



OFFICE OF THE INDEPENDENT COMMISSIONER AGAINST CORRUPTION (NT)

## Public Statement by Commissioner Riches

21 July 2022

Much has been made of my recent decision not to republish a public statement made by my predecessor.

In light of the commentary about the meaning and effect of my decision in the media, not all of which has been accurate, I make the following comments.

At the conclusion of an investigation, the ICAC may prepare an investigation report in accordance with section 50 of the ICAC Act. An investigation report may contain findings, including findings that a person has engaged in improper conduct within the meaning of the Act.

An investigation report is not the same as a public statement.

A public statement may be for a purpose specified in section 55 of the ICAC Act. A public statement does not replace an investigation report. They are two different things.

Whether or not a public statement is made, withdrawn, republished, or not republished, has no effect whatsoever on findings that have been made following an investigation, nor on the content of an investigation report.

A finding made in a report will not stand if a court has determined that the finding is legally invalid. A finding will also not stand if the finding is revoked by the Commissioner.

I have not revoked any findings made by the former Commissioner in relation to any of his investigations. Nor have I revoked any investigation reports prepared by the former Commissioner.

As I have said, a public statement is only a means to communicate certain information publicly. It is not the repository of findings made. It follows that a decision not to republish a public statement has no effect on the content, nature or validity of findings that have been made following an investigation.

My decision not to exercise the power to republish a public statement made by my predecessor should not be understood as a revocation of the findings made in the investigation report.

**Commissioner Riches  
Independent Commissioner Against Corruption (NT)**

ENDS