The Centre for Public Integrity

Beyond Labels: Securing Functional Independence for Core Integrity Agencies

Professor Gabrielle Appleby
UNSW, Research Director, Centre for Public Integrity

Associate Professor Will Partlett
UMelb, Stephen Charles Fellow, Centre for Public Integrity

The Centre for Public Integrity

Position Paper
April 2026

The Centre for Public Integrity is an independent research institute dedicated to restoring integrity to the foundations of Australia's democracy. We work to prevent corruption, protect the integrity of our accountability institutions, rein in executive power, and eliminate the undue influence of big money in politics.

Without the generosity of donors, our work would not be possible. You can learn more about supporting us **here**

Contents

Executive Summary

Core Integrity Agencies: Independent and Accountable

Effective democratic government depends on independent oversight of public power. In Australia, that function is carried out across a number of entities, key amongst these are the core integrity agencies: the auditor-general, anti-corruption commission, and ombudsman.[1] But the effectiveness of these agencies depends not simply on their existence, or even what labels of independence they are given, but on how they are designed and how they function.

This report identifies key institutional design reforms needed to strengthen their independence and ensure they can perform their oversight role effectively.

There is increasing emphasis on how best to design such institutions with the necessary powers, jurisdictional scope, independence, resourcing and accountability they need. For anti-corruption agencies, internationally, there is the 2012 *Jakarta Statement on Principles for Anti-Corruption Agencies* and in the Australian context, the anti-corruption commissions have collectively released a set of 12 *Fundamental Principles of Anti-Corruption Commissions* (updated in July 2024). For Auditors-General, internationally there is the Mexico Declaration on Supreme Audit Institutions' Independence (2007), and in the Australian context, the work on independence by the Australasian Council of Auditors-General (ACAG).[2] For Ombudsman offices, the UN Principles on the Protection and Promotion of the Ombudsman Institution (2019) provides international guidance for design standards.

In this report, the Centre for Public Integrity is focussed on those institutional design features of these agencies that support their independence. Much attention has been given to how these agencies should be empowered—through their powers, jurisdiction and functions. These are important questions. But empowerment alone is not enough. Without independence, even well-designed institutions cannot deliver effective accountability.

But what does independence mean in this context?

Independence has two essential dimensions.

First, it requires ***institutional distance*** from the Executive—the primary subject of integrity oversight.

Second, it requires ***appropriate accountability***. Integrity agencies exercise significant public power, and must themselves be subject to scrutiny. Properly designed accountability mechanisms do not weaken independence—they reinforce it.[3]

---

[1] Since 2025 in the Northern Territory, two of these agencies (the anti-corruption commission and the ombudsman) are consolidated under one Integrity and Ethics Commissioner.

[2] Including the five-yearly independence assessments, see, eg, Andrew Young, Amy Nethery, Ainsley McDonald, Peter Ferguson and Zim Nwokora, *Independence of the Australasian Auditors-General Report 2025* (Report prepared for the Australasian Auditors-General).

[3] Gabrielle Appleby and Suzanne Le Mire, 'Judicial Conduct: Crafting a System that Enhances Institutional Integrity' (2014) 38(1) *Melbourne University Law Review* 1, 38

How can integrity oversight be simultaneously distanced from the Executive while also remaining accountable? The answer lies in creating standards, institutions, and processes for improving the process of ***funding***, ***appointing***, and ***overseeing*** core integrity agencies.[4] Taken together, these changes will *distance* core integrity agencies from the Executive while also holding them *accountable* for their exercise of public power.

Funding

Adequate and secure funding is a precondition for effective integrity oversight. Without it, even the most well-designed institutions cannot perform their functions.[5] Integrity agencies around Australia have significant powers to investigate and expose the misuse of public power or resources. They also have important powers to educate both the public and officials on how to fix systemic issues of maladministration or corruption. But the effective use of these integrity powers is not possible without adequate and stable funding.

Around Australia, the Executive generally has vast discretion to determine the budgets of integrity agencies. This funding discretion has been used at times to weaken the ability of the integrity agency to properly oversee the exercise of executive power. Further, the reliance of integrity agencies on the Executive for funding creates a risk to independence. As the Fundamental Principles of Anti-Corruption Commissions notes:

> 'The threat of a potential reduction in budget also threatens an Anti-Corruption Commission's perceived, or actual, independence.'[6]

In this report, the Centre for Public Integrity outlines recommendations for safeguarding funding for core integrity agencies. These recommendations acknowledge that funding decisions cannot be wholly removed from the elected government. But they also aim to safeguard the nature of funding by distancing these decisions from the executive. In our recommendation, that distance can be provided through the involvement of a non-government-dominated parliamentary committee and independent funding panel.

Merit-based Appointments for Integrity Agency Heads

The appointment of integrity agency heads is critical to institutional effectiveness, independence and public confidence. Leadership determines whether agencies are willing and able to exercise their powers robustly. Leaders must be chosen in a transparent process and on the basis of merit.[7] If they are not, integrity agencies will be unable to carry out their core mission. In fact, the decisions that integrity agency leaders make determines whether their agencies are able to effectively use their powers to expose the misuse of public power or resources by powerful officials.

---

[4] The recommendations contained in this report bring together positions of the Centre for Public Integrity contained in previous reports, including the Centre for Public Integrity, *Protecting the integrity of accountability institutions: an independent funding model* (May 2021), Centre for Public Integrity, *Public Appointments Framework: Guaranteeing Merit and Independence* (June 2022) and The Centre for Public Integrity, *ACHIEVING INTEGRITY: A roadmap for transparency, oversight and accountability in Victoria* (November 2022).

[5] Principle 10 of the Fundamental Principles of Anti-Corruption Commissions.

[6] Principle 10 of the Fundamental Principles of Anti-Corruption Commissions.

[7] Principle 11 of the Fundamental Principles of Anti-Corruption Commissions.

Around Australia, the Executive generally enjoys significant discretion in appointing integrity officers. This ministerial discretion can be used to undermine the work of integrity agencies by appointing agency heads who will not zealously carry out their oversight powers and responsibilities.

In this report, the Centre for Public Integrity outlines recommendations for ensuring that appointments are made transparently and on the basis of merit. These recommendations acknowledge that the Executive has an important role to play in initiating and appointing integrity agency leadership. But ultimately these recommendations also give important roles to an independent selection panel and the relevant non-government-dominated parliamentary oversight committee.

Robust Oversight of Integrity Agencies

Integrity agencies exercise significant powers and are entrusted with significant public responsibility. They require an 'effective and proportionate' oversight system.[8] Although integrity agencies must be independent of politics, they also must be accountable for their own exercise of power. If they are not, they can neglect their statutory responsibilities or even abuse their significant powers.

The current approach to overseeing these agencies across Australia is inconsistent and often contains a number of design features that undermine the independence and robustness of the accountability they provide. For instance, parliamentary oversight committees are normally dominated by the Executive. Moreover, statutory oversight is inconsistent and sometimes itself subject to Executive control.

