



ANDREW McINTOSH M.P.
MEMBER FOR KEW

Wednesday 17 November

The Hon. T.H. Smith QC
Chair
Accountability Round Table
15 Loch Street
Camberwell 3124

Tim,
Dear Mr. Smith,

Peter Ryan has replied on behalf of the Victorian Liberal Nationals Coalition rather than just the National Party. As the Shadow Minister for Integrity in Government, I would just reiterate the points made by Peter and expand slightly on them.

The Coalition is committed to bringing accountability back into government after 11 years of increasing secrecy in government decision-making. During this time, the Government has made a mockery of parliamentary accountability by constantly failing to answer questions in the Parliament and glossing over its failures through abusing government advertising and employing around 900 in-house media personnel.

The Labor Government has constantly hidden behind the excuse that its Private Public Partnerships are 'commercial-in-confidence'. The real costs of the desalination plant are only beginning to be revealed by the Auditor-General. Documents concerning the Southern Cross Station development have been locked away by the Labor Government for 30 and 50 years. The Coalition's request for the original business case for the North-South Pipeline has been appealed to the Supreme Court by the Brumby Government.

The state of Labor Government decision-making was encapsulated most tellingly by the revelation of a strategy within the Planning Minister's office to hold a bogus public consultation over the Windsor Hotel development in order to pretend to bow to public opinion and decide against the project. Subsequently, the Government refused to allow ministerial advisers to appear before an Upper House inquiry, arguing that ministers alone are accountable. But when the Planning Minister finally made an appearance before the committee, he claimed to have never spoken to any of his staff about the media plan.

Under Labor, there has been a total failure by ministers to accept responsibility for even the most egregious failings of their departments – the government response during the Victorian bushfires in 2009, the lack of care provided to hundreds of children at risk, the falsification of hospital waiting lists and fudging of police crime



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statistics, the bungling and massive cost over-runs on major projects such as Myki, the desalination plant, the North-South Pipeline, Regional Fast Rail. Labor ministers affect to have nothing to do with the operations decisions of their departments and agencies.

There have been excessive and unreasonable delays in processing requests under FOI with the Labor Government increasingly appealing decisions of the Victorian Civil and Administrative Tribunal to the Supreme Court.

Therefore, in answer to your questions, the Coalition has committed to:

- Overhauling Freedom of Information legislation. The first step will be the establishment of a FOI Commissioner. This will have the effect of preventing Government from suppressing information for political reasons. The FOI Commissioner will take the final decision-making about FOI requests away from government departments and agencies and will set enforceable standards for departmental FOI officers to meet. The FOI Commissioner will be independent of government. The second step will be a review by the FOI Commissioner of the working of the legislation in the light of Queensland's FOI legislation. The Coalition is determined to change the culture of secrecy in government in Victoria by ensuring that the onus is put on Government to provide information about government decision-making in the public interest rather than on those seeking information to wrest it from the grip of government departments and agencies, motivated to conceal the workings of government.
- To ensure that the Executive is accountable, the Coalition is committed to a Ministerial Code of Conduct which would include staff and about which more will be revealed when the details of the Coalition's anti-corruption model is announced shortly. Importantly, under a Coalition Government, the Ministerial Code will be decided by the Parliament not the Government. This is in stark contrast to Labor's proposal which will see a Ministerial Code decided by the Executive. The Coalition believes this would mean a much less effective code, designed like Labor's anti-corruption commission, to appear to be doing something but essentially designed to fail. It is instructive that Labor in Victoria has a way of issuing guidelines, codes and statutory requirements to which it then fails to adhere in practice - for example, its failure to follow its own probity guidelines in the case of the Kew Cottages development. [See Ombudsman Victoria, "Investigation into the probity of Kew and St. Kilda triangle developments," 2009] As demonstrated in the Upper House inquiry into the Windsor Hotel scandal, the so-called 'McMullan Principle' that means ministerial staff cannot be called before the Parliament, is being invoked by government bent on obfuscation and concealment. Therefore, the Coalition rejects the McMullan Principle in the interests of transparency and accountability in government.

Other integrity policies announced by the Coalition;

- A Coalition Government will establish a genuine anti-corruption commission that will be in line with international best practice rather than the Clayton's

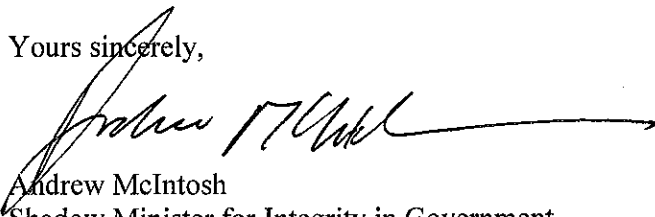
version proposed by Labor which fails to apply the same level of scrutiny to members of Parliament, notably ministers, as the rest of the public sector. The details of the Coalition's anti-corruption commission will be announced shortly.

- The Coalition will establish a register of lobbyists and a ban on lobbyist success fees to ensure the highest standards of probity and integrity in government decision-making.
- The Coalition will end the abuse of government advertising for political purposes by establishing a review panel to scrutinise taxpayer-funded advertising.

The Coalition believes that secret government leads to poor government. We are seeking to restore honest and transparent government to Victoria so that Victorians can be assured that government decision-making will be in the public interest.

Thank you for the opportunity of setting out this summary of the Coalition's integrity policy.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew McIntosh', with a long horizontal flourish extending to the right.

Andrew McIntosh
Shadow Minister for Integrity in Government