

# Chapter 1

## Introduction

### Referral and conduct of the inquiry

1.1 On 24 February 2016, the Senate resolved to establish the Select Committee relating to the establishment of a National Integrity Commission. The committee is to inquire into the adequacy of the Australian Government's legislative, institutional and policy framework in addressing corruption and misconduct and whether a national integrity commission should be established.<sup>1</sup>

1.2 The inquiry's terms of references relating to the matters to be investigated are as follows:

- (a) the adequacy of the Australian Government's legislative, institutional and policy framework in addressing all facets of institutional, organisational, political and electoral, and individual corruption and misconduct, with reference to:
  - (i) the effectiveness of the current federal and state/territory agencies and commissions in preventing, investigating and prosecuting corruption and misconduct,
  - (ii) the interrelation between federal and state/territory agencies and commissions, and
  - (iii) the nature and extent of coercive powers possessed by the various agencies and commissions, and whether those coercive powers are consistent with fundamental democratic principles;
- (b) whether a national integrity commission should be established to address institutional, organisational, political and electoral, and individual corruption and misconduct, with reference to:
  - (i) the scope of coverage by any national integrity commission,
  - (ii) the legislative and regulatory powers required by any national integrity commission to enable effective operation,
  - (iii) the advantages and disadvantages associated with domestic and international models of integrity and anti-corruption commissions/agencies,
  - (iv) whether any national integrity commission should have broader educational powers,
  - (v) the necessity of any privacy and/or secrecy provisions,
  - (vi) any budgetary and resourcing considerations, and

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1 *Journals of the Senate*, 2016, pp. 3798–3799.

- (vii) any reporting accountability considerations; and
- (c) any other related matter.<sup>2</sup>

1.3 The committee advertised the inquiry on its website and has published 29 submissions to date. A list of the submissions received is at Appendix 1.

1.4 The committee held a hearing on 21 April 2016 in Canberra and a hearing in Sydney on 28 April 2016. The list of witnesses is available at Appendix 2.

### **Structure and scope of report**

1.5 This interim report comprises three chapters. The second chapter provides an introduction to perceptions of corruption in Australia. The report concludes with a discussion of the existing national anti-corruption framework, and the potential benefits and drawbacks of creating a national anti-corruption commissioner covering elements of public administration.

1.6 This report is limited to considering anti-corruption measures that affect public administration in Australia. There have been calls for a National Integrity Commission that would consider alleged corruption in other areas—such as financial services or construction—which are not currently subject to dedicated anti-corruption measures. The committee reserves the right to consider the merits of these suggestions further in future reports.

### **Acknowledgements**

1.7 The committee thanks all those who have contributed to the inquiry, and looks forward to working with interested stakeholders as the inquiry progresses further.

1.8 The committee would like to extend special thanks the Parliamentary Library who generously shared their research and knowledge in this area.

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2 The remainder of the committee's *Terms of Reference* relate to the administration and membership of the committee's inquiry.