



National Campaign Headquarters

Accountability Round Table

The Federal Labor Government has introduced significant reforms to support integrity in the Government and the Australian Public Service to ensure the Australian people can have confidence in their Government and in their elected representatives to govern Australia with honesty, integrity and accountability.

1. Will you commit to Australia's continued membership of the United Nations Convention Against Corruption (UNCAC), G20 and the Open Government Partnership (OGP) and compliance with its obligations to prepare, complete and publish the required National Anti-corruption Plan, G20 Anti-Corruption Action Plan and the OGP Action Plan as quickly as possible and within 12 months?

Australia is a party to both the United Nations Conventions Against Corruption (UNCAC) and the Organisation for Economic Co-operation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

Australia is a key member of the G20 Anti-Corruption Working Group, having participated in the negotiation and development of the G20 Anti-Corruption Action Plan. Australia is also an active member of the Asia-Pacific Economic Cooperation Anti-Corruption Working Group and the OECD Working Group on Bribery in International Business Transactions.

In May 2013, Federal Labor announced that Australia will join the Open Government Partnership. Federal Labor believes that greater openness and accountability in government promotes public participation in government processes and leads to better informed decision-making.

Federal Labor is committed to continuing its membership in all of these conventions, groups and partnerships.

A re-elected Rudd Labor Government will continue to give high priority to progressing the National Anti-Corruption Plan as quickly as possible in close consultation with stakeholders.

2. Will those Plans include specific proposals which will significantly strengthen the Commonwealth Government Integrity System, including provision for:

- a) An independent anti-corruption body covering all Commonwealth entities and agencies and people and corporations providing government services by and/or for the government.*
- b) Contemporaneous transparency of political funding and of the lobbying of government and members of parliament.*
- c) Retention of the present Code of Conduct for Ministers, its extension to Shadow Ministers, and Codes of conduct for all other members of the Parliament, all to be legislated.*
- d) Creation of the office of Parliamentary Integrity Commissioner.*
- e) Extension of the operation of the Public Disclosure Act 2103 to protect whistleblowers*
 - who disclose wrongdoing by Ministers, Members of Parliament and Judicial Officers*
 - who are staff of Members of Parliament*

- f) *Reduction of the exclusion of intelligence agencies and their information to that which poses a direct risk to the nation's security.*
- g) *Reforms in law and in administration to better advance the right to know objective of the FOI Act.*

Federal Labor has delivered the following key reforms to promote Parliamentary integrity:

- The introduction of Standards of Ministerial Ethics, which hold Commonwealth Ministers to a high standard of conduct. The Standards are underpinned by the principle that Ministers and Parliamentary Secretaries must act with due regard for integrity, fairness, accountability, responsibility and the public interest. The Standards play an important role in ensuring corrupt behaviour is not tolerated at the most senior levels of national government.
- The introduction of the Lobbying Code of Conduct and Register of Lobbyists to ensure that contact between lobbyists and Government representatives is conducted with transparency, integrity and honesty.
- The establishment of the Parliamentary Budget Office (PBO) to provide the Parliament with independent and non-partisan analysis of the budget cycle, fiscal policy and the financial implications of policy proposals. The PBO is a separate Parliamentary Department, with an independent statutory office holder – the Parliamentary Budget Officer – responsible for leading and managing the Parliamentary Budget Office.
- The establishment of a Code of Conduct for Ministerial Staff, which includes obligations to behave honestly and with integrity, to act with care and diligence, and to disclose and take reasonable steps to avoid any conflict of interests.

A re-elected Labor Government will continue to monitor the effectiveness of existing reforms and will also closely consider further measures designed to ensure that the Parliamentarians subscribe to high standards of integrity and improve the Parliament's standing in the eyes of Australians.

Public service

For public servants, the attitudes and behaviours that define a professional public servant are articulated in the Australian Public Service Values. Recent amendments to the Public Service Act include replacing the previous 15 Australian Public Service Values with a shorter set of Values that are intended to be more meaningful, memorable and effective in driving changes. While the Values introduced in the primary legislation in 1999 have, on the whole, served the public service well to date, there have been criticisms. The old Values are long, difficult to remember and insufficiently focused on contemporary requirements.

