

ORIGINAL PAPER

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Speaker

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CLERK: K. Singer

General Report

Section 48 – Independent Commissioner Against Corruption Act 2017

Office of the
Independent
Commissioner
Against
Corruption NT



Letter of transmittal

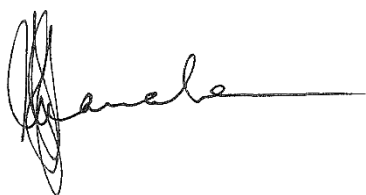
The Honourable Robyn Lambley MLA
Speaker
Legislative Assembly of the Northern Territory

Dear Speaker

I submit a report in accordance with section 48 of the *Independent Commissioner Against Corruption Act 2017* (NT) (ICAC Act).

In accordance with section 49(3) of the ICAC Act I recommend that this report be made public immediately. If you do not accept the recommendation, then I note section 49(2) of the ICAC Act requires you to table the report in the Legislative Assembly within 6 sitting days after you have received it.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Shanahan', with a long horizontal line extending to the right.

Greg Shanahan PSM
Acting Independent Commissioner Against Corruption

21 January 2025

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Snapshot of the Office of the ICAC from 1 July 2024

Assessments

Between 1 July 2024 to 20 January 2025, the Office of the ICAC have:

- Received 147 allegations of improper conduct
- Completed assessments of 185 allegations of improper conduct¹
- Referred 34 allegations to referral entities under Section 25 of the ICAC Act and are awaiting 20 reports back under Section 28 of the ICAC Act²
- Finalised 5 reports back from referral entities under Section 28 of the ICAC Act.

Investigations and Reviews

As at 1 July 2024, 12 investigations were in progress.

As at 20 January 2025, 5 investigations have been completed and 7 investigations are in progress.

As at 1 July 2024, 66 recommendations from finalised investigations and reviews were being monitored for implementation by a public body.

As at 20 January 2025, 7 recommendations have been implemented and closed.

Prevention and Engagement

Between 1 July 2024 and 20 January 2025, 38 engagement and training activities have been undertaken with 1,172 participants across a range of public bodies.

Introduction

Since the last General Report in November 2024, the Office of the Independent Commissioner Against Corruption (ICAC) Northern Territory (NT) has undertaken significant prevention and engagement activities.

National Anti-Corruption Investigation Network

In early November 2024, the National Anti-Corruption Investigation Network (NACIN) and National Intelligence Network (NIN) conference was jointly hosted by the Independent Commission Against Corruption NSW and the Law Enforcement Conduct Commission NSW in Sydney. The conference is a forum for Australian integrity agency managers to meet face-to-face and discuss new and changing threats or opportunities in anticorruption investigations and intelligence. The NACIN and NIN members are officers from all Australian Government, state and territory anti-corruption and integrity agencies.

A member of the Office of ICAC presented preliminary results from a strategic intelligence project on employee recycling in the Northern Territory Public Sector. The project focused on identifying employees dismissed from employment following disciplinary proceedings and determining whether

¹ This includes 38 allegations received prior to 1 July 2024.

² Not all referred allegations require a report back.

pre-employment screening controls were adequate in ensuring disciplinary history had been assessed in the recruitment selection process.

The preliminary results of the project were encouraging as many applicants had declared disciplinary history when applying for positions. However, instances of applicants allegedly acting dishonestly to gain employment were also identified. There also appears to be a trend of public officers potentially not complying with mandatory reporting obligations for disciplinary actions resulting in dismissal. The dismissals may not have been reported to the ICAC, especially where a reasonable suspicion of improper conduct was formed.

The presentation was well received and created positive discussion from several attendees, with one jurisdiction requesting further information on the project for sharing with their office as they were planning on a similar project. Aside from the presentation, other attendees from the Office of the ICAC found the opportunity to learn through presented case studies and participate in roundtable discussions an invaluable experience.

