



- NEWS HIGHLIGHTS
- BACKGROUND INFORMATION
- COMMONWEALTH AFFAIRS

Contents

The G20: Australians Need To Grasp What Is Happening..... 2

Against Liberalism By Chris Knight..... 2

Lame Duck Out Of The Silk Road Caravan..... 3

Don't Shanghai Hastings ..... 3

Peter Spencer: This Is A Case That *Must* Be Heard In Court..... 4

Wallace Klinck's Message To The NDP In Canada..... 5

How Will Australia Pay Off Its Debt? By Kenneth Grundy ..... 6

The Economic Programme: We All Become Serfs..... 6

Four Auditors-General Fear Watchdog Powers Failing Victoria..... 7

We've Heard Of It Before Today - "Administrative Lawlessness" ..... 8

THOUGHT FOR THE WEEK

To the Editor: I wonder how many of us realize the web of control being spun around us.

Some time ago we residents of Wollomombi and district were encouraged to go through a "visioning" process to plan for the future of our district and village. A trained facilitator was sent out from "our"? council to guide us to put together "our vision".

This process comes straight out of the action plan to implement a program called Agenda 21, the United Nations global agenda for the 21st century to be implemented locally for a sustainable future. Wonderful save the world stuff.

The reality is somewhat different as detailed in the book "Behind the Green Mask" by Rosa Koire, also on Youtube. The interesting thing for me is that she is not your average red-neck conspiracy theorist.

A democrat, gay and feminist, she earnestly appeals to all to see the Marxist agenda being carefully implemented by our own Governments and to stop allowing ourselves to be divided by issues which divert our attention from their duplicitous programme.

We have wolves in one corner of the political ring and wolves in sheep's clothing in the other, take your pick but the policies or agenda has remained the same.

- Divide the people with fear- Climate Change - terrorism.
- Control by degree all aspects of life.
- Justify by saying, "it's all for the common good".

Divide and conquer is still the maxim in warfare.

- - Yours sincerely,  
David Smith Eastwood Wollomombi NSW

SPECIAL NOTICES AND TARGETS FOR THE WEEK

We have received notice to vacate the Russell Street premises with the lease ending at the end of December 2014, pending renovations to the building.

We have now joined 'the homeless' so will be busy for a while whilst we replan our life.

\*\*\*\*\*

Re 'Financial Advice Laws.

The Federal Government has potentially been dealt a major blow, with four crossbench senators, including Jacqui Lambie and Ricky Muir, teaming up with Labor and the Greens to scrap its changes to financial advice laws.

Senator Lambie, Senator Muir, Senator John Madigan and Senator Nick Xenophon announced they were uniting to oppose the laws. "Despite our political differences, we have banded together as a coalition of common sense," Senator Xenophon said.

"Our common, unequivocal objective is to have the Government's FoFA regulations disallowed today in the Senate because they are unambiguously bad for consumers."

Write letters of support to Senators Jacqui Lambie and

(Continued on page 2)

## THE G20: AUSTRALIANS NEED TO GRASP WHAT IS HAPPENING FAILING THE PUB TEST – ALAN JONES BLASTS TONY ABBOTT

Andrew Bolt Blog: "Alan Jones made some great points when discussing this with the PM today - <http://www.smh.com.au/federal-politics/political-news/failing-the-pub-test-alan-jones-blasts-tony-abbott-over-governments-free-trade-deal-with-china-20141117-11o0cp.html>



Essentially Chinese firms can buy Australian farms (dairy, wine), staff them with Chinese people and send the products back to the homeland at reduced or tariff free. **Alan Jones** - "Can Tony Abbott go and buy a farm in China? No, the answer is no Prime Minister, the answer is no he can't, nor can he buy a coal mine, nor can he buy a steel mill."

I remember our pm clearly stating he doesn't believe in protectionism. Obviously it's true."

**Listen to Alan Jones talking with Tony Abbot on "Free' Trade with China!**

**Copy and paste this link into your Internet browser.**

<http://www.2gb.com/audioplayer/74686#.VGp4KCh9n0c>

---

### AGAINST LIBERALISM by Chris Knight

---

Critics of our planned destruction often rage against "liberalism" – but what is "liberalism"? In his essay "Critique of Liberal Ideology" (2002), French philosopher Alain De Benoist characterises liberalism as encompassing a number of concerns. Political liberalism sees the free market as the guiding principle of capitalist society and seeks to apply Darwinian market principles to politics – within certain politically correct limits. Underlying all this though is the profoundly anti-anthropological view that human beings are not "social" beings and that individuals are in some way ontologically prior to tribes, societies and cultures. In this way only individuals exist and all other distinctions are unreal. Consequently there can be no community-based objection to mass immigration of the Third World into the West because we are dealing with solely homogeneous individual atoms.

