

“Originated on the wrong side of the blanket”?

**A History of Self-Government in the
Australian Capital Territory to 2001**

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Declaration

Except where indicated in the text, this thesis is my own original work.

Gary Humphries

February 2026

Abstract

This thesis offers a foundational history of the Legislative Assembly for the Australian Capital Territory in the context of the development of self-government. The ACT's is the most recently-created Australian polity, incorporating unique constitutional features. It faced intense community hostility to its establishment in 1989, including the election of MLAs committed to its abolition. This study charts the relationship between the unique circumstances of the new parliament's birth and infancy and the democratic political culture which developed in Canberra during its first dozen years. It argues that these disruptive conditions spawned two essential drivers in the Territory's emerging democratic development: first, growth towards constitutional and operational "normalcy", to demonstrate to sceptical citizens the benefits of responsible government and, secondly, the emergence of an idiosyncratic political culture in which minority government, with just a single exception (2004-08), became an entrenched feature and other departures from recognised political norms have emerged. As such, the thesis serves three important functions. First, it constitutes an appraisal by which the ACT community can evaluate whether their once-disparaged system of government has been a success or a failure. Secondly, it explores the extent to which the ACT experience may constitute a marker for the survival and evolution of Australia's democratic system, currently beset by voter distrust. Thirdly, it offers a (rare) Australian iteration of political "history from within" – historiography by a direct participant in the historical account.

Preface

This study was born out of panic – panic that a fascinating and idiosyncratic episode in Australia’s political development would go undocumented, that the accounts of first-hand witnesses would never be captured, if I did not undertake the task of writing this history. Time was of the essence; the private accounts, views, fears and prejudices of members of the early colonial parliaments have often been captured in the copious correspondence and diaries that diligent men and women of letters undertook in that age, but modern equivalents for today’s politicians are far more ephemeral – emails, text messages and phone calls.

My anxiety to capture this record was, fortunately, mirrored by the desire of almost all my contemporaries – even those who were once my political adversaries – that I should succeed in this task, lest the rich texture of this important story be lost. The generosity and candour evident in the many oral histories I have undertaken is testament to this shared ambition that the story be told. Many people, in addition to those who submitted themselves to interview, have abetted this mission. They include Michelle Grattan, Crispin Hull, Campbell Sharman, Robert McMahon, John Wanna, Tony Blunn, Michael Moore, Alan Thompson, Joshua Black, Emily Gallagher, Colin Milner, Tom Duncan, Geoff Pryor and Ian Sharpe (for the free use of their cartoons), Stephen Mugford, Roger Wettenhall, Stephen Forshaw, Rohan Greenland, Paul Osborne, Antoinette Buchanan and her staff at the ACT Heritage Library, Ian Hancock, Chris Monnox, Steph Carter and other staff at the National Film and Sound Archive, Kieran Ives and other staff in the Chief Ministers Directorate, Andrew Sergeant at the National Library of Australia, Christian West and other staff at the ACT Legislative Assembly Library, John Purcell, and Karin Hosking (for the final editing). My wife, Cathie, has been an indefatigable proofreader and editor.

I was blessed with an eminent supervisory panel, which included Nicholas Brown and John Warhurst. Finally, the wisdom, generosity (with time and ideas), encouragement and empathy of my principal supervisor, Frank Bongiorno, were gifts without which this task could not have been achieved.

Note on references

Unless otherwise indicated, references to “Hansard” refer to the Hansard of the Australian Capital Territory Legislative Assembly.

The interviews undertaken by me for this thesis are described simply as *Interview with [name], [date]* for example “*Interview with Jon Stanhope, 16 April 2025*”. Other oral history interviews, such as those previously undertaken as part of the *Reluctant Democrats* project and now at the ACT Heritage Library, are described using the names of both interviewer(s) and interviewee, for example “*Oral history interview with Tony Staley, conducted by Lynne Reeder, 17 April 1991*”.

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Chapter 1: Introduction

When we cannot abide the terror of accident in our individual lives, we respond with faith. And when we resist the idea of accident in history, we counter with politics.

– Christos Tsiolkas¹

On 11 May 1989 the Australian Capital Territory became self-governing. With the meeting that day of its fledgling Legislative Assembly, a process that had begun tentatively with the swearing in of the NSW Legislative Council in 1824 was finally complete: every community on the continent was now self-governing. Indeed, taking into account the demise of the New England New State Movement in the 1960s, it is fair to assume that the birth of the Australian Capital Territory (ACT) parliament represents the last opportunity any Australian will have to witness the emergence of a new polity within the federation. Yet, despite its significant niche in our constitutional history, and its close associations with both the Federal parliament and the national capital project, the ACT Legislative Assembly is the least studied, and the least analysed, of all Australia's parliaments. Alone among those institutions, it has been sorely neglected by political scientists and ignored by historians.

The reasons are not hard to find. The eleventh of May 1989 was not a day of celebration in Canberra. There were no parades, no public orations, no fireworks. The arrival of self-government was widely seen not as an affirmation of the democratic spirit but as a denial of it, the citizens of the Territory having voted overwhelmingly at a referendum in 1978 to reject self-rule. They were not subsequently consulted on the matter. Many Canberrans were openly hostile to the idea that they should make decisions about their own community. In an era when

¹ Christos Tsiolkas, 7½ (Crows Nest: Allen & Unwin, 2021), 338.

people around the world were struggling for the right to self-determination, the people of the ACT struggled with similar vigour for the right *not* to be self-determining, but rather to be ruled autocratically by a minister living in a distant city, a state of affairs that went hand-in-hand with the bounteous flow of Commonwealth subsidies.

This state of pampered infantilism was doomed to end. The emergence of bureaucratic managerialism and economic rationalism during the 1980s led the Australian government to engineer responsible government for the city-state, but within a governance paradigm significantly different from that of state parliaments.² What emerged from that decision was a unique, and largely unanticipated, experiment in democratic practice, a constitutional entity designed to serve a small, politically literate community but which lived its early years in a state of constant tension with that community.

The tension was greatest in the inaugural parliament (1989–92). Self-government having been thrust onto a reluctant people, they reacted in pique by denying support for the major parties seen as responsible for this imposition and instead favoured minor, emergent parties. Although the Surprise Party and the Sun-ripened Warm Tomato Party failed to secure seats, other parties – some of which were opposed to self-government itself – did. The product was an unstable legislature with frequent changes of government and episodes of the comic and the surreal filling television news bulletins and the pages of the *Canberra Times*. Subsequent parliaments were less the object of public ridicule, but all lived in an uneasy truce with a hostile or, at least, sceptical electorate. This state of uncertainty,

² Philip Grundy et al., *Reluctant Democrats: The Transition to Self-Government in the Australian Capital Territory* (Canberra: Federal Capital Press, 1996), 124–5. By “city-state” I mean a jurisdiction whose population is contained within a single city, as opposed to the Australian states where there are substantial rural and regional populations. The Canberra hinterland, other than the villages of Hall and Tharwa, is negligible.

together with the unusual design features with which the Assembly had been set up, produced adaptive mechanisms among the early cohorts of its members (MLAs). These mechanisms shaped – and still shape – the character of the democratic experience of the Territory. In themselves, they are a study in initiative, adaptability and experimentation.

This thesis is an attempt to fill the scholarly lacuna by providing the first detailed history of responsible government in the Territory from its inception in 1989 until 2001 – the institution’s turbulent establishment phase in which four changes of government occurred. It surveys the political dynamic of the early parliaments, and the fortunes and characteristics of the governments that served in them, but also examines the way the institution itself was shaped by larger political forces, community attitudes towards it, and by its unusual constitutional architecture. If this is a local history, it is also one which reflects distinctive and in several cases precocious responses to challenges which would face the Australian polity more generally.

Objectives

A critical objective of the thesis is the creation of a partly-chronological, partly-thematic narrative of what occurred during the first 13 years of self-government, from the passage of the enabling legislation in November 1988 and the first election in March 1989 until the Territory election of October 2001, which ended an era of electoral volatility and inaugurated a long period of Labor government. On the foundation of this chronicle, a deeper exercise of historical interpretation can be undertaken.

The primary aim of the study is to examine the relationship between the unique circumstances of the Legislative Assembly’s birth and infancy and the democratic political culture of the ACT. Those unique circumstances include its distinctive

constitutional structure, its close physical proximity to its parent parliament and, in particular, the electorate's florid hostility to the arrangements which that parliament had foisted upon it. Arguably, no Australian sub-national parliament before or since has faced such a torrid transition. The challenge confronted by the Assembly in 1989 was not so much a constitutional issue – how to effectively represent a community – as an existential one: what legitimacy could such representation claim? The ACT administrations, taking baby steps at this time, were diverted from the task of erecting responsible government by the need to articulate their own *raison d'être*.

The thesis contends that these disruptive conditions spawned two essential drivers in the ACT's emerging democratic development: first, growth towards constitutional and operational "normalcy", seeking to demonstrate to sceptical citizens the benefits of responsible government; and, secondly, pulling in a different direction, the emergence of an idiosyncratic political culture in which minority government was characteristic and other departures from recognised Australian norms came to be accepted. The former factor addressed the electorate's anxiety that self-government spelt the end of high-quality local services and amenities which it equated with Commonwealth largesse and a certain image of itself as the national capital – the laboratory of enlightened planning. The latter factor evolved as a concession to the electorate's view that, if a local authority were to exist, its power should be circumscribed and its accountability should be of a high order. In this environment, minority government was not to be the occasional ordeal which unlucky parties had to endure when lacking a majority, but rather the default arrangement in which power was to be exercised diffusely and fierce legislative scrutiny was to become a fact of life.

The task of historical interpretation invites consideration of several key questions that illuminate the broader historical significance of the ACT's self-government experience. Those questions are set out below.

The ACT experience: typical or *sui generis*?

The self-governing Territory's turbulent early history prompts this inquiry: to what extent did the development of the ACT's political institutions and culture conform to, or diverge from, trends in contemporary liberal democracies in Australia and elsewhere? This question alludes in particular to the issue of a possible relationship between community dissatisfaction with self-government and the broader decline in trust in democratic processes that was then emerging, but which now afflicts almost all liberal democratic systems. A year before self-government the Clemenger report (*Present Tense: the plight of Australians today*) described middle-class Australia as "insecure, pessimistic, fearful of change ... cynical, bewildered", and identified "astounding" levels of cynicism about "the political process".³ Such social research was already detecting rising concerns with cost-of-living pressures, lack of access to affordable basic services, rising income inequality and struggles with mental health. Authors ranging from Francis Fukuyama to Robert Putnam have traced the decline of trust and social capital over the subsequent decade.⁴ These trends remain a conspicuous feature of Australian public life.⁵ The thesis explores the extent to which the tragi-comic inauguration of ACT self-government was simply an early expression

³ *Present tense: the plight of Australians today / a Clemenger report in conjunction with Arbes Strategic Research* (Melbourne: Clemenger Melbourne, 1988), 3, 14.

⁴ Francis Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity* (New York: The Free Press, 1995); Robert D Putnam, "Bowling alone: America's Declining Social Capital" in *Journal of Democracy*, 6:1 (1995), 65–78.

⁵ Paul Kelly, "How to restore the lost centre", in *The Weekend Australian*, 1–2 September 2018, 15, 20. See also the Australian Election Study: https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2019/December/The_2019_Australian_Election_Study. Accessed 24 August 2025.

of the trust deficit now engulfing systems everywhere, and the extent to which it was *sui generis*, the product of factors occurring idiosyncratically in the Territory.

The thesis will also explore how the circumstances surrounding the birth of self-government may have contributed to the ACT electorate's persistent affinity with the practice of minority government. Majority government was delivered only once in the period under consideration but, even then, internal divisions within the Alliance Government (1989–1991) gave it most of the limitations of a minority government.⁶ Was the repeated election of minority governments an accident of the ACT electoral system or did it reflect the same sentiment which has seen state and Federal upper houses – today rarely controlled by governments – enjoy a revival in public affection? Bruce Stone argued in 2002 that upper houses satisfy a public yearning for “consensus democracy”, and “an enhanced level of justification within Parliament of the actions of executive government”.⁷ There is evidence that ACT voters have engineered their unicameral parliament to serve a similar purpose in that it has, in turn, come to shape a local political culture.

The ACT was unique in other respects too. Richard White's *Inventing Australia* (1981), like Benedict Anderson's *Imagined Communities* (1983), postulates the notion of a community which is imagined but not personally experienced first-hand or face-to-face. This phenomenon allows nations to “embroider the past into their fabric”.⁸ The distinction here is between a community small enough to be experienced or one sufficiently large that aspects of it must be imagined. I proceed

⁶ ...and only once since: the Stanhope Government 2004–08.

⁷ Bruce Stone, “Bicameralism and Democracy: The Transformation of Australian State Upper Houses” in *Australian Journal of Political Science*, 37:2 (2002), 279.

⁸ Richard White, “*Inventing Australia* revisited”, in Wayne Hudson and Geoffrey Bolton, *Creating Australia*, 14; Benedict Anderson, *Imagined communities: reflections on the origin and spread of nationalism* (London: Verso, 2006).

on the premise that this paradigm is not binary but is, rather, a continuum. On that continuum, Canberra in 1989, as a physically compact, highly socially integrated and politically literate community, was nearer to being a real or *experienced* community than to the *imagined* community postulated by White/Anderson. It positions Canberra as a kind of hothouse in which politicians and electors lived cheek by jowl; it bore a passing resemblance to the Athenian *ecclesia* in which every opinion was heard.⁹ This intimacy was intensified by media scrutiny that sometimes bordered on voyeurism (Wettenhall called this intimacy “islandness”).¹⁰ The thesis argues that this dynamic initially bred contempt for politicians born out of familiarity, but also accelerated the process whereby the ACT population came to terms with its foisted democracy.

The “no-frills” parliament

Although only a decade separates the Federal Parliament’s granting of self-government to the Northern Territory (NT) and the ACT, the constitutional architecture of each conferral was dramatically different. The ACT would have the nation’s smallest parliament at 17 members, no upper house, no viceroy, the use of proportional representation from the outset, and a hybrid of state and local government functions in the one administration. The NT shared the unicameralism, but it boasted an administrator (equivalent to a state governor). It did not use proportional voting, and municipal functions were performed by local government. The thesis will explore this question: how did the ACT’s unique constitutional arrangements shape political outcomes during this period? The differences in the

⁹ ... or at least every opinion of the male minority who qualified as citizens.

¹⁰ Roger Wettenhall, “A journey through small state governance”, *Small States & Territories*, 1:1 (2018), 122–3.

approach taken to the territories are partly accounted for by a change of Federal government in the interim, but more particularly reflect the very different domestic environments into which self-rule was planted: NT self-government was popular, ACT self-government was not. The Hawke government, no doubt anxious not to antagonise electorates which had consistently returned Labor members at Federal elections, inaugurated a “no-frills” model of government in the ACT. There were no parliamentary pensions, no chauffeured cars, no self-important use of “the Honourable” – not even the adornment of a chamber mace. The parliamentary chamber itself was a recently converted government shopfront.

Whether or not it helped endear the new reality of local governance to the Canberra community, this unique democratic set-up moulded the outlook of those who worked within it. Some of the conventions buttressing parliamentary practice elsewhere were missing; the invention of new ones by trial and error reflected the modest environment in which they were spawned. MLAs were conscious of being part of an experiment, or “on probation”. The mindset this generated was one attuned to proving the worth of the new system and winning a measure of acceptance from a cynical community.¹¹ This mindset consolidated a modest, streamlined apparatus and has had an enduring effect on the practice of governance in the Territory. It may, for example, explain why few instances of official corruption have been exposed, a distinction no other Australian parliament can claim over the same period.¹²

The thesis probes the dynamics created by a very small legislature. By-products of this include an exceptional intensity of scrutiny, the immediacy (and

¹¹ “The unloved status of the ACT legislature has produced strong adaptive reactions from those who have been its members”: Brown, *History of Canberra*, 225, quoting me.

¹² See Gary Humphries, “ACT’s Integrity Commission – yet to bark”, in Scott Prasser & David Clune (eds), *Strengthening Trust: Australia’s Anti-Corruption Bodies* (Redlands: Connor Court, to be published in 2026).

volatility) of interactions both within and between groupings of MLAs, and the disproportionate influence of the personality of dominant figures within tiny cabinets and shadow cabinets. “Smallness” has long been a factor conducive to experimentation and innovation in governance, particularly with respect to the relationship between the executive and the legislature. It spurred some re-engineering of the Westminster model in Canberra.¹³

Finance, Land and Elections

The business of the Legislative Assembly was dictated by the economic and social challenges facing the Canberra community. Three of these challenges in the period under study had an enduring quality, weaving their way through the debates of all the parliaments and parties of this period: putting the Territory’s finances on a sustainable footing, resolving competing principles governing land use, and determining an electoral system. All three issues exerted a powerful influence on the decisions of government and shaped the political values which emerged in the first decade of self-government.

An early political challenge for territory governments – and indeed, a key influence on the Hawke government in granting self-rule – was the unsustainable nature of the ACT’s finances. In the decades following the naming of Canberra in 1913, Federal governments had invested in making the inland city an attractive place for its servants to migrate to. By 1989 *per capita* spending on Canberrans greatly outstripped spending on state citizens.¹⁴ Given the economic challenges of the time – the postwar “boom” had dissipated in the 1970s – and its own convictions in issues of

¹³ Roger Wettenhall, “A journey through small state governance” in *Small States & Territories*, 1:1 (2018), 117–9, 123–4.

¹⁴ Grundy et al., *Reluctant Democrats*, 62, 66–7, 93.

competitiveness and efficiency, the Hawke government required the closure of this gap. It also ensured, by transferring power over taxation and expenditure to the new body politic, that the odium of tax hikes and spending cuts would also be transferred. The task of managing the shrinking Federal subvention dominated the agenda of the first territory administrations, and was at the heart of major battles around the closure of the Royal Canberra Hospital and many schools, and increases in taxation.¹⁵ It would take more than a decade to resolve the financial consequences of the transition to self-government.

Another abiding preoccupation was the use of land. The (Henry) Georgist-influenced vision of its founders was that the Commonwealth should own all land in the Federal territory and the profit from its leasing would pay for the building of the capital.¹⁶ That principle had also underpinned the enlightened – so some have seen it – paternalism exercised by bodies such as the National Capital Development Authority over the “good years” of Canberra’s post-World War II development. It had, however, been adulterated with the abolition of land rents and creation of *de facto* freehold by Prime Minister John Gorton in 1970,¹⁷ but the new Territory government in 1989 inherited a system where social ownership of future development rights over land set the ACT apart from the rest of the country. The tension between maintaining a high standard of urban planning and responding to more commercial exigencies in the development of land was a fecund source of disputation in the Assembly and the broader community.

¹⁵ Brown, *History of Canberra*, 225–6.

¹⁶ Grundy et al., *Reluctant Democrats*, 24–5.

¹⁷ The initiative was apparently the Prime Minister’s; even his Interior Minister, Peter Nixon, later conceded it “was a bit of half-cocked thing”: Eric Sparke, *Canberra 1954–1980* (Canberra: AGPS, 1988), 199–200.

The third stalwart of political contention was the electoral system. The issue had such potency that it single-handedly defeated the Hawke government's first attempt to give the territory autonomy in 1986, when non-government parties in the Senate rejected a system which they believed would unduly advantage the Labor Party.¹⁸ Thereafter devising a model for the territory remained a key battleground, with the ALP advocating single-member electorates and the Liberals proportional representation. It took two referendums to resolve the matter (in favour of proportional representation), but in the meantime the issue assumed an importance in the political consciousness of Territorians rarely found in other jurisdictions.

Epistemological challenges

No historian depends more than the political historian on previous accounts of the events he is trying to disentangle.¹⁹

Sir Geoffrey Elton's sobering observation on the nature of political historiography underscores a significant challenge faced in the writing of this thesis (one which was, at once, both handicapping and liberating): an almost complete dearth of any secondary historical accounts of Territory politics or government.²⁰ Some, mainly descriptive, articles appear in learned journals, but sustained historiographical treatment does not exist.²¹ One could say that the most detailed analysis of this

¹⁸ Grundy et al., *Reluctant Democrats*, 146–50.

¹⁹ GR Elton, *Political History: Principles and Practice* (New York: Basic Books, 1970), 74.

²⁰ What does exist consists of two compendia of speeches and essays compiled for the 10th and 20th anniversaries of self-government (John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000); Transcript of conference proceedings, *20th Anniversary of Self Government in the Australian Capital Territory 1989–2009* (Canberra: ACT Legislative Assembly, 2009)) and three brief analyses, two as part of larger works (Nicholas Brown, *A History of Canberra* (Port Melbourne: CUP, 2014), 220–228; John Warhurst, "Australian Capital Territory" in Jeremy Moon and Campbell Sharman (eds), *Australian Politics and Government: The Commonwealth, the States and the Territories* (Cambridge: CUP, 2003), 209–223; Chris Monnox, *ACT Labor 1929–2009: A Short History* (Port Adelaide, Ginninderra Press, 2013)).

²¹ For example, Scott Bennett, "The 1989 ACT election", *Politics*, 24:2 (1989), 135–46; Jim Chalmers, "The Australian Capital Territory Election of 20 October 2001", *Australian Journal of Political Science*, 37:1 (2002), 165–8.

period comes in the form of contemporary editorials and opinion pieces in the *Canberra Times*. By way of contrast, an excellent “pre-history” exists, in the form of *Reluctant Democrats*, dealing with the path to self-government.²² EH Carr’s injunction to “[s]tudy the historian before you begin to study the facts” is, in this instance, inutile.²³

This “journey without maps” is mitigated by an abundance of primary sources.²⁴ I have drawn mainly on four wells of evidence: the official record (Hansards, cabinet papers, official records and government papers – in large measure the statutory record of what was said and what was decided); unofficial records (daily newspaper articles and television reports, personal papers of MLAs, and other archival material); oral histories, which I have taken from those intimately involved in the events being described (MLAs, senior public servants, contemporary public figures and journalists of the day); and my own papers and recollections, as a serving MLA throughout this period.²⁵ The prodigious volume of this material – and not least my own personal investment in much of it – creates the potential to skew analysis. Identifying historically significant trends or patterns in this maze of evidence was challenging.²⁶ Some primary sources may be privileged over others; newspaper journalism is more prominent here than broadcast journalism, because broadcast records have not been maintained systematically.²⁷ Material created by elites such

²² Grundy et al., *Reluctant Democrats*.

²³ EH Carr, *What is History?* (London: Penguin, 1964), 23.

²⁴ Manning Clark, *The Quest for Grace* (Ringwood: Viking, 1990), 159 quoted in John Thompson, *The Patrician and the Bloke: Geoffrey Searle and the Making of Australian History* (Canberra: Pandanus Books, 2006), 21.

²⁵ Of these, Hansard is significant; Whitlam described it as “the greatest public document of all”: Gough Whitlam, *Truth of the Matter*, 3rd edition (Carlton: MUP, 2005), x.

²⁶ For example, there are over 4,700 editions of the *Canberra Times* chronicling this period, and over 58,000 pages of *Hansard*.

²⁷ Since the early 1990s the National Film and Sound Archive has collected news in some markets on a weekly national rotation, so in any given week bulletins from some outlets are unavailable.

as politicians and senior public servants occupies a vastly greater proportion of the record than that created by ordinary citizens.²⁸ Unfortunately, ACT executive records, including cabinet submissions and decisions, though nominally accessible 10 years after they were created, have been very difficult to obtain.²⁹ Some minor Cabinet records are still unavailable two years after they were requested. Other unofficial records, such as articles in free local newspapers, electoral material, internal Liberal Party documents and private correspondence, are available in my personal archive, including 70 volumes of newspaper clippings.

The chaotic state of the primary record has dictated my first task: the creation of the general chronological or thematic narrative of what occurred during the first 13 years of self-government. It is only on this footing that authentic historical interpretation can be mounted. As Eric Hobsbawm observed, “it is essential for historians to defend the foundation of their discipline: the supremacy of evidence. If their texts are fictions, ... the raw material of these fictions is verifiable fact.”³⁰ *Which* facts to set down has required the continuous revision of the working criteria for relevance I originally adopted, based on the emergence, from the factual miasma, of

²⁸ Elton observes that politics “is, in a sense inevitably, an elitist concern, and its history, however widely conceived, records the activities of an elite”, *Political History*, 60.

²⁹ *Territory Records Act 2002* (ACT), Part 3A. There are certain limitations on this principle, including where the release of the record would endanger a person’s safety or prejudice a criminal investigation. Significantly, the 10-year protection period in the ACT is half that applying to most Commonwealth cabinet records. Before 2009 the Commonwealth protection period was 30 years. Some (relatively straightforward) ACT cabinet records have taken almost three years from request to production, a pace which made examination of the whole 12-year cabinet record of this study quite impossible. Moreover, the policy of reviewing each document before release in this instance seems unnecessarily bureaucratic, since I have previously seen most of the documents as an ACT cabinet minister anyway, and I am a former attorney general and former Deputy President of the Administrative Appeals Tribunal, all of which makes possible misuse of any inappropriately-released document exceedingly unlikely. While the ACT government bills itself as having a relatively open approach to its historical records, the approach to their release adopted in practice makes a mockery of those claims and will stand as a significant barrier to future research.

³⁰ Eric Hobsbawm, “The Historian between the Quest for the Universal and the Quest for Identity” in Francois Bedarida (ed.), *The Social Responsibility of the Historian* (Herndon: Berghahn Books, 1995), 57.

particular themes and issues with historical resonance. Carr refers to this process as one of “necessary ignorance” – that is, ignoring (provisionally) those facts which seem irrelevant to the historian’s interpretative framework and picking up those which are not. In this regard I take to heart his warning that the historian “must cultivate this necessary ignorance for himself – the more so the nearer he comes to his own times.”³¹ The task is, of course, impelled by the key questions the thesis seeks to answer.

Sub-national political history

My work here seeks to enrich the historiography of Australian politics at the sub-national level. This is a diverse corpus, although it demonstrates what Judith Brett, in 2006, called “the thinness of Australian political history”.³² Much of it is biographical in nature, focusing on state/territory leadership.³³ This may be a function of the relative importance of leadership in the smaller settings of second-tier parliaments, and of the relatively smaller role played by political ideology at this level of

³¹ Carr, *What is History?* 14.

³² Judith Brett, “Recording Non-Labor Politics Through Biography” in Tracey Arklay, John Nethercote and John Wanna (eds), *Australian Political Lives: Chronicling political careers and administrative histories* (Canberra: ANU Press, 2006), 27. Examples in this genre include David Carment, *The Tuxworth Government: A political history* (Darwin: University College of the Northern Territory Faculty of Arts Occasional Paper Series No 1, 1987); Martin Laffin and Martin Painter, *Reform and Reversal: Lessons from the Coalition Government in New South Wales 1988–1995* (South Melbourne: Macmillan, 1995); Brian Costar and Nicholas Economou, *The Kennett Revolution* (Sydney: UNSW Press, 1999); state branch entries in John Warhurst and Andrew Parkin, *The Machine: Labor confronts the future* (St Leonards: Allen & Unwin, 2000); Paul Strangio, *Neither Power nor Glory: 100 years of Political Labor in Victoria, 1856–1956* (Carlton: MUP, 2012); Rob Mainwaring and Geoffrey Robinson, “What Is “Labor” About Labor State Governments In Australia?”, *Australian Journal of Politics and History*, 66:1 (2020); David Clune, “The Labor Government in New South Wales 1941 to 1965: A Study in Longevity in Government”, University of Sydney doctoral thesis, March 1990.

³³ See for example Bede Nairn, *The “Big Fella”: Jack Lang and the Australian Labor Party 1891–1949* (Carlton: MUP, 1986); Andrew Parkin and Allan Patience (eds), *The Dunstan Decade: Social Democracy at the State Level* (Melbourne: Longman Cheshire, 1981); Frances Chan, *King of the Kids: Paul Everingham, First Chief Minister of the Northern Territory* (Palmerston: Diflo Publications, 1992); John Wanna & Paul Williams (eds), *Yes, Premier: Labor Leadership in Australia’s States and Territories* (Sydney, UNSW Press, 2005); Ian Hancock, *Nick Greiner: A Political Biography* (Ballan: Connor Court, 2013);

government.³⁴ Analytical forays into “the baroque world of state politics” are often functional or process-focused, rather than descriptive of actual decision-making, and are usually hearsay, rather than being formed by listening to voices from within cabinets or caucuses themselves.³⁵ This historiography assists me only tangentially. None of it extends into ACT politics: no autobiography, no memoirs, no diaries, published or unpublished. Yes, *Premier: Labor Leadership in Australia’s States and Territories* (2005), for example, features the chief ministership of Jon Stanhope, which falls outside the ambit of this study, but does not otherwise shed much light on the history of self-government in the ACT.³⁶

This thesis accordingly addresses two gaps in the literature at the sub-national level. The first is the obvious lacuna in relation to ACT political historiography. The second deals with, if not a gap, then at least a deficiency: the paucity of scholarly contemporary historiography at the second tier of government. Works dealing with this tier in the period before about 1990 represent a generally strong field of historiography, although there are gaps with respect to some jurisdictions.³⁷ Works dealing with more contemporary political history constitute a patchier oeuvre.

³⁴ Rob Mainwaring and Geoffrey Robinson, “What Is “Labor” About Labor State Governments In Australia?”, *Australian Journal of Politics and History*, 66:1 (2020), 9.

³⁵ Mark Considine, “Labor’s Approach to Policy Making” in Mark Considine and Brian Costar (eds), *Trials in Power: Cain, Kirner and Victoria 1982–92* (Melbourne: MUP, 1992), 186. See also RS Parker, *The Government of New South Wales* (St Lucia: QUP, 1978); Kevin Rudd, “The Role of the Ministerial Adviser in the Public Policy Process” in JR Nethercote, Brian Galligan and Cliff Walsh (eds), *Decision-Making in Queensland Government* (Canberra: Federalism Research Centre, ANU, 1992); Andrew Parkin and Allan Patience, *The Bannon Decade: The Politics of Restraint in South Australia* (St Leonards, Allen & Unwin, 1992); Brian Stevens and John Wanna (eds), *The Goss Government: promise and performance of Labor in Queensland* (South Melbourne: Macmillan, 1993); Leslie van Schonbroeck, *The Lure of Politics: Geoff Gallop’s Government 2001–2006* (Crawley: UWA Publishing, 2010).

³⁶ Wanna & Williams, *Yes, Premier*.

³⁷ Examples include P Loveday and AW Martin, *Parliament, Factions and Parties: the First 30 Years of Responsible Government in New South Wales 1856–1889* (Adelaide: MUP, 1966); HV Evatt, *William Holman, Australian Labour Leader* (Sydney: Angus & Robertson, 1979); Clune, “The Labor Government in New South Wales”; Frank Bongiorno, *The People’s Party: Victorian Labor and the radical tradition, 1875–1914* (Carlton: MUP, 1996); Paul Strangio, *Neither Power nor Glory: 100 years of Political Labor in Victoria, 1856–1956* (Carlton: MUP, 2012).

Professional historians tend to be less well represented in this space, while journalists and political insiders flourish. Much of this work captures the political zeitgeist, but owes more to journalism than to history.³⁸

This study also represents a very rare example of “history from within” a second-tier polity, the field being presently accounted for largely by the labours of those outside the political process, not those of participants. I was a member of the Assembly for the whole period of this study and served as both a minister and, finally, as Chief Minister before moving to federal politics.³⁹ I have drawn on this experience in multiple ways in building my account. As a cabinet minister in every Liberal government, and a senior figure in every opposition, I was a key protagonist in, or close observer of, every major decision taken in the Territory’s early governments. Previous service on a senator’s staff, and subsequent service as a senator myself, and being a lifelong student of history, have helped put that ACT legislative experience in the perspective demanded by this study. Given the limitations of the field noted above, this personal investment might be regarded as compensatory. My

³⁸ Examples include Hugh Lunn, *Joh: The Life and Political Adventures of Johannes Bjelke-Petersen* (St Lucia: UQ Press, 1978); Derek Townsend, *Jigsaw: The Biography of Johannes Bjelke-Petersen: Statesman – not Politician* (Brisbane: Sneyd & Morley, 1983); Michael Gleeson, Toni Allan and Michael Wilkins, *An act of corruption?: Nick Greiner’s years in power and his unorthodox demise* (Sydney: ABC, 1992); R Bhathal, *Bob Carr: Next Premier?* (Bankstown: Aus-Research Institute, 1995); Andrew West with Rachel Morris, *Bob Carr: a self-made man* (Sydney: HarperCollins, 2003); Marilyn Dodkin, *Bob Carr: the reluctant leader* (Sydney, UNSW Press, 2003); Steve Chase, *You didn’t get it from me: a reporter’s account of political life in New South Wales from 1988–2001* (Sydney: ABC, 2006); Paul Davey, *Joh for PM: the inside story of an extraordinary political drama* (Sydney: NewSouth, 2015). Exceptions include Wanna & Williams, *Yes, Premier*; David Clune and Gareth Griffith, *Decision and Deliberation: the Parliament of New South Wales 1856–2003* (Sydney: The Federation Press, 2006).

³⁹ A few works are by “insiders” who were not, however, politicians at the time of the events described: Rodney Cavalier, *Power Crisis: the self-destruction of a state Labor Party* (Port Melbourne: CUP, 2010); Joel Deane, *Catch and Kill: the Politics of Power* (St Lucia: University of Queensland Press, 2015). One exception to this trend is Cavalier, “Labor prepares for government” in Ernie Chaples, Helen Nelson and Ken Turner (eds), *The Wran Model: Electoral politics in New South Wales 1981 and 1984* (Melbourne: OUP, 1985), 20–37, a rare example of a politician describing from within the workings of a political party at state level.

hope is that it will offer much more in providing a reflexive and experiential perspective on the issues at stake.

A further epistemological challenge is to identify a definition of *political history* which is fit for purpose. Elton offers a workable tool (“the telling of a story concerned with the analysis of power and its uses in human social relationships”⁴⁰), but its use hints at a further question: on what basis was power exercised by the new ACT polity? Max Weber offered an influential conceptual framework with which to answer this question. He suggested three “legitimations” of political power: ancient recognition (“the authority of the ‘eternal yesterday’”); confidence in individual leadership (“‘charismatic’ domination”) and “domination by virtue of ‘legality’”.⁴¹ The first of these legitimations was missing in the new ACT polity and the second present only intermittently. That the new political apparatus in Canberra rested on only one, perhaps two, legs of this three-legged stool may explain its struggle for community acceptance and the compensating mechanisms it subsequently resorted to in order to address the dearth of legitimacy.

Political historiography in general represents a rich tradition against which to calibrate the challenges inherent in this thesis, offering the potential to add rigour and value. Political science and political history written in the past 20 years alone constitute a commanding oeuvre.⁴² Two branches of political historiography are particularly apposite for my purposes.

⁴⁰ GR Elton, *Political History*, 8.

⁴¹ Max Weber, “Politics as a Vocation” in HH Gerth & C Wright Mills (eds), *From Max Weber: Essays in Sociology* (New York: OUP, 1946), 78–79.

⁴² Examples include Brian Costar and Jennifer Curtin, *Rebels with a Cause* (Sydney: UNSW Press, 2004); Norman Abjorensen, *The Manner of their Going: Prime Ministerial Exits from Lyne to Abbott* (North Melbourne: Australian Scholarly, 2015); Gerard Casey, *Freedom’s progress? A history of political thought* (Exeter: Imprint Academic, 2017); Paul Kelly, *Triumph and Demise: The broken promise of a Labor generation* (Carlton, MUP, 2014).

Parliamentary history

This branch of political history places the legislature at the centre of a narrative concerning the political interactions of human beings.⁴³ It emphasises process as much as outcome; indeed, some historiography privileges the history of parliament as an institution over what was transacted within it.⁴⁴ The historical record of Australian parliaments (other than the ACT's) is rich.⁴⁵ These are often the work of parliamentary "insiders" (former members, clerks and parliamentary librarians) and are sometimes commemorative.⁴⁶ Within this genre, it is possible to dissect or compartmentalise almost endlessly. There is a growing body of literature on topics such as the role of the working culture and staff of heads of government, and the relationship between parliamentarians and the media.⁴⁷ Other analysis has been executed through the prism of elections.⁴⁸

⁴³ ...in contrast, for example, to the history of international relations or of political theory.

⁴⁴ Examples include Gavin Souter, *Acts of Parliament: a narrative history of the Senate and House of Representatives, Commonwealth of Australia* (Carlton: MUP, 1988); GS Reid and Martyn Forrest, *Australia's Commonwealth Parliament 1901–1988* (Carlton: MUP, 1989); David Black (ed.), *The House on the Hill: a history of the Parliament of Western Australia, 1832–1990* (Perth: WA Parliamentary History Project, 1991); Dean Jaensch and Deborah Wade-Marshall, *Point of Order!: the Legislative Assembly of the Northern Territory 1974–1994* (Darwin: NT Legislative Assembly and North Australia Research Unit, ANU, 1994).

⁴⁵ Examples include P Loveday and AW Martin, *Parliament, Factions and Parties: the First 30 Years of Responsible Government in New South Wales 1856–1889* (Adelaide: MUP, 1966); Paul Strangio, *Neither Power nor Glory: 100 years of Political Labor in Victoria, 1856–1956* (Carlton: MUP, 2012); Black, *The House on the Hill*.

⁴⁶ For example, Phillip Pendal, David Black & Harry Phillips, *Parliament: mirror of the people? Members of the Parliament of Western Australia 1890–2007* (Perth: WA Parliament, 2007); Terry Newman, *Representation of the Tasmanian People* (Hobart: Tasmanian Parliament, 1994); Alistair Heatley, *Almost Australians: the Politics of Northern Territory Self-Government* (Darwin: Australian National University, North Australia Research Unit, 1998).

⁴⁷ Examples in the first category include James Walter, *The Ministers' Minders: personal advisers in national government* (Melbourne: OUP, 1986); Anne Tiernan, *Power without Responsibility: Ministerial staffers in Australian governments from Whitlam to Howard* (Sydney: UNSW Press, 2007); RAW Rhodes & Anne Tiernan, *Lessons in Governing: A Profile of Prime Ministers' Chiefs of Staff* (Melbourne: MUP, 2014); Paul Strangio, Paul 't Hart & James Walter, *Settling the office: the Australian prime ministership from federation to reconstruction* (Carlton: Miegunyah Press, 2016). In the second category see Rodney Tiffen, *Disposable Leaders: Media and leadership coups from Menzies to Abbott* (Sydney: NewSouth publishing, 2017); Julian Fitzgerald, *On Message: Political Communications of Australian Prime Ministers 1901–2014* (Farrer: Clareville Press, 2014).

⁴⁸ Examples include Peter Loveday, Dean Jaensch and Baiba Berzins, *Labor's Win: the Northern Territory election, 2001* (Sydney, Baiba Berzins, 2002); John Warhurst and Marian Simms (eds), *2001: The Centenary Election* (St Lucia: UQ Press, 2002); Michael Hogan and David Clune (eds), *The*

Surveying this tradition has led to the making of some intellectual and stylistic choices. For example, I seek to emulate the “fly-on-the-wall” intimacy inherent in many of the “insider” histories. In *Decision and Deliberation: the Parliament of New South Wales 1856–2003* (2006), Clune and Griffith eschew writing a parliamentary history from a “single normative perspective”, and instead use two paradigms: the so-called “executive” narrative, based on decisions in pursuit of the establishment and maintenance of effective government, and a “liberal” model, associated with the chamber’s role as a forum for debate and deliberation.⁴⁹ Some political biography takes a similar approach.⁵⁰ Given the contested basis for the authority of early ACT governments, my account employs both modes.