Integrity Advocates Program 2023-2024

As part of the ICAC's function of delivering education and training, the Office of the ICAC launched the inaugural Integrity Advocates Program (the program) in July 2023.

The program was designed to support participating public officers to expand their expertise in integrity in public administration and to develop and implement an integrity-related project within their agency. The program consists of 2 phases.

Phase 1 was delivered over 6 months, where participants were required to attend monthly seminars. The seminars covered the following topics:

- Insights into the psychology of decision making
- The impact of workplace culture on integrity
- Key risks in public administration
- Red flags for corrupt conduct
- International approaches to integrity in public administration
- Strategies for preventing improper conduct
- Supporting whistleblowers

Phase 2 was delivered over the following 15 months and required participants to implement an integrity project within their agency. As at 20 January, 3 participants have presented their integrity project in their agencies. Seven participants are yet to present their integrity projects.

Throughout the delivery of the program, it became evident that some participants' projects were longer term projects, making it difficult to meet the requirements of the program. Some participants were then offered the option to undertake a case study as their final assessment of the IAP program.

Of the 12 participants in 2023, 3 have completed the program, 5 have withdrawn and 4 are still completing their integrity project.

A 2024 cohort began the Integrity Advocates Program in June 2024. This cohort of 11 public officers is currently completing phase 2 of the program.

The Office of the ICAC is currently making adjustments to the program from participant feedback and looks forward to offering the program again in the future.

Barkly Regional Council education session

In November 2024, the Office of the ICAC staff presented an education session to the newly elected Barkly Regional Council. The session was specifically designed for the council to focus on common risks and strategies in local government councils across the NT.

The Prevention and Engagement Unit of the Office of the ICAC worked closely with the Department of Housing, Local Government and Community Development, Local Government Unit to ensure the Barkly Regional Council elected members were provided with relevant, targeted information to build their skills and understanding of what improper conduct is, how to recognise it and what mitigation strategies they can put in place to reduce the risk of improper conduct occurring.

Following the delivery of the education session with the Barkly Regional Council, discussions have been held with other local regional councils to plan the delivery of tailored education sessions.

Operation Hurricane

In November 2023, the ICAC commenced a review under section 23 of the ICAC Act, referred to as Operation Hurricane.

The scope of the review was the practices, policies and procedures of the Department of Health (DOH) relating to recruitment to positions where an essential criterion was to hold a qualification, certification or other accreditation. The review considered 11 recruitment and selection processes, reviewing adherence to legislation, delegations, employment instructions for recruitment and the declaring and management of conflicts of interest.

On 2 July 2024, members of the ICAC's Strategic Intelligence and Reviews Unit presented the initial findings and proposed recommendations to the then-CEO and Executive team at DOH.

On 21 November 2024, the final review report was provided to DOH. The report included 4 recommendations focusing on:

- job descriptions and pre-employment
- conflicts of interest
- qualifications
- merit selection training.

The recommendations are best practice, providing guidance and a framework to support ethical and proper recruitment practices if followed. The recommendations address the consistency of directions given and clarification of policies and procedures, ensuring staff are aware of their responsibilities when undertaking recruitment.

DOH has advised that the final report was tabled at the NT Health Leadership Board meeting in December 2024, and they will consider the recommendations. DOH has been asked to provide advice on the steps taken, or proposed to be taken, to implement these recommendations by 30 May 2025.

The ICAC acknowledges the assistance given by DOH staff during this review and thanks them for their efforts.

