

Dear committee members,

I am often reminded that you can live long enough to become a morality lesson to others and I have a true life story to tell about the lack of evidential standards in this great country of ours. I really should say country of theirs as the odds of getting a straight answer or relevant piece of paperwork that you are legally entitled to from any business or government agency has been sadly eroded.

It has been eroded by a piece of legislation known as the Archive Act of 1996. This seemingly innocuous Act that was supposed to be used to help businesses reduce the amount of paperwork that had to be archived by them and allow the destruction of said paperwork after 8 years.

This was supposed to reduce the cost of doing business by reducing the amount of archival space needed by companies.

All very innocent and above board.

The unfortunate side effect of this Act has been to reduce and dilute the legal principle that there is no time limit on fraud. There is now it is 8 years.

To explain this as simply as possible. Lawyer acting on behalf of the client are told of a discrepancy with the client's paperwork that on the face of it looks fraudulent.

Does the lawyer do the moral and honest thing and present the paperwork as part of the evidential process of the court. No the lawyer has the best tool ever given to a white collar criminal and it was given to them with both hands by the Australian Parliament. The Archival Act of 1996.

With this Act many criminal white collar crimes are being covered up. All a lawyer has to do is fob off a request for relevant paperwork or delay a court case until such times as they can legally destroy evidence. It may not be moral or ethical but at least it is legal and in the interests of their client.

This is a bad and sad indictment to the present political systems that they set themselves up to be against their own citizens by stacking the legal system against their own people.

A plague on both your houses.

This is the silly game that is being played out on a daily basis in every law court in Australia.

You may want to give yourself a nightmare by looking at the statistics on how many citizens are being dragged into court each month by the Banks. Last month I counted 600 in just one week by just one bank. That would equal 7200 per year from one bank alone. You may ask which bank but I think you all ready know.

Now this is a problem and like all problems there is a solution. The first step in that solution is for your inquiry to recognize that there is a problem

and to have the moral fortitude to change an aspect of the Archive Act 1996 to make it equitable for both sides involved.

All it would take is to amend the Act to read that any paperwork regarding a legal cases involving the company and another individual or business entity must be preserved and archived for 99 years.

This would allow any business to destroy any irrelevant paperwork to save themselves space therefore reducing their expense and protect any individual or corporation from being exploited by some very unscrupulous individuals that have treated the Archive Act as a get out of jail free card.

I look forward to seeing if this inquiry into penalties of white collar crime will address one of the major issues that they may not be aware of and have the awareness that this must be stopped to preserve a democratic principle of a fair trail.

Yours Faithfully

John McAvoy.