

## AT ARM'S LENGTH?

### The ABC as a Statutory Authority

*Australian Fabian Society Autumn Lecture, Assembly Hall Melbourne, 22 March 2004.*

In Melbourne long ago I was a young Fabian, and in Melbourne also I had been brought up as a Presbyterian. So addressing this gathering in this place is for me a double homecoming. As this lectern is so close to the pulpit in Scots Church next door, I begin with a text – not from the Bible but from that fount of secular wisdom - the Boyer lectures. The philosopher John Passmore gave them in 1981 under the title *The Limits of Government*. You can read my text in the selections from the Boyer lectures edited and introduced by Donald McDonald .

Passmore suggests that Australians' *suspicion* of government is expressed in our fondness for statutory authorities. Here beginneth the lesson. `Even when an organisation is largely, or totally, funded by government, we do not always bring it under the direct control of the public service, we do not subject it to governmental intervention in its day-to-day activities. . . . Our government-funded radio and television stations . . . are governed by a commission; [This is 1981, when the governing body was still called a commission] `they are not under the direct supervision of a ministry. That, of course, is the government's doing. But in Australia even governments mistrust governments; if they do not mistrust themselves, they mistrust their possible successors. By this indirect method of rule, governments both assuage the qualms of electors and diminish the power of subsequent regimes.' (286)

The title of my talk isn't actually the title of the book I'm due to complete this year about the ABC since 1983. That will have a more general title, maybe *Whose ABC?* Also with a question mark, like tonight's title. It's to be published by Black Inc, who are also republishing my book : *This is the ABC. The Australian Broadcasting Commission 1932-1983*.

*Commission*, not *Corporation*. It became *Corporation* in 1983, and I wish it hadn't. `Commission' is a word with a rich Australian history. It was used in the name of a number of bodies that have come to be known as statutory authorities or statutory corporations. In this half hour I want to examine the ABC's character as one of those bodies. I want to suggest that the ABC's endurance as a treasured and trusted agent of public culture depends to a considerable extent on its having that character.

I agree with John Howard that we should celebrate Australian achievements, and I think the making and sustaining of the ABC as a statutory authority is one worth celebrating. I may be more enthusiastic about it than he is. Mr Howard and his colleagues have shown some scepticism towards the statutory authority as a form of public activity, and so have their opponents. The minister Mr Howard put in charge of this one for seven years, Richard Alston, showed less respect for the form, in my view, than almost any previous minister with that responsibility during the seventy years of the ABC's life. Senator

Alston's demeanour towards the ABC would alone warrant the question mark I've put after the words 'At arm's length'. On the other hand, the person Mr Howard chose to be chairman of the body has acted, in my view, with as much concern for the integrity and welfare of the ABC as any of *his* predecessors over the years, and I would say that even if I weren't sharing the platform with Donald McDonald.

The model for the ABC was of course the BBC. But the creators of the ABC didn't follow the British in using the word Corporation. They saw the ABC as in that line of statutory authorities which began with the Victorian Railways Commission of 1883 and which proliferated in late colonial and early federal Australia, authorized by statutes which gave them a large measure of independence from political control. This was a form pioneered in Australia. It was quite unusual in the UK when it was devised for the BBC. Australians' familiarity with the form made them all the readier to embrace the BBC as a model for public broadcasting in this country.

Strictly speaking the BBC isn't a statutory authority. It's established by a royal *charter* beyond the reach of parliament, granted for ten years at a time and so far renewed seven times. Nor is the BBC beholden to parliament for its income, which derives entirely from a licence fee imposed on all owners of broadcasting receivers. Parliament does, however, have to agree to any increases in that fee. BBC governors and executives, and more generally people content with these arrangements, could safely assume for many years that they were invulnerable. Hard questions began to be asked about them in the Thatcher years; and *this* year, in the wake of the Hutton inquiry over BBC reporting of the war in Iraq, it's by no means a foregone conclusion that the BBC's charter will be renewed unaltered when it comes up in 2007, or that parliament will approve the next proposed increase in the licence fee.

