

# The Integrity Election

**Helen Haines MP**  
Member for Indi

**Zali Steggall MP**  
Member for Warringah

**Ben Oquist**  
Executive Director of the Australia Institute

**Bill Browne**  
Head of the Democracy & Accountability Program.

*In conversation with*

**Ebony Bennett**  
Deputy Director at the Australia Institute

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**Ebony Bennett** [00:00:03] Gday, everyone. I'm Ebony Bennett, deputy director at the Australia Institute, and thank you very much for joining us today. I want to begin by acknowledging that Canberra is none of your country. That's where I live and work here and pay my respects to elders past and present. Sovereignty was never stated and this always was and always will be Aboriginal land. Today we're having a webinar about the integrity election, but days and times for our other webinars do vary. So head on over to Australia Institute. Dot org dot AU for all our upcoming webinars. Next week on a special day of Wednesday, not Tuesday, we'll be doing our regular poll position webinar where we talk about the latest results from the Guardian Essential Poll. That'll be with Katherine Murphy and Pete Lewis. And next Thursday at 11 a.m., we'll be talking to Australian Greens leader Adam Bandt about phasing out fossil fuels. Just a few tips before we begin today to help make sure everything runs smoothly. If you hover over the bottom of your zoom screen, you should be able to see a Q&A function where you can ask questions and you should be able to upvote questions and make comments on other people's questions. A reminder to please keep things simple and on topic in the chat over bit you out. And lastly, a reminder that this discussion is being recorded and it will go up on our website later this afternoon. If you have to duck out for any reason. And as I mentioned today, we are talking about the integrity election. It's a huge issue this election. And I'll now pass over to Ben Oquist, the executive director of the Australia Institute, for a few introductory words and to introduce our guest today. Thank you, Ben.

**Ben Oquist** [00:01:44] Thanks, Ebony. Thanks for your stewardship of this really important series. Of course. Thank you to Helen Haines and Zali Steggall for making the time to be here today during I know what is a very busy final weeks and the final days of the campaign. But isn't democracy and integrity the most important thing we can be discussing so close to polling day with trust in politics, falling to crisis levels and a declining faith in democracy itself, there is an urgent need for democratic

reform, and I think that's what today is about. And I know that Zali and Helen have been at the forefront of that advice, so we're really lucky to have two such skilled operators, important politicians, great candidates presenting direct to all of you today. And thanks to everybody who has joined us today. I know a lot of you are interested in democratic reform, as is the Australia Institute and the Australian Church, wholly dedicated to research and ideas designed to drive good policy and good policy outcomes. In Australia we have a whole programme dedicated to research on how to strengthen Australia's democratic institutions, headed by Bill Brown, the Director of our Democracy and Accountability Programme. How to strengthen Australia's democratic institutions and democracy and how to restore trust and integrity into politics. We need to protect democracy. It is one of the most urgent tasks confronting us today and we've seen what a decline in democratic norms and standards can lead to around the world. You can't take democracy for granted, and this decline in faith and trust in politics is leading to a decline of faith, bleeding into a decline of faith in democracy itself. And that's why this election is so important, because it's highlighted those issues. And Helen Azali have been at the forefront of highlighting those issues. In fact, they helped the Australia Institute launch 40 proposals for reform, including a federal archive with teeth, truth in physical advertising laws. Reform in Question Time guarantees that private members business be debated and voted upon. This Democratic agenda for ideas for the 47th Parliament was launched on the last day of the 46th Parliament, thanks to Zali and Helen and I'm sure we'll get into talking about some of these ideas and the proposed reforms would, we believe, restore a measure of accountability and transparency in our democracy and not to put too fine a word on it, help save democracy. But while the Australia Institute can suggest and advocate for policies, we cannot implement them. That is up to the Parliament and that's why I'm so delighted to introduce to special guest today. Helen Haines is the independent member for Indi. Helen was elected in 2019, becoming the first independent federal parliamentarian to succeed another. In the same electorate since Federation way back in 1901. Trained as a nurse and a midwife, Helen has championed the issue of integrity in politics, releasing the Beechworth principles by which any model for Federal Integrity Commission can be measured and is a strong supporter of the need to establish an independent, federal anti corruption body with strong powers. I'm sure we'll get into that debate today. Zali Steggall is the independent federal member for the seat of Warringah in Sydney's north. You may have forgotten that she's also a very successful alpine skier winning bronze medal in the 1998 Winter Olympics and a World Championship gold medal from 2008. Bizarrely, was a practising barrister specialising in commercial law and sports law family law. But as you all know, Zali in 2019 contested the federal parliamentary seat of Ranga as an independent candidate, a seat that had been held for 25 years by former Prime Minister Tony Abbott in one of the great stunning victories of modern politics. She won the seat with a two party preferred vote I think so quickly of over 57% and has been a champion in the Parliament of many of these accountability and integrity issues. And as you can see from the slides, Bennett behind her has been one of the champions of the need to reform political advertising laws so that we have treated political advertising laws and so that it's not perfectly legal to lie in a political ad. Of course, we're also joined by the head of the Australia Institute's Democracy and Accountability Programme, Bill Brown. As I mentioned, and I know Bill is got some important new research and polling to release today as part of this webinar on how integrity issues are writing in Election 2022, which I think underscores will you'll see, underscores the importance of those issues and indeed, therefore, today's debate and discussion. Thank you so much, Zali and Helen for making the time today. Helen just mentioned she's back off the polls to join us here. I know you've got to try. And when you say locally, but to both of you, we really appreciate you taking the time out from trying to win those votes locally to talk to not just people in your electorate, but around the country about these important issues that you've helped inject into not

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just this election campaign, but the whole of the 46th parliament. And I'm sure from your point of view, hopefully in the 47th parliament with that, back to you, Ebony.

