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## MEDIA RELEASE

### **ICAC Committee report released: Protections for People who make Voluntary Disclosures to the ICAC**

The law should be changed to comprehensively protect people who make voluntary disclosures to ICAC against criminal, civil and disciplinary liability for doing so.

This was the chief recommendation in the ICAC Committee's report regarding voluntary disclosures to ICAC, tabled in Parliament today. The Committee also found current protections for people who make voluntary disclosures to ICAC are too narrow and unclear.

"People are less likely to tell ICAC about suspected corruption if they could get prosecuted or sued for doing so" said Committee Chair, Mr Damien Tudehope MP. "This represents a lost opportunity to detect, expose and prevent corrupt conduct in NSW, which is why we have recommended changes to the law".

However, the Committee was very clear that the changes should not protect wrongdoers from the consequences of their actions. "The increased protections should protect people for the act of disclosing information to ICAC, not against liability for their own wrongdoing" clarified Mr Tudehope. "People should not be able to escape the consequences of their own wrongdoing just because they have disclosed it to ICAC".

During its inquiry, some stakeholders also told the Committee protections should only be available to those who have made a disclosure based on an honest and reasonable belief that corrupt conduct has occurred. Otherwise disclosures could be made for improper purposes, damaging reputations and wasting ICAC's resources in dealing with them.

However, the Committee decided the protections should apply regardless of such thresholds. "Thresholds may deter people from making genuine complaints to ICAC for fear of attracting liability" said Mr Tudehope. "Further, the ICAC Act already contains criminal penalties for anyone who makes false complaints".

The Committee has also recommended ICAC examine whether more could be done to deter people from making these false complaints, and to limit the damage caused where this does occur. In addition, to encourage disclosures, it has recommended changes to protect the identity of people who make disclosures to ICAC, where appropriate.

For media comment, please contact Mr Damien Tudehope MP on (02) 9877 0266. A copy of the report can be found at:

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2433>.