

17. New House, New Rules

Television and the move to the permanent Parliament House completed the demolition of the centrality of the House of Representatives in political life. Where once the contested issues of the day were fought out on the floor of the house, now the debate is conducted, via the electronic media, in the lounge room, car, office, or even on the street, with miniature devices providing everything that can be received anywhere else. Whether or not this is a good thing in a modern democracy should be a matter for some public debate. The absence of such a debate is largely because the changes wrought have been gradual and public interest in politics has declined. Most gallery journalists know nothing of the change, few having sat in the house or Senate to listen to a debate.

Only a small minority has worked in the Old Parliament House and most, since coming to the gallery, have known no prime ministers other than John Howard, Kevin Rudd and Julia Gillard. The permanent Parliament House is massive by any standards, dwarfing the provisional Parliament House at the foot of the northern slope of Capital Hill. During the 1980s, the permanent Parliament House was the largest building under construction anywhere in the world. Long corridors separate the gallery, MHRs, senators and above all ministers. There is no equivalent in the permanent Parliament House to the mixing bowl of King's Hall in the Old Parliament House.

During the Hawke Government, the Speaker, Leo McLeay, banned smoking in the building and the non-members' bar in the new Parliament promptly died for want of patronage. Aussie's coffee shop, on the ground floor at the northern end of the building, is the only social gathering spot in the building. Journalists might bump into an MP walking through the gallery corridors for a TV or radio interview, but that is about all. MPs have their own dining areas, the staff canteen caters to all occupants of the building and there is a separate canteen for tourists. The proceedings of the house and the Senate can be seen on screens in the offices of all MPs, hence, apart from Question Time and some debates on matters of great public interest, MPs watch proceedings in their offices.

When tourists enter the impressive space of the House of Representatives chamber, sitting in the visitors' gallery, they must be puzzled at the small number of MPs—often there are less than six—in attendance in the chamber. A fractious opposition occasionally calls quorums only when it thinks there could be some political point to be made by dragging ministers into the chamber. Only during Question Time, or a debate of special interest, is there a decent attendance of journalists in the three-tiered press gallery above the Speaker's

chair. Mostly AAP covers proceedings in the chamber for all the major media outlets and its journalist is the only occupant of the press gallery. Barring a government with a wafer-thin majority, the Lower House is irrelevant.

Since the introduction in 1948 by the Chifley Government of proportional representation for Senate voting, governments have mostly lacked an upper house majority. Without the numbers, they must negotiate with the Opposition and/or independents and minor parties such as the Australian Greens. Debates in the Senate give an indication of whether a particular piece of government legislation will pass or be amended, hence the interest of the gallery in Senate debates.

Compared with the provisional Parliament House, the permanent building is a dream for publicity-hungry politicians. Every TV network has studios and offices in the gallery and TV crews are on hand for interviews or press conferences in the parliamentary courtyards or committee rooms. For politicians, radio and TV journalists, the news cycle each day begins with snatched interviews with MPs at the entrance to the house, Senate and ministerial wings of the building. A new phrase has entered the lexicon of politics: 'the doors'—the spot where morning interviews are given to gallery members.

A 'presser' is the term for the more formal press conference for which notice is given. Although the decline of Question Time in the house began during the Fraser Government and has now hit rock bottom, the gallery still takes the farce of Question Time seriously. The purported purpose of Question Time is to allow MPs to question ministers on urgent matters relating to the administration of their portfolio. Instead, it has become an opportunity for a slanging match between the Opposition frontbench and ministers. With the Speaker belonging to the same party as the Government, no matter how independent the Speaker tries to be, the Government has the edge. What should be one of the most important of the Standing Orders relates to the requirement for relevance to the question asked when ministers reply.

They rarely are. Ministers need only make some passing connection between what they want to say and the question put to them. Opposition MPs raising points of order on grounds of relevance know full well that the Speaker rarely rules a minister's answer irrelevant. The very meaning of the word has been lost. The real purpose for raising points of order is to highlight to journalists the fact that the minister is avoiding a question. Repeated points of order are designed to throw the minister off his or her stride in answering the question, although Opposition MPs then run the risk of being ejected from the chamber by the Speaker.

In the Senate, the President is more likely to direct a minister mouthing irrelevancies to return to the substance of the question. Opposition MPs in the Senate have the advantage of following up an answer to a question with a supplementary question, which, skilfully worded, can highlight the minister's failure to deal with the original question.

