



## Sitting Date Cards available soon

### Rudd Government occupies Treasury Benches

15 February 2008 Vol 3, Issue 1

#### In This Issue

Editorial

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#### Editorial

To say that **Advocacy Update** has been in hibernation would be an understatement! It has been more like a self-induced coma. Following last November's election, not only did the Government change, in addition to changes in Mr Howard's lifestyle, **Client Solutions** itself found itself swamped by the forces of change, mainly brought about by my own retirement from frontline lobbying.

Whilst I will no longer be at the pointy end of advocacy, I will continue to offer strategic planning advice and counsel and will continue for the present to offer our on-line health media summaries and electronic newsletters.

And what, I hear you ask, about those useful little **Parliamentary Sitting Date** cards carefully designed to fit at the back of **Parliamentary Passes**? This promotional tool, (distributed gratis by **Client Solutions** at a cost of several thousand dollars!) will once again be produced and I anticipate they will be available for distribution within the next fortnight.

Supplies will be delivered to **Members of Parliament**, the **Press Gallery** and **Parliamentary Officers**. Other readers who wish to receive **Sitting Date Cards** should email their orders and delivery details to me at [dkindon@client-solutions.com.au](mailto:dkindon@client-solutions.com.au) using "Sitting Date Cards" in the subject line.

Meantime the card is set out below.

Our sister publication, subscription newsletter **Committee Bulletin** will also be resuming publication shortly as the new Parliament gets underway and Committees are reconstituted. This usually takes a couple of weeks.

## Parliamentary Sittings Dates – 2008

JANUARY							FEBRUARY							MARCH						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
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13	14	15	16	17	18	19	10	11	12	13	14	15	16	9	10	11	12	13	14	15
20	21	22	23	24	25	26	17	18	19	20	21	22	23	16	17	18	19	20	21	22
27	28	29	30	31	24	25	26	27	28	29	23	24	25	26	27	28	29			

APRIL							MAY							JUNE						
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JULY							AUGUST							SEPTEMBER						
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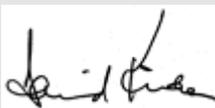
  

OCTOBER							NOVEMBER							DECEMBER						
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12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
26	27	28	29	30	31	23	24	25	26	27	28	29	28	29	30	31				

■ Both houses  
 ■ HoR & Estimates  
 ■ HoR only  
 ■ Budget

I plan on resuming AU on a semi-regular basis. I hope you enjoy it and look forward to your feedback.

Cheers,



David Kindon  
 Managing Director  
 Client Solutions Pty Ltd

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## Summit to talk about ...

The speed of history

5 March 2008 Vol 3, Issue 2

### In This Issue

Editorial

Register of Lobbyists

Australia 2020 - Summit

I've got Friday on my mind

Take a card - any card

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### Editorial

**Changes of government in Australia occur so infrequently that it always surprises me how governments quickly grow into their role, whilst oppositions find the transition both painful and difficult. This observation of behaviour seems particularly relevant in the context of the current Parliament.**

On the one hand, the Labor leadership team, with the possible exception of Wayne Swan, has assumed the mantle of government with aplomb. Kevin Rudd has begun at a fast clip with rumours of staff and public servant burnout already circulating. He and Julia Gillard are well into dismantling many Coalition programs with a recent memorable news clip showing them consigning Workchoices literature to be pulped and recycled as toilet paper!

The opening of Parliament was a theatrical masterstroke with a welcome by indigenous people quickly followed by the historic motion of apology to the "stolen generation". Mr Rudd's overt bipartisan overtures caught Brendan Nelson somewhat on the hop and even angered his coalition MPs who aren't used to public fraternisation with the enemy.

So far Mr Rudd's tactics are working well. His 73% approval rating in the polls is almost obscene, whilst Mr Nelson 7% had been described as being lower than interest rates! It's certainly become a truism that they are "poles apart"!

**Nevertheless there are many intractable problems confronting the Government both within the economy and across broad portfolios. It will be interesting to see the community's response to a horror budget in a couple of months.**

**STOP PRESS - Mark Vaile wags it to Dubai!**

*The former Deputy Prime Minister & Minister for Trade, Hon Mark Vaile is reported today as being in Dubai on a private consultancy, presumably whilst still receiving his backbenchers salary as Member for Lyne. Perhaps this type of arrangement should be added to Senator Faulkner's brief on lobbyists and ministerial staff.*

### Register of Lobbyists - Code for Ministerial Staff

**In my 2006 survey of politicians' lobbying preferences, one of the bipartisan areas of response was over the need for a register of lobbyists. All parties thought it a good idea as well as the concept of a code of ethics for lobbyists. This issue has had a lot of attention in WA and Victoria following public incidents of alleged unsavoury behaviour.**

The Rudd Government proposes to introduce two initiatives, one for the registration and regulation of lobbyists and the other a code of conduct for ministerial staff - both long-overdue many might say.

The task of bringing these forward falls to Sen The Hon John Faulkner who is Special Minister of State, Cabinet Secretary and Vice-President of the Executive Council.

**Because of the appointment of some ministerial advisers who might have potential conflicts of interest through their relationship with lobbyists, the matter is becoming something of a priority.**

### Australia 2020 - Summit



After the March flurry of Parliamentary sitting days, the principle focus of April will be on the 1000 strong Australia 2020 Summit being convened in Canberra by Mr Rudd. This event has the potential to set the agenda for years ahead but could also be an abject failure if not handled correctly. As announced, there will be 10 groups of 100 people each group to be co-chaired by a Minister and an eminent Australian. Their eminencies have been identified as:

- Professor Glyn Davis - Chair
- Dr David Morgan - Future directions for the Australian economy
- Mr Warwick Smith - Economic infrastructure, the digital economy and the future of our cities
- Mr Roger Beale AO - Population, sustainability, climate change, and water
- Mr Tim Fischer AC - Future directions for rural industries and rural communities
- Professor Michael Good - A long-term national health strategy
- Mr Tim Costello AO - Strengthening communities, supporting families and social inclusion
- Dr Kelvin Kong - Options for the future of indigenous Australia
- Ms Cate Blanchett - Towards a creative Australia:
- Mr John Hartigan - The future of Australian governance:
- Professor Michael Wesley - Australia's future security and prosperity in a rapidly changing region and world

The Summit topics in more detail can be accessed [through the following link](#).

The remaining 990 delegates are now under consideration by the respective chairs. Nomination to the Summit has been through nomination by others as well as self-nominations. Some have been issued in a more public way such as Mr Rudd's offer for Kerry O'Brien to attend during an interview on the 7.30 Report!

Whilst there will be much ado over the Summit, the Cabinet Razor Gang will be whittling away quietly at the May Budget, focused more on what programs to ditch rather than a list of new programs such as that which might emerge from the Summit.

### I've got Friday on my mind

The new Friday sitting arrangements introduced by the Rudd Government got off to a fiery start on 22 February with bedlam reigning from the Coalition benches to the point where even mild-mannered Speaker Harry Jenkins blew his top. For the first time in many years the Speaker instructed the Sergeant-at-arms to escort a member out of the House. Whilst, under the new rules for Friday sittings, no divisions or votes were held, the Opposition was able to substantially derail proceedings through points of order, interjection and falling on the Speakers error when he mistakenly called for a vote!

The Government's reasons for extending sittings to Fridays in a number of sitting weeks has been explained as allowing for the consolidation of Private Members' Business on the one day including grievance debates. Previously these were scattered around other fixed Government commitments on sitting days earlier in the week. None of them required votes or divisions. This rearrangement would, according to the Government, allow for more time on Government Business and a sensible rationalisation and consolidation of private members' business.

The Opposition's case against the new arrangements are focused on the absence of any Question Time on the Friday, the lack of opportunity to vote or divide on issues and their perception that Ministers will not attend these sittings.

On the first (and only so far) Friday sitting the PM and Jenny Macklin were absent visiting aboriginal communities in western NSW. **As this was the day I distributed Sitting Date Cards around Parliament, it was interesting to me how many office doors of politicians were locked and unattended. In particular I can report that the Three Amigos - Costello, Downer and Vaile - appeared to fall into this latter category!**

The next Friday sitting date is scheduled for 14 March. Given that I have just printed 3,500 sitting date cards, I for one will be hoping the arrangement continues!

**Take a card - any card**

Parliamentary Sittings Dates - 2008

The popular Client Solutions Sitting Dates Cards are still available free of charge on request from readers of Advocacy Update. Supplies were hand-delivered round Parliament House around 10 days ago and those readers outside Parliament who had requested supplies should by now also have them.

To assist in getting cards out to you, please email me at [Client Solutions](mailto:Client Solutions) but remember to state how many you want and the postal address to send them to.

