



SUBMISSION
concerning the
Green Paper on Integrity and Accountability in Queensland

“The effective operation of representative democracy depends on the people being able to scrutinise, discuss and contribute to government decision making. To do this, they need information.”¹

Key Points

- Public scrutiny is vital to maintaining integrity and accountability of Queensland’s democratic institutions
- Enabling public scrutiny should be considered as a first response when issues of integrity and accountability are raised
- This submission primarily considers areas where government could consider further opening up to public scrutiny.
- Practical options that will strengthen the fabric of public institutions to better support the impartial administration of public programs, and to support our democratic institutions acting only in the public interest are considered and highlighted in text boxes throughout the submission.
- The views expressed in this submission are equally applicable to jurisdictions beyond Queensland, including the Commonwealth

International context

In the eyes of the UK public, both economic life (through the global financial crisis) and the institution of parliament (through the abuse of the parliamentary expense system) have been diminished. For the American public, the images of the financial system (through the global financial crisis) and the government (through the arbitrary use of power) have been tarnished. The timing of these dual crises, may be more than coincidental and both will lead to meaningful financial and political reforms. President Obama has announced an aim of achieving a transparent political culture that restores public trust. Given these countries are at a crucial moment in their political and financial regulation development, and Australia’s governance has appeared over time to be drifting toward a Washminster approach, it is timely for a review of Queensland’s *Integrity and Accountability* framework and for us to learn from what transpired in those places, with a focus on building confidence in Queensland’s institutions.

Opening up to public scrutiny – how is transparency achieved?

The Queensland Government aims to be the most open and accountable government in Australia.² This aim says something about how government would like to transform the interface between it and the community it serves. Open

¹ Australian Law Reform Commission/Administrative Review Council, *Open government: a review of the federal Freedom of Information Act 1982*, Report No. 77/Report No. 40, December 1995, p. 12.

² Queensland Government. 2009, *The Right to Information: A response to the review of Queensland’s Freedom of Information Act*, p1.

government has three dimensions: *transparency* (open to scrutiny), *accessibility* (equitable entry and treatment) and *responsiveness* (open for business). A relevant question for the Integrity and Accountability Framework is what part public scrutiny can play to improve transparency and accountability.

Public scrutiny is a powerful deterrent to officials not acting in the public interest and is an important form of accountability. To guide day-to-day conduct and decision making, public servants commonly use a 'rule of thumb' rather than refer to and apply the Code of Conduct. That rule of thumb is "does it pass the Courier Mail test?" It would be better referred to as the public scrutiny test. Such a rule of thumb captures a range of considerations including the officer's understanding of contemporary community values. Such an understanding may fall short of the more objective measures provided for in a Code of Conduct, leaving individual officers vulnerable. However, the constant application of the public scrutiny test on a day to day basis has normative value in setting the public service's culture.

One of the vehicles through which the government seeks to make itself more open and accountable is through the RTI reforms. The policy justification for those reforms need not be recounted here save to say that elected officials and a government prepared to subject themselves to the scrutiny of independent watchdogs, the rule of law and to public scrutiny by pushing information out into the public sphere, are elected officials and a government with an increased chance of improving public confidence in the institutions of government. Public scrutiny has a normative effect wherever it has the opportunity to occur and opening up areas of government under the RTI reforms where issues of integrity and corruption are raised should be considered as a first response strategy wherever practicable. Such an approach may alleviate the need for other forms of regulation.

It is no accident that publication of the usage of UK parliamentary allowances, thereby making the usage subject to public scrutiny, has had a strong remedial and deterrent effect. It is an example of the cleansing effect of public scrutiny as a valuable accountability mechanism. Few would argue against the proposition that had UK parliamentarians been subject to more public scrutiny, the current UK crisis would not have occurred. Public scrutiny should be applied to the expenditure of all public monies, including ministerial and parliamentary allowances unless it can be shown to be clearly contrary to the public interest.

The push agenda of Right to Information reforms (transparency) can be used to improve integrity and accountability in Queensland. Those reforms mandate public scrutiny unless access to government information is not in the public interest. Public scrutiny should be applied to the expenditure of all public monies, including Ministerial and Parliamentary allowances unless it can be shown to be clearly contrary to the public interest.

