



# The Centre for Public Integrity

## Integrity Reform Agenda

### Restoring public trust

Public trust in our democracy is low. A perceived lack of integrity in Australia's political and bureaucratic processes, gaps in the jurisdiction and powers of existing accountability institutions and attacks on those institutions have led to public concern that government, politicians and public servants do not always act in the public interest. Reform is needed to strengthen confidence and trust in liberal democracy and the rule of law.

Accountability institutions have been undermined and attacked in recent years. Attacks on institutions come in many forms, including weakened powers or jurisdiction, funding cuts, personal attacks on officials, or 'dud', partisan, or patronage appointments to senior positions. Examples include Federal Ministers attempting to influence the Victorian Court of Appeal in 2017 terrorism cases, the sustained funding cuts and personal attacks on the ABC, and the de-skilling of the public service through outsourcing of up to 50% of government departments to contractors.

There is no independent oversight over the conduct of Commonwealth parliamentarians, ministers, political staff and public servants. Moreover, political influence can effectively be bought as a result of inadequate regulation of political donations and lobbying. Political donations under the threshold of \$13,800 need not be disclosed, disclosures are only listed annually and there is no limit to how much parties can spend on campaigns. Lobbyists working in house directly for a company or association need not adhere to the Lobbyist Register or Lobbying Code of Conduct. The Australian Electoral Commission lacks the investigative powers and resources to enforce compliance with disclosure requirements and breaches of the Ministerial and Lobbying Codes of Conduct have no real consequence.

### Integrity Reform Agenda

- *Preventing corruption through a National Integrity Commission*
- *Protecting the integrity of our accountability institutions*
- *Eliminating the undue influence of money in politics*

Necessary reforms include transparent and timely disclosure of political donations, caps on political donations and campaign spending, expansion and enforcement of the lobbyist register and stronger post-separation employment restrictions for parliamentarians and senior public officials.

Accountability institutions are crucial to holding government to account and building confidence in our democracy. Secure and sufficient funding, permanent tenure of senior officials, and independent non-partisan appointments are among the reforms necessary to restore confidence in government.

In addition, a National Integrity Commission is needed to investigate allegations and expose misconduct in the Commonwealth government and public sector. The Commission should have a broad jurisdiction, the powers of a Royal Commission including the ability to hold public hearings, adequate funding, and independent non-partisan appointment and secure tenure of officials.

## **The Centre for Public Integrity**

This integrity reform agenda is supported by The Centre for Public Integrity, a collaboration of former judges and integrity experts which will develop detailed policy proposals. The Centre for Public Integrity's Board members are:

- The Hon Tony Fitzgerald AC QC

Former President of the Queensland Court of Appeal, former judge of the NSW Court of Appeal and the Federal Court of Australia, and former Commissioner of the Fitzgerald Inquiry

- The Hon David Ipp AO QC

Former judge of the NSW Court of Appeal, and former Commissioner of NSW ICAC

- The Hon Stephen Charles AO QC

Former judge of the Victorian Court of Appeal and adviser on the design of Victoria's IBAC

- The Hon Anthony Whealy QC

Former judge of the NSW Court of Appeal and former chair of Transparency International

- Professor George Williams AO

Dean of UNSW Law School

- Geoffrey Watson SC

Barrister, former counsel assisting ICAC and Police Integrity Commission, Adjunct Professor of Law at the University of Notre Dame

- Professor Joo Cheong Tham

Professor, Melbourne Law School, and Director of the Electoral Regulations Research Network