**Ebony Bennett** [00:07:51] Thank you, Ben. Welcome to both of our guests. Helen Haines, I want to begin with you. My first question is, I know you've done a lot of work around integrity issues, and we will come to the detail of that shortly. But first of all, I just wanted to ask you about that decline in trust in government and in politics and why you think it's so important that we have reforms, a democratic reforms, to restore that integrity to parliament. How big of a problem is that?

**Helen Haines** [00:08:21] Thanks for the question, Ebony. Yes, it is a big problem. And we can see that from the evidence that's collected around the nation by various groups, including yours. But it's a big problem on a local level when I hear people on the streets, people at the footy club, folks at the CWA or young kids in civic groups telling me that they don't really believe that decisions are being made for the public good, that decisions from politicians and from governments are being made for political gain. And we know we've got a problem and we've got a problem because some people will, in fact, give up on democracy if that's what they truly believe is going on. And to give up on democracy means not exercising your right to vote, perhaps putting in a donkey vote or not turning up at all. It means becoming so cynical about any policies that are put forward by governments or indeed by oppositions or independent members of Parliament, that they think there's no hope, no hope in trying to change or no hope or that there's underlying motivations for a particular policy. So that is a really dangerous state of affairs. And it means that we can't lead a nation to a future that's inclusive and that is able to transition to new ideas. And indeed, when we look at climate change and policies around climate, if we don't have trust in our democracy, then we can't we can't lead the country to where it needs to go. So it's a serious problem. And I hear it on the streets every day. People say to me constantly and at the pre-poll this morning is, as Ben just said, and so many people come up to me and thank me for the work that I'm doing on integrity and ask me to continue to fight for it.

**Ebony Bennett** [00:10:08] Thank you. Zali, I want to come to you next. Are you finding similar levels of interest in integrity as an issue during this campaign? And. Well, if you could answer that first and then I want to come to the iconic as the next question.

**Zali Steggall** [00:10:23] Absolutely. Integrity and I really declining trust in politics and in government is a key recurring theme on pre-poll and in all of my discussions with constituents, but also just, you know, out and about in forums and in so many contexts, it's really important that we raise the bar of politics. And I would argue the kind of campaign we've seen so far, this election hasn't really done that, which has been disappointing. Sorry. And so we really need to make sure we increase that integrity is incredibly important. And when you have the Prime Minister saying denigrating the New South Wales icon and saying that he doesn't believe this is a priority and in fact getting seven of his MPs also say it's not a priority. I think it shows how much the current Coalition leadership is out of touch with the concerns of constituents. Now, we've already seen in this campaign, you know, as you can see from my banner, that there is no regulation and legislation around lying and political

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advertising. So we're already seeing third party groups and I suspect like Advance Australia putting out trucks and fake advertising, making claims that I felt. So this all comes back to the trust in the outcome of elections. And if you don't have integrity and integrity commission, if you don't have laws around laws and political advertising, you get to a situation like Trump after the 2020 presidential election where you have a whole movement of society that does not believe the outcomes. There is an erosion of trust in government and that is not a good outcome. That is not the kind of democracy Australia wants to be.

**Ebony Bennett** [00:12:01] Yeah, Bill, before we move on, I just wanted I know that the Australia Institute has released some new research today about the issue of integrity during the election campaign. What can you tell us about how much people care about this issue?

**Bill Browne** [00:12:16] Yeah, thank you. If we had a real sense that this election was unlike previous ones in the focus on integrity and the polling we did earlier this month actually gives us some numerical information about whether that's a view shared by the public as a whole. So we polled about a thousand respondents, and what we found is that about half, 46%, said that integrity issues were as important for them this election as they were last time. But then a very large 30% said that integrity issues were more important this election than last. So taken together, that's three quarters of Australians saying that the issues are either as important or more important than they were last time, and that 30% is a pretty significant chunk of voters that are going to be thinking about election issues through a lens of integrity in a way that they haven't been in the past. We found that the numbers are pretty similar across political parties as well, with 80% of Labour and Coalition voters select. Either they're equally important or more important than last time option. Compared to that, you've got very few, just 4% saying that the issue wasn't important to them this election or last and 15% on don't know, not sure. So all in all you can say it's really coloured this election and to a greater degree than it did last time.

**Ebony Bennett** [00:13:43] Yeah. And I want to come to the issue of a federal anti-corruption commission at the moment, Zali. First of all, if I could come to you, we know the Government put forward a proposed model for a Commonwealth Integrity Commission that the crossbench and many legal experts, including the Australia Institute, were very critical of. What are some of the problems with what the Government had been putting forward, even if it hasn't really pursued it through the Parliament? What are some of the reasons why you were critical of that?