Achieving open government is not simple. Access to information is a pre-condition to transparency, accessibility and responsiveness. In its work the Office of the Information Commissioner will be considering how transparency, accessibility and responsiveness can be achieved in all aspects of government business: service planning and delivery, public policy making, regulatory processes, budgeting and expenditure management, through the better use of agencies' strategic information assets.

Topical in the recent public debate about government decision making has been whether some sections of the community have greater influence on government

decision making than others and whether some people such as lobbyists receive preferential access and treatment. An effective antidote to this perception is to improve public scrutiny of these processes. One area where government can specifically improve is in the way it accounts to the community for its use of stakeholder input. This can be done by:

- publicising the names of groups whose interests are brought to the attention of Ministers
- calling for public submissions on the basis that they will be published unless publication would be contrary to the public interest and publicising submissions received during public consultations at the close of consultation
- accounting back to the community for how that information was used and weighed in the decision making process.

The Cabinet Handbook should be reviewed in light of the Right to Information reforms with a view to

- *requiring Ministers to publish the names of the groups whose interests are brought to the attention of Ministers*
- *inviting submissions during public consultations on the basis that submissions will be made public, unless it can be established that publication would be contrary to the public interest and to be made in a form that the writer is comfortable with the document being made public*
- *ensuring government accounts back to the community for how that information was used and weighed in the decision making process.*

The Productivity Commission has a fairly robust approach to this and may provide a suitable example in its publication of submissions and the way it treats claims that publication would be contrary to the public interest. This approach is consistent with government doing business in an open way.

Gifts and hospitality

Machiavelli wrote the influential *Discourses on Livy* in which he argued that Rome had done better than Florence (from where he hailed), in preserving its freedom because of the way ordinary citizens were able to constrain the power of the elite. His key 15th century insight was that the resources of the *grandi* (the nobility, plutocrats and the political elite), along with the wide discretion enjoyed by office holders, pose the principal threats to liberty in republics. He thought the biggest threat to a free life came from the threat of corruption which he understood as the placing of factional or private interest ahead of that of the public.³

Machiavelli all those years ago made the argument that public officials should be guided by appropriate codes or legislation that make it clear that members of parliament, ministerial advisers or any other person holding public office cannot receive monies/gifts or engage in fundraising activities for or on behalf of party, factional or private interests.

³ All references to Machiavelli and his ideas are attributed to Reeves, Richard, and Dan Leighton, "Power to the People: Machiavelli's legacy is honesty and a limit on power", The Australian Financial Review, 14 August 2009, Review Section, page 2.

The application of Machiavelli's thesis and the main thesis of *Change Congress*⁴, (that such monies, gifts and hospitality when given to public officials, including legislators, are corrosive of the perception that legislators and public officials act in the public interest), leads to the necessary conclusion that any monies, gifts and hospitality received because of the person's official office, should be considered to be public property irrespective of whether it has been given to Ministers, Members of Parliament, ministerial advisers or public servants.

The Green paper asks whether policies regarding gifts and hospitality be the same for Ministers, Members of Parliament and public sector employees. The application of the push model and public scrutiny as a form of accountability leads to a conclusion that all such information should be registered and published online within a specified timeframe after the acceptance of the gift. Information about the travel and entertainment expenses of public servants, Ministers and Members of Parliament should also be published online as part of the push model.

The consequences for the failure to declare should be documented.

Public scrutiny of all monies, hospitality, gifts received by Ministers, Members of Parliament and public sector employees would lessen the risk of these public officials putting factional or private interests ahead of that of the public or the perception that they have done so.

All public officials should be guided by appropriate codes or legislation that makes it clear that any person holding public office cannot receive monies/gifts or engage in fundraising activities for or on behalf of party, factional or private interests.

Procurement processes

The Green Paper states that budget sector agencies are required to publish details of all awarded contracts and standing offer arrangements with a value of \$100,000 and over.

In April 2008 the Legal, Constitutional and Administrative Review Committee published Report No 64 entitled "*The Accessibility of Administrative Justice*". Recommendation 12 of that report reads:

The Financial Management Standard 1997 should be amended to require annual reporting of contracts, including those with commercial-in-confidence clauses, entered into by government entities. The requirement should be for information regarding:

- *all contracts with private providers, regardless of value; and*
- *where commercial-in-confidence clauses are contained in a contract-*
 - the accountable officer or equivalent; and*
 - the reasons for non-disclosure.*

In Report 38 2000-01 "*The Use of Confidentiality Provisions in Commonwealth Contracts*", the Australian National Audit Office confirmed widespread suspicions that agencies were not using confidentiality provisions in contracts in a way that promotes or reflects the public's right to access government information. Of the contracts examined, the ANAO found that only 11% of the examined contracts had no

⁴ Discussed on page 11 of this submission under the heading "Political donations, fundraising and campaigning".

confidentiality provisions, 48% required the contractor to keep the information confidential and 41% required both parties to keep the information confidential. The experience of the Office of the Information Commissioner confirms these concerns.

