



NT INDEPENDENT COMMISSIONER AGAINST CORRUPTION

Statement regarding ICAC investigation

19 November 2019

The Independent Commissioner Against Corruption (ICAC) Ken Fleming QC will step aside from the Office of the ICAC's continuing involvement in the investigation into the circumstances surrounding a Death in Custody in Yuendumu.

Mr Fleming requested that concerns raised with the Office of the ICAC about comments he made in Alice Springs be referred to the ICAC Inspector, Mr Bruce McClintock SC.

The ICAC Inspector, who has independent oversight of the ICAC and Office of the ICAC staff, has assessed these complaints and has made recommendations to Mr Fleming and the Office of the ICAC about the agency's future involvement in this matter.

Mr Fleming said that he had informed the Office of the Chief Minister of the decision to step aside on this matter.

"From the moment this tragic incident occurred I have set out to give my time to both the NT Police and the Central Australian and Warlpiri Aboriginal communities, in a balanced manner," Mr Fleming said.

"I proactively sought counsel to engage in a culturally appropriate manner with senior Aboriginal community leaders, and specifically Warlpiri people who have been impacted by this event.

"Those community leaders have called for a review of the decisions made before and after this event by public bodies, including agencies other than NT Police, and the policies and processes which govern that decision-making.

"My intention when participating in the community meetings in Central Australia was to explain our ability to independently look into these matters to the communities who are upset and seeking the truth.

"I accept that some of my comments have led to the perception among some observers that I am closer to one side than another on this matter, and so I will no longer be involved in it.

"The public must trust in the ICAC's ability to provide independent oversight of public bodies and public officers."

The ICAC Inspector has been notified of the Office of the ICAC's plans to continue its involvement in the NT Police investigation into the Death in Custody in Yuendumu.

The ICAC Inspector will provide ongoing evaluation of the ICAC's performance, practices and procedures concerning performance its functions.

The Office of the ICAC's ongoing involvement in the NT Police investigation will be led by a team of specialist investigators, lawyers and technical experts with significant experience managing major crime investigations, as well as serious and complex investigations.

Commissioner Fleming will not participate in decisions or recommendations in relation to the matter.

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