



Evaluation of South Australia Police

Part of the Whistleblower
Project

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This report has been prepared in accordance with sections 40(3), 41(2) and 42(1)(a) of the *Independent Commission Against Corruption Act 2012* (SA).

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Level 9, 55 Currie Street
Adelaide SA 5000

(08) 8463 5191
GPO Box 11066
Adelaide SA 5001

icac.sa.gov.au

Acknowledgement

ICAC acknowledges that the land on which we work is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their Country.

We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

We pay our respects to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples.



Contents

Letter of transmittal	7
Table of commonly used abbreviations	9
Commissioner’s foreword	12
Recommendations	14
Introduction	19
SA Police: A summary	19
SA Police disciplinary scheme	20
Evaluation process	22
Receiving, assessing and investigating police conduct	25
Disclosing information to a “relevant authority”	25
Information raising a potential issue of corruption, misconduct or maladministration in public administration	30
A “reasonable suspicion”	35
Investigating disclosures	36
Encouraging disclosures of information raising a potential issue of corruption, misconduct or maladministration in public administration	41
Protecting a discloser’s identity	41
Protecting a discloser from victimisation	44
Knowledge of the public interest disclosure scheme	46
Information within the Public Interest Disclosure Procedure	47
Organisational culture	51
Clear and accessible reporting mechanisms	51
Trust in reporting channels	52
Leadership commitment	54
Conclusion	56
Appendices	57



Letter of transmittal

15 September 2026

The Hon Kyam Maher MLC

Deputy Premier
Attorney-General
Parliament House
North Terrace
ADELAIDE SA 5000

The Hon Reggie Martin MLC

President of the Legislative Council
Parliament House
North Terrace
ADELAIDE SA 5000

The Hon Nat Cook MP

Speaker of the House of Assembly
Parliament House
North Terrace
ADELAIDE SA 5000

Dear President and Speaker

In accordance with sections 40(3), 41(2) and 42(1)(a) of the *Independent Commission Against Corruption Act 2012* (SA) (ICAC Act), I present the report entitled *Evaluation of South Australia Police: Part of the Whistleblower Project*.

Sections 40(4) and 41(3) of the ICAC Act require that the report be laid before the respective Houses of Parliament on the first sitting day after receiving it.

Yours sincerely



Emma Townsend
COMMISSIONER
Independent Commission Against Corruption



Table of commonly used abbreviations

Term	Definition
ACS	Anti-Corruption Section of SA Police
Designated officer	A term in the PCD Act to mean: a member of SA Police, a police cadet, a special constable or a police security officer
Discloser	A person who makes an appropriate disclosure of information raising a potential issue of corruption, misconduct or maladministration in public administration in accordance with the PID Act
Diversity and Inclusion Branch	Diversity and Inclusion Branch of SA Police
EPSB	Ethical and Professional Standards Branch of SA Police
General Order	SA Police General Order issued by the Commissioner of Police for the control and management of SA Police, police cadets, police medical officers and police security officers pursuant to section 11(1) of the Police Act
IAPro	The complaint management system used by IIS for the purpose of section 6 of the PCD Act
ICAC	Independent Commission Against Corruption (SA)
ICAC Act	<i>Independent Commission Against Corruption Act 2012 (SA)</i>
IIS	Internal Investigation Section of SA Police
Ombudsman Act	<i>Ombudsman Act 1972 (SA)</i>
OPI	Office for Public Integrity
PASA	Police Association of South Australia
PCD Act	<i>Police Complaints and Discipline Act 2016 (SA)</i>
PCD Regulations	<i>Police Complaints and Discipline Regulations 2017 (SA)</i>
PCS	Professional Conduct Section of SA Police

Term	Definition
PID Act	<i>Public Interest Disclosure Act 2018 (SA)</i>
PID Guidelines	Public Interest Disclosure Guidelines published by ICAC in accordance with section 14 of the PID Act.
PID Regulations	<i>Public Interest Disclosure Regulations 2019 (SA)</i>
Police Act	<i>Police Act 1998 (SA)</i>
Public Sector Act	<i>Public Sector Act 2009 (SA)</i>
Public Sector Code of Ethics	Code of Ethics for the South Australian public sector issued for the purposes of the Public Sector Act
Public Service employee	A person employed under the Public Sector Act who works for SA Police
SA Police	South Australia Police
SA Police Code of Conduct	<i>Code of Conduct for the maintenance of professional standards by designated officers and police security officers</i> , issued for the purposes of the PCD Act within schedule 3 to the PCD Regulations
SA Police employee	All persons employed at SA Police
Whistleblower Project final report	The report entitled <i>Doing right by those who call out the wrong: A review of South Australia's whistleblower protection regime</i> published by ICAC in June 2026

Commissioner's foreword

South Australia Police (**SA Police**) is an essential South Australian public institution, playing a critical role in upholding the law and preserving peace within our community. SA Police officers routinely make difficult decisions in fast-paced and high-pressure environments, requiring both judgement and the use of significant discretionary powers. Given the nature of the work, these decisions are sometimes made with limited immediate supervision. SA Police officers and other employees also have access to highly sensitive information. While the vast majority of decisions made and actions taken are appropriate in the circumstances, the potential consequences of the misuse of powers or the improper access to information make strong and credible whistleblower protections essential.



A workplace in which SA Police officers and employees feel safe to report suspected wrongdoing is fundamental to the early identification of improper conduct, the promotion of accountability and the maintenance of public confidence in policing. Achieving this depends on leaders actively fostering and sustaining a culture in which individuals are encouraged to speak up without fear of retaliation.

SA Police officers operate within a complex, regulatory environment of legislation and General Orders. Any whistleblower scheme must complement these existing arrangements, rather than create unnecessary complexity. Key to this is SA Police's ability to effectively embed the objectives of the *Public Interest Disclosure Act 2018* (SA) (**PID Act**) within the disciplinary frameworks that govern its employees.

This evaluation report makes 16 recommendations to further embed the principles of the PID Act within SA Police's existing systems and, where possible, to support a genuine "no wrong door" approach to reporting wrongdoing.

This evaluation, alongside a similar review of the Department of Human Services, forms part of the Independent Commission Against Corruption's (**ICAC**) broader Whistleblower Project, which examined the adequacy of current arrangements to encourage, support and protect those who report wrongdoing and incompetence in public administration. Several of this report's findings are discussed in the project's final report "Doing right by those who call out the wrong: A review of South Australia's whistleblower protection regime" (**Whistleblower Project final report**), which was tabled in Parliament on 25 June 2026.

It is important to note that SA Police was not selected for evaluation because of any particular identified deficiencies. Rather, as an agency entrusted with considerable authority and public trust, its approach to whistleblowing has the potential to set a benchmark for integrity and accountability across the South Australian public sector.

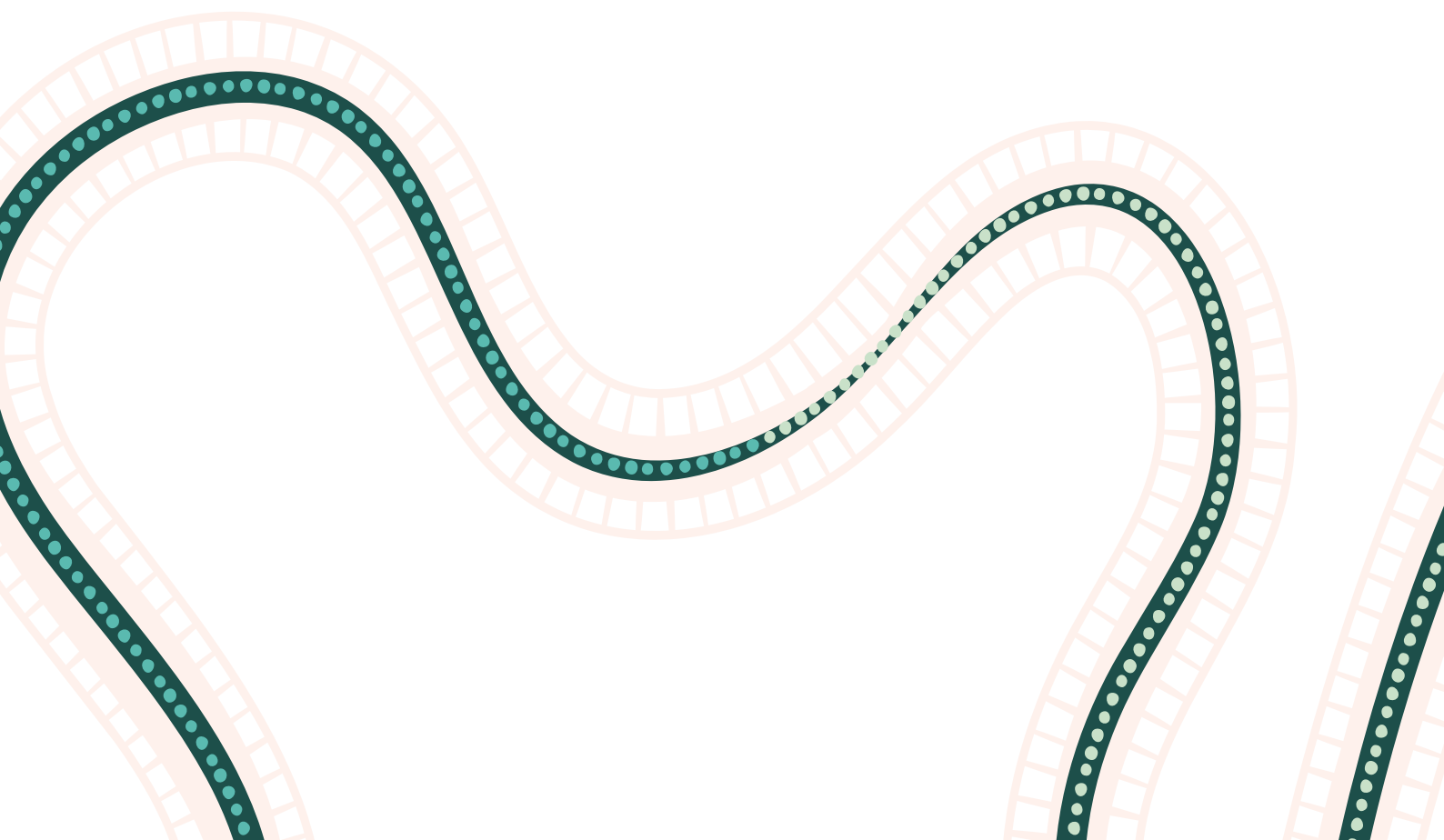
I thank the Commissioner of Police and staff of SA Police for their considerable cooperation and assistance throughout this evaluation.



Emma Townsend

COMMISSIONER

Independent Commission Against Corruption



Recommendations

Recommendation	1
That SA Police: i. reviews arrangements in place relating to reporting disclosures to its public interest disclosure email inbox to ensure that confidentiality is maintained and disclosures are received by appropriate personnel having regard to the requirements of the PID Act ii. reviews its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure that these clearly communicate to staff the reporting channels available and the arrangements supporting their use.	
Recommendation	2
That consideration be given to prescribing IIS as a relevant authority pursuant to section 5(5)(m) of the PID Act.	
Recommendation	3
That SA Police updates its internal reporting system to ensure that a report is made to a responsible officer or another relevant authority.	
Recommendation	4
That SA Police includes information about how to disclose information raising a potential issue of corruption, misconduct, or maladministration in public administration in such a manner that it will be made to a relevant authority for the purposes of the PID Act. This information should be included in the following places: i. SA Police intranet page about public interest disclosures ii. SA Police's Public Interest Disclosure Procedure iii. General Order – Public Interest Disclosure iv. General Order – Complaints and Disciplinary Framework v. General Order – Diversity and Inclusion vi. Policy – Allocation, Assessment and Investigation of Complaints and Reports.	

Recommendation	5
That SA Police considers designating a member of the Diversity and Inclusion Branch as a responsible officer for the purposes of the PID Act and updates its systems to ensure that reports are made to that responsible officer or another relevant authority.	
Recommendation	6
That SA Police considers a policy position that all persons working as members of IIS and the Diversity and Inclusion Branch undertake training about the PID Act, such as the Responsible Officer training provided by ICAC in accordance with regulation 4 of the PID Regulations.	
Recommendation	7
That SA Police includes information about how to assess disclosures in accordance with the PID Act within its Policy – Allocation, Assessment and Investigation of Complaints and Reports.	
Recommendation	8
That the next review of the PCD Act and PCD Regulations considers whether amendment is needed regarding the omission of the word “report” from provisions that require SA Police to provide updates to the parties.	
Recommendation	9
That SA Police integrates into relevant General Orders, policies and procedures a process for making notifications to the OPI required under the PID Act, including: i. SA Police’s Public Interest Disclosure Procedure ii. General Order – Public Interest Disclosure iii. General Order – Complaints and Disciplinary Framework iv. Policy – Allocation, Assessment and Investigation of Complaints and Reports.	
Recommendation	10
That SA Police reviews and amends the Appendices within its Public Interest Disclosure Procedure to ensure that the information contained is consistent with the PID Act, and clearly distinguishes between steps to be taken by a discloser and the recipient of the disclosure.	

Recommendation**11**

That SA Police creates a PID Act workflow in IAPro for assessments and investigations undertaken by, or on behalf of, IIS.

Recommendation**12**

That SA Police strengthens the integration of the PID Act within relevant General Orders, policies and procedures relating to making and investigating complaints and reports including by referencing the PID Act in those internal documents and explaining how the PID Act relates to them, including:

- i. SA Police's Public Interest Disclosure Procedure
- ii. General Order – Public Interest Disclosure
- iii. General Order – Complaints and Disciplinary Framework
- iv. General Order – Diversity and Inclusion
- v. General Order – Disclosure Compliance and Subpoena Management
- vi. Policy – Allocation, Assessment and Investigation of Complaints and Reports
- vii. Diversity and Inclusion Branch Policy – Confidentiality.

Recommendation**13**

That consideration be given to increasing the maximum penalty for breaching the confidentiality provisions in the PCD Act to be consistent with the maximum penalty for breaching section 8 of the PID Act.

Recommendation**14**

That SA Police considers including, in any training applicable to the Diversity and Inclusion Representative role, information about the PID Act and how SA Police employees may disclose information raising a potential issue of corruption, misconduct or maladministration in public administration in a manner that will enliven the protections under the PID Act.

Recommendation	15
That SA Police reviews the information provided within its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure both documents contain consistent information.	
Recommendation	16
That SA Police reviews the information within its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure both documents are compliant with section 12 of the PID Act and the PID Guidelines.	



Introduction

SA Police: A summary

SA Police is the primary law enforcement agency for the state of South Australia, operating under the *Police Act 1998* (SA) (**Police Act**). It is a large and complex organisation characterised by a broad range of functions, extensive geographical reach across South Australia and a diverse workforce. Its operations and services are supported by 28 metropolitan stations, 110 regional stations and a headquarters located in the Adelaide CBD. Its hierarchical structure, encompassing multiple command levels and specialised branches, contributes to this complexity.¹

To fulfill its purpose under the Police Act, SA Police engages in a wide range of activities, including emergency assistance; crime prevention; child protection; coordinating and managing emergency responses; responding to domestic violence; undertaking police checks; preventing motor vehicle accidents; regulating road use; registration and licensing of firearms; administering expiation notices; liquor licence enforcement; statewide security; and generally upholding the law.²

Broadly speaking, staff engaged by SA Police are either designated officers employed under the Police Act (including sworn officers,³ police cadets, special constables, and police security officers⁴) or they are public service employees employed within the administrative unit, SA Police, under the *Public Sector Act 2009* (SA) (**Public Sector Act**).⁵ As of 30 June 2025, SA Police engaged 6,107 full-time equivalent employees, of which 4,687 were sworn police officers and 270 were sworn police security officers.⁶ SA Police's workforce also includes individuals engaged under contracts for services. Other assistance is also obtained from volunteers working in community-led programs such as Neighbourhood Watch.