It would appear desirable for the Queensland Information Commissioner, in consultation with the Queensland Government Chief Procurement Office to use new powers under the *Right to Information Act 2009* to issue guidelines for agencies on the use of confidentiality provisions in contracts as a first step. It would also be desirable for the Information Commissioner &/or the Queensland Audit Office to examine the use of such clauses in Queensland. A specific power may need to be inserted into the *Right to Information Act 2009* to enable the Information Commissioner to access such contracts for the purpose of performance monitoring.

Consideration should be given to changing the publication requirements for agencies to include

- the publication of certain contract details for contracts over the value of \$10,000, consistent with the requirements in Western Australia
- the full disclosure of whole contracts with consideration of \$10 million or more, consistent with the requirements in Victoria.

To allow monitoring of the use of confidentiality provisions to ensure only necessary use, public scrutiny of these arrangements should be provided for by prescribing the details of contracts agencies are to publish. Such details should include:

- whether each such contract contains provisions requiring the parties to maintain confidentiality of any of its provisions; or
- whether there are any other requirements of confidentiality;
- a statement of reasons for the confidentiality;
- an estimate of the cost of complying with these conditions;
- and a statement of the method used to make the estimate.

These are existing requirements on Commonwealth agencies and are clearly workable.

The Information Commissioner will develop guidelines on the use of confidentiality clauses in government contracts recognising the right to information and the importance of public scrutiny to accountability.

Consider publishing certain contract details of contracts over the value of \$10,000.

Consider the publishing of the whole contract when the value is over \$10 million.

Amend the Financial Management Standard to require agencies to publish in addition to existing requirements:

- *whether each such contract contains provisions requiring the parties to maintain confidentiality of any of its provisions; or*
- *whether there are any other requirements of confidentiality;*
- *a statement of reasons for the confidentiality;*
- *an estimate of the cost of complying with these conditions;*
- *and a statement of the method used to make the estimate.*

Opening up to public scrutiny – other initiatives

Publication of future initiatives

While public scrutiny of past government activity and decision making is enabled by the publication of annual reports, performance data and public accounts, these publications do not enable citizens to monitor government actions today or examine its plans for the future. Some tools are available to enhance public scrutiny of future plans in the form of strategic plans, and legislative timetables. Public scrutiny of government activity and decision making would be enhanced by better publication of forthcoming projects, upcoming consultations and the forward policy agenda.

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The requirements of the Cabinet Handbook in relation to public consultation in policy development are by and large sound and work to instill confidence that government is open to listening to input from all sectors of the community and the community has the opportunity to participate in government processes. Truncation of the requirements work to undermine public confidence in government particularly where sectors of the community develop the perception that the government has made up its mind, may not be open to hearing the community's view point or is not objectively balancing the evidence. Confidence in government may be reinforced and a greater focus on evidence based policy making may occur if departments were required to include in policy consultation documents a checklist as to whether or not those requirements had been met and where they have not been met, a short explanation of the reason.

Policy consultation documents should include a checklist as to whether or not the requirements of the Cabinet Handbook have been met and where they have not been met, a short explanation of the reason for that.

Tabling of an indexed file list

In 1996 the Senate agreed to the 'Harridine Motion' requiring each Minister to table indexed file lists twice a year, comprising titles created since the last tabling. The order has had a continuing effect to today.

The order covers the titles only of all files created in the central office of the department or portfolio agency for the relevant period, except those covered by exemptions. The exemptions relate to files transferred to archives, case related files and files relating to the internal administration of the department or agency.

The publication of such a list of file titles would be consistent with the push model and would be suitable content for agency publication schemes. The publication of such information in publication schemes may work to encourage the current work being done around metadata, improve agency record keeping practices and in the longer term improve the accessibility of government information.

Consider the tabling of file titles and publishing these in agency publication schemes.

