

**RESEARCH REPORT 14**

**QUEENSLAND 2014**

**POLITICAL BATTLEGROUND**

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Since retiring in 2004 she has written two books: the first a biography of her grandfather and British civil servant, *Ernest Gowers: Plain Words and Forgotten Deeds* (Macmillan 2009), and the second about his father, one of the 'founding fathers' of British neurology, *William Richard Gowers 1845-1915: Exploring the Victorian Brain* (Oxford University Press, 2012 - with co-authors Professors Mervyn Eadie and Andrew Lees).

Sean Leahy is cartoonist with the *Courier-Mail*. A full catalogue of his cartoons can be found at <http://www.leahy.com.au/leahy/index.cfm>.



## Introduction

This monograph provides an overview and commentary on discussions in the print and online media about the performance of the Newman government during 2014. It builds on a series of studies undertaken by the TJRyan Foundation during its first year of operation, as well as an earlier e-monograph produced at the Centre for the Government of Queensland at the University of Queensland.

For other articles on current political issues see the TJRyan Research Report series, and other articles, from a range of sources, collected on our website.<sup>1</sup> For earlier discussions of Queensland political history see particularly the articles listed under 'Queensland Political History' on the website.<sup>2</sup>

For a history of the role of non-Labor parties in Queensland between 1987 and 2007, see Roger Scott & John Ford, *Queensland Parties: The Right in Turmoil 1987-2007*, iBook, published in 2014 by the Centre for the Government of Queensland, University of Queensland.<sup>3</sup>

In the footnotes within this monograph, hot-links are provided where possible, particularly to the web-based *Brisbane Times* and *ABC News*, and also to websites of *The Conversation* and other public policy think tanks. More conventional footnotes are used where pay-walls inhibit the reliability of direct online access, particularly the *Courier-Mail*.

We are particularly grateful to cartoonist Sean Leahy for giving his permission to reproduce a selection from his outstanding contributions to the *Courier-Mail*. The full catalogue of his cartoons is available on his website.<sup>4</sup> The site also offers the opportunity to buy his contribution to political debate in an earlier era, *Power Point Pete: Queensland from Joh to Woe*. The introduction was written by the Hon Tony Fitzgerald AC QC, who in 2014 briefly re-entered the political debate in Queensland. On the cover of *Power Point Pete*, Leahy portrays Bjelke-Petersen wearing military uniform, with the same insignia of crossed bananas worn by Campbell Newman in his more recent cartoons.

Why have we expanded on the military model implied in many of Leahy's characterisations? Premier Newman has on several occasions reminded the Queensland public of his military service before entering local government. He has made frequent metaphorical use of notions of strong or hard choices, winning battles and declaring wars. The notions of campaigns, strategies and tactics all have similar derivation. Our analysis of Queensland policy-making during 2014 has been framed in similar terms, borrowed from military history and the study of international relations.

The bulk of this research and writing was completed before the snap election was called in early January. Taking advantage of the flexibility of digital-based text, this is a second 'edition' that takes into account of the election campaign, and the close result that led to a change of government after the election on 31 January 2015.

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<sup>1</sup> TJRyan Foundation website: <http://www.tjryanfoundation.org.au>

<sup>2</sup> See 'Queensland Political History', on the TJRyan Foundation website at: <http://www.tjryanfoundation.org.au/cms/page.asp?ID=131>

<sup>3</sup> Roger Scott and John Ford, *Queensland Parties: The Right in Turmoil 1987-2007*, iBook, Centre for the Government of Queensland, University of Queensland, 2014: <http://www.tjryanfoundation.org.au/cms/page.asp?ID=69>

<sup>4</sup> Leahy's cartoon index: [http://www.leahy.com.au/leahy/comic\\_dayarchive.cfm](http://www.leahy.com.au/leahy/comic_dayarchive.cfm)

## TABLE OF CONTENTS

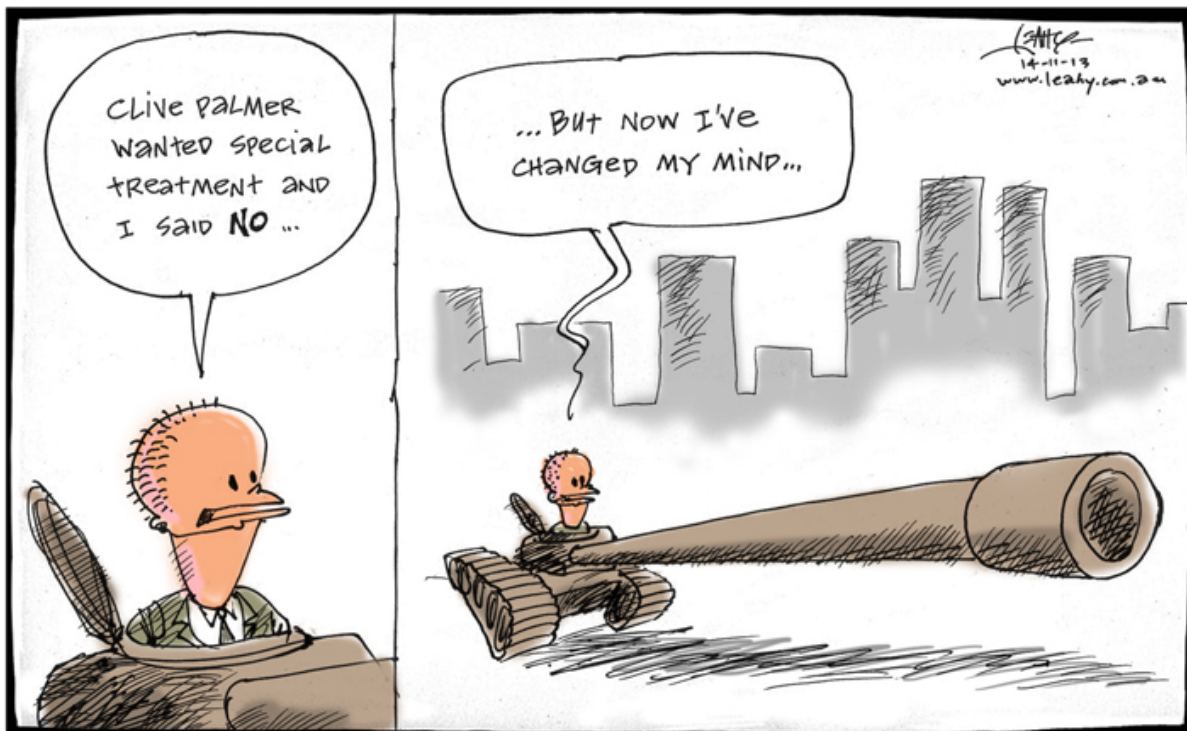
1.	The uncertain advantages of external alliances	5
2.	The war against the unions	7
3.	The war against public employment	10
4.	The war against debt and public assets - and a 'retreat'	15
5.	The war about unemployment	20
6.	The war against violent crime	27
7.	The war against the judiciary	32
8.	The war against the doctors – two battles on a new front	41
9.	The war against the environment	45
10.	Missing in Action - 'Operation Boring' and a peacekeeping mission	53
11.	Cannon to left of them	59
12.	Cannon in front of them	61
13.	Cannon to right of them	66
14.	Battle lines drawn for the 2015 election	75
15.	The war of words: slogans, broken promises and the tyranny of silence	80
16.	Epilogue: Counting the Casualties	84

## 1. The uncertain advantages of external alliances

State governments may or may not benefit from having party allies in power at the national level. The state ALP had to fight the 2012 election with the significant handicap of a federal party torn by internal conflict. The historical divisions between those to the left and right of the party were already blurred by the shifting alliances behind the two national leaders, Julia Gillard and Kevin Rudd (who held the Queensland seat of Griffith). Under Tony Abbott the Coalition fought a negative campaign, playing on this weakness, and the electorate demonstrated that it was prepared to shift away from the two major parties in favour of a variety of minor parties and independents.

During 2014, the ALP had the unusual luxury of its federal party, now on the Opposition benches, being united by the need to re-create its appearance as a viable alternative to the Liberal/National coalition. Offsetting this advantage was the existence of a well-funded minor party which had fortuitously gained a strategic voting bloc in the Senate.

The Palmer United Party did not exist at the time of the 2012 state election. But, while it waged a highly successful federal campaign, its initial purpose was to reduce the influence of the LNP in Queensland, and Campbell Newman in particular. It became the natural home for MPs and voters who were alienated from the Newman government.



By the end of May 2014, Dr. Paul Williams, the leading academic commentator on Queensland politics (and frequent columnist with the *Courier-Mail*) wrote that PUP was now making an appeal directly to 'middle Australia' and needed to be taken seriously.<sup>5</sup> But Clive Palmer also made no secret of the fact that his primary focus was on Queensland. Opinion polls, and the results of two state by-elections, suggested that PUP had a future and this became a major focus of the LNP's own policy responses during the first part of the year.

<sup>5</sup> Paul Williams, 'Populist Palmer drops his jester act to appeal to middle Australia', *The Conversation*, 19.5.14: <https://theconversation.com/populist-palmer-drops-his-jester-act-to-appeal-to-middle-australia-26919>

In September 2014, Palmer was able to use his influence in the Senate to have a PUP-inspired and PUP-chaired Senate inquiry into Queensland.<sup>6</sup> This was often constructed by the media (and by Palmer himself on occasions) in highly personal terms, settling scores with former Liberal and National colleagues and with Premier Newman in particular. The PUP press release stated: 'This inquiry will put an end to the Premier's abuses of power'. With a reporting date of 27 March 2015 this inquiry may throw a few hand grenades into the 2015 election campaign.

The Palmer United Party deflected public attention from the ALP early in 2014. The party was perceived as being led by a little-known leader, Annastacia Palaszczuk, and a handful of survivors from the electoral holocaust. Unions had been opposed to the policies of her predecessor, Anna Bligh, and were themselves under the federal spotlight of a punitive Royal Commission. But even the most devoted loyalists did not anticipate much improvement in their situation for several years to come.

However it was the LNP who had most to fear from any backlash against their allies in Canberra. When Newman came to power in 2012, he had the advantage of close affiliations with powerful allies among conservative parties across the country, all of them gaining in popularity and most facing Australian Labor Party (ALP) incumbents. His family background also helped – both parents had served with distinction in coalition governments in Canberra while they were based in Tasmania. But, as Australia found on the international stage, powerful friends may require the acceptance of unpopular obligations.

One significant shift for the Queensland government in 2014 was adjusting to the Abbott government and its unpredictable policy stances. Despite the fact that this might be seen as the advantage of a friend in higher places, the commonwealth-state relationship shifted from a battle with a clear foe, an ALP government, to a more nuanced relationship typical of federal-state bargaining. Further, this ally proved fickle at times, particularly when applying the same 'shock horror' debt crisis rhetoric appropriated from Newman to justify financial cuts that would have severe repercussions for the states.

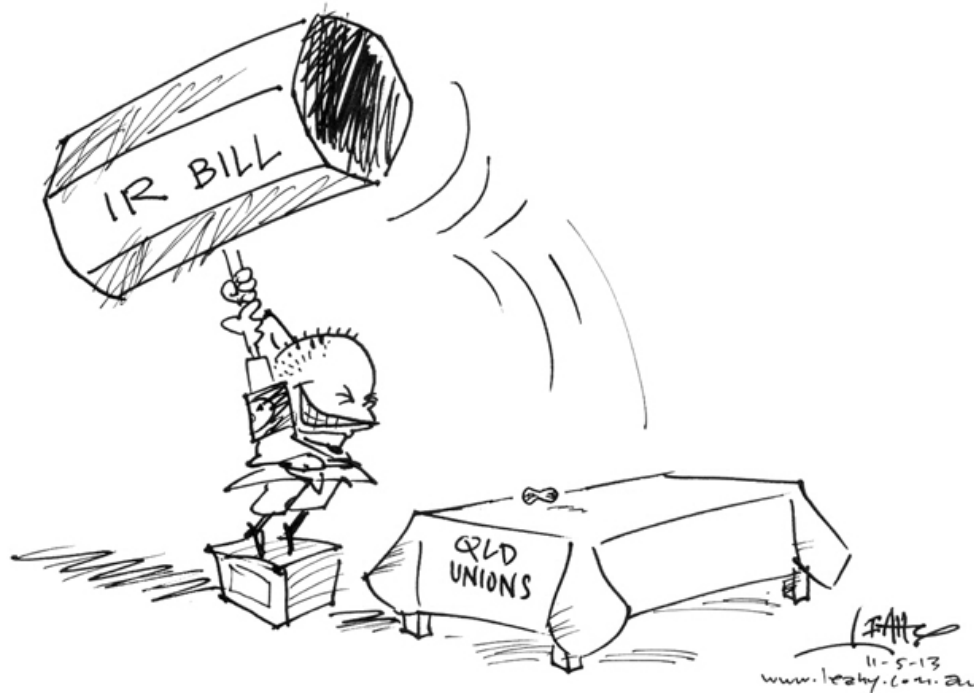
The Abbott government's approach in 2013 so closely echoed that of Newman in 2012: the need for a Commissioner of Audit, the horror of a 'debt crisis', 'the mess that Labor left', and the immediate reversal of election promises, that it undermined the messages that Newman was trying to sell. Newman's, and then Abbott's 'surprises' increased the public's general disdain for politicians who made voter-friendly promises during an election campaign and then rapidly abandoned them afterwards to implement policies that had not been mentioned in the campaigning before they were elected.

The Abbott government's protracted problems in government during 2014 – spectacularly in its budget-making - constantly invited voters to be wary of election promises from all parties. This distaste for Abbott became a major issue in the lead up to the 2015 election campaign, called unexpectedly for the last day in January.

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<sup>6</sup> On 30 September 2014 the Senate resolved to establish the Select Committee on Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs. The closing date for submissions is 27 February 2015. The reporting date is 27 March 2015.

## 2. The war against the unions



In a strategic sense, the LNP government had won its battle against the unions well before the end of 2013, particularly those with large public service membership. It had deprived them all of members or potential members with the savage cuts in the various elements of the public service, despite the Premier's pre-election assertion that public servants had nothing to fear. It had also set out to legislate to destroy their capacity for political resistance using whatever funds unions had saved for this rainy day. Newman now had the advantage of the Abbott government appointing a Royal Commission to investigate accusations of corruption and misconduct against prominent members of the ALP, including Julia Gillard.

At the beginning of 2014, the Newman government set out to please private employers by backing the reduction in the allowable range of workers compensation claims and by legislation requiring unions to give 24 hours notice before undertaking inspections in response to delegates' complaints about industrial safety issues.

Mr Bleijie said the bill should not be seen 'as a lowering of safety standards' but a way to make workplaces safe without 'choking businesses with paperwork and unnecessary red tape'.<sup>7</sup>

On another front – the battle against the main public sector union – the government started to lose ground in its attempt to muzzle the union. In June 2013 it had introduced legislation to impose accountability requirements that were intended to stop the unions from spending money on anything that the government judged to be 'political' rather than industrial.

<sup>7</sup> Unions to give at least 24-hours written notice before entering work sites under new legislation, *Brisbane Times*, 14.2.14: <http://www.brisbanetimes.com.au/queensland/unions-forced-to-give-24-hours-notice-before-worksite-inspections-under-new-legislation-20140213-32nbi.html#ixzz3Jq6He9XQ>

However the main public service union, 'Together', had acted swiftly.<sup>8</sup> Echoing its usual pro-government perspective, on 15 February 2014 the *Courier-Mail* carried the headline: 'Together Union sets up fund for members' cash for political campaigns'. This referred to 'union-controlled slush funds' which, after a membership ballot, had been funnelled into a private company in the interval between the government announcing its intentions and the Parliament passing the legislation with its usual alacrity.

The next day, the *Brisbane Times* reported that Attorney-General Bleijie had ordered an urgent inquiry into the legality of this move. His stated intention was to bring in legislation to close this loophole.<sup>9</sup> Nothing more was heard of the inquiry in the public press, suggesting that the union had been operating on sound legal ground.

The union movement engaged more strongly than ever in the political process when a by-election in Redcliffe was held in February, following the resignation from Parliament of LNP MLA Scott Driscoll in November 2013. The LNP lost the by-election more heavily than had been predicted, with a swing against the party of 16 per cent. Commentators noted that, if repeated in the election in 2015, the LNP would lose 43 seats and government.<sup>10</sup>

In the aftermath, the government attacked various unions that were actively involved in campaigning. The *Courier-Mail* headline asserted that Premier Newman's wife had been abused by members of the United Firefighters Union present at polling booths, although no independent evidence was offered in support.

In March, the government attacked the Electrical Trades Union over its use of anti-government messages on billboards, using the legislation relating to the misuse of union funds. The *Courier-Mail* provided coverage of the issue, uncharacteristically sympathetic to the unions, with an opinion piece by Paul Svyret, headlined as: 'Newman government's billboard stoush with the ETU is about silencing critics'.

Amendments to the state Industrial Relations Act decree unions must conduct a full ballot of their members before conducting "political campaigns" costing in excess of \$10,000. The arrant idiocy of this requirement is that to poll thousands of members is likely to cost far more than any campaign itself. In this particular instance the federal body with which the Electrical Trades Union is affiliated is running the campaign and, as ETU state secretary Peter Simpson points out, the CEPU does not fall within Bleijie's jurisdiction, 'it's just out and out harassment'.<sup>11</sup>

The ETU ended up in court two months later over allegations that it had breached laws regulating the transparency of its funding, after provocatively calling the disclosure website 'www.opposethesefacistlaws.com'. The *Courier-Mail* noted that the presiding magistrate was Bernadette Callaghan, who made a point of declaring her past union membership.<sup>12</sup> Callaghan was one of the ALP-appointed magistrates who had roused the ire of LNP Attorney-General Bleijie in his legislative onslaughts by consistently offering non-custodial sentences when incarceration was a legal alternative. The ETU also pointed out in its defence that the legislation in question was the subject of a High Court challenge.

After that incident, the government wanted to avoid drawing attention to its 'Strong Choices' on unions and leave this battle to its federal allies, who continued the offensive by coopting the states

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<sup>8</sup> 'Attorney-General orders department to investigate union', *Brisbane Times*, 16.2.14: <http://www.brisbanetimes.com.au/queensland/attorney-general-orders-department-to-investigate-union-20140216-32ttx.html>

<sup>9</sup> 'Together Union sets up fund from members' cash for political campaigns', *Courier-Mail*, 14.2.14.

<sup>10</sup> 'LNP loses Redcliffe by-election in Qld' online news.com 22.2.14: <http://www.news.com.au/national/breaking-news/redcliffe-residents-head-to-polling-booths/story-e6frku9-1226834470695>

<sup>11</sup> 'Newman Government's billboard stoush with the ETU is about silencing critics', *Courier-Mail*, 4.3.14.

<sup>12</sup> 'Queensland union found not guilty of breaching State Government union financial disclosure laws', *Courier-Mail*, 8.7.14.



into their own inquiry into potential union corruption.<sup>13</sup> The reason for this quiescence at the state level was that the unions had launched their High Court challenge to the legislation that prevented them from spending funds above a specified level without a referendum of all members.<sup>14</sup>

Similar actions in New South Wales had also been the subject of a High Court challenge and the Court had unequivocally ruled in favour of the unions.<sup>15</sup> At first, the Queensland Attorney-General pretended that nothing had happened. From the Queensland government's perspective, delaying a response to this judgement meant leaving the existing punitive rules in place for as long as possible, whatever the legal costs to all parties. But, in the end, certainty that their defence would fail (in the light of the NSW precedent) meant a quiet withdrawal in the middle of the night at the end of June, while media attention was distracted by a last-minute amendment to the Water Act designed to provide retrospective protection from prosecution for an LNP donor, discussed later.<sup>16</sup>

One particular union stands out as an exception in any consideration of Queensland trade unions: the Queensland Police Union. This organisation had been a staunch ally of conservative governments in the Joh era, and had then signed an infamous 'Memorandum of Understanding' with Rob Borbidge and Russell Cooper (both Nationals) during the 1995 election campaign which ultimately brought the Borbidge/Sheldon coalition to power. The MOU traded electoral endorsement for powers in relation to senior police appointments - the secret MOU was inadvertently made public through the careless use of a fax machine.<sup>17</sup> With less fanfare and public opprobrium, the union had similarly endorsed the LNP in 2012, although if a similar memorandum of understanding was entered into never became public. With or without a written agreement, initially the Police Union gave strong support the Newman government and its attitudes to law and order, ensuring a flow of resources, equipment and recruits as well as increasing prominence in the media. However, as will be seen, the relationship became strained towards the end of 2014.

In January 2015, the Queensland Council of Unions and individual union leaders embarked on their own election campaign against the LNP. They dissociated themselves from the ALP in order to encourage support from all dissident parties. Union members were invited to vote for whichever group they favoured – Greens, PUP, Katter or an independent or even the ALP – but to ensure that their preferences counted by filling in all the squares and placing the LNP last.<sup>18</sup>

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<sup>13</sup> Royal Commission into Trade Union Governance and Corruption was established on 13 March 2014.

<sup>14</sup> 'We complied with disclosure laws', *Brisbane Times*, 26.3.14: [http://www.brisbanetimes.com.au/queensland/we-complied-with-disclosure-law-qld-union-20140526-zroiw.html?eid=email:nnn-13omn633-ret\\_news1-membereng:nnn-0](http://www.brisbanetimes.com.au/queensland/we-complied-with-disclosure-law-qld-union-20140526-zroiw.html?eid=email:nnn-13omn633-ret_news1-membereng:nnn-0)

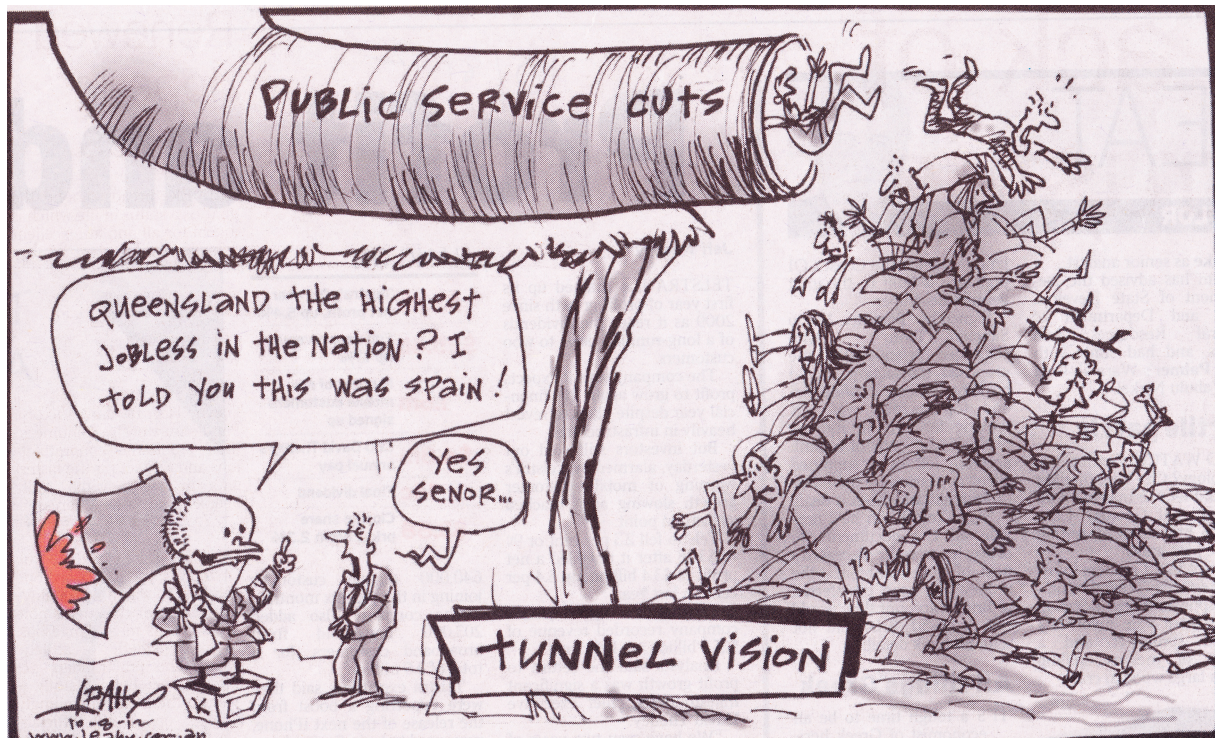
<sup>15</sup> 'High Court rules against NSW Government's electoral donation laws after union challenge', *ABC News*, 17.12.13: <http://www.abc.net.au/news/2013-12-18/high-court-rules-on-nsw-donation-laws/5163654>

<sup>16</sup> 'Government must explain last minute law change and LNP donation', *ABC News*, 23.6.14: <http://www.abc.net.au/news/2014-06-24/government-must-explain-last-minute-law-change-and-lnp-donation/5546360>; 'Deputy Premier Jeff Seeney says no special treatment given to Queensland LNP donor Karreman Quarries', *ABD News*, 23.6.14: <http://www.abc.net.au/news/2014-06-24/deputy-premier-rejects-special-treatment-given-to-qld-lnp-donor/5545454> Seeney denied that the donor was given preferential treatment:

<sup>17</sup> See report at Institute of Criminology website: <http://websearch.aic.gov.au/firstaicPublic/fullRecord.jsp?recno=136703>

<sup>18</sup> 'Queensland Council of Unions says forget 'just vote one', better to number every box on ballot', *Courier-Mail*, 2.1.15.

### 3. The war against public employment



The war against the public service had broken out immediately after the 2012 election, the government side reinforced by the controversial Commission of Audit which produced an Interim Report in June 2012, and a Final Report the following April.<sup>19</sup> The dramatic change of attitude was epitomised by the Leahy cartoon drawn in the middle of 2012 at a time when Spain was suffering massive unemployment as a result of the global financial crisis. Unemployment statistics began to look bad for the government, and the jobless rate continued to rise through to the end of 2014.

By the end of 2013, the Newman government was issuing statements reassuring the public that the worst was over in terms of public sector personnel cuts, and that front-line services were protected from the consequences of these changes. In practice, the party's commitment to privatisation which under-pinned the various specialised exercises in bureaucratic reform meant piecemeal reductions and redundancies continued. In April 2014 the *Brisbane Times* reported on public service cuts since the election.<sup>20</sup> Political leaders reported a range of estimates from zero ('no-one's being sacked' – Newman) to 'secret plans to remove 41,753' in job categories ranging from health workers to fire services and forensic laboratories.<sup>21</sup>

The government had not been helped by accepting a federal remuneration tribunal decision in July 2013 to increase Queensland politicians salaries by 42 percent (linked to federal rates). At the same time the Queensland government had lodged an appeal in the Supreme Court against a 2.2 percent pay rise for public servants.<sup>22</sup> This 42 percent increase was roundly condemned in the media. In an opinion piece in the *Courier-Mail*, Paul Syvret reflected the community's response

<sup>19</sup> Queensland Commission of Audit: <http://www.commissionofaudit.qld.gov.au>

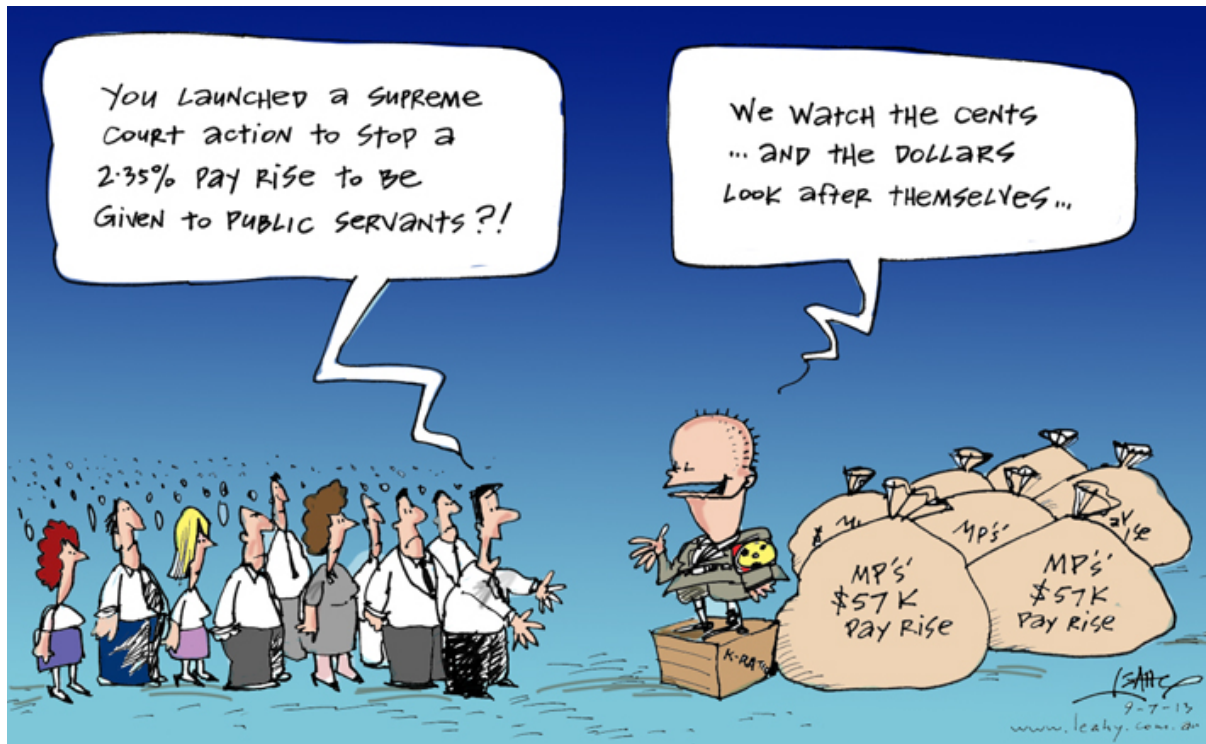
<sup>20</sup> 'Queensland public service job cuts continue', *Brisbane Times*, 1.4.14: <http://www.brisbanetimes.com.au/queensland/queensland-public-service-job-cuts-continue-20140401-35w97.htm>

<sup>21</sup> Audio link to the Estimates Hearings when Newman was quizzed on this issue, *Brisbane Times*, 9.10.12: <http://www.brisbanetimes.com.au/queensland/rolling-coverage-premier-ministers-quizzed-at-hearings-20121009-27a99.html>

<sup>22</sup> 'Newman Government heads to Supreme Court in bid to block pay rise for public servants', *Courier-Mail*, 8.7.14.



when he wrote that the political hypocrisy on the issue was 'indecent'.<sup>23</sup> 'Premier's pay will rival Obama's' was another headline.<sup>24</sup> The outrage in the community led to a government backdown.<sup>25</sup> In August they introduced Queensland remuneration tribunal. In December, the public sector finally achieved its 2.2 percent.<sup>26</sup> In March 2014 the politicians received a pay rise, with Newman awarded a 22 percent rise.<sup>27</sup> The media coverage was still unsympathetic: 'Queensland's politicians have been handed massive pay increases, with some hikes totalling more than the average Australian's salary'.<sup>28</sup> The ALP caucus announced it would give up the pay rise, and that the ALP would spend the money funding community projects.<sup>29</sup>



It was the government itself which brought privatisation back into the public eye towards the end of 2014 after the opposition leader, Anastacia Paluczzuk made a parliamentary statement that claimed the total job losses had reached 20,000. The Newman government had passed legislation that made lying to parliament a criminal offence and so could refer the issue to the Parliamentary Ethics Committee on the grounds that she had misled parliament. Paluczzuk was able to offer a spirited defence to the committee and even the LNP members accepted that there were several

<sup>23</sup> Paul Syvret, 'Opinion: Political hypocrisy on pay is indecent', *Courier-Mail*, 8.7.13.

<sup>24</sup> 'Premier's pay will rival Obama's', *Brisbane Times*, 9.7.13.

<sup>25</sup> 'Queensland Government backs down on pay rise for MPs', *ABC News*, 9.7.13: <http://www.abc.net.au/news/2013-07-09/qld-government-backs-down-on-mp-pay-rise/4809130>

<sup>26</sup> 'Public servants get Christmas pay rise', *Brisbane Times*, 10.12.13: <http://www.brisbanetimes.com.au/queensland/queensland-public-servants-get-christmas-pay-rise-20131210-2z2tj.html>

<sup>27</sup> 'Queensland Premier Campbell Newman gets \$70k pay rise as tribunal increases politicians' pay', *ABC News*, 27.3.13: <http://www.abc.net.au/news/2014-03-27/qld-premier-campbell-newman-gets-70k-pay-rise/5349186>

<sup>28</sup> 'Qld MPs score massive pay rises', *Sydney Morning Herald*, 27.3.14: <http://news.smh.com.au/breaking-news-national/qld-mps-score-massive-pay-rises-20140327-35jym.html>

<sup>29</sup> 'Queensland Opposition vows to give up pay rise', *ABC News*, 31.3.14: <http://www.abc.net.au/news/2014-03-31/queensland-opposition-vows-to-give-up-pay-rise/5357152>

ways of calculating job losses and the Leader of the Opposition was entitled to offer different figures from those provided by the government.

This was hardly an earth-shattering finding, but the whole incident then was followed up by a TV commercial produced by the Together Union which coincided with the union referring the Premier to the same Parliamentary Ethics Committee. The union's advertisement suggested that the Premier, too, was guilty of misleading Parliament by claims he had made both in the House and in public relations publications that his government deserved praise from 'hard-working public servants' because they had benefitted from above-average wage settlements.

The TV advertisement included a five second clip from a speech given by the Premier in Parliament (as well others in a variety of locations). The Clerk of the Parliament referred this advertisement to the Privileges Committee.

The union representing public servants claims the Queensland Premier Campbell Newman has lied to parliament about wage rises and has called for him to be investigated by the parliamentary ethics committee. The Together union has launched an online petition calling for Newman to be referred to the committee for comments on Thursday that the government had met or exceeded inflation with past rises and future offers on pay for its workers.<sup>30</sup>

The matter remains unresolved at the end of 2014.

The dominant theme from the government's point of view was the privatisation of public services and public assets. Employment, with the functions and assets, would ultimately be transferred to the private sector. Privatisation, according to this view, would deliver better services at lower cost due to the efficiency of market mechanisms and the elimination of regulatory hindrances such as 'red (and green) tape'. This rationale allowed the incoming government to promise that the total impact of the changes would be a dramatic cut in the total level of unemployment.

This narrative had to be drastically re-cast when the level of unemployment continued to rise through to the end of 2014. The new narrative laid the blame on external influences such as the decline in the mining industry and consequent and rapid job losses.

The reality of increased unemployment carried with it a political consequence, with the steady increase in unemployment throughout the year matched by the steady decreases in the LNP's popularity.

It is possible that the public sector cuts were welcomed by workers in the private sector, receptive to media claims of bureaucratic wastefulness, and by employers fancying the opportunities presented by the public sector vacating a range of essential services and thus opening new market opportunities. Private employers were also freed of 'red tape' or even 'green tape' as regulatory functions were either abandoned or scaled back in the search for budget 'efficiency dividends'. But the polls seemed to reflect that the cascading effect on public servants, their families and local communities, was seriously affecting their voting intentions. The unions promised to draw attention to Newman's perceived dishonesty over job security all the way to the next election.

The ideology of privatisation had an impact at the local government level. At the end of July, the *Brisbane Times* carried a report that the Brisbane City Council had sacked the man who made Brisbane's buses run on time for the past 14 years, opening the door to privatising Brisbane's profitable bus runs. The Council Opposition said the Lord Mayor was 'secretly clearing the decks' for privatisation.<sup>31</sup> Translink, the entity that coordinates Brisbane's public transport is, however, a

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<sup>30</sup> 'Campbell Newman 'lied to parliament about wage rises', says union', *The Guardian*, 31.10.14: <http://www.theguardian.com/australia-news/2014/nov/01/campbell-newman-lied-to-parliament-about-wage-rises-says-union>

<sup>31</sup> 'Clearing the decks for privatisation?', *Brisbane Times*, 29.7.14: <http://www.brisbanetimes.com.au/queensland/brisbane-transport-chief-to-leave-post-after-14-years-20140728-zxt7z.html>

division of the state government's Department of Transport and Main Roads, and it appears privatisation would be an imposition and not the preference of the Brisbane City Council.<sup>32</sup>

Similar plans for privatisation were applied to Queensland's information technology services – delivered through a corporate structure called CITEC. The *Brisbane Times* reported in May on the rapid turnover of senior executives, in one case after nine months and the other after four weeks. When CITEC was 'put on the market' later in the year, it failed to find a bidder.<sup>33</sup>

None of this chaos escaped the attention of the Auditor-General in his report to Parliament in July 2014 found:

Service standard measures used within government fell 'well short' of 'being direct measures of the efficiency or the effectiveness of the services they deliver' and that could have an impact on whether privatisation or outsourcing services proved cost-effective.<sup>34</sup>

Six months earlier, the Auditor General had suggested that there had been little improvement during 2013 and that in some cases contracts for out-sourcing were either poorly monitored or not monitored at all.<sup>35</sup> His carefully balanced July 2014 report was capable of wildly different interpretations. On the one hand, the Premier said that the results spoke for themselves and the report only pointed to the problem of measurement:

'The Auditor-General is talking about the measurement of improvements, he is talking about a measurement, I am talking about that and I am talking about the actual delivery, the improvements the government has already delivered – whether it be health, education, community safety, public transport, particularly in the metropolitan region of South East Queensland,' he said. 'We are delivering those improvements in terms of getting measures better in the next year's budget, we'll be doing that.'

The leader of the Together Union offered a different perspective:

Clearly this report shows that the focus of the government on cutting jobs and cutting services means they have failed at any commitment to measuring the impact on the Queensland community of the services provided. ...

If the government doesn't understand the importance of government services, is unwilling to measure them, they can't be trusted to privatise them because the only thing they have focused on is the cost of the services and the money that is contributed to the bottom line, rather than the impact on the Queensland community.<sup>36</sup>

Education became an important battleground because of its visibility in the wider community. It was also one of the areas of the government's greatest success, partly attributable to the competent handling of the portfolio by one of Newman's most senior Ministers (and his predecessor as leader of the merged LNP).

