The political, legal and economic context

IAN WARD begins this first part by mapping the growth of the institutional structures of government communication – the use of media minders, media units and public affairs sections to promote and defend the government – and highlights the rising economic costs and personnel involved. Graeme Orr then explains the laissez-faire regulation of government communication in Australia which makes this 'PR state' possible and explains the key concepts and court cases which have shaped the legislative framework. Building upon this knowledge of political institutions, economic resources and the law, Brian Head and John Warhurst then assess the impact that government communication practices have on two particular groups. Head evaluates their impact on the public service, including the dilemmas and ethical issues that arise for public servants, particularly around politicisation and the blurring of party and government communication. Warhurst considers how one group which has a very close relationship with government – the business community – obtains access and examines the power and limits of lobbying.

1 Mapping the Australian PR state[1]

Ian Ward

In their 1994 study *Taxation and Representation*, David Deacon and Peter Golding point to the extensive use of media advisers and communications professionals by governments to promote policy and to outmanoeuvre their opponents.[2] With the United Kingdom specifically in mind, but citing Oscar H. Gandy's[3] observation that in the United States information specialists 'at every level of government, [and] in every agency' also play a key role in the 'formulation and implementation of public policy', they warn that 'we cannot ignore the massive expansion of the public relations state'. 'All governments', they acknowledge, 'like to be well thought of' and are therefore fond of publicity campaigns. However, their conception of a PR state is based on the more specific point that 'in recent decades the scale and ferocity of this aspect of public life have escalated substantially'.[4]

News media, Deacon and Golding argue, will routinely shape the 'conduct of political debate' not only by 'informing public opinion', but also by 'shaping the political strategies' pursued by key policy stakeholders.[5] Where competing stakeholders clamour for influence, the media can 'have a strategic role' in promoting a particular policy solution. Governments have learned this lesson and substantially stepped up their own investment in promotion and information management. They have 'become a major employer of press and public relations activists, and of advertising' and have constructed their own 'apparatus of spin doctors'. Moreover, the 'marketing of government activity has become a central activity of modern statecraft'.[6] In the process, the unwritten convention that 'publicly funded publicity campaigns should not stray into the realms of party politics' has been called into question, and the 'conventional division between public information and party propaganda' has been blurred.[7]

What distinguishes Deacon and Golding's approach to government publicity is that they eschew the more common preoccupation with the use of 'spin' to 'package' political leaders. Instead they focus on the institutionalisation of public relations within government. Their concept provides a useful tool with which to analyse political communication in Australia. But it needs to be said that the case Deacon and Golding make for studying the PR state as a means of advancing political communication research seems to have fallen on barren soil; since the publication of *Taxation and Representation* others have only occasionally employed the concept. For example, Ian Sommerville asks whether Britain is indeed a PR state in order to draw attention 'to the processes and procedures by which government agencies disseminate the information they want us to receive'.[8] Kevin Moloney points to New Labour's 'aggressive political public relations' and use of spin as 'another step towards what Deacon and Golding have called the rise of the "public relations state"'.[9] For the most part, however, Deacon and Golding's warning to heed the expanding PR state has had little impact. There may be several reasons for this.

The central part of Deacon and Golding's 1994 book is a study of the Thatcher Government's efforts to introduce a Community Charge (or poll tax). By their own admission this campaign was a 'political failure' and the government's attempts to manage and 'control that political debate' were 'compromised' despite the advantages it enjoyed.[10] Their account of a PR state may have attracted more interest had they chosen to study an issue where the government was able to use its resources to successfully manage and shape political debate. It is also true that Deacon and Golding do not make the PR state central to their enquiry in *Taxation and Representation*, and that neither appears to have subsequently employed the idea in their later work.

In his *Public Relations Democracy*, Aeron Davis expressly rejects the concept of the PR state, pointing out that, in Britain, government and parties between them 'account for less than a sixth of total PR employment'. His essential objection is that a 'focus on institutional politics ignores the activities of numerous other groups' such as businesses, business associations, pressure groups, unions and charities, many of whom 'spend significant funds on their public relations' and wield a real influence over policy. Davis' wider argument is that mainstream political communication fails to fully describe the 'ways political communication affects the political process' because it has a too 'heavy emphasis on elections and party campaign machines' and a too narrow fascination with the '"professionalisation" of government and political party communications, [and] the development

of the "public relations state"'.[11] Notice that Davis treats analysis of the PR state as an extension of the study of the highly professional campaigns that parties now conduct in search of electoral victory. This is a linkage which Deacon and Golding expressly reject.