**Zali Steggall** [00:14:16] Look, it was roundly criticised and I've very strongly supported the model and seconded the model that Helen put forward several times. The issue is with the Government's proposal is it doesn't actually have an independent referral pathway. So what that means is the Government is relying on existing methods, so RFP or and routes of enquiry to see whether any anti any corrupt behaviour or behaviour that does not pass the integrity test has occurred before it could be referred up to investigations. So what the Government was proposing was essentially a continuation of the status quo with a body that would really not have any powers to go beyond what we currently have, which we know is already not catching behaviour and conduct that is

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questionable. It also is set up as a double standard at the bar in relation to corrupt conduct was sitting for for for MP it was to a standard that was above and beyond any of anyone else, even police officers for example. So essentially incredibly hard to ever actually meet the threshold to make the case. So essentially creating a protection racket for members of Parliament, which is the absolute opposite of what we need. A big element that was also missing was the ability for public hearings. Now I know patience, but built into the model that Helen has proposed as opposed to the government was plain. There are plenty of ways that you can have protections and thresholds that need to be met, for example, that it's in the public interest for this to be conducted in public. The example that's often brought up is what happened in New South Wales was New South Wales. ICAC's an investigation into Gladys Berejiklian. Now unfortunately the revelation around her private relation occurred because she had failed to disclose that. So had she disclosed that there would have been a method by which this could have been investigated privately, they could have been more private hearings to see the level of evidence available, but it was actually the lack of being forthcoming with the information that created the situation that this was played out in the public eye. So a lot of the criticism, this being from the Prime Minister around New South Wales I think is incredibly unfounded and it really rejected. In particular, the Bar Association issued a very strong statement this week repudiating the Prime Minister's comments because he is bringing into question the reputation of incredibly strong professional jurists and leaders in our legal profession who take on that very important role at eye level as commissioner. So the model the government proposed simply would not create any real accountability. It was only looking at anti-corruption to a criminal standard, which is incredibly hard and really failing to pull the curtain back on behaviour in government with lobbyists and employees and really clean up, I think meet the expectations of Australians.

**Ebony Bennett** [00:17:29] Helen, I want to come to you next because you have obviously put forward your own model for what a Federal Integrity Commission should look like and some benchmarks for kind of what it needs to be effective. Can you just walk us through what some of those key elements are in order for it to be a watchdog with real teeth?

**Helen Haines** [00:17:49] Thanks very much, Ebony. And yes, I've introduced to the Parliament the Australian Federal Integrity Commission bill twice actually, and also into the Senate. I think I begin by saying that one of the one of the catch phrases we hear from the Prime Minister is that the government's model has all the powers of a royal commission. Zalis just outlined some of the powers it does not have, like the power to initiate an investigation. The power to accept public referrals, the power to have public hearings for MPs when in the public interest to do so. Now we can't imagine a royal commission that is unable to have public hearings. Nor could we imagine a royal commission that doesn't have the capacity to initiate enquiry. So I want to put that out there because it's commonly said by the Prime Minister. The second thing I'd like to say is that the the Government model is often, often spoken of as if it was legislation that was introduced to the Parliament. It was never introduced to the Parliament, not once. We've never had the opportunity to debate the government bill, let alone let alone vote on it. It's only ever been draught legislation, an exposure draught. And when it was consulted upon, as Sally mentioned, it was roundly criticised by. But there were over 300 submissions to that consultation and almost all of them criticised the model. Yet the Government did not engage in good faith because they did not change any of the elements of their

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proposed bill. So I want to say that at the outset the model that I've put forward follows some key principles, and one of them is accountability to the people and accountability to the people. We need to have the capacity for any anti-corruption commission, integrity commission, to have the capacity for public hearings when in the public interest to do so for all people, not one set of rules for one group and a different set of rules for others. And under the government model, there is a different set of rules for MPs and that's just not acceptable under anybody's standards. We need to have public reports as part of that. We can't have secret reports under the government's model. There would be no public reporting. Now, again, if we're trying to shine a light into dark places, we must have that level of accountability. My model ensures that the Commission has the capacity for retrospectivity. If we're looking at exposing corruption, we need to be able to go back in time. You can't imagine any other investigation where you couldn't look backwards. It's just nonsensical. So it must have retrospectivity. It must be able to take public referral referrals. It must have a broad definition of corruption. And my bill has that, again, a broad definition that enables issues such as what we've seen over the course of many years, things like the sports rorts, carpark rorts, any any question that is raised by the and I oh, that needs further investigation. I an integrity commission needs to be able to look at those issues. Now, they may not reach the bar of criminality, but there's a very big question around whether they are decisions taken in the public interest or indeed decisions taken for political gain. So I think those those issues are really, really important and key elements of the bill that are put forward. And I think in in the critique of the bill that I put forward, it was supported and designed with the best legal minds in the country, with eminent retired judges. And it's been lauded by by the by the Centre for Public Integrity as being a gold standard piece of legislation to deal with the problem we're trying to fix. So that's really important. I think the other thing to say is, is there are a suite of accountability and transparency measures that we need to get right in in our federal government before we even need to take something to an integrity commission. And certainly Professor Kim Rubenstein has been talking about those things over the last few weeks, things like about mates being appointed to the EITI around the issues with freedom of information around the inadequacy of funding to the and IO. So there is a suite of suite of accountability and transparency measures that our federal government must have in order for integrity to work in politics.

**Ebony Bennett** [00:22:20] And I, we will come back to some of those, but I did, Zali, just want to ask you about truth in political advertising in particular. Helen, I'm sure this affects you too, but we have seen, for example, Advance Australia putting out a bunch of advertising targeting independents, linking them with the Greens. How important is it, you know, to recognise that fact that it is perfectly legal to lie in political advertising at the moment that doesn't apply, for example, if you're a company advertising to consumers. Zali can you tell us about truth in political advertising and what chance you think there will be for reform for that in the next parliament.

