





Chapter 13: Democracy

“Democracy needs to keep changing – keep reforming – to keep up with the needs of our changing world.”

JOHN BRUMBY, PREMIER OF VICTORIA

A STRONG DEMOCRACY

A MODERNISED VICTORIAN CONSTITUTION

13.1 Labor will further the process of modernising the Victorian Constitution to make it a readable and accessible document for all Victorians.

A healthy democracy needs to keep striving to find new ways to make the executive more accountable – and the Parliament more accessible.

Victoria’s Constitution Act was written in 1855 and has been repeatedly amended. It is now unnecessarily complicated with a number of provisions now redundant.

Labor will seek all-party support to re-draft the Constitution Act to remove redundant elements and make it simple to understand.

AN AUSTRALIAN REPUBLIC

13.2 Labor believes that modernising Australia’s Constitution entails a transition to an Australian Republic, with an Australian head of state, who can fully represent our traditions, values and aspirations as a nation.

Nationally, Labor is committed to consulting with the Australian people, other political parties, the states and the territories as to the form that the Republic should take. Labor will promote community debate about the advantages and disadvantages of the various republican models.

Labor will conduct plebiscites to establish support for an Australian head of state and the preference for different forms of a Republic. When a preference has emerged Labor will initiate an appropriate referendum under section 128 of the Constitution.

COOPERATIVE FEDERALISM

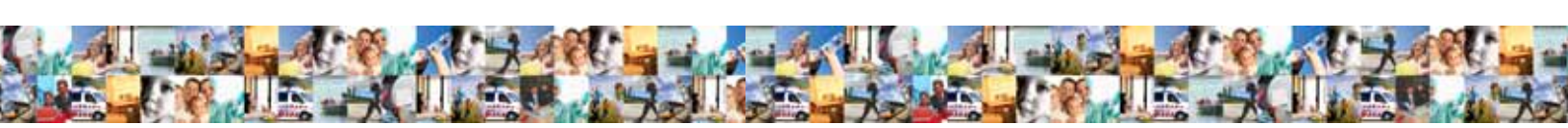
13.3 Labor is committed to national policy reform to maximise economic growth and ensure effective delivery of Government services.

Labor acknowledges that policy development requires a cooperative approach between all levels of government to achieve the best reform for Victorians.

Labor will build on the National Partnerships agreed at COAG and work closely with the Commonwealth Government to stimulate the economy, secure jobs, fast track investment in public infrastructure, take action that promotes environmental sustainability, and ensure ongoing delivery of quality vital services such as health, transport, education, early childhood development, and social and other housing.

Through COAG, Labor will take a lead role to ensure the best outcomes for Victorians in the way Commonwealth funding is provided, targeting the delivery of core services to communities, and building a highly skilled workforce.

See Chapter 4 for more policy on Commonwealth and State relations.



PRINCIPLES IN HARMONISING LEGISLATION

13.4 Labor believes that, when harmonising existing Commonwealth and State legislative regimes, the substance of the most protective (potentially constituent) provisions should be maintained, and where practicable, strengthened.

Labor will make the pre-eminent criterion to harmonise the protection of vulnerable and disadvantaged interests, such as those of children, workers and the environment.

Labor will recognise that, while criteria such as plain English, simplicity, and reducing overlap, inconsistency and red tape are all relevant, these are secondary to the primary aim. The most protective provisions will be retained.

ACCOUNTABILITY & RIGHTS

PARLIAMENTARY STANDARDS

13.5 Labor believes in the right of all Victorians to be represented by Members of Parliament who are honest, accountable and motivated by the public good.

Labor will require high standards from Members of Parliament & require that MPs:

- Devote themselves full time to their duties and the community;
- Not use confidential information for personal gain or divulge it to others who may personally benefit;
- Make full disclosure of pecuniary or financial interests and memberships;
- Avoid conflicts of interest, and
- Properly use public resources and not abuse the benefits of office.

FOI & PRIVACY

13.6 Labor believes in open and transparent Government, and also in protecting the right of ordinary Victorians to privacy. Labor believes that good government is about balancing the flow and availability of information.