There are several sets of cards doing the rounds this year, but ours remain the best! The Senate card is two-sided and doesn't fit inside the Parliamentary Pass holder. The Press Club (naughty NPC!) doesn't show the dates for Estimates. I understand there is also a Defence version bit haven't seen it personally.

Don't forget to read the other side of the card - if I can be of any assistance in designing or reviewing your advocacy strategy please let me know.

It's odd tuning in to the new politics after 11 years of Coalition Government. However, the new challenges facing the country will mean we need to quickly become fluent in "Ruddism" and the new rules under which they operate.

Cheers,

David Kindon  
Managing Director  
Client Solutions Pty Ltd

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## Nostalgia ...

it ain't what it used to be

17 March 2008 Vol 3, Issue 3

### In This Issue

- None shall pass
- Editorial
- Climb every mountain
- Budgets & new governments

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### Turnbull - the Black Knight



It came to me as a passing thought last week when

### Editorial

**After a few short weeks of sitting, Parliament rises this Thursday, not returning until Budget Night on 13 May. Depending on your personal political perspective, the Rudd Government has either been delivering on its promises, or shunning the important issues in favour of currying electorate approval. I think it is far too early to lean in either direction. What can be said however is that Mr Rudd has been spinning around like the white tornado leaving people puzzled and exhausted in his wake.**

One thing has become very clear during the first three months of the Rudd era; it is not going to allow itself to be criticised for having broken its election promises. Indeed they seem bent on implementing them even if economic conditions might require a more prudent approach. In the same vein, the Government has no qualms about ditching election promises made by the outgoing Government. Clearly in times of fiscal rectitude, this is appropriate. However, the proposed recipients of the Howard Government's attempted largesse may be excused for feeling "used".

Two week's ago, in the US, ex Prime Minister Mr Howard made a defiant defence of his Government's achievements. In particular he made strong remarks about Iraq, workplace relations and climate, change. The odd thing is that whilst Mr Howard is entitled to his private views, the party he led for so long has moved on and now has very different positions to those held before and still espoused by Mr Howard. He seems to have recovered from the anguished person captured in the photograph below in Bennelong on election day.

Shadow Treasurer Malcolm Turnbull was continually banging on about what the Treasury had advised the Government to do about its submission on the minimum wage case.

Each time Mr Turnbull made an assertion it was denied by the Government. Eventually his assertions were also rejected by The Reserve Bank and by Treasury Head Ken Henry. Nevertheless Mr Turnbull stuck to his guns despite having had his arms and legs cut off!

**However, unlike Python, it will take no time at all for Turnbull's limbs to grow back.**



Mr Vaile's visit to Dubai and the parliamentary brouhaha it generated seems to have removed the gloves in what is now becoming a tit for tat round of accusations and revelations about sponsored trips and gifts to politicians. As always, there are several shades of grey ranging from sponsored trips with no strings attached to fully paid professional consultancy commissions.

Given the murkiness of the water, it seems sensible to review and clarify an agreed bipartisan policy moving ahead. To ignore the issue will not only increase public disquiet, it will give the green light to arrangements which might move towards the unsavoury practices seen in the UK and US where interest groups have a range of politicians in their pockets. For instance, it is estimated that around 8 US Senators are beholden to the National Rifleman's Association. I have personally seen in the UK where politicians, until recently actually lobbied in Parliament on behalf of special interests whilst holding a seat in Parliament!

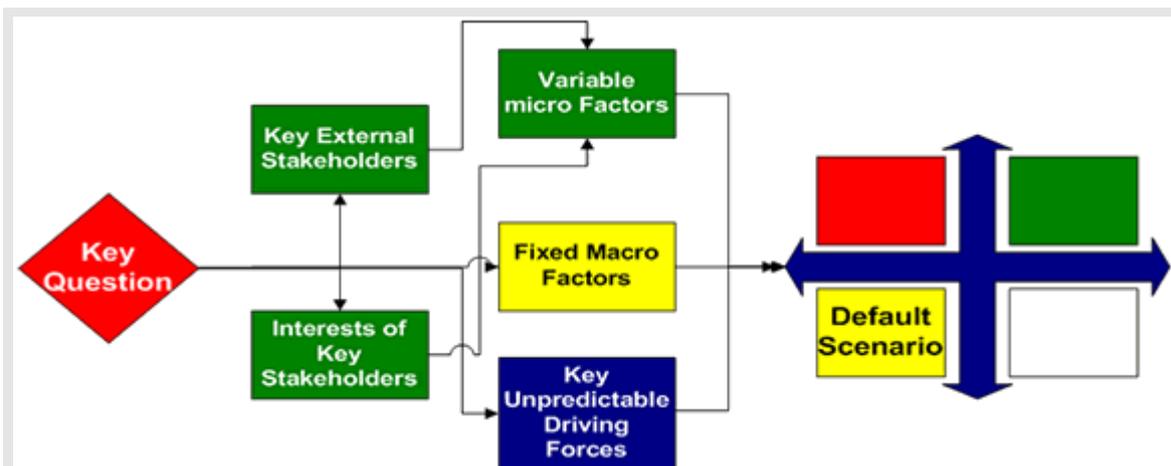
### Tips on mountain climbing



**Summits have a propensity for being challenging. Many set out on the journey, but not all finish. Those who fail in their endeavour often do so in full public view and their humiliation is also public. Those who succeed however are honoured and feted and their achievements are long-remembered. How will the 2020 Summit fare?**

For what it's worth, I think the Summit needs a two-stage process if 1,000 minds are to be corralled and focused over the two-day event. There will be ten areas of interest and ten groups of 100 to sift through the ideas and submissions searching for the big issues of the future. I have suggested the following processes to Professor Davis and to the PM.

First, the **macro view** should be dealt with through a series of **scenario planning exercises** beginning with 10 electronic surveys of summit participants in advance of the event. It would follow the process set out in the diagram below and would enable a fast track start at the Summit on the macro issues.



For each of the ten discussion areas, the scenario plans would complete the 2x2 matrix showing four potential future scenarios for the sector under review.

The **micro issues** would be dealt with in a less formalised manner at the summit with the scenario planning results to hand. I suggested that the **"World Café"** format be considered for this. Ten "cafes" of 100 people each would need to be run at the same time in different locations. Set-up would be tables of say 8 people each with one person on each table elected as scribe by other table participants. The topics would be reduced to a question or series of questions and facilitated by independent consultants. Table "cloths" would be butcher's paper with a can of textas or similar on each table. After 30 minutes, all table participants, except table scribes, move to other tables and continue the discussions. This opens up new nodes of inquiry. Once these iterations of movement are complete, table hosts present oral reports which the facilitators then compile into the views of the group and publish a draft on a central noticeboard.

Clearly, there is more to the process than set out above. However I offered them for consideration as the event is planned. It will be interesting to see what methodology is employed.

**Without something along the lines of my suggestion, a vision of herding 1,000 kittens haunts me!**

### Budgets and new governments

The first term of a **re-elected** Government tends to bring with it a "horror" budget after finding the horrible mess left to them by the previous incumbents. Such announcements are made in the knowledge that they can loosen the purse strings towards the end of the electoral cycle and prime a few electorally sensitive pumps.

However the first budget of a **newly-elected** Government, especially one which has been out of office for a number of years poses somewhat of a conundrum. On the one hand, there are election promises to be delivered whilst on the other hand it will be seen as a test of their fiscal rectitude.

The timing of the recent election, followed by underlying inflation pressures and the international financial crisis just emphasises the conundrum facing the Treasurer.

Whatever your needs, it will be difficult if not impossible to achieve budget relief unless it can be seen to fit squarely within the promises/fiscal rectitude boundaries.

However, next year's budget will be a different matter and, believe it or not, now is the time to start preparing for it!

**The first task for Special Interest Groups (SIGs) will be to hone their wish lists into tightly-argued and costed proposals which meet the Government's public policy agendas between now and August.**

By September Government Departments will have already started the process of preparing their funding bids to Treasury and Finance for next May's Budget. This leaves little time for SIGs to get their "orders" in.

## Budget Process Timetable

### September

*Departmental budget bids* submitted to Minister responsible;

### October to December

*Aggregation of budgets bids* across all portfolios  
*Economic outlook and forward estimates* prepared by DoFA & Treasury  
*Cabinet & Central Agencies* consider aggregated submissions

### January to May

*Cabinet's Expenditure Review Committee* (ERC) considers bids in light of the economic outlook and the Government's fiscal and policy imperatives.

## Importance of making a Submission

**Now is the time to get organised. A pre-budget submission also allows you to:**

- Ensure your views are on the record;
- Demonstrate to your members and other stakeholders that you are engaged in the budget process; and
- Offer media opportunities to air the views you have lodged with Cabinet.