Ministerial statements were once a feature of parliamentary procedures. They are supposed to provide an opportunity for ministers to announce some new or changed policy, or report on an important topic, such as foreign affairs. Menzies would carpet ministers making a statement outside the Parliament that he believed would have been more appropriately dealt with in a ministerial statement. Beginning with the Hawke–Keating Governments, ministerial statements became less frequent and they disappeared almost entirely during the Howard Government, before making somewhat of a return with the arrival of the Rudd Government.

As ministerial statements must be debated in Parliament, governments do not like the idea of giving the Opposition an opportunity to attack. Therefore it is far better to deliver the message on television or radio, without the inconvenience of the Opposition immediately having a say. John Howard in 2003 announced the decision to go to war at a press conference in the Prime Minister's courtyard before announcing it to the house. In my newsletter, *Inside Canberra*, I noted no ministerial statement was forthcoming from Howard to mark the fourth anniversary of the Iraq war in March 2007. Instead, he arranged an invitation from the Australian Strategic Policy Institute (which receives most of its revenue from the Government) to address it on the war in the parliamentary theatre. Howard then made his speech on a day the house was sitting 50 m away. Howard announced on the ABC—not in Parliament—an inquiry into possible corruption by Santo Santoro, the Minister for Ageing, in allocating bed licences to a friend's company.

There was no ministerial statement on: the Murray–Darling water plan, involving a change of constitutional arrangements between the Commonwealth and the States; a security agreement with Japan; the federal takeover of NT Aboriginal communities; or Howard's greenhouse gas abatement measures (including nuclear energy). This is by no means a comprehensive list. Howard announced all these initiatives outside the House of Representatives by way of speeches or interviews. Most members of the gallery do not regard ministerial statements as an issue and take for granted the dominance of the electronic media in political discourse.

The Senate is the true bastion of democracy in the Parliament. It may modify or block the excesses of the Prime Minister—an elected dictator who has a handy rubber stamp in his pocket to apply to the votes of the Lower House.

As the relevance and importance of the house have diminished, those of the Senate have risen. Prior to the Chifley Government introducing proportional representation, the system that existed from 1919 gave the winner of the most votes in any State all the Senate seats for that State. Hence, occasionally one side of politics held all the Senate seats.

Proportional representation has given smaller parties and independents a chance of winning Senate seats; hence governments generally lack a majority in the Upper House. Without a majority in the Senate, governments have to deal with all the other senators to get their legislation through. I was, for many years, a supporter of the Labor platform—long since properly abandoned—of abolition of the Senate. It was, in any case, unachievable, as the smaller States would never pass a referendum to abolish the Senate. The founding fathers saw the Senate as essential to counter the dominance of NSW and Victorian MPs in the Lower House.

Indeed, it is difficult to imagine how the six States would ever have agreed to Federation without the Senate. Paul Keating once referred to the Senate as ‘unrepresentative swill’. True, the Upper House is not ‘democratic’ in that, irrespective of the size of the population of the various States, each has the same number of senators (currently 12), yet this was not the intention of the founding fathers. The election of senators within each State by proportional representation is far more democratic than the house, the members of which are elected on the preferential system of voting, allowing parties to come to office with less than 50 per cent of the two-party preferred vote (after primary voting preferences have been allocated). In the 1998 election, the Beazley-led Labor Party received 2 per cent more of the two-party preferred vote, yet still lost the election to the Coalition, led by Howard.

It is often claimed the Senate long ago ceased to be a chamber guarding the interests of the States, and rigid discipline of the major parties forces senators to vote the party line. This, the argument goes, prevents senators from representing the interests of their State. This is true to a point, yet government senators, on issues of importance to their State, have frequently crossed the floor, or have threatened to do so—often achieving the same result. Most importantly, with the smaller parties and independent senators so often holding the balance of power, benefits to various States are wrung from the Government in return for votes.

Tasmanian Senator Brian Harradine, since the war perhaps the most controversial independent in the Upper House, had millions of dollars showered on Tasmania by governments anxious for his support. Harradine, with his adherence to Catholic values, was able to achieve acceptance of a number of policies he

promoted. One such was the Howard Government's decision ending overseas aid that included advising women in recipient countries of abortion procedures—a policy abandoned by the Rudd Labor Government in 2009.

