



## **FEDERAL INDEPENDENT COMMISSION AGAINST CORRUPTION**

1. Our ICAC will be run by a Board of Commissioners consisting of eight prominent and respected citizens whose honesty is beyond reproach. None of these citizens will be from, or will have held office in, any of the three branches of government.
2. A board, rather than one commissioner is essential, because there is an undesirable risk that with only one person, the ICAC itself may become corrupt.
3. The Board members will not need to be legally qualified, as there will be lawyers to handle the day to day prosecutions. The Board will be responsible for general policy, and for making decisions on who will be investigated, and who will be prosecuted.
4. When a Board member retires or resigns, their replacement will be made by the remaining seven members, thus ensuring continuation of incorruptibility on the Board.
5. The lawyers who conduct the day to day prosecutions, and the officers who conduct the day to day investigations will be on limited tenure, to avoid the possibility that they will build 'relationships' with the sorts of people they should be prosecuting. All hiring of the original lawyers and their replacements will be done by the Board, not by an employee within the Commission, again to avoid the risk of a corrupt culture arising within the ICAC.
6. A special court would be set up to hear ICAC trials, to avoid the risk of bias or perception of bias, which may arise in any of the established courts, where many of the judges could have associations with, or have been appointed by, some of the people under investigation.
7. The trials would be by jury. Never by judge alone.
8. Crucially, the basis for prosecution would not just be corruption or illegality, but would also include dereliction of duty or abuse of power. This is because many damaging acts by politicians, judges and bureaucrats are strictly within the law, but nonetheless cause significant and unnecessary suffering. In this regard it is important to remember that slavery, Apartheid and concentration camps were all 'legal'.
9. Penalties for those convicted will include imprisonment and/or fines. There will also be a provision for the Court to order those convicted to make good, by way of compensation, losses incurred by victims of their corruption.

10. To guard against future governments underfunding or defunding the ICAC, the enabling legislation will make it an act of corruption in itself to reduce levels of funding for the ICAC below the levels at establishment, in real terms.

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