This evaluation includes consideration of the practices, policies and procedures applying to both staff employed under the Police Act and the Public Sector Act. Throughout this report, SA Police employees employed under the Police Act are referred to as “**designated officers**”. SA Police employees who are employed in the Public Service under the Public Sector Act are referred to as “**public service employees**”. When both cohorts are described collectively, they are referred to as “**SA Police employees**”.

1 South Australia Police's (**SA Police**) organisational structure as of 30 June 2026 is available in Appendix 3.

2 *Police Act 1998* (SA) (**Police Act**) s 5; SA Police, [2024-25 Annual Report 8](#); SA Police, [SAPOL – Who we are](#).

3 A sworn officer is a member of SA Police who has made an official oath or affirmation to serve in SA Police in accordance with the Police Act and *Police Regulations 2014* (SA). A sworn officer has legal powers to enforce the law, carry firearms, make arrests and conduct criminal investigations across the state of South Australia.

4 Special Constables and Police Security Officers also make an official oath or affirmation, which grants certain powers under the Police Act and *Police Regulations 2014*.

5 *Public Sector Act 2009* (SA) (**Public Sector Act**) s 30.

6 SA Police, Personnel Information Summary, Annual Reporting 2024-2025.

SA Police disciplinary scheme

“Policing is wholly reliant on reputation, both corporately as an organisation, and personally as a serving officer. Your integrity and your reputation are everything...”

SA Police respondent to ICAC Public Integrity Survey 2024

SA Police operates within a demanding operational environment with broad-reaching powers and functions. SA Police employees are subject to a disciplinary regime imposed by often overlapping schemes created by the *Police Complaints and Discipline Act 2016* (SA) (**PCD Act**), the Police Act, the *Independent Commission Against Corruption Act 2012* (SA) (**ICAC Act**) and Public Sector Act.

The PCD Act and the *Police Complaints and Discipline Regulations 2017* (SA) (**PCD Regulations**) establish a code of conduct for designated officers (**SA Police Code of Conduct**).⁷ A breach of discipline is defined in the PCD Act to include conduct that contravenes the PCD Act or breaches the SA Police Code of Conduct.⁸ SA Police employees are also required to comply with General Orders and Special Orders for the control and management of the workforce.⁹ A failure to comply with General Orders and Special Orders may constitute a breach of discipline for the purposes of the PCD Act.¹⁰

The PCD Act distinguishes between a complaint (made by any person about the “conduct” of a designated officer) and a report (made by a designated officer about another designated officer).¹¹ Investigations of complaints and reports under the PCD Act are generally finalised with a result of either no further action being taken, management resolution,¹² or proceedings for a breach of discipline in the Police Disciplinary Tribunal.¹³

Public service employees are required to abide by the Code of Ethics for the South Australian Public Sector (**Public Sector Code of Ethics**), which is issued by the Commissioner for Public Sector Employment under the Public Sector Act.¹⁴ Misconduct is defined under the Public Sector Act as a breach of a disciplinary provision of the Public Sector Code of Ethics or other misconduct whilst in public sector employment and includes making a false statement in connection with an application for employment and being convicted of an offence punishable by imprisonment whilst in public sector employment.¹⁵ Suspected misconduct on the part of public service employees is investigated by SA Police in accordance with relevant Guidelines of the Commissioner for Public Sector Employment,¹⁶ and can lead to disciplinary action taken in accordance with the Public Sector Act.¹⁷

⁷ *Police Complaints and Discipline Act 2016* (SA) (**PCD Act**) s 7; *Police Complaints and Discipline Regulations 2017* (SA) (**PCD Regulations**), sch 3.

⁸ PCD Act s 3(1).

⁹ General and Special Orders are issued under s 11 of the Police Act.

¹⁰ Under the Code of Conduct for the maintenance of professional standards by designated officers and police security officers, issued for the purposes of the PCD Act within schedule 3 to the PCD Regulations (**SA Police Code of Conduct**) designated officers must not, without good and sufficient cause, disobey a lawful order: section 4.

¹¹ PCD Act ss 10 and 12.

¹² Management resolution is a mechanism under the PCD Act by which a less formal approach can be taken to resolve a complaint or report, for example, by way of remedial education and training. Procedural requirements for dealing with a matter by way of management resolution are outlined in s 18 of the PCD Act.

¹³ Proceedings for a breach of discipline are commenced in the Police Disciplinary Tribunal by the Commissioner of Police issuing a notice of allegation to the Tribunal. The designated officer who is the subject of the allegation may admit or deny the allegation, and if not admitted, the allegation is to be heard by the Police Disciplinary Tribunal. Depending on the outcome of proceedings, the Commissioner may sanction the designated officer. See PCD Act Part 4; PCD Regulations, regs 10-13.

¹⁴ Public Sector Act ss 6, 14(1)(a) and 15.

¹⁵ *Ibid* s 3(1).

¹⁶ See Office of the Commissioner for Public Sector Employment (**OCPSE**), Guideline: Management of Misconduct for South Australian public sector managers and human resource professionals, 27 April 2026; OCPSE, Guideline of the Commissioner for Public Sector Employment: Management of Unsatisfactory Performance, 31 March 2023.

¹⁷ Public Sector Act ss 53, 54 and 55.

SA Police employees are “public officers” for the purposes of the ICAC Act.¹⁸ Like other public officers, SA Police employees must report to the Office for Public Integrity (**OPI**) any matter that is reasonably suspected of involving corruption in public administration,¹⁹ and are strongly encouraged to report misconduct or maladministration in public administration to the OPI or Ombudsman SA.²⁰ The PCD Act also obliges designated officers to report any reasonable suspicion that other designated officers have engaged in corruption, misconduct or maladministration in public administration.²¹

Within SA Police’s organisational structure, the Ethical and Professional Standards Branch (**EPSB**) discharges SA Police’s internal investigatory and disciplinary functions. This includes the Internal Investigation Section (**IIS**), Anti-Corruption Section (**ACS**) and the Professional Conduct Section (**PCS**).²² IIS receives, assesses, and investigates complaints and reports about designated officers and public service employees. ACS investigates serious allegations of corruption in public administration involving SA Police employees including allegations referred to SA Police by ICAC. Depending on the circumstances, allegations of other criminal offending by SA Police employees may be investigated by operational areas within SA Police with the appropriate expertise and responsibility for those investigations. Matters investigated by IIS and ACS are referred to PCS.

PCS handles all matters where a notice of allegation is presented to a designated officer or a public service employee and ensures that management resolution under the PCD Act is appropriately executed. PCS also handles criminal prosecutions of any SA Police employee other than those which do not involve an associated breach of the Code of Conduct or circumstances likely to attract action under s 26 of the PCD Act. These are generally prosecuted by the Prosecution Services Branch in SA Police unless prosecuted by the Director of Public Prosecutions.

In a separate part of the SA Police organisational structure, the People, Culture and Wellbeing Service includes a Diversity and Inclusion Branch. The Diversity and Inclusion Branch receives and assesses notifications and undertakes alternative dispute resolution of matters constituting bullying, harassment, victimisation, discrimination, and workplace grievances. The Branch may also be required by IIS to complete investigations under the PCD Act.²³

The PID Act is designed to encourage and facilitate disclosures of information raising a potential issue of corruption, misconduct or maladministration in public administration. It operates alongside SA Police’s disciplinary framework by providing overarching protections for public officers who make such disclosures to a relevant authority. Throughout this report, individuals who make these disclosures are referred to as “disclosers”.

¹⁸ See *Independent Commission Against Corruption Act 2012* (SA) (**ICAC Act**) sch 1.

¹⁹ *Office for Public Integrity Directions and Guidelines for public officers, public authorities and inquiry agencies 2023* (SA) issued pursuant to s 18B of the ICAC Act (**OPI Directions and Guidelines**); *Ombudsman SA Directions and Guidelines 2023* (SA) issued pursuant to s 12D(1) of the *Ombudsman Act 1972* (SA) (**Ombudsman Act**) (**Ombudsman SA Directions and Guidelines**).

²⁰ *Ombudsman SA Directions and Guidelines*. Ombudsman SA expects that public officers and public authorities will report to Ombudsman SA any matter reasonably suspected of involving misconduct or maladministration in public administration, unless the public officer or public authority knows that the matter has already been reported to, or come to the attention of, Ombudsman SA or the Office for Public Integrity (**OPI**).

²¹ PCD Act s 12.

²² SA Police is currently reviewing whether the Professional Conduct Section (**PCS**) should sit outside of the Ethical and Professional Standards Branch (**EPSB**).

²³ Under s 21(14) of the PCD Act, the Officer in Charge of the Internal Investigation Section (**IIS**) may require a police officer not serving in IIS to assist IIS in conducting an investigation under the PCD Act, or to conduct an investigation on behalf of IIS as if the police officer were a member of IIS.

The PID Act imposes a range of obligations on SA Police to protect disclosers. These include maintaining the confidentiality of a discloser's identity except in limited circumstances, implementing policies and procedures to support internal reporting and protect against retribution, and keeping disclosers informed of any action taken in relation to information they have reported. The PID Act also provides disclosers with immunity from civil and criminal liability arising from the making of a disclosure.

The PID Act requires the Commissioner of Police to have available on the intranet a public interest disclosure procedure that provides assurances about how SA Police will assess, investigate and treat disclosures attracting status under the PID Act.²⁴ This procedure should set out the process for a person wanting to make a disclosure and for a person dealing with a disclosure.²⁵ SA Police has a Public Interest Disclosure Procedure and a dedicated General Order covering disclosures attracting status under the PID Act.²⁶

Evaluation process

The evaluation of SA Police examined whether its practices, policies and procedures:

1. adequately and appropriately protect the identity of individuals who provide information about suspected corruption, misconduct or maladministration in public administration²⁷
2. adequately and appropriately protect those individuals from reprisals or other adverse action being taken because they have made a disclosure
3. foster an environment in which designated officers and public service employees feel encouraged and supported to report corruption, misconduct or maladministration in public administration.

The evaluation also considered related issues, including:

1. how SA Police balances the protection of whistleblowers with the need to take appropriate disciplinary action where required
2. how SA Police balances the need to encourage whistleblowing with the need to protect the confidentiality of sensitive information
3. the interaction between the PCD Act and the PID Act, and whether any harmonisation between those Acts is required.

²⁴ *Public Interest Disclosure 2018 (SA) (PID Act)* ss 12(4) and 12(5)(a)-(b).

²⁵ *Ibid.*

²⁶ EXH003; EXH022. SA Police's Public Interest Disclosure Procedure is located at Appendix 4.

²⁷ The PID Act also applies to disclosures of information that raise a potential issue of a substantial risk to the environment or to the health or safety of the public generally, or a significant section of the public. However, the evaluation focuses on disclosures of information raising a potential issue of corruption, misconduct, or maladministration in public administration. This is because such a disclosure is central to SA Police's disciplinary scheme and the Independent Commission Against Corruption (ICAC)'s discharge of its statutory functions relating to the identification, investigation, prevention and minimisation of corruption in public administration.

Public officers may be entitled to protections under the PID Act when reporting potential issues of corruption, misconduct or maladministration in public administration. The evaluation has focussed primarily on how SA Police may ensure compliance with the PID Act in relation to reports made by SA Police employees about the conduct of other SA Police employees.²⁸

The evaluation involved a review and analysis of information from a broad range of sources, including:

1. policies, procedures, guidelines, General Orders and statistical data provided by SA Police
2. public reports and academic literature on whistleblowing in policing environments
3. public reports and information about the SA Police disciplinary scheme
4. interviews with the Director of the OPI and senior personnel within SA Police who deal with the administration and management of internal grievances, complaints, and reports²⁹
5. submissions from relevant stakeholders, including the OPI, Equal Opportunity SA, the Office of the Commissioner for Public Sector Employment, and the Police Association of South Australia (**PASA**)
6. a submission from a member of the public.

The draft SA Police evaluation report was provided to SA Police, the OPI and Ombudsman SA. Feedback has been incorporated into the report where appropriate.

²⁸ Although a member of the police force may also receive a disclosure under the PID Act from a public officer who is not an SA Police employee pursuant to s 5(5)(g) of the PID Act.

²⁹ It was beyond the scope of the Whistleblower Project to conduct a wide-ranging review of reporting within SA Police. Interviews were not conducted with employees below management level. This is recognised as a limitation of the evaluation. Findings should be considered in this context.



Receiving, assessing and investigating police conduct

SA Police employees may receive protections under the PID Act, provided that they meet the following criteria:

1. they disclose information to a “relevant authority”,³⁰ and
2. they reasonably suspect that the information raises a potential issue of corruption, misconduct or maladministration in public administration.³¹

The following sections discuss each of these criteria and how they interact with the SA Police disciplinary scheme.³²

Disclosing information to a “relevant authority”

The term “relevant authority” is defined in the PID Act.³³ For the discloser to receive protections under the PID Act, information must be disclosed to a listed relevant authority. The OPI and persons designated within SA Police as “responsible officers” are relevant authorities under the PID Act.³⁴ Managers and supervisors may also be a relevant authority in certain circumstances.³⁵

There are three responsible officers within SA Police. They are the Officers in Charge of EPSB, IIS and ACS, each of whom are designated officers. These officers advised this evaluation that they have had minimal contact from SA Police employees in their capacity as responsible officers.³⁶ This is not entirely surprising, as the PCD Act prescribes a process for making complaints and reports about designated officers that does not necessitate disclosing information directly to the responsible officers.

Under the PCD Act, complaints and reports about designated officers can be made either internally, to IIS, or externally, to the OPI. SA Police employees make a complaint or report to IIS by submitting a “PD185” form via SA Police’s internal electronic reporting system.

30 See PID Act s 5(5). The criteria may not be met if the information has been previously disclosed to the same relevant authority. See the discussion of *King v SA Psychological Board* [1998] SASC 6621 within ICAC, *Doing right by those who call out the wrong: A review of South Australia’s whistleblower protection regime* (Report, June 2026) (**Whistleblower Project final report**) 54.

31 Ibid s 4. The term “corruption in public administration” has the same meaning as in the ICAC Act. The terms “misconduct in public administration” and “maladministration in public administration” have the same meaning as in the Ombudsman Act.

32 A general overview of the PID Act is provided in Appendix 2.

33 PID Act s 5(5). Additional relevant authorities may be prescribed by regulation pursuant to s 5(5)(m).

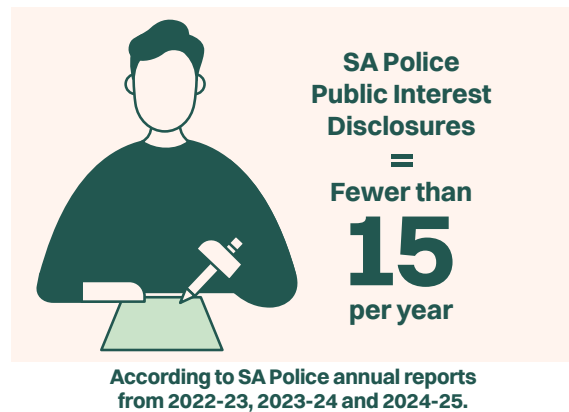
34 Ibid ss 5(5)(a) and 5(5)(l). Persons designated as responsible officers must complete any training courses approved by ICAC. See *Public Interest Disclosure Regulations 2019* (SA) (**PID Regulations**) reg 4.

35 Ibid s 5(5)(a).

36 EXH023, EXH025; EXH026.

As indicated above, the Officer in Charge of IIS is a responsible officer for the purposes of the PID Act. However, the PD185 forms are submitted to IIS as a section, rather than to the attention of the Officer in Charge. Designated officers within IIS who are above the rank of Inspector will ordinarily have undertaken training to be responsible officers.³⁷ However, they are not formally assigned as a responsible officer for the agency under SA Police's Public Interest Disclosure Procedure, nor is every person employed within IIS required to undertake that training.

