

AUSTRALIAN MALAYSIAN
SINGAPOREAN ASSOCIATION

Passages

September 2011 Edition

Editor's Note

Visit us at : www.amsa.com.au for more information about AMSA



It's a tremendous relief that AMSA emerged victorious and probably even stronger after a near "life-and-death" struggle (see President's Review below). We must applaud the tenacity of our new President, Elvan Tong, and the team of dedicated AMSA members, including our immediate Past President , Evelyn Tian, and

immediate past Executive Committee (Exco) member, Jonathan Ong , for their dedication to the AMSA cause. As a result of these efforts and new faces coming forward, we have an almost entirely new Exco in place, making up of highly qualified individuals. We commend and welcome these new Exco members for volunteering their time and energies in the service of AMSA.

The new Exco took action immediately to organise a series of activities during its term. It includes seminars and social activities. However, because of the turmoil, there was insufficient time to organise AMSA's annual dinner for its usual October timetable. Instead our President promised to organise a series of other social functions for members to get to know each other better. The Exco will also be implementing three initiatives that will make membership with AMSA a little easier and more worthwhile. They are : Reduced Membership Fees, a uniform renewal date and a Membership Card.

In this issue, I have created some new features. The first one, the list of Exco members with their profiles and contacts was initiated by Elvan. I added another two, "News from Malaysia" to keep members abreast of developments in Malaysia and "Public Governance" to provide ideas on how to enhance the quality of our lives in Australia.

I look forward to your feedback on how to add more value to our newsletter, Passages.

Dr YKK

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President's Review



Recent developments tell us that AMSA is at the crossroads. There have been indications that AMSA may have lost relevance to its members and appeal to the wider community. The fact that at the last Annual General Meeting in April only two members stood and were elected unopposed said it all. Consequently, the task for the newly appointed Executive Committee is crucial – how to keep AMSA purposeful and vibrant or let it die a natural death. This will be a year for sober reflection.

The new Committee, formally endorsed at the recent Special General Meeting in July, is composed of eight voluntary diehards. They believe that there is still a light at the end of the tunnel. So do some others outside the Committee. However, we will not offer feel-good statements that will amount to nothing. What we need from you, members and friends, is your help and support. We need your feedback on what types of events you would like to attend; what issues of interest that you feel are worthy of discussion at forums and seminars; what meaningful contribution you can make to re-ignite AMSA. In short, we need to know in order to steer AMSA in the right direction.

The programs for this year will not set the world on fire. This is due to the small number on the Committee and the long delay in setting it up because of Constitutional constraints. We will have 'goodwill' functions; organize discussions on relevant community, cultural and business issues based on a different format; develop stronger reciprocal relationships with other likeminded associations. Internally, we will work towards a more efficient administration; give members more reasons to stay and new ones to join; give more value to our sponsors' support; upgrade our website when budget permits. Implementation of these initiatives will occur over coming months.

In a different section of this publication are profiles of members of the new Committee. We are also very fortunate to have the support of a number of people outside the Committee who have offered their particular expertise. We ask members to communicate with anyone on the Committee, give us your opinions and suggestions, however trivial or profound. A constant two-way dialogue will help us to revive AMSA. Their contact details are in AMSA's website. My email address is: eltong@benbonintl.com. Please feel free to contact me at anytime with your thoughts. Thank you.

Elvan Tong
President

2011/12 AMSA Team

Below is the list of the AMSA Team consisting of both Executive and Non-executive members. Do feel free to contact anyone of them individually via their emails for any specific AMSA issues, preferably cc to the President and Hon Secretary.

Name	Position	Email Contact
Mr Elvan Tong	President	eltong@benbonintl.com
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Prof James Chin	Vice President 2	jameschin2006@gmail.com
Mr Victor Hau	Hon Secretary	osemed@gmail.com
Mr Zack Tare	Hon Treasurer	zacktare@hotmail.com
Mr Derrick De Souza	Committee member	mde87472@bigpond.net.au
Mr Jonathan Ong	Committee member	jceong@yahoo.com.au
Miss Shi Jing (Chrys) Voon	Committee member	chrys_jv@hotmail.com

Non-executive AMSA Team

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Profiles of AMSA Exco Members



Elvan came to Australia in 1971 from Malaysia for personal reasons, leaving behind a rather lucrative executive position with a British company. He has never looked back, except for want of decent Malaysian food in the early days.

