

Our ref: DOC/16/40685



Dr. Jane Thomson
Committee Secretary
Senate Select Committee on the establishment of a National Integrity Commission
Parliament House
CANBERRA ACT 2600

By email: nic.sen@aph.gov.au

Dear Dr Thomson

I refer to your email dated 10 March 2016 inviting me to make a submission to the Senate Select Committee on the establishment of a National Integrity Commission.

In general terms I endorse the position outlined by Transparency International (TI) in its Position Paper on this subject.¹ This includes a statement that the Australian Government should establish a broad-based federal anti-corruption agency, as one element of an enhanced multi-agency strategy.

My office is participating as a Partner Investigator in a project led by Professor A.J. Brown of Griffith University to conduct a second National Integrity System assessment, using the TI methodology referred to in the Position Paper.² The project is currently the subject of an application to the Australian Research Council.

I believe that an effective integrity system will provide public officers with access to ethics and integrity advice as issues arise. It is essential for that advice to be confidential and practical, and tailored to the situation which has actually arisen. In my view it is not sufficient to rely simply on broad awareness training.

¹ See Transparency International Australia, *Position Paper #3 Anti-Corruption Agencies in Australia*, January 2016, available at <http://transparency.org.au/index.php/our-work/anti-corruption-agencies-in-australia/>, retrieved on 21 March 2016.

² The project summary is as follows:

Public integrity is vital to social and economic prosperity and the quality of democracy. This project will identify the key reform priorities for Australia by undertaking a second National Integrity System Assessment, partnering with Transparency International and public sector thought and policy leaders. Building on previous ARC research, we will identify a new, more effective mix of strategies for: preventing corruption and other integrity violations; coordinating the work of integrity institutions; ensuring their accountability ('who guards the guards?'); and measuring the effectiveness of integrity and anti-corruption policy settings. This research will also contribute to better evaluation of integrity policies worldwide.

This is the reason for the existence of the office which I currently hold, and I believe this office provides a valuable service to public officers in Queensland.

In providing advice on specific situations, there is a significant conflict risk if the body giving the advice is also the one which will need to investigate any subsequent complaint. In addition to this conflict risk, in my experience public officers are less likely to seek advice if the body giving the advice may also investigate a complaint against them. They will be naturally reticent to fully disclose a matter which puts them at risk of further action.

For these reasons I believe it is not appropriate for the specific advisory function to fall within the responsibilities of an Integrity Commission.

I have no objection if this submission is made public. I would be happy to make an oral submission at a public or private hearing if that would assist your review.

Yours sincerely



Richard Bingham
QUEENSLAND INTEGRITY COMMISSIONER

23 March 2016