

MINISTRY OF JUSTICE, INTERNAL INVESTIGATIONS UNIT

832. Mr RIEBELING to the Parliamentary Secretary to the Minister for Justice:

- (1) Has Mr A McNaughton been removed -
 - (a) temporarily; and/or
 - (b) permanently;from his position as Manager of the Ministry of Justice Internal Investigations Unit?
- (2) Is Mr A Longmair, a Senior Investigator from the State Ombudsman's Office, currently acting in the position of Manager of the Internal Investigations Unit?
- (3) If so, when did he commence?
- (4) For what period of time will Mr Longmair act in the Manager's position?
- (5) Why was Mr McNaughton removed?
- (6) Was Mr McNaughton removed because he was considered to be "out of control" by members of the Executive of the Ministry of Justice?
- (7) Has the Ministry of Justice ever appointed anyone to conduct an investigation into the actions of Mr McNaughton and the manner in which he conducted some investigations?
- (8) If so, why?
- (9) As a result of that investigation/enquiry, were any adverse findings made against -
 - (a) Mr McNaughton; and/or
 - (b) the Ministry of Justice?
- (10) What were those findings?
- (11) Were any findings made in relation to non-compliance with -
 - (a) the Public Sector Management Act 1994;
 - (b) Public Sector Standards; and/or
 - (c) Public Sector Code of Ethics?
- (12) What were those findings?
- (13) What action does the Minister intend to take as a result of these findings?
- (14) Why has Mr McNaughton been removed from his position?
- (15) What duties or responsibilities is Mr. McNaughton performing at present?
- (16) Under what guidelines or legislation was Mr. McNaughton replaced in his position?
- (17) Has any circular or internal memo been distributed informing staff of -
 - (a) Mr McNaughton's removal; and/or
 - (b) the reasons for Mr McNaughton's removal?
- (18) If not, why not?

Mr BARRON-SULLIVAN replied:

The Minister for Justice has supplied the following answer:

- (1) Permanently
- (2) Yes
- (3) 12 June 2000
- (4) Mr Langmair has been seconded for a period of 6 months
- (5) In line with management best practice it was in the best interest of the Ministry to do so
- (6) See 5
- (7) Yes

- (8) Following a grievance received by a Ministry Officer
- (9) (a)-(b) Yes
- (10) Non-compliance with Public Sector Management Act Part 2 - Administration of Public Sector, Division 1, General principles of public administration and management, Section 7.
- Non-compliance with Public Sector Management Act Division 4, Functions of Chief Executive Officers and chief employees, and ancillary powers, Section 29(1)
- Non-compliance with Public Sector Management Act Part 2 - Administration of Public Sector, Section 9
- Non-compliance with the Public Sector Code of Ethics - Principles 2.4.1, 2.4.2 and 2.4.4
- (11)-(12) See 10
- (13) It is assumed that you meant to use the term "Ministry" rather than Minister. The Minister is prohibited from involvement by the Public Sector Management Act. It was acknowledged in the findings that the current management of the Ministry of Justice inherited a management system and culture that would take some time to improve. In recent times, the Ministry has demonstrated its agenda for corporate change by making significant appointments at senior level. In relation to Mr MacNaughton, the Ministry does not intend to take any disciplinary action relating to the findings.
- (14) See 5
- (15) Mr MacNaughton has been transferred into the position of Manager, Service Monitoring and Investigations in accordance to Section 65 of the Public Sector Management Act 1994 however is currently on extended sick leave
- (16) The position of Manager, Internal Investigation Unit is currently vacant and as such Section 8 of the Public Sector Management Act 1994 applies
- (17) (a)-(b) No
- (18) Staff changes at management level take place from time to time in accordance to normal business practice