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<sup>32</sup> 'Council 'strongly committed' to bus network', *Brisbane Times*, 29.7.14: <http://www.brisbanetimes.com.au/queensland/council-strongly-committed-to-bus-network-20140729-zy031.html>

<sup>33</sup> 'For sale: one unwanted government agency', *The Age*, 29.4.14: <http://www.theage.com.au/it-pro/government-it-for-sale-one-unwanted-government-agency-citec-20140429-zr0ox.html>

<sup>34</sup> Cited in 'Campbell Newman says results speak for themselves', *Brisbane Times*, 26.6.14: <http://www.brisbanetimes.com.au/queensland/audit-report-campbell-newman-says-results-speak-for-themselves-20140626-zsnb5.html#ixzz3JqFCV6lx>

<sup>35</sup> See overview of Auditor-General report: <http://www.brisbanetimes.com.au/queensland/more-work-needed-to-make-queensland-government-accountable-20140626-zsmfb.html?rand=140377222884>

<sup>36</sup> Cited in 'Campbell Newman says results speak for themselves', *Brisbane Times*, 26.6.14: <http://www.brisbanetimes.com.au/queensland/audit-report-campbell-newman-says-results-speak-for-themselves-20140626-zsnb5.html#ixzz3JqFCV6lx>

Ideological disputes between the government and the unions focused on privatisation in its many forms in education. Private schools had long been a prominent feature of Queensland education. The government took the opportunity of general debates on educational leadership and curriculum to privatise the management of specialist public high schools and a number of designated primary schools, creating independent boards of management with greater authority over staffing as well as decisions on resource allocation.

Much of this passed unnoticed beyond those who were directly affected, the issue over-shadowed by the substantial retreat by the Abbott government from resource commitments linked to the Gonski Committee recommendations. The state government had been a reluctant party to these reforms, in fact consistently unwilling to sign up to the federal Labor government's resource agreements on education funding, until they seemed inevitable when the Coalition led by Tony Abbott made its pre-election 'commitment' to Gonski. Educational reform in general stayed off the public radar in Queensland under the LNP until the very end of the year.

One exception was with the decision to allow private providers access to public assets in the form of Technical and Further Education (TAFE) college buildings. 'Contestability' became a catch-cry facilitating the expansion of the previous year's policy of allowing private providers access to TAFE classrooms to conduct their courses with comparable funding arrangements. By the end of 2014 the inevitable consequence of this was the closure of under-utilised spaces, and then whole institutions. Staff numbers in TAFE rapidly reduced and administrative rationalisation and centralisation limited access to TAFE training in regional areas. The TAFE saga was merely one example of the determination of the Newman government to link public service 'waste' with the argument for privatisation of both the services and then of the assets needed to deliver those services.

The year ended with the release of the government's response to a review by the Australian Centre for Educational Research of Queensland's tertiary entrance system, flagging the partial reintroduction of the external examination system that had been abolished in the 1970s. The news was released on 29 December, just after the 2014 cohort of Year 12 students had received their tertiary entrance scores. But education seemed unlikely to feature strongly in the election campaign during the following month.



#### 4. The war against debt and public assets - and a 'retreat'



There was a more far-reaching debate over privatisation. This related to the selling of major public assets which generated significant current income to government. The sale of these assets could be used in one form or another to reduce Queensland public debt.

The LNP had campaigned strongly on the need to reduce the state's public debt which it argued were unsustainable because of the profligate policies of the previous ALP government using public funds to buy its way out of the global financial crisis. The problems were sheeted home to Bligh and her Treasurer, and even further back to the irresponsibility of Peter Beattie.

Through 2013, the LNP summoned up witnesses for its prosecution of asset sales, including a Commission of Audit headed by a former federal Treasurer. It was argued that selling major public assets could be used to significantly diminish payments of interest. Astronomical numbers were mentioned which only expert economists and private sector entrepreneurs could comprehend. The simpler notion of restoring a AAA rating given by international agencies rendered the narrative more comprehensible to the general public, along with parallels with domestic budgeting practices.

In addition, the sale of assets would generate sufficient funds for part of the proceeds to be used for creating new assets through infrastructure spending not affordable under current levels of state income from taxation and commonwealth government transfers. The exact proportion between debt relief and infrastructure spending tended to vary, particularly as early indications suggested that voters were sceptical about who would be the major beneficiaries of the scheme.

Over the course of the year, the public lost confidence in this argument as unemployment rose and the use of gross debt as the measure of the state's fiscal position lost its political shock value and was largely discredited by economists as a sensible remedy for the state's economic health. Further, as external forces intervened, including the Abbott government exacting punitive budget

penalties on all the states, and a collapse in the coal price, the Newman's government's 'budget repair' rhetoric lost credibility as the state's debt deteriorated.

This was best illustrated in Treasurer's Tim Nicholls' mid-year economic review published just before Christmas.<sup>37</sup> The deficit had widened by a further \$571m and unemployment was the highest among the mainland states. The government disguised its embarrassment at the further deterioration in its fiscal position and the employment rate by issuing a lengthy press release about the mid year review that buried the bad news towards the end.<sup>38</sup> Nicholls reverted to the LNP script, talking about the 'strong' decisions that had been made when the government came to power and the potential for future improvement despite a number of critical factors, among them the world-wide collapse in coal and oil prices, that were likely to militate against such improvement in the short to medium term at least.

The public was not persuaded that the state's long-term interests would be served by handing over control of public utilities to private interests pursuing their own profit-making objectives, potentially at the expense of the wider public interest. Polling results consistently showed scepticism about the arguments for privatisation among all shades of political opinion. One sensed the frustration of the leader writer of the *Courier-Mail*, seeking to articulate the paper's characteristic editorial enthusiasm for the LNP's stance on privatisation: 'It seems amazing that three out of four Queenslanders still can't accept the selling off of public assets.'<sup>39</sup>

So the LNP rationale shifted in two directions to convince a recalcitrant electorate. First, the purpose of the sale of assets was broadened to include expenditure on new public infrastructure, not just debt reduction. It argued that the community would be served by swapping one set of assets for another. Second, the government quietly jettisoned its ideological preference of 'smaller government'. Reducing the state's debt remained an important justification for asset sales, but a significant slice of income from the sales would now be tied to some more tangible benefits than easing the debt burden for future generations.



<sup>37</sup> <https://www.treasury.qld.gov.au/publications-resources/mid-year-review/mid-year-review-2014-15.pdf>

<sup>38</sup> <http://statements.qld.gov.au/Statement/2014/12/18/midyear-review-shows-queensland-heading-back-to-black>

<sup>39</sup> 'Outsourcing work not stacking up', *Brisbane Times*, 4.12.13: <http://www.brisbanetimes.com.au/queensland/outourcing-work-not-stacking-up-auditor-general-warns-government-20131203-2your.html#ixzz3JqHPi9dH>

Finally, when the public attitude towards asset sales appeared immovably recalcitrant, the government decided on a comprehensive policy 're-badging'. The language changed from asset 'sales' to asset 'leases' (leases were proposed for at least 49 years with options for a further 50 years). Changing the rhetoric from sales to such long-term leases did little to shift public opinion, particularly when the federal government's own proposed asset recycling subsidies recognised long-term leases, effectively, as sales.

Treasurer Tim Nicholls said the turnaround came following consultation on the government's asset sales draft plan. He said the majority of Queenslanders said they preferred a lease over a sale, which the Premier, who had fought to keep the poles and wires off the table, echoed. 'People have reflected to us that they would prefer to see the leasing of assets, that is what Tim Nicholls is talking about,' Mr Newman said. 'We are listening to people and people are saying a lease is good, because ultimately it comes back to our children or our grandchildren.'

The bulk of expert opinion concluded that this had little practical effect because, in the longer term (ie, beyond the current electoral horizon), there was no practical difference between sales and long-term leases. Economics Professor John Quiggin, a persistent critic of privatisation and the 'debt crisis' rhetoric, whose universally recognised scholarly status was regularly impugned by the LNP, minimised the significance of 'leasing' rather than selling.

The Opposition has labelled the change a 'nightmare' and accused the government of attempting to sway the public with the more politically palatable option of 'leasing' as opposed to 'selling'. But Professor Quiggin said he had seen no reason for either option. 'We should certainly be treating the government owned corporations as an asset instead of as a debt,' he said.

'The end result anyway is we are looking at a debt much more like the \$40 billion than the \$80 billion the government uses. ... There is no crisis here, any more than there is at the federal level. This is just standard claim that is routinely made to justify privatisation when it should be dependent on its own merits as policy.'<sup>40</sup>

But perhaps the LNP believed that the voting public could be convinced by its claims that the government and household 'debt' are exactly comparable, making leases more palatable than selling-off a productive asset. However, rural interests within the party expressed concern that the profit motive made the private sector a less reliable service provider to regional centres, and tended to place local providers at a competitive disadvantage at the expense, overall, of the local community.<sup>41</sup>

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<sup>40</sup> 'Potato, potartoh - government plan "the sale you have when you're not having a sale"', *Brisbane Times*, 18.9.14: <http://www.brisbanetimes.com.au/queensland/potato-potartoh--government-plan-the-sale-you-have-when-youre-not-having-a-sale-20140917-10ie8u.html#ixzz3JqWykFzK>

<sup>41</sup> In 2014 retiring LNP MLA, Vaughan Johnson, who had represented the seat of Gregory for 25 years referred to the negative impact of the privatisation of QBuild services in rural communities. See 'Folly of Newman Government cuts exposed by one of its own', *Sunshine Coast Daily*, 16.10.14: <http://mysunshinecoast.com.au/articles/article-display/folly-of-newman-government-cuts-exposed-by-one-of-its-own.36100>



This was a theme taken up by non-ALP cross-bench members from regional areas previously represented by the LNP, who saw an opportunity to fight together on this issue if they held the balance of power after the 2015 election.

We all feel strongly enough on this issue that whoever takes government in the next parliament needs to know that we're a force here making a stand. ... We want to give a message to the people of Queensland that there is hope to stop the sale of assets and stop this leasing and privatisation. ... We're very like-minded in particular on these critical issues, so it's important that people in Queensland know this is not a fait accompli.<sup>42</sup>

What may have the most negative impact on the government's attempts to persuade the electorate about the merits of privatizing Queensland's assets is the secretiveness about their value and the conditions under which they will be leased.

The Treasurer refused to be specific about these issues despite his insistence of the impact privatisation will have on reducing the state debt and the benefits to the state's economic future. As the *Brisbane Times* reported:

Queenslanders will remain in the dark over what their state assets are truly worth until after the government has sold them.

New South Wales announced it was releasing the outcomes of its scoping studies into the long-term lease of its electricity network this week, but the Queensland government is sticking to its guns of not making its own scoping studies, or the official response public until after the privatisation process is finalised.

That won't be until after the election. The government has announced it will lease the state's electricity network and its ports for 50 to 99 years in order to pay down debt and build infrastructure.

But Mr Nicholls has admitted that at the end of the lease, the government may have to buy back any infrastructure which has been repaired or built by the private company which leases the asset.

<sup>42</sup> 'Queensland independent and minor party MPs band together against LNP's lease of assets plan', *ABC News*, 15.10.14: <http://www.abc.net.au/news/2014-10-16/queensland-crossbenchers-band-together-against-lnp-assets-plan/5817700>



With public feedback telling the government a sale was unpalatable, the vernacular switched from sales to leases for the 'strong choice final plan'.

Mr Nicholls said the government would not be pushed into releasing any information from the scoping studies ahead of its schedule, despite the NSW government move.<sup>43</sup>

Two of the Newman government's potent promises were linked to the benefits of its public service cuts and privatisation – the reduction in living costs and the reduction in the level of unemployment. On both these measures, there was a level of embarrassment - costs of living across the board seemed to be rising on some indicators and unemployment was increasing rather than decreasing.

At the beginning of 2014, the Centre for Policy Development, a national think-tank, published a report suggesting that the Newman government would need to develop a new economic strategy beyond relying on a bonanza created by the ALP's initiative to expand the capacity for natural gas exports. Assets sales were seen as the necessary buffer in the meantime.<sup>44</sup>

Despite this lack of public information on the longer-term benefits of assets sales or leases, the government filled the press at the end of 2014 with an upbeat story of its economic achievements over the year, which would be consolidated into a bright future once it had been re-elected. The LNP clearly hoped that the immediate reality for most voters of increased living costs and high unemployment would be discounted against the claims to a bright future,

This was typified by the *Courier-Mail* headline: 'Queensland surplus promise remains intact: Newman'.<sup>45</sup> The next day the paper reported that 'the Queensland mid-year fiscal and economic review put Queensland ahead of states despite drop in coal prices'.<sup>46</sup>

Two days later the paper's main columnist chimed in with further positive reassurance: 'Gas boom to fuel Queensland economy as nation's strongest'.<sup>47</sup> The editorial on the same day endorsed this analysis in its headline: 'State in good position but we must reinvest'. The editor admitted that, 'at first blush, the numbers don't look pretty but they deserve greater scrutiny' and 'with nothing currently in the planning pipeline, we need to start seeing what the government might commit to if re-elected. The government has shown that it is willing to take the tough decisions to create an economically vital environment'.

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<sup>43</sup> 'Queensland government scoping studies on asset sales to remain in the dark', *Sydney Morning Herald*, 19.12.14: <http://www.smh.com.au/queensland/queensland-government-scoping-studies-on-asset-sales-to-remain-in-the-dark-20141218-12a4n4.html>

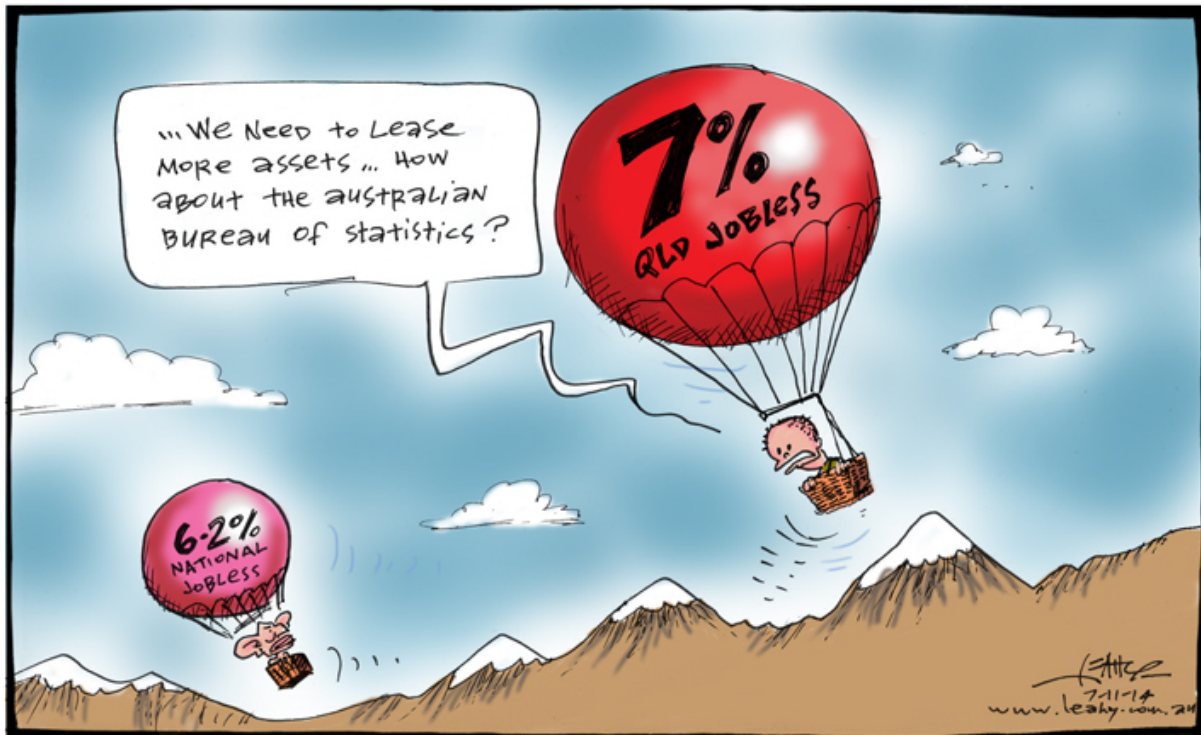
<sup>44</sup> 'All boom no benefit', Occasional Paper, Centre for Policy Development, 18.2.14: <http://cpd.org.au/2014/02/all-boom-no-benefit-why-queensland-needs-a-new-economic-strategy-occasional-paper/>

<sup>45</sup> 'Queensland surplus promise remains intact: Newman': *Courier-Mail*, 15.12.14.

<sup>46</sup> 'Queensland mid-year fiscal and economic review put Queensland ahead of states': *Courier-Mail*, 16.12.14.

<sup>47</sup> 'Gas boom to fuel Queensland economy as nation's strongest': *Courier-Mail*, 18.12.14.

## 5. The war about unemployment<sup>48</sup>



The promise of economic growth generated by future infrastructure spending and economic growth from gas exports would impress the business community. The bulk of the electorate was more directly and immediately interested in another sort of growth - the rate of unemployment.

The LNP employment policy for the 2012 elections was to

Cut unemployment rate to five per cent in first term, and four per cent in second, by creating 420,000 jobs.<sup>49</sup>

Mr Newman said 'the LNP was willing to have its performance measured against a clear six-year target of bringing unemployment down to 4 per cent'.<sup>50</sup> The then Shadow Treasurer, Mr Nicholls, emphasised that the 420,000 figure included all job types and flowed from the specific 4 per cent unemployment rate target. He also said 'the target can be measured by the ABS [Australian Bureau of Statistics]'.<sup>51</sup>

Figure 1 shows the ABS unemployment rate for Queensland from March 2009 (date of election of the Bligh-led ALP government) to November 2014 (the most recent available).<sup>52</sup> The vertical line at March 2012 divides the period between the ALP and LNP.

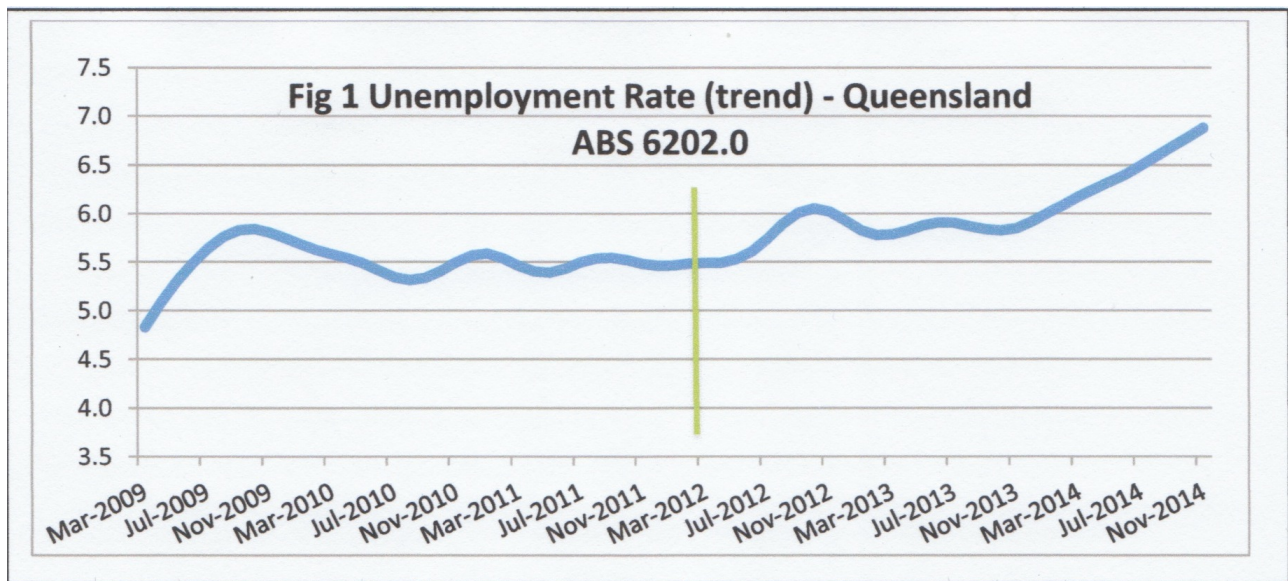
<sup>48</sup> This section was contributed by Dr Howard Guille, a Research Associate of the TJRyan Foundation.

<sup>49</sup> 'State election: LNP policies announced so far', *Brisbane Times*, 24.2.12, <http://www.brisbanetimes.com.au/queensland/state-election-2012/state-election-lnp-policies-announced-so-far-20120223-1trpx.html>

<sup>50</sup> 'Newman sees Bligh's jobs target and raises it', *Brisbane Times*, 17.1.12: <http://www.brisbanetimes.com.au/queensland/state-election-2012/newman-sees-blighs-jobs-target-and-raises-it-20120116-1q3we.html>

<sup>51</sup> 'Newman sees Bligh's jobs target and raises it (see above)

<sup>52</sup> Australian Bureau of Statistics, *Labour Force, Australia*, Nov 2014 Cat No 6202.0 -



The unemployment rate was 4.8 per cent in March 2009, 5.5 per cent in March 2012 and 6.2 per cent in March 2014. It was 6.9 per cent in November 2014.

These are the critical figures on which to assess the achievement of political promises. The unemployment rate was almost constant at around 5.5 per cent for the last two years of the ALP government (March 2010 to March 2012). Under the LNP government, the unemployment rate has never fallen below 5.5 per cent. The rate increased sharply in July to September 2012 (presumably the impact of public service cuts) and was then constant until December 2013 since when it has increased consistently.

It seems very unlikely that the LNP will meet its target of cutting the unemployment rate to 5 per cent during its first term. While reducing the rate to four per cent at the end of any second term (that is by March 2018) is not impossible, the task is now to reduce from 6.9 per cent to 4 per cent and not from the 5.5 per cent rate of March 2012.

The task is harder because of the interaction between the unemployment rate and the participation rate.

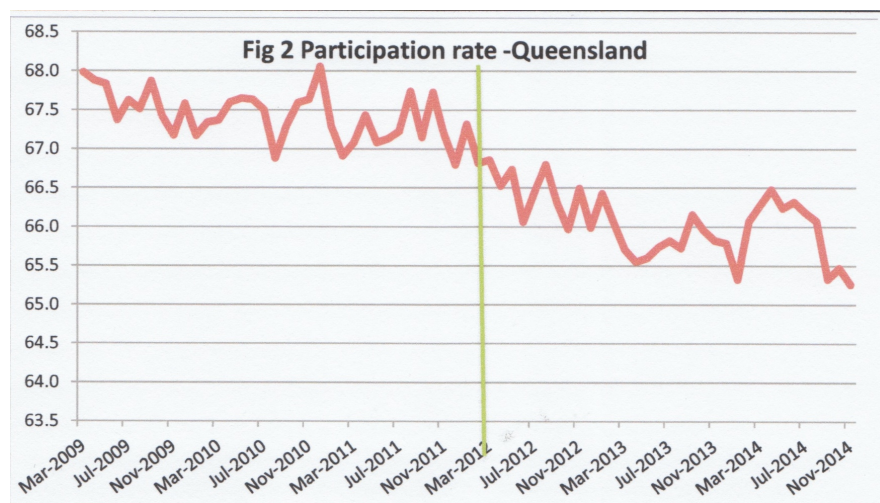


Figure 2 shows the labour force participation rate for Queensland from 2009 to 2014. In March 2012, the participation rate was 66.9 per cent; it had fallen to 65.3 per cent in November 2014.

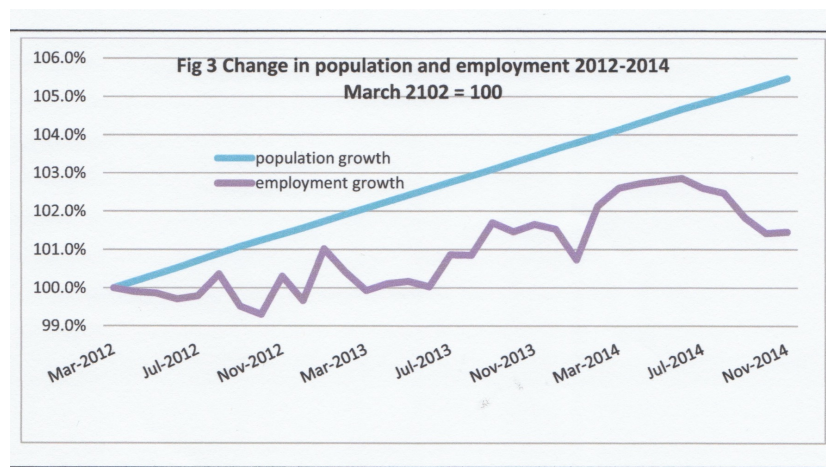


There is a complex relationship between unemployment and participation. For example, the number of measured unemployed and the unemployment rate can increase because more people start to look for work. This increases the unemployment rate. It also increases the number of people in the active work force and so means an increase in the participation rate. The converse also applies; if unemployed people stop looking for work, the size of the active workforce decreases and so does the participation rate.

The participation rate fluctuated around 67.2 per cent from the end of 2009 to the beginning of 2012 and was just below this at the 2012 election. The rate fell sharply in the year to July 2013 and then rose before falling again. Throughout the LNP first term, participation has been below the rate at its election to government.

The fall in the participation rate reduces the number of people who are measured as unemployed. If the participation rate in November 2014 had been the same as March 2012, there would have been 234.4 thousand people measured as unemployed (that is actively looking for work) instead of the 171.6 thousand measured by the ABS. This is equivalent to 2.2 percentage points of 'unemployment'. Other things being equal, if the participation rate had not fallen, the unemployment rate in November 2014 would have been 9.1 per cent.

Another problem is that employment is lagging population growth. Figure 3 shows the rate of population and employment growth over the life of the LNP government. Clearly, employment growth has been less than population growth.



Over this period, the Queensland population over 15 years old increased by 198,000 or 5.5 per cent while the total number employed increased by 33,300 or 1.5 per cent. The graph shows the cumulative effect.

Notably, in eight of the twelve months of the first year of the LNP government, total employment was below the level when they took office. This is shown in figure 3 with the employment growth line is below 100.0 per cent. This seems another consequence of the public service cuts.

Considerable latent demand for jobs exists in Queensland because population growth has outstripped employment growth. This intensifies the difficulties of a falling participation rate and adds to the net number of extra jobs required to bring down the unemployment rate.

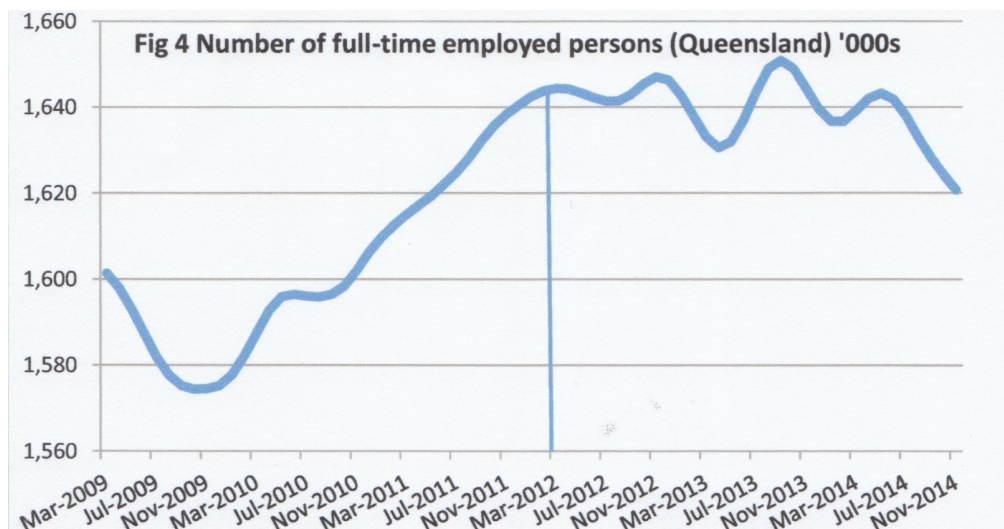


Figure 4 shows the total number of full-time jobs in Queensland over the 2009-2014 period. The number of people employed full time has fallen under the LNP government. The full-time employment fell for the first six months (March to November 2009) of the previous ALP government, but increased for each of the next thirty months. Under the LNP, full time employment has only been higher than when they took office in two of the 31 months.

Table 1 summarises the changes for the respective terms of government

Table 1 Net change in employment			
	Total	Full-time	Part-time
ALP March 2009- March 2012	71.5	53.3	18.2
LNP March 2012-Nov 2014	36.4	-29.1	65.5

A net addition of 71.5 thousand jobs occurred under the 2009-12 ALP government; almost three-quarters (53.3 thousand) were full-time. Under the LNP government, the net addition was 36.4 thousand jobs being a reduction of 29.1 thousand full-time jobs and an increase of 65.5 thousand part-time jobs.

The LNP election policy of 2012 made much of its 'four pillars strategy'. The Party web-site continues to highlight it saying;

Over the past two and a half years the Newman LNP Government has worked hard restoring the state's financial position and growing a four pillar economy – through tourism, agriculture, construction and resources – to create more jobs for today's Queenslanders, our kids and grandkids.<sup>53</sup>

<sup>53</sup> <http://qld.lnp.org.au/policy/jobs-and-infrastructure/>

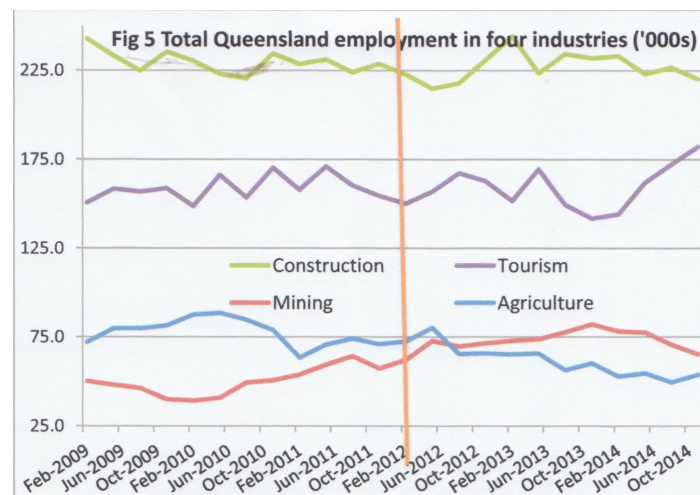


Figure 5 shows total employment in the four sectors.<sup>54</sup>

Employment in agriculture, mining and construction was lower in November 2014 than in February 2012; employment increased only in tourism. In other words, three of the four pillars were not supporting growth of jobs in Queensland.

Matters are unlikely to improve after the 2015 election. In September 2014, the Labour Market Research and Analysis Branch of the Commonwealth Department of Employment published employment projections by industry up to November 2018.<sup>55</sup> They project reductions of 0.9 per cent and 4.5 per cent in employment in agriculture and mining respectively and only medium level growth in construction and tourism. The big areas for employment growth are health and social assistance (including aged care) and education and training. These are projected to provide 42 per cent of all employment growth. The 'four pillars' of agriculture, mining, construction and tourism are projected to provide 15 per cent of all employment growth.

## Conclusion

The stark conclusion is that the LNP is well off its own 'unambiguous target' to reduce unemployment over two terms of government. Indeed, the target is further away at the end of the first term of government than at the beginning:

- The unemployment rate in November 2014 is 6.9 per cent as against the target of 5 per cent.
- A fall in the participation rate is hiding a further increase in the unemployment rate.
- The unemployment rate would be 9.1 per cent in November 2014 with a constant participation rate.
- The number of people with full-time jobs has fallen over the life of the LNP government.
- Employment growth is not keeping pace with population growth.
- Employment has fallen in three of the government's 'four pillars'.

These harsh facts explain the campaign strategies of the two major parties - the ALP's focus on blaming the government for its poor record, and the LNP both sheeting the problem back to previous ALP governments and promising that its promotion of private sector infrastructure would allow its target to be met.

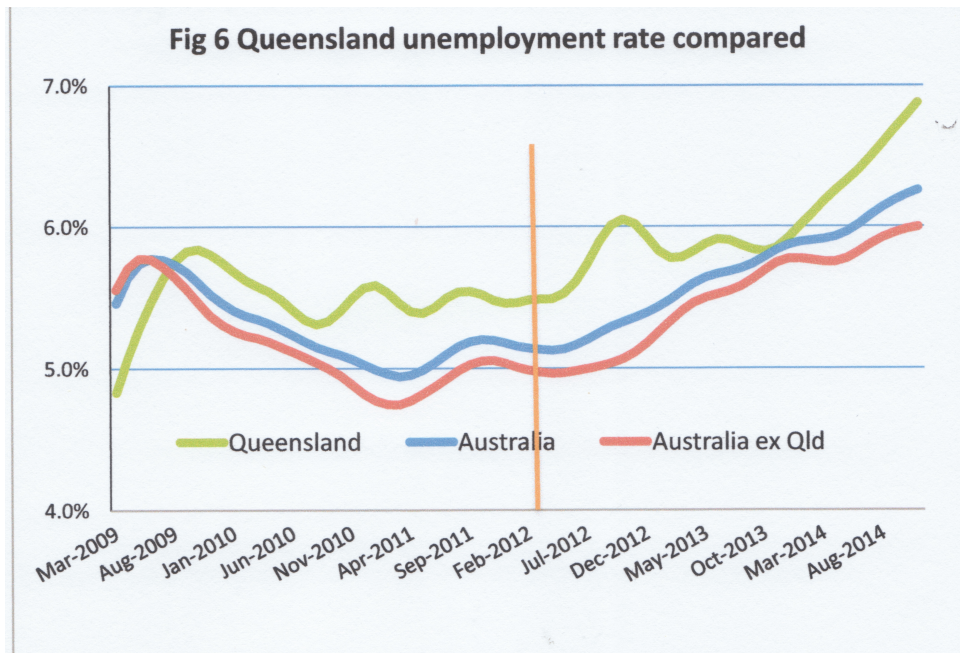
<sup>54</sup> The four ABS categories used are 'Agriculture, forestry, fishing', 'Mining', 'Construction' and 'Accommodation & Food services'. The latter is the usual proxy for 'tourism' which is not treated as a separate industry in the Standard Classification of Industries used by the ABS.

<sup>55</sup> Australian Government, Department of Employment, Employment Outlook to November 2018; Based on the Department of Employment's 2014 employment projections, September 2014, <http://lmip.gov.au/default.aspx?LMIP/EmploymentProjections>

## A cautionary note

Without changing the conclusion that the LNP will not meet its employment target, it is worthwhile reflecting on whether it was ever a sensible target. This goes to whether employment is predominately a national matter over which, at best, state governments can make marginal adjustments.

Figure 6 shows the trajectory of unemployment in Queensland and Australia as a whole for the period 2009-2014.



There are two ways of reading this graph. One is to compare the line for unemployment in Queensland with that for Australia as a whole. The deviation between these lines shows the extent to which changes in Queensland are separate from national ones. There is limited deviation in the ALP period but more is evident in 2012 (possibly the public sector cuts) and again after March 2014 (probably the downturn in the coal industry).

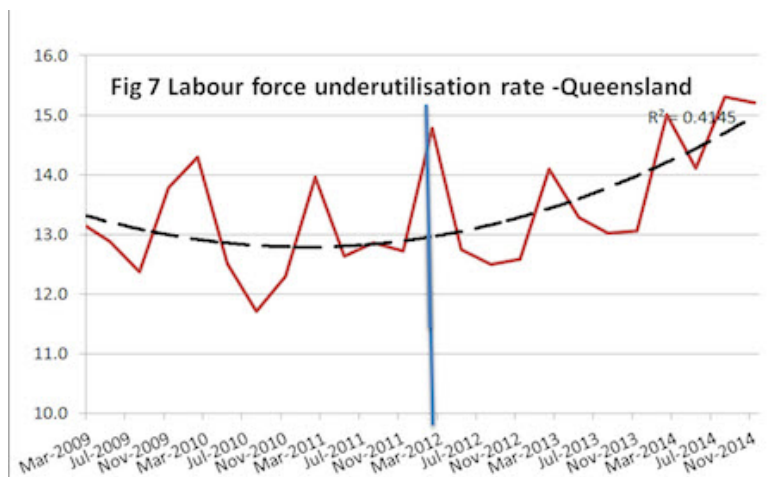
A second way is to compare the graph lines for Australia and for Australia without Queensland. The more these lines deviate, the greater is the effect of Queensland unemployment on the national total; this is evident in 2012 and after March 2014.

It seems that the state government can affect employment and unemployment independent of national trends - though the downturn in the coal industry should be treated as a national trend that has a disproportionate impact in Queensland because of the scale of the coal industry. In contrast, the 2012 public service cuts were a state specific event.

However, the extent of what the state government can, and cannot do, should not be exaggerated. Figure 7 shows the labour force under-utilisation rate for Queensland for 2009-2014. This takes account of the fully unemployed (that is no work at all) and the under-employed (part-time workers who would prefer more hours).<sup>56</sup> It is a comprehensive measurement of the loss of productive labour although only available on a quarterly basis.

<sup>56</sup> For definition see ABS, Glossary, 6202.0 - Labour Force, Australia, [www.abs.gov.au/AUSSTATS/abs@.nsf/Latestproducts/6202.0Glossary1Nov](http://www.abs.gov.au/AUSSTATS/abs@.nsf/Latestproducts/6202.0Glossary1Nov) 2014

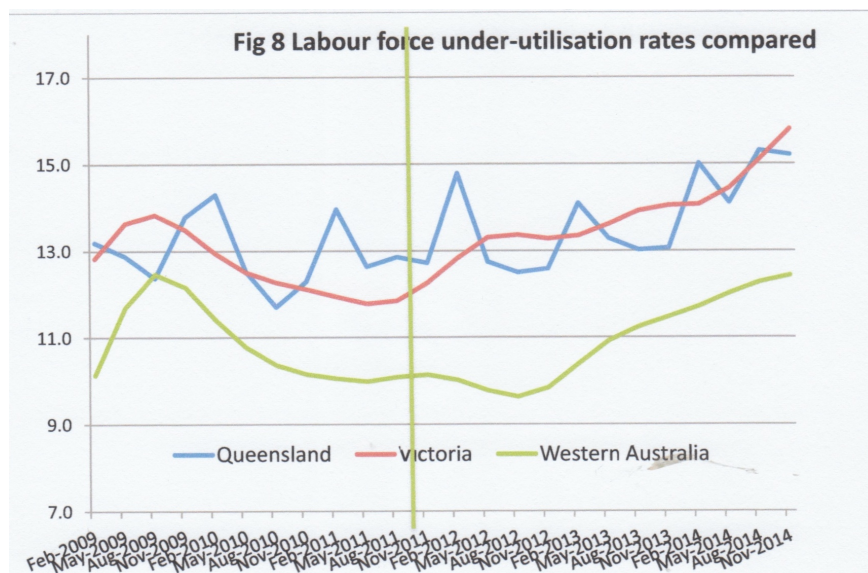




In February 2009, the under-utilisation rate in Queensland was 12.9 per cent; in November 2014 it was 15.3 per cent. Figure 7 shows the 'best fit' trend line for the data from 2009 to 2014; it is the parabolic dashed line. This indicates that there was a small downward trend in the under-utilisation rate under the ALP at least until the end of 2011 and then an upward and accelerating trend throughout the LNP period.

