

PUBLIC SECTOR MANAGEMENT

Statement

HON TJORN SIBMA (North Metropolitan) [6.20 pm]: I bring to the attention of the house one of the many accountability mechanisms embedded in the Public Sector Management Act 1994. This act determines the management of the public sector and, more particularly, establishes the requirements of the relationship between the public service and its political masters, in particular, cabinet members and ministerial staff. Section 74 of that act deals with the relationship between the minister's office and employees of public sector departments and agencies. It states, and I quote —

(1) A Minister shall —

- (a) as soon as practicable after this section commences; or
- (b) if he or she becomes a Minister after this section commences, as soon as practicable after becoming a Minister, make arrangements in writing in relation to each department or organisation for which the Minister is responsible setting out the manner in which, and the circumstances in which, dealings are to be had, and communications are to be made, between ministerial officers assisting the Minister and the employees in that department or organisation.

I will outline to the house the interesting genesis of this provision. It arose out of a suite of recommendations from the 1992 report of the Royal Commission into Commercial Activities of Government and Other Matters. The royal commission concluded —

The evidence placed before the Commission has made clear to us that the dealings of ministerial staff with the Public Service and statutory authorities can have a corrosive effect on the functioning of those bodies. The Commission believes the potential for the abuse and manipulation of the governmental system which exists, and which on occasion has been realised, must be recognised and steps taken to guard against such consequences.

The second reading speech for the Public Sector Management Bill 1993 made it perfectly clear, and I quote —

The events of WA Inc demonstrate clearly that a number of actions must be taken to ensure the constitutional integrity of the Public Service is secured.

The executive government must ensure that there is no repeated behaviour alluded to in the commission report by ministers and their staff. This house must act as a brake on any excesses of the executive and hold individuals to account who abuse process and put their private interest ahead of the public interest.