A COMMENT ON THE POTENTIAL REGIONAL FUTURE OF THE NSW INDEPENDENT COMMISSION AGAINST CORRUPTION (ICAC) IN THE LIGHT OF ITS PAPER AND QUESTIONS ON ENHANCING THE DEMOCRATIC ROLE OF DIRECT LOBBYING IN NEW SOUTH WALES.

The only living boy in New York (Paul Simon)
These boys all look the same to me, Dear. (Mother)

Carol O'Donnell, St James Court, 10/11 Rosebank Street, Glebe, Sydney 2037
www.Carolodonnell.com.au

ABOLISH ICAC AND EXTEND THE LOGIC OF THE NSW CIVIL AND ADMINISTRATIVE TRIBUNAL USING PROFESSIONAL CODES OF PRACTICE MODELED ON LOCAL GOVERNMENT. TAKE FREEDOM OF INFORMATION LEGISLATION SERIOUSLY IN INTENT

This paper addresses Independent Commission Against Corruption (ICAC) questions 2 and 3 below from the **Discussion Paper** prepared for the New South Wales ICAC by legal academics, Dr Yee-Fui Ng and Professor Joo-Cheong Tham and entitled **Enhancing the Democratic Role of Direct Lobbying in New South Wales.** The ICAC questions are:

2. Who should be required to register on the **Register of Third-party lobbyists**?
3. Should there be a distinction between lobbyists on the register and lobbyists bound by the code of conduct? **Answers: These are the wrong questions to address corruption. The point of codes of conduct is that nobody should be bound by them if they can show a better reasoned way in the particular circumstances of the situation. (I hate you guys.)**

I believe the children are the answer. Those of you having too many should stop. If the oldies express a wish to be dead take them seriously and have the guts to help whatever the danger because it is probably the most kind and useful thing to do. Great choice for the death of PM Bob Hawke. Who arranged it? The wife of AMWU leader, Laurie Carmichael, collapsed and died at the ACTU Christmas Party, as I recall, or was that apocryphal?

Try an alternative regional approach to the legal, party, professional and organizational one adopted by ICAC against its own apparent theoretical position on the importance of direct democracy. (Is ICAC nuts or corrupt with this stupid legal roundabout approach?)

We would have to open it up to find out but do we need another Royal Commission? Surely you guys and your chicks have picked it up by now? Hopeless romantics here we go again. The death of Bob Hawke reminds me to throw up. I was barely over Doris Day.

I am reliably informed by my usual sources that former ACTU vice president, Anna Booth said to the Australian Financial Review in 2012 that she was in an outdated system designed to *'institutionalise conflict, not to forge productive workplaces'*. As I recall she resigned and went off to be a lawyer. Smart move with more secure money? She should tell us about it.

The march of technological progress has meant that we all may be direct lobbyists now, paid or unpaid. The magic of Google search and many related websites plus email means that we may all write accounts of whatever we like to each other in an attempt to influence us.

The world normally exists on written words, pictures and music with numbers. As a former shorthand typist, I have seen this from the start. A lot of these men can't write and are deeply embarrassed about it. The corruption test of lobbying for a government is the utility of any particular argument or offer to serve residents of the state, whose fate is also globally connected. The Lobbyists Register and the associated growing list of legal paraphernalia are treated in this context later. A short rule for anybody anywhere is that if somebody pays you to go to a meeting, you should make notes of when, what it was about, who attended, and what the intended outcome was. Don't wait for the minutes to show up. These people are afraid of writing because they know they can't. That's lawyers' business and believe me they don't do it so well that I would want to do anything but shoot them. (So here ends my contract or sue me? As Salman Rushdie said to Israel Folau, 'It's only words', so fine by me. Americans, on the other hand, have cemented free gun trade early in their Constitution. This global secret trade which elevates the weaponised man over others, corrupts thinking and lies at the heart of the US legal system derived from Britain. It is expensive feudal shit.

I comment first on apparent inconsistencies in the theoretical and democratic regional position; and the legally driven questions put in the paper **Enhancing the Democratic Role of Direct Lobbying in New South Wales.** The authors state the central purpose of their paper is to stimulate discussion and debate on how the democratic role of direct lobbying can be enhanced in New South Wales in relation to State government. It does so firstly by explaining the democratic role of the peoples' capacity for the **direct** lobbying of politicians, highlighting how this role is ideally underpinned by four principles (**transparency, integrity, fairness, and freedom). I have no quarrel with their account except the legal framework and questions then presented to the public and supported by ICAC appear inappropriately driven by traditional legislative approaches ruled over by lawyers and related partial secretive forces blindly seeking to enhance their normal industrial and party interests.**

The related argument made here is that ICAC should be abolished and the logic of the Civil and Administrative Affairs Tribunal broadly extended to cover all areas of government and private collaboration. One assumes that NSW Office of Fair-Trading deals more in private sector matters and the Health Care Complaints Commission is similarly important and joined for criminal behaviour, etc. The Australian Law Reform Commission appears to have recently had their muddled stab at **Family Law for the Future** which recommends family law disputes be returned to the states and territories and the federal family court abolished. Over lawyers' dead bodies? On my experience of the professional group logic, I doubt it. This is discussed again later as the secret individual and family view precedes the legal one, just as the family seeking to remain afloat in the market precedes the wider welfare state.