Reports and complaints made to IIS, in the manner required by the General Order Complaints and Disciplinary Framework, are unlikely to enliven the protections under the PID Act, because information is not disclosed to a relevant authority. This distinction is reflected in SA Police's annual data showing that over the last three financial years, SA Police has identified fewer than 15 disclosures engaging the PID Act per financial year.³⁸ In contrast, annual complaints and reports to IIS and the OPI numbered in the thousands.³⁹



Complaints and reports about SA Police employees may also be made to the OPI.⁴⁰ Since the OPI itself is a relevant authority under the PID Act, information disclosed to the OPI can enliven the protections under the PID Act without being submitted specifically to the Director of the OPI.

As the scheme currently stands, there is greater incentive for SA Police employees to make complaints and reports about SA Police employees to the OPI rather than IIS, as the former may enliven protections under the PID Act while the latter may not.

SA Police's Public Interest Disclosure Procedure also states that disclosures may be made by disclosing information to a dedicated email inbox.⁴¹ SA Police's General Order – Public Interest Disclosure does not refer to the PID email inbox. The PID email inbox is monitored by employees within EPSB who decide whether the matter needs to be forwarded to IIS for assessment. Presently, none of the employees monitoring the email inbox are responsible officers. Where adequate measures are not put in place to ensure a disclosure is made to a relevant authority, there is a risk that it will not meet the requirements under the PID Act, even where it might otherwise have amounted to a disclosure under the PID Act and attracted protection.

The Whistleblower Project final report recommends that public sector agencies review arrangements in place regarding the use of shared inboxes, hotlines or postal addresses to receive disclosures under the PID Act.⁴² It is appropriate to make a comparable recommendation tailored to SA Police.

37 EXH023; EXH025. It was explained that additional members of IIS are trained as responsible officers for circumstances where an officer may need to relieve in the role of Officer in Charge of EPSB, IIS, or Anti-Corruption Section (**ACS**), as required.

38 SA Police, [2024-25 Annual Report](#) 43; SA Police, [2023-24 Annual Report](#) 45; SA Police, [2022-23 Annual Report](#) 44.

39 EXH032; SA Police, [2024-25 Annual Report](#) 62-63; SA Police, [2023-24 Annual Report](#) 63-65; SA Police, [2022-23 Annual Report](#) 63-64; OPI, [2024-25 Annual Report](#) 13, 15; OPI, [2023-24 Annual Report](#) 11, 13; OPI, [2022-23 Annual Report](#) 9, 11.

40 Which is the alternative option provided in EXH001.

41 SA Police's Public Interest Disclosure Procedure is provided at Appendix 4.

42 Whistleblower Project final report, Recommendation 22.

Recommendation	1
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That SA Police:

- i. reviews arrangements in place relating to reporting disclosures to its public interest disclosure email inbox to ensure that confidentiality is maintained and disclosures are received by appropriate personnel having regard to the requirements of the PID Act
- ii. reviews its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure that these clearly communicate to staff the reporting channels available and the arrangements supporting their use.

The Whistleblower Project final report includes a recommendation that consideration be given to prescribing “individuals who monitor designated repositories for [disclosures for the purposes of the PID Act]” as a relevant authority.⁴³ If implemented, this recommendation would address issues relating to the monitoring of SA Police’s dedicated PID email inbox. However, this recommendation would not necessarily extend to disclosures made to IIS. Given the critical role of whistleblowers in calling out wrongdoing, and SA Police’s reliance on the integrity of its employees in maintaining public trust, consideration should also be given to prescribing IIS as a relevant authority for the purposes of the PID Act.

Recommendation	2
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That consideration be given to prescribing IIS as a relevant authority pursuant to section 5(5)(m) of the PID Act.

Any amendment to the PID Regulations may take time. In the meantime, SA Police should consider making changes to its internal reporting system to ensure that reports made by SA Police employees can be made to a responsible officer or another relevant authority.

Recommendation	3
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That SA Police updates its internal reporting system to ensure that a report is made to a responsible officer or another relevant authority.

SA Police should ensure that employees understand when and how they may report conduct by other SA Police employees in a manner that enlivens the PID Act, enabling them to make informed decisions about how and where to disclose information. To this end, this information should readily be available at the time a prospective discloser is considering making a disclosure.

⁴³ Ibid, Recommendation 21.

Recommendation**4**

That SA Police includes information about how to disclose information raising a potential issue of corruption, misconduct, or maladministration in public administration in such a manner that it will be made to a relevant authority for the purposes of the PID Act. This information should be included in the following places:

- i. SA Police intranet page about public interest disclosures
- ii. SA Police's Public Interest Disclosure Procedure
- iii. General Order – Public Interest Disclosure
- iv. General Order – Complaints and Disciplinary Framework
- v. General Order – Diversity and Inclusion
- vi. Policy – Allocation, Assessment and Investigation of Complaints and Reports.

The list of relevant authorities under the PID Act includes managers or supervisors “where the information relates to a public officer”.⁴⁴ The Whistleblower Project final report notes that some ambiguity arises from the wording of the current provision. However, it seems likely that the provision captures public officers who report information raising a potential issue of corruption, misconduct or maladministration in public administration to the manager or supervisor of the person who is the subject of the allegations.⁴⁵ The hierarchical structure of SA Police means information raising a potential issue of corruption, misconduct or maladministration in public administration is capable of being informally disclosed to a superior officer and enlivening the protections under the PID Act. It does not require a complaint or report to be made through formal processes. In such a scenario, the manager or supervisor receiving the information has obligations under the PID Act to protect the identity of the person disclosing the information and to take action in relation to the disclosure. This is discussed later in this report.

In addition to managers or supervisors and responsible officers within SA Police, a relevant authority under the PID Act includes a member of the police force “where the information relates to the commission, or suspected commission, of any offence”.⁴⁶ It is not precisely clear who within SA Police would be a “member of the police force” as this exact term is not used in the Police Act or PCD Act. It would presumably be the same persons referred to within the Police Act as “a member of SA Police”, which covers sworn police officers but does not extend to other personnel such as police cadets, police security officers, or public service employees.

On this basis, any public officer who discloses information to a “member of SA Police” about the commission or suspected commission, of any alleged offence by a public officer that also meets the definition of corruption, misconduct,⁴⁷ or maladministration in public administration would receive protections under the PID Act.⁴⁸ Any SA Police employee, or a public officer working in another public authority as defined in the ICAC Act, could disclose such information to a member of SA Police. SA Police employees should be aware that disclosures of information about the commission or suspected commission of an offence by a public officer may, in certain circumstances, be a disclosure under the PID Act.

⁴⁴ PID Act s 5(5)(a)(ii).

⁴⁵ Whistleblower Project final report 70-71.

⁴⁶ PID Act s 5(5)(g).

⁴⁷ For example, a public officer reporting to a member of police that a designated officer was driving disqualified while on duty may raise a potential issue of misconduct in public administration but may also relate to the suspected commission of an offence.

⁴⁸ Or for that matter, any person who discloses environmental and health information that relates to the commission, or suspected commission, of any offence. While the Whistleblower Project and this evaluation did not focus on environmental and health information, the Whistleblower Project final report recommended that the next review of the operation of South Australia's whistleblower laws consider how existing alternative channels for disclosures of environmental and health information might be enhanced to such an extent that it is no longer necessary for the SA PID Act to govern disclosures of this kind. See: Whistleblower Project final report, Recommendation 10.

The Whistleblower Project final report recommendations reflect the value of a layered approach to training – scenario-based exercises, dedicated modules, refresher sessions and formal courses – in building this understanding.⁴⁹ Knowledge about what circumstances a public officer may be a relevant authority for the purposes of the PID Act should not be confined to those responsible for administering and managing disclosures; rather, it should extend to every public officer, as well as anyone engaging with government in a professional capacity, including contractors and subcontractors.

A consistent standard of understanding across South Australian public administration about what circumstances a public officer may be a relevant authority will support the PID Act's core purpose to encourage people to speak up.

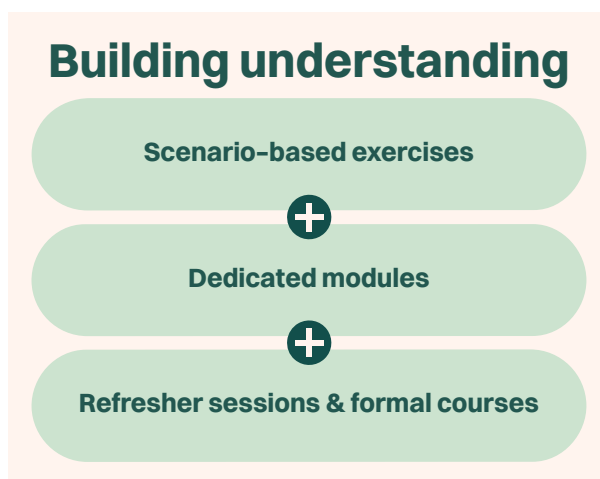
Interviews with SA Police indicate that its broader training architecture for integrity and reporting obligations is well developed, spanning an officer's career from the point they join the organisation onward.⁵⁰ This reflects favourably on SA Police's maturity as a law enforcement agency. Nevertheless, SA Police itself acknowledged that training specific to the PID Act remains limited,⁵¹ even though some officers are trained as responsible officers.

Information about the PID Act is provided to SA Police via the OPI's education and awareness initiatives, including training on reporting pathways and obligations under both the PID Act and the PCD Act – delivered to police cadets, police security officers, detectives, and participants in inspector qualification programs.⁵² Sustained investment in training not only strengthens confidence in reporting but also assists SA Police to identify systemic integrity issues more effectively.

The existing training arrangements within SA Police provide a solid foundation. However, SA Police identified a need for more comprehensive and accessible PID-specific training across the organisation.⁵³

Recommendation 55 of the Whistleblower Project final report proposes that a newly established whistleblower support authority should be adequately resourced to create resources and training for employees within public sector agencies who may be eligible to receive disclosures under the PID Act.

In the interim, building on SA Police's existing training arrangements with clearer guidance, training, and communication about the PID Act will further strengthen confidence in SA Police's whistleblower and reporting systems. In particular, SA Police training and guidance materials should clearly explain confidentiality obligations, the consequences for breaching them, and the reasons these protections exist. Doing so will ensure that disclosures attracting status under the PID Act are handled with care and consistency within SA Police.



49 Whistleblower Project final report, Recommendations 40, 45, 53, 54, 55, and 61.

50 EXH024; EXH025; EXH026; EXH027.

51 EXH025; EXH026.

52 EXH029; EXH032.

53 EXH025.

Information raising a potential issue of corruption, misconduct or maladministration in public administration

When IIS receives a complaint or report, it will complete an assessment to determine whether, among other things, the information disclosed raises a potential issue of a breach of discipline, or a potential issue of corruption, misconduct, or maladministration in public administration, or whether there is good reason to take no further action.⁵⁴ The assessment process also includes consideration of whether the complaint or report is a disclosure made in accordance with the PID Act.

It is helpful to consider the legal definition of the terms breach of discipline, corruption, misconduct and maladministration as well as some practical examples. Corruption, misconduct or maladministration in public administration are defined in the ICAC Act and *Ombudsman Act 1972* (SA) (**Ombudsman Act**).⁵⁵

1. **Corruption in public administration** means conduct that constitutes—
 - (a) offence against Part 7 Division 4 (Offences relating to public officers) of the *Criminal Law Consolidation Act 1935*, which includes the following offences:
 - i. bribery or corruption of public officers;
 - ii. threats or reprisals against public officers;
 - iii. abuse of public office;
 - iv. demanding or requiring benefit on basis of public office;
 - v. offences relating to appointment to public office; or
 - (b) an offence against the *Public Sector (Honesty and Accountability) Act 1995* or the *Public Corporations Act 1993*, or an attempt to commit such an offence; or
 - (ba) an offence against the *Lobbyists Act 2015*, or an attempt to commit such an offence; or
 - (d) any of the following in relation to an offence referred to in a preceding paragraph:
 - i. aiding, abetting, counselling or procuring the commission of the offence;
 - ii. inducing, whether by threats or promises or otherwise, the commission of the offence;
 - iii. being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
 - iv. conspiring with others to effect the commission of the offence.

For example, corruption in public administration can look like a public officer seeking or accepting a bribe for a favourable outcome, giving out jobs to family and friends, selling confidential information obtained through work, favouring a friend's business in a procurement process or stealing public resources.

In a policing context, a hypothetical example is a police officer accessing highly sensitive information held in a police case management system and then accepting a bribe from an organised crime entity in exchange for that information

⁵⁴ PCD Act ss 14 and 15; EXH001; EXH002.

⁵⁵ ICAC Act s 5(1); Ombudsman Act s 4.

1. **Misconduct in public administration** means an intentional and serious contravention of a code of conduct by a public officer while acting in their capacity as a public officer that constitutes a ground for disciplinary action against the officer.
...
4. A reference in subsection (1) to a code of conduct does not include any statement of principles applicable in relation to the conduct of members of Parliament.

Misconduct in public administration can look like a public officer improperly accessing a computer system to obtain confidential information about an individual that is not required for their role, or the chair of a recruitment panel for a position in a State Government department discussing potential interview questions with a close friend prior to them applying for the position. Misconduct in public administration must be both *intentional* and *serious* to meet the definition in the Ombudsman Act. The PCD Act uses the same definition of misconduct.

By way of example, an isolated incident of rudeness in service delivery may breach the obligation in the Public Sector Code of Ethics to at all times treat other persons with respect and courtesy, but is unlikely to amount to misconduct in public administration for the purposes of the Ombudsman Act. For the purposes of the PCD Act, an isolated incident of rudeness by a police officer towards a member of the public might amount to a breach of discipline rather than misconduct in public administration.

2. **Maladministration in public administration**

- (a) means—:
 - ii. conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or
 - iii. conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and
 - (b) includes conduct resulting from impropriety, incompetence or negligence; and
 - (c) is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.
3. Without limiting or extending the conduct that may comprise misconduct or maladministration in public administration, this Act applies to conduct that—
 - (a) occurred before the commencement of this section; or
 - (b) occurs outside this State; or
 - (c) comprises a failure to act; or
 - (d) is conduct of a person who was a public officer at the time of its occurrence but who has since ceased to be a public officer; or
 - (e) is conduct of a person who was not a public officer at the time of its occurrence but who has since become a public officer.

Maladministration is the mismanagement of public resources or functions that might have serious implications for an agency and/or the community. It can arise from negligence or incompetence. It does not have to be intentional. It can include things like the misuse of public funds or mismanagement of projects. For example, it can look like a council undertaking a significant development without a tender process, or unauthorised use of public money in a State Government department with no accounting system.

As public officers, SA Police employees are bound by the reporting directions and guidelines issued by the OPI and Ombudsman SA in relation to matters that are reasonably suspected of involving corruption, misconduct, or maladministration in public administration.

SA Police employees must report suspected corruption in public administration to the OPI, and are encouraged to report suspected misconduct or maladministration in public administration to the OPI or Ombudsman SA.⁵⁶ Of course, these obligations do not only apply to SA Police employees who hold a reasonable suspicion in relation to other SA Police staff, but also other public officers who they may come into contact with in the course of their duties. For example, SA Police employees may frequently come into contact with staff from the Department for Correctional Services, the Department for Child Protection or SA Health. Further, a designated officer must report any reasonable suspicion that another designated officer has engaged in corruption, misconduct or maladministration in public administration.⁵⁷

The protections afforded to disclosers under the PID Act apply to a reasonable suspicion of a potential issue of corruption, misconduct or maladministration in public administration. The inclusion of the word “potential” in the PID Act (which is not present in the ICAC Act, Ombudsman Act and PCD Act) means that the conduct that can be captured under the PID Act is defined in broader terms than the conduct to be reported under the ICAC Act, Ombudsman Act and PCD Act.