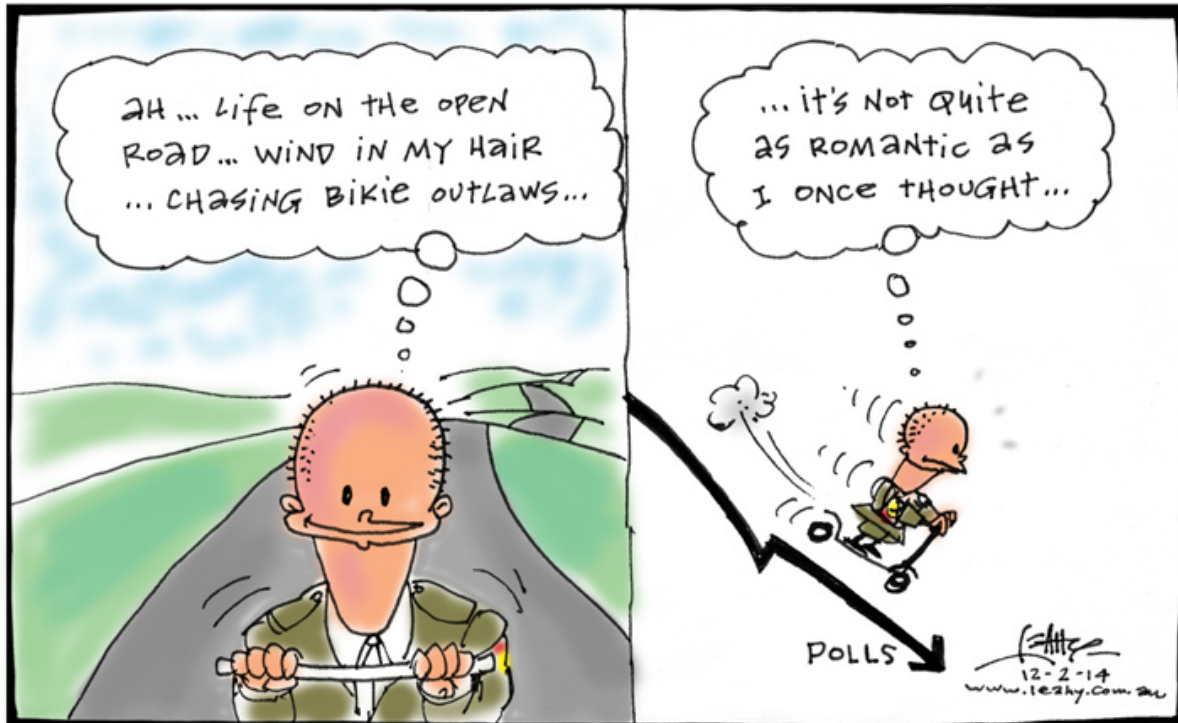
Nonetheless, the effect is relatively small - and as Figure 8 shows the change in the rate in Queensland is similar to that in Victoria and Western Australia. The only difference is that the rate in Western Australia is generally three percentage points lower than in than Queensland or Victoria.

The conclusion is that while the LNP has not met it employment targets this is a combination of its own actions and national economic and political settings. The LNP is culpable but it behooves the ALP as the alternative government to be more responsible, and more constructive, than just saying that the LNP get it wrong.





## 6. The war against violent crime



The high-profile war against bkie gangs was also a fight for approval in the polls for the Newman government's law and order crackdown. The level of approval had fluctuated as portrayed in Leahy's cartoon drawn at the start of 2014, and the issue became less publicly controversial.

The government and especially the Attorney-General could identify a number of victories and poll evidence suggested that the public had come to recognise this success. There was a clear shift in public opinion towards the end of 2014 over the most highly-publicised example of 'strong choices' – against bkie gangs implicated in organised crime. This war was waged on several fronts – the anti-bkie *Vicious Lawless Association Disestablishment Act* (VLAD) legislation which had been enacted in October 2013; criticism of 'soft sentencing' of all violent offenders (and sexual predators in particular); and legislative action on the problems of regulating street violence.

The year also ended with High Court judgments rejecting appeals against the first of a series of the 'strong' measures which had been incorporated into the LNP's constant narrative on this theme – the VLAD laws had been adjusted and implemented during 2014.

For Premier Campbell Newman and Attorney-General Jarrod Belijie, the High Court's decision is vindication for the aggressive and decisive approach they have taken to the scourge of bkie violence and corruption. Since (September 2013) the government has been pilloried by sections of the judiciary and civil liberties groups. Yet the average Queenslanders has applauded this strong approach.

The *Courier-Mail* applauded the officer-in-charge of the operation:

His perseverance, in the face of stiff opposition within his own force, has been a primary reason for the clean-up. Now, other states are likely to follow Queensland's lead. It is a terrific outcome.<sup>57</sup>

<sup>57</sup> *Courier-Mail*, 16.11.14.

The government vaunted its status as a 'law and order' trend-setter for the rest of Australia and indicated that it intended to make whatever changes were needed to ensure that it avoided any future constitutional impediments.<sup>58</sup>

The growing public popularity of the VLAD laws encouraged the Attorney-General, early in the 2014 parliamentary year, to expand the targets for a tougher approach to a range of other anti-social activities. In February 2014, the *Courier-Mail* reported that the Attorney-General had an agenda along these lines:

A tough new sentencing regime aimed at eradicating bikie gangs from Queensland will also be used to smash paedophile rings and other crime groups.<sup>59</sup>

Throughout 2014 there was a recurring pattern of governments seeking to direct courts to lengthen sentences and in particular to impose indefinite detention on violent sex offenders who had completed their 'life' sentences. This took place against the background of a protracted criminal investigation, then trial and conviction, over the murder ten years previously of 10-year-old Daniel Morecombe. Public opinion had been mobilised in a campaign by the Morecombe parents, which penetrated the school system, with warnings about 'stranger danger'. In other states, this had led to 'paedophile registers' although Premier Newman intervened to suggest that this sort of law 'might not be right for Queensland'.<sup>60</sup>

But the Attorney-General was less constrained in other areas and started with strengthening the powers of officers in charge of 'boot camps' for juvenile offenders (established by legislation late in 2012). Certain of his support by the LNP parliamentary majority, he chose the end of the May sitting to introduce a wide range of changes increasing the severity of other penalties. The *Brisbane Times* reporter gives the flavor of the discussion:

Boot camp staff will be given the power to use force or restrain young offenders, animal torturers will face up to seven years in jail and sports betting 'cheats' could be imprisoned for up to a decade under changes introduced during a mass legislative dump on the last day of parliament this week.

Attorney-General Jarrod Bleijie announced changes to several Acts while introducing the Criminal Law Amendment Bill during Thursday's afternoon session. The changes had been drip fed out over the past few months - the amendments to the double jeopardy laws, which will allow offenders 'who got away with serious crimes in the past' to be retried if new evidence comes to light - were announced last week.<sup>61</sup>

Hosting the G20 had consequences for law and order, particularly as two earlier meetings (Toronto and London) had resulted in violent protests, which Brisbane was keen to avoid.<sup>62</sup> But the meeting also broadened into concerns over national security and counter-terrorism. At the national level,

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<sup>58</sup> 'VLAD: High Court rejects challenge to Queensland anti-bikie laws', *Courier-Mail*, 14.11.14.

<sup>59</sup> 'The man overseeing Queensland's bikie crackdown says the State Government is winning the battle but losing the public relations war': ABC News, 23.7.14 <http://www.abc.net.au/news/2014-07-22/queensland-police-winning-battle-against-bikies-on-gold-coast/5614982> and 'Taskforce Maxima's 14-month investigation, codenamed Operation Lima Hacksaw, has resulted in the arrest of 75 people on 252 charges so far. The offences range from drug trafficking to car theft, *Brisbane Times*, 27.11.14: <http://www.brisbanetimes.com.au/queensland/rebels-drug-raids-hit-70-properties-20141126-11uw2l.html.html>

<sup>60</sup> 'Campbell Newman says Queensland won't support any laws which might encourage vigilantes against child predators', *Sunshine Coast Daily*, 31.10.14: <http://www.sunshinecoastdaily.com.au/news/newman-daniels-law-may-not-be-right-queensland/2438282/>

<sup>61</sup> 'Boot camp staff will be given the power to use force or restrain young offenders, animal torturers will face up to seven years in jail and sports betting "cheats" could be imprisoned for up to a decade under changes introduced during a mass legislative dump on the last day of parliament this week' *Courier-Mail*, 9.5.14: <http://www.brisbanetimes.com.au/queensland/state-government-boosts-penalties-for-series-of-crimes-20140508-zr75n.html>

<sup>62</sup> 'November's G20 may act as a trial run for the Commonwealth Games and other designated 'major events' held across the state under new legislation introduced into Parliament', *Brisbane Times*, 26.8.14: <http://www.brisbanetimes.com.au/queensland/stuckeys-bill-boosts-police-powers-at-major-queensland-events-20140826-108s8x.html?e>

the emergence of the Islamic State, then the engagement of the Abbott government in support of the American re-engagement with Iraq and then with Syria, led to the National Terrorism Public Alert System to be shifted to 'High' in early September. At the state level, the uncovering of several explosive 'factories' added to the sense of threat, in the lead-up to the G20 meeting, even though no link was established between these back-yard explosives factories and terrorism.



The heightened terrorism alert led the Police Commissioner Ian Stewart to order all police to carry firearms. The direction, dated 18 September, read:

Unless otherwise exempted, the wearing of firearm and accoutrements while on duty is now compulsory. All officers qualified ... are to wear their service issued firearm, oleoresin capsicum (OC) spray, extendible baton and handcuffs at all times while on rostered duty.<sup>63</sup>

This change took place not long before the G20 meeting in mid-November. The G20 was peaceful, and the police were applauded for their management of security for the event. Unfortunately there was a series of shooting incidents shortly afterwards in which civilians armed only with knives were shot by police - four deaths over a short period. There was no suggestion that this was a result of the instruction. However, Police Commissioner, who had greatly enhanced his reputation in supervising a notably non-violent G20, was constrained by these shootings to set up a review of procedures governing the use of firearms.<sup>64</sup>

Even before the start of the official 2015 election campaign, Attorney-General Jarrod Bleijie ended the final session of Parliament as he had ended the mid-year session in May, rushing an omnibus of legislative changes through parliament, closing loopholes and strengthening penalties.

<sup>63</sup> 'Armed in public: Queensland police chief alert, not unarmed', *Courier-Mail*, 30.11.14.

<sup>64</sup> 'Queensland police shootings: Commissioner orders immediate review', *Brisbane Times*, 25.11.14: <http://www.brisbanetimes.com.au/queensland/queensland-police-shootings-commissioner-orders-immediate-review-20141125-11t8lg.html>. See also the *Police Union Journal*, December 2014 - January 2015: [http://www.qpu.asn.au/files/secure/yyjnefUbZWCLaT8q6JUvYKBT8MerCr8LtKRxHMJYaGo5pNHF6cdqRFqO3lkzyfms6QpCPjwxtAxkZJu7IRbP4QE0v\\_UDoxVlzm6N8tBmlEXpSdqSdpTrqDBiNEmbPRdcccNmxakW6ar4.pdf](http://www.qpu.asn.au/files/secure/yyjnefUbZWCLaT8q6JUvYKBT8MerCr8LtKRxHMJYaGo5pNHF6cdqRFqO3lkzyfms6QpCPjwxtAxkZJu7IRbP4QE0v_UDoxVlzm6N8tBmlEXpSdqSdpTrqDBiNEmbPRdcccNmxakW6ar4.pdf)



One outstanding problem was domestic violence - and particularly domestic homicide. Criminal justice experts and women's groups constantly pointed out that the major component of violent crime statistics was domestic violence. In 2013, the [National Homicide Monitoring program](#) released data that showed that 36% (or 185) of all homicides in Australia between 2008 and 2010 were domestic-related.

The grim statistics were tragically illustrated by one high-profile domestic murder in a middle-class suburb in Brisbane in 2012 that gripped the attention of the media until the trial and conviction of the alleged perpetrator in July 2014. In the rather disturbing process the police revealed tactics and developments with unprecedented candour:

Even more enticing were the daily police briefings during the investigation and live blogging during the trial, both of which fit perfectly into the daily news cycle.<sup>65</sup>

The year ended with an even starker reminder of domestic violence, which is not just between partners, with the multiple-murder of eight children in Cairns just before Christmas.

An ALP Private Member's bill introduced May 2014 had sought unsuccessfully to increase penalties for past offenders who breach domestic violence orders and expanding the range of support for victims to compensate for federal government cuts to services such as legal aid. That resources were scarce was reflected in the overload of demand for refuges for women and children subjected to domestic violence.<sup>66</sup> But oppositions cannot act unilaterally and the Premier scored a public relations coup when he enlisted the support of the recently-retired (ALP-appointed) Governor-General, Quentin Bryce.<sup>67</sup> In welcoming the appointment, the Leader of the Opposition commented that she had not been consulted, despite the ALP's previous action on the topic.

At the end of 2014 the Newman government could clearly point to a major victory in gaining public support for instigating draconian laws, re-allocating police resources to implement them and ensuring that the media received full support in demonstrating the outcomes to a receptive public.

Fighting organised or violent crime is also a never-ending war. The Newman government was able to take pride in its achievements while simultaneously seeking a mandate to continue the conflict. An article in the *Courier-Mail* of December 20 offered testimony from the police themselves:

Senior police have vowed to ramp up even further their crime crack-down which has already dramatically reduced the ranks of the 'patched' (bikie gang) members. ... the bikie blitzes offer an opportunity of a lifetime and we fully intend to intensify our operations in 2015 ... we now have confirmed intelligence in relation to who is a patched member, who is an associate, who has dissociated and the anticipated movements of members and gangs. Police Taskforce Superintendent Niland asserted that the operation which thinned the number of gang members was 'one of the most successful crusades against organised crime in Australian history'.<sup>68</sup>

The year 2014 ended with Tony Abbott reshuffling his Cabinet, which empowered a new Minister of Immigration (who held the outer Brisbane seat of Dickson) to demonstrate his commitment to the same crusade when he announced on Facebook:

If you're an illegal bikie, if you're part of an outlaw motorcycle gang involved in organised criminal activity, you've just made it to the top of my list. ... Coming to Australia is a privilege and if you're

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<sup>65</sup> Terry Goldsworthy, 'Intimate partner homicide, the media, and the Baden-Clay case', *The Conversation*, 15.7.14: <https://theconversation.com/intimate-partner-homicide-the-media-and-the-baden-clay-case-28103>

<sup>66</sup> 'One hundred people from the Sunshine Coast seek placement in an emergency housing shelter every week because of domestic violence': *Sunshine Coast Daily*, 10.11.14 <http://www.sunshinecoastdaily.com.au/news/shelters-bursting-at-seams-on-coast/2447419/>

<sup>67</sup> Bryce was a former University of Queensland law school academic; Director, Human Rights and Equal Opportunity Commission, Queensland; and Federal Sex Discrimination Commissioner, Human Rights and Equal Opportunity Commission. She had been appointed Governor of Queensland by an ALP Premier in 2003.

<sup>68</sup> 'Queensland war on bikies continues despite gangs being decimated': *Courier-Mail*, 20.12.14.

coming here harming Australians, ripping off our welfare system, committing serious crimes, then you're at the top of my list for deporting.<sup>69</sup>

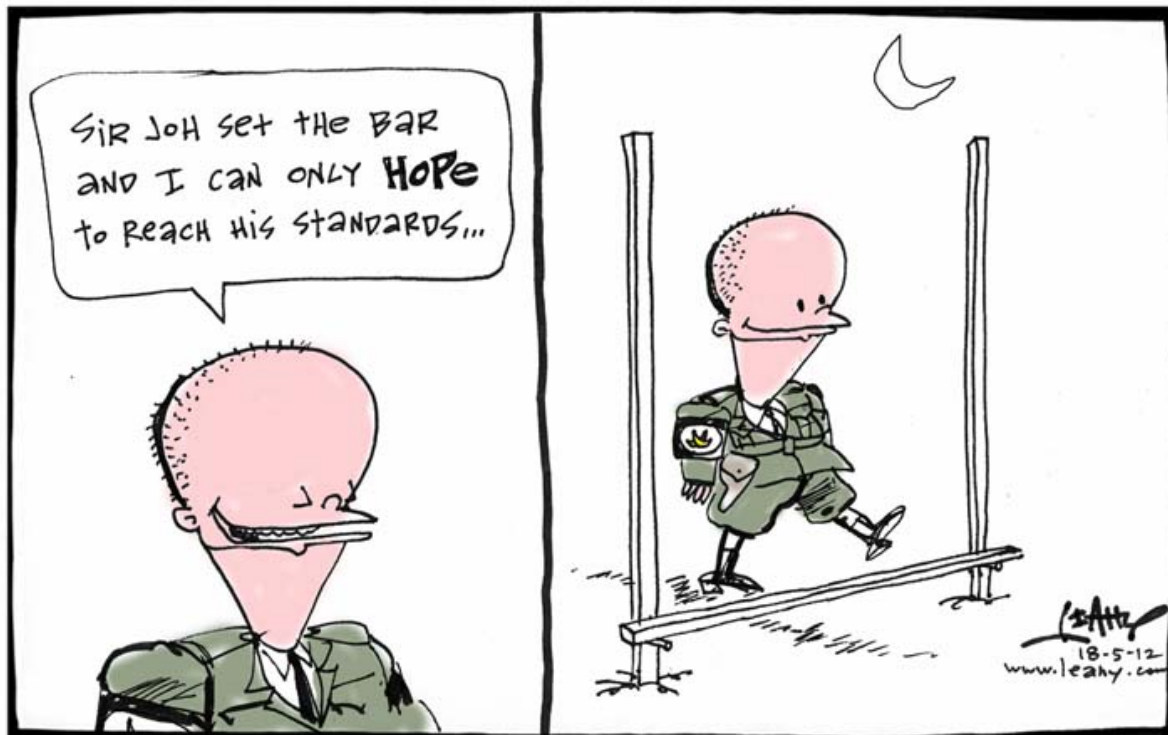
The members of the public cannot check the accuracy of the government's claims about its crime statistics because one of the first casualties of the public service cutbacks was the cessation of the *Queensland Police Service Annual Statistical Review*. This provided graphs of long-term trends, with explanatory notes about how they should be interpreted. The last issue covered 2011-12.<sup>70</sup> From this one can see that most crimes had been trending downwards before the Newman government was elected, although assault had risen. The explanation for that was a widening of the types of crimes in the category. The greatest increase was in Far North Queensland. It is impossible to assess the 'crackdown' on crime, or whether Mums and Dads can feel safer at night without access to these trend graphs and explanations.

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<sup>69</sup> 'Immigration Minister Peter Dutton targets bikie gang members as 'top of my list for deporting'', *Sydney Morning Herald*, 23.12.14: <http://www.smh.com.au/federal-politics/political-news/immigration-minister-peter-dutton-targets-bikie-gang-members-as-top-of-my-list-for-deporting-20141223-12cp0c.html>

<sup>70</sup> *Queensland Police Service Statistical Review 2011-12*: <https://www.police.qld.gov.au/corporatedocs/reportsPublications/statisticalReview/Documents/StatReview2011-12.pdf>

## 7. The war against the judiciary



However popular in Queensland, all this ‘toughening up’ challenged the discretionary role of the judiciary, and established conventions on the separation of powers.

In 2012 the Newman government promised to ‘restore’ accountability in government:

A key commitment is to make the government more open, accountable and accessible for all Queenslanders.<sup>71</sup>

Accountability was the first casualties of the Newman wars. In ‘2014, the year that was’ John Watson, politics editor of the *The Conversation*, provided a general review of the year’s political events. He suggested that:

The mixing of money and power by party machines that resist public scrutiny and input makes for an unhealthy brew. ICAC lifted the lid on corruption that crosses party lines in New South Wales. In Victoria, the toothless IBAC is an issue in the debate on integrity in government.

And in Queensland, the Newman government seemed intent on rolling back the years to pre-Fitzgerald Inquiry days.<sup>72</sup>

Watson was referring, in part, to a long-running and damaging saga still confronting the government at the end of 2014 - its ‘reform’ and restructuring of one of the most significant parliamentary devices for ensuring accountability in Queensland – the Parliamentary Crime and Misconduct Committee (PCMC).

<sup>71</sup> Six-month action plan (July - December 2012): <http://www.thepremier.qld.gov.au/plans-and-progress/plans/6-months-july-dec-12.aspx>

<sup>72</sup> John Watson, ‘2014, the year that was’, *The Conversation*, 29.12.14. <https://theconversation.com/2014-the-year-that-was-politics-society-35415>

During 2013, there had been two inquiries into the then Crime and Misconduct Commission (CMC), the first into its internal management and the second into wider responsibilities and powers.<sup>73</sup> The government had largely supported a set of recommendations from the first, the Callinan-Aroney Inquiry, to change the name and focus of the organisation.<sup>74</sup> It was to become the Crime and Corruption Commission (CCC), shedding lesser concerns for misconduct, which were devolved back to government departments, and inserting a stronger role for the Attorney-General in determining its research agenda. Professor Tim Prenzler described the new CCC as :

A pale shadow of a world standard mature public sector integrity commission.  
Queenslanders have again been treated with contempt by politicians who acted in defiance of public opinion, expert opinion and scientific evidence.<sup>75</sup>

At the end of November 2013 the Newman government had dismissed the PCMC because its Chair, Independent Liz Cunningham, was critical of the CMC boss Ken Levy compromising his independence by publicly supporting the bikie laws. The Committee was then re-formed under an LNP Chair with the same partisan balance as before and much the same membership (apart from Cunningham).



An implementation committee had been set up by the government to assess the relevance of the findings of the two inquiries. It attracted a range of critical submissions, including one from Tony

<sup>73</sup> This section draws on other papers written for the TJRyan Foundation. See our paper on the Queensland Parliament under Campbell Newman in 2012 and 2013: [http://www.tjryanfoundation.org.au/\\_dbase\\_upl/Queensland\\_Parliament\\_under\\_Newman.pdf](http://www.tjryanfoundation.org.au/_dbase_upl/Queensland_Parliament_under_Newman.pdf)

<sup>74</sup> On 11 October 2012 the Queensland Government appointment a panel to review the Crime and Misconduct Act 2001. The review was undertaken by former High Court Justice, the Honourable Ian Callinan AC and University of Queensland Professor Nicholas Aroney. Its report was submitted in April 2013: <http://www.parliament.qld.gov.au/documents/tableOffice/TabledPapers/2013/5413T2447.pdf>; in March 2013 was inquiry was initiated by the then PCMC into the Crime and Misconduct Commission's release and destruction of Fitzgerald Inquiry documents: <http://www.parliament.qld.gov.au/Documents/TableOffice/TabledPapers/2013/5413T2362.pdf>. Both reported in April 2013.

<sup>75</sup> Tim Prenzler, *Queensland's New Crime and Corruption Commission: model public sector agency?* Research Paper 9, TJRyan Foundation: [http://www.tjryanfoundation.org.au/\\_dbase\\_upl/Prenzler\\_CCC.pdf](http://www.tjryanfoundation.org.au/_dbase_upl/Prenzler_CCC.pdf)

Fitzgerald.<sup>76</sup> Liz Cunningham in an ABC interview in April accused the state government of undermining democracy and accountability through its changes to the Crime and Misconduct Commission and the Budget Estimates hearings.<sup>77</sup>

On 1 May 2014, the *Brisbane Times* reported the following:

The Government has been given the green light to make its changes to the Crime and Misconduct Commission, including removing the need for appointments to receive bipartisan support – despite strong opposition from former commissioners and the legal community.

The Legal Affairs and Community Safety parliamentary committee has recommended the Attorney-General's CMC amendments be passed in a majority decision.

Non-government committee members, Labor's Bill Byrne and Independent MP Peter Wellington did not agree with the committee's decision and wrote a dissenting report, claiming the Bill was 'a signal to Queenslanders that the Newman government is prepared to let Queensland return to the bad old days of the Bjelke-Petersen government where corruption and misconduct were able to flourish'.

The remaining committee members, chaired by LNP MP Ian Berry, concluded the Government's amendments were sound and in line with the recommendations of the two reviews into the CMC and its procedures.

Despite strong and vocal opposition to removing the requirement for bipartisan support for commission appointments, the committee was not convinced that the need for a joint tick-off still existed. It found that the model used by the New South Wales Independent Commission Against Corruption, in which the Minister refers an appointment to the oversight committee which had the power to veto an appointment, 'was appropriate'.<sup>78</sup>

The key position of Chair of the CCC remained unfilled. The Acting Chair, Dr Ken Levy, had been widely criticised for his publicly pro-government stance, and he was then accused of misleading the PCMC about meetings 'over how much contact he had with government media officers prior to publishing an opinion piece which supported the LNP's anti-gang laws'.<sup>79</sup> This specific charge was referred to the Parliamentary Ethics Committee and thence to the Queensland Police in May, where it rested without resolution throughout the year.

Levy's term of appointment as Acting Chair had been extended until November 'to ensure a smooth transition period'. Despite being declared eligible by the Premier, Levy announced he would not be a candidate for the permanent position. The post was advertised and selection processes were conducted within the office of the Attorney-General.

There was considerable risk that this appointment would be perceived to be partisan. Robert Needham, a former Chair of the earlier Crime and Misconduct Commission wrote to the implementation committee with this warning:

Public confidence in the commission's independence will only exist if these senior appointments are seen by all sides of politics, by the media, by the staff of the Commission and by the public to have been made without any suggestion of political favour. ... The only attempt at a rationale that I have heard was in a statement by Mr Bleijie in a television interview where he stated words to the effect that the removal [of the bipartisan requirement] would 'take politics out' of the appointment process. This statement is either naive or disingenuous. Rather than taking politics out of the appointment process, the removal of the requirement for bipartisan political approval will ensure that the

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<sup>76</sup> Chair of the Inquiry that led to the anti-corruption changes, including the creation of the original Criminal Justice Commission and the parliamentary oversight committee.

<sup>77</sup> Interview with Matt Wordsworth, *ABC 7.30 Report*, 4.4.14: <http://www.abc.net.au/news/2014-04-04/independent-mp-accuses-state-government-of/5369102>

<sup>78</sup> 'Queensland Government's CMC changes get green light': *Brisbane Times*, 1.5.14: <http://www.brisbanetimes.com.au/queensland/queensland-governments-cmc-changes-get-green-light-20140430-37hzt.html>

<sup>79</sup> 'Queensland Police investigating CMC Acting Chair', *Brisbane Times*, 9.5.14: <http://www.brisbanetimes.com.au/queensland/police-investigating-cmc-acting-chair-20140509-zr8br.html>



appointment is seen as political.<sup>80</sup>

Mr Needham's warnings proved accurate. At first the Premier and the Attorney-General declined to embrace any notion of bi-partisanship at all. Then, in the brief 'peace-keeping operation' when various policy concessions were made, the Premier announced that he would accept Opposition input into the decision. In practice, this proved to be a false dawn.

When Premier Campbell Newman had announced in July that he was reinstating bipartisanship, he called on the Opposition to respond sensibly:

'We'll go through a formal recruitment process and the Opposition will have their say in that and they will have to ultimately, essentially they'll have a right of veto,' Mr Newman told 612 ABC Brisbane. 'But I hope they can be sensible about it, I call for them to do the right thing in approaching this and I would assume that they would'.<sup>81</sup>

Opinions obviously differed over what seemed sensible in the circumstances, and what 'having a say' meant. The common-sense meaning of this commitment was that the Leader of the Opposition would be consulted confidentially and her endorsement sought before any decision was published.

The government chose to use instead the system which applied to the NSW Independent Commission Against Corruption. A candidate with an apparently suitable and bi-partisan history of working as a special counsel for the parliamentary committee overseeing the CMC/CCC was identified.<sup>82</sup> This name was then placed before an LNP party meeting, then leaked (as doubtless intended) to the media. Only then was it proffered to the Leader of the Opposition who declined to comment in advance of getting advice from the members of the Parliamentary Committee. The advice from the two ALP members was that the candidacy should be rejected, essentially on procedural grounds: there was no element of bipartisanship in being presented with a public fait accompli.<sup>83</sup>

This was, however, a minor skirmish compared to the war that broke out between the government and the judiciary.

The concern over the specific issue of an anti-corruption agency engaged the attention of those members of the legal profession with long memories of the Bjelke-Petersen era. Of more general concern were the implications of the missionary zeal exhibited by the Attorney-General. The confrontation over the implications of the VLAD laws for civil liberties and legal processes was joined during 2014 by a man who symbolised the continuity between the regimes of Joh Bjelke-Petersen and Campbell Newman.

In the 1980s Jesuit priest Frank Brennan had been an activist using his law qualifications to defend students arrested in protests against the Bjelke-Petersen government, before moving on to a distinguished academic career at the Australian Catholic University. His Brisbane address to the Civil Liberties Council on 8 July 2014 echoed much of the criticism throughout the year from members of the Queensland legal profession:

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<sup>80</sup> 'Former CMC boss pans watchdog changes, *Brisbane Times*, 2.2.14: <http://www.brisbanetimes.com.au/queensland/former-cmc-boss-pans-watchdog-changes-20140402-35xyt.html>

<sup>81</sup> <http://www.abc.net.au/news/2014-07-23/campbell-newman-calls-labor-be-sensible-in-ccc-chair-appointment/5616978>

<sup>82</sup> Mr Favell, a barrister with a background in commercial, property, defamation and media law, was appointed to the Parliamentary Crime and Corruption Commissioner role by the former Labor Government in August 2011. He has practised for more than 30 years and has served as a Crown Prosecutor and on tribunals including the Commercial and Consumer Tribunal and the Queensland Civil and Administrative Tribunal.

<sup>83</sup> 'Campbell Newman calls on Labor to 'be sensible' when considering new CCC chair', *ABC News*, 23.7.14: <http://www.brisbanetimes.com.au/queensland/pccc-rejects-favell-as-crime-watchdog-boss-20141028-11d1j4.html>

There is a place for conscience and courage in the law, especially when the prevailing political orthodoxy of those who exercise legislative or executive power is contrary to one's deeply considered assessment of human rights and human dignity. ... Three decades on, Queensland once again has a premier who finds some political advantage in skewing the balance between law and order, impugning the integrity and vocation of the legal profession.<sup>84</sup>

The government continued its criticism of the magistracy both for the leniency of their judgments (often leading to appeals from the Attorney-General) and for the general antipathy among the legal profession towards the mandatory sentencing which appeared to have been introduced in some laws specifically to remove this discretion. The government denigrated the legal profession for being out of touch with the more authoritarian values of the wider community.

Supreme Court Justice George Fryberg had stayed an application for a review of a magistrate's bikie bail decision because of concerns about the public comments about the judiciary by Premier Campbell Newman.<sup>85</sup> His decision was overturned on appeal. In an article headed 'Jarrod Bleijie snubs farewell for judge in bikie laws stand-off', the *Brisbane Times* reported:

Justice Fryberg made headlines last month when he stayed an alleged bikie gang member's bail hearing amid concerns about a public perception of political interference by the premier. But the Court of Appeal eventually ruled that Justice Fryberg had erred when he froze the government's bid to revoke the bail of alleged bikie Jarrod Kevin Anthony Brown because of comments Premier Campbell Newman had made.

The appeals court found Mr Newman's reported comments would not make the public think judges had been influenced in their decision-making.

The premier was quoted in media reports urging judges to act within community expectations.<sup>86</sup>

When he retired at the end of 2013 Judge Fryberg gave an assessment of some of the problems in a wide-ranging interview aired on the ABC in November 2013 which attracted widespread media attention.<sup>87</sup>

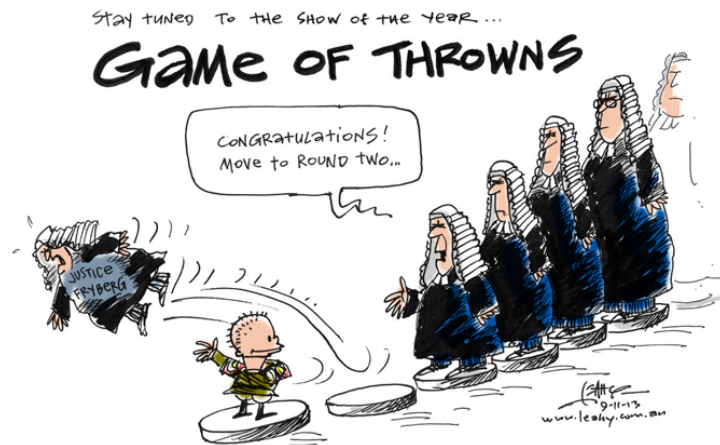
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<sup>84</sup> Text of Frank Brennan's speech can be found at: [http://www.tjryanfoundation.org.au/\\_dbase\\_upl/Too\\_Much\\_Order\\_and\\_Too\\_Little\\_Law\\_30\\_years\\_on.pdf](http://www.tjryanfoundation.org.au/_dbase_upl/Too_Much_Order_and_Too_Little_Law_30_years_on.pdf)

<sup>85</sup> 'Queensland courts in crisis over Newman's remarks': *Brisbane Times*, 30.10.13: <http://www.brisbanetimes.com.au/queensland/courts-in-crisis-over-newmans-remarks-20131030-2wfm9.html>

<sup>86</sup> 'Jarrod Bleijie snubs farewell for judge in bikie laws stand-off', *Brisbane Times*, 28.11.13. ; <http://www.brisbanetimes.com.au/queensland/jarrod-bleijie-snubs-farewell-for-judge-in-bikie-laws-standoff-20131128-2ycfo.html>

<sup>87</sup> Full interview: Queensland's retiring Supreme Court Judge, Justice George Fryberg, talks to Matt Wordsworth about the bikie bail stand-off, the Patel trial and the latest developments in the law, *ABC 7.30 Report*, 22.11.13: <http://www.abc.net.au/news/2013-11-22/view-the-complete-interview-with-justice-fryberg/5112326>



Hostilities resumed after the Christmas break. In early February 2014 the Premier, supported by the Attorney-General, made a provocative intervention, arguing that the legal team recruited to help defend those accused under the VLAD legislation were themselves guilty of criminal conduct simply by the fact of this association:

These people (lawyers) are hired guns. They take money from people who sell drugs to our teenagers and young people.'

Yes, everybody's got a right to be defended under the law but you've got to see it for what it is: they are part of the machine, part of the criminal gang machine, and they will see, say and do anything to defend their clients, and try and get them off and indeed progress ... their dishonest case.<sup>88</sup>

The lawyers involved launched a defamation action which made its way through the court system during the course of the year. The Senate, in Canberra, was also persuaded to issue a formal rebuke to the Premier.<sup>89</sup>

A prominent Queensland expert in constitutional law expert Professor Gerard Carney said he found Mr Newman's comments hard to believe:

As someone who has invested a career in constitutional law, he says he has never heard of a government in Australian modern history accusing members of the judiciary of living in 'ivory towers' and being unaccountable to the community. 'I think this is unprecedented in Australia in modern times and it's incomprehensible,' he said.

'One of the paramount principles that we have enjoyed is the benefit of is public confidence in the integrity of our judges and our courts. That is in fact now a constitutional requirement that nothing be done in a way to impair public confidence in that institutional integrity. To have the Premier come out in those terms is appalling, it damages our constitutional system and the attorney traditionally has had the role to protect the courts from that sort of scandalous comment.'<sup>90</sup>

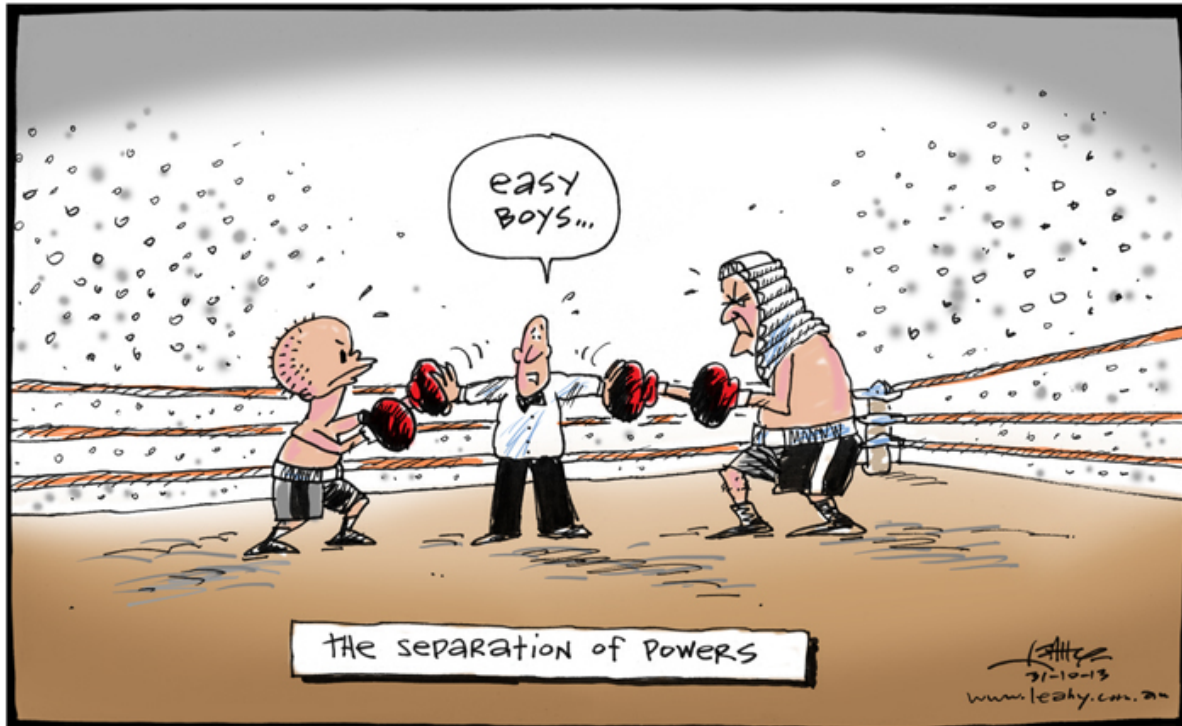
In March 2014 there was a furore over the confidentiality of the consultations over judicial appointments when a lawyer, well-respected in the legal profession but dubbed 'architect of the bikie laws' by the media, Walter Sofranoff resigned from the public service post of Solicitor-

<sup>88</sup> 'Campbell Newman says lawyers for bikies are part of criminal gang machine', *Courier-Mail*, 6.2.14.

