

Transparency and Accountability

Dissenting Report by Senator Xenophon

1.1 Recent reports of alleged misuse and excessive claims of Parliamentary travel entitlements highlight a broken system in which public confidence has been eroded. A system that needs reform.

1.2 Too many Australians have lost faith in the current transparency and accountability of Members of Parliament. As expressed by Terry Sweetman, there “is a pattern of unacceptable behaviour for which no responsibility is taken until somebody is caught out through the curiosity or the diligence of others.”¹

1.3 This Bill offers the Parliament an opportunity to show it can reform the system. It is a sensible and practical approach to give all Australians a better understanding of how Members of Parliament spend taxpayer money, while fostering ethical behaviour and respect to the taxpayer amongst Parliamentarians.

1.4 Through faster and more detailed public reporting of travel claims, and much tougher penalties, it will change the political culture from one of entitlement to a practice of responsibility and prudence.

1.5 It is my view that Parliamentary entitlements are not something that is owed to us, but rather an expense to the Commonwealth and the taxpayers of Australia which must be respected.

1.6 As I stated in the Second Reading speech, ‘the measures in this Bill seek to implement a new level of transparency and disclosure around the process for claiming travel entitlements. It includes two main measures: the need for Parliamentarians to provide explanatory statements in respect of certain types of travel claims, and providing the Commonwealth Ombudsman with the power to oversee claims and make recommendations to the Minister in this regard. It is important to note that this Bill does not seek to change the amount that can be claimed under entitlements or the circumstances under which it is appropriate to make a claim; it simply requires disclosure from MPs who do make a claim.’²

¹ Terry Sweetman, *Truth Swept Under the Table*, Courier Mail, 23rd October 2015

² Senator Nick Xenophon, *second reading speech*, Senate Hansard, 13 August 2015, p. 5246

Rectifying a deep and systemic problem - not flash in the pan legislation

1.7 The Chair seems to believe that this Bill was introduced as a result of intense media coverage of travel entitlement claims by the former Speaker of the House of Representatives, the Hon Bronwyn Bishop MP³ and suggests that as Ms Bishop subsequently repaid the entitlements, the Bill is no longer relevant.

1.8 The Chair's position ignores reasonable and widespread concerns of systemic problems.

1.9 This is not 'flash in the pan' legislation. I have been working for change in this area for over 15 years, first within the South Australian Parliament⁴ for greater transparency in overseas travel reports, and within Federal Parliament demanding 'pollies' perks be audited and an independent parliamentary standards commissioner be appointed⁵ in 2009.

1.10 This Bill creates real and immediate reform of a system that has been dysfunctional for too long. It will create a new regime of transparency and accountability in relation to travel benefits claimed by members, Parliamentary office-holders and Ministers, working towards restoring trust in the people we represent to act with an appropriate level of respect and responsibility.

Independent review of Parliamentary entitlements a complementary process to current review

1.11 This bill complements the process instigated by the Prime Minister for an independent review of Parliamentary entitlements by the President of the Remuneration Tribunal, John Conde AO, and former Secretary of the Department of Finance, David Tune AO.

1.12 The Chair states that '(t)he appropriate forum for the discussion of the issues raised in the bill is the current independent review of the parliamentary entitlements system.'⁶ I strongly support the review and the opportunity it presents to have robust discussions.

1.13 However, while the Independent review offers the opportunity for discussion, this Bill provides for prompt and sensible measures that can be put in place immediately, concurrently with the broader review process.

³ Chair's Report, Senate Finance and Public Administration Legislation Committee Inquiry into Parliamentary Expenses Amendment (Transparency and Accountability) Bill 2015, p.2. 1.9

⁴ Kevin Naughton, *Retiring MPs join \$20,000 bowls junket – Your Tax at work*, Sunday Mail, 26th March 2006

⁵ Phillip Hudson and Annabel Crabb, *Snouts in the trough*, Sydney Morning Herald, 23rd May 2015

⁶ *Chair's Report*, Senate Finance and Public Administration Legislation Committee Inquiry into Parliamentary Expenses Amendment (Transparency and Accountability) Bill 2015, p.2.

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1.14 Broadly, the Bill will result in;

- Statements detailing aspects of the travel taken being provided to the Department.
- The Department publishing travel claim details on its website meaning this information is available to the public.
- More responsive timeframes for the provision and publishing of information.
- Additional penalties applied if claims are made in excess of the relevant entitlement.
- Extending the powers of the Commonwealth Ombudsman to oversee the claims process

1.15 As I stated in the Second Reading speech, this Bill ‘brings in accountability where currently there is little, and transparency where there is none’⁷.

Conclusion

1.16 This Bill aims to bring about immediate and real change to address ongoing and systemic problems with the practices and culture surrounding Parliamentary travel entitlements while complementing the Independent review of Parliamentary entitlements.

1.17 The reforms proposed in the Bill are moderate and achievable. In short, to support this Bill is to respect and value the privileges bestowed on politicians.

Recommendation 1

1.18 That the Bill be passed.

Senator Nick Xenophon

⁷ Senator Nick Xenophon, *second reading speech*, Senate Hansard, 13 August 2015, p. 5246