



**Legislative Assembly for the
Australian Capital Territory**

Standing Committee on the Integrity
Commission and Statutory Office Holders

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

Legislative Assembly for the Australian Capital Territory
Standing Committee on the Integrity Commission and Statutory Office Holders

Approved for publication

Report 4
11th Assembly
January 2026

About the committee

Establishing resolution

The Assembly established the Standing Committee on the Integrity Commission and Statutory Office Holders on 3 December 2024.

The Committee is responsible for the following areas:

- ACT Auditor-General
- ACT Ombudsman
- Office of the Legislative Assembly
- ACT Electoral Commission
- ACT Integrity Commission
- Electoral policy

The resolution further provides that:

- (7) the Standing Committee on the Integrity Commission and Statutory Office Holders shall:
 - (a) examine matters related to corruption and integrity in public administration;
 - (b) inquire into and report on matters referred to it by the Assembly or matters that are considered by the Committee to be of concern to the community;
 - (c) perform all functions required of it pursuant to the Integrity Commission Act 2018; and
 - (d) monitor, review and report on the performance of the Integrity Commission and the Inspector of the Integrity Commission or the exercise of the powers and functions of the Integrity Commission and the Inspector of the Integrity Commission, including examining the annual reports of the Integrity Commission and the Inspector of the Integrity Commission and any other reports made by the Commission;
- (8) nothing in this resolution authorises the Standing Committee on the Integrity Commission and Statutory Office Holders to investigate a matter relating to particular conduct or to reconsider a decision to investigate, not to investigate or to discontinue an investigation of a particular complaint made to the Commission, or to reconsider the findings, recommendations, determinations or other decisions of the Commission or the Inspector in relation to a particular investigation or complaint.¹

You can read the full establishing resolution [on our website](#).

¹ [Resolution-of-establishment-for-committees-as-at-26-June-2025-version-3.pdf](#), p 1.

Committee members

Mr Ed Cocks MLA, Chair

Mr Andrew Braddock MLA, Deputy Chair

Mr Taimus Werner-Gibbings MLA

Secretariat

Ms Kathleen de Kleuver, Committee Secretary

Ms Kate Mickelson, Assistant Secretary

Mr Adam Walker, Assistant Secretary (until 4 November 2025)

Mr Satyen Sharma, Administrative Officer

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About this inquiry

Under Standing Order 216, standing committees can self-initiate an inquiry into any subject area it is given responsibility for by the establishing resolution. The Standing Committee on the Integrity Commission and Statutory Office Holders resolved to conduct an inquiry into the Inspector of the ACT Integrity Commission's special report *Investigation into a procurement by the ACT Integrity Commission* on 19 August 2025.

The Committee informed the Assembly of its intention to conduct this inquiry on 2 September 2025.²

² ACT Legislative Assembly, *Minutes of Proceedings*, No 26, 2 September 2025, p 348.

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Acronyms & Abbreviations

Acronym or Abbreviation	Long form
2022–23 Annual Report	<i>Inspector of the ACT Integrity Commission Annual Report 2022–23</i>
ACT	Australian Capital Territory
The Act	<i>Integrity Commission Act 2018</i>
CEO	Chief Executive Officer
The Commission	ACT Integrity Commission
The Commissioner	ACT Integrity Commissioner
The Inspector	Inspector of the ACT Integrity Commission
The report	<i>Investigation into a procurement by the ACT Integrity Commission</i>
The Speaker	Speaker of the Legislative Assembly
MLA	Member of the Legislative Assembly

Finding and Recommendations

Finding 1

The Committee finds that the ACT Integrity Commission did not in this case meet the Committee's expectations of meticulous record-keeping of procurement decision-making and compliance with legislation, regulation and policy.

Recommendation 1

The Committee recommends that the ACT Integrity Commission take steps to ensure meticulous record keeping of procurement decision making and compliance with legislation, regulation and policy.

Recommendation 2

The Committee recommends that the ACT Integrity Commission and the Inspector of the ACT Integrity Commission adopt the Committee's principles outlined in this report for an effective working relationship.

1. Conduct of the inquiry

- 1.1. The Committee called for submissions from the public and from stakeholders from 20 August 2025, with a closing date of 26 September 2025. The Committee advised the ACT Integrity Commissioner (the Commissioner) and the Inspector of the ACT Integrity Commission (the Inspector) that there was no requirement for them to make submissions unless they had new information to add to the material in the Inspector's report and the Commissioner's response. The Committee received five submissions, including four confidential submissions, which are listed at **Appendix A**.