**Zali Steggall** [00:23:01] When suddenly top of my list and the priority that we need to fix and ironically, this is something that resonates with left leaning voters just as much as conservative voters. Around 87% of people support truth in political advertising laws. So that's why I introduced the Stop the Laws bill. Of course, maybe not. Super. Rising that the government was not interested in debating that and voting on that legislation. Now, what we're saying and in the context of our elections is a lot of different parties getting involved and third parties playing a part. So you have

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parties like Clive Palmer and United Australia Party spending some \$85 million on advertising. And so when you think of the influence that has and if there are no regulations around, what can be said. Well, if I could say the only regulation is you cannot misdirect a person on how to fill out of how to vote forms some incredibly small lobotomies. But you can essentially say anything you like about an opponent without any recourse. Of course, we do have defamation laws, but defamation laws have a recourse to public interest defence. So very difficult to get any sort of satisfactory action that way. So what we've seen, for example, just this week, a coordinated campaign across a number of states where independents are running. And I know David Pocock in the ACT, Georgia Steel in Hughes, Dr. Sophie Scott's in Mackellar, myself in Warringah to name but a few had a coordinated campaign where we woke up to Corflutes that are claiming erroneously that we are linked to the Greens. Now there is no authorisation on those conflicts and they've been referred to the AFP and the Australian Electoral Commission are investigating and I hope people will actually be found out because there is only a limited number of companies that print and produce these corflutes. So an investigation to those companies should be able to identify who printed and made those corflutes and in fact, and who then engaged them to do that work, because it is actually a criminal offence to use somebody else's logo and to put an authorisation on political material in that way. But it does highlight the bigger problem that we just have no regulation and legislation around this. And so stopping the laws is incredibly important. It's not that hard. It's legislation already in place in various state governments. The Act passed this year. It's been in effect in South Australia for some time. Tasmania has had it in effect as well. It acts as a deterrent because if you have strong penalties for breaching the act it will. You know, parties and players in political campaigns will have to really think twice whether this silly message they want to put out is worth a criminal sanction and serious penalty that could flow from breaching a legislation.

**Ebony Bennett** [00:26:01] Bill Browne, I want to come to you next. I know the Australia Institute has been mentioned, released a democracy agenda for the 47th Parliament, including a whole range of democratic reforms. But in particular, I wanted to ask you about kind of sacred secrecy and transparency and what we might be able to do to improve the public's access to information that comes from government about government decision making.

**Bill Browne** [00:26:28] There's so much that could be done to increase public access to documents and government modelling and resources. So the first step, I think, is to improve our freedom of information processing rules and regulations. The reality is that if you're stonewalled by a department in your FOIA request at the moment, you need to go to the information commissioner for some kind of redress. There are other options, but that would typically be a starting point, and they're overwhelmed by more complaints that they can process. So giving them more people to process complaints and actually get decisions in a timely manner would be one step. I think we also need to limit the kind of number of documents that can be withheld by those Freedom of information officers within departments and put a bit more pressure on them to lean towards disclosure at the cabinet level. I think we can look to New Zealand for an example of how you can trust the public with more documentation in New Zealand. Documents created for Cabinet are released within about a month of them being presented to Cabinet and acted upon by Cabinet. So the public gets the information about what kind of resources Cabinet was using to make its decisions and can weigh that out for themselves. That's a big difference from Australia, where more cabinet

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secrecy provisions apply to those documents rather than less. I think if you started there, there's also proposals to use the Senate's power to order the production of documents to get some of the reports that government has commissioned available for the public to make up their own minds on as well, since ultimately it's the public who paid for them. There's a. Just a few of the options I think we should be looking at. Seriously.

**Ebony Bennett** [00:28:24] Yeah. Thank you. I can see we've got above 650 people on the line with us. Thank you so much for joining us today. I'm going to get two questions from the audience shortly, but I know there's a couple of journalists on the line with us today. Lisa Fenton from the Sydney Morning Herald. Helen, I think this question is for you and about your proposed model for a Federal Integrity Commission. She asks, In the event of a hung parliament, you've set a commitment to legislate. An Integrity Commission would be a key factor in determining your support. Are there features of your current proposed model, for example, the ability to hold public hearings and launch its own investigations? That would be non-negotiable for you. And if you're not able to get assurances of those things, would that be decisive in who you might support to form government?

**Helen Haines** [00:29:13] Yeah, thanks for that question. And there's no doubt in my mind that we must have a Federal Integrity Commission in the federal parliament. That's clear. We can't have any old model. We must have a model that is fit for purpose. So the features that I outlined before are crucial to ensuring that we have an integrity commission with teeth that can do the job it needs to do. So my my negotiations, if we were in that hypothetical situation of a hung parliament, would indeed include include the assurance that any model that was put forward by either side incorporated those key principles that I've outlined. They must be there. Otherwise we don't have a model that would work.

**Ebony Bennett** [00:29:58] Thank you so much for that. The next question I've got is for you both. It's from Christopher now from Guardian Australia. Zali I might ask you this one first. He asks, Is retrospectivity non-negotiable for you in terms of what you would want from a Federal Integrity Commission? And would you insist on retrospectivity in any negotiations in the event of a hung parliament?

