

Jenkins, Henry Alfred (Harry): Speaker 2008–2011

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Henry (Harry) Alfred Jenkins, shire president and twenty-sixth Speaker of the House of Representatives, was born on 18 August 1952 in Melbourne, eldest of four children of Henry Alfred Jenkins, medical practitioner and politician, and his wife, Hazel ‘Wendy’ Winter, a nurse, local councillor, and Australian Labor Party (ALP) officeholder. His father was a member of the Victorian and Commonwealth parliaments, and the eighteenth Speaker of the House of Representatives (1983–85). Although all of the Jenkins siblings were ideologically close, only Harry and his parents were ever formal officeholders in the ALP. He insisted that his parents’ views ‘were never forced upon us’ (Best 1986).

Jenkins’s long association with the House of Representatives began in 1969 when his father was elected member for Scullin. After studying medicine at Monash University for three years, he took an ‘enforced gap year’ (Jenkins 2020) before switching to part-time studies in science, including human ecology, biology, and biochemistry, at The Australian National University (BSc., 1976). Both his university education and the influence of his father prepared him for taking ‘a holistic approach to problems’ (Jenkins 2020). Upon graduating, he became an estimates officer in the Department of Veterans’ Affairs in Melbourne, working on pension payments and trusts. In 1976 he was elected to Whittlesea Shire Council (president, 1984–85), later describing the experience as politically ‘educational’ (Balfour 2013). His ALP party positions included membership of state policy committees and the presidency of the Bundoora branch (1980, 1986). In 1974, he married Michele Sharp, a comptometrist from Melbourne whom he had met in the Leos youth branch of the Lions International Club. They had two sons and a daughter. Jenkins later reflected that his political life effectively rendered Michele ‘a single parent’ (Balfour 2013).

In January 1986, upon the retirement of his father from parliament, Jenkins sought preselection for Scullin. After a bitter three-way contest against the former member for Casey, Pete Steedman, and the future state minister Theo Theophanous, he emerged victorious, with the help of the party’s left faction. At the time, Jenkins

'ORDER, ORDER!'



Figure 35: Harry Jenkins.

Source: Australian Government Photographic Service (Auspic).

dismissed suggestions that he was the ‘compromise candidate’, instead describing himself as the ‘candidate of reconciliation’ (Best 1986). He later conceded that his billing in the middle of the field was ‘probably right’ (Jenkins 2020). At the ensuing by-election on 8 February 1986, Jenkins held the safe seat, despite a swing of 4.4 per cent against the ALP.

From 1987 to 1993, Jenkins served on numerous House of Representatives committees, including those on Finance and Public Administration; Environment, Recreation, and the Arts; Aboriginal and Torres Strait Islander Affairs; and Industry, Science, and Technology. He found himself a member of a government that, though still electorally and politically successful, had ‘started to wobble a bit’ (Jenkins 2020). Following the 1987 election, he was appointed chair of the House Standing Committee on Publications, and, after the 1990 election, also chaired the Standing Committee on Community Affairs. He gained his first experience of presiding over the House by serving as Temporary Chair of Committees during the thirty-sixth parliament (1990–93). In that role, he applied himself to mastering the standing orders and the workings of parliament, and took the opportunity to learn from the Clerks of the House, as well as Speaker Leo McLeay and Deputy Speaker Ron Edwards (Jenkins 2020).

On 4 May 1993, with the ALP having won a fifth term in office, Jenkins was elected Deputy Speaker and Chairman of Committees. His parents were seated in the gallery of the House to watch their son’s election to the position. The prime minister, Paul Keating, took the opportunity to note that the televising of parliament—then still a recent development—had added to the ‘heavy task’ (H.R. Deb. 4.5.1993, 37) of managing the parliament.

Jenkins served in the position for the duration of the thirty-seventh parliament, and frequently represented the House when Speaker Stephen Martin was absent, including at the interment of the Unknown Australian Soldier at the Australian War Memorial on 11 November 1993. He was acting as Chairman of Committees when the landmark Native Title Bill was returned from the Senate to the House in December 1993, prior to being passed by the House, which he described as an ‘extraordinary experience’ (Jenkins 2020; H.R. Deb. 22.12.1993, 4541–50). He began to learn how to cope with the challenges of being in the chair, particularly when, after a by-election for the seat of Canberra in March 1995, the opposition sensed victory at the next national election. Opposition member Wilson Tuckey, in particular, more than once dissented from Jenkins’s rulings.

As an opposition backbencher and Second Deputy Speaker (the third elected position of chair after the Speaker and Deputy Speaker) throughout the Howard government years (1996–2007), Jenkins remained associated with his party’s left. This helped him to survive a preselection challenge in 2006, and he reacted angrily to reports early in 2007 that he had been asked to resign his seat to make way for the Victorian

treasurer, John Brumby. When the ALP returned to government in November 2007, Jenkins was an obvious candidate for the Speakership, having long demonstrated his understanding of the House's formal rules and its operations. He positioned himself accordingly. The New South Wales right member Roger Price also canvassed colleagues but decided not to run, leaving Jenkins to be endorsed by caucus unanimously on 28 November. He was formally elected to the position when parliament resumed on 12 February 2008; his predecessor as Speaker, David Hawker, welcomed him as having 'earned the respect of both sides of this chamber' (H.R. Deb. 12.2.2008, 10).

