

NRCoP Webinar Reflections: Regulating Integrity

On Wednesday 21st April 2021 the NRCoP partnered with the Electoral Regulation Research Network (ERRN) to present *The struggle to regulate integrity: money and politics*. Our facilitator for this event was Marlo Baragwanath, CEO, Independent Broad-based Anti-corruption Commission and our two speakers were Professor Joo-Cheong Tham (University of Melbourne Law School and ERRN) and Professor Anne Twomey (University of Sydney).

This webinar proved to be both topical and timely with 550 of our members registering for the event.

Professor Tham's talk focused on the intersection between economic and political spheres and the potential for money interests to influence our political processes. Left unchecked, these private interests can negatively influence elections and our political processes. He referenced a [report](#) produced in 2018 which examined the influence of 'special interests' on politics in Australia. He discussed Australian research that revealed perceptions amongst the community of a government seen as self-serving and being run by big interests. He also illustrated how the term 'corruption' was not one which was uniformly understood or easily defined.

Professor Tham's talk left me concerned for the health and wellbeing of our political system and those who work in and around it (public servants and regulators). If we can't find agreement on a definition of corruption, then what hope do we have of creating the structural change required to move past the "*it was within the rules*" narrative. It was a timely reminder from Professor Tham that privileged access is not a victimless crime.

Professor Twomey focused her part of the presentation discussing some recent political integrity scandals, namely the *sports rorts* and *community safety grants* programs, noting that Ministers often had little or no idea on the legal limits to their powers. The role for public servants and regulators was to ensure that we educate ourselves and those responsible for administering these programs on the legal risks. She noted that when things go wrong, blame often ends up attributed to junior public servants. Professor Twomey provided some practical advice for public servants and regulators:

- arm yourself with legal advice as a matter of self-protection
- warn others of the risks by asking questions
- ask: how will this look on 4 Corners?
- ask: what will an estimates committee make of this?
- protect yourself and in doing so you may well protect your Minister

The Q&A session focused on the ability of public servants to provide frank and fearless advice, regulatory capture, political self-interest and the role and resourcing of electoral commissions. Our presenters received more questions than they could respond to in the allocated time. One webinar viewer captured the mood of the audience perfectly with the following statement: "*Here for your truth bombs, Professor Twomey!*"

A number of the questions we couldn't get around to discussing related to building systems which rewarded and recognised 'good behaviour' and embedded a culture of personal responsibility and accountability, which included ethics and the ethical treatment of each other.

Dr Lorraine Cherney

Manager, ANZSOG/NRCoP and Honorary Research Fellow, The University of Queensland