

# Response to Integrity and Accountability in Queensland



November 2009



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## Premier's foreword

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Queensland is a State in transformation.

This transformation is not confined to the modernisation of our economy or to the remarkable demographic changes in our population. The way government does business in Queensland is changing and our systems need to change with it.

Today we face challenges never imagined 20 years ago.

Government has a duty to continually adjust to meet these new challenges and put Queensland in the best position to face the challenges of the future.

Over the next 12 months the Queensland Government will implement the most comprehensive suite of integrity and accountability reforms in the past 20 years.

These reforms will shape the Queensland of tomorrow.

They will give Queenslanders greater access to their government.

They will drive a culture of the highest ethical standards harder.

They will shine the bright light of scrutiny across more areas of public office.

They will ensure expectations are clearer.

They will make certain the options to deal with those who don't meet their ethical obligations are stronger.

And they will ensure Queensland continues to lead the nation in delivering open and accountable government.

I want to thank the members of the Integrity Round Table for their considerable contribution to this process.

Most of all, I want to thank the hundreds of Queenslanders who took up the challenge to be involved in the integrity and accountability review.

As I said at the outset, the job of delivering integrity and accountability in government is never done.

These reforms are a significant step but they are not the last.

As Queensland grows and evolves, the Queensland Government will continue to drive reform to ensure our integrity and accountability framework keeps pace.

**ANNA BLIGH MP  
PREMIER OF QUEENSLAND**

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# Background to Queensland's integrity and accountability review

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On 6 August 2009, the government released the discussion paper, *Integrity and Accountability in Queensland* (the discussion paper) to facilitate public discussion on the issue of integrity and accountability.

The paper posed 35 questions around a central theme: how can Queensland's integrity and accountability framework be improved and strengthened?

As part of the consultation process, the Premier convened a round table of experts to consider the feedback received and provide government with expert advice to assist in strengthening Queensland's integrity system. The membership of the Integrity Round Table is available in Appendix 1.

Between 25 August –15 September 2009, the Attorney-General and a number of the round table members took part in a series of nine discussion forums with local community leaders across Queensland to consider this issue. Forums were held at Toowoomba, the Sunshine Coast, Townsville, Cairns, Rockhampton, Mackay, Bundaberg, the Gold Coast and Brisbane.

The Premier, the Attorney-General and round table members also participated in two online forums which gave members of the public the opportunity to log on and submit questions for discussion and response live online.

Submissions to the discussion paper closed on 16 September 2009. More than 200 submissions have been accepted by the Department of the Premier and Cabinet. Individual submissions received in response to the discussion paper can be accessed at [www.premiers.qld.gov.au/community-issues.aspx](http://www.premiers.qld.gov.au/community-issues.aspx)

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# Introduction

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In many ways Queensland is leading the nation on integrity and accountability. As new challenges have emerged, Queensland's framework has adapted and evolved to meet them.

However, it has been 20 years since Queensland's integrity framework was comprehensively reviewed.

On 6 August 2009, the Queensland Government released the discussion paper *Integrity and Accountability* in Queensland (including an inter-jurisdictional comparison of Queensland's integrity and accountability mechanisms – refer to Appendix 2) to prompt public discussion on integrity and accountability issues. The Premier also convened a round table of experts to advise the government on possible reforms to Queensland's integrity and accountability framework.

Many public submissions to the discussion paper noted that Queensland already has in place a robust and comprehensive integrity and accountability framework. However, many submissions also identified areas which could be strengthened. In response, the Queensland Government has developed a program of integrity reform, including both legislative and administrative improvements, aimed at ensuring that Queensland stays at the forefront of open and accountable government.

**This program of reform will have regard to four key principles which have been identified as underpinning a robust integrity and accountability framework. They are:**

- **strong rules**
- **strong culture**
- **strong scrutiny**
- **strong enforcement.**

These are the foundations upon which the Queensland integrity and accountability framework is built, and will form the basis for the next stage of reforms set out in this paper.

