



October 2025

IOC – Questions on Notice

Integrity and Oversight Committee's Inquiry into the Adequacy of the Legislative Framework for the Independent Broad-based Anti-corruption Commission

Question 1

If the definition of corruption under the IBAC Act 2011 (Vic) was expanded and the reference to a 'relevant offence' was removed, what is your view on the pros and cons of including any additional elements in the legislation that could assist in providing legal clarity of the limits of that definition? Only by way of example, other jurisdictions refer to breaches that results in reasonable grounds for termination or a 'serious disciplinary offence'.

2. *Integrity Commission Act 2018 (ACT)*, s 9(ii).

Response

If the definition of 'corrupt conduct' in the IBAC Act was expanded by the removal of the requirement for a 'relevant offence', it would capture a broader range of conduct that does not meet the criminal threshold but undermines public integrity. This change would align Victoria with the Cth, NSW, Qld and WA.

Existing provisions within the IBAC Act, which describe the elements of corrupt conduct (s 4(1)) and require IBAC to prioritise its attention to the investigation and exposure of serious or systemic corrupt conduct (ss 8(aa) and 15(1A)), ensure against an unduly broad application of the definition. Noting also there are existing thresholds and safeguards in relation to the exercise of all powers and warrants would continue to be subject to the limitation that they must relate to the investigation of a criminal offence.

However, consideration may be given to include additional elements in the IBAC Act to provide greater legal clarity regarding the limits of 'corrupt conduct' beyond what is set out in the Act to give reporting entities and complainants clearer guidance on which matters must be notified or can be reported to IBAC, respectively, while helping to ensure that IBAC does not become a clearinghouse for minor grievances. Any introduction of some form of limits to the definition of 'corrupt conduct' must not create unintended gaps in IBAC's oversight framework. In particular, IBAC considers that its jurisdiction should capture conduct that, while not amounting to criminal behaviour or warranting termination, may nonetheless involve misconduct, neglect of duty, breaches of discipline and codes or other matters that constitute or may constitute grounds for disciplinary action under any law or framework. This approach, largely consistent with the formulation in the NSW ICAC Act, would enshrine the ability to address matters of 'grey' corruption that fall below the criminal threshold but still involve serious or systemic conduct which undermine public trust and integrity.

Question 2
<p>Submissions made by the Police Oversight Working Group and Australian Lawyers Alliance suggest that the definitions of ‘police misconduct’ and ‘police conduct’ in the IBAC Act 2011 (Vic) lack clarity and be expanded.³ Do you think the current definitions of ‘police misconduct’ and ‘police conduct’ should be amended, and if so, what amendments do you suggest?</p> <p>3. https://www.parliament.vic.gov.au/4a322d/contentassets/94126864afae41d89cf063891aac88d7/submission-documents/22-australian-lawyers-alliance_submission_20250715_redacted.pdf</p>
Response
<p>The current definitions of police personnel conduct and police personnel misconduct within the IBAC Act are complex however, they are reflective of similar definitions contained in section 166 of the <i>Victoria Police Act 2013</i>. Any amendments to IBAC Act definitions would have to be mirrored in Victoria Police Act.</p> <p>It is important to note that the common definitions within the IBAC Act, and the Victoria Police Act are not aligned to definitions of improper conduct within the <i>Public Interest Disclosures Act 2012</i>. Any consideration of amendments to the Police Personnel Conduct and Police Personnel Misconduct definitions should include a consideration of potential flow on effects to the PID scheme.</p> <p>Clarifying these definitions would assist in delineating the types of conduct appropriate for IBAC investigation and independent oversight, as distinct from matters better managed through Victoria Police’s internal complaint and disciplinary systems.</p> <p>Any amendment focused on defining the more serious categories of conduct that warrant IBAC’s attention, such as corrupt behaviour and serious disciplinary breaches, would clarify that IBAC’s police conduct jurisdiction does not include service-level or strictly performance-related complaints.</p>