In this report, the Centre for Public Integrity outlines key recommendations for ensuring that integrity agencies are given appropriate oversight. These recommendations balance the need to ensure that oversight is not so onerous that it interferes with the statutory purposes of the integrity agencies. But at the same time, this oversight should be robust enough to ensure that integrity agencies exercise their powers responsibly.

Australia's integrity system is only as strong as the independence of the institutions that sustain it. That independence cannot be assumed—it must be deliberately designed and actively protected.

The reforms outlined in this report recognise that independence must be more than a statutory label, and is a carefully constructed balance of distance and accountability. Securing that balance is essential if integrity agencies are to perform their role: holding power to account, maintaining public trust, and ensuring that government is exercised in the public interest.

[8] Principle 12 of the Fundamental Principles of Anti-Corruption Commissions.

Summary of Recommendations

Independent funding

Recommendation 1: Appropriations for core integrity agencies must be contained in a separate Appropriation Act.

Recommendation 2: An Independent Funding Panel (IFP) must be statutorily established with responsibility for independent funding oversight for core integrity agencies. Members of the IFP must be appointed by the Executive, subject to the possibility of a veto by the relevant non-government-dominated integrity oversight committee.

Recommendation 3: The IFP must consult with integrity agencies to determine a recommended appropriation for that integrity agency, which is then proposed to the Executive for inclusion in the separate integrity appropriation bill.

Recommendation 4: If the Executive does not accept the recommended appropriation for a core integrity agency, the Executive must give a statement of reasons to Parliament for that decision. The relevant non-government-dominated integrity oversight committees may conduct an inquiry into a funding determination.

Independent appointments

Recommendation 5: All core integrity agencies must have limited terms of appointment including security of tenure (limited grounds of removal), guaranteed remuneration, and long (5 years or more), non-renewable terms.

Recommendation 6: For the head of core integrity agencies, the Executive must advertise for expressions of interest for vacant positions publicly with clear selection criteria.

Recommendation 7: An Independent Selection Panel (ISP) must be statutorily established to facilitate the appointment of heads of core integrity agencies. The composition of the ISP must include a former High Court or Federal Court Judge. The ISP is responsible for assessing applicants against published criteria, shortlisting applicants for interview, conducting the interview process, and producing a shortlist of recommended candidates to the relevant minister.

Recommendation 8: The relevant minister must appoint from the shortlist of recommended candidates.

Recommendation 9: A joint cross-party parliamentary standing committee on appointments must be established, with a non-government chair and no more than half of its members from the party that forms government. Once the relevant Minister has determined which panel-shortlisted candidate to appoint, the committee should be consulted by the Minister in respect of the proposed appointment, with its opinion to be tabled in both Houses.

Independent oversight

Recommendation 10: Each core integrity agency must be subject to general oversight by a non-government-dominated parliamentary committee, with a non-government chair and no more than half of its members from the party that forms government.

Recommendation 11: Integrity agencies that have coercive powers to investigate serious misconduct (including corruption) and make findings that may adversely affect individuals must be subject to specialised operational oversight through an independent Inspector.

Background

Core integrity agencies

Every Australian jurisdiction now has a version of the three core integrity agencies – anti-corruption commissions, auditor-generals, and ombudsman offices – to hold the exercise of public power to account. If they are working well, these core integrity agencies are part of a system of what has been referred to by Professor John McMillan as 'integrity oversight' that works toward ensuring that public power is not misused or abused.[9] Underpinning this kind of integrity oversight is the fact that the Australian people entrust public officials with vast public power. These three integrity agencies seek to ensure that public officials remain faithful 'trustees' of this entrusted power.[10]

The functions of these integrity agencies have important benefits for the health of our democracy. They safeguard trust in the exercise of public power, a critical role in maintaining the health of our democratic institutions and, therefore, overall democracy. More practically, they also help to ensure that public power and money is not wasted or misused. In this way, these core integrity agencies also help to ensure more efficient government and therefore addresses cost-of-living pressures.

In order to ensure that these three core integrity agencies work effectively, there is often a focus on the powers they must have. For instance, discussions of anti-corruption institutions often focus on the scope of their powers to investigate or hold public hearings. These kinds of *empowerment discussions* are important. Integrity institutions are complex statutory creations. The powers that they exercise are potentially far-reaching.

Questions of legislative empowerment are no doubt critical to the effective operation of these integrity agencies. Without sufficient legislative power, these three integrity agencies will not be able to effectively oversee the exercise of public power. With too many powers, these agencies can undermine individual rights or overreach. Getting this balance of powers right is important.

Independence as a key and complex design feature

But a properly empowered agency on its own is not enough for integrity agencies to perform their functions effectively. Independence of these agencies is vital for their success.

International instruments recognise independence in the expected design standards for these institutions. Integrity agencies are often spoken of as being 'independent' offices that oversee the exercise of public power. This 'independence' is often secured by a series of legislative provisions. For instance, many laws creating integrity agencies classify these agencies as 'independent' and insulate them from direct executive removal or direction. For instance, Victoria's anti-corruption commission is 'not subject to the direction or control of the Minister in respect of the performance of its duties and functions and the exercise of its powers.'[11]

---

[9] John McMillan, 'The Australian Integrity Oversight System — Fit for Purpose?' (2024) 110 *AIAL Forum* 4.
[10] Paul Finn, 'Public Trust and Public Accountability' (1994) 3(2) *Griffith Law Review* 224.
[11] *Independent Broad-Based Anti-Corruption Commission Act 2011* (VIC) s 18.

Experience shows, however, that legislative protections like these are often insufficient. Officials in the Executive do not need to directly control integrity agencies to undermine their activities.

Prior research on integrity agency *independence* provides two key lessons.

First, this research is clear that independence requires ***institutional distancing*** of integrity agencies from the Executive.[12] For instance, Professor Gabrielle Appleby shows how the independence of key Australian integrity agencies is threatened by executive interference.[13] To secure such independence, she argued that appointment and funding of these agencies must be subject to more arms-length and transparent processes to avoid executive control.[14]

Second, research also stresses how integrity agencies must also be ***democratically accountable***.[15] Research shows that this accountability requires a set of structural and institutional design reforms.[16] For instance, Sarah Wyatt argues that labels such as 'independent statutory authority' are far less important than *multiple, interacting mechanisms* that describe, for instance, the budgeting and appointment of integrity agencies.[17] These independence mechanisms, she argues, require independence but also 'accountability to Parliament.'[18] Alan Doig and Jon Moran similarly point to the importance of budgeting and appointment of integrity agencies. They also argue that clear legal mandates, adequate and secure funding, professional staff and leadership, cooperation with other enforcement bodies, and accountability to parliament (not the Executive) are critical.[19] This scholarship also points out how this accountability can reinforce independence by ensuring that integrity agencies carry out their statutory purposes.[20]

Here at the Centre for Public Integrity, we have also described the need for independent integrity institutions in a similar way. We have stressed the central importance of independence from the executive in funding and appointing key public officials.[21] In particular, we have stressed the need for non-partisan appointment process that prioritises merit and transparency.[22]

---

[12] Gabrielle Appleby, 'Horizontal accountability: the rights-protective promise and fragility of executive integrity institutions' (2017) 23(2) *Australian Journal of Human Rights* 168-187, 171.