**Zali Steggall** [00:30:24] Look, obviously, there's a lot of issues to be debated and discussed in the event of a minority parliament. I would argue it would be a parliament of balance. Right. I dislike that term. It's more a question. I think retrospectivity is incredibly important because we have to be realistic. Over the last four years there's been some \$55 billion worth of public funds that have not been allocated on best public interests kind of priorities. And so I think retrospectivity has to happen if we want to raise the bar and increase trust in government, and that will impact all sides. But it also creates a deterrence again for the future for future governments so that they don't always think this is only a problem for the future. But their past conduct is never up for review. I would argue it's probably something more Scott Morrison doesn't like to talk about and certainly doesn't support it this time. But it is incredibly important. And as Helen said, it says when we have a royal commission, since that's what the Government likes to compare and I get to a royal commission, certainly looks

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at past conduct to be able to make recommendations for the future. So it would be an incredible departure of how do we actually have a review and a process of cleaning up politics if we didn't have retrospectivity.

**Ebony Bennett** [00:31:47] And Helen, did you want to respond just specifically on that retrospectivity question?

**Helen Haines** [00:31:52] Look, I think Zali summarised it very well, and and I made the point before that if we're trying to shine a light on possible corruption, then we need to be able to look backwards as well as forwards to, to find patterns of behaviour. So it is incredibly important again if we're going to design a and integrity commission, we need to design one that works and that has the features required. It was very interesting in working across the aisles in designing the Australian Federal Integrity Commission Bill and I issued an invitation to every member of the House of Representatives and every Senator to sit down and talk to me about this. And it was really enlightening around what the fees were that parliamentarians had. And one of the fears was around applying new new laws to two old issues. Well, of course, that can never happen. And that's one of the I guess one of the fur fees that gets put about with retrospectivity. So, of course, that can never happen. But investigation of things that have happened in the past to enable some clarity about what's happening right now is is a crucial part of any design element. The other feature that I think is so important here and again in my conversations with people from all political backgrounds, is around that issue of public hearings. And one of the really important features of the bill that I designed had really, really strong safeguards built in, particularly around junior members of staff or advisors who may get caught up in investigations through something like a Federal Integrity Commission and have their careers sullied by that, when, in fact, there was no, no, no, no issue on their part. And it was very good to work with other members of Parliament to look at those issues and make sure that we took care of of the safety of people who are who are caught up in an investigation and an exoneration report and a public exoneration tabled in the parliament is really important to make sure that people's careers are not ruined.

**Ebony Bennett** [00:33:54] Well, that brings me to the next question from Sarah Basford Canales from the Canberra Times, and this one is for both of you as well. She points to the Prime Minister, doubling down on his comments, calling the north east New South Wales archaic a kangaroo court and saying that it's a model driven by populism. Sarah's question is, I'll come to you first on this, Zali. How close is the Federal Integrity Commission proposed by the independents close to New South Wales as ICAC's? And why do you think the Prime Minister is using the downfall of political careers as one of his criticisms against implementing it?

**Zali Steggall** [00:34:36] Yeah, look, first of all, as I will apologise that my no, my screen is flicking, I am in between proposals as Helen is. So it's we're doing technology on the run. But I look, I strongly disagree with the Prime Minister on this issue and in fact we've seen today Dominic Perrottet, Premier of New South Wales, increased funding to the New South Wales Act to ensure it has it is fully resource to really apply the very important role it does in ensuring anti-corruption and integrity

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is maintained. This is not a populist model. It has safeguards in place. But I think you should. It's important to note that the model that has the support of the majority of Parliament that Helen proposed, in fact, has those safeguards in place. But is the best features of all the different effects we have around the country. Right. It's not like New South Africa is the only one we have around the country. We have a number of them and they all have slightly different features and some have been criticised one way or another. And so it's an opportunity to actually analyse all the features and take the best and have safeguards to meet the concerns with it. Some have arisen the issue of the public hearings and this is where the Prime Minister and many Coalition members take issue is the idea of your reputation being damaged. But let's get let's be frank here. A royal commission also impacts people's reputation because it is an enquiry into their professional and sometimes private conduct. And whether or not it has been up to the professional standard that is expected of people in those positions. The same happens in courts. Yes, you are in courts. You are innocent until proven guilty. But it does expose a whole lot of facts and evidence. Now it is it's it is not disputed that it is more often than not appropriate for court hearings to be public and available to the public. Justice must always be seen to be done as well as be done. And I think investigation into anti-corruption and integrity must also be seen to be done as well as being carried out. And so the public needs to be part of that. Now, I totally appreciate the concerns from reputations and we need strong ways to ensure that they are protected. And there are those mechanisms in the models proposed. And I think the Prime Minister is really being disrespectful to incredibly the incredible work the people in the legal fraternity have done around archives. And let's remember newsstands iconic has caught corrupt politicians on both sides of politics. It's been incredibly effective in cleaning up politics on the labour side just as much as catching out people on Coalition side. And that is actually a sign of a system that works. The fact that it can catch from all sides of politics get caught up.

**Ebony Bennett** [00:37:29] Yeah. And Helen Haines, your response to that close to the model of New South Wales archaic and the Prime Minister's I guess highlighting of the impact on political careers.

**Helen Haines** [00:37:42] Yeah, I'll go straight to the Prime Minister's comments, Ebony. Look, I believe that the Prime Minister is, is being very reckless in his comments around the New South Wales archaic and I think quite deliberately trying to erode public trust in a public institution that actually speaks to the core element of what we're talking about today, public trust in democracy. So I think that the Prime Minister is playing in very dangerous territory by doing this and in fact he has been called to heel by his colleagues in New South Wales, most notably the Premier Dominic Perrottet himself around those comments. They're not at all helpful. They diminish, in fact what is a core element of democracy and that is public, public good and transparency and accountability. So I think that his is his use of terminology such as kangaroo court is deliberate and designed to erode trust in this whole idea of of a Federal Integrity Commission. A Federal Integrity Commission that let's remind ourselves the prime minister promised the nation prior to the last election.

