

MEDIA RELEASE

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DEMOCRATS CALL FOR INTEGRITY COMMISSION

The Australian Democrats are calling for a federal integrity commission as a key part of their election campaign.

“Australia has been corrupted as other countries improve their standards of governance. The Abbott, Turnbull and Morrison administrations stand condemned - both for presiding over increased corruption and failing to create a body to contest it,” David Collyer, Australian Democrats lead Senate candidate for Victoria said today.

Our country’s good standing has fallen under the Liberal/National Coalition government. The Transparency International Corruption Perceptions Index 2018 ranks us 13th of 180 countries with a score of 77/100. In 2012, prior to the election of the Abbott government, Australia ranked 7th of 174 countries (= Norway) with a score of 85/100.

“Australia urgently needs a federal statutory body with clear responsibility for public sector corruption to match the successful Independent Commissions Against Corruption adopted by all the states - an agency with peerless legal leadership and broad powers, including the ability to initiate investigations and the authority to make criminal arrests.

“Public corruption nourishes criminal behaviour and imposes very large economic costs on all Australians. Our hard earned reputation as an open and honest society has eroded. We have much work to do to so bribery is prosecuted, citizens are safe and the Rule of Law applies equally to all,” Collyer said.

What do the majors say?

Under civic pressure, the Coalition had proposed a strictly limited Commonwealth Integrity Commission, to operate outside of public view, with the investigative body to make no public findings, hold no public hearings, and without powers to ensure MPs and their staff face public hearings for misconduct or to place them under arrest.

It will not be able to self-initiate inquiries and rely on referrals of allegations of serious or corrupt conduct from agency heads. It would not itself make findings of corruption but determine whether any case is strong enough to refer to the CDPP. It would not have the power to seize evidence nor conduct surveillance - powers that have proved vital to several cases in state-based anti-corruption systems.

Labor’s alternative proposal has discretionary public hearings, when judged to be in the public interest. It says the Commission will be granted somewhat broader investigative powers, including search and surveillance powers, the power to compel witnesses and subpoena documents and carry out its own investigations, with warrant oversight by the Federal Court.

Both models fall short of the cross-bench Bill sponsored by independent MHR Cathy McGowan, which adds powers to investigate federal contractors.

Australian Democrats committed to addressing the complexities

The Australian Democrats recognise McGowan’s bill did not address some issues, which will need to be worked through if a bill of this nature is to become law.

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Australia's Inspector-General of Intelligence and Security, which monitors spy agencies, has expressed concerns the model proposed by crossbenchers could raise national security "implications" and risk overlapping its jurisdiction. There are similar difficulties in pursuing judicial corruption.

The Democrats also have concerns for anyone accused: "We must be wary of unintended consequences which could have devastating outcomes for those affected. People can have their lives destroyed if we don't get it right. The Integrity Commission also needs adequate safeguards against partisan abuse.

"These are all matters of the highest principle. Australia's open and free democratic system is a matter the Democrats will fight to protect and requires our constant vigilance," Collyer concluded.

Australian Democrats policy positions are extensively debated and subject to a ballot of all members. The balloted Political Accountability policy is included below. ENDS.

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POLITICAL ACCOUNTABILITY

Objectives

To consistently demand transparency and accountability to enhance our democracy, safeguard our electoral system and support elected Parliamentarians and public officers to fulfil their mandate to the Australian people, as they spend any and all funds, with honesty, respect and integrity.

The integrity of our political systems and administration are the key to an effective, inclusive and accountable democracy.

Public sentiment clearly reflects the loss of trust and respect for our political system. There exists a dysfunctional political culture partly created by the bureaucracy becoming an industry in itself, shifting from an enabling culture to a constraining one.

The lack of transparency and accountability has resulted in the overt opportunistic manipulation of the system in favour of vested interests and this must be addressed.

The Australian Democrats will support legislation that:

- establishes an effective federal integrity commission for politicians, parties and public servants with genuine powers of criminal arrest and discovery
- apply truth in political advertising laws with the same rigour that applies to commercial sector advertising
- is implemented for the interests of the Australian people not the interests of a political party's agenda or grab for power
- better manages taxpayer refunds of election expenses for parties and/or candidates, limited to actual expenses and to a maximum based on the proportion of the vote
- limits the timeframe of pre-polling to after the commencement of the advertising blackout
- establishes a charter of government accountability
- ensures government meets higher corporate citizenship standards
- removes party control over the flow of preferences in any election, handing power back to the voters to reflect the will of the electorate