After having worked in Australia with Australian and American companies for nearly 30 years, he left full-time employment in 1998 to start his own consultancy business, with the knowledge and expertise he had acquired.

Now semi-retired and with a grown-up family, Elvan still has his finger on his business but finds time to do voluntary work. Joining AMSA in 2008 was one such endeavour, similar to an association he was involved with for eight years in the 1980s. Elvan feels he can make a difference with AMSA and will give his best shot trying.



Evelyn Tian, the immediate Past President of AMSA, arrived in Sydney from Singapore in the mid-80s to advance her career with a US bank - The First National Bank of Chicago, and as the very first employee of the bank, played a major role in its early days of setting up.

She went on to become a senior executive with the world's famous consulting firm of McKinsey. After 18 years, Evelyn decided to take a break from the corporate world to focus on issues that truly mattered to her. This has resulted in an amazing journey for her, resulting in wonderful experiences including working with orphaned children and destitute women in the heart of Africa.

In the last couple of years, Evelyn has reinvented herself as a specialist in the area of peak performance. Her expertise lies in the area of effective personal presentation – helping her clients to achieve better relationships – in life and in business. Evelyn is also an accomplished public speaker and regularly trains her clients in this area. She is a certified and master practitioner in advanced neurological re-patterning.



Prof James Chin has been in Australia for a long long time. Presently, he is the CEO of Xion Biotechnologies, a consultancy that provides research supervision, training and product development in health supplements, nutraceuticals and nutrigenomics.

James is a Fellow of the Australian Society of Microbiology and Honorary Senior Principal Research Fellow in Diabetes/Obesity at the Garvan Institute. He also holds conjoint adjunct appointments as Professor with the Universities of Queensland and Sunshine Coast. Since retiring, he continues to lecture at the University of Sydney and Jinan University in Guan-zhou and co-supervises postgraduate students in their MSc and PhD programs.



Victor Hau moved to Sydney in January 2007. After spending 25 years of his professional life in Malaysia, he decided to take his family to Australia for a life-changing experience. It is certainly a dramatic change for him but not so much for his family members as they adapted better than he did. For Victor, it was certainly a new chapter in his life. There were obviously more downs than ups during the last three years of their stay here. Admittedly, most issues were primarily centred around Victor himself. It is a relief to Victor now that his family members viewed the move to Sydney positively.

Without much luck in employment since he arrived in Sydney, perhaps due to lack of skill and local knowledge, Victor decided to take his chances in the migration service industry. He is now a registered migration agent and hopes to make a positive difference in the new migrant's life.

Being relatively new to Sydney, joining AMSA will definitely help Victor in widening his contact base. At the same time, he looks forward to contribute positively to society, add value to his services and helping migrants to integrate better within the Australian community.



Shi Jing came to Sydney in 2003 and graduated in 2007 with an Honours degree in Early Childhood Education from the Institute of Early Childhood (IEC), Macquarie University, where she has returned to commence a PhD. Her interests lie in the areas of identity and culture of the Malaysian-Chinese diaspora in Australia. She assists in research work and tutors at the IEC.

With teaching experience of young children in both Malaysia and Australia, she hopes to be able to extend as well as offer her understanding of the Malaysian-Chinese diaspora in Australia, while being part of AMSA. She especially enjoys meeting new and current Malaysian university students.

AMSA Membership Initiatives

During the month of August 2011 the new Executive Committee will be implementing three initiatives that will make membership with AMSA a little easier and more worthwhile.

Reduced Membership Fees

With immediate effect, Single membership fee is reduced from \$25 to \$20 per year; Couple (or Family) membership fee is reduced to from \$40 to \$30 per year. This would be ideal for members whose spouses or partners are not already members.

Improvements in the new Membership Application Form (available from AMSA's website or at our functions) will mean new membership applicants will only need to make one instead of several contacts with AMSA to have their application processed. Furthermore, membership renewals will only require email advice from members rather than having to complete and send the Form. AMSA will also advise members when to renew if they request it.