**Ebony Bennett** [00:38:54] Yeah. The next question I've got is from the audience. And as I said, we've got close to 700 people on the line with us today. Thank you for joining us. Heather Decees asks about the appointment of mates to oversight bodies like the IHT, the Administrative Appeals Tribunal. Are these appointments able to be reversed and would there be problems of accusations

of breach of employment contracts if political appointees are removed? Helen, I might ask you to respond to that 1/1.

**Helen Haines** [00:39:25] Well, Ebony, I don't know whether they can be reversed, actually might be a question for Bill or Sally, but what I do know is that this is not okay to be appointing mates to some. Something as important as the act is not in the interests of democracy. It should be completely independent of cronyism. And right now it's not. And I think the the rush to the finish line prior to proroguing of the 46 parliament where we we saw such appointments being made, I think is diminishing of any government and indeed it erodes trust in public institutions. It's not good for our democracy. It should stop.

**Ebony Bennett** [00:40:06] Virtually any response to that from your end?

**Zali Steggall** [00:40:09] No, I totally agree. I think we really need an overhaul of how a number of decision making is occurring. So it's appointments to administrative bodies is, is and it should not be politicised boards. I mean locally here in Warringah we. Have the Sydney Harbour Trust which manages incredible iconic landmarks and that is a highly politicised board as well, with appointments done by the Minister. Mr. LAKE. I'm also concerned around grants money. We simply don't have a good enough mechanism at the moment to have independence between decision making and government. And so there is this overreach by government and ministers at the moment and we just don't have protections in place. And what you see then is an erosion of good decision making, and public interest is coming second to a more corrupt interest of political interest. And we're seeing that whether it's allocation of funds, grants, funding and contracts, decision making on policies, and then appointments to administrative bodies. And we really need to claw this back. And I think that's what I sincerely hope this election is an election for change and why you are seeing so many independent candidates step up on a platform of integrity and more transparency in government because we don't have this party political machine behind us looking for power. We it is about trying to bring back integrity and transparency and accountability to government.

**Ebony Bennett** [00:41:43] Thank you. The next question I've got is from Kylie Macintosh and she asks, How do we ensure adequate resourcing of bodies responsible for integrity and accountability regardless of a change in government? For example, she says the Australian National Audit Office, whose funding has been cut over the years. Helen Haines, can I ask you first about that one?

**Helen Haines** [00:42:06] Well, we've seen the cuts to the ANAO and that's restricted the number of investigations they can undertake. Now, I think any thinking person would be pretty suspicious about that, actually. Why? Why any government would cut funding to the. And so I think that that should, again, be an independent decision. Outside of political influence, the amount of money that's required. Now, of course, it has to get signed off by a minister. I understand that. But we need to have clarity around what the resources are needed and adequate funding for that for our public institutions such as such as the I and II Valley.

**Ebony Bennett** [00:42:45] Your response on that?

**Zali Steggall** [00:42:47] Absolutely. We see that with the and I would also say that sometimes with our courts, where the funding gets very politicised and we've seen that with the Family Court, for example, with insufficient funding to ensure enough appointments of judges. I look at I look to the model of the Reserve Bank. That is legislation that has worked in establishing a very independent body that is fully funded independently and has operated to the benefit of the Australian economy. We need to ensure important bodies like a Federal Integrity Anti-Corruption Commission, like the the Auditor General's Office are independent of the political cycle. It can't be an every a two year funding arrangement and that then becomes prior to the three year election cycle. We need to build in some some resilience to the funding model. I would argue it's the same with our media, with the ABC, our national broadcaster, that should not be so dependent on the political cycle. We need some robust independence to be built into the funding to ensure these very important institutions are not and not tampered with for political interests. If not, we're heading down a Trumpian autocratic model that will not be for the benefit of Australians.

**Ebony Bennett** [00:44:06] Bill Browne I just wonder if you have anything else to say to that. Obviously strengthening other democratic institutions and checks and balances is important. What does that research show on that?

**Bill Browne** [00:44:20] Yes, one of the proposals in the democracy agenda is to secure funding for some of those integrity agencies by not making it a set dollar amount, but in proportion to the money they need. That's how it works for the Victorian Electoral Commission, for example, and that would do something to kind of insulate that funding from direct political concerns. Ultimately though, I think a an engaged media and an engaged public are some of the greatest protections that independent agencies can have against all kinds of executive overreach. So we're never going to be able to kind of automate all of our integrity processes. It's something that requires constant vigilance as well.

**Ebony Bennett** [00:45:07] I've got a couple of questions here. One from Bob Ryerson and a few others that referred to democratic reforms and the idea of the Uluru statement from the heart and that issue of a voice to parliament treaty and. Truth. I wanted to ask you, Helen Haines, how important a voice to parliament in particular is in terms of democratic reform priorities for the next parliament.

