

**Submission
No 21**

**REPUTATIONAL IMPACT ON AN INDIVIDUAL BEING ADVERSELY
NAMED IN THE ICAC'S INVESTIGATIONS**

Name: Mr Ivan Petch

Date Received: 30 July 2020

Ivan Petch

ICAC Committee
Parliament House
6 Macquarie Street
SYDNEY NSW 2000

29 July 2020

Honourable Members,

In accordance with the request for submissions relating to Discussion Paper "Reputational impact on an individual being adversely named in the ICAC's investigations" I make the following submission.

I believe that there should be an exoneration protocol relating to persons charged by ICAC and subsequently have the charges dismissed in the local or supreme courts. I speak from first-hand experience where I suffered what I would describe as malicious prosecution by ICAC, a prosecution which was ultimately dismissed in the Magistrate's court and the NSW court of appeal; but ICAC fails to recognise or accept the court's findings and has failed to correct their errors by publishing the findings of the "real" courts on their web site.

In fact, I believe that ICAC deliberately from the outset made a decision which was proven to be flawed and without substantiation. They accepted an allegation from the real culprit and granted him witness protection in this matter. This statement made by a council officer was later proven to be not factual and ultimately dismissed by a Magistrate in the local court. The real concern that I have is that ICAC did not bother to ask for my side as to the veracity of this allegation.

The methodology employed by ICAC in my case was to have a press conference before the hearing had commenced and let the media do all the dirty work on their behalf. This was followed by a report to Parliament in June 2014 which condemned me before any of the ICAC findings were tested in a real court.

The real impact that this prosecution has had on my life is, that after 36 years of dedicated service to my community both as a councillor and as the local MP, I was forced to resign my position as Mayor and councillor on Ryde Council have my name and reputation sullied in the media as well as on social media platforms such as "google". I had my authority to act as a JP for NSW cancelled and membership of some local organisations cancelled as a result of the unfavourable publicity generated by this prosecution.

The most disappointing result in this tawdry prosecution is that ICAC fails to accept the fact that I have been exonerated of all their substantiative charges in the "real" courts and fails to admit that they got it wrong and now fails to set the record straight.

Yours sincerely,

Ivan Petch