



## ICAC AND LECC LEGISLATION AMENDMENT BILL 2023

### STATEMENT OF PUBLIC INTEREST

#### **Need: Why is the policy needed based on factual evidence and stakeholder input?**

The ICAC and LECC Legislation Amendment Bill 2023 (**Bill**) proposes to amend the *Independent Commission Against Corruption Act 1988 (ICAC Act)* and the *Law Enforcement Conduct Commission Act 2016 (LECC Act)* to:

- implement the Government response to recommendations 2 and 5 the Joint Committee on the Independent Commission Against Corruption's (**ICAC Committee**) *Review of the 2020-2021 Annual Reports of the ICAC and the Inspector of the ICAC*
- implement the Government response to recommendations 1 and 3 of the ICAC Committee's *Review of Aspects of the ICAC Act 1988*
- implement a recommendation of the *Inspector's Special Report 2023/01: Audit of the welfare of witnesses and other people involved in ICAC investigations*
- allow the Chief Commissioner of the LECC to make short-term acting appointments, consistent with provisions in similar integrity legislation.

#### **Objectives: What is the policy's objective couched in terms of the public interest?**

The Government is committed to ensuring that NSW has strong and effective independent integrity agencies. This Bill contains proposed amendments to the ICAC Act and LECC Act that will help facilitate this commitment. It is in the public interest that NSW integrity agencies are equipped with appropriate legislative frameworks that enable the efficient and effective exercise of their principal functions.

#### **Options: What alternative policies and mechanisms were considered in advance of the bill?**

The Government considers that the policy is best implemented by legislative amendment, in accordance with the specific recommendations made by the ICAC Committee and the Inspector of the ICAC.

#### **Analysis: What were the pros/cons and benefits/costs of each option considered?**

The Bill does not impose any appreciable cost or burden on the public or any group of the public and so the relative merits of alternative options have not been analysed.

#### **Pathway: What are the timetable and steps for the policy's rollout and who will administer it?**

If enacted, the Bill will commence on assent, except for Schedule 1[2], which will commence 3 months after assent to allow time for ICAC to comply with these provisions.

#### **Consultation: Were the views of affected stakeholders sought and considered in making the policy?**

The Chief Commissioners and Inspectors of both the ICAC and LECC have been consulted during the development of the Bill.

The recommendations of the ICAC Committee are the result of inquiries which received evidence from the public and stakeholders.