**Helen Haines** [00:45:36] Thanks for that question. Well, my electorate tells me it's incredibly important. I have many people in Indi making it clear to me that they wish to see us fully reach our potential as a nation. And in order to do that, we need to accept the invitation offered to us through the Uluru Statement of the Heart. To that end, I put up my hand to work with, with Minister Wyatt

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and Senator Burnie and Senator Dodson, Senator Lambie and many others on a working party during the last Parliament, and Professor Marcia Langton and Professor Tom Calma put forward the findings of the work that they did around constitutional recognition of First Nations people. Now I'm disappointed that we didn't get to where we ultimately would like to have gone in the 46th Parliament, and I would certainly throw all of my support behind working with First Nations people to achieve the Uluru Statement of the Heart, which includes truth telling memoranda and of course, constitutional recognition. And I know the people of India are very keen to to work towards that, too, because if we go to referendum, we need to succeed valley.

**Zali Steggall** [00:46:55] Look, absolutely. I strongly support the early statement and I support a motion being brought to the parliament without delay that would set in place to be able to do a referendum for that to occur. Keeping the question simple, because, again, intent behind the question makes a very big difference to the outcome. I think this is a really important step. Australia can't move forward as a nation until we reconcile with our past and that must be by acknowledging First Nations people and by accepting invitation of the gallery statement of the Heart.

**Ebony Bennett** [00:47:32] There's a couple of questions in here and one from Christopher. Now set the Guardian again about Labour's proposed model for its Integrity Commission. Christopher says Labour has released a two page document detailing its Integrity Commission model. Is this enough, Helen Haines? And do you want to see more detail on how Labour's Integrity Commission would operate, where it to be elected into government?

**Helen Haines** [00:47:56] Yes. So no and yes. No, it's not enough detail. It's a set of principles and I'm good principles, but I would need to see the detailed legislation, of course. But I would note that the Opposition supported me and the crossbench and indeed one member of the Government when we took it to a vote around debating my bill back in November. So the intent to debate a robust integrity commission such as what I put forward, was supported by the Opposition, but I would want to see the detail irrespective of who forms government. I don't make decisions based on on a set of broad principles. Any piece of legislation on it to say the detail and understand that and work closely with with whoever is the Attorney-General to ensure it's a model that's fit for purpose.

**Ebony Bennett** [00:48:46] Zali your thoughts on Labour's proposals at the moment.

**Zali Steggall** [00:48:50] Look, I was very disappointed with the comments by Anthony Albanese because it's easy in opposition. They have sided with the with the action they have relied upon. I would say, Helen and I on a number of issues to really push the government to do better. And now what he's saying is, look, whilst we have supported those models and said good in principle, we will look where if we form government we might just look at that and see how us will do it. With respect, it's just not good enough. We have models and legislation ready to go and the Australian people want fast action on this. I don't want this irritating. Let me form government, let me do a review and then we might come to you in a few months time or six or 12 months time and come back to you as

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a model. So it's always easy in opposition to take a stance on something. It's much harder once you're in government to actually deliver the goods. So I would argue you have several pieces of legislation that are ready to go. Now, Labour may not like the fact that they have been draughted and introduced by crossbenchers, but the reality is they have consensus and they have broad support. And I would argue the model that Helen has draughted when it comes to a Federal Integrity Commission is broadly accepted as a very good model, the same as the climate change bill that I've introduced. So rather than Anthony Albanese playing games of trying to put a labour stamp on things, let's actually put what the Australian people want, which is good legislation in place as soon as possible so that it can start working and be effective when we have only three years between elections and governments generally take a long time to deliver much, much legislation to the Parliament. We would be waiting another 6 to 12 months before anything happens. So I was very I was not impressed with the comments of Anthony Albanese and I would strongly urge both sides of politics to consider what the Australian people want to see, which is a strong anti-corruption commission a.s.a.p. This cannot be delayed any further.

**Ebony Bennett** [00:50:52] The next question I've got is from Susan Rockliff and she asks Helen, I'll take this one to you first. What is your attitude to the case of Bernard Collaery, who is being prosecuted by the Commonwealth Government for his defence of Witness K? That is about the issue of the Australian Government bugging the Cabinet of Timor-Leste Day. But I wonder, Helen, if I could ask you not just specifically about Bernard Collaery and his case along with Witness K, but how we currently deal with whistleblowers at the moment and what protections we might need in future.

**Helen Haines** [00:51:30] Thanks very much, Ebony. We have very inadequate protections for whistleblowers. One of the elements of the bill that I put forward on an integrity commission has strong whistleblower protections built in. There's been no stronger advocate in the Parliament than one of our fellow crossbenchers, Andrew Wilkie, on this exact issue. We have a very inadequate situation and I think that the case. Of Mr. Cleary and witness illustrates that many Australians, if they took a look at this, would be pretty surprised and indeed outraged actually at what's happened in that case. So we've got a long way to go on whistleblower protection and I want to see that strengthened. And I'd like to see that. Well, it's built into my bill. So it's not I like to say it. It must be there.

**Ebony Bennett** [00:52:20] Yeah. Zali, Whistleblower Protection. How important is that to the voters of Warringah?

**Zali Steggall** [00:52:26] Absolutely. Look, the voters of Warringah are really just wanting to see better government and better integrity. There isn't always an understanding of all the individual provisions, and that is part of our role as representative of the communities to ensure that there is a full engagement on all the issues. But Andrew Wilkie has done incredibly important work on that when it comes to whistleblower protection. But also this is the overlap of the Socratic kind of overreach. It's also we saw after the 2019 election journalists being raided by the AFP and sort of real overreach in terms of what are the protections do we have in our system. So I strongly support

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whistleblower provisions, but we also need to look at where are the other protection measures. We need to ensure there is accountability because it is generally from inside the institutions or organisations or bodies that you become aware of wrongdoing occurring. And so there has to be that ability for whistleblower provisions. I would say on the public, a point that I've just recalled in relation to public hearings around integrity and anti-corruption is it's often once things are in the public domain that further witnesses come forward with evidence relating to an investigation. If it happens behind closed doors, you often will miss out on very key evidence being available to investigations. So again, for people to feel comfortable coming forward, I do not need those whistleblower provisions.