The reforms span across the full range of public office holders from Cabinet Ministers to Members of Parliament, ministerial staff, public servants and statutory office holders.

**The message is clear; this government expects the highest standards of integrity and accountability from everyone in public office.**

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# Queensland's integrity and accountability reforms – putting principles into practice

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The reforms require both legislative and administrative changes. A number of reforms can be actioned immediately. These immediate legislative reforms will be included in a new Integrity Bill 2009 which will be introduced by the end of 2009. Similarly, many new administrative requirements will also be actioned on this timeframe.

Other reforms require more detailed consideration and will be implemented during 2010. An implementation summary is available in Appendix 3.

## Strong rules

Clear rules and standards form the core of a strong integrity system. These standards are incorporated in a wide range of documents comprising agency codes of conduct, legislation, institutional policies, financial reporting standards, procurement and recruitment policies.

An effective integrity system balances the proscription of prohibited behaviours with the positive expression of values and aspirations. This ensures that the standard of conduct aspired to is exemplary rather than operating to the prescribed minimum.

**The Queensland Government is committed to clear, consistent and comprehensive rules and standards; that is why we will:**

### Ban the payment of success fees to lobbyists for achieving favourable outcomes from government

The payment of success fees to third party lobbyists on the basis that they have achieved a favourable outcome from government can give rise to a perception that the government's decision has been made on grounds other than merit.

Further, success fees may prompt lobbyists to push the boundaries of ethical conduct to achieve a certain outcome for their clients.

The new laws addressing success fees will not only apply to fees payable for procurement of government contracts, but will reach much further. For example, success fees will be banned if they are contingent on securing meetings with government representatives, or securing funding or securing changes to legislation, regulation or policy.

Lobbying is a necessary part of a healthy democracy; every person, organisation or interest group has a right to put their case forward to public officials. There is nothing untoward about seeking the assistance of a third-party lobbyist to assist in putting forward that case in the best possible way.

Government will always be open for legitimate businesses with worthwhile propositions, irrespective of the involvement of lobbyists. However, there is no place for the

payment of success fees in interactions with government.

This will form part of the Integrity Bill 2009.

When: the Integrity Bill 2009 will be introduced by the end of 2009.

### Create a legislative framework for the regulation of the lobbying industry

The Queensland Government created a Register of Lobbyists and introduced the Queensland Contact with Lobbyists Code earlier this year. The code places obligations on government representatives as well as lobbyists to ensure that contact between lobbyists and government representatives is conducted in accordance with public expectations of transparency, integrity and honesty.

The Queensland Government will move to enshrine this code and its requirements in legislation. The new legislative regime for the regulation of lobbyists will be overseen by the Integrity Commissioner rather than the Director-General of the Department of the Premier and Cabinet, as is currently the case.

The application of lobbying requirements will be expanded to include lobbying in relation to Government Owned Corporations (GOCs) and local governments, in addition to Ministers, Parliamentary Secretaries, ministerial staff and public servants who are already covered by these restrictions.

This will form part of the Integrity Bill 2009.

When: the Integrity Bill 2009 will be introduced by the end of 2009.

### Introduce legislation which will govern ministerial staff and electorate officer employment and disciplinary processes

Ministerial staff are currently employed under the *Public Service Act 2008* through the employing authority of the Director-General of the Department of the Premier and Cabinet. The government considers it is important that rules applicable to ministerial staff should be clear and easily accessible. For this reason, the government will move to introduce legislation similar to the Commonwealth *Members of Parliament (Staff) Act 1984*. This will ensure that there is a discrete framework for the employment of ministerial staff distinct from the public service, thus reflecting the way in which the roles of ministerial staff differ from the public service, providing clear direction on their rights and responsibilities.

Similarly, electorate officers operate in a unique environment and will be governed by this legislation specific to their positions.

When: by mid-2010.

### **Adopt a single code of conduct to be applied across the public sector**

Consultation revealed a broadly held view that although agency codes of conduct were well written and comprehensive, the variety and length of codes of conduct currently in existence was not ideal. Further, there was support for codes which focus on reinforcing positive values.