<sup>89</sup> 'Senate rebuke for Premier Campbell Newman over lawyer comments', *Brisbane Times*, 13.2.14: <http://www.brisbanetimes.com.au/queensland/senate-rebuke-for-premier-campbell-newman-over-lawyer-comments-20140213-32k0i.html#ixzz3JCZyX6tW>

<sup>90</sup> 'Expert lashes Queensland Premier Campbell Newman's "reprehensible" swipes at judicial system', *ABC News*, 26.10.13: <http://www.abc.net.au/news/2013-10-25/expert-lashes-newman27s-swipe-at-judicial-system/5047008>

General.<sup>91</sup> He called on the Attorney-General to resign, accusing Jarrod Bleijie of defaming a senior judge after discussions over judicial appointments were leaked, saying he was unethical and could not be trusted.



Clearly the Premier and his Attorney General held a contrary view to that of the experts about the separation of powers, established procedures, and the need for magistrates and judges to be more responsive to the government's interpretation of public opinion on issues of law and order. When the opportunity arose they found someone sympathetic to their position to appoint as Chief Magistrate, Tim Carmody, who promptly used his new authority to rein in 'soft' uses of magistrates' discretion on bail conditions and publicly affirm his support for the new laws he was asked to administer.

Going outside the normal conventions that applied to qualifications for judicial appointments was consistent with views expressed earlier by the Premier and his Attorney General. In defending the new laws aimed at keeping serial sex offenders in jail rather than being eligible for bail or parole, the Premier had been quoted as saying that 'judges and magistrates who criticised his government's new powers to overrule the judiciary were living in 'ivory towers'...

Queenslanders are sick of those people who get appointed into these jobs who are then totally unaccountable...Judges and magistrates don't actually have to go for re-election – they're there appointed, they have tenure, they're there until a retiring age and I can't influence and I don't try to influence them.<sup>92</sup>

However, when an opportunity for influence did arise, it was fully exploited. Chief Justices had on occasion in the past been elevated to the role of Governor. When the incumbent's term came to an end the government promoted the sitting Chief Justice, Paul de Jersey, to the position in July. This created a vacancy in the post of Chief Justice, which like the Governorship was in the gift of the government. Conventions about consulting the legal profession and the judiciary were not

<sup>91</sup> 'Walter Sofronoff, former Queensland solicitor-general, calls on Attorney-General Jarrod Bleijie to resign', ABC News, 26.3.14: <http://www.abc.net.au/news/2014-03-25/solicitor-general-says-a-g-jarro-bleijie-defamed-judge/5343300>

<sup>92</sup> Quoted in 'Premier Campbell Newman sinks "to a new low" over Qld's sex offender laws criticism', ABC News, 25.10.13: <http://www.abc.net.au/news/2013-10-24/newman-sinks-to-a-new-low-over-sex-offender-laws-criticism/5042940>



binding, so there was no legal barrier to appointing Carmody straight from his brief spell as Chief Magistrate to become Chief Justice.

The appointment of Carmody as Chief Justice caused a major outcry from across the legal fraternity, identifying a major infringement of the principle of the 'separation of powers' between executive government and the judiciary.<sup>93</sup> The Bar Association joined the fray in the early stages; their position was then supported by a recently retired judge; and then Justice Tony Fitzgerald AC (chair of the 1987 Fitzgerald Inquiry) added his weight to the criticisms.

It's deeply troubling that the megalomaniacs currently holding power in Queensland are prepared to damage even fundamental institutions like the Supreme Court and cast doubt on fundamental principles like the independence of the judiciary.<sup>94</sup>

The on-line coverage said it all: 'Legal figures question the suitability of Tim Carmody as the new Queensland Chief Justice'; 'Newman and Bleijie a pair of schoolyard bullies'; 'Chief Justice Carmody and the "merit principle"': 'Supreme Court judges snub public ceremony for Queensland's new Chief Justice Tim Carmody'; 'Power in the state has been transferred to "a small, cynical, political class"'.<sup>95</sup>

Finally, the entire body of judges indicated their disapproval by boycotting the ceremony held to install Chief Justice Carmody.

The year ended with a show of magnanimity from the main beneficiary of the Newman war against the judiciary. Under the headline of 'Courage of Convictions', the *Courier-Mail* reported the following :

Chief Justice Tim Carmody used his first Christmas greeting to call on the judiciary to maintain 'civility, respect and courtesy' in the aftermath of his controversial appointment to the top job'. Carmody's inaugural address to new barristers at the Banco Court was fully attended by his judicial colleagues, in marked contrast to his own inauguration.

'I do not want in any way to avoid reality, the last few months have been difficult for the judiciary and there have been flow-on consequences for the judiciary as a whole'. He asked the judiciary to maintain a high level of civility, respect and courtesy for one another in the understanding that while differences between them may continue, he hoped they would diminish.<sup>96</sup>

Two days later, an article the *Courier-Mail* suggested that the vanquished might remain unreconciled to their fate. After reportedly hesitating to make the Banco Court available for the valedictory address of one of his critics, Carmody attended to hear Justice Muir once again emphasise that confidence in the court system depended on the quality of appointments to the most senior offices. Under the headline 'One Last Word of Judgment', the reporter noted that

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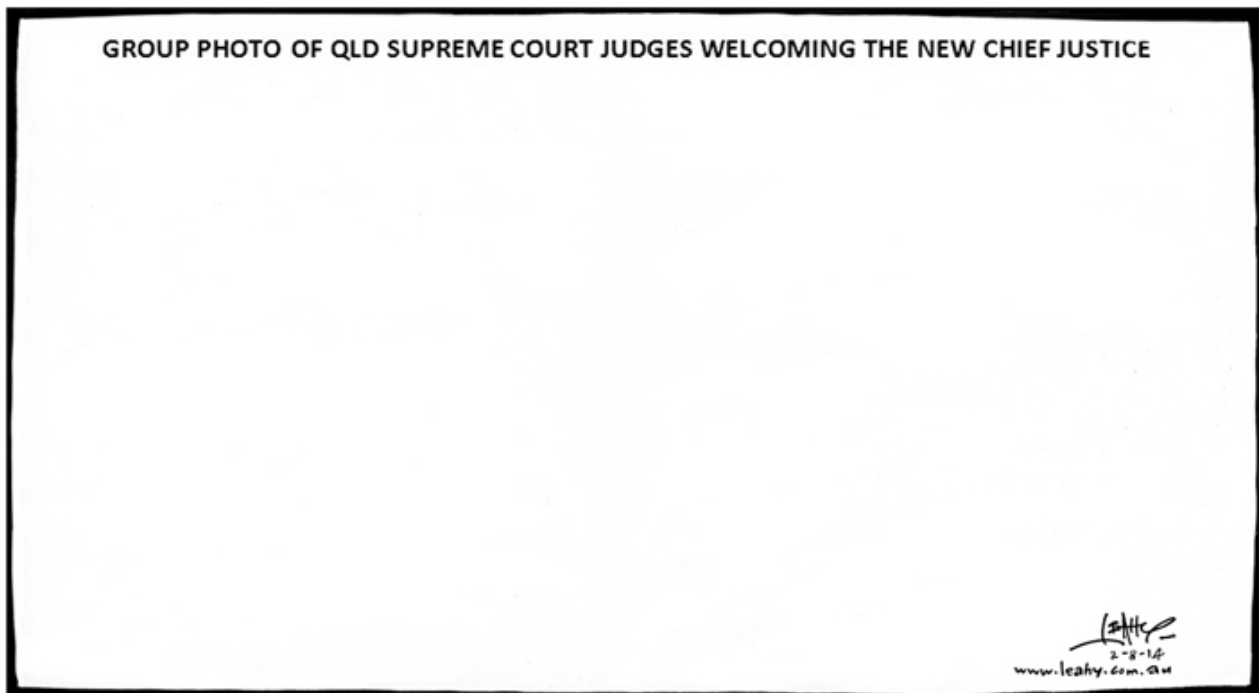
<sup>93</sup> Expert lashes Queensland Premier Campbell Newman's 'reprehensible' swipes at judicial system', *ABC News*, 26.10.13: <http://www.abc.net.au/news/2013-10-25/expert-lashes-newman27s-swipe-at-judicial-system/5047008>

<sup>94</sup> 'Tony Fitzgerald slams Newman's "politically motivated" apology', *Brisbane Times*, 25.7.14: <http://www.brisbanetimes.com.au/queensland/tony-fitzgerald-slams-newmans-politically-motivated-apology-20140725-zwtxn.html>

<sup>95</sup> 'Legal figures question the suitability of Tim Carmody as the new Queensland Chief Justice', *ABC News*, 13.6.14: <http://www.abc.net.au/news/2014-06-12/qld-government-appoints-tim-carmody-as-chief-justice/5519358>; 'Newman and Bleijie a pair of schoolyard bullies', *Brisbane Times*, 27.3.14: <http://www.brisbanetimes.com.au/queensland/blogs/that-thinking-feeling/newman-and-bleijie-a-pair-of-schoolyard-bullies-20140326-35ict.html?>; 'Chief Justice Carmody and the "merit principle"', Andrew Lynch, *Australian PolicyOnline*, 18.8.14: <http://apo.org.au/commentary/chief-justice-carmody-and-merit-principle>; 'Supreme Court judges snub public ceremony for Queensland's new Chief Justice Tim Carmody', *ABC News*, 1.8.14: <http://www.abc.net.au/news/2014-08-01/supreme-court-judges-snub-public-ceremony-for-chief-justice/5641092>; 'Populist' Newman government hiding behind facade: Tony Fitzgerald', *Brisbane Times*, 11.9.14: <http://www.brisbanetimes.com.au/queensland/populist-newman-government-hiding-behind-facade-tony-fitzgerald-20140910-10f6r5.html>

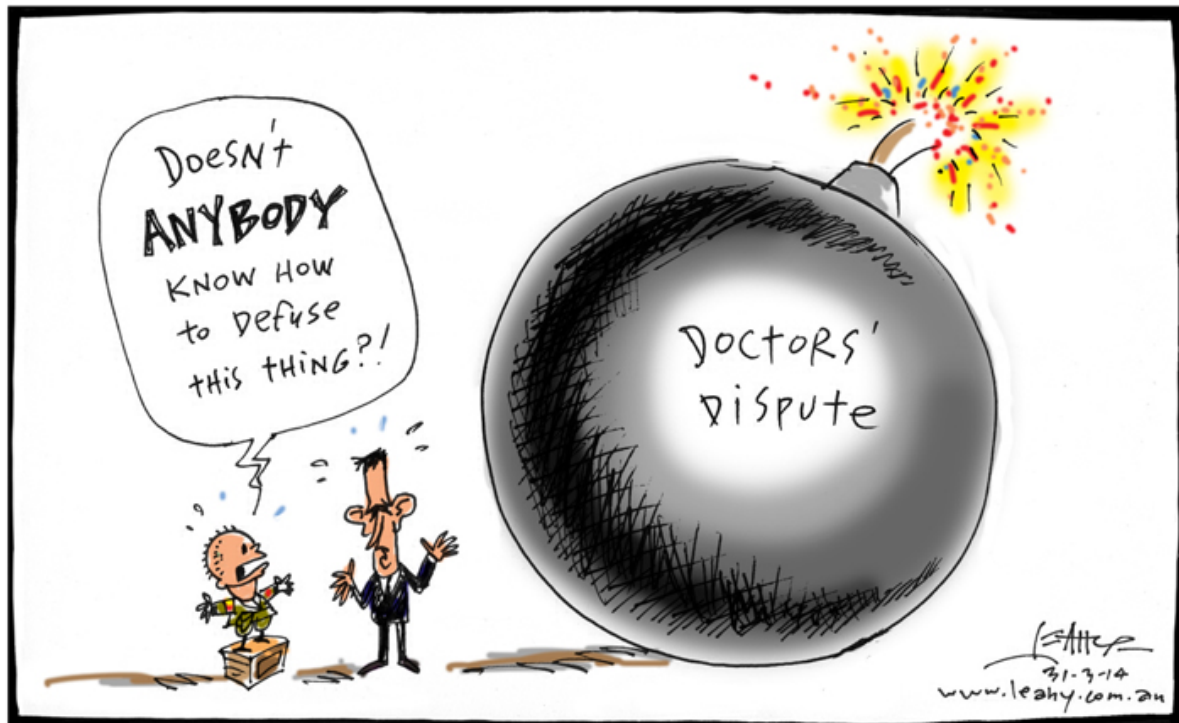
<sup>96</sup> 'Courage of convictions', *Courier-Mail*, 18.12.14.

Carmody was seated in the public gallery beside some of the state's most senior legal administrators while the outgoing judge was surrounded by his Court of Appeal colleagues.



Television viewers would have experienced mixed feelings in seeing Premier Newman make the formal visit to Government House to dissolve Parliament and being received by Acting Governor Tim Carmody.

## 8. The war against the doctors – two battles on a new front



The Newman government could claim to be representing the views of 'ordinary people' in its criticism of the legal profession, and the judiciary in particular, for being out of touch with community expectations. It entered a minefield when it took on the medical profession.

There were two dimensions to the LNP government's war against the doctors: a sub-set of the war against violence in which doctors were pitted against the liquor industry, and a sub-set of the war against the unions during which doctors were pitted against hospital boards of management and, ultimately, the Minister. It seems that the doctors lost the first war because of the continuing power of the Newman government's allies, and might have won the second once the fine print of industrial relations agreements had been examined. But the dispute inflicted significant collateral damage on the LNP itself.

The violence associated both within nightclubs and the consumption of liquor in public places surfaced incidentally with the much-revisited video of a brawl on the Gold Coast between rival bikie gangs in September 2013. There was also concern about alcohol-fuelled violence in Brisbane's Fortitude Valley nightclubs, and particularly the rising incidence of 'one-punch' deaths in interstate nightspots. The suite of measures introduced in Queensland as a result was an attempt to reduce the disorder, confrontations, serious injuries and in some cases deaths, arising from fights amongst inebriated 'revellers', and with police seeking to restore order.

Reducing alcohol trading hours had had a positive effect in an experiment in Newcastle in regional NSW, later replicated in Sydney's King's Cross. The Queensland Police Union strongly supported a similar change being introduced, particularly on the Gold Coast and in the Fortitude Valley district in Brisbane, as they police officers had to deal with the immediate violence. This proposal was taken up by the local medical fraternity, and in particular by Dr Anthony Lynham, a maxillofacial surgeon who regularly had to deal with appalling consequences of the public brawling that took place in the vicinity of the premises where liquor could be consumed until the early hours of the morning. Lynham appeared regularly on local ABC radio voicing his concerns.

The Newman government set up an inquiry in January 2014 and also undertook a process labelled 'community consultation'. It announced a 'Safe Night Out' strategy in March which explicitly rejected the idea of advancing closing hours from 5am back to midnight because of the economic impact this would have on nightclubs' alcohol sales and general business. The government preferred measures to increase offences and strengthen the supervisory role of night club operators.<sup>97</sup> The Premier would have pleased the Queensland Hotels Association when he argued against reducing trading hours on the basis that the peaceful majority should not be punished for the bad behaviour of the few.

The Police Union led the strong reaction against the Premier's view, with the April edition of the *Police Union Journal* offering this comment:

We all know the Premier seems to be a law unto himself when it comes to such issues. Even when faced with cold, hard facts supporting a particular notion, he refused to see the forest for the trees. ... What is Mr Dempsey [Police Minister] doing to protect our members and the communities of Queensland by listening to the experts and pushing our Premier and the current Government to reduce trading hours?

Here's ... a novel idea for our Premier and Police Minister. Take a walk through any community in Queensland where they have had to endure deaths from senseless violence at 5am in the main street of town and ask the members of those communities what they think.<sup>98</sup>

The medical profession and researchers in the field voiced their concern privately to no effect, then more publicly when legislation was introduced later in the year by the Attorney-General to extend the opening hours of pubs and service clubs into the suburbs instead, to 'spread' the problem. In Parliament, this was duly endorsed by the Legal Affairs and Community Safety committee and then by the House.

The final component of the 'Safe Night Out' policy was put in place in November, when a tender was let, with a ceiling cost of \$100,00, for a company to perform alcohol service tests for pubs and clubs, a so-called mystery shopper trial.<sup>99</sup>

The medical profession, and its representative body the Queensland branch of the Australian Medical Association, generally supported restricting trading hours. But the AMA(Q) and many of its key public identities were distracted from the middle of the year by an Audit Office report which suggested that a significant number of doctors employed in public hospitals were guilty of fraud by manipulating their terms of employment.

This was referred to the new Crime and Corruption Commission which ultimately dismissed the claim in November.<sup>100</sup> But by this time the accusations of waste and feather-bedding had become part of the public narrative. The idea of greedy specialists exploiting the system framed discussions on a new enterprise agreement between employer and employees in the hospital industry. Contracts offered by the recently devolved local Hospital Boards of Management sought to dramatically change arrangements that in the past had provided doctors with a measure of discretion.

Protracted discussions ensued involving the local branch of the AMA, the unions covering doctors who worked in a public service environment and the Minister for Health acting on behalf of the local boards. The AMA(Q) was at the time headed by Dr Christian Rowan, a former LNP candidate

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<sup>97</sup> 'Safe Night Out' strategy document: <http://statements.qld.gov.au/Statement/2014/3/23/safe-night-out-strategy-to-stop-the-violence>

<sup>98</sup> 'Alcohol-fuelled violence: Queensland Police Union journal criticises Campbell Newman Government for not reducing hotel trading hours', *Courier-Mail*, 3.4.14.

<sup>99</sup> 'Queensland Government seeking professional drinks buyer', *Brisbane Times*, 6.8.14: <http://www.brisbanetimes.com.au/queensland/queensland-government-seeking-professional-drinks-buyer-20140805-100slq.html>

<sup>100</sup> 'Doctors will not be investigated for alleged Queensland Health rot', *ABC News*, 23.9.14: <http://www.abc.net.au/news/2014-09-23/doctors-ccc-investigation-dropped/5763652>



for the regional seat of Gympie. Rowan had signalled his support for the government's position by signing a new contract and commending it to others. Doctors employed in hospitals strongly disagreed. They gained sufficient support for their case among their colleagues in private practice to force Rowan to the sidelines because of his compliant attitude towards the proposed changes. This elevated the dispute to the national level where the national President of the AMA engaged in discussions with the national representatives of the relevant unions.<sup>101</sup>

Publicly-employed doctors were gagged from commenting but mass protest meetings attracted widespread media interest. Doctors in private practice distributed letters to their patients and to the media expressing concern for their public sector colleagues.

On 19 March the Assistant Minister for Health, and former president of the AMA(Q) Dr Chris Davis addressed a meeting of more than 1,200 of his former medical colleagues. He gave them his support when they voted against signing amended contracts put forward by his Minister, saying that 'one should take extraordinary care when introducing organisational change that can affect thousands of employees and the untold numbers of patients who rely on them'.<sup>102</sup>

After headlines such as 'Queensland Ministers divided on doctors dispute' life relationships within the government were tense. On 14 May Dr Davis was dismissed as Assistant Minister. He remained on the back-bench briefly before resigning his seat (Stafford) on 22 May on yet another issue: concern for transparency of party funding and the potential for corruption.<sup>103</sup> Relationships with the doctors played a central role in the Stafford by-election, held on 19 July. The ALP endorsed Dr Anthony Lynham, who had argued strongly for limiting opening hours for alcohol consumption, a message that featured strongly in the Stafford campaign.

The by-election result was a resounding win for Lynham and the ALP, with an 18.6% swing against the government. The Stafford by-election proved the catalyst for a significant change in approach by the LNP government, and Premier Campbell Newman in particular. Dr Lynham's stunning victory led to a range of symbolic policy withdrawals although the liquor industry escaped unscathed and opening hours remained unchanged.

So in 2014 many members of the medical profession, usually regarded as conservative and likely to support the LNP, had joined the ranks of influential professional groups potentially alienated from the LNP's policies and attitudes. The extent to which they were impressed by the concessions offered during Campbell Newman's 'peace-keeping' mission<sup>104</sup> in late 2014 will become clearer in 2015.

This campaign, supported by heavy TV advertising and the proposed changes in tertiary entrance requirements, meant the year ended with the Newman government publicising what it hoped were its two strong points electorally, in addition to its law-and-order crackdown.

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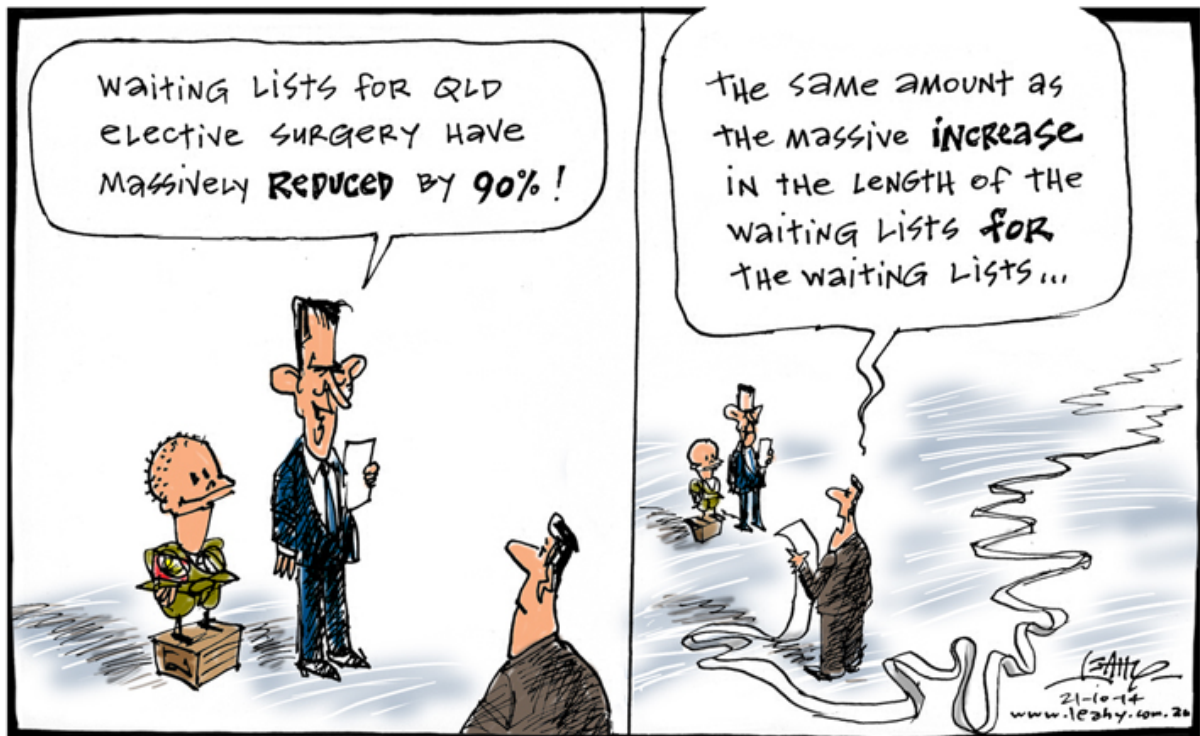
<sup>101</sup> 'Doctors' chief gagged over contracts', *Brisbane Times*, 27.2.14: <http://www.brisbanetimes.com.au/queensland/doctors-chief-gagged-over-contracts-20140227-33jb6.html>

<sup>102</sup> 'Queensland Ministers divided on doctor dispute': <http://www.sbs.com.au/news/article/2014/03/20/qld-ministers-divided-doctor-dispute>. The doctors were concerned that they would effectively be banned from public comment on issues, and would cede the right to choose the best treatments for patients to administrators whose primary concern would be cost.

<sup>103</sup> 'Premier Campbell Newman has sensationally sacked Assistant Health Minister Chris Davis from his Cabinet': <http://www.brisbanetimes.com.au/queensland/campbell-newman-sacks-assistant-health-minister-chris-davis-20140513-zrbot.html>

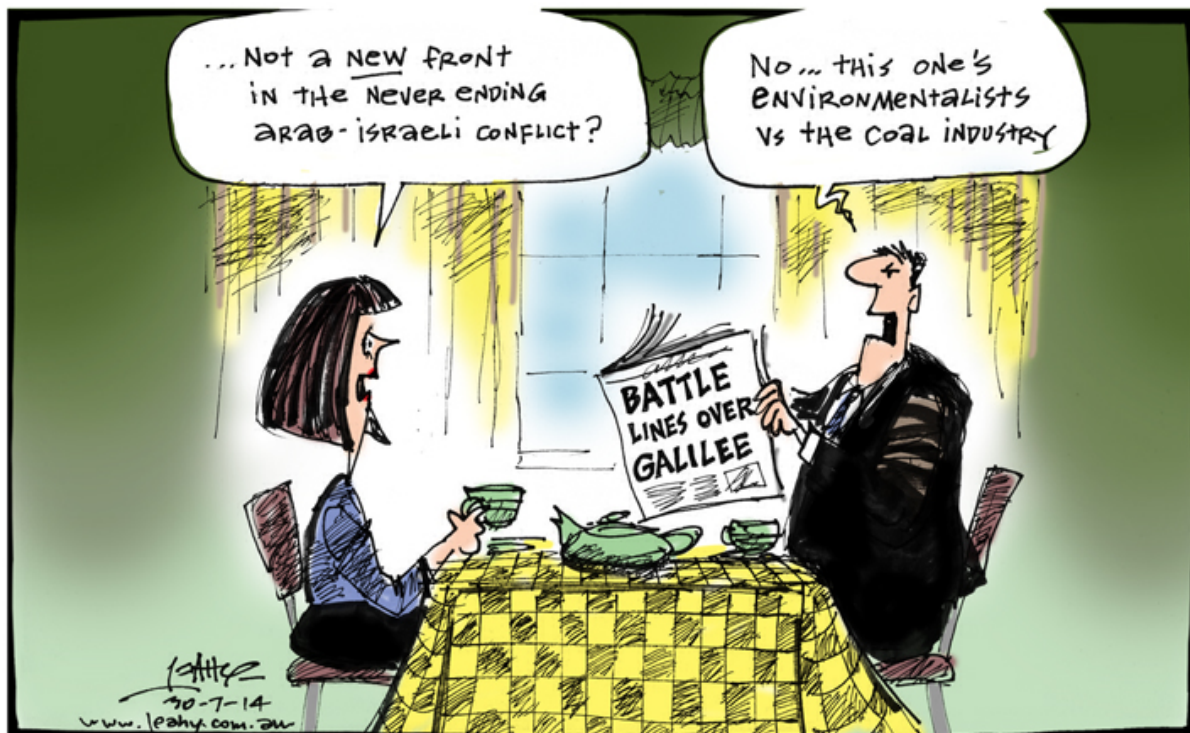
<sup>104</sup> This may be affected by the introduction of a dramatic new approach to managing surgery waiting lists by using public funds to outsource operations by private hospitals. This was announced at the end of the parliamentary year, so the only serious parliamentary debate focused on the cost and appropriateness of a simultaneous massive advertising campaign. But Dr Chris Davis in his evidence to the PUP-initiated Senate Committee Inquiry had testified about the capacity for 'gaming' waiting lists and other performance indicators to allow politicians to claim particular outcomes.

The devil in the detail would probably not surface until after the 2015 election but some members of the medical profession were still sceptical, for Assistant Minister for Health, Chris Davis, for one. When he gave evidence to the Senate Committee Inquiry into the Queensland government, he voiced the suspicions of a former insider that bureaucrats and politicians had well-developed skills in 'gaming' any system of performance indicators.<sup>105</sup>



<sup>105</sup> The Select Committee into Certain Aspects of Queensland Government Administration relate to Commonwealth Government Affairs.

## 9. The war against the environment



In 2014 Queenslanders found themselves with governments at both levels strongly committed to climate change denial and with a similarly strong commitment to fossil fuel and other extractive mining at the expense of investing in renewable energy sources.

Support for the coal seam gas industry dated back to 2011, under the ALP. In 2012 the ABC produced a report: The Coal Seam Gas Rush which included a map of all the coal seam gas mining in Australia, mostly concentrated in Queensland:

The scale and speed of its growth has been nothing short of astonishing: billions of dollars have poured into regional areas; new jobs have been created; state and national coffers have swelled; export contracts have been signed and sealed; massive liquefied natural gas facilities have been approved for construction at regional ports.

Farmers fear they are losing control of their land. Miners and some politicians say coal seam gas offers a much greener energy choice. Environmentalists and other politicians have cast doubt on those claims.<sup>106</sup>

Coal seam gas spread across the state. Traditional coal mining concentrated, in particular in the Galilee Basin in north Queensland, inshore from the Great Barrier Reef

During 2014, a constant theme of the LNP winding back the accountability 'green tape' measures that provided for environmental protection either for agricultural land or the Reef. The government justified subsidies and infrastructure they provided, at huge cost to the taxpayer, to mining companies to expand their resource extraction activities in Queensland on the economic benefits and job creation. Mining companies became unhindered by public accountability.

Community rights to object were overridden. For instance, the Mining and Energy Resources Bill which passed through parliament in a late night sitting in September 2014, limits those able to

<sup>106</sup> 'Coal Seam Gas Rush', ABC Special, April 2.12: <http://www.abc.net.au/news/specials/coal-seam-gas-by-the-numbers/>

object to mining lease applications to affected landholders, their immediate neighbours and local councils. In effect, the vast majority of the state's citizens would be denied their right to object to the way land was zoned or used if extractive industries were to be conducted. There was also concern about the contracts drawn up by CSG companies, and the erosion of farmers rights.<sup>107</sup> Protests on the issue drew strange bedfellows: such as 'shock jock' Alan Jones, and 'Lock the Gate' environmentalist Drew Hutton.

There were vast differences in scale in the mining industries the government was willing to support. At one end, there were the massive coal developments in the Galilee Basin.

This was the source of Clive Palmer's falling out with Campbell Newman in 2012 when Palmer launched legal action against the government, saying it had failed to explain why it rejected a bid from his company Waratah Coal to build a rail line from its coal mine in the Galilee Basin to a coal terminal in Bowen. Instead it gave the lucrative contract to rival company GVK Hancock.

An Indian company, Adani, came under the spotlight over subsidies it was given by Newman to mine in the Galilee Basin.<sup>108</sup>

At the other end of the scale was sand-mining on Stradbroke Island (by a company that provided funding for Newman's campaign in Ashgrove in 2012) and quarrying building materials in the Brisbane Valley. The scale of competing interests also differed widely. On common theme, however, was that most of the companies involved in the extractive industries that received preferential treatment were generous donors to the LNP.

The preservation of the Great Barrier Reef became a highly emotive, symbolic issue through 2014. Controversial mining approvals led UNESCO to consider whether its status as a World Heritage Area should be classified as 'endangered'. In June, UNESCO decided to defer this decision for a year.<sup>109</sup> Quite apart from its intrinsic merit, it is a major tourist attraction and contributes to the Australian economic. As the commonwealth government's own website notes:

The Reef is one of the richest and most diverse natural ecosystems on Earth. The Great Barrier Reef attracts more than 1.6 million visitors each year, contributes more than \$5 billion to the Australian economy, and generates about 63,000 jobs.<sup>110</sup>

When the two governments released their draft *Reef 2050 Long-Term Sustainability Plan*<sup>111</sup> in September 2014 they received a hostile response from the scientific community:

The country's leading scientific academy has released a scathing critique of the draft plan to manage the Great Barrier Reef, warning it was inadequate to restore or even maintain the health of the World Heritage site over the next three decades.

In its submission to the federal and Queensland government's draft [Reef 2050 Long-Term Sustainability Plan](#), the Australian Academy of Science stated the plan failed to acknowledge the Reef had already suffered greatly from the pressures of climate change, poor water quality from land

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<sup>107</sup> See 'Keep the Scenic Rim Scenic' website at: <http://www.keepthescenicrimscenic.com/coal-seam-gas-information.php>

<sup>108</sup> 'Adani coal project at heart of Galilee plans', *Brisbane Times*, 17.11.14: <http://www.brisbanetimes.com.au/queensland/adani-coal-project-at-heart-of-galilee-plans-20141116-11nv69.html>  
'Queensland taxpayers to help fund Abbot Point coal rail line', *ABC News*, 17.11.14: <http://www.abc.net.au/news/2014-11-17/rail-line-to-link-australias-biggest-mine-to-port/5896154>  
'Queensland government quiet on how much it will invest in Galilee Basin', *Brisbane Times*, 26.11.14: <http://www.brisbanetimes.com.au/queensland/queensland-government-quiet-on-how-much-it-will-invest-in-galilee-basin-20141125-11tuxv.html>

<sup>109</sup> 'UNESCO ruling: Decision on whether Great Barrier Reef as 'in danger' deferred for a year', *ABC News*, 19.6.14 <http://www.abc.net.au/news/2014-06-18/unesco-defers-decision-on-great-barrier-reef-danger-status/5530828>

<sup>110</sup> Description from the Commonwealth Government's website: <http://www.environment.gov.au/heritage/places/world/gbr>

<sup>111</sup> 'The Reef 2050 Long-Term Sustainability Plan': <http://www.environment.gov.au/marine/great-barrier-reef/long-term-sustainability-plan>



run-off, fishing and coastal development. It concluded the Reef 2050 plan had insufficient targets or resources to reverse the Reef's downward spiral, documented by countless scientific studies and several government reports.<sup>112</sup>

These views were backed up by a team of local analysts based at the James Cook University, North Queensland.<sup>113</sup>

On 6 May 2014, the *Brisbane Times* exposed the fact that the chief adviser on the mining industry in the Premier's Department was effectively on secondment from a mining company at the centre of a dispute with pastoral interests over its diversion of a watercourse.<sup>114</sup> This sounded an alarm bell, and was interpreted as a minor symptom of the wider dominance of mining over all other public policy interests in Queensland. This situation was the subject of close scrutiny by Richard Dennis, Director of the *Australia Institute*.<sup>115</sup>

At the other end of the policy continuum, environmental protection issues also affect urban dwellers, particular the competition between real estate developers and members of local communities concerned about preserving access to open space such as local parkland, beaches or adjacent forests.

Local councils were often the arena for these contests, conducted within a framework set by the state government which determines the powers of local government authorities.

The Deputy Premier, as Minister for State Development and Minister for Infrastructure and Planning, intervened to overrule a local council, and potentially dislocate long term residents, to rezone of a caravan park on the Sunshine Coast. The effect of this intervention was to enable the owners to achieve a much higher price for its sale as development land rather than a caravan park, a move deplored by the influential local newspaper:

Queensland Deputy Premier Jeff Seeney used his ministerial powers to rezone a privately-owned caravan park on the Sunshine Coast against the wishes of the local council and the advice of his own department. Experts said the eleventh-hour move was highly unusual and compared it to controversial interventions in local planning decisions by ministers in the Bjelke-Petersen government of the early 1980s.<sup>116</sup>

This specific example was widely perceived to be symptomatic of the attitudes of the Newman government that it should want to attract as little attention as possible to any legislative changes removing the ability of the members of the public to object on environmental issues.<sup>117</sup>

In Parliament, committee reports were amended by the government at the last minute, in the middle of the night, to facilitate these changes and – in one notorious quarrying case – to legislate

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<sup>112</sup> 'Scientific academy slams government's Great Barrier Reef plan', *Brisbane Times*, 27.10.14: <http://www.brisbanetimes.com.au/technology/sci-tech/scientific-academy-slams-governments-great-barrier-reef-plan-20141027-11cjwj.html>

<sup>113</sup> 'The plan to save the Great Barrier Reef is destined to fail unless ....', Jon Day, Bob Pressey, Jon Brodie, Terry Hughes, *The Conversation*, 28.10.14: <https://theconversation.com/the-plan-to-save-the-great-barrier-reef-is-destined-to-fail-unless-33542>

<sup>114</sup> 'QCoal worker developing LNP green policies', *Brisbane Times*, 6.6.14: <http://www.brisbanetimes.com.au/environment/qcoal-worker-developing-lnp-green-policies-20140505-zr57v.html>

<sup>115</sup> Mick Peel, Roderick Campbell, and Richard Denniss 'Mining the age of entitlement' *The Australia Institute*, 23.6.14: <http://www.tai.org.au/content/mining-age-entitlement>

<sup>116</sup> 'Questions raised after Queensland Deputy Premier Jeff Seeney rezones caravan park with LNP link', *ABC News*, 10.11.14: <http://www.abc.net.au/news/2014-11-10/questions-raised-after-qld-deputy-premier-rezones-caravan-park/5880504>

<sup>117</sup> 'Arrow Energy, which controls all of the coal seam gas permits in the Scenic Rim, has publicly said it will be drilling in four locations in our region before the end of the year': <http://www.keepthescenicrimscenic.com/coal-seam-gas-information.php>

retrospectively to ensure that someone who had ignored previous environmental restrictions was retrospectively exonerated from violating them. Freedom of Information applications revealed, at the end of 2014, that the Deputy Premier, Minister for State Development and Minister for Infrastructure and Planning, Jeff Seeney, had acted against the advice of bureaucrats, taking them by surprise with his last-minute intervention on this issue.<sup>118</sup>

Seeney attracted further media attention towards the end of the year with another Council intervention. In a letter dated 28 November 28, he wrote to the Moreton Bay Regional Council: 'I direct council to amend its draft planning scheme to remove any assumption about a theoretical projected sea level rise from all and any provision of the scheme.' Like a number of local councils on the Queensland coast, Moreton Bay included the possibility of 0.8m rises in sea levels by 2100, based on scientific evidence. Some of the biggest coastal councils including Brisbane, Sunshine Coast and Townsville have also incorporated the same assumption, and were anxious about their own status. In what was interpreted by critics as an ideologically motivated intervention, Seeney used his legislative power to direct the Moreton Bay Council to remove references to rising sea levels associated with climate change. It emerged later that the MP for Pumicestone, Lisa France, had lobbied Seeney on the issue. It was reported that contrary to her statement in Parliament her parents would be affected by any fall in property values as a result of the provision.<sup>119</sup> In an editorial 'Good service lost in murky waters' *The Courier-Mail* wrote:

When first challenged this month by the *Courier-Mail*, Ms France insisted that no member of her family, 'immediate or extended', were affected by the draft plan. ...

When pressed by the paper she 'conceded the fact but said she had "never, ever" spoken with her parents about the impact the planning scheme would have on their block.