On Jenkins's first day as Speaker, a lengthy debate about reforming the practices and processes of the House of Representatives took place. The government proposed that the House would sit on Fridays, which would be set aside for private members' business and the grievance debate, without a question time, and with any divisions to be deferred until the next sitting day. Anthony Albanese, leader of the House, argued that such additional Friday sittings would enable members to 'raise important issues in the parliament', but the manager of opposition business, Joe Hockey, responded that the government was acting 'to reduce the accountability and transparency of their own government to this parliament' (H.R. Deb. 12.2.2008, 75, 88). The proposed new standing orders were ultimately adopted by the House in the early hours of the following morning.

Jenkins's second day as Speaker saw Prime Minister Kevin Rudd move a formal apology to the Stolen Generations of Aboriginal Australians. Aboriginal and Torres Strait Islander people filled the galleries of the House for the occasion, and former prime ministers Gough Whitlam, Malcolm Fraser, Bob Hawke, and Keating were also present. At the conclusion of proceedings, Rudd and opposition leader Brendan Nelson jointly and symbolically presented to Jenkins an Aboriginal coolamon—a small carved bowl traditionally used for cradling a newborn baby (Rudd 2018, 35). Jenkins found it humbling to have presided over such an occasion.

The government's objective in holding Friday sittings was to allocate more time for committee and private members' business, but the opposition's objection that this amounted to an avoidance of accountability was put so forcefully that only one such sitting ever took place, on 22 February 2008. The day began with an opposition motion to suspend standing orders so as to include question time every sitting Friday. Because of the deferment of divisions to the next sitting day, the House was effectively unable to make decisions, whether on business or on the conduct of members. While some private members' business was transacted, there was repeated disorderly conduct by some members amidst no capacity to make a conclusive decision on their naming, on a closure motion, or a motion of dissent from the Speaker's ruling. In an attempt to restore order during the morning, Jenkins suspended proceedings and vacated the chair for fifteen minutes. Later in the day, a further suspension was forced after Deputy Speaker Anna Burke was confronted by opposition members brandishing in

the chamber a cardboard cut-out of Prime Minister Rudd, who was absent from the House. The opposition threatened to challenge the validity of Friday sittings in the High Court, and the Rudd government reluctantly decided to drop these sittings (*PM* 2008). Jenkins felt that 'lack of consultation' had made this all a 'textbook example of how not to achieve reform of parliamentary procedure' (Jenkins 2020).

During his first term as Speaker, Jenkins won the lasting respect of government and opposition members. He avoided caucus meetings on political and parliamentary tactics. For much of the forty-second parliament, particularly after the global financial crisis began to threaten the Australian economy late in 2008, the opposition's aggression in the House eased. One discordant issue that nonetheless remained prominent was that of props being used in question time, such as photographs and large charts; on one occasion, he likened their use to a 'sideshow' (H.R. Deb. 28.5.2009, 4762). In the final sitting weeks of 2009, Jenkins issued a series of rulings about their use.

As Speaker, Jenkins sought to further Australia's national interest on the world stage, such as through engagement with the parliaments of neighbouring states in the Pacific. He strove to 'demystify' the forms and procedures of parliament for a wider audience, reasoning that 'it's about the people, so it's relevant to the people' (Jenkins 2020). This involved keeping House procedures apace with technological developments, including the introduction of a screen in the chamber to help contextualise proceedings for viewers in the gallery. Despite the occasional belligerence of opposition members, particularly Christopher Pyne as manager of opposition business and Tony Abbott as leader of the opposition, Jenkins later recalled that they afforded him respect because 'they knew that I'd play it straight up and down' (Jenkins 2020). Throughout the period, members recognised the role of Jenkins's 'razor-sharp wit and well-developed sense of humour' in maintaining order in the House (H.R. Deb. 28.9.2010, 5). Nonetheless, he would later express frustration at the frequent 'lack of civil behaviour' (Balfour 2013) in the chamber.

The minority government produced by the federal election of August 2010 significantly altered the dynamics of the House of Representatives, with implications for Jenkins's role as Speaker in the forty-third parliament. Independent members Rob Oakeshott and Tony Windsor called for a series of reforms, including requiring Speakers to act entirely independently of the governing party by abstaining from caucus and party room meetings, and from policy debates within the government. Under the 'Agreement for a Better Parliament' negotiated between the ALP, the opposition, and the independents, the former Selection Committee was reinstated with increased authority that would encourage private members' engagement; the Speaker was empowered to deal more swiftly with argument being used in parliamentary questions and answers; strict time limits were imposed for questions and answers; and the Speaker would be supported by a Deputy Speaker from a different political party. Oakeshott also publicly expressed interest in becoming Speaker himself.

'ORDER, ORDER!'