Adam Smith in "An Inquiry into the Nature and Causes of the Wealth of

the Nations" summed up the philosophy of liberalism well in a famous passage where he said: "A merchant is not necessarily the citizen of any particular country. It is in a great measure indifferent to him from what place he carries on his trade; and a very trifling disgust will make him remove his capital, and together with it all the industry which it supports, from one country to another". Liberalism thus supports economic globalisation and cosmopolitanism, with its free movement of goods and migrants across national boundaries. Globalism actively seeks to dissolve such boundaries so that ultimately the world, if not the entire universe (as represented in science fiction scenarios), becomes one market. The Market then is liberalism's god and Money its life-blood. Liberalism thus delivers an economic representation of society and reality. De Benoist concludes: "Completing the process of secularisation and "disenchantment" of the world

characteristic of modernity, it leads to the dissolution of peoples and the systematic erosion of their distinct characteristics". It leads to a "complete inversion of values, while raising to the pinnacle commercial values that from time immemorial have been regarded as the very definition of inferior, since they were matters of mere necessity". Thus "All the degradation of the modern world, i.e., all lowering of standards, all debasement of values, comes from the modern world regarding as negotiable the values that the ancient and Christian worlds regarded as non-negotiable". Liberalism, founded upon a false anthropology and theory of human nature has directly led to the modern sense of the degradation of life. Liberalism, in the end, represents a reductionist view of life that ignores the organic wholeness that makes us truly human.

---

*(Continued from page 1)*

Ricky Muir for their 'independent stance'.

Labor brought in new laws last year, following the collapse of Storm Financial and Opes Prime and the loss of millions of dollars for investors.

The Future of Financial Advice (FOFA) laws stipulate greater controls on commissions, that advisers act in the "best interests" of their clients, and that they get

agreement every two years from customers to continue receiving advice and paying fees.

But the Government wants to wind back the last two regulations and other measures. One of the proposed changes would water down a key provision to oblige financial advisers to always act in the best interests of their clients. This was not good legislation. *ND*.

# LAME DUCK OUT OF THE SILK ROAD CARAVAN

Pepe Escobar, RT News 11 November 2014



*There's hardly a more graphic illustration of where the multipolar world is going than what just happened at the Asia-Pacific Economic Cooperation (APEC) summit in Beijing.*

*Take a very good look at this official photo.*

*This is all about positioning – and this being China, pregnant with symbolic meaning.*

*Guess who's in the place of honour, side by side with President Xi Jinping. And guess where the lame duck leader of the "indispensable nation" has been relegated.*

*The Chinese can also be masters at sending a global message.*

When President Xi urged APEC to "add firewood to the fire of the Asia-Pacific and world economy," this is what he meant, irrespective of inconclusive decisions out of the summit.

1) Beijing will go no holds barred for the Free Trade Area of the Asia-Pacific (FTAAP) – the Chinese vision of an "all inclusive, all-win" trade deal that really promotes Asia-Pacific cooperation, instead of the US-driven, corporate-redacted, and quite divisive Trans-Pacific Partnership (TPP).

2) The blueprint is on for "all-round connectivity," in Xi's words – which implies

Beijing setting up the Asian Infrastructure Investment Bank; Beijing and Moscow committing to a second mega gas deal – this one through the Altai pipeline in Western Siberia; and China already funnelling no less than \$40 billion to start building the Silk Road Economic Belt and the 21st Century Maritime Silk Road. Once again, everything converges towards the most spectacular, ambitious and wide-ranging pluri-national infrastructure offensive ever attempted: the multiple New Silk Roads – a complex network of high-speed rail, pipelines, ports, fibre optic cables and state of the art telecom that China is already building through the Central Asian-stans, linked to Russia, Iran, Turkey and the Indian Ocean, and branching out to Europe all the way to Venice and Berlin.

That's Beijing interlinking Xi's "Asia-Pacific Dream" way beyond East Asia, with eyes set on pan-Eurasia trade – with the centre being, what else, the Middle Kingdom. The "Go West" campaign was officially launched in China in the late 1990s. The New Silk Roads are a turbocharged "Go West" – and "Go South" – expanding markets, markets, markets. Think of near future Eurasia as a massive Chinese Silk Belt – in some latitudes in a condominium with Russia...