Uniform Renewal Date

We would encourage all members to renew their membership during the month of April each year. From past experience many members did not know when they joined AMSA or renewed their membership. April is also the month of our AGM and the beginning of our financial year.

Please be assured that those who join or renew either before or after April will not be penalized, as their membership will be valid for at least 12 months. Those of you whose membership has expired from 2009 to July 2011 are encouraged to renew now with the reduced fees.

New Membership Card

Every financial member (including spouse or partner) will be issued with a membership card during August. This card validates you as a registered and authorized member and entitles you to certain benefits that the Executive Committee will be pursuing on your behalf. We will be approaching selected service providers, restaurants and retailers to secure preferential treatment for AMSA members over coming months. Most members will receive their membership cards by mail during August. Please keep it in your wallet or purse, keep it valid, bring it to AMSA functions for verification and to establishments where AMSA has special arrangements.

Elvan Tong
President

Annual General Meeting Report – 16 April 2011

This year's AGM was held on 16th April with an attendance of nearly 40 members. It was chaired by outgoing President, Evelyn Tian.

Main items on the Agenda were:

1. AMSA finished the financial year ending 31st March 2011 with a surplus of \$2654 compared to \$1460 the previous year. Our Term Deposit balance with Citibank stood at \$58,556 compared to \$55,598 the year before.
2. Two Special Resolutions were passed pertaining to changes in AMSA's Constitution:
 - a. Clause 6.6 relating to cheque payments in excess of \$200 to be signed by any two out of the four authorized signatories.
 - b. Clause 9.7 relating to the custody of the Association's records by the Hon Secretary and Hon Treasurer.
3. The outgoing President's report included:
 - a. The Committee made improvements in the Treasury function, including the use of cheque requisition forms; the issue of receipt for every transaction big and small; the writing of financial report for every function showing profit and loss. These made AMSA's financial transactions more accountable, transparent and easy for our Auditor, Rick Siew, to audit our books at year end.
 - b. Seven new restaurant and retail co-sponsors were acquired for our Annual Dinner last October.
 - c. There was a total of 107 'active' members, with 63 paid-up as of 1st April 2011.
 - d. Members were reminded not to be involved in political activities in AMSA's name or speak on behalf of AMSA in an official capacity.

In acknowledgement of their valuable services and advice in the past and present, Evelyn presented the following people with recognition plaques – Dr Bin Yap, Mr Daniel Kwan, Ms Yeewah Choong and Miss Eleanor Khaw.

4. Election of the new Executive Committee for 2011/12 was conducted by Returning Officer, Ms Yeewah Choong.

Mr Elvan Tong was elected President unopposed and Mr Cedric Spencer was elected Hon Secretary unopposed. The two elected was insufficient to form a Committee or qualify for a quorum of five. This had never happened to AMSA before, setting a precedent.

Under Clause 9.6 of the Constitution, Elvan proposed to co-opt Mr Zack Tare to be Hon Treasurer, Ms Evelyn Tian to be Vice President and Mr Derrick De Souza to be Committee member, to make up a quorum of five. These five were to call for a Special General Meeting to endorse the three co-opted members.

Elvan Tong
President

AMSA's ACTIVITIES

Sponsors Lunch Report 30 July 2011

By Elvan Tong

This function was attended by 23 out of the 24 who indicated they would come. As such it was a success. The 8-course lunch consisted of: pepper & salt calamari, Cantonese eye fillets, Singapore noodles, fried rice, Malay sambal mussels, curry fish head, roti and fruits.

In welcoming guests the President, Elvan Tong, thanked sponsors and supporters for helping AMSA through various means, some over many years. He explained that the new Committee was only formalised in early July, after three general meetings. This delay was a precedent for AMSA. Despite this delay and the small number on the new Committee, AMSA will still have an extensive program for the year. However, our traditional Annual Dinner will not be held this year, another precedent. Instead, we will likely have a smaller buffet-style dinner, karaoke singing and friendly competition in Oct/Nov at a club.

Elvan also took the opportunity to advise guests of yet another precedent - membership fee reduction and introduction of a new membership card. This card will serve as a passport to open many doors. Over coming months the Committee will approach selected service providers, restaurants and retailers to secure preferential treatment for AMSA members.