Today we reveal that it was her father and her husband, both of whom work in the real estate industry - who first alerted her to the potential impact the rules ... would have on properties across the coastal council area. ...<sup>120</sup>

This dispute dragged on, with Seeney unapologetic about protecting the rights of property owners and developers exposed to the potential effects of rising sea levels and France shrugging off a vote of no confidence from the Council. The Moreton Bay Council argued that 'the inclusion of climate change factors, including sea level rise, based on the best scientific and technical information available to the Council, was necessary to protect the Council against legal liability'.<sup>121</sup> Their concern is reinforced by a lengthy analysis of historical sea level trends, carried out by a research team led by the Australian National University, released in 2014, reported that the rise in sea levels seen over the past century had been unmatched by any period in the past 6,000

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<sup>118</sup> 'Mining law amendments restrict rights to object to lease applications, sparking anger from opponents', *ABC News*, 12.9.14: <http://www.abc.net.au/news/2014-09-12/late-night-amendment-changes-right-of-qld-landholders-mining-lead/5741032>

'Queensland LNP donor Karreman Quarries escapes prosecution for illegal quarrying after Deputy Premier orders legislation change', *ABC News*, 23.6.14: <http://www.abc.net.au/news/2014-06-23/karreman-quarries-escapes-prosecution-for-illegal-quarrying/5543896>

'Jeff Seeney: Queensland deputy premier caught own officials by surprise with retrospective law change preventing possible prosecution of LNP donor', *ABC News*, 4.12.14: <http://www.abc.net.au/news/2014-12-04/seeney-law-change-caught-own-officials-off-guard/5935504>

<sup>119</sup> 'MP in over her head in Moreton Bay council flood rezoning stoush', *Courier-Mail*, 21.12.14.

<sup>120</sup> 'Good service lost in murky waters', *Courier-Mail*, 28.12.14.

<sup>121</sup> 'Jeff Seeney orders Moreton Bay Regional Council to remove references to climate change-derived sea level rises from regional plan': <http://www.abc.net.au/news/2014-12-09/seeney-removes-climate-change-references-from-council-plan/5954914>

years<sup>122</sup> and another study found that many of the 30 million people living near the UK's coastline – which has 291 inhabited islands – will need to anticipate how climate change will affect them.<sup>123</sup>

Concerns widened when it became clear that all councils would be subjected to the same enforced removal of any references to climate change in their future plans. This brought criticism from expected quarters – academic climate scientists who pointed to the irresponsibility of deferring action:

The time will eventually come when governments cannot ignore this issue, and by then there may be even more properties with reduced value and increased insurance premiums. Planning for impacts now will let governments spread the huge cost burden of dealing with sea-level rise over time. Waiting will just make the problem even more expensive.<sup>124</sup>

But criticism of Seeney also came from unexpected quarters, an influential columnist in the *Sunday Mail*. In a column under the headline 'LNP Turns Back Rising Sea Levels by Decree', Terry Sweetman drew comparisons with King Canute and also Russ Hinze, an infamously pro-developer Minister in the Bjelke-Petersen years. He also reported on the frequency of accusations coming from local government about meddling in their affairs through direct Ministerial intervention.

It's no secret that some in local government are concerned (and always have been concerned) about ministerial meddling and political lobbying in their affairs. Scratch the surface and you find anger at the re-zoning of the Maroochy River caravan park, which allegedly added millions of dollars to the value of the land with a ministerial stroke of the pen. And there are misgivings (and political divisions) about moves to remove developmental height restrictions on a peachy position on the same coast.

If councils are to regulate developers in the name of the greater good maybe the state should have similar powers to override councils for the same reason. However, unpleasant history has shown this ministerial prerogative should be exercised rarely and carefully.

We should accept that councils (which are admittedly susceptible to political skulduggery and idiocy) do have local insights that often elude governments. And they have community responsibilities that outlive the tenure of governments and ministers.

It is odd how governments that favour devolution of power when it comes to hospitals and schools are centralist when it comes to the developmental dollar.<sup>125</sup>

This trend of making last-minute and ill-examined legislative changes affecting environmental protection continued right to the end of 2014 Parliament. In its final sitting, the government made fundamental changes over the regulation of water being made available to miners. The ABC reported in the following terms:

Miners in Queensland will no longer need a licence to take ground water and will be exempt from reporting requirements for 'low-risk' activities. State Parliament last night passed new water management laws that will allow the Government to guarantee water access for large-scale mining and agriculture projects earlier during the assessment process. Mines Minister Andrew Cripps, who introduced the bill, said the legislation cut red tape, provided certainty for developers and increased private sector investment. ...

Critics said the water reform and other legislation would give coal companies the right to extract billions of litres of ground water without having to buy licences or to adhere to caps. Environment

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<sup>122</sup> 'Sea level rise over past century unmatched in 6,000 years, says study', *The Guardian*, 15.10.14: <http://www.theguardian.com/environment/2014/oct/14/sea-level-rise-unmatched-6000-years-global-warming>;

<sup>123</sup> Climate change 'will wreak havoc on Britain's coastline by 2050', *The Guardian*, 6.3.11, <http://www.theguardian.com/environment/2011/mar/06/climate-change-coastline-joseph-rowntree>

<sup>124</sup> 'Complacency rules as Queensland makes risky edict on sea-level rise', Justine Bell, *The Conversation*, 12.12.14: <https://theconversation.com/complacency-rules-as-queensland-makes-risky-edict-on-sea-level-rise-35363>

<sup>125</sup> Terry Sweetman, 'Opinion: Deputy Premier Jeff Seeney controls rising sea levels': *Sunday Mail*, 14.12.14.

groups feared the legislation would damage aquifers and the Great Barrier Reef. Labor's environment spokesperson Jackie Trad said the bill removed environmental checks and would result in the degradation of water supplies. 'The Government can agree to give a mining company a water development option, which is essentially a right to exclusive water use without any scientific or hydrological assessment taking place beforehand,' she said. 'Also, without taking public submissions. In essence, this is a shameful bill. It is an utter disgrace.'<sup>126</sup>

By way of contrast, it is worth noting that one other environmental change was implemented in the middle of the year with virtually no public debate despite its long-term implications. The Newman government had announced in September 2013 that it was breaking an electoral promise about continuing the ban on uranium mining. This ban was lifted in Parliament in July 2014 with scarcely a murmur, given that the ALP was internally conflicted on this issue.

It was left to economists like John Quiggin to address the practical limitations of any idea that Australia might use its own uranium as an alternative to other forms of power generation:

With Australia's energy and climate-change policy in a state of chaos, it's not surprising that we are seeing renewed calls to pursue nuclear energy. But in thinking about the possibility of nuclear power, particularly for Australia, it is important to avoid wishful or magical thinking.

The history of commercial nuclear power is, by and large, one of failure. Costs have proved far higher than expected, catastrophic accidents more frequent, and routine breakdowns more common. After a burst of construction in the 1970s and 1980s, most countries abandoned the technology for these reasons, along with public concern about safety and radioactive waste.<sup>127</sup>

Two months after the Barrier Reef sustainability report had been released, and the issue had become less immediately conspicuous in the media, it came back into the limelight with the G20.

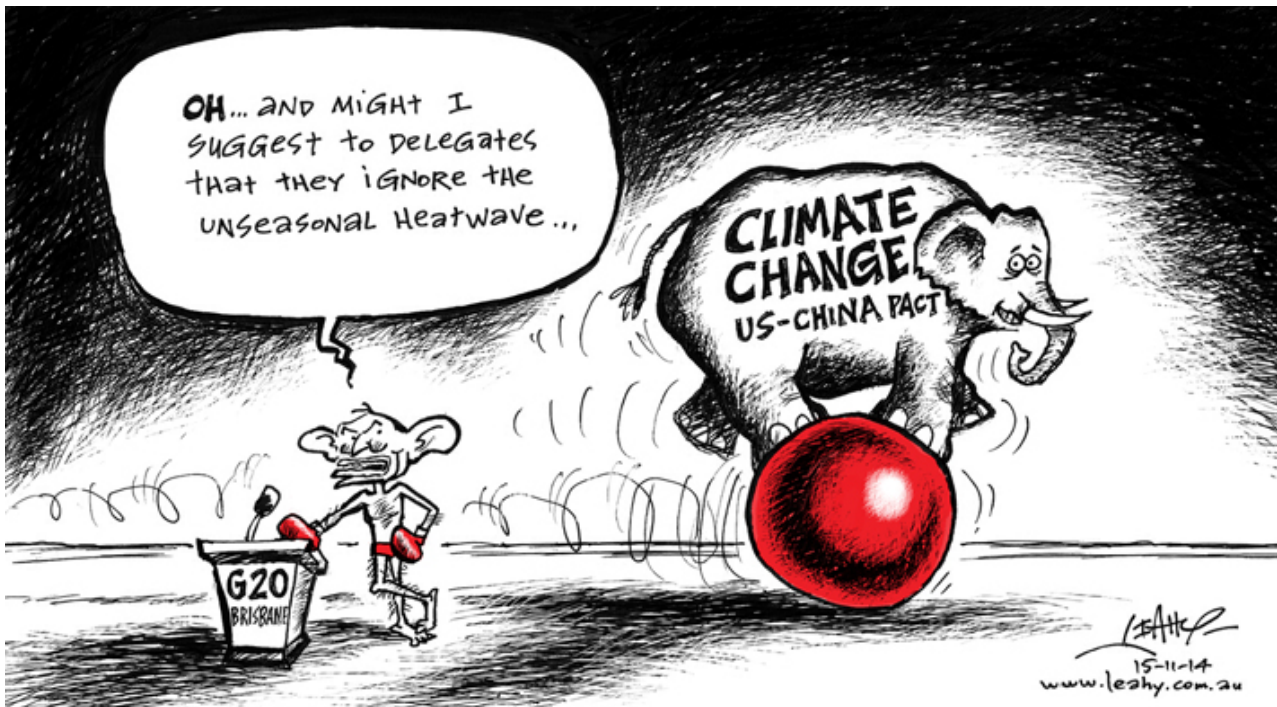
In October, Brisbane hosted the 2014 meeting of the 'Group of Twenty' (G20). Australia was the host country in 2014, and the decision to hold the meeting in Brisbane had been taken by the previous ALP governments at state and national level. As host country, Australia had some influence on the agenda for the meeting, and had lobbied hard to keep climate change off the agenda, despite international pressure. Brisbane not only hosted the participants, the event was also covered by the world's media.

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<sup>126</sup> 'Controversial mine water bill passed in Queensland', *ABC News*, 27.11.13: <http://www.abc.net.au/news/2014-11-27/water-bill-passed-by-queensland-parliament/5922396>

<sup>127</sup> 'Tell them they're dreaming', John Quiggin, *Inside Story*, 11.12.14: <http://insidestory.org.au/tell-them-theyre-dreaming>





This strategy backfired when President Obama gave a public speech at the University of Queensland, during the G20, in which he not only discussed the challenge of climate change but specifically mentioned the threat to the Great Barrier Reef.

This received a mixed response. The cover of the G20 souvenir edition of the *Sunday Mail* carried a photograph of Obama facing the UQ audience under the heading: 'Wham Bam: Obama Hails "Stunning" Queensland, Shirt Fronts PM on Climate Change'.

Obama didn't mince words. And it has put Abbott in a corner ... he probably didn't count on his strong ally from the US shirt-fronting him on climate change. He must now rethink his policy. The Australian public won't let him forget it. <sup>128</sup>

The tone changed in the *Sunday Mail*'s sister publication next day, closer to the conventional climate scepticism roundly espoused by News Corp publications. The day after Obama left, on Monday 7 February, the *Courier-Mail* carried a photograph of Obama waving goodbye to Brisbane, with the headline 'Barack Off: Abbott takes on Obama over climate change as world leaders hail Brisbane summit a success'. <sup>129</sup>

Overnight this issue became an international embarrassment and a more significant political problem at home.

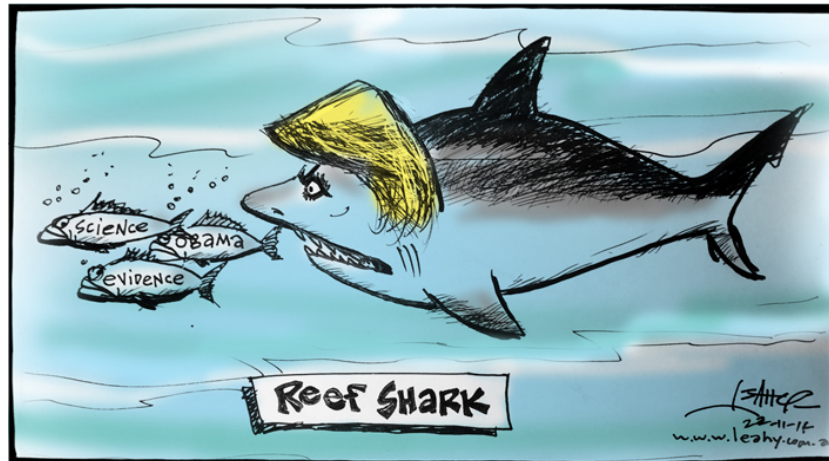
The attitude of Prime Minister Tony Abbott to the global challenges of climate change is 'eccentric', 'baffling' and 'flat earther', according to a group of senior British Conservatives. The group, including Prime Minister David Cameron's Minister for Energy and a former Thatcher Minister and chairman of the Conservative Party, Lord Deben, says Mr Abbott's position on climate change represents a betrayal of the fundamental ideals of Conservatism and those of his political heroine, Margaret Thatcher. Conservatives are supposed to conserve, they are supposed to hand on to the next generation something better than they received themselves.

<sup>128</sup> *Sunday Mail*, 16.11.14. The 'shirt-front' referred to Abbott's language about how he would talk to Putin about the Russia's involvement in the shooting down of flight MH17 over the Ukraine.

<sup>129</sup> *Courier-Mail*, 17.11.14. The editorial that day welcomed the High Court rejection of the bikie challenge.

In a series of 'wide-ranging, separate interviews on UK climate change policy' with Fairfax Media, the British conservatives warned that Australia was taking enormous risks investing in coal and would come under increasing market and political pressure to play its part in the global battle against climate change.<sup>130</sup>

Obama's public intervention meant that the elephant in the room was spotted by the world's media. Both the federal and state governments went into damage control, and the Foreign Minister chided Obama for not understanding how much Australia was doing to protect the Reef.<sup>131</sup>

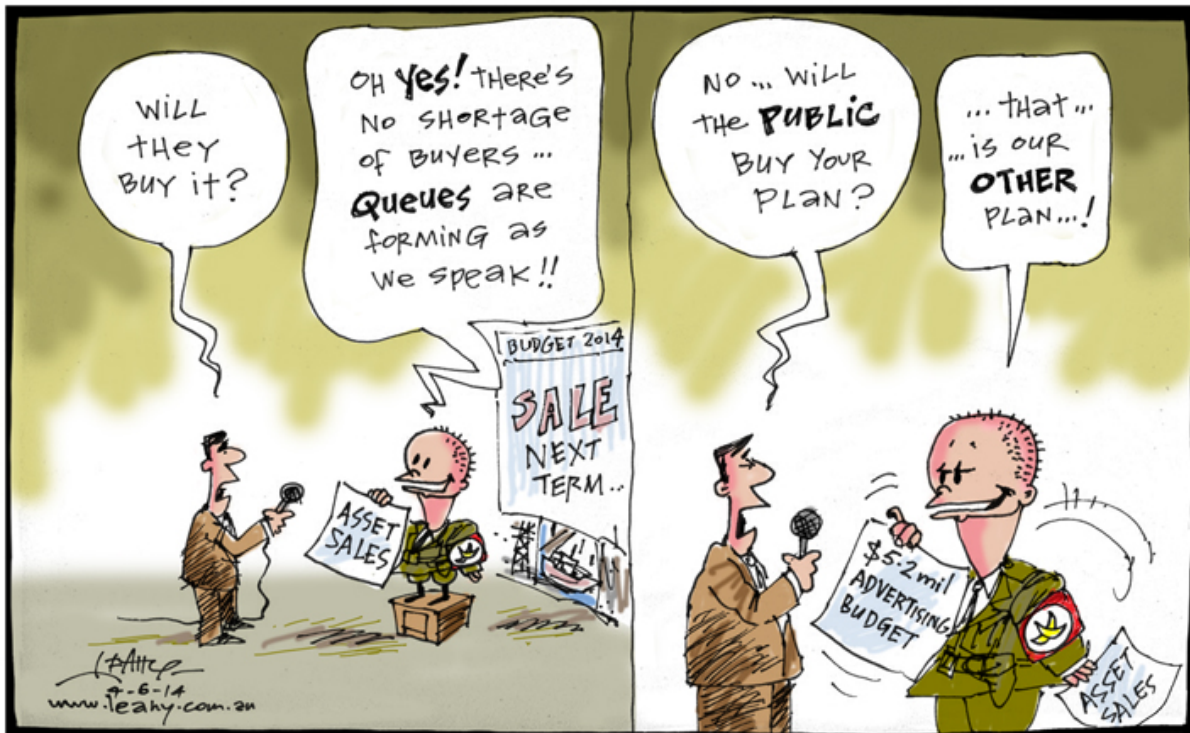


The Great Barrier Reef became a potent issue in the opinion polls. How the other parties will address the problems of environmental protection, the preservation of agricultural land, and the mining companies, remains to be seen.

<sup>130</sup> 'UK Tories slam Tony Abbott on climate policy: Tony Abbott's stance on global climate change has prompted some scathing criticism from a group of senior British Conservatives', *Sydney Morning Herald*, 21.11.14: <http://www.smh.com.au/federal-politics/political-news/uk-tories-slam-tony-abbott-on-climate-policy-20141121-11qos6.html>

<sup>131</sup> 'Foreign Minister Julie Bishop chides Barack Obama over Great Barrier Reef climate change remarks', *ABC News*, 20.11.14: <http://www.abc.net.au/news/2014-11-20/julie-bishop-chides-barack-obama-over-climate-change-remarks/5906570>; 'Andrew Robb: Obama misinformed in 'unnecessary' Great Barrier Reef speech', *The Guardian*, 23.11.14: <http://www.theguardian.com/australia-news/2014/nov/23/andrew-robb-obama-misinformed-in-unnecessary-great-barrier-reef-speech>

## 10. Missing in Action - 'Operation Boring' and a peacekeeping mission



Managing public opinion became the top priority for the LNP after the Stafford by-election, held only a year from the latest day on which the 2015 election could be held. The strength of the swing, almost 19 percent, against the government in a seat adjacent to his own seat of Ashgrove seems to have concentrated the Premier's attention upon getting value for money from his public relations machine and listening to advice on how to change his image. He also embarked on a peacekeeping mission.

The result was a dramatic change of tone and a list of symbolic policy changes to show that he was capable of 'listening' to the electorate as well. Though, unlike federal 'barnacles' it was clear he really felt that most of his policies had been fine.

Barnacle policies were not the problem, claimed the Premier, it was just the sales pitch that had been flawed:

'I just want to say I am sorry today if we have done things that have upset people. We will be doing a lot better in the future to try and explain our decisions and take Queenslanders with us.'

And with those words, Premier Campbell Newman is hoping to draw a line under the last two-and-a-bit years and start afresh. ... It doesn't include asset sales or large scale changes to legislation which has raised the eyebrows and the ire of the voting public. But on Monday afternoon, clutching a small piece of paper on which he had sketched notes about his peace offerings, Mr Newman stood, flanked by the majority of his cabinet and promised change. Those charged under the government's anti-gang legislation will no longer have to don a pink jumpsuit or be segregated from the rest of the prison population. But the strict bail conditions and extra jail time for club members and officer bearers remain. Bipartisanship support for the head of the crime and corruption watchdog will be reinstated, but as acting chair, Ken Levy can continue to serve out his term without the support of the Opposition. Mr Newman said he, his senior leadership team 'and the Attorney-General' will seek a meeting with the heads of the legal and judicial fraternities, but Tim Carmody will

remain Chief Justice. And Estimates Hearings will return to its usual scheduling, with the 'trial' deemed to have not sold the right message. 'There has been criticism that this wasn't allowing enough scrutiny by both the media and indeed the opposition, there were claims that this was, in some way, not the right way to do it,' Mr Newman said. 'We are listening'.<sup>132</sup>

Critics noted that the policy changes represented minor withdrawals rather than major retreats on the various battlefields - more a case of trying to reach an armistice with the voters than concede much to his various opponents.

Continuing the military metaphor, his posturing was promptly christened by the media as 'Operation Boring'. The aim was to take the spotlight off the Premier in order to minimise his naturally combative approach to criticism. Other Ministers with better public images would be pushed on to centre stage and the focus would change to collective problem solving.

There was particular concern to build bridges with the judiciary:

We acknowledge that there has been some bad blood there in recent times and I will be therefore seeking a meeting with the senior members of the leadership team and the Attorney-General and the heads of the legal profession and the judiciary, to sit down and really mend some fences, to actually sit down and very much recognise that we must work together for the good of all the people of this state. We must respect one another and I want to repair those relationships.<sup>133</sup>

Speaking Speaking to FM radio Triple M's breakfast show, Mr Newman joked he had 'the UN coming in' for his meeting as he engaged in a 'bit of peace making'.<sup>134</sup>

The *Courier-Mail* received its usual in-depth briefing on the internal changes, in particular that Cabinet Ministers would now play a more active role in the promoting of policies:

Yesterday's united Cabinet front was a graphic demonstration that ministers were behind the call to retreat from some decisions, each more symbolic than substantial. It also showed that Cabinet planned to wrestle more control of the agenda from Level 15. Many of the backflips were in Jarrod Bleijie's portfolio and the Attorney-General appeared, at times, like a school kid who had lost his cut lunch as they were announced. It renewed Opposition calls for his resignation, but Annastacia Palaszczuk hopes it has the contrary effect, because Labor believes Bleijie is one of its best assets. But blaming Bleijie misinterprets the internal machinations.

What yesterday really revealed was that the Premier's promise to improve listening in the wake of the Stafford by-election actually begins internally. And ministers no longer want to be the poor fire-trucks putting out flames fanned by Level 15.<sup>135</sup>

There was a similar but more modest 'mea culpa' from Deputy Premier Jeff Seeney, who had taken the lead in the middle of the year in a protracted slanging match with Justice Tony Fitzgerald:

Facing a poll showing support for the LNP had dropped behind Labor for the first time since the party's historic landslide win in 2012, Deputy Premier Jeff Seeney admitted that the government may have pushed its massive change agenda too hard, too fast. It is the strongest reaction the government has had to polls, which have been showing successive drops in support for the past few quarters, to date.

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<sup>132</sup> 'Campbell Newman tries to draw line under backlash', *Brisbane Times*, 22.7.14: <http://www.brisbanetimes.com.au/queensland/campbell-newman-tries-to-draw-line-under-backlash-20140721-zvfzr.html>; 'Campbell Newman backs down on bikies, plans to mend fences with lawyers following Stafford by-election backlash', *ABC News*, 22.7.14: <http://www.abc.net.au/news/2014-07-21/queensland-premier-campbell-newman-makes-major-policy-changes/5611970>

<sup>133</sup> 'Campbell Newman backs down on bikies, plans to mend fences with lawyers following Stafford by-election backlash', <http://www.abc.net.au/news/2014-07-21/queensland-premier-campbell-newman-makes-major-policy-changes/5611970>

<sup>134</sup> 'Premier Campbell Newman peacekeeping mission continues', *Brisbane Times*, 24.7.14: <http://www.brisbanetimes.com.au/queensland/premier-campbell-newman-peacekeeping-mission-continues-20140724-zwan2.html>

<sup>135</sup> Steven Wardill, 'Opinion: Government insiders comparing Premier Campbell Newman's office to Kevin Rudd's', *Courier-Mail*, 22.7.14.



'I think in retrospect, it is arguable that our change agenda was too much, too quick ... Not for us it wasn't. I'd been 16 years in opposition, 16 years in parliament, 14 years in opposition, I was, like so many of my colleagues, very keen to embark on the change agenda we believed the people of Queensland wanted. ... We now face the challenge of catching up, in terms of explaining to the people of Queensland, what we did and why we did it and the benefits to them.' Mr Seeney said the government did not regret its policies, but conceded it had not done enough to explain what it was doing and why.<sup>136</sup>

The fortunes of the Newman government seemed to have improved after this change of strategy. This may suggest that the alienation from the LNP was superficial - responding to packaging and symbols of atonement - or that public opinion was more volatile than many commentators appreciated. The former explanation gave the government confidence to resume its normal hostilities; the latter was the straw to be grasped by an ALP whose leader had persistently failed to win majority approval in opinion polls.

The LNP then moved into a form of trench warfare which kept the general well out of sight. The main effect was to minimise the Premier's impact in setting the tone for the rest of his Cabinet, particularly in seats outside Brisbane.

Buoyed by recent poll results which showed the LNP government has not slipped further in popularity, Premier Campbell Newman has stepped up his re-branding strategy, moving from boring to serene.

Adopting the political version of the parental I'm-not-angry-at-you-I'm-disappointed voice, Mr Newman danced through this week's parliamentary sitting, his vocal cords no more strained than those of a Play School presenter.

It was up to lieutenants Jeff Seeney, Lawrence Springborg and Scott Emerson to take his place in the political sparring ring, but with all ministers under instruction to 'keep calm and stay on message', the government stubbornly stuck to its agenda.<sup>137</sup>

Newman himself concentrated on winning the now-marginal seat of Ashgrove and reiterated the benefits in a material sense that was conferred by having the Premier as the local member.<sup>138</sup> He persistently ruled out conjecture that he might be found a safer seat, denying involvement in discussions alleged to have taken place about an inducement by party officials to the incumbent, Dr Bruce Flegg, to stand aside in 2012.<sup>139</sup>

The *Brisbane Times* reported him saying:

'Again, we are drawing a line in the sand and we are going to move on to work together for Queenslanders.'

That line in the sand was mentioned three times by the Premier in the space of eight minutes on Thursday. It is a phrase he has repeated several times since Monday but now, with these meetings, it's official.

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<sup>136</sup> 'Newman government pushed too hard, too fast: Jeff Seeney', *Brisbane Times*, 30.6.14: <http://www.brisbanetimes.com.au/queensland/newman-government-pushed-too-hard-too-fast-jeff-seeney-20140630-zsqxi.html>

<sup>137</sup> 'Campbell Newman: Now and Zen', *Brisbane Times*, 12.9.14: <http://www.brisbanetimes.com.au/queensland/campbell-newman-now-and-zen-20140911-10fq08.html>

<sup>138</sup> 'Queensland Premier Campbell Newman rules out switch from Ashgrove despite Stafford by-election results', *ABC News*, 22.7.14: <http://www.abc.net.au/news/2014-07-22/queensland-premier-campbell-newman-rules-out-safe-seat-swap/5614032>; 'Campbell Newman to remind Ashgrove he has delivered for electorate', *Brisbane Times*, 23.3.14: <http://www.brisbanetimes.com.au/queensland/campbell-newman-to-remind-ashgrove-he-has-delivered-for-electorate-20140323-35d6k.html>

<sup>139</sup> 'LNP plotting exposed in Bruce Flegg secret recordings where he discusses vacating Moggill for Campbell Newman', *Courier-Mail*, 14.6.14.

'I think this week, again, has demonstrated that not only is there a strong team with a strong plan for the State that will take Queensland forward, but you have people who are prepared when they've got it wrong to do the right thing and that's what today's all about,' he said.

'So thanks very much, we've got to get going and do some work for Queenslanders.'<sup>140</sup>

The strategy was seen to be paying off within a month, to judge from private polling by the LNP leaked to the press.<sup>141</sup> However, other journalists later suggested that this claim of success as cynically invented and lacked any foundation in August poll numbers which continued to be dire for the LNP.<sup>142</sup>

Like so many pro-business Premiers before him, Newman enjoyed being photographed in visibility jackets and building site 'hard hats'. Cranes on the skyline was the measure of achievement preferred by Bjelke Petersen; Newman preferred trench-diggers and 'lines in the sand'. The choice of metaphor is indicative of Newman's continuing pugnacity. He was using it to mean turning the page and starting with a clean sheet. The more conventional meaning is more defiant, implying a threat to fight anyone who crosses that line.

A sour note was added by a journalist from the alternative media who suggested that the claim of success of 'Operation Boring' was a confidence trick perpetrated on the media and the public by the LNP. Writing at the end of December for the 'Independent Australia' website Steve Bishop asked: 'Why did the LNP convince the media that Premier Newman was making a miraculous recovery when the facts suggest he is heading to a seismic disaster?' His answer to the rhetorical question was that Madonna King, well-established media personality, had been given what the law courts would call 'false and misleading evidence' purporting to be the results of confidential internal party polling.

Bishop argued that:

the most likely reason for the clumsy lie is that (the LNP) was trying to convince key staff that the party is in with a chance of retaining government at the 2015 election. It will need every spin doctor and every specialist advisor to stay on board to try to limit the number of seats it loses.<sup>143</sup>

Bishop suggested that this analysis was confirmed by the subsequent pessimistic comments by both Bleijie and Newman about their future electoral prospects. An equally plausible explanation advanced by other journalists was that, despite its 60 seat majority, the LNP wanted to stake a claim to the status of 'under-dog'.

An unrepentant Attorney-General was kept out of sight in the short term, although once the party's crisis of confidence had passed by the end of 2014, and they faced an imminent election campaign, he re-surfaced with all guns blazing. 'Operation Boring' was perceived to have been a striking success in changing public opinion by hiding the Ministers associated with the LNP's more unpalatable policies or changing their public demeanour. This meant that the strategy would be carried through into the planning for the election campaign.

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<sup>140</sup> 'Queensland government plays word association in bid to stay on message', with Deputy Premier Jeff Seeney 'turning the State Planning Policy into a crime fighting tool', *Brisbane Times*, 8.8.14: <http://www.brisbanetimes.com.au/queensland/queensland-government-plays-word-association-in-bid-to-stay-on-message-20140807-101n09.html>

<sup>141</sup> 'Operation Boring is working. ... It's working for Campbell Newman and for us', *Brisbane Times*, 29.10.14: <http://www.brisbanetimes.com.au/comment/thinking-feeling/operation-boring-leading-to-surprise-comeback-for-campbell-20141029-11du64.html>

<sup>142</sup> 'Labor closing in on LNP in latest Qld poll; Newman hangs on as preferred Premier', *ABC News*, 19.8.14: <http://www.abc.net.au/news/2014-08-18/queensland-premier-campbell-newman-popularity-slips/5678222>; and 'Annastacia Palaszczuk a viable alternative Premier, poll shows', *Brisbane Times*, 18.8.14: <http://www.brisbanetimes.com.au/queensland/annastacia-palaszczuk-a-viable-alternative-premier-poll-shows-20140818-105971.html>

<sup>143</sup> Steve Bishop, 'Here we Joh Again: Campbell Newman's spectacular lie exposed', *Independent Australia*, 12.12.14: <https://independentaustalia.net/politics/politics-display/here-we-joh-again-campbell-newmans-spectacular-lie-exposed-7180>

The polls were not looking particularly good by December, especially for Newman.<sup>144</sup> At the end of the year, the political editor of the *Courier-Mail* was warning readers to 'Prepare yourself for the Newman government's sizzling summer of love'.<sup>145</sup> We can assume that the editor would have been as surprised as his readers to discover that the sizzle came from the electoral barbecue lit at the earliest possible moment in the New Year.

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<sup>144</sup> A ReachTEL poll in December 2014 found Mr Newman's primary support had dropped to 36.6 per cent. See other results in the poll at: <https://www.reachtel.com.au/blog/7news-sunday-mail-the-state-were-in-2014-ashgrove-december2014>

<sup>145</sup> Steven Wardill, *Courier-Mail*, 14.12.14.



# Theirs not to reason why

Cannon to right of them,  
Cannon to left of them,  
Cannon in front of them  
Volley'd and thunder'd.<sup>146</sup>

<sup>146</sup> Excerpt from Tennyson's 'Charge of the Light Brigade' (1854), image: 'The Charge of the Light Brigade', Simpson W, 1823-1899 (artist), Walker, E (lithographer ) - (Library of Congress available through Wiki Commons media)



## 11. Cannon to left of them

In 'normal' circumstances, generals who appear well positioned to win a war have little to fear from mutinies or palace coups. Generals who command only a handful of front-line troops are more at risk. But the battlefield in Queensland during 2014 was anything but normal. The focus of dissent was firmly on the conservative side of politics, so the cannons to the left were decidedly muffled.<sup>147</sup>



Opposition Leader Anastacia Palacyszuk trailed Campbell Newman in the personal popularity stakes almost throughout the year, constantly behind the LNP and only edging towards parity in December. She also had the distraction of persistently encouraging poll results for the Palmer United Party, who were seen as a more attractive option for protesting against Newman than shifting to (or back to) the ALP. Yet there was only one occasion when a prominent ALP member publicly raised the idea of her replacement and asserted that the 2015 election was unwinnable while she remained at the helm. And he came from outside State Parliament – Milton Dick was the leader of the ALP inside the Brisbane City Council. The only apparent explanation for the outburst could be the desire to clear the way for other leadership aspirants, including his brother Cameron, a former Queensland Attorney-General, who had been pre-selected to return in a safer seat.

There were three possible reasons for this quiescence and image of solidarity. The first was the acknowledged shortage of replacements inside a caucus of only nine members, three of whom were there as a result of by-elections, and most lacked any prior ministerial experience. The idea of 'doing a Newman' and identifying a party leader outside Parliament had little appeal, given that this had been so roundly criticised in the past. Nor was anyone in the leadership group attracted to the suggestion that pre-selected candidates with past ministerial experience might be included in the Shadow Cabinet to boost the pool of expertise.

<sup>147</sup> 'Cannon to right of them, / Cannon to left of them, / Cannon behind them / Volley'd and thunder'd', lines from Alfred Lord Tennyson's, *Charge of the Light Brigade*, December 1854.

The second reason was structural – involuntary changes of party leadership are by definition messy and divisive; the electorate would be reminded inevitably of the chaos which had reigned inside the national ALP through the machinations first of Kevin Rudd and then of Julia Gillard. New mechanisms established in response, through ALP reforms at both state and national level, had deliberately created formal mechanisms designed to create stability.

The third reason was more personal. Palaszczuk had been thrust into the role as a result of a targeted LNP strategy of concentrating resources to defeat stronger potential replacements for former Premier Anna Bligh from among the ranks of former senior ministers (including Cameron Dick). But once in place she had performed beyond expectations, even though she battled for public recognition or sympathetic coverage in the print media. Gender stereotypes also worked against her, with a shadow cast by Bligh and Gillard. However she had settled into the role by the end of 2014, making inroads into the gap in personal polling despite the Newman 'charm offensive'. It was clear that party members and the wider public felt she was entitled to be given 'a fair go'.

The ALP conducted its pre-selection processes through the year, gradually announcing its candidates. The only public comment related to unfounded speculation about whether Kate Jones might not re-contest Ashgrove, the seat that she had lost to the Premier. Then right at the end of 2014, there was a minor hiccup when the candidate for Lytton, a potential ALP gain, was the subject of a complaint about his inappropriate conduct with a female fellow candidate on a campaign training camp. This had occurred in June, but the legal advice provided to the party administrators had recommended counselling rather than more drastic action. When she became aware of the matter in late December, Palaczszuk acted swiftly and decisively to force the candidate's resignation. The search for a replacement candidate was covered by the *Courier-Mail* which suggested that the former Bar Association President, Peter Davis, had been approached, as had former Bligh chief of staff, Mike Kaiser. Palaczszuk insisted it would be a matter for the rank-and-file preselection processes in Lytton.

One of the other reasons why the cannons to the left were muzzled was the absence of an upper house in Queensland. The Greens had demonstrated they had a significant electoral following in national elections, sufficient to gain a Queensland Senate seat. They continued to play a prominent role in local policy debates benefitting, like all minority parties, from the freedom of facing the budgetary constraints faced by the two major parties should they be elected. Their candidates were also frequently well-educated and articulate members of the community. Finally, they had internationally recognised experts providing support, advice and evidence on the core environmental issues on which the party was originally founded.

Their limited capacity for action at state level was a product of the absence of an upper house. In other states, upper houses were usually elected by some form of proportional representation and Greens could aspire to gain seats in their own right. Their capacity to direct preferences in lower house elections gave them additional fire-power. The Newman government's anti-environmental record removed any option that the Greens could direct their preferences towards the LNP.

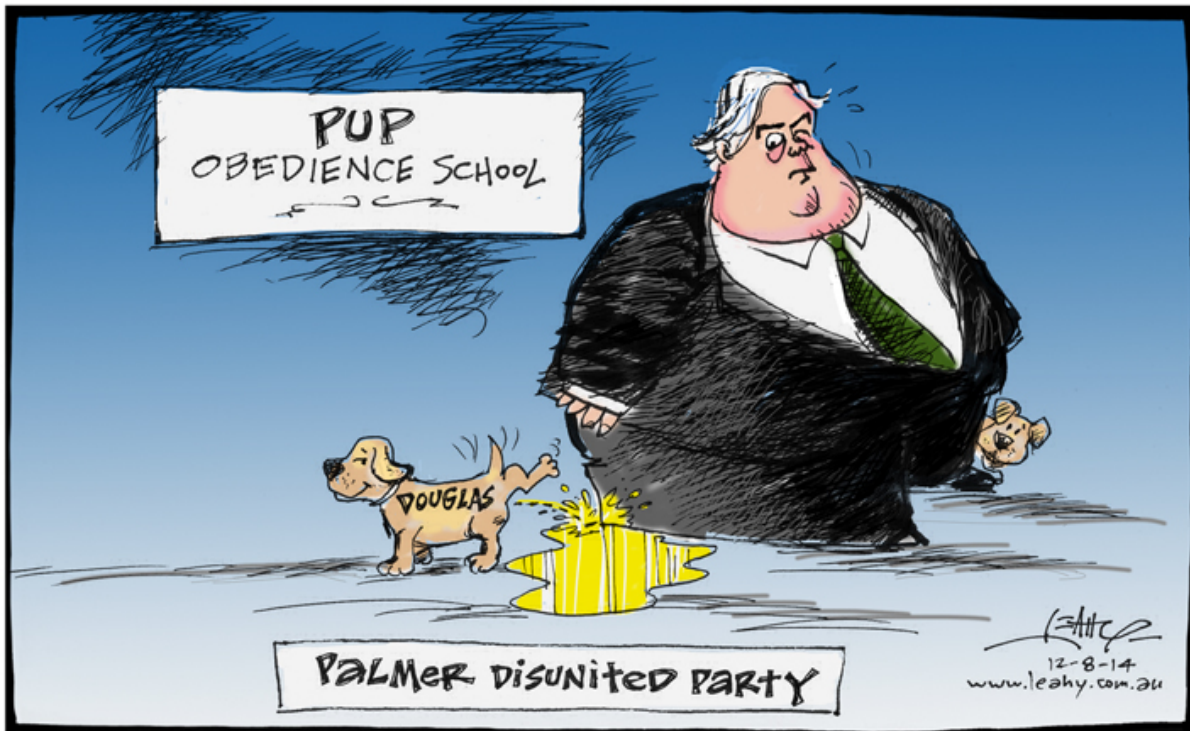
This meant that the obvious strategy for the Greens – and for other community groups alienated from the government, such as 'Working for Queenslanders'<sup>148</sup> – was to encourage all their supporters to put the LNP last. With an eye to Senate preference deals, the Greens emerged as a likely ally for the ALP.