Deacon and Golding draw attention to the PR state precisely because they see a 'need to loosen the stranglehold that elections studies still exert on the imagination of political communication research'.[12] Davis rightly argues that elections are 'extremely unrepresentative periods' and cover but a 'small period of time in the cycle of government'.[13] Deacon and Golding fully concur, noting that the 'freneticism' of elections 'makes them unusual, atypical periods'. Indeed, it is because they recognise that elections are short-lived and unrepresentative political moments having little to do with the 'substance of policy making' that Deacon and Golding identify a need to examine more closely the advantages governments have, and the ongoing ways in which they will seek to manage and control 'public discourses on political issues'. Here is a convincing argument for examining the PR state, and one that applies equally in Australia's case.

Election campaigns may be an ideal opportunity to study political 'spin', but 'spin doctors' continue to ply their trade long after the last ballots are cast. Governments nowadays well understand the importance of 'an effective public relations strategy in securing public acceptance of . . . policy' and will concentrate their resources to this end.[14] Indeed, as Bob Franklin observes – in taking up Deacon and Golding's central point, if not expressly employing their concept of a PR state – central government has shown a 'new found enthusiasm for using advertising, marketing and public relations campaigns to sell . . . policies to the public' and for integrating or 'packaging' the political communication activities of its various arms and agencies.[15]

EXPLORING THE AUSTRALIAN PR STATE

A full exploration of the Australian PR state will require case studies comparable with Deacon and Golding's detailed scrutiny of the Thatcher government's efforts to sell its poll tax policy in the late 1980s. The last several years offer ample possibilities. The Howard government has overseen substantial campaigns directed at promoting and bedding down its goods and services tax; at promoting the take-up of private health insurance; at alerting, but not alarming, Australians about the threat posed by terrorism; and, in mid-2005, at promoting its industrial relations reform agenda (see Chapters 2, 12 and 13 of this volume).[16]

In this chapter I undertake the more limited task of mapping the central institutional features of the Australian PR state. This is equally important. While there is a legitimate place for the study of how parties and governments practise public relations – of the 'packaging' of politicians[17] and the covert and overt public relations 'manoeuvres'[18] that politicians will use – it is equally important to examine the institutional framework which allows governments to coordinate and implement campaigns intended to steer, or manage, policy debates. If the (problematic) debate about 'new institutionalism' has a single lesson it is that the institutional context shapes the way in which political actors understand issues and frame political strategies.[19] It is from political institutions that the social norms, networks, and beliefs spring that are crucial to explaining much of what occurs in modern political systems.

Describing the institutional framework of an Australian PR state is made all the more difficult by Australia's federal system. Just as Deacon and Golding note that local governments in Britain commonly employ 'public relations officers, [and] publicity units',[20] Australian state governments have shown a similar inclination to systematically utilise media advice, advertising and public relations. Indeed, between 1996 and 2003, state governments collectively spent $2.15 billion on government information programs.[21] This chapter focuses only on the Commonwealth or national government.

In brief, four main topographical features define the landscape of the Australian PR state. These are the media 'minders' who are now an institutionalised feature of the personal staff of ministers; 'media units' composed of journalists hired to coordinate the government's media relations and to monitor news coverage of Government and Opposition alike; the various public affairs sections found within Commonwealth public service agencies through which ministers are able to direct major publicity campaigns; and the integrating instruments which provide a whole-of-government coordination of the Commonwealth's promotional activities.

MEDIA MINDERS

The employment of press secretaries and the establishment of 'prime ministerial and government press publicity and relations' have been traced to 1918.[22] By the early 1930s it had become the 'established practice that prime ministers should recruit a senior journalist to serve as a press secretary in their private office',[23] and thereafter this practice was gradually extended to include other senior ministers. The short-lived 1972–75 Whitlam

government set a precedent in supplying all ministers with a press secretary (although the subsequent Fraser government did not immediately follow this path[24]).

At present the Howard government is served by some three dozen 'media advisers' who together account for one in every ten ministerial staffers.[25] The Prime Minister alone has a senior communications adviser, a senior media adviser and a press secretary on his eighteen-strong staff.

Most minders are now styled 'media advisers' rather than press secretaries in recognition that broadcast media, rather than newspapers, are now the major channels of political communication and to flag the fact that most now have a quite different set of skills. Originally the role of press secretaries was mostly writing political speeches and press releases. Over time their role evolved, just as their numbers multiplied. Media advisers now routinely prepare news releases, deal with enquiries from journalists, negotiate interviews, plan doorstops and other media events, and monitor media coverage. Furthermore, as the broadcast media – especially television – have assumed greater political importance, media advisers have been increasingly drawn into providing strategic advice about how best to 'manage' political news. Rob Chalmers joined the Canberra Press Gallery in 1951. Four decades on, he observed that 'the big difference is the manipulation of news'.[26] Other journalists have made much the same point. For example, the ABC's Kerry O'Brien believes that press secretaries have become adept at selectively targeting 'networks, stations and interviewers' and that their handling of television is far more calculated than it was twenty years ago.[27]