Evaluation

In my view evaluation is a key challenge for Queensland's Integrity and Accountability Framework, as it is for ethics frameworks in every jurisdiction. This is understandable given the relative recency of the policy measures put in place in many OECD countries and in Queensland. Traditional assessments focus on verifying the existence of measures such as laws and codes of conduct. As the Green Paper sets out, Queensland has one of the most comprehensive frameworks in Australia. The challenge now by and large is to shift to assessing the impact of the policy measures put in place.

Evaluation is a crucial way for governments to provide evidence about the effectiveness of their policy measures. However, evaluation in this field raises specific challenges, not the least of which is an objective methodology. Across the world, such methodologies are in their infancy. The OECD has published a 'generic Assessment Framework' which is a valuable contribution and which identifies the specific challenges.⁵

Queensland has in place a range of mechanisms for evaluating the effectiveness of integrity institutions such as parliamentary committees and adhoc substantive indicators of integrity system success such as the CMCs periodic public attitude surveys. Queensland could take a lead in the area of evaluation of the overall framework by convening a national symposium on the assessment of the impact of integrity and accountability measures as a prelude to deciding whether the current mechanisms deliver sufficient information about the effectiveness of the overall Integrity and Accountability Framework. Such an examination of an assessment framework relevant to the Queensland context would be timely in terms of the Queensland Government's shift to measuring service standards and outcomes. Prior to the symposium it would be useful to audit the assessment methodologies currently utilised in Queensland, some of which are world leading.

The academic sector could be engaged in furthering this work and to this end it would be beneficial for the Queensland Government to establish a research agenda for Integrity and Accountability to guide researchers and academic institutions about government priorities.

Queensland to convene a national symposium on assessing the impact of integrity and accountability reforms with leading academics and researchers

Prior to the symposium an audit of assessment methodologies currently utilised in Queensland be undertaken.

Establish a research agenda to encourage research in the area of Integrity and Accountability including such matters as a study of the methodologies used by parliamentary committees and the lessons they have learned.

⁵ OECD. *Public Sector Integrity: A Framework for Assessment*. 2005. OECD Publications: France

Should the codes of conduct be strengthened in any way? If so, how should they be strengthened?

Mr Andrew Podger, the Australian Public Service Commissioner 2002-04 stated:

The institution that is the public service plays a key role in our parliamentary democracy by ensuring apolitical and impartial administration of public programs, and disinterested advice to government. A degree of independence in the public service is important.

This view is at the heart of the “professional public servant”.

Senator Andrew Murray has previously generally noted as have other commentators:

Since the early 1980s, both major parties have introduced measures to improve the responsiveness of public administration to the government of the day. Some of these were necessary reforms to improve decision-making and management, and to initiate a more energetic responsive and efficient bureaucracy. Other changes were designed to enhance political control. These included:

- *Changing the matters that affect independence- methods of appointment, less secure tenure through the introduction of term contracts, making remuneration more subjective through performance pay for secretaries and other agency heads;*
- *Using political and partisan ministerial advisers for oversight and liaison purposes;*
- *Strengthening ministerial authority over departmental administration;*
- *Reducing the influence of public service commissioners in oversight and in appointing or terminating departmental secretaries and the agency heads.*

While these observations are directed at the national level, they are also reflected in public debate about state government administrations to a greater or lesser degree. The observations provide some insight into what practical steps might be taken to strengthen and support the professionalism of the Queensland public service.

Currently there are separate Codes of Conduct for MPs, Ministers, ministerial staff, public servants within different departments and agencies and police. Codes of Conduct for public servants are issued in accordance with the *Public Sector Ethics Act 1994*. The ethical and good governance principles are thereby common to the codes of conduct developed by each agency and approved by each Minister, though not by each successive Minister.

It would be preferable to establish a common code of ethics for the Queensland Public Service (QPS), and if considered necessary, agencies could add provisions needed uniquely for that agency. The QPS Code of Ethics would be developed and maintained by the Public Service Chief Executive Officer. The rationale for this initiative rests primarily in strengthening the impartial, apolitical and evidence based advice and service delivery provided by the QPS in light of the relatively new role of ministerial advisers, the expected loss of a significant proportion of experienced public servants in the next 10 years and the recent machinery of government changes which may lead to more and less experienced officers having contact with Minister’s and Minister’s offices.

