

**5. If known, please advise the satisfaction rating and number of listeners or 'hits' for IBAC's podcast series in 2021/22.**

For 2021/22, IBAC's podcasts were listened to 707 times.

IBAC does not currently have a rating system or satisfaction survey for the podcasts on its website.

**6. What regional local government areas did IBAC's 'You have the right not to remain silent' campaign target in 2022/23?**

**Has IBAC targeted, or does it intend to target, Mildura with any of its corruption-prevention and education initiatives?**

IBAC used strategic intelligence and insights from OMD (a media agency used by Government) to determine what parts of regional Victoria to focus on for the re-run of the police oversight campaign, 'You have the right to not remain silent' in 2022/23.

While the campaign appeared on social media 6.9 million times, reaching 18 to 65 year olds across regional Victoria, IBAC's wider media plan was specifically targeted to local government areas that showed a higher risk of police misconduct or a likelihood of under reporting.

The campaign was targeted to non-CALD radio stations in Bairnsdale, Ballarat, Bendigo, Horsham, Lakes Entrance, Mildura, Robinvale, Shepparton, Swan Hill, Traralgon and Warragul; and appeared on a selection of digital screens in shopping centres in Ballarat, Bairnsdale, Sale, Bendigo, Morwell, Mildura and Shepparton, as well as in General Practitioner clinics across 48 locations in regional Victoria.

To reach culturally and linguistically diverse Victorians, the video advertisements were translated into seven languages for audiences who speak Arabic, Hindi, Cantonese, Mandarin, Vietnamese, Dari and Karen. In addition to its regional media plan, the campaign was also distributed via social media and CALD-radio to reach these audiences.

**8. (a) Did IBAC brief journalists/media outlets on the content of the Operation Daintree report, or provide them with a copy of the report, prior to tabling of the report in Parliament on 18 April 2023?**

This question refers to the report being tabled on 18 April 2023; however, the report was tabled on 19 April 2023.

IBAC provided an embargoed copy of the Operation Daintree special report to selected journalists on 18 April, 24 hours prior to tabling.

The embargoed copy of the report was provided to discharge IBAC's prevention and education function, as well as to support accurate media reporting of the special report, by enabling journalists to digest the report and to seek clarification of any issues prior to reporting on it.

The journalists who received the report received it pursuant to s.166 of the IBAC Act and were advised of the confidentiality obligations that prohibit the receiver from disclosing or publishing information contained in the documents provided until the special report is tabled in Parliament.

**(b) Is it standard practice for IBAC to brief journalists/media outlets on the content of its reports, or provide them with copies of its reports, prior to their tabling in Parliament?**

No, it is not standard practice.

The decision to provide embargoed copies of a special report to the media is made on a case-by-case basis. It is noted that there were no leaks of material contained in the embargoed final version of the Operation Daintree report by media outlets who received it 24 hours prior to tabling.

At the IOC's public hearing on 14 August 2023, this issue was first raised with IBAC. One of the questions from an IOC member related to an article that *The Australian* published online on 17 April in relation to Operation Daintree – two days before the Operation Daintree special report was tabled. There were articles about the Operation Daintree special report published online in other newspapers on that day<sup>1</sup>. The articles contained details which were already in the public domain and speculated about what would be in the final report. These articles appeared online on 17 April 2023, before IBAC had provided embargoed copies of the reports to media outlets on 18 April 2023.

The article in *The Australian* referred to an email that the deputy clerk of the Victorian Parliament had sent to all members on 17 April 2023 advising them that he had received notice from IBAC of its intention to table the Operation Daintree special report.

**(c) What is IBAC's position regarding how this respects, or accords with, the privileges of the Parliament in respect of reports to be tabled? Is IBAC's position informed by expert legal advice?**

IBAC's considered position is that it is not contrary to the privileges of Parliament, nor does it constitute a contempt of Parliament, in certain circumstances, to provide an embargoed copy of a special report to selected media outlets shortly before the special report is tabled in Parliament.

IBAC's position is based on the fact that the disclosure is of a final report, not a draft report, and that this disclosure is made in accordance with strict confidentiality obligations that are subject to penalty if breached. In this regard, publication of information contained in the special report is expressly prohibited prior to tabling. It does not prevent or in any way impede the ability of the Parliament and its committees to perform any of their functions.

In addition, IBAC notes that its guiding consideration in providing embargoed copies of special reports is to promote accurate reporting which assists in the management of the welfare of witnesses involved in IBAC's investigations.

**(d) When did IBAC start briefing journalists on their reports in advance of tabling, and did IBAC seek legal advice regarding this practice at the time?**

IBAC does not have off the record conversations with journalists in advance of tabling. IBAC has provided embargoed copies of special reports shortly in advance of their tabling to selected media outlets to assist with accurate reporting.

The first report that was provided to journalists under embargo was the IBAC and Victorian Ombudsman joint report into Operation Watts in 2022. The decision to provide the report under embargo was carefully considered.

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<sup>1</sup> See for example: [IBAC Daniel Andrews probe results to be revealed \(theage.com.au\)](https://www.theage.com.au); and [Findings from IBAC probe into Andrews government to be released | Herald Sun](https://www.heraldsun.com.au)