

2025

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ELEVENTH ASSEMBLY

**ACT Integrity Commission Investigation Report
Operation Juno**

Government Response

**Presented by
Andrew Barr MLA
Chief Minister
June 2025**

BACKGROUND

1. On 21 December 2022, the Chief Minister, Andrew Barr MLA, and the then Attorney-General, Shane Rattenbury MLA, announced the ACT Government had established a Board of Inquiry into the Criminal Justice System in the ACT ('Inquiry') under the *Inquiries Act 1991* ('Inquiries Act'). The ACT Government appointed Mr Walter Sofronoff KC as the Board under section 5 of the Inquiries Act.¹
2. The Inquiry was established to ensure that the Territory's framework to progress criminal investigations and prosecutions is robust, fair and respects the rights of those involved. Specifically, the Inquiry was to examine the conduct of criminal justice agencies involved in the *R v Lehrmann* trial.
3. The Inquiry commenced on 1 February 2023. The Inquiry held public hearings across 13 days between 8 May 2023 and 1 June 2023.
4. On 31 July 2023 Mr Sofronoff delivered the Inquiry's report to the Chief Minister. The report made ten recommendations.
5. On 22 September 2023 the ACT Integrity Commission ('ACTIC') received a mandatory corruption notification pursuant to section 62 of the *Integrity Commission Act 2018* ('IC Act') concerning a suspicion on reasonable grounds that Mr Sofronoff, acting as the Board of Inquiry ('Board') appointed under the Inquiries Act, had engaged in serious corrupt conduct. The notification referred to two areas of conduct:
 - a. The delivery of a copy of the Board's Report to two journalists before it had been made public by the Chief Minister, and
 - b. Disclosures to and communications with members of the media during the Inquiry.²
6. On 8 February 2024 the ACT Government tabled its final response to the Inquiry report. The ACT Government agreed, or agreed in-principle, with all ten recommendations in the report.
7. On 5 April 2024 the ACTIC confirmed it had received and was assessing corruption allegations against Mr Sofronoff concerning his tenure as the Board.³
8. On 13 May 2024 the ACTIC issued a media alert to confirm it had completed its assessment of the allegations against Mr Sofronoff and decided to commence investigation into the impugned conduct as it may constitute corrupt conduct.⁴
9. On 18 March 2025 the ACTIC delivered its investigation report into Mr Sofronoff's conduct ('Operation Juno') to the Speaker of the ACT Legislative Assembly, Mark Parton MLA, pursuant to section 189 of the IC Act.
10. The ACTIC's found in its investigation report that Mr Sofronoff engaged in conduct that was serious corrupt conduct under the IC Act.⁵

¹ *Inquiries (Board of Inquiry – Criminal Justice System) Appointment 2023*

² ACT Integrity Commission, '*Investigation Report Operation Juno*', paragraph 3.

³ ACT Integrity Commission, Media Alert, '*Integrity Commission confirms it is assessing allegations into the conduct of the Hon Walter Sofronoff KC*' (https://www.integrity.act.gov.au/__data/assets/pdf_file/0005/2428754/Media-Alert-5-April-2024.pdf)

⁴ ACT Integrity Commission, Media Update, '*Integrity Commission announces investigation into the conduct of the Hon Walter Sofronoff KC*' (https://www.integrity.act.gov.au/__data/assets/pdf_file/0007/2450419/Media-Update-13-May-2024.pdf).

⁵ ACT Integrity Commission, '*Investigation Report Operation Juno*', paragraph 8.

GOVERNMENT RESPONSE

11. Section 191 of the IC Act requires the Government to respond to an ACTIC investigation report if:
 - a. An investigation report is presented to the Assembly under section 189, and
 - b. The investigation report made a finding of serious or systemic corrupt conduct in relation to an ACT public service entity.
12. Section 16 of the IC Act defines an 'ACT public service entity' as any of the following:
 - a. The public service
 - b. A statutory office holder
 - c. A territory authority
 - d. A territory-owned corporation
 - e. A subsidiary of a territory-owned corporation
 - f. A territory instrumentality.
13. The investigation report notes that the Dictionary to the *Legislation Act 2001* defines a statutory office holder as '... a person occupying a position under an Act or statutory instrument (other than a position in the public service).' The ACTIC confirm that Mr Sofronoff was appointed to the Chair of the Board of Inquiry pursuant to section 5 of the Inquiries Act and was therefore a statutory office holder.⁶
14. The ACT Government response is presented to the Legislative Assembly by the Chief Minister as the minister responsible for the Inquiries Act, being the Act under which Mr Sofronoff was appointed.

ACTIC's Findings

15. The ACT Government notes the ACTIC's investigation report presented to the Assembly pursuant to section 189 of the IC Act.
16. The ACTIC found that Mr Sofronoff's conduct fell within several elements of the 'corrupt conduct' definition in the IC Act:
 - a. His disclosure of confidential material to journalists contrary to the obligations of confidentiality prescribed by the Inquiries Act could have amounted to offences against sections 17 and 36 of the Inquiries Act.⁷
 - b. His disclosure of the report itself to journalists before it was publicly released contravened the Inquiries Act requirements to provide the report exclusively to the Chief Minister to determine the timing and extent of publication, subject to the Legislative Assembly's role.⁸
 - c. The disclosures were dishonestly concealed from the persons involved in the inquiry, in particular Mr Shane Drumgold and the Chief Minister, which prevented them taking legal action.⁹
 - d. The impugned conduct constituted the exercise of Mr Sofronoff's official functions in a way that was not impartial, significantly compromised the integrity of the inquiry

⁶ACT Integrity Commission, 'Investigation Report Operation Juno', paragraph 14.

⁷ ACT Integrity Commission, 'Investigation Report Operation Juno', paragraph 5(1).

⁸ ACT Integrity Commission, 'Investigation Report Operation Juno', paragraph 5(2).

⁹ ACT Integrity Commission, 'Investigation Report Operation Juno', paragraph 5(3).

constituting a breach of public trust and, in respect of his communications with Ms Janet Albrechtsen, gave rise to an apprehension of bias that affected his findings about Mr Drumgold.¹⁰

e. That conduct could have justified Mr Sofronoff's removal from the inquiry.¹¹

17. The ACT Government notes the ACTIC's conclusion that Mr Sofronoff had not acted in good faith and that his conduct, amounting to corrupt conduct within the meaning of the IC Act, undermined the integrity of the Board's processes and the fairness and probity of its proceedings to such an extent as to have been likely to have threatened public confidence in the integrity of that aspect of public administration, and it therefore constituted serious corrupt conduct.¹²

18. The ACT Government notes that the report is currently subject to judicial review proceedings in the Federal Court of Australia. Given that at the time of this response, these proceedings have not yet been resolved, the ACT Government makes no further comment on the ACTIC's report.

¹⁰ ACT Integrity Commission, *'Investigation Report Operation Juno'*, paragraph 5(4).

¹¹ ACT Integrity Commission, *'Investigation Report Operation Juno'*, paragraph 5(5).

¹² ACT Integrity Commission, *'Investigation Report Operation Juno'*, paragraph 6.