

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

302 Redwood Rd  
Kingston  
TAS 7050

27/07/08

Dear Members of the Joint Select Committee,

**Submission on Lack of Mechanisms for safeguarding Ethical and Accountable Government**

I am making this submission as I have serious concerns about the standards of ethical conduct in the Tasmanian Government, and in particular the lack of a mechanism or accountable body for the monitoring, advice and investigation of such conduct.

I strongly urge the Tasmanian government to establish an independent body to address questions of corruption and ethical misconduct in Tasmania with investigative as well as educative powers.

I have serious concerns about the following matters, which should be among the first to be investigated by such a body:

- The interference of the then-Premier, Paul Lennon, with the Justice Minister's portfolio, as highlighted by Nigel Burch in the Shredder-gate affair.
- The allegations of serious political interference in judicial appointments
- The circumstances leading up to the passing of the *Pulp Mill Assessment Act 2007*
- The relationship between the Government and Gunns, and the Forest Industry in general in Tasmania
- The Huon Valley Council and the misuse of the portfolio system by councillors
- The fact that the Mayor of the Huon Valley Council has become a practising Real Estate sales consultant and is still involved in council matters which represent a serious conflict or interest

The Director of Public Prosecutions, Tim Ellis SC, stated that Tasmania lacks any independent investigative body capable of addressing such issues. Tasmanians need an independent investigative body so that the public can have again have faith in the government of the day, knowing that any issues will be dealt with confidentially, professionally, efficiently and effectively.

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

- At least one mainland appointment
- An independent and guaranteed budget indexed to the CPI
- Reporting to parliament, not to government.

This body should include an ethics education component and substantial investigation capacity, including

- The ability to engage in retrospective investigation where there is a continued impact on public policy, subject to statutes of limitations;
- Adequate mechanisms to maintain the confidentiality of investigations and protect both individuals raising allegations and individuals subject to allegations, including whistleblower protection and the ability to conduct hearings in camera to maintain the confidentiality of investigations.

I trust that your committee will act in the best interests of all Tasmanians and recommend the formation of such a body, which is what is needed to restore the faith of Tasmanian's in their government and its processes.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Rickards', is centered within a light gray rectangular box.

Mark Rickards