Continue here... <http://rt.com/op-edge/204323-china-russia-partnership-apec-usa/>

## DON'T SHANGHAI HASTINGS

**A Victorian state election pamphlet with a 'punch':** Every formal vote in Hastings will end up on either the Labor or Liberal pile. Thus as both major parties are committed to building a new container port for Melbourne it is already certain that after the election whoever wins will be able to say that they have a 100% mandate to build a monstrous new container port for Melbourne. If the Liberals win it will be in Hastings. If Labor wins it will be either in Hastings or in Port Phillip Bay. Labor has already given itself enough room to still do Hastings by announcing further studies. Anyway it could be that the Bay West option is even worse than Hastings. To add to the confusion the Labor candidate has already stated in the local newspaper that he is for the Hastings Port development. If you vote for the Greens or the other independent candidate no one will know if you did so in protest against the Port or for

other of their policy positions. I am strictly this one issue candidate thus providing you with the opportunity to engage in a referendum on this massive project. A primary vote for ANY of the other candidates will not only not count as a clear vote against the Port but will also allow the proponents of this project to say look they had an opportunity to express opposition to this at the ballot box and didn't care to.

Mr Lean (CEO of the Hastings Port Authority) begins his talks by referring to the 100,000 people both major parties are determined to keep pumping into Melbourne from overseas each year - "an MCG completely full" he marvels. He describes Scots catching cod and sending it to China to be processed and packaged and sent back to Scotland. He talks of people at Bunnings choosing the \$10 tool over the \$200 one and throwing it away a few weeks later. All part of the brave new

world the people who control us have imposed upon us. Thus, says Mr Lean, we must have more and bigger ships and the necessary ports for them. I would begin a talk with exactly the same words but conclude that we should stop this explosion of food miles and population and imported Chinese junk and start making our own good stuff again and THEN we'll have jobs.

There is considerable expert doubt that the port will actually work any better than the desal plant (remember all the jobs that was going to bring?). We have to ask ourselves where does this perpetual growth end? On population growth Neale Burgess said "how can you stop them" and the simple answer is stop inviting them in Neale. But Julia Gillard dared to say, "I am not a Big Australia person" and had her mouth shut as she continued to be one. Who told her to shut it? Even Kelvin

*(Continued on page 7)*

# PETER SPENCER: THIS IS A CASE THAT *MUST* BE HEARD IN COURT

This is a once in a generation opportunity for the courts to reassert the primacy of the Australian Constitution over the on-going machinations of Australian Governments at all levels to restrict and control private landowners use of their land.



## Letter to the editor, *The Land*, Nov 6 2014

As Chairman of the Australian Farmers Fighting Fund (AFF) Trust, Hugh Nivison said on ABC Rural, March 6, 2014, that Peter Spencer's case was "a complicated issue and we want to have a look at the evidence before we make a decision on where we go to from here".

Since the inception of native vegetation regulation, governments have been implementing laws that impact on farmers' rights and the way they manage their land.

Peter Spencer's court case challenges government's ability to claim an advantage (credits under Kyoto Protocol and carbon ownership) and pay no compensation to the landowner for the acquisition of the carbon and the ongoing costs of maintaining them.

Farmer associations were very supportive and positive back in 2010, putting on a rally to parliament house, pushing for a Senate Inquiry into native vegetation laws.

Then the National Farmers Federation (NFF) chairman David Crombie in a statement released on August 9, 2010, titled "Farmers property rights under siege", said NFF "would be putting

The NSW Regional Community Survival Group Fighting Fund account is now dedicated to assisting Peter Spencer's court case. The RCSG is based in Tottenham NSW, and is an incorporated not for profit group with

property rights front and centre... especially analysing constitutional law".

Back in 2010 NSW Farmers had a submission (Spencer vs Commonwealth, High Court of Australia, Submission no-S87 of 2009) prepared by three eminent legal experts, D.E. Jackson, Brett Walker and L.T. Livingston. They supported Peter Spencer's appeal to the High Court that the federal court decision (that there was no case to answer) be overturned.

Part of their submission stated "the legal interests of the association and its members are likely to be substantially and directly affected by the court determination of the present matter. The matter should proceed to trial."

The appeal was successful and the AFF financially supported Mr. Spencer's legal team through the discovery process.

