

## **SECOND READING SPEECH**

### **INTEGRITY COMMISSION BILL 2009**

Mr Speaker I have great pleasure in bringing the Integrity Commission Bill 2009 before the House.

This Bill has its origins in one of the very first actions taken by David Bartlett as Premier in May 2008 when he moved to establish a Joint Select Committee to *'inquire into and report upon the issue of ethical conduct, standards and integrity of elected Parliamentary representatives and servants of the State in performing their duties'*.

The Select Committee was especially asked to look at whether current mechanisms and arrangements were adequate or whether there was a need to supplement them by establishing what was then being referred to as an 'Ethics Commission'.

As a sign of good faith the Premier gave a commitment to implement the recommendations of the Committee in relation to an ethics commission.

The Committee delivered its final report on 24 July 2009 which is almost nine months later than originally intended. This was largely a testament to the complexity of the issues confronting it, but I won't hide that it has been a significant challenge to prepare such a major piece of legislation between July and now.

I would like to particularly thank the officers involved for all their hard work. They have gone more than the extra mile to meet the Government, and indeed the Parliament's commitment to the people of Tasmania to establish an Integrity Commission.

But Mr Speaker before turning to the Bill in detail I think it is important to make some observations about our 'current mechanisms and arrangements'.

It is the Government's view that there is already a strong accountability framework in place in Tasmania and we included a lot of material to back up this view in our submission to the Joint Select Committee.

This accountability framework is a mixture of legislation, guidelines and codes starting with some of the more significant checks and balances which apply to Members of Parliament – and those who aspire to that office.

### *Conduct of Elections*

The Electoral Act 2004 regulates many aspects of the conduct of candidates for election to Parliament. These include sections dealing with:

- electoral bribery and treating;
- electoral intimidation;
- the requirement for campaign material to be authorised;  
and
- misleading and deceptive electoral material.

In addition to the laws covering State elections there are also specific rules about the expenditure of candidates in Local Government elections.

### *Members of Parliament*

Once elected, MPs are prevented by the Constitution Act from holding another office of profit or holding a contract or agreement with the Crown.

The Constitution Act also provides that a Member's seat becomes vacant if he or she fails to attend for a session without permission or is convicted of a crime.

The Parliamentary (Disclosure of Interests) Act requires a Member of Parliament to disclose certain interests and establishes a register of interests. Failure to disclose an interest is punishable as contempt.

As Members will also be aware this House has a Code of Ethical Conduct and a Code of Race Ethics in its Standing Orders. When members are being sworn in after their election they are required to state that they have read and subscribed to both codes.

The Code of Ethical Conduct deals with a range of issues including conflicts of interest, gifts, using public property for personal gain and post separation employment.

The Code of Race Ethics makes a number of commitments including respect of cultural beliefs, valuing diversity, a commitment to Aboriginal reconciliation and a duty to provide help without discrimination.

Quite appropriately there are more onerous conduct requirements applied to executive government – to Government Members and to the public service.

#### *Ministers/Government Members*

Government Members are subject to a Code of Conduct which sets out principles to assist them in observing appropriate standards of conduct in public office and to act as a benchmark against which that conduct can be measured.

Government Members and their immediate family are specifically required to make declarations in relation to the

giving and receiving of gifts and a register of these gifts is tabled annually in Parliament.

### *Executive Government*

Executive government is held accountable for its conduct through a number of parliamentary mechanisms, most of them long standing.

These include:

- Question Time, which now takes place in both chambers and, in this House, includes Ministers from the other Place. The latter, in particular, an initiative of the Bartlett Government.
- And various Parliamentary Committees such as Budget Estimates Committees, the Public Accounts Committee and the Public Works Committee

The Legislative Council, itself, is a standing body of review of the actions and activities of executive government. Indeed, it has often been observed that Tasmania's upper house is one of the most powerful chambers of its type in the world.

Its particular strength derives from the fact that it cannot be dissolved so there are never general elections. Each member holds office for a six year period and there are periodic elections for either two or three of the 15 electorates every year.

### *Ministerial Staff*

The people who work in Ministerial offices work under a code of conduct which requires them to:

- behave honestly and with integrity;
- act with care and diligence;
- treat everyone with respect and without harassment, victimisation or discrimination;

- comply with the law;
- comply with lawful and reasonable directions;
- maintain confidentiality about dealings and information;
- disclose, and avoid conflicts of interest;
- use government resources properly;
- not knowingly provide false or misleading information;
- not make improper use of their position or of information gained in the course of employment; and
- declare gifts received in the course of employment.

