



Inquiry into Caretaker Conventions

Answer to question taken on notice

Asked by: LEANNE CASTLEY MLA

Addressed to: CHIEF MINISTER

Redirected to:

In relation to: ACT public service and APS Code of Conduct

Hearing: 2/10/2025

Uncorrected Proof Transcript pp 11-12

Transcript provided: 8/10/2025

Answer Due: 15/10/2025

ANDREW BARR MLA took on notice the following question(s):

UPT pp. 11-12

MS CASTLEY: Right. I just have some questions. The code of conduct, the APS

Code of Conduct, includes several requirements. Section 35 establishes a duty that public employees that act with reasonable care and skill, including observing legal requirements and taking all reasonable steps to check that the information upon which decisions or actions are based is factually correct. I just wonder if you have a comment on how the Head of Service has complied with that duty?

Mr Barr: Well, look, I have no basis at the moment to suggest anything other than compliance with that duty. But obviously in the absence of the Head of Service at the moment, I have taken on notice a question around her rationale for providing information post the election.

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ANDREW BARR MLA: The answer to the Member's question is as follows:

The letter from the Head of Service to me was signed on 19 October 2024 after public 'concession' and 'victory' speeches were broadcast on media channels. This information included the concession speech made by the Leader of the ACT Liberals broadcast widely on media at 9:30pm. Media reporting also included statements from the ABC's chief election analyst Antony Green that there was 'no viable path for the Canberra Liberals... to form government'.

<https://www.abc.net.au/news/2024-10-19/act-election-vote-labor-wins/104493488>.

The decision made by the Head of Service to provide the Incoming Government Briefs to me was made on the basis of professional judgement, practice and convention and the information publicly available on the outcome of the election.

Approved for circulation to the Select Committee on Caretaker Conventions

Signature: 

Date: 15.10.25

By the Chief Minister, Andrew Barr MLA