Why though has the AFF written to Peter Spencer and said it would stop funding his legal team after four years (spent fighting for the release of documents from Commonwealth and NSW governments) when the case has now been committed to trial for three weeks this month.

-- Signed Wally Mitchell, Canbelego, near Cobar.

## Importance of the Case

If Spencer wins, the likely outcome is that the case will be treated as a test case which should result in a flow on of compensation to the thousands of Australian farmers who have been similarly affected by the imposition of native vegetation legislation after the meeting of the Kyoto Protocol target in 1999.

## How to Assist

a long history of fighting for farmers rights and assisting farmers. Electronic transfers to the "Fighting Fund" can be made to the following account:  
BSB 032646 Westpac Dubbo :  
Account No 494974 : To enable

Further, Spencer v. Commonwealth of Australia is the most important property rights case to be heard by any Australian court since Mabo. If Spencer succeeds this case will re-assert the primacy of the Australian Constitution over the on-going erosion of private property rights by Australian Governments of all persuasions at all levels of government.

## Can Spencer Win?

Yes, if the case is truly heard. Spencer's case hangs on Section 51(xxxi) of the Australian Constitution which allows the Parliament to make laws for the acquisition of property on just terms from any state or person for any purpose in respect of which the Parliament has power to make laws. The issue is that while the Commonwealth must pay compensation, the States are not required to. The basis of Mr Spencer's claim is that state and federal governments colluded to introduce land clearing legislation to lock up carbon on Australian farms through native vegetation legislation so Australia could meet carbon targets in the Kyoto protocol. To win, Spencer must prove the intent of the Commonwealth to obtain carbon credits enabled by the "Australia Clause" inserted into the Kyoto Protocol Agreement in 1999, orchestration by the Commonwealth of the imposition of native vegetation legislation by the NSW Government (in Spencer's case), and that the Commonwealth actually obtained gain through the resulting carbon credits which are clearly shown in the IPCC carbon accounts following application of the native vegetation legislation. The IPCC accounts clearly show that these carbon credits have enabled Australia to meet its carbon targets set in the Kyoto protocol. In essence this is Spencer's trump card because it can be clearly shown that the Commonwealth has gained through the stored carbon.

**The more important issue is that this case must be heard.**

record keeping - please "label" the transfer with your name. If you want a receipt - send either an e-mail or fax to Lesley Hillam - e-mail address [lesley.hillam@bigpond.com](mailto:lesley.hillam@bigpond.com) : fax number 02 6892 4449

# WALLACE KLINCK'S MESSAGE TO THE NDP IN CANADA

I see that Canada's political parties are also campaigning and one party asked Wallace Klinck to endorse their policies. Below is Wallace's response to the request. – Betty Luks

**To: National Democratic Party. Subject: Re: Sign your name,** 15 November, 2014

I am unable to endorse your NDP policies because I believe that they misdiagnose the problems of the modern age and that they fail, therefore, to provide appropriate or effective remedies to our financial, economic and social problems.

For example, raising the minimum wage merely adds to production costs and increases prices for all citizens, rich and poor. I have every sympathy for those who are deprived because of inadequate incomes but this policy is no way to solve the problem.

To outline my position, I am pasting part of my response to another correspondent. I think the content should be more-or-less self-explanatory. I believe that the NDPs, as "Knights in Rusty Armour", are wedded to outdated misconceptions of the past which reveal that they do not understand the dynamics of the modern increasingly efficient capital-intensive and labour-displacing economy—nor, especially, the implications of how the existing increasingly defective monetary system interacts negatively with the modernizing production system to create increasingly accumulating financial debt, inflation and economic deprivation for a growing number of citizens. If you infer from my comments that I am not "a happy camper" you are entirely correct. Unfortunately, NDP policies do nothing to allay my concerns or increase my hopes for a better future for mankind. I invite you to examine the blog address provided at the end of this communication.

**Start of Paste:** From my perspective, anyone who can laugh in face of the dreadful destruction, death and suffering that are being visited today upon mankind by mankind would have to be an unconscionable psychopath. I think that it is an irrefutable and undeniable moral imperative that this kind of deadly situation requires an equally intense concern and fervent response on the part of honest and compassionate people who have not had the misfortune to pass through the worst of these trials and atrocities—and whose resources are being deployed without approval or permission for their commission.

