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30 JAN 2019

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Submission on the proposed Commonwealth Integrity Commission

While I am pleased the Federal Government has finally agreed to establish a Commonwealth Integrity Commission (CIC), the proposed model is fundamentally flawed because it lacks the scope and investigative powers necessary to prevent corruption and restore public trust in Australia's institutions. Key concerns include the following:

- The public sector division will only be able to investigate conduct "capable of constituting a nominated range of specific criminal offences". This means that a range of corrupt and unethical behaviour, for example nepotism and the rorting of parliamentary entitlements, will be outside the scope of the CIC. Instead the CIC should have the ability to investigate a much wider range of concerns so that wrongdoing in all its forms can be tackled effectively.
- The public service division will not be able to hold public hearings, even though it is essential the CIC be given the ability to hold public hearings when it is carefully judged to be in the public interest to do so. It is through public hearings that witnesses are seen to be able to provide useful information, information against which the effectiveness of the official response can be judged. Operating in secret will only undermine public trust in the CIC.
- Referrals to the public service division of the CIC can only be made by certain agencies, not by members of the public, whistle-blowers, or on the CIC's own initiative. Furthermore the threshold for launching an investigation is too high, ie the proposed model requires that the CIC only investigate where there is a "reasonable suspicion that the conduct in question constitutes a criminal offence". Clearly this would fundamentally diminish the CIC because surely it must be able to act on tip-offs and other signals to see if criminal or unethical behaviour has indeed occurred. The current model denies citizens the opportunity to report their concerns, and shuts down potentially worthwhile investigations before they have even started.

- The proposed model prevents the CIC from making findings of “corruption, criminal conduct or misconduct at large” and the results of investigations cannot be made public. Again this seriously undermines the ability of the CIC to deter people from corruption through exposure. Furthermore, governments may be less willing to take action on wrongdoing if it is not made public.

In conclusion, under the model put forward by the Government, allegations of corruption will be investigated behind closed doors by a toothless body and the results kept secret. I urge the Government to support a CIC with the necessary powers to properly detect, prevent and tackle corruption in order to promote public trust and confidence in our system of government.

Yours sincerely

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