

[REDACTED]
Alice Springs [REDACTED]
[REDACTED]

The Department of the Attorney-General and Justice

GPO Box 1722

Darwin NT 0801

Independent Commission against Corruption – Draft Legislation

Dear Department officers,

Please find attached my feedback as part of your community consultation process. I congratulate the Government on this initiative and welcome the opportunity to offer comments. Please feel free to publish my feedback.

Regards,

P Strachan

Peter Strachan

16 July 2017

INDEPENDENT COMMISSION AGAINST CORRUPTION – DRAFT LEGISLATION

Background

In December 2015, the previous NT Government announced that it would initiate an inquiry into the establishment of an independent anti-corruption and integrity body. It called for submissions and I took the opportunity to do so on 3 January 2016. I was delighted to that on pages 461-463 of the Martin Report, my submission was recorded. My comments on the draft legislation are based on the initial points I raised according to the headings of the Inquiry.

Comments

The power to investigate allegations of corruption including against Ministers, Members of the Legislative Assembly and other public officials

My recommendation:

It is recommended that the enacting legislation include NT Public Servants, local government elected members and their workforce. Given the evolving “corrupt or dishonest proceedings” within FIFA, the definition of public officials could also include sporting bodies.

It is also recommended that the Chair of the anti-corruption body, or whatever terminology describes the head honcho, be appointed by the Administrator and be accountable to him or her. The Minister for Justice could potentially have a massive conflict of interest.

The draft legislation

Totally met.

The power to conduct investigations and inquiries into corrupt activities and system-wide anti-corruption reforms as it sees fit

My recommendation

The freedom to investigate and inquire needs to be driven by the anti-corruption body. Inquiries which are perceived or actually politically motivated will not have the credibility or support of the general public.

The draft legislation

Totally met.

Models from any other jurisdictions and indicative costs of establishing various models in the Northern Territory

My recommendation

The anti-corruption body must have adequate, guaranteed, ongoing funding so that it can meet its obligations. An age-old strategy of governments of all persuasions is to starve the funding of bodies seen as critical or threatening.

The draft legislation

Totally met.

The use of existing Northern Territory legislation or Northern Territory statutory authorities

My recommendation

I see the anti-corruption body as the peak body for all matters of corruption. The framers of the legislation will need to propose amendments to existing laws accordingly.

The draft legislation

This seems to be the case.

Conclusion

Go for it!!!!!!!!!!