2. The Inspector's report

- 2.1. The Inspector of the ACT Integrity Commission (the Inspector)'s report, *Investigation into a procurement by the ACT Integrity Commission* (the report), was published on 17 June 2025. This is a Special Report, which under section 275 of the *Integrity Commission Act 2018* (the Act) is prepared for the Legislative Assembly if the Inspector considers that a matter needs to be brought to the attention of the Legislative Assembly sooner than in the next annual operational review report.
- 2.2. Under section 265 of the Act, the Inspector may on its own initiative investigate the conduct of the Commission or Commission personnel in relation to the exercise or failure to exercise a function under the Act or another law in force in the Territory. This is the Inspector's first investigation under this section.³
- 2.3. The report concerned a contract between the ACT Integrity Commission (the Commission) and its then-Chief Executive Officer (CEO), referred to as Mr A, which commenced on 22 August 2022, one day after Mr A's employment as CEO ended.⁴ The contract was valued at \$150,000⁵ and was awarded to Mr A while he was still CEO.⁶
- 2.4. The contract was awarded under a single select process at the Commissioner's request, with documentation for the contract proposal (including a draft of the statement of requirements) and exemption from procurement processes to allow a single select process having been provided by Mr A.⁷ The Inspector noted in his report that Mr A did not declare a conflict of interest when preparing documents to exempt the procurement of his services from a competitive tender process and that there were no records of any steps being taken to manage the conflict of interest in the process.⁸
- 2.5. The Inspector also noted that the Commissioner had advised in paragraphs 34, 36 and 37 of his response to the report that all material decisions for the procurement had been predetermined and were made 'prior to the procurement process commencing, and prior to the evaluation panel being formed and formal decision-making occurring'. The Inspector was of the opinion that 'a pre-existing stance on a matter could be seen as giving rise to an apprehension of bias.'⁹

³ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 4.

⁴ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 12.

⁵ The report notes that the total value of invoices submitted was \$113,326.23: Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 16.

⁶ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 5.

⁷ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, pp 13–14.

⁸ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 6.

⁹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, pp 25–26.

- 2.6. The Inspector did not find that the Commissioner had acted in breach of his statutory obligations.¹⁰
- 2.7. However, the Inspector considered that the reasons for, and consideration of, the procurement decision had not been sufficiently documented. This, the Inspector said, was compounded by ‘failures to properly consider, declare and manage conflicts of interest and potential apprehensions of bias’.¹¹
- 2.8. The Inspector also noted that his office had previously commented on the Commission’s management of conflicts of interest and use of single select tender processes, in relation to a separate procurement matter, in the *Inspector of the ACT Integrity Commission Annual Report 2022–23* (the 2022–23 Annual Report).¹²
- 2.9. That earlier case involved a much smaller procurement, with \$2,310 worth of services to be provided by a personal friend of the Commissioner. The Inspector noted in the 2022–23 Annual Report that the Commissioner had declared his interest and given reasons for the single source procurement. However, the Inspector expressed reservations:

While it was open to the CEO to pursue a sole select process based on urgency, we are not convinced the person engaged, while highly suitable to perform the role, was uniquely qualified for this role. We stand by our earlier suggestion that the Commission ensures the single source approach does not involve a personal relationship that could create the perception of a conflict.¹³

- 2.10. In the report *Investigation into a procurement by the ACT Integrity Commission*, the Inspector made three recommendations:
- a) Recommendation 1: The ACT Integrity Commission engage independent procurement advice as an integral part of any proposed single select tender process;
 - b) Recommendation 2: The ACT Integrity Commission (the Commission) develop a procurement policy consistent with the requirements of the ACT Government procurement framework. The policy should require the Commission to document fully, for each procurement, the reasons for the procurement itself, the reasons for the method of procurement chosen and the reasons for the decision made upon the procurement; and
 - c) Recommendation 3: The ACT Integrity Commission develop and maintain a register of mandatory staff training, to include training on conflicts of interest and bias and procurement training.¹⁴

¹⁰ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 7.

¹¹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 7.

¹² Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 8.

¹³ Inspector of the ACT Integrity Commission, [Annual Report 2022-23](#), 6 October 2023, p 10.

¹⁴ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 10.