An added layer of complexity arises when alleged conduct is assessed as falling below the threshold of a **potential** issue of misconduct in public administration, as defined in the Ombudsman Act. This can occur, for example, where alleged conduct does not constitute a serious and intentional breach of a code of conduct.⁵⁸

The definition of “misconduct” for the purposes of the Public Sector Act is outlined earlier in this report and covers a breach of a disciplinary provision of the Public Sector Code of Ethics while in employment as a public sector employee or other misconduct while in employment as a public sector employee.⁵⁹ Both elements of this definition are broader than misconduct in public administration as defined in the Ombudsman Act and for the purposes of the PID Act.

⁵⁶ OPI Directions and Guidelines; Ombudsman SA Directions and Guidelines.

⁵⁷ PCD Act s 12.

⁵⁸ See the discussion about a broader range of public sector conduct than potential issues of corruption, misconduct or maladministration in public administration in the Whistleblower Project final report 46-48.

⁵⁹ Public Sector Act s 3(1).

SA Police employees are mandated to report any suspected breaches of either the SA Police Code of Conduct or the Public Sector Code of Ethics that constitutes grounds for disciplinary action.⁶⁰ They are also required to report “breaches of discipline”, which may include breaches of the PCD Act.⁶¹ These breaches do not need to amount to “serious and intentional” contraventions of a Code of Conduct. Conduct ostensibly in a private capacity may constitute misconduct for the purposes of the Public Sector Act in certain circumstances. In addition, several clauses in the SA Police Code of Conduct refer to conduct in the course of employment or otherwise,⁶² whereas misconduct in public administration is restricted to the conduct of a public officer while acting in their capacity as a public officer.⁶³ Where a designated officer suspects that another officer has engaged in conduct constituting a breach of discipline that falls short of a potential issue of misconduct in public administration, any reports made by them will not attract protections under the PID Act.

The different types of conduct captured by the provisions of the Public Sector Act, PCD Act, PID Act and ICAC Act can create complexities and potential pitfalls during the assessment process. Designated officers who were interviewed noted it can be difficult to discern when information received constitutes a potential serious and intentional breach of a Code of Conduct.⁶⁴ Those complexities create a risk that different individuals, assessing the same circumstances, may reach different conclusions about whether the reported information meets the threshold for a potential issue of misconduct in public administration. As a result, there is a risk that disclosures likely to meet the threshold in the PID Act may not be identified as such.

This issue was demonstrated during the evaluation process. ICAC requested data from SA Police regarding the number of disclosures attracting status under the PID Act received since March 2025. SA Police initially reported that 81 disclosures had been received between March 2025 and February 2026.⁶⁵ This figure was subsequently revised to 14 following an internal review, which found that many matters had been incorrectly classified as attracting PID Act status.⁶⁶

SA Police identified the following common reasons for reassessment of the nature of disclosures made:

- initial assessments were undertaken with limited PID Act training or awareness (knowledge gap)
- reports of misconduct were originally included that did not meet the legislative threshold under the Ombudsman Act (i.e. “serious and intentional”)
- a higher proportion of anonymous complaints were initially captured, limiting the ability to confirm whether the reporters were public officers.⁶⁷

The above issues may be addressed by providing additional training and support to relevant staff within SA Police who may require operational knowledge of the PID Act. Relevant recommendations regarding SA Police training are addressed elsewhere in this report.

60 EXH001.

61 Ibid.

62 SA Police Code of Conduct, clauses 2, 3 and 7.

63 Ombudsman Act s 4(1).

64 EXH023, EXH025; EXH026.

65 EXH007.

66 EXH034.

67 Ibid.

The Diversity and Inclusion Branch provides an alternative complaint pathway to the complaint and report process under the PCD Act. It may receive “notifications” of inappropriate behaviour, including grievances relating to bullying, harassment, discrimination, or victimisation.⁶⁸ Information disclosed to the Diversity and Inclusion Branch will often fall below the threshold for a potential issue of corruption, misconduct, or maladministration in public administration, and if so will not be capable of attracting PID Act protections even if made to a relevant authority. However, this will not always be the case.⁶⁹

Where information disclosed to the Diversity and Inclusion Branch is sufficiently serious, such as serious or protracted bullying, it is likely to require a mandatory report to IIS for formal assessment and/or investigation.⁷⁰ As the Diversity and Inclusion Branch is not a relevant authority for the purposes of the PID Act, information reported to it raising potential issues of corruption, misconduct, or maladministration in public administration will not attract protections under the PID Act.

It is entirely appropriate that SA Police employees are obliged to report potential issues of corruption, misconduct or maladministration in public administration to the OPI and IIS. However, SA Police employees should not be deprived of PID Act protections merely by reporting information to the Diversity and Inclusion Branch at first instance. To address this issue, it is important that the Diversity and Inclusion Branch develops a formal working knowledge of the PID Act and has at least one responsible officer within the Branch to receive such reports. This is consistent with Recommendation 23 of the Whistleblower Project final report.⁷¹

Both IIS and the Diversity and Inclusion Branch are likely to be the primary points of contact for potential disclosers and are responsible for assessments and investigations of such matters. Therefore, consideration should be given to providing training about the PID Act to all employees within IIS and the Diversity and Inclusion Branch.

Recommendation

5

That SA Police considers designating a member of the Diversity and Inclusion Branch as a responsible officer for the purposes of the PID Act and updates its systems to ensure that reports are made to that responsible officer or another relevant authority.

Recommendation

6

That SA Police considers a policy position that all persons working as members of IIS and the Diversity and Inclusion Branch undertake training about the PID Act, such as the Responsible Officer training provided by ICAC in accordance with regulation 4 of the PID Regulations.

⁶⁸ EXH015.

⁶⁹ The Whistleblower Project final report discusses whether disclosures about workplace personal grievances should be protected under the PID Act. See Whistleblower Project final report 51-52.

⁷⁰ This would apply any time the alleged conduct may constitute either a breach of discipline or corruption, misconduct or maladministration in public administration.

⁷¹ Recommendation 23 of the Whistleblower Project final report states, “That public sector agencies and councils consider designating any staff members in a role that renders them likely to receive disclosures of public administration information, who may not otherwise be captured by the definition of a relevant authority in South Australia’s whistleblower laws, as a responsible officer.”

A “reasonable suspicion”

The protections within the PID Act are enlivened by information that the **discloser reasonably suspects** raises a potential issue of corruption, misconduct or maladministration in public administration.

The protections under the PID Act are not based on whether allegations are ultimately substantiated. An assessment of whether information reported constitutes a disclosure under the PID Act is based on an assessment of the reasonableness of a suspicion held by the **person disclosing** the information, **at the time they reported the information**. The term “suspicion” has been considered by courts as something less than knowledge or even belief.⁷² The current test mixes subjective and objective elements: a discloser must genuinely hold a suspicion (subjective), and the suspicion must be reasonably held (objective). The Whistleblower Project final report recommends that the words “at the time of making a disclosure” be inserted into the PID Act to make this requirement expressly clear.⁷³

An assessment may be difficult in circumstances where the discloser has not self-identified as intentionally making a disclosure under the PID Act, or where the agency has, or is in a position to obtain, additional information that sheds a different light on the information being reported.

The complaint and report form used by IIS to complete assessments under the PCD Act includes identification of whether a matter is a disclosure for the purposes of the PID Act.⁷⁴ While the discloser might have suspected the information disclosed raised a potential issue of misconduct in public administration, the assessment process may establish that is not so. For example, IIS may review body-worn video footage or other materials on SA Police systems and determine that a breach of discipline (as opposed to misconduct in public administration) is raised or there is good reason to take no further action.

There is some ambiguity as to whether IIS would treat a matter as a disclosure within the meaning of the PID Act in these circumstances. There is a risk within any agency that a person assessing a report may determine whether the report engages the PID Act by reference to the information available to them rather than the information available to the discloser. Within IIS, there is frequently access to a significant body of information to assist in the assessment process; far more than a discloser could usually legitimately access.

As an investigation progresses, it may reveal information that alters the assessment of whether the discloser’s suspicion was reasonable. Notwithstanding that no disciplinary action is to be taken against the designated officer, the discloser may nevertheless be entitled to protection under the PID Act. This can create a difficulty. If a reporter reasonably suspects information raises a potential issue of misconduct in public administration at the time of making a disclosure, even if the assessment or investigation finds something less than misconduct proven, that alone should not change the assessment as to whether a report likely engages the PID Act. However, the current legislation is silent on this. The Whistleblower Project final report makes recommendations to provide clarity within the PID Act as to this requirement.⁷⁵ It may be useful for SA Police to provide further guidance to SA Police employees within IIS about considering the potential applicability of the PID Act as part of the assessment process.

⁷² *George v Rockett* (1990) 170 CLR 104 at 115.

⁷³ Whistleblower Project final report, Recommendation 15.

⁷⁴ This form is called ‘RF2196’. EXH011.

⁷⁵ Whistleblower Project final report, Recommendations 12 and 14-15.

Recommendation**7**

That SA Police includes information about how to assess disclosures in accordance with the PID Act within its Policy – Allocation, Assessment and Investigation of Complaints and Reports.

Investigating disclosures

The PID Act and PID Guidelines⁷⁶ place obligations on the individual who receives a disclosure under the PID Act to ensure that appropriate action is taken.⁷⁷ The recipient must then inform the discloser how the information within the disclosure is being actioned.⁷⁸

There is a further obligation attached to the individual responsible for investigating the disclosure to report the outcome of the investigation to the discloser.⁷⁹ The PID Act anticipates that a disclosure may need to be referred to another person or agency to be properly investigated, and that the responsibility to notify the discloser will travel with the information. There is also an obligation to keep the identity of the discloser confidential unless consent is given to disclose their identity or another exception applies, for example disclosure is required to ensure that the matter can be properly investigated.⁸⁰

An example of how a disclosure might move through the different stages to the point of investigation and disciplinary action provides a useful illustration of the importance of clear procedures in relation to the PID Act.

A disclosure raising a potential issue of misconduct in public administration by a designated officer might be disclosed by an SA Police employee to a manager or supervisor within SA Police or a responsible officer. The recipient might assess the disclosure and then refer it to IIS. IIS might assess the disclosure and investigate it or require a police officer not serving in IIS to investigate it.⁸¹ Several persons might be involved in the assessment at IIS and investigation. The OPI would oversee the assessment and investigation. Following the investigation, the matter might be referred to PCS for consideration as to whether a charge should be laid in the Police Disciplinary Tribunal.

Without clear procedures, it may be difficult to navigate who has the responsibility to notify the discloser about what action is being taken in relation to the disclosure, and the outcome of the matter. It may also be difficult to prevent inadvertent disclosure of the identity of the discloser if those procedures do not clearly set out how it will be conveyed that a matter is to be treated in accordance with the PID Act.

It was clear from the evaluation interviews that, for matters referred by IIS to the Diversity and Inclusion Branch, and for matters referred to PCS, it is not being conveyed whether PID Act obligations may apply. This makes it difficult for anybody receiving the matter at the Diversity and Inclusion Branch or PCS to comply with those obligations.

⁷⁶ Public Interest Disclosure Guidelines published by ICAC in accordance with s 14 of the PID Act (**PID Guidelines**).

⁷⁷ PID Act s 7(1)(a); PID Guidelines 1(1)-(3).

⁷⁸ PID Act s 7(1)(b). S 7(2) of the PID Act provides limited circumstances where no action needs to be taken. The discloser still needs to be advised of this assessment.

⁷⁹ Ibid s 7(3)(a).

⁸⁰ Ibid s 8.

⁸¹ This could be the Diversity and Inclusion Branch.

Further complicating this, the PCD Act also contains notification obligations. The PCD Act distinguishes between a “complaint” and a “report” about designated officer conduct. A complaint is made about the conduct of a designated officer and can be made by “a person”.⁸² This would include a member of the public, a public service employee, or a public officer who is not an SA Police employee. Where a public officer from another agency makes a complaint about the conduct of an SA Police employee that they reasonably suspect constitutes a potential issue of corruption, misconduct or maladministration in public administration, this may be a disclosure under the PID Act. A report is made by a designated officer in circumstances where it is reasonably suspected that another designated officer has engaged in conduct that constitutes corruption, misconduct or maladministration in public administration.⁸³

Particular provisions within the PCD Act and PCD Regulations requiring SA Police to provide updates about an investigation apply to those who have made a “complaint” under the PCD Act, but are silent on whether the same legislative requirement applies to a “report” made under the PCD Act, which can only be made by a designated officer.⁸⁴ SA Police appears to have taken a practical approach and treats these provisions as applying to both complaints and reports. However, this ambiguity may lead to different requirements depending on whether information is disclosed by a member of the public or a designated officer. Clearly a designated officer who has made a report should be kept updated of the progress of any action taken. The fact that there is ambiguity within the PCD Act may diminish a designated officer’s right to know the progress of the information they have disclosed.

Recommendation

8

That the next review of the PCD Act and PCD Regulations considers whether amendment is needed regarding the omission of the word “report” from provisions that require SA Police to provide updates to the parties.

The PID Act and PID Guidelines place an additional obligation on the recipient of a disclosure under the PID Act, and those investigating the disclosure, to notify the OPI of receipt of the disclosure and the outcome of the action taken.⁸⁵ This requirement is distinct from the general mandatory reporting obligations imposed on all South Australian public officers to report reasonable suspicions of corruption, misconduct, and maladministration in public administration.⁸⁶ Information obtained from the OPI and SA Police indicates that, at present, SA Police does not routinely make these notifications to the OPI. As noted in the Whistleblower Project final report, it is unlikely that this issue is confined to SA Police.⁸⁷ Relevant SA Police General Orders are silent on this requirement. As a result, compliance appears to depend on individual employees being aware of their obligation to notify the OPI. This is particularly challenging where a matter moves between areas of SA Police and there is no indication on the file as to whether the PID Act applies.

During the evaluation, it was apparent that SA Police considers the OPI’s visibility of matters through its oversight function under the PCD Act negates the need for a separate notification under the PID Act. However, the OPI’s oversight function and the notification requirement under the PID Act serve different purposes. In addition, there may be circumstances in which SA Police investigates a disclosure that falls outside the remit of the PCD Act and the OPI’s oversight under that Act.

⁸² PCD Act s 10.

⁸³ Ibid s 12.

⁸⁴ Ibid s 9; PCD Regulations reg 8 and sch 1.

⁸⁵ PID Act ss 7(1)(c) and 7(3)(b); PID Guidelines 1(4) and 2.

⁸⁶ Although, if the matter is reported to the OPI, then a further s 7(1)(c) notification is not required.

⁸⁷ Whistleblower Project final report 65.

A matter raising a potential issue of corruption can be referred by ICAC to SA Police for investigation pursuant to s 24(1)(b) of the ICAC Act. When this occurs, the OPI has no oversight role because the matter is investigated as a criminal allegation rather than a disciplinary one. Nor can the OPI ascertain the outcome of the investigation unless it receives a notification under s 7(3)(b) of the PID Act. Therefore, SA Police should ensure that the obligation to notify the OPI under the PID Act is clearly incorporated into relevant General Orders, policies, and procedures.

The information within Appendices 1 and 2 of SA Police's Public Interest Disclosure Procedure does not clearly state that it is a requirement under the PID Act to notify the OPI of the action taken in relation to the disclosure and the outcome of that action. These Appendices also do not clearly outline the steps to be taken by the person making a disclosure and steps to be taken by the person receiving the disclosure. Similarly, SA Police's General Order – Public Interest Disclosure refers to a requirement to “provide the OPI with information relating to the disclosure”, but this statement does not distinguish between a report to the OPI under the ICAC Act and a notification to the OPI under the PID Act, nor does it articulate the notification requirements under the PID Act. It is appropriate that the Public Interest Disclosure Procedure and General Order – Public Interest Disclosure are updated to address these issues.