### *State Service*

There is a statutory code of conduct for State Service employees. This code has provided the model for the Ministerial Staff code so I won't go through it in detail but in summary it requires that State Servants:

- behave apolitically and perform their functions in an impartial, ethical and professional manner;
- behave in a way that does not adversely affect the integrity and good reputation of the State Service;
- comply with the law;
- avoid and declare conflicts of interest; and
- use Tasmanian Government resources in a proper manner.

Under the State Service Act there are sanctions for breaching the Code which go as far as dismissal in the most serious of cases.

State Service employment is also governed by the merit principle to avoid patronage, favouritism and discrimination and ensure that anyone with the requisite skills and qualifications can compete on an equal footing for government positions.

State Servants do business under a range of rules designed to ensure fair and impartial decision making.

There are many examples, but a good one is Treasurer's Instruction 1101 which establishes a set of Procurement Ethical Standards and a Procurement Code of Conduct. These are based on probity and fair dealing, value for money and the avoidance of conflicts of interest.

Government bodies that deal with personal information about citizens are required by the Personal Information Protection Act to observe strict safeguards about the way that information is collected and used.

In addition, there is the Freedom of Information Act which underpins government accountability through an obligation to release information about government administration and decisions.

I won't go into FOI here in any detail as Members will be aware that the Government has a Bill, the Right to Information Bill 2009, which makes major enhancements in this area.

A further part of the existing accountability framework is the Public Interest Disclosures Act. This Act provides protection for a person working inside 'the system' who brings wrongdoing to light. Again I am presenting a set of reforms to enhance the effectiveness of this legislation in the current session as part of the Premier's Ten Point Plan. That Bill is cognate with this Integrity Commission Bill.

Mr Speaker I have been speaking so far about codes of conduct and the like but there is another very powerful and long standing strand of accountability in our system of government, in the form of independent statutory office holders.

Some of these officers such as the Ombudsman and the Auditor-General exist explicitly to review and report on government actions.

Others such as the Director of Public Prosecutions and the holders of judicial office enjoy a high degree of independence partly to ensure that the rule of law applies to executive government with the same force as to the rest of society. This is a fundamental principle of our democracy.

There is not time now to go into all of the powers of the Ombudsman and Auditor-General and in any case they should be well known to Members. I will also be speaking more about them in the context of the new Integrity Commission and how it will operate.

But in summary both officers operate with a high degree of independence and have a reporting line direct to Parliament. Both have virtually unfettered access to records and information held by government and can make their findings public.

Mr Speaker the Criminal Code of this State establishes a number of crimes that apply specifically to the behaviour of Members of Parliament or those who may seek to interfere with a Member of Parliament.

It also includes specific crimes that relate to the conduct and behaviour of public servants and to those trying to influence the performance of a public officer's duties.

The Joint Select Committee on Ethical Conduct came to the view that some of these provisions in the Code are ambiguous or at least that they are perceived that way.

The Government has accepted the recommendation that these provisions be reviewed. However this does not and will not change the fundamental principle that the criminal law applies to all Tasmanians without regard for their position or status.

The judicial arm of government also acts as a check on executive government in other ways such as the capacity for the Supreme Court to review decisions of an administrative nature made under statute.

This was an important reform made in 2000 in the form of the Judicial Review Act. It is a guard against improper conduct in the sense that the court can look, amongst other things, at whether a decision maker has exercised a power:

- in bad faith; or
- at the direction of another person; or
- without regard to the merits of the case; or
- in a way that is an abuse of the power.

The related mechanism of review of specific decisions by the Administrative Appeals Division of the Magistrates Court requires decision makers to give reasons for their decisions. This requirement acts as an effective brake on the improper exercise of executive power.

Mr Speaker I have attempted to demonstrate that there are already a great many protections against impropriety in public life and this has been recognised in the report of the Joint Select Committee itself.

No system is perfect however and it is just as clear that there has been a level of community disquiet about the adequacy of these protections. As legislators and as representatives of the community we serve we must respond to that sentiment.

Tasmania is not alone in this regard – debates about accountability mechanisms are a recurring feature of public life in all parts of Australia and no doubt overseas.

I note for example that the Australian Law Reform Commission has a current reference in relation to the conduct

of Royal Commissions and that it has proposed a large number to changes to how such Commissions are conducted.

