

THE SENATOR'S ACCOUNTABILITY NEWSLETTER

*A Message from the Democrats Accountability
Spokesperson*

The Australian Democrats have always been strongly focused on accountability. Recognising this, and following on from the Commission on Government Inquiry in Western Australia, the Democrats created the accountability portfolio in 1996. I have held this portfolio ever since.

For over eleven years, I and the Democrats have consistently fought for greater transparency and accountability in our democracy with the public's right to know an essential principle. I believe that accountability and integrity is Mr Howard's achilles heel, and it threatens his re-election. After eleven years in office the challenge is to name anything at all that he has done to permanently lift political standards and political accountability. It is possible low standards will trip him up at the election.

The role of the Senate as a brake on the excesses of government has not worked since the Howard Government gained a majority there. Our parliamentary democracy is now less accountable than it was a decade ago and the flow of information to the public is more controlled. A government without effective checks and balances is a dangerous system.

For the Federal Election 2007 campaign, I have produced a number of Action Plans which detail what the Australian Democrats stand for with regard to Accountability. Detailed below is a selection of these Action Plans. If you require any further information, please refer to the Democrats website—www.democrats.org.au or ring my Electorate Office on 089 481 1455.

- **Appointments on Merit**
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“One of my permanent achievements is the 2002 Senate Order relating to Departmental and Agency Contracts, know as the “Murray Motion”. The Order is aimed at curbing unnecessary government contract secrecy. It curtails the abuse of commercial-in-confidence claims and has resulted in a series of Auditor-General reports on this matter.”



Senator Andrew Murray

Senator for Western Australia
51 Ord Street West Perth WA 6005
P: 08 9481 1455 F: 08 9481 1679

www.andrewmurray.org.au



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Appointments on Merit :

I am concerned that whenever appointments are made to institutions set up by legislation, independent statutory authorities or quasi-government agencies, the processes by which these appointments are made should be, and be seen to be transparent, accountable, open and honest. It is still the case that appointments made to public authorities are left largely to the discretion of ministers with the relevant portfolio responsibility.

The Democrats will continue with our persistent campaign for appointments on merit amendments to relevant legislation.

Post-ministerial Appointments :

I believe that Ministers and senior advisers to Government should not enter the commercial sector for a period of two years if their new tasks are directly related to their former duties, and if the wealth of information they have from their previous government service can be used for extensive private gain. An obvious conflict of interest arises when they do.

The Democrats will continue their long fight to regulate such post-retirement employment by imposing a ‘cooling off’ period in situations of potential conflict of interest.

Government Advertising :

I support genuine information and advertising designed to inform Australians of taxpayer-funded government programs and services. However, I oppose the abuse of budgetary discretion by governments to put out party political propaganda under the guise of legitimate government advertising.

The Australian Democrats support the 2003 Senate Order on advertising and the 2005 Senate Committee recommendations. The Senate Order was jointly moved by the Democrats and the ALP based on Committee and ANAO recommendations.

Freedom of Information :

In my last eleven years in the Senate I have always focussed on open and accountable government and integral to that is an effective Freedom of Information Act. The ability of individuals and organisations to access information held by government departments has been slowly eroded over the years. Instead of a Freedom **of** Information Act, we now often have a Freedom **from** Information Act.

The Democrats have introduced legislation to amend the Act. However, neither of the major parties supports a change to the legislation yet. We would establish an independent FOI Commission to oversee and monitor the Act with the role to be conferred on the Commonwealth Ombudsman.

Ministerial Code of Conduct :

I believe that when controversy arises in the parliament because of misconduct, impropriety or conflicts of interest of its members, it needs to be policed and dealt with through penalty and enforcement mechanisms. However, seldom are ministers (of all political persuasions) held responsible for much at all.

The Democrats will continue our campaign for the establishment of a Committee of both Houses to develop a comprehensive enforceable code of conduct for ministers and other members of parliament.

Whistleblower Protection :

Whistleblowers are people who, by reason of their employment, come across information that reveals corruption, dishonesty or improper conduct in government or in private organisations. They play a vital role in ensuring the accountability of government.

The Australian Democrats will continue our long-standing campaign to have strong whistleblowing protection laws implemented for public officials at the Commonwealth level, via my *Public Interest Disclosures Bill 2007*.