I have explained on repeated occasions that money is not some physical entity of limited supply. It is simply a system of accountancy which should reflect our actual physical and psychological ability to produce goods and services—and should

be limited only by availability of these real resources. To ask, "where is the money to come from" is as sensible as to ask where are the pounds, inches, kilos, metres, etc. to come from. It is a totally meaningless question because there is no legitimate limit to accountancy so long as it reflects reality. To think otherwise is to engage in pure idolatrous fantasy.

You appear to be totally confused about the nature of consumer credits as envisaged by Social Credit. The "money" would be paid on the basis of past productivity already achieved increasingly by means other than human effort—in respect of goods currently completed and waiting to be bought and consumed, but for which there is no market, because consumers lack the unencumbered financial demand required to purchase them. Goods piling up as unsold inventory are of no value to either consumers or producers who must sell them in order to recover their costs of production and continue as productive entities. Unsold goods are a burden to producers which require storage, spoil, depreciate, become obsolete and ultimately must be destroyed—representing thereby a complete waste of energy and materials for all concerned.

You never have to repay the consumer credits which would be issued as Consumer Dividends and to effect Compensated (falling) Retail Prices. They cancel the costs of production when passed to the producer through sale, i.e., consumer purchases. They are cancelled as purchasing power when paid to the producer who must repay his bank operating loan or use them to replenish capital reserves.

In a Social Credit dispensation this would be reflected by a commensurate diminution of the National Credit Account and, as such, would be the only form of "repayment". This is essentially what happens at present when the banks create new money as credit loans to consumers except that in a Social Credit economy they would not as at present leave any debt owing to the banks as a claim against future incomes. In one case, as currently obtains, the banks claim ownership of the credit which they create to assist consumption—while in the Social Credit case the community would claim ownership of said consumption credit.

**The banks do not create the community's real wealth and they have no legitimate claim to the ownership of it, exercised by**

a form of counterfeiting concealed by legerdemain. Whenever goods are completed and in final form for ultimate purchase and use, their real costs have already been paid. Their "cost" is the human and non-human energy and materials which was required to create them. **These are the real costs of production and if they had not been paid the goods in question could not exist.** That is axiomatic. The financial system should reflect this fact by ensuring that the consuming community has in their hands at all times sufficient effective and otherwise unencumbered demand reflecting this real cost, capable of liquidating it fully—dynamically and instantaneously.

**All citizens would be paid the Consumer Dividend without differentiation or discrimination.** It is an inalienable inheritance from the Cultural Heritage accumulated over mankind's history. The rain falls on the just and the unjust. All citizens making purchases of consumer goods would be the beneficiaries of falling consumer prices. The amounts paid would be determined statistically from one accountancy period to another and would vary with, and depend upon, the statistical determination of the past period's ratio of the value of national consumption to production. This ratio would replace the current "bank rate."

Yes, prostitutes would be paid just as any other citizen and I predict that a lot of them would forsake their activities if they had sufficient income to live decent and independent lives. One might add that there are various forms of "prostitution" in this world and they do not all have a sexual connotation. Prisoners also are entitled to their inheritance. If it were used to meet the cost of their incarceration they would be cast on release into society without means or resources for survival, which condition would frequently encourage recidivism. They may also have family or other obligations or responsibilities to meet while incarcerated.

**And finally, ...who told you that Social Credit would pay people not to work?**

Please to not misquote me by implication. Social Credit would pay citizens incomes independent of employment because human effort is either partially or completely redundant to industry and is neither required nor wanted. The consumer credits which Social Credit

*(Continued on page 6)*

would advance to all citizens as Consumer Dividends and to effect Compensated (retail) Prices, would be paid in respect of work that has already been done, increasingly by technology rather than by human hands or minds.

No one has a right to arrive on someone's doorstep, private or public, and demand that such individual or entity accept and pay for their services. No citizen has a right to demand so-called employment from anyone else. Only in a society governed by a perverse banker-induced, "work" obsessed, slave mentality and "morality" could such a demand be made

of others. This type of repugnant and imposing "ethic" is characteristic of the totalitarian state as exemplified by the national socialist and communist tyrannies of the past century and the system of finance-capitalism which prevails today. (emphasis added... ed)

Go to - [www.socred.org](http://www.socred.org)

## HOW WILL AUSTRALIA PAY OFF ITS DEBT? By Kenneth Grundy

### Who will pay?

Debt is a major concern worldwide. In practically every nation it is increasing every day.