The Discussion Paper that has come out of this ALRC reference has informed the development of the current Bill.

Debate about these issues is a sign of an active democracy but it can also be a sign of some loss of confidence in key institutions.

As Attorney-General and as Deputy Premier this is of great concern to me and I believe that as Members of Parliament we all have a role to play in earning public confidence and in maintaining the health of our political institutions.

We should all take care to see that our conduct promotes, rather than undermines, confidence in our constitutional arrangements.

The Government has clearly set out its agenda for restoring community confidence by means of the Premier's Ten Point Plan.

I am very pleased to say that nine of those ten matters have been completed with the only one outstanding – amendments to the Police Service Act – which is awaiting the completion of legal proceedings and is, in that respect, out of the Government's hands.

The Codes of Conduct for Members and Ministers as well as Ministerial and Parliamentary Member Staff, while already in place, will be, following its establishment, referred to the Integrity Commission for review and to allow it to make recommendations for improvement.

Mr Speaker having spent some time on the context, I now intend to deal with the Integrity Commission Bill itself.

At an estimated annual cost of \$2.5m the establishment of an Integrity Commission will be a major investment of public resources. Such investments should not be made lightly and a lot of thought has gone into the policy basis for what is being proposed.

I also note that this figure will increase according to the number of major investigations and inquiries which the Commission actually undertakes. This is because the Commission will need to pay for additional investigators, expert advisers and legal and witness costs in such cases.

In its submission to the Joint Select Committee on Ethical Conduct the Government developed a set of principles to underpin its model of an ethics commission. Those principles were:

- recognition that prevention is as important as dealing with allegations of unethical behaviour;
- the need to build on existing structures and mechanisms;
- the need for proportionality;
- a cautious approach to strong investigative or coercive powers;
- clarity and consistency about which public bodies are to be covered; and
- independence from the Government of the day.

## **Prevention**

The Bill emphasises the Integrity Commission's prevention focus to be exercised through:

- developing standards and codes of conduct for public officials;
- preparing guidance and training on matters of conduct, propriety and ethics;

- providing advice on a confidential basis to individual public officials about how these rules should be applied to specific instances.

The Commission will also be a source of advice to government on policy relating to ethical conduct.

In keeping with this role the Government intends to refer some of the other recommendations of the Select Committee to the Integrity Commission for advice on their implementation.

### **Building on What Already Exists**

The Bill recognises existing structures and mechanisms in two ways. The first is the appointment of the Ombudsman, the Auditor-General and the State Service Commissioner as ex officio members of the Commission's Board.

The Board will provide the strategic oversight for the work of the Commission.

The composition of the Board puts the Commission at the centre of our ethical structures without displacing the skills and expertise of the Ombudsman, Auditor-General and State Service Commissioner in their specific fields.

Just as importantly it means that the Commission will not be duplicating the work of those officers – the Integrity Commission is not intended to be an open invitation to forum shoppers.

The Commission will assess the complaints it receives to see if there is a more appropriate place for the matter to be handled. If there is, the complaint will be sent to that body for action although the Commission may choose to maintain a watching brief if the matter is of sufficient importance.

This 'triage' approach supports the Commission's charter to improve standards of ethical conduct. Public sector bodies must be assisted, encouraged, and if necessary forced, to address conduct issues as a normal part of how they do business.

Washing their hands of responsibility for these issues won't be an option.

The related principle is that if there is another accountability body which is equipped to deal with the matter it should be referred to that body and this includes referring complaints to the Ombudsman, Auditor-General or State Service Commissioner.

With few exceptions there are already processes and sanctions for dealing with misconduct such as those that are set out in the State Service Act. These will continue to operate.

The Integrity Commission can make and publish a finding of misconduct but it can't impose a sanction for misconduct. That task will be left to the relevant 'Principal Officer' For example the General Manager of a Council in the case of a council employee. These Principal Officers are listed in Schedule I of the Bill.

The Integrity Commission Bill does not create new sanctions or change the sanctions that already exist in other legislation or in employment arrangements.

By the same token the Bill does not take away any appeal rights which currently exist in relation to these sanctions but it adds a right of review where it can be argued that an inquiry process has been procedurally flawed or has made an error of law.

In cases where the alleged misconduct could amount to criminality the Commission will in most cases refer the matter to the Police who have the necessary skills and resources to investigate criminal conduct.