The ABC, unlike the BBC, has always had to *report* to parliament, and has had to depend on parliament year by year for its income. We did have for a long time a licence fee on the British model. The device was questionable here for a large reason not applicable during the three decades when the BBC enjoyed what its founding director-general John Reith called candidly 'the brute force of monopoly'. Australians had from the beginning a choice between public and commercial broadcasters. They were having to buy a licence to sustain stations they might choose never to use. Was this equitable? Was it electorally acceptable? The Whitlam government abolished the licence fee in 1974. Many people, including some who should know better, believe that the ABC was financed out of the fee until then, and lament the Whitlam government's ending it. In fact the ABC had never received any income from the licence fee since 1948. From that year on the proceeds of the licence fee went to the Treasury and the ABC depended on its annual appropriation in the federal budget.

The BBC, as I said, is authorized by royal charter, a device inimitable in Australia. A Dominion government could no more create a corporation in the name of the governor-general than it could have his jewellery protected by Beefeaters. But doesn't the ABC also have a charter? Yes and No. When public servants were composing the Act of 1983 by which the Commission became the Corporation, they attached the label Charter

to that section of the Act setting out the ABC's functions. To provide 'innovative and comprehensive broadcasting services'; to broadcast 'programs that contribute to a sense of national identity and inform and entertain, and reflect the cultural diversity of the Australian community', and so on. By an oddity of drafting the words we might think central to the character of the ABC appear not in the charter but in another section of the Act setting out the board's obligations, which include, I quote, 'to maintain the independence and integrity of the Corporation.' It was nevertheless a happy inspiration of those unsung public servants to set the list of ABC functions in a frame and dignify it with a name that rang out like the chimes of Big Ben. The Charter quickly acquired a patina, a rhetorical power. Champions of the ABC would invoke it as if meddling or mean politicians were King Johns aspiring to violate a broadcasting Magna Carta. Within the ABC the Charter might even be invoked against senior executives trying to tell producers and presenters what they must or mustn't do. Those who invoke the Charter don't always know that its history goes back only to 1983.

So, as I said, does the word Corporation. That was put there not as a belated gesture of homage to the BBC but in response to a committee of review of the ABC chaired by the business man Alex Dix which preferred a word they thought better fitted for the corporate 1980s. For a similar reason, on that committee's advice, the governing body would be called a board of directors, not commissioners, and the general manager would become the managing director.

What was required of that board was described in language unimaginable at the time of the first Act and distasteful to the last group of Commissioners: the board would be a body 'with appropriate executive skills, sufficiently compact to operate quickly and flexibly in running an organization engaged, like any commercial enterprise, in a highly competitive environment.'

This was the idiom of the 1980s, and the people who employed it would ask hard questions of statutory authorities. 1983, the year of the new Act, was also the year when for the first time Australia had a Labor government committed to reducing the cost and scope of the public sector. If a statutory authority was a net money maker then it might be turned into a Government Business Enterprise, a GBE, possibly as a prelude to its being sold off: Qantas, the Commonwealth Bank, Telecom, Australia Post. If it made *some* money while being largely dependent on public revenue it should be encouraged, even required, to make more. CSIRO. And perhaps those *cultural* bodies run as statutory authorities:- the National Library, the National Gallery, the ABC and SBS, could be made at least a little more self-sustaining. For the public broadcasters that raised a question which the ABC's governing body had faced on and off since 1932: should it sell time and space for advertising? Insofar as the cultural corporations couldn't earn more of their keep, they would have to live more frugally. There was another category of statutory authority, dispensers of public money, which became in the Hawke years a candidate for abolition, for the transfer of responsibility from an arm's length body to a minister and his department. The Schools Commission and the Tertiary Education were among many statutory authorities established in Whitlam's time, and

they were casualties of the view that Whitlam had gone too far in creating bodies beyond the reach of ministers.

John Howard and his colleagues inherited and enhanced doubts about the use of statutory authorities. The closest student of the matter, Roger Wettenhall, discerns in the first term of the Howard government a strong dislike of the traditional form of the statutory authority, and more generally a loss of faith in the value of checks and balances within our system of government

After a few months in office Mr Howard wrote to ministers asking them to think about abolishing or merging a number of such bodies. In 2002 he set up a review of what was now called the corporate governance of statutory authorities, conducted not by a public servant but by a business man who had been chairman of Rio Tinto, Santos and Westpac. (John Uhrig) Mr Howard has a well-attested practice of personally involving himself in appointments to statutory authorities. In the case of the ABC chairmanship this may well have been to the organisation's advantage. If the chair had been chosen by a minister so prone as Senator Alston to intervene in ABC affairs, I can imagine him or her being someone more pliant in the face of such intrusions.

