

Mr Tom Duncan
Clerk of the Legislative Assembly
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Dear Mr Duncan

Tom

On 24 March 2026, the ACT Legislative Assembly resolved to order the production of documents related to the appointment of the CEO of the Canberra Institute of Technology (CIT).

I am making a claim of privilege by reference to public interest immunity over a single document included in the return, which is indicated in the schedule for the return. The document is a legal advice prepared by the ACT Government Solicitor to the CIT. That advice is clearly subject to legal professional privilege as it is a confidential communication made for the dominant (and in fact, sole) purpose of the CIT obtaining legal advice.

I understand the documents under paragraphs 1(d) and 1(f) of the order are not 'held' by the Minister or the executive government. They are documents held by the CIT as an independent statutory authority which is not subject to ministerial direction or control in its day-to-day operations. If the Legislative Assembly or Standing Committee on Public Accounts and Administration seeks to compel those documents, it must do so through an order directed to the CIT as an independent statutory authority.

The Government will continue to engage constructively and transparently on this matter as it has to date.

Yours sincerely



Andrew Barr MLA
Chief Minister

25 March 2026

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