The use of codes of conduct or practice are addressed in related contexts later. Freedom of information legislation is ideally also used as it was originally intended, to advance public and private sector effectiveness and individual knowledge of our mixed affairs, rather than to put more of the same legal authoritarian blinkered rulers over the lot. (That is the process of lawyers secreted like the feudal crown of thorns over generations, extending their patch.)

Nothing nasty that I might say about lawyers and by implication the **Lobbying of Government Officials Act, the Register of Third-Party Lobbyists**, etc. etc. should be seen as criticism of the NSW Electoral Commission which apparently oversees it. It seems the only connexion I have and should have with the NSW Electoral Commission is during elections. Compared with the US and a lot of other places, it appears to do a wonderful job with regard to informing people about elections and being associated with their carriage. Surely, we should leave it like that. Allegations of corruption need much broader cultural canvas.

Lawyers, thy name is polite secrecy and huge payments in captured markets, not public service. The concept of corruption, which is a moveable feast, often depends mainly upon whether one's major interest is in the advancement of the family or the state, democratic or not. As a feminist I find I have fled the family all my life as a result of observing my parents' lot, especially my mother's. I wanted more choice than my parents were given, especially my mother. Family business, however, is the opposed position to the state expectation, full of free labour, leading to loss as well as gain, as distinct from steady wage benefit.

Australia is one of very few countries in the world with a cradle to the grave welfare state and this has only occurred in the 1980s with the Hawke and Keating Accord. This was essentially an agreement between the Labor government and trade unions powerful enough to wreck the economy if their demands did not become part of a more planned approach to wage and welfare standards for all Australians, delivered substantially by government and big business. Family business is the real meat in the industrial sandwich. A reason this is not looked into in Australia is that the private vision is construction based. A woman and her man's decisions are normally linked to the desire for stable housing for kids and the normal commercial operations are then constructed upon the dream of that. It isn't called real estate for nothing. I have never seen it well understood in spite of looking.

In China, I understand, there is a law against not looking after your parents properly instead. The family is a remarkably closed institution in feudal constructs which exist uncomfortably with state directions addressing the broader welfare, or not, as the case may be. I worked in NSW government in the 1980s and 90s. I increasingly understood and admired the theory the Greiner Government tried to follow in encouraging plain English, establishing ICAC, etc. – limited by lawyers. Gary Sturgess was head of Cabinet Office then. Ask the lawyer what he thinks. Say he is rich enough and old enough to write freely what he thinks.

Or don't these guys know and are they too frightened, lazy or slow and incompetent to write instead of constant meeting and voting. Jesus, I've seen lots of that as the lawyers and myriad professional acolytes overtook the great man and his ubiquitous secretary and clerk. Good record keeping depends on the capacity to write on direction, strategy and outcome which are related to the intended bid or contract aims, strategy and outcomes in stages.

Corruption, like love, is a moveable feast depending on surrounding cultural perceptions. A former NSW garbage collector, Premier and Milton scholar, once pointed out that being in love is like being in traffic. You are if you think you are. Up to a point, Lord Copper. A

historical approach is taken to the development of notions of corruption and law in NSW later to support shared demographic, place and person-based approaches to service. A related approach is taken locally in the NSW government My Community Project direction attached to commercial and home improvement in Glebe, with more open communication.

Taking the ICAC paper on enhancing the democratic role of direct lobbying seriously, means ICAC questions should be used to shed light on old legal norms which have far outlived their usefulness. Their continuing efforts put us further into more confusion at greater delay and expense. Decisions about allegedly corrupt conduct face the fact that legal conduct drives secretive behaviour and legal control, rather than reducing it. ICAC questions ignore the reality of a hugely improved capacity for lobbying politicians with unpaid suggestions. Why should some be paid for providing their knowledge and opinions when others are not? This difference between the paid and unpaid knowledge and service workers is best dealt with professional codes of conduct or practice like those in local government, addressed later.

Crown law is a moral concept reliant on the idea of Heaven and Hell. Democratic and scientific advance depends on people having more information about their affairs, not less. This is the later and broader regional context in which claims of political, bureaucratic and professional corruption should be judged. To adhere to normal legal secrecy and discourse monopolies and privileges is to tie more than one hand behind one's back in any discussion and only the lawyers win. This is not only expensive for residents of NSW; I find it corrupt. They should speak up and defend or attack themselves more broadly in free plain English. By all means think of it as a new version of confession, done openly with others, not God.

In this modern, as distinct from feudal context, one also draws attention to the power of the Australian Broadcasting Commission as a democratic instrument long beloved of the Australian people compared with lawyers and courts, which churn out a lot of rubbish much more expensively in secret. Yet whoever attacks or restructures them? Everybody who should be involved in this appears to be too ignorant or gutless to have a go. Our local ALP member, Tanya Plibersek, claims Australians deserve better and that she will always stand up for all the things we love about our ABC. Its discipline supports us in emergencies, entertains and informs all ages, and delivers excellent Australian content. Go to New York and see what phenomenal amounts of crap they are served up in US states on TV and weep. You pin your faith in lawyers and this is what you end up with. Lies from top to bottom. (Just ask Wendy Bacon because she's our top local. Meredith Burgmann gives me the shits.)

