

INDEPENDENT COMMISSION AGAINST CORRUPTION BILL – 30 Sept 2010

Adjourned debate on second reading.

(Continued from 27 May 2010.)

Mr PEDERICK (Hammond) (11:06): I rise to support the view of the Liberal Party. We maintain that it is essential to have a South Australian independent commission against corruption in this state. I will give some background on this. Since 2007, the state parliamentary Liberal Party team has argued the need for an independent commission against corruption in South Australia. On 5 April 2008, the Liberal Party released a policy outlining our preferred model for a South Australian ICAC, detailing the objectives, powers, structure and processes of the proposed ICAC.

On 27 November 2008, Isobel Redmond introduced the Independent Commission Against Corruption Bill 2008 in the House of Assembly to establish an ICAC in South Australia consistent with our proposed model. The bill did not proceed past the second reading and lapsed with the proroguing of parliament for the 2010 election.

The proposal for a South Australian ICAC was supported by Family First, which, on 4 March 2009, introduced a similar bill to the Redmond bill in the Legislative Council. The Family First bill passed the Legislative Council on 14 October 2009, following three amendments moved by the Liberal Party. On 5 August 2009, Isobel Redmond gave a commitment that the proposed ICAC would be established within the first 100 days of a Redmond Liberal government.

The Rann government has consistently rejected calls to establish an ICAC on the grounds that there is not sufficient corruption in this state to warrant an ICAC and that current anti-corruption measures are adequate. It is interesting to note how a government can state that they believe that there are not enough grounds for corruption; but how would they ever know?

In August 2009 premier Rann announced that the government would support a national ICAC, but continued to oppose a state ICAC; so I think this was a halfway house for the government. The new Attorney, John Rau, reaffirmed this position post the election in March 2010.

While the Rann government argues for a national ICAC, at the meeting of the Standing Committee of Attorneys-General on 6 November 2009, the Rann government failed to ensure that the issue was on the agenda. On 7 April 2010, the Attorney-General, John Rau, suggested that putting a national ICAC on the SCAG agenda might not be a bad idea for us to think about, implying that the Rann government is not actively pursuing a national ICAC.

In any event, there is doubt that a national ICAC would have the jurisdiction to investigate corruption in state and local government unless the incidents relate to commonwealth funding or jurisdiction. The President of the Law Society, Richard Mellows, has also expressed his concern that a national ICAC would be too removed from South Australia and may miss specific instances of local corruption in South Australia.

On 15 March 2010, the former attorney-general (of blessed memory), Michael Atkinson, conceded on radio FIVEaa that anti-corruption processes in South Australia could be improved and that, should the Rann Labor government be re-elected, it would move to improve South Australia's anti-corruption measures. It is interesting that the former attorney has made statements that things could be further improved when we have the Premier clearly indicating that there is not enough corruption in this state to facilitate a state-based independent commission against corruption.

I just want to reflect on incidences that have come to mind as a local member when people have come to me in my electorate who have been serving police officers. I cannot say whether the issues they bring to me are right or wrong until they are fully investigated, and how can they be fully investigated when, as they believe, if you take a matter to the Police Complaints Authority, you have police investigating police?

There have been allegations of improper use—and I must stress that they are allegations—of information that is available to police to use against either serving officers or former officers. How is any of this going to be investigated appropriately so that we know that there is not this misuse in our police force of information that is available to people, supposedly, on a confidential basis? I have

certainly taken my constituents' issues to the new Attorney, John Rau, and I hope that things are progressing there.

Mr Pengilly interjecting:

Mr PEDERICK: Absolutely. I would like to think that there is nothing improper happening. I will not broaden my comments too far in relation to the case in question, but when people believe that classified documents and information is being used improperly against them, I find that to be a very, very serious matter. With those remarks, I commend the bill. I think this state would be far better off if we had an independent commission against corruption.