



Speech By **Michael Berkman**

MEMBER FOR MAIWAR

Record of Proceedings, 11 December 2025

JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Report, Motion to Take Note

 **Mr BERKMAN** (Maiwar—Grn) (3.36 pm): Mr Deputy Speaker, with your indulgence, I would like to quickly add to the comments others have made this week in recognising the recent passing of Bill Hauritz. I had the great privilege of going to the Woodford Folk Festival for a number of years as a punter, a volunteer and even an employee at different points. Bill was a true giant of Australia's festival and folk scene. He will be sorely missed. My condolences go to Ingrid and the rest of the family.

I rise to make my contribution in the debate on the Justice, Integrity and Community Safety Committee's report into its oversight of the Integrity Commissioner. I should start where others have by thanking the whole commission and, in particular, Commissioner Waugh for the work they do. I am grateful for the assistance that I have been able to access through the Integrity Commissioner previously.

Clearly, given the numbers and the increase in the amount of advice that is being offered, particularly to members of parliament, we are all very grateful for that support. It really is important for us not just to understand potential complexities in our roles and our relationships with various stakeholders and people in our lives but also to understand better those potentially very murky grey zones where lobbying comes into the picture and where we really do need the general public to be able to have faith that everyone in this place, particularly those on the ministerial benches, are conducting themselves with the utmost integrity.

One of the functions of the commission, as I mentioned, relates to requests for advice. That is an extraordinary proportion of the commission's work. Eighty-five per cent of the requests for advice were in relation to a conflict of interest. I would certainly like to take a moment to consider and I think the House should consider how that advice is dealt with and how the work of the commission more broadly is dealt with. I will point to a particular example that I am aware of. I will not name names in the interests of protecting the identity of this particular constituent.

There are, for example, provisions where ministers have power around conflicts of interest in relation to statutory office holders. A statutory office holder is required under the Integrity Act to disclose any conflicts to the respective minister where they identify that they have or may have conflicts between their own interests and their responsibilities in that statutory office.

The instance that I have referred to saw a statutory office holder take advice from the Integrity Commissioner and identify that there was a potential conflict and, as is common practice, the commissioner assisted that person in putting together a conflict management plan. Given how much respect we all have for the Integrity Commissioner, I would have thought that should be sufficient for the minister to satisfy themselves. If the Integrity Commissioner has given advice that a conflict can be managed through the process set out in a management plan that they have assisted in developing, that should suffice. Instead, what we saw in this case was the minister in question—the health minister in

this case—actually exercise his powers under the Integrity Act to issue a direction instead. Rather than accepting that everyone is grown up and capable of dealing with a conflict, he issued a direction that the conflict be resolved, which, in effect, means that one or other of the roles in conflict needed to be given up. My question is: why are we going to give the Integrity Commissioner these responsibilities if they are simply going to be ignored by the minister in these circumstances where there was quite clearly a political imperative rather than a genuine concern about integrity?

Mr HUNT: Mr Deputy Speaker, I rise to a point of order on relevance.

Mr DEPUTY SPEAKER (Mr Krause): I hear your point of order. Member for Maiwar, as it happened, I was seeking advice from the Clerk at that very moment. I have been listening at other times and contemplating the relevance of your contribution. Please come back to the motion before the House which is consideration of the committee report. You have 31 seconds to round it out.

Mr BERKMAN: One of the very simple ways I think we could improve the functions of the Integrity Commissioner is to create expectations around how the commissioner's advice is dealt with in circumstances such as the one I have outlined and demand that folks like the health minister—I am glad to see him here—are actually compelled, one way or another, to listen to the advice of the Integrity Commissioner, not disregard it and not put those folks taking advice at a disadvantage in circumstances where conflicts could be managed if it were not for the political demands of the minister in question.

(Time expired)