Not having had the benefit of reviewing all Codes of Conduct, I surmise that none of the existing codes commonly commit to a statement about QPS as an institution and its values and relationships as expressed by Mr Podger and others. Neither will they deal with working with ministerial offices, the relationship between the department,

the Ministers and ministerial advisers. These matters are not adequately covered in the *Public Sector Ethics Act 1994*.

A key reason for Codes not evolving in response to the emergence of ministerial advisers within the executive is the disaggregated way in which Codes of Conduct are currently developed and approved. Such disaggregation does not allow for the kind of leadership required for the modernisation of the QPS or for it to be responsive to and prepared for changes within the legislation framework and institutions of government. It is an area where public servants and ministerial advisers would from time to time benefit from having an agreed statement of how these roles intersect and of acceptable conduct.

Making these changes will support open government, improve accountability particularly in relation to circumstances where Ministers choose not to act on the advice of their department. These changes are workable, having been in practice in the Commonwealth for a significant period of time. The changes will also provide significant support to an apolitical, and impartial and accountable QPS which is responsive to the government of the day.

Codes in and of themselves have limited normative value unless they are accompanied by tools and resources and training. Some agencies such as the Department of Justice and Attorney General have developed an on-line assessment of employee's understanding of the Code of Conduct and other requirements. Requiring every employee to undergo assessment appears to be an effective way of at least making each individual engage with the content of the Code and understand the requirements on their conduct. Such tools, resources and training should also be provided to staff of ministerial offices.

One of the key roles of the public service in every Australian jurisdiction is to provide the government of the day with evidence based policy advice. Its role with respect to this and the role of ministerial advisers should be made explicit in the respective Codes of Conduct for public servants and ministerial advisers. Clarity on this point together with training for ministerial advisors in relation to roles and obligations of the public sector will strengthen the apolitical professionalism of the QPS. In this context the principle of responsiveness to the elected Government of the day is key to the institution of the public service. However, responsiveness must not be confused with the mistaken idea that professional public servants are to, upon the request or direction of the Minister or the ministerial advisor, provide the advice which the evidence does not support.

Modernise the Public Sector Ethics Act 1994 and amend it to require the Public Service Chief Executive Officer to develop and maintain a Code of Conduct.

Review governance arrangements to ensure that agency heads are required to uphold and promote the values and are bound by the Code of Conduct.

The Public Service Chief Executive Officer develop for inclusion in the Code statements about

- the institution of QPS and its core values of apolitical, impartial professional service, the merit principle, responsive to the elected Government and being openly accountable within the framework of Ministerial accountability*
- the relationships between (i) the government and the QPS including the obligation to maintain appropriate confidentiality with any Minister or Minister's member of staff, (ii) the relationship between the QPS and the public, (iii) relationships in the workplace and (iv) ethical behaviour in and outside the workplace*
- the relationship between ministerial advisors and the public sector emphasising a common commitment to serve the Minister, the need for working arrangements to be negotiated between the Minister and the agency head, the formal line of authority between the agency head and the Minister, that ministerial advisors do not have the power to direct and the obligation to keep accurate records*
- the requirement for senior executives to promote cooperation with other agencies.*

Ministers, ministerial advisers and senior public servants should receive induction training on the above and the role of Ministers.

Public Service Chief Executive Officer to develop and promote an ethical decision making framework to support the Code of Conduct and be responsible for promoting it through induction and training.

The Public Service Chief Executive Officer to also develop tools and resources associated with the Code including a regular/annual on-line assessment of every employee's understanding of the Code.

Statutory appointments

Term of appointment

Senior Executive Service officers historically were employed on contract for a period of five years. This has been shortened to three years with an option for a two year extension. Statutory office holders are similarly generally appointed for a period of three years often in circumstances where the legislation permits a longer appointment period. This practice, while it may arguably contribute to better performance and a reduction in costs to the government, has also contributed to the perception that this has enhanced the political control of the public service. Statutory appointments, particularly those with a role in overseeing executive government should be appointed for the longer period of time permitted by the respective legislation.

The report by the Independent FOI Review Panel entitled "*The Right to Information: Reviewing Queensland's Freedom of Information Act*" canvassed the importance of the independence of statutory appointments under the legislation and discussed the

need for a particular selection process. It also pointed to the importance of the term of the appointment to independence and in providing sufficient time for the appointee to influence the system. The terms of the appointment of statutory appointments, if not the SES should be aligned with the term provided for in the respective legislation. This will strengthen and support the impartiality and apolitical nature of the public service and to support the provision of frank and fearless advice. It will also strengthen the independence of those agencies with an oversight role.

