



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**SELECT COMMITTEE ON ESTIMATES 2024-2025**

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),  
Miss Laura Nuttall MLA

**ANSWER TO QUESTION TAKEN ON NOTICE  
DURING PUBLIC HEARINGS**

Asked by: Mr Andrew Braddock MLA

Addressed to: Minister for Skills and Training

Redirected to: NA

Reference: Uncorrected Hansard Transcript page 45

In relation to: Integrity Commissioner correspondence

Hearing Date: 26 July 2024

QTON lodgement date: 29 July 2024

Answer Due Date: 1 August 2024

**MR BRADDOCK:** So just to clarify, the correspondence that happened between the Integrity Commissioner and the board, you mentioned that the Integrity Commissioner had requested that the board stop its audit.

**Ms Howson:** That is right.

**MR BRADDOCK:** Do we have a date that that correspondence happened?

**Ms Howson:** I know the date that the Chair wrote to the minister.

**Mr Steel:** Yes. It was Friday June 24 2022 basically articulating that that is what the commissioner requested.

**MR BRADDOCK:** And then subsequently the Integrity Commissioner wrote again to the board, this is a question, advising that it had sufficient information in which to make an employment-based decision. Is that correct and what was the date of that letter?

**Ms Howson:** I am sorry, Mr Braddock. Would you mind repeating that?

**MR BRADDOCK:** I understand from the Integrity Commissioner's evidence that subsequent to that letter he wrote again to the board Chair advising that the board had sufficient information in its own possession without that audit to undertake an employment-based decision. Is that correct and what date did that letter happen?

**Ms Howson:** I am not aware of correspondence that reflects that but I will take that on notice. It would be in our correspondence register if that is the case. So I do believe that there were conversations between the Integrity Commissioner and the board Chair but the actual correspondence I will just have to take that on notice. We can perhaps even confirm that before the end of the hearing.

**MR BRADDOCK:** Thank you, because that was a key piece of evidence coming out of the Integrity Commission hearing as in terms of that advice given to the board.

CHRIS STEEL MLA: The answer to the Member's question is as follows:

The CIT is an independent Territory Authority with a governing board. They have advised that the CIT Board received correspondence from the Integrity Commission on 20 October 2022 and 6 March 2024. That correspondence made clear that employment decisions were a matter for the Board, and that an audit by the Board into the matter would risk compromising the Integrity Commission's investigation.

As the Integrity Commissioner acknowledged during his evidence, the matter involves complex questions of employment law about which the Commissioner has not and cannot give legal advice to the CIT. The Integrity Commissioner's letters did not and could not constitute legal advice about the Board's power to make an employment decision about the CEO.

The CIT Board rightly sought legal advice from the ACT Government Solicitor after this correspondence from the Integrity Commissioner, and continued to seek advice as the matter progressed to inform its decisions.

As the Integrity Commission investigation is ongoing it is not appropriate to comment further.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature:



Date:

2/8/24

By the [Minister for Skills and Training, Chris Steel MLA