Labor will:

- Encourage management of information that reflects the rapid evolution of technology;
- Develop information exchange with online communities about Government services;
- Promote proactive publication of information regularly sought by the community, and
- Lead the establishment of a National Information Policy.

WHISTLEBLOWER PROTECTION

13.7 Labor believes in exposing inappropriate or criminal behaviour in the public sector and introduced Whistleblower legislation to reflect this.

Labor will protect the rights of public servants to comment openly on matters of public concern:



- Clarifies procedures;
- Protects disclosures made in the public interest, and
- Reflects public expectations of open and accountable Government.

CHARTER OF RIGHTS & RESPONSIBILITIES

13.8 Labor developed Victoria's Charter of Human Rights and Responsibilities to provide a standard for Government and public agencies.

Labor will:

- Ensure that Government is guided by the Charter;
- Review the Charter and consider including social and economic rights, and
- Support a national Charter to establish a similar national framework.

HUMAN RIGHTS FOR ALL VICTORIANS

13.9 Labor will ensure that the human rights of all Victorians are respected and protected while also ensuring the community's safety.

Labor will ensure that all Victorians enjoy the basic rights and privileges that have long been a characteristic of democratic government. This includes, but is not limited to, equality before the law, privilege from self-incrimination, self-exposure to penalty and the right to silence.

Labor affirms that these rights apply to all Victorians before all courts.

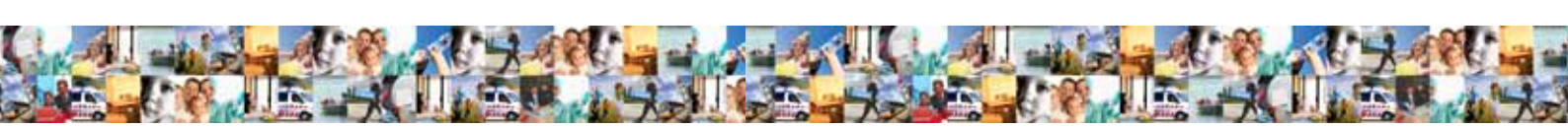
Labor also recognises, however, that no right is absolute and, in some instances there will be qualifications on these matters.

APPOINTMENT & REMUNERATION OF SENIOR MANAGERS

13.10 Labor will ensure senior public sector appointments are made on merit and broaden the pool of people serving in public positions.

Labor will ensure high quality and depth in the Victorian public service by directing that:

- Senior Executive appointments and promotions are on the basis of merit;
- Remuneration is determined by an independent process, and
- Senior Executive salary packages are transparent, with performance bonus criteria publicly disclosed.



ON LINE DEMOCRACY

13.11 Labor will utilise new technologies to provide greater access to decision making and enable direct involvement by the public in the process of democracy.

There is untapped potential in e-democracy that new technology is opening up. Labor will work to develop practical applications that enable the faster dissemination of information and the collection of public views.

This will include the use of new media tools to further enhance consultation processes and further provide the community with a voice in the formulation of legislation and Government policy. For example the use of wiki technology could be trialled for policy papers or legislation.

Labor supports using web 2.0 tools to listen and interact with the public including areas to share ideas and issues and a central web-page that people can check to see issues out for public consultation at any particular time.

ACCESS TO INFORMATION ON SERVICES

13.12 Labor supports the release of Victorian Government public data under creative commons to place information in the hands of the public.

Labor supports online tools that enable people to directly interact with Government bodies, pay bills and seek advice online.

It should be possible to access by computer or mobile phones real time information such as the time to the next train or tram, the nearest school or recent hospital performance.

Labor will work with all levels of government to improve access to information about rebates, support bill payment options and incentives by offering a single point of reference with links to all government services.

CONSULTATION THROUGH COMMUNITY CABINET

13.13 Labor believes in open consultation about important government decisions to ensure that all points of view are considered.

Labor will ensure there is strong community consultation built into government decision-making and that ministers are accessible to the community, including through Community Cabinet meetings across Victoria. Labor will use different forms of consultation and public participation to give the community a greater say.

For Access to Government, see Community Participation section in Chapter 7.