

## Political Corruption

*John Hyde*

Ten days ago 1,500, perhaps 2,000, Western Australians packed into a South Perth hall to protest about the state of Western Australian democracy. The rally was organised by a group calling itself People for Fair and Open Government (PFOG). The Premier, Mr Dowding, of course, claimed this was a front for the Liberal Party---but it is not. Indeed PFOG owes its existence to frustration with the Opposition's inability to hold the government accountable to Parliament.

In fact, the speakers roundly criticised the Liberals. We were told that Labor's disregard for democratic procedure was preceded by episodes under Liberal administrations. The present government had, however, made a 'welter' of misuse of authority, and WA Inc is an scandal of unprecedented dimensions.

Although I recognised several prominent Liberals in the crowd, a substantial minority expressed views which tagged them as Labor voters. An attempt by a small group of young dopes to start a chant of "Labor out" received no support at all. When three men, all at the back of the hall, voted against a motion calling on the Upper House to block supply, the Chairmen, Professor Martyn Webb, said, "That's democracy". At which about one third of the crowd turned around briefly to clap them. The crowd was remarkable for, among other things, its good manners.

Mr Bevan Lawrence, the principal organiser asserted that PFOG's campaign is not against the Labor Party but against corruption in government. I believe him. However, he will need to guard against take over by the Liberal and National Parties bent on winning government. Queensland's Fitzgerald Report explained why changing a government breaks up webs of corruption, and that argument applies with equal force to WA. Nevertheless, the prompt election of a coalition government, desirable though that would be, is neither necessary nor sufficient to end the corruption. It should not become an end in itself.

Change of government is not necessary: By dismissing the Ministers most involved in WA Inc.---that is, Dowding, Parker, Grill and perhaps Berinson---the Labor Party could rebuild the

government around 'clean-skins' such as Carmen Lawrence and Ian Taylor. The changed leadership would go some way toward removing the threat to several Federal Labor marginals posed by WA Inc. What is more, it would, at least, defer the reason to block supply and give Labor a chance to demonstrate its integrity and remove the justification for a forced election altogether. It is widely rumoured that senior Federal Labor people have canvassed this option---I would be surprised if they had not.

Change of Government is not sufficient: Until a great many people understand and accept the principles which are flouted when a government goes wrong the likelihood that the mistakes will be repeated remains high. These principles are not yet accepted. WA Inc. is not dead. The Dowding government has not yet come clean with information that is properly the property of the Western Australian people. Amazingly, it has just published a paper, "Investing in the Future", which is blueprint for more of the corporatist government which led it into past errors. It is even advertising taxpayer-funded handouts to selected companies in leading newspapers.

If there had always been proper parliamentary disclosure, there could have been no WA Inc. In the first of two papers about political corruption published by the *Australian Institute for Public Policy*, Professor Paddy O'Brien explains how the Burke and Dowding Governments controlled Parliament, the civil service and the media to prevent, or delay until after the election, disclosure of its commercial dealings.

Between 1983-84 and 1987-88 the sitting time of the Legislative Assembly was almost halved. Question time has been curtailed. Parliament was dissolved to avoid political embarrassment. Critical reports, including the National Companies and Securities Commission report on the collapse of Rothwells, were tabled only in the dying minutes of parliamentary sessions. The Government has refused, and is still refusing, to answer questions concerning its own integrity, on the grounds of 'commercial confidentiality'. Senior civil servants who might have 'blown the whistle' were replaced with political appointments. The Government, with Bond Corp, a key WA Inc player, purchased the *West Australian*, the State's only indigenous morning newspaper. The WA Government maintains a press corps which is rivalled in numbers only by the staff of the *West Australian*. And so on.

The second AIPP paper, "Who Administers the Minister" by Senator Peter Durack who was Attorney-General in the Fraser Government, establishes an intellectual basis on which to judge the conduct of Ministers. Neither O'Brien nor Durack are concerned with dishonesty in the strictly criminal sense of the word---there are laws to deal with that---but with misconduct justified by specious reasoning. To do this, Durack borrows from the fiduciary responsibilities of company directors.

Ministers, like company directors, hold positions of trust to people who are unknown to them. As trustees they must:

- | act solely in the interests of beneficiaries,
- | act in the interests of all beneficiaries not playing favourites,
- | not act capriciously, and
- | avoid situations of conflict of interest.

Although Durack advocates some minor institutional changes, Ministers inevitably have wide lawful discretion. He has more faith in improved understanding of the conduct which ought to be expected of Ministers, and the democratic sanction of loss of office. If Ministers are to act only as befits their office, then they need to recognise when they are putting themselves 'in occasions of sin', and laymen need the knowledge to sack erring Ministers.

A speaker at the PFOG rally likened events in Perth to those in Eastern Europe. A fairly long bow, perhaps---yet is it not as important for us to protect democracy as it is for Eastern Europeans to win it? Righteous wrath directed at our governments, when they break with democracy's fundamental requirements of truth and openness, is entirely in order.

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