



# MEDIA RELEASE

## STATEMENT

Tuesday 31 May, 2022: The Integrity Commission (*"the Commission"*) has noted the contents of an article carried in the Sunday Express published on May 29, 2022 entitled: **"Integrity Commission seeks power to decide on staffing"** and has decided to issue this statement for the purpose of correcting certain erroneous impressions which may have been conveyed by the said article.

The article seemingly suggests that the Commission is of the view that it is entitled to appoint and set terms and conditions of employment of **all** staff at the Commission, including public officers, and that the Commission has based that view on advice which it has received from the Solicitor General. The Commission states that it has never been of that view and that it has never received any such advice.

Section 9 of the Integrity in Public Life Act (*"the IPLA"*) makes it quite clear that the Commission's staff is intended to comprise public officers who, by law, are to be appointed by the Public Service Commission (*"the PSC"*). Pursuant to sub-section 5 of the said Section, officers, other than public officers, may be appointed by the Commission, on short term contracts, on such terms and conditions as the Commission thinks fit. Notwithstanding the seemingly broad terms of this power, the Commission is very much aware that it is not the keeper of the public purse and that accordingly, the IPLA obviously does not empower the Commission to pay short term employees **any** sum it thinks fit, regardless of the sum.

As it happens, for reasons best known to the PSC, only a small number of the Commission's staff comprises public officers appointed by the PSC. Accordingly, for many years, the majority of the staff at the Commission has been employed on short term contracts. The issue which prompted the Commission to seek the advice of the Solicitor General was the insistence of the Registrar, that short term contracts were to be decided upon and issued by her, and not by the Commission. The advice proffered by the Solicitor General concurred with the Commission's own reading and understanding of section 9 of the IPLA, that the power to employ short term staff resided with the Commission and not with the Registrar.

The Commission has gleaned from the said article, that the former Attorney General sought and obtained the opinion of Mr. Russell Martineau SC on the question of staffing at the Commission and where the responsibilities for same resides. The Commission has not had the benefit, which the Express apparently has had, of seeing Mr. Martineau's opinion. It does appear, however, from the said article, that Mr. Martineau has concurred with the advice given by the Solicitor General as to where responsibility for the retention of short term staff at the Commission, resides.