

Members of the Joint Select Committee
Joint Select Committee on Ethical Conduct
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**RE: Outdated system for Ethical and Accountable Government in Tasmania.
Recommendations for Independent Investigative Body.**

I write as a complex systems consultant and strategist to advise that core issues surrounding the possibility of corruption in Tasmania need to be addressed urgently for a variety of reasons.

- To assure that Tasmanians are able to develop greater confidence in their government
- To show investors and others that Tasmania is an open and transparent place in which to do business
- To assure that the best quality of people are attracted into politics and government
- To send a clear signal to everyone that Tasmania is a 21st century operating environment
- To show that the government is committed to honest and open practices.

There is a number of clear evidences that Tasmanians are using to conclude that corruption appears rife. These include

- Legal and other discrimination in favour of particular industries and companies
- Removal of individual rights of redress against selected companies (e.g. PMAA)
- Dismissal of members of PLP for representing majority interests while those who mislead parliament are retained
- Dismissal of community concerns when they conflict with favoured industry claims
- Major public works that go untendered

It is for these reasons that many believe there is corruption, or corrupt influences at work in the Tasmanian system of governance. What is constantly missed are the systemic reasons for those beliefs.

The systemic problems include:

- Lack of any oversight body or impartial investigative group with the powers to prosecute corrupt practices
- Party donation systems that fuel suspicions about party loyalties and bias
- Failures of openness and transparency

Unless the systemic problems are addressed, attempts to correct perceptions could well be subverted. Business investment will only be deterred by perceptions of corruption and favouritism.

Symptoms of corruption resulting from systemic problems include:

- lack of policing and commitment to assuring that decision makers do not have a conflict of interest (e.g. on Local Councils)
- Exclusion of forestry from laws that apply to all others (e.g. LUPA)
- Perceived secrecy in dealings with favoured industries
- Government acting for particular industries (e.g. pulp mill marketing)
- Risks to communities ignored, benefits to companies promoted (e.g. water for mill)
- Breaches of Universal Charter of Human Rights to favour forestry

- Different access under law provided to Gunns mill (e.g. PMAA)
- Favoured access to public services provided to Gunns mill
- Failures to address health threats created by particular industries
 - Water contamination from forestry biocides and aerial spraying
 - Smoke plume threats from forestry burn offs
- Scale of subsidies and favours to forestry versus reductions in critical public services (e.g. health)

The Director of Public Prosecutions, Tim Ellis SC, has state that Tasmania lacks any independent investigative body capable of addressing issues of corruption. There seems little doubt that Tasmanians need an independent investigative body where the public can have faith that questions of governance will be dealt with confidentially, comprehensively, professionally, efficiently and effectively.

I am calling on the Joint Select Committee to establish an independent anti-corruption body with the following characteristics:

- Investigative ability that allows investigation of sitting members and public servants
- Supported by clear rules regarding avoidance of conflicts of interest
- Clear and unequivocal support for the principles of natural justice
- Supported by laws that deliver substantial whistleblower protection
- Ability to hold hearings in camera
- Public appointments from outside Tasmania
- An independent budget indexed to CPI and size of government
- Reporting to the people of Tasmania via the parliament, not the government

It would also be highly useful to devise a means to pay political party funding directly from the public purse so that parties could be:

- assured of funding levels
- disconnected from claims of bias
- seen to be impartial
- seen to act for the public rather than specific donors.

Overall, it is hard to see how the government can claim to commit to equality for Tasmanians when a favoured industry is excluded from laws, provided major subsidies and allowed to judge their own impacts on taxpayers.

I trust that this information is of value and can contribute to Tasmania becoming a world class location for investment and business.

Should you have any queries please contact me.

I look forward to hearing from you,

Yours Sincerely,

Mike Bolan

Consultant