Public Statement

RESIGNATION

9 JULY 2024

Statement by the Hon. Ann Vanstone KC
Commissioner, Independent Commission Against Corruption

This morning I advised the Governor of my resignation as Commissioner of the Independent Commission Against Corruption, effective 6 September 2024. At that time I shall have served four years of my seven year term.

It has been a pleasure to work with the exceptional team that makes up the Commission. I have led them through tumultuous times and have been impressed by their commitment to finding a way to make an impaired system work, so that it provides public value.

Since the 2021 amendments to the *Independent Commission Against Corruption Act 2012* (SA), our focus has been on streamlining our investigations, assisting public entities to identify systemic vulnerabilities to corruption and providing education to public officers. In my time we have published 25 reports (with another 12 in progress) and undertaken nine evaluations of agencies. This activity is informed by our investigations, which remain vital to our work. We have conducted hundreds of education sessions, which I know public officers find useful. Then, there is the work we do behind closed doors. The importance of all this work has sustained me, and everyone at the Commission. I am immensely proud of it.

My resignation is prompted by a number of factors, some personal, but most professional.

The 2021 amendments to the legislation governing public integrity in South Australia damaged the scheme, under the guise of making it more 'effective and efficient'. I have been saying this since before the amendments passed and have had reason to continue to say it. In essence, the public interest is not served by narrowing the definition of corruption, or by isolating the Commission from the intelligence sources constituted by all complaints and reports, or by completely divorcing us from the prosecution process so that we are unable to assist a prosecution. Absurdly, we are not even allowed to speak to the prosecutor, meaning they are denied access to the expertise and knowledge of Commission investigators who best know the matter. Likewise, the public interest is not served by gagging us to ensure we cannot comprehensively share with the community what we know about integrity issues in South Australian public administration; and of course, it is not served when the public is required to pay the legal fees of those convicted of an offence, simply because they were investigated by the Commission.

Public Statement

On multiple occasions I have pointed out the significant problems within the scheme to this Government and the last, and to the parliamentary committee that oversees us. It is not that the legislation is wholly unworkable, but it does need to be as robust and effective as possible. I have not asked for the previous scheme to be restored. I have recommended modest reform and an independent review of the amendments to see how effective they are. My words have fallen on deaf ears.

I hope the next Commissioner will succeed where I have failed.

There are two reasons I have remained in the role despite my frustrations with the scheme that governs it. I perhaps naively expected that the weaknesses and issues I have identified would be addressed. That has not happened and I have no confidence that it would, even if I stayed until the end of my term.

Most importantly, I have stayed for the staff, to help them retain faith that the work they do is important and valuable, notwithstanding the attacks on the Commission.

But I have run out of steam.

In closing I wish to thank every person who has ever reported conduct suspected of being corruption and those witnesses who have assisted in the investigations of such allegations. You are the most important cogs in the public integrity wheel.

To the staff of the Commission, I say thank you. I have so enjoyed working with each of you and am grateful for your hard work and commitment to the Commission's cause. I shall miss you.

For media enquiries please contact 0428 389 493 or media@icac.sa.gov.au