**There will be little point deciding at the last minute that there are budget issues which need to be addressed. Once the Department bid has gone into the Central Agency pot with all the other Departmental bids (by December this year), it will be very difficult to get a proposal up.**

So, the immediate task, apart from bracing for the 2008 budget, is to get your association's own bids through an internal process of rigorous evaluation and costing. If you need help in this process, [please contact me](#).

Please note the sidebar above. The last two issues of Committee Bulletin have been sent a complimentary copies to all AU readers. Unfortunately as Eric Idle said on the cross after singing "Always look of the bright side of life" - some of us have to make a living you know! I don't have CDs available in the foyer, but right here you can sign up as a subscriber to the incredibly inexpensive Committee Bulletin (\$240 per annum). I hope you have seen the value in CB and that you will now take out a subscription. The next CB will be issued at the end of next week.

Although I have a fear of heights, I'm a pretty dab hand at summits. If anyone needs help with regard to scenario planning, please email me or give me a call.

Cheers,



David Kindon  
Managing Director  
Client Solutions Pty Ltd

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## Pre Budget recess

...a diversionary tale

3 April 2008 Vol 3, Issue 4

### In This Issue

Editorial

A little piece of history

Registration and behaviour of lobbyists

#### Trials & Downloads

#### Editorial

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We are in a very interesting space in the parliamentary recess as we await the Rudd Government's first Budget. Whether by accident or design (I'm leaning towards the latter) the PM is strutting the world stage, meeting more world leaders than an Australian PM would normally meet during his/her whole period of tenure. The

trip is taking up most of the available column space, successfully painting Mr Rudd as an international man of moment. Meanwhile, Dr Nelson manfully undertakes his "listening" tour around Australia. The comparisons - despite the importance of Brendan's meetings - are unfortunate. The remainder of the Opposition, with the strange exception of Alexander Downer are very quiet.

Meanwhile, back in the Bunker the Razor Gang are hard at work cutting and slicing, nipping and tucking, indeed felling and mulching, the programs which will be sacrificed in the name of fiscal conservatism.

This all seems too neat to be coincidence.

Then, just to keep up the distraction, Senator Faulkner releases a discussion draft code of conduct and a system of registration for lobbyists (see below). "Feed the chooks" comes to mind!

The other distraction has been speculation and then consternation over the [list of participants](#) to attend the



**2020 Summit.** 8,000 nominated and it was inevitable that there would be substantial disgruntlement amongst those not chosen. To the extent it's possible to discern a trend, it would appear that those who have constant, regular access to and influence over the Government, failed to get a guernsey. For instance, in the health sector, none of the "usual Canberra-based suspects" - AMA, Pharmacy Guild, Health Insurers, Private Hospitals, Pathologists, Nurses, Public Hospitals - were listed. The only exception was Kate Casrnell from the AGPN - but then she has also been ACT Chief Minister and is a Pharmacist. Discussion around choice of participants will be almost as diverting as discussion at the Summit itself!

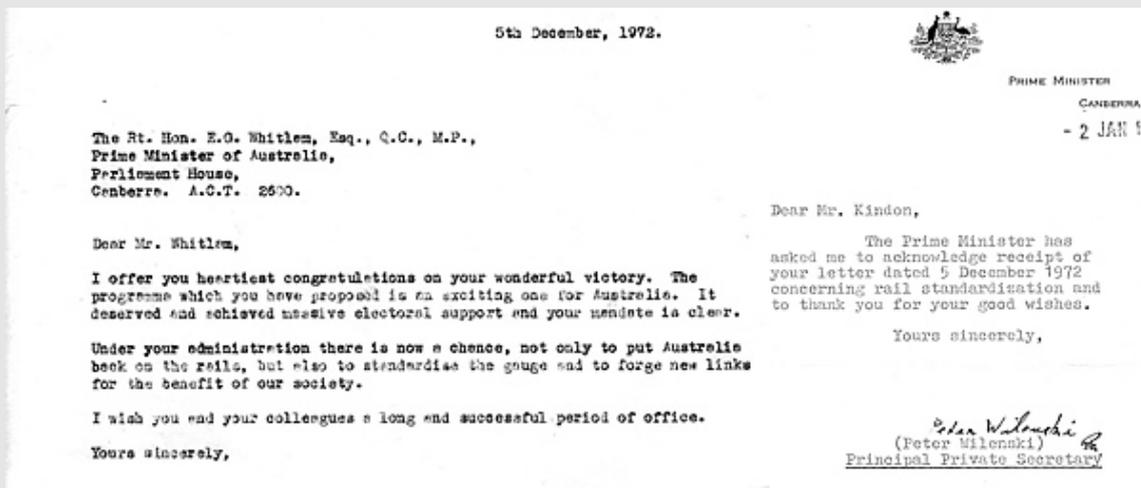
Today, Prof Glyn Davis released the background papers for the summit - the 180 page volume [can be accessed here](#).

*If I might be allowed a personal explanation - my own omission from the Summit is most regrettable - especially as I had already written to Professor Davis and Mr Rudd telling them how it should be run!*



### A little piece of history

Cleaning out my office recently, I came across a little piece of personal history. My flowery correspondence with Mr Whitlam must have caused a few chuckles in his office going by the response from the late Peter Wilenski! Perhaps I should have made a case for investment in the railways!



### Registration and behaviour of lobbyists

Special Minister of State Senator John Faulkner yesterday released an exposure draft of the lobbyists code of conduct. In announcing the scheme Senator Faulkner said:

Lobbying is a legitimate part of the democratic process, but there is a public expectation that lobbying activities will be carried out ethically and transparently.

The proposed Register will allow Ministers and other Government representatives who are approached by lobbyists to establish whose interests the lobbyist represents so informed judgments can be made about the

outcome they are seeking to achieve.

This will be the first formal lobbyists register ever adopted by a Federal Government.

Because the Government is breaking new ground in this area, it will release an exposure draft of the Code to allow all lobbyists and interested persons to have the opportunity to comment on the rules for contact between lobbyists and Government representatives - Ministers, Parliamentary Secretaries, ministerial staff, Australian Public Service employees and members of the Australian Defence Force. **Comments on the exposure draft should be provided by 16 April 2008.**

The draft Code follows closely the model adopted by the Western Australian Government. **The Government intends that registration will commence after Cabinet approval of the Code following consideration of comments received.**

Adequate time will be allowed for provision of the required details for the Register. From a well-publicised date, lobbyists who represent third party clients will need to be on the Register or they will not be able to lobby Government representatives. It will not, however, confer a right to access by lobbyists to Ministers and other Government representatives.

The Register will be administered by the Secretary of the Department of the Prime Minister and Cabinet and will be hosted on the Department's web site.

**Comments on the draft Code can be provided [by email](#)**

**The draft Code is available on the website of the Department of the Prime Minister and Cabinet at [www.dPMC.gov.au/consultation/index.cfm](http://www.dPMC.gov.au/consultation/index.cfm).**

***Footnote:***

***One of the few lessons I have learned in my years as a lobbyist/advocate/negotiator is that when things go off the rails, they generally go off the rails early in the piece. In this case, the restriction of application of the code to "third party" lobbyists seems to be a classic case in point. Much of my work as a lobbyist as for special interest associations and although I was advising them, they still made representations themselves - often with me there as part of the delegation. The response of the major lobbying firms welcoming the proposal can be read several ways. Either they think the code is meaningless, or it is only a minor irritation or perhaps they see it as a good way of keeping competition in the industry under control.***

This is a fairly brief issue of AU, slightly rushed in light of the release of the draft lobbyists' code of conduct. In the next issue, I will have more on the 2020 Summit as well as an article on the advocate's toolkit.

Until then. happy hunting!

Cheers,



David Kindon  
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His travels were extensive leaving minders and journalists mind-numbed by the experience - however all well that ended well - helped no doubt by St Kev patron Saint of travelling politicians.

But finally, when you boil it all down, when you sit back and think about it all, you have to wonder whether the whole trip was a good or **MAD** idea!

*Footnote:*

*In my own career in association management I only ever seemed to fill the roles of ringmaster, contortionist, trapeze artist, juggler, lion tamer, clown - and after the circus had left town, collector of elephant droppings.*

*Still, we all have our roles to play.*



## Association Diagnostics - simplified

### Objectives

*Confidential, comprehensive snapshot of the Association's state of health & recommendations for future improvement.*

*Tailored to meet Association's specific or general requirements*

### Calibrations

#### **Internal Analysis**

##### **Corporate Plan review**

- Review age, currency, application and relevance of existing corporate plan
- Propose a process form updating the plan, methods for applying it to the day-to-day work of an association and development of associated strategies and measurement tools for ongoing calibration.

