

Media Release

The Hon Daniel Andrews MP
Premier



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SWEEPING INTEGRITY REFORMS FOR VICTORIA

The Andrews Labor Government will introduce sweeping integrity reforms as part of the most significant overhaul of parliamentary oversight in the country.

The Government will support and implement all 21 recommendations from the IBAC's report into Operation Watts relating to the integrity and ethical conduct of Members of Parliament (MPs), Ministers and their respective staff.

Headlining the reforms, a Parliamentary Integrity Commissioner will be established to receive and investigate complaints about possible misconduct from MPs. The Commissioner will be armed with robust powers and resources, including the power to recommend sanctions.

The Government will work with the Parliament – including representatives of the Opposition and Crossbench – to establish a joint Parliamentary Ethics Committee comprised of equal numbers of members from the Legislative Assembly and Legislative Council.

MPs will be banned from employing close family members in their electorate offices, and the Ministerial Code of Conduct will be amended to clarify that Ministers must ensure the public resources made available for performing their duties are not used for party-specific purposes.

Electorate officer recruitment, management and supervision will be reviewed alongside grant administration to ensure greater transparency and better processes.

On top of these reforms recommended by IBAC, the Government will also go a step further with three additional changes designed to further strengthen public trust and lift standards across the administration of all political parties in Victoria.

Major political parties will need to fulfil minimum requirements of party administration to qualify for public funding.

This will include party memberships paid by traceable means, mandatory photo ID checks for new members joining a party, proof of eligibility to hold a concessional membership and measures to ensure compliance in using the electoral roll.

These minimum requirements will apply to established parties in the parliamentary system and a threshold will determine which parties must meet the requirements. That threshold might be based on the number of MPs, the number of members in their party, or the amount of public funding they will receive.

The rules will be designed as to not disadvantage new parties from being established – but rather to make sure larger and more established ones are held to the standard that taxpayers expect from publicly funded organisations.

As well as possible breaches of the MPs' Code of Conduct, the Parliamentary Integrity Commissioner will be able to examine the behaviour of MPs – including bullying, harassment, sexual harassment and victimisation – providing a crucial avenue for complaints to be heard and investigated.

Employment arrangements for Ministerial Staff will be codified consistent with the Commonwealth arrangements under the *Members of Parliament (Staff) Act 1984 (Cth)* to clearly set out the structure, terms, and conditions of employment.

Media contact: Nadia Dimattina 0438 701 306 | nadia.dimattina@minstaff.vic.gov.au

Given the scale of proposed reform to the Parliament's oversight regime, the Government will undertake extensive consultation with Members of Parliament from all political parties.

Work on implementing the recommendations will begin immediately. As per the report's recommendation, the Government will work towards the full establishment of the new parliamentary integrity framework – including in legislation – by June 2024.

Quotes attributable to Premier Daniel Andrews

"Victorians deserve to have confidence in the political parties and public institutions that serve them."

"This report and the significant reforms it has driven are absolutely critical. That's why we're going to implement all of the IBAC's recommendations – and go beyond them."

Quotes attributable to Attorney General Jaclyn Symes

"These shouldn't just be reforms that are driven within one political party – they should be the law."

"These reforms deserve broad and bipartisan support. We'll consult and engage with all Members of Parliament from all political parties to deliver the lasting change Victorians expect."

Government Response to Report Recommendations

Theme	Recommendations	Government response
Parliamentary oversight	<p>Recommendation 1 – Establish a Parliamentary Ethics Committee That:</p> <p>(a) the government and the parliament work together to establish a Parliamentary Ethics Committee that would:</p> <ul style="list-style-type: none"> (i) monitor the effectiveness of the Statement of Values and Code of Conduct in the <i>Members of Parliament (Standards) Act 1978</i> and other ethical obligations imposed on MPs (ii) promote and provide training and information about the Statement of Values and Code of Conduct, in the parliament and in the general community (iii) prepare guidance materials on the Statement of Values and Code of Conduct (iv) work with the Parliamentary Integrity Commissioner in carrying out its functions and receiving reports about ethical standards (v) review the Statement of Values and Code of Conduct at least once every four years. <p>(b) the Parliamentary Ethics Committee should be a Joint House Committee composed of equal numbers of members from the Legislative Assembly and Legislative Council and be established by amendment to the <i>Parliamentary Committees Act 2003</i>. Consideration should be given to including some members from each of the parliamentary privileges committees.</p> <p>(c) the government and parliament should consider for inclusion in the Parliamentary Ethics Committee's role and composition:</p> <ul style="list-style-type: none"> • a requirement to consult the public when undertaking reviews • a power to appoint members of the public to assist it with its work, or specify a fixed number of members of the public to be Committee members • appointment of a non-government member as the chair of the Committee • a power for the Committee to undertake related integrity roles as may be requested, such as in relation to codes of conduct for ministers, ministerial advisors and electorate officers, or a parliamentary bullying and harassment protocol. 	<p>SUPPORT</p> <p>The Government will work with the Parliament, including representatives of the Opposition and Crossbench, to establish a joint Parliamentary Ethics Committee.</p>
	<p>Recommendation 2 – Establish a Parliamentary Integrity Commissioner That:</p> <p>(a) the government and the parliament work together to establish a Parliamentary Integrity Commissioner as an independent officer of the parliament who would:</p> <ul style="list-style-type: none"> (i) receive and investigate complaints about possible non-criminal breaches of the Members of Parliament Code of Conduct in the <i>Members of Parliament (Standards) Act 1978</i> and other standards and rules relevant to parliamentary integrity (ii) submit reports on investigations to the privileges committee of the relevant House for consideration and 	<p>SUPPORT</p> <p>The Government will work with the Parliament to establish a Parliamentary Integrity Commission to receive and investigate complaints about breaches of the</p>

