



Legislative Assembly for the
Australian Capital Territory

Standing Committee on the Integrity
Commission and Statutory Office
Holders

Submission Cover Sheet

Inquiry into the June 2025 report of the Inspector of the ACT Integrity Commission

Submission number: 002

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Date authorised for publication: 14 October 2025

Standing Committee on the Integrity Commission and Statutory Office Holders
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Inquiry into the June 2025 report of the Inspector of the ACT Integrity Commission

This submission responds to the Committee's invitation for comment on the June 2025 report of the Inspector of the ACT Integrity Commission.

The submission reflects research and teaching on corporate governance and regulation, including issues regarding probity, transparency and accountability. In particular it draws on participation in open government initiatives and teaching at the graduate/undergraduate level regarding anticorruption mechanisms such as the NSW Independent Commission Against Corruption and the National Anti-Corruption Commission.

The submission does not represent what would be reasonably construed as a conflict of interest.

It is clear that neither the ACT government nor associated autonomous bodies are inherently immune from corruption. It is also clear that public sector entities in the Territory on occasion struggle to achieve – or instead disregard – best practice in governance, for example service acquisition and documentation of consulting services at the Canberra Institute of Technology. Disregard might be a matter of administrative convenience or unawareness of fundamental principles and responsibilities rather than what is conventionally understood as corruption. It does however exacerbate the disengagement evident among much of the community, with for example perceptions that democracy is 'broken', public sector bodies are experiencing regulatory capture by vested interests and watchdogs are ineffective.

The ACT Integrity Commission is a key watchdog. It embodies norms for behaviour in public sector administration, rather than merely investigating claimed misbehaviour. It must be trusted by the ACT legislature, officials and the community at large. It should lead by example, offsetting public criticism for perceived under-performance.

It is therefore disquieting that a former senior executive is reported as having arranged a substantial consultancy for himself while still employed by the Commission. The arrangement might be reasonably perceived as representing a conflict of interest. Members of the community might ask why a perceived conflict of interest was not reported to the Legislative Assembly, whether there was substantive consideration of a secondment from outside the Commission (in the absence of a tender) and why it was necessary to rely on the departing executive rather than inhouse expertise.

From a governance perspective it is similarly disquieting that the arrangement appears to have been signed off by the Commissioner, who from his comments on other matters might be presumed to be aware of both principles and the 'optics' of the consultancy, including what senior personnel in other ACT public sector entities might reasonably understand as a precedent – acceptable action by a benchmark agency – for their own executives ahead of departure.

If the Commission is to build its legitimacy it must embrace the notion of 'Caesar's wife', ie being conscious to be seen as beyond reproach in both its investigative activity and in its administration. The Commission can and indeed should offer the arrangement as a 'learning exercise' for senior and middle management across the public sector: identifying what happened, why it should not have happened and how administrators can do better.

Commitment to continuous improvement among people in corporate governance roles (board members and commissioners) should be encouraged by the Government, drawing on failures such as the Australian National University, the ANZ Bank, the Robodebt and Veterans' suicides agencies and the NSW residential construction sector. As with the egregious CIT consulting failure it is time for the Chief Minister to step forward.

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25 September 2025