##### **Internal communications analysis**

- Analysis of existing methods of internal communication
- Internal barriers to communication
- Evidence of duplication, overlap, gaps and friction
- Consolidation and transparency of communication
- Reducing the external email clutter
- Towards more efficient agendas, minutes and meeting procedures

##### **Governance structure & performance analysis**

- Does the governance of the association meet the (changing) needs of its

members?

- How are these needs reflected in the makeup of the association? (large:small, corporate:non-corporate, comprehensive:specialised etc)
- Does form follow function - how?
- Do good people volunteer?
- How are they reimbursed?
- Competition for positions
- Age profile of incumbents
- Length of service of incumbents
- Layers of committees, working parties etc

### **Management structure & performance analysis**

- Mix, seniority, experience & skills of staff
- Length of service - terms of any contracts
- Fit between management and governance structures

### **Negotiation Techniques Analysis**

- Review existing negotiation techniques and training undertaken (if any).
- Analyse recent example(s) of negotiations against a template/scorecard.
- Develop a Lessons Learned reference
- Recommend further training where necessary

### **Future Preparedness Analysis**

- *Scenario Planning*

### ***Outputs Analysis***

- 

Communications audit

- Issues/Crisis management capacity review
- Communications/Image management Strategy review
- Policy success Analysis

### ***Membership Analysis***

- Member Satisfaction survey
- Member demographics analysis
- Member Services Analysis

### ***External (Environmental) Analysis***

- Stakeholder Perceptions/attitudinal Analysis
- Stakeholder relations & advocacy strategy review
- Competitor analysis
- Benchmarking against peer groups

**After 38 years occupied in the senior management of industry and professional associations I feel strongly that continuous improvement aimed at maintaining relevance with associations members' needs, is the only way to go. If you want some help [contact me](#).**

**... and he's still going - Oi! (apologies to battery manufacturers)**



The last video footage I saw of John Howard after the election was of him striding out on his daily morning walk as if nothing had happened. I thought this was interesting at the time, but now it appears he hasn't stopped. Apparently the picture alongside was take a week ago in the USA - at least he's using a pedestrian crossing these days. I wondered whether the other two men are innocent bystanders of a legend, or whether indeed they are minders roaming the world with him.

It brought to mind the battery advertisement when one bunny is still beating the drum and marching onward when the rest were back in the pavilion licking their wounds.

However, as these poignant thoughts filtered through my brain, I was brought to attention by Mr Howard looking at me from the newspaper as he shook Brendan Nelson's hand. He even admitted that Dr Nelson has a "tough" job!

**Maybe there should be an international battery charge stand-off between Mr Rudd and Mr Howard to see who can last longest without recharging - or was that the last election?**

### A weekend of Hot Air

"Hot air balloons have long been synonymous with Canberra and this year will be no different. The *2008 National Autumn Balloon Spectacular* will carry on the tradition of hot air balloons floating over the city and is focussed on creating a spectacular and festive atmosphere for the Canberra community and visitors to the ACT." *Balloon Aloft*.



Of course, the only difference this year will be competition for the available hot air between the *Australia 2020 Summit* and the *Autumn Balloon Spectacular*.

The outcomes from the former event, will be the subject of some analysis in the next issue of Advocacy Update.



Special graphic effects in this issue were provided by Benjamin Kindon.

I hope there were some takeaway messages for readers and look forward to your feedback as always.

Cheers,



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## After the agony and ecstasy...

...the washing up\*

16 May 2008 Vol 3, Issue 6

### In This Issue

- Editorial - a perfect Budget
- Learning from experience
- Winter Sittings - proposed Legislation

### Trials & Downloads



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### Editorial - a perfect Budget

Only six months after their election victory, the Rudd Government has handed down a budget which addresses election promises, cuts public expenditure to around 1% growth in real terms, tackles upper class welfare and banks billions of dollars for the future education, health and infrastructure needs of the country. Phew! The Budget was the initiation ceremony for Wayne Swan and also builds on Lindsay Tanner's reputation as the hard man of the Government.

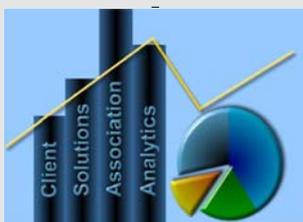
But, wait a minute! That's not what we read in the newspapers or see on television. That same budget has been criticised by the Opposition, sectoral interests, the media and members of the public. It has been loudly bagged by all sides! In my own experience in announcing and implementing difficult decisions, if all sides bagged it, it meant that we had probably hit the right spot!

The Opposition says the budget hasn't cut deep enough, after saying it shouldn't cut at all prior to the budget. It has said the budget does not attack inflation after saying earlier that inflation wasn't a problem. It has renounced attacks on upper class welfare, even though 65% of those surveyed recently support means testing. There are numerous further examples of policy flip flops. Even the normally assertive Malcolm Turnbull seemed caught in the headlights when trying to find fault in the immediate post budget interviews.

Expert economic commentators have also been less than effusive in their analysis of the budget claiming that there should have been real cuts in public outlays if further interest rate increases are to be avoided.

The media have been braying in tune with their ideological inclinations. Those attempting to be unbiased have been falling over each other to find flaws in the budget without actually saying anything authoritative themselves. In a feeding frenzy of political commentary, many journalists have become instant experts on public policy and have taken on board what their colleagues have said before value adding with their own embellishments. This of course is how the Parliamentary Press Gallery operates most of the time!

Without falling into my own trap of appearing self-opinionated, it appears to me that the Government has managed to make itself a very small target on the Budget, whilst at the same time **boxing**



the Opposition (not wedging) into arguing the unarguable and appearing disorganised and bereft of ideas.

One things which has begun to trouble me however is what I see as the usual *Tall Poppy* syndrome morphing into a culture of *whingeing* and focusing on the negatives at the expense of the good things contained in the Budget. Indeed are we becoming a nation of whingers? Is this a characteristic of a sated society which has most things it wants but always wants that bit extra? As a lapsed Pom, I find it curious that Australia is in danger of catching the British disease.

**A danger for the Rudd Government in this respect, and one I have seen personally in industry associations, is that the higher you set the bar, the more frenetic the pace you set, then the higher become people's expectations that this will continue *ad infinitum*. In time this of course becomes impossible as objectives are crossed off the list of desired achievements.**

I also have the feeling that the community is silently satisfied with the budget and that negativism for the sake of debate is both seen for what it is by the community, whether it is politicians, media or Presidents of interest groups banging the drum.

**I suggest that interest groups should now undertake an internal lessons learned exercise on the budget, rather than shrilling loudly in the national media.**

Another observation which has been puzzling me is the way billions are now thrown around like confetti in the budget. Now, if a program only costs around \$90 million, it seems like small change against the big ticket items! It seems to have happened "overnight", rather like the day I discovered, after a lifetime of noting that I was the youngest person in the room, that all of a sudden I was now the oldest in the room.

**I've included the Winter session legislative program in this issue for those interested in such matters.**

## Learning from experience

**Were you caught out by budget decisions which will impact directly on your own area of endeavour? Did you make strenuous attempts to track the Government's intentions towards you? Are you now going to advise on how the measures might best be implemented to minimise damage on you members and on the community? There are a thousand similar questions which you should ask before your members ask the same questions of you!**

Below is my advice on a timely review of lessons learned before too much water has passed under the bridge. They have been published here before but seem particularly apt in the post budget environment.

### Lessons learned

**In today's frenetically paced business environment, do you allow yourself the "luxury" of pausing after a major event to analyse what went right, what went wrong, what could have been done better, what shouldn't have been done at all?**

A quick word of advice - it is not a luxury, it is not an indulgence, it is an absolutely essential element of constantly checking and improving the way you operate. It is also an invaluable resource for those coming after you who can take on board your advice and avoid the errors you have encountered. In this article, I will offer a series of pointers to be considered in analysing and documenting your successes and failures.

### Chronology of events

Before your memory fades, document a chronology of events from the start of a project to its conclusion. This provides a context within which to consider your performance and the performance of others during the process. For the purpose of this exercise, let's assume it was a negotiation of a policy matter critical to your interests.

### Objectives

What were the objectives of the negotiation? Were they clear, agreed, achievable, manageable, measurable? Were they achieved?

### Strategy

Your strategy gives a bird's eye view of what you are aiming to achieve and the broad thrusts of how you plan to do it. You are faced with a number of choices, viz:

- Comprehensive, multi-faceted objectives v Lean, focused and single issue objective
- Complex v Simple, each requiring different communication strategies
- A coalition approach v Separate or sole protagonist
- Short term fix v Long Term solution

"Intend to get" v "Must get" - Is it a "trenches" issue or one on which you can trade concessions? What is on your own "wish list"? Are you on your own or in a coalition (see above)?