	<p>action where required, including recommendations on appropriate sanctions for a serious breach of the Members of Parliament Code of Conduct or other integrity rule or standard</p> <p>(iii) monitor the effectiveness of the Statement of Values and Code of Conduct in the Members of Parliament (Standards) Act 1978 and other ethical obligations imposed on members of parliament</p> <p>(iv) promote and provide training and information about the Statement of Values and Code of Conduct, in the parliament and the general community, in collaboration with the Parliamentary Ethics Committee</p> <p>(v) help the Parliamentary Ethics Committee prepare guidance materials on the Statement of Values and Code of Conduct and review the Statement of Values and Code of Conduct at least once every four years</p> <p>(vi) undertake other integrity-related functions allocated to them by the government or parliament.</p> <p>(b) the Parliamentary Integrity Commissioner be established by legislation and be appointed by or upon the recommendation of a cross-party parliamentary panel with members from both Houses selected for that purpose</p> <p>(c) the term of appointment be for more than four years and that there be narrowly defined criteria for dismissal upon a recommendation from the proposed Parliamentary Ethics Committee</p> <p>(d) the processes and sanctions available to the Parliamentary Integrity Commissioner be fair, efficient and proportionate to the nature of the alleged breach</p> <p>(e) the Parliamentary Integrity Commissioner have the powers and resources necessary to carry out their functions, including a power to apply sanctions by consent where a member of parliament acknowledges a breach of a minor nature, such as requiring an apology or a binding undertaking.</p>	MP Code of Conduct.
	<p>Recommendation 3 – Changes to the Privileges Committee</p> <p>That:</p> <p>(a) the privileges committees of each House be reformed to dilute the capacity of the majority in each House to determine the privileges committees’ priorities and decision making</p> <p>(b) the privileges committee for the relevant House should receive the report of a Parliamentary Integrity Commissioner’s investigation, provide the relevant MP with an opportunity to respond to it, and table the report in the House together with the privileges committee’s comments and recommendations, within a fixed time of receiving the report</p> <p>(c) if the privileges committee disagrees with all or some of the Parliamentary Integrity Commissioner’s recommendations, it must provide a comprehensive explanation of its reasons when tabling the Parliamentary Integrity Commissioner’s report</p> <p>(d) the relevant House should vote within a fixed time of the tabling of the Parliamentary Integrity Commissioner’s report to support or reject all or some of the Parliamentary Integrity Commissioner’s or privileges</p>	<p>SUPPORT</p> <p>The Government will support the Parliament on reforms to the Privileges Committee that may be required as a result of other integrity reforms.</p>