It will also have the capacity to recommend to the Premier that a Commission of Inquiry be established. Such cases will be extremely rare but may be the appropriate response where something that starts off as an allegation of misconduct but on closer investigation is more a reflection of systemic policy failure than a case of unethical conduct by a particular individual or individuals.

It would not be expected for example that something like the recent Victorian Bushfire Royal Commission would be conducted by the Integrity Commission if it arose in Tasmania in the future: that would still be a proper subject for a Commission of Inquiry held under the *Commissions of Inquiry Act 1995*.

Mr Speaker the Bill also recognises and strengthens Tasmania's existing accountability framework by way of amendments to other Acts.

It establishes oversight of the Ombudsman and some functions of the State Service Commissioner by a new parliamentary Standing Committee which I will be speaking about a bit later.

The Bill also ties in the Integrity Commission with the enhancements that are being made to the Public Interest Disclosures Act as part of the Premier's Ten Point Plan so that the two Bills are being dealt with as cognate Bills.

The Integrity Commission Bill also amends the Commissions of Inquiry Act to implement, and in fact go further than, a longstanding Law Reform Institute recommendation. The Institute recommended that Commissions of Inquiry be able to

seek warrants for listening devices but the Bill extends this to the capacity to seek a warrant to engage in audio and visual surveillance as well as tracking.

## **Proportionality**

As I have explained in most cases alleged misconduct will be referred to another body for action. To give a simple example, if a junior officer in a GBE makes unauthorised use of the photocopier it technically amounts to inappropriate use of public resources.

However to have the Integrity Commission investigate such a matter would be a disproportionate response – using a sledgehammer to crack a walnut - when it would be preferable for the management of the GBE to take the necessary corrective action.

Mr Speaker there are important exceptions to this rule. The Government takes the view that there are certain categories of public official whose conduct should be subject to direct scrutiny by the Integrity Commission.

In this Bill these officers include Members of Parliament, Local Government councillors, CEOs such as heads of agency, members of the Senior Executive Service, statutory office holders and police officers at or above the rank of inspector.

Because of the seniority of these officers there is a strong public interest in the Integrity Commission running the investigation of any allegations against these senior public officers.

The Bill doesn't give all investigations of police misconduct away to the Integrity Commission - that would be overkill - but it recognises the special place of police in the community by

allowing the Commission to oversee or audit the way police investigate alleged Police Service code of conduct violations.

This responds to concerns that have been expressed from time to time about the undesirability of police officers investigating other police officers.

Where a police officer is suspected of having engaged in criminal conduct the Integrity Commission may investigate the matter or maintain oversight of the investigation by Police. This is to ensure not only that proper process is followed but that it is seen to be followed.

The Police Association of Tasmania has raised issues about the differences between how investigations work in this Bill and the procedures which apply in the Police Service Act 2003.

I acknowledge that these differences exist, particularly in relation to the power to compel a police officer to answer a question in Police Service Code of Conduct matters, but this is not something which can be resolved simply in terms of the Integrity Commission Bill.

I have discussed this with my colleague the Minister for Police who has agreed to undertake a review of the Police Service Act 2003 to be completed no later than the 30<sup>th</sup> of June 2010.

The Government feels this is a more appropriate and feasible means to examine this issue, than to use the Integrity Commission Bill as a vehicle for substantive reform of the Police Service Act.

For the information of Members who may not have done the comparison the Police Service Act contains stronger powers in some respects than the Integrity Commission Bill.

In the case of Members of Parliament the Integrity Commission will not inquire into matters that relate to the proceedings of Parliament itself. In this way the Bill respects Parliament's prerogative to regulate its own procedures through the presiding officers, privileges committees and so on.

As recommended by the Select Committee the Bill makes an important contribution to the ethical supports for Members of Parliament by creating a Parliamentary Standards Commissioner.

The Commissioner's focus will be on providing confidential advice to Members in relation to ethical conduct. They will also work with MPs, the Parliament and the Integrity Commission to develop advisory material and training for Members and their staff.

The Parliamentary Standards Commissioner will not be involved in the actual investigation of misconduct allegations against MPs to avoid the potential for conflicts of interest.

## **Powers**

There has been quite a debate within government about the powers that the Integrity Commission should have. It is reasonable to be cautious about giving powers to new bodies which will impact on the rights and liberties of individuals.

Members will note that a significant proportion of the Bill is devoted to the procedural aspects of investigations and inquiries and that many of these provisions relate to the need to provide procedural fairness while avoiding undue formality.