The term of appointment is an aspect of independence. The current approach to appointing statutory officers and SES officers to three year terms should be replaced with longer term appointments and where a maximum term is provided in a statute, the appointment should as a general rule be for the maximum term unless there are specific circumstances which clearly call for a shorter term.

Budgetary arrangements

There are a range of budgetary models in place in Australian and New Zealand jurisdictions for statutory oversight bodies which report directly to Parliament with respect to the activity and decisions of the executive arm of government and which are accountable to Parliament for their institutional performance. I am specifically referring to the Office of the Ombudsman, the Electoral Commission, the Audit Office, the CMC and the Office of the Information Commissioner. In New Zealand operational funding for the Ombudsman is determined by the Parliament rather than through the executive government.

Because independence from executive government in the performance of the statutory functions is critical to public confidence in these bodies, it may be opportune to evaluate the different budgetary arrangements with a view to ensuring that Queensland's approach is the best available with reference to maximising the performance of and confidence in those institutions. No adverse inference should be drawn about the current arrangements by my raising this topic.

Evaluate the performance of the current budgetary processes for certain statutory bodies to support their independence and functioning within the integrity and accountability framework.

Political donations, fundraising and campaigning

I draw the Premier's expert panel's attention to the work of Professor Lawrence Lessig who is a professor of law at Stanford Law School and founder of the School's Center for Internet and Society. While Professor Lessig is well known for his views on forms of copyright that stifle innovation and discourse on-line, he has more recently launched a project called *Change Congress*. Its purpose is to persuade members of congress to rely for funding on citizen contributions rather than big donations from special interests. The organisation considers that funding by corporate special interests has caused members of congress to favour those interests, undermining the integrity of the legislative process and resulting in legislation that harms the public interest. *Change Congress* encourages congress members to accept a new method of raising campaign funds where individual donations are capped at \$100 and public funding campaigns will match private donations once they reach a viable threshold.

Evaluate Change Congress's model for political donations, fundraising and campaigning as a part of reform considerations.

Machiavelli's view

For Machiavelli, the key to the resilience of Rome was the way its institutions ensured that the mass of ordinary citizens, rather than the *grandi*, was the ultimate guardian of freedom. In the words of Reeves and Leighton⁶:

He reserved his most lavish praise for the "tribunes of the plebs" (an institution in which only the lower classes could sit), for restraining the power-grabbing insolence of the grandi. Machiavelli singles out the tribunes ability to accuse members of the senate and indict them for corruption, publicly, and to do the same with prominent citizens for seeking to exert excessive influence over the politics of the republic. Public indictment offered a model of punishment that was both grounded in the rule of law and inclusive of common citizens. The entire citizenry was enlisted in appellate processes for dealing with political offences, in much the same way as they are today for criminal offences.

Machiavelli contrasted such accusations with calumnies- frivolous, anonymous and unconfirmed charges- stressing that those who made them were themselves vulnerable to counter indictment. Calumnies, he argued are "as injurious to republics as public indictments are useful.....If politicians today want to save themselves from the calumnies launched by the grandi who own the press, not to mention "electoral disorder", perhaps they should ensure that there are more effective ways for citizens to vent their animus against them."

Features of Rome's institutions are present in our modern day institutions as is the ever present need to guard against the placing of factional or private interest ahead of the public interest. Machiavelli argued that calumnies are as 'injurious to republics as public indictments are useful'. Modern day observers may agree with this view when public accusations without much substance are made through the media or made and then published in the media. All our public policies are directed in the public interest to encouraging information about crime or misconduct being brought forward in an unfettered way to maximise the ability of keeping government agencies free of it. Care should be taken not to discourage this in any way. It may however be a useful study to try and measure the pattern and prevalence of modern day calumnies with a view to assessing what if any damage is being done to public institutions and if so, whether our current policy settings, including defamation laws and parliamentary privilege are sufficient to respond to it. This might be a topic the Crime and Misconduct Commission sees suitable for a research paper.

⁶ Reeves, Richard, and Dan Leighton, "Power to the People: Machiavelli's legacy is honesty and a limit on power", The Australian Financial Review, 14 August 2009, Review Section, page 2.