



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 1 – PREMIER AND FINANCE

## **BUDGET ESTIMATES 2024-2025**

### **Supplementary questions**

Portfolio Committee No. 1 – Premier and Finance

**NSW Independent  
Commission Against Corruption (ICAC)**

Hearing: Wednesday 26 February 2025

**Answers due by: 5.00 pm Tuesday 25 March 2025**

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**BUDGET ESTIMATES 2024-2025**  
**SUPPLEMENTARY QUESTIONS**

<b>Questions from Hon Mark Latham MLC</b>
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- (1) What concerns were raised at ICAC with Mr. Moy about his performance prior to his resignation?
- (2) What reasons did Mr. Moy give for his resignation?
- (3) Is the Chief Commissioner confident that the probity checks on Mr. Moy were adequate given subsequent events and what the Chief Commissioner now knows?
- (4) Which meetings did the Chief Commissioner have with Mr. Moy about:
  - (a) his performance and
  - (b) his prior employment record (once discovered)?
- (5) Which complaints did ICAC receive about Mr. Moy and what did they involve? In each case, what action did the Chief Commissioner take?
- (6) Under oath, does the Chief Commissioner stand by his statement that Mr. Moy left ICAC voluntarily?
- (7) Why did the Chief Commissioner refuse to openly answer questions about Mr. Moy at the Committee given his responsibility for employing Mr. Moy as CEO?
- (8) How can ICAC demand transparency and integrity from other public agencies and officials if it refuses to be transparent about the use of public money and responsibility in employing Mr. Moy as CEO in what was obviously a mistake?
- (9) To show it has nothing to hide, will ICAC now provide to the Committee, on a confidential/privileged basis, Mr. Moy's full employment records and file?
- (10) Is ICAC subject to the SO52/Call for Papers power of the NSW Legislative Council and how has it, in the past, responded to this power?
- (11) I refer to the Chief Commissioner's comment at the hearing:

*There is a difference between campaigning and making a promise and then implementing it, and being in power and running a program when you're seeking applications for grants and deciding that you're*

*going to make a grant and doing it for a purpose which is disconnected from public interest— that is, for electoral purposes.*

Isn't the Local Small Commitments Allocation Program (LSCAP) in the latter category?

- (12) Given his confusion at the Committee in articulating the nature of LSCAP, has the Chief Commissioner now studied the details of the program and, if so, what conclusions has he drawn?

<b>Questions from Hon Chris Rath MLC on behalf of Opposition</b>
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### NSW ICAC

- (13) Would a Member of Parliament distributing funds to local organisations without any competitive process or conflict of interest declaration flag some of the concerns identified by the Commission in its 2022 Report on Pork Barrelling (the Jersey Report)?
- (a) Are there further concerns raised with respect to such distribution of funds where those funds are distributed to an organisation run by that same Member of Parliament's staff?
- (14) At Page 39 of the Jersey report, quoting the Hon Paul Finn, the report notes "But equally we should not forget, as a media-driven Australian public opinion seems in danger of doing, that the processes of the democratic, representative and party-based system to which we have committed ourselves, are based, in part at least, upon the striking of compromises, upon securing and using influence, upon obtaining advantages for constituents, and - let it not be gainsaid -for Members of Parliament and for Ministers." On the findings of the report, can it be said that funding is always legitimate and free from pork barrelling simply because it is announced as an election commitment?
- (a) What about if the same amount is spent in every electorate – is it therefore legitimate and free from pork barrelling?
- (15) Does the Jersey report identify concerns with, more broadly, the concept that funding can be announced for projects for political gain before an assessment process or eligibility criteria exists?