

Papers on Parliament No. 7

March 1990

Unchaining the Watch-Dogs

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This issue of *Papers on Parliament* brings together in published form three lectures given during the period from August 1989 to March 1990 in the Senate Department's *Occasional Lecture* series.

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*The views expressed in this paper are mine, and do not necessarily represent the views of the Administrative Review Council or any other members of it.

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FOREWORD

The papers in this issue were presented at three seminars conducted as part of the Senate Department's series of seminars on parliamentary matters. They were presented by the Auditor-General, the Ombudsman and the President of the Administrative Review Council, and relate to the work of those officers.

Their relevance to Parliament is clear. The Auditor-General, whose office has existed since 1901, and the Ombudsman are appointed under statute to perform tasks which, on an idealistic view, Parliament itself should perform, but which, on any practical view, Parliament cannot effectively perform, namely the scrutiny of the public accounts and the financial effectiveness of government, and of the fairness of government decisions in respect of individuals. In performing those tasks they are regarded as agents and auxiliaries of the two Houses. The President of the Administrative Review Council presides over a body which supervises the workings of the administrative review system established in 1975 to provide for the review of government decisions, a task of great parliamentary significance, and one to which Parliament has devoted a good deal of attention, as vitally affecting the relationship between government and the governed.

The observations of these officers are of great interest in assessing the soundness of the system of government and also in assessing how well Parliament does its work.

Harry Evans
Clerk of the Senate

Welcome & Opening Remarks:

Harry Evans, Clerk of the Senate:

The seekers of knowledge and wisdom are always in a minority, as you can see. I think the air strike might have cut into our numbers a little bit.

In this series of Senate Seminars, we are going to look beyond the Parliament and look at that category of people who might be called the independent servants of the public interest, or as we have called them in the advertisements for this series, 'the statutory watchdogs'.

Parliament as you know is supposed to be the grand inquest of the nation and the guardian of the public interest, but it has long admitted that in fact it is not capable of itself performing that task to the extent that it should be performed. Parliament has long resorted to the device of appointing statutory office holders and statutory bodies to assist it in that task, and one of the statutory offices that has long been regarded as an indispensable aid to accountability, an indispensable aid to Parliament in performing that function, is an Auditor-General. As you probably know, the Audit Act is almost as old as the Parliament itself, and was one of the first Acts passed, Act No. 4 of 1901 in fact. So Auditors-General have been with us for a long time indeed.

In talking about these statutory watchdogs, the key concept and the key word which keeps turning up is independence. It has always made me somewhat nervous to see the Auditor-General, for example, listed in the Commonwealth directory under the Department of Prime Minister and Cabinet, on about the tenth page of entries under that Department. I expect that in this series the concept of independence and the relationship with Parliament will bulk rather large.

Today we are very honoured to have with us the Auditor-General, John Taylor. It is very fitting that we commence with the Auditor-General, as I have said, because of the antiquity of the office. John Taylor is a Bachelor of Commerce of the University of Melbourne and the ANU and amongst other posts has been Consul-General in New York very recently, has served in the Prime Minister's Department, was a Commissioner of the old Public Service Board, and has been the Secretary to a Commonwealth Department, the Department of Aboriginal Affairs. We are extremely honoured to have him here today to talk to us about his role as Auditor-General and I will now ask him to address us.