Elvan then introduced each Committee member, namely Evelyn Tian and James Chin (VP), Victor Hau (Secretary), Zack Tare (Treasurer), Jonathan Ong, Derrick De Souza and Chrys Voon (Committee members). He concluded by expressing sincere thanks to Phillip, Sue and Chris Ang of Hakka Pty Ltd for donating 72 packs of their new BBQ pork, chicken & mushroom and pork & vegetable buns. Each guest happily went away with three packs, and two lucky winners with vintage ports from AMSA.





AMSA's ACTIVITIES

Seniors' Health Information Lunch/Seminar Report By Elvan Tong

This function was held on Saturday 27th August 2011 from 11.30 am to 3 pm at the *Easy Buffet Thai Restaurant*, 122-124 Wicks Road, North Ryde.

It was in conjunction with Northern Sydney Central Coast NSW Health (NSCCH) that provided two speakers, information kits and finance. Sato Hacopian, Carer Support Officer, talked about the health care system, who and where to seek help in relation to patient care and family needs. She also outlined the rights and responsibilities as a patient and carer, and how to make use of different resources for better health.

Grace Chan, Multicultural Access Project Officer, made us aware of the services, support and resources that seniors can access locally. She then covered the range of support, services and innovations for seniors to maintain an active, healthy and interesting life style.

It was a highly interactive and lively seminar, with many questions and answers. Almost 70 guests attended the event, an all time record for an AMSA daytime function. These were made up of AMSA members, members from the Australian Asian Association of Bennelong (AAAB), the Peranakan Association Australia (PAA) and a large contingent from Wesley Church, Ryde. 17 guests took up new membership with AMSA that day. AMSA would like to express grateful thanks for their attendance.

James Chin convened the seminar, ably assisted by Jonathan Ong, Chrys Voon and Victor Hau. Evelyn Tian played hostess to the Peranakan Association members present. The President, Elvan Tong, presented each speaker with a Certificate of Appreciation and gift.





News From Malaysia

Malaysia's brain drain getting worse, says World Bank (submitted by Elvan Tong) **By Lee Wei Lian**

KUALA LUMPUR, April 28, 2011 — World Bank senior economist Philip Schellekens painted a gloomy picture of the Malaysian brain drain situation today saying that it not only grew rapidly but is likely to intensify, further eroding the country's already narrow skills base.

Schellekens said that the number of skilled Malaysians living abroad has tripled in the last two decades with two out of every 10 Malaysians with tertiary education opting to leave for either OECD (Organisation for Economic Cooperation and Development) countries or Singapore.

"Brain drain from Malaysia is likely to intensify in the absence of mitigating actions," he said at the launch of the World Bank report titled "Malaysia Economic Monitor: Brain Drain". The report defined brain drain as the outflow of those with tertiary-level education.

The economist said Malaysian migration was increasingly becoming a skills migration with one-third of the one million-strong Malaysian diaspora now consisting of the tertiary educated.

"Expect the trend to continue," he said. He added that the outflow of talent was not being replaced with inflows, thus damaging the quality of Malaysia's "narrow" skills base, noting that 60 per cent of immigration into Malaysia had only primary education or less, even as the number of skilled expatriates declined by 25 per cent since 2004.

The report also noted that there was a geographic and ethnic component to the brain drain, with about 88 per cent of the Malaysian diaspora in Singapore being of ethnic Chinese origin. "The numbers for US and Australia are similar," said Schellekens.

Report figures also show that 54 per cent of the Malaysian brain drain went to Singapore while 15 per cent went to Australia, 10 per cent to the US and 5 per cent to the UK.

The top three drivers for brain drain identified by the report were career prospects, compensation and social justice.

"(Lack of) Meritocracy and unequal access to scholarships are significant push factors and a deterrent to coming back," said Schellekens. "Non-Bumiputeras are over-represented in the brain drain." He suggested that Malaysia implement important structural reforms in tandem with introducing targeted measures such as income tax incentives to reverse the brain drain.

"Once the highway is built, you must compete for traffic," he said. "One suggestion is to hold a competition among members of the diaspora to get ideas on what can be done to attract them home."

He added that while this report estimated the Malaysian diaspora at one million compared with about 1.4 million in a previous World Bank report, it was due to the lack of Singapore government information on the breakdown of its non-resident population.