Irrespective of whether or not the Government had a Senate majority at some particular time, but for the Senate guarding the interest of States, Australia might be very different today. We might not have, for example, a car manufacturing industry in South Australia, the Ord River Dam (and many other dams), or generous subsidies to ferries to Tasmania if the Senate was, like the House of Representatives, a rubber stamp for the Government.

The Senate committee system has opened the administration of the executive government to scrutiny and is the enduring gift of the Senate to Australian democracy. Apart from housekeeping committees covering such matters as procedure and senate publications, there are standing committees looking at the big issues: economics, education, workplace relations, the environment, communications, foreign affairs, defence and trade, rural and regional affairs, and transport regulations and ordinances. When examining budget spending, senators in estimates committees question public servants on how, when and why the Government is spending taxpayers' money in the policy areas covered by each standing committee. Thus, the Foreign Affairs, Defence and Trade Standing Committee, as the estimates committee in this area, questions officials of the Defence, Foreign Affairs and Trade Departments.

Sadly, there has been a steady decline in the standing of politicians among voters and deep public cynicism about politics. Revelations by senate committees have contributed to this, and the media is ever on the prowl for stories of ugly behaviour by politicians, their wives or children. Politicians in the broad have themselves to blame. Prime ministers have been transformed into celebrities, competing for media space with sporting heroes and show-biz personalities. Any launch of an event important enough to have TV coverage is more than likely to show the ever-smiling Prime Minister's visage. Prime ministers are eagerly sort by a range of TV shows, where they are often asked to do silly things by someone such as Kerri-Anne Kennerley. They are frequently shown on the news waving as they enter their own RAAF VIP jet on departure for something important somewhere. The catering on the jet is invariably not up to scratch, hence Rudd was so angry at the food provided on one flight that he reduced a RAAF hostess to tears.

Prime ministers were not always celebrities. Alan Ramsey came across a wonderful Chifley story he included in his weekly *Sydney Morning Herald* Saturday column on 23 June 2001. That year was marked by celebrations for the centenary of Federation and the founding of the Commonwealth Public Service. Guided tours of the administration building were conducted and Dr Michael

McKernan, a historian, was one of the guides. The administration building foundations had been dug in 1930 but the Depression and World War II halted further work until 1949. The supervisor of the building construction told McKernan that Chifley would often call in on the building site for a natter and would invariably ask the supervisor, 'How's it all going, son?' The supervisor also recounted another story to McKernan, reported on by Ramsey.

Like all prime ministers, Chifley had a private phone on his desk—the number known only to his wife, senior colleagues and advisers. It was, of course, a silent number, but apparently was only one digit removed from the number for the butcher shop in the nearby suburb of Manuka. Occasionally, the phone would ring and when the Prime Minister of Australia answered, he would find a housewife calling, wanting to leave her meat order for the weekend. And what would Chifley do? Of course, he would simply take the order for the chops, the leg of lamb, or whatever, saying nothing to the caller except, 'Yes, madam', then when she had rung off, he would phone the butcher himself and say 'It's happened again' and repeat the order.

These days, it is impossible to imagine anyone getting through, by accident or not, to the Prime Minister unless first vetted. David Day¹ records that Ben Chifley, even as Prime Minister, drove himself between his home in Bathurst, NSW, and Canberra in his own Buick—his pride and joy. It was not even considered necessary that a bodyguard should accompany him on this journey. Jim Snow, former Labor MP for the southern NSW federal seat of Eden-Monaro, told the author that on Chifley's drives between Canberra and Bathurst he sometimes changed his route and went through the small town of Crookwell, lunching at a café. On one occasion, he asked for steak and onions, but the waitress told him, 'I'm sorry, Mr Chifley, we have no onions'. 'Well', said Chifley, thrusting his hand into his coat pocket, 'here's one', and he produced an onion.

In Canberra, home for Prime Minister Chifley was a single room in the Kurrajong Hotel. Menzies, as Leader of the Opposition, had to finance his own trip abroad in 1948, the year before he defeated Chifley and considered raising money writing newspaper articles. Fortunately, Menzies' wealthy friend Arthur Sims, a leading pioneer of the New Zealand frozen meat trade, came to his assistance.²

These days prime ministers automatically approve overseas travel expenses for the Opposition Leader being met by the Government. When Menzies retired, he could not afford to purchase his home in Melbourne, and the Melbourne business community financed it. The Brits, at that time, were far tougher on their parliamentarians. In 1981, Margaret Thatcher's Deputy Prime Minister, Willie Whitelaw (later First Viscount Whitelaw), visited Australia and, as President of

¹ Day, *Chifley*.