AGAINST ICAC QUESTIONS BUT ADDRESSING APPARENT REQUIREMENTS OF MORE DIRECT AND OPENLY DEMOCRATIC TREATMENT OF ALLEGED CORRUPTION

The definition of the lobby, according to the Oxford living English dictionary is:

- *A room providing a space out of which one or more other rooms or corridors lead, typically one near the entrance of a public building,* ***In*** *the UK, each of two corridors in the Houses of Parliament to which MPs retire to vote.*

- *A group of people seeking to influence legislators on a particular issue.*
  'members of the anti-abortion lobby'

  The origin of the word 'lobby' is from the 16th century (in the sense 'monastic cloister'): from medieval Latin lobia, lobium 'covered walk, portico'. The verb sense (originally US) derives from the practice of frequenting the lobby of a house of legislature to influence its members into supporting a cause.' (Jesus, Baby, were they offering bribes? How could you find out?)

  Australia follows in the general British and US global market tradition of seeing the **paid** lobby made to serve sectional and individual interests, as well as the **unpaid** lobby argued in the general public or sectional interest, as legitimate activity. In the contemporary and more ideally democratic Australian welfare state, however, we may now lobby anyone comparatively freely by email or other methods. In this context, any attempt to regulate lobbying with reference to the principles of the market state, while ignoring the later development of state welfare and technological advances which have brought more direct lobbying closer to all is unacceptable. It is closing one's eyes to the technological capacity to serve the people as distinct from the markets and debts into which they may be so easily flung in the interests of others with more and better connexions, power and knowledge.

  As a Glebe resident, for example, who helps elect local, state and federal government along with my peers, like minded or not, the last thing I want or am capable of doing intelligently in the public interest, is to answers questions about the **Lobbying of Government Officials Act (NSW) which provides for a Register of Third-Party Lobbying, and associated paraphernalia apparently administered by the NSW Electoral Commission**. Before I read this ICAC paper**, Enhancing the Democratic Role of Direct Lobbying in NSW and its related questions**, I did not know, for example, that there was a Register of Third-Party lobbyists. What is it they do that makes them worth their hire when so many of the rest of us lobby for free? This is my first dumb question in response to those offered by ICAC lawyers. It seems crazy that such a broad concept as government corruption is not regionally treated and known about in all the relevant places. This is to improve all knowledge and administration of the particular place and the diverse communities and persons in it, with a view to improving the welfare of all. Policy on birth and death is built on this foundation.

  The authors of the paper **Enhancing the Democratic Role of Direct Lobbying** state that of particular importance – and the focus of their discussion paper – is the role of direct lobbying (communication with public officials aimed at influencing public decision-making), whether solicited or unsolicited. Surely the assumption that the lobbyist should be a legitimate paid position may be wrong, or not, depending on the circumstances of the case. Is the questionable activity found to occur with the public interest as well as the sectional or private one in mind, or not, as the case may be? In short, the tests of lobbying and apparent

corruption are ideally not confined to any particular political party or related membership and commercial expectations of any particular group or individual. **Therefore, the NSW Electoral Commission is likely to be a poor vehicle for addressing corruption concerns.**

The bizarre and garbled Australian Law Reform Commission Recommendations encouraging **Amicable Resolutions** in family disputes, etc. will be dealt with later in another place. However, it is worth noting here that with the ALRC we are apparently to face the new law's **protected confider** and the **replacement of family consultants with court consultants**. The ALRC advises the Australian Government Attorney General's Department to develop a **mandatory national accreditation scheme for private family report writers**. For Christ's sake let those who can write reports write them, rather than creating slow stupid legal monopolies on the way to top courts. In any discussion about death, wills and corruption it is important to note the vital initiative of NSW Health in encouraging everybody to write **Advance Care Directives which name their Enduring Guardian. To name your enduring guardian or guardians wisely, whoever they are, appears more important than making a will, which delivers you into the feudally interested hands of lawyers and their interested mates.**

My key question to ICAC is, however: **Aren't all the issues addressed in ICAC questions to the public better addressed in the broader context of regional civil and administrative affairs tribunals?** These may be available as a last resort when suspicions or allegations of corruption are naturally made in the light of recognition of the need for more information. This provision is necessary so that anyone can have their apparently honest suspicions of corruption refuted easily and early by the provision of more information relevant to their fears. This is preferred to more legal interpretations typically based on the secret legal word and its operations, acting with adversarial monopolies over evidence.

The legal approach is not an evidence-based approach to treatment as medical doctors, for example, know it. Protected disclosure (whistle-blower) legislation also seems vastly outdated. In a similar vein, and speaking as an atheist, adulterer, fornicator and mother of an illegitimate child who has gone on to reproduce our kind, I don't mind if football giant, Israel Folau, writes on his website that I will burn in Hell along with homosexuals. I am used to that. Get over it. I hate lawyers and if I were a Christian, I'd think they would burn in Hell too, but who cares? Women shouldn't be a lot of pansies, etc. etc. etc. One must always preserve the distinction between speech and other action, including reproduction, or violent men and legal mates will win far more territory everywhere. (Peter Fitzsimmons get off.)

