

Public officers and mandatory reporting

Mandatory reporting

All public bodies and public officers must report reasonable suspicions of improper conduct under the mandatory reporting obligations.

The definition of public officer includes:

- ministers
- Members of the Legislative Assembly
- judicial officers
- an administrator of an office established under an Act or is appointed by the Administrator or minister
- a member, officer or employee of a public body
- any person engaged by a public body to perform functions.

Public bodies include:

- an agency
- a local government council
- the police force
- a court
- a board, commission, tribunal or other body established under an Act that has judicial responsibilities
- a body, incorporated or not, which has been established under an Act
- any member of a body whose member have been appointed by the Administrator or a minister
- a government owned corporation
- a nursing home
- a public hospital
- any other body, incorporated or not, including non-government organisations, that

1. receives direct or indirect public resources (this could include money, assets, infrastructure, intellectual property, or licenses held by Territory or a public body), and
2. performs a public function on behalf of the Territory, a public body or an officer.

Definition of corruption, improper conduct

Corruption is the behaviour of a public officer that constitutes a criminal offence, and is connected to public affairs. Misuse of public resources, including fraud, falsifying documents, as well as accepting or requesting a bribe, are some examples of corruption.

Improper conduct includes corruption, but also unsatisfactory conduct and misconduct. If a public officer engaged in discrimination, bullying, harassment or assault, this would constitute improper conduct.

Your role as a public officer

Suspicion arises when there is something out of place or inappropriate about someone's behaviour. The reasonable suspicion develops when one fact or more is established about the behaviour.

A public officer or public body must report any reasonable suspicions of improper conduct to the Independent Commissioner Against Corruption (ICAC), even if the matter has already been referred to the Ombudsman, the Auditor-General or the NT Police, for example.

This allows the ICAC to follow up with the referring body what steps have

been taken to address the matter, and to have some oversight of the investigation.

If in doubt, always report the suspicion and the ICAC can deal with the matter.

Why mandatory reporting is important

Mandatory reporting is a measure to safeguard public integrity, and we must all play a part in preventing corruption by reporting improper conduct.

On all levels, corruption can lead to wasted public resources and money, reputational damage, inefficient systems, and unfair treatment of others to gain an advantage.

Unreported, corruption will undermine the rules and governance of any organisation, and erode the trust within a workplace.

By reporting what you know, you are assisting the ICAC with a full view across the NT public administration of corrupt and improper conduct.

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