	committee's recommendations, but should not be permitted to amend them.	
	Recommendation 4 – Parliamentary Integrity Adviser That the Parliamentary Integrity Adviser continue to provide confidential advice to members of parliament on integrity and ethical issues and help the Parliamentary Integrity Commissioner and Parliamentary Ethics Committee with information and training activities.	SUPPORT
	Recommendation 5 – Reform timeline That whichever party or parties form government after the November 2022 state election commit to introducing and commencing the legislation to establish the Parliamentary Ethics Committee and Parliamentary Integrity Commissioner as recommended in this report, by June 2024.	SUPPORT The Government will undertake thorough consultation on the proposed reforms with the aim of establishing the relevant bodies in legislation by June 2024.
	Recommendation 6 – Ethical culture That the work of the Parliamentary Ethics Committee and Parliamentary Integrity Commissioner to promote an ethical culture in parliament: <ul style="list-style-type: none"> (a) involve and be actively supported by the leaders of all political parties represented in the parliament, as well as by the presiding officers (b) focus closely on the role of leadership in fostering ethical practices (c) reinforce respect and support for the institution of parliament (d) create strong links with the community and community groups. 	SUPPORT
	Recommendation 7 – Prohibit party-specific activities That the definition of prohibited party-specific activities in section 30 of the Parliamentary Administration Act 2005 be amended to include activities undertaken for the predominant purpose of helping the administration, organisation or management of a political party, including the recruitment and maintenance of party members.	SUPPORT The Government supports this recommendation subject to advice of the Parliamentary Ethics Committee on implementation.
	Recommendation 8 – Create an offence That: <ul style="list-style-type: none"> a) an offence be created that provides that a member of parliament who directs or allows a person to undertake party-specific activities while that person is employed to help the member of parliament discharge their public duties is guilty of an offence. 	SUPPORT The Government supports this recommendation subject to advice of the Parliamentary Ethics Committee on implementation.

	<p>b) the government in formulating the offence and the penalty should take account of:</p> <ul style="list-style-type: none"> the degree of a member of parliament's intent or recklessness in directing or allowing the employee to undertake such activities activities where it is difficult to separate the party-political aspect of the work from the normal duties of an electorate officer's role, such as attendance at a community-organised event with the member of parliament unavoidable and reasonable communication with a party's head office or local branch on minor or incidental matters. 	
Electorate Officers and the role of Department of Parliamentary Services	<p>Recommendation 9 – EO Code of Conduct That:</p> <p>a) the proposed Parliamentary Ethics Committee and Parliamentary Integrity Commissioner review the Electorate Officers Code of Conduct, to make it more relevant to the actual responsibilities of the electorate officer role and to explicitly prohibit party-specific work from being undertaken during an electorate officer's employment</p> <p>b) the Code of Conduct be publicly available.</p>	<p>SUPPORT</p> <p>The Government will work with the Parliament and DPS to support the review of the EO Code of Conduct.</p>
	<p>Recommendation 10 – Prohibition on employing family members That:</p> <p>a) members of parliament be prohibited from employing close family members in their electorate office</p> <p>b) the government and parliament consider whether this prohibition should extend to a member of parliament employing a close family member of another member of parliament from the same political party.</p>	<p>SUPPORT</p> <p>The Government will work with the Parliament and DPS to support a prohibition on the employment of close family members in a Member's Electorate Office.</p>
	<p>Recommendation 11 – Strengthen DPS That, to strengthen the capacity of the Department of Parliamentary Services to perform its role efficiently and effectively:</p> <p>a) the Secretary of the Department of Parliamentary Services be the employer of electorate office staff in their capacity as Secretary of Department of Parliamentary Services, not as a delegate of the presiding officers</p> <p>b) the contractual term for the Secretary of the Department of Parliamentary Services be made significantly longer than the duration of a parliamentary term.</p>	<p>SUPPORT</p> <p>The Government supports the Parliament and DPS working to strengthen the role, performance and accountability of DPS.</p>
	<p>Recommendation 12 – Review EO recruitment processes</p> <p>That the presiding officers and the Department of Parliamentary Services review the processes for recruiting and selecting electorate office staff, to promote a more competitive, open and merit-based process. Possible topics for the review include:</p>	<p>SUPPORT</p> <p>The Government supports the Parliament and DPS reviewing the processes for recruiting and selecting EO staff.</p>