Question 3
<p>Accountability Round Table has submitted that the abrogation of self-incrimination in the IBAC Act 2011 (Vic) should be extended to include preliminary inquiries. In your view, is this necessary, or is the current balance between preliminary inquiries and investigations appropriate?</p> <p>4. 9-accountability-round-table_submission-20250626_redacted.pdf</p>
Response
<p>Extending the abrogation of privilege against self-incrimination to preliminary inquiries may enhance IBAC’s capacity to obtain relevant information at an earlier stage. However, such a change would substantially alter the balance between investigative efficiency and individual rights.</p> <p>In most Australian anti-corruption jurisdictions, coercive powers, including the abrogation of privilege against self-incrimination, are confined to formal investigations where procedural safeguards are in place. Extending these provisions to preliminary inquiries may be neither necessary nor appropriate, given the preliminary and often exploratory nature of such processes.</p> <p>Any consideration of such an extension should be accompanied by robust safeguards to protect individual’s rights and ensure that coercive powers are exercised proportionately.</p>

Question 4

The Committee has heard evidence that IBAC should not have the power to prosecute matters under section 190 of the IBAC Act 2011 (Vic).⁵ In practice, in what circumstances is IBAC prosecuting matters itself rather than referring matters to the Office of Public Prosecution? How would IBAC's practices change if it were no longer able to prosecute matters?

5. [Integrity and Oversight Committee 2025_08_18 1219.pdf](#)

Response

IBAC considers the current legislation efficient and practical.

Section 190 of the IBAC Act is a power to initiate a criminal proceeding (i.e. lay charges). In practice, the role that IBAC plays in the prosecution of a matter it initiates depends on whether the charges relate to summary or indictable offences.

The Office of Public Prosecution (OPP) prosecutes all indictable matters as only the Director of Public Prosecutions (DPP) and Crown Prosecutors can sign indictments. Therefore, only the OPP can prosecute indictable offences in the higher courts.

In most cases, IBAC officers initiate proceedings for indictable offences only after IBAC has received advice from or consulted with the OPP. Once commenced, the matter is referred to the OPP to prosecute. However, IBAC continues to play an important role in the prosecution as it was the body that investigated the matter. As such, the power to bring the proceedings should remain with IBAC because the relevant IBAC investigator (officer) will be the appropriate Informant.

Summary matters are less serious and less complex and generally do not require OPP involvement. The DPP's policy limits the types of summary matters the OPP conducts for external agencies (see chapter 8 of the DPP's [Policy](#)).

For these matters, IBAC brings the proceeding and conducts the prosecution without the involvement of the OPP. In this regard, IBAC's power to bring proceedings following an investigation is similar to that of WorkSafe Victoria for offences under workplace health and safety legislation and Consumer Affairs Victoria for offences under the Australian Consumer Law and associated consumer legislation. Summary matters arise more often in IBAC's police oversight function.

Section 189 of the IBAC Act also provides IBAC with the power to bring proceedings for offences under the IBAC Act or regulations (for example, the summary offence of breaching a confidentiality notice under s 44). These powers are similar to other Victorian regulatory bodies, including Integrity Oversight Victoria and the Parliamentary Workplace Standards and Integrity Commission.

If IBAC did not have the power to lay charges, IBAC would have to refer matters to another agency (such as Victoria Police) to file charge-sheets and initiate criminal proceedings. If that was the case, that agency would then have to undertake their own processes within their own priorities to assess the case before initiating proceedings, likely causing unnecessary delays for outcomes, impact on witness welfare, and potential diminution of evidence. It is noted that the OPP would not sign charge sheets without a relevant Informant as required under section 6 of the *Criminal Procedure Act*.

Question 5

Integrity Oversight Victoria (IOV) has given evidence that IBAC should be required to notify IOV of its intention to hold a public examination prior to serving a witness summons for the related public examination.⁶ In your view, is this change necessary, and how would it affect IBAC's current practices?

6. [21.-integrity-oversight-victoria_submission_20250715.pdf](#)

Response

To amend s117(5) to restrict IBAC's power to serve a witness summons unless notifying IOV of its intention to hold a public examination would delay IBAC's conduct of investigations and could, in practice, erode the independence and capacity of IBAC to exercise its statutory functions. Section 117(5) is intended to be a notice provision only. The minimum requirement in s117(5) as currently drafted allows IBAC to achieve its purposes as well as give IOV sufficient notice of IBAC's intention.

