



## Accountability Spokesperson

# JAIL OR FINE

## Post-Ministerial job crisis is focus of enforceable Bill

Always, years ahead

**Prime Minister John Howard recently axed former Health Minister Dr Michael Wooldridge's controversial \$5 million deal to fund 'GP House' - a new Canberra base for doctors, saying it was "not appropriate".**

The action was overdue and has again opened the door for the Australian Democrats to agitate the Government to support our landmark Joint Private Member's Bill that addresses the controversial issue of post-Ministerial employment.

Democrats' Leader, Senator Natasha Stott-Despoja and I presented the *Ministers of State (Post-Retirement Employment Restrictions) Bill 2002* to the Senate on 13 March 2002.

The March revelations that former Minister for Defence Peter Reith had secured a consultancy position with Tenix Defence Systems, and former Minister for Health Michael Wooldridge had secured a part-time consultancy position with the Royal Australian College of General Practitioners provoked a strong public reaction and served as the catalyst for the Bill.

On March 12 the Melbourne newspaper *The Age* indicated that many former Ministers from all parties had taken up employment immediately subsequent to their career as a Minister in positions which related to their previous portfolio responsibility. That article mentioned former Ministers Graham Richardson, Michael Wooldridge, Ros Kelly, Tim Fischer, Peter Reith, John Kerin, John Button, John Fahey, John Sharp, Gerry Hand, Gareth Evans and Michael Lavarch.

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### WOOLDRIDGE DECISION QUASHED

Prime Minister axes  
the \$5 million GP  
House deal



### HOWARD TO REDIRECT \$5 MILLION

Cash to go to asthma  
programs and a rural  
medical specialist  
scheme

# JAIL OR FINE

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It is important to note that this behaviour is not tolerated in other democracies. In the USA, former officers and employees of the executive branch face a two-year restriction on lobbying in their former area of responsibility. Failure to comply with the restriction carries a maximum five-year jail term.

The United Kingdom Ministerial Code requires Ministers to seek advice from the independent Advisory Committee on Business Appointment about any positions they wish to accept within two years of ceasing to be a Minister.

The Democrats' Bill draws upon these international precedents, but also takes into account the expectations of the Australian community and the past conduct of Australian ministers.

The Bill applies to Ministers and senior ministerial advisers. And places restrictions on Ministers and Ministerial advisers both before and after leaving office.

Prior to retirement, the Bill prevents Ministers and ministerial advisers from allowing themselves to be influenced in the conduct of their official duties and responsibilities

*'Australia's national security is at risk when a recently retired Minister for Defence sells his services to a private firm in the defence industry.'*

NATASHA STOTT DESPOJA 13 March 2002



by plans for or offers of employment or other remuneration for when they leave office. This would prevent a Minister from allocating funds to, or making decisions in favour of, a particular organisation prior to leaving office with a view to securing employment with that organisation.

The Bill also feature a range of post-retirement restrictions. It provides for a two-year cooling-off period after Ministers and their advisers cease to hold office. During this time they are prohibited from engaging in three broad classes of activity.

Firstly, they must not provide advice for profit or commercial advantage on the work of their former department and its agencies.

Secondly, they must not accept employment or enter in to a consultancy agreement with any

entity with which the department had significant dealings in the previous two years.

Thirdly, they must not make representations for profit to the relevant department and its agencies on behalf of any person.

Failure to comply with these restrictions will constitute an offence punishable by two-year imprisonment or a fine not exceeding \$250,000.

The Democrats consider this Bill to be a necessary response to a matter of great community concern. Over time, the recent scandals may fade from public view but if the underlying structural problems remain unaddressed, the same problems will arise. The Democrats now urge the Government to support it and to force its Ministers to observe proper post-ministerial employment standards.

## THUMBS UP



Victorian councils would introduce new codes of conduct to tackle infighting and factional brawling under a proposed shake-up of local government laws.

Local Government Minister Bob Cameron said legislation to be introduced into Parliament would improve dispute resolution and make councils more accountable.

The changes will include new financial reporting requirements and rules forcing councillors to declare their personal interests in matters before council.

Independent reviews of council electoral systems will also be introduced, along with proportional representation for multi-member elections.

# Gallop on the right track

**West Australian whistleblowers need no longer fear reprisals.**

Under new legislation introduced in March anyone who takes detrimental action against a whistleblower could face penalties of up to \$24,000 or two years jail.