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<sup>148</sup> See the website: [http://www.workingforqueenslanders.org.au/our\\_movement](http://www.workingforqueenslanders.org.au/our_movement)

## 12. Cannon in front of them

- Defections to and from the Palmer United Party



Late in 2012 two LNP members, Carl Judge and Alex Douglas, resigned from the party to sit as Independents. Clive Palmer, a former staffer for Joh Bjelke-Petersen, life member of the LNP and by now mining magnate and donor to the party, had also fallen out with the LNP in 2012 over lucrative contracts and access to the new corridors of power in Queensland.<sup>149</sup> It was this falling out that led to divorce in April 2013, the Palmer United Party (PUP) was created.

In June 2013 Judge and Douglas became members of the Queensland branch of the Palmer United Party. Palmer himself then went on to contest the 2013 federal election, when his party won four Senate seats.

By 2014 there were internal ructions within the Queensland PUP party and Douglas and Judge defected again (Douglas in August 2014, followed by Judge in October). Both reverted to their status as Independents. This left the PUP party with no representatives in the Queensland Parliament although it announced that it intended to endorse candidates for a range of seats before the 2015 election campaign.

Palmer's remaining attempt to influence the Queensland Parliament was to get the ALP and the Greens to support the establishment, at the end of September 2014, of a Senate Select Committee on 'Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs'. This Committee, chaired by PUP Senator Glen Lazarus, held public hearings

<sup>149</sup> 'How Clive Palmer's relationship with Campbell Newman and the Liberal National Party in Queensland soured', *News.com*, 7.7.14: <http://www.news.com.au/national/how-clive-palmers-relationship-with-campbell-newman-and-the-liberal-national-party-in-queensland-soured/story-fncynjr2-1226980559767>

in November and was open to public submissions until the end of February 2015.<sup>150</sup> There was a general attempt by the LNP to discredit both the committee and its chair, with some offensive questioning during public hearings.<sup>151</sup> The Coalition (with considerable cynicism given their own propensity for establishing costly public inquiries primarily for political point-scoring) complained about 'using taxpayer dollars to try and settle personal grudges', particularly focussing on the cost of the Senate inquiry's public hearings. Lazarus countered by saying that the hearings gave Queenslanders a chance to voice their concerns.<sup>152</sup> Whether the committee will throw any grenades at the Queensland government remains to be seen.

The flakiness of the Palmer image was exposed by the oddness of some of his closest supporters, not just in the Senate. Court cases about his diversion of business funds for electoral purposes had him in court, as did sundry defamation actions. The year ended with his media director under arrest for a bizarre charge of attempted kidnapping and seeking to pervert the course of justice by interfering with a witness, a charge immediately dismissed by Palmer as a politically-motivated conspiracy.

The Palmer United Party then had its own preselection woes for 2015. Alex Douglas had left the party in August accusing the party of nepotism, and alleging that Mr Palmer had preselected family, staff and family friends over genuine, grassroots 'community champions'. When Carl Judge, the last sitting PUP MLA in Queensland, resigned in October, he said that 'after being preselected in attorney general Jarrod Bleijie's Sunshine Coast seat of Kawana ... he now wants to recontest his south Brisbane electorate of Yeerongpilly'.

There were subsequent but ultimately abortive discussions about the the PUP and KAP establishing a closer relationship. Another party, Katter's Australian Party had increased from two to three members in the Queensland parliament in November 2012, when Ray Hopper resigned from the Liberal National Party, to join Robbie Katter and Shane Knuth.

Throughout the year, the opinion polls had shown a persistent unwillingness of up to a quarter of voters to support either of the main political parties. In the past this had led to the election of two long-term Independents, three for Katter's Australia Party (KAP) and, in the more distant past, 11 One Nation members. This volatility seemed to be strengthening nationally with an array of minor parties already holding the balance of power in the NSW upper house expanding their influence both in Canberra (the Senate) and Victoria.

It appeared that significant numbers of conservatives had moved their allegiance from KAP to the newly-minted PUP during 2014. However, at the end of the year it seemed that PUP might be a spent force, just as the Katter party had seemed after its leader's moment of glory in the previous Rudd-Gillard Senate had evaporated. As noted earlier, the array of independents had formed common cause in agreeing to bind themselves against privatisation and asset sales, the key policy for which the LNP was seeking a mandate at the coming election. However, on a whole range of social issues, there was a disparate voting record and there were diametrically opposing views.

Palmer successfully shifted the limelight off this potential embarrassment by announcing that he was taking the state leadership of PUP back to the future - in the person of John, the son of Joh Bjelke-Petersen. Petersen's press release focussed on an anti-asset sales message as well as calls for more assistance to rural and regional Queenslanders.

He suggested PUP's internal turmoil was no different from other parties. He would stand against Deputy Premier Seeney in Callide, having stood as a PUP candidate for the nearby federal seat of

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<sup>150</sup> The Senate Committee's website, listing all submissions deemed 'relevant' to its terms of reference, can be found at: [http://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Certain\\_Aspects\\_of\\_Queensland\\_Government\\_Administration](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Certain_Aspects_of_Queensland_Government_Administration). Public hearings will be held in Bundaberg, Gladstone, Cairns and Chinchilla in early 2015.

<sup>151</sup> See Ann Scott, 'Contempt for Parliament or just contemptible behaviour?', *TJRyan Foundation Research Report 11*, <http://www.tjryanfoundation.org.au/cms/page.asp?ID=701>

<sup>152</sup> 'PUP inquiry rings up bills for hearings': *Courier-Mail*, 27.12.14.



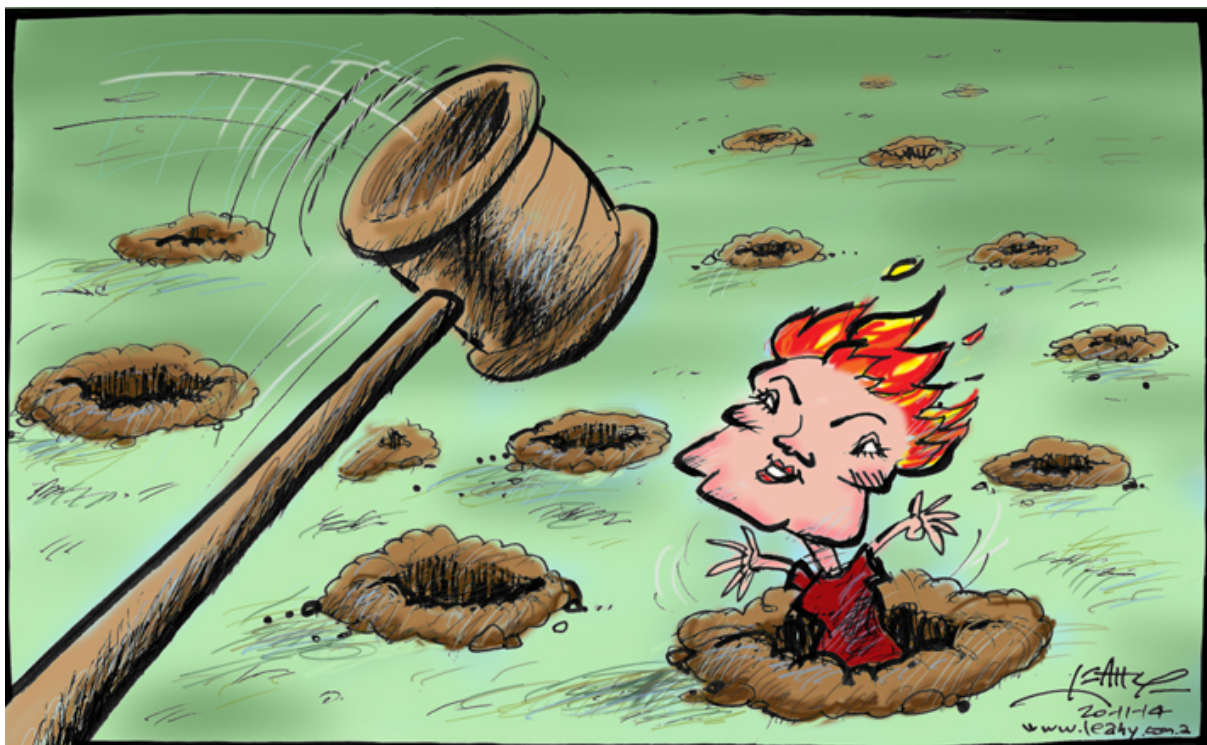
Maranoa, gaining 13 percent of the vote. Apparently without further consultation with Palmer, he refused to rule out preferences deals with the ALP or anyone else this time around.<sup>153</sup>

- **Protest parties - the great unknown**

This volatility was increased when Pauline Hanson decided in November to try to resurrect her One Nation Party. In the past, significant numbers of both rural and suburban Queenslanders had voted for One Nation in preference to both the LNP and the ALP. Like Prime Minister John Howard before him, Tony Abbott had accommodated some of the major One Nation policy objectives over anti-immigration and cultural assimilation. But it is possible that the appeal of the One Nation 'brand image' may have persisted in an era of voter alienation.

Hanson's problem was not unlike Clive Palmer's – the absence of a functioning constituency machinery. She would have to rely on the populism which had served her well in the past. By contrast, Palmer's revival rested on his combination of headline-grabbing eccentricity and an apparently limitless source of funding for advertising and self-promotion. At the end of 2014, it remained to be seen how this would play out in the heat of the impending campaign. Paul Williams has commented that:

One Nation under Hanson might take votes from the Liberal National party in next year's Queensland election. But its impact would be diminished while space for independents to the right of the LNP was "so crowded and splintered" with the likes of Katter, Palmer and others.<sup>154</sup>



<sup>153</sup> See 'Bjelke-Petersen to lead PUP in Queensland', *Brisbane Times*, 28.12.14: <http://www.brisbanetimes.com.au/queensland/bjelke-petersen-to-lead-palmer-in-queensland-20141228-12elmw.html>. The Courier-Mail coverage mischievously pointed out that the press release directed journalists seeking more information to contact Clive Palmer's media adviser and confidant Andrew Crook, who on 20 December had been granted bail after being charged over the alleged unlawful detention and coercion of a National Australia Bank executive on an Indonesian island.

<sup>154</sup> 'Pauline Hanson poised to take back leadership of One Nation', *The Guardian*, 19.11.14: <http://www.theguardian.com/australia-news/2014/nov/19/pauline-hanson-poised-to-take-back-leadership-of-one-nation>

Later, writing after the announcement of her candidacy, Williams identified five reasons why Hanson was likely to fail: the One Nation and Hanson brands are exhausted and the party in internal disarray; the Katter Australia Party will stand against her and split the populist vote; the demography of the electorate was changing to include a younger and growing multi-cultural population; there was 'the false assumption that recent tragedies including the terrible Martin Place siege, will push fearful voters, already anxious about Islam, back into the anti-immigration party's arms. Finally, Ian Rickuss, the LNP incumbent, was 'a solid local MP who well resembles the old knockabout Country Party member so appealing to the bush'.<sup>155</sup>

On 29 December 2014 Michael Leach wrote an article in *The Conversation* 'Hanson gets the band back together - can she make an impact?':

The fortunes of One Nation highlight the problems of populist parties. Candidates are usually untested, while the parties themselves lack internal vetting processes and have poor internal discipline.

Populist parties also tend to have fluid platforms, and to coalesce around a general position rather than policy specifics. Likewise, electoral success tends to create an alternate power base. As party members become MPs, they increasingly compete for influence with their charismatic leader.

All of this provides fodder for 'creative differences'. In present day politics, something of the same problem can be seen with the Palmer United Party (PUP). And as with PUP leader Clive Palmer, Hanson also had a tendency to fall out with her political lieutenants.

Despite being One Nation's birthplace, Queensland in 2015 may not suit the reunion gig given the state has no upper house. While Queensland's optional preferential system does make it harder for the majors to block a third party, the almost inevitable major swing against the Newman government is unlikely to prove fertile ground for a minor party resurgence.<sup>156</sup>

- **(Another) new political voice for country voters?**

'The bush' was aware of how few other current LNP members resembled 'the old knockabout Country Party'. Readers of *Queensland Country Life* on Christmas Eve were promised the advent of 'a new political voice for country voters'. A picture of the new electoral messiah had a sub-script which read: 'The National party is unrecognisable to its roots and is blindly committed to the Coalition'. There were related stories headed 'Heat on Cabinet over drought assistance'<sup>157</sup>; 'Bumpy ride on A Country Road'<sup>158</sup>; 'More Bumps along a Country Road'<sup>159</sup> - referencing an ABC documentary series 'A Country Road'<sup>160</sup> shown in December, and a 'Poll - Will George the Farmer outsell Bob the Builder?'<sup>161</sup>

The remarkably long news story was about the moves to register 'The Country Party of Australia', described as 'primarily a rural based Party committed to a modern country-mindedness in the best interests of the entire nation'. Its founder, Peter Mailler, a former chair of Grain Producers Australia, farmed on the Queensland-NSW border. He had stood as a NSW Senate candidate for Katter at the 2013 national election. The primary purpose of the new party was to contest

<sup>155</sup> 'Opinion: No luck in Lockyer likely for perennial candidate Hanson': *Courier-Mail*, 22.12.14.

<sup>156</sup> 'Hanson gets the band back together - can she make an impact?', Michael Leach, *The Conversation*, 23.12.14: <https://theconversation.com/hanson-gets-the-band-back-together-can-she-make-an-impact-34747>

<sup>157</sup> 'Heat on Cabinet', *Queensland Country Life*, 15.12.14: <http://www.queenslandcountrylife.com.au/news/agriculture/general/politics/heat-on-cabinet-over-drought-assistance/2719604.aspx>

<sup>158</sup> 'Bumpy Ride', *farmonline*, 22.12.14: <http://www.farmonline.com.au/news/agriculture/general/politics/bumpy-ride-on-a-country-road/2719844.aspx>

<sup>159</sup> 'More Bumps', *The Land*, 23.12.14: <http://www.theland.com.au/news/agriculture/general/news/more-bumps-along-a-country-road/2719928.aspx>

<sup>160</sup> ABC TV 'A Country Road': <http://iview.abc.net.au/programs/country-road-the-nationals/NS1422Q001S00>

<sup>161</sup> For the poll, see <http://www.farmonline.com.au/polls/>

national elections but Mailler's analysis of Queensland was symptomatic of rural malaise, where 'regional and rural representation has no unique identity'.

The *Queensland Country Life* journalist, Colin Bettles, reported on the earlier response by Warren Truss, the national leader of the unmerged National Party, who rejected any significance in the surge in public opinion polls towards minor parties.

We've always had independent parties or different groups come along and we've had plenty of saviours in the past like Pauline Hanson and Bob Katter – they all made a little bit of impact for a while. ... (but) those who throw away their vote in some kind of protest are in fact ignoring their obligations to democracy but also putting their country at risk.

Mailler's response recognised the limited aspirations of the new group:

We're never going to try and be a major political party but we want to be a credible voice for farmers. Systematically the influence of rural parliamentarians has been eroded by the party-before-country mentality".<sup>162</sup>

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<sup>162</sup> 'New political voice' *Queensland Country Life*, 24.12.14: <http://www.queenslandcountrylife.com.au/news/agriculture/general/politics/new-political-voice-for-country-voters/2720196.aspx>

### 13. Cannon to right of them

The leadership stability in the ALP was in stark contrast to the conservative side of politics. Given the plethora of conflicts affecting such a wide range of social groups and professional interests, it was no surprise that the LNP standing in public opinion polls started to slump through the middle of the year. The Premier's promise to have learnt the lesson delivered in the February Redcliffe by-election seemed to have been instantly forgotten. The *Courier-Mail* reported on the feelings inside the ruling elite:

Newman's office — both rightly and wrongly — is being blamed for much of the Government's predicament, accused of everything from inertia to compulsive decisions. Comparisons with Kevin Rudd's prime ministerial office have emerged.<sup>163</sup>

- **The party machines and local branches**

There were more serious pre-selection problems for the LNP towards the end of the year. Doubts had been raised over the pre-selection of three sitting LNP members whose cases went to the state executive in September for determination — the three had been involved in political misdemeanors, ranging from charges of nepotism to 'sexting' lewd images to a mistress.



After presumably deciding that lewd texts constituted a minor misdemeanour, the state executive ruled that Peter Dowling could proceed to face his local Redlands pre-selection committee, only to discover that the local committee disagreed.<sup>164</sup> The branch executive consisted of Dowling's sister and her husband Hugh McDevitt, and the latter stood unsuccessfully against a candidate who had experience as a staffer of a national MP and was currently working in the office of the Premier. On Facebook and then in the *Brisbane Times* McDevitt attacked the vilification and misrepresentations of his opponent. It was noted that a third of those who voted were not locals but members of the LNP state executive from outside the electorate.

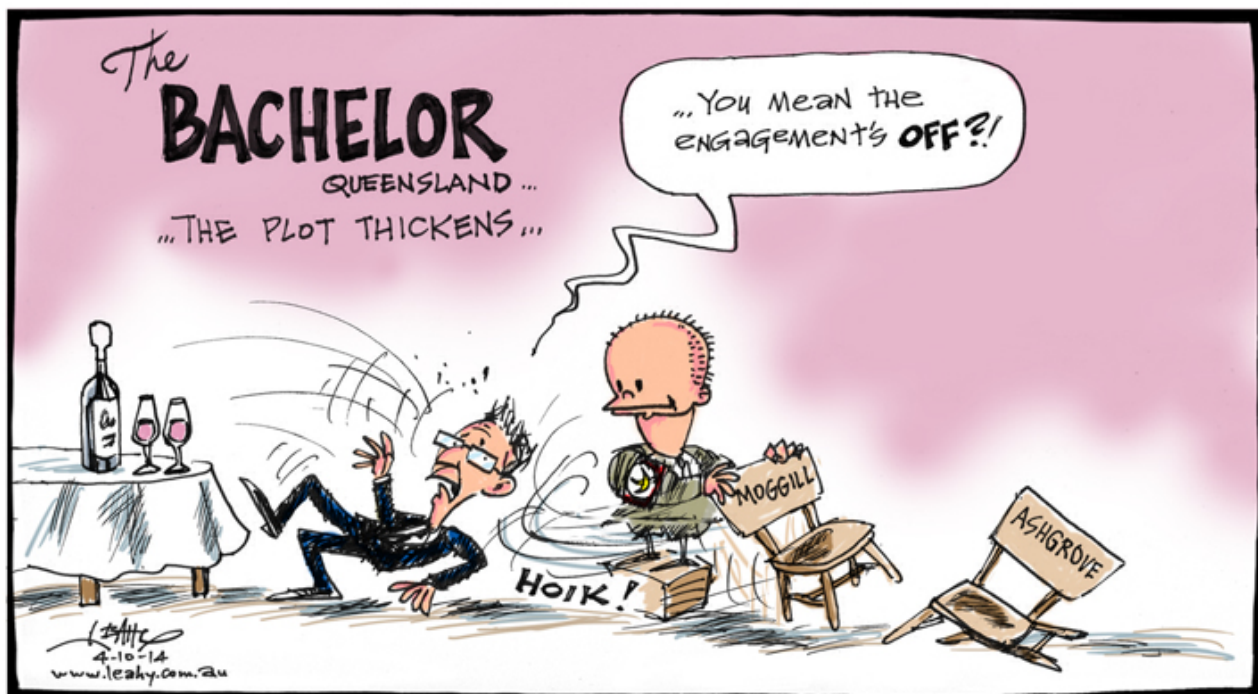
<sup>163</sup> Steve Wardill, 'Opinion: Government insiders comparing Premier Campbell Newman's office to Kevin Rudd's', *Courier-Mail*, 22.7.14.

<sup>164</sup> 'MP Peter Dowling loses preselection bid for seat of Redlands', *ABC News*, 25.10.14: <http://www.abc.net.au/news/2014-10-25/sexting-queensland-mp-loses-preselection-bid/5841332>



The confrontation between locals and the LNP executive was dramatised more spectacularly in the case of Dr Bruce Flegg. The state executive vetoed Flegg from standing for pre-selection for Moggill, the seat he had represented for ten years. At the time of this veto, he had a Crime and Corruption Commission investigation pending related to his claim – allegedly supported by tape-recording on his phone – that he had been improperly offered a lucrative alternative post overseas if he stepped down to make way for Campbell Newman before the previous election.

With Flegg banned from participating, the Moggill Branch members rejected the only alternative candidate Dr Christian Rowan, who had been a participant in the industrial battle with the AMA(Q). This led the *Brisbane Times* inaccurately to predict that 'LNP Member for Moggill Bruce Flegg could rise from the political grave after local party members rejected the party executive's hand-picked replacement'.<sup>165</sup>



Flegg was then allowed by the party hierarchy to contest a second ballot against Rowan, delayed until after Parliament had risen to minimise the opportunity for political embarrassment. Flegg had strengthened his position when he faced off for this second round, against Rowan, the opponent endorsed by the central executive of the party. Days before the crucial meeting of the local pre-selection committee, he provided them (and the media) with a letter of commendation he had circulated seeking the endorsement of his parliamentary colleagues.<sup>166</sup> A large majority of colleagues had signed, including the Premier, the Deputy Premier and the Treasurer; notable omissions were the names of Newman's three most credible replacements outside that list – Health Minister Lawrence Springborg and Education Minister John-Paul Langbroek, both former LNP leaders, and Minister for Transport, and emerging contender Scott Emerson. In response, his opponent also circulated signed letters of support from a range of parliamentarians and party officials, including the Premier and others who had signed the one for Flegg.

<sup>165</sup> 'Shock LNP vote lifts Flegg from political grave', *Brisbane Times*, 20.10.14: <http://www.brisbanetimes.com.au/queensland/shock-lnp-vote-lifts-flegg-from-political-grave-20141020-1190wp.html>

<sup>166</sup> 'Bruce Flegg brandishes letter from 68 LNP MPs in battle for Moggill', *Courier-Mail*, 5.12.14: <http://www.couriermail.com.au/news/queensland/bruce-flegg-brandishes-letter-from-68-lnp-mps-in-battle-for-moggill/story-fnn8dlfs-1227145353757>

The crucial meeting on 7 December produced an extraordinary result. Rowan had lost when he had no opponent but won when faced by the long-term sitting member. As at Redlands, there was a significant turnout of members of the State Council empowered to vote. This underlined the existing tensions in the party about its future leadership as opinion polls continued to point to Newman's likely demise alongside a probable victory for the party as a whole. Flegg commented that 'his fate was decided by a National Party core in the LNP executive, and he warned government that their skirmishes with the health and legal sectors 'may make the seat more vulnerable come the state election'.<sup>167</sup>

The issue came to the attention of the bookies. In early January punters backed the leadership contenders in this order: Nicholls, Emerson, Springborg, then Langbroek, with Jeff Seeney trailing last.

- **Problems in the rural heartland**<sup>168</sup>

Flegg's reference to 'a National Party core' suggested that Liberals might be feeling excluded by the power-brokers inside the State Council and Executive with previous affiliations to the National Party. This sense of exclusion would be more obviously felt by the 'small-l' element in the party prominent in the professions; the 'economic rationalist' proponents of re-directing resources from the public service to private businesses, exemplified by the Treasurer, were more comfortable.

Spokespersons for the old-style National Party interests – frequently well-educated women working on country properties – threatened insurrection by joining with more conventional Green activists to campaign against the encroachment of the coal seam gas industry into prime agricultural locations. The flash-point was often the removal of any controls over CSG miners' access to the scarce commodity of water.

All the minor parties and independents were encouraged by this persistent tension between miners and property developers on the one hand and the rural, and especially agricultural, interests which were the life-blood of the old National Party dating back to the time when its name was the Country Party. In its heyday under Bjelke Petersen, the National Party had expanded from this shrinking electoral base to accommodate mining, business and property development supporters. Ultimately this support became indistinguishable from the city-based interests represented inside the Liberal Party and amalgamation followed with the formation of the LNP.

But the rural agricultural core with its tradition of activism and engagement became increasingly dissatisfied. This culminated during 2014 with a range of incidents and community-based organisations emerging which challenged the expansion of mining into rural areas – especially coal seam gas – and resented the cut-back in publicly-provided services across regional Queensland.

On December 20, well into the Christmas holiday break, Deputy Premier Jeff Seeney announced that the government had approved a \$900 million mine expansion near Oakey on the Darling Downs. The announcement indicated that the project still needed federal government approval, was still to be assessed under the state government's new Regional Planning Interests Act, and was hedged with 137 conditions – none of which amounted to serious impediments on past form. The statement pointed to the creation of 250 jobs in the construction phase and another 435 operational jobs.

What was more unusual was its conciliatory tone, highlighting the reduced scope of the project compared to the original expansion plan: 'The reduced scope of this project in response to local concerns is a good example of a resource company working to achieve community confidence.'

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<sup>167</sup> 'Flegg blames National Party core for Moggill dumping', *Brisbane Times*, 7.10.14: <http://www.brisbanetimes.com.au/queensland/flegg-blames-national-party-core-for-moggill-dumping-20141006-10r1qa.html>

<sup>168</sup> This section reproduces part of the 'Parliament Under Newman, 2014, TJRyan Foundation Research Paper 13, <http://www.tjryanfoundation.org.au/cms/page.asp?ID=711>

This scaling back clearly did not appease powerful critics. Vikki Laws, a spokesperson from the Oakey Coal Action Alliance community group indicated that they would approach the commonwealth with their concerns: 'Unfortunately the water impacts are quite appalling and unsustainable'. Another woman said that 'she had previously raised concerns about the impact on agricultural land and was disappointed with the approval. 'I'm pretty puzzled and very disappointed in how it looks', she said, 'it really does seem like they haven't taken too much notice of our concerns'.<sup>169</sup> This spokesman modestly identified as a local farmer was Dr Tanya Plant, a former Rhodes Scholar and major shaker-and-mover among the Young Nationals who remained well connected with her local community.

The same tension was playing out at local government level as a result of the decision by Seeney to support the denialists on climate change and rising sea levels. On the same December day that Plant made her comments, reported on the ABC, Des Houghton's influential opinion piece in the *Courier-Mail* was headlined 'In deep water – will climate change denials sink the LNP?' Houghton reported that 'inside the LNP there are waves of discontent. The row has pitched mate against mate'. Houghton reported that Graham Quirk, Newman's ally and successor as Lord Mayor of Brisbane, in his role of the chairman of the Council of Mayors, had 'demanded an urgent clarification' from Seeney and warned him of 'confusion and frustration'. Houghton also noted that the chair of the Local Government Association of Queensland – identified by Houghton as (yet another) Newman loyalist – had said that the row made those involved a laughing stock.

This unexpected focus on environmental issues largely by-passed the ALP because there was an awkward trade-off between jobs growth, agriculture and conservation, and the initial approval for CSG companies had been given by Anna Bligh.

While there was a battle over specific mining approvals throughout 2014, the reality of the coal seam gas industry was causing deep distress in areas outside the cities. This distress was eloquently described in a submission to the Agriculture, Resources and Environment parliamentary committee by the Oakey Coal Action Alliance in relation to the *Protection of Prime Agricultural Land from CSG Mining Bill 2013*:

We have witnessed that large scale high impact industries such as either CSG or open cut coal mining can have negative effects on existing business success, productivity, mental health, forward planning and social cohesion. We believe that the legacy of this current mining boom on closely settled agricultural areas of the Darling Downs will be regarded retrospectively as social and environmental failures. Rather than causing Queensland to flourish in the long term, this state is likely to have significant water, soil, health and economic impacts, the effects of which will be felt for generations to come.<sup>170</sup>

These vexed mining issues elevated the standing of the Greens, who participated in the rural campaign against coal seam gas, as well as in its more familiar territory of middle class suburban Brisbane. Drew Hutton, Greens co-founder and one of their prominent local activists for generations, became a cult figure at rural 'Lock The Gate' protest meetings. He appeared at one mass meeting in Brisbane on the same platform as arch-conservative radio commentator, Alan Jones, whose sympathies were entirely with the protestors from Oakey, where he had grown up.

At the end of 2014 people in rural Queensland were exchanging maps on Facebook, put out by 'Lock the Gate' showing that 56 percent of Queensland were covered by coal and gas licenses and applications. For Newman and all the other leaders, this issue was extremely uncomfortable, given that the main engine of growth promoted by the government as the solution to Queensland's financial ills was the continuation of mining coal and exporting coal seam gas.

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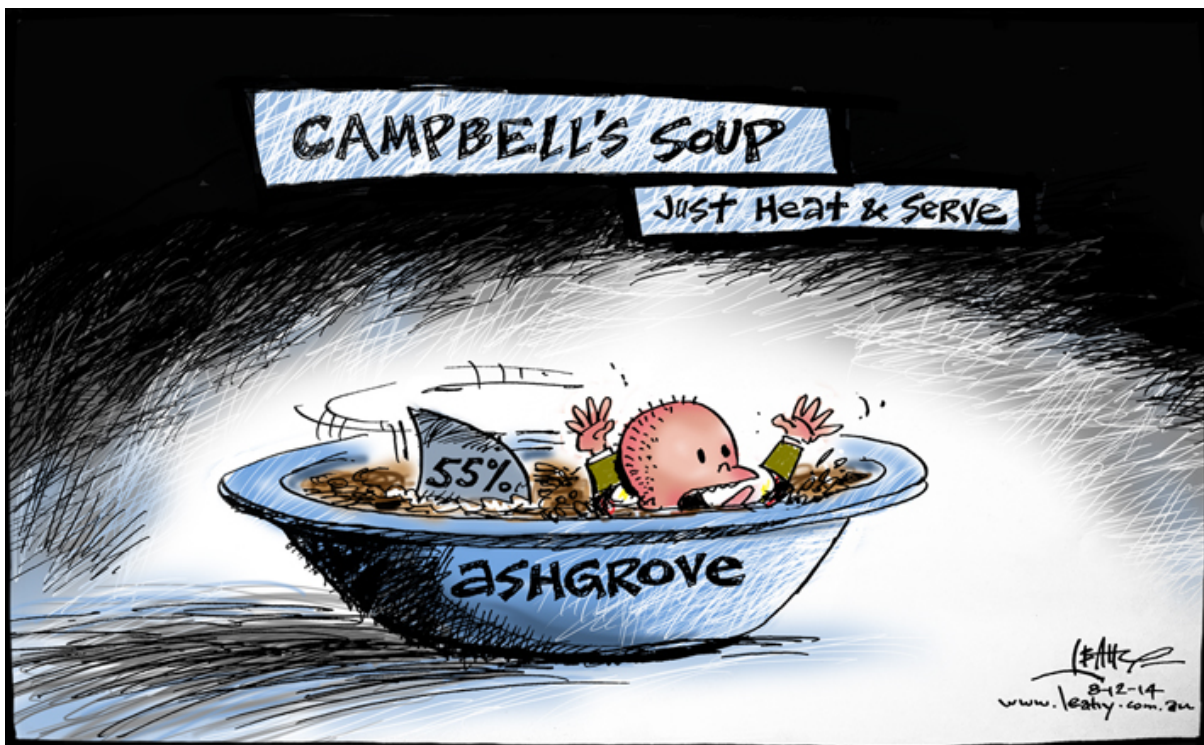
<sup>169</sup> ABC News, 'Acland mine expansion approved', ABC News, 20.12.14: <http://www.abc.net.au/news/2014-12-20/900m-acland-mine-expansion-approved-by-qlld-govt/5981284>

<sup>170</sup> Submission to Agriculture, Resources and Environment Committee, October 2013: <http://www.parliament.qld.gov.au/documents/committees/AREC/2013/15-ProtPrimeAgriLand/submissions/11-OakeyCoalActionAlliance.pdf>



- **The struggle for succession within the LNP**

Throughout 2014, neither Springborg nor Langbroek were seen as the main players in the leadership speculation around the increasingly likely event that the Premier might lose his seat of Ashgrove. Seeney and Nicholls were official front-runners. There must have been a bitter-sweet irony: the party had pushed them aside to consolidate a victory in 2012 which was already almost certain; now Campbell Newman, the same person once seen as the party's saviour, had become a major handicap. His aggressive and confrontational personal style had won some friends but also turned off many others who might otherwise have supported the LNP.



For the most part, the two former leaders devoted their energies to running the two largest departments in government - Springborg had been faced with the reality of Health being a poisoned chalice; Langbroek had an easier ride in the Education portfolio apart from the parlous state into which TAFE had declined as the government as a whole pursued its economic rationalist agenda of promoting contestability with private sector providers.

Langbroek's prominence as the more electorally palatable face of the LNP was enhanced by a carefully timed 'exclusive' provided to the *Courier-Mail* on December 29 on the government's response to a report completed in October 'Redesigning the secondary-tertiary interface, Queensland Review of Senior Assessment and Tertiary Entrance'. Proposals to shift the balance from school-based assessment to external examinations.<sup>171</sup> A front page article, an editorial and an extensive feature article gave details of the government's endorsement of these proposals, likely to be electorally popular because of parent suspicion about the reliability of teachers as assessors of their own performance. The editorial warned that 'these reforms are as welcome as they are overdue, but the government needs to tread carefully and ensure they don't create more problems than they solve'. Langbroek in return 'stressed a final decision on the model would not be made until the (proposed) ACER model had been tested, the final three-month consultation completed and not before the new model was worked out'.

<sup>171</sup> <http://www.acer.edu.au/queensland-review>



From an electoral point of view, three months of discussing education rather than anything more politically contentious would be an ideal distraction for the LNP.

The two leaders mainly in the public eye, however, were Deputy Premier Jeff Seeney and Treasurer Tim Nicholls. Nicholls was seen to have clashed with the more expansionist aspirations of Newman and Seeney as far back as the 2013 state budget. His intention to press ahead as quickly as possible with asset sales was rejected in favour of turning the apparently unloseable 2015 election into a mandate for a currently unpopular policy.

There were hints through the year that Nicholls was positioning himself to be leader after the election. One piece of evidence came from an unlikely source, the Queensland Police Union, which had benefitted hugely in the past from patronage in the form of the police budget for staffing and equipment. The Union had been prominent on the hustings in 2012 beside LNP candidates (particularly Seeney) and received unrelentingly favourable coverage for the activities of its members in the Murdoch press.

Newman's strong emphasis on law and order, the prosecution of VLAD gangs and organised crime and the expansion of police equipment (much of which, it could be argued, was necessary for policing the G20) and police powers all contributed to his high standing with the union, which also appreciated that his final choice of Police Minister was from someone within their own ranks. They were less enthusiastic about the general cut-costing regime instituted by Nicholls across the whole public sector. They expected special treatment.

Queensland Police Union president Ian Leavers launched a scathing attack on Tim Nicholls, labelling the Treasurer the 'Kevin Rudd of the LNP' and accusing him of 'undermining' Premier Campbell Newman and attempting to 'sabotage' the government in his quest to be leader. Speaking in defence of vice-president Shayne Maxwell's claims that LNP backbenchers had approached the union for support if they were to run in the next election as independents, Mr Leavers said the MPs were 'worried about the direction Tim Nicholls is taking the LNP':

We as police have heard time and time again that the Premier and ministers such as the Police Minister support funding proposals at the Cabinet Budget Committee and the Treasurer over-rides them, so understandably, LNP MPs and the public are wondering what Tim Nicholls is up to. 'It appears this is a deliberate attempt to sabotage the government by Tim Nicholls because he wants to be Premier. ... Tim Nicholls is the Kevin Rudd of the LNP who seems to be undermining the Premier and police at every turn'.<sup>172</sup>

In early November, taking advantage of the security threats associated with the G20, the union accused the government of breaking its funding promise over the 'Safe Night Out' strategy.<sup>173</sup> This message was reinforced by headlines such as 'Police to loan body armour for G20 security shortage'. These outbursts were dismissed as part of an industrial campaign to ensure funding was not cut, but the tone was echoed in private discussions among party members.

The uncertainty over future leadership of the LNP became clearer as the year wore on. Newman remained entrenched in his Ashgrove seat, while the polls gave him increasing reason to worry about his future.

The LNP continued to try to change the image of the party. Doubts remained about the electoral appeal of Newman's own image (despite the asserted success of a charm offensive). The LNP also appeared to want to draw a contrast with the virtual anonymity of the ALP team throughout the year.

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<sup>172</sup> 'Tim Nicholls undermining Premier Campbell Newman: Police Union President', *Brisbane Times*, 15.10.14: <http://www.brisbanetimes.com.au/queensland/tim-nicholls-undermining-premier-campbell-newman-police-union-president-20141015-116fbx.html>

<sup>173</sup> 'QPU accuses government of being untruthful about funding', *Brisbane Times*, 4.11.14: <http://www.brisbanetimes.com.au/queensland/qpu-accuses-government-of-being-untruthful-about-funding-20141104-11gx5y.html>

Advertising and photo-journalism used different group photographs for different messages – in the *Courier-Mail* article promising ‘Campbell Newman’s sizzling summer of love’ the photo-shopped campaign Kombi van is being driven by Newman with Bleijie and Seeney hanging out of the windows.

The photo on the front of the December version of the LNP website ‘Strong Team; Strong Plan: Stronger QLD; replaces Bleijie with Treasurer Nicholls and two women – one of whom is the Speaker, Fiona Simpson. (This use of the Speakership on election material may represent a first in the history of the Westminster system but is consistent with the overtly partisan role of the Speaker in the national parliament).

On 21 December, the *Courier-Mail* also reported that Newman’s most marketable Minister had been commissioned to provide, as the headline termed it, ‘an articulate bit of bashing’:

Education Minister John-Paul Langbroek will spearhead a six-week ‘Canberra bashing’ campaign as the Sunshine State steams with Labor big shots at each others throats. ... Articulate, best-dressed and credible, JPL is a no-brainer to lead the Canberra attack over Queensland’s declining education standards as federal funding sinks. ... Back at the Premier’s Office not even Campbell Newman’s trade mission to India on January 9 will disrupt the Joh-style assault on Canberra.<sup>174</sup>

Right at the end of the year, Newman introduced with fanfare and a major advertising campaign a scheme to eliminate all surgery waiting lists. This would require public hospitals to re-direct identifiably urgent cases to the private sector and for their boards of management to accept the budget consequences of paying for them.<sup>175</sup> The various interest groups reacted strongly to this shift in priorities and to the appropriateness of an advertising campaign with such partisan benefits potentially so close to an election. But, from a public relations viewpoint, the timing was faultless.