#### Preparations

- What research did you undertake?
- What options did you consider?
- What data did you collect?
- How was this modelled and analysed?
- What preliminary meetings did you hold?
- Who did you consult with prior to the negotiation?
- Did you draft position statements and fall-back positions?

#### Tactics

- What perceptions did you have to overcome?
- What evidence and markers did you leave behind?
- How did you maintain the statistical advantage?
- Did you document the process?
- What footprints did you leave behind?
- What were your meeting tactics?
- What were the other sides' meeting tactics?
- Did you conduct post-meeting reviews & debriefs?

#### Support action

How did you bolster support from those not directly involved in the negotiations?

- Minister's office
- Other Ministers
- Govt backbench
- Opposition front bench
- Key independents & minor parties
- "Your" Department
- Central agencies
- Other stakeholders - allies and others

#### Other factors to consider

- Did you undertake negotiation training?
- Were you subject to time pressures or did you use time to your own advantage?
- Was it a "real" negotiation - were the key decision makers at the table?
- **What mistakes did you make?**
- Did you make the best deal?
- What did the negotiation cost you in terms of real and hidden costs?
- To what extent did "probity" get in your way (eg confidentiality, conflict of interest etc)?
- Were you subject to "deal creep" after reaching agreement?

These are big lessons and ones which many are loath to learn. Is it any wonder therefore that we keep making the same mistakes over and over?

## Winter Sittings - proposed Legislation

### LEGISLATION PROPOSED FOR INTRODUCTION IN THE 2008 WINTER SITTINGS

Bills marked \* are proposed for introduction and passage in the Winter sittings

#### AGRICULTURE, FISHERIES AND FORESTRY

##### Wheat Export Marketing Bill \*

##### Wheat Export Marketing (Repeal and Consequential Amendments) Bill \*

implement the reform of wheat export marketing arrangements by 1 July 2008

#### ATTORNEY-GENERAL'S

##### Same-Sex Relationships (Provision of Equal Entitlements) Bill (No. 1) \*

- introduce the first stage of amendments to laws that currently discriminate on the basis of sexuality and provide for differential treatment of same-sex couples and their children, compared to opposite-sex couples and their children

#### **Customs Amendment (Enhanced Border Controls and Other Measures) Bill**

- amend the *Customs Act 1901* to enhance Customs border controls

#### **Customs Amendment (Export Controls) Bill**

- amend the *Customs Act 1901* to strengthen Customs administrative and compliance capabilities within the export environment

#### **Customs Amendment (Reducing Business Compliance Burden) Bill**

- codify the existing deferred settlement permission period for remitters of customs duties on like customisable goods into the law, and reform the rules concerning eligibility for refunds, remissions and drawbacks of excise-equivalent customs duty

#### **Customs Tariff Amendment Bill (No. 1)**

- amend the *Customs Tariff Act 1995* to incorporate tariff alterations

#### **Federal Court of Australia Amendment (Criminal Jurisdiction) Bill**

- amend the *Federal Court of Australia Act 1976* and other legislation to allow the Federal Court to effectively exercise indictable criminal jurisdiction to be granted by the Trade Practices Amendment (Cartel Conduct and Other Measures) Bill

#### **Judiciary Legislation Amendment Bill**

- respond to the High Court decision in *British American Tobacco v Western Australia [2003 HCA 47]* by amending the *Judiciary Act 1903* to allow the operation of certain State and Territory laws that limit the recovery of invalid State and Territory taxes

### **DEFENCE**

#### **Defence (Home Ownership Assistance) Bill \***

- establish a new Defence Home Ownership Assistance Scheme and protect existing entitlements for former members and their successors

### **EDUCATION, employment and workplace relations**

#### **Family Assistance Legislation Amendment (Child Care Tax Rebate and Other Measures) Bill \***

- implement the Government's election commitments to increase the Child Care Tax Rebate (CCTR) from 30per cent to 50percent and cover up to \$7,500 of out-of-pocket costs perchild; and to make quarterly payments of the Rebate
- enable logical interaction between the interlinked payments of child care benefit/CCTR
- expand the civil penalty scheme and provide clarification and alignment of other provisions

### **ENVIRONMENT, WATER, heritage and the arts**

#### **Fuel Quality Standards Amendment Bill**

- amend the *Fuel Quality Standards Act 2000* to increase the effectiveness of compliance and enforcement operations and to streamline the administration of the Act

#### **Great Barrier Reef Marine Park and Other Legislation Amendment Bill**

- restore Indigenous expertise to the Great Barrier Reef Marine Park Authority
- streamline environmental approval and permitting processes and requirements
- enhance investigation, enforcement and offence provisions
- establish a modern framework for management of the Great Barrier Reef
- improve alignment and integration between the *Great Barrier Reef Marine Park Act 1975*, the *Environment Protection and Biodiversity Conservation Act 1999* and other Commonwealth and Queensland legislation

#### **Resale Right for Visual Artists Bill**

- provide for resale royalties for visual artists when their original work is resold

### **FINANCE AND DEREGULATION**

#### **Appropriation Bill (No. 1) 20082009 \***

#### **Appropriation Bill (No. 2) 20082009 \***

#### **Appropriation (Parliamentary Departments) Bill (No. 1) 20082009 \***

- provide appropriation for expenditure in respect of 20082009 on: the ordinary annual services of

government; capital financing, payments to or for the States, the Australian Capital Territory, the Northern Territory, local government authorities and new administered outcomes not authorised by specific legislation; and the services of the Parliamentary Departments

**Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill \***

- amend the *Commonwealth Electoral Act 1918* to enhance transparency and accountability of the funding and disclosure regime by: lowering the disclosure thresholds; banning overseas donations, with penalties; tying election funding to reportable and verified electoral expenditure directly incurred by a candidate or party for an election, with penalties; and dealing with donations to separate divisions of a party

**Financial Framework Legislation Amendment Bill**

- simplify the financial management framework and reduce red tape in internal Australian Government administration
- repeal unused special appropriations
- update, clarify and align other financial management, governance and reporting provisions

**Superannuation Legislation Amendment Bill**

- make minor amendments to the *Superannuation Act 1976* and the *Superannuation Act 1990* to establish a mechanism that would allow the unfunded productivity component of Commonwealth Superannuation Scheme and Public Sector Superannuation Scheme benefits to be funded
- simplify, update and improve the operation of the *Members of Parliament (Staff) Act 1984* and superannuation legislation in the portfolio of the Minister for Finance and Deregulation
- repeal obsolete legislation

**HEALTH AND AGEING**

**Health Care (Appropriation) Amendment Bill \***

- amend the *Health Care (Appropriation) Act 1998* to provide the legislative basis for the payment of grants for the provision of health and hospital services for a period commencing on 1 July 2008

**Dental Benefits Bill \***

- fund annual dental preventative checks for 12 to 17 year olds in families receiving Family Tax Benefit Part A, and teenagers in the same age group eligible for Youth Allowance or Abstudy

**National Health Amendment (Pharmaceutical Benefits Scheme) Bill \***

- make minor amendments to clarify aspects of the policy intent behind the Pharmaceutical Benefits Scheme reform
- extend Pharmaceutical Benefits Scheme arrangements (including safety net arrangements) in limited situations

**IMMIGRATION AND CITIZENSHIP**

**Migration Legislation Amendment Bill**

- amend the *Migration Act 1958* in relation to the judicial review and merits review of migration decisions, communication with authorised recipients, border protection, the removal of illegal foreign fishers and environmental offenders, and visa integrity
- amend the *Customs Act 1901* to ensure consistency between the migration and customs legislation
- make minor and technical amendments to the *Australian Citizenship Act 2007* and the *Australian Citizenship (Transitional and Consequential) Act 2007*

**INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT**

**Protection of the Sea Legislation Amendment Bill**

- implement the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage to increase the maximum compensation for an oil spill from an oil tanker from about \$370million to about \$1.3billion
- make miscellaneous amendments to improve the robustness of Australia's marine environment protection regime

**INNOVATION, INDUSTRY, SCIENCE AND RESEARCH**

**National Measurement Amendment Bill**

- provide for a national trade measurement system to commence on 1 July 2010

**RESOURCES, ENERGY AND TOURISM**

**Offshore Petroleum Amendment (Greenhouse Gas Storage) Bill**

- introduce new greenhouse gas injection and storage permits in Commonwealth offshore waters
- define the rights and conditions for petroleum and greenhouse gas injection and storage title holders to inject, store and transport carbon dioxide

## TREASURY

### Tax Laws Amendment (Election Commitments) Bill \*

- introduce certain 2007 election commitments

### Tax Laws Amendment (First Home Saver Accounts) Bill \*

- implement the 2007 election commitment concerning First Home Saver Accounts

### Corporations (Miscellaneous Amendments) Bill

- rectify anomalies and drafting errors and make various minor miscellaneous amendments to the *Corporations Act 2001* and the *Australian Securities and Investments Commission Act 2001*

### International Tax Agreements Amendment Bill

- implement revised tax treaty with Japan

### Tax Laws Amendment (2008 Measures No. 3) Bill

- amend various tax Acts

### Tax Laws Amendment (2008 Measures No. 4) Bill

- amend various tax Acts, including to amend capital gains tax for demutualisation of health insurers

### Trade Practices Amendment (Cartel Conduct and Other Measures) Bill

- introduce criminal penalties for serious cartel conduct, which will implement recommendations from the 2003 Review of the competition provisions of the *Trade Practices Act 1974*
- protect certain cartel information from inappropriate disclosure

### Trade Practices Legislation Amendment Bill

- implement the Government's election commitments to amend the *Trade Practices Act 1974*, including amending section 46, extending the powers of the Australian Competition and Consumer Commission under section 155 and removing the threshold for unconscionable conduct under section 51AC

So, as the title of this Issue suggests, now the Budget is out of the way, it's time to get on with the housework of advocacy. Some of these chores will be addressed in the next Issue.