Recommendation

9

That SA Police integrates into relevant General Orders, policies and procedures a process for making notifications to the OPI required under the PID Act, including:

- i. SA Police's Public Interest Disclosure Procedure
- ii. General Order – Public Interest Disclosure
- iii. General Order – Complaints and Disciplinary Framework
- iv. Policy – Allocation, Assessment and Investigation of Complaints and Reports.

Recommendation

10

That SA Police reviews and amends the Appendices within its Public Interest Disclosure Procedure to ensure that the information contained is consistent with the PID Act, and clearly distinguishes between steps to be taken by a discloser and the recipient of the disclosure.

It is important that SA Police's processes and systems allow SA Police to manage **all** PID Act obligations. Any SA Police employee who may be tasked with assessing or investigating a disclosure needs to be equipped with information allowing them to identify and assess disclosures, manage the protections afforded to disclosers, and know when and who they are obliged to notify at certain points.

Investigations undertaken or overseen by IIS are recorded on the case management system, “IAPro”. IAPro can be used to create “workflows” that allow the inclusion of action prompts as the investigation progresses. SA Police interviewees stated they are currently considering whether workflows could be included into IAPro to assist investigators with compliance with the PID Act and SA Police General Orders.⁸⁸ Consideration should be given to creating a workflow within IAPro that could assist investigators to comply with notification requirements under the PID Act.

Recommendation

11

That SA Police creates a PID Act workflow in IAPro for assessments and investigations undertaken by, or on behalf of, IIS.

The need for all SA Police employees within IIS and the Diversity and Inclusion Branch to be acutely aware of the PID Act has been highlighted earlier in this report. Knowledge of the PID Act is also critical within ACS and PCS. Some other means of reminding SA Police employees at ACS and PCS of their PID Act obligations may need to be considered as well as inclusion in relevant General Orders, policies and procedures.

A recurring theme raised throughout evaluation interviews was the complexity of the PID Act itself. SA Police interviewees indicated that the legislation can be difficult to interpret and apply in practice, particularly within the operational realities of a complex policing environment. Interviewees also noted that IIS and the Diversity and Inclusion Branch receive a high volume of notifications, complaints and reports. There was a concern that being able to correctly identify disclosures that attract status under the PID Act and then follow the various obligations under the PID Act places an additional burden on an already highly regulated disciplinary system. PASA echoed these sentiments in its submission to the evaluation.⁸⁹

The PID Act is intended to complement existing disciplinary schemes to ensure that disclosures attracting status under the PID Act are appropriately actioned; a discloser's identity is kept confidential and they receive adequate information about action taken; and that the OPI is informed about the types of issues being disclosed and investigated and the outcome of those matters. Section 8 of the PID Act creates a confidentiality obligation with a criminal penalty for any breach. Integrating information about the PID Act into current SA Police General Orders, policies, and procedures will ensure disclosures engaging the PID Act are routinely identified and managed appropriately, rather than relying on an individual's knowledge of the PID Act. Consideration should be given to further integrating PID Act requirements into existing SA Police General Orders, policies, and procedures focusing on ensuring matters are appropriately identified at an early stage and that any person dealing with a matter will clearly understand that the PID Act may apply to the matter.

Recommendation

12

That SA Police strengthens the integration of the PID Act within relevant General Orders, policies and procedures relating to making and investigating complaints and reports including by referencing the PID Act in those internal documents and explaining how the PID Act relates to them, including:

- i. SA Police's Public Interest Disclosure Procedure
- ii. General Order – Public Interest Disclosure
- iii. General Order – Complaints and Disciplinary Framework
- iv. General Order – Diversity and Inclusion
- v. General Order – Disclosure Compliance and Subpoena Management
- vi. Policy – Allocation, Assessment and Investigation of Complaints and Reports
- vii. Diversity and Inclusion Branch Policy – Confidentiality.



Encouraging disclosures of information raising a potential issue of corruption, misconduct or maladministration in public administration

The PID Act aims to encourage and facilitate the disclosure of information about corruption, misconduct or maladministration in public administration and to ensure that there is appropriate oversight of such disclosures.⁹⁰ To meet those aims, the PID Act offers protections to disclosers⁹¹ and requires agencies assessing and investigating disclosures to keep the discloser and the OPI informed about the action taken in relation to the disclosure.⁹²

There is no doubt that SA Police encourages its employees to report wrongdoing. The PCD Act obliges designated officers to report any reasonable suspicion that another designated officer has engaged in conduct that constitutes corruption, misconduct or maladministration in public administration.⁹³ In reality, an obligation to report will not be enough to ensure people feel comfortable reporting. Other protections and supports must be in place to provide confidence in those wishing to make a disclosure.

Protecting a discloser's identity

Individuals are more likely to report wrongdoing when they are confident that their identity, personal information and involvement in an investigation will be protected. Robust identity protection is a key measure for promoting the psychological safety of whistleblowers.⁹⁴ To support this notion, the PID Act creates a criminal offence for anyone to divulge the identity of a discloser without their consent except in certain circumstances.⁹⁵ A person's identity extends beyond merely being named, but includes any information that could single out a particular individual as the discloser.

⁹⁰ See PID Act s 3 for the objects of the PID Act in its entirety.

⁹¹ The PID Act provides immunity from liability for making the disclosure, makes victimisation an offence and provides a civil remedy for victimisation, makes it an offence to hinder or obstruct a disclosure, and requires the identity of the discloser to be kept confidential. See PID Act ss 5(1), 8(1), 9(1)-(6) and 11.

⁹² Ibid ss 7(1)(b) and 7(3)(a) ss 7(1)(c) and 7(3)(b).

⁹³ PCD Act s 12.

⁹⁴ Transparency International, *Internal Whistleblowing Systems: Best practice principles for public and private organisations* (Report, September 2022) 36-38.

⁹⁵ PID Act s 8(1).

Perhaps unsurprisingly, given the core functions of SA Police and the skills of many of its employees, the evaluation found that considerable care is exercised by SA Police in the handling of information relating to disclosers, irrespective of whether the PID Act is applicable. Law enforcement bodies are experienced with managing highly sensitive information, including human source information, intelligence holdings, and operational material.

By design, the PCD Act also assists SA Police to keep whistleblower information relating to the conduct of a designated officer “locked down” within the organisation to those people who need to know about it. It requires SA Police to have a separate section (that is, IIS) to carry out investigations under the PCD Act in relation to the conduct of designated officers. SA Police is also required to have a case management system for recording information about making, assessing, investigating and resolving complaints and reports.⁹⁶ This case management system is separate to and restricted from the rest of SA Police. Further, the PCD Act requires all persons engaged with the receipt, assessment, or investigation of complaints or reports about police conduct to adhere to strict confidentiality requirements.⁹⁷ The confidentiality requirements are articulated in relevant General Orders, policies, and procedures, and are practically reflected in the approaches of staff working within the investigative branches of EPSB.⁹⁸

In circumstances where a complaint or report has been made under the ICAC Act, the confidentiality provisions applicable to that Act will also be relevant.⁹⁹

Discussions with staff working in the Diversity and Inclusion Branch demonstrate a commitment to the confidentiality requirements under the PCD Act, as well as to the confidentiality of other information disclosed in the course of their work.¹⁰⁰ The Diversity and Inclusion Branch maintains a strict “need-to-know” approach to information sharing¹⁰¹ and maintains a specific policy articulating the relevant underlying principles governing the protection of sensitive information.¹⁰²

Employees within EPSB and the Diversity and Inclusion Branch noted that there will be circumstances in which the nature of a complaint or report itself may reveal the source of the information.¹⁰³ In such cases, those dealing with complaints or reports will carefully balance competing considerations, including the welfare of the discloser, the need to ensure that allegations of improper conduct are appropriately investigated and the objective of achieving a fair and satisfactory outcome for all parties.¹⁰⁴

Notwithstanding the above safeguards, there are aspects of the PCD Act that operate in tension with the general notion of protecting the identity of the discloser. The PCD Regulations require that, in the context of a management resolution action, “the name and contact details of the person who made the complaint” be disclosed to both the IIS and the subject officer.¹⁰⁵ When a matter proceeds to the Police Disciplinary Tribunal, where the rules of evidence apply, SA Police has an obligation to disclose all relevant, or potentially relevant information.¹⁰⁶ PCS staff involved in that process often attempt to maintain confidentiality by redacting documents and seeking, where possible, to resolve matters without the need for a lengthy Tribunal process. However, there remains a risk that a discloser’s identity will be divulged by the nature of information disclosed throughout the process. On occasion, it may be impossible to proceed with an allegation if it is not.

96 PCD Act s 6(1).

97 Ibid ss 45(1) and 46(1).

98 EXH001; EXH002; EXH015; EXH016; EXH017; EXH019; EXH022; EXH023; EXH024; EXH025; EXH026; EXH027; EXH028.

99 ICAC Act s 54.

100 EXH024; EXH027.

101 Ibid.

102 EXH019.

103 EXH025; EXH027; EXH028.

104 Ibid.

105 PCD Regulations sch 1.

106 PCD Act s 35(9).

The obligation within the PID Act to keep a discloser’s identity confidential will trump the PCD Act requirements.¹⁰⁷ However, at present, the PID Act will rarely apply to a matter investigated under the PCD Act.

A common observation during the evaluation was that the confidentiality requirements under the PCD Act provide a level of protection against the general disclosure of information connected to investigations under the PCD Act, thereby reducing the likelihood that information about a discloser is divulged. However, the maximum penalty for disclosing a discloser’s identity under the PID Act far exceeds the penalties for breaches of confidentiality under section 45 of the PCD Act.¹⁰⁸ Accordingly, the confidentiality provisions under the PCD Act may operate as a comparatively weaker deterrent than those that apply under the PID Act.

Recommendation	13
That consideration be given to increasing the maximum penalty for breaching the confidentiality provisions in the PCD Act to be consistent with the maximum penalty for breaching section 8 of the PID Act.	

While there are strict confidentiality provisions within the PCD Act, disclosers may still wish to report anonymously. Results from ICAC’s Public Integrity Survey 2021 and Public Integrity Survey 2024 suggest that nearly 80% of South Australian public officers would prefer to report corruption or impropriety anonymously.¹⁰⁹ Transparency International recommends that at least one internal whistleblowing channel enable anonymous reporting and that there exists a safe channel for communication between anonymous reporters and the person handling their report.¹¹⁰ International guidance echoes this.¹¹¹

Presently, the process to submit a report to IIS does not allow SA Police employees to submit a report anonymously, as the system requires the SA Police employee to log in using their name and identity (ID) number. As an alternative, a report can be made anonymously to the OPI. During evaluation interviews, it was surmised that this may be a reason some SA Police employees choose to report a matter to the OPI, rather than to IIS.¹¹² It is therefore important that an external reporting avenue, allowing for anonymity, remains open to SA Police employees.

107 PID Act s 8(2).

108 A contravention of s 45 of the PCD Act imposes a maximum penalty of \$2,500 or imprisonment for six months. By comparison, knowingly divulging a discloser’s identity without their consent (unless an exception is applicable) can attract a maximum penalty of \$20,000 or imprisonment for 2 years under s 8(1) of the PID Act.

109 ICAC, *ICAC Public Integrity Survey 2021 (ICAC Public Integrity Survey 2021)*; ICAC, *ICAC Public Integrity Survey 2024 (ICAC Public Integrity Survey 2024)*. ICAC received 7,196 responses in the 2021 survey and received 6,232 responses in the 2024 survey, representing approximately 5% of the South Australian government workforce.

110 Transparency International, *Internal whistleblowing systems: Best practice principles for public and private organisations* (Report, September 2022) 33.

111 G20 Anti-Corruption Working Group, *G20 High-Level Principles for the Effective Protection of Whistleblowers* (2019) principle 5.

112 EXH029.

Protecting a discloser from victimisation

“[A]nyone calling out an injustice, particularly in the workplace, should be confident that action will be taken, they’ll be heard, and someone will take action with it. They should be dealt with [in a] confidentially, tactfully, trauma-informed way if necessary, and that they will be protected if there’s some adverse consequence for them for having made that disclosure in the workplace.”

**The OPI Director, Vanessa Burrows, speaking at
ICAC’s 2026 Whistleblower Project Public Forum**

The PID Act provides a penalty and civil remedy for retaliatory action against someone for making a disclosure.¹¹³ There is a comparable provision in the ICAC Act.¹¹⁴

The PCD Act does not contain a victimisation provision. An SA Police employee who has suffered reprisal for disclosing information in accordance with the PCD Act, but has not done so in a manner that would be covered by either the ICAC Act or PID Act, is not entitled to pursue a civil or criminal remedy. Recommendation 7 within the Whistleblower Project final report seeks to address this issue, and therefore it is not repeated here.¹¹⁵

Interviewees within EPSB and the Diversity and Inclusion Branch noted that an act of victimisation would likely contravene the SA Police Code of Conduct and could be investigated under the disciplinary scheme.¹¹⁶ The same might apply to a public service employee with the Public Sector Code of Ethics. Nonetheless, a clear statement in the PCD Act that disclosers are protected from reprisal and providing disclosers with a form of redress in the form of a criminal or civil remedy may encourage reporting.

Complaints about victimisation for making a complaint about potential harassment, discrimination, bullying, vilification or victimisation will be actioned by the Diversity and Inclusion Branch.¹¹⁷ Over the past three financial years, the Diversity and Inclusion Branch recorded receiving two notifications of potential victimisation.¹¹⁸ It is unclear whether the low number of formally reported victimisation incidents reflects a genuine lack of such cases or a reluctance to report.

ICAC’s Public Integrity Survey 2024 results indicate that fear of victimisation remains a significant barrier preventing public officers from reporting corruption. More than half of respondents said they would worry about their job security if they made a report, suggesting that this concern is widely shared across the public sector.

Around 30% of respondents said they would feel too intimidated to report corruption. Nearly 40% expected to be in trouble with colleagues if they made a report. Even at the lower end of the findings, around 20% of respondents did not believe their workplace would protect them from negative repercussions if they came forward.

113 PID Act s 9.

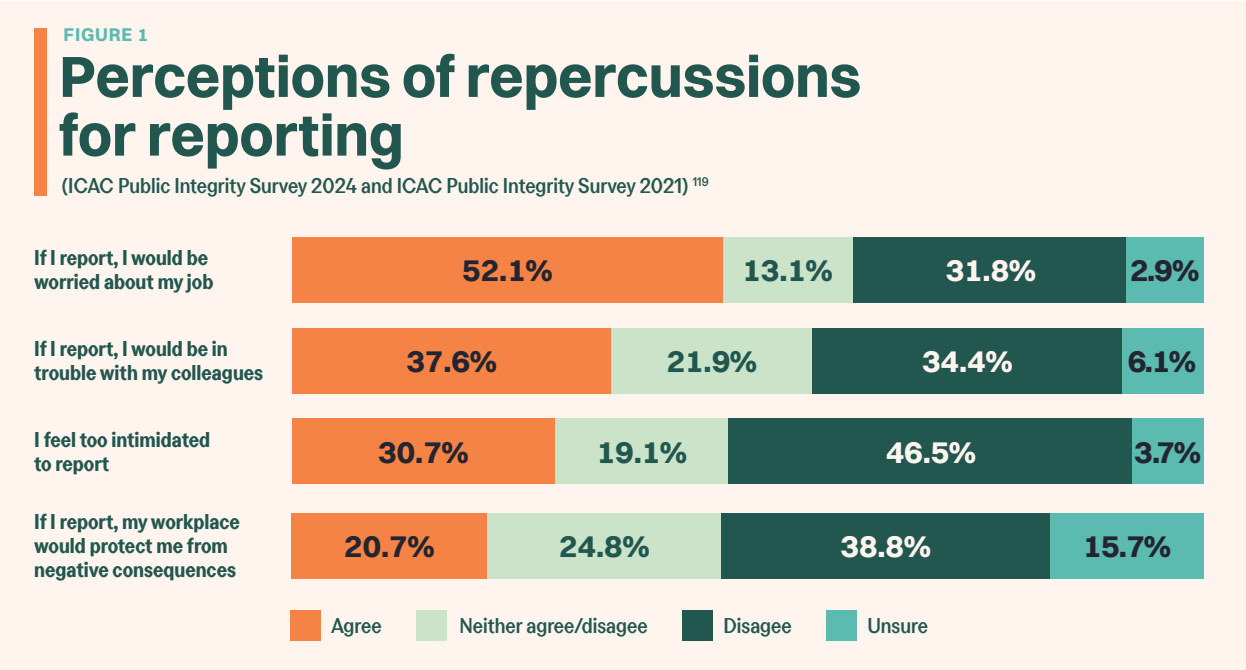
114 ICAC Act s 57.