I undertake unpaid direct lobbying a lot with my local MPs Jamie Parker, Tanya Plibersek and Lord Mayor Clover Moore, for example, as well as in response to the Productivity Commission, Australian Law Reform Commission and other parliamentary inquiries. See the email to Balmain Green MP Jamie Parker below, for this ICAC example. He recently alerted his constituents willing to be contacted by email about his parliamentary speeches regarding ICAC and other inquiries. I argued against his position below as further legal straitjacketing of the free movement of people to freely inform and work. This is also in the context of seeking broader and more openly evidence based regional approaches to Australian global operations than appears available to his party alone or in company with any others under legal direction. I conclude that answering the questions in this ICAC paper is likely to

entrench multiple complex and partial approaches to the issue of alleged corruption by members of government, in its bureaucracy or in the private sector. The current legislative situation and the questions put to the public regarding corruption appear to favour the lawyers expensively extended and opaquely dysfunctional secret operations as usual. If you have ever compared the legal and moral expectations thought legitimate here, you'd surely be amazed at how varying they are and how dramatically they vary over time. For example, take expectations typically placed upon a woman's chastity when she is part of any bargain. Where do we stand with former Prime Minister Turnbull's 'bonking ban', for example?

I have little quarrel with much of the democratic philosophy in this ICAC paper or with the position taken by ICAC, ***with the vital exception*** *that ICAC questions appear driven by legislation which comes increasingly under the thrall of the lawyers' monopoly assumptions regarding the desirability of public ignorance about many financial and related matters. These feudal perceptions have oppressed generations in a wide variety of cultural states. One clear example of this is that nobody in key financial or related close positions saw the global financial crisis of 2008 coming, or if they saw it, they weren't prepared to say so.*

TAKE FREEDOM OF INFORMATION LEGISLATIVE INTENT SERIOUSLY: OPEN UP

Instead of responding to any or all of their **questions**, one calls instead for the widening of **Freedom of Information** approaches adopted by government in the 1980s. This legislation was directed towards government opening up its own operations, for greater direct scrutiny by any member of the public, who might also expect an answer, or not, as the case may be. Freedom of information intent has been assisted by great government website design and maintenance in many cases but not in others. Freedom of information expectations which allow more informed and direct lobbying have not, to my knowledge, been extended to the private sector and related commercial operations which government typically supports, except in Medicare and in some related private sector medical and news operations.

The demographic approach to place and person-based knowledge development is where government and private sector entities open up more broadly to each other and us on the growing variety of ways in which quality and quantity of life may go together well or not.

For better ICAC orientation see the attached discussion where one addresses state developers, related professionals and others about term of reference c. for the **Royal Commission into Aged Care Quality and Safety**. It asks about the future ***'challenges and opportunities'*** for delivering accessible, affordable and high-quality aged care services. The first and obvious point is that this is hard to assess in secret operations and without reference to term of reference e. It asks *how to ensure that aged care services are '****person-centred'****, including through allowing people to exercise* ***greater choice, control and independence*** *in relation to their care, and improving engagement with families and carers on care-related matters.* One assumes this occurs best in embracing more openly informed interactions rather than running the legal ruler over the lot. I'm 72 for example, and old enough to die when I want. It enrages me that the state would not openly help me to do so and accept my view that this could be a healthier and more moral act than forced living. (Get off my back and let me be the judge of my own family affairs for once in my life.)

See the related discussion of the role of freedom of religion and speech in the identification of good global and regional services for the prevention of violence and corruption attached. This was written freely to the inquiry into **'the intersections between the enjoyment of the freedom of religion and other human rights'** requested by PM Malcolm Turnbull. It turns first to the Australian Constitution which is a descriptive, as distinct from idealistic document. It surely made a lot of sense as administrative guidance for a federation of six colonies with parliaments and governors which still had control over land and production at the state level. The concept of a top unchanging Constitution, however, is foreign to good production and administrative practice. The men who wrote it were not Gods or Monarchs.

This is a global, regional and local discussion of the ideal Australian way forward to greater productivity in more open global and regional approaches to knowledge and intellectual property; as distinct from in multiple closed institutional and related voting procedures which appear typically to close markets further. These comparatively anti-democratic and uninformed closure processes start with and are extended expensively by lawyers. Broadcasting, information technology (IT), insurance, fund management and other welfare and communication services are addressed attached and on www.Carolodonnell.com.au

In the 1980s the Australian states went through major conceptual change with related legislative changes at the state and federal levels which also introduced an Australian welfare state from the cradle to the grave. These major conceptual changes elevated the status of health over wages and introduced state occupational health and safety acts as well as Medicare and disability support and re-employment structures which challenged the normal 'shield of the Crown'. The shield of the Crown hid its operations and prevented them from legal suit for alleged state negligence. For example, the broader coverage of state and federal legislation under new occupational health and safety acts allowed more state employees to allege their musculoskeletal and psychological pain and suffering was caused by their work than had previously been the common case. This was accompanied by a wider collection of premium funds in both public and private sectors for related state and industry investments. National superannuation coverage was also pursued. In this context of national development one most recently notes challenges to financial operations as usual by the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry report which discussed brokers and many other service matters.