Once again, I hope there are some takeaway messages for readers and I look forward to your feedback as always.

Cheers,



\* Apologies to Jack Kornfeld "After the ecstasy - the laundry"

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## Cynical and strident?

... or genuine and measured?

11 June 2008 Vol 3, Issue 7

### In This Issue

Editorial - settling in for the long haul

The "Plan"

Effective Industry Organisations

### Trials & Downloads

### Editorial - settling in for the long haul

**The Opposition is taking seriously its election campaign assertions that a Rudd Government would lack experience. It seems that every government announcement is accompanied by a detailed critique and analysis from the relevant Opposition Spokesperson. Mr Rudd is no doubt pleased to receive this free advice, not least because it showcases the announcements he is making.**

He might also be pleased that the Opposition's advice - as their role is intended under the Westminster system - is always critical, even if they agree with most of what is being announced. Indeed to a cynic, it seems that the volume of criticism and opposition is inversely related to the importance of the issue. **Of course there is a danger of increasing stridency on smaller and smaller issues until there is a deafening crescendo to nothing in particular!**

Surely it would be better for the Opposition to adopt a measured and genuine approach, to avoid a rebound effect against statements which might seem strident and cynical?

On the Government side, I think that Julia Gillard has settled into her roles with more ease than has the PM. Mr Rudd is showing early signs of wear and tear - both physically and mentally. However, in my humble opinion it is wear and tear of his own making rather than any successful "hits" by the Opposition. He has now been hard at it since Christmas 2006 and the strain is showing. Whilst his energy and commitment are undeniable, he will sooner or later have to pace himself for fear of undermining his own health, let alone those around him. There will also be the inevitability of failure through unrealistic expectations becoming entrenched

What has also struck me has been the competency and confidence of many of his Ministers, most of whom have not been in government before. Apart from Julia Gillard (see above) the inner sanctum of Stephen Smith, Wayne Swan, Nicola Roxon, Jenny Macklin, Lindsay Tanner and Joel Fitzgibbon all seem to have settled in quickly. Some of the newly elected "ex union officials" are also performing well - in particular Greg Combet and Bill Shorten. Rudd must be very satisfied with his selections and their performance.

**In this Issue, may I draw your attention to the free download of the "bound" Volumes 1 and 2 of Advocacy**



### Advocacy Update

Click Logo for free "bound" volumes of Advocacy Update





Update available in the left hand sidebar? When I was assembling them into Volumes, I had a few chuckles as well as being amazed by the eloquence of the writing! I will begin a progressive binding of Volume 3 after this issue is circulated. This will also be available on the Client Solutions website.

Have you ever heard of the term "memes"? It's a word invented by scientist Richard Dawkins (*The Selfish Gene OUP 30th Anniversary Edition 2006*) to explain the evolution through imitation of cultural ideas and values in a manner similar to the way genes self replicate.

The Westminster system referred to above could be seen as a meme which has spread around the world and has mutated into several variants. Dawkins claims that when we die, all we leave behind are genes and memes! He exhorts us to rebel against the tyranny of selfish replicating memes!

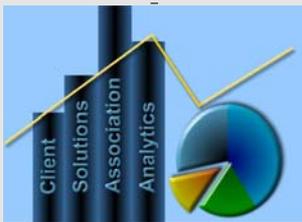
Again, there are lessons here for politicians and advocates alike!

### The Advocate's Toolkit

The advocate's toolkit contains three types of tools. These are; knowledge about the system, a plan and supporting information. The first is learned by experience, the second by applying some straightforward techniques and the third by distilling complex arguments into digestible chunks.

Some of the supporting information is contained in Client Solutions' free downloads such as how the Committee System works, how politicians prefer to be lobbied and our tips on advocacy. The remainder of this information will comprise your own position statements and views presented in a succinct, attractive and compelling manner.

The main element for success however is the plan. Unless you have a plan you will have no direction nor will you be able to measure the effectiveness of your efforts. The plan developed by Client Solutions is reproduced below.



## The "Plan"



## Effective Industry Organisations

Having been involved with industry and professional associations for almost 40 years (my God, where did those years go!), I have seen a fair cross section of CEOs come and go. Each one leaves behind a mark on the organisation he/she led - hopefully positive - and through this the organisation grows and prospers as do its members.

When I was Executive Director of the Pharmacy Guild of Australia, I gave myself three priorities:

1. to manage an efficient, cost-effective, achievement-oriented secretariat;
2. to network effectively with government and peer groups to project a positive image of the Guild; and
3. to look beyond the immediate issues and develop a clear vision for the Guild's future and how that vision might be achieved.

**Easier said than done!** The first was essential, and the second took up most of the remainder. Therefore I have to say from personal experience, it is the horizon issues which are in most need of attention whilst avoiding the pot holes immediately in front of us!

More recently, and for the last 20 years, I have been closely involved with another medical organisation representing pathology providers. During my period of tenure, the association grew from nothing to a major national organisation. Its members grew from what was essentially a cottage industry (OK some cottages were \*@#\*^ large!) through industry consolidation to a small number of major publicly listed companies, with smaller "boutique" privately owned laboratories continuing to flourish.

It has been fair to say *the only constant is eternal change* - impermanence as we Buddhists would have it. If, in the light of subsequent experience, I were to add a further priority to my earlier list, it would be to maintain relevance to the industry you serve - by following change in the market place, but by leading change in advocacy.

Organic change - letting change happen - may be the easy way out, but it is not desirable. Being in control of change is the preferred option through processes such as:

- planned reviews and structural change (funding, membership, governance etc);
- continual refocusing of priorities as the dynamics of the industry change;
- policy change driven by elected officials;
- management change driven through the CEO and staff turnover; and
- matching change to the changing needs of the membership

**Those organisations which do not encourage, allow, foster or accept change will eventually lose their relevance and face the prospect of being shunted aside by a rival body to which members will migrate.**

My theme in this Issue is that it is always content, rather than volume which wins an argument. As an ex Lobbyist once said to me - if you're debating the issues on the front page of the Australian, then you've already lost the debate around the tables which matter! Sage advice for everyone.

Once again, I hope there are some takeaway messages for readers and I look forward to your feedback as always.

Cheers,



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# Advocacy Update

## Tragedy of the commons

... triumph of greed over need?

16 July 2008 Vol 3, Issue 8

### In This Issue

- Committee Bulletin...15 July
- Green Paper
- Sitting Date Calendars
- Editorial - settling in for the long haul
- End of Semester Report
- The Tragedy of The Commons

### Trials & Downloads



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### Editorial - it's the earth stupid!

These are bad times for the planet. They are even worse for the human race. Now, when almost everyone can see the wart on the end of their nose there is an almost farcical, Pythonesque attempt to ignore its existence. The only change in the bad news we are receiving over the effects of global warming on the planet's ability to cope is that things are really immeasurably worse than even the experts have been telling us.

And what is our response? First we won't do anything until everyone else is taking action. Despite the fact that we have had 200 years of untrammled growth, "progress", despoliation and pollution - we insist that developing countries who have not had this advantage (eg China, India), must immediately stop their pollution. Secondly, we require that any measures taken either do not cost us anything nor disadvantage in any way our indolent way of life! Maintaining low petrol prices, against its soaring cost, and in the face of needed action to shift away from a dependence on a rapidly depleting resource - simply defies logic. I guess there really is no fuel like and old fuel!