	<p>a) reviewing the standard position description for electorate officers, and including an explicit statement prohibiting the successful applicant from engaging in party-specific activities</p> <p>b) requiring all non-casual roles to be advertised by the Department of Parliamentary Services. The Department of Parliamentary Services would receive all applications and forward them to the member of parliament. The desirable level of involvement by the Department of Parliamentary Services in helping a member of parliament appoint an electorate officer could be considered, for example, in respect of whether a departmental employee should sit on a selection panel, either in all cases or upon request</p> <p>c) requiring a member of parliament, when nominating an applicant for a job as an electorate officer, to provide the Department of Parliamentary Services with a selection report demonstrating the suitability and preferability of the successful applicant compared with other applicants and advising the Department of Parliamentary Services of the reasons for employing a casual electorate officer.</p>	
	<p>Recommendation 13 – Review management and supervision of EOs That:</p> <p>(a) the presiding officers and the Department of Parliamentary Services review the arrangements for managing and supervising electorate officers, to ensure that:</p> <ul style="list-style-type: none"> (i) electorate officers’ work is undertaken within the limits of their role (ii) electorate officers are competently and effectively supervised (iii) electorate officers receive all the legal protections that they are entitled to (iv) electorate officers are given learning and development opportunities to develop their skills <p>(b) the Department of Parliamentary Services take a more active role in implementing the new arrangements described in (a).</p>	<p>SUPPORT</p> <p>The Government supports the Parliament and DPS reviewing the processes for management and supervision of EO staff.</p>
	<p>Recommendation 14 – Review audit program That the presiding officers, the Department of Parliamentary Services and the Department of Parliamentary Services Audit Committee review the Department of Parliamentary Services audit program in light of this investigation’s findings, to refine their approach to risk identification and the choice of issues and business operations that should be audited.</p>	<p>SUPPORT</p> <p>The Government supports the Presiding Officers, DPS and the Audit Committee reviewing the processes for management and supervision of EO staff.</p>
	<p>Recommendation 15 – Amend PIDA That section 17 of the Public Interests Disclosures Act 2012 be reviewed to open up an alternative course for a person who has reasonable grounds for not wishing to lodge a complaint with a presiding officer.</p>	<p>SUPPORT</p>
	<p>Recommendation 16 – Amend Ministerial COC</p>	<p>SUPPORT</p>

	That the Ministerial Code of Conduct be amended to clarify that ministers must ensure that the public resources made available for performing their duties are not used for party-specific purposes.	
Ministers and Ministerial Staffers	Recommendation 17 – Clarify MP COC regarding Ministers That the government and parliament clarify the extent to which it is intended that the Members of Parliament Code of Conduct and the processes for dealing with breaches of the Code should cover the actions of ministers in relation to their ministerial portfolios.	SUPPORT
	Recommendation 18 – Offence for minister re staff performing party-specific activities That: a) an offence be created that provides that a minister who directs or allows a person to undertake party-specific activities while that person is employed to assist the minister in discharging their public duties is guilty of an offence b) the government, in formulating the offence and the penalty, should take account of: <ul style="list-style-type: none"> the degree of a minister’s intent or recklessness in directing or allowing the employee to undertake such activities activities where it is difficult to separate the party-political aspect of the work from the normal duties of a ministerial staff member’s role, such as briefing other members of parliament and party members on matters relevant to the minister’s portfolio unavoidable and reasonable communication with a party’s head office or local branch on minor or incidental matters. 	SUPPORT The Government supports this recommendation and will await the advice of the Parliamentary Ethics Committee on Recommendation 8.
	Recommendation 19 – Review and amend Ministerial Staff COC That: a) the Ministerial Staff Code of Conduct be reviewed to explicitly prohibit party specific work from being undertaken during the course of a ministerial staff member’s employment b) the Ministerial Staff Code of Conduct be made publicly available.	SUPPORT – COMPLETE The Ministerial Staff Code of Conduct has been updated and published. The Code of Conduct reflects the modern standards expected of ministerial staff – banning the use of Government resources for a non-government purpose.
	Recommendation 20 – Review Ministerial and Minstaff conflict of interest controls That the Victorian Government: a) undertake a comprehensive review of existing conflict-of-interest controls for ministers and ministerial staff to strengthen the identification and management of conflict of interest	SUPPORT

	<p>b) make appropriate revisions to the codes of conduct for ministers and ministerial staff to recognise the particular risks of conflicts of interest</p> <p>c) develop associated guidance to raise awareness of the risks associated with unmanaged conflicts of interest and provide mandatory training for ministers and ministerial staff.</p>	
Grants	<p>Recommendation 21 – Improve grant management frameworks</p> <p>That state and local government funders of community organisations continue to improve their policies and processes to manage grants, in accordance with evolving best practice, and make sure that monitoring and reporting practices are risk-informed and sufficiently prioritised to be implemented effectively. In particular, they should consider:</p> <p>a) requiring copies of receipts with all expenditure acquittals, and checking them against grant applications</p> <p>b) requiring payment of salaries to be accounted for, especially if existing office holders are being funded from non-recurring grant monies</p> <p>c) vetting applicant organisations’ competence to undertake specific-purpose projects</p> <p>d) requiring grant recipients to certify that items of expenditure have not been claimed against other organisational revenues or grants, to prevent the use of the same receipt to acquit different reporting obligations to different grant providers</p> <p>e) adopting proactive risk-management practices to identify organisations that might have weak accountability arrangements</p> <p>f) withholding final grant payments or refusing to accept new grant applications from an applicant who has not completed a full grant acquittal report.</p>	SUPPORT