Current requirements and practices both within s117 and s122 of the IBAC Act are sufficient to enable the IOV to conduct its assessments under s 40A of the IOV Act. IBAC is required to notify IOV not less than 10 business days before a public examination is held (s 117(5)). IBAC also cannot announce its intention to hold a public examination unless IBAC has notified IOV (s 117(5A)).

In addition to these specific provisions about public examinations, s 122 of the IBAC Act also requires IBAC to give a written report to IOV within 3 days after the *issuing* of a witness summons for both public and private examinations. Section 124(1) requires a witness summons (other than an immediate summons) to be served no less than 7 days before the date of attendance.

For witness welfare and procedural fairness reasons, IBAC typically gives witnesses far more than the minimum seven days' notice, particularly for public examinations which require significant preparation and are recognised as being more stressful for the witness than participating in a private examination.

Question 6

In other jurisdictions, such as NSW and the ACT, anti-corruption agencies are required to publish guidelines for holding public examinations, including guidelines of what should be considered when deciding whether to hold a public examination, and guidelines for procedural fairness processed.⁷ In your view, would it improve public trust if IBAC were required to publish guidelines regarding public examinations?

7 *Independent Commission Against Corruption Act 1988* (NSW), s 31B. *Integrity Commission Act 2018* (ACT), ss 142(2), 143(4).

Response

To support witnesses and those involved in public examinations, IBAC provides information and resources to witnesses, including what is required of them in an IBAC examination, understanding whistle-blower rights and protections, our wellbeing policy and support options as well as an explanation of confidentiality provisions.

A witness in an IBAC examination is provided access to one of IBAC Witness Liaison Officers. They also have access to an external service provider that can support them throughout the IBAC process.

Witnesses are also provided additional witness information sheet to help them better understand IBAC's processes.

IBAC's website also has information explaining private versus public hearings, our investigative powers and standard directions for public hearings.

While IBAC has internal procedures in place in relation to decision making and its legislative obligations when undertaking hearings, IBAC is finalising a guide for witnesses appearing in an IBAC

public examination. The guide will set out the legal and administrative steps that IBAC must take to conduct public examinations, as well as the rights and obligations of witnesses. Once finalised, this guide will be published on the IBAC website.

Question 7

Accountability Round Table has given evidence that the current claim of privilege process under sections 146 and 147 of the IBAC Act 2011 (Vic) should be changed to place the onus for making an application to the Supreme Court on the claimant.⁸ In your view, would such a change reduce time delays resulting from claims of privilege?

[8. 9-accountability-round-table_submission-20250626_redacted.pdf](#)

Response

If the IBAC examiner is empowered to rule immediately on whether a claim of privilege is reasonably arguable or not, and the onus is then on the claimant to obtain an order from the Court which restrains IBAC from proceeding until the proper claim is determined, this could potentially reduce time delays and risks of obfuscation.

The current processes under ss146 and 147 means that any time a claim is made, IBAC must stand down the examination and make an application to the Supreme Court for determination.

Amending the IBAC Act so that claimants must apply to the Supreme Court to resolve a claim of privilege could help reduce delays and lessen the administrative burden on IBAC. However, such a change would place significant responsibility and cost on claimants and could limit access to judicial review for those with fewer resources.

At present, IBAC is unable to rule on privilege claims, even when they clearly lack merit, which creates a risk that claims may be used to delay or impede investigations. A more balanced approach would allow IBAC to make an initial assessment of claims that appear unsubstantiated, while preserving the right of claimants to seek review by the Supreme Court if they disagree. Any amendment should carefully balance efficiency, fairness and equitable access to judicial review.

Question 8

In your submission you have recommended that IBAC be able to hold public inquiries for educative and preventative functions. In your view, if this were permitted could it take away IBAC's resources from other functions that should take priority?

Response

IBAC 's legislation gives equal weight to IBAC's dual functions to expose and prevent public sector corruption and police misconduct. In a practical sense, and as much as possible, IBAC gives equal weighting to our exposure and prevention work, as it relates to resourcing, prioritisation and implementation.

IBAC's proposal to hold public inquiries would enhance and strengthen IBAC's preventative and educative functions, as well as better achieving public confidence in IBAC's role by conducting our work in a consultative, transparent and open way. Any amendments to the legislative framework will need to consider increased resources and funding to support their implementation.