In response to this, the government will adopt a single Code of Conduct with a focus on clarity and the positive expression of public sector values. This will ensure consistent standards, enhance accessibility and through this, achieve greater awareness of values that underpin the public service.

When: by mid-2010.

### **Introduce measures to require newly appointed public service officers and ministerial staff to disclose whether they have worked as lobbyists in the past two years**

The relationship between government and the lobbying industry has attracted considerable public concern. Restrictions on post-separation employment are already in existence in the public sector. However, to address ongoing concerns, the government will put in place complementary measures requiring newly appointed public service officers and ministerial staff to disclose to employers whether they have worked as lobbyists in the past two years. This will increase the transparency of interactions between government and the lobbying industry and ensure any conflicts of interest can be appropriately managed.

When: by the end of 2009.

### **Create a statutory obligation on Members of Parliament to declare their pecuniary interests**

Currently, Members of Parliament are required to declare their pecuniary and other interests for the Register of Members' Interests in accordance with the Queensland Parliament's Standing Rules and Orders.

The Queensland Government will enshrine these requirements in legislation, under the *Parliament of Queensland Act 2001*.

When: by mid-2010.

### **Require all statutory office holders to declare their pecuniary interests**

Statutory office holders are in unique positions of power and it is critical that any conflicts of interest are appropriately managed. Statutory office holders are persons appointed to a statutory office under an Act, such as the Integrity Commissioner, the Chairperson of the Crime and Misconduct Commission (CMC) and the Information Commissioner.

Currently, there are inconsistent requirements across statutory office holders about whether they are required to complete pecuniary interest declarations.

The government will require all statutory office holders to provide a declaration of their pecuniary and other interests to the appropriate Minister and/or Parliamentary Committee.

When: by mid-2010.

### **Extend the application of the State Procurement Policy to ensure it applies to all statutory bodies, GOCs and special purpose vehicles where appropriate**

The government considers that the State Procurement Policy should be applied consistently across the public sector.

Currently, the full State Procurement Policy does not apply to all statutory bodies, GOCs and special purpose vehicles.

The government will review the application of the State Procurement Policy with a view to applying consistent requirements across the public sector, including statutory bodies and other government entities (including GOCs and special purpose vehicles), where appropriate.

When: by mid-2010.

### **Ensure consistent thresholds and requirements for declarations of gifts**

One focus of the integrity and accountability review process has been the consolidation of the various individual aspects of the state's current integrity framework into a logical and coherent whole. Existing discrepancies between the gift policies that apply to Ministers, Members of Parliament and public servants obscure the whole-of-government ethos underpinning the various gift and benefit policies and detract from the message such policies intend to generate.

In the interests of clarity and consistency, the government will implement consistent thresholds and requirements for declarations of gifts across government, including a new reporting threshold of \$150 retail value.

This means that the rules for receiving and declaring gifts will be the same for Ministers, Members of Parliament and public servants.

When: by the end of 2009.



## Strong culture

A robust integrity system requires a public sector culture that emphasises strong leadership, training and awareness and a conscious dedication to ethical values.

The examples set by leaders throughout the political sphere and the public sector are important in building and fostering a strong ethical culture. Leaders must communicate the importance of ethical decision-making in the workplace and they must promote ethical behaviour in their day-to-day actions and decisions.

Appropriate training is important to ensure all public officials are fully aware of the way that their ethical obligations should affect their conduct.

**The Queensland Government is committed to developing and strengthening Queensland's ethical culture; that is why we will:**

### Reform the *Whistleblowers Protection Act 1994*

The *Whistleblowers Protection Act 1994* enhances the legal protections for public officers and, in certain circumstances other persons, who expose wrongdoing. It is an important mechanism for facilitating scrutiny and supporting people who do the right thing and stand-up to wrongdoing. It is crucial in maintaining a strong ethical culture.

