



National Anti-Corruption Commission

Charting new paths to combat corruption

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Outline

1. The Australian environment
2. Corruption prevention and education
3. The role of anti-corruption commissions
4. The international context
5. Dialogue and collaboration

National Anti-Corruption Commission

To enhance integrity in the Commonwealth public sector, by **detering, detecting** and **preventing** corrupt conduct involving Commonwealth public officials, through **education, monitoring, investigation, reporting** and **referral**

Jurisdiction

Parliamentarians, staff members of Commonwealth agencies and contractors and service providers

Powers

We have the authority to conduct investigations, resulting in an administrating finding of corrupt conduct

Emerging themes

Procurement

Recruitment

**Preferring family,
friends and associates**

Use of inside information

**Expedient
non-
compliance**

Corruption Prevention and Education

Build individual resistance

Encourage reporters and reporting

Create a culture

Themes

Conflict of Interest

All corruption is seeded in conflict of duty and interest

Officials must be able to recognise such a conflict, and recuse themselves

Ethical Decision Making

Officials will encounter pressure to make a particular decision

They need a framework that supports them to make decisions impartially and based on evidence

Anti-corruption commissions: principles

1. The ability to consider referrals from anyone
2. The ability to commence an investigation on own motion
3. A mandatory obligation for heads of public sector agencies to report suspicions of corruption to the Anti-Corruption Commission
4. Protections for whistleblowers and witnesses, from criminal and civil liability and reprisals.
5. Coercive powers to obtain documents, information and evidence, by notices to produce and through hearings
6. The ability to refer matters to a prosecuting authority
7. The ability to make recommendations
8. The ability to report on investigations and make public statements
9. A corruption prevention and education function
10. A sufficient and predictable budget
11. Transparency of appointments
12. Appropriate oversight

Independence and the risk of weaponisation

Independence is a key factor in whether anti-corruption agencies are effective

When political interference does not restrict agencies, they can investigate any corruption case

Anti-corruption agencies can be weaponised by governments to target opponents

When agencies lack proper insulation, they can inadvertently become part of the political theatre, undermining their purpose and authority

Corruption knows no boundaries

- Corruption transcends borders, infiltrating institutions, governments and economies
- Corruption corrodes trust, hinders progress and perpetuates inequality
- As global citizens, we must unite to combat corruption



Ease of transmissibility of fungibles

- Money and cryptocurrencies fuel corruption
- Instant transmission poses a unique contemporary challenge
- Bribes traverse digital channels and erode integrity
- Funds from corrupt deals can hide in offshore accounts



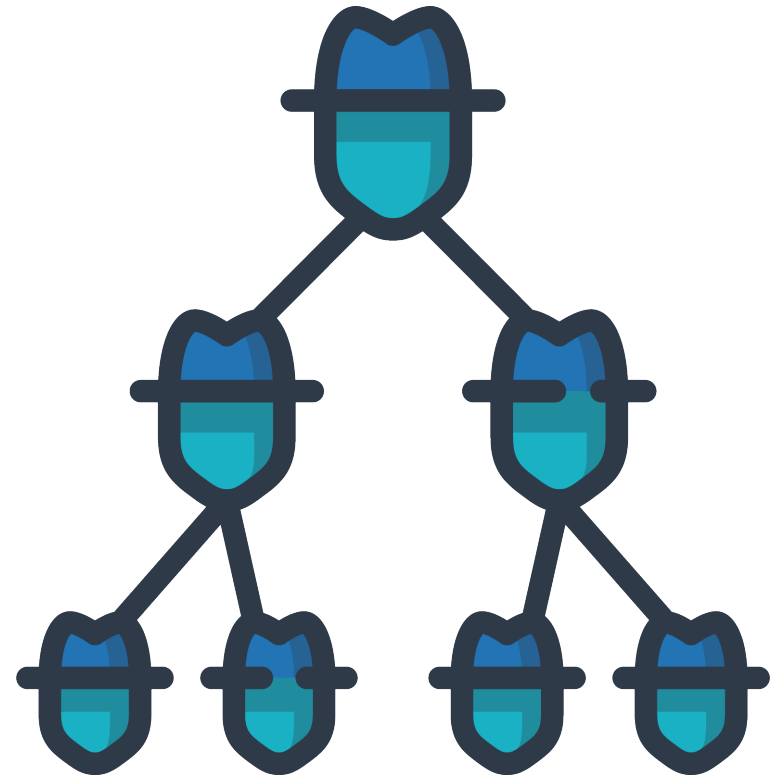
Evidence held on international servers

- Evidence exists in physical files and on servers worldwide
- The challenge lies in accessing evidence across international borders
- Navigating this intricate web presents a significant barrier



Transnational organised crime

- Organised crime poses a growing threat worldwide
- In Australia, it undermines prosperity and social harmony, costing over \$60 billion annually
- Many crime groups operate internationally, using sophisticated methods and well-financed networks



Climate change

- Climate change is a global phenomenon requiring a global solution
- Funding and resources for response strategies flows across borders
- These flows are vulnerable to dilution or diversion, compromising the response.

The imperative of collaboration

**Transmissibility
of fungibles**

**International
servers**

**Transnational
organised crime**

**Global response
to climate change**

Dialogue and collaboration

- Cooperation is vital to address the ever-increasing global aspects of corruption
- Much to be learned from the experiences of other agencies. Knowledge sharing through ongoing dialogue and opportunities for collaboration, and staff exchanges
- Where appropriate and to the extent that domestic legislation and operational imperatives permit, anti-corruption agencies should:
 - proactively refer information relevant to corruption in another jurisdiction to the other jurisdiction
 - share relevant information and intelligence sharing
 - co-operate in investigating cross-border corruption





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