

Members of the Joint Select Committee
Joint Select Committee on Ethical Conduct
Parliament House
Hobart
TAS 7000

Annie Zon
51 Westbury Place
Deloraine
Tasmania, 7304

28.07.2008

Dear Members of the Joint Select Committee,

RE: Inadequate Existing Mechanisms for Ethical and Accountable Government in Tasmania. Recommendations for Independent Investigative Body.

Thank you for this opportunity to outline why I believe that Tasmania's current means of ensuring ethical and accountable government is far from adequate. Until the Tasmanian government establishes an independent body to speak to questions of corruption and ethical misconduct in Tasmanian public affairs, the prevailing suspicion that bias, cronyism and bullying are standard features of its administrative style will persist in the public mind.

Recent deteriorations in Tasmanian administration clearly indicate that this state lacks public sector integrity:

- ◇ no open investigation of alleged corruption and serious ethical misconduct at the state government level
- ◇ the outrageous use of Parliament to circumvent public accountability mechanisms such as when voting replaced science as the central process in approving the Pulp Mill.
- ◇ alleged serious political interference in judicial appointments has yet to be reported to the public
- ◇ retention of parliamentary office by an ex-deputy premier found to have lied to Parliament
- ◇ legislation such the *PAL* which deprives landowners' normal self-determination and virtually compulsorily-acquires vast slabs of the state for plantations; and s. 11(3) of the *Pulp Mill Assessment Act 2007*, which quarantines future Pulp Mill operations against review in the advent of investigation of alleged criminal offences

I do not contend that any of these breaches of process, actual or perceived, anticipated personal gain or benefit. However, to the extent that they breached due process, or intended exemption from public scrutiny, or resistance to public scrutiny (therefore requiring strenuous sponsoring efforts both to effect and to expose them), they are wrong and they are shameful. They show a government over-imbued with its own authority, acting well beyond its own powers to secure its notion of the public interest in ways that not only flout long-established and democratically agreed conventions of public administration, but which threaten to corrupt it to its essential core. They portend a rapid roll down to the bottomless pits where public rancour rages eternal until Royal Commissions eventually find them - multiplying and mutating into species almost immune to anti-corruption apparatus.

There must be checks and balances. There must be limits to government power. For the sake of democracy and meaningful citizenship, there must be public accountability of such a strength as will normalise high standards of probity and restore public faith in government operations. I therefore sincerely urge the Joint Select Committee to assert such findings as will lead to the construction of an independent anti-corruption process incorporating:

- ◇ reporting to parliament, not to government
- ◇ significant ethics education as well as investigative capacities
- ◇ retrospective investigations where there is a continued impact on public policy, subject to statutes of limitations;
- ◇ mechanisms to maintain the confidentiality of investigations and protect all parties to allegations, including eg, hearings in camera; whistleblower protection;
- ◇ an independent, guaranteed budget fully indexed to the CPI

I wish you well in your task and look forward to your response.

Yours Sincerely,
Annie Zon