The reform of this Act will ensure that Queensland's legislation and practices are informed by present day best practice and are of the highest standard. The reforms will take account of the recommendations from the *Whistling While They Work* project and consider the establishment of a centralised system to ensure consistency in the handling of public interest disclosures.

When: by mid-2010.

### Establish an Ethical Standards Branch within the Public Service Commission

To strengthen and maintain Queensland's ethical culture it is important to support staff and public sector leaders in their day-to-day roles in an effort to always promote ethical decision-making. A new Ethical Standards Branch will assist all Queensland public service employees, including senior executive staff and agency heads, by providing independent advice on public sector ethics issues.

When: by mid-2010.

### Enhance the role of the Public Sector Ethics Network

The government will enhance the role of Queensland's Public Sector Ethics Network by requiring each agency to establish ethics contact officers to promote the government's integrity agenda for the public sector within agencies.

When: by end of 2009.

### Introduce mandatory annual training in ethical decision-making

An overwhelming number of submissions to the discussion paper highlighted the importance of training and education in preventing misconduct and other unacceptable behaviours. There is already a range of training offered to public service officers. All new employees are required to undertake Code of Conduct training. In addition to this, the government will introduce mandatory annual training in ethical decision-making for the public sector.

When: by mid-2010.

### Introduce legislation to allow government departments to issue apologies without the communications being taken as admissions of legal liability

When government actions may have resulted in harm or concern to a person, it is important that the government responds appropriately, treating that person with respect and dignity.

There are concerns that an apology may be construed as an admission of legal liability, leaving the state exposed to action through the courts. The government acknowledges that, where appropriate, the offer of an apology can sometimes be the most appropriate response to a grievance or concern raised by a member of the public.

The government will therefore introduce legislation similar to other jurisdictions that will allow government departments to issue apologies to members of the public without these communications being taken as admissions of legal liability. This legislation will assist people and organisations to respond appropriately and effectively to situations where government actions may have caused harm and ensure the responsible officers take responsibility for their actions.

These amendments will not diminish the right of citizens to take legal action against the government if they choose to do so but will provide another option for dealing with these situations.

When: by mid-2010.

### Encourage unions to develop codes of conduct

The push for high ethical standards may come from both inside and outside of government.

The Attorney-General and Minister for Industrial Relations will write to unions who represent public sector employees encouraging them to develop codes of conduct as an additional tool. This will assist them in performing their functions fairly and in the best interests of all members and to meet the highest ethical standards.

When: by the end of 2009.

## Strong scrutiny

Government must be accountable to the people it serves. The decisions that governments make, the processes that they undertake and information that they hold should be open and available to the public. Accountability is achieved through a combination of transparent government processes and strong scrutiny mechanisms.

Institutions such as Parliament and the media play important roles as forums in which practices can be examined, discussed and called to account. These fields promote public discussion of integrity issues. A free, effective Parliament, an open, active media and an informed public thus form a key part of any integrity system, ensuring the practices of government keep pace with public expectations.

A strong agency culture will foster the growth of internal scrutiny measures. However, there remains an imperative for the public sector to include oversight bodies responsible for monitoring the integrity of the conduct and culture of all public sector agencies.

**The Queensland Government is committed to achieving open and accountable government through strong scrutiny; that is why we will:**

### Expand and enhance the role of the Integrity Commissioner

The role and responsibilities of the Integrity Commissioner will be significantly expanded. The Integrity Commissioner will be:

- accountable to Parliament through the Members' Ethics and Parliamentary Privileges Committee which will be renamed the Integrity, Ethics and Parliamentary Privileges Committee
- given oversight of the Queensland Register of Lobbyists
- able to provide advice to all Members of Parliament about any potential conflicts of interest in completion of declarations for the Register of Members' Interests
- required to report on whether chief executive officers have complied with their obligation to provide annual statements of interest to their responsible Minister
- given access to the Parliamentary Register of Related Persons' Interests.