- 2.11. The Commission accepted only Recommendation 3, arguing that the other recommendations would impose requirements not expected of other territory entities under the procurement framework.¹⁵
- 2.12. The Inspector indicated that he would recommend that the ACT Government consider amending the Act to require the Commissioner to notify the Inspector and the Speaker the Legislative Assembly (the Speaker) of any apprehension of bias, in the same manner as potential conflicts of interest are currently reported.¹⁶
- 2.13. The Inspector's *Annual Report 2024–25*, published after *Investigation into a procurement by the ACT Integrity Commission*, noted that the Inspector had recommended these legislative changes to the ACT Government.¹⁷

Committee comment

- 2.14. The Committee notes the Inspector's suggestions that the ACT Government consider updating the ACT Government's Conflict of Interest Policy to include the declaration and management of apprehensions of bias. If the Inspector's suggestions are adopted, legislative changes to the *Integrity Commission Act 2018* may also be required.

¹⁵ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commission's response*, 17 June 2025, p 2.

¹⁶ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 8.

¹⁷ ACT Ombudsman and Inspector of the ACT Integrity Commission, [Annual Report 2024–25](#), 3 October 2025, p 73.

3. Responses to the Inspector's report

- 3.1. Both the Integrity Commission and Mr A provided responses to the Inspector's report, which are included in Attachments A and B to the report.
- 3.2. Attachment A contains a 3-page response from the ACT Integrity Commission, followed by a 29-page response from the Commissioner.

The ACT Integrity Commission's response

- 3.3. In its response, the Commission stated that it 'has, and always will, comply with all applicable legislated and mandated requirements'. The Commission acknowledged its position as a role model for government:

The Commission takes very seriously the notion of being an exemplar of all processes or actions by which other government officials are held to account.¹⁸

- 3.4. The Commission did not accept that there had been a breach of procurement legislation or regulation in relation to the matter covered by the Inspector's report. It rejected two of the Inspector's recommendations which, the Commission argued, would impose additional requirements on the Commission which did not apply to other ACT public sector entities.¹⁹
- 3.5. The Commission also noted that it had undertaken 'considerable work' on its procurement practices, including:
 - Compulsory training for all staff involved in procurement;
 - Inclusion in Annual Reports of a table of contracts;
 - Engagement of a probity advisor for major procurements;
 - Formal decision-making processes for all procurements; and
 - Engagement with ACT Procurement on novel or complex procurement issues.²⁰

Further response from the ACT Integrity Commissioner

Need for a single select procurement

- 3.6. The Commissioner argued in his response that the single select procurement process was the appropriate approach: there were very few people suitably qualified to undertake the

¹⁸ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commission's response*, 17 June 2025, p 1.

¹⁹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commission's response*, 17 June 2025, pp 2–3.

²⁰ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commission's response*, 17 June 2025, p 1.

role that Mr A was contracted for. Further, the unpredictable period of the contract presented an ‘almost insuperable obstacle’ to attracting such people to the ACT.²¹

- 3.7. This combination of factors, the Commissioner said, made it ‘practically impossible’ to identify three suppliers to provide quotes for the work to be undertaken, as required at the time by section 6 of the *Government Procurement Regulation 2007* for contracts valued between \$25,000 and \$200,000.²²

Preparation of documentation

- 3.8. The procurement documents Mr A prepared included an exemption from a competitive tender process and a statement of requirements (to which Mr A responded as the sole tenderer).²³ The Commissioner disputed the importance of the procurement documents having been drafted by Mr A, as the Commissioner was the relevant and only decision-maker: ‘Who drafted the documents is, in fact, entirely inconsequential: the sole question is whether they are correct’.²⁴
- 3.9. The Commissioner described the process of preparing the documentation as ‘a convenient way of completing the formal requirements’, saying it was ‘not improper in the slightest’.²⁵
- 3.10. In response to a comment by the Inspector that the documentation prepared by Mr A presented him as ‘the only person capable of providing the services’, the Commissioner remarked that ‘That is because it was my judgment that this was the case and the document was drafted in accordance with my instructions... I had already decided that Example 1 of Regulation 10 applied’.²⁶

Documentation of decision-making

- 3.11. Noting that the Inspector had said that reasons for the exemption from the usual competitive procurement process should have been ‘sufficiently documented at the time of the decision, rather than after the fact’, the Commissioner asserted that ‘the fact is that sufficient reasons for making the procurement of Mr A were adequately documented for the purposes of the Procurement Act and Regulations’ and that that was all that was necessary.²⁷

²¹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 5.

²² Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 6; [Government Procurement Regulation 2007 | HTML view](#) version R10, 1 March 2022 – 30 June 2024 (accessed 4 November 2025).