² Martin, *Robert Menzies*, vol. 2, p. 85.

the National Press Club, I sat alongside him while hosting a lunch at the club in his honour. He told me he had recently seen Harold Wilson, twice Labour Prime Minister of England and then a backbencher in the Commons, standing at a bus stop in Westminster. Whitelaw told me he was stunned and went to Thatcher, pleading, successfully, 'Can't we have a government car for Harold?' Wilson was then a Knight of the Garter and, on leaving the Commons in 1983, was created Baron Wilson of Rievaulx, after Rievaulx Abbey, in the north of his native Yorkshire.

Contrast this with the lavish lifestyle of John Howard, the first Prime Minister to insist on the taxpayer providing him with two homes: the Lodge and Kirribilli House. Labor hardman the late Eddie Ward asked Menzies in the house on 23 April 1958: 'Is it a fact that the Prime Minister now regards Kirribilli House as his official residence?' Menzies replied that Kirribilli House was for Commonwealth Government guests: 'It is a very good thing for this country that we should be able to give distinguished visitors from overseas, in the largest and senior city of this country, accommodation appropriate to them', Menzies declared.

Howard appropriated Kirribilli House without any authority from the Cabinet or the Parliament. His initial explanation was that his children's education required him to live in Sydney. When his children reached adulthood, his new excuse was that he saw it as an advantage to live in a major city. The Howards were big on the Sydney social scene, and Kirribilli House was a much more desirable address than the Lodge.

Every elected prime minister, except Scullin, Chifley and Howard, has lived at the Lodge since Canberra became the capital. Senate estimates committee probing revealed that Howard enjoyed an expensive and well-stocked wine cellar, kept in shape by a taxpayer-provided wine consultant. He had his own RAAF 34 (VIP) Squadron Boeing 737—a private aerial taxi for the short hop between Sydney and Canberra. The Air Force had purchased a smaller and more economical Bombardier Challenger executive jet to make these trips, but Howard liked the comfort of the bigger 737.

When overseas, only the very best hotels would do for the Prime Minister. During the debates on a republic, Howard, having at first promised to keep out of the debate, came in on the side of the monarchists and declared the Constitution had served Australia well. The Constitution is silent on where the Prime Minister should live, but the founding fathers obviously intended that the Prime Minister reside in the capital, otherwise why would the Lodge have been built? This aspect of the Constitution, 'which has served Australia well', did not suit Howard. Prime Minister Kevin Rudd moved his family into the Lodge, yet Kirribilli House is not always available for its original purpose—as a guesthouse for VIP overseas guests of the Commonwealth.

In the 26 years the Federal Parliament sat in Melbourne, seven prime ministers were in power. Two of them, Alfred Deakin and Andrew Fisher, served on three separate occasions. In the 61 years the Parliament sat in the provisional Parliament House, 17 prime ministers sat in the chamber of the House of Representatives. All served only once, except Robert Gordon Menzies. Only Menzies, the longest-serving prime minister, twice led the government: 26 April 1939 – August 1941 and 19 December 1949 – 26 January 1966. Stanley Melbourne Bruce was the first prime minister to sit in the provisional Parliament and the last was Robert Lee Hawke.

Menzies, Gough Whitlam (5 December 1972 – 11 November 1975) and Hawke/Keating (Hawke: 11 March 1983 – 20 December 1991; Keating: 20 December 1991 – 11 March 1996) were the three (four) outstanding achievers during my term covering politics in the Old Parliament House. (I exclude two who are widely regarded as the greatest prime ministers—Curtin and Chifley—who were out of office before I arrived in Canberra.)

Menzies' and Whitlam's greatest achievements were as leader of the opposition, not as prime minister. Menzies revived and unified the moribund conservative side of politics by sinking the old and failed United Australia Party and replacing it with the Liberal Party of Australia. The conservative forces were in the wilderness for eight years before Menzies achieved his hard-won success at the 1949 election. Menzies' much-criticised foreign policies were a product of his times and the Australian experience flowing from the Cold War and his well-founded concern about the threat to the West from communism.

He found it hard to accept the anti-colonialism that swept the former empires of Britain and the European powers, hence his misreading of the Suez affair. Similarly, his enthusiasm and genuine belief in the strategic insurance policy provided by the ANZUS alliance led him to the foolish policy of refusing to recognise the reality of the Chinese Communist Government and his devious manipulation of public opinion, leading Australia into the Vietnam War.

