

VICTORIAN INSPECTORATE

MEDIA RELEASE

25 June 2024

INSPECTOR CONDEMNS INFORMATION LEAK BY INTEGRITY OFFICER

The Victorian Inspectorate has today transmitted to Parliament a special report about unauthorised disclosures made by an integrity officer.

The report results from an investigation conducted by the Victorian Inspectorate following a complaint about the source of information in 2 articles published by the Herald Sun.

‘Operation Shell’ found that a former Office of the Special Investigator senior investigator leaked confidential information to the Herald Sun in or around July 2023 and some of that information was published in articles on 11 July 2023 and 17 July 2023. The same senior officer disclosed confidential information to a member of the public by saying the 11 July article was ‘all true’.

Employees (current and former) of integrity bodies like the Office of the Special Investigator are governed by legislative secrecy provisions, by the Code of conduct for Victorian public sector employees of special bodies, and by the *Public Administration Act 2004* (Vic). Together, these impose obligations on each employee of an integrity body to maintain confidentiality in, and not disclose without authority information about, the investigations and other work of their integrity body that has been obtained through their role. There can be criminal penalties for breaching these obligations, and these obligations continue even after an officer leaves their employment.

Through this special report, the Victorian Inspectorate aims to warn all those who work in Victoria’s integrity system not to disclose confidential information to the media without authorisation and to be careful about what they say to anyone who has no right to the information. It also draws attention to the need for integrity bodies to provide employee training on confidentiality obligations.

Two recommendations to the Attorney-General are contained in the report: one is about alerting all former OSI staff to the VI’s special report and the other is about legislative reform to achieve uniformity across integrity body legislation in the use that may be made of self-incriminating evidence—an inconsistency highlighted by this VI investigation.

Quotes that may be attributed to Inspector Eamonn Moran PSM KC

‘The Victorian Inspectorate is committed to investigating and exposing misconduct by current or former staff members of integrity bodies.’

‘The unauthorised disclosure of information deserves condemnation. It risks adversely affecting the reputation, welfare and safety of others, both within and outside the integrity body. It lessens confidence in the integrity system and it is the antithesis of how the community expects an integrity officer to behave.’

‘Victoria’s public interest disclosures scheme is available to integrity officers and other individuals to report allegations of improper conduct. They are accorded protection under that scheme. More information can be found on the Victorian Inspectorate’s website.’

Contact Tracey Matters on 0457 105 620 or email communications@vicinspectorate.vic.gov.au

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To access a copy of the VI's '[Special report: Investigation of unauthorised disclosures by an integrity officer](#)', visit www.vicinspectorate.vic.gov.au. To view a [video statement](#) from Inspector Eamonn Moran PSC KC, visit the VI's video library: www.vicinspectorate.vic.gov.au/videos.

Background

About the Victorian Inspectorate

The Victorian Inspectorate is the lead oversight body in Victoria's integrity system. It was established to oversee a number of Victorian integrity bodies and their officers, including the Office of the Special Investigator. The Victorian Inspectorate has power to receive and investigate complaints about the conduct of the OSI and OSI personnel. Despite the abolition of the OSI, the VI's power to investigate conduct of the OSI and OSI personnel continues until August 2025. For more information visit www.vicinspectorate.vic.gov.au.

About the Office of the Special Investigator

The Office of the Special Investigator was established in 2021 to investigate potential criminal conduct and breaches of discipline relating to the recruitment, management and use by Victoria Police of Nicola Gobbo as a human source. It was decommissioned on 2 February 2024.