[13] Ibid 172-180.

[14] Ibid 182.

[15] See, eg, John McMillan, 'Re-Thinking the Separation of Powers' (2010) 38(3) *Federal Law Review* 423.

[16] A J Brown, 'The Integrity Branch: A "System", an "Industry", or a Sensible Emerging Fourth Arm of Government?' in Matthew Groves (ed), *Modern Administrative Law in Australia: Concepts and Context* (Cambridge University Press, 2014) 301, 303.

[17] Sarah Wyatt, 'Models for Safeguarding the Independence of Integrity Agencies' (2021) 102 *AIAL Forum* 38.

[18] Ibid 43.

[19] Alan Doig and Jon Moran, 'Anti-Corruption Agencies: The Importance of Independence for the Effectiveness of National Integrity Systems' in Leo Huberts, Jacques Maassen and Cees Fijnaut (eds), *Corruption, Integrity and Law Enforcement*(Kluwer Law International, 1999) 229.

[20] Gabrielle Appleby and Suzanne Le Mire, 'Judicial Conduct: Crafting a System that Enhances Institutional Integrity' (2014) 38(1) *Melbourne University Law Review* 1, 38.

[21] See further The Centre for Public Integrity, *Submission No 1 to Portfolio Committee No 1 — Premier and Finance, Parliament of New South Wales, Inquiry into Budget Process for Independent Oversight Bodies and the Parliament of New South Wales* (6 November 2019).

[22] See further The Centre for Public Integrity, *Public Appointments Framework: Guaranteeing Merit and Independence* (June 2022)

We have also highlighted the need for a more independent process of funding integrity agencies that includes an independent funding panel.[23]

The recommendations in this report extend the findings of this research, and our previous positions across all three core integrity agencies in a principled and coherent way.

Levers of Executive Control

In this report, our focus is on three levers of executive control that are recognised as potential mechanisms that the Executive can use to undermine the independence of core integrity agencies.

1. **Funding:** The first potential lever is control of funding. Integrity agencies are often treated like any other executive branch agency when it comes to funding. This leaves the executive branch government vast discretion to determine the budgets of integrity agencies, with little incentive to prioritise their budgets within the larger portfolio. This funding power has been repeatedly used to weaken the ability of the integrity agency to properly oversee the exercise of public power. True integrity agency independence requires finding a way to ensure that integrity agencies are not fully dominated by the executive branch.

2. **Appointment:** The second potential lever of executive domination is discretion over appointment. The Executive normally has broad discretion to appoint the leadership of core integrity agencies. This vast discretion has been used to ensure agency leaders who will not effectively carry out their oversight powers and responsibilities. Politicised appointments to integrity agencies undermines public trust in these offices.

3. **Oversight:** The third potential lever of executive control is oversight. The oversight of core integrity agencies is often incomplete and sometimes problematic. For instance, parliamentary committees controlled by the executive often provide little support for integrity institutions and sometimes undermine them.

The Unique Status of Integrity Agencies

In analysing these institutional levers, and in formulating our recommendations, we proceed from the view that core integrity agencies cannot be understood simply as ordinary executive bodies. Their functions—oversight, accountability, and constraint—place them in a unique position.

There is an ongoing debate about how best to characterise that position. Some accounts treat these agencies as part of the executive, operating as internal or “horizontal” accountability mechanisms. Others describe them as “hybrid” institutions, sitting across the traditional three branches of government, or even as elements of a distinct “fourth” or “integrity” branch of government. Relatedly, a number of these bodies have been labelled “officers of the

[23] See The Centre for Public Integrity, *Protecting the integrity of accountability institutions: an independent funding model* (May 2021).

Parliament", reflecting their role in supporting parliamentary accountability within a system of responsible government.

These different conceptions are reflected unevenly in Australian law. While some statutes and constitutional provisions adopt the language of "officers of Parliament", such designations are not applied consistently, nor are they always accompanied by coherent frameworks governing appointment, funding, or oversight. As a result, formal labels do not, on their own, resolve the institutional status or practical independence of these bodies. This is why this report focuses on institutional design rather than formal classification.

The Centre for Public Integrity does not seek to resolve these classificatory debates. Instead, we focus on the democratic supporting functions these agencies perform and the conditions necessary for them to perform those functions effectively. The key question is therefore whether their design—across appointment, funding, powers, and accountability—adequately supports their role in maintaining integrity within Australia's democratic system.

Towards a principled framework of integrity independence

The recommendations in this report suggest a series of standards, institutions, and processes for improving the funding, appointment, and oversight of core integrity agencies, and reducing the potential for the levers of funding, appointments and oversight to be used by the Executive to undermine independence.

Part 1 will examine how to improve the process of integrity agency funding. These reforms focus on a specialised appropriation bill for funding core integrity agencies. This specialised appropriation bill must be formulated with the participation of an independent funding panel, which formulates recommended appropriations for each integrity agency. The Executive may reject any recommended appropriations for integrity agencies, but, if it does, it must explain to Parliament why.

Part 2 will explore how to increase the likelihood of successful appointments to integrity agencies. These recommendations include a process for reducing executive discretion over appointments. This process includes the participation of an independent appointments panel and non-government-dominated parliamentary oversight committee. The recommendations also include the need for security of tenure and long, non-renewable terms for integrity officers.

Part 3 will describe how to improve the oversight of integrity agencies. It recommends creating a tailored system of oversight for these agencies. At a minimum, it includes general oversight by a non-government-dominated committee, alongside for anti-corruption commissions more operational oversight by a statutory oversight body.

Part 1. Funding

The problem: Executive funding domination

The Executive has traditionally exercised significant discretion in determining funding levels for core integrity agencies. This runs counter to the expectations of good design for these core integrity agencies. For instance, Principle 8 of the Mexico Declaration on Supreme Audit Institutions (SAIs) states that "SAIs should have available necessary and reasonable human, material, and monetary resources - the Executive should not control or direct the access to these resources".

There are a range of different approaches to funding within the general approach, that are set out in the **Appendix, Table 1**. In most jurisdictions, these agencies are treated like any other government department and funded through the annual appropriations and grants process. The usual process is for the agency to prepare a bid as for any other public authority, which would be considered by the relevant executive branch official.

The exception is the ACT and NSW. In these two jurisdictions, the Executive must give reasons if it chooses to vary from a proposed amount given by that agency.

This executive-dominated funding model of integrity agencies has repeatedly criticised by integrity agencies, parliament, independent commentators, and the media as leading to underfunded integrity agencies. In 2006, the Victorian Public Accounts and Estimates Committee (PAEC) of the Victorian Parliament observed that 'there is always the potential for these 'watchdogs' to be under-funded, particularly after an adverse report on the operations of the government'. In 2024, the head of Tasmania's anti-corruption commission, Greg Melick, said the body's current resourcing made it impossible to provide thorough oversight of Tasmania's approximately 40,000 public servants.[24] In fact, this level of funding meant it employed less than the equivalent of five full time employees in its complaints and oversights teams combined.

