

Establishment of an Independent Integrity Commission for the ACT

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COMMITTEE CHAIR

Background

- At the 2016 Election all parties committed to the establishment of an independent integrity commission for the ACT
- A Select Committee was established in December 2016 to inquire into the most effective model
- After receiving submissions and holding public hearings, the Committee tabled its report in the Legislative Assembly on 31 October 2017
- The Report made 79 unanimous recommendations, including that the ACT Government ‘establish a standing ACT independent integrity body to investigate corruption in public administration and strengthen public confidence in government integrity.’

Key recommendations from the Report

- That the ACT Integrity Commission should:
 - Cover all public officials and parties delivering contracted work or services on behalf of government
 - Have oversight over police officers funded to deliver services by and to the ACT community
 - Have oversight over MLAs, MLA staff and Judicial Officers
 - Have the power to make findings of fact that corruption has occurred and that such a finding not be taken as a finding of guilt
 - Not be limited as to timeframes around which former actions can be assessed
 - Have the power to hold public examinations (based on a public interest test)

Legislation

- On 6 June 2018, Leader of the Opposition Mr Alistair Coe MLA tabled a private member's bill in the Legislative Assembly – the *Anti-Corruption and Integrity Commission Bill 2018*
- On 26 July 2018 the Government released its Exposure Draft for the *Integrity Commission Bill 2018*
- The Legislative Assembly established a new Select Committee to examine both Bills and further inquire into the model for an integrity commission for the ACT
- The Committee is due to table its report by 31 October 2018.

Submissions

- The Committee received 15 submissions from ACT Government agencies, professional bodies and interested individuals
- The Committee held public hearings on 21, 24 and 28 September 2018 and heard from 13 witnesses.
- Testimony from Mr Tony Harris, 24 September 2018:

“When I was the New South Wales Auditor-General I looked at all the legislation related to auditors-general throughout Australia and I found the ACT one was the best piece of legislation. I thought that was interesting, that this community could put up the best, and I think you are on the verge of putting up the best here for an integrity commission. I commend you for that.”

Budget Funding

Better Government – ACT Integrity Commission

	2018-19	2019-20	2020-21	2021-22	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses	1,048	2,388	0	0	3,436
Expenses – Provision	0	0	2,446	2,505	4,951
Total Expenses	1,048	2,388	2,446	2,505	8,387

The Government will deliver on our election commitment to establish an independent ACT integrity body to strengthen public confidence in government and public administration. Subject to the passage of legislation, the new integrity body will be set up as an Officer of the ACT Legislative Assembly and report through the Speaker.

The Government will bring forward the establishing legislation to the Legislative Assembly by the end of 2018.

The funding from 2020-21 will be held in a central provision, subject to consideration of the interaction between the Commission and existing oversight bodies to ensure the efficient and effective operation of these entities.

Next steps

- Committee to finalise its report and table in the Legislative Assembly next week
- Agreed legislation to be introduced into the Assembly before the end of 2018
- Funding for the integrity commission will be available once the legislation is passed
- Recruitment of the Commissioner and their staff will then take place and the Commission will commence operating.