

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

WRITTEN QUESTION

Mrs Lambley to the Chief Minister:

**Review into the NT Independent Commission Against Corruption
(2021-2022)**

On 23 March 2021, the Hon. Natasha Fyles MLA, Leader of Government Business, announced that there would be a review into the operation of the *Independent Commissioner Against Corruption Act 2017* (“the ICAC Act”). Greg Shanahan PSM commenced the initial review in April 2021. Mr. Shanahan provided preliminary recommendations to the Hon. Michael Gunner MLA, Chief Minister on 3 September 2021, which are outlined in the Discussion Paper.

1. Who appointed Mr. Greg Shanahan PSM as the person to review the ICAC Act in March 2021?
2. Who wrote the Terms of Reference for the 2021 Review into the Northern Territory Independent Commission Against Corruption legislation, undertaken by Greg Shanahan PSM?
3. The Review into the Northern Territory ICAC Act was announced in March 2021 and commenced in April March 2021. The final report was provided to the Chief Minister by Greg Shanahan PSM in September late 2021. Why has this Report not been made public?
4. Who did Mr. Greg Shanahan PSM talk to or consult with in relation to the 2021 NT ICAC Review? Please provide details.
5. Why has the “Review of the ICAC Act 2017 Discussion Paper” announced on Tuesday 25th February 2022 not included all recommendations made in the 2021 Northern Territory ICAC Review Report, provided by Mr. Greg Shanahan PSM?
6. Who wrote the “Review of the ICAC Act 2017 Discussion Paper” released on 25th January 2022?
7. Who authorised the “Review of the ICAC Act 2017 Discussion Paper”?

8. Who selected the recommendations from 2021 Northern Territory ICAC Review Report, provided by Mr. Greg Shanahan PSM, that are included in the January 2022 “Review of the ICAC Act 2017 Discussion Paper” and why?
9. Please provide an explanation or rationale as to why each recommendation was selected to be included in the January 2022 “Review of the ICAC Act 2017 Discussion Paper”.
10. Please provide an explanation or rationale as to why each recommendation was not selected to be included in the January 2022 “Review of the ICAC Act 2017 Discussion Paper”.
11. Why were only parts of the Final 2021 ICAC Review Report, provided by Mr. Greg Shanahan PSM, included in the “Review of the NT ICAC Act 2017 Discussion Paper”?
12. What parts or recommendations in the Final 2021 ICAC Review Report, provided by Mr. Greg Shanahan PSM, were excluded from the “Review of the ICAC Act 2017 Discussion Paper”? Please provide details.
13. Will the public comments and submissions of the “Review of the ICAC Act 2017 Discussion Paper” ever be made public?
14. In most Government inquiries and consultations, submissions are made public at some stage, given the permission of those making submissions. Why have you decided not to do this?
15. Who made the decision to make comments and submissions made to the “Review of the ICAC Act 2017 Discussion Paper” and the 2021 ICAC Review Report, provided by Mr. Greg Shanahan PSM, to be not made public?
16. Who exactly is in charge of the entire review of the 2017 Northern Territory ICAC? Does this person (or people) have a conflict of interest, by being investigated by ICAC in the past or present?
17. How many recommendations were in the 2021 Northern Territory ICAC Review Report, provided by Mr. Greg Shanahan PSM?
18. Will the public ever get to see the Final 2021 Northern Territory ICAC Review Report, provided by Mr. Greg Shanahan PSM in September 2021?
19. If so, then when?

20. If not, then why?
21. Please provide an explanation of why you are withholding this information from the people of the Northern Territory?
22. Are you, the Chief Minister of the Northern Territory, or any of your Cabinet Ministers or caucus, currently under investigation by the Northern Territory ICAC for any matter?
23. If so, do you and your Cabinet have a “conflict of interest” in this process or reviewing and changing any part of the 2017 Northern Territory ICAC Legislation?
24. When will this entire review of the 2017 Northern Territory ICAC Act be completed? What are the timeframes for the remaining steps in this process of reviewing and potential changing the NT ICAC Legislation? Please provide details.
25. When will the “exposure bill” for the new Northern Territory ICAC Legislation be completed?
26. How long will the “exposure bill” for the new Northern Territory ICAC Act be available for consultation?
27. What will be the consultation process for the “exposure bill” for the new Northern Territory ICAC Act?
28. Was a fully Independent, external body or authority, perhaps from interstate, considered as more appropriate to be presiding over changes to the 2017 Northern Territory ICAC Act?
29. If so, provide details?
30. If not, provide reasons why this was not considered?

Answer:

After years of inaction by the previous CLP Government to establish an integrity body, the Territory Labor Government promised Territorians that the Independent Commissioner Against Corruption (ICAC) would be established to restore trust and accountability in public institutions.

The Territory Labor Government is proud to deliver this promise to Territorians.

It is timely to undertake a review of the legislation to ensure it meets community expectations and contemporary practice.

The legislative review of the ICAC Act is currently underway. The first round of public consultation ended on 25 February 2022. The Department of the Chief Minister and Cabinet is undertaking the legislative review, in consultation with the Office of the ICAC and other relevant government agencies. The Discussion Paper was a tool to facilitate consultation and included all recommendations provided by Mr Shanahan. The public will have another opportunity to provide feedback on the proposed amendments to the legislation through an exposure draft bill. The next steps of the review and relevant timing will be informed by the results of the first consultation round.

Any insinuation that public servants involved in the legislative review project would use their position to gain a personal benefit demonstrates a complete lack of respect to our hard working public service. Any insinuation that the legislative review is being conducted inappropriately shows a lack of understanding of government process.