Like Menzies, Whitlam's achievements were more impressive as opposition leader than as prime minister. He did not change the name of his party, but he brought about a revolution inside the Australian Labor Party. He put it back in the political game, after 23 years of failure, with his 1972 election win. This is not to put down the achievements of the Whitlam Government. His achievements in foreign affairs were considerable. Recognition of the People's Republic of China was the single most important initiative any government has made in the field of foreign relations since the war. Also of great importance was his role in achieving independence for Papua New Guinea by granting the former Australian mandated territory internal self-government.

Andrew Peacock, Foreign Affairs Minister in the Fraser Government, was responsible for Papua New Guinea taking the next step to full independence as a nation within the Commonwealth of Nations. Whitlam commented at the time that he would much rather be the father of Papua New Guinea than the midwife. He also ended conscription for the Vietnam War. His role in Indonesia's takeover of East Timor (Timor-Leste) in 1975 remains a controversial issue.

In one swoop—now almost forgotten—he slashed the Australian tariff by 25 per cent and fathered the economic reform of tariff reduction. Whitlam has been much criticised for his handling of economic issues. Yet it is instructive to remember that in the 1973–74 budget, when the Whitlam Government first had full control for the whole financial year, Treasurer, Frank Crean, turned in a cash surplus of \$1.06 billion, or 3.1 per cent of gross domestic product (GDP: the measure of the size of the economy). The best since then was 2 per cent 1999–2000.

Further, tax receipts in that budget were a mere 20.1 per cent of GDP—still the best figure, as also were the low payments from the budget at 18.3 per cent of GDP. John Howard, as Treasurer in the Fraser Government, had four budgets—all in deficit. Rudd Government minister Craig Emerson³ observed that at the peak of its social program, the Whitlam Government's spending constituted 22.2 per cent of GDP, whereas at the peak of the Howard Government's expansionary period in 2007, after 17 years of national prosperity, spending hit 24.2 per cent of GDP. The baseless myth that the Whitlam Government was the most incompetent economic manager has arisen because of the loans affair. It was the result of ministerial stupidity and Whitlam's slowness to knock it on the head, yet no damage resulted to Australia, no money ever changed hands and no-one was ever charged with an offence.

Whitlam's greatest domestic policy achievement was to push Medibank—the forerunner to Medicare—through the Parliament. As in the United States today, then there was much dissatisfaction with the voluntary health insurance scheme. Medibank provided a compulsory national health insurance scheme applying to everyone and financed by a special income tax levy. The Senate rejected legislation for Medibank in the Whitlam Government's first parliamentary term and it was one of the major issues for the 1974 double-dissolution election campaign. Whitlam won the election narrowly and the Senate again refused Medibank, which was finally passed by Parliament at the historic joint sitting of both houses. John Howard, who entered Parliament in that double-dissolution election, voted unsuccessfully with the Liberal and National Party MPs against Medibank at the joint sitting and yet, decades later as prime minister, he had the temerity to claim his government was the greatest friend Medicare ever had.

³ *The Australian*, 24 January 2009.

Other important advances achieved by the Whitlam Government have been forgotten, but were important. The bureaucratic dead hand of the old Postmaster-General's Department was ended, with its two man functions split up into Telecom and Australia Post—both overseen by commissions. Whitlam's Attorney-General, Lionel Murphy, achieved national, no-fault divorce reform and put clout into the *Trade Practices Act*. Whitlam also legislated for uniform pay for women, which is still a long way from reality. In the face of fierce opposition from the churches, Whitlam removed the sales tax from the contraceptive pill for women ('the pill' as it became known).

Keating shares Hawke's successes, since Hawke could not have achieved the reforms of the Australian economy without Keating in his dynamic role as Treasurer. All the groundbreaking economic reforms of Hawke/Keating were accomplished while they were in the provisional Parliament House. Hawke spent a little more than two years in opposition and 20 days as Opposition Leader before winning the 1983 election. Labor had been out of power for eight years. Keating had been in Parliament for more than 13 years before he became Treasurer. He had the hard slog through opposition and was a junior minister at the fag end of the Whitlam Government.