115 Recommendation 7 of the Whistleblower Project final report states “That consideration be given to inserting into the PCD Act provisions providing an appropriate degree of protection to those who report information unlikely to qualify for special protection under South Australia’s whistleblower laws.”

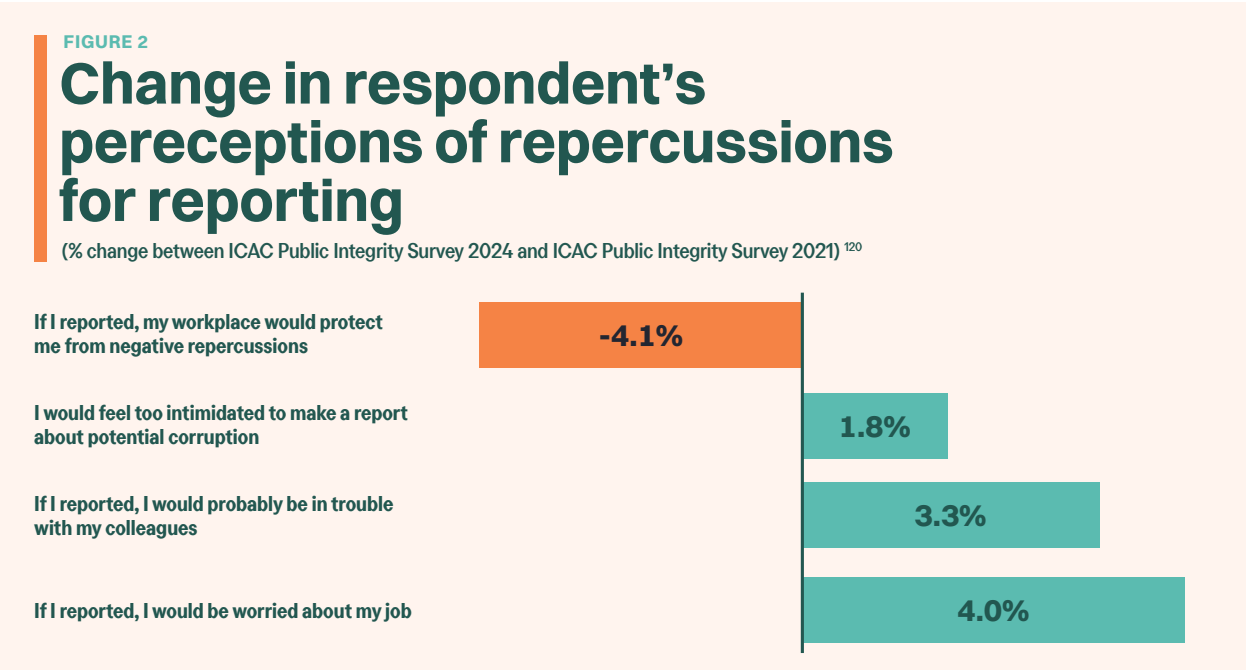
116 EXH025; EXH027.

117 EXH024; EXH027.

118 EXH010.



A comparison of results from ICAC’s Public Integrity Surveys from 2021 and 2024 indicate that the proportion of respondents who said they would be in trouble with colleagues, or who would be worried about their job, each increased slightly. There was also a slight increase in respondents who said they would feel too intimidated to report suspected corruption. At the same time, the proportion of respondents who believed their workplace would protect them from negative repercussions fell by 4%.



119 [ICAC Public Integrity Survey 2021](#); [ICAC Public Integrity Survey 2024](#).
120 [Ibid.](#)

The same data also indicates that close to 80% of South Australian public officers prefer to report anonymously, reinforcing the finding that fears of retaliation remain a significant barrier to reporting.

The lesson for SA Police is a straightforward one: if SA Police employees do not feel safe making a report, they are less likely to do so. This has direct implications for the organisation's ability to detect and address a potential issue of corruption, misconduct and maladministration in public administration. A reporting framework that does not adequately address safety and confidentiality risks leaving wrongdoing unreported not because it is absent, but because the perceived cost of reporting it outweighs the perceived benefit. This underscores the importance of SA Police actively demonstrating – not merely asserting – that reporters will be protected, since trust in these protections appears to be the deciding factor in whether public officers will come forward at all.

While these survey results are not specific to SA Police, a scheme that clearly signals that retribution for making reports or complaints is unlawful would likely go a long way to helping the above sentiments.

Knowledge of the public interest disclosure scheme

Information obtained in the evaluation suggests that knowledge of the PID Act is concentrated primarily at senior leadership levels. However, supervisors and managers are often the first point of contact for those seeking to raise concerns, grievances, or matters that may constitute disclosures attracting status under the PID Act.¹²¹ As such, a sound understanding of the PID Act among supervisors is critical to the effective operation of SA Police's public interest disclosure framework.

The Whistleblower Project final report noted that submissions received as part of ICAC's Whistleblower Project emphasised "the importance of enabling whistleblowers to make informed choices" and highlighted the need to reduce the stress associated with making a disclosure.¹²² In addition, complexity and uncertainty surrounding whistleblower protections can deter prospective disclosers from coming forward with valuable information.¹²³ Several recommendations were made to address this.¹²⁴

Building a consistent understanding of the PID Act across all levels of the organisation would ensure that SA Police employees understand both their reporting obligations and protections available to them under the PID Act. Importantly, this would provide greater certainty and confidence for potential disclosers at the point a disclosure is made.

As a large organisation, successfully providing information to all SA Police employees about the PID Act requires building up knowledge and capacity of employees at all operational levels. Recommendation 55 within the Whistleblower Project final report is aimed at providing additional information, training and guidance for all public sector employees including SA Police.

121 Peter Roberts, A J Brown, and Jane Olsen, *Whistling while they work: a good-practice guide for managing internal reporting of wrongdoing in public sector organisations* (Report, 2011) 18-27.

122 Whistleblower Project final report 127.

123 Ibid 127-129.

124 See for example, Recommendations 2, 11, 12, 13, 14, 15, 19, 27, 28, 29, 30, 31, 32, 49, 50, 54, 55, and 56.

Dissemination of knowledge can also be provided peer-to-peer. The Diversity and Inclusion Branch trains SA Police employees to be “Diversity and Inclusion Representatives”, whose role it is to support employees who are experiencing or have questions about local workplace matters involving potential discrimination, sexual harassment or bullying behaviours, and to facilitate next steps forward.¹²⁵ These representatives do not investigate or directly mitigate workplace issues, but act as a point of contact for information and guidance. This report has recommended that the Diversity and Inclusion Branch play a role in receiving disclosures and providing advice under the PID Act. If the Diversity and Inclusion Representatives are educated about the PID Act, this would also assist in increasing organisational awareness about the PID Act and how an SA Police employee can make a disclosure that would enliven the protections under the PID Act.

Recommendation

14

That SA Police considers including, in any training applicable to the Diversity and Inclusion Representative role, information about the PID Act and how SA Police employees may disclose information raising a potential issue of corruption, misconduct or maladministration in public administration in a manner that will enliven the protections under the PID Act.

Information within the Public Interest Disclosure Procedure

Section 12(5)(a)(ii) of the PID Act requires the SA Police Public Interest Disclosure Procedure to include risk management steps for assessing and minimising detrimental action “against people because of public interest disclosures”, and detriment to people against whom allegations are made in a disclosure. Guideline 4 of the PID Guidelines requires the procedure to include the following information:

- the precise way in which a disclosure can be securely received, including URL links, particular telephone numbers, email addresses, and postal addresses
- the steps that will be in place to ensure public interest information will be securely received and stored
- the person (either by reference to positions or individuals) who will have responsibility for ensuring compliance with those steps
- the criteria that will be applied in the assessment of a public interest disclosure
- the manner in which details of the assessment will be securely stored and the person (either by reference to positions or individuals) in the public sector agency who might be advised of the assessment
- the manner in which a discloser will be kept informed as to action taken in respect of a disclosure
- the person (either by reference to position or individual) in the public sector agency who can be contacted if the discloser believes their disclosure is not being dealt with appropriately.¹²⁶

¹²⁵ EXH020.

¹²⁶ PID Guidelines, Guideline 4.

The information is not captured in SA Police's Public Interest Disclosure Procedure. SA Police's General Order – Public Interest Disclosure contains some of the information, but could be updated to clearly articulate each of the risk management steps for assessing and minimising detrimental actions required within section 12 of the PID Act and Guideline 4 of the PID Guidelines.

For example, General Order – Public Interest Disclosure places obligations on SA Police's responsible officers and SA Police employees designated to investigate a disclosure to take action in a manner consistent with the PID Act. The General Order also includes an obligation on all SA Police employees to ensure disclosers are protected, by:

- providing support and information on the PID Act protections to the discloser
- maintaining confidentiality throughout the process and ensuring the identity of any discloser is kept confidential, and
- proactively recognising and addressing any potential detrimental outcomes that may be caused from the disclosure.¹²⁷

This information is not contained within the Public Interest Disclosure Procedure.

More generally, SA Police General Orders, policies, and procedures often refer to the General Order rather than the online procedure. However, the Public Interest Disclosure Procedure has been created for the purposes of section 12 of the PID Act, and therefore should contain the information required of it under section 12 of the PID Act and Guideline 4. In addition, an SA Police employee should not be disadvantaged by accessing and referring to the Public Interest Disclosure Procedure instead of the General Order.

The SA Police' Public Interest Disclosure Procedure and General Order – Public Interest Disclosure could be refined to make information to potential disclosers more accessible.

The SA Police's Public Interest Disclosure Procedure and General Order – Public Interest Disclosure do not clearly state how an SA Police employee can disclose information in such a manner that could meet the requirements under the PID Act.¹²⁸ The Whistleblower Project final report noted that early certainty about whistleblower status could reduce the stress associated with making a disclosure.¹²⁹ Providing clear and concise information about how to make a disclosure that could be protected under the PID Act may provide greater certainty to a potential discloser.

The SA Police Public Interest Disclosure Procedure and General Order – Public Interest Disclosure do not contain references to the PID Guidelines, nor do they contain information about action that must be taken in accordance with the Guidelines. For example, Guideline 1 of the PID Guidelines requires the recipient of a disclosure to consider whether the content suggests that there is an imminent risk of seriously physical injury or death to any person or the public generally. In such circumstances, the recipient of the disclosure must immediately communicate such information as may be necessary to mitigate that risk to the most appropriate agency (for example, SA Police, SafeWork SA, SA Ambulance, or the Environment Protection Authority).¹³⁰

¹²⁷ EXH003.

¹²⁸ For example, SA Police's Public Interest Procedure states that a discloser must meet statutory requirements about a "particular subject matter", and have a "particular state of mind", be of a "type which the person is entitled to make" and be told to an "appropriate person or body". These terms are not defined. The General Order – Public Interest Disclosure explains relevant terms such as "public administration information (meaning a potential issue of corruption, misconduct or maladministration in public administration)" and "relevant authority", but does not refer to the requirement that the discloser reasonably suspect that the information raises a potential issue of corruption, misconduct or maladministration in public administration.

¹²⁹ Whistleblower Project final report, 127-129.

¹³⁰ PID Guidelines, Guideline 1.

In addition, Guideline 3 provides an exception to the statutory requirement to divulge the identity of a discloser without their consent where:

- the recipient of a disclosure believes on reasonable grounds that it is necessary to divulge the identity of the discloser to prevent or minimise an imminent risk of serious physical injury or death to any person, and
- the identity of the discloser is divulged to a person or authority that the recipient believes on reasonable grounds is the most appropriate authority or person to be able to take action to prevent or minimise the imminent risk of serious physical injury or death to any person.¹³¹

Neither the Public Interest Disclosure Procedure nor General Order – Public Interest Disclosure refer to the additional requirements in Guideline 1 or the additional exception within Guideline 3.

It is appropriate SA Police review its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure both documents contain clear and complete information to assist SA Police employees seeking to make a disclosure, and those receiving and investigating a disclosure.

Recommendation

15

That SA Police reviews the information provided within its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure both documents contain consistent information.

Recommendation

16

That SA Police reviews the information within its Public Interest Disclosure Procedure and General Order – Public Interest Disclosure to ensure both documents are compliant with section 12 of the PID Act and the PID Guidelines.

¹³¹ Ibid, Guideline 3.



Organisational culture

A wide-ranging cultural review of reporting practices and perceptions of reporting within SA Police was beyond the scope of this evaluation. This is a recognised limitation. The evaluation may not capture how reporting wrongdoing is experienced across all levels of SA Police.

The evaluation has given careful consideration to the submission from PASA outlining the experiences of its members, as well as information gathered from interviews with senior SA Police personnel, and the relevant literature and research about reporting wrongdoing in a policing environment.

One observation from ICAC investigations more broadly is that there may be circumstances where designated officers are reluctant to provide information that would adversely impact a colleague. A substantial body of academic scholarship on policing environments discusses the concept of a “blue wall of silence” or “code of silence”. Trust, hierarchy, and operational solidarity - while integral to day-to-day policing work - can also give rise to an entrenched informal culture reinforcing group loyalty and deference to seniority.¹³² Reporting the actions of another designated officer can threaten the solidarity that runs through the entire organisation.¹³³

Against that background, this evaluation has considered how SA Police can and does foster a culture that supports whistleblowing.

Clear and accessible reporting mechanisms

Central to supporting and protecting whistleblowers is the availability of policies and processes that provide for the early assessment and management of risks of detrimental conduct, the active provision of support, fair and rigorous investigative processes and high levels of interpersonal justice.¹³⁴

SA Police has a comprehensive framework of General Orders, policies, and procedures that reinforce the principles of integrity, accountability, and disciplinary responsibility. Collectively, these documents provide clear and detailed guidance for designated officers and public service employees, outlining each stage of the disciplinary process - from the initial reporting of a matter through to its investigation, determination and, where applicable, prosecution. They further delineate the roles and responsibilities of the SA Police employees and sections involved, offering structured direction on how matters are managed and progressed at each step of the process.

Recommendations 4, 9 and 12 focus on further embedding PID Act principles within SA Police General Orders, policies, and procedures.

¹³² See, for example, Gabriel Chin and Scott Wells, ‘The ‘Blue Wall of Silence’ as Evidence of Bias and Motive to Lie: A new Approach to Police Perjury’ (1998) Vol. 59, *University of Pittsburgh Law Review* 233, 252.

¹³³ Geoffrey P. Albert, Jeffery J. Noble and Jeff Rojek, ‘Solidarity and the Code of Silence’ in Roger G. Dunham and Geoffrey P. Alpert (eds) *Critical Issues in Policing: Contemporary Readings* (Waveland Press Inc, Seventh edition, 2015) 106; John Kleinig, ‘The Blue Wall of Silence, An ethical analysis’ (2001) 15(1) *International Journal of Applied Philosophy* 1-23.

