



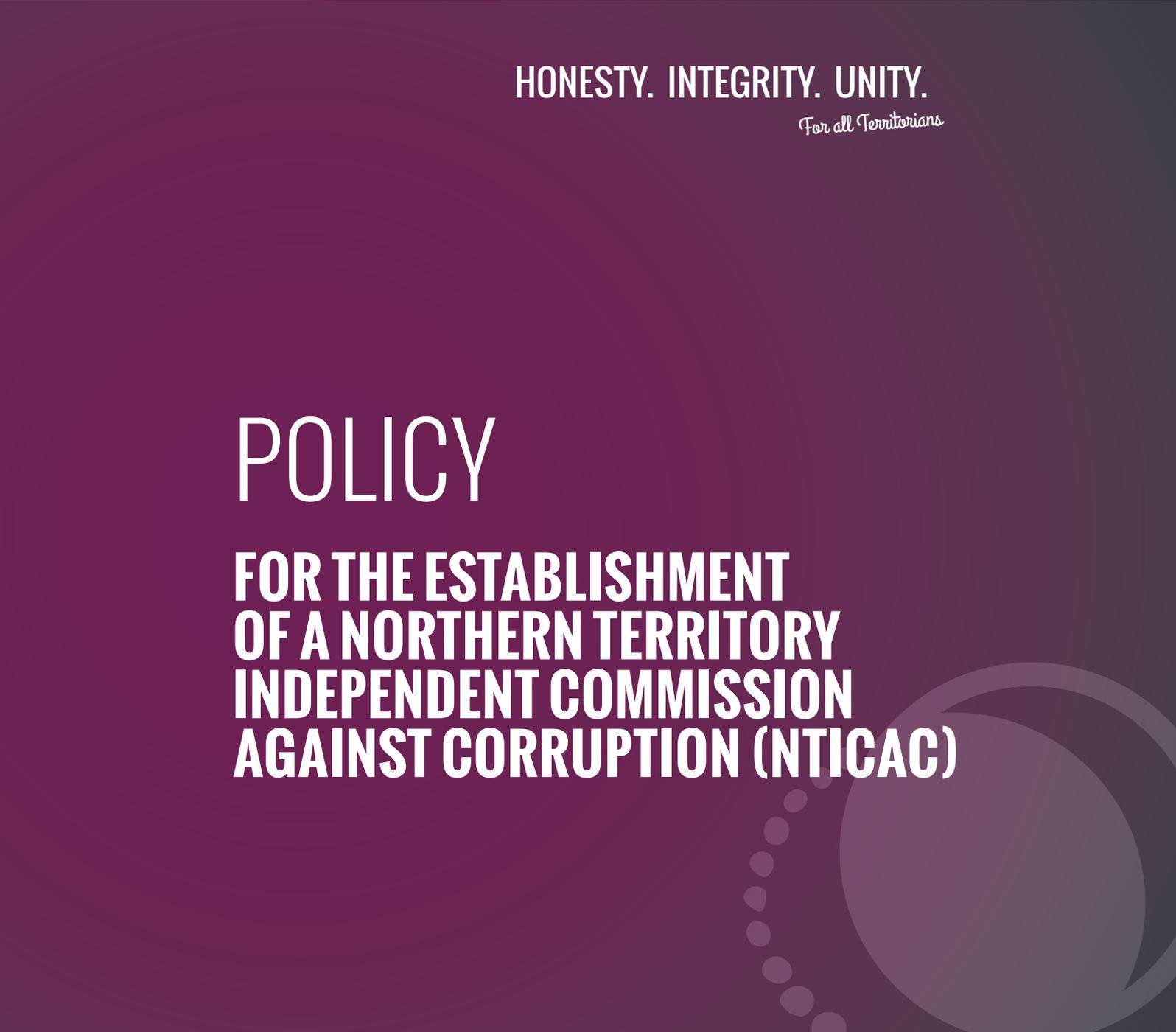
1 TERRITORY

HONESTY. INTEGRITY. UNITY.

For all Territorians

POLICY

**FOR THE ESTABLISHMENT
OF A NORTHERN TERRITORY
INDEPENDENT COMMISSION
AGAINST CORRUPTION (NTICAC)**



NORTHERN TERRITORY INDEPENDENT COMMISSION AGAINST CORRUPTION

A PROMISE

In government, 1Territory will, as a high priority, establish an independent ICAC to investigate and where appropriate, prosecute individual persons and corporations who have or are believed to have engaged in corrupt activities in the Northern Territory.

OPERATIVE DATE

The power to investigate will be confined to a period not commencing earlier than 25 years prior to the date on which NTICAC commences operations.

POWERS

NTICAC will have such powers of investigation, conduct of inquiries, prosecution, etc as are necessary to the complete performance of its powers, functions and duties.

ANTI-AVOIDANCE MEASURES

NTICAC will have the power to make orders for gaol, fines, restitution and a range of other civil and criminal penalties necessary and incidental to preventing future corruption and to punish past corruption.

REPORTING AND SUPERVISION

A Standing Committee of the Northern Territory Parliament will monitor NTICAC's operations and finances.

NTICAC will work closely with NT Police, as both are integral to the administration of criminal justice.

As the institution charged with the responsibility and authority for the enforcement of the criminal law, the Police Force should be subject to independent overview and critical assessment. The external overview and critical assessment of NT Police will be a function of NTICAC.

External overview and critical assessment of the Police Force is not an isolated exercise. It is an integral function of the administration of criminal justice. All the tasks which comprise the administration of criminal justice, and the overview and assessment of the working of the Police Force should be done by the one body which administers other aspects of the system.

That body in the Northern Territory will be NTICAC.

NTICAC will report on a regular basis; when instructed to do so; and when it decides it is necessary to do so.

The permanent role of NTICAC will include:

- acquisition of resources, skills, training and leadership necessary for the administration of criminal justice;
- monitoring and reporting on the use and effectiveness of investigative powers;
- regular reporting to Parliament as to the effectiveness of criminal justice administration, especially as to organized crime and law enforcement efficiency
- monitoring the performance of the NT Police Force especially with reference to resources and funding, and inter agency co-operation and communication;

- undertaking essential criminal justice functions when these can not be appropriately carried out by Police; and
- overseeing and managing criminal intelligence functions with particular reference to major and organized crime and official misconduct.

Broadly speaking the NTICAC will operate in accordance with the proposals of Commissioner Fitzgerald in his Inquiry Report, but having regard to the relatively small size of the NT criminal justice system.

The NTICAC will have the power to investigate and prosecute in respect of past conduct, events and occurrences it deems worthy of its attention.

Without pre-empting the ultimate organizational structure, 1Territory suggests that the NTICAC policy will result in a structure in which an official misconduct division, a misconduct tribunal, a research and co-ordination division, an intelligence commission and a witness protection division will each report to a Criminal Justice Commission (Chairman and Members) comprising an Executive Director and Secretariat, all reporting to Parliament via a Parliamentary Criminal Justice Committee execute the work of the NTICAC.

In government, execution of this policy will be a priority of the 1Territory Party, and all necessary actions will commence immediately.