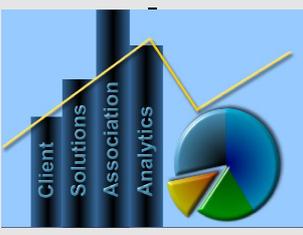
I was going to say that luckily these are only the Opposition's policies. But as of today, the Government, going against Garnaut's recommendations has announced it will offset petrol price rises through lower excise. So we can all maintain our gas guzzling habits - good news for the Hummer set!

However the real danger is that the Government, with more than half an eye to the next election and public opinion, will introduce measures which are simply too little too late. If everyone waits for someone else to take action - we might as well accept the inevitable and give up.

When things get really bad in a few years time and when it's far too late to do anything, our children and their children will point at us accusingly and will wonder why, given something so obvious we did



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**Committee Bulletin  
15 July**

- In this issue ...
- :: Bulletin Board - New Inquiries, Reports Tabled, Hearing Dates
  - :: Whistleblowing protections in the Australian Government public sector
  - :: Franchising Code of Conduct
  - :: National Broadband Network
  - :: Fuel and Energy
  - :: Australia's Tax System is too complex
  - :: Out with the old - ring in the new

nothing about it but talk and argue. How sad. How avoidable. What a terrible indictment on us all.

It is another example of the Tragedy of the Commons and is dealt with in more detail below.

**End of Semester Report**

With the first 8 months of government under the belt, Parliament has now risen for the Winter Recess and does not return until the last week in August. Usually this period allows Senators and Members to do some fence mending back in their electorates, lick their wounds and even have some decent time out for plotting. Some even get to migrate to warmer climes overseas on parliamentary study missions and tours.

Whilst these activities are no doubt occurring, this year there is the added dimension of a crowded Committee Inquiry schedule, particularly in the Senate and even more particularly focused on the Senate Economics Committee which bears the brunt of the 9 Bills referred for Inquiry by the lame duck outgoing Senate! As noted in this week's *Committee Bulletin* the Economics Committee has 31 days of public hearings across 10 Inquiries between now and the return of Parliament!

This Report on how the Coalition and Government have performed over the last 8 months may seem unfair to some. So be it - they are my thoughts only - seen through the prism of my own perception.

To me the Coalition has performed utterly abysmally and I would give them an assessment of 3/10.

In my opinion, the main reason for this is that Brendan Nelson was handed a poisoned chalice in securing the leadership. Everything that has happened since then flows from the circumstances of his election to the leadership.

I personally think that Brendan Nelson is a good man, a sincere person, with heart in the right place and with the best interests of the nation in his mind. Unfortunately he is surrounded by "colleagues" who are just waiting for him for fall over and doing everything to keep him unstable. *Malicious Compliance* is a term which comes to mind.

As a result, Coalition activity seems to me to be strident, populist and opportunistic. Unfortunately for the Coalition, I believe that the public is seeing through this tactic and will not allow snide appeals to the hip pocket to succeed over what is needed for Australia. I also find it bizarre to watch some Coalition old timers criticising the Government for not doing what their own Government failed to do during eleven years in office!

The other effect of these maneuverings is that the Coalition appears divided on many issues, bewildered on others and perhaps missing the point of being in Opposition. Kevin Rudd's blindside tactic in Opposition of agreeing with the Howard Government on many issues was an important factor in his success - although I am sure it would have made the ALP extremely nervous at the time.

The Opposition is also having trouble mucking out the stables after the last election with several old track performers refusing to be put out to pasture. Apart from McGauran (who actually went into the thoroughbred industry!) and Downer who looks like becoming a lobbyist, there remain question marks over the likes of Costello (writing his memoirs) and Vaile (consulting in the middle east) with some lesser lights also considering their positions.

On the new Government's performance to date - i assess them at 6/10. Yesterday i assessed them at 7/10 but the petrol excise promise has brought them down.



:: Sexualisation of Children in the contemporary media

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### Green Paper Carbon Pollution Reduction Scheme

The Green Paper on a Carbon Pollution Reduction Scheme was released today.

Already the ill-informed, circulation-driven pontificating media commentators are out in force.

Can I suggest we re all better off to read the Report itself or at least its summary?

[Click here to access the Report and associated documents.](#)

### Sitting Date Calendars

I am still holding copious quantities of Parliamentary Sitting Date Calendars.

They are FREE and will become collectors items as they still show the ill-fated Friday Sittings on them!

If you would like some please [email us](#) with your (free) order and postal address for delivery.

First the unshakeable imperative of delivering on election promises has not gone unheeded in the electorate - especially in the light of core and non-core promises by the previous Government.

Secondly, they have tackled several iconic and symbolic issues such as the Apology (The Stolen Generation), the Kyoto Treaty and anti-whaling representations. Critics will say these are only words - and indeed they are - but they are words the electorate wanted to hear.

Handed a healthy economy, the Rudd Government has so far kept its economic conservative credentials intact. The worldwide turmoil now confronting all nations over the oil price and the effects of global warming, will test the Government and the jury is out on these matters.

Through its economic focus, the Government is now beginning to wear the mantle of being heartless and unconcerned over the plight of the disadvantaged. No doubt these matters will be addressed as the next election approaches.

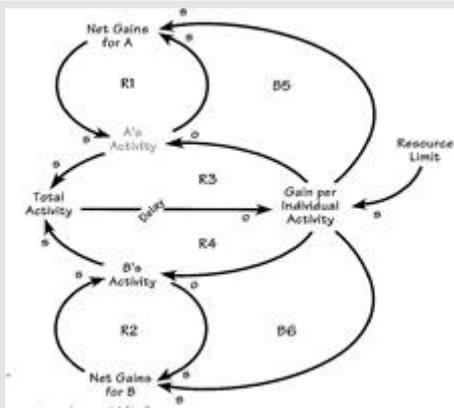
The opinion polls tend to support my school report assessment. However, we are less than 1/3 through the parliamentary term and much can and will happen between now and the end of 2010.

Now we have the "new" Senate in place, the role of the Greens will determine the passage of much Government legislation. I believe Bob Brown to be one of the most politically attuned of all politicians and expect he will be a good negotiator for minor party interests whilst doing deals on the big issues.

The other player will be The Family Farts Party, so named because of their obsession with methane emissions from bovine herds and other flocks (presumably not their own). I now understand why it will be a **green** paper! Certainly not to be sniffed at.

With the Senate in place it is now time for eyes down for a full house. The next two years will be both seminal and fascinating. However I would predict at this stage that it will take more to knock this government off its perch than the Opposition efforts we have seen so far.

### The Tragedy of The Commons - an old lesson - still unlearnt



The "Tragedy of the Commons" originates from an earlier time when animals owned by several farmers were allowed to intermingle and graze on the commons. Eventually through over-grazing the sustainability of the Commons was put at risk. Does this sound familiar? Just substitute "Earth" for "Commons"!

The trap of the Commons is that whilst people are using the common resource for their own individual (read Country) benefit, at some stage the sum of all individual activity overloads the "Commons" leading to not only diminishing benefits but collapse of the Commons.

Effective solutions for heading off the "Tragedy" will never lie at the individual (Country) level.

So - no difficulty in identifying the problem - but how are we to address it?

1. First we need to have an agreed definition of what are the common resources we are all sharing;
2. Analyse what are the reinforcing processes which are driving our use of the resources;
3. Determine the timeframe until "over-grazing" occurs;
4. Make the long term loss real and present to all users
5. Reevaluate the nature of the Commons - that is will a point be reached when the Commons collapse and cannot be replenished - investigate other available technologies;
6. Limit access to resources. Determine a central focal point that allocates the resource based on the needs of the whole system.



The West's problem with this theory is that we would need to accept that the good times are over and that 200 years of economic superiority are about to evaporate. We will all be quickly confronted with the unpalatable dilemma that the rise of China and India is unstoppable, the claims of the undeveloped nations of the world are just. However for them to enjoy the benefits of "progress" in a collapsing commons, means that the west will have to give up a large proportion of its economic advantage.

People will accuse me of an unrealistic and pessimistic outlook. Perhaps they can explain what happens when 100 million people from Bangladesh are forced to leave their country because it has disappeared under then sea. What will we do? Keep them out? Fortress Australia? I think not.

Sometime very soon, a whole new attitude towards the rights of human beings on the planet will have to be forged and there will be some excruciating lessons for the affluent western societies to learn.



Hey OK - I'm depressed about the way self interest is getting in the way of what needs to be done! If any of you have some good news advocacy stories - for goodness sake let me know and I'll trumpet them from the rooftops!

Meanwhile until next time.

Cheers,

David Kindon  
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# Advocacy Update

## Did I say greed over need?

... more like greed over greed?

4 November 2008 Vol 3, Issue 9

### In This Issue

Editorial - dumb and dumber!

What goes around comes around

### Trials & Downloads



#### Advocacy Update

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### Editorial - dumb and dumber!

