abbott's request for information pertaining to his annual review of the OSA's operations for FY24-25. The OSA identified that for FY24-25, it had only provided details of powers exercised in matters that were *finalised* in FY24-25, as distinct from powers exercised and functions performed in that FY including in matters that remained open at the end of FY24-25. To rectify this oversight, the Ombudsman has now provided to me, information pertaining to powers exercised by her and her delegates in FY24-25 in matters that were not closed during that FY *and* in all matters in FY25-26, regardless of whether those matters were finalised or not during FY25-26. The Ombudsman also included matters in which powers were exercised during FY23-24. The effect is that this annual review of the OSA includes an inspection and consideration of powers exercised during previous financial years but not

[42] and has been since 30 November 2023.

reported to Inspector Abbott for consideration and inclusion in previous annual reviews (in addition to powers exercised by the OSA in FY25-26).

I am mindful of the confidentiality restrictions of the PID Act and the practical difficulties posed in sharing information freely between IAs and this office. In order to comply with the PID Act, therefore, I have only examined a sample of documents contained in OSA's files, made accessible to me by the OSA for the purpose of this review.

The Ombudsman permitted this office to have access to OSA electronic files pertaining to matters where:

- The Ombudsman or her delegate has exercised powers and functions under the Ombudsman Act in FY24-25 which matter was not closed during that financial year; or
- The Ombudsman or her delegate exercised powers and functions under the Ombudsman Act in FY25-26 (the matter may or may not remain open);

And where:

- The matter does not contain information prohibited from disclosure pursuant to s 8 of the PID Act; or
- The matter contains the identity of an informant of public interest information and the informant has consented to the OSA disclosing their identity to the Inspector in accordance with s 8(1) of the PID Act.

The Ombudsman indicated that she has only sought consent from PID informants in matters that have been closed by her office and invited me to identify any other matters and documents, should I wish to specifically review them. Based on the sample of documents that this office has reviewed in which a high level of compliance was observed and weighing up the practical difficulties and resources required to obtain access to additional materials, I have determined not to request access to additional documents containing PID Act protected information.

In forming views in relation to the operations of OSA during FY25–26, I have considered information and materials provided by the OSA, documents on OSA's electronic database (in files I have been permitted to access) and complaints made to, and reviews undertaken by, this office.

Were the powers of OSA exercised in an appropriate manner?

Assessment Powers

Section 12H(1) of the Ombudsman Act requires the Ombudsman to take certain action upon receipt and assessment of a complaint or report. Broadly, once a matter is assessed, the Ombudsman may determine to:

- investigate it (s 12H(1)(a));
- refer it to another agency (s 12H(1)(b)); or
- take no further action if certain criteria are met (s 12H(1)(c)).

For the purpose of assessing a matter, the Ombudsman may exercise coercive[43] powers set out in s 12H(2) such as requiring a public officer to produce a specified document.

In her response for information requested by Inspector Abbott for his FY24-25 annual review of the OSA, the Ombudsman advised that her office typically receives cooperation when making a request for documents such that coercive powers are not usually needed. At that time, she also informed Inspector Abbott that it was not the practice of the OSA to record exercises of power pursuant to s 12H(2) and she intended to explore ways that this could be done.

I am pleased to report that during FY25-26, the OSA introduced a standalone action in the OSA electronic case management system to record where information is requested pursuant to s 12H(2)(b). Accordingly, the OSA reported to me that on five occasions in FY25-26 powers were exercised under s 12H(2)(b).[44] The OSA identified to me that on two of those five occasions, the power was not exercised in a way that met her expectations in that, whilst the power was duly authorised, the case officer did not attend to producing a formal Notice pursuant to s 12H(2)(b). The OSA has taken steps to ensure that, in future, a formal signed Notice is issued with respect to each exercise of power under s 12H(2)(b) which includes information about the consequences of non-compliance. I acknowledge that the OSA has self-identified this issue and taken appropriate action in response.

