

From the Office of the Commissioner

Dear Party Leader,

Corruption risks in the lead up to an election

The Independent broad-based Anti-corruption Commission (**IBAC**) is Victoria's independent agency responsible for preventing and exposing public sector corruption and police misconduct. It is in a unique position to understand the range of corruption risks that can arise in the lead up to an election.

As party leader, I am writing to you, and leaders of all other registered parties, to remind you about these risks.

In particular, a lack of transparency about, and accountability for, donations and lobbying can cause the community to question whether decisions will be made in the public interest and ultimately diminish trust in the political system.

It is of course in the interests of a healthy democracy to encourage debate about the issues and to encourage citizens to participate by articulating their views and becoming involved in the political process. I understand that individual candidates and political parties attract supporters from specific community interest groups and retain them by building strong relationships and crafting policies to align with their supporters' interests.

However, donations and lobbying can be used to gain privileged access to decision-makers within a party by elevating a donor's or lobbyist's profile. Candidates and political parties also actively solicit donations through fundraising activities, requests for in-kind support, direct payments and through associated entities. Together these factors have the potential to compromise a member of parliament once elected.

Candidates should be mindful of ensuring transparency in their dealings with the people and organisations they meet in the months ahead, and I encourage records to be kept of meetings held and the subject matter discussed.

In 2018, Victoria introduced new rules on political donations aimed at increasing transparency and protecting against improper influence in political decision making. The upcoming election will be the first true test of these reforms.

It is essential for candidates to remain vigilant and to be aware of the approaches that can be used by people and organisations, either from the public or private sector, to improperly influence decisions through lobbying, pressure, favours and gifts.

Candidates must be able to recognise this as corruption.

Making complaints ahead of an election

Complaints about alleged corruption and misconduct can be made to IBAC ibac.vic.gov.au. However, publicising complaints made to IBAC can cause a number of serious issues.

The public airing of unsubstantiated allegations may adversely affect IBAC's ability to investigate a complaint, compromise the fair hearing of individuals and damage the reputation of a person alleged to have engaged in corrupt conduct.

There is also a risk that the impetus for publicising unsubstantiated allegations may be perceived as motivated by political gain.

All complaints made to IBAC are assessed in line with the *Independent Broad-based Anti-corruption Act 2011* and it is important to allow this process to occur.

IBAC will generally not provide public commentary or confirmation of whether it has a complaint or investigation before it. IBAC communicates directly with a complainant on the status of their individual complaint.

If you have a genuine complaint to make against a person, particularly in the lead up to the election, I ask you not to publicise that complaint until after IBAC has had an opportunity to assess and possibly investigate the complaint.

I want to remind all parties and their candidates that you are responsible for maintaining the Victorian community's confidence and meeting their expectation that you will act with integrity, free from bias, collusion and favouritism.

By upholding the community's expectations, you will also protect yourselves.

I wish you all the best in the upcoming election.

Yours sincerely

The Honourable Robert Redlich AM, KC
Commissioner