

Submission on the Formation of an Ethics Commission In Tasmania

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The Secretary,
Joint Select Committee on Ethical Conduct
Parliament House
Hobart TAS. 7000

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It is my contention that the establishment of an ethics commission into the conduct of parliamentary representatives and public figures does not go far enough.

For the public to regain trust in the government of Tasmania and the processes involved in planning in particular an independent commission against corruption is the only answer.

An ethics commission would have to have retrospective powers and be able to investigate any event and any person. Many of the deals that have been done in recent years by the Tasmanian government have a stench of corruption and mates' deals.

- Take for example the Tasmanian Compliance Corporation affair. I gave evidence at the enquiry into the affair. The perception from the public was that the deal was a special deal for a mate in return for past or future favours. It did not benefit the public or builders only the insurance industry and the directors of the TCC.

The whole event of setting up the TCC and the implementation of the builders accreditation act was appalling. It smacked of heavy lobbying and mates deals.

That perception has been vindicated by recent revelations and the very dubious court decisions on the whole affair. For both the major parties to walk away scott free has the appearance of back room deals. The appointment of the judge in the trial of the cases to the position of Governor of Tasmania is also fairly suspect and has the appearance of another deal done to let mates off in return for a plush job.

- The pulp mill is another instance of special deals for special mates and any commission needs to be able to enquire into the actions of not only the past government and the past premier but also the lobbyists and members of the company involved. Some of the board members have in the past been implicated and named as unreliable witnesses by the inquiry into the Rouse affair. It appears

that they have not changed tack at all and are still heavily involved in doing deals with our representatives.

- The home renovations done on the ex premier Lennon's house by a subsidiary (Hinman Wright and Manser) of Gunns limited also needs to be investigated. This may not be unlawful but considering that fact that Mr Lennon was heavily involved in negotiations with Gunns over the pulp mill at the time he should have chosen a builder that was not associated with Gunns ltd. There has never been any proof that he paid for the work, he claimed at one stage that there was a dispute over the work and that was why he hadn't paid but it appeared to be contradictory to reality. An article appeared in a magazine (I believe it was New Idea) on his new house and the beautiful renovation work that he had had done. It does seem odd that he allowed reporters to come and photograph the place and do an article on the renovations but then they were not good enough for him to pay for them.
- The monopoly on poker machines that Federal Hotels has and the number of new developments where they are the preferred tenderer are also pretty suspect in my and many others minds. Some of the preferential deals done for them in the eyes of the public are: monopoly on pokies, the Tasman walking track monopoly (in my opinion private developers should not be allowed in National Parks), the resort at Coles Bay that was some sort of pay off and now is being reduced in size. And now the wharf development in Hobart.
- The appointment of judges and magistrates has come to the attention of the public as somewhat suspect and not necessarily based on seniority. Take the Kons affair as an example of this but also the recent revelations in the Mercury by Sue Neales on Steven Escourt and the supposed offer of a job in return for favours

The instances of bullying tactics that were shown when Nigel Burt wrote to the ex premier in response to Mr Lennon's suggestion that he was open to criticism just show how the past government worked and make us suspect of many of their decisions. To threaten a member of the public for coming forward over such a grave matter is beyond belief in what we are told is a democratic society. To have no freedom to question those in authority is appalling but Mr Burch was not the first person to be persecuted for coming forward. Thank goodness that he and others have had the courage to bring such deals to light.

The above events only highlight why we need much more than a parliamentary ethics commission.

Why we need a fully independent commission against corruption.

It may be that there are logical explanations for all of the seemingly seedy events that I have outlined above. But as none of the relevant questions were ever answered to quell the doubts of the public and the past premier refused to be open and honest with the public the doubt level is very high.

Only an independent commission against corruption would have the power to investigate matters such as

- The instance where Gunns lawyers reportedly wrote part of the legislation that allowed the pulp mill to bypass the RPDC.

- To delve into the back room deals that led to such decisions and to allowing Gunns to withdraw from the RPDC and then to be rewarded with a special deal that allowed them to have a lot less scrutiny over the project
- The deals and discussions that went on with Forestry Tasmania in regards to the wood supply agreement and how FT end up carrying all the risk, logging in all the distant and expensive forests and how Gunns ltd were gifted publicly owned and built roads and land under the deal.
- Matters to do with Government Business Enterprises would also be outside the terms of reference of the proposed ethics committee as they are deemed to be businesses and not government departments as such no thorough investigation would ever be able to be carried out into the land swap deal whereby 77,000 hectares of publicly owned land was made into freehold title on the proviso that Forestry Tasmania would deed land of equal value back to the crown in return for that 77,000 hectares. No land has ever been shown to be converted back into crown land and no record has been kept of what land was converted into freehold. Is some of this land part of the land that was given to Gunns ltd in the wood supply agreement with FT.
- John Gay stated at the last Gunns AGM that Gunns owned more roads in Tasmania than the government. How did they come to own more roads? Why do Gunns ltd log Crown land instead of FT doing it?
- Bob Cheek also wrote in his book that John Gay had tried to bribe him to change a decision by offering him \$10,000 in political donations. Why was this never investigated and would the proposed ethics commission have the powers to investigate such a grave matter.

As bully boy tactics have been such a pervasive part of government in Tasmania and as mates deals and corruption have been accepted as the norm many people just shrug and say “ well what can we do about it anyway”. I was living in New South Wales when the ICAC was implemented in that state and saw first hand what a difference it made to the way the place was run. Instantly there was a power that had the resources and people to investigate and to prosecute corrupt politicians and members of the public. It brought faith once again that the government could be trusted and that criminals who were influencing the running of the state would be tried.

Tasmania needs an ICAC we the public need to know that our representatives are free from duress and inappropriate lobbyists who would seek to undermine our democratic processes to feed their own greed. To move forward we need to have the past cleaned up and an ICAC style commission is the only way that the public confidence can be restored.

Yours Sincerely
Peter Godfrey