Senator Alston's propensity to intrude on the limited sovereignty granted to the ABC by its Act may be not just a personal indulgence but a sign of the times, times in which within and beyond his party, and in the senior ranks of a steadily more politicized public service, the autonomy of a statutory authority has come to seem a dispensable luxury, even an affront to parliamentary government.

A few years ago I wrote an article entitled ABC SHOCK CRISIS THREAT, an imaginary headline which give or take some changes in journalistic style might have appeared any time since 1932, I examined ten crises, from 1938 to 1994, and concluded that the character of the ABC as an institution guaranteed that such eruptions would go on. There are disputes about where the boundaries of its autonomy as a statutory authority are to be drawn, many of them provoked by the fact that the ABC is bound to broadcast information and opinion useful and harmful to people in public life. More particularly, the ABC accommodates criticisms, sometimes severe, of the government on which it depends for revenue, and that is bound to be a rich source of conflict. There are also disputes between the full-time chief executive and the part-time chair together with his or her board. (One her so far, Dame Leonie Kramer). There are disputes within the organisation, involving managers, department heads, producers and others, who work in an atmosphere where hierarchy and consultation are mixed in an unstable compound. All these disputes have a strong ethical dimension. Consider the current stoush over the move to a Sydney-based sporting report in the 7 p m news on television. The managing director, speaking for the board, condemns as improper both inside interference from staff unions and outside interference from politicians. Both, he declares, threaten the ABC's statutory independence and integrity. Protesting staff members see themselves as not merely employees of the institution but guardians of its character, morally entitled, if need be, to take industrial action against unwise or inequitable decisions. (Neither board nor minister has so far come into this conflict, as far as newspaper readers know)

What does the statute prescribe about the relationship between minister, chair, governing body, chief executive and staff; and how do those relationships actually work?

It's through the minister that the ABC is responsible to parliament. The governing body's annual reports are submitted to him. In practice he is normally a friend of the ABC at budget time, its advocate in representations to the cabinet's expenditure review committee, and from time to time its protector against colleagues who need reminding that the Act makes it the duty of the board to maintain the independence and integrity of the Corporation. In plainer Australian English, as Michael Duffy once shouted at Bob Hawke and Bill Hayden, 'Read the fuckin' Act!'

In the Corporation years Michael Duffy, who held the portfolio of communications from 1983 to 1987, is so far the minister who has enjoyed the highest and widest respect. Fair, steady, straight, people remember. Only once, says the first managing director Geoffrey Whitehead, did he try to influence what the ABC put to air. Why not more jazz, he asked. The next minister, Gareth Evans, was more sympathetic to the ABC than his temper allowed him to show. Mr Duffy has I think been a role model for the rest of his six successors in the Hawke and Keating ministries, of whom only one, Michael Lee, was minister for as long as three years. All between Mr Duffy and Mr Lee were saddled with the ministry of Transport as well as Communications, and all gave more of their attention to the supplications and seductions of media moguls than to the ABC.

Then in 1996 came Richard Alston, and with him the most severe cuts, possibly the only truly *punitive* cuts, the ABC has ever had to endure. He was not quite the most hostile minister in the history of the Commission and the Corporation. That distinction goes to Archie Cameron, the Postmaster General who said in 1938: 'If I had my way I would stop all broadcasting.' Nor did Senator Alston commit the most flagrant breach of ABC autonomy. That was done by Alan Hulme in 1970, when as PMG he reduced the ABC's budget, which he was entitled to do, and ordered that half the cut be applied to the newly troublesome area of television current affairs, which he was not entitled to do. The Commissioners rose up, and he climbed down. 'The time had come', said the chairman, Sir Robert Madgwick, 'when we had to dig in our toes.' This episode went into ABC folk memory as a heartening story.

But Senator Alston *was* more inclined than any other, I think, to breach persistently the conventions and understandings of a statutory authority. He communicated directly with the managing director, Brian Johns, rather than through chairman and board, raising questions about particular programs. He addressed to Mr Johns menacing and public accusations about bias. Rather than go on listing examples of the minister trying to treat the ABC as if it were a government department, let me quote Frank Devine, no chardonnay-sipping member of the chattering classes, commenting on a letter Senator Alston wrote to Mr Johns demanding a detail explanation of alleged bias in reporting of troubles on the waterfront in 1998. The letter 'cast doubt', Mr Devine thought, 'on the Government's motive for reducing ABC funding. Is this really prudence with public money, or an attempt to starve the broadcaster into subservience.'

