

Australia's Open Government Forum - NAP2
Expression of interest - Civil Society Member

Applicant: Peter Bennett, Whistleblowing Information Network - Convener

The Open Government Declaration, the Plan and the Forum are the blueprint to make western society function properly – in the public interest for the public good. This blueprint will be successful if it achieves a fitting level of transparency and accountability throughout the broad scope of public administration. This undertaking ranks alongside curbing climate change to save the environment. Yet both undertakings continue to face resistance and inertia – some of which is about self-interest and some about what must/should be exposed in the public interest. Stimulating momentum to resolve the environmental problems are beyond my capacity – but working to stimulate momentum and resolve the impediments to Open Government (OG) is what I have done with considerable success since 1970. Though I am now retired from paid employment, I continue my very active role in matters of public accountability.

Australian Open Government commitments; The OG commitments and I share the same goals. I see the Forum as an opportunity to more broadly address and consolidate my efforts to date. I believe my pragmatic approach is what civil society deserves as the best way to bolster public confidence and rally support for the progress of the whole OGP. Furthermore, I believe the Forum would benefit significantly from my coal face experience in a range of ways which may not be available elsewhere. Essentially, my view is that the whole OG project is not intended to improve matters of public administration that already work. Rather it is to identify and expose that which is not best working in the public interest and to remedy those faults. To that end, I have experienced broad public service practices, both personally and through industrial relations and through many whistleblowing matters which have exemplified the sad state of transparency and accountability in the public sector. I understand how and why those practices are maintained and what must be done, particularly at a cultural level to overcome those obstacles.

Demonstrated ability to engage broad and diverse community networks; My experience has been in relation to public interest disclosures/whistleblowing in both the public and private sectors. It was and continues to be voluntary work and developed as an inevitable offshoot of my paid Commonwealth Public Service employment and other voluntary work – i.e. union/industrial relations (President of Customs Officers Association & President of Whistleblowers Australia). From this background my involvement covered the Commonwealth public service, union activities, industrial relations, organisational restructuring, legislative reform, public administration and law-enforcement procedures, political representations, interagency relations, representation before Royal Commissions, parliamentary and public inquiries, to mention a non-exhaustive range of activities. I have worked with many non-government and community organisations particularly in relation to drugs, weapons and other community harmful matters. For example, I was invited to co-host Howard's National Drug Summit and co-hosted the NSW version of the same. I have worked with Trimmingham, Bill Crews, Wayside Chapel and St Vincent hospital organisations on drug addiction and supply issues.

Previous experience working with and influencing government; Beyond doubt, governments and public administration serve the public well. But my experience and influence has not been in striving to make better that which already works. I have left that to others. I have focussed on what doesn't work in government and what does not properly serve the public interest. My influence has been in constructively critical work to stop those 'bad apple' aspects that are harmful and wrong and that do not serve the public. To that end I have caused a bad law (PS Reg 7.13) to be struck down. I was instrumental in splitting and enhancing an entire govt department (Customs & Excise). I caused the sacking of 2 corrupt Parliamentary Ministers. I set out a restructuring plan for Australian border controls in 1985 which has at last been implemented since 2009. These and many other such matters led to my involvement with Royal Commissions and a multitude of other inquiries – as the instigator, protagonist, critic, witness, witness 'helper' and as an occasional defendant. At present I am attempting to have all Commonwealth whistleblowing provisions struck down primarily because they are proven to be 'not fit for purpose' and because they are ineffectual and incite/encourage people to put themselves in risk of harm contrary to the Work Health and Safety Act. The Royal Commission into Banking proves the ineffectiveness of virtually all Commonwealth whistleblowing provisions save the Public Interest Disclosure Act – which itself has been strongly criticised through extensive academic surveys.

Desirability of maintaining some continuity between successive Forums; The Forum is a voluntary partnership between Government and civil society. However, the Forum seems to embody a contradiction – civil society wanting greater public sector transparency and accountability and a public sector/government, apprehensive of unreasonable criticism arising from justly restricting unsafe transparency. The continuity of the Forum would benefit by the respective roles being more clearly articulated and modelled to fit the Forum