

What information does this report provide?

This report provides an update on the assessment and actions by relevant Heads of Agencies of current and former Tasmanian State Service employees referred to in the Commission of Inquiry (COI) report. Heads of relevant Agencies have reviewed the COI report in relation to a current or former employee matters and these are being assessed to determine whether further action under the *State Service Act 2000* is required.

The Premier, on 17 October committed to providing as much information as is permitted by law. This report provides information at a whole of State Service level regarding the total number of employee matters arising from the COI report under consideration by Heads of Agencies, the breakdown of former and current State Service employees, the progress of those assessments and whether actions under the *State Service Act* have commenced or been determined. No individual Agency details have been identified to provide the appropriate confidentiality of employee information, particularly with processes that may be underway.

The Government has accepted all 191 recommendations of the Report and the Government response to the Report was published on 1 December on how the implementation of the recommendations will progress.

This report contains three sections:

1. Update of assessment and actions by Heads of Agency of current and former State Service employees referred to in the Commission of Inquiry report
2. Update of assessment and actions by Heads of Agency of alleged perpetrators (current and former State Service employees) referred to in the Commission of Inquiry report
3. Update of assessment and actions by the Commissioner of Police of current and former Tasmania Police officers referred to in the Commission of Inquiry report.

When will this report be updated?

This report will be updated on the 20th of every month until all actions are complete.

This report may be amended with additional data when the Department of Justice completes its review of all Section 34A referrals.

What else is occurring to ensure accountability and transparency?

The Government has appointed Mr Peter Woolcott AO, former Australian Public Service Commissioner to conduct an independent review of all the actions taken in response to the information and concerns raised by the COI regarding state service employees. This is to ensure victim survivors and the community can have confidence that we are leaving no stone unturned.

Section 1: Update of assessment and actions by Heads of Agency of current and former State Service employees referred to in the Commission of Inquiry report as at 20 May 2024.

Total number of employees referred to in the COI report (headcount) ^{1,6,7.}	Former State Service employees	Current State Service employees ²	Assessments of COI report in relation to employee commentary by relevant Heads of Agency ³		No further action ⁴	ED5 process commenced	ED5 process will commence if re-employed in the Tasmanian State Service ⁵	ED5 findings	
			Underway	Complete				Breach of Code of Conduct found and sanction determined	No breach of Code of Conduct
42	17	25	17	26	11	8	7	1	0

Explanatory Notes to Data

1	Total number includes 1 misconduct finding in the Department of Health. Total number of employees referred to in the Commission of Inquiry report expressed as headcount. This number may be amended when the Department of Justice completes its review of all Section 34A referrals.
2	This table does not include Tasmania Police matters as not employed under the State Service Act 2000. A separate update is provided by the Commissioner of Police for officers employed under the <i>Police Service Act 2003</i> .
3	Heads of all relevant Agencies have reviewed the employee matters referred to in the COI report and these matters in relation to current or former employee are being assessed to determine whether further action under the <i>State Service Act 2000</i> is required. One employee may have more than one assessment. This number may be amended when the Department of Justice completes its review of all Section 34A referrals

4	<p>No further action in relation to employment may be for the following reasons:</p> <ul style="list-style-type: none"> • the assessment by Head of Agency concluded that there is no further action required upon Head of Agency review; • the employee having already resigned from the Tasmanian State Service; • The employee having already resigned whilst a Code of Conduct investigation was underway. The Code of Conduct being completed with a breach found and the employee details entered on the PPS 5 Register- for code of conduct breaches resulting in or that would have resulted in termination • The employee is deceased;
5	<p>Heads of Agencies have determined that, for former employees where a Code of Conduct was not commenced prior to departure, and, following a review of matters in the COI report, an assessment by the Head of Agency that there may be matters of concern, that the Head of Agency will write to the former employee indicating this and that an ED5 process will commence if were to be re-employed within the Tasmanian State Service.</p>
6	<p>Notifications to the appropriate Regulatory bodies include: Teachers Registration Board of Tasmania, Australian Health Practitioners Regulatory Authority (AHPRA), Legal Profession Board, Working with Vulnerable People Registrar</p>
7	<p>Notification to appropriate Legal authorities: means any agency established to prevent, detect, investigate or prosecute criminal offences and other offences (including, the Australian Federal Police, Tasmania Police, Director of Public Prosecutions), a Commission of Inquiry, the Attorney-General, the Solicitor-General, the Ombudsman, the Anti-Discrimination Commissioner, the Australian Crime Commission, and the Integrity Commission</p>

Section 2: Update of assessment and actions by Heads of Agency of alleged perpetrators (current and former State Service employees) referred to in the Commission of Inquiry report as at 20 May 2024.