Additionally, there was a particularly high ratio of media platforms to MLAs in the incipency of self-government, coinciding as it did with the aggregation of the regional television market in 1989 and a local journalism already acutely sensitised to the transactions of the Commonwealth parliament and bureaucracy.⁵¹ The number of regional television newsrooms in Canberra doubled at that time. One product of this development was an unprecedented level of exposure and public recognition for the new crop of MLAs; the flipside was scrutiny of an intensity – and indeed censoriousness – not then typical of politics at state level.

people’s choice: electoral politics in 20th century New South Wales (Sydney: Parliament of NSW/University of Sydney, 2001); Tracey Arklay and John Wanna, “The Queensland Election of 2004: The Art of ‘non-campaigning’”, in *Australasian Parliamentary Review*, 19:1 (2004), 3–17; Benjamin T Jones, Frank Bongiorno and Jon Uhr (eds), *Election Matters: Ten Federal Elections that Shaped Australia* (Clayton: Monash University Publishing, 2018).

⁴⁹ David Clune and Gareth Griffith, *Decision and Deliberation: the Parliament of New South Wales 1856–2003* (Sydney: The Federation Press, 2006), xii.

⁵⁰ For example, Norman Gash, *Sir Robert Peel: The Life of Sir Robert Peel after 1830*, (London: Longman, 1972); AW Martin, *Robert Menzies: a life* (Carlton: MUP, 1996, 1999).

⁵¹ https://en.wikipedia.org/wiki/Regional_television_in_Australia. Accessed 24 August 2025.

Political biography

“Political science without biography is a form of taxidermy”, said HD Lasswell.⁵² A similar reflection would apply *a fortiori* to political history. Again, Australian political biography is a rich and diverse trove.⁵³ Perhaps the reputed Australian trait of being suspicious of authority has encouraged a particular robustness in this genre, a predisposition to discount the pedestal on which political figures stand when measuring their achievements. Nonetheless, the quality of work in this output varies widely. Some more contemporaneous political biography could be thought to suffer from “a somewhat *déclassé* association with journalism”.⁵⁴ Certainly much political biography is the work of journalists; and some of this appears to have been produced to mark particular milestones, meeting a marketplace interest in, say, the rise or fall of a particular leader.⁵⁵

History traversing the careers and experience of subjects who are still alive presents particular challenges. Christine Wallace describes those challenges thus:

The implicit working theory is that one is researching and writing contemporaneous political biography in the heat of political battle where both subject and sources are likely to be affected by competitive motivations, and are more likely than others to exhibit narcissistic personality traits, offering

⁵² *Psychopathology and Politics* (Chicago: University of Chicago Press, 1930) quoted in Walter, *The Leader: A Political Biography of Gough Whitlam* (St Lucia: UQ Press, 1980), 1.

⁵³ For example, Colin A Hughes, *Mr Prime Minister: Australian Prime Ministers 1901–1972* (Melbourne: OUP, 1976); Michelle Grattan (ed.), *Australian Prime Ministers* (London: New Holland, 2016); David Barnett with Pru Goward, *John Howard, Prime Minister* (Ringwood: Viking, 1997); Tom Frame, *The Life and Death of Harold Holt* (Crows Nest: Allen & Unwin, 2005); Anne Henderson, *Joseph Lyons: The People's Prime Minister* (Sydney: NewSouth, 2011); John Murphy, *Evatt: a life* (Sydney: NewSouth Publishing, 2016); Ian Hancock, *Tom Hughes QC: a cab on the rank* (Annandale: Federation Press, 2016); Judith Brett, *The Enigmatic Mr Deakin* (Melbourne: Text publishing, 2017);

⁵⁴ Christine Wallace, “The Silken Cord: Contemporaneous 20th Century Prime Ministerial Biography in Australia & its Meaning”, ANU PhD thesis, 2015, 35.

⁵⁵ Examples of journalistic biography include Geoffrey Reading, *High Climbers* (Surry Hills: Ferguson, 1989); Fia Cumming, *Mates: five champions of the Labor Right* (North Sydney: Allen & Unwin, 1991); Bernard Lagan, *Loner: inside a Labor tragedy* (Crows Nest: Allen & Unwin, 2005); Andrew West with Rachel Morris, *Bob Carr: a self-made man* (Sydney: HarperCollins, 2003). Such biography tends to take on a triumphalist tone when the subject is still in office, e.g., Marilyn Dodkin, *Bob Carr: the reluctant leader* (Sydney, UNSW Press, 2003); David Barnett with Pru Goward, *John Howard, Prime Minister* (Ringwood: Viking, 1997). Kate White calls these “quickie” biographies: Kate White, “Towards an Assessment of Australian Political Biography”, *Politics*, 16:1 (May 1981), 133.

skewed testimony accordingly – something for which biographers must ‘seasonally adjust’.

Sometimes mere “seasonal adjustment” is insufficient; personal protection of the historian might be a relevant consideration:

... biographers of contemporaneous subjects face bigger personal and professional risks – narrative, psychological, physical, financial, legal and reputational – in the conduct of their work than biographers of the dead and, in cases where objectivity is the goal, can face a particular challenge to keep their heads in the face of the response (positive or negative) of their subject and related parties.⁵⁶

A variety of responses to the challenge of writing history in this environment is found in the literature. George Megalogenis and Paul Kelly interview the politicians whom they proceed to critique, as if by keeping them close those subjects cannot “take a swing” at them.⁵⁷ Rhodes and Tiernan use “focus group” techniques to traverse occasionally acute criticism of prime ministerial chiefs of staff, most still living.⁵⁸ AJP Taylor deploys masterful scholarship and the deft use of statistical sources to support his controversial revisionist assessment of Hitler, while Procopius of Caesarea sought to achieve complete candour by keeping his *Secret History* from the eyes of contemporaries altogether.⁵⁹ Neal Blewett simply pleads for mercy; the dedication of his *Cabinet Diary* is to “my cabinet colleagues in the hope that they will understand if not forgive.”⁶⁰ My own approach is to place my reader beside me in my (intimate) conversations with former “insiders” of the ACT political machinery, where Wallace’s

⁵⁶ Wallace, “The Silken Cord”, 31, 35.

⁵⁷ George Megalogenis, *The Australian moment: how we were made for these times* (Camberwell: Penguin, 2015); Paul Kelly, *The end of certainty: power, politics and business in Australia* (Crows Nest: Allen & Unwin, 2008).

⁵⁸ RAW Rhodes & Anne Tiernan, *Lessons in Governing: A Profile of Prime Ministers’ Chiefs of Staff* (Melbourne: MUP, 2014), especially 187–206.

⁵⁹ AJP Taylor, *The Origins of the Second World War* (Harmondsworth: Penguin, 1964); Procopius of Caesarea, *The Secret History* (London: The Folio Society, 1990) (originally c 550 CE).

⁶⁰ Neal Blewett, *A cabinet diary: a personal record of the first Keating government* (Kent Town: Wakefield Press, 1999), dedication page.

“competitive motivations” are generally offset here by a shared desire to see a fascinating chapter in Australian political history brought to light.

Elements of political biography are woven into the fabric of this thesis. I offer a pen picture of each of the MLAs. The roles of personality and mindset are explored. In the case of leaders, I have adopted the approach – espoused by Paul Strangio et al. – of contextualising their roles within their own work practices and the constraints and opportunities of their offices.⁶¹

Other epistemological issues

The literature returns repeatedly to the elusive quality of *the truth* in writing history.⁶² This must be especially so in a field where competing perspectives on what occurred, and advocates for these perspectives, still abound. Ann Curthoys and John Docker remind us that the quality of historical debate depends on the historian discerning between multiple points of view to reach their own conclusions.⁶³ In this endeavour, “a self-conscious recognition of the fictive elements in historical writing” is efficacious.⁶⁴ Adrian Jones proposes that penetrating political history should de-emphasise the “representational” – what politicians said – and focus on what they felt and did within the often unspoken mores of their society.⁶⁵ His thesis is that political history must move beyond its focus on “the making of claims and counter-claims that underpins all representations”.⁶⁶

⁶¹ Strangio et al., *Settling the office*, 3–4.

⁶² For example, Ann Curthoys & John Docker, *Is history fiction?* (Sydney: UNSW Press, 2006), 5; Tom Griffiths, *The Art of Time Travel: Historians and Their Craft* (Carlton: Black Inc, 2016), 270–72.

⁶³ Curthoys & Docker, *Is history fiction?* 233.

⁶⁴ *Ibid*, 6.

⁶⁵ Adrian Jones, “The Predicament of Writing Political History: the Challenge of the Tacit”, *Australian Journal of Politics and History*, 62:1 (2016), 116–37. He analyses works of three “great” historians from disparate eras who sought to overcome the limitations in received representational traditions by emphasising the tacit in the political worlds they observed and chronicled.

⁶⁶ *Ibid*, 118.

There is much that is attractive in this insight. The quest for legitimacy, which so focused the outlook of the early Assemblies, placed a premium on the crafting by MLAs and candidates of appealing political messages. The first decade of self-government also falls within the period in which the 10-second “grab” or “soundbite” in the electronic media was gaining ascendancy over newspaper reporting as the principal vehicle for government and party signalling to the electorate. The fashioning of messages for this medium was a major preoccupation of political participants. In this context, maintaining a focus on what Jones calls “enacted combinations of the moment, the persons and the situation” is challenging, but necessary for historical perspective. The liberal use of oral histories, with their inevitable accent on the representational, further complicates this exercise.⁶⁷

The contrast between actions and words is a perennial *motif* of writing about politics, particularly in the hands of journalists, but within the framework of this thesis it permits finer analysis of the pervasive power of the political undercurrents shaping ACT politics. The oral histories suggest that retrospection has allowed former MLAs to dwell on this interplay, and their candour about what they felt and what they did at key moments in the march of self-government (sometimes at the expense of what they *said* in that period) has been helpful in framing a measure of consensus about what took place at some of those junctures. Such a consensus was, of course, often conspicuously absent at the time, as the thesis will show.

⁶⁷ Jones notes that AJP Taylor “loathed oral history” because it distracted from “the rich details of life and expedient action (i.e. beyond utterance) in the moments confronting people in actual situations”: Jones, “the Challenge of the Tacit”, 127–9.

Methodological challenges

Oral histories have been a vital tool in the development of the thesis. They have been particularly useful in filling the darker spaces between the official records: the dynamics of cabinet and caucus deliberations, the relationships between individual MLAs and the detail of negotiations which opened the way for (or occasionally frustrated) key legislative measures. Thirty oral histories have been created specifically for the purposes of the thesis; while more than 50 oral histories were taken for the writing of *Reluctant Democrats*, only two relating to the period post-1989 existed prior to my endeavours.⁶⁸ The interviews for the thesis involved many of the key protagonists in the first four Assemblies (principally MLAs), and are now lodged with the ACT Heritage Library. The record would have been relatively sterile without them; with them, something of the “tacit cultural dimensions” of the period have been captured, as well as the “things people once felt and did ... in their there-and-then.”⁶⁹

Despite ex-politicians being described by oral historians as “the least satisfactory class of interviewees”, the interviewing of former MLAs is an enlivening feature of the study – not least because, as a participant in many of the processes discussed, there was often an implicit exchange of trust in what was said.⁷⁰ The interviewees include representatives of each of the major groupings within the Assembly in any given period. The inclusion of competitors and rivals, from government, opposition and the crossbench, has helped to counter the aphorism that “the judgement of history has more often than not vindicated the wisdom of the

⁶⁸ Grundy et al., *Reluctant Democrats*, 216–7.

⁶⁹ Jones, “the Challenge of the Tacit”, 119, 116.

⁷⁰ Anthony Seldon, “Elite interviews” in Brian Brivati, Julia Buxton and Anthony Seldon (eds), *The Contemporary History Handbook* (Manchester: Manchester University Press, 1996), 360.

powers that be.”⁷¹ Of course, my interlocutors are not the voiceless who are often the catchment of oral histories.⁷² Nor was I any ordinary interviewer: I had sometimes been a colleague, sometimes an adversary. Interviews in these circumstances produced complex dynamics. Being interviewed was an opportunity not just to relate to me what happened but to explain and justify their own conduct;⁷³ some were conscious that this thesis may become – by default at least – the *definitive* account, and the defence of their own record in that account was, unsurprisingly, a priority. Joshua Black observes that “politicians have historically had a vested interest in legacy building”, so “audiences must be encouraged to critique rather than accept by default the laudatory narratives that politicians generate about themselves.”⁷⁴ This tendency required care and attention to the manner in which the interviews were conducted and to the standpoint and motivations of my interlocutors. One factor militating in favour of cooperation and candour was a discernible sense of alarm among my contemporaries that their stories will be lost to posterity unless this work was undertaken. I was likely not always the *preferred* vehicle by which this should occur, but I was at least a vehicle.

Not all distortions of recollection are intentional, and even “inaccurate” memories can form the basis for fresh understandings of political events.⁷⁵ The accounts of some interviewees had acquired “elaboration, explanation, and

⁷¹ Paul Thompson, “The Voice of the Past: Oral History”, in Robert Perks & Alistair Thomson (eds), *The Oral History Reader* (Abingdon: Routledge, 2016), 36.

⁷² Alessandro Portelli, “What makes oral history different”, in Perks & Thomson (eds), *The Oral History Reader*, 50.

⁷³ “For politicians the past is a quarry for supportive symbols”: Thompson, “The Voice of the Past”, 34.

⁷⁴ Joshua Black, “A Life Triumphant Well Written: Producing the Hawke Legacy, 1979–2019” in *ANU Historical Journal II: Number 2* (Canberra: ANU Press, 2020), 81.

⁷⁵ Alessandro Portelli, *The Death of Luigi Trastulli and Other Stories: Form and Meaning in Oral History* (Albany: State University of New York Press, 1991).

cohesion” in the intervening years.⁷⁶ Still, the passage of so much time is unfortunate in some respects; few of the interviewees were under the age of 60. There was little in the way of memoirs, diaries or contemporaneous notes to assist them. Michael Frisch describes the skewing of memory thus: “Contemporary pressures and sensitivities encourage people to screen their memories in a selective, protective, and above all didactic fashion.”⁷⁷ Some interviewees confessed to having no recollection of events that I have understood as central to the subject of this thesis. Naturally, my own recollections, too, sometimes displayed this characteristic. Reliance on the contemporaneous written record – in particular, the official record, such as Hansard – as my starting point became my *modus operandi* but it was never the end point.

Alistair Thomson discusses the role of memory in helping us feel relatively comfortable with the past, composing memories to “affirm our identities and the way we want to remember our lives”.⁷⁸ While this phenomenon was undoubtedly in play – for both interviewer and interviewees – in undertaking these oral histories, some of the drawbacks often encountered in this medium were less pronounced here. Deliberate distortion may be less of a temptation when the interviewer and interviewee share a common experiential background, and the “popular narrative” about the period in focus has not changed significantly over the intervening years, meaning that the interviewee had no need to reconcile their recollections with drastically “altered public perceptions” of the period.⁷⁹

⁷⁶ Fred Allison, “Remembering a Vietnam War firefight” in Perks and Thompson (eds), *The Oral History Reader*, 341.

⁷⁷ Michael Frisch, “Oral history and *Hard Times*: a review essay”, in Perks and Thomson (eds), *The Oral History Reader*, 46.

⁷⁸ Alistair Thomson, “Anzac Memories: Putting popular memory theory into practice in Australia” in Perks and Thomson (eds), *The Oral History Reader*, 344.

⁷⁹ Carrie Hamilton, “Sex, “silence” and audiotape” in Perks and Thompson (eds), *Oral History Reader*, 405; Thompson, “Anzac memories”, 351. See also Portelli, “What makes oral history different”, 54.

As already indicated, it would be idle to pretend that the potential for advocacy and self-justification in recalling events is a problem isolated to my interlocutors. The defensive psychological mechanism described by Frisch is one to which I too was prone. After all, advocacy and self-justification are daily tools of the trade to a politician. The thesis adopts a methodological innovation as a foil to this phenomenon. Advanced drafts of chapters were shown to those who were participants in the events described (generally interviewees).⁸⁰ Such participants included former political opponents. These correspondents were invited to correct obvious errors, suggest additional material to contextualise or enrich the accounts of those events, and submit rebuttals where they disagreed with my analysis. Although several suggested changes or offered additional material to strengthen the narrative, only one participant chose to submit rebuttals (Ted Quinlan), and these have been included in the footnotes. It is important to emphasise that this was not an exercise in moderation or negotiation; there were no “compromises” because a correspondent wanted something included or altered. Overall, the incidence of agreement from contemporaries with the thesis’s account greatly exceeded the incidence of disagreement.

The taking of oral histories has given rise to a further epistemological consideration: where do I situate this thesis within the philosophical dichotomy that has preoccupied Australian historiography for much of the past half-century, a question provoked by AW Martin’s crystallising of the “Whig View” of Australian

⁸⁰ Others have sought input from their subjects on draft texts; see, for example, Blanche d’Alpuget, *Robert J Hawke* (Ringwood: Schwartz/Penguin, 1982), xi. In d’Alpuget’s case, this sometimes led to the need to negotiate the form of the text with her subject: Joshua Black, “A Life Triumphant Well Written: Producing the Hawke Legacy, 1979–2019” in *ANU Historical Journal II: Number 2* (Canberra: ANU Press, 2020), 85–6.

history?⁸¹ Would the “tone” of my narrative locate self-government within a “crucial single line of progress”, or would it partake of “a relish for gloom”?⁸² In choosing whether to tell an essentially progressive or declensionist story, I have attempted to keep in check the natural proclivity to seek to invest meaning and purpose in my career which culminated as chief minister; the temptation to portray the history as ascending to that point is considerable.⁸³ I am not alone in facing such temptation. Other former MLAs rendered accounts in the oral histories which displayed an anxiety to defend and validate their roles, and to affirm a narrative that “things got better” for the Territory as a result. Community antipathy to their office made all MLAs torchbearers to some degree for the institution, a most unusual role for an Australian politician, and the endurance of the institution buttresses the perception that they were successful in that endeavour.⁸⁴ It might also be said that the natural contours of the story of self-government lend it an ascensive flavour, in that it began chaotically and in bad odour but found itself, a decade later, in calmer waters and better regarded.

Notwithstanding these caveats, the thesis takes a progressive path. It contends that the searing heat of electoral disfavour forged a unique and adaptive political system in the Territory that, ultimately, was better placed to endure the declining confidence in democratic process that now overshadows politics across the world. The institution in which such low hopes were invested at its birth became, a

⁸¹ AW Martin, “The Whig View of Australian History: A Document” in *The Whig View of Australian History and other essays* (Melbourne: MUP, 2007), 1–27.

⁸² Ibid, 6; Wayne Hudson and Geoffrey Bolton, “Creating Australia” in Hudson and Bolton (eds), *Creating Australia: changing Australian history* (St Leonards: Allen & Unwin, 1997), 5.

⁸³ Perhaps my being a lawyer is a factor, too. Elton asserts that “[l]awyers are the most ‘whig’ of historians”, *Political History*, 40.

⁸⁴ The exception was Dennis Stevenson of the Abolish Self-Government Coalition, who alone maintained opposition to the institution during his two terms as an MLA.

decade later, a surprisingly responsive and effective vehicle for realising the ambitions of the Canberra community.

Achieving historical perspective when the events described occurred no more than 37 years ago is also no small challenge. Issues inherent in the writing of contemporary history, which are confronted here, include the problem of discerning historiographically relevant rhythms and patterns in the jumble of near-contemporaneous events;⁸⁵ identifying and isolating dominant narratives; navigating community sensitivities about particular subject matter;⁸⁶ the danger of defamation; and the heavy load necessarily carried by oral history, with all the pitfalls of reliance on memory, including its potential for fallibility and partisanship.

The small size of the Assembly gives rise to another issue deserving of special methodological treatment. Modern democratic systems and historiographical trends have made unfashionable a Carlylean “great man” style of history writing, with its emphasis on the ambitions, methods and psyche of individual leaders. This is because in modern systems the exercise of power is generally diffuse and, even where dominant leader figures appear, decision-making rarely rests on a single set of shoulders. But that may be less true of the ACT where the democratic apparatus was miniaturised, and where very small numbers of people made key decisions. The “redemptive powers” of leadership may have more resonance in such settings.⁸⁷ Cabinets in this period generally consisted of just four people – like the size of a ministry in one of the less populous Australian colonies in the nineteenth century. As

⁸⁵ Peter Catterall, “What (if anything) is Distinctive about Contemporary History?”, *Journal of Contemporary History*, 32:4 (1997), 444–5.

⁸⁶ One example may be the death of schoolgirl Katie Bender in the Canberra Hospital implosion in 1997; see 324. See also https://the-riotact.com/reflections-on-tragic-royal-canberra-hospital-implosion-one-of-the-capitals-darkest-days/477740?utm_source=newsletter&utm_medium=weekly&utm_campaign=2021-07-22. Accessed 24 August 2025.

⁸⁷ Paul Strangio et al., *Settling the office*, 2.

an example of the concentration of power, there is evidence that, in the Labor governments prior to 1995, the Left faction's dominance of the branch ensured that Rosemary Follett and Wayne Berry were the prevailing wills in both the cabinet and the caucus; their personalities acquire a defining importance. A parallel reflection can be made on the later Liberal government, with Kate Carnell's role and mine.

In this context, deeper examination of the emotional and psychological factors influencing the frame of mind of key individuals may be warranted. Kate White commends to political biographers "an occasional attempt to portray the underlying forces of the personality".⁸⁸ John Murphy, in his biography of HV Evatt, enlists modern psychiatrists to examine contemporary accounts of Evatt's behaviour, and even surviving medical records, in an attempt at latter day diagnosis.⁸⁹ James Walter, assuming the role of a "psychologically informed observer", isolates "behavioural patterns that signify the idiosyncrasies of personality", which allow him to apply a number of "theories of personality" to the career of Gough Whitlam.⁹⁰ Analysis at this depth has proven unwise or impractical in the instance of this thesis, but emotional and psychological factors still deserve close consideration and are touched on in this study. To take an example, a case can be made that the Alliance Government fell in June 1991 largely because of precipitative action taken in an emotional outburst suffered one day by the chief minister, Trevor Kaine.⁹¹

⁸⁸ Kate White, "Towards an Assessment of Australian Political Biography", *Politics*, 16:1 (May 1981), 134.

⁸⁹ Murphy, *Evatt: a life*, vii, 361–71. See also Miriam Dixon, *Greater Than Lenin? Lang and Labor 1916–1932* (Parkville: University of Melbourne Political Science Dept., 1977).

⁹⁰ James Walter, *The Leader* (St Lucia: University of Queensland Press, 1980), xiv, xvi.

⁹¹ Kaine's then wife, Karen Rush, believes he suffered a "mini-stroke" on that day (he later died of a stroke). Unfortunately, professional opinion on this theory has not proven possible.

Politicians as historians

I am, of course, far from being the first politician to write history. “[M]uch better ... to leave the past to history, especially as I propose to write that history myself,” said Churchill, reflecting on a temptation to which many politicians and public figures, before and since, have succumbed.⁹² This substantial genre is of two kinds: recent political accounts in which the author was a participant, and history of the more conventional kind. Early works in the former category often exude modest ambitions. Both Henry Parkes and Robert Menzies disarmingly commence their autobiographical accounts with: “This ... is not a history”.⁹³ Some works are diaries, replete with contemporary political commentary.⁹⁴ John Button postulated that “[t]he role of political memoirs only seems to me to be a very limited one. It gives a personal but more rounded picture to a period, or a government, and the way in which a government works.”⁹⁵ On the other hand, overtly eschewing subjectivity, Thucydides said of his account of the war between Athens and Sparta: “My work is not a piece of writing designed to meet the taste of an immediate public, but was done to last for ever”.⁹⁶ In a similar vein, the memoirs of Australian politicians in recent years, often complete with detailed referencing, have assumed a prominence and assertiveness that seems to challenge professional historiography; Sean Scalmer notes that “the political memoir is increasingly presented as the sum of

⁹² Winston Churchill, *Speech to House of Commons*, 23 January 1948, quoted in *The Yale Book of Quotations*, ed Fred R Shapiro (Yale University Press, 2006), 154.

⁹³ Sir Henry Parkes, *50 Years in the Making of Australian History* (London: Longmans, Green & Co, 1892), v, digital version accessed 5 June 2021 at <https://nla.gov.au/nla.obj-3578896/view?partId=nla.obj-4101435#page/n8/mode/1up>; Sir Robert Menzies, *Afternoon Light* (Melbourne: Cassell, 1967), 1.

⁹⁴ Examples include Peter Howson (Don Aitkin, ed), *The Howson Diaries: The Life of Politics* (Ringwood: Viking, 1984); Neal Blewett, *A Cabinet Diary: A personal record of the first Keating government* (Kent Town, Wakefield Press, 1999); Mark Latham, *The Latham Diaries* (Carlton: MUP, 2005).

⁹⁵ John Button, “Writing Political Autobiographies” in *Australian Political Lives: Chronicling political careers and administrative histories* (Canberra: ANU Press, 2006), 97–9.

⁹⁶ Thucydides, *The Peloponnesian War* (Harmondsworth: Penguin, 1954), 48.

political history itself”.⁹⁷ Spurred by what Black calls “Australia’s embittered and combative political culture”, politicians have sought to “seize the microphone, to record their achievements for posterity”.⁹⁸

Other current and former politicians have written more earnest history, with varying success. These works range from the efforts of MPs with academic backgrounds to others which seemingly promote continuing political ambitions.⁹⁹ The most conspicuous modern case of the actor-as-historian may be Churchill’s *The Second World War*, self-promoting yet influential, leading JH Plumb to observe a generation after its publication that people still “move down the broad avenues which he drove through war’s confusion and complexity.”¹⁰⁰ More locally, former prime minister Tony Abbott has written a history of Australia, including a “brief” account of

⁹⁷ Sean Scalmer, “The Rise of the Insider: Memoirs and Diaries in Recent Australian Political History”, *Australian Journal of Politics and History*, 65:1 (2010), 95. Examples include Paul Hasluck, *The Chance of Politics* (Melbourne: Text Publishing, 1997); Gough Whitlam, *The Truth of the Matter* (Carlton, MUP, 1983); Doug Lowe, *The Price of Power: the politics behind the Tasmanian dams case* (South Melbourne: Macmillan, 1984); Peter Beattie, *In the arena, memories of an ALP state secretary in Queensland* (Brisbane: Boolarong Publications, 1990); John Button, *As it happened* (Melbourne: Text Publishing, 1998); Peter Costello with Peter Coleman, *The Costello Memoirs* (Carlton: MUP, 2008); Bob Carr, *Run for your Life* (Carlton: MUP, 2018); Malcolm Turnbull, *A Bigger Picture* (Richmond: Hardie Grant, 2020); Christopher Pyne, *The Insider* (Sydney: Hachette, 2020).

⁹⁸ Joshua Black, “‘For the Historic Record’: Memoirs, History, and Australian Political Culture”, *Australian Journal of Politics & History*, 67:2 (June 2021), 312; Louise Adler, “Political Memoirs”, *Meanjin*, 74:3 (2015), 237–9.

⁹⁹ Examples of the former include Enoch Powell, *Joseph Chamberlain* (London: Thames and Hudson, 1977); Andrew Tink, *William Charles Wentworth: Australia’s greatest native son* (Crows Nest: Allen & Unwin, 2009); David Kemp, *A Free Country: Australians’ Search for Utopia 1861–1901* (Carlton: Miegunyah Press, 2019). HV Evatt’s *William Holman, Australian Labour Leader* (Sydney: Angus & Robertson, 1979) is history written while in opposition. Though a former academic historian, Hasluck’s *The Chance of Politics* is firmly in the category of memoir. Examples of the latter category include Boris Johnson, *The Churchill factor: how one man made history* (London: Hodder and Stoughton, 2014); Geoff Gallop, *From the Swan to the Canning: Historical Notes on Victoria Park and Surrounding Districts*, referred to in Harry Phillips and David Black, “Geoff Gallop: A new generation Labor man” in John Wanna & Paul Williams, *Yes, Premier: Labor Leadership in Australia’s States and Territories* (Sydney, UNSW Press, 2005). Bob Carr is an intermittent, though engaging, historian in *Thoughtlines* (Camberwell: Penguin, 2002).

¹⁰⁰ Winston Churchill, *The Second World War* (Melbourne: Cassell, 1948–54); JH Plumb, “The Historian” in AJP Taylor et al., *Churchill: Four Faces and the Man* (London: Penguin, 1969), 149, quoted in David Reynolds, *In Command of History: Churchill Fighting and Writing the Second World War* (New York: Basic Books, 2005), xx.

his own government.¹⁰¹ Against these examples stands Menzies' admonition to would-be actor-historians: "no man is a good judge in his own cause".¹⁰²

Surveying the broad ambit of this "history from within", it has not been easy to position my own voice in the events I describe. While I concur with Scalmer that political memoir "cannot offer a reliable guide to the politics of the past", the mode of virginally dispassionate observer also seems unconvincing (that Thucydides, for example, extrudes himself from his own account can leave the reader dissatisfied).¹⁰³ Ultimately, I have leaned on the wisdom of another "insider-cum-historian", Don Watson, who opined:

My problem was the voice. Who was speaking: a historian, an insider or both? The story of the insider was personal, close and unfinished. I was still living it ... The closeness of these events might be why I began writing from the magisterial position: to establish the distance necessary to lend the story the stature of magisterial history, and the insider the stature of a historian. The position demanded that the author hide the signs he had been in the vicinity when the events described occurred ... There are fine books by participants who, for the sake of seeming objectivity, have backed out of the room or taken up a position on the ceiling ... But it remains that the elevated or omniscient third-person narrative demands an artificial logic for events that are often random and subjective: and when participants in those events do this, the most skilful and unflinching practitioners risk losing some of the truth – and the life – of the politics to which they were privy.¹⁰⁴

This history bears the hallmark of many of the historiographical antecedents described above. It is essentially a parliamentary history, employing both the "executive" and "liberal" narratives formulated by Clune and Griffith, but it situates the parliamentary story within the political forces at work in Australia and internationally at that time, particularly the phenomenon of ebbing of trust in democratic systems. It locates me as both witness and protagonist during the birth and infancy of ACT self-government. I have attempted neither to exaggerate nor downplay my role. While an

¹⁰¹ Tony Abbott, *Australia: A History* (Sydney: Harper-Collins, 2025).

¹⁰² Robert Menzies, *Afternoon Light* (Melbourne: Cassell, 1967), 281.

¹⁰³ Scalmer, "The Rise of the Insider", 102.

¹⁰⁴ Don Watson, *Watsonia: A Writing Life* (Carlton: Black Inc, 2020), 73.

examination of the political dialectic of this period is an essential part of the story, I have striven always to respect “the supremacy of evidence”.¹⁰⁵ Hobsbawm advises historians “to remember their responsibility, which is, above all, to stand aside from the passions of identity politics”, making history serve an ideological end – a temptation to which a former purveyor of ideological causes might be thought more prone.¹⁰⁶ As a safeguard against that, I have employed the device, already described, of giving my former political opponents the opportunity to rebut my characterisation of what occurred, even where the latter is seemingly based firmly on the documentary record.

Accordingly, this work represents a (very rare) attempt by an Australian politician to account for his time in office as historical interpretation rather than personal apotheosis. It will be for the reader to judge whether this ambition is achieved; whether the work is more history than polemic, more Thucydides than Churchill. Regardless, the account exploits my privileged vantage point to attempt to provide the reader with a corner seat in the caucuses, the lobbies and the cabinet rooms of early self-government. To assist in this transposition, I recount what Stefan Zweig called “small, personal episodes” to reconstruct the “spiritual atmosphere” of the day.¹⁰⁷ Overall, I have been steered by exemplars of great political history, works which convincingly blend contemporary social forces, overarching constitutional constraints and the personalities of those holding power to create accounts which make the actions of politicians comprehensible and even rational: Gash’s *Sir Robert*

¹⁰⁵ Eric Hobsbawm, “The Historian between the Quest for the Universal and the Quest for Identity” in Francois Bedarida (ed.), *The Social Responsibility of the Historian* (Herndon: Berghahn Books, 1995), 57.

¹⁰⁶ Eric Hobsbawm, “The new threat to history”, in Brian Brivati, Julia Buxton and Anthony Seldon (eds), *The Contemporary History Handbook* (Manchester: Manchester University Press, 1996), 8–9.

¹⁰⁷ Stefan Zweig, *The World of Yesterday* (London: Cassell, 1953), 205.

Peel, Martin's *Robert Menzies* and Robert Caro's biography of Lyndon Johnson.¹⁰⁸

The product of these influences is, I hope, an account "rich in intrigue and grand dramas, the forgotten by-plays, the shabbiness and courtesies of politics past".¹⁰⁹

Structure of the thesis

The chapters of this thesis are essentially arranged chronologically, although some issues are examined thematically both within and between chapters. Chapter 2 examines the "prehistory" of self-government, tracing efforts by early Federal governments to accommodate the urges of the Canberra population for a measure of control over their own affairs, conscious of the irony that resident Federal servants had fewer rights than the national citizenry to whom they provided services. The devices of advisory assemblies and non-voting Federal representatives appeared increasingly unsatisfactory as the city's population burgeoned in the 1960s and 1970s. Paradoxically, by the time real autonomy was conferred by the Hawke Labor government in 1988, Canberra's citizens were reluctant to accept the vacation of Federal authority. The chapter focuses particularly on two issues: an examination of the political manoeuvring which allowed the enabling legislation to pass and an exploration of the motivating arguments (for and against self-government) that divided the Canberra community.

Chapter 3 records the first self-government election in 1989, with the fracturing of the two-party system and the election of MPs committed to the parliament's destruction, and the first minority Labor government under Rosemary Follett. The instability seeded by that election outcome led to the creation of a Liberal-led

¹⁰⁸ Gash, *Sir Robert Peel...after 1830*; Martin, *Robert Menzies: a life*; Robert A Caro, *The Years of Lyndon Johnson* – 4 volumes (New York: Alfred A Knopf, 1982–2012).

¹⁰⁹ Rodney Cavalier in his introduction to Clune and Griffith, *Decision and Deliberation*, vi.

coalition government later that year under Trevor Kaine, its rocky course traced in Chapter 4. Labor returned to office just 18 months later under Follett, the third new government in the space of 25 months. Her second government's struggle to manage community resentment and receding Commonwealth support is covered in Chapter 5. By now a pattern of minority or coalition governments was establishing itself, together with other departures from Westminster parliamentary orthodoxy.

Continuing communal dissatisfaction led to yet another change of administration in 1995; Chapter 6 examines the first term of the Territory's only (to date) popularly elected Liberal government, under Kate Carnell. Her government tackled both the Territory's financial unsustainability (with some success) and reform of its parliamentary model (with less success). Her dynamic and unconventional style of leadership survived these challenges and the election of the Howard Federal government in 1996 (perceived as hostile to Canberra), only to see her hold on power weakened by legal shortcomings in her administration. Chapter 7 documents the fall of Carnell and my own, one-year, term as chief minister, before the election of a long-serving Labor regime in 2001. These last two chapters document both the evolving idiosyncratic model of ACT self-government and the gradual alignment of the new system with community expectations of what it should deliver, all accomplished while governments were in a minority. The thesis conclusion summarises the lessons of this tumultuous transitional period in ACT political history and its enduring resonance on the course of the Territory's democratic experience.

Conclusion

The early years of self-government have left a vivid imprint on the memories of those old enough to remember the period. That imprint is one of dysfunction and disorder. When mentioning to those of this generation my intention to write this history, the

almost invariable reaction has been for them to recall, totemically, names like the No Self-Government Party and the Sun-Ripened Warm Tomato Party. This response brings to mind the observation of Curthoys and Docker that “where evidence is sparse and partial, our moral sympathies, political understanding, and cultural assumptions all affect what we judge as likely to be true.”¹¹⁰ In the absence of any previous history of this period, the evidence is indeed “sparse and partial”, and the gaps have been filled accordingly with assumptions and stereotypes. (And more than a few myths: a well-entrenched shibboleth among Canberrans is that self-government was imposed despite two referendums rejecting the idea. There was, in fact, only one referendum, and it was held many years before self-government.¹¹¹) Filling the gaps with evidence, as well as addressing a scholarly lacuna, may therefore serve a larger, social and democratic purpose.

Peter Catterall wrote that “all history deals with how societies attempt ... to shape their futures.”¹¹² For better or worse, the ACT Legislative Assembly – from its inauspicious beginning – has been the cockpit of shaping the Territory’s future for more than 36 years. Even now, it is possible to discern a historical consciousness in this community created by that inauspicious start, a sensibility of enough gravity to colour the modern ACT community’s attitude towards its local system of government. That consciousness may have had the effect of inhibiting a frank appraisal of that system, as if the past is a country best not visited.

As the legacy and utility of the democratic model comes under ever greater scrutiny throughout the world, the capacity to evaluate the worth and performance

¹¹⁰ Curthoys & Docker, *Is history fiction?* 232.

¹¹¹ ... though possibly some conflate the two referendums on the *electoral system* (1992 and 1995) with the one referendum on whether to have self-government (1978).

¹¹² Catterall, “What ... is Distinctive?”, 448.

over time of a community's own democratic paradigm is salutary and necessary. Yet Megalogenis describes an Australian incapacity for self-reflection: our "self-sabotaging streak".¹¹³ This history therefore has the potential to execute a larger purpose: confronting a communal blind spot in assessing what self-government has actually meant to the well-being and welfare of Canberrans.

¹¹³ Megalogenis, *The Australian moment*, 3.

Chapter 2: The slow road to self-rule

... *virtually a Fascist State*.

– Journalist Warren Denning, on the Federal Capital Territory, 1938¹

For its first half-century, Canberra's destiny was shaped principally by people living outside its borders. As the city was hostage to the vision and ambition – or lack thereof – of these people, some exploration of the changing national conceptualisation of Canberra is necessary. This chapter charts the impact of that evolving conceptualisation on attempts to achieve (and to resist) self-government before 1989. It also traces how the course of the city's development contributed to popular opposition to the idea that it should be self-governing.

In summary, there were five distinct phases in the evolution of Australian government stewardship before 1989, when self-government commenced. In the period before the laying of its foundation stone in 1913, the new, unnamed capital was the repository of often idealistic national aspirations. Once construction began, a “seat of government” conceptualisation of the city (that is, one serving the functional needs of the parliament and the government – and so much of the bureaucracy as relates to those needs – and little else) became dominant. That functional approach to Canberra persisted through the Great Depression and two World Wars, until about 1956 when a “national capital” model began to prevail in the city's third phase. This conceptualisation catered to national identity, furnishing a home “of symbols that will unite and inspire a people, of pride in national achievement”. (Much of Canberra's history has been the story of “the temporary primacy of either the national capital concept or the seat of government concept – or an uneasy and fuzzy melding of the

¹ Warren Denning, *Capital City: Canberra Today and Tomorrow* (Sydney, The Publicist: 1938), 82.

two”.²) In its fourth phase, during the 1970s, the Territory served the role of a “social laboratory” to the plans of various Federal governments but after 1983, the ascendancy of bureaucratic managerialism and economic rationalism persuaded the Hawke government to offload the management of the city to a territorial legislature. What all these phases have in common is a degree of contestation over the city’s purpose and function. The ascendancy of one conceptualisation of the city over another invariably occurred with little regard to the wishes of the residents of Canberra themselves. They were treated – if they were considered at all – as the servants of the concept, and not its masters.

Repository of national aspirations

The concept of a purpose-built national capital city set in the Australian landscape was a late resolution of the pre-federation rivalry between Sydney and Melbourne. Agreement that neither city should be the new nation’s permanent capital was an element of the constitutional negotiation, following the failure to gain the requisite 80,000 votes in New South Wales at the 1898 referendum, without which federation may not have occurred.³ The success of the 1899 referendum of the four participating colonies had been secured at the cost of a commitment to New South Wales Premier George Reid that the new federal capital would lie within the boundaries of NSW but at least 100 miles from Sydney.⁴

From the outset, the notion of a commissioned federal city attracted hyperbole. Politicians spoke of the city being “a fit repository of the nation’s treasures” and “a

² Philip Grundy, Bill Oakes, Lynne Reeder and Roger Wettenhall, *Reluctant Democrats: The Transition to Self-Government in the Australian Capital Territory* (Canberra: Federal Capital Press, 1996), 22–3.

³ Senator John Knight, “Canberra: product of antagonism” in *Canberra Historical Journal*, 7 (March 1981), 35.