"This is a conservative estimate and the diaspora could well be larger," he said.

Source: <http://my.news.yahoo.com/malaysia-s-brain-drain-getting-worse-says-world-103831949.html>

Business

The Impact of *Competition and Consumer Act 2010* on your Business

By Jeffrey Lee

A Introduction

The *Competition and Consumer Act 2010* contains rules against anti-competitive conduct within Australia, and also contains consumer protection rules which businesses must abide by in their dealings with consumers.

The *Competition and Consumer Act 2010* has given the Australian Competition and Consumer Commission (“ACCC”) new powers. These include:

- the power to issue **substantiation notices** requiring businesses to substantiate claims they make about their products or services
- the power to issue **public warning notices** where it has reasonable grounds for believing that a contravention of certain consumer protection provisions of the Act has occurred and that consumers have suffered, or are likely to suffer, detriment as a result
- the power to issue **infringement notices** where it has reasonable grounds for believing that a contravention of certain provisions of the Act has occurred, imposing a financial penalty of \$66,000.00 for listed corporations, \$6,600.00 for other corporations and \$1,320.00 for individuals
- a new **investigation power** which will allow it to audit corporations that are required to keep, generate or publish information or documents under an applicable industry code (including the Franchising Code).

The *Competition and Consumer Act 2010* has introduced **civil pecuniary (financial) penalties** ranging from \$5,000.00 to \$1.1 million for corporations, and from \$1,000.00 to \$220,000.00 for individuals, who breach the unconscionable conduct and certain consumer protection provisions. A *civil pecuniary penalty* may be imposed by a Court if it has found that a breach of the Australian Consumer Law has occurred on the civil standard of proof, that is, on the balance of probabilities, not beyond reasonable doubt.

The *Competition and Consumer Act 2010* also gives businesses a right of private action if they have been adversely affected by any conduct that may breach the Act.

The courts can now also, on application by the ACCC, make an order disqualifying a person from managing corporations for a given period if the court is satisfied that the person has contravened or attempted to contravene the law and that the disqualification is justified.

The *Competition and Consumer Act 2010* contains the **Australian Consumer Law** which creates a single, national consumer law for Australia. It applies to all businesses regardless of their size or business structure. The Australian Consumer Law is enforced by the Australian Competition and Consumer Commission (“ACCC”), the state and territory Fair Trading agencies and, where it applies to financial services, the Australian Securities and Investments Commission (“ASIC”).

The Australian Consumer Law provides a range of general and specific remedies to consumers and others for contraventions of the *consumer guarantees* including rights to damages, injunctions, compensation, repairs or replacement of goods or services. Damages which may be recovered may include consequential losses, such as loss of value or loss of profit, if the losses are reasonably foreseeable, in relation to some contraventions.

B Some specific rules

Misleading or deceptive conduct

The most litigated provision of Section 52 of the old *Trade Practices Act 1974* relating to misleading representations is now contained in Section 18 (1) of Schedule 2 of *Competition and Consumer Act 2010*, which provides: A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive.

Businesses must not make false or misleading representations about specific characteristics or aspects of a goods or service – for example, sponsorship, price or place of origin – or about the consumer guarantees.

A business also has a right to take action against a competitor if the business has suffered a loss because the competitor has engaged in conduct that may breach the Act.

Consumer guarantees

The Act includes a set of twelve consumer guarantees which apply to all goods and services purchased (where the price or cost does not exceed **\$40,000.00**) by consumers from 1 January 2011.

The consumer guarantees provide that all goods must be of acceptable quality, be fit for any disclosed purpose and match any description, sample or demonstration model shown. Repair facilities and spare parts must be reasonably available for a reasonable time, and any express warranty made by a supplier or manufacturer must be complied with. Goods must come with clear title and without any undisclosed securities or charges attached to them. Consumers also have a right to undisturbed possession of the goods. Services must be delivered with due care and skill, be fit for any disclosed purpose and, if the contract for services doesn't set a time frame, be completed within a reasonable time.

Unfair contract terms

The *Competition and Consumer Act 2010* creates a **national unfair contract terms regime** which applies to *standard form consumer contracts* and enables a court to find that a term of such a contract is unfair, and so void. This law applies to contracts in all forms, whether written or oral, and made by all means, including online, over the phone or face to face. It should be noted that the contract itself remains binding on the parties to the extent that it can operate without the unfair term.