ICAC recommendation closures

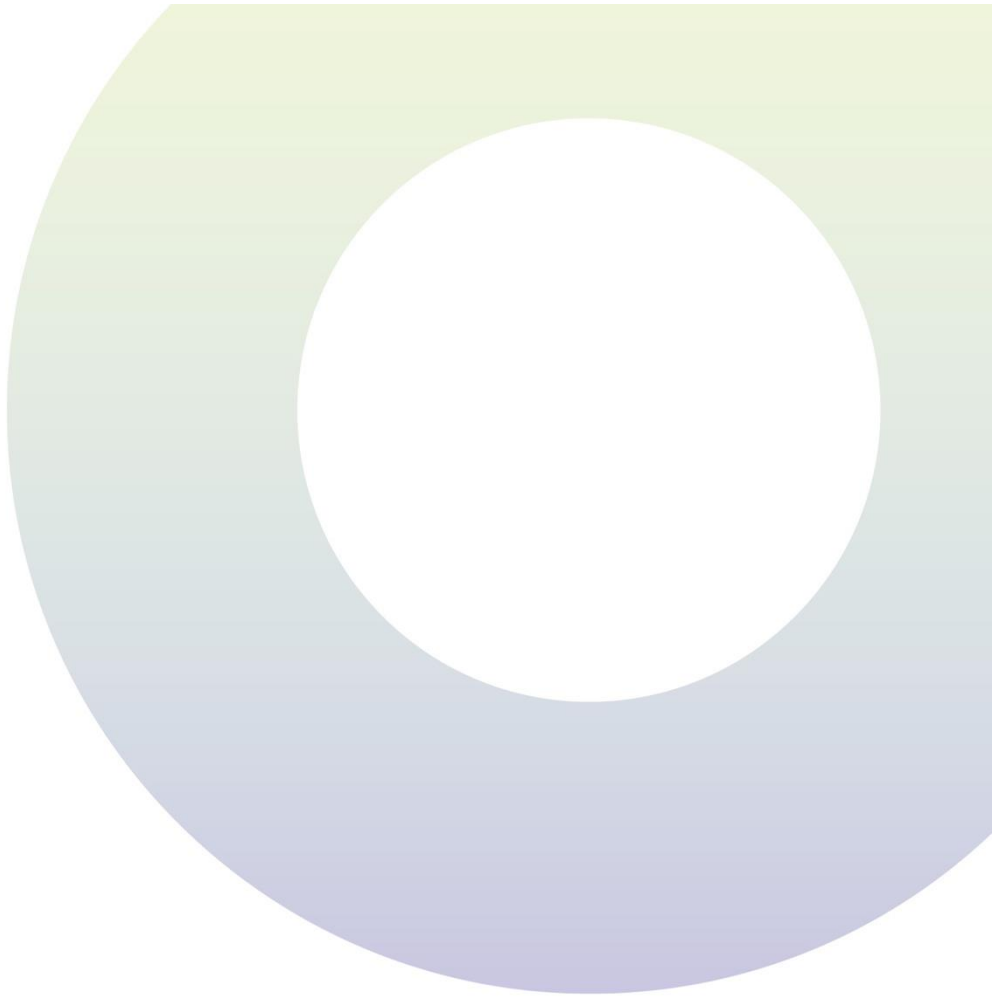
Section 56 of the ICAC Act states that the ICAC may, at any time, make recommendations to a public body in relation to preventing, detecting, investigating, prosecuting or otherwise dealing with improper conduct, if the ICAC considers the recommendations are within the functions of the body to implement or progress.

As at 31 December 2024, a total of 73 recommendations were being monitored by the Strategic Intelligence and Reviews Unit made as a result of 6 investigations and 3 reviews conducted under section 23 of the ICAC Act.

The recommendations made addressed issues including:

- allowances available under Determinations issued by the OCPE
- procurement/tender processes and governance
- verification of qualifications in recruitment
- expenditure of grant funding
- use of third-party suppliers for recruitment
- use of electronic and digital signatures
- governance frameworks relating to codes of conduct, management of conflicts of interest and performance management and training.

As at 20 January 2025, 7 recommendations have been completed with the relevant agencies taking adequate steps to implement recommendations. Such steps include causing an audit to be conducted addressing financial management, updating policies and procedures, or providing clarification by way of email to all NTG employees.



Contact the ICAC

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Office of the
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