²³ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 21.

²⁴ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 13.

²⁵ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 14.

²⁶ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 15.

²⁷ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 16.

- 3.12. The Commissioner argued that ‘the need for and the character of the services’ to be supplied were provided in the exemption decision as part of the procurement documentation ‘as well as the hand-over document prepared by Mr A (in consultation with [the Commissioner])’, and provided these documents in his response.²⁸
- 3.13. In response to the Inspector’s comment that the documentation did not mention staffing shortfalls, personnel issues or capability gaps, or provide any explanation why it was necessary to procure the services externally or from a person of Mr A’s seniority, the Commissioner said that the ‘explanation for the exemption required by Regulation 10 that justified exemption from other procurement processes was adequately explained in the exemption.’²⁹
- 3.14. The Commissioner stated that it was ‘not necessary’ to explain why the services needed to be performed by someone of Mr A’s seniority, and that it was ‘not necessary to explain the entire picture, only to state those matters that sufficiently satisfied the requirement’.³⁰
- 3.15. The Commissioner did not accept that it was ‘a failure in probity to provide more details than those provided’ and said that the details provided ‘adequately justified the procurement’.³¹
- 3.16. The Commissioner concluded that he would make the same judgement regarding the procurement of Mr A’s services again, ‘although in order to avoid the need for this excessive use of my very limited time resources at a time of considerable stress, I would see to it that forms were filled in in a way likely to satisfy the Inspector’.³²

Management of the CEO’s conflict of interest

- 3.17. The Inspector’s report raised a concern that there was no record of any steps to manage Mr A’s conflict of interest in the process.³³ The Inspector also advised ‘I do not share the Commissioner’s view that a self-evident conflict does not require appropriate disclosure or management. Further, I do not share the Commissioner’s view that the conflict had been disclosed by virtue of the fact the conflict was obvious to the Commissioner. There is a legislative requirement to declare and manage potential, perceived or actual conflicts of interest.’³⁴
- 3.18. In response, the Commissioner noted that while Mr A had a pecuniary interest, it was not necessary for a declaration to be made:

²⁸ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, pp 9–11.

²⁹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 12.

³⁰ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 12.

³¹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 12.

³² Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner’s response*, 17 June 2025, p 29.

³³ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 6.

³⁴ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 22.

No declaration of a conflict of interest is necessary in this situation for two reasons: first, the personal interest is manifest from the request itself and, second, the employee is not the decision maker.³⁵

3.19. The Commissioner then discussed how the conflict was managed:

What, at all events, was the management proposed by the Inspector? The first was that he should have declared his relationship with me. This was already evident from his January letter, from the exemption and from the subsequent declaration of interest; that I was Commissioner and he was CEO was declared on the Commission's website. The other element was that he had an interest in the decision. This was also evident, as I have already explained.³⁶

Apprehension of bias

3.20. As noted above, the Commissioner's response states that 'When the time came for [procurement documents] to be drafted, the decisions to which they related had been made'.³⁷ The Inspector had observed that 'a pre-existing stance on a matter could be seen as giving rise to an apprehension of bias.'³⁸

3.21. The Commissioner disagreed that the process involved a potential apprehension of bias on his part, stating the position that 'the only identifiable "bias"' in deciding on the procurement was the Commissioner's knowledge of Mr A's experience and competence, and that this was not material to the probity of the procurement.³⁹

3.22. The Commissioner stressed that he had no social relationship with Mr A, and noted that throughout much of their working relationship from January 2021 until August 2022, pandemic restrictions limited personal contact.⁴⁰

3.23. The Commissioner described his knowledge of Mr A's experience and capacity as 'very relevant' information in making the decision to engage him as a consultant, but not a conflict of interest.⁴¹

³⁵ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, p 27.

³⁶ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, p 28.

³⁷ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, p 13.

³⁸ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, pp 24–25.

³⁹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, p 18.

⁴⁰ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, p 21.

⁴¹ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, p 25.

4. Expectations of the ACT Integrity Commission

- 4.1. The purpose of the ACT Integrity Commission (the Commission), as expressed on its website, is ‘to strengthen public confidence in the integrity of the ACT Government’, and includes fostering public confidence in the ACT Legislative Assembly and the ACT public sector.⁴²
- 4.2. The *Integrity Commission Act 2018* (the Act) requires that the Commissioner must provide a written statement of their financial and other interests to the Speaker and to the Inspector within five business days of their appointment, of the start of the financial year, and of the day there is a change in their interest.⁴³ The Commissioner is also required to avoid actual, potential, and perceived conflicts of interest, disclosing any that arise to the Speaker and the Inspector as soon as possible and as often as needed, and to keep a register of such conflicts and make the register available to the Inspector at any time.⁴⁴
- 4.3. Describing the matters covered in the Inspector’s report as ‘disquieting’, Dr Bruce Baer Arnold submitted the opinion that there was a public expectation that the Commission should model and demonstrate the highest standards of behaviour:

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.