⁴ *Australian Constitution*, section 125; Lyall Gillespie, *Canberra 1820–1913* (Canberra: Australian Government Publishing Service, 1991), 223–4. Queensland and Western Australia voted “yes” later in the year.

great commercial and industrial beehive of humanity”.⁵ King O’Malley, sometime Labor Minister for Home Affairs, foresaw a city that “will rival London in population, Paris in beauty, Athens in culture, and Chicago in enterprise.”⁶ The journalist Warren Denning observed the expectation that “Australia was now to speak as a nation with one voice”, needing only “a tabernacle from which that voice could ring with authority”.⁷ After years of debate over multiple sites, in November 1908 Yass-Canberra was selected.⁸

Even as the boundaries of the new territory – initially called the Federal Capital Territory – were being surveyed and preparations made for naming the city, clear government policy on its function and its internal governance arrangements was absent. Prime Minister Alfred Deakin had envisaged “a mere township for many years” with a largely migratory population, but the Seat of Government (Administration) Bill introduced by the Fisher government in 1909 contained a provision that the Governor-General could make ordinances “until the Parliament makes other provision for the establishment of a local legislature for the Territory”. That qualification was later dropped, but not replaced with any clear outline of future governance arrangements.⁹ Vacillating and inchoate policy regarding the capital was to be a feature of Commonwealth stewardship until self-government in 1989. Or, as Denning caustically put it, “the story of the National Capital ... entered the realm of farce almost as soon as the shouting died.”¹⁰

⁵ *House of Representatives Hansard*, 19 July 1901, 2812, 2808.

⁶ *House of Representatives Hansard*, 8 October 1903, 5934.

⁷ Denning, *Capital City*, 18.

⁸ Gillespie, *Canberra*, 245.

⁹ Eric Sparke, *Canberra 1954–1980* (Canberra: AGPS, 1988), 273.

¹⁰ Denning, *Capital City*, 19.

The “seat of government” model trumps the “national capital” model

With O'Malley at the helm of the capital's development in the years before 1913, the national capital concept held sway, at least notionally. The new city was to join an elite club of planned national capitals, of which Washington was a prominent member. The winning of the international design competition in 1911 by American architect Walter Burley Griffin seemed to reinforce that ambition.¹¹ The Great War retarded the translation of the Parliament from Melbourne to Canberra, however, and by the time the provisional Parliament House was opened in its sheep paddock setting in 1927, the seat of government model, with its modest ambitions for the bush capital, was ascendant. Only the construction of the Australian War Memorial, a necessity given the many dead in the Great War, paid homage to the national capital dimension of the city.¹² And so Canberra remained stranded as a minimalist capital for three decades, while an economic depression and another world war made aggrandising the federal city a low priority. The constitutional requirement had been satisfied, and the privations endured by members and senators during parliamentary sessions in the capital-cum-country town merely reinforced the disdain many felt for the place. The *Age* described Canberra in 1927 as “[n]ot so much the realisation of a nation's pure ambition as the consummation of a long series of compromises and of concentrated political pressure”.¹³ Such sentiments were buttressed by popular attitudes, which were often attuned to state government complaints about Canberra being artificial and a waste of money.¹⁴

¹¹ With key input from his architect and artist wife, Marion Mahony Griffin.

¹² It opened in the early years of the next world war, on 11 November 1941. More modest capital works were also undertaken in this period at Government House and the Lodge.

¹³ Quoted in Jim Gibbney, *Canberra 1913–1953* (Canberra: AGPS, 1988), 138.

¹⁴ Grundy et al., *Reluctant Democrats*, 21, 27.

Arrangements for the administration of the city in this period were haphazard, particularly when a shortage of money during the war and Depression stayed the development of national institutions.¹⁵ Policy for the capital was “a fraught balance between official pragmatism, governmental expediency, and an ideal acknowledged in occasional gestures but never honoured in full.”¹⁶ Government by ministerial decree was replaced in 1912 by the appointment of a Civic Administrator, followed from 1921 by a Federal Capital Advisory Committee, in turn supplanted by a Federal Capital Commission (FCC) in 1924. The FCC was an autonomous statutory corporation with wide powers but its image, “tarnished by the detailed and authoritarian regulations, which were seen to be necessary for the creation of an ideal city”, gave rise to the earliest stirrings in the Canberra community for a say in its administration.¹⁷ To fund its operations, the Commission increased charges on residents, consisting largely of public servants compulsorily transferred to Canberra, and it offered no mechanisms for consulting those affected by these decisions. Public dissatisfaction with this taxation without representation soon manifested itself, mirroring criticisms levelled at it in Parliament.¹⁸

The Bruce Government bowed to this unrest among its own servants by amending the *Seat of Government (Administration) Act* in 1928 to provide for the election of one of the three FCC commissioners by Canberra residents holding a property interest. Rather than pacifying community discontent, the move created a lightning rod for it. The first elected commissioner, citing maladministration, resigned just six weeks after his election, and the second clashed publicly with the chief

¹⁵ Frederick Watson, *A Brief History of Canberra, the capital city of Australia* (Canberra: Federal Capital Press, 1927), 197–8.

¹⁶ Nicholas Brown, *A History of Canberra* (Port Melbourne: CUP, 2014), 61.

¹⁷ Brown, *A History of Canberra*, 65; Gibbney, *Canberra*, 98, 151.

¹⁸ Gibbney, *Canberra*, 152; Grundy et al, *Reluctant Democrats*, 29–30.

commissioner, John Butters. It was obvious to each of the elected members that their role conferred little or no influence.¹⁹ Nonetheless, their election in 1929 was the first nod towards the democratic aspirations of capital Territorians.

The Scullin Labor Government elected later that year distrusted powerful but autonomous statutory corporations and abolished the FCC in 1930. Though it

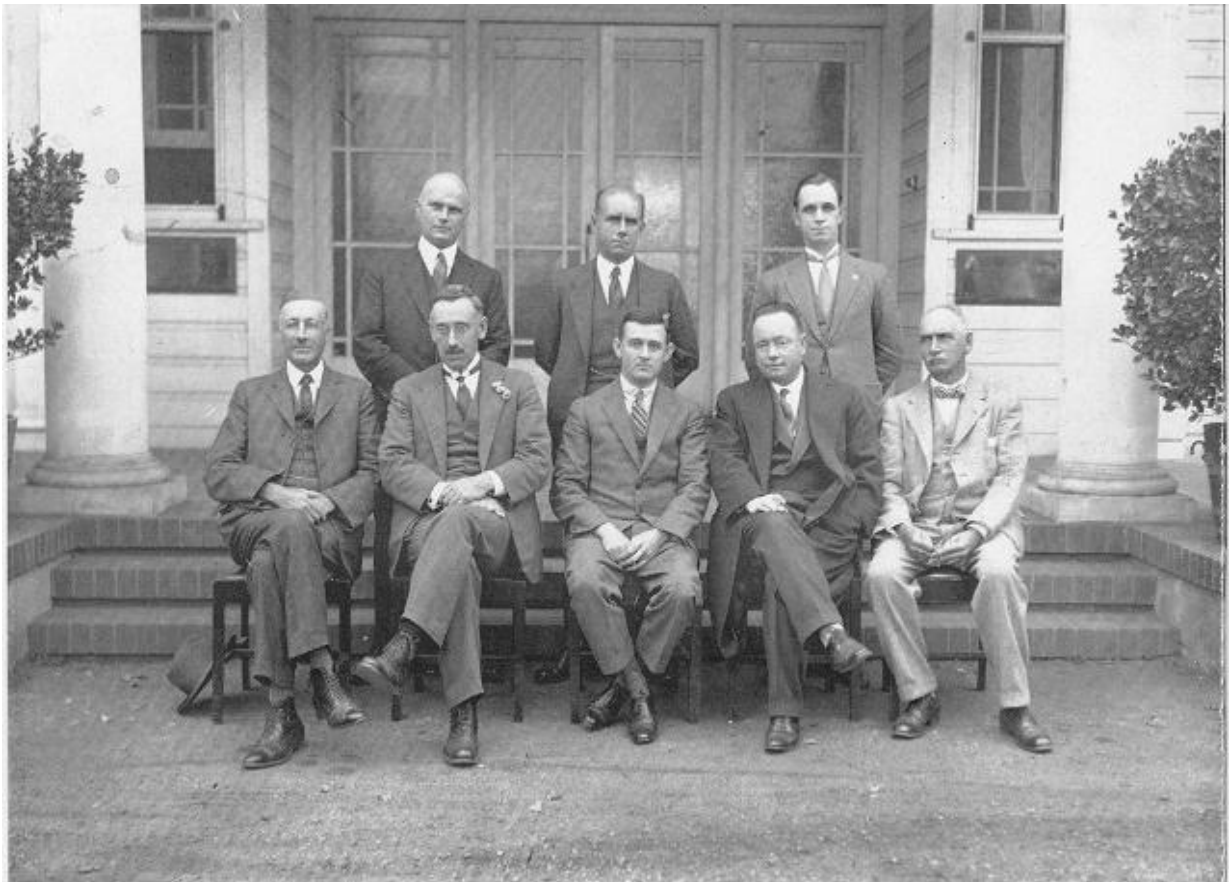


Figure 1 First small steps toward self-rule; the Advisory Council, 1930.

returned the Territory to direct departmental control – the Department of Home Affairs (later the Department of the Interior²⁰) – it also established a partly-elected

¹⁹ Barry Price, “Looking Back at the Advent of ACT Self-government: Six Perspectives” in *Canberra Historical Journal*, 56 (September 2005), 16; Jean Stewart, “Dr Robert Mandeville Alcorn and the Federal Capital Commission”, *Canberra Historical Journal*, 84 (March 2020), 21–3; Gibbney, *Canberra*, 151–7.

²⁰ Several federal departments (including Health, Attorney-General’s and Works and Railways) also had direct responsibilities for service delivery. This functional approach, with all its implications of uncoordinated administration, was to persist well into the 1980s: Grundy et al., *Reluctant Democrats*, 29–35.

“Advisory Council for the Territory” as a halfway house toward greater self-determination.²¹ The Minister for Home Affairs, Arthur Blakeley, even spoke of the “likelihood that within a few years we shall be able to give full civic control of the city to the people themselves”.²² This ambition was overstated; the Advisory Council was to subsist for the next 44 years, argumentative but impotent, the democratic fig leaf on the Commonwealth’s unbridled overlordship of the Territory. Denning was able to speak of the ACT as “virtually a Fascist State” but the assessment dramatised the lack of democratic accountability.²³ These arrangements offended a vocal school of thought in the small city. In its early years, the Advisory Council consisted of a majority of government-appointed members, generally senior federal bureaucrats, but even after the elected members made up a majority (from 1953 onwards) it tended to be ignored when its advice or pronouncements were inconsistent with the wishes of the Federal government.²⁴ Its powerlessness rankled in some quarters; in October 1930 the *Canberra Times* – founded in 1926 and a perennial champion of self-government – paraphrased councillor TM Shakespeare, also the paper’s owner:

Canberra had reached a state of crisis and the citizens were looking to the Advisory Council for a lead. The people were filled with despair and unless something was done to assist them there would be an outbreak of civil disobedience.²⁵

“Despair” was not a universal sentiment. Many public servants saw their role in Canberra through the prism of their employment rather than their place of residence.²⁶ A Federal Capital Citizens’ League, set up in 1927 to pursue elected

²¹ Gibbney, *Canberra*, 161.

²² *House of Representatives Hansard*, 12 March 1930, 39.

²³ Denning, *Capital City*, 82.

²⁴ Grundy et al, *Reluctant Democrats*, 37.

²⁵ *Canberra Times*, 14 October 1930, 1.

²⁶ Atkins suggests that “representation via public service organizations was more important for most people than via the partly-elected Advisory Council”; Ruth Atkins, *The Government of the Australian Capital Territory* (St Lucia: UQ Press, 1978), 10.

representation for Canberrans, ceased operations in 1930 for lack of public support.²⁷ Evidently a large portion of the community regarded the push for greater local control with a mixture of indifference and disdain, identifying in the Commonwealth stewardship an expression of a broader national interest that they, as public servants, were in Canberra to serve, albeit temporarily. “Canberra is not 18th-century Paris,” the *Canberra Times* would later observe: “The paving stones look pretty secure.”²⁸

Despite a lack of enthusiasm for the Advisory Council – or perhaps because of it – ACT residents showed a persistent preference for independents in choosing its elected members. They dominated the early councils; the first Australian Labor Party (ALP) member was not elected until 1939 and the first Liberal until 1951. By way of contrast, independents succeeded at every election and dominated the elected contingent of councils as late as 1967.²⁹ This is partly attributable to the view – reflecting a common Australian attitude at municipal elections – that government at the local level ought to be non-party political.³⁰ The resort to the services of independents, whether as a rebuff to political parties or a signal about the electorate’s distaste for parliamentary paradigms, was a device that would persist into the first decade of self-government.

²⁷ Its original name was the Federal Capital Territory Citizens’ Representation Committee: Gibbney, *Canberra*, 147, 151; Grundy et al., *Reluctant Democrats*, 31, 37. The League was succeeded by a “Secret Society” of residents called the “Vigilante of Canberra”, whose aim was to obtain local government: Stewart, “Dr Robert Mandeville Alcorn”, 23. Its membership was kept secret so that “there can be no victimisation of persons occupying Government positions”: *Adelaide Advertiser*, 7 November 1930, 22.

²⁸ Quoted in Sparke, *Canberra*, 271.

²⁹ *ACT Advisory Council Elected Members, 1930–1974* (compiled by Chris Monnox), Libraries ACT https://www.library.act.gov.au/find/history/frequentlyaskedquestions/personal_stories/act_advisory_council_1930-1974/elected_members_act_advisory_council_1930-1974 (accessed 25 August 2025). Although Jim Peadar sat in its successor bodies as an independent, in the Advisory Council he represented the ACT Progress and Welfare Association.

³⁰ Chris Monnox, “Canberra’s Local Council? The ACT Advisory Council”, in *Canberra Historical Journal*, 71 (September 2013), 24.

Reporting of the Second World War gave Canberra an international profile it had not previously enjoyed, although much of the war effort was prosecuted from other cities, particularly Melbourne, where the defence establishment was mainly based.³¹ Postwar reconstruction after 1945 initially had little impact on the growth of the Canberra bureaucracy. The continuing agitation of some Canberrans for better representation – including a People’s Convention convened by the ACT Joint Citizens Committee in 1949 – seemingly pricked the conscience of the government, and the Territory – now styled the Australian Capital Territory – received a seat (albeit with limited voting rights) in the House of Representatives at the 1949 election. The Chifley Government also commissioned the Town Clerk of Hobart, HJR Cole, to report on an appropriate form of civic administration for Canberra. Unsurprisingly, he recommended an elected municipal council consisting of 12 aldermen.³² Though the Cole report, like so many others on the meandering road to self-government, then languished, it reminded the incoming Menzies Liberal-Country Party Government that the management and development of the national capital – governed as it was like “a nineteenth century colonial patriarchy” – required attention.³³ The Advisory Council did what it could in furtherance of that end by recommending (in 1946, 1947, 1955 and 1962) that it be replaced with a legislative body.³⁴

In September 1955, with Canberra “in the doldrums” – or, as one cynic put it, “seven suburbs in search of a city” – a Senate select committee, chaired by Liberal Senator John McCallum, made an influential contribution with a comprehensive

³¹ Brown, *A History of Canberra*, 100, 106. Just 12% of the public service was based in Canberra at the end of the war: EV Davies, JE Hoffman and BJ Price, *A history of Australia’s capital, Canberra* (Canberra: Ministry of Health, Education and the Arts, 1990), 76.

³² Gibbney, *Canberra*, 249, 262–3.

³³ John Halligan, “The ACT Model: An Analysis”, in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 107.

³⁴ Grundy et al, *Reluctant Democrats*, 43.

report on the development of the city.³⁵ Noting a subsisting “policy of living from hand to mouth”, it concluded that Australia had “reached a stage of development when it deserves and demands a national capital”. It recommended the establishment of a ministerial portfolio for the ACT and an end to divided departmental administration through the creation of a single administrative unit it styled the “Canberra Authority”. The report also proposed a partly-elected Legislative Council that would have legislative, but not executive, functions.³⁶ Though its recommendations were only partially implemented, the report’s scope and tenor signalled an emerging awareness in the parliament and the government that, half a century after federation and with growing national prosperity and confidence, Australia was no longer well served by a capital that resembled a medium-sized country town.³⁷

The “national capital” concept resurgent

The decision of Prime Minister Robert Menzies to discard the mantle of Deakin in favour of that of O’Malley, in his attitude to Canberra, was critical to the transformation of the city after 1956:

His commitment to the construction of a worthy national capital, which was to continue until his retirement from public office in January 1966, finally broke the log-jam of political indifference and administrative sloth.³⁸

³⁵ Knight, “Canberra: product of antagonism”, 39–40; WD Borrie “The Population” in *Canberra: the next decade: three studies* (Canberra: Arthur Shakespeare for the Canberra Sociological Society, 1962), 3.

³⁶ *Report from the Select Committee Appointed to Inquire into and Report upon the Development of Canberra* (Canberra: Australian Government Printer, 1955). At times some 14 Commonwealth departments or agencies played a role in administration of the Territory, as well as the NSW government which operated its schools and technical colleges: Roger Wettenhall, “The external relations of a small quasi-state within a federal system: the case of the Australian Capital Territory”, *Public Administration and Development*, 18:2 (May 1998), 127.

³⁷ The KGB’s codename for Canberra in 1954 was “the Village”: Sparke, *Canberra*, 323. Journalist Ron Younger recalled that government infrastructure was so sparse at this time that part of the Department of Information was housed in the Hotel Canberra, “the only time in the history of mankind that ... a licensed hotel was used for a government department”: Ron Younger interviewed by Peter Sekules, National Library of Australia, 23 January 2006, <https://nla.gov.au/nla.obj-208996381/listen>.

³⁸ Grundy et al., *Reluctant Democrats*, 46.

Menzies as a young parliamentarian in the 1930s regarded Canberra as a place of exile. His conversion to “the Canberra idea”, however, was genuine: he “quickly earned a status much higher than apostle; he became the high priest.” In this role he observed that the creation of “a worthy capital ... would be a focal point for national pride and sentiment”.³⁹ In pursuit of that goal, in April 1956 he wrote a letter to his new Interior Minister, Allen Fairhall, in which he declared: “I am not very proud of what has happened to Canberra during my current period of office.”⁴⁰

The prime ministerial nudge soon set balls rolling. The transfer to Canberra of 1100 defence services employees was announced the following year, the beginning of a sustained program to drag the central offices of Commonwealth departments from Melbourne, sometimes “by the hair on their heads”. Major housing projects were announced to support the transfers. It was “a time of expanding horizons supported by postwar prosperity”.⁴¹ Most significantly, and honouring the vision of the McCallum committee, in 1957 Fairhall introduced the National Capital Development Commission Bill, under which the new commission would be given “the broadest possible powers” to “undertake and carry out the planning, development and construction of the City of Canberra as the National Capital of the Commonwealth”. With the creation of the NCDC the omnipotent statutory authority model, out of favour since the demise of the FCC in 1930, had re-emerged.⁴²

The role of the NCDC profoundly shifted the policy settings under which Canberra was developed, reflecting a new, expansionist philosophy underpinning

³⁹ Sir Robert Menzies, *The Measure of the Years* (London: Cassell, 1970), 143; Sparke, *Canberra*, 31. His daughter, Heather Henderson, confirms in interview the well-known story of how she and her mother “would nag” her father to do something about the deficient amenities of Canberra circa 1956: *Interview with Heather Henderson*, 15 November 2018.

⁴⁰ AW Martin, *Robert Menzies: A Life, Vol 2 1944–78* (Carlton: MUP, 1999), 385.

⁴¹ Davies et al, *A history of Australia's capital*, 94; Harry Evans, “The intertwined history of Canberra and the Parliament” in *Canberra Historical Journal*, 62 (October 2009), 18.

⁴² Brown, *A History of Canberra*, 144–6.

Commonwealth administration. Like its kindred agency, the Snowy Mountains Hydro-Electric Authority, it had the funding and the legislative dominium to effect a sweeping transformation of the physical landscape within its remit by pushing through administrative and planning barriers constraining ordinary government departments. Its achievements over its 30-year life were commensurately impressive: the building of befitting national institutions; schools, shopping centres and public infrastructure; new townships within a bush setting; the making of Lake Burley Griffin. The city's development was a \$2 billion government investment over 30 years: in short, the metamorphosis of a country town into a true city and worthy capital.⁴³

The commission's reign over the ACT provided a catalyst for local self-government in three ways. First, its labours facilitated the dramatic growth of the city's population, from 28,000 in 1954 to 250,000 in 1986.⁴⁴ As this growth occurred, it became progressively harder to overlook that this significant community of Australians had no form of local self-determination – not even a municipal council – despite being among the best educated and most articulate in the nation. Secondly, the NCDC had developed infrastructure and services of a quality (and hence a cost) higher than that afforded cities elsewhere in Australia. This device, partly to serve the national capital vision but also designed to encourage reluctant public servants to transfer in a time of full employment, created a conundrum for later Federal governments: if these premium services were to be sustained, who would pay for them and, if not, who would make the decisions to reduce them? The answer to both dilemmas conjured the temptation of shifting responsibility to locally elected politicians.

⁴³ Sparke, *Canberra*, 323.

⁴⁴ *Ibid.*

The third catalyst was the autocratic nature of the Commission's remit. Encouraged by Menzies, its first Commissioner, Sir John Overall, epitomised this with his credo: "If you have authority and expert advice, don't seek public approval, just do!" Its sweeping capacity to *just do* in setting up infrastructure and services in whatever manner it thought fitting left many local residents smarting if they dissented from the manner of execution. Some, at least, longed for levers to contain this imperiousness.⁴⁵ In 1966 the Member for the ACT was given full voting rights in the Parliament, a token move intended partly as a nod to the complaint that ACT citizens were powerless.⁴⁶ Contemporaneously, issues of civic governance pricked the consciences of successive Ministers of the Interior. Several ministers commissioned papers addressing some aspect or other of those issues; "each new minister seemed to want his own study of the matter."⁴⁷ None led to any action. In truth, none of the responsible ministers bore any personal conviction that home rule for the Territory was desirable. They may even have felt that Menzies' "national capital" concept was antithetical to conferring a greater say on local citizens. A report commissioned by one of them, the Country Party's Doug Anthony, contended:

To extend to the community the full range of authority normally exercised through state and municipal government organisations would be to place that community in substantial control of the national capital, whereas the national capital was always intended to be the responsibility of the people of the Commonwealth as a whole and to exist for the benefit of the nation as a whole.⁴⁸

⁴⁵ Davies et al, *A history of Australia's capital*, 93; Sparke, *Canberra*, 169.

⁴⁶ The ALP's Jim Fraser was the initial beneficiary of this development: Brown, *A History of Canberra*, 169.

⁴⁷ Bruce Wright, "The long, long road towards self-rule" in *Canberra Times* (50th Anniversary Edition), 20 September 1976, 23.

⁴⁸ Sparke, *Canberra*, 272–3. Anthony, though an enthusiastic advocate for, and resident of, Canberra, seemed to take this advice to heart and took no steps as minister towards the city's self-government, making it somewhat incongruous that Chief Minister Trevor Kaine later awarded him a gold medal for his "contribution" towards ACT self-government: Sparke, *Canberra*, 111–2, 312–3; *Canberra Times*, 10 May 1991, 4.

One Minister for the Interior was plainly opposed to anything more than municipal self-government. John Gorton served only briefly in the role, but later in interview said, of the arrangement whereby a minister carried responsibility for the city: “it worked beautifully”. He thought it “absurd” that “a little packet of land like this” should be given equality of status with the states.⁴⁹

The indifference of successive ministers to the Territory’s inferior status spurred members of the Advisory Council to agitate for change. Elected members now made up the majority of the Council, and they repeatedly pressed the relevant minister to augment its responsibilities. Its initial demands were modest; they included the right to comment on all ACT legislation before it was enacted and access to any Federal minister with responsibilities affecting the Territory. Even these demands were rebuffed, incensing members across the party lines that had now formed in the Council. Jim Leedman, the sometime Liberal leader, believed they were all acutely conscious of a “profound arrogance” affecting ministers and their senior departmental staff, bordering, in the case of some ministers, on “supreme contempt.”⁵⁰ These people were seized of a “colonial mental attitude” that discounted any political maturity among the local citizenry.⁵¹ The perspective of appointed members was, unsurprisingly, somewhat different; the public servant Lou Engledow, who served as the minister’s representative, believed that there was “a genuine effort” by all the ministers of the 1960s to have “a good relationship” with the Council.⁵² Historian Chris Monnox, moreover, has suggested the Council was

⁴⁹ *Oral history interview with Sir John Gorton*, conducted by Bill Oakes & Lynne Reeder, 14 February 1990 (ACT Heritage Library).

⁵⁰ *Interview with Jim Leedman*, 28 April 2018.

⁵¹ *Oral history interview with Jim Leedman*, conducted by Bill Oakes & Lynne Reeder, 4 April 1990 (ACT Heritage Library).

⁵² *Oral history interview with Lou Engledow*, conducted by Bill Oakes & Lynne Reeder, 4 October 1990 (ACT Heritage Library).

moderately successful in expanding civic amenities, “usually ... as a result of a protracted period of nagging” the minister.⁵³

Nonetheless, anger spilled over in March 1969 when the elected members resigned *en masse* in response to the proposed closure of the Canberra abattoir and the imposition of new municipal taxes. A stand-off with the minister continued until December when some face-saving measures were devised and the Council returned to its duties, having won some small concessions on the issues in contention, but no change to its role in the government of the city.⁵⁴

The minister’s cool response to the Council’s demands may have been conditioned by an awareness that many citizens regarded it as something of a joke. This was illustrated in 1967 by journalist Alan Fitzgerald. He nominated, half in jest, as representative of the True Whig Party, on a platform of building six service stations on posh Mugga Way. Fitzgerald polled the third highest number of votes and served two terms (though his service station promise went undelivered). His election suggests an underlying community belief that the Territory’s administration was better left with Federal autocrats than handed over to the likes of the Councillors. This left it in the bind that it “was taken seriously neither by the electors it was supposed to represent nor the Minister it was supposed to advise”.⁵⁵ The “dash of contempt” with which those electors contemplated their politicians would again be conspicuously evident at the commencement of self-government.⁵⁶

⁵³ Monnox, “Canberra’s Local Council?”, 21.

⁵⁴ Sparke, *Canberra*, 269–71.

⁵⁵ Brown, *A History of Canberra*, 171; Sparke, *Canberra*, 269–70; Grundy et al, *Reluctant Democrats*, 58–9.

⁵⁶ Monnox, “Canberra’s Local Council?”, 23.

The social laboratory

Labor's election under Gough Whitlam in 1972 heralded big changes for Canberra. For the first time a federal party came to power explicitly promising self-government. The prime minister himself, as the son of a senior public servant, had spent part of his childhood in Canberra. A new Department of the Capital Territory was created and its first Minister was Kep Enderby, also the Member for Canberra. He immediately deferred an election for the Advisory Council while his department prepared plans for a legislative body to replace it. Despite these auspicious signs, policy undercurrents of the new government were pulling away from this outcome. Whitlam regarded the NCDC as an effective model of what could be achieved in reshaping social outcomes for Australian cities, by enlightened central planning. He created a Department of Urban and Rural Development and made Sydney left-wing MP Tom Uren its minister. Its objective was not merely better urban planning, but better social policies.⁵⁷ Enderby later explained the implication of that philosophy for his role as Capital Territory minister:

... Gough was a great centralist ... He wanted to establish direct contacts between the centre, the Federal government, and the local government people throughout Australia, making the states wither on the vine ... and bring about more of a two-tiered system rather than a three-tiered system ... wherever the Federal government could get its foot in the door of enterprises, whether they be hospitals, law, transport, shipping, health, it should do so rather than just leave it to the states. He saw in the territories a great opportunity for that to be done ...

To get its foot in the door [with the states] ... it had to be able to say it had experience in certain activities. A place where it could gain that experience ... was the territory ... we had unlimited power in the territories ...⁵⁸

⁵⁷ Sparke, *Canberra*, 203–6; Brown, *A History of Canberra*, 185. Crispin Hull, former editor of the *Canberra Times*, attributes the interventionist policies of the Whitlam Government with “the first stirrings of anti-Canberra feeling ... Australia-wide”. Clyde Cameron, a Whitlam minister, calling senior public servants “fat cats” was a factor in this: *Interview with Crispin Hull*, 25 July 2025.

⁵⁸ *Oral history interview with Kep Enderby*, conducted by Bill Oakes & Lynne Reeder, 21 February 1991 (ACT Heritage Library).

Of course, that “unlimited power” presupposed no devolution of power to Territory residents, posing a potential counterweight to the achievements of the social laboratory; “policy from above” provided greater opportunity for reform than “might have emerged more tortuously from politics.”⁵⁹

Accordingly, the form of self-government duly expounded by the minister was highly circumscribed.⁶⁰ Declaring that he was unsure Canberrans wanted a “State-like self-government system”, Enderby proposed a Territorial Assembly constituted by seven full-time and eight part-time members. This body would have no legislative powers, but its full-time members would be appointed to a series of new independent commissions, answerable to a variety of Federal departments, responsible for administration of the Territory – such as health, education and housing.⁶¹ The Council’s chairman, Jim Pead, dismissed the idea as perpetuating the fragmentation of the city’s administration that the Department of the Capital Territory was supposed to have ended.⁶² Relations between Enderby and the Council at this time were strained, though not as much as under some of his Coalition predecessors.⁶³

Enderby was replaced as minister by Gordon Bryant, a Victorian, in October 1973. He revised his predecessor’s plan and announced in July 1974 that the vehicle of self-government – now called the Legislative Assembly – would consist of 18 part-time members elected from two electorates by proportional representation.

Legislative in name only, its members would serve on the boards of various statutory

⁵⁹ Brown, *A History of Canberra*, 179. The social laboratory concept did not originate with the Whitlam Government; O’Malley had decided to ban “stagger juice” – alcohol – from the Territory in 1915: Gibbney, *Canberra*, 17.

⁶⁰ Former ACT Labor branch delegate to the National Executive, Terry Higgins, believes that Enderby was “dead against” anything but a token form of self-government: *Interview with Terry Higgins*, 2 September 2021.

⁶¹ *Canberra Times*, 22 March 1973, 15; 24 May 1973, 1; 25 May 1973, 6.

⁶² *Canberra Times*, 4 June 1973, 3.

⁶³ *Oral history interview with Jim Leedman*.

authorities. He saw this constrained model “as a sort of apprenticeship to government”, as if Canberra residents were colonial subjects needing to be civilised before assuming greater responsibility. To encourage its members, Bryant upgraded the assembly’s chamber and provided parliamentary props such as a Clerk and Hansard.⁶⁴ The first election for this new body was held in September 1974, with the Labor Party doing poorly, reflecting disenchantment with Whitlam government policies, according to ACT branch president, and later ACT Chief Justice, Terry Higgins.⁶⁵ The Liberals won seven seats to Labor’s four, with five independents and two Australia Party members – the latter a centre party that would later be absorbed into the Australian Democrats. In early 1975 the Joint Standing Committee on the ACT brought down a long-awaited report on the appropriate form of self-government, recommending an assembly with legislative power “in as wide terms as is consistent with the national interest”. The recommendations were ignored by the government, save that Bryant announced municipal functions would be transferred to the Legislative Assembly by 1 July 1976.⁶⁶

Whether this would have occurred is moot, given that the Governor-General dismissed the government in November 1975. Whitlam may be credited with creating the first fully elected representative body for the Territory, albeit a far cry from full autonomy. Engledow, then secretary of Bryant’s department, later said that the minister was “philosophically disposed” to a larger measure of self-rule, but several factors were working against him, including animus between him and Whitlam, strong opposition to the idea from Bill Hartigan, the ALP branch president, and “a fairly

⁶⁴ Sparke, *Canberra*, 281–2.

⁶⁵ Chris Monnox, *ACT Labor 1929–2009: A Short History* (Port Adelaide: Ginninderra Press, 2013), 28; *Interview with Terry Higgins*, 2 September 2021.

⁶⁶ Brown, *A History of Canberra*, 190; Sparke, *Canberra*, 281–2.

strong body of opinion in Canberra which didn't want self-government".⁶⁷

Notwithstanding the rhetoric, securing the independence of Papua New Guinea assumed a much higher order of importance for the Labor government than had that of the ACT. One positive legacy of the Whitlam era, however, was the cross-appointing MLAs to statutory authorities – a practice “poised between patronage and the people” – something which Leedman and Maurene Horder, the sometime Labor leader in the Assembly, felt gave elected representatives real influence in the services being provided across the city.⁶⁸

The Fraser government promised during the 1975 election campaign to implement a staged transfer of executive responsibilities to the Legislative Assembly. In a similar spirit, it granted self-government to the Northern Territory in 1978 and Norfolk Island in 1979, and appeared poised to do likewise in the Capital Territory with the appointment of Tony Staley as its minister. For the first time, a politician with a genuine commitment to substantive self-rule occupied the portfolio. A former political scientist, Staley reasoned that the task of governing a community involved rights and responsibilities, something that should not be evaded. He told a meeting of the ACT Liberal Party in November 1976:

No democrat could seriously question the proposition that authority should be delegated to the people of the ACT. No liberal could preach the virtues of Federalism to the States and still refuse self-management to the ACT without the oddest inconsistency ... What is envisaged for Canberra is not a local council. It is a territorial assembly and a territorial government.⁶⁹

⁶⁷ *Oral history interview with Lou Engledow.*

⁶⁸ Brown, *A History of Canberra*, 190; *Interview with Jim Leedman*, 28 April 2018; *Interview with Maurene Horder*, 15 April 2021. The Assembly continued to exercise a marginal influence on the city's administration; Peter Hughes, sometime Liberal leader, has described how the persistence of an Assembly committee prevented the erection of a psychiatric hostel next to a children's centre: Peter Hughes, *Medical and Party Politics* (Canberra: self-published, 2012), 92–96.

⁶⁹ Grundy et al., *Reluctant Democrats*, 84, 87–92.

In September 1977 Staley issued a paper outlining his proposals in more detail; the assembly would have 18 part-time members to whom the majority of functions then administered by the Commonwealth would be “transferred in one step”.⁷⁰ This was the most expansive form of self-government yet proposed by a Commonwealth minister.



Figure 2 The (advisory) ACT Legislative Assembly in session, 1979.

Critics quickly identified two “flaws” in the scheme that were, ultimately, to prove its undoing. The first was that one of the federally retained functions would be land and real estate administration, foreshadowing a continuing role for the NCDC. The *Canberra Times* branded the Commonwealth retention of revenue from land as “iniquitous”. This problem flowed into the second perceived flaw, an absence of detail

⁷⁰ Sparke, *Canberra*, 285.

as to how a territory administration would be financed. The paper correctly asserted that the ACT had a higher level of expenditure per capita than the states, a gap covered by Federal subsidies, but that “the present relatively high general level of financial assistance to the ACT would be progressively lowered to a level ... equivalent to that provided in the States”. This fuelled a community fear that large increases in rates and charges would be inevitable under self-government.⁷¹

What sealed the fate of the Staley proposals, however, was a change of minister following the 1977 election. Bob Ellicott QC assumed the role with a significantly different conceptualisation of self-rule to Staley’s. He was an enthusiastic supporter of Canberra, which he saw as Australia’s “greatest work of art ... an asset that Australia has undervalued.” Canberra was “the best example of a planned city in the world.” These convictions, however, made him the most committed advocate since Menzies of the “national capital” theory of Canberra. Moreover, he had opportunities, unprecedented since Menzies’ day, of putting flesh on the bones of that theory; the Fraser government was embarking on a major building program in Canberra that included the Australian Institute of Sport, the Nolan Gallery at Lanyon, a national convention centre and – as its centrepiece – a New Parliament House. Ellicott took a direct, personal interest in this program, and set about engaging more actively with the business community to enlist support for his aggrandised vision of the city.

The command-and-control approach Ellicott adopted did not sit comfortably with a substantial devolution of Federal power inherent in his predecessor’s self-government proposals. In Ellicott’s view, the cockpit for advancing Canberra’s

⁷¹ Grundy et al., *Reluctant Democrats*, 95–7.

interests was the Federal cabinet, not a local legislature. He later said that the ACT community

had representation in the national parliament ... So it gave them a voice in the national government. That meant that the minister could talk to the Treasurer across the table in cabinet, and that's a pretty important thing ... Some of the greatest battles in cabinet occurred between me and [Treasurer] John Howard in relation to funding in Canberra, that's because I was bent on developing the city and furthering its interests ... and I did reasonably well around the cabinet table ...

It's not inconsistent with democracy that people are part of a national government and don't have a local self-government.⁷²

This reprise of the “national capital” mode also owed something to Whitlam’s social laboratory model; the grand, centrally-executed vision was at risk the more it was subject to negotiation and compromise with narrower, local interests.

Ellicott enlisted the ACT community in his move to ensure that nothing cut across his capital-building ambitions. With both major parties now on the record as supporting self-government, local voices in opposition to the concept had grown louder. Organisations representing both business and unions publicly expressed opposition – the former because they believed local powerbrokers would disrupt the *modus vivendi* that employer bodies had forged with Federal departments and the NCDC, the latter because of concern for working conditions for Territory public servants if they were separated from the Australian Public Service. A Canberra Referendum Committee was formed with the aim that there should be no self-rule until approved by the vote of local citizens.⁷³ A local radio station ran its own “referendum”; 12,422 listeners responded, with those opposing the Staley proposal winning by a margin of 5 to 1. Even the *Canberra Times*, normally a champion of home rule, editorialised that the proposal was “an offer which the people of the

⁷² *Oral history interview with Bob Ellicott*, conducted by Bill Oakes & Lynne Reeder, 22 February 1991 (ACT Heritage Library). Ellicott's view, of course, overlaps substantially with Gorton's.

⁷³ Sparke, *Canberra*, 286.

Territory must refuse.”⁷⁴ In August 1978 the minister announced that a referendum would soon be held, at which three proposals would be put to Canberra voters:

- A. State-type self-government, in line with the Staley proposal;
- B. Local government;
- C. “[P]resent arrangements for governing the ACT should continue.”⁷⁵

No attempt was made to address the putative flaws in the Staley proposal. The financial implications of Proposals A and B for local ratepayers were unexplained.⁷⁶

Troubled by those unanswered questions, neither major party formulated a position on the referendum, though individually all MLAs campaigned in favour of Proposal A.⁷⁷ The Prime Minister also publicly supported this option, while former prime minister Billy McMahon advocated “no change”, explaining that “[a]s the national capital, it belongs more to Australia than to the residents of the ACT.”⁷⁸ After a low-key campaign, voters delivered a decisive message in November 1978: “present arrangements” were backed by nearly 63% of votes, with only 30% supporting state-type government.⁷⁹ The *Canberra Times* had forecast just such an outcome: “It would perhaps be the height of cynicism to say that the Government sees the referendum as an expedient and easy way to drop its commitment to introduce self-government to the Territory.”⁸⁰ Doubtless the minister both anticipated

⁷⁴ Sparke, *Canberra*, 285–6.

⁷⁵ *Canberra Times*, 25 August 1978, 1. Because the minister reserved the right to disregard the outcome of the vote, it is more accurate to describe the exercise as a plebiscite.

⁷⁶ Sparke, *Canberra*, 288.

⁷⁷ *Canberra Times*, 9 November 2021, 1.

⁷⁸ Apparently, however, Fraser was not a supporter of the referendum per se, telling two members of the Legislative Assembly that “you don’t hold referendums on matters of that kind where people should accept responsibility for their own affairs”: Sparke, *Canberra*, 286.

⁷⁹ Sparke, *Canberra*, 288.

⁸⁰ *Canberra Times*, 25 August 1978, 2.

[illegible]

⁸¹ Roger Wettenhall, "Development of the ACT Model: Themes and Challenges", in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 60; *Interview with Jim Leedman*. 28 April 2018.

