

Public Statement

INSPECTOR'S REVIEW OF THE RUSBY, BARR AND FULLER MATTERS

1 May 2024

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

Yesterday, three reports by the Inspector of the Independent Commission Against Corruption, Mr Philip Strickland SC, were tabled in Parliament.

The reports relate to Mr Strickland's reviews of two investigations as well as the handling of a third matter that was not investigated by the Commission:

- The investigation of former Department of Planning, Transport and Infrastructure officer, Mr Trent Rusby
- The investigation of Chief Superintendent Douglas Barr in relation to a South Australia Police recruitment drive known as Recruit 313
- A complaint by Mr Michael Fuller about the handling of various complaints made to various bodies.

The Rusby investigation commenced in 2014. Ten years later, there is nobody employed at the Commission that had anything to do with it. The Commission is not the same organisation as the one referred to in the Inspector's report. Nonetheless, the Inspector did not find any evidence of corruption, misconduct or maladministration by the former Commissioner or his staff.

Insofar as the Inspector is critical of the former Commissioner's decision to refer to the Director of Public Prosecutions a brief of evidence – which also contained separate material concerning other events and public officers - I reject that criticism. The acceptance of such materials, the assessment of evidence and decisions to prosecute are solely matters for the Director of Public Prosecutions. The Director's discretion is unfettered.

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There has been much public commentary about the way the investigation of Chief Superintendent Barr was managed. The Inspector's review determined that it was appropriate to commence the investigation and that it was not attended by unreasonable delay and that there was not undue prejudice to the reputation of Chief Superintendent Barr. The review found no evidence of bias, unreasonable invasions of privacy, or any corruption, misconduct or maladministration.

Investigations into maladministration or misconduct have not been conducted by the Commission since 2020.

The Fuller matter has been considered by a former Director of the Office for Public Integrity, the former Commissioner, the Deputy Commissioner, the ICAC's first Reviewer, the Hon. Kevin Duggan AM KC RFD, at least twice by the ICAC's second Reviewer, the Hon. John Sulan KC, a Parliamentary Committee and now the ICAC Inspector. None has found any evidence of corruption, misconduct or maladministration. I sincerely hope that the Inspector's review brings to an end the expenditure of public funds on this matter.

Once I have fully considered all three final reports and any recommendations made, I will consider if a report to Parliament is appropriate.

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

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