

# A Watchdog with Teeth

Cassy O'Connor MP | Greens' Leader



**We will legislate to strengthen the investigative and coercive powers of the Integrity Commission. Funds must be restored and increased to have a healthy democracy.**

The Tasmanian Greens have led the campaign for an independent investigative body, free of political influence, with the capacity to investigate corruption and abuses of power.

We need an anti-corruption watchdog to protect our democracy, our publicly-owned resources (land and sea), and to hold governments to account.

The Tasmanian Integrity Commission was established in 2010, but has struggled to fulfill its necessary role.

Compared to other state Integrity bodies and Anti-Corruption Commissions (ICACs), ours has inadequate investigative and coercive powers, and has suffered substantial funding cuts under the Liberals.

We will strengthen the Commission's powers to give it real teeth and increase its funding.

## THE GREENS WILL

- ▲ Increase the powers of the Integrity Commission, including:
  - ▲ Investigative powers ;
  - ▲ Coercive powers ;
  - ▲ Commission of inquiry powers; and
  - ▲ Independence of the Integrity Commissioner.
- ▲ Expand the definition of 'corrupt conduct' to include:
  - ▲ Members of Parliament;
  - ▲ Any person attempting to adversely influence a public official; and
  - ▲ Collusion between people attempting to mislead government or public officials.
- ▲ Create a new crime of Misconduct in Public Office.
- ▲ Increase the Integrity Commission's Funding.

## BOOSTING THE INTEGRITY COMMISSION'S POWERS

In 2015, NSW Parliament undertook a review of their ICAC, and expanded its powers and capacity to enable it to expose systemic cases of corruption.

Compared to NSW, Tasmania's Integrity Commission is limited in its ability to investigate and expose corruption. It's never held a full inquiry, public hearings, made any finding against an MP or a Minister, or referred anyone to the DPP for prosecution.

The Greens will empower the Commission to **launch full and open inquiries**, including: hold hearings (public and private); enable the cross-examination of witnesses; provide powers to compel documents; and remove the requirement to inform a public authority about an investigation, which risks people hiding or destroying evidence.

The Greens will legislate to provide the Commission with **coercive and own-motion powers**, including to issue search warrants, and to establish a Commission of Inquiry at any stage in a complaint process.

We will strengthen the **independence of the Integrity Commissioner**, removing any possible political interference in their appointment. We would establish a legislated tenure period for a Commissioner, narrow the circumstances for which a Commissioner can be removed, and enable the Joint House Committee on Integrity to veto a Minister's recommendation for appointment of a new Commissioner.

We will also introduce **independent oversight of Parliamentarians' annual disclosure of interests**.

We will support the Integrity Commission to develop guidelines and procedures **to minimise corruption risks during election periods**, as exists in Victoria.

These risks include bribery of candidates, use of dummy candidates, misleading material, and coordinated ballot paper fraud.

**Resume fraud** is now common in the private and public sector, and risks workplace effectiveness, security, and safety.

We will support the Integrity Commission to establish guidelines and training for employment screening practices that prevent resume fraud.

## EXPAND DEFINITION OF 'CORRUPT ACT'

The Integrity Commission's definition of 'corrupt act' is extremely limited.

The Commission, for example, has never investigated the influence of the gambling industry on Tasmanian policy and governance, or allegations of bribery surrounding 1972 State election.

The Greens will broaden the definition of a corrupt act to include industry members who try to influence parliamentarians or public servants (as is the case in NSW). We will also enable investigation of collusion between business people attempting to game lucrative government contracts or tenders.

Currently, the Integrity Commission has limited capacity to investigate Members of Parliament. The Liberals and Labor have resisted moves by the Greens to ensure MPs and Ministers are held accountable for their conduct in office.

The Greens will **extend the definition of a corrupt act to members of parliament** and again seek to introduce a new **Crime of Misconduct in Public Office**. Tasmania is the only jurisdiction without this crime in statute.

## INCREASE THE COMMISSION'S FUNDING

The Greens understand the importance of the Integrity Commission's activities in normalising a culture of ethical standards. When an entire organisation is encouraged to overlook small acts of fraud or misconduct, larger acts become harder to check.

Under the Liberals, funding to the Integrity Commission was cut by 20%.

The Greens will increase the funding for the Integrity Commission by \$1 million each year. This money would employ an extra 8-10 staff, to be directed at the Commissioner's discretion into investigation, education and information activities.

## INITIATIVE COST

Initiative Investment (\$m)	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year	4 <sup>th</sup> Year
Integrity Commission staff	1.02	1.04	1.06	1.08
<b>Total</b>	<b>1.02</b>	<b>1.04</b>	<b>1.06</b>	<b>1.08</b>