In many cases, this kind of insufficient funding reflects structural incentives that do not prioritise robust oversight. This was pointed out in the context of the NSW Ombudsman in 2021:

> The fact that the Ombudsman's work is unlikely to align with government priorities may make it difficult for the Ombudsman to make a compelling case for funding increases.[25]

The following case study describes the ongoing problems of adequate funding for one of the Commonwealth's key integrity agencies.

Case study #1: Commonwealth Auditor-General

[24] Adam Langenberg, 'Tasmania's Integrity Commission Pleads for More Resources to Fulfil Watchdog Role Effectively' ABC News (online, 8 July 2024).

[25] New South Wales, Parliament, Legislative Council, Public Accountability Committee, *Budget Process for Independent Oversight Bodies and the Parliament of New South Wales* (Final Report, Report No 7, February 2021) [2.11].

The Commonwealth Auditor-General (Australian National Audit Office or ANAO) – has long failed to receive adequate funding from the Commonwealth Executive. This persistently low funding stems from a potential conflict of interest in the normal funding arrangement. In particular, the Department of Finance plays a key role in advising the Government as the resource allocation to the ANAO, and is one of the Audit Office's most important audit clients.[26] This insufficient funding has also been aggravated by the increasing complexity of the ANAO's work. For instance, efficiency audits have worsened longstanding funding issues, with successive Auditors-General in the 1980s complaining that resources had to be diverted from the discretionary efficiency audits to ensure mandatory financial audits.

In the mid 1990s, there were attempts to increase the independence of ANAO funding. After a successful inquiry into the misuse of public money, the then-Minister for Finance introduced three bills containing provisions to enhance the independence of the Auditor-General. It took until 1997 and a change of government for the *Auditor-General Act 1997* to recognise the Auditor-General as an independent officer of Parliament, with other reforms to strengthen the Office's mandate and powers. In relation to funding, a new parliamentary committee, the Joint Standing Committee on Public Accounts and Audit, was empowered to consider and make recommendations to Parliament on the ANAO's draft budget.

But these reforms have not fixed the problem. In its 2025 Budget Day Statement, the Joint Committee of Public Accounts and Audit observed 'the current funding model for ANAO is simply not sustainable due to the continuing and growing cost pressures it is facing from increasingly more expensive financial statements audits, essential technological upgrades, and increased compliance and regulatory demands.'[27] It concluded that 'the unsustainability of ANAO's long term financial position' poses risks to 'its operational independence and its ability to effectively perform its vital statutory roles.'[28]

Solutions: A more independent funding process

The solution that is developed in this report comes from the Centre for Public Integrity's position paper, *Protecting the integrity of accountability institutions: an independent funding model* (May 2021*)*.

The ANAO example shows that solving the problem of executive domination of funding is not a simple task. The spending of public money cannot be completely taken away from the executive branch government. In fact, democratic principles strongly suggest that the executive branch should ultimately have the final decision on how it apportions funding between public institutions. These funding decisions are then accountable to the people at the next elections.

Although the executive branch should maintain its final decision, the process of funding can and should be reformed to ensure that the requests of the integrity agencies themselves for funding are considered and heard. As Principle 10 of the Anti-Corruption Principles states:

> '[a]ny funding model should be transparent, certain and flexible, promoting accountability by both the funding body and the anti-corruption agency.' A joint

[26] See, for instance, Australian National Audit Office, *Implementation of Parliamentary Committee and Auditor-General Recommendations — Department of Finance* (Performance Audit Report No 37 of 2023–24, 2024).
[27] Parliament of Australia, Joint Committee of Public Accounts and Audit, Budget Day Statement: 2025–26 Draft Estimates for the Australian National Audit Office and the Parliamentary Budget Office (25 March 2025).
[28] Ibid.

report from Victoria's core integrity agencies argues that this procedural transparency 'builds trust in the budget process and ensures that agencies are resourced in a way that reflects their statutory mandates and operational risks.'[29]

An independent funding process must first involve the recognition that integrity agencies aid Parliament in its responsibility to ensure that power entrusted to executive branch officials by the people is not misused or abused. This fact has been noted in the past. The Commonwealth Auditor-General has recommended a closer relationship between itself and Parliament, with its appropriations to be included as a parliamentary department (rather than as part of either the Prime Minister's or finance departments) and a separate determination of the budget for efficiency audits.[30] Distancing these agencies from the Executive is essential if these institutions are to be genuinely independent and also seen to be independent.

Integrity agencies therefore require a specialised funding mechanism. This means exempting integrity agencies from efficiency savings measures applied to standard executive branch departments. This is critical in preserving the 'operational independence and statutory mandates.'[31] Second, integrity agencies should not be funded in ordinary appropriation bills. Instead, they should be funded in a separate appropriation bill for integrity agencies.

In preparing this separate appropriation bill, the Executive should consider 'recommended appropriations' for each integrity agency. This recommended appropriation should be determined by an Independent Funding Panel (IFP) after consultation with the relevant integrity agency.

For this model to work, members of the IFP must be independent from the Executive. They should be appointed by the Executive, following a merit-based and transparent selection process, with the possibility of a veto of a proposed member by the relevant non-government-dominated integrity oversight committees (see below).

If the executive branch refuses to grant this amount, it must table reasons why to Parliament. In addition, the relevant non-government-dominated committee must have the authority to question publicly the Treasurer as to why the recommended appropriation was rejected. This kind of transparent process is more likely to give the integrity agency sufficient funding.

The following case study demonstrates some of these mechanisms in practice.

<u>Case study #2 (positive): Funding integrity agencies in the ACT</u>

In 2012 in the Australian Capital Territory, there was broad concern about the executive branch's financial domination of parliament, particularly in a unicameral system. This concern extended to the broad executive discretion in funding the ACT's independent integrity agencies. In response, the ACT Parliament introduced reforms to the way that the ACT integrity agencies

---

[29] It also aligns with the recommendations of the former Victorian Ombudsman Deborah Glass who suggested in her final report to Parliament that 'funding should be the responsibility of an independent tribunal, so that governments cannot be accused, fairly or otherwise, of interfering with the independence of those agencies whose job it is to hold them to account.'Victorian Ombudsman, Reflections on 10 Years, March 2024, p. 12

[30] JCPA: *The Auditor-General: Ally of the People and Parliament; Reform of the Australian Audit Office* (April 1989).

[31] Advancing budget transparency for Victoria's core integrity agencies, see above n 29.

(the Auditor-General, the Ombudsman, the Integrity Commissioner) were funded. These reforms fundamentally sought to break with the prior model of executive domination.

To do this, the new reforms gave ACT integrity agencies (described as 'Officers of the Assembly') a special status on the basis that they perform independent oversight and integrity roles which require distance from the executive. First, these integrity agencies must be funded in a separate appropriation act. Second, in determining funding levels, the Speaker of the ACT Parliament must (after consultation with the relevant integrity agency and the appropriate Assembly committee) advise the Treasurer of the 'recommended appropriation' for the agency/Officer and must present the recommended appropriation to the Assembly. Third, if the Treasurer presents a bill for an appropriation Act for the relevant Officer of the Assembly that is less than the recommended appropriation, the Treasurer must present to the Legislative Assembly a statement of reasons for departing from the recommended appropriation (ACT FMA s 20AC).

