

## Submission to the Joint Select Committee on Ethical Conduct

Since settling in Tasmania in 1995 I have been disturbed by a culture of cronyism and a lack of accountability in the political system. It is my firm opinion this discussion is well overdue.

It is pretty well inevitable in an island state with a relatively small population that strong relationships that often go back to school days are part of the political landscape. As they sometimes say here “everybody’s somebody’s cousin” Among those who rise to positions of power and influence there will naturally be some who make the most of the understanding and trust that such intimacy confers which can, of course, be a positive thing but it can equally be extremely unhealthy and undermine the credibility and functionality of the democratic process. It can also lead to straightforward corruption.

Immediately prior to settling here I lived in New Caledonia and the parallels are interesting and instructive. A semi autonomous island of a third the size and about half the population of Tasmania it also has a somewhat polarised community with fairly strong divisions and a history fraught with conflict. An ex colonial penal settlement with a black history it's economy is dependent on a contentious, lucrative extractive industry (nickel mining) that has a considerable impact on the environment, tourism and tax payer revenue from outside the territory. ‘Outsiders’ are viewed with some suspicion and ‘insiders’ tend to get favourable treatment when it comes to Government contracts, the best jobs (often not advertised), favourable development decisions and so on. This is an almost inevitable product of the actuality. And so it is, to a slightly lesser extent, here in Tasmania.

I have had little direct interaction with the State Government but am aware of a number of ‘deals’ that appear to be inexplicable if analysed objectively and one can only assume that hidden forces are at work. I have however had considerable interaction with my local Council and have been dismayed by some of the unethical behaviour and abuse of position that I have witnessed. I will not enter into detail here but I know of a number of cases where complaints have been made about flagrant breaches of the Code of Conduct and worse. These complaints, following normal procedure, have been taken further up the chain to the Local Government Division where there has been a complete lack of appropriate action. The issues have been simply ‘swept under the carpet’ and the perpetrators effectively told not to worry. The message is loud and clear – don't worry about breaking the law (Local Government Act) and abusing your position of responsibility. Carry on with ‘business as usual’.

David Bartlett recently called for voting in Local Government elections to be made ‘compulsory’ and expressed his dismay that “more people vote for ‘Big Brother’ and ‘Australian Idol’ than vote for Councillors”. He voiced the hope that making voting ‘compulsory’ would increase people’s interest and awareness. I suggest that one reason that many are apathetic is because they have little faith in the system as it currently stands. I suggest that this stems from the fact that many have experienced, firsthand or anecdotally, petty corruption and abuse of power and that they are fully aware that there is no truly independent or effective mechanism for investigating these abuses. Most of us experience politics at the grassroots level and our experience here taints our opinion of politics at all

levels. With Local Council the 'training ground' for many of our State politicians it is imperative that they be held to account before learning that bad behaviour is not only condoned but frequently rewarded.

It has been suggested that Tasmania is too small to sustain an ICAC, that it would be too expensive. I suggest that Tasmania needs an ICAC urgently. That it be established on a scale proportionate to our requirements and that it need not be a burden on the taxpayer. That not to have an ICAC (or equivalent) is far more expensive in the longer term. This need not be a large body of lawyers and bureaucrats but could consist of a (perhaps semi-retired) member of the judiciary, a secretary and a panel of respected lay persons who would meet when and as required. In the normal course of events there should be little need for their services and the existing mechanisms would continue to operate but *the very existence of such an entity would send a message loud and clear to the public, elected representatives and to the public service that times have changed: that we have moved into the 21<sup>st</sup> century.*

One would hope that the Ombudsman would fulfil the role of an ICAC but unfortunately this doesn't appear to be the case. The Ombudsman appears to be unwilling/unable to do more than check that the correct procedure has been followed and, if it has, that appears to be the end of the matter regardless of the actual outcome. This does nothing to prevent unethical behaviour if this is deeply entrenched within the system.

Tasmania is reknowned nationwide for 'cronysim' and 'special deals for special mates' and this perception does little to engender confidence among investors or others wishing to do business here or simply considering settling here. For Tasmanians it fosters a degree of cynicism about politicians, the political process and the public service that is reminiscent of Joh Bjelke-Petersen's Queensland of the 70's. This is unhealthy in the extreme and if Premier Bartlett's vision of a participatory society is to be realised then we first have to clear the air of both the perception and, where it exists, the reality.

I would be happy to expand on these themes and give further details if required.  
Yours sincerely,

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16<sup>th</sup> July 2008

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