Whether propaganda victories were sufficiently influential to offset deeper concerns remains a major question for students of electoral behavior. Discussing events on a wider canvas, Paul Williams wrote in *The Conversation* about the edginess being felt by non-Labor incumbents across the country. Three large imponderables remain to be resolved early in 2015:

- (1) the volatility of the minor parties - the extent to which normally conservative voters would support leaders of fringe parties like Katter, Palmer and even Pauline Hanson and then allow their preferences to work against Newman;
- (2) leadership and policy credibility - the extent to which the ALP could offer a competitive leader and credible economic policy alternatives beyond a blanket rejection of privatisation; and
- (3) community involvement - the extent to which the ALP could follow the Victorian example of off-setting their opponents’ heavy spending on advertising by mobilizing its supporters for a grass-roots campaign of direct community engagement.<sup>176</sup>

Williams focussed his remarks on the challenges facing the ALP. David Moore, a senior adviser to the Howard government to the LNP 2012 election team, suggested that the LNP needs to focus its campaign on the sort of doomsday scenario which had emerged nationally. He wanted Queenslanders to believe that they faced (in the words of the headline), ‘A Strong Choice Between LNP Or A Minority Hotchpotch’. He accepted the possibility of an LNP loss - reversing what he believed to be the underdog strategy of the ALP:

It’s the oldest political tactic in the campaign playbook, to trick voters to devalue their vote in the mistaken belief that a vote against the Government can’t change it.

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<sup>174</sup> *Courier-Mail*, 21.12.14.

<sup>175</sup> Queensland Health website description of ‘guarantee’: <https://www.qld.gov.au/health/services/hospital-care/waiting-lists/wait-time-guarantee/index.html>

<sup>176</sup> ‘One down, two to go: Labor revival puts incumbents on edge’, Paul Williams, *The Conversation*, 3.12.14: <https://theconversation.com/one-down-two-to-go-labor-revival-puts-incumbents-on-edge-34919>

Moore argued that that ‘the Newman government is now the underdog’ and even accepted that the swing was a result of ‘an at times over-enthusiastic government’s own mistakes’.

He qualified this by then listing the same calendar of achievements recorded regularly in the *Courier-Mail*’s editorial pages, noting that ‘first term LNP members are finding their feet’ and that Newman “looks focused and had his “can do” mojo back’. But Moore wanted to warn any among the *Courier-Mail* readers who doubted this that the price of their protest would be high:

Rather than a certain Labor victory, I believe the real risk for Queensland from Labor’s looming ‘protest vote’ campaign is a coalition between minority Labor and a chaotic hotchpotch of Independents.<sup>177</sup>

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<sup>177</sup> David Moore, ‘Strong choice between LNP or a minority hotchpotch’, *Courier-Mail*, 19.12.14.



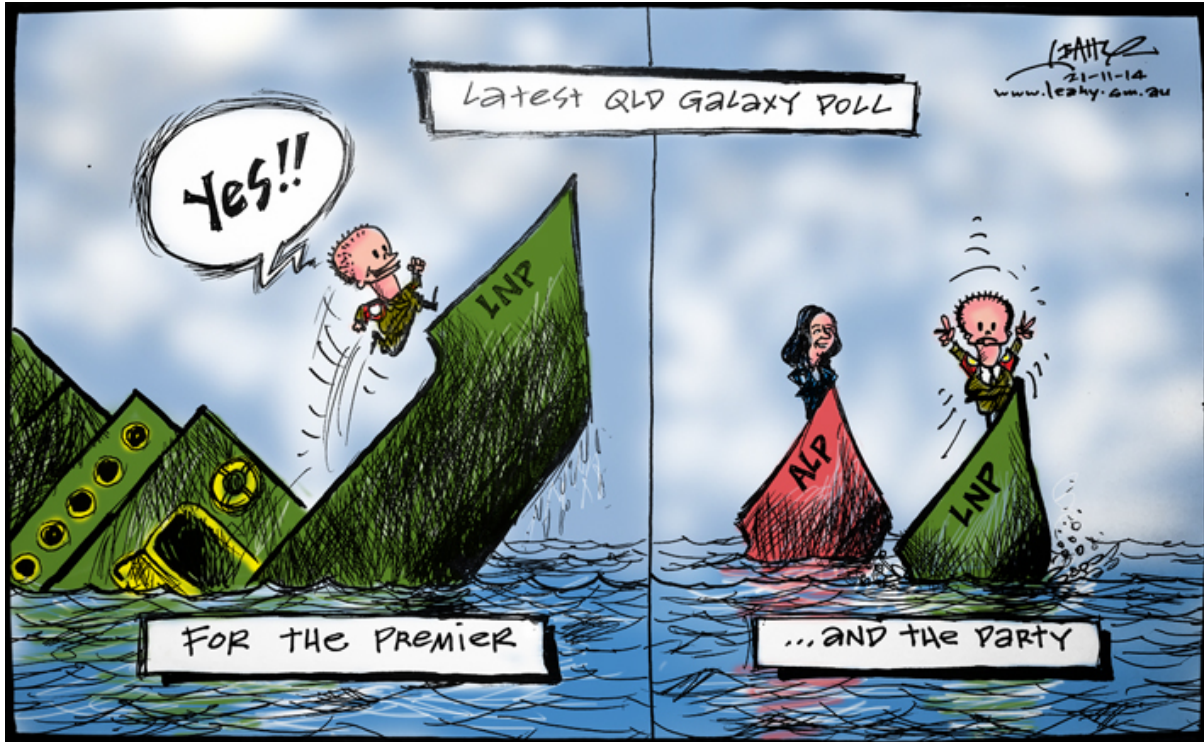
O the wild charge they made!  
All the world wondered.<sup>178</sup>

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<sup>178</sup> Excerpt from 'The Charge of the Light Brigade', Alfred Lord Tennyson, 1854. Illustration: 'The Charge of the Light Brigade' artist Thomas Jones Barker, 1877 (collection of the Defence Academy of the United Kingdom).



## 14. Battle lines drawn for the 2015 election



*The Brisbane Times* reported that the final parliamentary sitting of 2014 was used by LNP speakers to lay the groundwork for the 2015 campaign:

The Queensland Government has used the last morning of the final sitting of the 2014 parliament year to talk itself up ahead of next year's election, saying everything it has done has been "necessary".

Premier Campbell Newman kick started the motivational monologues, outlining what he considered to be successes - health, education, law and order - and reiterating the promise to have the best performing state economy in 2015.

But in what will be a government mantra until after election, he added "the job is not done. ... Some of the actions we have taken have been difficult and I acknowledge some have not been easy for many people in our community.

But all have been necessary; necessary to deal with the challenges we face as we rebuild Queensland, as we position our state so we can face the years ahead with confidence, with strength and the ability to seize the opportunity of a better future for all Queenslanders.

There is a range of imponderables which may affect the LNP at the end of 2014. While it is possible that the State election might not be called until the last possible moment in the middle of 2015, most commentators and even the Premier seem to be suggesting that the election will be called early in the New Year.<sup>179</sup>

The refrain echoed the tone at the national level. Abbott had 'stopped the boats' and rewarded the miners by repealing the mining tax. The LNP had at its signature success the VLAD legislation and the impact of its draconian legislation on both Outlaw Motor Cycle Gangs and public violence. The

<sup>179</sup> 'Newman Government launches into motivational monologues', *Brisbane Times*, 27.11.14: <http://www.brisbanetimes.com.au/queensland/newman-government-launches-into-motivational-monologues-20141127-11v2z8.html>

LNP could also demonstrate infrastructure spending. The projected opening time of a major Brisbane tunnel would serve as a public reminder. There were also quieter achievements in school education but more contested claims about improvements in health and the impact of contestability in the TAFE sector. A more general campaign against 'red tape' and 'green tape' had widespread appeal to the business community as well as property developers.

The most obvious sense of grievance about broken promises related to the treatment of the public service. Before the 2012 election, there were many in the union movement who had opposed the Bligh/Fraser ALP government for promoting privatisation and asset sales as a local response to the global financial crisis. As a result, the union movement provided scant support to the ALP campaign in 2012, and Campbell Newman capitalised on this disaffection by reassuring public servants and their union that they had nothing to fear from a change of regime. When the LNP took office they sacked large numbers of public servants, and enthusiastically embraced outsourcing, privatisation and the sale (later amended to the lease) of public assets.

This breach of trust was then magnified by unheralded and sustained attack on the institutions designed to prevent the sort of public corruption which had engulfed the Bjelke Petersen government, institutions painstakingly put in place by the ALP government, elected in 1989, under the leadership of Wayne Goss. Many commentators about the recent erosion of democracy and accountability in Queensland remembered the 1980s, and the reforms of the early 1990s.

But the problem of unemployment loomed largest of all, driven by the palpable reality of a major down-turn in the mining sector. When this was added to the social chaos created by public sector cuts, affecting services across the regions as well as in Brisbane, as well as numerous small local businesses, the electorate unease was reflected in the polls.

As noted earlier, the ALP was conscious that Abbott was an asset for them and federal ALP members distributed 700,000 letters linking the two leaders. As the *Courier-Mail* noted:

The mass mail-out corroborates the LNP's fears that Labor would link their administration to the Abbott government as they successfully did at the Victorian election... Federal Member for Rankin, Jim Chalmers said his electorate would receive the material, saying voters saw no difference between Mr Abbott and the Queensland Premier. In my community they see Abbott and Newman as one and the same, and despise them equally for their cuts.<sup>180</sup>

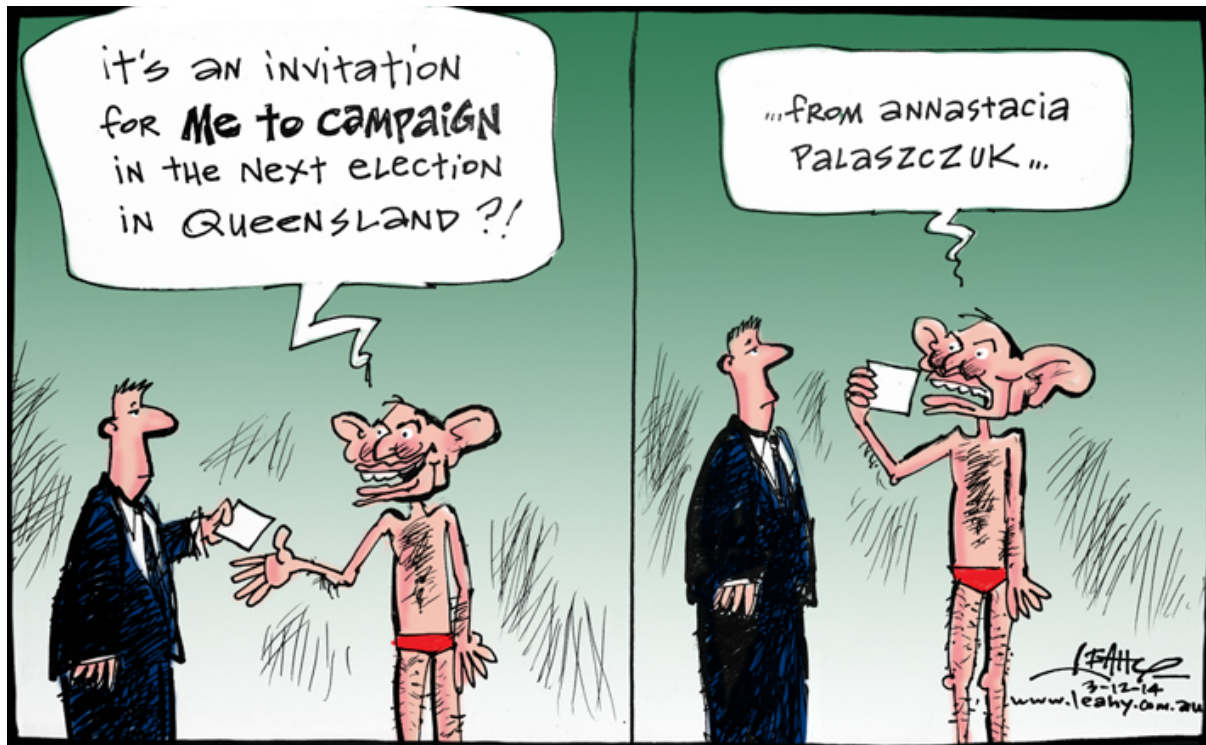
Election posters from the ALP festooned the fences of Victorian polling stations with images of a Liberal leader, Tony Abbott, notably absent from the state campaign. Campbell Newman made it clear that he would encourage a similar invisibility from his ostensible ally, ideological soulmate, and enthusiastic supporter.<sup>181</sup>

On 5 January, when he called his snap election, Abbott was himself causing a surprise by visiting Iraq then going on leave. Julie Bishop declared she was available to visit Queensland in his place.

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<sup>180</sup> 'Labor links LNP leaders Campbell Newman and Tony Abbott as first shot fired in upcoming election battle', *Courier-Mail*, 2.12.14.

<sup>181</sup> 'Tony Abbott will not be needed during the Queensland election campaign, Premier Campbell Newman said. All he needs is his "strong" LNP team', *Brisbane Times*, 2.12.14: <http://www.brisbanetimes.com.au/queensland/tony-abbott-not-needed-for-queensland-lnp-election-campaign-campbell-newman-20141202-11y883.html>



The underlying issues, clearly identified in the LNP private polling and later reinforced by union polling, remained much closer to the bulk of the electorate – job opportunities and the cost of living, plus the trustworthiness of leaders with a record either of broken promises on the basics - or the implementation of a far-right ideological agenda for which there had been no forewarning in the election campaign.

Nevertheless the Newman government was still in a relatively strong position as a result of the magnitude of his 2012 win, and the historical tendency of electors to offer a second term after a change of government. Polls through 2014 had the Newman government still enjoying majority support throughout the whole year, despite the steady shift downwards as the year progressed.

Close analysis by experts suggested that this overall trend concealed variations over time. Early in its term, the LNP lost favour in regional areas such as northern Queensland; later it clawed back support by intense effort directed towards these locations but then declined in areas near Brisbane. It remained relatively strong in the traditional Liberal areas in the Brisbane suburbs and areas where the old Country-National candidates had unseated ALP in previously working class suburbs. Its new area of weakness was in the areas outside the metropolitan local government area, to the north and south and towards Ipswich in the west.

Overall, by the end of 2014, the steady trend downwards had reached the point where the ALP and its officials and activists could look forward with a measure of optimism to the Christmas break and the election campaign which would surely follow. This would have been inconceivable at the start of the year when hard-nosed party strategists would have based their planning on at least two terms of LNP government.

The uncertainty over the party's future leadership remained a key issue. Paul Williams, a Griffith University academic as well a journalist with the *Courier-Mail*, offered an insightful analysis under the headline 'With sharks circling Newman can't expect a second chance'.<sup>182</sup>

Williams's first shark was the impact of the Victorian first-term defeat of a coalition government showing general electoral volatility in the community; the second was the ReachTel poll putting the

<sup>182</sup> 'With sharks circling, Newman can't expect a second chance', *Courier-Mail*, 2.12.14.

ALP ahead for the first time; and the third was the embarrassment for the conservative 'brand' of the Abbott government's behavior. But Williams believed that an ALP victory remained improbable because of the absence of a strong leader and the certainty of a well-financed LNP advertising blitz.

The blitz began in the pages of the *Courier-Mail* in mid-December as Queenslanders began taking holidays during the early arrival of a stormy wet season. An address by the Opposition leader to the Media Club was given minimal coverage apart from a headline identifying an arithmetical error in her calculation of a suitable salary for a non-partisan chair of the CCC. The more substantive point was her repeated commitment not to repeat the errors of her predecessor Anna Bligh concerning asset sales or leases.<sup>183</sup> This attracted little editorial attention locally but received fuller coverage from the ABC.

By contrast, there were a series of reports and editorials in NewsCorp's *Courier-Mail* all aimed at pointing to a rosy future for all Queenslanders, doing much better than other states, implying this was because of its government's support for tourism and the mining industry. On December 17, when its readers were contemplating the publication of tertiary entrance scores, its editorial awarded 'Newman's A-grade result for Queensland'.<sup>184</sup>

Three days later, its leading columnist, Des Houghton had his readers reflecting on the embarrassment being caused by Geoff Seeney's denialism on climate change, but then awarded the Premier the title of 'Man of the Year': 'He may not be perfect but he is damn close to it.'

Then, in case their readers weren't listening to Houghton, the Boxing Day editorial explained the benefits of LNP rule. The headline was reassuring:

### **Why we had a merry Christmas and why the best should be to come**

The detailed explanation followed in the text:

Retail figures are reliable indicators of how comfortable we feel – and this year's retail surge can read as a big tick of approval for the way the Queensland government has turned around the Queensland economy ...

Queenslanders clearly feel more economically comfortable than they did three years ago. And with \$3.4 billion dollars from the proposed leasing of state assets earmarked for cost of living relief, taxpayers are about to feel better still. ...

To maintain this strong momentum, the Newman Government must identify the \$8 billion of infrastructure projects to be funded by the lease of key assets. ...

There was only one slight caveat:

... there's also clearly work to be done on the jobs front. ... the slashing of red and green tape and the halving of project approval times should assist here.

and an expression of concern that the Abbott government wasn't pulling its weight by fixing its own finances. However,

overall the reality is that the Queensland economy is emerging as the envy of the nation. Indeed other states – and the Abbott Government – would do well to emulate Queensland's resolve and make tackling their own deficits a top priority.<sup>185</sup>

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<sup>183</sup> The full text of the address can be found at: [http://www.tjryanfoundation.org.au/\\_dbase\\_upl/Leader\\_of\\_Opposition\\_Media\\_Club\\_Qld\\_address.pdf](http://www.tjryanfoundation.org.au/_dbase_upl/Leader_of_Opposition_Media_Club_Qld_address.pdf)

<sup>184</sup> This was followed by the release by the Minister for Education, on 29 December, of the government's draft response to a review of the tertiary entrance system.

<sup>185</sup> 'Editorial: We had a merry Christmas and can be confident the best is yet to come', *Courier-Mail*, 26.12.14.



Newman himself was obviously less certain that Queensland was already ‘the envy of the nation’. In a shock announcement on 6 January 2015 he chose to call an election on the grounds that this envious position was endangered.

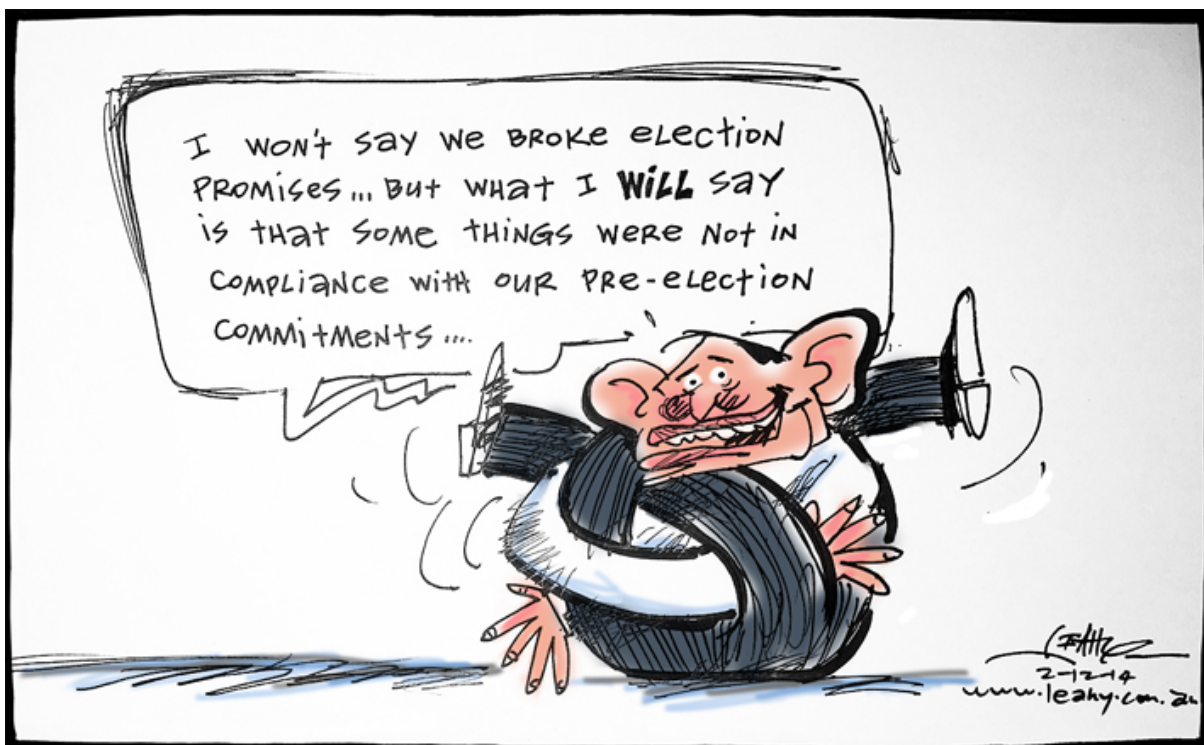
In a post on his Facebook he warned there was ‘no time to waste securing Queensland’s economic future. ‘Queensland’s economic recovery is too important to be jeopardised by ongoing election speculation’, he added.<sup>186</sup>

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<sup>186</sup> ‘Queensland Premier Campbell Newman to call snap state election for late January or early February’, *ABC News*, 6.1.15: <http://www.abc.net.au/news/2015-01-05/queensland-premier-expected-to-call-snap-election/6001476>

## 15. The war of words: slogans, broken promises and the tyranny of silence

Opinion polls consistently through the year indicated that the general voting public was concerned about issues of corruption and the breaking of promises, both seen as betrayals of trust. The LNP had used similar accusations in its previous successful campaign, as had Abbott at national level. In both instances, there were more embarrassing examples provided when the opponents of breaking promises started to break promises themselves and were subject to accusations of corruption. A compliant media could downplay this volte face but not diminish it altogether due to the rise of social media.



Following a disturbing trend in many governments across the western world both the Newman and Abbott governments sought to muzzle dissent, and hide evidence of the impact of their policies. A disquieting example of this was requiring community organisations to sign contracts that they did not go engage in public policy debate in the media. There were several disquieting examples when Ministers imposed conditions on community organisations engaged in the framing of public policy that forbade them from making public comment under the threat of public funds being removed. When this issue came to media attention. Health Minister Lawrence Springborg's spokesman argued the government was simply 'making it clear that we want to fund outcomes but not advocacy'. The Minister's office later confirmed that clauses were inserted into funding contracts that imposed the following conditions:

Where the Organisation receives 50 per cent or more of its total funding from Queensland Health and other Queensland Government agencies, the Organisation must not advocate for State or Federal legislative change. ... The Organisation must also not include links on their website to other organisations' websites that advocate for State or Federal legislative change.<sup>187</sup>

<sup>187</sup> 'NGOs blast Government gag', *Brisbane Times*, 21.8.14: <http://www.brisbanetimes.com.au/queensland/ngos-blast-government-gag-rule-20120821-24ju3.html>

The Newman government also raised concerns about advocacy when it announced in May that it was stripping about \$2.5 million from the Queensland Association for Healthy Communities, which Queensland Health had previously funded to target HIV/AIDS prevention among gay men. The group 'spoke up in favour of the former Bligh government's civil union legislation and has recently criticised plans to ban same-sex couples from having a child through surrogacy':

In an [interview with brisbanetimes.com.au](http://www.brisbanetimes.com.au) to mark his 100th day in office in July, Premier Campbell Newman said QAHC had lost funding partly because of its advocacy. Mr Newman argued the organisation had not improved HIV rates "and they had become an advocacy group [and] we're not going to fund advocacy groups".<sup>188</sup>

Community-based legal aid centres were subjected to the same restrictions. In legislation introduced in the last sitting, the Attorney-General indicated that funding was conditional on not offering public comment, even though the Director of the Service was able to point to changes in areas such as tenancy law which had materially improved the quality of outcomes for the most disadvantaged groups in society.

Issues burst through this cloak of silence, like the tragic impact of the closure of an adolescent mental health facility, the Barrett Centre at Wacol, or the case of the Cairns and Hinterland Health Service decision to suspend two doctors who publicly expressed concerns about the way a suspected ebola case was handled. There was a flurry of parliamentary comment in August when 'United Voice', a union covering 'miscellaneous' workers, mainly in the private sector, took up the case of a prison officer who had been suspended by her employer for exposing the safety problems associated with prison overcrowding, at the privately-run Arthur Gorrie Correctional Centre. The problem had been exacerbated, according to her, by the ban on smoking in Queensland prisons, announced by the Attorney-General in 2013, and which took effect in May 2014.

At the national level and locally funding cuts also inhibited the production of objective data from specialist research organisations. There was no such inhibition on the funding for government to produce its own version of 'facts'. The Newman government, like many before it, used public advertising to promote its achievements and made extensive use of public relations companies to shape its appeal to the public. It defended itself on the grounds that this was acceptable behavior by governments of all political persuasions, although it resisted pressure at the Estimates Committee hearings to say what this had cost taxpayers:

Those behind the scenes were once again front and centre in the Queensland Parliament, with the government unable to say how much it is paying consultants to help it sell its privatisation plan. On Tuesday, Premier Campbell Newman confirmed Liberal Party pollsters and campaign strategists Crosby Textor were on the books. The Phillips Group have also been engaged. On Wednesday, the Opposition added PPR and Burson-Marsteller to that list. The government has budgeted \$11.2 million in total for its Strong Choices advertising campaign. Opposition leader Annastacia Palaszczuk once again questioned how much the consultancies were costing the government. And once again Mr Newman said it would be revealed once the campaign was finished - after the election. 'The reason I make that point is that the work is still underway,' he said.

Back in 1998 Michelle Gratton warned of the dangers of spin:

Although lagging behind the excesses of current US and British spin doctors, Australia's spin industry is growing rapidly, raising questions about the impact of media management on effective scrutiny by journalists of political processes and issues. Political leaders can appear more visible but in fact be less accessible to detailed questioning by informed interviewers, and election campaigns are now dominated by sophisticated levels of media management by governments and oppositions. The rise of spin has had a negative impact on journalism, distorting news processes and encouraging more passive forms of journalism.

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<sup>188</sup> 'NGOs told they are right to remain silent to keep funding', *Brisbane Times*, 20.8.12: <http://www.brisbanetimes.com.au/queensland/ngos-told-they-are-right-to-remain-silent-to-keep-funding-20120820-24ilb.html>

By 2014 Australia had well and truly caught up with them. In December 2014 Lenore Taylor wrote that Tony Abbott had been 'punished for his reliance on mantras and oversimplifications instead of real policy solutions':

2014 has been, above all else, the year the slogans stopped working. It was the year when it became painfully clear actual solutions were much more complicated than election jingles and pamphlets promising a 'a plan for real action' but containing no such plan.

Richard Dennis of The Australia Institute wrote of Abbott's first year: 'Slogans don't make good policies', noting that the Liberals have taken more and more leaves from the 'Tea Party play book':

The stunning victory by the ALP in Victoria on the weekend raises a number of big questions for the Coalition parties nationally, the most significant of which is whether their strategy for winning elections in recent years has ruined their chances of governing like grownups. ...

Simple solutions and simple slogans are used to attack their opposition and to whip the fires of discontent in the community. Conservative strategists know it's easier to change the votes of angry people than reflective people, so they have set out to make people angry. It worked.

When in opposition.<sup>189</sup>

And so it may be with the LNP in Queensland. In 2012, once the Newman government was elected, the public were told:

The Queensland Government has already made a strong start in getting Queensland back on track by delivering all of the 58 actions committed to in our First 100 Days Action Plan. Delivery of these commitments clearly shows that what we promise, we will deliver. ...

For the next six months, this document will be both a map and a report card, outlining our work towards ensuring that Queensland has the necessary frameworks, infrastructure and front-line services to ensure a bright future for our state and its people.

The electorate is still being sold the 'strong' choices and 'bright' words as if some advertising test had determined that these are two words people respond to most positively - words more appropriate to soap powder ads than policy statements. Attorney-General Jarrod Bleijie and Police Minister Dempsey refer to 'Mums and Dads' being so much safer now, when the crime statistics had demonstrated a steady downward trend over the years before the LNP (but now the police Annual Statistical Review was a casualty of the cuts, so we have no basis for comparison).

It was unclear how 'trustworthiness' might affect voting behavior. Queensland has a strong tradition of church-based activism. This was manifest in the strong positions taken by the established mainstream churches in an earlier era over the Bjelke Petersen denial of civil liberties such as the right to march. These same groups became engaged with concerns over the Newman government's promotion of casino-style gambling and its deference to the liquor industry.

The churches linked the reality of falling living standards and unemployment to their complaints against a Newman government promoting the interests of pubs and clubs not only by extending opening hours but also encouraging spending on gambling by permitting machines to accept \$50 and \$100 notes. 'Healthy communities are where people have employment opportunities and support. ... Poker machine operators live off unhealthy communities'.<sup>190</sup>

In other states, church leaders often seem marginalised in their comments on social issues but Queensland has a tradition of stronger engagement. Several MPs and some Cabinet Ministers identify themselves with fundamentalist religious groups unsympathetic to gambling. It is uncertain

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<sup>189</sup> Richard Dennis, 'Slogans don't make good policies', *Financial Review*, 2.12.14.

<sup>190</sup> 'Poker machine spending up by tens of millions in Queensland', *Courier-Mail*, 6.12.14.



how much these highly committed voters will react when confronted with the poor performance of some of their champions.<sup>191</sup>

Only time will tell - specifically 31 January 2015. The holidaying public who disdain most politicians may have welcome the prospect of a short campaign; those who value access to information rather than silence regretted the sleight of hand.

In the absence of certainty or a moral compass, contemporary commentators on political conflicts sometimes make allusions to writers from classical Athens. In a lecture in 1983 at the University of California, Berkeley, the philosopher Michel Foucault took as his topic the universal significance of the Greek word, *parrhesia* 'frank speech'. For him 'frank speech' was one of the central concerns of Greek philosophy. The Greeks, he suggested, posed certain questions for themselves and for us:

Who is able to tell the truth? What are the moral, the ethical, and the spiritual conditions which entitle someone to present himself as a truth-teller? About what topics is it important to tell the truth? (About the world? About nature? About the city? About behavior? About man?)

What are the consequences of telling the truth?

**And finally: what is the relation between the activity of truth-telling and the exercise of power?**<sup>192</sup>

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<sup>191</sup> It is worth noting that in 2008 former Premier Wayne Goss expressed his regret at having approved the introduction of poker machines in Queensland: 'Goss reveals regrets over legalising pokies', *Brisbane Times*, 19.9.08: <http://www.brisbanetimes.com.au/news/queensland/goss-reveals-regrets-over-legalising-pokies/2008/09/19/1221331162883.html>

<sup>192</sup> 'Concluding remarks' from *Discourse and Truth: The problematisation of parrhesia*: <http://foucault.info/documents/parrhesia/index.html>. This was cited by Professor Alastair Blanshard, Paul Eliadis Chair of Classics and Ancient History, in his inaugural lecture at the University of Queensland in November 2014. This lecture is to be published in the January issue of *Nova: the Journal of the Friends of Antiquity*.

## 16. EPILOGUE: COUNTING THE CASUALTIES

In a perceptive review in *The Conversation*, Randal Stewart drew in part on his own Queensland experience to proclaim that “New Politics” had announced itself with the extra-ordinary election result of January 31.<sup>193</sup>

The lessons are clear to all who follow politics closely. The old model of a centralised presidential-style campaign built around the party leader is finished....the lesson will be hard to swallow in editorial offices and interest-group board rooms, but the lesson is clear. The ALP has found a way to win the 21<sup>st</sup> century that does not involve top-down party autocrats’ single-handedly running the campaign from head office.

Stewart then identifies the emergence of a franchise model in which a central framework, some branding and logistical support is provided to support the effort of local candidates mobilizing local people. The prototype is the success of the ‘Work Choices’ campaign where the ALP and the unions operated in separate spheres.

In Queensland this separation intimately involved the trade unions. Two separate community-based organisations, one supported by the central body (the Queensland Council of Unions) and another by the public service union (Together) were openly in conflict with the ALP on the central question of ‘how to vote’. They also entered the campaigning phase well before the election was called, door-knocking, telephoning, and paying for television advertisements. Both advised their supporters and advertised in the media to urge voters to fill in all the squares with the LNP placed last, whereas the ALP was suggesting voters only fill in a single party preference.<sup>194</sup>

The target for the unions and activist groups like ‘GetUp’ was clearly disgruntled voters wanting to register a protest vote for independents or minor parties, who needed encouragement to make their protest more effective by expressing further preferences rather than being content with an exhausted vote. Subsequent analysis (footnote CM and other sources) revealed the success of this strategy with much reduced numbers of voters exhausting their preferences compared to previous state elections, particularly on the part of the Greens.

Stewart extends his argument by recognizing the relevance of the ‘community development model’ emphasising local engagement in the campaign. This involved the unions and the party providing extensive ‘talk-fests’ among local activists as well as individual approaches by phone or in person. He saw this as linked to the impact of social media on the sources of information on which voter attitudes were based, relying on personal exchanges rather than newspapers and other mass media.

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<sup>193</sup> Randal Stewart, “‘New Politics’ announces itself in Queensland and beyond”, *The Conversation*, 11.2.15: <https://theconversation.com/new-politics-announces-itself-in-queensland-and-beyond-37101>.

<sup>194</sup> Amy Remeikis, ‘Number ever box and put the LNP last says Queensland Council of Unions’, *Brisbane Times*, 2.1.15: <http://www.brisbanetimes.com.au/queensland/queensland-election-number-every-box-and-put-lnp-last-says-queensland-council-of-unions-20150102-12gzio.htm>.

Finally, reinforcing a point we made ourselves when nobody was talking about it in the media:

The third change is even more substantial than the first two and perfectly compatible with them. This is the unstoppable gendering of our politics in the 21<sup>st</sup> century. Julia Gillard was the midwife of this change and Annastacia Palaszczuk is the beneficiary.

Stewart perhaps understates the accidental factors associated with Palaszczuk's rise to prominence and the gender of her ultimately unpopular predecessor, Anna Bligh. But he sees franchising and community engagement as combining to weaken patriarchal dominance of all the key political institutions – parties, interest groups, business corporations, the public service and the media.

Stewart questions whether the ALP's embrace of this 'new politics' model can translate from campaigning into the future practice of government. This is not the concern of this chapter, which is historical – aimed at explaining how the events on the political background of 2014 shaped this outcome. The key fact was that there was an electoral swing away from the LNP sufficient to give the ALP power with the support of a single independent but not sufficient to govern in its own right.

This requires

- a brief overview of the election campaign during January 2015;
- a consideration of why the LNP almost won;
- an explanation of why voters lost faith in the LNP despite the advantages of incumbency;
- an assessment of what the ALP did right and also did wrong;
- an evaluation of the performance of the Premier throughout 2014.

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## **A QUEENSLAND DECIDES**

### **Weeks 1 and 2 of the campaign**

The decision to call an unprecedentedly early election for 31 January 2015 - just a few days after the Australia Day long weekend when schools resumed - came as a shock to commentators, opposition party members and apparently many senior ministers and other LNP members outside the tightly-knit party machine. Like so much during Newman's period in office, the surprise factor meant departing from precedents about the appropriate timing (never held at this time before in mainland Australia since the nineteenth century) as well as the accelerated style of campaigning required by choosing the minimum number of days prescribed by law.

There were several explanations offered at the time and retrospectively. The most convincing was evidence from internal LNP polling that Newman was not only in trouble personally but that, against all speculation right up to election day, his regime was in danger despite its massive parliamentary majority. Left to drift in the same direction, the swing might be sufficient to unseat the government rather than merely strengthen opposition numbers in parliament.

Some commentators even speculated that Newman might have been afraid of being unseated as party leader even before the election was called, given that much of the swing was seen to relate to voter alienation from his personal style. It was suggested by arch-enemy Clive Palmer that something ominous was about to happen, involving perhaps legal actions as well as the findings of the Lazarus Senate Committee set up to enquire into ‘certain aspects’ of the administration of the Queensland Government, due to bring down its report on 27 March 2015.<sup>195</sup>

Premier Newman remained confident that, despite persistent polling to the contrary, his own fate was inextricably linked with that of the party: he would retain his own seat of Ashgrove while the LNP accepted a drastic cut in its majority but retained government. Or, alternatively, if he failed to be re-elected then the LNP would also fail. This prediction – that the LNP would lose if he lost Ashgrove – proved in the end to be accurate. Few at the time predicted this and it was assumed that he was adopting this mantra as a way of refusing to answer the question of succession. The front-runner was seen to be Treasurer Tim Nicholls, the prime mover in the asset sale/lease policy on which so much depended both to solve the debt crisis blamed on the ALP and to provide surplus funds for carefully-calibrated infrastructure spending.

Newman’s evasiveness obviously headed off competition among contenders during the campaign, particularly between rural-based and urban-based pretenders. But this also created a sense of uncertainty about which leader and which policies would prevail when, as was expected, the LNP was returned without Newman but with a much reduced but still viable number of seats to form government.

Another reason for the surprise timing of the campaign was the perception that the two handfuls of ALP members with their weak financial and organisational support base would be unprepared for a sudden campaign. By contrast, the LNP’s constant theme of the election being a referendum on privatisation meant solid financial support from business and mining interests keen to purchase or lease the assets on offer. The policy was carefully massaged to identify some significant but deliberately ambiguous percentage of the proceeds from leases to be made available for infrastructure projects carefully selected to reward supporters and create job opportunities in marginal seats. When Treasurer Tim Nicholls was speaking, the bulk of the proceeds would be devoted to debt repayment; when Deputy Premier Jeff Seeney was speaking, the amount available for infrastructure spending grew much larger. A quick campaign would prevent close attention to these discrepant messages while raising expectations among particular constituencies that they would benefit from whatever amount of largesse was on offer.

The first two weeks of the campaign were dominated by the LNP offering the fruits of infrastructure spending alongside their claim to superior economic management, supported by the criticism of an opposition lacking any comparable depth of analysis beyond objecting to asset sales/leases. Law and order issues were also prominent, with well-publicised police activity supporting the general proposition that the community was being made safer by draconian legislation to manage Outlaw Motor Cycle Gangs (the ‘bikies’) and by the increase in police resources under the LNP.

