

# WHAT ABOUT THE PUBLIC INTEREST?

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THE UNIVERSITY OF  
SYDNEY

## 80s and 90s

- 1) From OCC to ACC to CCC
- 2) CCC
  - a) Powers to do the job
  - b) Opportunity to go public
  - c) Prevention brief



# THE DEBATE TODAY

- 1) Conduct of the CCC?
- 2) From public sector misconduct to “serious crime”?



# CONDUCT?

- 1) Parliamentary Inspector
- 2) Parliament

# SERIOUS CRIME?

## **Are the critics right?**

- 1) Practical issue – dealing with allegations of misconduct efficiently and effectively
- 2) Philosophical issue – power and principle for the political and bureaucratic class

# “The Westminster View”

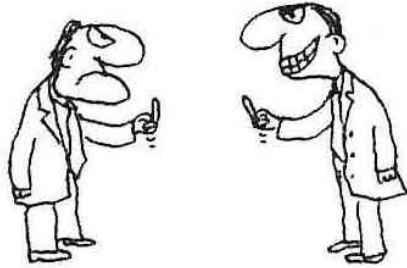
## LEAVE IT TO POLITICS

- 1) EXECUTIVE SCRUTINY –  
Opposition, Parliament, Media
- 2) PUBLIC SERVICE SCRUTINY  
– Ministers, Opposition,  
Parliament, Media

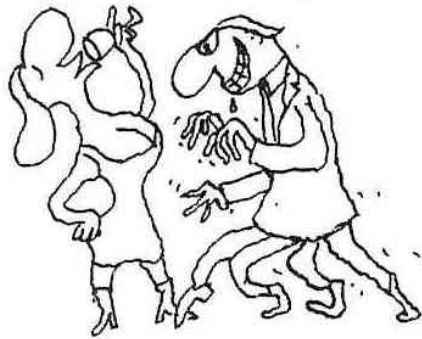
# “The Westminster View”

- a) IDEAL WORLD – principles and standards
- b) REAL WORLD – conflicting principles, complex situations
  - i. Therefore “LEAVE IT TO POLITICS”
  - ii. Hostility to politics of legalism

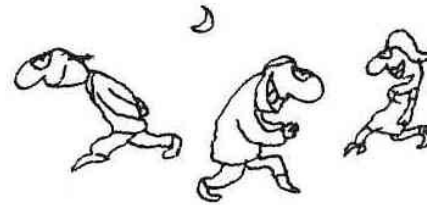
POLITICIANS ARE A  
PRIMITIVE PEOPLE WHO  
ARE ALWAYS FIGHTING  
AND CAUSING TROUBLE.



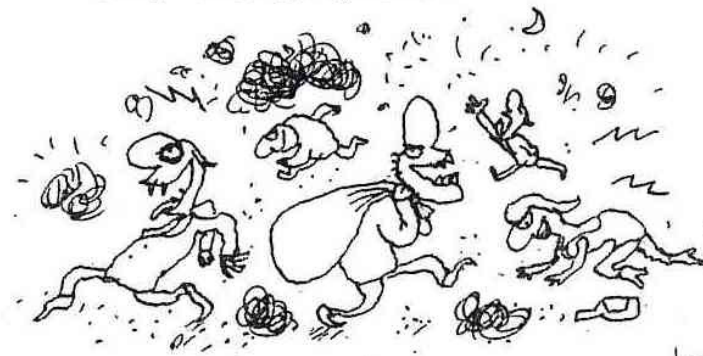
THEY LOVE BOOZING AND  
FORNICATING. THEY ARE  
UNRELIABLE AND YOU  
CAN'T TRUST THEM



THEY WON'T INTEGRATE INTO  
NORMAL SOCIETY. IT'S NO USE  
TRYING TO UNDERSTAND THEM-  
THEY ARE NOMADIC OPPORTUNISTS.



GREAT SWAGS OF PUBLIC  
MONEY AND RESOURCE HAVE  
BEEN THROWN AT THEM BUT  
THE SITUATION NEVER IMPROVES.  
THEY WILL ALWAYS BE A  
BIG HEADACHE.



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## 1. Criticism of Public Interest

- Abstract
- Used for political purposes

## 2. The Reality

- It is a legal obligation
- Its application is the issue (Power and Principle)

# FOUNDATION STONES OF GOOD GOVERNMENT

## 1. “POLITICS”

*and*

## 2. AGENCIES OF ACCOUNTABILITY

*(“The Integrity Branch”)*

- Forum for analysis and debate
- Mechanism for investigation