

**From:** GOPAC OCEANIA John Hyde  
**To:** [SPSC SPSC](#)  
**Subject:** NT- GOPAC submission - INQUIRY INTO INDEPENDENT COMMISSIONER AGAINST CORRUPTION BILL  
**Date:** Wednesday, 6 September 2017 5:00:39 PM

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Important to publicise and engage the public well on the threshold which tasks the ICAC with focusing on the most serious, sensitive, and systemic conduct. "Matters that are less serious are to be referred to other, existing bodies, unless there is good reason not to refer." People are prone to opt out of reporting misconduct if you don't provide for a one-stop shop approach. Complainants shouldn't have to be aggravated by trying to determine the threshold - you should provide for the referral not putting the onus on the complainant.

You need to ensure that there are full checks and balances on the ICAC, including parliamentary oversight. By giving the ICAC powers to ignore warrants "Gives the ICAC comprehensive investigation powers, including powers to enter public sector premises without warrant, and private premises with a warrant, and to require witnesses to attend and given evidence on oath." you need to ensure their decision-making and threshold on acting without a warrant (and with) is subject to parliamentary oversight. (Not the actual activity of investigation, but the process of using/misusing warrant powers). It is not sufficient for the ICAC to obtain a warrant in three minutes from an overworked judge and stating that this is "compliance".

"Clause 134. Functions of Inspector

The Inspector's key functions are to:

- provide the Legislative Assembly with an annual evaluation of the ICAC in accordance with clause 133;"

I strongly urge you to amend this to "ongoing" evaluation rather than "annual". The Inspector should be an independent officer of the parliament and reporting to a bipartisan Standing Committee of the Parliament, using the more successful model from WA. The Inspector should not report to Parliament via the "ICAC Minister". He/she should consult with the Minister, but report to a Committee of the parliament.

**John Hyde (former Chair of the WA Parliament Joint Standing Committee on the Corruption and Crime Commission)**

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