The 1978 referendum affirmed that the quality of city services and civic amenity occupied the highest rank of citizens' concerns. Protecting the "the city beautiful of our dreams" was a duty best discharged by the Commonwealth not sharing its responsibility for that vision with others, in this case the residents themselves.⁸² Many public servants no doubt believed that local politicians would be no equal to the professionalism and efficiency of the mandarins whom they served and who presently ran the city. Maintaining the quality (and affordability) of the Canberra lifestyle was an impulse that would drive voter decision-making in the early years of self-government.

MLAs, however, were "shattered at the result". Assemblies elected in 1979 and 1982 – now called the House of Assembly to reflect their newly-underlined impotence – settled back into their usual cantankerous relationship with the responsible minister, though they had "lost impetus, significance and importance." Ellicott was replaced by Michael Hodgman following the 1980 Federal election. Though more sympathetic to the position of the MLAs – he was himself a former Tasmanian state politician – and more inclined to engage, sometimes pugnaciously, in local debates, he took no interest in self-rule itself.⁸³

Disenchantment with the incumbent Federal government assisted the opposition party at the 1979 House of Assembly election, just as it had in 1974. Labor, led by Peter Vallee, campaigned with the cry that Canberra had become "a stagnant city" under Malcolm Fraser, and was rewarded with eight seats out of 18,

⁸² David Headon, "'But Once in a History': Canberra's Foundation Stones and Naming Ceremonies, 12 March 1913", Papers on Parliament No 59, Parliament of Australia, https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/pops/pop59/c05. Accessed 13 January 2022.

⁸³ *Interview with Maurene Horder*, 15 April 2021; Grundy et al., *Reluctant Democrats*, 110–2, 113–8.

while the Liberals attracted just 20% of the vote.⁸⁴ The ALP retained its eight seats at the 1982 election but, in the portent of a strategy to be used in the later age of self-government, the Liberals were able to string together a coalition with the two independents, two Family Team members and an Australian Democrat to snatch the privileges of the controlling majority, such as they were in the “pretend parliament”.⁸⁵ The pretence was further enhanced by the Minister bestowing parliamentary titles, so that Leedman now became Leader of the House and Hird rejoiced in the title of Speaker.⁸⁶ Though nominally more divided along party lines than before, MLAs shared with resignation the persisting fug of impotence and irrelevance.

Managerialism and economic rationalism give new impetus to self-rule

Undeterred by the referendum outcome, the new Hawke Labor Government promised to legislate for ACT self-rule following its 1983 election win.⁸⁷ The policy had by now acquired drivers other than a mere commitment to democracy. It reflected a new preoccupation by governments everywhere with economic rationalism and managerialism; “one generation’s reformist vocation was swept aside by another’s careerist pursuit of market-based discipline”, as Nicholas Brown put it.⁸⁸ These modalities had been at work in the Fraser government’s expenditure-cutting “Razor Gang” but were now taken up enthusiastically by Labor.⁸⁹ Economic rationalism, in its purest form, amounted to reducing government to core activities and transferring non-core ones elsewhere, particularly to the private sector. Managerialism demanded that managers know the cost of the services they ran and,

⁸⁴ Monnox, *ACT Labor 1929–2009*, 31–2.

⁸⁵ *Canberra Times*, 17 July 1982, 1.

⁸⁶ Sparke, *Canberra*, 334.

⁸⁷ Brown, *A History of Canberra*, 219.

⁸⁸ Brown, *A History of Canberra*, 194.

⁸⁹ More properly the Review of Commonwealth Functions Committee, chaired by Industry and Commerce Minister Philip Lynch.

as much as possible, take responsibility for meeting those costs from operations. Operating Canberra's schools and hospitals, at a cost subsidised by other Australians, offended both philosophical models. The Federal Finance Minister, Peter Walsh, in particular, drove the push for self-government as the practical expression of these principles.⁹⁰

Tom Uren, the new Minister for Territories, set up a task force to overview how the self-government policy would be implemented; the Craig committee in early 1984 recommended the creation of a 15-member "body politic" with plenary authority to make laws over typical state and municipal functions.⁹¹ The Commonwealth Grants Commission reported on ACT finances, calling for "a separate Territory fiscus ... as a basis for a system of co-ordinated budgeting and annual reporting", setting in train administrative moves to consolidate disparate departmental services for Canberra within the one department.⁹² After the December 1984 Federal election, Uren was replaced by Gordon Scholes, who was personally committed to self-government. However, the form of self-government he favoured was the kind he had served in Geelong prior to entering federal politics: local government. In December 1985 he announced that he would legislate to create an "ACT Council" with general municipal powers and a few, relatively minor state-type powers. It would not initially exercise control over health, education or land use, with the possibility that these could be transferred after "a reasonable period". Most controversially, he announced that the council would consist of 13 members from individual electorates.⁹³

⁹⁰ *Interview with Paul Whalan*, 9 August 2022. Whalan considered that Walsh took this approach too far; there was "a certain element of meanness" in his attitude toward spending in the Territory.

⁹¹ Grundy et al., *Reluctant Democrats*, 129-30.

⁹² Commonwealth Grants Commission, *Report on financing the Australian Capital Territory 1984* (Canberra: AGPS, 1984), xx.

⁹³ *Canberra Times*, 3 December 1985, 1.

All previous government proposals for self-rule had been based on members elected by proportional representation; single-member electorates were widely seen as a system favouring the ALP. Leedman branded the scheme a “Kellymander”, after the Labor Member for Canberra, Ros Kelly. More ominously, both the Federal Opposition and the Australian Democrats quickly attacked the proposal, homing in on its “unfair” electoral system.⁹⁴ Scholes introduced the legislation in March 1986, throwing down the gauntlet by declaring the bills “a total package”; there would be no compromise on the electoral system and if the legislation failed, the House of Assembly would be abolished. The tactic backfired; the Assembly rejected the package, its members observing that what was being offered was less even than that conferred on Norfolk Island. The *Canberra Times* intoned that the government “is not giving the people of the ACT a system of responsible, representative and accountable government”, and the Opposition in the Federal parliament decided to oppose it, adding that – since the package was “not negotiable” – it would not be proposing any amendments.⁹⁵ The Democrats, with the balance of power in the Senate, followed suit.⁹⁶ Scholes did attempt some last-minute compromise – offering to elect half the members by proportional representation – but to no avail. In June the government announced it would not be proceeding with the bills in the Senate, and on 30 June the Assembly, its term expiring, ceased to exist.⁹⁷ Thus ended the city’s 56 year-long pseudo-democracy, “always hovering on the edge of ridicule” as it

⁹⁴ *Canberra Times*, 3 December 1985, 1–2.

⁹⁵ According to Higgins, even the ACT branch was opposed to Scholes’s model; it preferred “a legislative body with executive powers”: *Interview with Terry Higgins*, 2 September 2021.

⁹⁶ Some commentators blamed the Democrats in particular for the failure of the legislation, earning them the epithet “the butchers of self-government”: Christine Salins, “End of the long march to ACT self-government”, *Canberra Times*, 30 November 1988, 9.

⁹⁷ Sparke, *Canberra*, 335–7.

“struggled to play a worthwhile part in the city’s life, attacking abuses and smug administration with its unloaded guns.”⁹⁸

Paul Whalan, ALP leader in the Assembly and an advisor to Scholes, has recalled that Scholes’s approach to the legislation “revealed a great deal of naïveté.”⁹⁹ His botched bid, and the passing of the local representative body, allowed *Canberra Times* journalist Jack Waterford to observe “there has been no time since 1911 when the power of Canberra citizens to affect their local administration has been so small”.¹⁰⁰ The only positive feature to emerge was that, with the creation of the ACT Administration consolidating in a single portfolio all the Territory’s administrative functions, a half-century of financial opacity was drawing to a close. In 1987 an ACT budget was drawn up within the Commonwealth accounts, recording for the first time all ACT expenditure and revenue. It was the harbinger of financial things to come.¹⁰¹

In January 1988 Senator Graham Richardson, the leader of Labor’s right-wing faction in NSW, was appointed minister for one of the new “mega” departments, the Department of Arts, Sport, the Environment, Tourism, and Territories, with his factional colleague Gary Punch in the junior portfolio as Minister for the Arts and Territories.¹⁰² I became a legal officer in the new department. Soon afterwards I was elected president of the ACT Liberal Party. Anxious to advance our policy in favour of

⁹⁸ Sparke, *Canberra*, 278. See also Frank Brennan, *Canberra in Crisis: a History of Land Tenure and Leasehold Administration* (Canberra: Dalton Publishing, 1971), 194–5.

⁹⁹ *Interview with Paul Whalan*, 2 August 2021. Whalan’s brief was to bring about ACT self-government; in that capacity he worked for ministers Scholes, John Brown, Gary Punch and Clyde Holding. Bill Harris, the public servant heading the ACT Administration at the time self-government, later called the Scholes plan “paternalistic” in denying a self-governing legislature control from the outset over health and education: *Oral history interview with Bill Harris*, conducted by Bill Oakes & Lynne Reeder, 5 February 1991 (ACT Heritage Library).

¹⁰⁰ Jack Waterford, “Questions remain over ACT self-rule”, *Canberra Times*, 4 October 1987, 2.

¹⁰¹ Brown, *A History of Canberra*, 219–20; Grundy et al., *Reluctant Democrats*, 140–1, 158.

¹⁰² *Canberra Times*, 20 January 1988, 1.

self-government, I met with the Labor Party's Rosemary Follett. She had joined the House of Assembly shortly before it lapsed in 1986, and was now local branch president. Hoping to help break the federal impasse by agreeing between us on a suitable electoral system, our talks foundered when I told her we would only contemplate a system of proportional representation (PR), and she told me her party would insist on the inclusion of single-member electorates.

The Liberal position, like Labor's, was rooted in self-interest, but our adamance reflected a deeper concern – one shared by editorial and letter writers at the *Canberra Times*.¹⁰³ Canberra is a socially homogenous city, lacking the large pockets of wealth or poverty found in other Australian cities. Based on analysis of previous elections, this homogeneity would almost certainly negate the possibility of “safe” Liberal or Labor seats in a single-member electorate regime. And so, in an election where, typically, Labor might enjoy a moderate plurality of votes over other parties, most or all of the seats would likely fall to Labor candidates.¹⁰⁴ We believed a clean sweep of the parliament by a single party would damage public confidence in self-government, as the usual mechanisms of accountability and parliamentary scrutiny would be undermined or even negated.¹⁰⁵ Principled or not, lines were drawn in the sand. Follett and I both understood that there would be no resolution of the stand-off on home rule without one side or other conceding on the electoral system. As it transpired, it was the Labor Party – in government and desperate to shed responsibility for the Territory – that first gave way.

¹⁰³ “Voting plan is wrong”, *Canberra Times*, 10 April 1986, 2; “A Workable Proposal”, *Canberra Times*, 14 April 1988, 2; *Canberra Times*, 4 December 1985, 2; 17 December 1985, 2; 6 January 1986, 2; 15 May 1988, 2; 28 September 1988, 8.

¹⁰⁴ This was a widely held assessment. See, for example, Brown, *A History of Canberra*, 220.

¹⁰⁵ The ACT Liberal Party's position on the electoral system was settled in February 1986 when its Divisional Council overwhelmingly rejected single-member electorates 42–6: *Minutes of Divisional Council*, 27 February 1986, author's archive.

A fresh start

In early 1988 the new Shadow Minister for the ACT in John Howard's Coalition Opposition, Senator Amanda Vanstone, appointed me her advisor on ACT matters. Vanstone was a feisty and unconventional politician from South Australia, a master of the colourful turn of phrase. In her first experience of the frontbench, she was determined to make a mark in what was a junior portfolio.

The catalyst for change was the new junior minister. Punch was from the NSW Right, young and "very ambitious", his career having been "fast-tracked" by the party. On the question of self-government, he was determined to succeed where others had failed.¹⁰⁶ In March 1988 he announced a new bid for ACT self-government. In April Punch issued a discussion paper on his proposed model. Addressing the sticking point of the electoral system, he proposed a system of PR used in Europe, the d'Hondt system.¹⁰⁷ It had been identified through research conducted in Europe by public servant Gary Whiteley. Whalan recounts that the minister wanted neither the proportional system used to elect senators, nor the Hare-Clark system long in place in Tasmania; d'Hondt had the advantage that it was a PR system but required a party or independent candidate to achieve 5% of votes cast to qualify for a seat, thus boosting the likelihood of stable government. In these calculations Punch had no time for the sensibilities of the ACT branch of his party and felt that, if it wanted self-government, it would have to sacrifice its predilection for single-member seats.¹⁰⁸

The Punch plan energised the demoralised proponents of self-government. He had accurately read the pragmatism of the local ALP, too. All three factions quickly fell into line behind his plan, with Whalan marshalling the Right and ACT Senator Bob

¹⁰⁶ *Interview with Paul Whalan*, 2 August 2021.

¹⁰⁷ *Canberra Times*, 14 April 1988, 1.

¹⁰⁸ *Interview with Paul Whalan*, 2 August 2021.

McMullan delivering the non-aligned faction.¹⁰⁹ The ACT Liberals similarly recognised it as a major concession, and backed it; the local business community – feeling increasingly unheard by Federal ministers, and with its interests taking a back seat to those of large, national corporations – now also favoured self-government.¹¹⁰ Winning over the Australian Democrats proved more difficult. Within days of Punch’s March announcement, the Democrats spokesperson on the ACT, Senator Jean Jenkins from Western Australia, articulated several preconditions for her party’s support, including that the electoral system must be “acceptable to residents”. This apparently meant PR without European embellishments, and by August Jenkins declared that they would not support the d’Hondt system. They even proposed a second referendum.¹¹¹

In the meantime, the d’Hondt proposal hit a snag of an entirely different character. The Hawke Government had already announced its intention to proceed with four constitutional referenda later that year. One of the proposed amendments was the Constitutional Alteration (Fair Elections) Bill 1988 that set constitutional parameters on what could be considered a fair electoral system federally and in the states. It was overtly aimed at the malapportionment and gerrymandering that had thrived during the recently-ended 19-year reign of Queensland Premier Joh Bjelke-Petersen. My own research disclosed that Punch’s d’Hondt system was inconsistent with the proposed constitutional amendment: that is, the former would probably not qualify as a “fair” electoral system if the referendum succeeded.¹¹² Vanstone held a

¹⁰⁹ *Interview with Paul Whalan*, 2 August 2021. Higgins attributes Whalan’s advocacy as the key to ACT branch acceptance of the plan: *Interview with Terry Higgins*, 2 September 2021.

¹¹⁰ *Canberra Times*, 18 April 1988, 1; Wettenhall, “The external relations of a small quasi-state”, 127; Grundy et al., *Reluctant Democrats*, 182–3.

¹¹¹ *Canberra Times*, 25 November 1988, 2.

¹¹² *Interview with Amanda Vanstone*, 12 February 2021. The proposed constitutional amendment provided that, where a territory forms a single electorate to elect a legislature, the voting system should be as close as possible to the way senators are elected in the territory. Senate voting is fully

press conference to draw attention to this embarrassing inconsistency. To our surprise, the government responded by amending not the ACT proposal, but the constitutional amendment bill, to embrace d'Hondt. So much had been invested in this idea for an ACT electoral system that it proved easier to revise the proposed alteration to the Australian Constitution than to devise a new electoral system for the capital!¹¹³

Punch determined to move “firmly and forcefully” on his initiative, realising that delay could cause it to unravel.¹¹⁴ Ironically, Cabinet used a rare meeting outside Canberra – in Geelong in July – to make the biggest decision affecting the national capital in 30 years.¹¹⁵ There would be a Legislative Assembly consisting of 17 members from a single electorate; an ACT Executive would be established, consisting of a Chief Minister and three other ministers; the Assembly’s powers to legislate would be similar to those of state parliaments, except for power over the courts, legal practitioners, companies, and Territory policing; offsetting these carveouts, it would have responsibility for local government functions.¹¹⁶ The Governor-General would have the power to disallow any Assembly law within six months of it being made. Some elements of the package were a sharp departure from Westminster conventions. The Chief Minister would be elected or dismissed by

preferential, but the d'Hondt proposal (as then proposed) provided that a voter could vote for only one party or one independent.

¹¹³ Sticking with the d'Hondt system may have been a wise decision; the Constitutional Alteration (Fair Elections) Bill 1988, like most bids to amend the Australian Constitution, failed at the subsequent referendum. Only ACT voters supported the alteration.

¹¹⁴ *Oral history interview with Gary Punch*, conducted by Bill Oakes & Lynne Reeder, 26 March 1992 (ACT Heritage Library).

¹¹⁵ Philip Hobbs, “Demolition in just two hours”, *Canberra Times*, 8 July 1988, 1.

¹¹⁶ This was a remarkable departure from models of government used elsewhere in Australia or, indeed, most of the world. “In the ACT’s case the breadth of its functions exceed those of almost all sub-national levels of government in OECD countries”: John Halligan, “The ACT Model: An Analysis”, in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 111.

a resolution of the Assembly, and he or she would appoint ministers; there would be no territory viceroy to perform these roles, though the Governor-General would have the power to dismiss the Assembly if it was “incapable of effectively performing its function or [was] conducting its affairs in a grossly improper manner”.¹¹⁷ This was to be the leanest, cheapest machinery of government in the Federation.¹¹⁸ The proposed structure appeared to take into account a rising din of criticism from the Canberra community about the whole idea; the minimalist legislative and executive structure, the holding back of authority over sensitive areas, and the lack of viceregal finery all seem to have been designed to assure that community that the new structure would not be a troublesome burden.

The Geelong cabinet meeting made another important decision: to abolish the NCDC. Henceforth, the Commonwealth’s seat of government responsibility over the ceremonial centre of the city would repose in a National Capital Planning Authority, while an independent territorial planning authority would answer to the ACT government.¹¹⁹ The former would develop a national capital plan that would be binding on the latter. The concept attracted immediate criticism, a *Canberra Times* editorial warning:

Two lots of planners, however well intentioned and however well defined their spheres of operation, will be subject to some duplication, certainly some rivalry and inevitably a degree of passing the buck ... The experience of Sydney as a planning nightmare can be directly traced to the rivalry in a “two-agency system” of planning.¹²⁰

The warning was prescient. As the “two-agency system” later evolved, it became apparent that simple lines of demarcation were elusive. The national agency felt the need to retain planning controls over the city’s unspoilt hills, lest a cash-strapped

¹¹⁷ Media release of the Hon Gary Punch, 7 July 1988, “ACT Self Government”, author’s archive.

¹¹⁸ The exception was the Legislative Assembly for tiny Norfolk Island, which had nine members.

¹¹⁹ “Planning” was later dropped from the Authority’s title.

¹²⁰ *Canberra Times*, 8 July 1988, 2.

ACT government be tempted to develop them with expensive housing. Conversely, the major avenues of the inner metropolis were clearly an integral feature of the Griffin plan, warranting Federal control, but many were lined with commercial and municipal buildings in which the local government had an obvious interest.¹²¹

Such criticisms helped galvanise a rear-guard action by senior executives of the NCDC; Commission staff appeared on the fringes of the Geelong meeting to pitch the case against abolition to ministers.¹²² Several factors converged to doom this bid, however. The first was the resolve of Punch himself to bring down this powerful but substantially unaccountable agency; he later referred to them as “those bastards in Northbourne Avenue”.¹²³ Evidently his view was shared in cabinet.¹²⁴ Secondly, his decision resonated with many in the Canberra community, long the victims of the Commission’s “finger-tip control” over their lives.¹²⁵ The third, and most compelling, factor was the simple logic that a Commonwealth mega-agency responsible for planning and developing Canberra and a newly self-governing territory polity simply could not coexist. To give the latter no effective control over city design and land use would leave a yawning gap in responsibility far greater than the inability to regulate legal practitioners or policing provisions. Unfortunately, at this time Punch also ruled out the option of a single, integrated planning authority serving national and local elements of the city at the same time. He declared that “[n]o one can serve two masters”.¹²⁶ This maxim overlooked planning schemes for cities where

¹²¹ Grundy et al., *Reluctant Democrats*, 181.

¹²² *Interview with Paul Whalan*, 4 August 2021. The pitch was not wholly futile; Kelly was reported to have argued for the Commission to retain its construction role: Philip Hobbs, “Demolition in just two hours”, *Canberra Times*, 8 July 1988, 1.

¹²³ Grundy et al., *Reluctant Democrats*, 180.

¹²⁴ Perhaps some ministers remembered that the Whitlam cabinet in 1973 had had to bring the Commission to heel in its opposition to construction of the Black Mountain Tower: see Sparke, *Canberra*, 256–66.

¹²⁵ Brown, *A History of Canberra*, 162.

¹²⁶ Grundy et al., *Reluctant Democrats*, 180.

single agencies did indeed serve two or even three masters, such as the Albury-Wodonga Development Corporation or the National Capital Planning Commission for Washington DC. The fault lines in the city's planning arrangements would, for years to come, remain a source of contention between the two governments sharing the Limestone Plains.

Even now, the Punch plan was not destined for smooth passage. With the Democrats digging in their heels on the electoral system, the government was increasingly leaning to the Coalition to support the plan. Vanstone, however, had come to the view that it should be rejected, not on account of the electoral system but because she felt self-government on the scale proposed was unnecessary; local government would have been sufficient. She outlined her reasons in interview:

I didn't think it was a good idea, because [the Territory] had survived for a very long time with a department and a minister; a minister in cabinet, interested in them [or] often given to a junior minister as a way of cutting their teeth ... I thought "that's an idyllic situation" ... I think I might have said something like "there's three Melbourne Grand Final crowds here; what are we talking about, state government? Are you kidding me?"¹²⁷

She had been unimpressed with Punch's negotiation style: the minister had made his pitch to her in his office while munching on a bacon and egg roll in the half-hour before Question Time.¹²⁸ Her decision was awkward for me; as local Liberal Party president my duty was to advance our position, backing the government plan, but as Vanstone's advisor it was to help her block it.¹²⁹ A heated conversation in a Commonwealth car travelling to Canberra airport failed to sway her. Shadow cabinet accepted her submission to oppose the Punch plan, backing instead a 13-member

¹²⁷ *Interview with Amanda Vanstone*, 12 February 2021. This view echoes those of Ellicott and Gorton, referred to above.

¹²⁸ *Interview with Amanda Vanstone*, 12 February 2021.

¹²⁹ Whalan had faced a similar conflict of interest in 1986 when, as Labor Leader in the House of Assembly and advisor to Scholes, the latter had advanced a self-government model which Whalan considered "naïve".

assembly with the Chief Minister to be elected at large – in effect, a mayoral system.¹³⁰ With both Coalition and Democrats opposed to the legislation in the Senate, it appeared that Punch, like Bryant and Scholes before him, had failed.

The last barriers fall

Both the parliamentary impasse and my conflict of interest were resolved in an unexpected fashion. In September 1988 both Hawke and Howard reshuffled their frontbenches; Punch became Minister for Aviation and Vanstone was sent to the backbench. They were replaced, respectively, by Clyde Holding and Senator Robert Hill. The personality of each critically changed the dynamics of the debate. Holding, a former Victorian state Labor leader, was described by Bill Harris, the public servant heading the ACT Administration, as “an elder statesman ... with great conciliatory skills, a great smoother of the waters and settler of ruffled feathers.” Less concerned with matters of principle, he saw his task simply as a matter of what “the Senate ... would accept.”¹³¹ A conciliatory approach opened doors; just days after Holding assumed the portfolio, Philip Hobbs reported in the *Canberra Times* that he was “winning the confidence” of the Opposition, adding:

The zeal of Mr Gary Punch ... was interpreted as bulldozer tactics but, in his short time in office, Mr Holding has done much work behind the scenes to deliver on the promise.¹³²

Hill, a South Australian moderate like Vanstone, also approached his task as shadow minister in the spirit of what was achievable. He appeared receptive to my own submission, on behalf of the ACT Liberals, in support of the government package, and that local government was a sub-optimal alternative. Within a few weeks he had

¹³⁰ *Canberra Times*, 24 August 1988, 1; Jack Waterford, “Do Liberals want a mayoral system, or chaos?”, *Canberra Times*, 25 August 1988, 9.

¹³¹ *Oral history interview with Bill Harris*; *Oral history interview with Clyde Holding*, conducted by Bill Oakes & Lynne Reeder, 12 March 1991 (ACT Heritage Library).

¹³² *Canberra Times*, 12 September 1988, 1.

taken a submission to the shadow cabinet reversing the Vanstone position and committing the Coalition to backing the government legislation, subject to a raft of amendments. With the Democrats remaining intransigent, Holding took advantage of this window of opportunity, and introduced a suite of self-government bills in October.

In addition to the measures announced in Geelong, the legislation provided that Commonwealth funding of the Territory would be guaranteed in real terms for the first two years of self-government, after which would commence the “process of bringing ACT finances into line with the rest of Australia”. The Commonwealth would retain responsibility for, and fund, the effects of national capital and seat of government requirements which impinged on the Territory. Financial support would be provided to meet recurrent costs of the new local administration and of the first Legislative Assembly election. The bills explicitly provided for the role of Head of Administration as principal advisor to the Executive. Holding acknowledged that the d’Hondt electoral system was “a compromise”, but defended it as being “immune from gerrymander” and ensuring that “[e]very vote has equal value”. The leasehold system of land tenure was to be retained, with only the Commonwealth able to vary it.¹³³

As to the philosophical underpinning of the legislation, Holding referred to ACT citizens as follows:

... unlike every other person in this country, where a fair go is the creed by which we live, they cannot elect a member of their own community to their own government. They have no say in the decisions which affect their everyday [sic] lives. What an extraordinary admission in a country so committed to democratic ideals, and why? Are these people somehow different from other Australians? Are they second-class citizens in some way? Do they not understand, or have options [sic] on, the issues that confront them daily? Can they not be trusted with their own destiny? The answer

¹³³ *House of Representatives Hansard*, 19 October 1988, 1922–30.

to all these question [sic] is very simple. The only difference between these people and the rest of Australia is that they live in the Australian Capital Territory.¹³⁴

The bills duly passed the House. In the Senate, a substantial number of amendments were made to respond to Opposition concerns; by way of contrast, “bucketfuls of amendments” from the Democrats were dashed on the rocks of Labor/Coalition solidarity.¹³⁵ The agreed amendments, *inter alia*, set timetables for the transfer of control over the courts and legal practitioners to the Territory. Of most significance were modifications to the electoral system (moved at Hill’s behest) that allowed an elector’s second preference to count at full value if the elector’s first preference candidate was unsuccessful.¹³⁶ This became known as “modified d’Hondt”. Part of the common platform between the major parties was a desire to keep the cost and scale of the new body politic within tight bounds.¹³⁷

The Senate approved the package of bills in the small hours of 25 November 1988, with 93 amendments.¹³⁸ On 29 November the package returned to the House for its acquiescence in the amendments. Whalan described the atmosphere in the chamber that day as “quite eerie”. It was late in the afternoon, and the chamber and its galleries were almost deserted. Holding was the only member to speak. He recorded his appreciation of Hill’s cooperation and moved the amendments, which were passed in near silence.¹³⁹ By this strange anti-climax did a 61-year-long civic drama reach its denouement.¹⁴⁰ The Commonwealth had made the largest

¹³⁴ *House of Representatives Hansard*, 19 October 1988, 1922–3. The *Hansard* editor was obviously having a bad day.

¹³⁵ *Canberra Times*, 25 November 1988, 1.

¹³⁶ *Senate Hansard*, 24–25 November 1988, 2590–608, 2720–42, 2806–53.

¹³⁷ An example is the agreement that the Executive should consist of only four ministers, a constraint applying nowhere else in the Federation: see *Senate Hansard*, 24 November 1988, 2810.

¹³⁸ Ironically, 10 years to the day since the ACT community had rejected self-government at the referendum.

¹³⁹ *Interview with Paul Whalan*, 4 August 2021.

¹⁴⁰ Measured from the setting up of the first resident lobby group for self-rule in 1927; see above.

devolution of power since the independence of Papua New Guinea in 1975, but the chain of events then set in motion would demonstrate that the beneficiaries would be substantially unappreciative of the gift.

Whalan in interview identified the frequent churn of ministers in the Territories portfolio, under successive administrations, as an obstacle in bringing about self-government. For every one of them, he said, “their personal priorities and the demands of other aspects of their portfolio took precedence”.¹⁴¹ He recounts that clearance from the minister for important ACT matters would sometimes be squeezed in while he was travelling by Commonwealth car to the Canberra airport at the end of a sitting.¹⁴² On the other side of the ledger ACT proposals, once formulated, encountered little resistance in party caucuses; each of Vanstone, Whalan and Horder noted minimal levels of interest in ACT matters from federal parliamentarians.¹⁴³ Many people shared responsibility for ultimately overcoming this six decade-long inertia. Of the politicians involved, it was Punch’s inspired choice of a novel yet neutral electoral system that cut the Gordian knot, abetted by the deft negotiating skills of Holding and Hill. MPs in the parliamentary debates identified the public servants who had laboured for years to bring about self-government: the departmental secretary, Tony Blunn; John Enfield, who had been the architect of the ACT Administration; Harris and Whitley, who “discovered” d’Hondt.¹⁴⁴ Scholes paid tribute to Whalan himself, whom he described as “a driving force in getting the

¹⁴¹ *Interview with Paul Whalan*, 2 August 2021.

¹⁴² *Interview with Paul Whalan*, 4 August 2021.

¹⁴³ *Interview with Amanda Vanstone*, 12 February 2021; *Interview with Paul Whalan*, 4 August 2021; *Interview with Maurene Horder*, 15 April 2021. In Vanstone’s case, the position was further complicated by the fact that the only Liberal parliamentarian for the ACT, Senator Margaret Reid, was reluctant to express any view to her about self-government.

¹⁴⁴ *House of Representatives Hansard*, 3 November 1988, 2422–47. In interview, Harris described Whitley as “the architect of self-government”. He also credited Kelly with providing crucial support in caucus for the idea: *Oral history interview with Bill Harris*.

legislation into the Parliament”.¹⁴⁵ A tribute of a different kind came from Uren, who had misgivings about the legislation. As Minister for Urban and Regional Development in the Whitlam government he had been an enthusiastic proponent of the “social laboratory” function of Canberra, but now he lamented the surrender of Commonwealth control over land development and Namadgi National Park. He was in the chamber on 29 November, when the legislation cleared its final hurdle. At that point he walked over to the advisors box, leaned over Whalan, and said: “You’re a fucking cunt.”¹⁴⁶ The implicit attribution of responsibility for the momentous step just taken, if not the mode of its expression, was apposite.

The case against self-government

In the next chapter I discuss the first election for the new Legislative Assembly, and the transformative role played by public hostility to the very idea of an election. Here, however, it is timely to take stock of the basis for electoral sentiment opposing self-government. This is because the bundle of reasons that generated misgivings among electors about self-government were transmogrified, during the subsequent election, into a single claim: that the imposition of self-government was an affront to the democratic decision to reject that very notion at the 1978 referendum. The three parties that spearheaded the anti-self-government push at the election – the No Self Government Party, the Abolish Self Government Coalition and the Canberra First Party – campaigned almost exclusively on a single, majoritarian premise: that conferring self-determination on the Territory was wrong because voters did not wish

¹⁴⁵ *House of Representatives Hansard*, 3 November 1988, 2442. One journalist went so far as to label Whalan “the father of self government”: Peter Ward, “The birthing of a baby parliament”, *The Weekend Australian*, 17–18 December 1988, 35.

¹⁴⁶ *Interview with Paul Whalan*, 4 August 2021.

that to happen.¹⁴⁷ Neither their campaigns, nor wider community sentiment, devoted much time to the question of whether there been sound arguments for rejecting self-government in 1978, and if so, whether they were still valid in 1989. Should the views of the broader Australian community, reflected in the overwhelming vote in the Australian Parliament about the governance arrangements for the national capital, carry as much or greater weight than those of the residents of the Territory itself? In these circumstances, a clearer exposition of the case against self-government is available at a point before the election campaign reduced the discrete arguments into a single war cry of no self-government centred on the historical referendum. The key arguments in this case are set out below, followed by counter-arguments.

A key concern to many voters was that taxes and charges would rise under self-government. In interview, Horder encapsulated the sentiment of many Canberrans thus: “Why would you give up [what we’ve got now]? We’ve got the best city in the world, everything’s paid for – what’s the problem? We don’t want a Lord Mayor ... don’t make it complicated.”¹⁴⁸ Enderby recalled that Canberra voters thought they enjoyed “the best of all possible worlds”.¹⁴⁹ Electors feared that user-pays principles meant that Australian taxpayer subsidies of the Canberra lifestyle would come to an end – fears reinforced by successive Commonwealth Grants Commission reports putting the level of Federal subvention of Canberra residents at approximately 50% above that of the average Australian.¹⁵⁰ Voters identified self-

¹⁴⁷ A *Canberra Times* poll taken just before the passage of the self-government legislation showed a hefty 76.5% of respondents wanted a referendum before self-government was implemented: *Canberra Times*, 20 November 1988, 1. Presumably the intellectual underpinning of this argument was the Lockean notion that the consent of the governed was an essential precondition for the exercise of legislative power: see John Locke, *Two Treatises of Government* (London: Dent, 1924), 127.

¹⁴⁸ *Interview with Maurene Horder*, 15 April 2021.

¹⁴⁹ *Oral history interview with Kep Enderby*.

¹⁵⁰ For example, *Commonwealth Grants Commission, Third Report 1988 on Financing the Australian Capital Territory* (Canberra: AGPS, 1988), 4–10. There were four such reports by the Commission during this period.

government as the vehicle by which that gap would be closed, resulting in both higher taxes and cuts to the quality of local services.

Those fears were well-founded. The Commonwealth was indeed intent on terminating its generosity, and believed that locally elected and accountable politicians should navigate the difficult path to nationally standardised funding. What was missing from this argument, however, was a rationale for the continuation of the Territory's pampered status. The Commonwealth's announced intention was to insulate Canberrans from "national capital" imposts such as those occasioned by the Parliamentary Triangle and the Federal government's exemption from paying rates. The city was no longer a "hardship post"; quite the opposite, many Canberrans would have said.¹⁵¹ Opponents of self-government made no attempt to explain why this "featherbedding" of Canberra by other Australian taxpayers was still needed in these circumstances.¹⁵² Staley may have been closest to the mark when he said in interview:

I failed to understand how an intelligent community like Canberra could abdicate the most basic of democratic rights, and I'm sure it had all to do with selfishness. They felt that they would get a better deal ... from the government if you had Federal ministers looking after the show ... and they were prepared to trade off democratic rights for a dollar.¹⁵³

A further argument against self-government was that Canberra's interests were better served by the Commonwealth than a local instrumentality. This argument is captured in the views of Ellicott and Vanstone when they posited that Canberra had fared well when it had, in effect, a seat at the national cabinet table via its own minister – "an idyllic situation", said Vanstone.¹⁵⁴ Particularly when the

¹⁵¹ By the mid-1980s "Canberra had a big and growing citizenry which ... thought it, quite simply, the best place in the world to live and bring up their children": Sparke, *Canberra*, 345.

¹⁵² Brown, *A History of Canberra*, 219.

¹⁵³ *Oral history interview with Tony Staley*, conducted by Lynne Reeder, 17 April 1991 (ACT Heritage Library).

¹⁵⁴ *Interview with Amanda Vanstone*, 12 February 2021.

Commonwealth was in a fiscally expansive mode, more crumbs would fall the city's way than if it were simply another mendicant jurisdiction in the queue. Although this view obviously had Federal proponents, it was much less often articulated by leaders or even Canberra citizens, because there was much evidence to the contrary. Scholes' view was that "federal cabinet was not an appropriate body [to manage], and nor was it likely to devote its attentions to, the needs of the day-to-day running of the ACT."¹⁵⁵ Staley considered most Commonwealth ministers regarded their ACT responsibilities as "a nuisance".¹⁵⁶ Such ministers rarely came from the ACT; many did not understand it and it must be assumed that some secretly shared the disdain for the city that was often expressed by politicians from elsewhere.¹⁵⁷ For every example of a boon falling into the city's lap, there is another example of it being treated shabbily. One example occurred in 1981. Hodgman, as the responsible minister, discovered that a women's group planned to march on Anzac Day to protest against rape in war, which he saw as disruptive. An urgent amendment to the ACT's *Traffic Ordinance* was drafted and rushed through the Executive Council on 24 April, leading to the arrest of some 64 women for an offence that had not existed just the day before.¹⁵⁸ Nowhere else in Australia could a controversial criminal offence be created in short time with no parliamentary or press scrutiny and no opportunity for community debate.¹⁵⁹

¹⁵⁵ *Oral history interview with Gordon Scholes*, conducted by Bill Oakes & Lynne Reeder, 12 September 1990 (ACT Heritage Library). Bev Wood, wife of MLA Bill Wood, recounts the story (possibly apocryphal) that the purchase of F111s by the RAAF was followed on the same cabinet agenda by a submission on garbage services in the ACT.

¹⁵⁶ *Oral history interview with Tony Staley*.

¹⁵⁷ See, for example, Senator John Button's view of Canberra as a "sociological wasteland": John Button, "Parliament Under Labor: Some Reflections of a New Member (1)" in Roger Wettenhall and Martin Painter (compilers), *The First Thousand Days of Labor, Vol 2* (Canberra: Canberra College of Advanced Education, 1975), quoted in Grundy et al., *Reluctant Democrats*, 27.

¹⁵⁸ *Canberra Times*, 24 April 1981, 1; 26 April 1981, 1. The charges were eventually dismissed: Brown, *A History of Canberra*, 204.

¹⁵⁹ Curiously, a variation on the Commonwealth-knows-best theory emerged in the lead up to the 2022 Federal election, not so much as an argument against self-government as one limiting it. Supporters of

A third publicly articulated argument was that self-government would bring corruption. Many feared the implications of a new crop of local politicians. There was “a feeling that [self-government] would produce pissant politicians ... organising things for their own financial profit, and do-gooders and people with single issues”.¹⁶⁰ Local government was equated, in the minds of many, with inefficiency and corruption.¹⁶¹ Even Staley, when announcing his vision for self-rule in 1976, conceded that such fears were not “entirely without justification.” These worries have not been borne out by the lived experience of self-government, however. Putting aside the first, frenetic year in which a flurry of corruption allegations were made but never substantiated, in the 35 years that followed ACT politics – whether at the level of politician, senior public servant or police officer – has been largely devoid of public allegations, much less proof, of corruption.¹⁶² This is a distinction no other Australian polity can lay claim to.¹⁶³ One reason for this record of “clean government” may be the intense public and media scrutiny to which that system has been subjected,

the legislation which then precluded the ACT from legislating in relation to euthanasia argued that the small size of the Legislative Assembly and the lack of an upper house entitles the Federal Parliament to act as a “legislative check on the Assembly”: per Senator Zed Seselja, *Canberra Times*, 21 July 2021, 21. See also the argument that the ACT could make bad law because it is a “micro-jurisdiction”: Greg Craven, *Canberra Times*, 7 August 2021, 11.

¹⁶⁰ *Oral history interview with Jack Waterford*, conducted by Bill Oakes & Lynne Reeder, 27 November 1990 (ACT Heritage Library).

¹⁶¹ See, for example, ABC journalist Pru Goward’s view, *Canberra Times*, 27 November 1988, 7; historian and columnist Bill Mandle said: “The folly and corruption to which all flesh is heir is, to my mind, magnified by political representation”, “A flawed way to order our affairs”, *Canberra Times*, 1 March 1989, 8. This concern was magnified by the perception that corruption had hitherto little afflicted the ACT: Wettenhall, “Development of the ACT Model”, 59.

¹⁶² Gary Humphries, “ACT’s Integrity Commission – yet to bark”, in Scott Prasser & David Clune (eds), *Strengthening Trust: Australia’s Anti-Corruption Bodies* (Redlands: Connor Court, to be published in 2026).