Recommendations: Funding

Recommendation 1: Appropriations for core integrity agencies must be contained in a separate Appropriation Act.

Recommendation 2: An Independent Funding Panel (IFP) must be statutorily established with responsibility for independent funding oversight for core integrity agencies. Members of the IFP must be appointed by the Executive, subject to the possibility of a veto by the relevant non-government-dominated integrity oversight committee.

Recommendation 3: The IFP must consult with integrity agencies to determine a recommended appropriation for that integrity agency, which is then proposed to the Executive for inclusion in the separate integrity appropriation bill.

Recommendation 4: If the Executive does not accept the recommended appropriation for a core integrity agency, the Executive must give a statement of reasons to Parliament for that decision. The relevant non-government-dominated integrity oversight committees may conduct an inquiry into a funding determination.

Part 2. Appointment

The problem: Executive discretion over appointment

The Executive exercises significant discretion over the appointment of integrity agency leaders. The range of approaches are set out in Appendix, Table 2. Most integrity officers are appointed either directly by the executive with no parliamentary involvement (e.g. NT), or with the involvement of a parliamentary committee normally controlled by the executive (e.g. NSW, Cth).[32] Anti-corruption commissioners are generally given more protection than the other two integrity agencies. For instance, Victoria gives a veto to its non-government-dominated parliamentary oversight committee (see also the WA example below). Only the ACT has a rigorous, independent process for all three of its core integrity agencies.

This Executive discretion is further intensified due to a lack of an open and transparent process of appointing these positions. Of the 27 core integrity agency heads in Australia, few are required by their legislation to have the positions publicly advertised. The ACT is a notable exception with legislation requiring that the independent Speaker of the Parliament make the appointment on the basis of a process that it ‘open and accountable’ and that is publicly advertised.

Moreover, the Executive has significant authority to reappoint integrity officers to another fixed term. Reappointment provides a problematic incentive for these officers to show loyalty. In South Australia and the NT, the Executive can reappoint all of the core integrity agency heads. In Tasmania and Western Australia, it can reappoint two of the core integrity agency heads (anti-corruption commissioner and ombudsman). Finally, in seven jurisdictions, the Executive can reappoint the Ombudsman to another term.

In practice, the exercise of this broad executive discretion over appointment is not always perceived as a problem. But it provides a potential lever for the executive to its appointment power to avoid serious oversight (particularly if a former core integrity agency head has used their powers in a robust way in the past). Another risk is that appointees may feel beholden to those who appointed them, compromising their willingness to act against powerful interests. This might be motivated by a desire to be reappointed to the role. In other cases, a poor appointment can undermine trust in the institution itself. Even where the appointment is strong, there may be a perception of politicisation.

Case study: Leadership of the National Anti-Corruption Commission

The appointment of the Commissioner of the National Anti-Corruption Commission illustrates the risks associated with weak or opaque appointment processes. In 2022, the newly elected Labor government legislated to create the National Anti-Corruption Commission (NACC). This legislation does not require a transparent, merit-based appointments process. Soon after, the Government announced, without conducting a transparent merit-based process, that the Major General Paul Brereton would be the first NACC Commissioner.

Since becoming Commissioner, there have been a number of concerns raised in relation to Brereton’s leadership, predominantly but not exclusively in relation to his handling of the Robodebt Royal Commission referrals.

---

[32] See Appendix for details.

In considering a referral of officials involved in the Robodebt scandal, Commissioner Brereton failed to fully remove himself from the decision-making process despite having a declared conflict of interest. Following a number of complaints, the Inspector of the NACC, Gail Furness, found this failure to constitute 'officer misconduct.' An independent assessment of the referral was undertaken by former High Court judge Geoffrey Nettle AC KC, who determined that an investigation was warranted.

A year later, the Commissioner failed to provide full disclosure to the NACC and the Government of an ongoing relationship with the Australian Defence Force. This failure resulted in the Attorney-General writing to the Commissioner to 'please explain', prompted adverse evidence from Deputy Commissioners to Senate Estimates, and is currently under investigation by the Inspector.

Commissioner Brereton's failure to manage his conflict of interest has, over an extended period of time, undermined trust in his leadership and the NACC overall. This has been exacerbated by the lack of a transparent, merit-based appointments process behind his appointment. This is a problem for an institution that is meant to itself safeguard trust in the exercise of public power.

Solution: A more independent appointment process

The solution that is developed in this report is developed from the Centre for Public Integrity's position paper, *Public Appointments Framework Guaranteeing merit and independence* (June 2022).

Solving the problem of executive discretion of appointments is also a complex task. On one hand, the executive branch should continue to play a role in managing the process and making the final appointment. But the process of determining which candidates make the short-list requires the involvement of institutions that are distanced from the executive. In particular, an Independent Selection Panel should determine the shortlist.

In addition, legislation should set publicly available criteria that ensure the selection of leaders on the basis of merit. First, this kind of merit-based system requires an open recruitment process in which the Executive invites applications from a wide range of people. This will ensure that the executive branch is not able to run a closed, internal process that focuses only on 'acceptable candidates.' It will also help to achieve a more diverse and better qualified pool of applicants.

Second, this merit-based system requires selection of a three-person shortlist by the ISP on the basis of clear and publicly available criteria. These criteria should be matched to the nature of the office. The non-government-dominated parliamentary oversight committee should be able to participate in this process by exercising a veto over this proposed shortlist. To exercise this veto effectively, the selection panel must provide the oversight committee with full information about the three individuals placed on the short-list. This allows parliament to play an important role in the selection of the leadership of these independent officers of parliament. Once these steps have been taken, this shortlist should be given to the Executive for appointment.

In addition, the terms of the appointment should not be fully subject to executive discretion. Instead, we recommend that integrity officers be appointed for a single non-renewable term that lasts for five years or more. An integrity officer whose reappointment depends on the executive of the day may be perceived — or may feel — constrained in pursuing investigations that implicate powerful interests. A sufficiently long, non-renewable term reduces the risk of perceived or real executive influence over the officeholder's conduct, enhances continuity in leadership, and aligns with best practice models for heads of independent accountability bodies. Such processes enhance public confidence, reduce the risk of political influence, and help ensure that the most qualified candidates are appointed.

Case study: Western Australia

A good example of a well-structured appointment process can be found in the process of appointing the Commissioner and Deputy Commissioner of the Western Australian Corruption and Crime Commission. The *Corruption, Crime, and Misconduct Act* requires a 'nominating committee' to be made up of the Chief Justice, the Chief Judge of the District Court, and a person appointed by the Executive to represent the interests of the community (Section 3). This nominating committee must 'widely advertise throughout Australia for expressions of interest.' (Section 9B(3)(a)). Only candidates who 'served as, or [are] qualified for appointment as, a judge of the Supreme Court of Western Australia or another State or Territory, the High Court of Australia or the Federal Court of Australia' are eligible for selection (Section 10). The nominating committee must then select a short-list of three people to submit to the Executive (Section 9B(1). The Executive can then make the appointment from this short-list subject to a veto by the Joint Standing Committee on the Anti-Corruption Commission. (majority vote under 9(c)(2)).