Question 9

The Police Oversight Working Group has submitted that the exemption from Freedom of Information requirements under section 194 of the IBAC Act 2011 (Vic) should be repealed to ensure transparency for complainants. In most jurisdictions across Australia, anti-corruption agencies do not have the same exemption. Queensland's Crime and Corruption Commission has an exemption under the Right to Information Act 2009 (Qld), however, the exemption does not apply to applicants requesting information about their own complaint. In your view, could section 194 of the Act be repealed, or could other changes be created to provide transparency for complainants?

Response

It is important to clarify that section 194 of the IBAC Act does not give IBAC a blanket exemption from Freedom of Information (FOI) requirements. This exemption, consistent across other integrity agencies' legislation, excludes specific categories of information, such as complaints and notifications made to IBAC, and IBAC preliminary inquiries, investigations, reports and recommendations.

The material we handle includes covert intelligence and sensitive information from whistleblowers. Section 194 is therefore necessary to protect integrity investigations, complainants, whistleblowers, witnesses and other sensitive information. (It also provides confidence for people to come forward with information.)

It must be noted however, IBAC does not consider that s 194 applies to investigations conducted by Victoria Police and agrees with the Committee's recommendation 15 arising out of its 2024 inquiry into the FOI Act.

Furthermore, IBAC does release information to complainants outside of the FOI regime where it is lawful to do so. For example, under the *Privacy and Data Protection Act 2014* where the information requested includes their own complaint information.

The amendments sought in our written submission to enable IBAC to publish and communicate recommendations and outcomes of reviews would also provide the transparency sought.

Question 10

What is your current process for recording and publishing data regarding complaints about Victoria Police? Could the data being collected be more specific to make it more meaningful?

Response

Data from complaints is currently captured by IBAC's Complaints & Assessment team at intake. A significant amount of data is reported on in IBAC's Annual Reports.

In late 2024, IBAC launched its [Corruption and Misconduct Allegations Dashboard](#) (CMAD), a publicly accessible, interactive online tool that allows people to view and search for corruption and misconduct allegations across Victoria's public sector including police.

Capturing de-identified data from 1 July 2018 to 31 December 2023, the dashboard is designed to improve transparency by providing a clearer picture of public sector corruption risks and demonstrates IBAC's ongoing commitment to transparency and corruption prevention.

The dashboard, which will have new data added to it on a regular basis, allows users to filter information by state government sector, organisation type and name, police division and by local council. It reveals the category of alleged corrupt behaviour or misconduct and the type of function or activity the allegation related to. The data available in the dashboard allows people to understand what kind of corruption and misconduct risks may be more prevalent in different parts of the public sector.

The CMAD provides an unprecedented level of reporting (for Australia) regarding complaints (received by IBAC). Any increase in the specificity of reporting would need to be balanced against the need to maintain the privacy of the complainant and the subject of the complaint.

IBAC is seeking changes to the legislation to enable greater transparency, such as to permit reporting on the outcomes of its reviews of Victoria Police investigations, subject to meeting procedural fairness requirements. These changes would enable IBAC to provide clearer context for the work it undertakes with Victoria Police, improve transparency for complainants and the community, support community understanding of how IBAC functions and strengthen the tools available to us to prevent corruption and police misconduct.

Question 11

What does IBAC communicate to complainants when it refers a complaint to another body such as Victoria Police? Would providing reasons for referral assist in providing transparency and trust in the process for complainants?

Response

When IBAC receives a complaint, our first step is to consider the complaint based on the information provided, and any further related information available to IBAC. Following assessment, the three main actions IBAC can take are to:

- investigate the complaint
- refer the complaint to another agency to investigate
- dismiss the complaint.

Currently IBAC informs complainants, in writing, that their matter is being referred to another body for investigation. IBAC's letters explain that the information that has been provided does not meet IBAC's thresholds to investigate.

Where a matter is likely to be determined a public interest complaint, consent is obtained from the discloser of the information before the referral is made – consent is sought in the first instance by calling the person and followed up in writing.