¹⁶³ See, for example, Allan Peachment (ed.), *The Years of Scandal: Commissions of Inquiry in Western Australia, 1991–2004* (Crawley: UWA Press, 2006); https://en.wikipedia.org/wiki/Eddie_Obeid#Business_interests_and_corruption_findings; <https://www.theage.com.au/national/theophanous-released-from-prison-20040205-gdx96c.html>; <https://www.watoday.com.au/national/western-australia/factbox-of-convicted-wa-mps-20091022-hbhd.html>; <https://www.theguardian.com/australia-news/2019/jul/03/thirty-years-after-the-fitzgerald-inquiry-corruption-remains-rife-in-queensland>; https://www.utas.edu.au/library/companion_to_tasmanian_history/C/Corruption.htm. Accessed 24 August 2025.

particularly in its first decade. Arguably no local government in Australia has ever lived in such a harsh glare of public attention.

Fourthly, some contended that local municipal government was more appropriate than state-type government. Many citizens subscribed to the view that the full Westminster parliamentary edifice, with a Speaker, an Opposition, Hansard and other trappings, was excessive, and that the traditional local government structure would suffice for Canberra. Staley had nodded to this perspective when he said in 1976 that he would not “foist a costly, cumbersome, irrelevant and outmoded political structure onto Canberra”, but would engineer a “structure which is contemporary and owes little to the existing paraphernalia of state and local government throughout Australia.”¹⁶⁴ This argument, of course, sits oddly with the fear that local government would shepherd in corruption, nor was it an argument used by those who attacked the government for defying the spirit of the 1978 referendum, since the local government option in that poll received the lowest level of popular backing, at just 5.6%. More relevant, perhaps, is the observation that granting local government in 1988 would have been a deferral, not a resolution, of the debate over self-rule. The preoccupations of both the Legislative Assembly and the citizens who commented on and engaged with it in the ensuing years were overwhelmingly concerned with state-type issues: health, education, law and order, and planning; conversely, local government-type services accounted for less than 10% of Territory expenditure at the commencement of self-government.¹⁶⁵ A municipal council would have provided a poor forum for these concerns. As will be seen, a future ACT government would flirt with the idea that a city council-style model

¹⁶⁴ Grundy et al, *Reluctant Democrats*, 93. Even a future Chief Minister would lend weight to this view: *Interview with Kate Carnell*, 24 March 2020.

¹⁶⁵ *Oral history interview with Bill Harris*.

could be grafted on to the existing legislative structure, an endeavour in which it would fail legislatively and intellectually.¹⁶⁶

Two other arguments against self-government should be briefly considered. One is the contention, mounted vigorously by several parties in 1989, that the 1978 referendum was a moral, if not a legal, barrier to proceeding in the absence of a further referendum. This argument raises the question of whether any community can legitimately decline to take responsibility for its own affairs. A *Canberra Times* editorial of 1976 argued that “the prospect of a majority of the electors ... repudiating at a referendum their democratic obligation to look after their own affairs involves an historical absurdity of the first-order.”¹⁶⁷ Holding described opponents as “inadvertently advocating dictatorship.”¹⁶⁸ Staley, a political scientist, noted wryly the contradiction of arguing for “one fleeting act of so-called self-determination in order to determine that there shall be no genuine self-determination at all”.¹⁶⁹ Another political scientist, Don Aitkin, observed that popular agitation had never been a precondition for Australian self-determination; historically, representative government in the colonies was as often the product of “push” from Imperial authorities as it was “pull” from local communities.¹⁷⁰

The other argument is a legal one. Section 52 of the *Australian Constitution* provides that the Commonwealth Parliament has “exclusive power to make laws for ... the seat of government”. Two political parties claimed to have legal advice that this precludes the Commonwealth from divesting itself of that power.¹⁷¹ Yet neither of

¹⁶⁶ See Chapters 6 and 7.

¹⁶⁷ *Canberra Times*, 9 August 1976, 2.

¹⁶⁸ Christine Salins, “Community can’t afford anarchists”, *Canberra Times*, 17 February 1989, 9.

¹⁶⁹ *Canberra Times*, 19 August 1976, 1.

¹⁷⁰ *Interview with Don Aitkin*, 31 August 2021.

¹⁷¹ Grundy et al, *Reluctant Democrats*, 195.

these parties, nor anyone else, has sought to test this proposition in the High Court.¹⁷²

Conclusion

For several generations of the 20th century, the Federal conceptualisation of Canberra gyrated from one philosophical model to another, some holding out the prospect of self-rule more than others, but none delivering. In the end, self-determination arrived less through the flowering of the democratic ideal so much as a managerialist imperative to remove a liability from the Commonwealth ledger. As Holding put it: “I don’t think it was about being democratic. It was about the Commonwealth shedding Canberra. You’re on your own.”¹⁷³ What matters most for this study, however, is not the motivation for the decision to confer self-determination but its outcome, a question to be explored in succeeding chapters.

The “prehistory” of self-government underscores three entrenched traits displayed by the citizens of Canberra, traits which would steer political behaviour during the incipency of self-government. The first was an enduring affinity for the services of independents. This trend may suggest that the various advisory bodies of this period were widely seen more as aids to better Commonwealth administration than as schools for future politicians. After self-government the resort to independents would continue to signal that residents were wary of a politics-as-usual model for the new legislature. The second, related trait was a marked distrust of politicians in general. The open contempt shown towards MLAs in the First Assembly – while full-bodied even by Australian standards – was far from unprecedented,

¹⁷² In December 1991 the High Court refused leave for an application arguing that Section 122 of the Constitution did not permit the wholesale transfer of legislative powers to the Legislative Assembly. Section 122 authorises the Federal Parliament to make laws for the territories: *Canberra Times*, 13 December 1991, 3.

¹⁷³ *Oral history interview with Clyde Holding*.

having deep roots in attitudes to the Legislative Assembly's predecessor bodies. It also had deeper roots in Australian political culture.¹⁷⁴

The trait with the most significant bearing on the early course of self-government, however, was anxiety about the quality and cost of services to the national capital. Despite occasional eruptions of indignation when their preferences were ignored, citizens before 1989 felt that "Canberra was really run fairly competently by quite responsive and professional bureaucrats."¹⁷⁵ The deep fear that this idyll might be lost first fuelled resistance to self-government and then, when that failed, impelled voter behaviour designed to maintain, or recapture, that idyll. While the hip pocket nerve to which Prime Minister Ben Chifley referred features in the anatomy of all electors, in Canberra it took the form, post-self-government, of a powerful expectation that politicians would replicate, to the maximum extent possible and without resort to escalating taxation, the high standards of privilege and amenity which had been the hallmark of Federal stewardship since the 1950s. This would prove impossible, and the early history of self-government would be in large part about managing a necessary lowering of expectations.

¹⁷⁴ See JB Hirst, *The Strange Birth of Colonial Democracy: New South Wales 1848–1884* (Sydney: Allen & Unwin, 1988).

¹⁷⁵ *Oral history interview with Jack Waterford.*

Chapter 3: A baleful birth

... after March 4 you'll be paying for the whole avaricious free-loading pack of no-hopers forever.

– Bill Mandle, historian¹

By the mid-1980s Canberra seemed to some observers a showcase of privilege and preferment. “Canberrans are notoriously satisfied with their lot,” wrote journalist Paul Daley in 2012, “why wouldn’t they be?” Garden suburbs were separated by bush corridors in a natural mountainous amphitheatre, within which the residents enjoyed excellent roads, fine restaurants and superb sporting facilities.² Having attained a population of 250,000, they basked in the nation’s lowest unemployment rate, the highest school retention rate and household expenditure 30% above the national average. They led the country with high education levels, more women in the workforce and exceptional levels of participation in sporting and cultural activities.³ No longer a posting dreaded by public servants, it had become a place, as British town planner Sir William Holford put it, that people wished to retire *to* rather than *from*. The opening of the new, permanent Parliament House in 1988, giving the Parliamentary zone “its missing focus”, seemed to affirm the role of Canberra, the child of Federation, as national linchpin.⁴ The city was flowering as a project to “expand Australians’ sense of themselves; that would show and demonstrate the best that Australia had on offer.”⁵ Rapid growth in the 1960s and 1970s had levelled off, producing a community of significant complexity and diversity. The “intellectual vitality” of the capital fostered an “activist lifestyle” on a cornucopia of social issues,

¹ *Canberra Times*, 1 February 1989, 8.

² Paul Daley, *Canberra* (Sydney: NewSouth, 2012), 8–9.

³ Eric Sparke, *Canberra 1954–1980* (Canberra: AGPS, 1988), 338–40.

⁴ Sparke, *Canberra*, 323, 344.

⁵ Jack Waterford, “Canberra, part of the Nation’s Working Capital” (Canberra Day Oration 2021), *Canberra Historical Journal*, 87 (September 2021), 32.

while at the other extreme the city was host to a thriving pornographic industry and Australia's Summernats street machine festival.⁶

Generous Commonwealth outlays in Canberra over decades had paradoxically generated their own problems. A production line of clerical positions requiring a tertiary education had left behind a high rate of youth unemployment.⁷ Money was often thrown at structural and logistical problems in service delivery, creating a legacy of poor work practices and overstaffing.⁸ Without local government, a dispersed, largely volunteer-driven model of welfare provision had grown up, leading to gaps and inefficiencies.⁹ An underbelly of social disadvantage also existed, made worse by relatively high costs of housing and transport compared with other Australian cities. Canberrans were troubled by drug overdose deaths, the highest rate of caesarean births in the nation, and the lack of family support for people who had shifted to the city from elsewhere to work.¹⁰ As Federal interest in confronting the city's challenges waned with its imminent unloading of responsibility, the complexity of the task facing those lining up to assume that responsibility grew.

Sun-Ripened Warm Tomatoes et al.

As Canberra residents in November 1988 absorbed the news that the Federal government had cut the apron strings, aspirants for seats in the soon-to-be-born territory parliament were stirred into action. While the major parties set preselections in train, other aspirants, sensing that those parties would make heavy weather of the

⁶ Nicholas Brown, *A History of Canberra* (Port Melbourne: CUP, 2014), 210–11. Waterford said the “activist lifestyle” fosters the perception by outsiders that Canberra is “in the grip of a host of trendy, but ultimately un-Australian obsessions”: Waterford, “Canberra, part of the Nation’s Working Capital”, 31.

⁷ Sparke, *Canberra*, 338–40.

⁸ See, for example, Joan Morris, “The dearest hospital service in the country”, *Canberra Times*, 16 December 1988, 9.

⁹ Brown, *Canberra*, 202.

¹⁰ Sparke, *Canberra*, 340–2; *Canberra Times*, 28 February 1991, 3.

new environment, planned their own bids. Some members of the former House of Assembly – including Harold Hird and the Family Team – stepped up for the poll. Former Federal MPs, Liberal John Haslem and Labor’s Ken Fry, decided to eschew their previous affiliations and stand as independents. The Socialist Workers Party and the National Party threw their hats in the ring.¹¹

The flavour of electoral revolt was evident in other nominations. The Residents Rally for Canberra (Rally) grew out of an anti-development demonstration held in Civic Square in November 1987, following a coalition of 36 residents’ organisations coming together on the front lawn of its leader, Bernard Collaery.¹² Touted as a new third force, it launched its candidates in late January 1989. Collaery evoked the example of Ted Mack, the former mayor of North Sydney, as a model for brokering the conflicting demands of developers and residents. (The fiercely independent Mack had also represented North Shore in the NSW Legislative Assembly from 1981 until 1988, going on to win the federal seat of North Sydney in 1990.) “People are sick of federal machine decisions ... and they are now turning to us,” Collaery said, synthesising anti-developer sentiment with hostility to the major parties and, by extension, to their decision to impose self-rule.¹³ Another potpourri, the Fair Elections Coalition led by environmentalist Tony Fleming, also had an anti-developer bent.¹⁴ An electoral backlash reached its zenith, however, in the formation of parties explicitly committed to reversing self-government. The Referendum First Committee,

¹¹ *Canberra Times*, 11 February 1989, 1–3.

¹² *Canberra Times*, 28 January 1989, 3. The name was borrowed from a French political party, Rassemblement pour la République (Rally for the Republic): *Interview with Bernard Collaery*, 1 March 2023.

¹³ *Canberra Times*, 28 January 1989, 3. The Rally published an impressive suite of policies, the work of committees “chaired by eminent retired public servants”. The Rally’s policy booklet declared: “Self Government has been foisted on the ACT without real consultation”: *Residents Rally Policy Summaries* (Canberra, 1989), ACT Legislative Assembly Library, 15th page.

¹⁴ *Canberra Times*, 10 February 1989, 5.

which had spearheaded the No case at the 1978 referendum, became the Canberra First Party, led by lawyer Allan Nelson.¹⁵ The No Self Government Party (NSG) was the brainchild of public servant Craig Duby. It would field an audacious ticket of 17 candidates.¹⁶ Finally, five emerging parties united to form the Abolish Self Government Coalition (Abolish) under the leadership of Dennis Stevenson, committed to “challenging the arrogance” of the major parties’ “‘Big Brother’ impositions”.¹⁷

The field was rounded out with entrants committed to mocking the entire process. Photographer Emile Brunoro registered six parties, including Surprise Party, Sleepers Wake Party, and Party! Party! Party! He personally stood for the Sun-Ripened Warm Tomato Party.¹⁸ Although these entrants failed to attract substantial voter support, they added a defining characteristic of high farce to a campaign soon inflamed by elector cynicism.

“Take me to your leader – please”

It was not only fringe parties that stoked these fires, however. The Liberal Party was the first of the major parties to select its candidates. In December 1988 I was selected to head the ticket of 10 candidates, followed by Trevor Kaine, Robyn Nolan and Bill Stefaniak. A week later the ALP selected a ticket of 11 candidates led by Rosemary Follett, with Paul Whalan, Wayne Berry, Ellnor Grassby and Bill Wood

¹⁵ *Canberra Times*, 8 January 1989, 3.

¹⁶ Title No. 1559810, 9 February 1989, [Capital Eyewitness News. Canberra], National Film and Sound Archive.

¹⁷ *Canberra Times*, 18 January 1989, 6. Bill Wood states in interview that he suspected his colleague Paul Whalan (Deputy Labor Leader) had encouraged Duby to stand candidates, in an effort to take votes from Stevenson’s group and split the no self-government vote, preventing either group reaching the d’Hondt threshold: *Interview with Bill Wood*, 5 May 2023.

¹⁸ *Canberra Times*, 19 February 1989, 1.

making up the top five.¹⁹ The Australian Democrats selected their candidates a month later. All three parties were soon plunged into problems of leadership. The ACT Liberal Party had decided that the selected candidates would choose their own leader. Both Kaine and I nominated for that role; on the first two ballots we tied with five votes each. On the third, Kaine won 6 votes to 4. This result created the awkward presentation of the party ticket being led by its deputy leader, not its leader. The media soon noted a deeper problem: my supporters were grouped at the top of the ticket, whereas Kaine's were concentrated at the bottom. This meant that, unless the entire ticket secured election, I would have the numbers to topple Kaine once a party room was formed. The friction between Kaine and me echoed a divide within the party between an old guard and Young Turks, the latter made up of young professionals and public servants of a broadly progressive bent on many social issues. Personally, I thought Kaine too conservative and fusty to attract support from the most youthful and liberal-minded jurisdiction in the nation. The leadership dilemma in the Labor Party was the mirror image of the Liberals'; it had decided (sensibly) that whoever topped the ticket should be the leader. However, although the Left's Follett secured this position, the Right held more positions on the electable portion of the ticket, meaning that Whalan would likely have sufficient backing to oust her after the election.²⁰ Factional tension was evident during the preselection: a flyer from the Right claimed that "the electorate will not tolerate an ALP team dominated by the Left. Unfortunately, its reputation for extremes is well-known in the

¹⁹ *Canberra Times*, 11 December 1988, 1; 19 December 1988, 1. Follett notes that some former Labor members of the advisory House of Assembly chose not to stand for the new parliament because they "were probably discouraged by the local view of self-government": *Interview with Rosemary Follett*, 17 January 2024.

²⁰ *Canberra Times*, 31 December 1988, 1.

community.”²¹ The Left had been openly critical of the Hawke government’s administration of the Territory; Whalan believed that this “campaign” damaged his chances of topping the ticket, given his close association with Hawke ministers.²²

These problems were as nothing compared with the woes that afflicted the Democrats. The ACT party’s self-government spokesman and de facto leader, Graham Evans, unexpectedly found himself at number three on the Democrat ticket, behind newcomer Arminel Ryan, following a member plebiscite. A meeting of the candidates and the local executive purported to choose Evans as the party leader and head of the ticket, but Ryan refused to vacate that position. The ACT party president, Susan Vigor (whose husband David, as a Democrat Senator, had helped scuttle the Scholes plan for self-government in 1986) publicly claimed that the ticket had been “hijacked” by Evans, who had “gone off his rocker”.²³ Over the following days the cases of the warring factions were fought out destructively in the media, resulting eventually in Evans’s allies withdrawing altogether and Ryan leading a reduced ticket of just three candidates.²⁴ Under the heading “Take me to your leader – please”, a *Canberra Times* editorial blasted the “sheer unprofessionalism” of the three parties.²⁵ These chaotic scenes fuelled the voter cynicism which would drain support from all three parties at the forthcoming election.

²¹ *Canberra Times*, 17 December 1988, 5.

²² *Interview with Paul Whalan*, 9 August 2022. This campaign featured public opposition by the local ALP to the closure of some Canberra schools by the Federal government in 1987.

²³ *Canberra Times*, 24 January 1989, 1–2.

²⁴ Title No. 1559810, 9 February 1989, [Capital Eyewitness News. Canberra], National Film and Sound Archive; *Canberra Times*, 28 January 1989, 1. The Letters to the Editor page of the *Canberra Times* on 31 January 1989 was given over wholly to commentary by and on the internecine Democrats.

²⁵ Brown, *A History of Canberra*, 220.

The battlefield takes shape

The political agenda which would come to occupy the attention of the First Assembly was emerging even before its members were elected. In October 1988 Holding, as Territories minister, had appointed the chief executive of Royal Adelaide Hospital, Dr Brendon Kearney, to conduct a review of ACT health services, and public hospitals in particular. His report recommended a “one principal hospital” strategy, the implication being that Woden Valley Hospital (WVH) would be that hospital and the Royal Canberra Hospital (RCH), ageing but majestically sited on its peninsula in Lake Burley Griffin, would close.²⁶ Most parties rushed to reject the idea of mothballing the city’s original hospital, where so many Canberrans had been born; only the Liberals reserved their position.²⁷ The fate of the hospital would haunt the next four parliaments.

The spectre of a casino in the capital had hovered on the fringes of public debate ever since Griffin had designated a location for one in his 1912 design (though gambling was not intrinsic to Griffin’s concept).²⁸ The idea, with a gambling dimension, was revived by the Hawke government, which conceived it as the vehicle for a new hotel and convention centre.²⁹ Though opposed by the Democrats federally and the Rally locally, it had the support of both major parties.³⁰ The placement of anti-casino campaigner Hector Kinloch high on the Rally ticket would ensure a battle before any casino would be built. By way of contrast, the major parties were divided on whether X-rated videos (X-videos) should be banned. Successive Federal

²⁶ *Canberra Times*, 7 October 1988, 1; 31 October 1988, 1; 3 December 1988, 3.

²⁷ For example, *Canberra Times*, 1 February 1989, 2; 2 February 1989, 2.

²⁸ Sparke, *Canberra*, 266.

²⁹ Sparke, *Canberra*, 338. The Prime Minister was personally committed to the idea: *Interview with Paul Whalan*, 2 June 2021.

³⁰ *Canberra Times*, 18 May 1988, 1; 12 August 1988, 1; 4 November 1988, 1.

governments had permitted this product (non-violent erotica video tapes) to be sold in the territories, which meant it could be distributed by mail to customers in the states, where their sale was banned.³¹ Despite it being a lucrative industry for the capital, a push to close this loophole was now supported by the Liberal Party, both Federally and in the ACT.³² A further issue which replicated Federal battlelines was the Hawke government's bid to effect a sweeping amalgamation of many tertiary education institutions as part of what later became known as the "Dawkins revolution", the ACT iteration of which was the merger of the Australian National University (ANU), the Canberra College of Advanced Education (CCAEC) and the Canberra Institute of the Arts.³³ The issue was deeply contentious in the academic community; the Liberals announced their opposition to the "shotgun marriage" but the ALP said it would support it if certain conditions were satisfied, including that staff concerns were met. Sensing, perhaps, that the issue could hurt his party locally, and noting opposition in the Senate, Federal Education Minister John Dawkins decided on the eve of the election to delay the merger decision until an ACT government could consider it.³⁴

Two other election issues had a uniquely Canberra flavour. The modified d'Hondt electoral system, under which the election was to be fought, was both complex and unfamiliar, and for many voters it soon became emblematic of the absurdity which was descending on them with self-rule. For some, it proved "deeply confusing, if not ridiculous".³⁵ Underlying and reinforcing this sentiment was a

³¹ Frank Bongiorno, *The Sex Lives of Australians: a History* (Collingwood: Black Inc, 2015), 255.

³² *Canberra Times*, 1 December 1988, 3; 18 December 1988, 1.

³³ S G Foster & Margaret M Varghese, *The Making of the Australian National University 1946–1996* (Canberra: ANU Press, 1996), 343. The CCAEC is now the University of Canberra and the Institute of the Arts is now the Schools of Art and Music at the ANU.

³⁴ *Canberra Times*, 2 January 1989, 1; 4 January 1989, 1; 1 March 1989, 20. Labor education spokesman Bill Wood was labelled a "wimp" at a student rally opposing the merger: 3 March 1989, 3.

³⁵ Brown, *A History of Canberra*, 220.

simmering anger among many voters about the decision to erect a new tier of government when this very concept had been decisively rejected in a plebiscite just a decade before. A Datacol poll conducted as the legislation was before the Senate showed a majority of Canberrans opposed to the bills; only 30.8% wanted state-type government, barely any improvement on the support for this option in 1978.

Ominously, three-quarters of those polled wanted a referendum before the bills should be enacted.³⁶ Responding to these fears, journalist Philip Hobbs in the *Canberra Times* implored the new legislators to reassure electors that they were “not going to become another corrupt city council”, nor would they take on the role of “busybody nannies – seeking to ram their social ideas and exorcise their personal frustrations on the broad community”. He noted hopefully that there was “little tradition of corruption in the ACT”.³⁷

Parties also recognised that voters feared the cost of self-government, and the loss of amenity it might bring. These concerns were framed by an ACT Administration report in December 1988 which suggested expenditure would need to be cut by \$80m a year to bring Territory spending into line with state averages.³⁸ ACT Labor responded by pledging not to raise taxes or rates, and foreshadowing “more innovative ways to raise money”. The Liberals promised to seek efficiencies, but did not rule out cutting expenditure. “Hard decisions may well have to be taken,” said Kaine.³⁹ The Liberals were also the first to launch major policies: they would stipulate minimum mandatory sentences for serious offences and establish an ACT prison, while in education they would introduce literacy and numeracy testing in

³⁶ *Canberra Times*, 20 November 1988, 1–2. An ANOP poll the following month came to similar conclusions: *Canberra Times*, 4 January 1989, 3.

³⁷ *Canberra Times*, 4 December 1988, 7.

³⁸ *Canberra Times*, 18 December 1988, 1.

³⁹ *Canberra Times*, 13 December 1988, 1; 20 December 1988, 1.

government schools.⁴⁰ This early positioning seemed not to assuage community angst; a poll at Christmas showed support for both the ALP (35.9%) and the Liberals (20%) sitting well below their respective shares of the vote in the previous year's Federal election.⁴¹

In January 1989 the election date was announced: 4 March. A shocking event soon threatened to overshadow the campaign: on 10 January Federal Police Assistant Commissioner Colin Winchester was assassinated outside his home in Deakin. It was a marker of the cosseted circle in which Canberrans lived that this was the first murder of a police officer in the Territory's history.⁴² The subsequent trial and jailing of Winchester's alleged murderer would be a major preoccupation for future ACT attorneys-general.⁴³

When electioneering resumed, the ALP promised to abolish the unpopular fee for pre-schoolers and committed not to close any schools over the coming three years.⁴⁴ In both areas it repudiated the approach previously taken by their Federal colleagues, which had been to impose those fees and to close smaller schools. It committed to giving the ACT Administration's 17,000 public servants the same conditions of service as their Federal counterparts. Addressing sensitivity about the new government apparatus, it pledged that the Legislative Assembly would operate with "no undue formality or pomposity", and would have evening sittings to make its

⁴⁰ *Canberra Times*, 18 December 1988, 1; 24 December 1988, 3.

⁴¹ *Canberra Times*, 26 December 1988, 1. In the 1987 Federal election the ALP achieved 53.9% of the ACT vote and the Liberals 30.3%: <https://australianpolitics.com/2014/07/17/federal-election-results-1901-2014.html>. Accessed 26 August 2025.

⁴² *Canberra Times*, 15 February 1989, 1, 10.

⁴³ In 1995 David Eastman was convicted of Winchester's murder, while I was Attorney General. However, in 2014 his conviction was quashed and, on a retrial in 2018, a jury found him not guilty of the murder.

⁴⁴ Cabinet Decision No. 13 – Abolition of Preschool Fees, <https://act.accesstomemory.org/ACT46-89-002>. Accessed 26 August 2025.

work accessible to citizens.⁴⁵ The Liberals, in turn, decided to match Labor's promise of no increase in taxes and charges. In other areas they were more adventurous: the small forestry industry would be privatised, secret ballots would be compulsory before strike action could be taken, and shop trading hours would be deregulated.⁴⁶ The Rally announced it would impose new taxes on business, while the Canberra First Party promised a referendum in 1991 on whether to reverse self-government.⁴⁷ Several of these promises pandered to idiosyncratic yearnings that self-rule could be made to go away, despite the clear decision of the Federal Parliament that it must happen, but for the most part they were attempts at reassuring voters that sound, sensitive decision-making was possible, even likely, under the new conditions.

Just as the candidates got into their stride, so too did those writing letters to the local newspaper, and their mood was cynical and declamatory. One berated "brash amateurs with dollar signs in their eyes", while another hoped that voters would "stop this ... madness dead in its tracks." Columnist Bill Mandle, a historian at the CCAE, lamented that the city would soon be run by "poltroons or nonentities" and "carpet-baggers", while a Canberra First candidate bemoaned that "the hemlock of self-government" was about "to be forced down our throats".⁴⁸ Follett in interview opines that much of this agitation was "manufactured anger", brought on by misinformation, such as that there had been *two* referendums rejecting self-government.⁴⁹

⁴⁵ *Canberra Times*, 16 January 1989, 1; 17 January 1989, 1; 26 January 1989, 1.

⁴⁶ *Canberra Times*, 20 January 1989, 1; 23 January 1989, 1; 25 January 1989, 4; 30 January 1989, 1.

⁴⁷ *Canberra Times*, 8 January 1989, 3; 1 February 1989, 2.

⁴⁸ *Canberra Times*, 11 January 1989, 9; 19 January 1989, 8; 25 January 1989, 8; Ian Warden, "Help for the I d'Hondt knows", *Canberra Times*, 10 February 1989, 10.

⁴⁹ The only referendum was in November 1978 – see Chapter 2. *Interview with Rosemary Follett*, 17 January 2024.

The home straight

Palatable or not, by February 1989 the election was all-consuming. At the close of nominations electors were confronted with a field of 22 parties and eight independents – a total of 117 candidates. The array of novelty parties and the metre-long ballot paper, the largest in Australian electoral history at that time, added to the circus-like atmosphere.⁵⁰ The Save the Ozone Party was disqualified because its founder had given a bogus address, but Sergeant Bill “Bullfrog” Mackey (the voice of police puppet-mascot Constable Kenny Koala) nominated successfully as an independent.⁵¹ Attempting to exude professionalism and continuity, the major parties formally launched their campaigns at rallies of the faithful. While the Liberal candidates trooped onstage accompanied by the Grand March from Verdi’s *Aida*, Kaine promised “small, affordable government that protects everything that is great about this city”. A Liberal government, he said, would convert 99-year leases to leases in perpetuity.⁵² At the ALP launch a choir sang Australian songs, including *From the Outback to the Ocean* – neither was in sight in Canberra – while Follett declared: “No drastic changes are necessary” since “there is ample scope, over time, to redress the Grants Commission’s shortfall.” Betterment tax (the charge for allowing greater development rights on land) would increase from 50% to 100%, but otherwise taxes would not go up.⁵³ Present at both launches was the theme that life would go on, and perhaps be even better, under self-government.

⁵⁰ Title No. 1559812, 10 February 1989, [Capital Eyewitness News. Canberra], National Film and Sound Archive. Unused ballot papers were later sold as collectors’ items: *Canberra Times*, 13 May 1989, 2.

⁵¹ *Canberra Times*, 25 January 1989, 4; 10 February 1989, 2, 3.

⁵² *Canberra Times*, 13 February 1989, 1.

⁵³ *Canberra Times*, 15 February 1989, 1, 10.

Policies showered the electorate. Labor promised a tripartite industrial relations council, to head off workforce disputes, and a new domestic violence refuge. The Liberals committed to abolish stamp duty for low income first home buyers and to introduce private sector competition for the ACTION government bus network. They promised to abolish payroll tax, but then recanted because of the cost.⁵⁴ The Rally promised \$1 million for community nurses and legislative regulation of unfair commercial leases.⁵⁵ NSW Corrective Services Minister Michael Yabsley and I announced that we would explore a joint ACT/NSW gaol. Other “celebrity” politicians travelled to Canberra to spice up the campaigns: Victorian Premier John Cain for Labor and Brisbane Lord Mayor Sallyanne Atkinson for the Liberals.⁵⁶

Yet these efforts were failing to stem a surging anti-self-government tide. Wood recalled: “Every door you knocked on, you got a very negative reaction.”⁵⁷ A Datacol poll in late February showed a further drop in support for the major parties – 21% for Labor and 11% for the Liberals; internal party polling suggested votes were drifting to anti-self-government parties.⁵⁸ Duby, sensing the power he might soon exercise, pledged that NSG would neither block budgets nor enter coalitions.⁵⁹ Abolish launched a campaign jingle which was soon running on local radio stations:

A is for Abolish, says the A Team.

Self-government’s expensive, and what’s more,

We said so when there was the referendum.

⁵⁴ *Canberra Times*, 2 February 1989, 1; 8 February 1989, 2; 24 February 1989, 3; 25 February 1989, 4; 26 February 1989, 1.

⁵⁵ *Canberra Times*, 25 February 1989, 2; 2 March 1989, 2.

⁵⁶ *Canberra Times*, 7 February 1989, 1–2; 25 February 1989, 1–3.

⁵⁷ Price, “Looking Back”, 21.

⁵⁸ *Survey on the ACT Legislative Assembly Election* (Roy Morgan research for the Liberal Party), undated but late February 1989, author’s archive.

⁵⁹ *Canberra Times*, 23 February 1989, 1; 3 March 1989, 1. Follett later revealed that internal polling showed the ALP vote as low as 15% at one point: *Canberra Times*, 25 June 1989, 1.

*Don't let more politicians make us poor!*⁶⁰

These sentiments were echoed in Letters to the Editor.⁶¹ One correspondent compared election contenders to monkeys, adding for good measure “no one should wish this mob of candidates on their worst enemy”. Another declared: “The affairs of the national capital should be run by the national government. The last thing we need is another state parliament with all its trappings of false grandeur.”⁶² Such opposition was not the preserve of hoi polloi; leading historians swelled its ranks. Mandle skewered the candidates in his column as an “avaricious free-loading pack of no hopers”, while the ANU’s John Molony, another historian although one with strong Labor affiliations, condemned self-government as “deplorable and shabby in its conception, implementation and purpose.”⁶³ Others swam against the tide. One letter writer asked: “Are we to let a geriatric fear of change and a paranoia about costs jeopardise our future as free people?” while another mused: “What is most disturbing is the number of people who experienced World War II ... who decry self-government. One wonders what they fought for.”⁶⁴ However, such voices in defence of the innovation were the exception. The mood on the street was one of aggrieved truculence.

Sensing catastrophe, the political establishment mobilised to support the principle of self-determination. Follett donned a hard hat and climbed onto the roof at a construction site to address building workers “angry at the prospect of self-government”. Her Federal colleagues weighed in; the Prime Minister said self-rule

⁶⁰ “We expect to go platinum”, Stevenson told the newspaper: *Canberra Times*, 17 February 1989, 2.

⁶¹ So great was the volume of correspondence on self-government that the *Canberra Times* had to commandeer space in its TV guide to handle the spillover: *Canberra Times*, 27 February 1989.

⁶² *Canberra Times*, 8 February 1989, 8; 22 February 1989, 8.

⁶³ *Canberra Times*, 1 February 1989, 8; 27 February 1989, 8. By contrast, eminent historian Manning Clark seemed to give the new institution his blessing by attending the ALP launch: *Canberra Times*, 15 February 1989, 1.

⁶⁴ *Canberra Times*, 12 February 1989, 6; 24 February 1989, 8.

was irreversible: “We will not pretend that Canberra can crawl back into the womb.” Finance Minister Peter Walsh stood his ground, declaring “the financial arrangements for the ACT will be the same as the financial arrangements for the states, with or without self-government.”⁶⁵ A coterie of business and union leaders, bishops and sports figures took out a full-page ad in the *Canberra Times* warning electors of “instability” if there was not “a workable government”, while an editorial thundered that support for an anti-self-government party would be “a wasted vote”. Kaine forecast that “if those self-destruct parties should get control” the Governor-General might be forced to call a fresh election, at huge expense.⁶⁶

The Federal government abetted the argument in another, more perverse fashion. On the eve of the election, Holding approved two controversial housing developments, at the Yarralumla Brickworks and Rocky Knoll (a project adjacent to Collaery’s home and which had sparked his planning activism). The *Canberra Times* editorialised:

If ever the citizens of the ACT needed proof of the need for self-government ... Holding gave it to us yesterday ... After tomorrow we can all sigh relief that we will no longer have to tolerate government by insensitive ministerial dictatorship.⁶⁷

A devastating verdict

Election day dawned warm and sunny; voters flocked to the polling booths early, a sign, perhaps, of having something urgent to get off their chests. That message emerged only slowly after the booths closed; at one polling station it took an hour and a half simply to unfold the massive ballot papers, and by 11 pm only half the ballots across the Territory had been counted.⁶⁸

⁶⁵ *Canberra Times*, 18 February 1989, 2, 3; 28 February 1989, 3.

⁶⁶ *Canberra Times*, 17 February 1989, 2; 1 March 1989, 29; 4 March 1989, 8.

⁶⁷ *Canberra Times*, 4 March 1989, 1.

⁶⁸ *Canberra Times*, 5 March 1989, 1.

The message they disclosed was, however, unmistakable: voters were in revolt. Anti-self-government parties secured more than a fifth of the vote, while the two major parties between them had attracted less than 40% – the lowest ever vote for either party in an Australian general election since 1910.⁶⁹ This was “a huge rebuff”, reported journalist Fia Cumming, “turning the election virtually into a referendum on self-government.”⁷⁰ The humiliation of the major parties was mitigated by the huge field, which splintered the vote and prevented many smaller parties and independents from reaching the d’Hondt threshold of 5.6% needed to win a seat.⁷¹ Even so, five parties had cleared that hurdle: Labor, the Liberals, the Rally, NSG and Abolish. The Democrats paid the price for internal division, scoring a miserable 1.6%.⁷² The Rally’s success marked the graduation of groups focused on urban amenity and brakes on development from the third tier of Australian government; Cumming declared: “For the first time ever, a community party has emerged during an election campaign and won seats in a lower house.”⁷³ Ultimately, the relative performance of the anti-self-government parties was probably a function of their nomenclature. The Canberra First Party, by far the best credentialled and longest-operating opponent of self-rule, had committed the cardinal mistake of dropping the name “Referendum First”, thus sacrificing the visibility, in a very crowded field, of its central premise. The Abolish Self Government Coalition’s label was clearer, but carried the defeatist concession that self-government was a *fait accompli* which had to be reversed. The simplicity of the No Self-Government Party’s name brought

⁶⁹ The view of psephologist Malcolm Mackerras, in a phone call with me on 21 June 2022. The 1990 Federal election, however, would soon replicate the slide in major party support.

⁷⁰ *Canberra Times*, 5 March 1989, 1.

⁷¹ *Canberra Times*, 18 April 1989, 1.

⁷² *Canberra Times*, 5 March 1989, 1.

⁷³ *Canberra Times*, 6 March 1989, 9.

instant approval from home rule opponents, securing several seats in parliament for what was essentially a campaign dished up from the Duby household's kitchen table.⁷⁴

At one level the 1989 election represents the most profound disengagement by voters from the Australian democratic tradition in the 20th century. It was a repudiation not only of the political parties which had been the mainstay of that tradition, but of the institution by which they were sustained; “bugger off”, as Labor’s Wood heard it.⁷⁵ That repudiation was all the more keenly felt because it was delivered by Australia’s best educated and most politically literate community. Although its basis was partially idiosyncratic to the Territory, it reflected a more general disengagement of Australian voters – and anticipating a trend more pronounced in the 21st century – with political parties and democratic processes.⁷⁶

At another level, however, this verdict might be regarded as overstated. In subsequent elections voting patterns would return to more conventional parameters and voter anger would moderate. In the view of political scientist Don Aitkin, the 1989 clamour against self-government was exaggerated; ACT citizens were prepared to “have some fun” with their new politicians as part of a general irreverence toward the institution, but essentially accepted the need for responsibility and accountability.⁷⁷ The vote for the anti-self-government parties in particular can be characterised as protest voting (or, as political scientist Christian Schimpf puts it, “voting insincerely”) –

⁷⁴ “Fluoride Bill’s political lessons”, *Canberra Times*, 30 September 1989, 8.

⁷⁵ *Interview with Bill Wood*, 5 May 2023.

⁷⁶ The 2022 Australian Federal Election: Results from the Australian Election Study (December, 2022), 27–8 [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://australianelectionstudy.org/wp-content/uploads/The-2022-Australian-Federal-Election-Results-from-the-Australian-Election-Study.pdf](https://australianelectionstudy.org/wp-content/uploads/The-2022-Australian-Federal-Election-Results-from-the-Australian-Election-Study.pdf). Accessed 26 August 2025.

⁷⁷ *Interview with Don Aitkin*, 31 August 2021. This view was shared by former Liberal leader Jim Leedman, who thought the first election was “just a public reaction, at the time, of dismay” that would eventually pass: *Interview with Jim Leedman*, 28 April 2018.

“a rational decision to actively signal dissatisfaction with how the established parties behave, rather than showing true and genuine sympathy for the party that one actually voted for” – a practice that would soon flourish in Eastern Europe with the fall of the Iron Curtain.⁷⁸ A third perspective is that the splintered vote was the harbinger of a preference by Canberrans for a non-majoritarian legislature. The day after the election the city’s newspaper conceded that the “people have spoken” and that it was “wholesome and desirable that they do not speak with only one or two voices” – a sentiment that would increasingly be heard nationally in the decades that followed.⁷⁹ While independents and minor parties would never again capture so many seats, such representatives would nonetheless hold the balance of power in every subsequent Assembly bar one.⁸⁰ The electoral flirtation with minority/coalition governments at the incipency of self-government was to grow virtually into a settled convention, although one that came to exude a more respectable image than the original.

The fractured outcome nonetheless embedded political instability into the First Assembly’s DNA. To the customary partisan fault lines of Left versus Right were added tensions between legitimacy and illegitimacy, on which were overlaid the experimental quality of the structure itself and the inexperience of its participants.

⁷⁸ Christian Schimpf, “Anticipated Election Result and Protest Voting: Why and When Canadian Voters Signal Discontent”, *Canadian Journal of Political Science*, 52:4 (December 2019) 847–63; Gissur O Erlingsson & Mikhael Persson, “The Swedish Pirate Party in the 2009 European Parliamentary Election: Protest or Issue Voting?”, *Politics*, 31:3, 124; Grigor Pop-Eleches, “Throwing out the Bums: Protest Voting and Unorthodox Parties after Communism”, *World Politics*, 62:2 (April 2010), 221–2. “Voting insincerely” was not a phenomenon confined to the ignorant and cynical. Father Frank Brennan recounted to the author the story of a dinner conversation in early 1989 between his father, High Court judge Sir Gerard Brennan, and Holding. Holding asked Brennan for whom he was going to vote at the forthcoming election. The judge’s response made the minister “apoplectic”; he told him he intended to vote for the Sun-Ripened Warm Tomato Party!

