

VICTORIAN ombudsman



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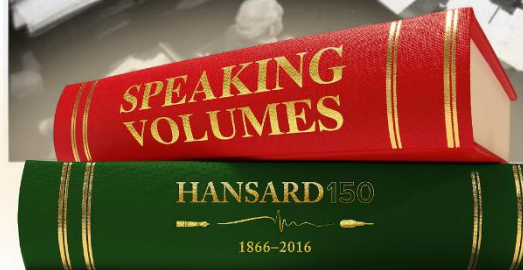
The Ombudsman reports to Parliament...

It is difficult to prove but one can assume... this inhibits the actions of public servants.

They know that what they do will be open to scrutiny in a way in which they could not be scrutinised by a court.



I do not envisage that the Ombudsman will be loaded down with complaints.



Ombudsman Act 1973

No. 8414 of 1973

Authorised Version incorporating amendments as at
24 October 2020

Questions

55



18G Offence to fail to comply with a witness summons

A person who is duly served with a witness summons must not, without reasonable excuse, refuse or fail to comply with the witness summons.

Penalty: 240 penalty units or imprisonment for 2 years.





Ombudsman free to investigate Labor rorts allegations after challenge rejected

Supreme Court of Victoria - Court of Appeal

Type	Jurisdiction	Database	Year	Citation
Cases	Victoria	Supreme Court of Victoria...	2016	[2016] VSCA 306

Attorney-General v Glass (in her capacity as Ombudsman) [2016] VSCA 306
(9 December 2016)

Last Updated: 9 December 2016

SUPREME COURT OF VICTORIA

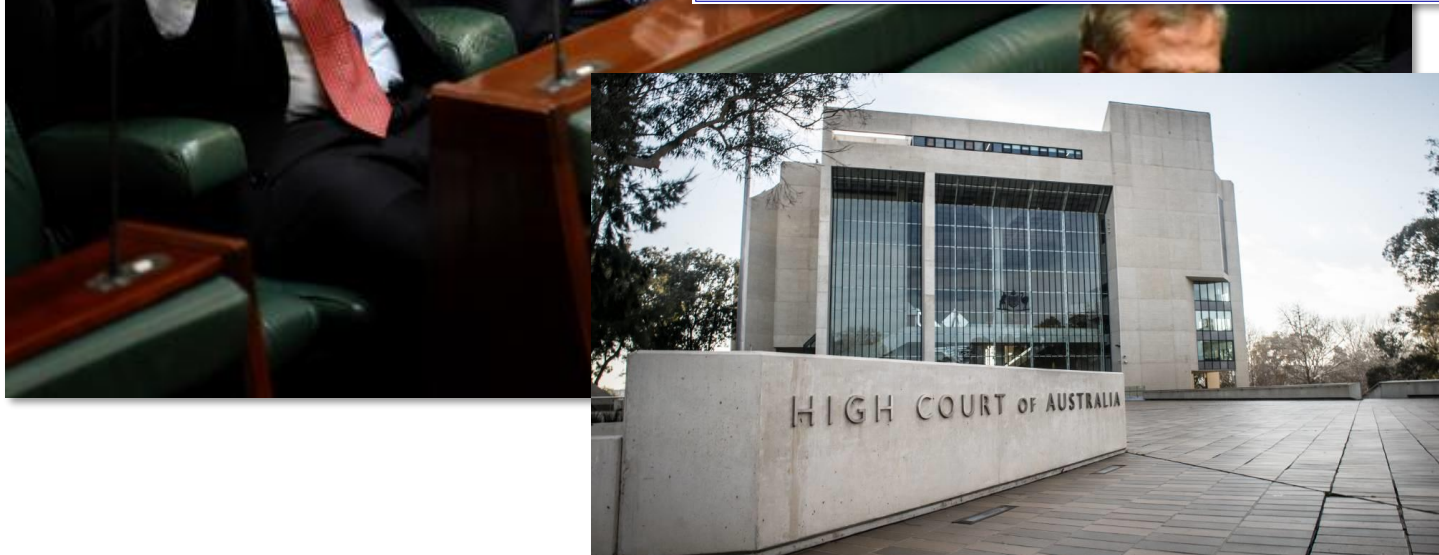
COURT OF APPEAL

THE ATTORNEY-GENERAL FOR THE STATE OF VICTORIA

S APCI 2016 0133

Applicant

First Respondent



VICTORIAN ombudsman

RORTS-FOR-VOTES UNFOLDS

MARCH 2014

State Labor MPs ordered to hire casual electorate officers to be deployed as election campaign staff called field organisers

MID-2014

The field organisers, working as part of Labor's Community Action Network and paid for by taxpayers, prepare for the state election campaign

OCTOBER 2014

The CAN is officially launched by then Opposition leader Daniel Andrews

NOVEMBER 29, 2014

Labor wins government after the state election

DECEMBER 2014

ALP officials claim the CAN was a huge success and part of the reason the party won the election

SEPTEMBER 2, 2015

The *Herald Sun* reveals Labor whistleblowers have lifted the lid on the way field organisers were paid via taxpayer funds – breaching parliamentary rules

SEPTEMBER 19, 2015

Opposition Leader Matthew Guy writes to Victoria Police to ask it to investigate allegations

SEPTEMBER 29, 2015

Police confirm fraud squad detectives have begun probing the matter

OCTOBER 6, 2015

A secret report is revealed by the *Herald Sun* showing that the use of electorate office funds to pay for political campaigning was against parliamentary rules and did not pass the "pub test"

NOVEMBER 25, 2015

A motion is passed by Parliament's Legislative Council, referring the rorts-for-votes scheme to the Victorian Ombudsman. Special Minister of State Gavin Jennings questions the validity of the referral

DECEMBER 1, 2015

Ombudsman Deborah Glass advises the Government she believes she does have jurisdiction to assess electorate office funding

DECEMBER 14, 2015

Ms Glass receives a letter from Mr Jennings reiterating that the Government does not believe she has the power to probe the issue

FEBRUARY 1, 2016

Ms Glass files an application in the Supreme Court to determine whether or not she has powers to investigate

SEP 2



OCT 6



DEBORAH GLASS



Investigation of a matter referred from the Legislative Council on 25 November 2015

March 2018



PREMIER DANIEL ANDREWS

MATT JOHNSTON, JAMES CAMPBELL, ALEX WHITE AND JAMES DOWLING

and several other MPs raised it with him. We told him it was a nonsense. "We were willing to back him, but he's just thrown people under the bus today. We raised the funding with him personally. Despite that, Daniel personally urged MPs to participate."

A second MP said there was "heaps of chatter" about how campaigners were being paid, adding: "It was common knowledge that Daniel and John (former state treasurer John Lenders) were putting people under huge pressure to participate in the scheme."

The rorts-for-votes scheme saw taxpayers cheated of almost \$388,000.

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“The Ombudsman’s most powerful powers are the ones we don’t need to use because everyone knows we have them.”