Most remarkably of all, the minister himself filed publicly last year a long list of complaints about ABC coverage of the war in Iraq. Not satisfied with the response of the ABC's Independent Complaints Review Panel, whose independence he had long refused to acknowledge, he then took his complaints to the Australian Broadcasting Authority. The ABA has yet to rule on these complaints. I was agreeably surprised earlier this month to hear its chairman, Professor David Flint, say that in his judgment the ICRP was truly independent. When I asked him why he supposed Senator Alston thought otherwise, he smiled and said I would have to ask Senator Alston that question. I now await the ABA's ruling with even more interest.

Senator Alston is now a private citizen exercising his right to complain to the ABA about the ABC. And John Howard has replaced him with the most mild-mannered member of his cabinet, Daryl Williams, who *might* say boo to a goose if the prime minister ordered him to, but wouldn't do it on his own initiative and hasn't done it so far. Why did Mr Howard replace so pugnacious a minister with so peaceable a one? Some people must know the answer, but most of us don't. Meanwhile Donald McDonald, with whom Senator Alston had some sharp exchanges, is still chairman of the ABC, having been reappointed over the misgivings of some coalition people who regret that he had done so evidently little to quote reform unquote the national broadcaster.

The Act prescribes a board consisting of six to eight part-time non-executive directors and a managing director. The non-executive directors are to be appointed by the governor-general, that is to say the government, and the managing director is to be appointed by the board. That detail is possibly the most important ingredient in the character of the ABC as a statutory authority, and I'll dwell on it in a moment. Under the original Act, of 1932, Commissioners were to be worthies, representative of the nation at large: as Joseph Lyons described them on opening night, 'able and impartial trustees.' The Dix committee recommended the requirement of some expertise, and the Act specifies, I quote, 'experience in connection with the provision of broadcasting or television services or in communications or management, . . . expertise in financial or technical matters, or by reason of his having cultural or other interests relevant to the oversight of a public organisation engaged in the provision of broadcasting and television services.' The specifications are so broad that they would let a government appoint just about anybody it wanted. These directors are to be appointed for up to five years but may be reappointed after that. No maximum term is specified, and no age limit.

The governor-general is to appoint one of these non-executive directors to be chairman of the board, and another deputy chairman. Mr McDonald is the fifth chairman so far in the twenty Corporation years, and the first to be given a second term. Watching as we are Shane Warne's approach Courtney Walsh's record of test wickets, we may observe that the longest serving chairman so far since 1932 is Sir Richard Boyer, 1945-61, and that to beat his record Mr McDonald will have to stay in office until the year 2012. Of his predecessors since 1983, Ken Myer stayed in the chair for less than three years before resigning in anger. Next came David Hill, but only for two months before the board made him managing director (a move not contemplated, I think, by designers of the

statutory authority). Bob Somervaille and Mark Armstrong followed, each for one five-year term.

Were these appointments politically partisan? Ken Myer, to be sure, was known to have Labor sympathies, and David Hill to have Labor connections; but each was generally agreed to have other qualifications for the job. Mr McDonald was famously a friend of the Prime Minister, but he had also logged thirty years as an administrator of cultural enterprises.

The first Board under the 1983 Act was actually composed as if the Act had required parliament to be consulted. Bob Hawke's first minister for communications, John Button, promised in opposition that he would put names before an all-party committee. He did just that, and the committee agreed on a list, which the government accepted. Bob Hawke and Paul Keating never allowed that procedure to be repeated. When I mentioned it to Richard Alston he observed that it was the sort of thing that appealed to parties in opposition. Am I right in believing that John Button's procedure has disappeared from public memory?

Nearly all appointees in Bob Hawke's and Paul Keating's time were people with Labor party connections or sympathies. In Mr Keating's last year I think only one director would not have voted Labor. My guess is that on the present Board no director is a Labor voter. Two directors are not appointed by the government: one is elected by staff and the other, the managing director, as I said, is chosen by the board. I don't know how Ramona Koval or Russell Balding votes.

