

THE VICTORIAN GREENS BILL TO CLEAN UP POLITICS

Anti-corruption and Higher Parliamentary Standards (Strengthening Integrity) Bill

IBAC recently [described](#) Victoria as a 'laggard rather than a leader in parliamentary integrity'. Considering Victoria's endless political scandals, a lack of transparency and openness, and '[light touch](#)' regulation and oversight, IBAC was in many ways simply stating the obvious.

The Greens Integrity Bill will address three main weaknesses in Victoria's current integrity framework:

1. Lobbying

Victoria introduced a lobbyist code and register in 2009. However, unlike NSW and Queensland, Victoria's lobbying rules are not enshrined in legislation, there are no prescribed penalties for breaches, and the Public Sector Standards Commissioner has minimal oversight and enforcement of the code. Also, unlike in NSW and QLD, Victorian ministers do not disclose diaries detailing who they meet with.

NSW and Queensland have laws that far exceed the effectively voluntary code in Victoria, but have [now flagged](#) that they will be further strengthening their own inadequate laws, leaving Victoria's system even further behind.

[Evidence heard](#) by the IBAC's Operation Sandon, and [the conflict of interest](#) between the new planning minister and her developer lobbyist brother, illustrate that Victoria urgently needs stronger lobbying laws.

2. Parliamentary Standards

There is a pressing need to change toxic culture in all Australian parliaments, which has become increasingly apparent from the many revelations that have emerged in recent years.

Members of Parliament, including ministers, have free rein to act in a manner that would not be tolerated in any other workplace.

Furthermore, Victoria's [Code of Conduct](#) for Ministers and Parliamentary Secretaries is not enshrined in law, and investigations of any potential breaches of the Minister's code must be initiated by the Premier. This is a clear conflict of interest.

The need for higher parliamentary standards in Victoria became obvious after the so-called '[red shirts riot](#)', when Labor MPs misused taxpayer funds during the 2014 election campaign. In response, the Greens [introduced amendments](#) in 2019 to establish a parliamentary standards commissioner, responsible for overseeing the appropriate use of entitlements and observance of the code of conduct. These amendments were rejected by the current Labor government.

Now the [IBAC Operation Watts report](#) has recommended a Parliamentary Integrity Commissioner be created with similar powers to those which the Greens previously proposed.

3. The Victorian Independent Broad-based Anti-Corruption Commission (IBAC)

The primary function of the IBAC is to investigate and expose corrupt conduct.

However, the Victorian IBAC's investigative functions are hampered by [undue limitations on its jurisdiction and its powers](#) to launch investigations under the Independent Broad-Based Anti-Corruption Commission Act 2011.

This limits IBAC's ability to investigate suspicious behaviour and potential 'grey' level corruption or misconduct, which has frequently been associated with MPs, Ministers and Lobbyists in Victoria.

So how will the Greens Integrity Bill address these three weaknesses in our integrity framework?



THE GREENS' BILL:

- ▲ **Creates a powerful, independent Parliamentary Integrity Commissioner**
- ▲ **Requires legislated codes of conduct for lobbyists, ministers and parliamentary secretaries, publicly available, and introduces sanctions for breaches.**
- ▲ **Requires ministerial diaries be published.**
- ▲ **Strengthens the powers of the Independent Broad-Based Anti-Corruption Commission so it can investigate MPs, Lobbyists, Ministers, and Parliamentary Secretaries.**
- ▲ **Removes government dominance over membership of parliamentary committees charged with investigating the government.**

Creating a powerful, independent Parliamentary Integrity Commissioner

The Commissioner will oversee MP standards and the lobbyist register, and independently investigate potential breaches of the codes of conduct for MPs, Lobbyists, Ministers and Parliamentary Secretaries.

The Commissioner will have powers to compel witnesses and documents to appear or be presented as part of its investigations.

The Commissioner will also advise on the further development of ethical standards, codes of conduct, and legislation regarding MPs, Ministers and Parliamentary Secretaries, and provide specific advice to Ministers regarding how they should manage specific potential conflicts.

Requiring legislated codes of conduct for lobbyists, ministers and parliamentary secretaries, introducing sanctions for breaches, and requiring diaries to be published.

The bill will legislate and strengthen the existing Victorian lobbyist code of conduct, including inserting new offences for non-compliance with rules on success fees, interactions with lobbyists, and cooling-off periods for ex-ministers who wish to become lobbyists.

Other rules under the existing code will also be strengthened, including requiring specific oversight arrangements for potential conflicts between lobbyists and current government Ministers, and requiring breaches of the code and cancellations or suspensions of the code to be publicly reported.

The bill will also legislate the existing code of conduct for Ministers and Parliamentary Secretaries. Some rules under the existing code will be strengthened, and a requirement for Government Ministers and Parliamentary Secretaries to publicly disclose their diaries will be mandated.

Strengthening the powers of IBAC to investigate MPs, Lobbyists, Ministers, and Parliamentary Secretaries.

The bill will amend the IBAC Act to:

- Expand the jurisdiction of the IBAC so it can investigate beyond conduct constituting a 'relevant offence'.
- Abolish the prohibition on IBAC that prevents it from commencing a corrupt conduct investigation unless it already suspects on reasonable grounds that the conduct constitutes corrupt conduct.
- Clarify that IBAC can investigate potential substantial breaches of the legislated codes of conduct for Ministers, Staffers and Lobbyists.

The bill also seeks to specify a timeframe within which subjects of adverse findings are required to respond to proposed IBAC reports, ensuring there is no undue delay in the publication of these reports.

Removing government dominance over membership of parliamentary committees responsible for investigating the government.

The bill will amend the Parliamentary Committees Act 2003 so that no more than half of all the Parliament's Investigatory Committees, nor the chairperson, can be members of the political party forming the government.

This change removes the current potential conflict of interest where the government of the day has oversight of budget decisions, human rights compliance and the management of integrity agencies.

The bill also ensures that the veto power over the appointment of a new IBAC Commissioner is not held by the same government that proposes the appointment.

During an election, many talk about 'strengthening integrity'....

The Greens' integrity bill is a litmus test for whether these words amount to real commitments or empty promises.

So the question that should be asked to all candidates and parties is: will you match or support the Greens' integrity bill?

Those who are unable to make this commitment simply cannot be genuine about improving integrity.

Find the bill [here](#).

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greens.org.au/vic/platform