

PO Box 9067

DEAKIN ACT 2600

The Secretary

Senate Finance and Public Administration Committee

Parliament House

CANBERRA ACT

Dear Secretary

I appreciate the deadline for submissions to the Committee's inquiry on the Public Service Amendment Bill was 14 July 2023 although I notice the website says they are still being accepted.

I would like to make a brief addition to the two submissions I have already lodged.

Over the last 50 years the Public Service Act has gradually changed from one based on prescription to one based on principles.

This change was calculated, well-meaning and based on a generous estimate of the good intentions, standards and sensitivity of individuals and organisations whose conduct and operations the Act governed.

The recent history of the Public Service, not only that of Robodebt, suggests the optimism inherent in a principles-based approach has not been entirely warranted. When Commissioner Holmes admits her "despair of the APS", something must be seriously awry.

John Quincy Adams, the 6th President of the United States said that "To form principles of government based upon too advantageous an estimate of human character is an error of inexperience."

As there are good reasons for suspecting that the move to a principles-based Public Service Act may have been an error of inexperience, it is suggested that it might be time for the Act to be fundamentally recast to be more in favour of the prescription of methods of operation and behaviour.

Yours sincerely

Patrick Gourley

17 July 2023

