

STRENGTHENING ICAC

“It is essential for the maintenance of public confidence in the integrity of the Executive government of the State that Ministers of the Crown exhibit, and be seen to exhibit, the highest standards of probity in the exercise of their office, and that they pursue, and be seen to pursue, the best interests of the people of New South Wales to the exclusion of any other interest.” (Ministerial Code of Conduct)

Labor Failure

Recent episodes involving Labor, and state and local government, namely the Independent Commission Against Corruption (ICAC) investigations into Wollongong Local Council and RailCorp, have shown the continuing need for a strong anti-corruption body in NSW.

Solution

The NSW Liberal/Nationals Coalition will strengthen the powers of the State’s anti-corruption agency, ICAC, and impose an obligation upon Ministers to report possible corrupt conduct.

Proposal

Under the current *Independent Commission Against Corruption Act*, there is no onus on Ministers of the Crown to report possible corrupt conduct.

In fact, at Part 3, Section 11, which deals with the duty to notify the Commission of possible corrupt conduct, it does not include Ministers of the Crown.

It includes the Ombudsman, the Commissioner of Police and heads of public authorities such as directors of Departments – they all have a duty to report to the Commission any matter they suspect may concern corrupt conduct.

The ICAC Act requires the State’s most senior public servants ‘...to report to the Commission any matter that the officer suspects on reasonable grounds concerns or may concern corrupt conduct’ (s.11).

A NSW Liberal/Nationals Coalition Government will amend existing legislation so Ministers of the Crown also have an obligation to report corrupt conduct, just as other officers do.

If such a provision was currently in place, the Premier and his Ministers could not hide behind the assumption that there is no onus on them to report corrupt conduct – instead they can leave it up to others.

In fact, former Premier Morris Iemma boasted about Labor’s method of dealing with corruption allegation “*It is a liberating experience for politicians because once an anti-corruption agency exists, it gives you a simple transparent response to any allegation of corruption – take it to ICAC*”.

It is disappointing that Labor is more concerned about being “liberated” from any liability rather than taking responsibility for reporting any possible corruption reported to him.

We have seen Labor use this argument time and time again – including when allegations were made of improper donations made by the Transport Workers Union to the ALP, NSW Ministers and MPs.

There's no doubt ICAC doesn't strike the same fear into politicians it did when it was first established in 1989 – and that's bad news for the public.

While ICAC has done some first class work across local government, it appears to have gone soft on the State Government.

Whenever faced with corruption claims, the State Labor Government adopts a 'Pontius Pilate' approach and tell the informants to raise the issue with ICAC.

Yet that approach is not permitted for those who head up State departments or agencies.

The public deserves a government committed to stamping out corruption.

In 2007 the State Labor Government claimed that governments needed to exhibit "*a clear willingness to acknowledge institutional weaknesses and set about fixing them*".

The NSW Coalition has identified a weakness, and unlike the lemma Labor Government, we are prepared to fix it.