The office of the Integrity Commissioner will be expanded and will function as an independent officer of Parliament, reporting through a revamped Integrity, Ethics and Parliamentary Privileges Committee. This will allow for more dedicated supervision of what will be an enhanced regulatory regime and further, will ensure complete independence in the performance of this function.

In February 2009, the government established the Queensland Register of Lobbyists and the Queensland Contact with Lobbyists Code, with the administration of both regimes being overseen by the Director-General of the Department of the Premier and Cabinet.

As part of the integrity reform process, the government will give the lobbyists' register and lobbyists' code a legislative basis and move responsibility for the oversight of these regimes to the Integrity Commissioner.

The Premier has committed to requiring all government Members of Parliament to meet with the Integrity Commissioner annually.

As a matter of good governance, the government will expand upon this and allow all Members of Parliament to seek advice from the Integrity Commissioner to discuss any potential conflicts of interest that may arise with their personal interests. This will ensure that all Parliamentarians have ongoing access to advice on their ethical obligations as members and how these obligations apply to their individual situation.

In addition, the Integrity Commissioner will be given the responsibility of reporting on whether chief executives have complied with their obligations under the *Public Service Act 2008* to lodge annual statements of interests with their responsible Minister. Chief executives will be required to provide a copy of their declarations to the Integrity Commissioner and the chief executive of the Public Service Commission at the same time as providing it to the Minister.

The government will also amend the Standing Orders of the Queensland Parliament to allow the Integrity Commissioner to access the Register of Related Persons' Interests to enable proper exercise of the Commissioner's function of providing advice to Members in relation to their statements of interest.

These reforms will form part of the Integrity Bill 2009.

When: the Integrity Bill 2009 will be introduced by the end of 2009.

### Review the role of parliamentary committees in providing oversight of the legislative process

The level of scrutiny of legislation provided by Queensland's unicameral Parliament was a focus of much public debate during the integrity and accountability review process. While there was discussion about the re-establishment of an upper house, mixed views were expressed through the consultation process and the implementation of such a decision would require a referendum, create greater ongoing costs for Queensland taxpayers, and be of questionable effectiveness in providing better scrutiny. For these reasons, the Queensland Government will not be pursuing this option.

However, through the consultation process strong views were expressed about the importance of strong oversight of the legislative processes.

A variety of unicameral governments have managed to achieve a high standard of parliamentary scrutiny through the use of other processes, such as the parliamentary committee system.

The government will establish a parliamentary inquiry to conduct a review and report by the end of May 2010. In

undertaking this inquiry, the committee will be asked to consider:

- the role of parliamentary committees in both Australian and international jurisdictions in examining legislative proposals, particularly those with unicameral parliaments
- whether Queensland parliamentary committees can more effectively evaluate and examine legislative proposals and whether this can be achieved in a timely and cost effective way.

When: inquiry to be commissioned before the end of 2009 with a report back to Parliament by May 2010.

### **Hold regular People's Question Time**

In September 2009, the Premier, Attorney-General and members of the Integrity Round Table took part in two live online forums on integrity and accountability issues. Members of the public submitted questions prior to and during the forum and the panel's discussion of these questions was video-streamed live online for all to watch.

It is clear from the broad range of questions that were submitted which were not about integrity and accountability, that Queenslanders valued the opportunity to put their questions directly to government.

Building upon the success of the online forums conducted during the integrity and accountability review process, the government will expand this format and apply it to the regular business of government. Starting in 2010, the government will hold regular online forums in which the public can put their questions to the Premier and Ministers directly. This initiative will make the government more accessible and accountable to the public than ever before and facilitate the growth of an increasingly robust Queensland democracy.

When: the first People's Question time will be held in early 2010, with regular forums to follow.

### **Publish the pecuniary interests of Members of Parliament and Ministerial and departmental gift registers online**

The government will improve the public scrutiny of the pecuniary interests declarations of Members of Parliament by publishing the Register of Members' Interests online to improve accessibility.