Debt is often quoted as a percentage of Gross Domestic Product (GDP) which helps to compare one country with another. In Australia's case, there are many countries in a worse situation than we are, when expressed as a percentage of GDP. We can take no comfort from this fact!

Debt is still debt and irrespective of the GDP link, it has to be repaid with interest. It will either be repaid by us or be a burden for coming generations.

### Debt escalation

From 1970 to 2013 according to details from the Treasury department, known as the Office of Financial Management, the Australian Government net debt has increased from \$344m to over \$152,000m. It is true that during that period the net debt has, in a few cases, declined and in some instances, even gone into surplus.

### Asset sales

A reduction in the debt and/or a surplus was usually linked to asset sales. From 1989 to 2007 asset sales included Qantas, Commonwealth Bank, airports and Telstra.

Despite the brief times of reprieve the overall rise in debt has been dramatic.

### Taxation

Taxation is another source of funds available to repay debt and interest. Figures from the same Treasury department show that Federal taxation from 1970 to 2013 has risen from \$7,193m to \$341,643m. During that period, there has been only two very brief periods where a reduction in tax collected occurred. As an observation, taxation has been steady between 20% and 23% of GDP.

### More asset sales

With escalating debt before us, the question looms largely – "How will it be repaid?"

The present Coalition is planning the sale of Medibank Private but beyond that is there any asset to sell beyond Australia Post? Would those sales eliminate our debt? What about any new debt undertaken in the future?

Governments seem to recognise that taxation is a burden on all commerce as evidenced by the rate being consistent between 20% and 23% of GDP. So it is unlikely to expect taxes to become a significant source of funds to repay debt. It is a grim scenario when asset sales and taxation will not be sufficient for

repayment of debt.

Are we near the end of the road?

### Will changing the government help?

Australians are mostly polarised when it comes to political parties. Rivalry exists and it reaches new heights at election time with the usual hype about how one side nurtures the wealthy corporations while the others offer more welfare and seek support from Trade Unions etc.

Debt also becomes part of the debate with accusations of it being too high due to reckless spending on behalf of previous governments and the alternate party offers more efficiency and belt-tightening etc.

However it is time to dismiss the electioneering talk as irrelevant because as the figures show, it does not matter which party is in power, the debt ultimately increases.

How will it be addressed?

### The forecast:

If you thought that an elected conservative government would be able to bring financial relief, I believe you need to look a bit deeper. The maths of the situation means that as much as they may wish to make things better, they will not succeed unless they adopt different banking policies. Will they accept that challenge?

**More information available: Ken Grundy, Box 177 Naracoorte SA 5271 (Email: [kgrundy@rbm.com.au](mailto:kgrundy@rbm.com.au))**  
**Readers may obtain a copy of my related article "Road Map of Economy and Tax Policies" which examines the success or failure of Budget measures. Send email or postal address for a copy.**

## THE ECONOMIC PROGRAMME: WE ALL BECOME SERFS

Economic globalisation is the capitalist arm of the Clinton/Blair 'Third Way'. Under the globalised system, nations have to abandon all idea of economic independence and participate in one integrated global economy.

To do this they have to surrender ownership and control of their natural

resources, money, industries, businesses and financial institutions, public assets and utilities, and farming sector to international ownership and control. Australia is NOT to be owned or controlled by Australians.

All countries must then produce for the global market (export), and import for local needs. The key word is not

independence, but interdependence, which means that no country in the global system can survive without all the others. Then who controls the global economy, controls the world. As the Bolshevik Leon Trotsky put it, 'who does not obey, does not eat'.

-- Graham L. Strachan, B.Sc., LL.B. in "22 Steps to Global Tyranny" 1999

# FOUR AUDITORS-GENERAL FEAR WATCHDOG POWERS FAILING VICTORIA

Farrah Tomazin, *The Sunday Age's* state political editor. November 16, 2014

Victorian auditors-general spanning the past three decades have joined forces to warn both major parties that public scrutiny is being hamstrung by "seriously out of date" state integrity laws.

In an unprecedented move, Auditor-General John Doyle and his predecessors Des Pearson, Wayne Cameron and Ches Baragwanath have united to call for unfettered powers that would give the state's financial watchdog the ability to "follow the dollar" on taxpayer-funded services and projects delivered in partnership with the private sector (PPPs), such as the East West Link.

With two weeks until the state election, a joint statement to *The Sunday Age* warns that the current Audit Act needs urgent reform so the Auditor-General can thoroughly ensure taxpayers are getting value for money on services and major projects.