I reviewed four of the files where the OSA exercised power under s 12H(2)(b) in FY25-26. I was not granted access to the fifth file due to statutory confidentiality restrictions, which I have referred to throughout this report. In one of these files, the Ombudsman had already identified to me that the s 12H(2)(b) was not exercised in a way that met her expectations (noted above). The Ombudsman appropriately identified to me that, in one matter, a formal notice pursuant to s 12H(2)(b) ought to have been issued (in lieu of an informal request referring to s 12H(2)(b)). In the matters I reviewed where I observed formal Notices issued pursuant to s 12H(2)b), I consider that those notices appropriately set out the terms of s 12H(2)(b) including consequences of non-compliance. I note that power per s 12H(2)(b) is exercised by the OSA infrequently when considering the high volume of matters that are assessed by the OSA; this is a task that OSA staff do not regularly attend to. I echo the Ombudsman's direction to staff to ensure that a formal, compliant Notice be issued when reference to s 12H(2)(b) is made in a request for information. In the circumstances, I am satisfied that the power pursuant to s 12H(2)(b) was exercised appropriately during FY25-26 on the whole, noting the self-reported deficiencies I intend to have specific regard to monitoring the OSA's compliance with the issue of formal accompanying notices in the next annual review.

During the course of my review of complaints that I have received from members of the public about OSA's conduct throughout the year, I have had cause to review many instances in which the Ombudsman has exercised her discretion pursuant to s 12H(1)(c) to decline to commence an investigation on the grounds that there was good reason to take no action, including that it was not in the public interest to do so. In each case, I have found that either her discretion

[43] Section 12H(3) provides that a penalty applies for non-compliance with a notice issued by the OSA pursuant to s 12H(2).
[44] During FY25-26, the OSA introduced a standalone action to electronically record when there has been an exercise of power under s 12H(2)(b); the exercise of this power was not reported to Inspector Abbott for his review of FY24-25 as there was a lack of any specific recording function for that power.

was exercised appropriately or I was ultimately satisfied that there was no error in the substantive decisions to take no further action.

A recurring theme in complaints to this office where the OSA has determined to take no further action per s 12H(1)(c), is that, whilst the OSA has provided reasons for its determination, the process followed by the OSA and determination made were not sufficiently understood by the complainant. Whilst I have not identified an error in the OSA's exercise of power per s 12H(1)(c), I have raised with the OSA on several occasions, the need to ensure that clear, sufficiently detailed and easily understood explanations are provided to complainants. The OSA has been responsive to these comments and I have observed, in numerous matters, OSA providing detailed and thorough responses to complainants as required.

I have also observed the OSA to conduct internal reviews of matters where a determination to take no further action has been made. I acknowledge the resources required to undertake internal reviews and that it is the practice of the OSA only to do so where a matter has been investigated (unless there are exceptional circumstances), however, in matters I have reviewed, these OSA internal reviews have added significant value to the transparency and thoroughness in the work of the OSA; and even if a 'formal internal review' has not been commenced, reasons provided have generally resulted in additional, more digestible explanations for s 12H(1)(c) determinations and assurances to complainants that the issues they have raised have been given detailed consideration.

I consider that, during FY25–26, OSA exercised powers pursuant to s 12H of the Ombudsman Act appropriately.

Investigation Powers

The OSA may investigate any administrative act or suspected misconduct or maladministration in public administration.[45] Section 18 of the Ombudsman Act sets out the procedure to be followed by the Ombudsman on investigations. Section 19 provides the Ombudsman with the powers of a Royal Commission for the purposes of an investigation. Generally, these provisions provide the Ombudsman with broad and discretionary powers in relation to the conduct of investigations.

The OSA reported to me that, in respect of investigation powers during FY25-26:

- on 74 occasions, powers were exercised under s 13(1) to conduct an investigation and of those investigations:
    - 39 were closed during FY25-26; and
    - 35 remained open at the end of FY25-26.
- on nine occasions (in relation to 16 matters), the Ombudsman exercised powers of a commission under s 10(b) and (e) of the *Royal Commissions Act 1917* and per s 19 of the Ombudsman Act;
- on 22 occasions (in respect of 35 OSA files), the OSA published a report on investigation pursuant to s 26 of the Ombudsman Act.

[45] Other than certain categories of matters set out in sub-s 13(2a) and (3) of the Ombudsman Act.

In addition to matters reviewed by me relating to investigations by OSA during FY25–26,[46] I have reviewed a sample of documents relating to matters investigated by OSA that were not the subject of complaints or reports to this office to examine OSA's practices and procedures on the handling of complaints and reports with reference to various requirements of the Ombudsman Act. In respect of matters the subject of OSA investigation during FY25–26, I consider that OSA exercised its investigation powers appropriately.

Powers available to the OSA but not exercised during FY25–26

The Ombudsman has advised that, to the best of her knowledge, the following powers under the Ombudsman Act were not exercised by her or any of her delegates during FY25–26:

- direct an agency to refrain from performing an administrative act (s 19A);
- enter and inspect (s 23);
- issue, vary or revoke directions to a public authority (s 28A(1) and (2)); and
- additional powers under the *Health and Community Services Complaints Act 2004* (s 13(3d)).