The unfair contract terms provisions provide a three-pronged test of unfairness. A term is unfair if:

1. it would cause a significant imbalance in the rights of the parties to the contract; and
2. it is not reasonably necessary to protect the legitimate interests of the party it advantages; and
3. it would cause detriment if applied or relied upon.

When deciding whether a term is unfair, the court must also consider the transparency of the term within the contract, and the contract as a whole. The law applies to contracts that are entered into on or after 1 July 2010 and to the terms of existing contracts that are renewed or changed on or after 1 July 2010.

The list of *unfair practices* in Part 3-1 of Schedule 2 is long and includes *false or misleading representations*, or *misleading conduct*, in relation to goods and services, sales of land, employment, offering rebates, gifts and prizes, bait advertising, accepting payments without an intention to supply, pyramid selling and other matters.

Sales practices

The *Competition and Consumer Act 2010* prohibits specific unfair practices in trade or commerce. It addresses areas including:

- unsolicited supply of goods and services, including unsolicited credit cards and debit cards
- unsolicited consumer agreements – rules applying to door-to-door selling, telephone sales and other forms of direct selling which do not take place in a retail environment, including specific supplier obligations about the way in which consumers are approached, disclosure obligations and consumer rights in relation to termination
- pyramid schemes – rules prohibiting a person from participating or persuading others to participate in a pyramid scheme. Such schemes usually entail two payments: a participation payment to join; and a promised recruitment payment for when a member recruits others, which may be a financial or non-financial benefit another consumer.
- component pricing – rules relating to pricing practices to ensure that the total price is always presented where possible
- proof of transaction – a rule that suppliers must provide proof of transaction (such as a GST tax invoice or a cash register receipt) to consumers for goods or services valued at \$75.00 or more
- itemised bills – a rule that customers can request, and are entitled to receive, an itemised bill for services setting out how the price was calculated, the number of labour hours and the hourly rate, and a list of the materials used, including the amounts charged for them.

Immunity

The ACCC can allow anti-competitive conduct in some circumstances. The ACCC is able to grant legal immunity for conduct that would otherwise breach the Act. In particular, the ACCC may grant immunity to small businesses to collectively negotiate terms and conditions (including price) with suppliers if this is in the public interest.

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Public Governance

Creative Public Governance – The Way Forward for Australia

By Yew Kam Keong, Ph.D (Dr.YKK)

Introduction

Creative Public Governance is concerned with the conduct of governments at all levels to bring the best possible benefits to their citizens and to fulfil their responsibilities as members of the global community.

I coined the term *Creative Public Governance* to define a system of government administration that embraces and introduces innovations to enhance the quality of life of the people using minimum resources for maximum lasting impact. It focuses on what to achieve rather than what to prevent. Fulfilment leads to joy and contentment whereas frustrations breed violence, crime and emotional turmoil. It is about changing mindsets and it starts with the leaders.

Creativity begins by asking the right questions to identify the core issues and not taking the easy path to a temporary feel-good factor by addressing the symptoms. It is about exploiting limitations to drive breakthrough action. *Creative Public Governance* demands exploiting limits not ignoring them.

For Creative Public Governance to happen, strong and courageous leadership is required. Where consensus is required, leadership dies! Consensus is great when trying to determine which restaurant to go to for a meal not when charting a new course for the government. A leader, once convinced a particular course of action is the right one, must have the determination to stick with it and be undaunted when the going gets rough. A great leader seeks wise counsel and listens carefully. The leader projects the vision of the new course and acts decisively. When success is achieved, the leader says, "We did it!" If mistakes are made, the leader says, "I made a mistake. Let's learn from it and move on."

Creative Public Governance minimizes mistakes and risks by adapting successful innovations in the public arena and not by creating new ideas. Creativity is used in imitating something good to make it even better. Experimentation is risky, costly, time-consuming with no guarantee of success.

Creative Public Governance requires courage to use unconventional ideas for social change that to bring tangible benefits to the people. Though not labelled as such, practically every country practices it in one form or another. However, by not having a common label, these creative practices are not publicized and therefore not shared to the world at large. The benefits are only restricted to the country or often to the small community where it operates.