¹³⁴ A J Brown et al, ‘Clean as a whistle: A five step guide to better whistleblowing policy and practice in business and government. Key findings and actions of Whistling While They Work 2.’ (Report, 2019) 31-35.

Maximising the effectiveness of whistleblowing frameworks requires deliberate choices to ensure robust implementation of policies, processes and ethical standards across the organisation.¹³⁵ Interviews conducted throughout the evaluation suggest SA Police's integrity framework is not treated as a purely formal or procedural exercise.¹³⁶ Evidence from this evaluation indicates that within SA Police, the reporting of wrongdoing – including breaches of the SA Police Code of Conduct and the Public Sector Code of Ethics – is understood as both a legal obligation and a professional responsibility. This reflects an organisational commitment to fostering a reporting culture in which disclosure is recognised not only as an individual right but also as a professional duty. Cultivating this broader sense of professional responsibility is central to creating the organisational conditions in which whistleblowing systems are more likely to operate effectively, particularly when reinforced by consistent leadership messaging.

Trust in reporting channels

Policies, legislative protections, and reporting systems provide the formal architecture for disclosures, but their practical effectiveness depends largely on whether staff feel supported in raising concerns, and have confidence that those concerns will be handled fairly and professionally.

There is longstanding debate as to whether law enforcement agencies should handle their own complaints and reports, or whether genuine accountability can only be ensured through external, independent investigation.¹³⁷

The primary avenue for making a complaint within SA Police is IIS. Previous reviews of the SA Police disciplinary scheme have raised the question of whether an internal investigation section is the most appropriate body to examine allegations of police misconduct.¹³⁸

“A prominent tension arises from public concern that the PCD Act, like most others of its sort, establishes a regime in which police officers investigate allegations of misconduct by fellow police officers.”

Gordon Barrett KC, Report on the Operation of the Police Complaints and Discipline Act 2016 (SA)

The current scheme tempers this concern through the robust oversight exercised by the OPI,¹⁴⁰ and through ICAC's ability to investigate complaints and reports under the PCD Act in certain circumstances.¹⁴¹ In circumstances where there may be concerns about IIS' ability to undertake a fair and independent investigation, ICAC may act as an alternative trusted investigative body.

¹³⁵ Ibid.

¹³⁶ EXH023; EXH025; EXH026; EXH027; EXH028.

¹³⁷ See for example ICAC, *Review of Legislative Schemes* (June 2015) 23–32; Crime and Public Integrity Policy Committee *Report of the Crime and Public Integrity Policy Committee into the Operation of the Police Complaints and Discipline Act 2016 (SA)* (28 November 2023) (CPIPC Report) 27–29.

¹³⁸ CPIPC Report 27–29.

¹³⁹ Gordon Barrett KC, *Report on the Operation of the Police Complaints and Discipline Act 2016 (SA)* (17 April 2020).

¹⁴⁰ The OPI oversees the assessment and investigation of complaints and reports relating to designated officers, and the operation and enforcement of the PCD Act. The OPI may reassess and substitute IIS assessments of complaints or reports. The OPI may also issue directions as the OPI sees fit to the Commissioner of Police, IIS or a police officer assisting or conducting an investigation. See PCD Act ss 8, 27, 28.

¹⁴¹ The Director of the OPI may refer PCD Act investigations to ICAC if satisfied that the complaint or report relates to matters that should be dealt with by ICAC. ICAC may also commence an investigation under the PCD Act of its own initiative. See PCD Act ss 29–30.

The confidentiality provisions in the PCD Act and the ICAC Act necessarily constrain what can be disclosed and published about the handling of complaints and reports.¹⁴² Where the outcome of a complaint or report, or even the steps taken to assess or investigate it, cannot be communicated widely, this lack of transparency may be misread as inaction, even where the matter has been assessed and investigated thoroughly. The Commissioner of Police now reports the anonymised details of disciplinary outcomes on the SA Police website.¹⁴³ While that may go some way to alleviating concerns about action taken, it will not allay concerns about the occasions where no disciplinary action is taken. This is another reason why independent oversight by the OPI is important.

The sheer volume of complaints and reports – averaging nearly 3,000 per financial year in relation to designated officers across both IIS and the OPI – places considerable pressure on resourcing.¹⁴⁴ The time required to properly assess and investigate a matter varies according to its complexity, and this variation may contribute to perceptions of delay or inaction, regardless of whether a report has, in fact, been actioned.

In order to address any potential perceptions of this nature, SA Police should continue to investigate all matters both thoroughly and efficiently. This will ensure that both SA Police employees and members of the community can be confident that concerns are being appropriately and fairly considered. Sustaining this standard of diligence not only supports internal trust but also reinforces the broader community's confidence in the integrity of policing processes over time.

Effective whistleblowing frameworks offer alternative reporting options including reporting upwards through the established organisational hierarchy; the maintenance of one or more dedicated internal reporting channels; and the establishment of external reporting channels.¹⁴⁵ The Whistleblower Project final report echoed this view, noting that providing multiple, accessible reporting pathways enables agencies to accommodate the varied circumstances, preferences, and needs of potential whistleblowers.¹⁴⁶ This, in turn, can reduce barriers to disclosure and promote confidence in the reporting process.

The evaluation identified the growing role of the Diversity and Inclusion Branch as an alternative reporting avenue for raising workplace concerns, particularly in relation to bullying, harassment, and discrimination. Several recommendations in this evaluation seek to strengthen the Diversity and Inclusion Branch's role as a further avenue through which officers may seek guidance on, and report, wrongdoing within SA Police. These recommendations are not intended to diminish the role of IIS but rather acknowledge that some of the matters reported there are likely disclosures that could be captured by the PID Act. The Diversity and Inclusion Branch would continue to refer matters raising potential issues of corruption, misconduct and maladministration to IIS.

The Diversity and Inclusion Branch's alternative dispute resolution processes provide a pathway distinct from formal investigation, drawing on mediation and facilitated resolution to address workplace issues constructively while preserving professional relationships. In doing so, it contributes to psychological safety within SA Police by encouraging early disclosure of concerns and by providing additional reporting pathways. It also contributes to preventative efforts through training and education programs delivered across the organisation.

¹⁴² Ibid ss 45 – 46; ICAC Act s 54.

¹⁴³ SA Police, [SAPOL – Disciplinary outcomes](#).

¹⁴⁴ For instance, during the 2024-25 financial year, the OPI recorded a total of 3,221 police complaints and reports. Of these, none were assessed as maladministration, three were assessed as corruption, 274 were assessed as misconduct, and 2,206 required no further action. EXH032; OPI, [2024-25 Annual Report](#) 13 and 32.

¹⁴⁵ Dean Newlan, [Compliance is good, building a whistleblower regime that works is better](#), Governance Institute of Australia (online), n.d.

¹⁴⁶ Whistleblower Project final report 72.

The OPI serves as an external reporting pathway, including for anonymous disclosures. It is critical that a trusted external agency remains capable of receiving disclosures and liaising with potential disclosers. Recommendations within the Whistleblower Project final report also suggest enhancing the OPI's capacity to provide advice and support to potential disclosers.¹⁴⁷ Within a policing context, the OPI's intricate knowledge of the SA Police disciplinary system may also be beneficial in providing such support.

The availability of multiple, trusted reporting pathways gives SA Police employees choice about how, and to whom, they raise a concern. However, that choice matters less if SA Police employees do not also believe that raising a concern is expected of them and will be met with a fair response.

Leadership commitment

“[S]omeone's not going to come forward and report something that they see when they're at their most stressed if they don't feel comfortable within the workplace at other times, and they don't feel that their senior leaders listen to them [...].”

**NSW Deputy Ombudsman, Tom Millett, speaking at ICAC's
2026 Whistleblower Project Public Forum**

Key indicators of effective whistleblowing frameworks include an organisational commitment to encouraging reporting, acting on reports where appropriate, and critically, protecting reporters from adverse consequences.¹⁴⁸ Achieving this requires visible commitment from leadership and senior management (those who establish the 'tone at the top'), to ensure that formal policy commitments are genuinely reflected in day-to-day practice across the organisation.¹⁴⁹

Where a strong ethical climate is supported by visible leadership commitment, the experience of comparable agencies indicates that more effective whistleblowing outcomes tend to follow.¹⁵⁰

It is encouraging that all interviewees who participated in this evaluation indicated a commitment to fostering a workplace that promotes integrity, accountability for actions, and support for those who speak up against wrongdoing within SA Police.¹⁵¹

Embedding this commitment at the point of entry into the organisation, and reinforcing it throughout an employee's career, offers a promising foundation for the kind of sustained, visible 'tone at the top' that is necessary for a speaking-up culture to take hold.

¹⁴⁷ Ibid, Recommendation 49.

¹⁴⁸ Peter Roberts, A J Brown, and Jane Olsen, *Whistling while they work: a good-practice guide for managing internal reporting of wrongdoing in public sector organisations* (Report, 2011) 17-35.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid 71.

¹⁵¹ EXH023; EXH024; EXH025; EXH026; EXH027; EXH028.

Conclusion

There is a clear commitment among those responsible for administering the disciplinary framework to maintaining the integrity of SA Police. The evaluation identified an opportunity to strengthen the translation of this organisational commitment into consistent practice. The evaluation has highlighted options to improve organisational awareness and the consistent application of the PID Act. The recommendations in this report are intended to support continued improvement in whistleblower protections within SA Police. By building on existing practices and enhancing consistency, SA Police can continue to foster a culture in which individuals feel confident to speak up, knowing that their concerns will be taken seriously and that they will receive the protections available to them under legislation.

The evaluation suggests that awareness and understanding of the PID Act may not be uniform across the workforce. Without ongoing and targeted communication, training and reinforcement, knowledge of the PID Act may remain strongest among those most closely involved in dedicated functions within SA Police, rather than being consistently understood by all employees who may one day wish to rely on it.

While consideration of variations to the PID Regulations to prescribe IIS as a “relevant authority” together with any broader legislative reforms, would provide greater clarity and support the operation of the framework, these measures are longer-term in nature and are dependent on processes beyond the control of SA Police. In the meantime, there are a number of practical steps available to SA Police that could further strengthen the management of disclosures and support consistent application of the protections provided by the PID Act. These include reviewing and updating internal systems, General Orders, policies, and procedures, as well as continuing to enhance training and communications.

Finally, the broader relevance of these findings should be recognised. While this evaluation is specific to SA Police, the organisational themes are not uncommon in public sector agencies. The recommendations in this report, and the approach to their implementation, may offer a useful reference point for other public sector agencies seeking to further strengthen their own whistleblower frameworks and promote consistent awareness and application across their workforce.

Appendices

Appendix 1: Exhibit References

The table below contains the exhibits cited in the footnotes of this report.

Exhibit number	Exhibit name
EXH001	General Order – Complaints and Disciplinary Framework
EXH002	Local Policy – Allocation, Assessment and Investigation of Complaints and Reports
EXH003	General Order – Public Interest Disclosure
EXH007	Complaints and reports received by SA Police under the <i>Police Complaints and Discipline Act 2016</i> (SA) and the <i>Public Interest Disclosure Act 2018</i> (SA) during the past three financial years (2024/25; 2023/24; 2022/23)
EXH010	Complaints data by the Diversity and Inclusion Branch
EXH011	Internal Investigation Section – Assessment Form (RF2196)
EXH015	General Order – Diversity and Inclusion
EXH016	General Order – Disclosure Compliance and Subpoena Management
EXH017	General Order – Information—Access and Release
EXH019	Local Policy – Diversity and Inclusion Branch Confidentiality
EXH020	Guidelines – Diversity and Inclusion Representative (D&I Rep)
EXH022	Procedure – Public Interest Disclosure
EXH023	Contribution by SA Police employee via interview

Exhibit number	Exhibit name
EXH024	Contribution by SA Police employee via interview
EXH025	Contribution by SA Police employee via interview
EXH026	Contribution by SA Police employee via interview
EXH027	Contribution by SA Police employee via interview
EXH028	Contribution by SA Police employee via interview
EXH029	Contribution by Director OPI via interview
EXH032	Submission from the Office for Public Integrity
EXH033	Submission from the Police Association of South Australia
EXH034	Additional information provided by SA Police to ICAC's evaluation of SA Police

Appendix 2: Overview of South Australia's current whistleblower laws as they relate to potential issues of corruption, misconduct or maladministration in public administration

The Public Interest Disclosure Act 2018 (SA) provides protections for persons who make an 'appropriate disclosure' of public administration information and sets out the procedures that must be followed when dealing with such disclosures.

What is an "appropriate disclosure" of public administration information?

The disclosure is made by a "**public officer**" as defined in the [ICAC Act](#).



The information disclosed **raises**, and the public officer **reasonably suspects** it raises, a **potential issue** of **corruption, misconduct** or **maladministration** in public administration.

- Corruption is defined in the [ICAC Act](#).
- Misconduct and maladministration are defined in the [Ombudsman Act](#).



The disclosure is made to a relevant authority listed in s 5(5) which includes:

- in all cases - the **Office for Public Integrity (OPI)**
- where the disclosure relates to a public officer – **a person responsible for managing or supervising the officer or a relevant responsible officer**
- where the information relates to an agency to which the [Ombudsman Act](#) applies – the **Ombudsman**
- where the information relates to a crime or suspected crime – a member of **SAPOL**.

What protections are available to a person who has made an appropriate disclosure?

Immunity

Immunity from liability as a result of the disclosure.



Protection of identity

Identity of informant is not to be disclosed except in limited circumstances.



Protection from victimisation

Informant must not be victimised because they have made a disclosure.

What must the relevant authority do with the disclosure?