**Perturbed:** Victorian Auditor-General John Doyle and previous holders of his office are concerned the Audit Act does not allow them to obtain a clear picture of government finances.

"After years of unnecessary delay there is now a gathering threat to the ability of the Auditor-General to undertake the depth of investigation required to make appropriate conclusions about public spending and government programs," the group writes. "We need contemporary audit legislation, early in the term of the new government, so that Victorians get an integrity system that works, and Parliament's [and thus the citizen's] right to know is fully strengthened."

As an officer of the parliament, the Auditor-General's job is to scrutinise how public-sector resources are managed. But, as the law stands, the watchdog cannot access

information about private companies contracted by the government, with records often shielded from scrutiny because of commercial-in-confidence rules.

Last year, for instance, staff from the Audit Office were unable to visit two private jails – Port Phillip Prison and Fulham Correctional Centre – while investigating drug use in the corrections system, because their mandate did not extend to private-sector providers. The Coalition had promised to strengthen the Auditor-General's powers, but failed to before Parliament adjourned.



Illustration: Matt Golding.

Tensions between the government and the Audit Office intensified after Mr Doyle refused to sign off on a final tally of the state's finances amid a heated debate about the valuation of school assets. But the latest intervention is arguably the most significant. It is unprecedented for successive auditors-general to come out so strongly in the middle of an election campaign to raise concerns about Victoria's integrity system. Asked why they decided to take such action, Mr Doyle told *The Sunday Age* that the expansion of alternative ways of delivering services –

including the proliferation of PPPs – meant it had become increasingly important that the matter was finally addressed. He also said his office planned to scrutinise the East West Link, should the project go ahead in the next term of Parliament. Warning that an "independent integrity system is critically important for Victorians to trust and hold their governments to account", the group has called for: "Unfettered and unambiguous" authority to access information about publicly funded private contractors and third parties (not just information from the public service).

A smoother and more effective consultation process with Parliament and government agencies.

Removal of secrecy provisions that limit the Auditor-General from sharing information with other independent integrity organisations.

"There are 21 public-private partnership projects operating or being built in Victoria and a further four under procurement," the group writes. "As the number (and dollar amount) of these projects increases, the ability of the Auditor-General to have confidence in and report to Parliament on overall government spending and programs is being steadily undermined." Labor has promised to provide the Auditor-General follow-the-dollar powers should it win on November 29. The Coalition says it also remains committed to strengthening the act.

Mr Doyle has been the state's financial watchdog since 2013. His predecessor, Mr Pearson, was auditor-general from 2006-12. Before him were Mr Cameron (1999-06) and Mr Baragwanath (1988-99).

(Continued from page 3)

Thomson MP doesn't know...and he told me he asked her! Who has this power over who we are.... what environmental and social life we have? Not the P.M. it seems.

There is much about this massive industrialization of Western Port to consider but no room here for it all. There has been expert commentary about it in the local papers and you can Google and email. You can decide if you want this or not. The massive road and rail works, the

dredging, the noise and lights, will the 400 metre ships actually come? (Maersk say they won't be sending any)... but is there ANY benefit to you or your family or neighbours? And if you do decide you don't want it I can think of nothing at all you can do about it except vote for me to register your opinion. This is our fracking, desal, nuclear or whatever moment. Another localised abomination in the name of endless crude growth is forced upon us ... the only form of economic management they seem capable or willing to consider is perpetual growth. Impotent

individual communities are picked off one by one in the name of phony progress and a fake wider good as we all go down the industrial sewerage pipe. Mr Lean has said that Western Port Bay, where I am here at Tortoise Head, will be an international super highway. And we will be in the gutter and the garbage bins (oops...sorry... warehouses) beside it.

**MADIGAN 1:** The only way you can vote against the Hastings Port Expansion  
Written and printed by Paul Madigan Lot 1 Tankerton Road French Island Victoria 3921

"ON TARGET" is printed and published by The Australian League of Rights, 145 Russell St., Melbourne.

Postal Address: GPO Box 1052, Melbourne, 3001. Telephone: (03) 9650 9749, Fax: (03) 9650 9368.

Subscription \$45.00 p.a.

## WE'VE HEARD OF IT BEFORE TODAY – “ADMINISTRATIVE LAWLESSNESS”

Extract from “The New Despotism” by The Rt. Hon. Lord Hewart of Bury, Lord Chief Justice of England, 1945.