As a starting point for its powers the Commission clearly needs the same sort of investigative powers as officers such as the Ombudsman. These include the power to enter property, search for and seize material and to question witnesses.

The contentious area is whether the Commission should be able to compel witnesses to answer questions and whether Commission staff should be able to engage in surveillance as part of an investigation.

It comes down to a balancing act between the rights of individuals and the broader public interest. In the Bill the Commission's investigators have the power to direct a person to provide information or to answer a question unless a successful claim of privilege can be made.

If the Commission establishes a Tribunal to enquire into a matter the Tribunal will have the same directive powers.

A person subject to a direction to answer a question or produce material may be excused from complying with this direction if they have a reasonable excuse. For example, they may be physically unable to attend an interview due to illness or they may wish to raise a matter of privilege.

By privilege I mean privileges such as the privilege against self incrimination, legal professional privilege, a range of privileges recognised in the Evidence Act and also parliamentary privilege.

If the Integrity Commission does not accept a claim of privilege the person claiming it can apply to the Supreme Court to have the privilege determined.

The Joint Select Committee recommended giving witnesses a right to silence and I can see what they were trying to achieve with that. In the end though it may put a person in a worse position if they are allowed to maintain their right to silence but there is nothing to prevent an investigator or Tribunal from drawing adverse inferences as a result.

I acknowledge that this is a difficult area and I look forward to Members' contributions on it.

Commission staff will only be able to engage in surveillance if a magistrate can be satisfied that the necessary warrant should be issued.

These are very weighty powers and the clear expectation is that they will only be used in cases where the gravity of the matter under investigation would justify it.

The manner in which a warrant would be sought is intended to mirror the approach taken in the Police Powers (Surveillance) Devices Act 2006.

Again the principle of proportionality must be considered when the Commission and its staff make choices about when to call on the full extent of their powers. In agreeing to these provisions, Parliament will be placing a high degree of trust in the judgment of the people who will be able to make use of them.

## Coverage

I have already spoken about some of the public officials who will be subject to the Commission's jurisdiction. In essence the Bill takes a very inclusive approach with the result that pretty much all of what can be described as the public sector is included.

The Government and the Select Committee are both of the view that Local Government should be subject to the Integrity Commission Act and this is consistent with similar bodies in other States.

Local Government's special features have been recognised in the composition of the Integrity Commission Board which will include a person with experience in Local Government to link the Commission's practices to existing conduct arrangements for Local Government.

In summary then that the Commission will be able to deal with complaints about:

- a Member of Parliament;
- parliamentary staff;
- Ministers and their staff;
- State Service employees;
- Holders of senior executive office;
- Police;
- Local Government councillors;
- Local Government employees;
- Government House staff;
- GBEs and their employees;
- State owned companies and their employees;
- statutory authorities and their staff; and
- statutory officers and other government appointees;

The Bill excludes the Governor, judicial officers and members of the Industrial Commission and tribunals because of their adjudicative nature.

## **Independence**

The Government recognises that the Integrity Commission must be able to operate without interference from executive government.

The Commission is being established as a stand alone State Service agency in the same way as the Tasmanian Audit Office. That allows it to prepare its own budget bids and its CEO will not have to work through another head of agency in relation to staffing matters.

The Integrity Commission's base budget will be developed through the normal government budget process so that it is subject to the same level of scrutiny and accountability as other public sector agencies.

However Members will note that at clause 86 of the Bill the costs of running an Integrity Tribunal inquiry, including legal and witness expenses, are made reserved by law items. These inquiries will not be cheap exercises and the Government does not anticipate that they will be needed very often.

Nevertheless the Commission will be able to hold an inquiry when one is justified without having to make a case to government for extra funds. We expect the Commission will exercise this very unusual degree of financial independence responsibly and with due regard to the public interest, including the public interest in value for money.

The Chief Commissioner, the two independent community members and the member of the Board with Local

Government experience will be appointed by the Governor on the recommendation of the Minister for Justice.

The person appointed as Chief Commissioner will be required to have at least seven years experience as a lawyer and must also satisfy a statutory test of political independence. The Chief Commissioner as a senior legal figure will play an important role in maintaining the independence of the Commission.

Like a small number of other key Governor-in-Council appointments such as the Electoral Commissioner, the Minister will be required to consult before making a recommendation.