Directors may not behave as servants of the politicians who appointed them. We park our guns at the door, one Commissioner remarked to me around 1980. A director may well develop an allegiance to the ABC itself, a sense of trusteeship, stronger than any feeling of commitment to his or her political patron. Sir Robert Madgwick's board demonstrated such a sense of trusteeship when they made that unflinching affirmation of the ABC's independence face to face with the minister in 1970. In 2004, after nearly eight years of coalition government, the ABC is impoverished but far from wholly tamed. (I add the large qualification that impoverishment can itself be a source of taming). Consider this, from Gerard Henderson in an essay entitled 'Limits to Power' in the current issue of the *Griffith Review*.

' . . . the Howard Government wanted two essential changes at the ABC. The Prime minister called, perhaps unwisely, for the appointment of a "right-wing Phillip Adams". . . [here I interpolate: whether or not the call was unwise, it was bound to be fruitless: the author of the universe, or as Phillip might prefer to say the evolutionary process, has so far created only one Phillip Adams. Back to Gerard Henderson]: ' It seems that Howard also believed that the ABC TV 7.30 *Report* would benefit if its long-time presenter Kerry O'Brien moved on. For his part, then communications minister Richard Alston wanted a total revamp of the ABC complaints procedure. Neither Howard nor Alston got his way. . . . Adams and O'Brien seem more entrenched than ever in their seemingly tenured positions. Which suggests that whatever the relationship between the Prime Minister and the ABC is, it is not one of powerful versus powerless.'

When we try to interpret these continuities, or the persistence of *Four Corners*' investigations without fear or favour, or the survival of *Media Watch*, or the integrity and scope of Radio National, or the absence of advertisements on ABC air - add your own examples - I think we need to recognise that sense of trusteeship which has moved chairman and board in exercising the responsibilities endowed on them by the legislators. Since 1999, by which time most of the directors were Howard government nominees, the board has decided not to reappoint one managing director, Brian Johns. It has appointed another, Jonathan Shier, and then induced him to resign after less than two years, and then appointed Russell Balding. There may well have been a political element in the decision not to give Brian Johns a second five years from 2000. If Labor had remained in office the chair and board chosen by the government may well have reappointed Mr Johns. It's widely believed that the appointment of Jonathan Shier was political, a case of the board doing the will of the government. I don't think it was, for reasons I'll have to ask you to await until my book is out. If the appointment Mr Shier was political, why did the board remove him less than half way through his term? The answer favoured by some observers, including Padraic McGuinness, is that the board was captured by the workers collective which has long ruled the ABC. To such interpreters I would recommend the adage from which Robyn Williams' program *Ockham's Razor* takes its name: let's not needlessly multiply assumptions. The story of Jonathan Shier's coming and going is not a happy one; but in my reading, politics played only a small part in his coming, and no part at all in his going. His replacement by Russell Balding seems to me the heartening case of a statutory authority working just as creators of the form had intended, resisting or ignoring hints from Canberra and pressure from one member of the Board *not to* appoint him. Had the board yielded to this pressure and appointed Trevor Kennedy, the ABC would now be in a pretty pickle.

Many people believe that the government appoints managing directors. How did this misunderstanding begin, and why does it endure? For two reasons, I suppose. First, this does happen in other statutory authorities. The Acts constituting the National Library, the National Gallery and the National Museum do give the power of appointing the chief executive to the governor-general, not to the board. This difference can have large consequences. If the Museum Act had given the power of appointment to its board, Dawn Casey would still be the Director. If the Gallery Act had done likewise, Brian Kennedy might not have felt obliged to ask the *minister* what he thought about an impending exhibition called *Sensations*, which included such spectacular vulgarities that it might itself cause a sensation embarrassing to both the minister and the director. Perhaps the fuss would jeopardise the director's tenure, since that was in the minister's gift. The exhibition was called off. So maybe people assume that as other bodies are constituted in that way, so must the ABC be. The SBS, it's worth noting, is also constituted as the ABC is, with the governing body, not the government, appointing the chief executive. The designers of forms for the conduct of our cultural institutions evidently believe that public broadcasters require more organisational autonomy than a library or a gallery or a museum?

A second possible reason for this misunderstanding is a reluctance to believe that politicians *will* endow a public agency with any real authority, that Australian

governments, as John Passmore puts it, will give legal force to our mistrust of governments. Not that the misunderstanding is confined to Australia. In London last July the *Times* told its readers, I quote: 'The BBC Chairman and Director-General are both ministerial appointments.' Next day, presumably after a call from someone at the BBC, the paper published what it called a clarification

In a variant of our scepticism about government, some people believe that whatever the statute may proclaim, politicians *really* get the board to appoint whoever they want as chief executive. In the book I look as closely as I can at the arrivals and departures of five managing directors with that judgment in mind.