I believe that in order to accelerate the diffusion of *Creative Public Governance*, a methodology is required. Based on my research and observations, I have developed the *7 Steps to Creative Governance*. I welcome your feedback.

The 7 Step to Creative Governance

- Identifying the Core issue
- Taking the Michelangelo approach
- Searching globally for successful solutions
- Innovating the wheel
- Facilitating participative re-creation
- Sensitizing, elaborating & winning acceptance
- Recognizing & celebrating

Identifying the Core issue

Creative Public Governance begins by asking questions to identify the core issue – identifying the cause and not just the symptoms. For example, if there is a drop in enrolment in science education, what is the underlying cause? Is it employability, teaching, facilities, perception, etc. We can do research on research that have been undertaken in this field as practically almost every issue has been researched before. Talk to the people on the ground who are the most affected. If necessary, do a confirmation research. The important thing to avoid is paralysis through analysis.

In Australia, most of the serious traffic accidents were caused by the youth. The government's response was to create more restrictive driving regulations for the youth. This means more police, more rules and more enforcements which ultimately diverted resources to prevent serious crimes.

A simple solution could be found in a UK town Pendleton. Here without any safety campaigns, without and more regulations or enforcements, the accident rate had been effectively reduced by 70%. Their innovation is to use speed sensors coupled with an emoticon. Whenever a speed limit is exceeded, the sensor displayed a frowney (unhappy face) and if the driver stayed within limit they got a smiley as a reward. Isn't it time that the traffic authorities try out this system?

Taking the Michelangelo approach

The common approach is to start from where we are to where we want to go. A better way is that of Michelangelo approach where he visualized the image of David before he freed the figure by chipping away the unwanted pieces. Thus this approach involves starting from the destination and removing current obstacles that could obstruct its path.

In the rehabilitation of drug addicts, the innovative solution can be found in our own backyard. The decade old Drug Court in the state of New South Wales has proven a great success thanks to the creativity and compassion of judge *Roger Dive*. He instituted a system whereby he leads a team of people responsible for the rehabilitation of the drug offender to an enthusiastic applause.

Judge Roger Dive sees about 40 drug offenders each day in his. These appearances, called report backs, are for Judge Dive to consider whether the offender is making progress in a court-determined program to cut drug use, build a normal life and avoid reoffending.

If the offender - pointedly called a participant - has moved forward, Judge Dive leads the applause, joined by his team of lawyers, health workers, corrections officers and counsellors, as well as by the other participants waiting in the back of the court.

The improvement may be going three days without using drugs; it may be finding a job or a training course; it may be graduating from the Drug Court after 12 months. When applauded, the participant leaves the court beaming, often shaking hands with other participants on the way out.

According to a four-year study by the *Bureau of Crime Statistics and Research* published last year, graduates from the Drug Court are 58 per cent less likely to commit another drug offence than those who did not enter the program. This result, according to the bureau's director is unmatched in Australia.

All participants are convicted non-violent drug users who are eligible for Drug Court as an alternative to full-time imprisonment. Treating offenders outside jail is the court's underlying principle.

The success shows that there are always better alternatives than the traditional jail and punishment methods. It proves that applause may well work much better than incarceration and other forms of punishment because the desire to reform comes from the offender himself.

Searching globally for successful solutions

Before trying new ideas, first do a search on whether a similar problem has been solved before. Sometimes the same or similar problem had already been solved in a small community within the same country itself. Many public innovations have been featured in magazines, papers and e-publications. Even unrelated creative solutions could trigger over practical innovations for public governance. This search will save a lot of time and reduces risk.

One of the most effective ways for *Creative Public Governance* with the widest reach and possibly with the greatest impact is through *eGovernment*.

It is a priority in the *European Union* which defines it as the use of information and communication technology in public administrations combined with organisational change and new skills in order to improve public services and democratic processes and strengthen support to public policies. The potential of eGovernment goes far beyond the early achievements of online public services.