In opposition, his powers of persuasion and vigour had much to do with the modernising of thought in the Labor Party from its protectionist history. The Hawke/Keating team reshaped the Australian economy and shook it free from many of the governmental constraints imposed since Federation. Keating's crowning achievement was to do what would have seemed impossible before and since: rising to leadership of the Labor Party by defeating on the floor of Caucus the most successful leader the party ever had, in Hawke—a winner of four successive elections: 1983, 1984, 1987 and 1990. A majority of Caucus believed Keating was more likely than Hawke to win the 1993 election. Whether this was good for the ALP let alone Australia remains a matter of debate.

A consequence was nearly 12 years of Howard—in the author's opinion, the worst, most divisive Australian prime minister. Bill McMahon was hopeless, but at least he did not damage the nation. Howard wasted the avalanche of revenue from the resources boom; fostered paranoia, xenophobia and racial hatred among Australians; and, in foreign relations, caused the rest of the world to view Australia not as an independent and proud country, but a subservient puppet to George W. Bush's imperialism. Howard's most costly failure might yet prove to be his scepticism about climate change—unshaken until almost the last year of his reign.

In the first year of the Rudd Government the press gallery had three or four more times the number of journalists compared with the situation in the provisional Parliament House, and 50 or more TV technicians and camera operators, both

TV and still. Today's gallery journalists are better educated, and they need to be as governments grow bigger and ever more complex, as do the issues faced. Above all other issues looms climate change. Then there is the endless challenge of economic and social issues: from health to coal loaders, infrastructure needs expansion; fostering skills training to match the demand of the export industries serving the growing economies of China and India; federalism is crumbling; efforts to lift the Indigenous community from poverty and match the life expectancy of the rest of us are insufficient and disappointing; foreign policy is more confronting and difficult.

Since the Parliament moved into its permanent building, the gallery has become the central information point of the nation. Information from all over Australia and the world pours into the gallery through press conferences, media statements, pamphlets, seminars, phone calls, emails—the whole menu of information exchange systems—with all the public and private pressure groups seeking to attract attention, be it the National Farmers' Federation, the Australian Medical Association, various think tanks, the Australian Conservation Foundation or the Canberra offices of the European Union, and hundreds more. This continuous flow of information has to be dealt with every day in the gallery—and is not always done successfully.

The myth of a gallery rat pack arises almost every time a big political issue surfaces, be it a scandal or a crisis. Those injured or feeling badly served by the media reports complain of bad treatment by the gallery rat pack, the inference being that the gallery acts in unison and somehow, collectively, makes up its mind to adopt the same view on any big story. This is rubbish. The top gallery journalists and bureau heads are not conspiring together; they are in fierce competition, striving to get a different angle or turn up a new 'exclusive'. Newspaper and TV news editors do not want their Canberra representatives to all be singing from the same song sheet; they want something new.

There is an argument that, as the House of Representatives is a mere rubber stamp for the government of the day, and Question Time is pointless, it is a good thing ministers and prime ministers are available for face-to-face interviews with the media. The longer, more penetrating interviews conducted on Sunday-morning TV provide more information and important commentary than would ever come out in Parliament, yet their ratings are low. Polls consistently show that most people get their political information from the late-evening commercial TV news—a medium that demands, above all else, brevity. The newsy 'grab' from politicians is what TV and radio journalists are looking for. Politicians are aware of this and work on composing the 'grab', yet information from the 'grab' is limited.

Research has shown younger people largely ignore TV or radio news and information on day-to-day events does not appear to interest many of them, or even reach them. The affluence of successive 'what's in it for me' generations has produced a political 'dumbing down' of much of the population and the collapse of membership of the major political parties. An elite hierarchy controls the Liberal and Labor Parties with little or no input from the shrinking rank and file. There are encouraging signs: voters are now interested in the politics of global warming and this will continue for generations to come. Young people are beginning to pick up information on such popular web sites as YouTube, to the extent that in the 2007 election, both Howard and Rudd used the site to pitch to young voters. These and other sites are capable of turning every citizen into a reporter; all they now need is the device to enter cyberspace.

Whatever the attractions of the Web and the ability of anyone with a computer to become part of the media (and not just a media consumer), responsibility for reporting what is happening—both in Parliament and in the vast and increasingly intricate operations of the federal administration—rests squarely with professional journalists, basically, but not only, from the Federal Parliamentary Press Gallery. There are a number of journalists, former members of the gallery and not now residents of Canberra doing sterling work. It is the gallery, however, that carries most of the responsibility.