Undue prejudice to the reputation of any person

I am advised by the Ombudsman that every investigation is conducted in private, in accordance with s 18(2) of the Ombudsman Act. OSA Officers provide reminders regarding confidentiality obligations when communicating with individuals and agencies in the course of an investigation pursuant to s 29A of the Ombudsman Act.

I note the Ombudsman maintained an *Operational Policy: Confidentiality and Disclosure* to govern the disclosure of information about an investigation, including any decision to publish information upon the conclusion of an investigation. This policy is supported by the *Business Rule: Publication and Media Management*. Individuals whose interests may be affected are consulted regarding any proposed publication.

In FY25-26, Inspector Abbott finalised a review under s 29(1)(c) of the Ombudsman Act of an investigation by OSA into the conduct of a public servant. This review was referred to in Inspector Abbott's Annual Review of the OSA for FY24-25. At that time, the review had not been finalised and Inspector Abbott anticipated it might involve a consideration of whether there was any undue prejudice caused to the relevant person. That review was finalised in FY25-26. Inspector Abbott found no evidence of an error by the OSA and, accordingly, did not proceed to determine whether there was undue prejudice caused to that person.

I found no evidence of undue prejudice having been caused to the reputation of any person by the exercise of powers under the Ombudsman Act.

Conclusion relating to the OSA's exercise of powers during FY25–26

I am satisfied that, on the whole, noting that I have not yet finalised my reviews of each exercise of power complained about, the powers of the Ombudsman were exercised in an appropriate manner during FY25–26.

[46] Pursuant to s 29 of the *Ombudsman Act 1972*.

Were the practices and procedures of OSA effective and efficient?

I am advised that OSA has a number of policies in place to achieve effective and efficient practices and procedures. Updates were made during the financial year to *Operational Policy: Assessing Contacts* and *Operational Policy: Resolution of Complaints* (which replaced the previous *Early Resolution Policy*). A new policy was introduced in FY25-26, entitled *Operational Policy: Social Media and Business Rule: Social Media (LinkedIn)* to support OSA to effectively manage its social media presence, specifically LinkedIn. Several new internal business rules were also introduced including 'Email to SMS', 'Kiteworks', 'Extended leave', 'Personal Information Data Breach' and 'Generative AI in OSA'.

Given the significant increase in the use of Generative AI in complaints, which I have observed during FY25-26, the introduction of this business rule is timely. It addresses the use of Generative AI by both OSA staff and complainants. Notably, in relation to AI-generated complaint content, the business rule states that OSA staff:

- should ensure the complainant has been clearly informed of the Ombudsman Act confidentiality requirements;
- if the material is voluminous or couched in legalese, may require the complainant to provide a concise summary or other clarification; and
- must otherwise assess the substance of the complaint in the same manner as any complainant correspondence or material.

I acknowledge the very real challenges faced by OSA staff in handling AI generated correspondence and consider that these directions are appropriate and reasonable and targeted towards equipping members of the community to make effective and comprehensible complaints to the OSA.

The OSA continues to maintain a continuous improvement register to identify issues requiring improvement in its practices and procedures, which is discussed during quarterly leadership meetings and at monthly staff meetings. Consistent with the practice that was reported to Inspector Abbott last annual review, the OSA's quality assurance program continues to provide a framework to review files periodically and ensure statutory compliance, consistency and accurate record keeping.

I am satisfied that the practices and procedures of OSA were effective and efficient during FY25–26 and, indeed, that the OSA has demonstrated continuous improvement of its practices and procedures during FY25-26. The OSA's practices and procedures foster compliance with the requirements of the Ombudsman Act and other relevant legislation including the PID Act. Additionally, these policies encourage the efficient and timely progression of matters by OSA.

I comment on two legislative provisions which I consider place an unnecessary strain on the resources of the OSA. Section 29(1)(b) of the Ombudsman Act prescribes that the Inspector must review each relevant complaint received about the exercises of powers and functions, or the procedures, of the OSA. That is to say, the Inspector does not have discretion *not* to conduct a review of a relevant complaint received under the Ombudsman Act, notwithstanding the usefulness of such a review or merit of a complaint. For example, very historic complaints or complaints in which corruption, maladministration or misconduct are unlikely to arise on the facts or matters which have been well ventilated, may still reach the threshold of a relevant complaint. I have at times become concerned that the associated administration placed on the OSA (and indeed this office) by my reviews creates inefficiency.

