



A212435

18 September 2018

Hon. Bruce Lander QC
Independent Commissioner Against Corruption
GPO Box 11066
ADELAIDE, S.A. 5001

Dear Mr Lander

SafeWork SA Evaluation – Proposed Recommendation regarding the functions of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation

At its meeting on 18th September 2018, the Committee has noted with interest the proposed recommendations contained in Ms Stanley's closing submission, made on Friday 31st August 2018.

Of particular interest to the Committee at this time is the proposal regarding its functions, reproduced below:

Finally, I suggest you recommend the establishment of an independent person or body to oversee the exercise of statutory powers by the staff of SafeWork SA, such as that which was established under the ICAC Act to oversee the activities of your agency. It is also possible that this could be achieved by undertaking legislative reform to further utilise the existence of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation. That committee already has the function of keeping the administration of the Work Health and Safety Act under continuous review. Its ability to look further to the operations of SafeWork SA could be included in its functions. (pp.23-24)

The Committee notes this proposal and seeks to clarify whether it intends that the Committee would carry out an audit of the exercise of statutory functions of SafeWork SA staff. If this is the intention, the Committee does not believe that it would have the resources or expertise to carry out such an audit. It would be unusual for a parliamentary committee to have oversight of the functions of a specific group of staff.

However, the Committee supports the view that any such audit should be conducted independently of SafeWork SA. To that end, the Committee suggests that a regular audit of the exercise of the statutory powers conferred on SafeWork SA be conducted by the Auditor-General's Department, pursuant to its functions under s.32(1)(a) of the *Public Finance and Audit Act 1987* (SA), with the results delivered to the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation for review.

The Committee looks forward to your final report on this matter.

Yours sincerely,


Mr Stephen Patterson
Presiding Member

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