### Chapter Iv. Administrative Lawlessness

“It is not, but it ought to be, common knowledge that there is in this country a considerable number of statutes, most of them passed during the last twenty years, which have vested in public officials, to the exclusion of the jurisdiction of the Courts of Law, the power of deciding questions of a judicial nature. Usually the power is given nominally to the Minister or other head of a Government department, sometimes to the department itself, and it is commonly provided that his or its decision shall be final and conclusive.

When it is provided that the matter is to be decided by the Minister, the provision really means that it is to be decided by some official, of more or less standing in the department, who has no responsibility except to his official superiors. The Minister himself in too many cases, it is to be feared, does not hear of the matter or the decision, unless he finds it necessary to make inquiries in consequence of some question in Parliament. The official who comes to the decision is anonymous, and, so far as interested parties and the public are concerned, is unascertainable. He is not bound by any particular course of procedure, unless a course of procedure is prescribed by the department, nor is he bound by any rules of evidence, and indeed he is not obliged to receive any evidence at all before coming to a conclusion. If he does admit evidence, he may wholly disregard it without diminishing the validity of his decision. There is not, except in comparatively few cases, any oral hearing, so that there is no opportunity to test by cross-examination such evidence as may be received, nor for the parties to controvert or comment on the case put forward by their opponents.

It is, apparently, quite unusual for interested parties even to be permitted to have an interview with anyone in the department. When there is any oral hearing, the public and the press are invariably excluded. Finally, it is not usual for the official to give any reasons for his decision.

To employ the terms administrative “law” and administrative “justice” to such a system, or negation of system, is really grotesque. The exercise of arbitrary power is neither law nor justice, administrative or at all. The very conception of “law” is a conception of something involving the application of known rules and principles, and a regular course of procedure. There are no rules or principles which can be said to be rules or principles of this astonishing variety of administrative “law”, nor is there any regular course of procedure for its application.

It is possible, no doubt, that the public official who decides questions in pursuance of the powers given to his department does act, or persuades himself that he acts, on some general rules or principles. But, if so, they are entirely unknown to anybody outside the department, and of what value is a so-called “law” of which nobody has any knowledge? The idea of justice contemplates at least an independent impartial judge, who founds his judgement on evidence and reason...”

### OUR POLICY

- To promote service to the Christian revelation of God, loyalty to the Australian Constitutional Monarchy, and maximum co-operation between subjects of the Crown Commonwealth of Nations.
- To defend the free Society and its institutions — private property, consumer control of production through genuine competitive enterprise, and limited decentralised government.
- To promote financial policies, which will reduce taxation, eliminate debt, and make possible material security for all with greater leisure time for cultural activities.
- To oppose all forms of monopoly, either described as public or private.
- To encourage all electors always to record a responsible vote in all elections.
- To support all policies genuinely concerned with conserving and protecting natural resources, including the soil and environment reflecting natural (God's) laws, against policies of rape and waste.
- To oppose all policies eroding national sovereignty, and to promote a closer relationship between the peoples of the Crown Commonwealth and those of the United States of America, who share a common heritage.

**LEAGUE'S WEBSITE ADDRESS:** [www.alor.org/](http://www.alor.org/)

**THE LEAGUE'S BOOK SERVICES: —**

When ordering journals, ‘*On Target*’ and ‘*New Times Survey*’ — Please make Cheques/Money Orders payable to—

**‘ALOR Journals’.**

For educational books, videos and DVDs, etc. please make Cheques/Money Orders payable to —

**‘Heritage Bookshop Services’**

For donations to the League please make payments to

**‘Australian League of Rights’ or ‘ALOR’**

Books are available at meetings, at our Melbourne bookshop or by mail order from the following addresses:

**Victoria, Tasmania:** Heritage Bookshop,

2nd Floor, 145 Russell Street,

Melbourne, 3000

(G.P.O. Box 1052, Melbourne, 3001).

Phone: (03) 9650 9749; Fax: (03) 9650 9368.

**South Australia**

Heritage Book Mailing Service,

P.O. Box 27, Happy Valley, 5159.

Phone: (08) 7123 7131;

**All Other States:** To either Victorian or South Australian addresses.

**VERITASBOOKS ONLINE:** [http://](http://www.veritasbooks.com.au/)

[www.veritasbooks.com.au/](http://www.veritasbooks.com.au/)

<http://www.alor.org/blog/index.php>

**Electoral comment authorised by Louis R. Cook,  
Nathalia Rd, Numurkah.**