Writing in 1992 with the prime minister's office in mind, Clem Lloyd argued that press secretaries actually have 'little responsibility for the coordination of overall government presentation and media strategy'.[28] Rather, he suggested, this coordination is achieved through media units. Lloyd's argument needs to be carefully weighed. It is true that Australian politics have generated no equivalent figure to Tony Blair's erstwhile director of communications and chief spin doctor, the 'formidable' Alastair Campbell (see Chapter 7).[29] Nor do Australian media advisers 'cruise the lobbies . . . like celebrities' and as 'players in their own right' with responsibilities well beyond 'getting the party message across', as one columnist has written of their British counterparts. Spin doctors are less prominent in Australia than in the USA and UK.[30] But it is equally true, as Richard Phillipps points out, that in Australia 'media advisers occupy a key role between ministers, government departments and the media'.[31] As one former staffer observes, information 'pours' into a minister's office. In addition to departmental

briefs, there are 'daily media cuts to be studied and digested' as well as written and oral material from policy stakeholders. Ministerial advisers sift through this material 'putting on the spin [or] finding supporting evidence for political arguments and policy positions'. This last task is 'generally the province of a press secretary', who has overall responsibility for portraying 'the government and its actions in the best possible light'.[32] On this evidence, media advisers may not be centrally involved in shaping strategy but they do much of the mundane work which effective media management requires (see also Chapter 9).

Phillipp's argument that media minders play a key role between ministers, departments and the media is also borne out by the role played by Ross Hampton during Operation Relex, better known as the 'children overboard' affair. Hampton was the press secretary of the then Minister for Defence, Peter Reith. During the 2001 election campaign the federal government had sought to make political capital out of 'illegal' asylum-seekers and the preservation of Australia's border integrity. The navy was charged with preventing any further 'boat people' from reaching Australia's shores, and as a consequence of its efforts at sea, the Department of Defence public affairs office found itself besieged by media enquiries. However, as Pat Weller records, at the Minister's direction all Defence personnel 'were forbidden from making contact with the media'. All media enquiries were to be directed to Hampton, who aimed to 'ensure that any coverage of the refugees was couched in terms favourable to . . . the government' and that 'every news statement had . . . the imprint of the government's message'. Hampton had a dedicated phone line to Defence public affairs and 'would ring ten to fifteen times a day and get absolute priority'. Weller says of Hampton, 'The media wanted comment, pictures, and the most recent reports. His job was to get them and then "spin them".'[33] It seems clear from these events that ministerial media advisers like Hampton serve on the front line of the Australian PR state.

MEDIA UNITS

Governments are free to employ and assign ministerial media advisers as they see fit under the 1984 *Members of Parliament (Staff) Act*, and recent governments have organised their media and information functions in different ways. But Labor and Coalition governments alike have supplemented those media minders appointed to ministers' offices by establishing 'media units for gathering or disseminating information'.[34] It is within these units that Lloyd suggests that overall government media strategy is determined. Certainly they have a hand in the routine management of the government's

overall media relations.[35] On coming to power in 1983, the Hawke Labor government replaced its predecessor's Government Information Unit with the National Media Liaison Service. It served the Hawke and Keating governments until Labor's defeat in 1996 and remains the best-known example of a media unit. It was dubbed – a variation of its acronym as well as testimony to its aggressive promotion of the government – the 'aNiMaLS' by Press Gallery journalists.[36]

The aNiMaLS consisted of a dozen staff[37] that operated alongside a second body known as the Ministerial Media Group (MMG). The MMG comprised a similar number of journalists who were not assigned to individual ministers but whose brief was to support the government by writing news releases, liaising with the news media and preparing speeches. From May 1985 onward the two bodies were placed under a single director and their activities integrated. Ostensibly, the role of the aNiMaLS was to assist the government in publicising its policy program and to provide whole-of-government media relations. However, political journalist Michelle Grattan argues that spin 'requires a very good filing system, and a very good monitoring procedure' and that in fact the National Media Liaison Service ensured that, across Australia, every utterance by the Coalition was monitored, and every politically embarrassing comment rapidly transcribed and fed to the Press Gallery with a suggestion for a suitable story.[38] As the Liberal frontbencher Senator Kemp complained in Parliament, the aNiMaLS' formal purpose of disseminating information on government policies and programs to the media masked its real role 'of monitoring the activities of the non-Government parties for political purposes'.[39] In Opposition the Liberals decried the aNiMaLS as a 'propaganda unit' and pledged to abolish it. On coming to power in 1996 they did so, only to replace it with their own monitoring arrangements.

