



Australian Government

Comcare

PUTTING YOU FIRST

4 June 2012

s47F

Commonwealth Scientific and Industrial Research Organisation
PO Box 93
NORTH RYDE NSW 1670

Dear s47F

I am writing to express my concern that CSIRO has disclosed the contents of the draft Comcare investigation report (EVE207221-0002) into allegations by Dr Sylwester Chyb of bullying at CSIRO.

Comcare investigator Nigel Docker provided CSIRO with a draft investigation report on 23 May 2012. The draft report was given to CSIRO as a matter of courtesy, for the purpose of allowing comment on any errors of fact or omissions.

Mr Docker made it clear when he provided the report, and subsequently in writing to CSIRO s47F s47F that the draft investigation report was provided to the CSIRO in confidence. Mr Docker asked s47F that 'you limit the access to the report to those within CSIRO as necessary'. s47F provided a list identifying seven individuals within CSIRO to whom the report would be given.

Some of the contents of the draft report were disclosed at a Senate Estimates hearing on 28 May 2012. Hansard indicates that CSIRO quoted directly from page 7 of Mr Docker's draft report in which he notes that his investigation revealed no evidence of system deficiencies or a culture that embedded bullying at the CSIRO or its Entomology Division.

While CSIRO advised the Committee that the report was in draft and subject to change, I am nevertheless disappointed that its contents were divulged in a public forum contrary to Mr Docker's express request. This is concerning given that the content quoted by CSIRO was not presented in context and failed to highlight to the Committee that Mr Docker's draft report also contains preliminary findings that the CSIRO breached its occupational health and safety duties with respect to its handling of some of the allegations of bullying made by and against Dr Chyb. It is expected that CSIRO will issue a correction to Hansard on this matter as soon as practicable.

Further, Comcare would need to give serious consideration to disclosing confidential material to the CSIRO or extending the opportunity to provide comment on future draft investigation reports.

I would be happy to discuss this matter with you further. I can be contacted at s47F

Yours, sincerely, s47F

Steve Kibble
Deputy Chief Executive Officer

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