Being a retired lobbyist is a very liberating feeling. After years of pushing issues slavishly on behalf of clients, suddenly the absence of pressure to get ideas over the line, often at the expense of other equally motivated interests brings with it a feeling of calm and tranquility.

OK - so I'm bored!! Many of you will not enjoy what I'm about to write.

What this transition from participant to observer status also brings with it is a pent up frustration and anger against those who influence and manipulate public opinion. This includes all politicians, most journalists and, sadly, iconic sporting figures.

### Politicians

It's now four months since the last issue of AU hit the decks. After my burst about the stupidity of humans in trying to politicise the impact of climate change on the earth, I decided to back off and leave politics to the politicians.

What a mistake that was!

For a while my strategy seemed justified as Kevin Rudd did what Malcolm Fraser had always wanted but had never achieved - to make politics so boring that it would disappear off the front page of newspapers. This of course was helped by Brendan Nelson's leadership of the Liberal Party, continually beset by internal bickering and threats by other leadership hopefuls.

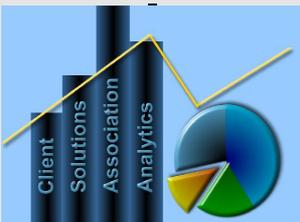
Shortly after last year's election I observed that Oppositions slip into Government mode far more comfortably than Governments slip into Opposition mode.

What now interests me is that the Opposition seems stuck in this *Bardo* state - a Buddhist concept of where a spirit goes between one life and the next reincarnation. Trouble is, you're only supposed to stay in the *Bardo* for 49 days.

And now - we are faced with the Chicken Little dilemma. Do we all rush around saying "The sky's falling" or do we try to cooperate to do something about it? Worse, do we rush around giving lip service to the crisis whilst undermining attempts to resolve it? Rather like the arsonist who shows up later dressed as a fireman carrying a bucket of sand.



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Unfortunately our record on climate change would indicate that we prefer the excitement and fear rather than the cure, recovery and restitution.

Capitalism has been given a huge kick in the slats. Karl Marx would be laughing in his grave. The sight of the excesses of Wall Street being propped up by a Republican Government are in the realms of fantasy and yet the world teeters on the brink of financial collapse.

Why then is it not possible for politicians to work together in the interests of the community? Perhaps it's time to give politics a kick in the slats too?

### Journalists

Journalists, with a few rare and notable exceptions, never fail to disappoint me, particularly those in the electronic media. To my somewhat jaundiced eye, many adopt a self-righteous, pot-stirring and faux knowledgeable position on issues they clearly know nothing about.

It is said that "a little knowledge is dangerous". A saying studiously ignored - by most journalists.

This morning, I have been listening to a story unfold about levying compulsory fees on students to fund the services previously covered by compulsory student union fees. Regardless of one's position on the issue, in the last hour a subtle but crucial word change on the early morning TV news has seen "levied" replaced by "slugged". Was this a journalist inspired change or did it come from above? What is the purpose of the change? Does it matter?

Well I reckon it does.

### Sporting Icons

A similar disease has afflicted Australia's sporting heroes. Weekly incidents of excessive drinking, aggressive and otherwise boorish behaviour seem to be on the increase. Don't these people realise they are only there because of the public's support?

Are they arrogant or just thick?

Is this the sort of Australia we want?

Cricket - once the last bastion of decent behaviour, certainly in the sporting arena, seems to have been dumbed down over recent years, as evidenced by Australia's behaviour in the test match just finished against India. Since when has it been necessary to say "Get f\*\*\*\*d" to a batsman when you get him out?

With this bad sportsmanship comes a health dose of whingeing. This week has seen Australia complain about physical contact with a player when the Australian was the first to raise his arm on the earlier run.

Hey maybe I'm just turning into a bilious old man. Even if that is the case, I feel sure there are many Australians who are becoming disillusioned about the standards of public debate and behaviour by those who seek to impress us.

For the first, and possibly only, time in my life - I find myself in agreement with Rupert Murdoch! In his first Boyer lecture, he has warned against us becoming a nation of "bludgers" and has identified what he sees here as our culture of complacency.

Well Rupert, there's fertile ground to be attended to here in both the media and sporting assets you control.

What goes around comes around

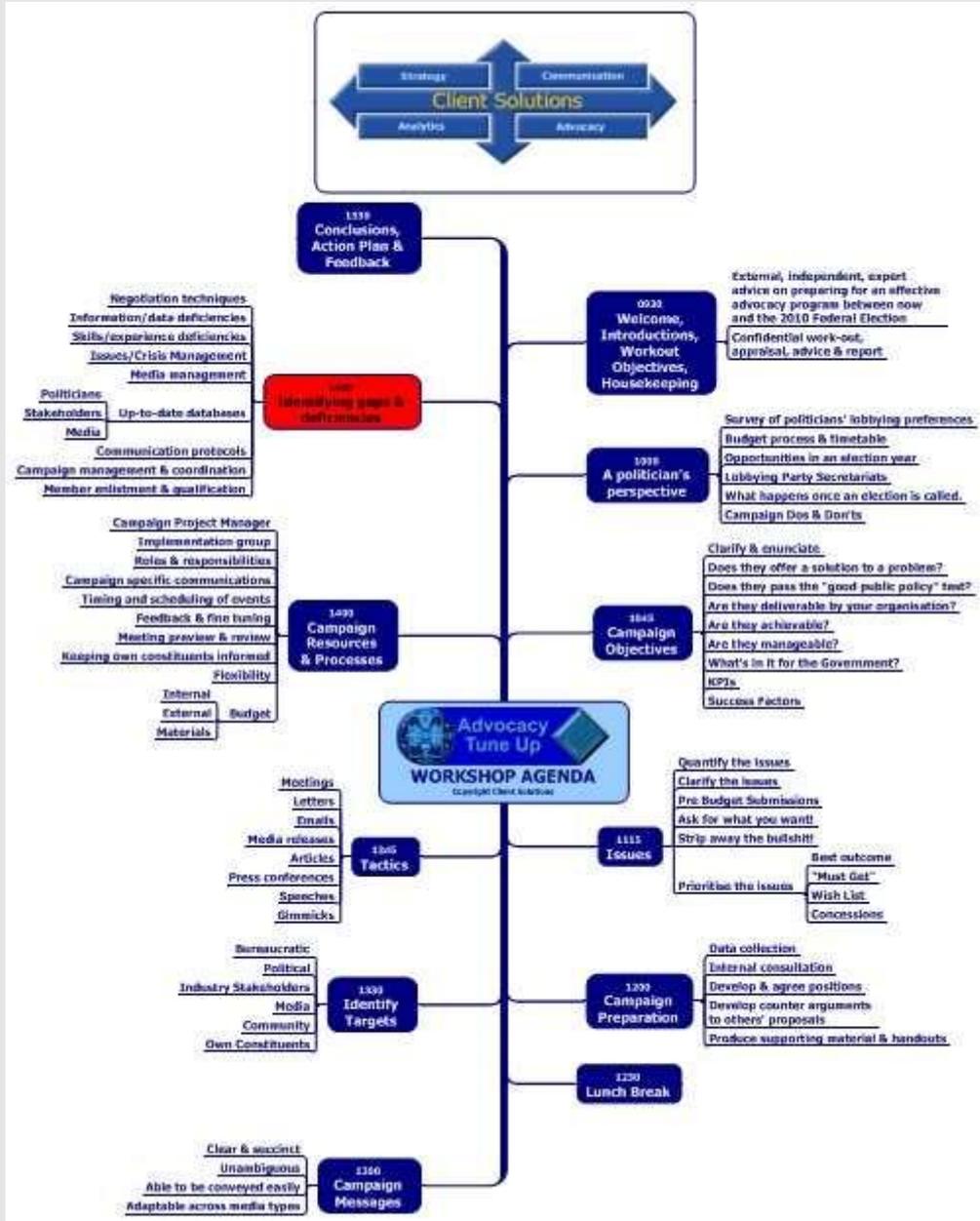


Excuse me, did I say I had retired? Well sure, from pointy end lobbying yes, but not from advocacy in general! Before the 2007 election, I devised an advocacy tuneup workshop to help organisations better prepare for the forthcoming election.

I think it's time to start thinking about the next election - and what better way than to sharpen up the advocacy skills than by having an external person in to begin the process once again.

Call me on 0414 936 300 or email me at [dkindon@client-solutions.com.au](mailto:dkindon@client-solutions.com.au).

However please note that this workshop outline has my copyright attached to it.



Hey OK - I'm depressed about the way self interest is getting in the way of what needs to be done! If any of you have some good news advocacy stories - for goodness sake let me know and I'll trumpet them from the rooftops!

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