

Dear Commissioner

Please withhold my name from publication.

I am writing these things to bring out things that I and others have experienced and how I feel about them. This is my response to the interim report.

Companies (and other large institutions both public and private) are a hugely important part of our society yet the only responsible manager is the CEO. I feel companies – lack empathy, are self-absorbed, have a belief that the ends justify the means, that their goals and interests trump all others and worst of all they lack remorse.

I feel managers (and accountants within companies) should be licenced (personally responsible for their actions) and regulated by an authority outside of the company they work for. This would ensure that they are held to a higher standard of morals and ethics than their employer. Licenced Aircraft Maintenance Engineers (LAME's) are responsible to the Civil Aviation Safety Authority under federal legislation via Civil Aviation Regulations. They occupy a grey area where they are employees but are not subservient, nor, like managers who are directable by the board. They maintain aircraft to the manufacturer's specifications and directions via the maintenance manuals etc, they are not beholden to the schedule as safety is first and foremost. Under CAR's they can receive penalty points for incorrectly filling out paperwork and the flow on consequences. They are criminally and civilly liable for all their actions. Everything they do is documented – signed and licence number – done to and in accordance with all requirements. In all situations it is up to the individual to demonstrate why they are fit to hold their licence. I doubt, I will ever see a manager especially a middle manager step forward and oppose upper management – and thus poor cultures are born. I feel managers prey on the public's and employee's naïve belief in people's good will. The regulating body for managers should have the power to take their licence and it should be up to the individual to demonstrate that they are fit to hold their licence. If they are not doing anything wrong then they don't have anything to fear with a licencing system. By managers being licenced it will help protect companies from dubious, wrongful or rogue managers. The litmus test should be - would you do this to a family member or friend (although some would)?

Managers have a conceited arrogance of a privileged caste of that of being outside the rules. They are rarely held to account for their actions because the company will protect them. I feel management look on employees and the public as lesser than them – subhuman – and as such they can do inhuman things to you. The CEO is the only responsible manager and as such should be your first point of contact for grievances, safety issues, complaints etc, all other managers (including HR (human remains)) are just road blocks, or filters and are expendable.

Accountants should be held to account for unreasonable profit targets, budget, wages, time keeping and employee number restraints on managers.

Company policies are just a guide for management but are hard and fast rules for employees. Though some managers have morals and ethics that are above a company's they generally don't last long or are curbed in their responses to situations.

In Australia you get the level of justice you can afford. Can you last 3 to 4 years and longer even as your settlement payments are delayed? The judiciary takes a dim view of proceedings brought before them that have not been settled in mediation forcing more secret out of court settlements. The public and employees are foolish to think they can have a wrong righted or justice served. They have to accept their service provider or employer is legally correct but generally morally corrupt.

Companies use the utility of any situation for their benefit. I feel they have the means at their disposal to make it look like democracy, but they ensure they have everything under their control.

Managers will never be whistle blowers because they sign confidentiality contracts. These contracts could be influential in what they say during court proceedings. I feel sometimes if they are directed to say things in court, then they would not consider it a lie, possibly because of what they have signed in the contract or they fear being unemployable afterwards. Churning of managers allows a company to say "that manager is no longer with us" and thus make it hard to keep issues ongoing.

Out of court settlements - a thousand times over – keep a company's social standing unblemished – no one or the culture of the company is exposed or embarrassed enough to change. Out of court settlements also keep regulators and authorities powerless to act.

The interface between the legal realm and the public should be less opaque by making contracts and agreements understandable by most teenagers. Too often it is what is hidden in the fine print that is the issue. I feel "ignorance is no excuse" has expired in some areas - even judges specialize in different fields of expertise.

Find the manager who instituted 'add on insurance, home loan issues, car loan, overdrafts, unsuitable financial advice, conflicts of interest etc,' and hold them responsible, and if they are no longer an employee then the current manager who is continuing the practice should be personally accountable.

For far too long have managers acted without fear of any retribution, protected by the companies they work for – time to finally bring them into line with the rest of society and have them regulated. The individual should be accountable for their actions. There should be a clear paper trail of their actions and of higher managements' directions to them.

I feel the stature of a society depends on its tolerance to corruption (deception / self- interest), the amount of social engagement, how openly topics are debated, how past history is reconciled into the now, how truthful, honest and fair people are to each other.

Democracy is fragile and needs a dissenting voice to balance the wishes of the few.

Yours Faithfully