During the 1980s freedom of information legislation was passed by state and Commonwealth governments and immediately resisted by many lawyers and their clients keen to protect their organizational or personal backs and interests. Many took no notice of its intent. This was an era when the original role of the Attorney General as the protector of legal forces was made more generally democratic on paper, if not necessarily in any key commercial and related government institutional fact. This was watched over by extended legal monopolies over meaningful speech and action, as decided by lawyers and court. At this time the concept of the code of practice was introduced to assist less restricted practice than was available in law. Lawyers quickly embedded the code of practice as an aspect of law, which is often incomprehensible and without clear aims or key definitions, only rulers over the lot with lengthening sets of prescriptions. ICAC seems to encourage this. A similar

legalistic approach is being embedded now in by-laws in strata management. The desire to be polite unfortunately invites silence, lack of clarity and resort to lawyers who take over. They waste money like water in pursuing their traditional approaches to winning any case. However, it is hard not to hate the crowds of jack rabbits that constantly gee them up.

Thanks to the miracle of new technology today, and greater government willingness to reveal its operations and access in this era, one may, however, also know or find out about the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act); and about many related matters with a reasonable degree of confidence that this is better than not. The objective of the Act is to make government information more accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information, and
- **restricting access to information only when there is an overriding public interest against disclosure. (MY EMPHASIS).** One assumes disclosure as a matter of course. Simple people like us call it trying to tell the apparent truth.

In this apparently more democratic context, freedom of information has traditionally been fought by lawyers of every stripe who sanctify the lawyers' monopoly and related organizational privileges over any client, close and/or expert observer of affairs, etc. etc. Lawyers confuse objectivity with ignorance in their search to maintain their monopoly over any knowledge and how it may be presented. They see themselves as the ultimate public arbiters in court, speaking alone for the rest of us. If this is transparent rubbish, say so.

We may all be lobbyists today, through offering our views to politicians on email and to inquiries such as this. The public should perhaps henceforth be directed more to questions of the public utility in defining **paid lobbying positions**, albeit **ignoring all the unpaid lobbying of the kind so many of us undertake on a daily basis.** In either case, however, the focus should be on whether the argument made by the lobbyist appears constructed in the public interest and thus in the interests of government and its related representatives, wherever they may be in Australia and linked to whatever part of government or the community at whatever level. This is ideally the open regionally shared approach, rather than the closed institutional test of action, as befits the ideal democratic and evidence-based state rather than the legal and professionally privileged one. If action is not known about and cannot be questioned it cannot be judged by anyone except the victim or beneficiary of such action, often narrowly, ignorantly and privately. Associations of supposed victims or beneficiaries arise in this context. Feudal effort abhors quality data.

OFFICE OF LOCAL GOVERNMENT STANDARDS OF CONDUCT FOR COUNCIL OFFICIALS SEEM REASONABLY USEFUL FOR GUIDING MORE DIRECT AND OPEN GOVERNMENT SERVICE AND ADMINISTRATION NATIONALLY AND LOCALLY TO IMPROVE KNOWLEDGE

Australians often say all politics is local and it is certainly true that the development application (DA) administered by local council is where the rubber of public consultation hits the road, at the end of a lot of secret process where anything could have happened to get to

such a place and hardly anybody would know anything about it. Lord Mayor Clover Moore and others pursued a much earlier and informative public way with the fine development of more green space and apartments at Harold Park, while preserving the heritage and general beauty of the Sydney Harbour place. (I love Clover Moore, who has pushed shit uphill for years against the normal sets of comparatively grey and ignorantly entrenched interests.)

Anyhow…..should administrative affairs and related services generally be judged along the lines below? (If so, why would such codes be reified in law, when every case may be different and so depend on a wider range of expert judgment unfettered by court rules?)

Take the Council Workers Code of Conduct as a key example of good guiding practice?

You must: • conduct yourself in a manner that will not bring council into disrepute • act lawfully and honestly, and exercise due care • treat others with respect and not harass or discriminate against them, or support others who do so • consider issues consistently, promptly and fairly • ensure development decisions are properly made and deal fairly with all parties involved • disclose and appropriately manage conflicts of interests including, in the case of councillors, from reportable political donations • use and secure information appropriately and not disclose confidential information • use council resources ethically, effectively and efficiently.

In addition, staff must ensure the efficient and effective operation of council's organisation and implement decisions of council without delay. **You must not**: • accept money or gifts of value and avoid situations that may appear to secure favourable treatment • make complaints improperly, take detrimental action in response to complaints, or disclose information about code of conduct matters. In addition, councillors **must not**: • direct or influence council staff in the exercise of their role • participate in binding caucus votes, except for nominations.

There is a longer version of the above which NSW government has put out for comment but I could lift this from the website freely and clearly in the truncated manner above. If this was printed on cards handed out by the organization it could inform a lot about rights.

ADDRESSING CORRUPTION AND ITS CONCEPTUAL AND MATERIAL EFFECTS MORE BROADLY

We may all lobby politicians and others today and often appear encouraged by government to do so. Whether we received any sectional or personal benefit for our efforts is of less importance in the supposedly democratic state than whether our lobby (attempt to influence decision) is openly designed in the public interest. The intent of NSW Freedom of Information legislation introduced in the 1980s has been thoroughly perverted in the interests of lawyers since, despite the direct democratic potential of new technology shown in my letter to Glebe Green MP Jamie Parker below, with copies to relevant others.

The test of the lobby is the quality of the argument when judged in the service of the people involved and more broadly. To accept the law is to accept its boundaries on knowledge. To do so puts the broader Australian people and environment of secondary importance to the secret primary operations of the more privileged social circle, of which the government

listed lobbyist is normally part. These people are normally privileged and caught in historic land, family, school, party, industry and other close associations. In the global welfare terms of which the Australian state is supposedly part through embrace of World Health Organization and other ideal international standards, expressed in law which is widely known about and followed or not; lobbying may seek to enhance the sectional, individual or broader national interest. Like Wikipedia it adds fast and broadly to human knowledge whether we like it or not. One stands on the side of direct plain argument and education.

