

MEDIA RELEASE – FOR IMMEDIATE RELEASE

Monday 11 November 2019

Publication of report concerning conduct of Mr Mark Dowd, formerly of the City of Onkaparinga

The Ombudsman has today published a report arising from an investigation into the conduct of Mr Mark Dowd, the former Chief Executive Officer of the City of Onkaparinga (**the council**), dated 30 August 2019.

Publication of the report was delayed in light of Supreme Court proceedings brought against the Ombudsman by Mr Dowd. Those proceedings have now been discontinued with the consent of the parties.

The Ombudsman's investigation arose from two referrals from the Independent Commissioner Against Corruption under the *Independent Commissioner Against Corruption Act 2012 (ICAC Act)*.

The allegations referred to the Ombudsman related to Mr Dowd's attendance at a conference in Brisbane in October 2016 at the partial expense of an enterprise software company, TechnologyOne. At the time of the conference, the council was considering whether to purchase an enterprise software package of a kind marketed by TechnologyOne.

The investigation concluded that Mr Dowd's acceptance of the gift of conference registration, hotel accommodation and the partial reimbursement of travel costs from TechnologyOne contravened the Code of Conduct for Council Employees, as in existence at the time.

In this regard, the Ombudsman observed that a fair-minded lay observer could reasonably have perceived that the gift accepted by Mr Dowd was intended to influence the manner in which he carried out his public duty.

The Ombudsman expressed the view that Mr Dowd's contravention of the Code of Conduct amounted to misconduct in public administration for the purposes of the ICAC Act and also appeared contrary to law for the purposes of the *Ombudsman Act 1972*.

The report can be accessed at Ombudsman SA's [website](#).