The Korean eGovernment initiatives have won a number of awards. They include:

- United Nations Public Service Award (UNPSA) for 2007 to Korea's Ministry of Justice for its immigration clearance service KISS (Korea Immigration Smart Service)
 - e-Asia Award for its online Korea's Public Procurement Service (PPS) system at the 25th Asia Pacific Council for Trade Facilitation and Electronic Business (AFACT) held in Aug. 2007. PPS is the nation's largest online shopping mall for public organizations.
- Perhaps the Australian Government should study the Korean eGovernment system to identify areas in which they could be adapted for implementation.

Innovating the wheel

Once successful solutions have been found, the next step is to adapt the solution to the issue at hand. This step is termed "Innovating the wheel" as there's no need to re-invent a new solution when you can creatively imitate a proven workable successful solution. The creativity lies with the adaptation process.

Australia prides itself as a nation founded on a convict base. Yet its prison system is nowhere near exemplary. It is time to look at successful models so that Australia should be in the forefront of prison management.

Norway provides a great model for Australia.

The minimum-security *Bastoy Prison* on a lush island, where inmates include murderers and rapists prison, operates with solar panels, wood-fire heating instead of oil, strict recycling and eco-friendly food production. There are no locked gates or barbed wire. This innovative project aims to help the 115 prisoners learn values such as protecting the environment and respecting others.

The prisoners live in unlocked houses, in and are responsible for the care of about 200 chickens, eight horses, 40 sheep and 20 cows. They also tend the fields, pick berries and fish on the prison supplied boat.

All of the prison's agricultural products are raised organically without fertilizers or pesticides. It strives to be energy self-sufficient, using renewable power.

The inmates are happy with their freedom living in an environment that gives them individual responsibility . It is effective as the system motivates them to reform their behaviour . Those who misbehaved, which is rare, will be sent back to maximum security prisons.

This is a fantastic model for prison officials to experiment on. One benefit is that the *Bastoe Prison* has the lowest maintenance cost since very little is spent on security.

Facilitating participative re-creation

This is an important step to get involvement of all stakeholders in formulating a solution. Their involvement will ensure their support for implementation and possible mitigate objections and protests. Moreover, it will cultivate a sense of ownership of the community.

Sensitizing, elaborating & winning acceptance

Step 5 will only accommodate a limited number of interested stakeholders in the project. Prior to carrying out implementation, it is imperative to sensitize the involved the community on solution through the mass media or other forms of communication to let them know what is coming. Then, it is followed by elaboration of the plans which could be politically and socially sensitive. Some people with vested interest could also be adversely affected.

Recognizing & celebrating

There's nothing like recognition and celebration at both the launching and celebration of the project to motivate the community to support future projects. It will instill a sense of pride and ownership among members of the community, the government agencies concerned and the politicians who made the project possible.

The author Dr.YKK (yew Kam Keong, PhD) is an innovation speaker, trainer and consultant. He is available to give a talk on Creative Public Governance and thereafter to facilitate a session to help solve a prevailing public and social problem in the spirit of Creative Public Governance. Contact him at DrYKK@mindbloom.net , web: www.mindbloom.net

HUMOUR

submitted by Elvan Tong

The Doctor gave a man six months to live. The man couldn't pay his bill so the doctor gave him another six months.

The Doctor called Mrs. Cohen saying, "Mrs. Cohen, your check came back."
Mrs. Cohen answered, "So did my arthritis!"

Doctor: "You'll live to be 60!"
Patient: "I am 60!"
Doctor: "See! What did I tell you?"

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A drunk was in front of a judge.
The judge says, "You've been brought here for drinking."
The drunk says "Okay, let's get started."

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Paddy is in the bathroom and Mick shouts to him, "Did you find the shampoo?"
Paddy says, "Yes, but it's for dry hair and I've just wet mine."

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Mick and Paddy are working for the city public works department. Mick would dig a hole and Paddy would follow behind him and fill the hole in. They work up one side of the street, then down the other, then move on to the next street, working furiously all day without rest, one digging a hole, other filling it in again. An onlooker is amazed at their hard work, but cannot understand what they are doing. So he asks Paddy, 'I'm impressed by the effort you two are putting into your work, but I don't get it -- why do one dig a hole, only to have you follow behind and fill it up again?' Paddy wipes his brow and sighs, 'Well, I suppose it probably looks odd because we're normally a three-person team. But today the lad who plants the trees called in sick.'

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