Corruption is in the eye of the beholder. There's nothing neither good nor bad but thinking makes it so, according to Hamlet. Shakespeare often creates a remarkable display of the timeless sense of a man describing the common weal in any time. Othello is as relevant today as it was in Shakespeare's time in its depictions of social cleavages, for example. The concepts of want and corruption are moving cultural feasts, however, depending on a time, place and community for their expression. Open this up as the advance of a US medico-legal diagnostic approach by lawyers is making everybody measure up to professional standards, instead of acting more broadly to develop well managed community services tailored to the particular local need which challenges traditional and new providers alike. Jails are full of disabled people and it may be impossible to distinguish between mental disability, personality disorder, drug influence, and more criminal or civil offence. It's just us. The regional approach presented here may be part of any natural multicultural place and person-based transition to more communicative and scientific, as distinct from feudal approaches to management of Australia and the land, property and people in and outside it.

The identity of the lobbyist is ideally known, but irrelevant to the quality of any argument the lobbyist apparently puts in the public interest or in relation to any sectional or personal grievance. At least, that appears to be how it should be. ICAC states departures from the principle of integrity can be characterised as misconduct; and when these departures occur to secure improper gain for the wrongdoer, corrupt conduct results. Understood in this way, misconduct and corrupt conduct can be undertaken by both lobbyists and those lobbied (The standards of integrity are not, however, identical for both groups; for public officials, there is the 'constitutional obligation to act in the public interest'). The risks of corruption and misconduct are greater when the fact and details of lobbying are secret. Transparency and the shared and unclear accountabilities it may produce in any judgment, while growing knowledge of the particular place and its people, is then absent, let alone known over time. Another form of secrecy that risks enabling corruption and misconduct occurs when those lobbying do not fully disclose their interests and how they may easily fit in and assist the local or national lot. Why is anybody paying for anything which could be delivered freely, if it may easily be considered freely in family spaces between family and/or close friends, for example?

In a recent China Watch newspaper article entitled '***Opening Up: The View from Down Under'***, Karl Wilson interviews Stephen Fitzgerald, former first ambassador to the People's Republic of China, appointed in 1973. He first went there with Opposition Leader, Gough Whitlam in 1971 before Whitlam was elected to Labor government in 1973. After pointing to China's incredibly fast-growing strengths in science and technology since Mao died in 1976 at the end of the 10-year Cultural Revolution, Fitzgerald is quoted stating China's opening to the international markets should not be seen just in purely economic or political

terms. It should be seen as an opening of the mind. When the ALP got rid of Kevin Rudd and put in Julia Gillard, I knew I'd hate what was coming; more fucking lawyers. Every time a male high school teacher is accused of a lot of sexual harassment by a lot of teenage girls, how many lawyers do you think are involved today? Is this the kind of way you like to see your taxes spent? Get a grip on reality. Bob Hawke made a lot of sense but so did many after it was realised during the Whitlam government that there was a limit to satisfying friends. I never met him but found his sexual persona revolting on TV. What a mug lair?

Freedom from want, the American and Party dream that they alone can supposedly provide, is a movable feast as the job of markets is to manufacture want as well as to meet it when it is expressed. (One thinks of Mr Creosote more easily than oneself.) Chinese have had a more intelligently planned view of human rights in coming to a two-child policy. This has implications for housing policy and order globally, nationally and locally. This also makes dying and succession very interesting to me and I bet the strata manager knows a lot more about such matters than most. Strata management seems like a life education for policy in many related areas. Thanks for any related interest. Attachments point out the Australian regional and international leadership in regard to data gathering and fund management already pursued by Australian state and federal governments in health care, work injury, superannuation, insurance and related fund management. This embryonic, comparatively stable and data driven direction is ideally related to dispute resolution and built upon regionally and broadly, following WHO direction begun in 1946 and accepted by Australian governments against older professionally driven odds led by lawyers. This new, more rational direction is often easily undone by partisan disputing lawyers and their followers, pursuing their vested professional interests under commercial in confidence principles as usual.

This new democratic potential created through the world wide web and related technology such as Microsoft Office, Google search, and email present a major challenge to the older accepted view of lobbying; paid and unpaid and aligned or not to party or related sectional representation. Their families and supporters perceived a natural and legitimate distinction between the insiders and outsiders to any government or private sector activity. Family and state secret booty were also seen as natural expectations in warring spheres. The potential of more direct democratic direction via technology is challenged on paper and by lawyers. Their interests always lie in their monopoly over the process of making new laws and the maintenance of secret legal and client privilege over knowledge and access to benefits which lesser mortals may receive, or not, as the case may be. Don't have too many kids, so as to support yourself properly is my first tip today. Spread the message and the means to avoid it widely. Sunlight is said to be the best disinfectant and openness also allows justification in the public interest rather than the sectional or individual one.

Cheers and take care (you mob of vampire swine and lesser cloven-footed creatures.)