The government did not rule this out at once, and it was only after Albanese as leader of the House announced that legal advice would be sought that Oakeshott withdrew. Such ambivalence from his own government disappointed Jenkins. When parliament resumed on 28 September, he accepted renomination as Speaker with a defiant 'may the record show, definitely yes', and also acknowledged his family's importance in giving him 'the strength and desire to take this position' (H.R. Deb. 28.9.2010, 6, 12). He confessed that the new agreement-mandated 'self-imposed exile from the federal parliamentary Labor Party' was something that he found 'difficult' (H.R. Deb. 28.9.2010, 12).

Notwithstanding the agreement and the personal respect that Jenkins still commanded across the chamber, the forty-third parliament proved difficult. He found himself in an environment of 'the government wanting greater decisiveness and the Opposition wanting greater responsiveness' (Uhr 2014, 165), and was required to use his casting vote on multiple occasions. In keeping with House tradition, this included voting to prevent debate from being curtailed, which occasionally meant delivering a vote against the government. On one occasion, however, his casting vote prevented Peter Dutton from being granted a time extension on the grounds that this would 'not stifle further discussion of the proposition' (H.R. Deb. 15.6.2011, 6051). Other casting votes drew Jenkins into difficult political positions, particularly in relation to motions concerning the scandal-engulfed government member Craig Thomson. In an effort to lift the dignity of question time proceedings, Jenkins ruled 'Dorothy Dixers' out of order, but this ruling was short-lived. Later, he admitted to having found question time in the forty-third parliament 'fairly unedifying' (Balfour 2013). He credited the Clerk of the House, Bernard Wright, with absorbing much of the additional pressure arising from minority government, particularly by detailed research into the relevant checks and balances built into the Australian Constitution (Jenkins 2020).

Minority government also made Jenkins's tenure in the chair precarious. Conscious of the possibility of sudden removal from the Speakership, he kept a draft resignation letter on hand. On 31 May 2011, when he named an opposition member for disorderly conduct, the ensuing vote on the motion to suspend the member for twenty-four hours was lost by a single vote, possibly because some did not realise the significance of the House's support—or otherwise—for the Speaker's decision. In similar circumstances, in February 1975, Speaker Jim Cope had resigned. Jenkins accordingly announced: 'I will be taking the time to consider my position' (H.R. Deb. 31.5.2011, 5284). Resignation was averted by a motion of confidence moved quickly by opposition leader Tony Abbott and seconded by Prime Minister Julia Gillard, then unanimously approved by the House. On 2 June 2011, he ruled against a bill introduced by an opposition member challenging the long-held principle of the financial initiative of the executive, under which only a minister may propose a bill

that provides for the appropriation of public money, and presented to all members a copy of the Clerk's advice on this initiative. The opposition responded with a dissent motion. This sparked another long and angry debate, which referred to the advice from the Clerk, before the motion was finally defeated.

On 24 November 2011, the final sitting day of the year, Jenkins resigned as Speaker. Given the minority government's increasingly fragile position on the floor of the House, Albanese had approached a number of opposition members to sound them out about taking up the Speakership. Peter Slipper expressed interest. Although Jenkins was unhappy about resigning, his prime minister felt that, by having 'asked for nothing in return', he 'showed himself to be a truly great Labor man' (Gillard 2014, 76). On 24 November 2011, 'with a catch in his voice' (Gillard 2014, 76), Jenkins announced his resignation to the House, adding that he would at last 'be able to participate in policy and parliamentary debate' (H.R. Deb. 24.11.2011, 13741). During the remainder of the parliamentary term, he chaired the Joint Statutory Committee on Human Rights. He later admitted to having 'hunted and ran with people who made it difficult' for Gillard, who lost the prime ministership in a caucus ballot in June 2013, but added that he still had respect for her 'extraordinary journey' (Balfour 2013). In July 2012, he announced that he would retire at the next election, emphasising that his decision came 'at a time of my choosing' (Humphreys 2012).

Jenkins is known for his bearded smile, frequent chuckle, and a modesty that extended to confessing to embarrassment at holding so safe an ALP seat as Scullin. He was described by one ALP leader as being 'too decent' for politics (Latham 2005, 220). Jenkins committed himself to spending his retirement with his family. In 2014, he was appointed AO. The next year, he agreed to serve on an independent panel reviewing the entitlements of members. The panel handed down its findings in February 2016, advocating a new 'principles-based system allowing the parliamentarian flexibility to apply judgement ... but obliging him or her to report publicly and be subject to reasonable standards of auditing' (Australia 2016, 3). The Turnbull government accepted the review's recommendations and eventually established the Independent Parliamentary Expenses Authority to administer the system. In his post-parliamentary life, Jenkins has assisted United Nations initiatives related to women in parliaments around the world, joined Australian observer groups that oversaw elections in Fiji, Solomon Islands, Papua New Guinea, and Timor-Leste, and participated in activities to strengthen parliaments in Pacific nations. In July 2018, he was appointed independent chair of the Alcohol Beverages Advertising Code. A portrait by Rick Amor was unveiled in Parliament House in September 2013. Jenkins said simply of the portrait: '[It's] there, whether you like it or not' (*Canberra Times* 2013).

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