⁷⁹ *Canberra Times*, 5 March 1989, 8. Goward contended that the election of Rally MLAs was a sign that “Australians are getting tired of the two-party system”: “Surf’s up for the Rally”, *Canberra Times*, 19 March 1989, 7.

⁸⁰ The exception was the Stanhope Labor government of 2004–08.

The “madness” of the first election guaranteed that distrust in the new institution would be accentuated by periodic community derision; “the Assembly’s newness, smallness and unpopularity led to the obvious epithet of Toy Town politics and comparison with the Duchy of Grand Fenwick in the comedy *The Mouse That Roared*.”⁸¹ This distrust and derision produced two sustained, if slightly conflicting, political impulses: the desire to “normalise” the processes of government to allay popular scepticism about its effectiveness, and the creation of new and distinctive political norms that would ensure that the worst features of “politics-as-usual” were not visited on the ACT. Much of the remainder of this study will explore the complex interactions of these two themes.

The new parliament’s *dramatis personae*

The election was followed by an agonisingly-long hiatus during which the votes were counted. It took more than nine weeks for the result to be declared. So protracted was this process that Holding accused the Electoral Commission of dragging its feet deliberately because it disapproved of the d’Hondt system, a claim given some currency when it was revealed that the Commissioner had written to ministers complaining that the system was “bizarre” and “unknown to mankind”.⁸² When the result was declared in early May, five parties stood successful:

Labor	5 seats
Liberal	4 seats
Residents Rally	4 seats
No Self Government	3 seats

⁸¹ *Interview with Paul Whalan*, 4 August 2021; David Hughes, “Political Chronicles: Australian Capital Territory”, *Australian Journal of Politics and History*, 42:2, 1996, 245.

⁸² *Canberra Times*, 7 March 1989, 1; 11 April 1989, 3. Whalan says the AEC’s attitude led to a “festering process of counting and uncertainty”: *Interview with Paul Whalan*, 9 August 2022.

The 17 new MLAs would become household names over the ensuing three years, their every action scrutinised, their every misstep highlighted, with a newly augmented (with television aggregation) media gallery hungry for audience share and attuned to the entertainment value of the new polity.⁸³ An introduction to these MLAs is necessary.

Labor Party

Rosemary Follett, from the Left faction, came to Canberra from Sydney aged four with her father, a Hansard reporter. Educated at Catholic schools and the CCAE, she became a public servant and an active white-collar unionist. She joined the ALP in 1979, and succeeded Maurene Horder in the House of Assembly in 1985.⁸⁴ Softly spoken and matronly, she had a strong belief in the facilitative – even redemptive – power of openness and consultation in government.⁸⁵ In Graham Little's categorisation of political leadership, she would best be characterised as a Group leader ("Group leaders offer sympathy and take care not to put themselves too far ahead of the people they lead").⁸⁶ Within her cabinet she was a "decisive leader".⁸⁷ Likened to "a benign nun or everybody's favourite aunt", with a "disarming smile", her style seemed a conscious departure from the flinty persona then spearheaded by women politicians such as Margaret Thatcher and Bronwyn Bishop.⁸⁸ Whalan noted

⁸³ The aggregation of the regional television market coincided with the first ACT election. Two new commercial television newsrooms opened in Canberra at this time, providing competition to Channel 10 and the ABC.

⁸⁴ Andrew Fraser, "The Leaders of the Big Two", *Canberra Times*, 18 February 1989, 19.

⁸⁵ For example, see *Canberra Times*, 25 May 1991, 9.

⁸⁶ See Judith Brett, "Graham Little's Theory of Political Leadership", *International Journal of Applied Psychoanalytic Studies*, 6:2 (June 2009), 104.

⁸⁷ *Interview with Chris Eccles*, 4 July 2025.

⁸⁸ *Hansard*, 7 April 1992, 65; Fia Cumming, "Smiling Follett: matching a few old hands", *Canberra Times*, 11 June 1989, 7. Bishop was then a rising star of the Liberal right in Australia.

that Canberra had become a Labor Party “centre for progressive women” in the late 1980s, a factor which helped Follett eclipse him in the preselection. Even earlier, in 1975, it had returned Susan Ryan, a well-known feminist active in the Women’s Electoral Lobby, as Labor Senator for the ACT at the first election following the granting of Territory representation in the Senate. Whalan explained that he and Follett worked well together as ministers because she was “never an ideological person”, in contrast to other figures in the ACT Left. She was “a sort of a compromise” within the Left.⁸⁹

Labor’s most experienced ACT politician was deputy leader Paul Whalan. Apart from nine years’ service in the advisory assemblies, he had been on the staff of several Federal ministers for the ACT where he steered policy on Territory self-government. Born in Newcastle, and a former teacher and union organiser, he set up a nursery business in Canberra which later failed, causing controversy as to whether he was eligible to take a seat in the new Assembly while “bankrupt”.⁹⁰ Under pressure from colleagues during the campaign, he ruled out a leadership challenge to Follett.⁹¹ Gnarled and canny, he was the epitome of a party “backroom boy”.

The Labor Party’s promotional material described Wayne Berry as “[b]ringing a fighting spirit to government”, and indeed he did. From Sydney and later Taree, he came to Canberra in 1972 as a fireman, becoming secretary of the local Firefighters’ Union, a role which bestowed a reputation for militancy which he was never able to shake.⁹² A member of the Left faction, he was perceived by other MLAs as

⁸⁹ *Interview with Paul Whalan*, 9 August 2022.

⁹⁰ *Canberra Times*, 28 February 1989, 2.

⁹¹ Title No. 1559810, 9 February 1989, [Capital Eyewitness News. Canberra], NFSA. Members of Whalan’s own faction reportedly cooled during the campaign on the idea of a challenge due to his “poor public image”: *Canberra Times*, 12 March 1989, 1. Follett later recalled that Whalan “was asked at one stage in the campaign whether he would challenge me for the leadership and he did not deny it until pressed some time later. That was a live issue”: Price, “Looking Back”, 24.

⁹² *Canberra Times*, 23 February 1989, 4.

combative and doctrinaire, although he never laid out an exegesis of his philosophical position in the Assembly.⁹³ His speeches were often laced with hyperbole and references to class warfare.⁹⁴ Tall and athletic with a cutting sense of humour, he often played the role of Labor “attack dog” to Follett’s more magisterial, conciliatory persona.

Ellnor Grassby, from the Right like Whalan, described herself as “a socialist with a full stomach”; indeed, she often employed a turn of phrase as colourful as the wardrobe of her husband, the Whitlam government immigration minister Al Grassby. Born in Griffith of Spanish-Irish heritage, and a Catholic, she was a nurse and small businesswoman before being swept up in her husband’s colourful and controversial political career.⁹⁵ She had laboured in the party’s vineyard all her life, which reportedly led to a belief that “the party owes me” a seat in parliament.⁹⁶ Andrew Barr, later Labor Chief Minister, and a volunteer in her office while he was a student, described her as “one of the better retail politicians” but “the big picture policy agenda was not at the forefront of her political operation”.⁹⁷ Diminutive and feisty, she acquired a reputation for bombast and gaffes in her oratory.⁹⁸

In a sign of the clean slate the new legislature constituted, the only MLA with any real parliamentary experience was Labor’s Bill Wood. The son of a former Queensland Labor leader, he himself had served in the Queensland Parliament from 1969 to 1974, until unseated in the Bjelke-Petersen landslide of that year. A teacher,

⁹³ Perhaps the greatest demonstration of his socialist tendencies was to take a holiday in Cuba in the 1990s.

⁹⁴ For example, *Hansard*, 19 March 1991, 993; 1 May 1991, 1865.

⁹⁵ *Canberra Times*, 24 February 1989, 4.

⁹⁶ Andrew Fraser, “Parties bicker as booth day nears”, *Canberra Times*, 26 June 1988, 2.

⁹⁷ *Interview with Andrew Barr*, 22 March 2024.

⁹⁸ For example, Grassby told the Assembly that if all 11 ALP candidates had been elected “we would have had an even amount of men and women”: *Hansard*, 25 May 1989, 191. See also “Trains are like knickers: Grassby”, *Canberra Times*, 22 July 1989, 2.

he was appointed party spokesman on education, but he was overlooked in the first Follett cabinet.⁹⁹ He later noted: “The factional side-lining of the non-aligned Wood to a secondary role irked me and later had me contesting” various leadership positions.¹⁰⁰ Thoughtful and collegial, Wood played a key role within a Labor caucus which was otherwise evenly divided between Left and Right, and he sometimes even assumed the role of conscience of the Assembly at large.¹⁰¹

The Labor Party’s factions were divided into sub-factions. Barr says in interview that “the Left were utterly dominant” in the lay and parliamentary parties and in the unions, but that there were “streams” within factions.¹⁰² David Lamont, a Labor MLA in the Second Assembly, outlines in interview that there was what he called a “Hard Left” group, to which Berry and his advisor Sue Robinson belonged, and a “Soft Left” group, to which he and Follett belonged. He described the former as “dominated by several of the Unions and Young Labor associates from ANU”, and the latter as “of a less dogmatic, ideologically puritanic bent, more attuned to community social norms within the Canberra Community” than the Hard Left. There were similar divisions within the Right. He notes that alignments were sometimes as much personality-based as ideological.¹⁰³

Residents Rally

Bernard Collaery, personally and through his Residents Rally for Canberra, sought to be the embodiment of a new third force in Australian politics. He saw the Rally as “a

⁹⁹ *Canberra Times*, 22 February 1989, 4; 26 November 1990, 3.

¹⁰⁰ *Email Wood to Humphries*, 13 May 2023.

¹⁰¹ Duby said of him that he “commands respect from every member in the house”: *Hansard*, 23 November 1989, 2951. Chris Eccles, cabinet note-taker during Follett’s second government, describes Wood in the executive as a “very thoughtful, compassionate, considered, measured, understated contributor”: *Interview with Chris Eccles*, 4 July 2025.

¹⁰² *Interview with Andrew Barr*, 22 March 2024.

¹⁰³ *Interview with David Lamont*, 12 December 2023; *Email Lamont to Humphries*, 12 December 2023.

community-based movement” that was unideological. Accordingly, he borrowed from the creeds of both socialists and conservatives, in a sometimes-unconvincing synthesis.¹⁰⁴ His father having been shot down over France during World War II, he grew up in Wollongong, a ward of Legacy. He came to Canberra in 1970. Collaery worked for the Australian government in both immigration and intelligence roles, later entering private legal practice.¹⁰⁵ He came to prominence as a planning activist, leading opposition to a development close to his own home in Narrabundah. The journalist Chris Uhlmann said of him: “He was very good on his feet, spoke with passion and had a wicked and irreverent sense of humour”; he “loved searching for people’s internal conflicts and flagging them”.¹⁰⁶ According to Ian Warden, he “has puckered up to the Blarney stone and he is a kind of garrulous blend of Val Doonican and Machiavelli.”¹⁰⁷ With a mop of curly, uncombed hair he was perhaps the most complex and mercurial personality of the First Assembly, an adroit showman, forever seeking to make political deals. Often mysterious and conspiratorial, and speaking in riddles, he would attract the media limelight long after his political career came to an end.¹⁰⁸

Norm Jensen was a former army officer who had lived in Canberra since 1979; as president of Tuggeranong Community Council he brought southern clout to the

¹⁰⁴ For example, despite voting to bring down the Kaine Liberal government in 1991 he stood for Liberal preselection for the Federal seat of Eden-Monaro in 1995.

¹⁰⁵ *Canberra Times*, 23 February 1989, 4. Moore disputed his claim to have worked in an intelligence agency. Collaery told the ABC in 2023 that he “did some training with an Australian intelligence agency” in his early 20s: <https://www.abc.net.au/listen/programs/sundayextra/the-year-that-made-me-bernard-collaery-1964/102750068>. Accessed 26 August 2025.

¹⁰⁶ Chris Uhlmann, “Collaery sorely missed on dull anniversary”, *Canberra Times*, 13 May 1995, 19.

¹⁰⁷ Ian Warden, “Residents Rally excites fervour”, *Canberra Times*, 3 February 1989, 8. Val Doonican was a popular Irish crooner of the 1960s and 1970s.

¹⁰⁸ In 2017 he was charged with breaching national security laws by transmitting details about covert Australian government surveillance of the East Timorese government in the 1990s. The controversial prosecution, which attracted international headlines, was withdrawn by the incoming Albanese Labor government in 2022.

Rally ticket.¹⁰⁹ The son of a Queensland grocer, he was dogged and methodical, interested in the city's planning in particular, and proved a loyal deputy to Collaery.¹¹⁰ Less loyal was Michael Moore, a teacher and President of the Reid Residents' Association, who had organised a rally in 1987, attended by 3000 people, to protest bad planning in the city.¹¹¹ Although his place on the Rally ticket was indebted to his planning activism, he had strong interests in education and law reform in prostitution, euthanasia and narcotics. Originally from South Australia and once a Catholic seminarian, he was a "serious type who wears a monastic-style beard".¹¹² Journalist Crispin Hull considered that he lacked "personal ambition" and held a "quaint 19th century view that debate on the floor matters and can actually persuade him".¹¹³ Moore believed in open government too, so that, in his later status as an independent, he shunned concession-seeking and trade-offs.

The last of the 17 seats to be decided was won by Dr Hector Kinloch. A "Jolly quaker", he had been a reader in history and Dean of Students at ANU, and a leading member of the Committee for a Casino Free Canberra (owing to his own former addiction to gambling).¹¹⁴ Born in Boston, Massachusetts but brought up in a Dr Barnardo's home in England before coming to Australia in 1960, he was educated at Cambridge and Yale, and later taught American history. He was better known to Canberrans as a film reviewer, to which he brought "the quality of innocent enthusiasm rather than critical dissection", an approach he occasionally carried into

¹⁰⁹ *Canberra Times*, 28 January 1989, 3; 2 March 1989, 4.

¹¹⁰ *Hansard*, 29 June 1989, 537.

¹¹¹ *Canberra Times*, 16 January 1989, 3.

¹¹² Tony Wright, "Residents Rally clearly not a political party", *Canberra Times*, 2 February 1989, 9.

¹¹³ Crispin Hull, "The man who holds the key", *Canberra Times*, 2 March 1995, 9.

¹¹⁴ *Canberra Times*, 28 January 1989, 3; Tony Wright, "Residents Rally clearly not a political party", *Canberra Times*, 2 February 1989, 9.

politics.¹¹⁵ He often attempted to dispel the combative tone of the Assembly with levity, but ultimately found its atmosphere oppressive and distressing.¹¹⁶ Kinloch always wore his heart on his sleeve, sometimes excessively so. Shortly after the election, he was caught smashing down a model of the proposed casino.¹¹⁷

No Self Government Party

Unlike other MLAs, the NSG representatives had minimal involvement in community roles prior to their election. Craig Duby, the party leader, originated in Queensland and had been a real estate agent and low-ranking public servant in the ACT Administration, and a resident of Canberra for 10 years.¹¹⁸ Despite lacking a political pedigree, he displayed real flair for parliamentary cut-and-thrust and was an astute negotiator. Other MLAs were often entertained by his mischievous sense of humour. His realisation that his party's *raison d'être* had been demolished by the election result led to several creative reinventions both of his party's and his own political persona. His partner, both politically and domestically, was Carmel Maher, also an ACT Administration employee. She had been a resident of Canberra for 20 years, and had early childhood-care qualifications.¹¹⁹ Shy and demure, she had a lisp which made her an uncomfortable parliamentarian.

The third NSG member, David Prowse, had been a private-sector engineer and retired Royal Australian Air Force (RAAF) officer. He was also a naturopath, which lent him a suspicion of conventional medicine. As spokesman for the ACT

¹¹⁵ Lucy Maniam Kinloch, *Kinloch, Hector Gilchrist (1927–1993)*, Australian Dictionary of Biography, <https://adb.anu.edu.au/biography/kinloch-hector-gilchrist-18283>. Accessed 26 August 2025.

¹¹⁶ See, for example, his commentary on female ministers' attire: *Hansard*, 27 June 1989, 407, 423. He marked the birthday of King Louis XVI by pledging never to introduce guillotines into the Territory: *Hansard*, 23 August 1989, 1296.

¹¹⁷ *Canberra Times*, 24 February 1989, 4; 1 April 1989, 1.

¹¹⁸ *Hansard*, 4 July 1989, 605; *Canberra Times*, 7 March 1989, 1.

¹¹⁹ *Canberra Times*, 7 March 1989, 1.

Pure Water Association before the election, he had condemned the “poisoning” of Canberra’s water by the addition of fluoride, a view he would prosecute disastrously in politics. Personable and inoffensive, he ironically performed creditably as the inaugural Speaker.

Abolish Self Government Coalition

The most enigmatic of the new MLAs was Dennis Stevenson, leader and sole representative of the Abolish Self Government Coalition. He was born in Sydney, a former NSW policeman and an Army reservist: the *Canberra Times* referred to him as a “business consultant” who had been in Canberra only 18 months, apparently having come from Victoria.¹²⁰ He was also reported to have a connection with the Citizens Electoral Council, a right-wing organisation which is now the Australian Citizens Party. Associated with US conspiracy theorist Lyndon LaRouche, the Council has been accused of being “antisemitic, anti-gay, anti-Aboriginal and racist”.¹²¹ An Australian Broadcasting Corporation (ABC) consumer program ran a story of Stevenson having charged clients for “worthless” beauty therapy diplomas, and suggested he had handed out holocaust-denial literature in Canberra.¹²² He engaged in informal polling throughout his term, to determine “the will” of the community.¹²³ Tall and solemn, but with a speaking style redolent of a tele-evangelist, he kept apart from other MLAs, rarely socialising with them outside of sittings.

¹²⁰ Members of the Second Assembly, [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.parliament.act.gov.au/data/assets/pdf_file/0011/437285/Members-2nd-Assembly-1992.pdf](https://www.parliament.act.gov.au/data/assets/pdf_file/0011/437285/Members-2nd-Assembly-1992.pdf). Accessed 26 August 2025.

¹²¹ *Canberra Times*, 23 February 1989, 9; 3 March 1989, 1, 13. https://en.wikipedia.org/wiki/Australian_Citizens_Party. Accessed 26 August 2025.

¹²² *Canberra Times*, 7 March 1989, 1.

¹²³ *Canberra Times*, 10 September 1990, 3.

Liberal Party

Unlike the representatives of the minor parties, most of the inaugural Liberal MLAs would serve throughout the first decade of self-government. Trevor Kaine, born into a working-class family in Tasmania in 1928 and educated in Melbourne, was the second oldest MLA after Kinloch. A member of the RAAF for 22 years, he became a public servant in Canberra. Kaine joined the Liberal Party and soon afterwards, in 1974, was elected to the House of Assembly. With swept-back grey hair and a military moustache, he cut a distinguished figure in a legislature where most members were his junior, in age and experience. He played the violin and painted watercolours, and learned to fly in his sixties. Kaine was also one of the Assembly's finer orators. He had trained as an accountant and saw financial management as his political strength. He also had a mighty temper. Kaine maintained friendships with MLAs who had served in the previous advisory assemblies, seeing them as seasoned politicians, like himself, in contrast to the inexperienced neophytes of 1989.¹²⁴ This attitude gave rise to suspicion, among the Liberal neophytes, that Kaine was too close to some Labor members.¹²⁵

Two other Liberals were, like Kaine, of a conservative disposition. Born in Wellington NSW, Robyn Nolan came to Canberra in the late 1970s. A businesswoman, she was a motel manager and lecturer in hospitality and tourism at the Canberra TAFE.¹²⁶ She and Bill Stefaniak were my vice-presidents in the ACT

¹²⁴ *Canberra Times*, 30 November 1989, 3.

¹²⁵ Pru Goward, "Mae West has a message for ACT politicians", *Canberra Times*, 1 January 1989, 7. Journalist Bruce Juddery noted that Whalan as Deputy Chief Minister had "taken to going along to talk to financiers and business people in company with Trevor Kaine, the Opposition Leader": Fia Cumming, "Smiling Follett: matching a few old hands", *Canberra Times*, 11 June 1989, 7. Lamont says in interview that Grassby had a "very close relationship with Trevor Kaine" which involved "backchannelling" (i.e. each feeding the other information about the internal workings of the other's party): *Interview with David Lamont*, 12 December 2023.

¹²⁶ *Canberra Times*, 23 February 1989, 4.

Liberal Party; despite their conservatism, as new blood in the party I considered them allies. Warden described her, a little unkindly, as “another of the new breed of dry, didactic, assertive and rather Thatcherite conservative women exemplified in the Federal Parliament by the awesome Bronwyn Bishop”.¹²⁷ Nolan was indeed philosophically on the right; she would contest the second ACT election not as a Liberal but as a New Conservative.

Also on the Liberal right, Bill Stefaniak was the son of a former Polish Army officer who came to Canberra in 1948 and a mother who had worked for Prime Minister Arthur Fadden. He was the only original MLA to have been born in Canberra. Having studied law at the ANU and practised as a Crown prosecutor, the outgoing, rambunctious, big-framed Stefaniak was a keen sportsman and Army reservist.¹²⁸ His conservatism and legal background made adopting a law-and-order agenda ineluctable.

I asked Crispin Hull, former editor of the *Canberra Times*, to make a frank assessment of my role during the period of this study:

Gary Humphries was born in Sydney in 1958. His parents were in small business. He was educated in Catholic schools in Sydney and London. He relates that travelling behind the Iron Curtain as an 11-year-old consolidated a lifelong opposition to socialism. He came to Canberra to study law at ANU in 1978, never intending to stay. He became active first in student politics, being in a cohort of students in which conservatism was having a revival after a period in which protest and progressivism prevailed on Australian campuses dominated by Vietnam, conscription and apartheid (of which I was part). Despite our different political and social outlooks on a whole range of issues, I have always liked and respected Gary. I have never doubted his sincerity and integrity and I have respected his

¹²⁷ Ian Warden, “Candidates lift eyes to the hills”, *Canberra Times*, 27 January 1989, 8.

¹²⁸ *Canberra Times*, 25 February 1989, 7.

considered judgment when making decisions from a position of power, even if I might have disagreed with them. Gary also has a lot of political courage.¹²⁹ However, he was the youngest member of the first two Assemblies, and inexperience and impetuosity sometimes showed. An older, wiser head might have realised that whatever the economic merits of closing several suburban primary schools, the policy required a lot more sensitivity to community sentiments and a lot more consultation and explaining, rather than pushing on regardless. This was especially true in the case of Hall Primary School. That spawned the Save Our Schools organisation and much anger expressed through The Canberra Times. It all but wrecked the Alliance Government.¹³⁰



Figure 4 The First Legislative Assembly: (front row, left to right) Wayne Berry, Elnor Grassby, Trevor Kaine, Rosemary Follett, David Prowse, Paul Whalan, Bernard Collaery; (back row) Dennis Stevenson, Norm Jensen, Michael Moore, Robyn Nolan, Gary Humphries, Carmel Maher, Hector Kinloch, Bill Wood, Bill Stefaniak, Craig Duby. Author's archive.

¹²⁹ Hull is referring to a later period when I was ACT Liberal senator: "He was the first member of the Liberal Party to cross the floor during the Howard Government – no-one had done that in the previous 11 and a half years. It was over the issue of whether the Federal Parliament should nullify a law (civil unions) made by the ACT Assembly. Gary stood up for local democracy and earned a lot of respect in Canberra, but it did not do him any good federally"; that is, it contributed to my loss of Liberal Party preselection in 2013.

¹³⁰ Email Hull to Humphries, 19 December 2025.

Stumbling towards a first government

The long vote count between March and May allowed the MLAs-presumptive to wrestle with the challenge of choosing a government out of the fractured field left by the election. The media breathlessly speculated, following each round of negotiations, on which alliance of members stood the best chance, that day, of governing. Most of these permutations involved the Rally. At various points it was reported that Collaery was close to securing coalition deals with each of the Labor and Liberal parties, or would form a government of the crossbenchers (with a Speaker “poached” from a major party), or would participate in a “rotating ministry” arrangement, or would serve as interim Chief Minister while “everyone sorted themselves out”.¹³¹ Follett relates that she found negotiating with the Rally “very difficult”; Collaery, she said, was “power-hungry” and the members were disunited.¹³² In this fevered environment thoughts even turned to a Liberal-Labor coalition; Holding publicly backed such an outcome but Federal opposition leader John Howard, keen to define the Federal Coalition’s identity as sharply as possible from the ALP, and himself under considerable pressure that would soon result in the loss of his leadership, branded it “stupid”.¹³³ Follett says she never seriously considered the idea; the differences in the policies and “culture” of the two parties was just too

¹³¹ *Canberra Times*, 8 March 1989, 1; 14 March 1989, 1; 31 March 1989, 1; 13 April 1989, 1; 3 May 1989, 1; 9 May 1989, 1; Pru Goward, “D’Hondt lives up to its promise”, *Canberra Times*, 12 March 1989, 7. Collaery said in interview that he met with Follett in Manuka at this time and reached in principle agreement on forming a Labor-Rally government. She later told him such an arrangement “wasn’t possible” – he speculated that Whalan had scuttled it because he, Collaery, had raised concerns about Whalan serving in a coalition government. Conversely, agreement with Kaine on power-sharing was elusive because of Kaine’s “almost patronising” view of the Rally as parvenus: *Interview with Bernard Collaery*, 1 March 2023.

¹³² Though she notes that Collaery “wasn’t alone” among the parties in this respect: *Interview with Rosemary Follett*, 17 January 2024. She says that “you couldn’t discern a collective view from the Residents Rally” except that they were generally anti-development and anti-casino.

¹³³ *Canberra Times*, 3 May 1989, 1; 4 May 1989, 1. Howard’s opinion may not have mattered; he was deposed as leader by Andrew Peacock six days later.

great.¹³⁴ The idea garnered “gales of laughter and howls of outrage” in various quarters of both parties.¹³⁵ In the meantime Holding, concerned that the Territory was “grinding to a halt” while the count dragged on, constituted an advisory committee of the tentatively-elected MLAs that he could consult on urgent matters. Only Stevenson refused to participate.¹³⁶ The interregnum also allowed scrutiny of the emerging politicians to intensify. Nolan was charged with filing misleading tax statements, and Stevenson was accused of not being an Australian citizen, a claim he refuted, and of having been expelled by the Church of Scientology, a claim he did not.¹³⁷ This attention was the beginning of a long preoccupation by the media with the peccadilloes of the inaugural MLAs – a preoccupation which several MLAs actively fed.

As Self Government Day approached, Kaine and Follett fretted about instability. They held discussions, including at Kaine’s home.¹³⁸ He informed the nascent Liberal party room that it had been agreed the Liberals would support Follett’s election as Chief Minister while Labor would facilitate his election as Leader of the Opposition. With nine votes, this arrangement would prevail. Labor’s support was necessary because, with four seats each, both the Liberals and the Rally could claim to be the official opposition. This agreement, to which I as Kaine’s deputy had not been privy, generated some disquiet among his colleagues, since it discarded the

¹³⁴ *Interview with Rosemary Follett*, 17 January 2024. She hints that Kaine “would not have been supportive of a female-led” government.

¹³⁵ Fia Cumming, “Vision of happy marriage is a pipe-dream”, *Canberra Times*, 7 May 1989, 7.

¹³⁶ *Canberra Times*, 1 April 1989, 1; 12 April 1989, 2. Its participants generally viewed the committee as unproductive. Wood thought it had been brought together to “pacify” the frustrated candidates, while Bill Harris, the Head of Administration, believed ALP participants regarded it as “window dressing”: Price, “Looking Back”, 17, 21.

¹³⁷ *Canberra Times*, 9 March 1989, 1; 11 March 1989, 1; 14 March 1989, 2.

¹³⁸ According to the account of Kaine’s then wife, Karen Rush. She also relates that an irritated John Howard rang Kaine the following day to discourage Kaine from entering into an alliance with Labor: *Text message, Rush to Humphries*, 17 January 2024.

possibility of a Liberal-led coalition government (Whalan, Follett's deputy, did not participate in negotiations either, on account of Collaery's public aspersions on him).¹³⁹ On the night before the inaugural meeting of the Assembly, Nolan, Stefaniak and I confronted Kaine and insisted that one last attempt be made to avert a Labor government. Hasty late-night discussions resulted in a convening of the Liberal, Rally and Abolish MLAs at the Liberal Party HQ at 8 am the following day.

I chaired this meeting, as Kaine was very agitated. I had been told that the Rally would accept a coalition government with Kaine at its head, and that Stevenson would prefer this arrangement to a minority government led by Follett. I opened by observing that, with nine MLAs in the room, if we were able to reach consensus we could form a government that day. I then asked Stevenson who he wished to vote for as Chief Minister. He responded, "Bernard". My next question was to have been, "if Bernard does not nominate, and the choice is between Trevor and Rosemary, who will you vote for?". The question was never asked. On Stevenson's answer, Kaine leapt to his feet, and exclaimed: "Obviously, this meeting is a complete waste of everyone's time!", and stormed out of the room. With the man we hoped to crown as the ACT's first chief minister no longer participating, the meeting ended in disarray. In such manner did the whims and idiosyncrasies of a key participant in the story of self-government in this planned, idealised city influence the course of its history. It would not be the last such occasion.

Self-government arrives

The ceremonial setting for the Capital Territory's accession to self-rule, seemingly taking its lead from community sentiment, was unprepossessing. The inaugural

¹³⁹ *Interview with Paul Whalan*, 9 August 2022.

Legislative Assembly chamber was a hastily-converted former government shopfront, on the ground floor of a city office building. Members needed only to pull back the curtains in the chamber to exchange looks with passing pedestrians. Seating consisted of “recycled public-service desks, dating from about 1940 which had been on the scrap heap but [which] will now look splendid after a professional polish.” The office for Liberal MLAs was the space vacated by a typing pool.¹⁴⁰

Self Government Day, 11 May 1989, arrived not with a bang but a whimper. Canberra’s citizenry was excluded from the inaugural sitting, the small public gallery being fully occupied by friends and family of the new MLAs. Territories Minister Clyde Holding turned up to hand over authorising documents and promptly left. Supreme Court judge John Kelly swore in the new members, and also left. Under the glare of television lights, the chamber elected the NSG’s Prowse as Speaker, and then proceeded to elect a chief minister by secret ballot. Only Follett and Collaery were nominated. Pursuant to the deal Kaine had negotiated with Labor, he voted for her but the other three Liberal MLAs were to spoil their ballots. Dejected, I voted for “M Mouse”. Follett won with nine votes (five ALP, three NSG and Kaine) to Collaery’s five.¹⁴¹ Pursuant again to that deal, Whalan then successfully moved that the Leader of the Opposition be elected by the Assembly. In the subsequent ballot Kaine defeated Collaery seven votes to four, with Labor members abstaining.¹⁴²

¹⁴⁰ *Canberra Times*, 1 March 1989, 2; 18 May 1989, 2.

¹⁴¹ Collaery later claimed that Moore had voted for Follett: Price, “Looking Back”, 23. This is unlikely to be true; I saw Kaine write Follett’s name on his ballot paper.

¹⁴² *Hansard*, 11 May 1989; *Canberra Times*, 12 May 1989, 1–2. The Liberal and NSG members gave Kaine his seven votes. Undoubtedly Stevenson abstained.



Figure 5 First sitting of the Legislative Assembly, 11 May 1989; Kaine & Humphries in the foreground. Author's archive.

It was a day of supplanted Westminster conventions and strange contradictions. A Labor government was elected with the connivance of the Liberal Party, while that same government helped designate who its official opposition would be. A member had been chosen as Speaker who, during the preceding election, had “stood for one thing – for *not* having an Assembly, *not* having self-government, *not* having democracy.”¹⁴³ The most experienced parliamentarian – former Queensland MP Wood – became the Assembly’s sole backbencher. More positively, the day saw two remarkable “firsts”: an Australian government had been created on the floor of a parliament without the agency of a viceroy, and that same government was led by a

¹⁴³ Fia Cumming, “Follett’s future fairly fragile”, *Canberra Times*, 12 May 1989, 2.

woman, albeit one who commanded so meagre a proportion of the parliament as had not been seen since the minority Victorian governments of the 1920s to 1940s.¹⁴⁴

The Rally, being neither government nor opposition, thundered against the deal that had put “the seal on the thirty pieces of silver that were exchanged” by the major parties. Unimpressed, Whalan rose to tell the chamber how the Rally had been the architect of its own misfortune, having struck a deal with Labor just the day before for a coalition – including a rotating chief ministership between Follett and Collaery – only to have the Rally executive instruct its MLAs to dump the agreement.¹⁴⁵ Follett then committed her government to developing a community “based on social justice and economic security”, but the strange incongruities of that first day hinted at the Sword of Damocles hanging over that ambition.¹⁴⁶

Indeed, the sense of momentum and period of grace which normally assists newly elected governments were in short supply for Follett. The perilous foundation in the Assembly for passing government legislation and the palpable cynicism of the electorate greatly complicated the task of tackling the Grants Commission-identified overfunding issue. She responded to these challenges with vim. Her ministry made

¹⁴⁴ Until this moment every government in Australia had been created by a governor-general, governor or administrator signing a commissioning document in a Government House. See <https://elections.uwa.edu.au/stateelectionlist2.lasso?ListState=VIC>. Accessed 12 March 2023. Follett calls her election that day “a crack in the glass ceiling”, which other women were able to exploit: *Interview with Rosemary Follett*, 17 January 2024.

¹⁴⁵ Collaery says that this account was “absolutely false”: *Interview with Bernard Collaery*, 1 March 2023. This leaves open the question of why the ALP-Rally negotiations did not produce a government. Whalan’s account must be tempered by the knowledge that, on his own admission, he was not present for the negotiations: *Interview with Paul Whalan*, 9 August 2022. In 2024 conversations with two former Rally executive members who do not wish to be identified, I was told that the executive never issued instructions to the Rally MLAs not to negotiate with the major parties. Follett does not recall the details of why the negotiations failed, other than to say that dealing with the Rally had been “very difficult”: *Interview with Rosemary Follett*, 17 January 2024. Moore recounts that Collaery conducted the negotiations personally, and so he is unable to say with certainty why no agreement was reached with the Labor Party. However, he speculates that Collaery had set a condition of agreement that Whalan be excluded from the ministry, a condition that Follett was unable to meet (see *Canberra Times*, 3 May 1989, 1–2). He suggests that Collaery preferred to blame the Rally executive, rather than his own intransigence, for pulling out of the negotiations: *Email Moore to Humphries*, 22 July 2025.

¹⁴⁶ *Hansard*, 11 May 1989, 7, 10, 13.

the most of a shallow talent pool: she took on the roles of Treasurer and Attorney-General (there were no lawyers in her ranks); Whalan became Minister for Industry, Employment and Education; Berry shouldered Community Services and Health, and Grassby became Minister for Housing and Urban Services. Wood also had an onerous workload: as the government's sole backbencher he had to serve on almost every Assembly committee. The Chief Minister styled her administration a "no-frills" government; staff establishments were modest and ministers were to drive themselves around in four-cylinder cars.¹⁴⁷ Their pay started at \$58,000 (compared with a base salary of \$40,000 for MLAs).¹⁴⁸ No longer would the posh Hyatt Hotel be the venue for government functions. Government was to be "open and accountable"; an expanded Question Time allowed every MLA to ask a question (and sometimes several) daily, and Tuesday evening sittings were inaugurated to allow citizens to observe their parliament after working hours.¹⁴⁹ Follett introduced the nation's "toughest" pecuniary interests disclosure regime for politicians and public servants, and women were to make up half the new appointments to government boards and committees.¹⁵⁰ This was government at its most aspirational, the least self-important, the most focused on service delivery.

Follett's most ambitious innovation came in the context of the Territory budget. It arrived in two parts: a "draft budget" delivered in July and a formal budget in September. Public consultation on the draft was to shape the formal version, an exercise to be overseen by a "Budget Consultative Committee" on which the leaders

¹⁴⁷ Title No. 1629653, "Follett Pay Rise", 12 August 1989, [Capital 7. Canberra. News Master. 1989.07.25–1989.09.04], NFSA.

¹⁴⁸ *Canberra Times*, 22 March 1990, 8.

¹⁴⁹ *Hansard*, 11 May 1989, 13; *Canberra Times*, 17 May 1989, 1; 28 June 1989, 5.

¹⁵⁰ *Canberra Times*, 22 June 1989, 2; 26 May 1989, 1. A *Canberra Times* editorial labelled the gender equality measure "folly": 26 May 1989, 8.

of the Assembly parties were invited to sit. This was a dramatic departure from the secrecy and centralised control which characterised Australian budget-making until that point. Although many problems beset the execution of the concept – the newspaper labelled it “Follett’s Folly” – it served two important political objectives: it underscored the opportunities for local control of the public agenda after decades of unresponsive Federal rule, and it reassured a population anxious about loss of amenity that their concerns would be heard.¹⁵¹ Follett in interview defends the draft budget concept as necessary because “at the time we really needed a lot of views [to be included] to get the budget passed”.¹⁵² Her carefully tailored approach to governing also boosted her own political capital; she consistently won approval as the ACT’s most popular politician.¹⁵³

The other parties arranged their affairs against this background, buttressed by established parliamentary conventions but also searching for new operational modes when those conventions were inadequate for the uncharted seas in which the Assembly found itself. Kaine, for example, a traditionalist but also pragmatic, brushed aside a significant political practice in the name of self-interest. He told the Assembly that the parliamentary wing of the Liberal Party had elected him as its leader.¹⁵⁴ This was untrue. Aware that I may have had the numbers to topple him, he had decided to break with the convention that leaders submit themselves for re-election at the beginning of a new parliament, particularly after an election loss. This prompted me

¹⁵¹ *Canberra Times*, 19 August 1989, 8. The two-stage budget process was not, however, repeated in Follett’s later governments. Wood explains that the two-stage process caused considerable “angst”, and some in the government concluded that a traditional budget approach would be “a damn sight easier”: *Interview with Bill Wood*, 5 May 2023.

¹⁵² *Interview with Rosemary Follett*, 17 January 2024.

¹⁵³ *Canberra Times*, 20 August 1989, 1–2; 28 November 1989, 1–2.

¹⁵⁴ *Hansard*, 11 May 1989, 11.

to contemplate a “spill motion”, but Nolan and Stefaniak were unwilling to stage a confrontation with Kaine, despite having serious misgivings about his leadership.¹⁵⁵ The Rally, for its part, enthusiastically challenged the government/opposition paradigm. Collaery insisted that Kaine, having shoehorned Labor into office, could not plausibly assume the role of Opposition Leader, and accordingly styled himself with that title for a period.¹⁵⁶ Rally MLAs launched a spirited attack on the new government from the first sittings, intent on demonstrating that they shared, or even led, opposition to the government.¹⁵⁷

NSG, more than any other party, struggled to define its role. It faced an existential dilemma, having supported into office a government it had pledged to voters never to allow to exist.¹⁵⁸ Moreover, lacking any shared philosophy of public administration, its members began to diverge, with Duby and Maher generally supporting Labor, and Prowse – a politically conservative individual – gravitating to the Liberals.¹⁵⁹ The search by NSG members for purpose and identity would be a contributing factor in the upheaval later that year, as they pondered the choice between “normalising” the institution of self-government and radically reshaping it, in lieu of any prospect of destroying it.

¹⁵⁵ Stefaniak explained that he and Nolan “simply thought it would not be a very good look for the Party at that time”; *Email Stefaniak to Humphries*, 1 November 2023. Frustrated, I wrote to Kaine pledging not to challenge him in the life of this parliament, an undertaking I later had cause to regret (see Chapter 5).

¹⁵⁶ A legal opinion was sought as to the validity of the amendment allowing the Assembly to elect the Opposition Leader. The advice upheld the propriety of the Assembly’s decision: *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory*, 2nd edition, 5.76.

¹⁵⁷ *Canberra Times*, 18 May 1989, 2; *Hansard*, 23 May 1989, 54–60.

