



Cassy O'Connor MLC

Tasmanian Greens Democracy and Integrity spokesperson

Member for Hobart

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Department of Justice
Office of the Secretary
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Via: haveyoursay@justice.tas.gov.au

To whom it may concern,

Thank you for the opportunity to provide feedback on the *Integrity Commission Amendment Bill 2026*, which I do on behalf of Tasmanian Greens' MPs.

In 2021, the Integrity Commission advised that the *Integrity Commission Act 2009* does not apply to Members of Parliament between the dissolution of a relevant House in which that Member is a Member, and the declaration of polls. Between these two periods, a Member of Parliament is no longer a Member of Parliament.

However, while an incumbent may no longer be a sitting Member of Parliament, they still retain benefits and responsibilities that the office confers. These include staffing and resource allocations, formal and informal influence during the caretaker period, access to electoral rolls, and general community influence.

Misconduct can include misuse or unauthorised removal of property belonging to a public sector organisation, accepting a gift or benefit for a particular decision or action, failing to declare or appropriately manage a conflict of interest, or looking up or releasing information without proper authority.

All these examples of misconduct can still occur during an election period for an incumbent candidate, particularly in respect of Ministers.

We recommend that this bill should provide for incumbent candidates to still be covered by the Act during election periods.

We further note that, should the bill not provide for this, it would be our intention to amend the bill. Without pre-empting the Parliament's decision, we expect such an amendment would have decent prospects of success. Departmental involvement at the consultation draft stage may make the process smoother.

We note other submitters have argued for an implementation tracker. This is a proposition we believe would be of considerable benefit for transparency.

This is something, as a practice, the Custodial Inspector does, which the Greens consider to be a valuable exercise.

We acknowledge the Custodial Inspector does this without a specific supporting legislative framework.

Regardless, we consider it would be of benefit for the *Integrity Commission Act 2009* to explicitly provide for this.

The Custodial Inspector already does this, so there is little need for their Act to require it. Furthermore, they have a much narrower range of stakeholders from whom they need to get updates, and the ongoing audit-like nature of their work provides for organic opportunities for progress updates in a way the Integrity Commission likely does not have.

On this basis, we consider it desirable for the Commission to have explicit power to seek information on the response to, and status of, their recommendations, as well as a requirement to report this information through either their annual reports, or in other reports to the Parliament.

In closing, I note with thanks consultation on further extensive proposed amendments to the Act - to incorporate Cox and Weiss Review recommendations, as well as the Integrity Commission's proposed changes to improve the Act's functionality – and encourage government to introduce these amendments without undue delay.

Yours sincerely,



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