IBAC is committed to improving the clarity of its communication with complainants and its responsiveness. The provision of additional information or reasons would be one way to increase transparency and must necessarily be balanced with capacity and the need to improve responsiveness. IBAC will give detailed consideration to these priorities as part of its multi-year project to optimise its complaints assessments practices.

Question 12

It has been suggested that IBAC should be required to review all complaints that it has referred to Victoria Police for investigation. How would this differ from IBAC's current processes, and what resources would be required for IBAC to make such a change?

10 Right to Information Act 2009 (Qld), sch 3 s. 10.

Response

As it stands, IBAC reviews a proportion of Victoria Police's investigations. IBAC also actively monitors select cases, this involves IBAC officers proactively accessing Victoria Police systems to obtain current information on the status of an investigation. IBAC decides which cases to actively monitor based on factors such as the severity of the alleged conduct, potential harm, the involvement of vulnerable community members, or if the conduct is ongoing or systemic.

The nature of many of the complaints referred by IBAC to Victoria Police for investigation varies but does include many complaints by police officers against other police officers - for example, a constable complaining that a sergeant is unfairly allocating desirable shifts to some officers

rather than others. Reviewing all such referred investigations would require significant resources for IBAC in circumstances where it is not clear that there would be a corresponding public benefit.

Overall, reviewing all police investigation files of referred complaints would represent (on average and approximately) an increase in volume of 350%. While it is anticipated that some economies of scale could be achieved, the increase in scale would necessitate a detailed business process review and significant additional resources.

Question 13

At the hearing, it was stated that IBAC ‘have teams that are focused on individual jurisdictions, teams that are separate to jurisdictions and teams that are across both jurisdictions’ and that there are ‘economies of scale’. Could further detail be provided on how these teams operate, what they work on and economies of scale?

Response

IBAC has teams within its four Divisions that focus their work on a specific sector. For example, within our Operations Division, the Focused Police Complaints Team is a multi-disciplinary team that investigates single-incident complaints regarding Victoria Police from those at higher risk of experiencing police misconduct. In IBAC’s Policy, Research and Reviews unit, one policy and research team focusses on police and another on the broader public sector. This enables IBAC to develop sector-specific knowledge and expertise and to dedicate specialists to particular sectors and their stakeholders.

However, while there are issues and areas for speciality across IBAC’s work, there are also commonalities in corrupt conduct and police misconduct and IBAC is a better prevention, investigation and oversight agency from learning from, applying and expanding these commonalities – this is leveraging economies of scale and working smarter.

IBAC has teams that work across all sectors – such as strategic intelligence, communications and engagement, some specialist investigative teams including surveillance and digital forensics, and corporate services. Some of the reasons IBAC utilises such teams across both police and public sector matters include, the specialist work of such teams does not change whether they are focused on police matters or public sector matters and IBAC can apply its finite resources across all sectors according to risk, timelines and schedules.

Question 14

What current processes does IBAC have in place to provide welfare support to IBAC officers? What, if any, legislative changes would improves these processes?

Response

IBAC has a number of initiatives in place to support IBAC Officers. These initiatives include:

- Priority access to our Employee Assistance Program 24 hours a day, seven days a week and periodic onsite sessions and consultations
- team-specific wellbeing training (including training to help teams manage complex situations and the impacts of vicarious trauma)
- An early Intervention Program that enables staff to take up to 10 days of leave and capped financial assistance to seek specialist medical support; and
- the provision of a range of tailored psychosocial training programs providing staff with the opportunity to debrief in a safe and constructive manner, as well as providing them with important self-management tools designed to assist them to effectively manage difficult situations.

IBAC also has a dedicated OH&S Manager who works with individuals and teams to support wellbeing and tailor specific supports to according to needs.

Question 15

What should be the minimum standard of procedural fairness (content of notice, disclosure of adverse material, opportunity to respond), and at what point in the process should it always occur (draft stage, end-of-evidence, or both)? Please explain how late-arising adverse material will be handled without re-running the entire process or diluting fairness.

Response

If IBAC is given broader powers to publish investigation and review outcomes and associated recommendations outside of a special report, we consider that the following statement captures the minimum standard of procedural fairness that ought to be provided:

If IBAC intends to make public an outcome, finding or recommendation that is not contained in a special report and is adverse to any person or public body, IBAC must first provide that person or public body with a reasonable opportunity to respond to the proposed adverse outcome, finding or recommendation, and the essential basis upon which IBAC proposes to make it. IBAC must consider any response it receives before publishing or publicising its outcome, finding or recommendation.