¹⁵⁸ Duby’s take on this dilemma: *Hansard*, 24 May 1989, 80–1.

¹⁵⁹ For example, *Hansard*, 23 August 1989, 1265; 24 August 1989, 1365, 1375, 1378, 1383; 31 October 1989, 2219.

Addressing the Federal legacy

The first tasks of the new polity were those bequeathed to it by the Federal government. The most pressing and difficult among these was the task of securing the financial sustainability of a territory which was overfunded compared to other jurisdictions, and for which a fiscal cliff loomed. As Follett strove to fashion a budget that kept faith with the promise of no downgrading of services and no tax increases, she found her mission complicated by the roughhouse of Commonwealth-state fiscal relations. She attended her first Premiers' Conference just a week into self-government, only to be informed that the Commonwealth would be isolating \$21 million of its transitional funding guarantee for projects which would move the Territory's finances "onto a state-like basis", and for which its approval would be required. The decision was widely condemned as a breach of the Commonwealth's pre-self-government commitments though, as Wood points out, at least now there was someone to fight for the Territory's \$21 million.¹⁶⁰ The ACT's fiscal vulnerability was further underscored when Follett lodged a \$290 million claim for Commonwealth transitional support in September, based on the run-down state of assets it had inherited, particularly its hospitals.¹⁶¹ These were the opening salvos in a financial tussle that was to last a decade.

Hawke's casino proposal also needed resolution. I became chair of a select committee into the casino, a task made more difficult by insinuations of corruption from the Rally relating to the project and several hundred citizens protesting against it

¹⁶⁰ *Canberra Times*, 19 May 1989, 1; *Hansard*, 24 May 1989, 98; *Interview with Bill Wood*, 5 May 2023. The original quarantined amount of \$22.7 million was later revised to \$21 million: *Canberra Times*, 4 December 1989, 1.

¹⁶¹ *Canberra Times*, 6 September 1989, 1.

outside the Assembly.¹⁶² The committee recommended in July that the casino proceed, acknowledging both benefits and costs. I said: “At its very simplest, the equation boiled down to 100 problem gamblers against several thousand additional jobs. Gambling is a serious problem but so is unemployment.” Additionally, I contended, the casino would shake the city’s staid, bureaucratic image.¹⁶³ The Rally condemned the “headlong rush to the roulette wheel”, and persisted with behind-the-scenes manoeuvres to defeat it, but the battle was lost.¹⁶⁴ The casino opened in 1991, furnishing a handsome dividend to the Territory which bankrolled upgrades in the city’s cultural infrastructure.¹⁶⁵ (The history of the casino’s establishment, incidentally, provides an illustration of the fine lines which sometimes separate political success from failure. The casino had been approved at a Liberal divisional council in 1988 by a vote of 21 to 19.¹⁶⁶ Had one vote shifted sides the proposal would have been defeated, Liberal MLAs would have opposed it in the Assembly, and the anti-casino lobby would likely have triumphed.)

The issue of tertiary education amalgamations was addressed more obliquely. Liberal opposition to the merger of the ANU and CCAE did not kill off that proposal, but it did create the breathing space in which the institutions themselves could do so. I moved for the issue to be examined by another select committee.¹⁶⁷ In that forum the institutions themselves became critical voices. Federal Education Minister John Dawkins appeared before the committee – the first time, apparently, that a Federal

¹⁶² Title No. 1629653, “Casino rally”, 25 July 1989, [Capital 7. Canberra. News Master. 1989.07.25–1989.09.04], NFSA; *Canberra Times*, 7 July 1989, 8; 26 July 1989, 3.

¹⁶³ *Canberra Times*, 27 July 1989, 1. Follett also claims to have been informed that there was “quite a lot of covert gambling” in the ACT hitherto: *Interview with Rosemary Follett*, 17 January 2024.

¹⁶⁴ *Canberra Times*, 28 July 1989, 1.

¹⁶⁵ Whalan, the casino’s principal protagonist, conceded in 2022 that it had not delivered the economic benefits throughout its life that had been anticipated: *Interview with Paul Whalan*, 9 August 2022.

¹⁶⁶ *Canberra Times*, 12 August 1988, 1.

¹⁶⁷ *Hansard*, 1 June 1989, 340.

minister had appeared before a state or territory parliamentary committee – to push for amalgamation but conceded that he was “perfectly happy” to look at alternatives. The committee recommended in July against a “shotgun marriage” but conceded that amalgamation could proceed if the institutions so desired.¹⁶⁸ They were, however, by now drifting apart, the CCAE embarking on its path towards becoming the University of Canberra and the Institute of the Arts its path towards joining the ANU.¹⁶⁹

Other national issues entered the ACT public agenda. Follett’s government worked with NSW on two proposed major infrastructure projects: the Holy Grail of a very fast train linking the east coast capitals, and the Multifunction Polis, a high-tech futuristic city to be built in collaboration with the Japanese government.¹⁷⁰ Although the former failed to materialise and the latter went to Adelaide, each project gave the Territory seats at national tables hitherto denied it.

The hunt for equilibrium

Follett’s administrative innovations and reassuring public persona secured her party only limited traction in the Assembly’s early sittings. Indeed, the early success of her approach put pressure on other parties to find ways of buttressing their own relevance. In only the second sitting week Labor suffered its first defeats, with the establishment of additional committees over government objections and the

¹⁶⁸ *Canberra Times*, 14 July 1989, 2; 15 July 1989, 1; *Hansard*, 27 July 1989, 1046. The willingness of Minister Dawkins to defer to ACT sensibilities was a refreshing contrast to the approach of Treasurer Keating in backtracking on fiscal commitments to the Territory.

¹⁶⁹ *Canberra Times*, 25 July 1989, 3; 24 August 1989, 4; 9 September 1989, 1; *The Australian*, 2 August 1989, 13. More than 30 years later an ANU Vice-Chancellor would describe the amalgamation issue in 1989 as the University’s “greatest challenge”. He also concluded that both institutions “are far better off” for not having amalgamated: Brian Schmidt, “Let Canberra’s Pride Be Scholarship” (Canberra Day Oration), in *Canberra Historical Journal*, 89 (September 2022), 37. Wood holds a similar view, despite having originally backed Dawkins’s plans out of “loyalty to the Federal party”: *Interview with Bill Wood*, 5 May 2023.

¹⁷⁰ *Canberra Times*, 1 July 1989, 1; 3 October 1989, 1; Frank Bongiorno, *The Eighties: the decade that transformed Australia* (Collingwood: Black Inc, 2015), 284–6.

exclusive right of ministers to suspend standing orders jettisoned.¹⁷¹ MLAs soon exhibited testiness with ministers' performance in Question Time; Kaine complained that Whalan's answers ranged from monosyllabic to rambling, while Whalan in turn "delight[ed] in teasing and needling the non-government Members", particularly Collaery.¹⁷² Yet even as MLAs sought to find their feet and the parties circled each other warily, there were signs that the emerging political ethos was being shaped by the sense that a disdainful community was judging the new polity's every step.

Follett, meanwhile, sought to turn her government's minority status to advantage. She described her early defeats on the floor as "very healthy", given the limited mandate handed to her by the electorate, and expanded on this theme in a National Press Club address in June:

Whether we like it or not – and I have to say that I do like it – the electors of the ACT have forced us into a consultative mode ... It does seem to me that there is a certain amount of dissatisfaction and cynicism throughout Australia with politics in general and, in particular, with the major parties.¹⁷³

Indeed, it was a sense of that cynicism that nudged other MLAs, in the midst of their political wrangling, to strive for a measure of collegiality. A law-and-order measure by Stefaniak – giving police "move-on" powers to disperse potential troublemakers in public places – was approved in a modified form by the Assembly despite civil liberties misgivings. Lest the NSG members go empty-handed, and their anti-self-rule constituency be snubbed, an inquiry was set up into "the form of government most appropriate in the ACT", despite its self-evident futility.¹⁷⁴ Business long neglected by Federal governments was finally addressed; a select committee into HIV, illicit drugs

¹⁷¹ *Canberra Times*, 26 May 1989, 2; *Hansard*, 29 June 1989, 571.

¹⁷² Fia Cumming, "Opposition revolt on tactics", *Canberra Times*, 2 July 1989, 7.

¹⁷³ Fia Cumming, "Smiling Follett: matching a few old hands", *Canberra Times*, 11 June 1989, 7. In interview, Wood says that Follett's statements were "the strategic thing to say": *Interview with Bill Wood*, 5 May 2023.

¹⁷⁴ *Hansard*, 24 August 1989, 1303; 28 June 1989, 478.

and prostitution – the incubator of key social innovations in the following parliament – was established in September, and a suite of occupational health and safety reforms was carried in October. A levy on cigarette retailing, to replace tobacco company sponsorship of sport and the arts, was initiated and Follett asked Canberrans to turn their minds to the design of an ACT flag, which the Territory lacked.¹⁷⁵ The vehicle for many of these reforms was the Assembly's robust and dynamic committee system which, like the Senate's committees, soon acquired a reputation for open-mindedness and non-partisanship, and which could self-refer inquiries. Its centrepiece was a Public Accounts Committee, chaired by an Opposition member, a pointed contrast with the Bjelke-Petersen-era Queensland parliament – then much in the news in the dying months of a long-serving conservative government there – where such accountability mechanisms had been forgone.¹⁷⁶ Emulating national best practice earned the new parliament precious credit in some eyes, but not yet enough to redirect the broad stream of public opinion.

In a kind of antidote to self-government anxieties, Follett delivered “an exceedingly cautious Budget” – or rather, *draft* budget – in July. It featured expenditure cuts totalling \$13 million, new spending of \$5.3 million and new revenue of \$12.8 million. The cuts were achieved principally through “efficiency dividends” of 2–5% on government departments, fees for overseas students at TAFE and elimination of a 2½ hour overlap in the rosters of RCH nurses, plus the loss of 90 teaching positions in schools. Municipal rates rose in line with inflation, but land tax increases were minimised to honour the commitment not to add to the householder tax burden. “Corporate” taxes – including on X-video vendors, tobacco licensees and

¹⁷⁵ *Hansard*, 28 September 1989, 1599; 31 October 1989, 2270; *Canberra Times*, 27 September 1989, 2; *Hansard*, 16 November 1989, 2641.

¹⁷⁶ *Hansard*, 4 July 1989, 595–7.

poker machine operators – were more substantial.¹⁷⁷ New spending was modest: a new Social Justice and Women's Affairs Unit, an Occupational Health & Safety Inspectorate and \$1 million for tourism promotion. Reflecting the precarious tenure of her government, the document advanced only on to the lower slopes of the fiscal mountain which was the Commonwealth determination to bring ACT finances in line with the states.¹⁷⁸ It was this inhibition that framed Kaine's budget reply. The budget, he said, "merely defers the hard decision until next year".¹⁷⁹

Political ripples from Queensland and Tasmania

Events in two states, in particular, flavoured political developments in the ACT. The Fitzgerald inquiry into police corruption in Queensland (officially, the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct) had upended the political culture of that state and led to the resignation of long-time premier Sir Joh Bjelke-Petersen in 1987. The inquiry, together with the Costigan Royal Commission (Royal Commission on the Activities of the Federated Ship Painters and Dockers Union) earlier in the decade, scandals concerning Labor and legal figures in NSW, and accusations against High Court judge Lionel Murphy, had significantly elevated public sensitivity in Australia to official corruption.¹⁸⁰ It was a theme to which Collaery turned with enthusiasm in the ACT.¹⁸¹ Before the election he had attracted media attention by asserting that

¹⁷⁷ Cabinet Decision No. 58 – 1989/90 Revenue Options, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://act.accesstomemory.org/uploads/r/archivesact/a/e/e/ae30940e26ed53af6743c3a93af33f1bc8e258ddc71d590b54d3a028a1a1451/89-55_1989-90_Revenue_Options.pdf. Accessed 26 August 2025. In fact, the adult industry welcomed the 20% franchise tax on X-videos as putting the government's imprimatur on their continued existence: *Canberra Times*, 27 July 1989, 1.

¹⁷⁸ *Canberra Times*, 26 July 1989, 1.

¹⁷⁹ *Canberra Times*, 28 July 1989, 5.

¹⁸⁰ Bongiorno, *The Eighties*, 268–71.

¹⁸¹ He would later introduce legislation – the Crimes (Amendment) Bill (No 6) 1991 – from the crossbench to explicitly address issues arising out of the Fitzgerald Commission: *Hansard*, 25 November 1991, 4767.

the ACT has been a principality of the federal Labor Party. Patronage, appointments, cronyism and corruption – and who has willingly assisted them, where have the duplicities been? They’ve been, of course, the public administration of this capital.

Follett had angrily demanded that he “put up or shut up”, while John Enfield, former Department of Territories secretary and now the Public Service Commissioner, wrote to him demanding that he either detail his allegations or apologise.¹⁸² Collaery soon made fresh claims of corruption under the protection of parliamentary privilege. In early June 1989 he successfully moved a motion advocating an “independent advisory committee against corruption”, though both Kaine and Follett noted that he had not produced any evidence that corruption was already occurring in the Territory.¹⁸³ In July, Collaery’s allegations did become more specific; in Question Time he asked Whalan whether he had received a donation from the director of a development company, Wollongong Constructions, bidding to build the casino, and Follett whether the National Crime Authority was investigating a housing loan made to one of her ministers, later identified as Grassby. He suggested outside the Assembly that Follett should dump both Whalan and Grassby, saying her government was “breaking down”.¹⁸⁴ Follett made a ministerial statement outlining the measures she had taken to forestall the “scandalous abuses of power in Queensland” from happening in the ACT.¹⁸⁵

In an attempt to flush Collaery out, the government suspended standing orders to give him unlimited time to provide details of “ministerial and public service impropriety”. In the course of an almost three-hour speech – the longest in the Assembly’s history to this day, according to Tom Duncan, Clerk of the Assembly –

¹⁸² *Canberra Times*, 2 March 1989, 4; 25 March 1989, 1.

¹⁸³ *Hansard*, 1 June 1989, 329–39.

¹⁸⁴ *Hansard*, 4 July 1989, 606, 612–3, 615; *Canberra Times*, 6 July 1989, 1.

¹⁸⁵ *Hansard*, 4 July 1989, 595.

Whalan and an assertion that the director “had” the casino project.¹⁸⁶ The director and Whalan denied the allegation – the latter calling Collaery “a political leper” – and that against Grassby was found to be without substance.¹⁸⁷ Unsurprisingly, relations between Labor and the Rally soured dramatically. Whalan baited and ridiculed Collaery at every turn.¹⁸⁸ Labor’s Federal members and the unions stepped up pressure, charging, *inter alia*, that the Rally’s “anti-development” stance was costing the Territory jobs.¹⁸⁹ Follett took delight in tabling the results of investigations into claims of fraud against ACT Administration workers, showing that the overwhelming majority of claims related to people outside the public service.¹⁹⁰ Nonetheless, for a time some of the mud stuck, leading to dark mutterings of “I told you so” from cynics who had predicted just such an outcome of self-government.

By early July Cumming in the *Canberra Times* was noting a “shift in mood” in the wake of events in Tasmania, with “a closer working relationship between the Liberals and the Rally”.¹⁹¹ Kaine and I shared the view that, as Liberal MPs, our highest duty was to attempt to form a Liberal-led government, particularly where Labor lacked a clear mandate. The Rally’s position was more complex. One part of its membership, spearheaded by Moore, believed that the party was conceived as a “Keep the bastards honest”-type force for the crossbench (at least for the First Assembly), in emulation of the role that Don Chipp had defined for the Australian Democrats. But Collaery and the other MLAs were antagonised by Labor’s (particularly Whalan’s) tactics and felt they would lose political ground unless they

¹⁸⁶ *Hansard*, 6 July 1989, 746.

¹⁸⁷ *Canberra Times*, 6 July 1989, 1; 7 July 1989, 1; 8 July 1989, 1–2.

¹⁸⁸ *Canberra Times*, 24 August 1989, 1–2; 28 September 1989, 1.

¹⁸⁹ *Canberra Times*, 17 August 1989, 1–2; 18 August 1989, 1, 3; 20 August 1989, 3; 23 August 1989, 4; 3 November 1989, 2.

¹⁹⁰ *Hansard*, 26 September 1989, 1405–6, 1703.

¹⁹¹ Fia Cumming, “Opposition revolt on tactics”, *Canberra Times*, 2 July 1989, 7.

could implement Rally policies from the Treasury benches.¹⁹²

Signals of a warming relationship appeared in the media throughout the second half of 1989, placing further pressure on Follett and her colleagues, who knew that sudden annihilation was “always on the cards”.¹⁹³ In September Kaine openly declared that the two parties were “getting close” to a no confidence motion in the government.¹⁹⁴ At a joint meeting of the Liberal-Rally MLAs in October, I proposed that the emerging coalition give itself a name: the “Alliance Government”.¹⁹⁵ An “Accord for Government” was drawn up; its leaking to the media was probably indicative of rising tensions within the Rally.¹⁹⁶ Moore wrote to Rally members in mid-October criticising the party’s performance and Collaery’s leadership. This triggered a general meeting of Rally members, where a resolution, precluding Rally MLAs from supporting no confidence in the government, was put up by Moore’s supporters. When the motion was defeated, Moore quit the party. Both Kaine and Collaery welcomed his defection, suggesting that it lifted a major obstacle to negotiations between them. Collaery claimed later in interview that Rally MLAs had regarded Moore, a progressive on many social issues, as “proto-Labor”. Moore

¹⁹² *Interview with Michael Moore*, 12 July 2022; *Hansard*, 24 August 1989, 1315–6; *Canberra Times*, 28 September 1989, 1. “Keep the bastards honest” was the *raison d’être* formulated by Australian Democrats leader Don Chipp in 1980: https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp0809/09rp25. Accessed 22 April 2023. Wood considers that Whalan’s “vitriolic attacks” on Collaery may have been counterproductive. He says in interview that caucus remonstrated with Whalan about his tactics, which Wood considers were “a big factor” in turning the Rally against Labor: *Interview with Bill Wood*, 5 May 2023.

¹⁹³ *Canberra Times*, 13 July 1989, 1; 17 August 1989, 1; 3 October 1989, 3; *Interview with Bill Wood*, 5 May 2023.

¹⁹⁴ *Canberra Times*, 9 September 1989, 1.

¹⁹⁵ I noted that without a self-adopted name the government would surely be labelled the “Coalition Government” or the “Kaine Government”, neither of which would please Collaery.

¹⁹⁶ *Accord for Government between the ACT Liberal Party, the Residents Rally for Canberra and the Independents Group*, December 1989, ACT Parliamentary Library; *Canberra Times*, 17 October 1989, 1. The Accord went through many iterations as luminaries from the various parties contributed to its drafting.

became an independent, in the first of several party fractures that would bedevil the First Assembly.¹⁹⁷

The honeymoon is over

The struggle for legitimacy in the eyes of the electorate impelled all the MLAs – with the likely exception of Stevenson – to work dynamically toward improving the state of the city and its people, as evidence that they and the new political system provided utility. But distractions, some self-created, abounded. Whatever period of grace the new regime might have enjoyed was spluttering out as MLA inexperience and the complex, unstable party configuration drew that system into new controversies.

The first of these was fluoride. Canberra's water supply had been fluoridated since 1964, but mass fluoridation had long been in the sights of conspiracy theorists, particularly from the Right.¹⁹⁸ In September a private member's bill sponsored by Prowse mandated the end of this regime. Support for the bill came from Rally and anti-self-government MLAs. Nolan was also strongly anti-fluoride, and persuaded Stefaniak to join her, and the Liberal party room to permit them both a conscience vote on the issue. The bill's passage produced instant uproar. As Prowse was photographed theatrically switching off the fluoride intake at a water treatment plant, the ACT's Federal members and the medical/dental community condemned the decision on public health grounds, while Federal Health Minister Neal Blewett called

¹⁹⁷ *Canberra Times*, 16 October 1989, 1; 24 October 1989, 1; 25 October 1989, 1; *Interview with Bernard Collaery*, 1 March 2023. In correspondence Collaery spells out some of the tensions within the Rally: "The Rally's Planning C'tee was formidable and centred around Peter Harrison, Michael [Moore] and inner Canberra activists. It never compromised on inner City in-fill, City high-rise; recall the Canberra Times building issue [the former *Canberra Times* site]. Looking back they were running against the tide. They turned solidly against the Alliance despite the fact that they **did not at the crucial meetings on the Accord object**. Opportunistically, they joined with Hector against the school closures." (Collaery's emphasis), *Email Collaery to Humphries*, 13 April 2023.

¹⁹⁸ See for example June Melby Benowitz, *Challenge and Change: Right-Wing Women, Grassroots Activism, and the Baby Boom Generation* (University Press of Florida, 2015), 64; https://en.wikipedia.org/wiki/Water_fluoridation_controversy. Accessed 26 August 2025.

it “extraordinarily foolish”.¹⁹⁹ The move attracted national media coverage, much of it laced with ridicule.²⁰⁰ Referring to “the dreadful reputation the Assembly has gained nationally”, journalist Andree Coelli pronounced that it was now “a forum for quacks and overstimulated egos”.²⁰¹ Chastened, and noting also that its actions had unintentionally de-fluoridated the water supply of Queanbeyan, over the border in NSW, the legislature passed a bill to suspend the operation of the earlier act, with the result that fluoride, having been taken out, was now put back in.²⁰²

The episode was a major setback in the campaign to build the new parliament’s credibility, inviting, as it did, the national Canberra-bashers to swell the ranks of local anti-self-rule cynics. The ACT was “the laughing stock of the universe” declared one journalist.²⁰³ The fiasco nonetheless had two salutary consequences. One was that MLAs likely became more self-aware, conscious that small foibles and missteps could be magnified dramatically by a merciless media. The other was that many of the electors who had vented their spleens at the March poll now realised that there was a significant downside to their choices. In screening candidates in the “joke” election based on their attitude toward self-government, they had elevated to power individuals with unknown, even dangerous, personal agendas. For many voters, the fun was now over, leading to a sobering of attitudes.²⁰⁴

¹⁹⁹ *Hansard*, 27 September 1989, 1564; *Canberra Times*, 28 September 1989, 1; 29 September 1989, 2; 10 October 1989, 1.

²⁰⁰ For example, *Australian Financial Review*, 5 October 1989, 16; *The Bulletin*, 10 October 1989, 24; Richard Farmer, “The voter doth protest too much, and suffers”, *The Australian*, 11 October 1989, 13.

²⁰¹ Andree Coelli, “Fluoride vote leaves Assembly open”, *Canberra Times*, 1 October 1989, 7.

²⁰² *Hansard*, 18 October 1989, 1769. Having learnt its lesson, the Liberal party room imposed party discipline on Nolan to support this bill, while Stefaniak in any case had changed his mind and now supported fluoridation.

²⁰³ Andree Coelli, “Assembly, Assembly, quite contrary”, *Canberra Times*, 22 October 1989, 7.

²⁰⁴ See, for example, Richard Farmer, “The voter doth protest too much, and suffers”, *The Australian*, 11 October 1989, 13.

The ALP, having backed fluoridation, came out of the episode relatively unscathed, but soon found itself in trouble with its budget. The winding back of inefficient work practices in teaching and nursing, though a modest step, earned the enmity of the unions. Industrial action and boisterous protest rallies outside the Assembly ensued.²⁰⁵ Some of the gloss came off the two-stage budget process when both Kaine and Collaery resigned from the budget consultative committee, with the Liberal leader claiming that his continued presence legitimised an “atrocious” budget.²⁰⁶ It was, however, the government’s decision about the future of the RCH – where, ironically, it proposed to *spend* money rather than save it – that attracted the greatest controversy. In November Berry announced that the WVH would become the Territory’s principal hospital and RCH would be retained as a “community” hospital, with half the number of beds. The capital cost of the restructuring would be \$200–210 million.²⁰⁷ The decision was immediately attacked from two sides: by some doctors and the Hospital Employees’ Federation, who wanted RCH retained as the principal hospital, and from other doctors and the *Canberra Times* who argued that retention of RCH failed to address gross inefficiencies in the health system. An editorial argued that it was “essential that the costs of the ACT hospital system be drastically cut” and that “biting the bullet [by closing RCH] might have been better”. It reminded readers that the average cost of a patient in an ACT public hospital was 35% higher than the national average.²⁰⁸ Berry soon found himself at war with the

²⁰⁵ *Canberra Times*, 5 August 1989, 1; 8 August 1989, 1; 23 August 1989, 3; 24 August 1989, 4; 16 September 1989, 1.

²⁰⁶ *Canberra Times*, 2 September 1989, 3; 23 September 1989, 5.

²⁰⁷ *Hansard*, 31 October 1989, 2202. In August a government steering committee, set up following the Kearney report into hospital restructuring, had recommended that WVH become the principal hospital and RCH be closed or downgraded: *Canberra Times*, 25 August 1989, 1. Not surprisingly, Treasury had recommended against retaining RCH as a hospital: Cabinet Decision No. 215 – Redevelopment of the ACT Public Hospital System, <https://act.accesstomemory.org/ACT46-89-192>. Accessed 26 August 2025.

²⁰⁸ *Canberra Times*, 15 September 1989, 3; 1 November 1989, 1, 8.

interim hospitals board, which recommended cost-saving measures after forecasting a \$10 million budget overrun. Follett, for her part, described the forecast as “just humbug”.²⁰⁹ As the conflict escalated, Berry announced that the board’s “days are numbered”, while the Assembly passed a motion expressing full confidence in it.²¹⁰ Doctors’ unions joined the assault on the minister.²¹¹ Another scathing editorial followed, headed “Berry on hospitals: diagnosis aboulia”. The Minister, it judged, “lacks the experience and the guts to handle the crisis in the ACT health system. He simply will not make the hard decisions.”²¹²

In a reminder that the Legislative Assembly’s remit was wider than that of state parliaments, the government also came unstuck on a much more mundane matter: long grass. In Question Time, Kinloch asked Grassby about the “crisis dimension” of uncut grass in Canberra’s open spaces, which he followed up with media splashes of him and Stefaniak melodramatically attacking the uncontrolled verdancy with scissors. The minister’s excuse of recent heavy rain did little to forestall the perception that big picture issues like the hospitals were obscuring smaller scale municipal responsibilities.²¹³ The coverage was symptomatic of a more profound anxiety, as the *Canberra Times* editorialised:

The public outcry over long grass was pretty much out of proportion to its importance, but it was symbolic of a deep fear held by many Canberrans that self-government will fundamentally change – even short-change – their city.²¹⁴

²⁰⁹ *Canberra Times*, 16 November 1989, 1. However, Berry later conceded that the health budget at this time was “out of control”: *Hansard*, 28 May 1991, 2020.

²¹⁰ *Canberra Times*, 9 November 1989, 1–2; *Hansard*, 16 November 1989, 2648.

²¹¹ *Canberra Times*, 10 November 1989, 1; 11 November 1989, 5; 13 November 1989, 1.

²¹² *Canberra Times*, 9 November 1989, 8. Aboulia is “the loss of will-power as a mental disorder”. The thundering editorials in the newspaper may have owed something to the fact that the acting chair of the hospitals board, Ian Meikle, was also the managing director of the *Canberra Times*.

²¹³ *Hansard*, 14 November 1989, 2468. The issue was even raised in the House of Representatives, with National Party backbencher Michael Cobb declaring that the unkempt growth was symptomatic of the socialist influence of Follett’s minority Labor government: *Canberra Times*, 3 December 1989, 6.

²¹⁴ *Canberra Times*, 3 December 1989, 6.

The perceived fumbling of so many quality-of-life issues, from the very great to the rather trivial, took its toll on the Assembly's standing. A Datacol poll in late November suggested MLAs in general, and minor parties in particular, were now held in low public esteem. Only Follett enjoyed a higher approval than disapproval rating; her ministers fared considerably worse. The rating of the three minor party leaders was catastrophic: 73% of respondents rated Collaery's performance Bad to Very Bad, against 7% rating it Good to Very Good. DUBY and Stevenson scored even more poorly.²¹⁵ These invidious judgements reminded MLAs that, whatever their disparate personal agendas, competent administration was the highest order of business as far as voters were concerned.

Dark clouds on Follett's horizon

If Follett was perturbed by the auguries of peril facing her government, she did not show it. She presented the final version of her budget in September, boasting that it was the first such document in this country to be shaped by public consultation. She retreated from some of the cuts in education, and provided relief for commercial ratepayers and a stamp duty waiver for first home buyers. These, said Kaine, were only "minor adjustments".²¹⁶ She flagged further reforms; the government would legislate to "revolutionise and simplify planning", and an integrated transport strategy was unveiled in October. Overdue reforms on the law relating to powers of attorney were enacted, and a consultation forum to deal with cross-border issues was signed with NSW Liberal Premier Nick Greiner. The Chief Minister did public battle with Hawke on the Territory's claims for additional financial assistance.²¹⁷

²¹⁵ *Canberra Times*, 28 November 1989, 1–2.

²¹⁶ *Canberra Times*, 27 September 1989, 1–2.

²¹⁷ *Canberra Times*, 13 September 1989, 1; 12 October 1989, 3; 6 November 1989, 1; *Hansard*, 17 October 1989, 1738; 26 October 1989, 2146.

Her cabinet was at least cohesive, rarely splitting along factional lines.²¹⁸ Hovering at the cabinet table was Bill Harris, the Head of Administration. In his view, the strains of minority government “united” the members of the ministry.²¹⁹ In a sign, perhaps, of the potential impact of inexperience on the new entity, the Federal government had conferred on his position the role of adviser to the ACT Executive “on the management of the public service” – a role without parallel in state constitutions.²²⁰ Chris Eccles, then head of the Cabinet Office, describes Harris as “the single most important influence in guiding the transition” to a self-governing territory.²²¹ This assisted Follett’s agenda of industriousness and repair, centred on deficiencies in community amenity and service provision. It was a conscious foil to the narrative of ruination popularly associated with self-government and stood in contrast to some of the peculiar agendas of minor party MLAs. Just as the international order was convulsing with the fall of the Berlin Wall, Follett sought to project a sense of stability and continuity to a local community unsettled by far less dramatic happenings and possibilities.

The most improbable of issues would derail this ambition: a tax on pornography. In November Follett had introduced a bill for the licensing and taxation of X-video retailers, putatively raising \$5 million annually. The industry was a “significant employer” in the Territory, and the bill was expected to pass

²¹⁸ *Interview with Paul Whalan*, 9 August 2022; *Interview with Bill Wood*, 5 May 2023; *Interview with Chris Eccles*, 4 July 2025.

²¹⁹ Price, “Looking Back”, 18.

²²⁰ Section 50, *Australian Capital Territory (Self-Government) Act 1988* (Cth). In a sign that this was an extraordinary measure for extraordinary times, the provision has since been repealed. By custom and practice, the head of premier’s departments play such an advisory role *vis-à-vis* the premier, but never in respect of the cabinet as a whole: *Interview with Chris Eccles*, 4 July 2025. (Eccles is well qualified to make this observation; he was note-taker to the first three ACT cabinets, and was subsequently head of the premier’s department in South Australia, NSW and Victoria.)

²²¹ *Interview with Chris Eccles*, 4 July 2025. Harris had declared he was “very proud of how we were prepared for an incoming government”: Price, “Looking Back”, 17.

notwithstanding opposition from the Liberal Party, which wanted to close the industry down.²²² On the day of the debate Collaery raised the matter of a donation of \$8500 to the Canberra ALP from the Adult Video Industry Association, made on the night of the election but not disclosed in the party's election return. He announced, apparently on the basis of this failure, that the Rally would switch its position and oppose the bill, which was duly defeated.²²³ Two days later – and a matter of a few hours after the passage of the first ACT budget – Collaery tabled a motion of no confidence in the Follett government. He said little in the house about the motion but told journalists that “Canberra has to be governed with integrity, with great moral honesty ... and not for a narrow political clique”; the video industry donation to the Labor Party had been the “last straw”. Kaine informed the media that, although the video tax had been the trigger for the no confidence motion, its foundation was actually the “culmination of six months of ... mismanagement by this government”.²²⁴ As the countdown to the vote on 5 December 1989 proceeded, the crossbench parties kept their own counsel.²²⁵ The *Canberra Times* pronounced that it was “almost inevitable” that the Follett government would be defeated, and that the two crucial votes would come from Prowse and Stevenson.²²⁶ This speculation was confounded, however, on the eve of the vote when Duby and Maher announced that they were abandoning NSG, would henceforth sit as independents, and would support the no confidence motion. Prowse soon followed suit. An Alliance administration, in which they were to

²²² *Hansard*, 2 November 1989, 2448–51.

²²³ *Hansard*, 21 November 1989, 2703–4; 2790–9. I say “apparently” because the reasons given in Collaery's speech were particularly opaque.

²²⁴ *Hansard*, 23 November 1989, 2929; *Canberra Times*, 24 November 1989, 1, 8.

²²⁵ Under section 19 of the *Australian Capital Territory (Self-Government) Act 1988* (Cth) a motion of no confidence in the Chief Minister must lay on the table for at least one week before it can be debated.

²²⁶ *Canberra Times*, 24 November 1989, 1.

participate, would provide majority government and “a stable Assembly”. On the same day a meeting of Rally members endorsed Collaery’s no confidence motion.²²⁷

These developments bled the fateful sitting on 5 December of any suspense; the mood was more public execution than gladiatorial contest. In an unexpected twist, Collaery opened the debate by alleging that “the Government” had made a “barely disguised threat” to Prowse that additional operational funding he was seeking as Speaker would be in jeopardy if he did not support the X-video tax. Prowse backed the claim, and even the accounts by Grassby and Berry of their conversations with Prowse about the tax seemed to lend it some support, even while the Labor government members denied any impropriety. Other MLAs in favour of the motion stepped around the topic.²²⁸ Collaery then explicitly abandoned the claim on which the motion was originally based, that Labor had corruptly received a donation from the X-video industry. Duby spoke of the need for “a stable ... government” and “strong government”, whereas Kaine asserted that “one simple matter” actuated the motion: “the government’s inability to address the crucial issues that face the ACT”, in particular Territory overfunding. Follett, in turn, called the motion “a simple power grab”, while Moore said the claims in relation to the X-video tax were “simply lies”.²²⁹ As if to underscore the lack of cohesion and credibility in the case for turning out Follett’s government, Collaery told the Assembly that the no confidence motion had been put together in haste: “If ever there was an unplanned event it was this one.”²³⁰ That concession had no bearing on the outcome. The motion was supported 10 to 7, Kaine was elected Chief Minister by 10 votes to 6, and Follett was voted Leader of

²²⁷ *Canberra Times*, 5 December 1989, 1.

²²⁸ *Hansard*, 5 December 1989, 2987, 3011–2, 3022–3.

²²⁹ *Hansard*, 5 December 1989, 2988, 3000, 3013–5, 2998.

²³⁰ *Hansard*, 5 December 1989, 3042.

the Opposition.²³¹ Buffeted by the privations of minority parliamentary status and electoral scepticism about its legitimacy, the ACT's first government had fallen in a matter of months. But the real surprise was not that it was swept away, but that it had survived for as long as it did.

Aftermath

The garbled presentation of the case for a change of government took its toll. The media and Canberrans in general were left free to postulate their own reasons for the ministry's defeat – and they did. Noting the “ineptness” of the attack on the Labor government, a *Canberra Times* editorial concluded that “Mr Collaery's yearning for power finally became too powerful”, while letters thundered about “a shameless grab for power” and the Alliance's “cynical attempts to drum up some issue – any issue – on which to hang its no confidence motion”.²³² In truth, its inchoate pitch reflected widely diverse motives within the new coalition. Kaine was genuinely angry that Follett was sitting on her hands while the Territory careered towards a fiscal cliff; he believed that only he could avert this fate. The recent Datacol polling hung heavily on the minds of both Collaery and Duby. With the Rally vote sinking, Collaery feared the powerlessness of remaining on the crossbench while Whalan, his Federal allies and the unions daily took damaging pot-shots. Duby's reasons were probably more personal; with a disapproval/approval rating of 85% to 3%, he knew that defeat at the 1992 election was almost certain. Becoming a minister could, at best, turn his luck around, and at worst would be a unique life experience. Duby was also very keen to deny Stevenson any leverage, given media speculation that the latter might do a deal

²³¹ *Hansard*, 5 December 1989, 3046–7. Stevenson attempted to abstain from the vote on the **no confidence motion**; when this was ruled a breach of standing orders, he voted no. Presumably he spoiled his ballot paper on the election for Chief Minister.

²³² *Canberra Times*, 6 December 1989, 8; 10 December 1989, 6.

to deliver the Alliance's ninth vote.²³³ My own view was that, with less than 23% of the primary vote, Labor had no right to the Treasury benches, and the electorate's expectations would be better met by a coalition, albeit one delivered seven months late. Nonetheless, the poor presentation of its case and the perception that Follett had done nothing egregiously wrong gave the change of government the whiff of a *coup d'état*, and that would exert significant drag on the Alliance over ensuing months.

Follett went quietly in the end, promising not to challenge the new government while the Alliance subsisted. The Assembly needed "stability", she said.²³⁴ This stateswoman-like gesture underscored both her own credo and what might be counted as the chief ambition of her government: the building of public confidence in the fledgling legislature and in its members. To do this "[w]e need to find common ground ... we need to keep Canberra Canberra."²³⁵ As a senior Treasury official would later note: "This community seems to be very, very deeply aware of its rights ... and it expects services".²³⁶ Tackling the larger fiscal challenge facing the Territory, mandating serious cuts in spending, would complicate this task; Whalan recalled the challenge as "a shit sandwich", courtesy of the Commonwealth, in that no responsible economic manager could deal with the task in the time provided.²³⁷ And so the challenge was largely eschewed. Other confidence-building housekeeping and direction-setting was the order of the day.

²³³ *Canberra Times*, 5 December 1989, 1.

²³⁴ *Canberra Times*, 6 December 1989, 8; 5 December 1989, 1.

²³⁵ *Hansard*, 5 December 1989, 2999.

²³⁶ *Interview with Khalid Ahmed*, 31 July 2025. Ahmed was a Treasury official during the Carnell, Humphries and Stanhope governments. He was drawing a contrast with the environment in the states.

²³⁷ *Interview with Paul Whalan*, 9 August 2022.

Mapping the first Follett government's achievements is no easy task, given that most of its early acts were in fact initiated under Commonwealth stewardship, and some initiatives funded in its only budget did not survive the change of government.²³⁸ However, it was in the national vanguard in creating accountability measures for MPs, in balancing the genders on government instrumentalities, and in establishing a fund to supplant tobacco industry involvement in sport. It kept faith with the electorate by tackling high rates of youth unemployment, giving tourism promotion a significant fillip, setting up an occupational health and safety regime, and filling gaps in services in mental health, obstetrics and disability. And by relocating to Canberra from Queanbeyan the Canberra Raiders, recently the winners of their first New South Wales Rugby League premiership, and bringing the ACT into reckoning on major national projects such as the very fast train, it seized the opportunities of the moment.²³⁹ Considering its fragile position on the floor of the parliament, its program had been bold, even defiant of the odds.

Corruption and the new polity

In his speech in 1990 on retiring from the Assembly, Whalan said that the first election campaign and its aftermath

initiated Canberra to a whole new world of falsehood, innuendo, unsubstantiated allegation and character assassination, all of them essentially initiated by one person ... His style was to cripple the proceedings of the Assembly throughout its first year.²⁴⁰

²³⁸ For example, Whalan notes that the July draft budget “virtually was prepared by the public service”, while the September final budget better reflected the government’s own priorities: *Interview with Paul Whalan*, 9 August 2022.

²³⁹ Whalan considers relocating the Raiders was the “one substantial thing” he achieved in government: *Interview with Paul Whalan*, 9 August 2022.

²⁴⁰ *Hansard*, 26 April 1990, 1338–9. Whalan never forgave Collaery for the allegations he had made against him; he once sent Collaery a letter enclosing a white feather to represent his “pusillanimity” at refusing to debate him over the casino: *Hansard*, 14 December 1989, 3177–9.