I also note again at this point, the impact of s 8 of the PID Act on the Inspector's review function, in that the identity of an informant of public interest information is not to be divulged to the Inspector, without the informant's consent. The Inspector's mandate to conduct reviews of relevant complaints under the Ombudsman Act, coupled with the prohibition set out in s 8 of the PID Act creates inefficiencies in information sharing between the OSA and this office.

Were functions carried out in a manner likely to assist in the proper exercise of administrative powers in the State?

The OSA's functions are set out in s 5A of the Ombudsman Act. The Ombudsman has provided me with information as to how she has carried out each of her statutory functions in a manner likely to assist in the proper exercise of administrative powers in the State. I highlight the following:

Receiving, assessing and investigating or otherwise dealing with complaints made or referred to the Ombudsman about public administration (s 5A(a))

The OSA has again experienced another significant increase in complaints received in FY25-26. The OSA reported that during FY25-26, it received a total of 5200 complaints and completed 5152 matters. This is an increase of 9.5% from FY24-25 and up 18% since FY22-23.[47] During FY25-26, it recorded a closure rate of 99.07%.[48]

I acknowledge that the increase in overall complaint volume has placed considerable pressure on the resources of the OSA, particularly on the Administration and Intake and Early Resolution Teams. As a measure to manage workload and provide staff with time to work on written correspondence and file administration, the OSA has reduced phone operating hours to 10am–4pm (previously 4.30pm). The OSA reports this measure does not appear to have impacted on overall complaint volume.

The Ombudsman reports there has been a continued focus on allocating resources to matters which appear to raise serious or systemic concerns. On 1 September 2025, the OSA commenced an organisational restructure which dedicated and consolidated resources to the assessment of more complex matters. This has contributed to a decrease in average competition time for complex assessments from 175 days to 147 days.

I am advised that investigation timeframes are continuing to exceed the OSA's target and remain a focus. The OSA has advised that these timeframes were recorded notwithstanding an increase in matters progressing to complex assessment and investigation in FY25-26. As at 30 June 2026, the OSA had 35 open investigation files, compared with 44 matters as at 30 June 2025.

The OSA noted that a high volume of complaints and reports received relate to elected members within local government. As the OSA is the only body able to investigate alleged breaches of the integrity provisions in the LG Act, the OSA considers it appropriate to ensure that these matters receive adequate scrutiny and is more likely

[47] During FY24–25, OSA received 4,746 complaints and completed 4,742 matters (this number includes those opened during FY23–24

[48] Matters completed as a percentage of matters received.

to investigate them (noting that there is no option for the OSA to refer the matter to another complaint body). I acknowledge and endorse this approach taken by the OSA.

Receiving, assessing and investigating or otherwise dealing with reports about misconduct and maladministration in public administration made or referred to the OSA (s 5A(b))

The OSA also received an increase in total matters received regarding potential misconduct and maladministration (328 in FY25-26[49] up from 314 in FY24-25). The OSA closed a total of 418 matters involving misconduct and maladministration, which is a 35% increase from FY24-25 (309 in FY24-25). The OSA indicated that this trend is consistent with improvements in timeliness and efficiency in dealing with complex assessments, new matters and reduction of older matters on hand.

Matters relating to local government represented 41% of total matters closed involving potential misconduct or maladministration, which is an increase from 32% in FY24-25 (102 matters in FY24-25 compared with 172 matters in FY25-26). These matters included 29 investigations involving alleged misconduct or maladministration in relation to local government (25 matters concerning elected members). Given this trend, complaints about local government remain a priority area for the OSA's education and outreach work.

Assisting agencies to identify and deal with inappropriate or improper administrative acts (s 5A(c))

In FY25-26, OSA maintained the practice of referring complaints back to agencies' internal complaint handling mechanisms in the first instance to provide agencies with the opportunity to resolve and learn from complaints and drawing any patterns of complaints to the attention of senior executives in the relevant agency. For example, the Ombudsman reported she has written to all councils twice this year regarding issues that were reported across multiple councils including failures to declare conflicts of interest and breaches of confidentiality.

