

PRIVATE MEMBERS' BUSINESS

Ministerial Accountability

[Mr ROBERT](#) (Fadden) (12.13 p.m.)—I rise to talk to the motion of the member for Ryan, which reads:

That the House:

- (1) acknowledges its support for the advancement of democracy around the world, including Pakistan; and
- (2) recognises the importance of ministerial accountability in our Westminster system of government.

Churchill's famous dictum that 'Democracy is the worst form of government, except for all those other forms that have been tried from time to time' is indeed correct. It was delivered in the House of Commons on Remembrance Day in 1947 and was fitting at the postwar time that it was delivered. I contend it remains fitting to this day. Churchill had won the war but, in the election of July 1945, he was defeated, seen not as the man to organise the peace. When the news came out, Churchill was taking a bath. He remarked, 'They have a perfect right to kick me out. That is democracy.' He returned to power in 1951, but note that the remark about democracy was made after he had lost power. That is the wonderful nature of democracy. When only the gentle hum of shredders fills the thick disappointed ministerial air once the people have voted for a change, that is democracy. When the sounds of gunfire are absent and when High Court judges can sleep well at night, not fearing their door being kicked in and their being dragged off to prison in front of their children, that is democracy. When people live in freedom, with freedom of speech, of assembly and of thought, that is democracy. It may well be the worst form of government, Mr Churchill, but it is the best of the worst, and I welcome the return to democracy in Pakistan.

The Westminster system of parliamentary democracy was inherited by Australia. In this country it is fashioned around citizens electing a parliament and all being governed by one rule of law. The system of checks and balances was introduced as the historical absolutist monarchies crumbled in order to ensure that the system prevailed. It separated powers into three branches of government: parliament, elected by citizens; the executive branch, known as the Crown, of ministers, cabinet and public servants administering the laws passed by parliament; and the third branch, the judiciary, which cannot make laws and whose role is purely judicial.

It is interesting to note that neither the Prime Minister nor the cabinet are mentioned in the Australian Constitution. The framers of the Constitution took their existence for granted, as they did the various conventions of the Westminster system of government inherited from the United Kingdom. Within our great democracy, guided by our Westminster tradition, ministerial accountability is a paramount. The government's *Standard of Ministerial Ethics*—exhibit A—states in the first bullet point of the foreword:

- Lobbyists will be required to register their details publicly on a Register of Lobbyists ... before seeking access to Ministers or their offices.

It is the very first bullet point. Section 8.2 says that this register will be available online. I have tried to find it online and you can imagine my surprise when I could not. So I had my staff call the office of the Prime Minister at 11:05 this morning

and they said they would call us back. At this time they still have not called back. Perhaps they are on a Rudd day off, like the Prime Minister. This is despite Senate estimates on 18 February—four days ago—revealing that there are no rules in relation to meeting with lobbyists in advance of the register being established. Indeed Labor actually refused to answer the Senate estimate question about how they will define 'lobbyists' or what constitutes a 'meeting' with a lobbyist. This government cannot even get the first bullet point of their *Standards of Ministerial Ethics* right. I warn the Australian people here today that we are in for three very dark years of misery as this Labor administration follows the state Labor governments on the slippery path into moribund practice. Section 3.1 of exhibit A also says:

Ministers must be able demonstrate that they have taken all reasonable steps—

There is a typo. Their preposition 'to' is missing. It should say 'able to demonstrate'. I seek leave, Mr Deputy Speaker, to table this shoddily-written document to allow the Prime Minister, whose signature, I am sure, is on it, to fix it up before they embark on their education revolution. Like the missing preposition, the Prime Minister and most of his ministers are, indeed, missing with the preposition. (*Time expired*)

Leave granted.