We take for granted the right of the media to say what it likes as long as it is within the law and not defamatory. In 2004, Michael Harvey and Gerald McManus, two gallery journalists, published a 'secret' document that caused great embarrassment to the Howard Government, revealing the Government had decided, without an announcement at that point, to reject the findings of an inquiry calling for additional benefits to war veterans, estimated by officials to cost \$500 million. This was a serious embarrassment for Howard, who was ever ready to wrap himself in the Australian flag to put himself forward as the champion of Australian security with unbounded admiration for those who served, or are serving, in the Australian Defence Force.

A fifty-two-year-old public servant, Desmond Kelly, was charged with leaking the document. At Kelly's pre-trial hearing, Harvey and McManus were asked to reveal the source of the document and both declined, on the grounds they could incriminate themselves. Given immunity against self-incrimination by the Crown, they were again asked to reveal their source and both declined—this time on the grounds that revealing a source breached the journalists' code of ethics. They were charged with contempt of court, pleaded guilty and were fined \$7000. Their employer, the *Herald Sun*, reimbursed them, but this still left the stain of a criminal offence on their records, automatically excluding them

from any press party going to the United States to cover visits there of senior ministers, including the Prime Minister. Under US law, any foreigner guilty of a criminal offence is denied a visa to enter the country.

Ironically enough, no US Government would treat a US investigative journalist in the same way. Prime Minister John Howard had two bob each way. He described the pair as ‘good blokes’ and added: ‘I think it is worthwhile preserving the principle that a government does have a right, in the public interest, of conducting some confidential discussions.’⁴ He made no mention of the necessity, in the national interest, of journalists going about their work of scrutinising government and discovering what politicians wanted to keep from the public.

Despite the risk to their careers and Howard’s for government secrecy, the affair has not halted the flow of leaks from government officials. In the author’s experience, such leaks are, to a greater or lesser extent, invariably in the public interest and not in the political interest of the Government, and (more rarely) of the Opposition. Whether or not Australia should have a charter of rights embedded in the Constitution is a matter of contention. Nevertheless, the national interest would be enhanced if the media in Australia had the same freedoms enjoyed by media in the United States.

Another concerning aspect of the Australian media is a concentration of power in metropolitan newspaper ownership. Paul Keating approved the takeover by News Limited of the Herald and Weekly Times, and the report of the Foreign Investment Review Board on the takeover remains secret. As a result, News Limited commands 70–80 per cent of the circulation of metropolitan newspapers: *The Courier-Mail*, the only hardcopy newspaper in Brisbane; *The Daily Telegraph*, which has the largest circulation of any Sydney paper; the *Herald Sun*, which has the largest circulation of any paper in the nation; *The Advertiser*, the only paper in Adelaide; *The Australian*, a national daily; and Sunday papers in every mainland State capital.

John Fairfax, now controlled by J. B. Fairfax’s Rural Press, has the *Sydney Morning Herald* and the *Sun-Herald* (Sunday) in Sydney; *The Age* and *The Sunday Age* in Melbourne; *The Canberra Times*; plus the *Australian Financial Review*, a national daily. The importance of the Internet in the media industry is growing rapidly and commercial radio and TV, plus the ABC, provide necessarily brief news services. Nevertheless, newspapers mainly set the issues of the day and obviously are able to cover any particular item in greater detail. The influence of newspapers on day-to-day politics remains profound.

4 Radio 3AW, Melbourne, 26 August 2005.

Governments leak items, such as an important new policy yet to be announced, or bits of the coming budget. The intention is to get an issue out in the public domain to test public reaction, allowing assessment of whether the official announcement needs to be altered. To attract major media attention, leaks are generally directed to major newspapers and are then immediately picked up by radio and talkback commentators, plus the all-important TV evening news. A bureau head out of favour will not be given the leak, which can lead to the editor demanding to know why a story in the first edition of a rival newspaper was missed. This form of media control is unknown to the public, but it is just one of the tools governments apply in their endless efforts to manage the media.

Holding the Government to account is the central role of the gallery and in the process journalists can and do inflict damage on governments. To a lesser degree, it is also the gallery's job to hold the Opposition to account, but the focus must be on the Government. Politics is about power and the objective of politicians is to gain power by winning government and staying there. The Government (at the taxpayers' expense) employs an army of journalists in government departments, instrumentalities and in ministers' offices to block bad news reaching the voters. The struggle between the gallery and the spin doctors continues.