I also look at a component of the ABC as statutory authority peculiar to the Corporation, the staff-elected director. A Labor government created that position in 1975, despite the misgivings of a Minister for the Media, Doug McLelland, who thought it was a piece of trendy seventies industrial democracy. The Fraser government removed it, the Hawke government restored it, and the Howard government hasn't abolished it. I've come to think the staff-elected directors have had more influence on the board than anybody else except the chairs and deputy chairs and managing directors. The first one, Tom Molomby, provoked the premature resignation of the first chairman, Ken Myer. Other directors have been divided in their judgments of what good or harm the holders of the position have done. My own view coincides with that of the former director who says that as with students on university councils, the presence of staff-elected directors helps to deter the governing body from seeing itself as a We presiding over a Them. Their presence is also a continuing reminder that many of the people who elect that director see themselves as having not merely an industrial but an ethical contract with the body that employs them.

I inspect in the book two other institutions, one internal and the other external, which I think do at least a little to enhance the board's sense of trusteeship, the National Advisory Council and the Friends of the ABC, the one a set of sages young and old selected by the board itself, the other a set of stirrers, gadflies, treated courteously, on the whole, by chair and management, and sometimes taken seriously by them and by politicians.

I also consider constraints, limits to the autonomy of board and executive and program makers, parliamentary committees, the Australian Broadcasting Authority, ASIO, the Australian National Audit Office, the formal power given to ministers under the act to require the ABC to broadcast or not broadcast certain items, informal intimidation by prime ministers and ministers, and not only Richard Alston. Above all, the power of government to decide how much or how little money the ABC gets from year to year. A director-general of the BBC once observed that in maintaining freedom to transmit programs which have a critical approach to society, the public broadcaster is making it more difficult to persuade the state to furnish it with the money to produce those programs. His successor in 2004, whoever that may be after the catastrophic resignation of both director-general and chairman, can say Amen to that.

The departed BBC chairman and all his board of governors had had their appointments vetted under what have come to be called the Nolan Rules, after the chairman of a Committee on Standards in Public Life established during the prime ministership of John Major. A Commissioner for Public Appointments, an office established on the recommendation of the Nolan committee, now oversees all appointments with a view to ensure that they are made on merit and not as favours.

Is there a case for some such body in Australia? I believe so, for public agencies at large and in particular for the ABC. When I was giving testimony to a Senate select committee in 2001 on the subject of appointments to the ABC board, one Senator, a Labor Senator, asked me if I knew of any actual cases of board members pursuing a political agenda. No, I said. I did have my suspicions; but how would I know, unless somebody breached the confidence of the board? There are, I think, two good reasons for our involving either an independent or a bipartisan body in board appointments. First, there *have* been appointments which wouldn't have withstood the scrutiny of an independent or bipartisan monitor. Secondly, perceptions and appearances matter. When a public case has to be made for appointment to public bodies, some won't be made and others will be better understood and accepted. Genuine misgivings will be assuaged, and partisan mudslinging will be less of a temptation.

What are the prospects? Kim Beazley promised in 2001 that under a Labor government board members would be chosen on their merit, but he didn't say how. Labor's shadow minister for communications, Lindsay Tanner, has said that a Labor government will employ something like the Nolan rules for appointments to the ABC board. Whether that will happen if Mark Latham becomes prime minister we must wait and see. So far the new leader doesn't seem to be among the best friends of the ABC. The rightwing Phillip Adams, he has written, is Phillip Adams. Meanwhile, as we wait, people who want a different procedure can hope that Mr Latham and his colleagues and their advisers will consider a variety of options now in the air. Nolan-like procedures have been introduced in New Zealand Canada. In Australia the Democrats have proposed a joint standing committee on the ABC to appoint board members. The Senate select committee on the subject came up in 2001 with three conflicting sets of recommendations. A former premier of Victoria, John Cain, has proposed elections. A member of the Australian Broadcasting Authority, Michael Gordon-Smith, has argued for the involvement of state governments. The bipartisan committee such as John Button convened would require no formal changes, but is perhaps less likely now than twenty years ago, when relations across the parliamentary divide were less rancorous. All in all, here's a golden opportunity for Fabians to practise on politicians and opinion-makers their renowned arts of persuasion.