(1) Assess disclosure and take action; notify informant and OPI

Who?	What?	When?
Person who receives the disclosure.	- Assess the information and take action in accordance with that assessment and the guidelines (unless there is reason not to take further action - see s 7(2)). - Take reasonable steps to notify the informant of the assessment and the action being taken (if the informant's identity is known). - Notify OPI of assessment outcome in accordance with the guidelines.	- As soon as reasonably practicable - If this has not occurred within 30 days after making the disclosure, the person may disclose the information to a journalist or MP

(s 7(1) & Guideline 1)



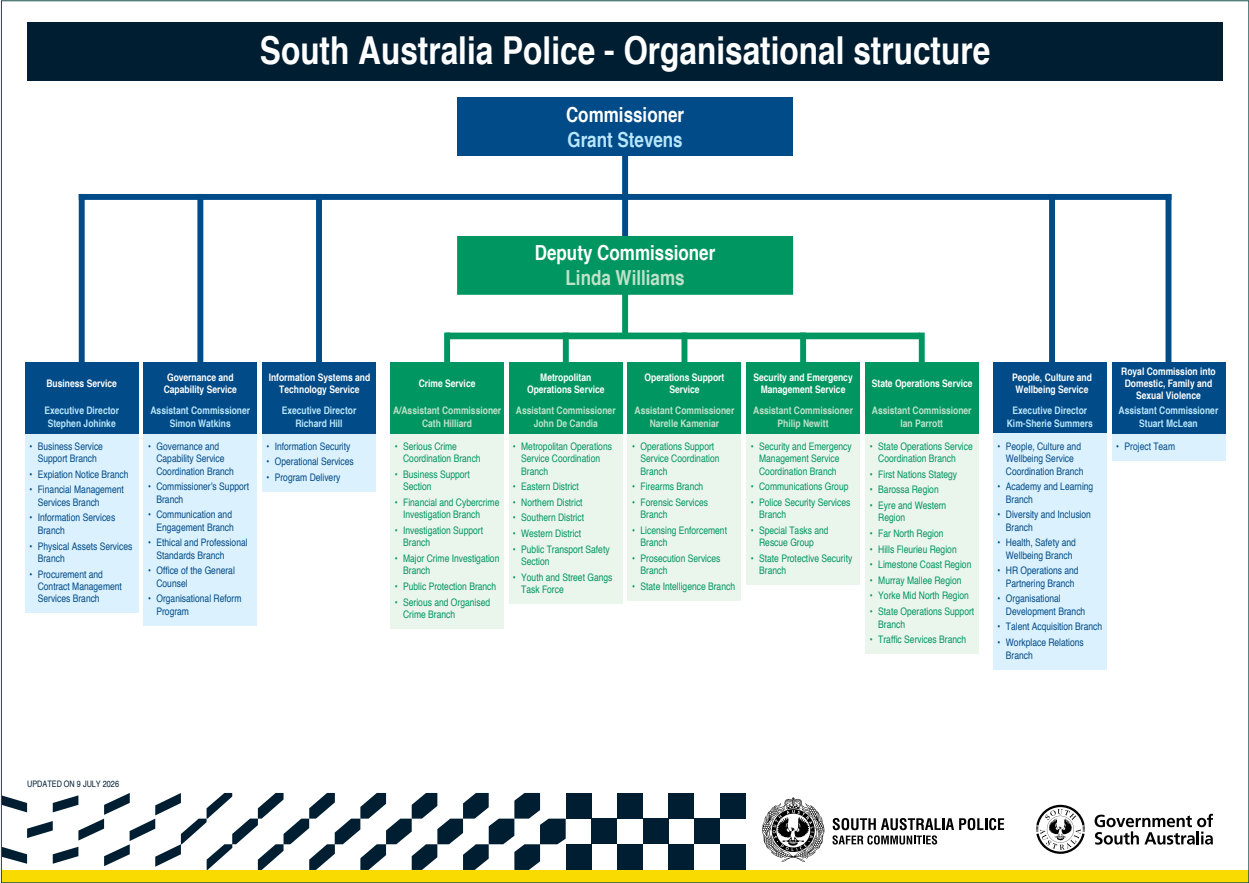
(2) Notify informant and OPI of the outcome of the action taken

Who?	What?	When?
- The person who takes the action decided in (1); or - If that action was referring the disclosure, the person to whom it was referred.	- Take reasonable steps to notify informant of the outcome of the action taken (if the informant's identity is known). - Provide OPI with information about outcome of action in accordance with the guidelines.	- As soon as reasonably practicable. - If this has not occurred within 90 days after making the disclosure, or other period specified, the person may disclose the information to a journalist or MP.

(s 7(3) & Guideline 2)

Appendix 3: SA Police Organisational Chart

The organisational chart was current as of 30 June 2026.



Appendix 4: SA Police Public Interest Disclosure Procedure

Public Interest Disclosure Procedure



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Public Interest Disclosure Procedure

Purpose

The objective of this procedure is to assist in the protection of integrity in the South Australia Police (SAPOL) by seeking to ensure compliance with the *Public Interest Disclosure Act 2018* (PID Act) and informing employees as to the impact and operation of the Act. The PID Act replaces the *Whistleblowers Protection Act 1993*.

The PID Act establishes a scheme that encourages and facilitates the *appropriate disclosure* of *public interest information* (which comprises of both *public administration information* and *environmental and health information*) to certain persons or authorities.

It provides protections for *public officers* who make an *appropriate disclosure* of *public administration information* and sets out processes for dealing with those disclosures.

The term “public officer” is defined in Schedule 1 of the *Independent Commission Against Corruption Act 2012* (ICAC Act) and includes public sector employees (including public servants), police officers and protective security officers [ICAC Guidelines](#).

Responsibilities

All employees will comply with the PID Act. Where employees are considering a disclosure of public interest information under the PID Act, they should also consider if they have obligations under the Directions and Guidelines issued by the Independent Commission Against Corruption. [ICAC Guidelines](#).

Definitions

Informant – A person who makes an *appropriate disclosure* of *public interest information* is referred to in these Procedures and throughout the PID Act as an informant.

Relevant authority – The PID Act section 4, designates certain persons or organisations who can receive an appropriate disclosure of public interest information, depending on who or what the information relates to.

Principal officer – The PID Act section 4 defines this role, for SAPOL this is the Commissioner of Police.

Responsible officer – Under section 12(1) of the PID Act, the Commissioner has appointed *responsible officers* as the persons occupying the positions for SAPOL of:

- Officer in Charge, Ethical and Professional Standards Branch (EPSB)
- Officer in Charge, Internal Investigation Section (IIS)
- Officer in Charge, Anti-Corruption Section (ACS)

What is Public Interest Information?

“Public Interest Information” consists of two categories of information;

- *public administration information* – information that raises a potential issue of corruption, misconduct or maladministration in public administration.



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The definition of corruption, misconduct and maladministration in public administration are the same as those found in the [ICAC Act](#) and can be found in the [ICAC Guidelines](#).

- *environmental or health information* – information that raises a potential issue of a substantial risk to the environment or to the health or safety of the public generally or a significant section of the public.

Protecting informants

While anyone can make a disclosure of *public administration information*, only *public officers* who make such a disclosure are eligible for the protections provided by the PID Act. The protections given by the PID Act to the person making an *appropriate disclosure* are that they;

- incur no liability for making the disclosure;
- are protected from victimisation; and they
- have a limited right to have their identity kept confidential.

It does not matter whether the events which are the subject of the information occurred before or after the commencement of the PID Act (July 2019) as the PID Act operates retrospectively in this manner.

For an informant to obtain the PID Act's protections, their disclosure must meet the following statutory requirements:

- The information disclosed must be about *particular subject matter* (ie public interest information);
- The informant must hold a *particular state of mind* in relation to the information;
- The disclosure must be of a *type which the person is entitled to make*; and
- The informant must tell an *appropriate person or body*.

Where these statutory requirements are met, the PID Act protections are automatically applied.

Responsible Officers

All *responsible officers* (RO) are required to have the prescribed qualifications pursuant to section 12(2) of the PID Act and regulation 4 of the *Public Interest Disclosure Regulations 2019*. Further information in relation to *responsible officer* training is available through the [ICAC Training website](#).

In accordance with Section 13 of the PID Act, the *responsible officer* must:

- Receive *appropriate disclosures of public interest information* relation to SAPOL and ensure compliance with the PID Act in relation to such disclosures, and
- Make appropriate recommendations to the Commissioner in relation to dealing with such disclosures, and
- Provide advice to officers and employees of SAPOL in relation to the administration of the PID Act.

It is important to note that an appropriate disclosure of public interest information can also be made to a person who is responsible for the management or supervisor of the public officer. That supervisor or manager is therefore required to comply with the provisions of the PID Act and if in doubt, seek advice from an RO.

OFFICIAL**False or misleading disclosures**

A public officer should consult the responsible officer if they suspect a disclosure to be false or misleading.

It is an offence against the PID Act, with a maximum penalty of \$20,000 or imprisonment for 2 years, to make a disclosure of public interest information knowing that it is false or misleading in a material particular (whether by reason of the inclusion or omission of a particular).

Such a disclosure of public interest information is not protected by the PID Act.

Preventing or hindering disclosures

It is an offence against the PID Act for a person to prevent another person from making an appropriate disclosure of public interest information or to hinder or obstruct another person in making such a disclosure.

The offence carries a maximum penalty of \$20,000 or imprisonment for 2 years.

Victimisation

It is a criminal offence to victimise a person who makes an *appropriate disclosure of public interest information*.

The PID Act provides that a person who personally commits an act of victimisation under the PID Act is guilty of an offence. The offence carries a maximum penalty of a \$20,000 fine or imprisonment for 2 years.

Making an appropriate disclosure of public interest information

You can make a disclosure:

By Email: SAPOL.PID@police.sa.gov.au

By Mail: Address it in writing to **one** of the following responsible officers: Officer in Charge, Ethical and Professional Standards Branch (EPSB) Officer in Charge, Internal Investigation Section (IIS) Officer in Charge, Anti-Corruption Section (ACS) GPO Box 1539 Adelaide SA 5001

By URL <https://www.police.sa.gov.au/about-us/key-contacts> - Complaints

Where information relates to a risk to the environment consideration should be given to making a disclosure to the Environment Protection Authority (EPA).

Where the information relates to a location within the area of a particular local council, you should consider making a disclosure to a member, officer or employee of that council.

Concerns about the action taken

If you are concerned or believe (as an informant) that your *appropriate disclosure* is not being dealt with by SAPOL properly:

If your disclosure was made to a *relevant authority* other than a *SAPOL responsible officer*, please contact one of the *SAPOL responsible officers* who have obligations under the PID Act to assist you.

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If your disclosure was made to a SAPOL responsible officer, contact other relevant authorities such as the OPI or the Office of the Commissioner for Public Sector Employment (OCPSE).

If you are concerned or suspect (as an informant) that you may have been or will be the subject of detriment on the grounds of having made, or being about to make, an *appropriate disclosure of public interest information*, you are encouraged to report that suspicion to one of the SAPOL responsible officers, the OPI or the OCPSE.

Disclosure to a journalist or member of Parliament

In instances where a longer period of time is required to take appropriate action in relation to the disclosure, the recipient or the referral recipient may give written notice to the informant within the 90 days, specifying a longer period as is required to deal with the disclosure and provide notification of the outcome of the action being in relation to the appropriate disclosure.

Neither the PID Act nor the regulations specify any upper limit on the duration of the “longer period” which may be specified, therefore the person who bears the duty to act is to make a reasonable judgement about the period of time required.

It is only after the statutory timeframes have expired **and** there is a failure to observe adherence to those statutory timeframes that the informant is able to disclose the public interest information to the media or a member of Parliament whilst attracting the PID Act protections in relation to that subsequent disclosure.

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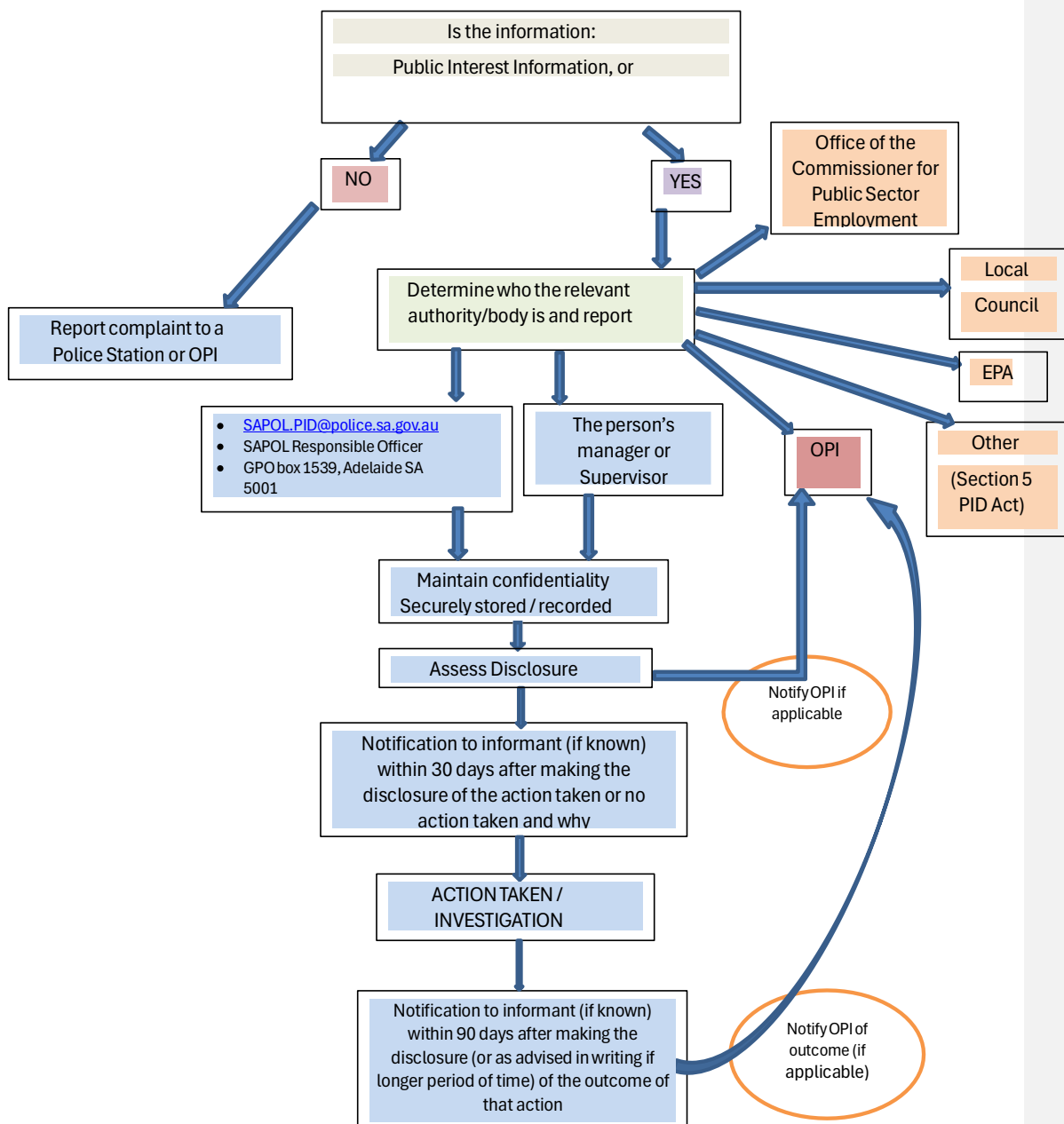
Appendix 1

SAPOL - PID Act Disclosure Procedure

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Appendix 2

SAPOL PID Act Disclosure Reporting Procedure – Flowchart**OFFICIAL**

Appendix 5: South Australia Police response to draft report, August 2026



SOUTH AUSTRALIA POLICE
SAFER COMMUNITIES

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26 August 2026

Ms Emma Townsend
Commissioner
Independent Commission Against Corruption

via email: whistleblowerproject@icac.sa.gov.au
[REDACTED]

Dear Commissioner

Re: Evaluation of South Australia Police - Draft Report

I refer to your correspondence dated 23 July 2026 seeking SAPOL's comments on the draft report *Evaluation of South Australia Police*.

The draft report has been reviewed by those SAPOL personnel authorised to receive a copy. SAPOL appreciates the opportunity afforded by ICAC to review and comment on the draft report prior to its finalisation.

SAPOL's review has identified two matters for factual clarification:

- Page 15 states that the Anti-Corruption Section (ACS) "primarily investigates allegations of corruption in public administration referred to SA Police by ICAC as well as any alleged criminal conduct on the part of a SA Police employee". While ACS principally investigates serious matters involving SAPOL employees, including corruption offences and allegations involving abuse of public office, it does not investigate all alleged criminal conduct by SAPOL employees. Other criminal matters, particularly those of a less serious nature or requiring different specialist capabilities, may be investigated by other appropriate business areas within SAPOL with the requisite expertise and responsibility for those investigations.
- Pages 15-16 state that the Professional Conduct Section (PCS) "also handles all criminal prosecutions of any SA Police employee other than those prosecuted by the Director of Public Prosecutions". SAPOL considers this statement is broader than the current practice. Minor off-duty criminal matters



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that do not involve an associated breach of the Code of Conduct, or circumstances likely to attract action under section 26 of the *Police Complaints and Discipline Act 2016*, would generally be prosecuted by SAPOL's Prosecution Services Branch rather than PCS.

Other than the above matters, SAPOL has not identified any factual inaccuracies requiring attention and does not propose any further amendments to the report.

SAPOL is currently giving considered attention to both the ICAC *Whistleblower Project Final Report* and the *Evaluation of South Australia Police* report, including their associated recommendations. Given the number and breadth of recommendations across both reports, further consultation and assessment across relevant business areas will be required before SAPOL determines its proposed organisational response.

Thank you again for the opportunity to review and comment on the draft report.

Yours sincerely



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