In addition, ministerial and departmental gift registers will be published under agency publication schemes implemented under Right to Information reforms to ensure the receipt of all gifts over the reporting threshold can be accessed online.

When: by mid-2010.

### **Annually report on the government's responses to recommendations made by the CMC**

In order to enhance public scrutiny of how the government deals with recommendations of the CMC, an annual report will be developed for public release which will include information about action the government will take on each recommendation made by the CMC in that year.

This will ensure that all recommendations of the CMC are appropriately actioned.

When: by mid-2010.

### **Reform the State Procurement Policy**

Government contracts are entered into on behalf of the public and it is appropriate that members of the public should have the ability to scrutinise large disbursements of public money. The State Procurement Policy will be reviewed with a view to implementing a range of changes which will increase accountability in relation to procurement processes, such as:

- Increased publication of awarded contracts (by way of summary details published on the Queensland Government Chief Procurement Office website) by lowering the threshold for published contracts from \$100,000 to \$10,000 so as to align with the thresholds contained in the Commonwealth Procurement Guidelines (in effect as at 1 December 2008).
- Increased reporting on processes relating to the awarding of contracts.

When: by mid-2010.

### **Ensure publication of contracts over \$10 million**

As discussed above, government spending is carried out in the name of the public and the public should therefore have a right to scrutinise such dealings. When a significant amount of money is expended in a single transaction, the imperative for public scrutiny is increased. For this reason, the government will implement measures to require publication of contracts that are greater than \$10 million in value, so that transactions of particular significance can be subject to greater scrutiny by the public.

When: by mid-2010.

### **Mandate independent oversight of procurement processes**

The government will review state procurement processes to require the appointment of probity auditors for specified contracts over a set value, to report on whether a process has complied with the necessary standards.

When: by mid-2010.

### **Overhaul political donations and campaign funding if the Commonwealth does not act by July 2010**

The transparency of relationships between elected officials and political donors is a matter of public interest. During consultation a general feeling was expressed that it is necessary to enhance the transparency of such dealings to ensure that no party involved in the political process seeks or achieves improper influence through the practice of political donation.

The regulation of political donations is currently being examined by the Commonwealth Government. Given the desirability of achieving national uniformity on this issue, Queensland will have regard to the national debate, seeking to take a leading role in discussions. Queensland will seek to adopt nationally consistent policy in relation to political donations. However, if the Commonwealth does not act by July 2010, Queensland will lead the nation by introducing a cap on political donations of \$1000 per donor per year.

Any restriction on political fundraising activities will require parallel consideration of the need to increase public funding. This will ensure that any proposed measures do not restrict the ability of political parties to participate in public debate and Queensland's robust system of democracy.

When: by mid-2010.

## Strong enforcement

No system is perfect. It is therefore essential for any integrity system to have a range of enforcement mechanisms and disciplinary measures at its disposal. Queensland currently has an extensive range of institutions and measures in place to ensure that adherence to prescribed rules and obligations can be enforced across the breadth of the public sector.

A dedicated and well resourced anti-corruption body, with wide powers to investigate and compel both public officers and private persons, is a necessary feature of any integrity system. The *Crime and Misconduct Act 2001* establishes the CMC, which is the equivalent to a standing Commission of Inquiry, to improve the integrity of and reduce the incidence of misconduct in the Queensland public sector.

At an agency level, internal processes designed to identify and deal with contraventions of guidelines and standards should be accessible and appropriate outcomes should be prescribed. Internal misconduct disciplinary processes should incorporate options involving counselling and training for the least serious infractions and referral to an anti-corruption body in the case of most serious breaches. Effective whistleblowing provisions are a necessary feature to facilitate the reporting of breaches.

**The Queensland Government is committed to ensuring that coverage and powers of Queensland's enforcement regime is appropriate; that is why we will:**

### **Make a formal referral to the CMC requesting that the CMC conduct an independent review of current processes for the management of police discipline and misconduct matters**

During consultation a number of submissions raised concerns about the current disciplinary processes applying to members of the Queensland Police Service.