[...]

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.⁴⁵

- 4.4. Likewise, the Inspector of the ACT Integrity Commission (the Inspector) wrote in the opening paragraph of his report that:

The ACT Integrity Commission (the Commission) has a vital role to play in safeguarding the integrity of the governance of the Australian Capital Territory (ACT). Integrity within government is the bedrock upon which public trust is built. For these reasons, it is desirable the operations of the Commission itself are also seen to meet all applicable standards.⁴⁶

⁴² ACT Integrity Commission, [About us - ACT Integrity Commission](#), accessed 21 October 2025; *Integrity Commission Act 2018* ss 23(f).

⁴³ *Integrity Commission Act 2018*, s 30.

⁴⁴ *Integrity Commission Act 2018*, s 31–32.

⁴⁵ Dr Bruce Baer Arnold, *Submission 2*, pp 1–2.

⁴⁶ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 4.

- 4.5. The Commission's core values are:
- Integrity: building trust through responsible actions, transparency, respect, and honesty;
 - Professionalism: working collaboratively, respecting the opinion of others, challenging the status quo by embracing new ideas with tenacity and encouraging innovation;
 - Accountability: providing strong leadership and clear expectations, demonstrating trust, cooperation, and responsibility;
 - Fairness: ethical decision-making based on justice, equality and impartiality; and
 - Independence: carrying out our work without fear or favour, prioritising possible serious and systemic corrupt conduct.⁴⁷
- 4.6. The *Integrity Commission (Personal Interest) Guidelines 2020*⁴⁸ state that 'Commission staff are required to be beyond reproach in the performance of their official duties'⁴⁹.

Committee comment

- 4.7. The Committee notes that the ACT Integrity Commission is subject to the same standard as any other ACT public sector entity in terms of procurement legislation, regulation and policy. This is to demonstrate confidence in the legislation, regulation and policies that apply across the ACT Public Sector.
- 4.8. However, to demonstrate moral and practical leadership to the ACT public sector, the Committee expects the ACT Integrity Commission to be exemplary, not simply 'adequate', in its application of procurement legislation, regulation and policy in order to demonstrate moral and practical leadership to the ACT public sector. This includes being meticulous in the record keeping of procurement decision making and compliance with legislation, regulation and policy. This is necessary to foster and help maintain public confidence in the Commission, and by extension in the ACT public sector.
- 4.9. The Committee notes that the Inspector did not find that the Commissioner had breached his statutory obligations. The Committee considers that there is no question of the Commissioner's integrity.

Finding 1

The Committee finds that the ACT Integrity Commission did not in this case meet the Committee's expectations of meticulous record-keeping of procurement decision-making and compliance with legislation, regulation and policy.

⁴⁷ ACT Integrity Commission, [About us - ACT Integrity Commission](#), accessed 21 October 2025.

⁴⁸ Made under s 50 of the *Integrity Commission Act 2018* and published as Notifiable Instrument [NI2020-482](#).

⁴⁹ *Integrity Commission (Personal Interest) Guidelines 2020*, para 2.1.

Recommendation 1

The Committee recommends that the ACT Integrity Commission take steps to ensure meticulous record keeping of procurement decision making and compliance with legislation, regulation and policy.

5. Relationship between Commissioner and Inspector

- 5.1. A Relationship Protocol governs engagement between the ACT Integrity Commission (the Commission) and the Inspector of the ACT Integrity Commission (the Inspector), with the aim of ensuring that the Inspector and the Commission manage their statutory functions efficiently and effectively. The protocol was updated in February 2024.⁵⁰
- 5.2. The Commission noted in its *Annual Report 2024–25* that the Commission’s Chief Executive Officer, General Counsel and executive team met with the Inspector’s staff each month:

These liaison meetings are important for sharing relevant information about the activities of the Commission, to clarify matters which may arise from the monthly reports submitted to the Inspector and to discuss any other matters of relevance to both agencies.⁵¹
- 5.3. An earlier special report by the Inspector, *Investigation into the dismissal of corruption reports by the ACT Integrity Commission*, in November 2023, made seven recommendations, all of which were accepted by the Commission.⁵²
- 5.4. In its *Annual Report 2024–25*, the Commission reported that all of these recommendations had been implemented.⁵³
- 5.5. The Inspector’s *Annual Report 2024–25* assessed that six of the recommendations had been fully implemented, and one of the recommendations had been partially implemented. To be assessed as having fully implemented recommendation 5 of that special report, the Inspector required that the Commission improve its recording of decisions, in this case with respect to decisions to disclose certain information. The Inspector further required that reasons should contain sufficient detail for someone not directly involved in the matter to understand the decision made and the reasons for the decision.⁵⁴
- 5.6. The Inspector also noted an earlier decision by the Commissioner to recuse himself from a matter, which the Inspector had determined did not concern a conflict of interest requiring notification to the Inspector under the Act. The Inspector welcomed the Commissioner’s voluntary agreement to notify the Inspector of ‘all matters where the Commissioner considers it necessary or appropriate to recuse himself’ in future.⁵⁵
- 5.7. In the special report *Investigation into a procurement by the ACT Integrity Commission*, the Inspector commented that he was ‘mindful of the serious consequences of adverse comments’ and had decided to adopt the principles that ‘a finding should not be made

⁵⁰ ACT Integrity Commission, [Annual Report 2024–25](#), October 2025, p 69.

⁵¹ ACT Integrity Commission, [Annual Report 2024–25](#), October 2025, p 69.

⁵² Inspector of the ACT Integrity Commission, [Special Report - Investigation into the dismissal of corruption reports by the ACT Integrity Commission](#), November 2023, pp 3–4.

⁵³ ACT Integrity Commission, [Annual Report 2024–25](#), October 2025, p 69.

⁵⁴ ACT Ombudsman and Inspector of the ACT Integrity Commission, [Annual Report 2024–25](#), 3 October 2025, p 77.

⁵⁵ ACT Ombudsman and Inspector of the ACT Integrity Commission, [Annual Report 2024–25](#), 3 October 2025, p 76.

unless it is more probable than not', and that more serious findings may require stronger evidence.⁵⁶

- 5.8. The Commissioner's response to the report stated that the Inspector's criticisms were 'baseless, indeed captious' and 'unjustified'.⁵⁷

Committee comment

- 5.9. The Committee articulates the following principles for an effective working relationship between these two entities:

- a) Both positions are essential in maintaining public trust and confidence in the ACT Public Sector integrity framework;
- b) Both roles must seek a balance in their goals of the effective and good operation of the ACT Integrity Commission and maintaining the trust and confidence of the ACT community;
- c) Effective communication and professional respect between these two roles are essential;
- d) Recommendations from the Inspector shall consider any impacts that will arise on the operation of the Integrity Commission;
- e) The Integrity Commissioner shall consider the impact on public confidence in the ACT Public Sector integrity framework before deciding to not implement an Inspector's recommendation;
- f) It is to be expected that at times these roles may come into tension with each other on a particular issue and that this is not necessarily a bad outcome. We expect cooperation, not capture; and
- g) Where the two positions have irreconcilable views the Committee expects the officers to consult the ACT Legislative Assembly (either the Speaker or the relevant Assembly committee, as appropriate) for advice so as to maximise public trust and confidence in the ACT Public Sector integrity framework.

Recommendation 2

The Committee recommends that the ACT Integrity Commission and the Inspector of the ACT Integrity Commission adopt the Committee's principles outlined in this report for an effective working relationship.

⁵⁶ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), 17 June 2025, p 5.

⁵⁷ Inspector of the ACT Integrity Commission, [Investigation into a procurement by the ACT Integrity Commission](#), Attachment A, *ACT Integrity Commissioner's response*, 17 June 2025, pp 9, 15, 73.

6. Conclusion

- 6.1. The Committee would like to thank the ACT Integrity Commissioner, the Inspector of the ACT Integrity Commission, and submitters to this inquiry.
- 6.2. The Committee makes one finding and two recommendations.

Mr Ed Cocks MLA
Chair, Standing Committee on the Integrity Commission and Statutory Office Holders
20 January 2026

Appendix A: Submissions

No.	Submission by	Received	Published
1	Confidential	23/09/25	-
2	Dr Bruce Baer Arnold	25/09/25	14/10/25
3	Confidential	26/09/25	-
3.1	Confidential	21/10/25	-
4	Confidential	2/09/25	-