Carol O'Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney 2037 www.Carolodonnell.com.au
Also known as Lilith the Magic Pudding, Chief Alternative to Faith and Queen of the Monkeys

Earlier, to Balmain MP, Jamie Parker

Hi Jamie

THE REVOLVING DOOR IS AN ASSET IF THE AIM IN BOTH THE GOVERNMENT AND PRIVATE SECTOR IS OPEN ACCOUNTABILITY IN THE PUBLIC INTEREST

I just write to say I strongly disagree with the position you put in parliament below on the 'revolving door' between the public and private sector, because it prohibits the natural movement of experienced people in and out of government and the private sector in order instead to maintain existing silos of behaviour which are unaccountable to scrutiny in the public interest. If you want such an apparent example of corruption, for example, try the Vinnies website which gives a fake email address so that nobody can get through their system. Other companies in the private sector, with or without government funding are similarly impervious to individual or related public demand for greater scrutiny and intercourse. Anyhow.....I will read the government paper you kindly recommend but the part of your speech I disagree with is below.

'*Perhaps the most damaging example of this relates to the revolving door, which is now a common term in parlance. The revolving door involves former Ministers, shadow Ministers and senior staff who move on either to work as lobbyists or to act for businesses directly related to the portfolios that they once covered. These politicians and senior bureaucrats can effectively sell the knowledge, privilege and access of their previous positions to the private sector and in so doing selfishly and profoundly undermine our democratic system. Nowhere is this more prevalent than in the planning and infrastructure sector in New South Wales. The interplay, in particular, of Liberal politicians and the organisation's planning, funding and building projects is really quite remarkable.*

While many politicians may go on to work in the private sector for honourable reasons, it is clear that we need to have effective ways to help manage this. At its best the revolving door demonstrates the closeness of politicians to the industries they govern, often to the detriment of the public good and, at its worst, it creates a possibility that a job taken after retirement is simply a proxy for a bribe. For those reasons we will make a strong submission to the ICAC discussion paper addressing the revolving door issue, as well as a range of other measures that can be implemented to increase the transparency of lobbying. One step that the Government has taken is introducing a ministerial diary; that should be extended to shadow Cabinet Ministers. We will put together and present a range of other measures in our submission.

An important issue is a proper cooling-off period or post-separation ban period. During the cooling-off period, former MPs and senior staff should be prohibited from working as consultant lobbyists, working for an organisation and carrying out lobbying activities on behalf of that organisation, or working for a corporation if lobbying constitutes a significant part of the work on behalf of the corporation. Currently in New South Wales there is an 18-month post-separation ban that covers only Ministers and Parliamentary Secretaries. It does not include senior ministerial advisers or senior public servants, which makes it weaker than bans in many other Australian jurisdictions. There should be an increased cooling-off period of five years for Ministers, shadow Ministers, members of Parliament, Parliamentary Secretaries, senior ministerial and shadow ministerial advisers, and senior public servants engaging in lobbying activity that comes under an area that they once managed in their portfolio. That is one of the many changes we will advocate for in our submission to Operation Eclipse. I encourage every member to make a submission and speak to their own parties to ensure that we can improve lobbying in this State.

I wanted to send Vinnies the attached proposal for regional development. Thanks very much for your interest in these issues and for drawing our attention to them.

Surely more open and fast movement between public and private sector institutions should be encouraged in the public interest. This is also easier to monitor in the openly shared environment rather than in one where you appear to wish to make the Chinese walls between sectoral operation and related aim dysfunction even stronger. Anyhow, thanks for the information you sent about all these matters.

Cheers

Hi DA Submissions and Dom

Re: DEVELOPMENT PROPOSAL REF. NO. D/2019/610 (RE OUR ST JAMES CATHOLIC CHURCH NEIGHBOURS)

Site 2 Woolley Street, Glebe, NSW 2037. Applicant: Morson Architects Pty Ltd.

Proposal *(as described in application) Alterations and additions to the existing educational establishment for St James Catholic School.*

The above description is too vague to be useful for anything. We must know what is going on. As an owner on strata plan 10775 at St. James Court, 11 Rosebank Street, I have looked at the 2 Woolley Street and church educational siting ***from our neighbouring site which shares walls, fences, pipes and trees with No. 2 Rosebank Street as well as No. 2 Woolley Street***.

ARE THE CATHOLICS PROPOSING TO CHOP DOWN THEIR HUGE TREE AT THE BACK OF NUMBER 2 WOOLEY STREET? IF SO, I OPPOSE THE DEVELOPMENT ON ENVIRONMENTAL PROTECTION GROUNDS. FOLLOWERS OF LAUDATO SI SHOULD ALSO OPPOSE IT.

Morson Architects and others involved in this DA should note that it contrasts poorly with the last DA we received as owners of St. James Court. This was a DA for the application site 2 Rosebank Street, from Great North Design Services, which we received on 6th March 2019. The proposal was for alterations, including the installation of 36 x air-conditioning condensers with screens to balconies. At St James Court, we also share walls, fences and trees with this property. ***Shouldn't we all get together to mesh our concerns and cut costs? Otherwise it will increasingly look as if we live in a tip with all the increased rubbish and bins poorly collected.***

Because the City of Sydney Council website doesn't work to reveal the specifics of the development application at 2 Woolley Street; or allow me to ***ask a question; provide feedback; say thank you; or report a local issue;*** **will I have to go to the Town Hall House in**

the city to find out more? It is important that the City of Sydney DA website should work to support your excellent initiative in writing to tell us what is going on around us which affects us on this lot.