Due to the unique power bestowed on police officers and the corresponding trust placed in them by the community to exercise these powers responsibly, it is appropriate to give separate and detailed consideration to issues of police accountability and integrity. To this end, the Attorney-General will formally refer this issue to the CMC for independent review, with a report to be tabled in Parliament.

When: the referral will be made by the end of 2009 with a report to be tabled in Parliament by mid-2010.

### **Expand the jurisdiction of the CMC to cover GOCs**

GOCs are responsible for significant amounts of public money and should be subject to the highest levels of scrutiny and ethical standards.

The government will amend the *Government Owned Corporations Act 1993* to ensure that GOCs can be investigated by the CMC on misconduct matters. This will ensure that any incidences of corruption or alleged corruption can be appropriately pursued by the CMC.

This will form part of the Integrity Bill 2009.

When: the Integrity Bill 2009 will be introduced by the end of 2009.

### **Strengthen the role of the Public Service Commission**

The government will also strengthen the role of the Public Service Commission in ensuring consistency of disciplinary sanctions and timeliness of disciplinary action and develop expertise to help chief executive officers manage disciplinary issues. The establishment of consistent and appropriate practices across the whole span of the public sector will reinforce the integrity of the Queensland system.

When: by mid-2010.

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## Conclusion

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The work of maintaining and updating Queensland's integrity and accountability framework will never be finished.

These reforms reflect the views of the hundreds of academics, business people, statutory office holders, non-profit organisations, human rights organisations, religious groups and interested Queenslanders who have taken part in the discussion paper process.

The reforms cover each of the four key principles identified through the consultation process and range from technical process changes to wholesale reform.

But this package of reforms is only the first step.

As new challenges evolve the Queensland system must continue to adapt and change to meet them.

Queensland will continue to strive to lead the country on accountability and integrity. We will continue to place our State at the forefront with open government delivering for all Queenslanders.

And we will achieve that by delivering strong rules, by building a strong culture, by improving and maintaining strong scrutiny and implementing strong enforcement.

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# Appendix 1

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## Members of the Integrity Round Table

Anna Bligh MP  
*Premier of Queensland*

Cameron Dick MP  
*Attorney-General and Minister for Industrial Relations*

Robert Needham  
*Chairperson of the Crime and Misconduct Commission*

David Solomon  
*Integrity Commissioner*

Anne Tiernan  
*Professor at the Griffith University Centre for Governance and Public Policy*

Charles Sampford  
*Professor at the Queensland University of Technology Law and Justice Research Centre*

Alan Fels  
*Dean of the Australian and New Zealand School of Government*

Bob Longland  
*Former Queensland Electoral Commissioner*

Irene Moss  
*Former Commissioner with the Independent Commission Against Corruption and former New South Wales Ombudsman*

## Appendix 2

### Accountability – How does Queensland compare? (as at August 2009)

	QUEENSLAND	CWTH	NSW	VIC	WA	SA	TAS	NT	ACT
Independent public sector anti-corruption body such as the CMC.	✓	✗	✓	✗	✓	✗	✗ *	✗	✗
Police anti-corruption body	✓	✓	✓	✓	✓	✗	✗ *	✗	✓ Note 1
Integrity Commissioner	✓	✗	✗	✗	✗	✗	✗ Note 2	✗	✗
Register of Lobbyists	✓	✓	✓	✗	✓	✗	✗ *	✗	✗
Lobbyist Code	✓	✓	✓	✗	✓	✗	✗ *	✗	✗
Political donation disclosure (threshold)	✓ (\$1000)	✓ (\$10,900) Note 3	✓ (\$1000)	✗	✓ (\$1800)	✗	✗	✓ (\$1500)	✓ (\$1000)
Whistleblower Protection legislation	✓	✗ Note 4	✓	✓	✓	✓	✓	✓	✓
Recent reforms to Freedom of Information Laws	✓	✓	✓	✗	✗	✗	✗ *	✗	✗ *
Ombudsman	✓	✓	✓	✓	✓	✓	✓	✓	✓
Public Service Code of Conduct/Ethics	✓	✓	✓	✓	✓	✓	✓	✓	✓
Stand-alone Ministerial Code of Conduct/Ethics	✓	✓	✓	✗	✓	✓	✓	✗	✓
Restrictions on post separation employment	✓	✓	✗ Note 5	✗	✗ Note 6	✓	✗ Note 7	✗	✗ Note 6
Ban on direct holding of shares by Ministers and Parliamentary Secretaries	✓	✓	✗ Note 8	✗	✓ Note 9	✓ Note 9	✗	✗	✗
Register of Members' interests	✓	✓	✓	✓	✓	✓	✓	✓	✓