Recommendations

Recommendation 5: All core integrity agencies must have limited terms of appointment including security of tenure (limited grounds of removal), guaranteed remuneration, and long (5 years or more), non-renewable terms.

Recommendation 6: For the head of core integrity agencies, the Executive must advertise for expressions of interest for vacant positions publicly with clear selection criteria.

Recommendation 7: An Independent Selection Panel (ISP) must be statutorily established to facilitate the appointment of heads of core integrity agencies. The composition of the ISP must include a former High Court or Federal Court Judge. The ISP is responsible for assessing applicants against published criteria, shortlisting applicants for interview, conducting the interview process, and producing a shortlist of recommended candidates to the relevant minister.

Recommendation 8: The relevant minister must appoint from the shortlist of recommended candidates.

Recommendation 9: A joint cross-party parliamentary standing committee on appointments must be established, with a non-government chair and no more than half of its members from the party that forms government. Once the relevant Minister has determined which panel-shortlisted candidate to appoint, the committee should be consulted by the Minister in respect of the proposed appointment, with its opinion to be tabled in both Houses.

Part 3. Oversight

The problem: Weak or poorly designed oversight

Perhaps because integrity agencies are 'independent' agencies, effective oversight is often inconsistent and contains gaps. The nature of Parliamentary oversight is an example. Sometimes this parliamentary oversight is understood as accountability to the whole Parliament. This is sometimes expressed in provisions empowering both houses of Parliament acting together to remove the integrity agency head.[33] But there are few mechanisms for all of Parliament to hold the integrity agency to account.

The approaches across the Australian jurisdictions is set out in Appendix, Table 3. A common approach is to delegate oversight to a specialised parliamentary committee. But this specialised oversight is often weak. With the exception of Victoria, parliamentary oversight committees are dominated by members of the political party that makes up the government. Often these government-dominated parliamentary committees provide very little real oversight because they do not fully understand their central oversight role. Sometimes this government control can allow the Executive to use the committee to undermine the integrity agency. This is exactly what happened in Victoria when the Executive used the government-dominated Integrity and Oversight Committee to 'dig up dirt' on Victoria's anti-corruption commission (see example above).[34]

Many Australian jurisdictions also create independent statutory bodies to oversee integrity agencies. In Victoria, one independent statutory body oversees all thirteen integrity bodies. More often, however, independent oversight bodies oversee particular integrity agencies. For instance, many jurisdictions have established independent inspectors to oversee powerful anti-corruption commissions. This oversight is itself not always helpful. For instance, if given too much power, this oversight can undermine the ability of core integrity agencies to carry out their statutory responsibilities. The below case study describes how this can happen.

Case study: Northern Territory's Problematic 'Super Inspector'

The newly created Integrity and Ethics Oversight Inspector in the Northern Territory is a good example of how oversight can go wrong.[35] This Inspector has vast power not just to investigate complaints about either the Commissioner or the Auditor-General. The Inspector also has power to manage any conflicts of interest that arise because the newly created Commissioner role simultaneously heads multiple integrity offices, from the anti-corruption commission to ombudsman to information commissioner role.[36] In particular, when a conflict emerges, the Commissioner must notify the Inspector, who then determines how the matter should proceed, whether through internal safeguards or by recommending external appointment.

This powerful position, however, is not independent of the Executive. The Executive has full discretion to appoint the Inspector and determine the terms and conditions of employment.[37]

---

[33] *Ombudsman Act 1976* (Cth), s 28.

[34] Benita Kolovos, '"Dig up dirt" on IBAC: Victorian Government under Pressure over Leaked Letter', *The Guardian* (online, 9 March 2023) https://www.theguardian.com/australia-news/2023/mar/09/dig-up-dirt-on-ibac-victorian-government-under-pressure-over-leaked-letter.

[35] See *Integrity and Ethics Commissioner Act 2025* (NT), Part 3.

[36] Ibid s 24.

[37] Ibid s 14.

Moreover, the Inspector's staff consists of persons 'made available by the Chief Executive Officer' of an Executive agency under an 'arrangement' with the Inspector.[38] This reliance on staff seconded from government agencies who are potential subjects of the Commissioner's and Inspector's oversight, introduces another conflict of interest into the oversight system. Moreover, it also gives the Executive another powerful lever to control the actions of the Inspector.

Solutions: Carefully integrated, independent institutional oversight

More effective oversight requires careful attention to both parliamentary and independent statutory oversight. The recommendations in this part of the report are drawn largely from the work of the Centre for Public Integrity to remove government-dominated oversight committees in the Victorian integrity regime, see, eg, our report *ACHIEVING INTEGRITY: A roadmap for transparency, oversight and accountability in Victoria* (November 2022).

Initially, it requires careful attention to the composition of these different kinds of oversight. First, independent parliamentary oversight requires abandoning the traditional government-dominated composition of parliamentary oversight committees. Instead, these parliamentary committees must be non-government-dominated bodies that are distanced from the executive. With this more balanced composition, the committee is much more likely to hold the integrity agency accountable. In addition, to ensure independent statutory oversight, the Independent Selection Panel must be involved in selecting the leadership of independent oversight bodies.

Institution 1: Non-government-dominated parliamentary oversight committee

First, all parliamentary committees that oversee a core integrity agency must have a non-government chair and no more than half of its members from the party that forms government ('non-government-dominated parliamentary committee'). In addition, the Executive should not be able to require these oversight committees to inquire into a matter.[39] These requirements will ensure that these critical parliamentary oversight committees are not subject to the command and control of the Executive. Instead, they will include parliamentarians from a range of parties, including the members of smaller parties and independents. In fact, experience shows that members of smaller parties or independent members are frequently the most enthusiastic supporters of independent integrity oversight.

These independents are natural advocates for independent integrity oversight because they have little prospect of ever serving in the executive branch. They are therefore likely to be important members of this non-government-dominated committee. This non-government-dominated committee can then work to ensure the independence of the integrity agencies by playing a key role in funding, appointing, and overseeing integrity agencies (see following section).

Case study: Victoria's non-government-dominated parliamentary oversight committee

In 2024, the Victorian Parliament legislated to create a non-government-dominated parliamentary oversight committee. This legislative reform was the product of growing

[38] Ibid s 32.

[39] See, e.g. *Parliamentary Committees Act 2003* (Vic), s 33(1) (requiring committees to inquire into a matter referred by the Executive).

pressure from a number of voices and integrity organisations (including the Centre for Public Integrity) to end executive domination of Victoria's parliamentary oversight committee. This pressure was particularly effective in the wake of a scandal in which the outgoing Commissioner of Victoria's anti-corruption commission accused the Victorian government of using its control of a parliamentary oversight committee to undermine the work of Victoria's anti-corruption commission (see more below).[40] In response, a member of Parliament stated that 'it is essential that the composition of the committee reflects a balanced representation. . . To uphold the values of integrity and oversight the committee should include members from various political parties.'[41]

The law did exactly that, making important changes to the 'Membership of Joint Investigatory Committees' in Victoria's law governing parliamentary committee. (Section 139). [42] It inserted a requirement that 'not more than half the members of the Integrity and Oversight Committee may be members of a political party forming the Government.' (Section 139) In addition, it also stated that 'The chairperson of the Integrity and Oversight Committee must not be a member of a political party forming the Government.' (Section 141).