The above provides an affected party with advance notice of the proposed adverse IBAC outcome or recommendation, the substance or gravamen of the adverse material, and a right of reply. It also requires IBAC to consider that reply before determining to publish or publicise the outcome or recommendation.

We note that it does not require IBAC to fairly reflect each element of a response in any publication of the outcome or recommendation (as is required for adverse comments, opinions or findings in special and annual reports) as in our view this goes above a minimum standard of procedural fairness.

Requiring IBAC in the first instance to provide more than the essential basis of its proposed adverse outcome or recommendation to affected parties also goes above the minimum standard of procedural fairness. However, consistent with the principles in *AB v IBAC* (2024) 278 CLR 300 and to facilitate IBAC providing source (and often protected) material to affected parties where it considers fairness requires it, we suggest that IBAC be given an express power to provide any material it has relied on to make the adverse outcome, finding or recommendation to the affected person or public body for the purpose of providing them with a reasonable opportunity to respond to the outcome, finding or recommendation. An enabling provision recognises there will be circumstances where fairness requires the provision of source material and removes any barriers from IBAC doing so but preserves IBAC's discretion to make such an assessment.

Consistent with sections 162 and 165 of the IBAC Act, procedural fairness obligations only arise at the point at which IBAC forms an intention to make public (as in *publish* or *publicise*) an adverse outcome, finding or recommendation as it is at this point that the affected party's interests are apt to be adversely affected. It is not recommended IBAC be required to provide procedural fairness before reaching an *internal* position on an investigation outcome or review finding for example as there may be no contemplation of disclosure beyond IBAC.

In terms of managing any late-arising adverse material, IBAC would be obliged, at minimum, to provide a further opportunity to the relevant affected party to respond to the additional or new adverse material. But the opportunity would be confined to the late-arising material. To not provide such an opportunity would undermine the basis for providing the opportunity in the first place.

Question 16
What is your opinion about default time limits for each procedural-fairness stage (with narrow exceptions)?
Response
<p>The length of time required to reasonably respond to an adverse finding, comment or opinion (procedural-fairness) varies considerably from case to case.</p> <p>What is fair and reasonable in one set of circumstances may be deficient in another and it is not possible to contemplate all the variables that can affect the time that may reasonably be required to afford procedural fairness in any given instance. It is for this reason legislation, and the courts adopt flexible language when dealing with procedural fairness, such as “a reasonable opportunity to respond”. While it does introduce ambiguity and subjectivity, it provides the necessary flexibility to ensure that fairness is afforded to all affected entities in all cases.</p> <p>The situation is further complicated where external factors or parallel court proceedings impact on IBAC’s ability to discharge its procedural fairness obligations to all affected individuals and entities. The impact of court proceedings can result in significant delays, in particular when appeal proceedings in superior courts are taken into account.</p>

Question 17
What metrics and documents should IBAC provide regularly to IOV (and what, if anything, should be publicly reported) to demonstrate procedural-fairness compliance without compromising investigations or individual rights? Please include how systemic delay or non-compliance would be identified and escalated.
Response
<p>IBAC's definition of Natural Justice, also referred to as procedural fairness, refers to a common law duty to act fairly when making certain decisions. The duty is imposed on the decision-maker for the benefit of the person or entity affected by the decision. Providing procedural fairness is not akin to exercising a coercive power.</p> <p>IBAC has an overarching natural justice policy and procedures in place to guide its compliance with procedural fairness obligations. In addition, this policy clearly explains IBAC's obligations for procedural fairness to persons and their legal representatives, and those persons have existing avenues of review.</p> <p>IBAC considers existing internal monitoring and reporting protocols with IOV, combined with IOV's oversight of IBAC's policies and procedures and its complaint handling function are sufficient to effective oversight of IBAC's natural justice obligations.</p> <p>Regular and indiscriminate blanket provision of investigation documents may not provide demonstration of procedural fairness compliance in an effective and efficient manner. This is because to fully demonstrate compliance with its procedural fairness obligations, IBAC would need to provide the IOV with a copy of its procedural fairness correspondence with affected parties including any responses it receives. This, along with the publication of any relevant outcome or recommendation, should be sufficient to enable the IOV to assess whether in its view IBAC has complied with its procedural fairness obligations. However, in doing so this would include confirming the identity of the individuals/entities that IBAC has engaged with and would necessarily involve the disclosure of those names along with potentially private and sensitive information.</p> <p>To ensure an investigation is not compromised, and to protect the privacy of individuals, IBAC would need to de-identify and/or redact information in the relevant documents to such an extent that the value of providing the document to IOV may not be meaningful. Furthermore, matters requiring procedural fairness can involve anywhere from one to as many as a hundred people and so the additional work imposed on IBAC and IOV would be prohibitive. This is an important factor to consider when IBAC already has its existing policies and procedures.</p>

