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30th July 2008

Committee Secretariat
House of Assembly
Parliament House
Hobart
Tasmania. 7000

Dear Members of the Committee,

Joint Select Committee on Ethical Conduct.

Thank you for the opportunity to make a submission.

I believe my submission meets all of the Terms of Reference. i.e., *To inquire into and report upon the issues of ethical conduct, standards and integrity of elected Parliamentary representatives and servants of the State in performing their duties...*

As a result of my dealings with elected Parliamentary representatives and servants of the State I feel a strong need for:

- a) A new means to conduct independent investigations, allowing for ethical and open Government which in my opinion does not exist at present, and
- b) The establishment of an Ethics Commission or similar, and open government.

Might I just say that in the past I have taken the time to participate in other State government inquiries only to find that the submissions have been with-held from the public, and that I have heard nothing more about it; not even a letter to advise what has happened from then on.

A recent example of this was the Joint Select Committee into Disability Equipment. I made a written submission, I attended a hearing whilst extremely ill, and since then I have received nothing back from government on the matter. However, by chance I found the hearings 'hidden' on the internet. Why the secrecy?

If we talk about, "...the issue of ethical conduct, standards and integrity of our parliamentary representatives and servants of the State performing their duties..." then surely this example 'fits the bill'.

I would ask for an assurance that this practice does not happen with this inquiry.

(2)

Further, I believe through my dealings with most elected representatives and servants there is a 'code of conduct' in and between agencies, to generate propaganda or spin, frustrate, purposefully delay, or not to respond at all.

This behavior can only be taken as unreasonable and rude. It is not ethical, it is bad conduct and certainly not open government when information is being sought, or issues debated.

I am of a belief it does not matter which Minister, Department, or Division is involved in Tasmania, or what the subject matter is; the problem of "going to ground" or "closing ranks" is systemic and needs to be changed.

As a result of this, I have on occasions been 'forced' to use Freedom of Information to obtain information that would normally have been available to the public, had there been open government and no secrecy involved. I also believe the methods employed to prevent me obtaining this information have not been totally ethical.

I am not going to go through every example of what I have raised, however, I would like to point you to a website that resulted out of all these points and more:

<http://www.cleanairtas.com> and in particular, <http://www.cleanairtas.com/correspo.htm>

On the Correspondence Page, please follow the colour coded day to date contact I have had with the State Government and I am sure you will agree we need at the very least the capacity for open government and to be able to conduct independent investigations.

In the short time the site has been operating, there have been quite a large number of hits.

Here you will find details of Representatives and servants failing to meet the very issues that have been stated in your terms of reference for this inquiry, i.e., *ethical conduct, standards and integrity*, in the important areas of Health, Environment, Forestry, and so on.

It is certainly not ethical for government to be passing laws so that Tasmanians have to breathe huge amounts of forestry industries smoke. It is unethical for the Environment Minister to 'hand over' her responsibilities and duties as Minister for the Environment. It is unethical for the Forest Practices Authority to make standards to allow burning on its own terms without input from the Director of Environment Health, the Health Department, Environment Department, or without public consultation.

It is unethical for the forestry industries to do planned burns and when people complain about their children suffering from smoke inhalation, refer them to the Asthma Foundation to be put on asthma medication, so forestry can continue to burn.

An Ethics Commission, open government, and the capacity to conduct independent investigations should be implemented as soon as possible, especially when we are talking about breaches of duty of care.

Yours sincerely,

Clive M. Stott