



Integrity recipe is flawed

The Green Paper fails to tackle issues that lie at the heart of our problems, writes **Scott Prasser**

THE State Government's recently released Green Paper on Integrity and Accountability in Queensland poses the following broad question: How can Queensland's integrity and accountability framework be improved and strengthened?

While welcoming the Green Paper, it is a fundamentally flawed document. In particular, its main thrust is to propose various extra-parliamentary accountability and transparency mechanisms, such as the Crime and Misconduct Commission, the Integrity Commissioner, the Ombudsman, freedom of information laws and other codes of conduct regulating ministers and public service employees.

Herein is the Green Paper's prime flaw. Although it acknowledges a civil society depends on public trust in its democratic institutions, none of the external institutions and processes of review mentioned and so highly praised in the Green Paper is a democratic body. They are all appointed by executive government and none is reliably monitored by Parliament, given the reality of executive government control in Queensland.

There are three main reasons these

external review mechanisms alone have only a limited capacity to enhance accountability and integrity in government.

First, as unelected bodies, the functions and powers of these external bodies must be inherently limited by statute. They cannot investigate issues where they have no legislative powers to probe. The CMC has often lacked legislative powers to investigate issues or the necessary powers to probe as deeply as required.

Second, their scope of operation is focused on particular outbreaks of corruption and incidents of maladministration which, even if tackled, are usually a reflection of wider systemic problems. It is Queensland's system of executive-dominated government and its weak parliamentary scrutiny that lies at the heart of our continuing problems.

Third, the executive government controls the appointments, resources and powers of these bodies. Although there are sensitivities concerning any overt "stacking" of such bodies, there have been numerous examples of the executive government trying, often with success, to reduce the resources and powers of these bodies and to make appointments without bipartisan support.

The Criminal Justice Commission, established as a result of the 1989 Fitzgerald inquiry, and its successor, the Crime and Misconduct Commission, although much-vaunted by the Green Paper, have a long history of difficulties in performing their watchdog functions.

Successive Labor and Coalition administrations have sought to interfere with these bodies. Critics have argued the CMC has delegated too much of its investigatory activities to government agencies and lost its investigative edge.

External review bodies do not sit well with the winner-takes-all approach to government that prevails in Queensland. Moreover, parliamentary committee oversight, especially when concerned with disputes between the CJC or CMC and government, decline into a simple contest of party politics, which is inevitably resolved in favour of the executive government through its control of Parliament and its committees.

Other innovations, such as protection for whistleblowers, have not entirely eliminated a culture of fear and intimidation within the public service, as the Davies Royal Commission on the overseas doctors scandal clearly demon-



strated. In addition, our public service seems to be more politicised than ever.

The Green Paper misses the mark. Although acknowledging that democratic government, including the separation of powers, ought to be the keystone of the integrity framework in Queensland and that the legislature “makes the laws and, through its proceedings and committees, holds the executive to account”, the

Green Paper avoids any major discussion of Parliament’s effectiveness.

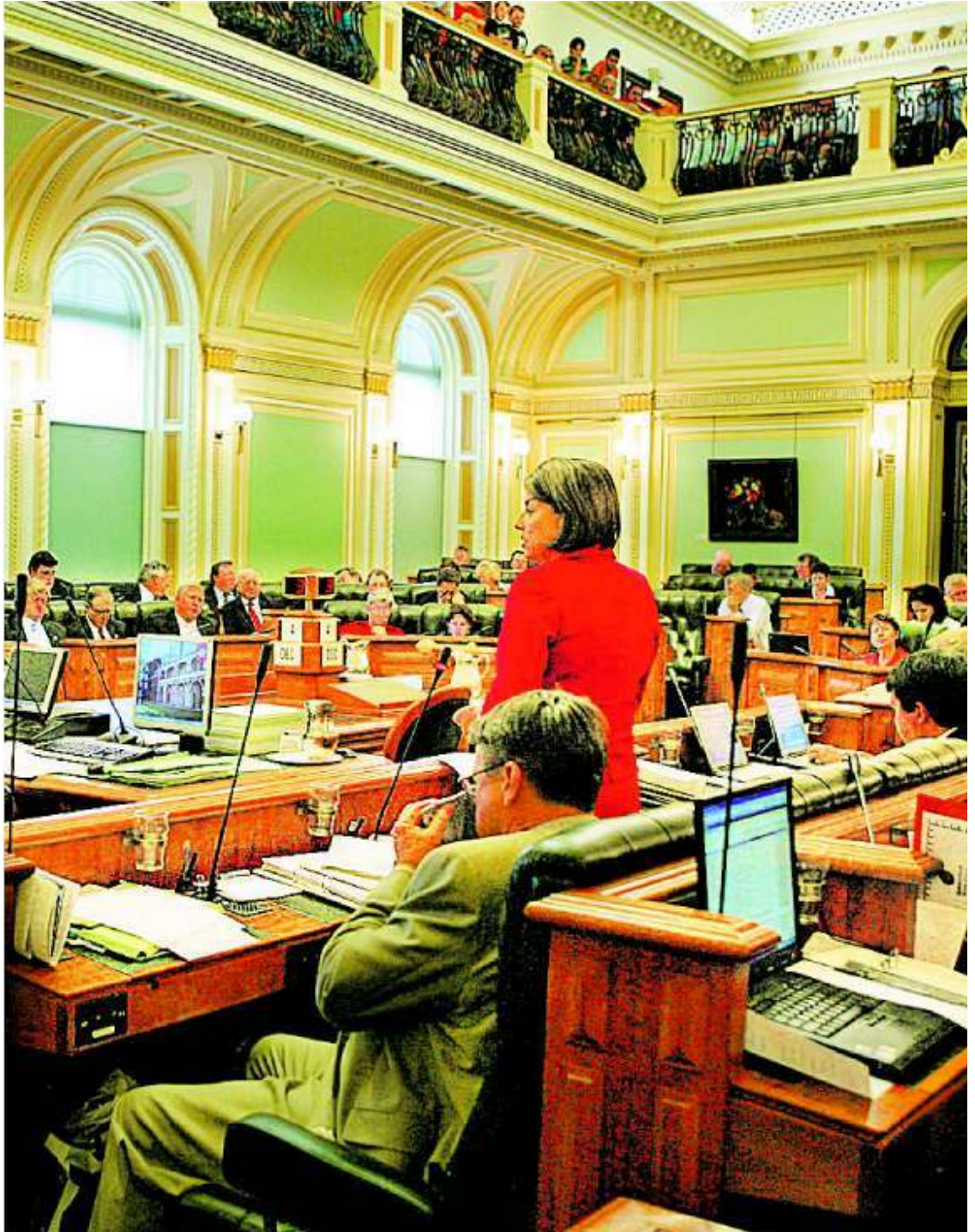
This is remarkable, given the fact Parliament is the primary mechanism by which governments are held to account.

But the Green Paper ignores Parliament. We need to fix our parliamentary system if we are to improve accountability and, most importantly, get integrity back into Queensland government. And that means not just improved parliamentary

processes but having an appropriately structured upper house to provide countervailing power. This issue is not canvassed in the Green Paper. Our system of government in Queensland is not working. It needs major repair, not the minor renovations proposed in the Green Paper.

Dr Scott Prasser is Professor of Public Policy at the Australian Catholic University.

Our public service seems to be more politicised than ever



MISSING THE MARK: The Green Paper avoids any major discussion of Parliament’s effectiveness