The OSA reported that in FY25-26, there was a decrease in the rate of resolving matters by cooperation with an agency by way of an early, informal resolution (163 in FY25-26 down from 206 in FY24-25). This was in contrast to an increase in matters resolved by way of formal resolution which occurs where an assessment has been completed and a preliminary view formed that there appears to be an error, and the agency agrees to implement proposed improvements without requiring an investigation (25% increase to 60 matters, up from 48 in FY24-25). The OSA has published the outcomes in many formal resolutions to assist agencies to identify risks and make improvements.

Giving directions or guidance to public authorities in dealing with misconduct and maladministration in public administration, as the Ombudsman considers appropriate (s 5A(d))

In FY25-26, the OSA did not issue any directions to public authorities concerning misconduct and maladministration in public administration. OSA has, however, referred

[49] Including 197 matters received directly by OSA as complaints or reports and 131 matters referred by ICAC or OPI.

reports of misconduct or maladministration to a public authority and monitored the agency's investigation or other action in relation to that matter. In the course of monitoring, the Ombudsman has provided her views regarding the agency's approach and/or suggested further action. In FY25-26, the OSA monitored 51 agency investigations relating to misconduct or maladministration (compared with 41 in FY24-25). In one matter, the Ombudsman is not satisfied with the agency's investigation and has commenced her own investigation.

Evaluating the practices, policies and procedures of public authorities with a view to advancing comprehensive and effective systems for preventing or minimising misconduct and maladministration in public administration (s 5A(e))

In FY25-26, the OSA has not conducted any evaluations pursuant to s 5A(e). The Ombudsman did, however, provide input into the evaluation conducted by the ICAC into Professional Development Funds for Medical Officers as an area of joint concern.

Conducting or facilitating the conduct of educational programs and publishing or distributing educational materials designed to prevent or minimise misconduct and maladministration in public administration (s 5A(f))

The Ombudsman provided a full list of the education and engagement activities undertaken to increase awareness of integrity risks and the prevention of misconduct or maladministration. The focus areas for FY25-26 included: First Nations issues, local government integrity and correctional services.

Performing other functions conferred on the Ombudsman by this or any other Act (s 5A(g))

OSA has functions under the *Criminal Law (Forensic Procedures) Act 2007*, *Freedom of Information Act 1991* and *Return to Work Act 2014*. The work undertaken by OSA in respect of these functions during FY25-26 was of a significant volume, including:

- an annual audit of compliance under the *Criminal Law (Forensic Procedures) Act 2007*;
- 248 Freedom of Information external review applications including issuing 130 formal determinations (up in total from 176);
- 108 complaints concerning FOI practices (up from 75); and
- 88 matters under Sch 5 of the *Return to Work Act 2014* (compared with 90 matters in FY24-25).

Noting that the Ombudsman has not had cause to issue directions pursuant to s 5A(d) or performed an evaluation pursuant to s 5A(e) of the Ombudsman Act, I have found no evidence that the Ombudsman has not carried out her functions under the Ombudsman Act and the Acts referred to above appropriately. I therefore consider that she has carried out her statutory functions in a manner that was likely to assist in the proper exercise of administrative powers in the State.

J Redden
Acting Inspector

ANNEXURE A – FINANCIAL PERFORMANCE

In FY25–26, there was a review undertaken requiring external legal services that contributed to an overspend.

The table below summarises the unaudited financial information of the Office of the Inspector for the FY25–26.

Statement of comprehensive income

	Budget $'000	Actual $'000	Variance $'000
REVENUE			
Appropriation	1,201	1,201	0
TOTAL REVENUE	**1,201**	**1,201**	**0**
EXPENSES			
Salaries	1,294	1,241	53
Supplies and Services	407	695	-288
TOTAL EXPENSES	**1,701**	**1,936**	**-235**
NET RESULT	**-500**	**-735**	**-235**

Table 11: Statement of comprehensive income

Consultants

There was no expenditure on consultants for FY25–26.

Contractors

Combined payments made to contractors below $10,000 each in FY25-26 was $11,685. There was no expenditure on contractors above $10,000 each.

Legal Services

The following is a summary of external legal services engaged by the Office during FY25-26.

Provider	Purpose	Payment
Barrister Fees	Conduct of review by delegate	$241,400.00
Barrister Fees	Counsel Assisting on delegated review	$94,218.46
	TOTAL	**$335,618.46**

Table 12: Summary of external legal service fees

Risk Management

Fraud detected in the Office of the Inspector

There were no instances of fraud detected in the Office of the Inspector during FY25–26.

Risk and audit framework

Refer to the AGD Annual Report 2025–26.

Strategies to control and prevent fraud

Refer to the AGD Annual Report 2025–26.