These changes were aimed at building a non-government-dominated parliamentary oversight committee that would ensure that Victoria's anti-corruption, auditor general, and ombudsman could effectively carry out their integrity oversight duties. One of the leading advocates of the reform, Tim Read MP, stated that 'We need non-government chairs and majorities on these powerful parliamentary committees in order to properly hold the government to account.'[43]

With its new legislatively mandated non-government-dominated composition, Victoria's Integrity and Oversight Committee has emerged as a powerful supporter of integrity reform in Victoria. Perhaps the best example is its inquiry into the adequacy of the legislative framework for Victoria's anti-corruption commission. This inquiry attracted dozens of submissions and included public hearings. The inquiry also proved the foundation for an excellent report detailing a number of important reforms that are necessary to improve the functioning of Victoria's anti-corruption institution.[44]

Institution 2: Independent statutory oversight for anti-corruption commissions

In addition, for some of the core integrity agencies, independent statutory oversight bodies can further support the independence of the core integrity agencies. In particular, such oversight bodies, often referred to as Inspectors, are required for anti-corruption commissions. This additional oversight mechanism, with the ability to receive complaints about conduct and investigate, is required for anti-corruption commissions with their particular jurisdiction to

---

[40] Chip Le Grand and Sumeyya Ilanbey, 'IBAC Committee Brawls amid Claims of Interference from Andrews Office', *The Age* (online, 13 August 2022) https://www.theage.com.au/politics/victoria/ibac-committee-brawls-amid-claims-of-interference-from-andrews-office-20220813-p5b9kg.html.

[41] Roma Britnell, 'Integrity and Oversight Committee' in *Parliamentary Debates* (Hansard, Legislative Assembly, 17 May 2023).

[42] *Parliamentary Workplace Standards and Integrity Act 2024* (Vic).

[43] Australian Greens Victoria, 'Greens Secure Key Integrity and Anti-Corruption Change in Victoria' (Media Release, 1 August 2024) https://greens.org.au/vic/news/greens-secure-key-integrity-and-anti-corruption-change-victoria

[44] Integrity and Oversight Committee, Parliament of Victoria, *Inquiry into the Adequacy of the Legislative Framework for the Independent Broad-based Anti-corruption Commission* (Web Page) https://www.parliament.vic.gov.au/get-involved/inquiries/inquiryibac/reports

investigate serious misconduct (including corruption and criminal conduct), coercive investigative powers and the power to make findings that may adversely affect individuals.

The laws creating these independent statutory oversight bodies should require that the members act independently and are not subject to Executive direction or removal. The eligibility criteria for these bodies should include significant relevant legal experience.

Case study: Inspector of the National Anti-Corruption Commission

A good example of this kind of independent statutory body is the Inspector of the National Anti-Corruption Commission (NACC). This body was established in the National Anti-Corruption Commission Act (Cth). The role of the Inspector was significantly expanded in amendments introduced into the Senate by Senator David Shoebridge on behalf of the Greens Party (with the support of the Centre for Public Integrity). In the end, the NACC Act stated that the Inspector was appointed by the Executive, acting on the Attorney-General's recommendation, but only after the Parliamentary Joint Committee on the NACC has approved that recommendation. The Inspector is an independent officer of the Parliament and must be a retired judge or enrolled as a legal practitioner for five years. It also stated that the Inspector cannot be reappointed.

The Inspector's powers were widened to empower it to detect and investigate serious or systemic corrupt conduct within the NACC, undertake preliminary and full investigations, and investigate complaints of maladministration or officer misconduct by NACC staff. The Inspector may audit the NACC's operations to ensure legal compliance, receive public interest disclosures, refer matters to other agencies, and report to Parliament on investigative outcomes. These powers enable the Inspector to provide strong independent oversight, but they apply only to the NACC and its personnel, not to other Commonwealth bodies.

Institutional Complementarity

More effective oversight also requires understanding how these two different types of oversight can be designed so that they complement one another. Parliamentary committees should not have powers to direct the integrity agency or investigate its operational activities. Instead, the committee can ensure that the integrity agency is generally fulfilling its statutory responsibilities.

Independent statutory oversight, by contrast, should complement these powers. For instance, this might involve giving them the power to confidentially investigate complaints (from anyone including the public) of wrongdoing or the misuse of power by the integrity agency. If any of these complaints are found to be substantiated, the statutory body should have the power to publish its findings by presenting a report to Parliament. A good example of a well-designed integrity oversight system can be found in the Commonwealth's National Anti-Corruption Commission Act (NACC Act).

Case study: Complementary role of National Anti-Corruption Committee and Inspector

The NACC Act has detailed provisions creating a cooperative system of oversight between a Joint Parliamentary Committee on the NACC and an independent Inspector. This law gives the Joint Committee general oversight power, including holding public hearings and annual reporting on the functioning of the NACC. These responsibilities include 'to monitor and review the performance' of the NACC as well as 'report to both Houses of Parliament' on any number of issues including whether NACC is sufficiently funded.[45] The law does, however, forbid the Committee from reviewing operational activities or accessing sensitive operational information or methods.[46]

By contrast, the law empowers the Inspector to investigate complaints (sometimes from the public) about operational matters by inquiring into corruption issues, agency maladministration, and officer misconduct by the NACC.[47] It then is required to report to Parliament on the results of these inquiries.

This combined oversight has worked well in the early years of the NACC. The parliamentary committee has held active hearings that have included important general oversight of the NACC. For instance, in December 2025, a hearing exposed potential disagreement between the Commissioner and his deputies about the necessity of the Commissioner recusing himself from all defence-related matters. Moreover, as already discussed above, the Inspector has actively used its powers to inquire into the activities of Commissioner Paul Brereton at the NACC. In 2024, the Inspector found that the Commissioner engaged in 'officer misconduct.'[48]

Recommendations

Recommendation 10: Each core integrity agency must be subject to general oversight by a non-government-dominated parliamentary committee, with a non-government chair and no more than half of its members from the party that forms government.

Recommendation 11: Integrity agencies that have coercive powers to investigate serious misconduct (including corruption) and make findings that may adversely affect individuals must be subject to specialised operational oversight through an independent Inspector.

---

[45] *NACC Act*, s 177.

[46] *NACC Act*, s 177(3).

[47] *NACC Act*, s 184.

[48] https://www.naccinspector.gov.au/publications/inspectors-report-national-anti-corruption-commissions-decision-not-investigate-referrals-royal-commission-robodebt-scheme.

