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## Oversight of the Public Interest Disclosures Act

**Embargoed until 10am Wednesday 22 November 2017**

The Acting NSW Ombudsman, Professor John McMillan, tabled in Parliament today his annual report on his oversight of the *Public Interest Disclosures Act 1994* (PID Act).

**‘The focus of this year’s annual report is the operational challenges faced by public authorities’** said Professor McMillan. **‘We listened to the experience of practitioners and unsurprisingly, their most difficult challenge is to manage the human elements – such as creating an ethical climate that welcomes staff speaking up, and dealing with the heightened emotions of the parties involved in the internal reporting process’.**

Authorities come to the Ombudsman for advice and assistance on these issues. We advise that robust PID practices within authorities must be underpinned by clear policies and formal reporting systems.

Throughout the report, we highlight examples of the advice we have given to both public officials and public authorities. **‘If contacted at an early stage, we can advise public officials on how to make a report, and practitioners on how to respond to reports, in a way that minimises risks’** said Professor McMillan. **‘We also provide guidance on whether a report meets the criteria of a public interest disclosure as set out in the legislation’.**

In many respects, the technicalities and complexities of the PID Act only heighten the challenges faced by both reporters and practitioners.

The Acting Ombudsman welcomes the Joint Parliamentary Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission Committee’s recommendations – in a report tabled on 23 October 2017 – to simplify the legislation so that it better achieves its objective to encourage and facilitate disclosures of public interest wrongdoing and provide broad protection to those who make them.

[Read the report on the NSW Ombudsman’s website.](#)

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