**Ebony Bennett** [00:53:59] Yes. And I know that in a lot of our work at the Australia Institute around the issue of public hearings, it was made clear that Eddie Obeid probably would not have ended up prosecuted in the way that he was because that was a result of public people from the public coming forward after watching public hearings. So very important, certainly. Valli, I want to ask you, you've talked a lot about what the crossbench has been doing with Canvas, what will or won't be amenable to you in the event of a hung parliament. But I know people have a lot of questions. The major parties are both kind of very invested in the idea of majority government for people out there. Can you tell us about how the crossbench actually works in Parliament and how you think it might work in the event of a hung parliament in future? Do people need to be scared of the idea of shared power in the Parliament?

**Zali Steggall** [00:54:59] No. And in fact, vast majority of our state governments have been minority governments for quite some time. Current New South Wales Government is a minority government. And in fact, Dominic Perrottet came out and again distanced himself from Scott Morrison's comments of potential chaos in a minority. Maybe that's more of a reflection on his ability to negotiate and develop good working relationships rather than what a balanced power would actually look like. I would say my experience as an independent, I have worked collaboratively with both sides of politics and work with the government, with the opposition, with my crossbench colleagues. But the benefit of being an independent means that I put the interests and the views of my community first. There is no party room deal. There is no backroom power play that dictates the position I must take. And I should say, I have seen MPs of both sides of politics quite distressed at not being able to vote on the floor in the way their own beliefs would want them to, and from their own integrity and principles. But because the party room is dictating how they should vote. So I would argue a more representative parliament is only a good thing. In fact, many European countries have minority governments that work incredibly well. It ensures more views are represented around the decision making table. Australia has not had much experience of it. We only really had the Julia Gillard government and that was a first time model and I think things were done. Some things I think worked in that model. There was a loss of independence by certain players. So I think again, it is not something to be a free for all. This is actually something to embrace because it means better government. It means you will have more views, more decision making. The decision making will have to meet the needs of a much greater proportion of Australians to pass both Houses of Parliament. And that can only be a good thing.

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**Ebony Bennett** [00:56:58] We might end up running a few minutes late. But Helen Haines, I also want to ask you about that. How does the crossbench work in Parliament from your perspective and what would your message to voters who might be concerned about how that would operate in in the next Parliament?

**Helen Haines** [00:57:13] Well, I love the term power sharing and when when there's power shared, there is the opportunity to negotiate. There is the opportunity to improve legislation. There's the opportunity to not take the nation for granted based on an electoral victory. So I think that there's enormous opportunity for this to bring about much, much better legislation. And again, when I think about the work that I did on the Integrity Bill, that piece of legislation was improved by talking to members of the coalition who gave me some really great ideas about how to improve it. I think that the way the crossbench works right now is that we're all independent operators, but occasionally there'll be issues that come that we have great shared interest in and we often seek to improve the private members bills that we're putting forward by talking to each other and hearing another perspective. I think Zali is absolutely right, and of course history shows us to be true, that in the last minority government we saw more legislation passed through both houses than what we have had passed through the most current government, for example. So the necessity to work together to get the best outcome, to improve legislation and to share power I think is the best opportunity Australia has had in its modern history.

**Ebony Bennett** [00:58:33] Thank you so much. Ben Oquist If I might just come to you to thank both of our guests today and and finish up. Oh, you're on mute there, Ben.

**Ben Oquist** [00:58:49] Thanks. Thanks. Thanks, everybody. Well, democracy totally on display here today. What a great group of people discussing these issues. Thanks to everybody who's participated in a really lively chat and Q&A session. And I really do think this this webinar is a real great contribution to democracy and the engagement people bring from around the country being able to talk directly to so of the great proponents of democracy in the parliament, Helen Haines and Zali Steggall, that read a lot about integrity. We've heard a lot about democracy. We heard a lot about transparency. We heard a lot of hard work that that the legislation that's being put forward, the ideas that have been shared in Parliament, builds great work through the Democracy and Accountability Programme and the ideas in here, plenty of them being proposed and collaborated with Helen and Zali. So just thanks to Azari for helping make 2020 to the integrity and election and whatever the outcome of the election. I think democracy has been served well by the new ideas that have been put forward and elections aren't just about who wins and loses, they are about which ideas win and lose. And I think clearly what's happened during this term of parliament, during this election campaign, some really important Democratic issues have come to the fore, which we need, because, as has been discussed here, faith and trust in democracy is on the slide. It's going to be arrested. So I think we haven't had the election result, but I do think democracy has been a winner. Thanks to a lot of the ideas and work that have been explored here today, in particular from Alan and Sally. Not just today, of course, but through the life of the 46 parliament. Thanks, Evan. Thanks, Bill. And importantly, thanks to everybody who's participated. We couldn't get to all your questions but have has engaged and taken part in a really lively and important discussion.

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**Ebony Bennett** [01:01:08] Thank you so much, Ben. We'll wrap it up there. Thanks to our guests. Thanks to our audience. Stay safe out there, everyone. And don't forget to vote. Thanks. Talk to you soon. Bye bye.