Appendix

Table 1

	Process for funding core integrity agencies
ACT	Strong independence. Each integrity agency is an independent officer of the Legislative Assembly under the Financial Management Act 1996 and is funded through a separate appropriation Act for integrity agencies. Speaker consults with the relevant agency and parliamentary oversight committee and then gives a recommended appropriation and draft budget to the Treasurer and Assembly (s 20). The recommended appropriation is tabled in the Assembly. Where the amount appropriated is less than the amount recommended, the Treasurer tables reasons for the departure in the Assembly (s 20AA(2)).
NSW	Strong independence. Integrity agencies are funded by the executive in a normal appropriation bill. The Treasurer must give written notice to the head of each integrity agency regarding their proposed appropriation within 7 days of the annual Appropriation Bill being introduced. A copy of the proposed funding notice is given to the relevant parliamentary oversight committee, which must examine and report on the appropriation within 3 months. If the proposed amount differs from the amount requested by the agency, the Treasurer must provide reasons for the variation.
Cth	Weak independence. Some discretionary parliamentary oversight involvement. For instance, NACC oversight committee has power to review and report on NACC financing. Parl oversight committee 'may request' draft estimates from the Auditor-General, which the Auditor-General is required to provide (s 53 Auditor-General Act 1997).
Qld	Weak independence. Limited parliamentary involvement if the integrity agencies ask for more funding.
WA	No independence. No special process
Vic	No independence. No special process
Tas	No independence. No special process
SA	No independence. No special process
NT	No independence. No special process

Table 2

	Appointment process for core integrity agencies
ACT	Strong independence. Very strong parliamentary involvement, in particular Speaker of the House. For, Speaker appoints Integrity Commissioner in consultation with the Chief Minister, Leader of the Opposition, Leader of any other non-government party (s 25(2)(a)). Appointment must be ratified by Parliament. Leadership of all three agencies is for 7 years and not renewable.
NSW	Strong independence. Parliamentary oversight committee has a veto for all three agencies. For instance, Premier refers proposed appointment of Auditor General to the parliamentary oversight committee which may veto the proposal (s 28A Government Sector Audit Act 1983 NSW)). Governor makes the appointment. Auditor-General holds office for an 8-year term and is not eligible for reappointment (s 28). Leadership of anti-corruption commission (5 years) and auditor general (8 years) serve non-renewable terms.
Cth	Strong independence. Parliamentary committee has veto power over Executive appointment of anti-corruption commissioner and auditor-general. For instance, Attorney-General refers proposed appointment of anti-corruption commissioner to the oversight committee, whose approval is required (s 241(2) National Anti-Corruption Commission Act 2022 (Cth)). Governor-General makes the appointment on the recommendation of the Attorney-General (s 241(1)). Leadership of anti-corruption commission (5 years) and auditor general (10 years) serve non-renewable terms.
Qld	Strong independence. Parliamentary committee involvement, particularly for anti-corruption commissioner. For anti-corruption commission, the Attorney-General advertises nationally for the position (s 227 Crime and Corruption Act 2001) and consults the parliamentary oversight committee (s 228). Bipartisan support of the committee is required (unanimous support or majority support that is not entirely made up of members of the governing party) (s 228(1)(b)). Governor-in-Council makes the appointment (s 229). Leadership of anti-corruption commission (7 years) and auditor general (7 years) serve non-renewable terms.
WA	Strong independence for anti-corruption commission; weaker protections for other two. For anti-corruption commission, nominating committee advertises nationally for the position and submits binding shortlist of three candidates to the Premier (s 9B Corruption, Crime and Misconduct Act 2003). Premier gives notice of the proposal to the parliamentary oversight committee, which can veto the proposal (s 9C). Governor makes the appointment on the recommendation of the Premier (s 9A(1)). To be eligible, appointee must have served as or is qualified for appointment as a judge (s 10). Only auditor-general serves a non-renewable term (10 years).
Vic	Strong independence for anti-corruption commission; weaker protections for other two. For anti-corruption commission, Attorney-General submits the proposed recommendation to the oversight committee, which can veto the proposal (IOC Committee)(s 21 Independent Broad-based Anti-Corruption Commission Act 2011) . Governor-in-Council makes the appointment on the recommendation of the Attorney-General (s 20(1)). Commissioner holds office for a maximum 5-year term and is not eligible for reappointment (s 24). Anti-corruption commissioner (5 years) and ombudsman (7 years) serve non-renewable terms.
Tas	Weak independence. Only consultation with a parliamentary committee. Only auditor-general serves non-renewable term (10 years).
SA	Weak independence. Weaker parliamentary committee involvement. Position of Auditor General very weak. The establishment of the South Australian Auditor-General is not found until Part 3 of the Public Finance and Audit Act 1997, an inadequate statutory framework for what should be the significant status of the office. None of the three core integrity agency leaders serve non-renewable terms.
NT	No independence. Administrator makes appointment on recommendation of Parliament (controlled by Executive). None of the three core integrity agency leaders serve non-renewable terms.

Table 3

	Oversight of core integrity agencies
ACT	Parliamentary Standing Committee on the Integrity Commission and Statutory Office Holders oversees all three. In addition, Standing Committee on Public Accounts and Administration oversees auditor-general. ACT Ombudsman serves as Inspector of anti-corruption commission.
NSW	Parliamentary Committee on the ICAC and Inspector jointly oversee anti-corruption commission (ICAC). Public Accounts Committee reviews the operations of the auditor-general. Committee on the Ombudsman, the LEC and the CC monitors ombudsman.
Cth	Joint Committee on the NACC and Inspector oversee the anti-corruption commission. Joint Committee of Public Accounts and Audit oversees the auditor-general. Ombudsman only general parliamentary oversight.
Qld	Parliamentary Crime and Corruption Committee and the Parliamentary Crime and Corruption Commissioner oversee the anti-corruption commission. Parliamentary Justice, Integrity and Community Safety Committee oversee the auditor-general and ombudsman.
WA	Joint Standing Committee on the Corruption and Crime Commission and Parliamentary Inspector of the Corruption and Crime Commission oversee the anti-corruption commission (CCC). Legislative Council Standing Committee on Estimates and Financial Operations oversees the auditor-general. Ombudsman only general oversight.
Vic	Parliamentary Integrity and Oversight Committee (a non-government-dominated committee) oversees the anti-corruption commission (IBAC) and ombudsman. Public Accounts and Estimates Committee oversees the auditor-general. Integrity Oversight Victoria oversees all three integrity agencies.
Tas	Parliamentary Joint Standing Committee on Integrity oversees the anti-corruption commission (IBAC) and ombudsman.
SA	The Parliamentary Crime and Public Integrity Policy Committee oversees the anti-corruption commission (IBAC) and ombudsman. The Parliamentary Economic and Finance Committee has general oversight over public finances and has an effective working relationship with the Auditor-General.
NT	Integrity and Ethics Oversight Inspector is main body overseeing the Integrity and Ethics Commissioner (super-commission that includes anti-corruption commission and ombudsman).

About The Centre for Public Integrity

Board members of the Centre include the Hon Anthony Whealy KC, the Hon Margaret White AO, the Hon Michael Barker KC, Emma Maple-Brown, Professor Allan Fels AO, Professor Joo Cheong Tham, and Geoffrey Watson SC.

More information at: www.publicintegrity.org.au