

**Submission
No 6**

REVIEW OF THE PUBLIC INTEREST DISCLOSURES ACT 1994

Organisation: Audit Office of NSW
Name: Ms Margaret Crawford
Position: Auditor-General of NSW
Date Received: 5 August 2016

Mr Lee Evans, MP
Chair, Committee on the Ombudsman, the Police
Integrity Commission and the Crime Commission
Parliament House
Macquarie Street
SYDNEY NSW 2000

Contact: Barry Underwood
Phone no: [REDACTED]
Our ref: D1622305
Your ref: LAC16/93

5 August 2016

Dear Mr Evans

Review of the *Public Interest Disclosures Act 1994*

I refer to a letter from Ms Oravec, Committee Manager, dated 30 June 2016, inviting a submission to the current parliament inquiry reviewing the *Public Interest Disclosures Act 1994* (PID Act).

Our dealings with public interest disclosures (PIDs) relate to responsibilities:

- as a public authority dealing with disclosures about the Audit Office services and staff of the Audit Office
- as an investigating authority under section 52D of the *Public Finance and Audit Act 1983* to handle disclosures made by public officials about serious and substantial waste of public money by agencies or their staff
- as a member on the Public Interest Disclosures Steering Committee established by section 6A of the PID Act.

In our capacity as a public authority and investigating authority, the Audit Office handles a small volume of PIDs – as shown in the attached appendix. The current law and structures in place to support the administration of PIDs by my Office are sufficient to meet our needs.

This may change if the Local Government Amendment (Governance and Planning) Bill 2016 which proposes to appoint the Auditor-General as the auditor of local government entities from 2016-17 is passed. Currently, the Audit Office does not have specific powers to investigate complaints about local councils, councillors and council staff. This is handled by the Office of Local Government in accordance with section 12B of the PID Act and the *Local Government Act 1995*. However, the likely expansion of our mandate to include local government may impact our responsibilities to handle these types of public interest disclosures.

If you would like to discuss this further please contact Executive Officer, Barry Underwood on [REDACTED] or email [REDACTED]

Yours sincerely



Margaret Crawford
Auditor-General of NSW