The laws ensure that whistleblowers will be protected from the sack, and civil and criminal liability for making a public interest disclosure.

Labor Premier Geoff Gallop is to be commended for this

significant accountability initiative. The previous Liberal Court Government did nothing to implement this 1995 Commission on Government proposal.

In July 2001 I wrote to Premier Gallop and provided him with a copy of my Federal 'whistleblower bill' - the Public Interest Disclosure Bill. The Bill establishes that public service employees have the right to disclose impropriety and not suffer reprisals.

I urged him to get on with the job of improving government



accountability and invited him to use any part of it to beef up his legislation. It now time the Federal Government followed Western Australia's example. The Democrats are tired of asking the question, 'why is the Federal Government dragging its feet on accountability?'

It is important whistleblowers are protected and corruption and impropriety at all levels of Government is exposed.

## HOT OFF THE PRESS ... HOT OFF THE PRESS ...

**R**egular readers of my Accountability Newsletter and Senator's Report may recall that I have consistently sought to cancel and then review Parliamentarians' Retirement Travel Entitlements. Last year on behalf of the Democrats, I successfully initiated the first ever Auditor General audit of Parliamentarians' Entitlements. The Auditor General's report made numerous recommendations and I am pleased to be able to share with you a recent success which stems from the inquiry. The following is an extract from an article which appeared in the Herald Sun on 21 May 2002.

**T**he axe has fallen on 131 former long-serving MPs with the prized taxpayer-funded Commonwealth car perk to go. The loss, which will save \$200,000 a year, follows claims some retired MPs and Senators may have abused the privilege.

It was a recommendation of the National Audit Office last year that the perk go, following its inquiry into entitlements sparked by then minister Peter Reith's \$50,000 Telecard bill.

That review found total travel perks for current and former MPs and Senators were costing the public more than \$350 million a year. And



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*'I want to compliment Senator Murray from Western Australia because he is the foremost advocate of making sure Parliamentarians' entitlements are met and not excessive.'*

GREENS' SENATOR BOB BROWN  
13 March 2002



# HOT OFF THE PRESS ... HOT OFF THE PRESS ...

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it said there was uncertainty concerning the legal basis for some privileges provided to retired parliamentarians, particularly Comcar use. The chauffeur-driven vehicles are now available to Gold Pass holders and their spouses travelling to and from airports to catch first-class domestic

flights—also funded from the public purse. Pass holders can also use Comcars for trips connecting interstate rail journeys, or can claim the cost of parking if they drive their own cars. The Gold Passes are given to Parliamentarians who hold office for 20 years, although the length of service is reduced for

Ministers. The Audit Office report said the Comcar and parking expenses were outside the scope of the Life Gold Pass and recommended the perks be withdrawn. As a result, the Department of Finance and Administration wrote to Gold Pass Holders last week, telling them the privileges would be withdrawn on June 30.

## Full disclosure is essential

**T**he publication of political party donations by the Australian Electoral Commission once again prompted the Australian Democrats to call on the Federal Government to require the full, legislated disclosure of political donations.

The catalyst for the renewed call for greater accountability was the fact that the returns submitted to the Commission failed to reveal the whole story behind party funding. The Government has repeatedly rejected Democrats' proposals for full



disclosure, but public pressure is mounting over donations coming from unknown sources. Until it is legally binding to disclose the full details and true sources of donation, there will always be a fear that under-the-table cash for influence deals are being done.

## Fix it at four

*New all-party support to extend Federal Parliamentary terms to four years are a step in the right direction. After all, 49 leading democracies have four or five year terms, for good reason.*

*Importantly however, many of those Parliaments are on fixed terms, meaning that they always hold the election on the same date.*

*If the objective is to create stability and continuity in the electoral cycle, even more important that four year terms is to move to fixed Parliamentary terms.*

*Fixed Parliamentary terms will end the ability of the Prime Minister to call early election according to the dictates of political expediency. We had at least six unnecessary elections last century at a cost of \$800 million to \$1 billion in today's money.*

## THUMBS UP



The South Australian Government plans to legislate a charter of Budget honesty to stop any future cooking of the state books. Premier Mike Rann said the charter would be part of a package of measure designed to make government more open and accountable. It would also include a specific pre-election Budget report, to prevent his Government hiding any bad news ahead of the next state poll. The new laws will also require the Government to clearly state its future financial objectives and the principles on which it will base its decision to spend taxpayers' money.

AAP