In this case the consultation will be with the new Joint Standing Committee on Integrity. This Committee itself forms part of the protections for the Integrity Commission's independence through oversight and reporting on the Commission's activities.

The Government anticipates that the Joint Committee will maintain an active dialogue with the Commission, its Board and CEO particularly in the establishment phase. The Joint Committee will also have the task of formally reviewing the Commission after three years of operation.

Mr Speaker I should emphasise that the Joint Committee's role does not extend to involvement in the conduct of specific investigations. In a jurisdiction of this size that would be inappropriate and frankly I believe that the Integrity Commission can only succeed if the community is confident that it does its business without interference from politicians from any side of the fence.

By the same token when the Board of the Commission decides to establish an Integrity Tribunal to inquire into a matter, as it will in the most serious cases, it will do so without reference to the government of the day.

I have spoken at some length about the principles behind this Bill. There are two other matters of principle that I wish to touch on before concluding with some more practical matters.

The first of these is retrospectivity. There has been quite a bit of debate about whether the Integrity Commission should be able to deal with old allegations or allegations about things that happened before it commenced operation.

Mr Speaker the Government takes the view that the Commission must be able to look into these matters if it is to enjoy public confidence so there is no specific cut off point imposed by the Bill.

We have to be realistic though and recognise that when the Commission opens its doors there are going to be people wanting it to investigate allegations which go back many years; allegations which have already been properly and thoroughly investigated; and even some allegations which, quite honestly, were trivial or malicious in the first place.

The Bill takes the approach of leaving it up to the Commission to decide which matters to investigate but provides some guidance about the tests to be applied, including public interest, in deciding whether to accept a complaint. These tests will apply whether the complaint is about something that happened ten years ago or ten minutes ago.

The final matter of principle relates to reputation. We all know the old saying that where's there's smoke there's fire but history also provides plenty of examples where reputations have been damaged, sometimes irreparably, on the basis of allegations which turn out to be without foundation.

This risk was discussed in a number of submissions to the Select Committee including the submissions from Sir Max

Bingham, from Professor Jeff Malpas and from the DPP, Tim Ellis SC.

Again it is a balancing act but the Bill deals with it by providing that the bulk of the Commission's investigations will be conducted in private. There is also provision to make the various notices issued by the Integrity Commission confidential documents which can only be disclosed in specific circumstances.

It is only following the appointment of an Integrity Tribunal that allegations will be explored in a public forum, normally presided over by the Chief Commissioner who will be a person with legal qualifications and experience.

Despite the risk to reputation in those cases the Commission will have reached the view that the gravity or public importance of the allegations warrants a public hearing process.

In conclusion I note that the Budget for the Integrity Commission has been estimated at around \$2.5m per annum and an allocation of this order will be made in the 2010-11 State Budget. There will need to be more work to refine this figure in coming months.

In the meantime the work of setting up the Integrity Commission will be able to commence in earnest once the final shape of the legislation is known at the end of the parliamentary debate. This work will incur significant expense and needs to be the subject of supplementary funding in the current budget year.

The Government's expectation is that the Commission will not be in a position to commence full operations before July 2010 but that the processes of recruiting staff and establishing premises and systems will need to commence as soon as possible to meet that deadline.

Mr Speaker I commend the *Integrity Commission Bill 2009* to the House.

## **FACT SHEET**

### **INTEGRITY COMMISSION BILL 2009**

The Bill implements the recommendations of the Joint Select Committee on Ethical Conduct by establishing an Integrity Commission for Tasmania.

The Commission and its functions add to rather than replacing existing accountability mechanisms and entities such as parliamentary committees and the Ombudsman and Auditor-General who will be ex officio members of the board of the Commission.

The emphasis of the Integrity Commission will be on education and advisory services to ensure that public sector institutions perform to the highest ethical standards.

The Integrity Commission will also be able to handle complaints of misconduct in public authorities which are defined broadly to include Parliament, Ministers and their offices, Government departments, businesses and companies, Tasmania Police and councils and council owned companies.

A key feature of the Commission's operations will be the 'triage' of complaints. Once it has assessed a complaint the Commission can refer it to another agency or process for investigation and action when that is appropriate.

The Integrity Commission's own investigative work will largely focus on systemic misconduct and on allegations against senior and high profile public officers such as MPs, heads of agency and chief executive officers, the Senior Executive Service, aldermen and councillors and statutory office holders, and allegations of serious misconduct by senior police officers.