

**REVIEW OF THE INSPECTOR'S REPORT TO THE  
PREMIER: THE INSPECTOR'S REVIEW OF THE  
ICAC**

**Organisation:**

**Name:** Dr Irene Moss AO

**Position:**

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**Submission to the Committee on the Independent Commission Against Corruption.**

**Supplementary Submission Regarding the Concept of a Panel of Commissioners .**

I refer to the submission by the Premier's Department which suggests, amongst other things, that consideration be given to a panel of, say, three Commissioners rather than one Commissioner.

I understand that criticisms of this model include that it might result in undue bureaucracy, undue expense and that the Commissioners might not be fully occupied. There is some merit in these criticisms. However, I submit that the concept of a panel of three Commissioners is worthy of consideration if the panel is appropriately structured.

The Commission must make many important and difficult decisions and a panel might increase public confidence in the quality of decision making while also reducing the considerable pressure which is placed on a single Commissioner under the present structure. I suggest that consideration be given to a panel of three Commissioners with one full time Managing Commissioner who also chairs the Panel meetings and two part-time Commissioners whose remuneration should be consistent with their expected lesser work load. This would be much less costly than the model of having three full time Commissioners. I suggest that the Panel not be responsible for the operational management of the Commission but should be responsible for certain key decisions such as:


- Whether matters should go to hearings;
- Whether hearings should be public, private or a mixture;
- Appointment, reappointment and remuneration of senior staff;
- Appointment of Hearing Commissioners and Counsel Assisting;
- Decisions with respect to potential conflicts of interest at the Commissioner or senior staff level.

The Panel should also have access to the queries from the Inspector and ICAC's responses.

I suggest that decisions should be by majority vote rather than unanimous vote so that decisions are not unduly delayed.

I suggest that the Parliamentary Committee on the Independent Commission Against should review the Panel's jurisdiction and mandate from time to time and make appropriate recommendations to Parliament with respect to any modifications when it sees fit.

In my view, a Panel of one full-time Commissioner and two part-time Commissioners would improve public confidence in the Commission without excessive expense, bureaucracy or interference in the operations of the Commission.

  
Irene Moss AO

12 September 2016