Grattan writes that the Howard government's arrangements are 'rather more discreet' but that they still provide it with 'an extensive "listening" and propaganda machine'.[40] In fact the Howard government professed to have 'nothing like the National Media Liaison Service'.[41] What it has done, in addition to establishing a 'media unit' within the Office of the Prime Minister,[42] is to appoint additional media advisers to the personal staffs of individual ministers in each state.[43] However, it does seem clear from evidence the Opposition has gleaned from Estimates Committee hearings that these additional advisers work closely with the Office of the Prime Minister, and that they routinely supply Howard's senior media adviser with transcripts of media interviews given by Labor politicians where these offer the government a political advantage. In their Minority report appended to the Budget Estimates 1998/99 Report, Senators Ray and Sherry pointed

to 'the secretive establishment within Government of a media-monitoring unit'. They noted that there 'are now at least 12 staff members involved in media-monitoring, with the cost of transcripts being born by the home departments' and that all the evidence indicated that 'these 12 operatives report directly to the Prime Minister's office'.[44] The ALP and Press Gallery journalists blithely dubbed this hidden media unit the 'baby animals' in acknowledgement that it fulfils a media-monitoring role resembling that of the previous Labor government's aNiMaLS.

In similar vein, 'Animals II' has been suggested as an appropriate label for a second entity which was formally established in April 1996, with an initial allocation of ten staff, as the Government Members Secretariat (GMS). It is ironic that the GMS initially shared accommodation with the 'baby animals' in the ministerial wing of Parliament House some '30 metres from the Prime Minister's office'[45] and in the very same space occupied by Labor's aNiMaLS.[46] While it has been open about the establishment of this unit, at the beginning of its second term in 1998 the Howard government transferred the GMS from the Department of Finance and Administration to the Chief Whip's Office. Because of the principle of comity between the two houses, this removed it from the immediate scrutiny of Senate Estimates committees. The GMS is probably not the 'dirt unit' that Labor critics suggested it was in reacting to the attack on the character and record of the then Opposition Leader, Mark Latham, seemingly orchestrated by the Howard government 'operatives' in 2004. But nor is its role benignly to assist government backbenchers to communicate with electors.

The role of the GMS includes training Liberal parliamentarians in dealing effectively with the news media, in the 'preparation of shell news letters, political pamphlets . . . and the production of message documents', all of which its critics regard as partisan activities not properly 'the function of taxpayer funded staff'.[47] The GMS does not welcome external enquiries about its activities. By some accounts it also has a media-monitoring function.[48] The Chief Whip who is technically in charge of the GMS, has said that there is 'nothing untoward or secretive about the Government Members Secretariat' nor anything 'wrong with compiling documentation on what people have said in Hansard or their role in public office'.[49] But Peter van Onselen and Wayne Errington, who describe the GMS as the 'beating heart of Australia's PR state', suggest that it has 'a coordinating rather than a monitoring role'.[50] They believe that the media monitoring previously undertaken by the aNiMaLS is now mostly 'contracted to commercial operators such as Rehame', organised through ministerial

offices, and 'paid for by government departments'. The GMS sifts this material and, in conjunction with ministerial offices and the Office of the Prime Minister, determines 'the appropriate political response to such information'.[51]

Greg Barns argues that the GMS operates 'at the political beck and call of the Liberal Party strategists and the prime minister's office', while van Onselen and Errington underline the importance of the 'close relationship' between the GMS, the Office of the Prime Minister and Liberal Party headquarters.[52] For this reason it is not clear that media units nowadays play the key strategic role that Lloyd attributed to them in 1992. It is, however, apparent that the Howard government found it necessary to retreat from its initial 1996 election promise to disband the NMLS. In its place, albeit 'in disguised form', it established both the 'baby animals' and Government Members Secretariat, and this suggests an important lesson. Media units staffed by professional journalists with the function of 'monitoring the media and feeding them with material damaging to the Opposition'[53] have now become an institutionalised and indispensable feature of the Australian public relations state.

DEPARTMENTAL PUBLIC AFFAIRS SECTIONS

Even with their media units in place and with the 'baby animals' performing a monitoring role, in the 1996/97 financial year – the Howard government's first in office – ministers and departments 'spent almost $2.5 million . . . on [purchasing] electronic media transcripts and newspaper clippings' from private sector providers such as Media Monitors.[54] Between July 2002 and July 2005, 'nine key government departments spent $14 million' on monitoring the news, and ministerial offices a further $1.9 million.[55] Indeed the CEO of Media Monitors, John Croll, says that about 40 per cent of 'business now comes from government departments'.[56] This points to a government's ability to harness the public affairs capacity of individual public service departments and agencies over which ministers exercise control. This is a further feature of the PR state. Each department has a public affairs section although the particular designation, size and budgets of departmental public affairs sections will vary. For example, in 2001, Environment Australia (excluding the Greenhouse Office with its own dedicated media unit and public affairs budget) had a public affairs section with twelve professional staff and a budget of $1.8 million. In the same year, the public affairs section in the Attorney-General's