



VICTORIAN INSPECTORATE

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Hon Nick Goiran MLC
Chairman
Joint Standing Committee on the Corruption and Crime Commission

jscccc@parliament.wa.gov.au

24 June 2016

Dear Mr Goiran,

Standing Committee inquiry into efficiency and timeliness of appointment process

I refer to your letter of 25 May 2016 inviting me to make a submission to the above inquiry.

I have read the legislation governing the appointment of the Commissioner and the Parliamentary Inspector. The appointment is in each case ultimately by the Governor, but it is made by on the recommendation of the Premier, who is required to select the person recommended from a panel of three names prepared by the Standing Committee, and each of those three names must have bipartisan support.

The appointment of the Commissioner of the Independent Broad-based Anti-corruption Commission (IBAC) and the Inspector in Victoria is much less restricted. Both are simply Governor in Council appointments. Certain qualifications are required for both offices, and certain classes of person are disqualified from appointment, but these are not relevant for present purposes, I think.

The Victorian process for appointing Commissioner and Inspector is similar to the Victorian process for appointments to numerous public offices in this State; indeed, it is a more or less standard procedure. Judges, for example, are appointed by the Governor in Council, and there are no restrictions apart from the need to hold certain qualifications. It might be argued that the absence of a panel procedure like that used in Western Australia renders Victoria more likely to see appointments based on political considerations; but in practice all Governments have exercised these powers of appointment in a responsible, apolitical manner.

I note that the inquiry is into the "timeliness and efficiency" of the appointment process. I am afraid that that is something on which I am not really in a position to comment. Intrinsicly the Victorian process, being far simpler, ought to be quicker than the Western Australian, but in practice some positions remain unfilled for a very long time.

I am sorry I do not have more to contribute, but I trust you will appreciate that, as a person appointed to the position of Inspector, I was on the receiving end of the process.

Yours sincerely,


Robin Brett

Inspector