The ALP focused on issues of trust and accountability but, at first, this did not receive much publicity from a generally unsympathetic media. There were regular reminders about the broken promises about public service employment and the record in government of the LNP in undermining public accountability. Beyond this issue, there was a focus on youth unemployment and the need to restore the TAFE to be the major provider of youth training. The cutting back in TAFE funding facilitated by the growth of private providers able to dip into public funds. The ALP’s main emphasis was on the need to maintain and expand job opportunities, particularly among younger age-groups, without too much detail beyond the assumption that more would be spent on restoring services cut back under Newman. There was also criticism of the style of the Newman government and the authoritarian personality of the Premier, couched in terms of a commitment to greater and more effective consultation with relevant interest groups.

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<sup>195</sup> [http://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Certain\\_Aspects\\_of\\_Queensland\\_Government\\_Administration/Certain\\_Aspects\\_Qld\\_Admin](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Certain_Aspects_of_Queensland_Government_Administration/Certain_Aspects_Qld_Admin)



The ALP also made common cause with the Greens over environmental issues, including abuse of processes for development approvals but especially the damage being created to the Great Barrier Reef by mining, port development and agriculture. The employment impact of any cutting back in coal investment and associated port and rail infrastructure meant that the ALP was much less adventurous than the Greens, focusing more on returning to greater regulation rather than outright opposition to developmental plans.

### **Weeks 3 and 4**

The start of the third week saw a remarkable change in tone with the intervention of two major national figures who had not previously been active in the contemporary debate. Alan Jones, a popular and populist-conservative 'shock-jock' radio commentator from Sydney, relocated his show to Brisbane for two weeks and began an unprecedented onslaught on Newman personally, accusing him of lying directly to Jones about the government's intention to expand into open-cut the pre-existing coal mine at Acland, a country town on the Darling Downs where Jones grew up and went to school. This escalated into accusations of misconduct linked to the donations provided from the relevant coal company being given in return for development approvals. Newman eventually moved from ignoring this challenge from a 'blow-in from Sydney' to issuing defamation writs; others such as Jeff Seeney and Lawrence Springborg felt obliged to join in the action in support of their leader.

The second intervention, which subsequent exit polls indicated was more influential than Jones, came from Tony Fitzgerald. The author of the major report<sup>196</sup> which exposed conservative party corruption in the 1980s had emerged from a self-imposed retirement from public debate at the time of the controversy over changes, implemented by Newman's Attorney-General Jarrod Bleijie, to the major anti-corruption body established following recommendations from the Fitzgerald Report. Fitzgerald returned with all guns blazing to criticize the whole Newman regime for its lack of integrity and its onslaught on the role of the legal profession and the separation of powers, culminating in the perversion of the process of appointing a new Chief Justice.<sup>197</sup>

Neither of these were ALP initiatives but they clearly benefitted Labor in steering support away from Newman to any available protest organization, including the Greens, the Palmer United Party (PUP) and the Katter's Australian Party (KAP). The main theme of the ALP in the latter half of the campaign, hammered incessantly by its union-sponsored support organisations, was that there was no public benefit in the LNP scheme for asset sales/leases. The ALP constantly referred to 'sales'; the LNP had re-worked its language to 'leases', and berated the ALP for not knowing the difference. Most economists and public finance experts agreed with the ALP that there was little discernible difference. There was also the continuing disagreement between Treasurer Nicholls who had driven hard on the need to pay off debt and the preference of the Deputy Premier who undermined this analysis right up until the close of polling.<sup>198</sup>

At the end of week three, the best informed commentators were still expecting the LNP to lose seats but not lose government, despite its 'week of blunders'.<sup>199</sup>

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<sup>196</sup> In May 1987 Tony Fitzgerald QC was appointed to lead the 'Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct'. The Fitzgerald Report was tabled in Parliament in July 1989. It recommended the establishment of the Electoral and Administrative Review Commission and the Criminal Justice Commission (CJC).

<sup>197</sup> 'Prominent Australians' open letter to political parties', *Brisbane Times*, 22.1.15: <http://www.brisbanetimes.com.au/queensland/queensland-state-election-2015/prominent-australians-open-letter-to-political-parties-20150121-12v9z4.html>

<sup>198</sup> Eric Tlozek, 'Queensland election 2015: funds from public assets should be spent on infrastructure over debt, Jeff Seeney says', *ABC*, 27.1.15: <http://www.abc.net.au/news/2015-01-27/queensland-election-2015-lnp-releases-costings/6049384>

<sup>199</sup> Geoff Egan, 'Week of blunders won't lose LNP the election: analyst', *Sunshine Coast Daily*, 28.1.15: <http://www.sunshinecoastdaily.com.au/news/weeks-of-blunders-won-cost-lnp-election/2525014/>

Their performance did not improve in the fourth week, with an impression being created of evasiveness in repose to media questions on issues such as the LNP leadership prospects. The high point of evasiveness had been reached with an Assistant Minister lampooning a journalist with ‘the Ray Stephens Chicken Dance’ in order to avoid any comment about his conflicts of interest between his position in government and being a major investor in a development project requiring Cabinet approval.

This featured as one of the six ‘high’ (weirdest) points, selected from an entertainment viewpoint by a journalist.<sup>200</sup>

- **The ALP’s ‘small target’ strategy**

The ALP also played exactly the same game as most opposition parties, presenting a small target by refusing to publish any costings of its meagre proposals. The LNP could offer a panoply of electoral sweeteners in the form of infrastructure projects, to be paid for by asset sales of indeterminate value and the pot of gold provided the LNP with the capacity to simply outbid any ALP proposal for new staff in police, nursing and teaching. The ALP ended up making a virtue of its parsimony, with a short shopping list mainly related to restoring the mechanisms for accountability in both public integrity and environmental protection.

But the small target approach left it open to criticism that it was not facing financial reality, a charge which would carry little weight if, as voters expected right up until the end of the campaign, the ALP was not going to be able to reach the levers of power. The smallness of the target was personal as well as organisational and policy focused. Voters could safely vote against Newman or protest against asset sales confident that they were merely ‘sending a message’ to the LNP. Annastacia Palaszczuk was seen by many in the public arena as a minor figure thrust into a leadership role by the deliberate policy of the LNP in the 2012 campaign to put major efforts into defeating potentially prominent ALP figures, and she was latterly described as an ‘accidental’ Premier. This much under-estimated the range of her previous experience, her capacity for quick learning and her informal and collaborative style. Her biggest asset by far was that she was not Campbell Newman.

Throughout the campaign Newman stolidly maintained his unwillingness to depart from a narrow script and irritated the media by repeating slogans about promising strong and stable government, and about having detailed and carefully costed plans. Only right at the end of the campaign did his innate preference for dramatic gestures emerge, perhaps in response to internal polling pointing to a need for a new approach based on scare tactics about organised crime. In the generally uninspiring leaders’ debates Newman reminded many of his aggressive personality and willingness to make unsubstantiated criticisms – in this case, asserting that the ALP was being funded by the bikie gangs.

Despite this, no commentator was prepared to argue for the possibility of an ALP victory, pointing out that the ALP offered no alternative economic program and one was unlikely to appear for a year, which was hardly a way of getting business support and economic rationality.

In the end, after an 8.3 percent swing against his government, the Queensland electorate voted to replace Newman. Even before the results were finalised, members of Newman’s leadership group, all of whom (apart from the Police Minister) came through unscathed personally, then recanted on the LNP’s central policy commitment to lease Queensland’s assets and spend the money on debt or infrastructure. Newman and Nicholls were identified as the two culprits. One was defeated and the other - the leading prospect to succeed Newman up until then - vanished from sight, as did Jarrod Bleijie, the Attorney General.

## **AFTERMATH**

- **Springborg replaces Newman as party leader, and clings to caretaker power**

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<sup>200</sup> ‘The best moments of the Queensland election’, *The Guardian Australia*, 30.1.15: <http://www.theguardian.com/australia-news/2015/jan/30/the-best-moments-of-the-queensland-election-2015>

Like Waterloo, it remained a close run thing. The significance was the magnitude of the swing, allowing the ALP to move from only nine seats out of the total of 89, to win 44. This was just enough to expect to control Parliament, with the aid of the long-term independent, Peter Wellington, and thus to form a minority government. Without a seat, Campbell Newman could not be leader of the parliamentary party, though he clung to his role of Premier even after the party chose as its new leader (or, more accurately, recycled an old one): Lawrence Springborg.

But the LNP did not go quietly, ignoring conventions about proper conduct in the hope that the Governor and Chief Justice they had installed would feel some element of gratitude. This arose from the result in one seat: Ferny Grove. Strangely for a party run by a self-proclaimed billionaire, the PUP candidate in Ferny Grove turned out to be an undischarged bankrupt, so the Electoral Commission intended to seek a legal judgment on the validity of the outcome in the Court of Disputed Returns (though the Commission later backed away from this course of action after receiving further legal advice). After claiming that stability was more important than democratic representation, Springborg (and his supporters writing for the *Courier Mail*) suggested that Queensland should be kept in limbo under a Springborg caretaker government for a few more months until the probable re-election had been held in Ferny Grove. Among the wider community, they must have seemed like sore losers.

Fortunately for democratic conventions the Governor chose to follow precedents which provided for an end to the caretaker period as soon as results were finalised, two weeks after the election.

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## **B WHY THE LNP ALMOST WON**

To understand the events and issues fought over on the 2014 battleground which led to this electoral outcome, it is helpful to consider the counter-factual evidence which would have been advanced if the LNP had won just one more seat. It is a long list, not in order of significance:

1. The LNP had a vast parliamentary majority and thus greater staffing assets attaching to each member, particularly campaign support staff in offices to represent constituents.
2. The Premier chose the timing of the election to minimize criticism and catch the ALP disorganized. This reinforced the perception that he was a smart operator, given to successfully defying conventions going back to his original entry as Premier from outside Parliament and later conventions about the appropriate relationship between the Executive and the Judiciary.
3. The LNP was able to offer vast amounts of infrastructure dollars targeted to particular constituents as a result of the privatisation strategy.
4. They had loyal public service support to generate detailed planning documents and specific departmental plans in health and education; many of these public servants were people who had transferred with Newman from the Brisbane City Council and were familiar with his idiosyncratic style.
5. The LNP had created the impression of being consultative over a long period by providing opportunities for public feedback, making information more freely available than their predecessors and generating reports supported by government-paid advertising.
6. The law and order issue was literally dramatized (on TV) and the senior police regarded the government as a strong supporter, allowing claims to be made about reducing the crime rate and making the community safer.

7. In the key portfolio of Health, a skilful senior minister could claim to have evidence to support improvements in health services after various debacles under the previous regime.
8. In the other key policy area of education, there were solid performers at all levels apart from TAFE and a personable Minister to sell the benefits.
9. The broken promises of the Abbott government were managed in education (if not in health) by avoiding confrontation over issues affecting potentially critical interest groups. The Vice Chancellors collectively supported fee de-regulation and there were no complaints from private schools about the abandonment of Gonski funding reforms aimed at greater social equity so the Abbott factor did not feature in this policy arena apart from disgruntled tertiary students who were unlikely to vote LNP.
10. Spokesmen for the business communities and the mining industry were uncritically supportive of the LNP in response to a range of government initiatives, such as casino developments and changes to industrial relations law and workers compensation.
11. The Premier and his Treasurer were abrasive but they had belatedly been schooled by a major public relations firm on how to undertake Operation Boring (and hide Attorney-General Bleijie). This meant that they could feed off favourable media coverage during the campaign, especially from the Murdoch press.
12. The LNP and its supporters had multiple mechanisms for suppressing dissent -
  - using regulations associated with government grants to prevent criticism from specialist community groups by threats of withdrawing funding;
  - using public service rules to prevent contributions from inside experts and punish anyone who stepped out of line, such as prison officers concerned with over-crowding;
  - using implied threats of withdrawing grants from university research centres dealing with controversial topics to dampen any external policy criticism;
  - amending legislation which had previously allowed community protest groups and particularly pastoral interests to lodge objections and complaints against particular decisions regarding items such as mining licenses
  - influencing a range of appointments within the control of politicians to ensure compliance to government preferences – this power related to directors-general, corporate managers, magistrates and judges;
  - weakening the existing institutions of accountability such as the CMC/CCC by undertaking a review by sympathetic outsiders and exercising executive authority to restrict the scope of its activity and insert partisan considerations into the appointment processes.
  - using its majority to eliminate opportunities for dissent inside Parliament, including changing arrangements governing the Estimates Committees and expanding the number of government members on other subject-area committees, monopolising question time and suspending standing orders to truncate or avoid discussion of “minor” legislative amendments, often passed late at night, designed to reward specific interests and individuals.
13. Finally, and little remarked upon in the media, the LNP was able to exploit the sexism spread across the electorate and draw parallels with attitudes to Julia Gillard concerning a range of personal attributes not considered relevant to men. In particular, the lack of economic expertise and general confidence in handling numerical data weakened Anastacia



Palaszczyk in any head-to-head clashes dealing with broad economic issues and the analysis of specific projects.

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## **C WHY THE VOTERS LOST FAITH IN THE LNP**

This is a long and imposing list of advantages, many of which turned on the value of incumbency in accessing resources and exercising punitive powers to reduce dissent. Many of the 13 points listed above were double-edged, particularly in an environment where information was much less controlled than in any previous election. The Murdoch press and the linked television news services were competing for attention with a range of well-regarded on-line sources, including the Fairfax Press and the on-line versions of the APN rural newspapers, as well as social media and diverse web-sites.

Among older readers of print, many were offended by the constraints on dissent and the aggressiveness and sexism of many government leaders offsetting those who may have appreciated the sort of macho image manifest in both Newman and his national supporter Abbott. But the evidence of the negative effect of Abbott's image became obvious as the campaign unfolded and he was effectively warned off by the LNP from visiting at any time during the campaign. Nevertheless, Abbott's deficiencies were a regular source of comment and his 'crowning' achievement of unilaterally conferring a knighthood on the Queen's husband kept Abbott's picture on the front pages of local newspapers.

When the campaign started, and for most of the preceding two years, there was little doubt in the mind of most observers that there would be a substantial swing to the ALP although nobody was publicly predicting a change of government – though some hoped to be surprised. Only a few commentators and analysts, detecting the extent of the volatility in electoral opinion and noting the discrepancy between actual votes compared to seats won last time around, asked the more probing question about why the ALP almost lost.

It was the Murdoch press which was first into the field seeking answers to this question. One example will suffice – a major contribution in the *Weekend Australian* of February 7, before the results were finalised and a new LNP leadership team had been chosen.

Under a banner heading of 'Crisis in Leadership' on page 6, six out of eight items were devoted to the simultaneous travails of Prime Minister Abbott in recognition of the geographical location of the newspaper's main readership. But two of these items had echoes of Newman, just as so many of Abbott's speeches continued to carry echoes of Newman.

One headline (and the only picture) reported that 'Hockey keeps dangling privatisation carrot'. But the NSW political correspondent noted that the five billion dollar carrot was one of the justifications for Newman going to an election early, to get to the top of the carrot-buying queue. Hockey suggested that the electoral result in Queensland meant more for everyone else, and more competition from buyers as fewer assets were on the table. This ignored the clear message that 'privatisation', however packaged, had toxic electoral implications.

The second echo came from the headline asking the question, 'Who is strong enough to reverse our economic decline?'. Adjectives like 'strong' and 'stronger' have been over-used in Queensland by all the Newman ministers so as now to be utterly risible. Clearly Abbott doesn't have enough of a sense of humour to see the joke.

The two items specific to Queensland embraced the conventional explanation, aimed at maintaining enthusiasm among LNP voters. As the headline says, 'Poll rout was down to Newman'. The new pieces of information in support of the conventional LNP 'wisdom' derived from

its internal polling which reported on the internal hostility from the old National Party supporters towards Newman. This was partly explained on personality grounds and partly on a perception that, notwithstanding his grain industry experience, he did not understand issues outside Brisbane. Tempering his aggressiveness and hiding his equally aggressive Attorney-General Jarrod Bleijie – ‘Operation Boring’ – had been working reasonably well in the lead-up to the campaign itself. But after a promising start, Newman’s performance deteriorated during the campaign, reinforcing earlier images.

LNP voters linked the issue of asset sales to the sale of land to foreigners, particularly Chinese investors, touching the xenophobia deeply rooted in the Queensland conservative psyche – and reflected in the surprising strength of support for One Nation’s old campaign warhorse, Pauline Hanson. She ran close in Lockyer, a constituency which spans rural and urban areas around Ipswich, largely because voters who knew her by local repute ignored the instruction of both major parties to deny her any preferences and the ALP almost helped her across the line against the LNP.

Despite a high-profile campaign by Sydney radio broadcaster Alan Jones, Liberal polling shows Jones had a low recognition rate in Queensland combined with a strongly negative view among those who did recognise him. Liberal strategists said Jones was reflecting views already held in regional Queensland and had a ‘band-wagon’ effect of reinforcing antipathy to Newman. It is not clear, then, why the pollsters did not advise Newman to avoid giving Jones the extra publicity of a ‘SLAPP action’ defamation writ.

The third relates to the post-election Queensland LNP leadership ballot – not so much a ‘spill’ as cleaning up after spilt milk, which took place on Saturday 7 February, after the *Weekend Australian* had been published. This assumed the widely-expected outcome of a victory for Lawrence Springborg, given that the two Katter’s Australian Party members would resist any alternative leadership team linked to past policies and a record of personal aggressiveness towards them (in the days when the LNP held a huge majority).

Springborg had initially said he would only run if this enhanced the chance of the LNP returning to government and him thus becoming Premier at the fourth attempt. By the time of the ballot on the Saturday morning, this qualification had been removed. However journalist Michael McKenna added to the mix the information that many MPs were upset that it was the party machine which had unilaterally decided to commission Springborg to conduct negotiations with ‘the Katter boys’ earlier in the week, a symptom of the lack of consultation which dogged both Newman and Abbott.

In the ‘Inquirer’ section of the same *Weekend Australian*, Professor John Wanna, based at the ANU but a longtime resident and commentator on Queensland politics, put the swiftness of the parliamentary membership change into historical perspective. He pointed out that the peculiar social demography of many constituencies means relatively small changes of opinion can shift large numbers of seats: ‘in the Sunshine State, the winds of electoral change can hit with cyclonic force’. He provided significant historical evidence for this and reported on numerous explanations for this phenomenon. However, ‘whatever the causes, the ballot-box outcomes are truly bizarre and will result in making the state hard to govern going forward, and not just in the immediate minority government phase’.

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## **D WHY DID LABOR WIN?**

### **WHY DID LABOR ALMOST LOSE?**

It is possible to sharpen this question by asking, given all the above, why did the ALP almost lose? Former ALP Senator John Black, in the same section of the *Weekend Australian* quoted above, offers a deep and highly significant warning to the ALP in which he had once been an influential power-broker. He warned that 'Labor leaders should not get over-excited – the swing was far from uniform' and that they should have won more easily and may find life much more difficult if the party faces a by-election opponent later in the year without the benefit of the toxic presence of Newman and Abbott on the other side.

Black attributed this poor performance to the failure of the ALP leadership to develop policy alternatives which would convince swinging voters of the urban middle class to shift their support from the LNP. The ALP could easily offer inducements and generate fears about privatisation among the less-engaged working class voters who had departed from their traditional electoral strongholds in 2012.

Labor conspicuously failed to win back the support lost since the global financial crisis in a wide range of seats which used to be marginal labor seats on the Gold Coast, and had failed to target similar seats in the northern and western suburbs of Brisbane which it ought to have won. There were similar middle-class seats in inner Brisbane which the ALP won but with a much lower-than-average swing. He provided a graph which showed that 'since the state election of 2006, Labor has been consolidating support in seats dominated by families in the bottom two income quartile and losing support in seats containing its traditional base of upwardly mobile third-income quartile families.

Black displayed his statistical insight to demonstrate that the election was won for the ALP on the back of the visceral dislike of Newman, aided by Abbott's unhelpful policies on health in particular and the unequal impact of federal budget cuts. But many middle-class voters did not shift their allegiance to the LNP; he cited the case of Tim Nicholls whose performance was the best in the state in reducing the amount of swing against him.

Clearly Labor's campaign against privatisation not only failed to impress middle-class and professional voters who delivered Labor Premier Beattie his landslide victories, but it also shored up its principal protagonist to an extraordinary degree.

This suggests that the potential re-election that might have been occasioned by the Palmer Party endorsing an undischarged bankrupt as a candidate could have proved a significant challenge if the ALP contented itself with maintaining its small-target strategy. At the time of writing (14.2.15) the Electoral Commission had declared the seat for Labor, but it could be subject to an appeal from the LNP. Winning back the working class heartland is one (considerable) achievement but reaching out to those from the leafier suburbs who supported Beattie is something else. The expectation of a by-election in one such suburb would keep alive LNP aspirations to remain as caretakers while their leaders licked their wounds and courted the Katter conservatives, hoping for better things without Newman in the firing-line and Abbott either a subsequent casualty or in the field-hospital by the time of any presumed by-election. These hopes had started to fade by the time Anastacia Palaszczuk had accepted the commission of the Governor to form a minority government on the ominous date of Friday 13.

### **HOW DID THE ALP MAKE HISTORY?**

The more orthodox question, beloved by pollsters and political analysts, is why Labor won. There is already an extensive body of writing on this. The truism applied here as elsewhere is that government parties lose elections rather than opposition parties winning them. The events of 2014 added up to a litany of complaints with the electoral opinion expressed at a by-election at the start

of 2014 being sustained at a general election a year later. The range of alienated groups meant that this particular opposition could offer an almost invisible target and still offer hope of improvement.

The electorate was unimpressed by the behaviour of the LNP government on several dimensions. Two exit polls presented similar conclusions that broken promises and in particular attacks on anti-corruption bodies had upset a wider spectrum of the population than the LNP had assumed – not just ‘latte-sipping liberals’ but people who felt empathy with motor-cycle riders or low-ranking former public servants. Social media and the ALP’s new style of face-to-face campaigning engaged a wider proportion of the social mix in the community.

We would add only one additional consideration which reflects on some of the points made by Randal Stewart at the start of this chapter and later noted by other commentators: the LNP assumed that the community was motivated by the same economic rationalism as its own decision-makers – ie everyone put a dollar price on their vote.

In a web-site commentary we made on polling results while the campaign was still in progress, we echoed the Beatles’ song ‘Money can’t buy me love’.

Five related elements might explain the recent voting behaviour in Queensland in the face of the massive advantage of the LNP’s treasure chest:

### **1 People power**

First, there was the cost-effectiveness of the on-the-ground campaigning strategies of meeting real people by knocking on their doors, making individual telephone calls, sitting at desks in shopping centres and meeting people outside pre-polling offices in the weeks before polling day and then welcoming them at polling booths on the day. The best documented example of this phenomenon was in Ashgrove where the ALP candidate resolutely avoided stage-managed events and mobilised an army of locals to assist in direct contact, both face-to-face and over the phone. The several millions of dollars available to the LNP proved futile in the face of ‘people power’.

### **2 Ineffectiveness of traditional mass media advertising**

Second, there was the cost-ineffectiveness of mass media advertising, even in Murdoch print publications of near-hysterical bias. A large slice of the non-LNP community rely on social media and online news sources as an alternative to newspapers, and they watch videos and advertising-free television provided by the ABC or other online options rather than the mainstream commercial channels.

### **3 An electorate unresponsive to bribery**

Third, there was the cost-ineffectiveness of making conditional promises of constituency-specific largesse, from sport changing sheds in Ipswich to road construction and anything anyone else asked for in Ashgrove.

In retrospect, this strategy had two negative effects. On the one hand, many people living in Ashgrove and other potential high-risk and therefore highly pandered-to constituencies felt slightly ashamed. On the other hand, people in non-marginal seats felt ignored or under-valued, including LNP non-marginals. The further people were located from Brisbane, the more they felt alienated and angry - the tourist strips just north and south of Brisbane already felt well looked-after but people further north rapidly reverted to the traditional hostility towards Brisbane which has been part of Queensland culture since federation. Money in this case made them angry and the LNP unloved.



#### 4 Antipathy towards 'cash for access'

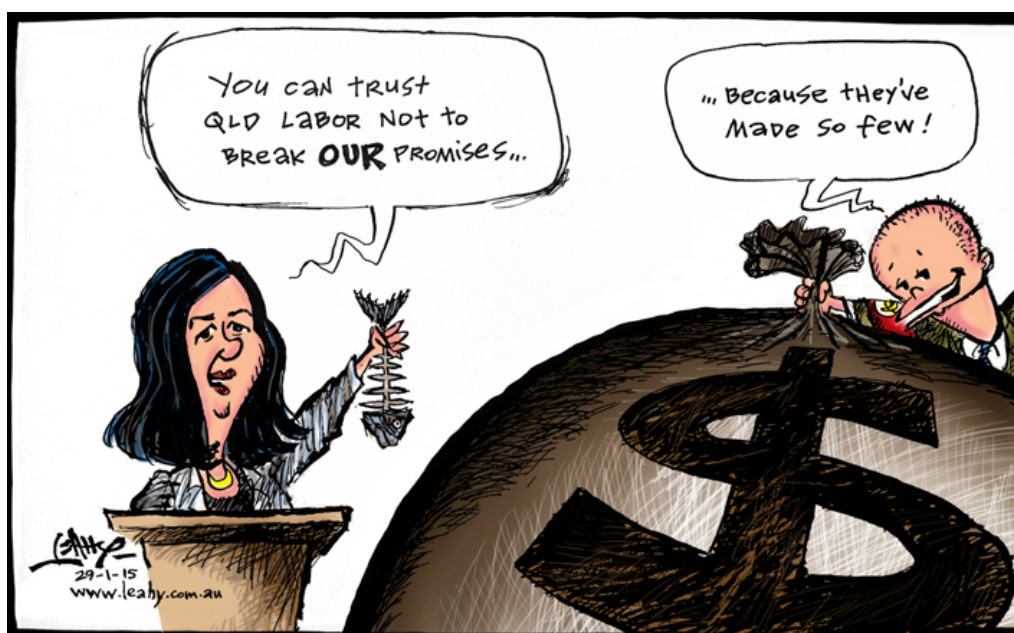
Fourth, there was the question of offering access (and, by inference, favourable decisions) in return for money donations. The Newman government changed the donation rules so that large amounts could be contributed to them without close and contemporary scrutiny of the sources. There were many examples, publicised throughout the campaign, of coal miners, sand miners, quarriers and CSG operators who had benefitted from weakened oversight arrangements. And more specifically, property developers, casino builders and infrastructure builders were encouraged to trumpet their success on the basis of employment opportunities created as a by-product of their initiatives.<sup>201</sup>

The ALP made one of its few miscalculations here, quietly overturning a policy introduced by Anna Bligh and offering a \$2,500 per head 'forum' at which business representatives could meet the Annastacia Palaszczuk and Bill Shorten. This lost the ALP the high moral ground when it became public midway through the campaign. They were rightly condemned for this by Tony Fitzgerald and Gary Crooke (who had been senior counsel assisting the Fitzgerald Inquiry).<sup>202</sup>

#### 5 Resistance to selling the community's assets to the private sector

Finally, there were the macro-level discussions about money in the form of debt repayment and privatisation of assets. The election outcome suggests that most voters were unconvinced that the semantic shift from 'sales' to 'leases' changed very much. The intention under either arrangement was seen as removing an asset owned collectively by the community of taxpayers and offering it to the private sector who by definition would need to extract personal profit to make it worthwhile as an undertaking.

The general proposal linked privatisation to debt-reduction where benefits would be in the longer term and difficult to personalise. But the perceived imperative for offering spending plans for short-term political benefits meant drawing on the same source. Taxpayers perceived that they were being bribed differentially with their own money.



<sup>201</sup> Mark Willacy, 'Corruption fighter Tony Fitzgerald savages Newman govt for nepotism', *ABC*, 23.1.15: <http://www.abc.net.au/news/2015-01-23/corruption-buster-tony-fitzgerald-savages-newman-government/6043396>

<sup>202</sup> Gary Crooke, 'Queensland bipartisan support for ethical bankruptcy', *ABC*, 22.1.15: <http://www.abc.net.au/new3/2015-01-23/crooke-qlb-bipartisan-support-for-ethical-bankruptcy/6042508>



This explanation of the events in January 2015 and the two weeks which followed is embedded in the story of 2014. Visualised as a battleground, one can represent Campbell Newman as a successful general using the same element of surprise that helped him win the leadership of the LNP and then the election of 2012. From 2012 until 2015, he was then effectively in charge of an army with the senior ranks occupying all the high offices inside and outside Parliament. Ebullient foot-soldiers in Parliament delighted in using their vast majority to lord it over a defeated and potentially demoralised enemy, changing laws at will to offer preferment to their friends.

Throughout 2013, they all feasted on the fruits of victory and rewarded their friends and indulged themselves by pursuing their ideological enemies, particularly in the union movement but also those with counter-revolutionary tendencies in the professions. As befits a conquering army, they saw no need to temper their punishment with mercy against recalcitrants or weaken their resolve to reward their supporters with appropriate legislative and administrative changes. Given their overwhelming numerical superiority, there was no need to respect conventions about accountability or recognise the rights of minorities inside or outside Parliament.

During 2014 these conflicts diversified, but there were also growing resistance movements and a resurgence of popular support for the ALP which gained expression with two remarkably crushing by-election victories. The first, in Redcliffe, led to unconvincing protestations by the General and his senior staff about becoming more consultative. This was followed by little change in practice; the second by-election, in Stafford, mobilized the boffins at HQ to voice strong opinions about the need for a tactical withdrawal on minor points and a new strategic plan, and particularly a new image. Towards the end of a campaign when it still seemed likely to have been a hallmark of success, journalism academic John Harrison provided a close observer's perspective on this process.<sup>204</sup>

Newman showed great personal discipline; he bored as well as frustrated the media pack who followed his every move. Becoming boring and restraining natural tendencies to exercise command and control lasted until the heat of the main battle. This was a time chosen by the General to maximize the element of surprise, and his campaign remained disciplined right until the end when his natural military bearing reasserted itself. One of the most potent images of the whole campaign was a still photograph and television clip: in one corner Newman ad-libbing his remarks about bkie gangs supporting the ALP, and in the other corner the delighted shrug of disbelief from Palaszczuk.

Newman would have started the campaign anticipating a pyrrhic victory not unlike those in the Crimea: lots of casualties and even his own withdrawal from the field but with the depleted army left in charge of the battleground. He would have been disappointed that he was left to shoulder the blame in the dispatches afterwards, with his closest lieutenants suggesting they had never wanted him in the first place and that he had never understood the nature of political conflict at state level.

In 2012 Jeff Seeney had agreed with the LNP party machine to become interim opposition leader and de facto coach to Campbell Newman during Newman's attempt to be elected Premier from outside Parliament.<sup>205</sup> Here is Seeney's bitter analysis of the 'Newman experiment', when he announced that the party was abandoning asset sales as their central policy platform, and his own retirement from leadership roles inside the LNP parliamentary party:

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<sup>204</sup> John Harrison, 'Inside "Operation Boring", the LNP's strategy to reclaim Queensland', *The Conversation*, 27.1.15: <https://theconversation.com/inside-operation-boring-the-lnps-strategy-to-reclaim-queensland-36146>

<sup>205</sup> This is described in Scott and Scott, TJRyan Foundation *Research Study No 1 Parliament Under Newman, 2012-2013*: [http://www.tjryanfoundation.org.au/dbase\\_upl/Queensland\\_Parliament\\_under\\_Newman.pdf](http://www.tjryanfoundation.org.au/dbase_upl/Queensland_Parliament_under_Newman.pdf); Scott, R, 'Political tsunami - the 2012 Queensland election and its aftermath in Parliament', *Australasian Parliamentary Review* Volume 27 Issue 2 (Spring 2012); and Scott, R, 'Transition to government : lessons from Queensland, a paper read at a conference on the Abbott transition to government, Australian Public Policy Network, Canberra University, 2014: [http://www.tjryanfoundation.org.au/dbase\\_upl/Transition\\_to\\_government.pdf](http://www.tjryanfoundation.org.au/dbase_upl/Transition_to_government.pdf).

Well, a lot of people, including me will reflect on that for a long time, but I think it is was something of an experiment to bring a leader from local government into the state government sphere. ...

I think that was very successful in winning the election initially but I think we underestimated the challenge of bringing not just the Premier, but all of his associated staff and senior advisors into a situation where they weren't familiar with the accepted norms and weren't familiar with the processes.

It was a huge step to make, coming into a situation where all of those things were new and on reflection I think that we underestimated what a challenge that was.

There is a whole culture around state government that those of us who serve our apprenticeship in state government, we all learn it. It is very difficult when you have a large group of people who come into that culture without understanding it. ...

It is not a matter of being ready for the challenge. ... A lot of very capable people came into a situation they were not familiar with. And there is no way of explaining to somebody the parliamentary processes and the parliamentary systems and the accepted modes of behaviours and the accepted norms and the inter-relationships that exist.

But when you bring a large group of people into a situation that they are not familiar with, I think it led us to do things in a way that people did not think was acceptable for a state government.

I think the premier did a great job, I think we as a government did a great job, but I think the people of Queensland very clearly didn't like the way we did it.<sup>206</sup>

Below we reproduce the hypothetical rejoinder from Newman offered in satirical fashion by a long-serving journalist with connections reaching back into the Bjelke-Petersen era, Madonna King:

Dear Voter

At this point I remain Queensland Premier, and am writing to you in that capacity.

I proved that I remain in charge while others bicker this week by taking to Twitter and cancelling a meeting called by my ex-bestie Jeff Seeney. Today, despite your whining on Saturday, I'll be flying to Townsville, as your Premier, to represent you again.

Just on Seeney, how dare he come out, blaming my advisors and suggesting I was some sort of local government political science experiment? You'll hear more from me on that in coming days.

I am a strong leader, with a strong plan. I heard where Fiona Simpson suggested I was too strong. Too strong? That was the problem with her as Speaker. She never tore into the other side, as I directed. If you hadn't made the mistake of voting me out, I would have removed her from that post.

Sorry now? That's the thing that gets to me with this result; the absolute lack of gratitude for what I did for this state and for each of you. I didn't have to nobble the Crime and Corruption Commission, but I did it in my - and of course your - best interests.

I didn't have to poke Peter Wellington and the Katter boys with a stick but I did - because I could.

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<sup>206</sup> Amy Remeikis, 'Jeff Seeney reflect on what went wrong for Newman Government', *Brisbane Times*, 2.2.15: <http://www.brisbanetimes.com.au/queensland/jeff-seeney-reflects-on-what-went-wrong-for-newman-government-20150202-133uve.html>



I didn't have to appoint Tim Carmody, but I did. And I wore criticism from lawyers and judges and barristers and other good-for-nothings as a result of it.

And some asked why I didn't consult my ministerial colleagues more closely on that issue. Have you met them? That's why I was brought in over the lot of them. They needed a strong leader. So did you.

Those doctors were no better than the lawyers. You'd think university would breed a bit of sense into them, wouldn't you? No wonder there's a crisis in our hospitals - although I did manage to cover that up well with the waiting list to join the waiting list.

All my hard work and Springborg - who is a bit of a country bumpkin - got the credit! The guile! And he's still got his seat in Parliament, and I'm ruling the State from my kitchen! See the sacrifices strong leaders make?

Goodness knows who will lead the LNP, and that was my plan. 'No Plan B' and you all thought I was joking. But frankly no-one else came anywhere near me.

And on Labor's side, you have Annastacia Whatever. Why should I know how to spell her name anyway? And that question brings me to the media.

The media tend to ask too many questions, and when I said I wouldn't answer any more, they refused to do as I demanded.

Belligerent and hostile and unintelligent, except for a couple who did exactly what I asked.

They knew a strong leader when they saw one. Me.

But through your folly I'm no longer able to regulate the media. Another loss for Queensland.

Business will miss out there too, because some of them told me they were onboard with Newman's Strong Plan for State Media.

But this is where this lack of gratitude comes in again. I had some of my colleagues call business groups demanding they publicly support the government in the last week of the campaign.

They ignored me. Ignored me! The Premier of Queensland. And now they're sorry, as I knew they would be. Didn't you hear Keith De Lacy the other day?

So dear voter, you reap what you sow. But remember I warned you. You chose the weak path, when I was offering a strong Queensland, with a strong leader.

And I was doing that despite a clueless team, a clueless community where doctors and lawyers and judges and even some charities thought they knew better.

You made a wrong choice, not a strong choice, despite the millions of dollars of your money I spent on that campaign.

That makes all those who voted against me as clueless as the rest.<sup>207</sup>

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<sup>207</sup> Madonna King, 'A Final Letter from Newman?', *Brisbane Times*, 5.2.15, <http://www.brisbanetimes.com.au/comment/that-thinking-feeling/queensland-election-2015-a-final-letter-from-newman-20150204-136d3r.html>

Let the final words of this study recall again the Charge of the Light Brigade, which now seems even more apposite than when we started writing this monograph in November 2014 - applying both to the Newman experiment in leadership and to the decision to call a snap election:

The futility of the action and its reckless bravery prompted the French Marshal Pierre Bosquet to state 'C'est magnifique, mais ce n'est pas la guerre'. ('It is magnificent, but it is not war'.)

He continued, in a rarely quoted phrase: 'C'est de la folie' — 'It is madness.'<sup>208</sup>

Wikipedia notes that Cardigan survived the battle, whereas Newman firmly withdrew from political life:

Although stories circulated afterwards that he was not actually present, he led the charge from the front and, never looking back, did not see what was happening to the troops behind him. He reached the Russian guns, took part in the fight, and then returned alone up the valley without bothering to rally or even find out what had happened to the survivors. He afterwards said all he could think about was his rage against those who he thought had tried to take over the leadership of the charge from him.<sup>209</sup>



'A Trump Card(igan)', the Earl of Cardigan leading the charge of the Light Brigade (John Leech, *Punch*, 1856, from the John Leech archives: <http://www.john-leech-archive.org.uk/1956>)

<sup>208</sup> Raugh, Harold E. (2004). *The Victorians at War, 1815–1914: An Encyclopedia of British Military History*. Santa Barbara, CA: ABC CLIO. p. 93. ISBN 1-57607-926-0. Cited in Wikipedia: [http://en.wikipedia.org/wiki/Charge\\_of\\_the\\_Light\\_Brigade](http://en.wikipedia.org/wiki/Charge_of_the_Light_Brigade)

<sup>209</sup> [http://en.wikipedia.org/wiki/Charge\\_of\\_the\\_Light\\_Brigade](http://en.wikipedia.org/wiki/Charge_of_the_Light_Brigade)