Total number of employees referred to in the COI report ¹	Former State Service employees	Current State Service employees ²	Notifications to appropriate legal authority ⁷	Notifications to regulatory body (if applicable) ⁶	Assessments of COI report in relation to employee commentary by relevant Heads of Agency ³		No further action ⁴	ED5 process commenced	ED5 process will commence if re-employed in the Tasmanian State Service ⁵	ED5 findings	
					Underway	Complete				Breach of Code of Conduct found in relation to child sexual abuse and sanction determined	No breach of Code of Conduct in relation to child sexual abuse
22	15	7	21	22	0	25	4	11	10	5	2

Explanatory Notes to Data

1	This column indicates the total number of employees who have been referred to in the COI report relating to alleged perpetrators that may be current or former Tasmanian State Service employees.
2	This table does not include Tasmania Police matters as not employed under the State Service Act 2000. A separate update is provided by the Commissioner of Police for officers employed under the <i>Police Service Act 2003</i> .
3	Heads of all relevant Agencies have reviewed the employee matters referred to in the COI report and these matters in relation to current or former employee are being assessed to determine whether further action under the <i>State Service Act 2000</i> is required. One employee may have more than one assessment.

4	<p>No further action in relation to employment may be for the following reasons:</p> <ul style="list-style-type: none"> • the assessment by Head of Agency concludes that there is no further action required upon Head of Agency review of all matters arising from and related to the COI report; • the employee having already resigned from the Tasmanian State Service; • the employee having already resigned whilst a Code of Conduct investigation was underway. The Code of conduct being completed with a breach found and the employee details entered on the PPS 5 Register- for code of conduct breaches resulting in or that would have resulted in termination • the employee is deceased;
5	<p>Heads of Agencies have determined that, for former employees where a Code of Conduct was not commenced prior to departure, and, following a review of matters in the COI report, an assessment by the Head of Agency that there may be matters of concern, that the Head of Agency will write to the former employee indicating this and that an ED5 process will commence if were to be re-employed within the Tasmanian State Service.</p>
6	<p>Notifications to the appropriate Regulatory bodies include: Teachers Registration Board of Tasmania, Australian Health Practitioners Regulatory Authority (AHPRA), Legal Profession Board, Working with Vulnerable People Registrar</p>
7	<p>Notification to appropriate Legal authorities: means any agency established to prevent, detect, investigate or prosecute criminal offences and other offences (including, the Australian Federal Police, Tasmania Police, Director of Public Prosecutions), a Commission of Inquiry, the Attorney-General, the Solicitor-General, the Ombudsman, the Anti-Discrimination Commissioner, the Australian Crime Commission, and the Integrity Commission</p>

Section 3: Update of assessment and actions by the Commissioner of Police of current and former Tasmania Police officers in relation to matters referred to in the Commission of Inquiry report as at 20 May 2024.

Total number of employees referred in the COI report	Former Tasmania Police officer	Current Tasmania Police officer	Assessments of COI report in relation to employee commentary by the Commissioner of Police ¹		No further action ²	Assessment against ABACUS commenced ³	Professional Standards inquiry or investigation findings		
			Underway	Complete			Breach of Code of Conduct found and sanction determined	Incomplete ⁴	No breach of Code of Conduct
6	3	3	0	6	2	4	3	1	0

Explanatory Notes to Data

1	The Commissioner of Police has reviewed the employee matters referred to in the COI report and these matters in relation to a current or former employee were assessed to determine whether action was required.
2	No further action may be required if the assessment determined that a referral to Professional Standards was not appropriate as there was no evidence of the officer acting in an unethical or unprofessional way and no grounds for an internally raised complaint.
3	Where a matter was referred to Professional Standards, it was categorised under ABACUS (the Commissioner's Directions relating to conduct, complaint management and compliance review) as per the <i>Police Service Act 2003</i> and an investigation or inquiry conducted against the Code of Conduct to determine if a breach occurred and, if so, an appropriate sanction.
4	Investigation incomplete due to officer being deceased. An independent review is assessing the individual's actions while a service police officer.