The amendments also provide for stronger arrangements for handling misconduct — such as when false information is provided at recruitment. Agencies can also investigate misconduct by former employees if there is a public interest in doing so. The Australian Public Service Commissioner also has new powers, including power to evaluate whether agencies uphold the Values and Employment Principles, and whether their systems ensure compliance with the APS Code of Conduct, power to

investigate suspected breaches of the Code of Conduct by current and former APS employees and the ability to undertake 'special reviews' of any matter relating to an agency at the direction of the Prime Minister.

Federal Labor has also taken measures to strengthen and protect the integrity of our judiciary. In 2012, the Federal Government enacted legislation to enhance public confidence in Australia's federal judicial system by improving the way in which complaints against federal judges are handled. The Judicial Misbehaviour and Incapacity Act 2012 and the Courts Legislation Amendment Act 2012 ensure complaints against federal judicial officers are handled fairly and transparently, while maintaining the constitutional independence of the judiciary. The legislation also enables Parliamentary Commissions to be established to investigate the most serious allegations, where a judge's misbehaviour or capacity may warrant their removal from office.

A re-elected Rudd Government will continue to consider ways to strengthen the capacity to review and report on alleged failures in corruption prevention at the Commonwealth level.

Public Interest Disclosure

Following the Federal Labor Government's passage of the Public Interest Disclosure Act, the Commonwealth is no longer the only Australian jurisdiction without dedicated legislation to facilitate the making of public interest disclosures or to protect those who make them.

This is an historic achievement of Federal Labor and one that will stand as a lasting example of what can be achieved when governments work together with civil society, including Transparency International, to produce significant reforms.

The Public Interest Disclosure Act provides a clear set of rules for agencies to respond to allegations of wrongdoing made by current and former public officials, and strengthens protections against victimisation and discrimination for those speaking out. The Act strikes the right balance to achieve a comprehensive and effective framework to ensure that disclosures of wrongdoing are properly investigated and dealt with and to ensure protection for public officials who make public interest disclosures. It will encourage a pro-disclosure culture, by facilitating disclosure and investigation of wrongdoing and maladministration in the Commonwealth public sector.

According to the Public Interest Disclosure Act, a review of the operation of the Act will be undertaken two years after the commencement of the Act. This review will be the appropriate time at which the above provisions should be considered.

Freedom of Information reforms

Federal Labor also remains committed to openness and access to government information, the principles which drove the Government's 2010 Freedom of Information (FOI) reforms. These reforms together constituted the biggest overhaul of Australia's Freedom of Information Act 1982 since its inception. In 2010, the Federal Government enacted the Australian Information Commissioner Act 2010 and the Freedom of Information Amendment (Reform) Act 2010, which together constituted the

biggest overhaul of Australia's Freedom of Information Act 1982 since its inception. Key reforms included:

- establishing the Office of the Australian Information Commissioner and two new, independent office holders, the Australian Information Commissioner and the FOI Commissioner;
- establishing a single public interest test for many exemptions to FOI, which favours disclosure;
- abolishing application fees and reducing FOI charges; and
- reducing the 'open access period' for most Commonwealth records to give the public the right to access after 20 years, instead of 30 years.

Thanks to these FOI reforms, public sector information is now increasingly regarded as a national resource that must be shared and made available for public purposes.

Earlier this month, the Attorney-General, Mark Dreyfus MP QC, tabled the report on freedom of information laws prepared by former senior public servant and diplomat Dr Allan Hawke AC. Dr Hawke's report follows his review of the operation of the Freedom of Information Act 1982 and the Australian Information Commissioner Act 2010 and the extent to which these and related laws provide an effective framework for access to government information.

This is an important report which finds that recent changes to freedom of information law are broadly working well to improve transparency but it also identifies areas requiring fine-tuning for further reform. The report highlights the need to ensure that the right of access to government-held information remains as comprehensive as possible. The report makes forty recommendations, covering a wide range of aspects of freedom of information law.

The Rudd Labor Government has been examining Dr Hawke's recommendations carefully and if re-elected will continue to give serious consideration to this issue and consult with stakeholders before providing a formal response.

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