Question 18
<p>The Victorian Aboriginal Legal Service has suggested an Aboriginal Engagement Unit. How would an Aboriginal Engagement Unit assist IBAC with its engagement with Victoria's First Nations community?</p> <p>11. 25.-victorian-aboriginal-legal-service_20250718_redacted.pdf</p>
Response
<p>Over the last few years IBAC, through its <i>Focus Community Strategy</i> and now its <i>Community Engagement Strategy</i>, has prioritised increasing its connection with Victoria's First Nations community.</p> <p>As part of this work, IBAC introduced an identified position in IBAC's Engagement team to assist IBAC, and the teams that have a lot of contact with Aboriginal and Torres Strait Islander communities, to be better aware of and understand the needs of the First Nations communities.</p> <p>The introduction of a dedicated Aboriginal Engagement unit within IBAC would further assist IBAC to build these connections. The best people to provide support to First Nations people are most often First Nations people, including looking for opportunities to apply self-determination.</p> <p>Irrespective of whether resources are provided to establish a dedicated Aboriginal Engagement Unit, IBAC is committed to continuing to build its cultural responsiveness and develop broader expertise to ensure its interactions with Victoria's Aboriginal communities are culturally appropriate. IBAC is also committed to ensuring its employees, particularly those in community-facing roles, receive cultural awareness training and have access to necessary supports.</p>

Question 19
<p>Should complaints about police misconduct and corruption be investigated by a standalone independent body, such as a dedicated Police Ombudsman similar to the Northern Ireland model (PONI), or would it be more effective to establish a fully autonomous division within IBAC to carry out this function and, if so, why?</p>
Response
<p>IBAC's work across the public sector and police enables resources and learnings from investigations and prevention work to be applied across both sectors effectively and efficiently. As outlined in response to Qu. 13 above, IBAC is also able to gain efficiencies where sector specific expertise is not required and to take a consistent approach where there are clear organisational and stakeholder benefits.</p> <p>For example, the analysis of use of force as a corruption risk and associated prevention work is applicable to Victoria Police but also Corrections Victoria and Youth Justice.</p> <p>The creation of either a stand-alone body, or a fully autonomous division within IBAC, would come at a significant cost to taxpayers and result in overlap between both bodies when it comes to work that can be applied across police and the public sector.</p> <p>In addition, there are many similarities across functions including investigations, complaint assessment, reviews, corporate services etc – duplication would not only result in increased costs but would also be arguably less effective as a separate agency or division would prohibit or limit shared learnings, intelligence and prevention.</p> <p>There are also some speciality resources that are limited and/or costly, for example surveillance and digital forensics, that could not be spilt up across IBAC and setting them up in other organisations would be difficult for the same reasons.</p> <p>Parts of IBAC are already focused solely on Victoria Police work, including a dedicated Deputy Commissioner, a Focused Police Complaints team, and other related roles. Approximately half of IBAC's investigative work is focused on Victoria Police.</p>

Comparisons between IBAC and the Police Ombudsman Northern Ireland (PONI) may be flawed, due to significant differences in scale and powers.

Further, the PONI may not be considered completely independent from government, as it reports to the Department of Justice, and its powers do not align with community expectations of police oversight in Victoria (E.g.: PONI cannot investigate complaints involving off-duty police officers, former police officers, or complaints by police officers about other police officers). The PONI also does not have the powers to charge police officers with criminal offences.