\* Although this has been proposed in a specific government policy announcement.

Note 1: ACT police officers come from Australian Federal Police and are therefore considered Commonwealth Police officers and employees and are subject to the Australian Commission for Law Enforcement Integrity.

Note 2: It is likely that Tasmania will introduce an Integrity Commissioner in the near future.

Note 3: A proposed threshold of \$1500 is the subject of legislation currently being considered at a Commonwealth level.

Note 4: But the Public Service Act 1999 provides some protection for whistleblowers.

Note 5: The Parliamentary Ethics Advisor, as established by resolution of the House, has the power to advise in relation to post-separation employment – care should be exercised in considering post-separation employment.

Note 6: Codes of conduct provide that care is to be exercised in considering post-separation employment.

Note 7: It is likely that Tasmania will introduce restrictions on post separation employment in the near future.

Note 8: Premier can direct Minister to divest.

Note 9: Where a conflict of interest with portfolio responsibility exists.



## Appendix 3

### Implementation summary

	To be implemented by the end of 2009	To be implemented by mid-2010
<b>Legislative</b>	<ul style="list-style-type: none"> <li>• ban success fees</li> <li>• create a legislative framework for regulation of the lobbying industry</li> <li>• make the Integrity Commissioner an officer of the Parliament</li> <li>• give the Integrity Commissioner oversight of the Lobbyists' Register</li> <li>• enable the Integrity Commissioner to give advice to all MPs about the declaration of their interests</li> <li>• give the CMC jurisdiction over GOCs</li> </ul>	<ul style="list-style-type: none"> <li>• create a legislative framework for the employment of ministerial and electorate staff</li> <li>• reform the <i>Whistleblowers Protection Act</i></li> <li>• allow for apologies without admission of legal liability</li> <li>• reform electoral donation laws if the Commonwealth has not acted by July 2010</li> <li>• create a statutory obligation on Members of Parliament to declare their interests</li> <li>• require all statutory office holders to declare their interests</li> </ul>
<b>Administrative</b>	<ul style="list-style-type: none"> <li>• establish a parliamentary inquiry into the role of parliamentary committees in the legislative process</li> <li>• refer to the CMC the issue of police disciplinary processes</li> <li>• require newly appointed public service officers and ministerial staff to disclose lobbying roles in the past two years</li> <li>• implement a consistent gifts and benefits policy across government</li> <li>• enhance the role of the Public Sector Ethics Network with a network of ethics officers across all departments</li> <li>• encourage unions to develop codes of conduct</li> <li>• adopt a single code of conduct for the public sector</li> </ul>	<ul style="list-style-type: none"> <li>• establish a new Ethical Standards Branch within the Public Service Commission</li> <li>• strengthen the Public Service Commission regarding disciplinary processes</li> <li>• reform the State Procurement Policy</li> <li>• extend the State Procurement Policy to GOCs and statutory authorities</li> <li>• publish contracts over \$10 million</li> <li>• mandate independent oversight for contracts over a specified value</li> <li>• mandate annual training in ethical decision-making</li> <li>• hold regular People's Question Time</li> <li>• publish the Parliamentary Register of Members' Interests and departmental gifts registers online</li> <li>• annually report on the government's responses to recommendations made by the CMC</li> </ul>