

AN OPEN LETTER

ON THE ESTABLISHMENT OF A NATIONAL INTEGRITY COMMISSION

Dear Mr Morrison, Mr Albanese, Mr Bandt, Senator Hansen, Mr Palmer and all Australian political leaders.

Despite recent criticisms of anti-corruption commissions, the widely accepted case for a well-designed national integrity commission remains impregnable. The federal government enters into contracts and makes grants worth hundreds of billions each year. This is public money, held on trust for the nation as a whole, to be spent in the national interest and not for unethical political purposes or illegitimate private gain.

Where billions are to be spent and significant power is available to dispense it with little oversight, greedy people with convenient consciences and powerful connections will ensure that, with the manipulation of their influence, they will obtain illegal or unethical advantage to the detriment of the interests of the general public. And they will do so by means which only a specialist anti-corruption body will have the skill and power to detect. A political solution via elections, the media, or the parliament, as some suggest, has not produced consequences in real time even where there has been some exposure of wrongdoing. Without the commission we envisage, the right of Australians to have their taxes employed for the maximum national advantage will not always prevail over the corrupt exercise of power - that is, conduct of any person (whether or not a public official) that adversely affects, or could adversely affect, the honest or impartial exercise of official functions by any public official; or any conduct of a public official that constitutes or involves a breach of public trust.

Existing federal integrity agencies lack the necessary jurisdiction, powers and know-how to investigate properly the impartiality and bona-fides of decisions made by, and conduct of, the federal government and public sector. It also seems clear from the reports of numerous scandals that the educative role of such a body for both the federal executive and their staff as well as public sector employees is long overdue.

We are retired judges who believe that a national integrity commission is urgently needed to fill the gaps in our integrity system and restore trust in our political processes. Nothing less than halting the serious erosion of our shared democratic principles is at stake. Such a body, if properly designed and led, can be entrusted to act fairly and in accordance with natural justice while having the powers necessary if corruption is to be effectively challenged. There must be conferred upon that commission a broad jurisdiction and strong investigative powers, including the power to hold public hearings, and respond to bona fide complaints from the public, so that serious or systemic corruption and misconduct can be adequately investigated and exposed.

We urge you to use your influence in the next Parliament to ensure that a strong, effective and independent National Integrity Commission is established as a matter of urgency.

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