Why doesn't the website search on application year and number work? The search on street address doesn't work because of irrelevant related questions on the site; and the search on lodgement and decision date doesn't work because the City of Sydney didn't tell us these dates when they wrote to everybody at St James Court with a helpfully old-fashioned letter. If I was in small business, trying to make money, I might slit my wrists with this kind of on-line daily event related to the multiplicity of payment and treatment options in the absence of any more effective contact potential by email or a related source of more genuine inquiry.

Why won't Dom Murphy, of the Order of Preachers who appears to live at No. 2 Woolley Street reply to the earlier email I sent him which I send again below because it refers to the importance of big trees to provide a protective screen against global warming?

Are they, perhaps, going to chop down the huge tree in his back yard without any discussion to speak of with his church community, let alone his neighbours, with whom we share walls, fences, pipes and the beauty of trees and gardens? I feel sure the Pope, who only recently wrote his Encyclical on the Environment, **Laudato Si,** would be distressed with this kind of unfriendly behaviour to a neighbour old enough to be his mother and perhaps when they are acting against His Mother, the Earth. See below and attached for related information in the email I sent him. I look forward to some answers to my questions so I can tell the other members of our strata plan.

Cheers

Carol O'Donnell, St James Court, 10/11 Rosebank Street, Glebe, Sydney 2037

www.Carolodonnell.com.au

Hi Dom

I WOULD APPRECIATE RECEIVING YOUR NEWSLETTER AND ANY OTHER COMMUNICATION ON ISSUES BELOW OR ATTACHED

It was great to meet you yesterday when I was on my way to hearing a psychoanalyst talk about mystical experiences in life at Gleebooks. I am wondering if you or others like you would be interested in communicating further in any way about how the Catholic Church will implement Laudato Si, the Popes Encyclical on the Environment. I am also interested in better management of housing for people approaching death or with related chronic conditions.

I would be grateful to receive your newsletter and would also be very happy to be able to meet at my place or yours or anywhere else and with you and/or anybody else to learn on these matters which I have no idea how to pursue, other than through you.

I like the day, however, not night and not far away. Since 2007 I don't drive and park without some anxiety. I am happy to have a cup of tea here or walk in the waterfront park with you to talk, if you enjoy the exercise, for example. Please feel free to refuse all further contact if you find yourself too busy.

Once I had some time to explore life at will after I resigned from work in the Faculty of Health Sciences at Sydney Uni. in 2007, I found the lunch time lectures on Catholicism at Sydney University enormously illuminating. This is not a conversion story, however, as I remain internationally closer to the Chinese Road in policy terms than to the US Christian one and have become increasingly disillusioned with the road anti-discrimination and other lawyers' forces have taken us in recent years. However, you and I are institutional neighbours who have adjoining land and property to manage, including walls, fences, trees and rubbish. This is an interesting, practical location in the regions of Glebe and also beyond in theory, or not, as the case may be.

I am conscious both my parents were dead at my age (72) and it seems to me good for health and housing policy and management purposes to look the inevitability of death in the face early, as I expect you have often had to do in your job or vocation, while I am comparatively very ignorant. However, it seems to me that the housing of people with disabilities, which normally increase in old age, before death, is something we might learn more about together. This is perhaps for lobbying from highly differing historical and institutional positions but facing shared issues, especially for future generations.

I would love to receive your newsletter and to explore further with you, if you are interested in doing so, in writing or by meeting.

How does the church conceptualize and manage its intellectual property, is another question I would greatly like to ask, for example. This is particularly in reference to universities, which don't normally manage intellectual property well, in the interests of students and staff or the public. My view is also informed by Productivity Commission findings and twenty years learning about operations in govt. industrial relations, anti-discrimination, health care and insurance portfolios. This has usually been greatly removed from practical knowledge at coal faces or grass roots, etc. (My CV is on www.Carolodonnell.com.au)

I attach recent submission and commentary files on strata management and related state and local service matters. I have never worked in the private sector or in a powerful charitable institution such as the Catholic Church, so these operations and how they related to the state in the wider

public interest or not, has particularly fascinated me since I retired to read and write at home most days in the light of the global financial crisis in 2008.

The Pope's Encyclical on the Environment, Laudato Si, presumably relates to state and commonwealth agendas somehow, but I have no idea how or how to find out. The implementation of the recommendations of the Royal Commission into Misconduct in Banking, Superannuation and Financial Services is of related interest to many Catholic, state and private institutions now, I guess, as discussed attached in regard to our new St James Court strata plan managers, Whelan's group. How is church property managed? I wonder about everything in this substantial housing area totally unknown to me.

Although I would be grateful for any acknowledgement from you that you received this email, please be assured I don't expect you to read or reply or do what you don't want to do in any way. Please feel free to bin the lot and just send me your newsletter in reply if you would prefer. If you have neither the time nor the inclination for any of this discussion or writing I totally understand. There is absolutely no hurry and this email is certainly not secret to me.

(I have put a short autobiographical film on my website and also my appeal to you and the Pope. (See more on www.Carolodonnell.com.au)

Cheers and best wishes

Carol O'Donnell, St James Court, 10/11 Rosebank St., Glebe, Sydney 2037 www.Carolodonnell.com.au