Figure 7 Happy family: Collaery, Duby and Kaine; cartoon by Geoff Pryor, Canberra Times, 6 December 1989, 1.

The “one person” was, of course, Bernard Collaery. Even if “cripple” was an exaggeration, it is fair to say that the allegations made by the Rally leader during 1989 cast an unwelcome pall of disquiet over an institution already struggling to win community acceptance. Collaery himself points out that many of the allegations he aired originated with, or were promoted by, others.²⁴¹ Nonetheless, he was by far the most prominent anti-corruption campaigner in Canberra at this time.

²⁴¹ He mentions in this context Moore, town planner Peter Harrison and Rally members from Tuggeranong: *Email Collaery to Humphries*, 13 April 2023.

Even when allegations are disproved or abandoned, suspicions linger. It is therefore salient to take stock of those allegations. Collaery stepped away from some. He chose not to press the claim of a corrupt donation to the Labor Party, despite having made it the cornerstone of a no confidence motion just 12 days previously.²⁴² The suggestion made in July regarding a \$100,000 bribe to Whalan “never went anywhere” over the subsequent five months, but in December he apologised to Whalan on Hansard for having tabled the statutory declaration on which it was based.²⁴³ The accusation against Grassby regarding a low interest housing loan was refuted within days of being made.²⁴⁴ Assertions of “patronage, appointments, cronyism and corruption” levelled broadly at Commonwealth public servants in March were not followed through.²⁴⁵ While it seems likely that some Labor ministers did indeed place pressure on Prowse to support the X-video tax, the question of whether this involved any impropriety remains open; no law or Standing Order appears to have been offended. Horse-trading between MPs over budget priorities occurs in every parliament. In summary, over a period of several months, with the advantage of parliamentary privilege, Collaery had cast a wide net, but caught nothing. In an era when investigations elsewhere in Australia were revealing cesspools of graft and corruption, Collaery’s own local fishing expedition left him conspicuously empty-handed.²⁴⁶

²⁴² An Electoral Commission investigation of the donation concluded that a breach of the Electoral Act was “by no means clear and the breach, if there is one, is a technical breach”: *Canberra Times*, 5 December 1989, 2.

²⁴³ *Hansard*, 5 December 1989, 3044–5. Whalan subsequently described this apology as “mealy-mouthed”, in that Collaery had apologised for the manner of the accusation but not for its substance: *Interview with Paul Whalan*, 9 August 2022. Indeed, in interview in 2023 Collaery appeared not to resile from the substance of the allegations: *Interview with Bernard Collaery*, 1 March 2023.

²⁴⁴ The loan in question had been made to her husband Al, not to her: *Canberra Times*, 7 July 1989, 1.

²⁴⁵ Collaery did not respond to the Public Service Commissioner’s demand that the foundation for the assertions be provided.

²⁴⁶ In interview in 2023, Collaery confirmed his view that corruption had been a problem in Canberra in the years before self-government. He said he “wasn’t too happy to see a [Bob] Hawke-Paul Whalan-right wing-Graham Richardson ... government here.” In respect of Whalan, he said that the Rally was

The sum effect of these episodes was, paradoxically, a salutary one. Other MLAs, conscious of the damage such allegations could do to the institution they served in, generally declined to climb aboard Collaery's bandwagon. Even other Rally MLAs seemed unenthusiastic about his approach; Moore revealed after quitting the Rally that Collaery's "corruption file" consisted of little more than newspaper clippings.²⁴⁷ Nor did other citizens seem anxious to flock to Collaery's banner; the habitués of the letters pages were largely disengaged.²⁴⁸ In a town dominated by a well-networked and gossipy public service workforce, where rumour often precedes revelation, many may have found Collaery's claims of deep corruption puzzling, even insulting.

Whatever the reasons, the outcome was that little of the mud actually stuck. Collaery's pronouncements looked to many like overreach. This failure, more than anything else, contributed to the submergence of corruption as a meme of ACT politics for at least two decades.²⁴⁹ It is no coincidence that the ACT was the last state or territory to enact an anti-corruption commission, not because governments

concerned with "land deals" involving a Canberra developer who was "knowledgeable to Paul Whalan". The concerns centred on sales in Tuggeranong by the Hawke government directly to land developers which constituted a breach, he said, of the Commonwealth *Seat of Government Act*. "Millionaires were being bred in our town": *Interview with Bernard Collaery*, 1 March 2023. In another interview, Collaery said that, in the period before May 1989, the Rally had "identified ... the person we had to neutralise in the early months of government, Paul Whalan": Price, "Looking Back", 23. He would also refer in 1991 in the Legislative Assembly to "continuing concerns ... with the threatened rise of Canberra Inc.", an allusion to "WA Inc.", a term coined by political scientist Patrick O'Brien to describe the unhealthy relationship between the Labor government and big business in Western Australia in the 1980s: *Hansard*, 25 November 1991, 4768; Bongiorno, *The Eighties*, 268.

²⁴⁷ *Canberra Times*, 4 November 1989, 3.

²⁴⁸ The Assembly's Public Accounts Committee, handing down a report in December 1989 on whether the Territory needed an anti-corruption authority, noted that just 23 submissions had been received, suggesting "a lack of public interest": *Canberra Times*, 15 December 1989, 3.

²⁴⁹ Collaery, as Attorney-General, did take a Public Corruption Bill 1991 (establishing an Independent Committee Against Corruption) through the Alliance cabinet, but its introduction was forestalled by the fall of the government a few days later: Cabinet Minute, 20 May 1991, *Trevor Kaine Papers*, ACT Heritage Library, Box 23. In relation to corruption claims, Collaery asserts: "We toned it down once we got Whalan on the defensive and Labor out": *Email Collaery to Humphries*, 13 April 2023.

were tardy or resistant, but because there was simply no perceived need for such a body prior to passage of the *Integrity Commission Act* in 2018.²⁵⁰

Conclusion

The first Follett government brought a single-minded resolve to one task: soothing the anxieties of a dubious community about its new government structure. It perceived, rightly, that good administration would be in jeopardy while ever the people that the administration served maintained a form of passive resistance to – or at least were disengaged from – the new order. The government probably achieved a measure of success in this quest, reflected in Follett’s ability to remain relatively popular while those around her did not. Indeed, Follett’s own political style was an important ingredient of that success. Her modest, almost maternal leadership, underpinned by a seeming dialogue with the community – or what journalist Robert Macklin called “an attractive, feminine vulnerability combined with a strong dose of commonsense” – did much to assuage the fears of those who had expected self-government to bring mayhem and impoverishment.²⁵¹ While she would be accused of having “no clear vision” and of a failure to tackle the costly and inefficient administrative edifice she inherited, her prioritising of the “marketing” of self-government was responsive to the disquieted climate she faced.²⁵² It was a necessary precondition to normalising the practice of self-government and laying the foundation for later policy innovation.

²⁵⁰ Some have argued that the practice, both before and after self-government, of declining to extract from a leaseholder the full value of an upgrade to the purpose of their lease amounted to a form of “bureaucratic corruption”. Waterford described this as a “corruption of ideals”. The practice per se was not illegal, however. See Jack Waterford, “The corruption of ACT ideals”, *Canberra Times*, 5 December 1988, 9.

²⁵¹ Robert Macklin, “Our ungainly swan”, *Canberra Times*, 3 December 1989, 17.

²⁵² *Interview with Michael Moore*, 12 July 2022.

Chapter 4: Paying for paradise

Never in her wildest dreams did Enid Blyton imagine some of the characters in the Assembly or some of the plots that have made news in the last few weeks.

- Journalist Chris Uhlmann, 1990¹

Until the end of 1989 the new realities of self-government had eluded the ACT community to a large extent. The imminent winnowing of Commonwealth subsidies had not yet had any serious impact on the Canberra lifestyle. The volatile mix of parties delivered by the first election had not destabilised the existing order, with Labor continuing to govern although now through precariously placed local rather than Federal representatives. The political agenda, certainly, was more contested, but those parliamentary battles – from fluoridation to long grass to pornography taxes – had been as much a source of amusement as alarm to the community. With the coming of a multi-party, Liberal-led government, the new polity began to make more of an impression on the lives of citizens that could no longer be dismissed with a deprecating laugh. A price had to be paid so that “normalcy” in service delivery could be guaranteed, payment of which would test the resolve of the new administration and the tolerance of its constituents. The Alliance government startled a still-complacent public with dramatic demonstrations of the opportunities and threats inherent in the new political order.

Alliance takes the reins

Kaine had the luxury of a Christmas break in which to acclimatise his team to the exigencies of governing. His brief included the far from insignificant task of

¹ Chris Uhlmann, “Time to call off the suicide squad”, *Canberra Times*, 11 November 1990, 9.

negotiating the policies by which that would occur.² He took the opportunity of the only sitting day before the recess to announce his ministry, personally taking on the role of Treasurer, as well as Minister for Planning and the Environment. Collaery, as Deputy Chief Minister, became Attorney-General and Minister for Housing and Community Services. (In interview, Collaery recalls that the Rally wanted the planning portfolio, but that “sources” told them that “the developers” were “dead set against it”.³) Duby was appointed Minister for Finance and Urban Services, and I became Minister for Health, Education and the Arts. The latter was a strange amalgam of responsibilities; in the Australian experience health and education had never before been assigned substantively to the one minister.⁴ They accounted for almost half of the Territory budget, and more than half of its workforce.⁵ Perhaps the other ministers had already declined these poisoned chalices, or possibly Kaine wanted to keep me occupied and out of his hair.⁶ Naïvely, I decided, as the then youngest minister in any Australian government at 31, that I was up for the challenge.

The more contentious feature in Kaine’s announcement of a “cooperative government” came with the appointment of so-called Executive Deputies; each minister would be “supported in exercising [his] responsibilities” in a nominated portfolio area by another Alliance MLA. Kinloch was my Executive Deputy in relation to education and the arts.⁷ The move was partly intended to signal that a larger

² The process of producing these policies – mostly amalgams of liberal and Rally policies – would go on well into 1990: various agendas, minutes of the joint party room, *Trevor Kaine Papers*, ACT Heritage Library, Box 16.

³ *Interview with Bernard Collaery*, 1 March 2023.

⁴ Though the responsibilities were combined for many years in the American cabinet, as Secretary of Health, Education and Welfare:

https://simple.wikipedia.org/wiki/United_States_Secretary_of_Health,_Education,_and_Welfare, Accessed 26 August 2025. Kaine was an avid Americophile.

⁵ *1989–90 Budget Papers, Budget Paper No 2*, 35; *Budget Paper No 5*.

⁶ Columnist Richard Farmer wrote: “Others in the Government sometimes give the appearance of wanting to take [Humphries] down a peg or three”: *Canberra Times*, 11 February 1990, 2.

⁷ *Hansard*, 7 December 1989, 3087.

proportion of the multifaceted Assembly would share the responsibility of governing than had been the case under Follett, and partly a concession to Collaery's vexation that half the cabinet were Liberals. Whatever the intention, the innovation caused confusion and fostered Labor members' accusation that Westminster principles of parliamentary accountability were being adulterated, as if there had not already been significant departures from established convention. Whalan nonetheless called the new positions "constitutional mutants".⁸ Labor members refused to serve on some committees chaired by Executive Deputies.⁹ Kaine was obliged to clarify that, while Executive Deputies could represent ministers at functions, sign correspondence on their behalf and receive delegations, they exercised no statutory powers.¹⁰ The Speaker ruled that they could ask questions in Question Time, but not answer them.¹¹ In reality, their role was only slightly greater than that of government backbenchers in other parliaments.¹²

The absence of an agreed policy platform underscored the disparate agendas ministers brought to the cabinet table. For Kaine the overarching imperative was to brace the Territory for reduced Commonwealth funding; everything else was secondary. He emphasised continuity with much of the previous government's program in other policy areas to "clear the decks" for a focus on fiscal management.¹³ I shared this ambition, appreciating that much of the heavy lifting

⁸ Stefaniak was styled variously as "Minister for Sport" and "Parliamentary Secretary for Sport" by public servants and community groups in the weeks following his appointment: *Hansard*, 13 February 1990, 16, 37; 14 February 1990, 128–9.

⁹ *Hansard*, 21 February 1990, 397; 12 September 1990, 3169; *Canberra Times*, 28 February 1991, 3.

¹⁰ Unlike the parliamentary secretaries then in use in the Federal ministry.

¹¹ *Canberra Times*, 18 December 1989, 1; *Hansard*, 13 February 1990, 1–2; 14 February 1990, 122–3.

¹² After Nolan and Kinloch had resigned as Executive Deputies, Kaine proposed that the positions be abolished, a move that was forestalled by the demise of the government soon afterwards: minutes of joint party room, 15 May 1991, *Trevor Kaine Papers*, Box 16.

¹³ *Canberra Times*, 8 December 1989, 2.

here would fall to health and education. Collaery, in contrast, sought the mantle of innovator and reformer, to consummate the promise of a new third force in Australian politics. He announced that he would deliver “the first new model justice system in the Australian Federation”.¹⁴ DUBY’s goals were more personal; he believed promoting fiscal rectitude might replenish his political capital, and hence the role of finance minister he solicited from Kaine. The overall effect, however, was one of policy dissonance, or at least that not everyone in the government was singing from the same song sheet. The “Accord for Government”, obliging the three parties to stand behind decisions of the joint party room, and the ministers’ decision to adopt the principle of cabinet solidarity, would prove poor restraints on the centrifugal forces driving Alliance members in different directions.¹⁵

The sense that the new government was an “impostor” – a usurper regime within an imposed political system – would be exploited by Federal Labor MPs and local trade unions, who intoned warnings of incoherency and instability; Holding, for example, forecast the new government would “jeopardise investment and development”.¹⁶ Kaine shrugged off these attacks and set about fiscal renovation. He appointed former Grants Commission chairman Rae Else-Mitchell to lead an audit of “what the ACT owns and owes”, and a Priorities Review Board (PRB) to identify potential efficiencies in the ACT Administration. The Board was composed of figures from academia, business and the Australian Public Service, but none from unions.¹⁷ The omission was deliberate; Kaine announced that it was essential to reining in

¹⁴ *Canberra Times*, 8 December 1989, 2.

¹⁵ Article 11, *Accord for Government between the ACT Liberal Party, the Residents Rally for Canberra and the Independents Group*, December 1989, ACT Parliamentary Library; Cabinet Minute Paper, Adoption of a Cabinet System for Meetings of the Executive, December 1989, *Trevor Kaine Papers*, Box 23.

¹⁶ *Canberra Times*, 7 December 1989, 2; see also 13 December 1989, 1; 15 December 1989, 1; 2 February 1990, 2; 3 February 1990, 4; 25 February 1990, 1; 26 April 1990, 4.

¹⁷ *Canberra Times*, 30 December 1989, 9; 9 February 1990, 1.

expenditure that the Administration (then standing at 18,000 employees) be reduced over the next five years. He set a goal of trimming 3,000 staff within two years.¹⁸ As if on cue, Federal finance minister Peter Walsh declared that the gap between ACT and state-average funding – estimated at \$84 million by the Grants Commission in 1986 – was now closer to \$100 million.¹⁹ With the Territory’s “excessive” spending squarely in focus, the scene was set for the fiery battle over social priorities which would define the Alliance government.

Kaine also had an agenda to pursue in land and planning. He had an early victory in the battle he inherited from Follett over the powers of the National Capital Planning Authority to control land use. The Commonwealth conceded the need for Territory control over zones such as the Murrumbidgee River corridor and sections of Northbourne Avenue, the main route into the city.²⁰ Kaine also attempted to settle the contentious question of betterment tax on upgrades of the uses to which commercial leases could be put; he implemented a sliding scale, with the tax reducing the longer the lease had been held. Advocates for the purity of the leasehold system were unimpressed; the *Canberra Times* labelled it a “sleight of hand”.²¹ To create more breathing space for budgetary reform, he lobbied the Commonwealth to grant a one-year extension on the transition period to state-type funding. His failure on this front did not tarnish the sense that economic and budgetary management were more integral to his government’s agenda than had been the case with Follett’s. This impression was burnished by positive economic data – including that, for the first time, the private sector employed more Canberrans than the public sector.²²

¹⁸ *Canberra Times*, 25 January 1990, 5; 1 April 1991, 3.

¹⁹ *Canberra Times*, 15 December 1989, 1.

²⁰ *Canberra Times*, 10 March 1990, 1.

²¹ *Canberra Times*, 23 February 1990, 1; 4 March 1990, 6.

²² *Canberra Times*, 1 March 1990, 3; 26 May 1990, 1; 22 December 1989, 3.

Battlegrounds: schools and hospitals

It was obvious that overcoming the Territory's financial challenge would be impossible without far-reaching decisions in the health and education portfolios. The Grants Commission had already identified them as areas of significant overspending. Expenditure on ACT schools was 18% above average state levels, while the cost of treatment in ACT public hospitals was 31% greater than the national average – and the administrative component was 80% higher.²³

As the most junior minister in the government, I realised the need for strong support from the cabinet to tackle these issues. Early in 1990 I flagged that closure of smaller schools and RCH would need to be considered, for which I received endorsement – if somewhat guardedly in the case of Collaery. The heads of the Departments of Health and Education embraced this strategy, having tried but failed to persuade my predecessor ministers to take it up. I took up the task with talented young staff and set about signalling to the electorate that tough, and likely unpopular, decisions were in the offing.²⁴ An industrial campaign by the nurses' union had already begun, a reaction to savings measures announced to deal with the health budget blowout inherited from the previous government.²⁵

The health portfolio offered up the first sacred cow for slaughter. Cabinet decided in March 1990 that RCH would be closed, overturning the previous government's decision to retain it as a "community hospital". In our assessment there

²³ *Hansard*, 20 March 1990, 556; Joan Morris, "The dearest hospital service in the country", *Canberra Times*, 16 December 1988, 9.

²⁴ These included Rohan Greenland (later CEO of the National Heart Foundation), Stephen Wade (later Minister for Health in South Australia) and Lin Dodds (later chair of the Australian Council of Social Service).

²⁵ I defended the savings, saying that taxpayers "are getting a raw deal, with millions of dollars being wasted on inefficient work practices every year": *Canberra Times*, 24 December 1989, 2; 23 January 1990, 1; 24 January 1990, 3; 1 February 1990, 1. I warned the education sector that "[e]verything is on the table" in the search for savings: *Canberra Times*, 16 March 1990, 1.

was no logic in separating patients at RCH from specialist services which would now be clustered at WVH. Doing so would also be significantly more expensive, as the Kearney Report commissioned by the Hawke government had argued.²⁶ Henceforth there would be 700 beds provided at WVH and 300 at Calvary Hospital in Canberra's north. The RCH site would be retained for health and recreational uses. To assuage anger over shutting down the birthplace of many Canberrans, I proposed some new services as sweeteners: a "birthing centre" (where women could give birth in a non-medicalised setting), a 24-hour mental health crisis service, and a hospice.²⁷ Laundry and sterilisation services would be privatised, and more beds would be opened in the private sector.²⁸

Within weeks came the announcement of the closure of schools. In a budget strategy statement, Kaine highlighted that there was a surplus of 13,000 student places in government schools – 20% more places than students. This difference was the equivalent of 15 to 25 schools.²⁹ A list of schools targeted for closure by year's end would be drawn up. Invitations to relevant unions to discuss these announcements met unhelpful responses. The Teachers' Federation said there was "no fat" in education and it would not be assisting the government. Hedley Rowe of the Hospital Employees' Federation (HEF) wrote to Kaine saying "rather than waste my time in discussions with you, I will utilise that time to increase the numbers who are opposed to your Government".³⁰ These were the first raindrops of an approaching downpour.

²⁶ *Canberra Times*, 2 December 1988, 9.

²⁷ I was persuaded that a hospice was needed after meeting with the president of the ACT Hospice Society, Jon Stanhope: Leanne Mason, "We must all do a better job next time we vote", *Canberra Times*, 17 August 1991, 9.

²⁸ *Hansard*, 27 March 1990, 864. Surprisingly for a city as wealthy as Canberra, there were, for example, no private obstetric beds: *Hansard*, 28 March 1990, 1033.

²⁹ *Canberra Times*, 30 March 1990, 1; *Hansard*, 24 April 1990, 1173.

³⁰ *Canberra Times*, 17 March 1990, 3; 31 March 1990, 2; 11 April 1990, 2.

Even before the government adopted these incendiary plans, tensions were rising in the Legislative Assembly. Debates throughout 1990 were characterised by spite and rancour, as attacks mounted from a still-bitter Opposition.³¹ A censure motion in March spawned a bout of name-calling: “ratbag”, “bum lawyer”, “you wanker” and “the most unpopular person in Canberra”. Berry and Whalan were suspended from the house, the latter for refusing to bow to the Speaker.³² The mood was not helped by a Remuneration Tribunal decision setting an MLA’s salary at \$40,000 pa – less than some public service librarians.³³ The Chief Minister’s salary was set at \$64,000 (compared with \$100,000 for his Northern Territory counterpart). A newspaper editorial opined that “fewer talented and skilled candidates will stand” in future elections under these pay rates.³⁴ Soon afterwards Whalan resigned from the Assembly, citing the Tribunal’s decision.³⁵ The ALP chose young lawyer Terry Connolly to fill the Assembly’s first casual vacancy.³⁶ Hailing from Port Adelaide, and the son of an Irish bricklayer, Connolly had been active in Young Labor while a law student at the University of Adelaide. He came to Canberra in 1983 and became an associate to ACT Supreme Court Judge John Gallop and a legal officer in several Federal government departments.³⁷ A formidable debater, he handsomely offset the Labor team’s deficit of lawyers. Like Whalan, he was from the Right, but did not

³¹ For example, see *Hansard*, 27 March 1990, 950.

³² Leanne Mason, “Debating waste – and wasting time”, *Canberra Times*, 25 March 1990, 9; *Hansard*, 22 March 1990, 780; 7 June 1990, 2353.

³³ Public Service officers at the top of the Administrative Service Officers range (the lowest range in the Australian Public Service, equivalent to the APS range today) were earning more than \$40,000 pa: *Canberra Times*, 22 March 1990, 4.

³⁴ *Canberra Times*, 21 March 1990, 1; 22 March 1990, 8.

³⁵ Whalan said in interview that he found, after working for Federal ministers, that the role of an MLA was less challenging than he had expected. He also said he would not have resigned without the assurance that he would be replaced in the Assembly by Terry Connolly: *Interview with Paul Whalan*, 9 August 2022.

³⁶ Under the *Australian Capital Territory (Electoral) Act 1988* (Cth), casual vacancies were filled at that time by appointment by the party of the retiring member, in the same style as Senate vacancies.

³⁷ *Hansard*, 1 May 1990, 1384–5, 1441; https://en.wikipedia.org/wiki/Terry_Connolly. Accessed 26 August 2025.

inherit Whalan's role as deputy leader, that privilege going instead to Berry.³⁸ It would not be the last time Connolly's factional allegiance would retard his advancement within the party.

Conscious of the unflattering views of both the Remuneration Tribunal and the general public, the Alliance ministers focused on performance. Kaine appointed the inaugural ACT Auditor-General.³⁹ Duby initiated a program to remove asbestos insulation from 750 Canberra homes, and to close the Ainslie Transfer Station, a popular drop-off facility for the household rubbish of North Canberrans.⁴⁰ I flagged the introduction of skills testing in schools and a clinical school for the training of undergraduate doctors.⁴¹ Collaery established a law reform advisory committee, with the initial task of considering defamation reform. He proposed a radical restructuring of the Territory's courts, and announced a human rights commission separate from the Commonwealth's own. He legislated for an ACT Director of Public Prosecutions.⁴² Some of these initiatives met immediate resistance; householders howled protest at the loss of the transfer station, Follett labelled the freestanding human rights commission "insanity", and Collaery was forced to backtrack on his court reforms when the Chief Justice panned them.⁴³

³⁸ *Canberra Times*, 2 May 1990, 2. Wood in interview recounts that he stood for the position too. On the first ballot the result was 2–2–1 (Follett and Berry for Berry, Connolly and Grassby for Connolly, Wood for himself). On two subsequent ballots the result was identical, after which Connolly said, "oh, stuff this. Berry can have it!". Wood says he now regrets the decision not to have backed Connolly: *Interview with Bill Wood*, 5 May 2023.

³⁹ *Hansard*, 5 June 1990, 2013.

⁴⁰ *Canberra Times*, 21 February 1990, 1; *Hansard*, 26 April 1990, 1322.

⁴¹ *Real Estate and Community Times*, 26 January 1990, 3; *Hansard*, 13 February 1990, 66.

⁴² *Hansard*, 20 March 1990, 552; 31 May 1990, 1965; *Canberra Times*, 11 April 1990, 1; 28 April 1990, 1.

⁴³ Richard Farmer, "Electoral referendum will be buried", *Canberra Times*, 6 May 1990, 2; 12 April 1990, 1; 3 May 1990, 1. It is ironic that Follett would later become the inaugural Commissioner of a freestanding ACT Discrimination Commission. Regarding court reform, Collaery observes that Chief Justice Jeffrey Miles's opposition may have stemmed from his disapproval of the Federal Government's design for ACT self-government: *Email Collaery to Humphries*, 13 April 2023. Miles evidently thought that the Supreme Court should remain a Federal responsibility.

Winter of discontent

Whatever difficulties beset other ministers, they were dwarfed by those in my portfolio. Indeed, the battlefields over school and hospital closures would come to dominate, define and – ultimately – bring down the Alliance government. They became, moreover, a calibration of self-government itself, measuring and testing both the limits and the purpose of the new governing arrangements.

The natural talent of Canberrans for lobbying and protesting, nurtured in the lee of Parliament House, came into its own at this time. A committee called ARCH (Augment Royal Canberra Hospital), formed to promote RCH over WVH as the principal hospital, labelled the government's plans "a thinly veiled attack on the established public hospital service". The HEF organised stop work meetings and circulated petitions to "save" RCH.⁴⁴

It was, however, in the school sector that the largest community mobilisation occurred. I announced a one-month consultation period on school closures, which triggered public meetings at those schools that considered themselves at risk. I attended every meeting to which I was invited. Seven hundred angry people crammed into the Weetangera Primary School hall, for example, to urge my reconsideration. Protests occurred almost weekly outside the Assembly.⁴⁵ "Experts" were rolled out before the media to warn of disastrous consequences of closing schools; a criminologist forecast more crime and an urban planner predicted more children dead or injured as they crossed more roads to be educated.⁴⁶ An ANU academic, Frances Perkins, declared that shutting 21 public schools would cost,

⁴⁴ *Canberra Times*, 3 April 1990, 1. The issue generated the largest number of petitioners (across nine petitions) of any issue in the Assembly's history: 62,981 signatures: *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory*, 2nd edition, 15.6.

⁴⁵ *Canberra Times*, 18 May 1990, 1.

⁴⁶ *Canberra Times*, 6 June 1990, 16; 4 July 1990, 5. See also 6 June 1990, 3; 5 September 1990, 3.

rather than save, the ACT government money.⁴⁷ I had some allies in this campaign, ranging from a former University of Canberra Vice-Chancellor to former ALP insider Richard Farmer, who wrote of me: “I admire his courage in telling us the unpalatable truth. We have been spoiled and we do have too many schools”.⁴⁸ Teachers’ Federation President Rosemary Richards admitted to me privately that her membership was divided, with some members contending that small schools placed a greater burden on teachers. More surprising was the support of Whalan, who singled me out for praise in his valedictory speech, a move widely interpreted as his personal endorsement for school and hospital closures.⁴⁹ But opponents were far more numerous. They ranged from the Secondary Principals’ Council to ANU urban researcher Patrick Troy (the schools plan “shows monumental ignorance”, he said).⁵⁰ Whalan recalled that whenever the idea of school closures came up “you suddenly had the most extraordinary lobbying exercise by some of the most senior [Commonwealth] bureaucrats” opposing them – that is, thinly disguised self-interest.⁵¹ Letter writers to the newspaper fumed: “We must not let a group of politicians with no mandate ... go about destroying our system”, while another declared the “ACT Government is committing political suicide”.⁵² Even rocker Alice Cooper joined the barricades, figuratively speaking: he gave permission for Maribyrnong Primary School to use the tune of *Poison* for its anti-closure song:

⁴⁷ *Canberra Times*, 22 May 1990, 1.

⁴⁸ The former Vice-Chancellor was Roger Scott: *Canberra Times*, 11 July 1990, 4; Richard Farmer, “Unpopular Greiner flirts with a daring poll plan”, *Canberra Times*, 20 May 1990, 2.

⁴⁹ *Hansard*, 26 April 1990, 1339. He later in interview confirmed this was his intention: *Interview with Paul Whalan*, 9 August 2022.

⁵⁰ *Canberra Times*, 5 June 1990, 1; 12 June 1990, 2.

⁵¹ *Interview with Paul Whalan*, 9 August 2022.

⁵² *Canberra Times*, 10 May 1990, 8; 27 May 1990, 6.

Oh Mr Humphries your decision is as bad as poison
We don't want you to close our schools...⁵³

Students march with angry message



Pictures: GRAHAM TIDY

Students march along Northbourne Avenue yesterday carrying banners in protest against proposed education cuts.

Leave schools alone, they say

By KAREN HOBSON,
Education Reporter

"Drop kick a Kaine toad today," the banner read. There was nothing subtle about yesterday's student protest against cuts to Canberra's education budget.

About 250 secondary students gathered outside the ACT Department of Education's central office in Macarthur House, Lyneham, to voice their anger at impending school closures.

They marched with police escort to the ACT Legislative Assembly in Civic, chanting slogans and cheering the support they received from motorists.

Joining hands, they circled the Assembly building, were encouraged to shout their messages so all inside could hear, then regrouped to listen to their classmates, to the Labor Leader, Rosemary Follett, the Minister for Education, Gary Humphries, and Independent MLA Michael Moore.

One of the organisers, Ian Goudie, a Year 11 student at Dickson College, said the "no schools, no future" rally was an opportunity for students to give their message to the Chief Minister, Trevor Kaine.

"We do give a damn," he said. "It is students who should be heard, not him... Leave our schools alone."

Ms Follett was applauded when she agreed to speak and the students liked what she had to say.

"The Labor party supports the neighbourhood school system," she said. "It is the best system for



Student Ian Goudie (right) shouts his message to the Minister for Education, Gary Humphries.

Canberra and for students and in government we will protect it. We balanced the budget without closing any schools."

Accusing the Alliance partners of bad government, she said the "lies" the students were hearing about the financial reasons for closing schools were misleading. The Government was not interested in public education.

Mr Humphries was jeered when he took the microphone and again when he left about

about 10 minutes of heated questioning. He said the Government was not going to downgrade an education system which was the best "in the entire country."

"Is money more important than education?" one student asked. "Of course it is not," he said. "But we have to make sure we spend the education dollar on education and not on maintaining bricks and mortar."

Another student, obviously thought he needed persuading to

the contrary and gave him a message from the ACT Teachers' Federation.

When Mr Humphries stepped away from the microphone he left with a "Support Our Schools" sticker on the back of his coat.

The president of the ACT Council of Parents & Citizens Associations, Dr Hugh Saddler, expects thousands of Canberrans to support an education-first rally outside the Legislative Assembly at lunchtime today.

Figure 8 Battlegrounds: Canberra Times, 8 June 1990, 1.

⁵³ Canberra Times, 19 August 1990, 3.

If the government had only external opposition to contend with, its plans – ring-fenced by an Assembly majority – might have been successfully executed, albeit at the cost of popularity. But what proved fatal was internal opposition, which enervated the government's allies and invigorated its enemies. As difficult decisions were made during 1990, the lay wing of the Residents Rally became increasingly outspoken in its criticisms of a government in which its own MLAs participated. In May the Rally executive described the closure of the Ainslie Transfer Station as “a slap in the face to an environmentally concerned community”. In June it panned “decisions on the run” regarding hospital redevelopment, and in August said the government was “insensitive” to staff morale in the hospitals.⁵⁴ As pressure mounted in my portfolio, the executive's criticisms centred increasingly on me. In July I had ruled out a public inquiry into school closures; four days later a Rally spokesman called for just such an inquiry. It was claimed publicly that I had “cold shouldered” the Rally over hospital redevelopment. It asserted in May, and again in July, that the guidelines I had issued for the school closure debate were my own idea and in “no sense Alliance Government policy”.⁵⁵ (This was untrue. Given sensitivity within both the government and the community about these decisions, I was careful to secure cabinet approval for each step in the process – decisions in which Collaery had participated.) One might speculate on the motivation for these broadsides. They may have been designed to provide some cover for Kinloch, who was progressively and publicly succumbing to pressure from community lobbyists. Having already lost one MLA, the party was anxious not to lose another. Kinloch dissociated himself from government decisions, claiming that non-ministers were excluded from Alliance decision-making.

⁵⁴ *Canberra Times*, 5 May 1990, 1; 30 June 1990, 3; 4 August 1990, 3.

⁵⁵ *Canberra Times*, 27 July 1990, 3; 31 July 1990, 1; 30 June 1990, 3; 29 May 1990, 3; 1 August 1990, 1.

In June he stood down as Rally deputy leader, and in August as Executive Deputy for education.⁵⁶ That same month he crossed the floor to vote with the ALP on a motion opposing school closures, and wept afterwards.⁵⁷

Collaery himself “was under immense pressure from the Rally” to oppose initiatives that were before cabinet.⁵⁸ In all probability the tactic was an orchestrated manoeuvre to walk both sides of the street – both backing the government but painting itself as its “conscience”, supposedly pulling the Liberals away from more extreme policies. The manoeuvre grew out of emerging desperation. The Rally president lamented that her party’s identity “may ... have been lost” by participating in the Alliance.⁵⁹ Collaery was frustrated that no progress had been made with the Commonwealth on securing a fifth minister (a position that would have gone to Jensen) and was anxious when Prowse began to sit as a Liberal MLA from August 1990, boosting Liberal numbers in the joint party room.⁶⁰ The “new third force” in politics had become bogged in the grind of day-to-day government, and a strategy of differentiation on spending cuts offered a way of refreshing its fragile reputation. Nonetheless, the strategy’s inherent contradictions would bring the Alliance to the point of crisis.

While the government’s winter of discontent gnawed at the Alliance’s credibility, the institution of self-government generally fared little better. The verdict of

⁵⁶ *Canberra Times*, 20 April 1990, 1; 28 April 1990, 1; 5 July 1990, 1; 19 June 1990, 2; 1 September 1990, 1.

⁵⁷ This was the first occasion in the Assembly’s existence that an MLA had deliberately crossed the floor: *Canberra Times*, 16 August 1990, 1.

⁵⁸ *Interview with Bernard Collaery*, 1 March 2023.

⁵⁹ Leanne Mason, “Schools decision reveals cracks in the Alliance”, *Canberra Times*, 2 September 1990, 7; *Canberra Times*, 29 August 1990, 1.

⁶⁰ *Canberra Times*, 12 December 1989, 2; 10 August 1990, 3; 7 June 1991, 1; *Hansard*, 16 August 1990, 3017. A Memorandum of Understanding between the Alliance MLAs, undated but from December 1989, committed the government to petition the Federal government to allow the appointment of additional ministers, the first of which would go to the Rally: *Trevor Kaine Papers*, Box 16.

the *Canberra Times* that “the ACT Assembly has yet to cover itself in glory” understated an emerging picture of ill-discipline. In April Duby lost his driver’s licence for failing to take a breath test the previous year; embarrassed, Kaine had to weather calls to sack his road safety minister.⁶¹ Stevenson admitted in May that he had lived in his Assembly office for several weeks while transitioning between rented homes.⁶² Soon afterwards Nolan was convicted of tax evasion, and stood down as an Executive Deputy.⁶³ The *Canberra Times* covered several stories of parliamentarians’ indiscretions (dubbed “MaLaíses”) on a front page in October: Collaery and Duby had failed to acquit overseas travel correctly, Stevenson was accused of driving while unlicensed, and Prowse was suspected of having been bitten by a rabid monkey while holidaying in Thailand – no scandal, but contributing to the sense of mayhem. “House of Farce” shouted the posters outside newsagencies.⁶⁴ This hothouse atmosphere was magnified by the feeling that citizens were well acquainted with their representatives – the compact, socially-homogenous nature of Canberra meant that a large proportion of the population would actually have met several MLAs. The ACT in this sense was more of an *experienced* community than an *imagined* one, in the dichotomy postulated in the studies by Richard White and Benedict Anderson, licensing citizens to form very personal opinions (often adverse ones) about the people they had met.⁶⁵

⁶¹ *Canberra Times*, 10 April, 1; 23 May 1990, 2; 26 May, 8; *Hansard*, 29 May 1990, 1692.

⁶² Kate Carnell, an MLA in the subsequent Assembly, comments that she often worked late, and occasionally went along the corridor to speak to Stevenson, who sometimes answered his office door wearing a dressing gown and slippers: *Interview with Kate Carnell*, 7 March 2024.

⁶³ *Canberra Times*, 16 May 1990, 3; 22 May 1990, 1.

⁶⁴ *Canberra Times*, 26 October 1990, 1; 1 November 1990, 3.

⁶⁵ Richard White, “Inventing Australia revisited”, in Wayne Hudson and Geoffrey Bolton (eds), *Creating Australia: changing Australian history* (St Leonards: Allen & Unwin, 1997), 14. In my observation, the most obvious marker of an *experienced* community was (and is) the almost ubiquitous custom of citizens addressing MLAs by their given names, even when they had never met the MLA. To my mind, the practice implies both a sense of familiarity and a perception that the elected member is “nothing special” in this egalitarian society. The custom is much more pronounced in the ACT than in the states, though it comes closest in Tasmania, perhaps for reasons similar to the ACT’s.

The ALP managed to dodge such peccadilloes, allowing a smug Follett to propose an ethics committee and to declare that “people are not enjoying self-government” on its first anniversary.⁶⁶ It attempted to forestall the closure of schools, RCH and the Ainslie Transfer Station by introducing bills, but these were found to offend the financial initiative of the Crown, which reserves to ministers the right to introduce legislation to “charge any public money of the Territory”.⁶⁷ Clashing legal opinions were commissioned by both sides of the house, leaving the issue hanging



Figure 9 Scorned; Canberra Times poster, October 1990. Archive of Michael Moore

⁶⁶ *Hansard*, 19 September 1990, 3413; *Canberra Times*, 11 May 1990, 2.

⁶⁷ Standing Order 200: “An enactment, vote, resolution or question, the object or effect of which is to dispose of or charge any public money of the Territory, shall not be proposed in the Assembly except by a Minister.” See *Hansard*, 8 August 1990, 2564.

until the ALP returned to government in 1991, when the two major parties' positions on the issue were neatly transposed.⁶⁸

Against this background, adverse judgements on the democratic edifice were ubiquitous. A poll in August found just one Canberran in seven thought their parliament was doing a good job. The "antics of some of its members would fill anyone with alarm", opined an editorial.⁶⁹ Interstate critics joined in: historian Geoffrey Blainey dubbed Canberra a "parasite city", and the Nine Network's *60 Minutes* "demeaned" the Assembly.⁷⁰ The Assembly's select committee on self-government, set up in 1989 as a concession to the then-NSG, gamely swam against this tide, recommending that the Assembly should have more powers, not fewer; it advocated for Territory control over the size of the parliament and the ministry, as well as of the electoral system.⁷¹ It was merely the first of several reports over the ensuing decade that, while conceived as exercises in winding back self-government, in fact became vehicles to enlarge it.

Tightening the belt

Kaine pressed ahead in his quest to balance the Territory's books. The PRB reported in May 1990, highlighting inefficiencies in the administrative structure inherited from the Commonwealth; the ACT had 92 non-departmental units in a government service less than half the size of a large state government department.⁷² The board

⁶⁸ *Hansard*, 21 November 1990, 4353; 13 December 1990, 5215. Throughout the first two Assemblies the Labor and Liberal parties had identical positions: they upheld the financial initiative of the Crown when in government and undermined it when in opposition. The issue was not resolved until the Third Assembly: see Chapter 6.

⁶⁹ *Canberra Times*, 29 August 1990, 3; 5 May 1990, 8.

⁷⁰ *Canberra Times*, 28 October 1990, 2; *Hansard*, 16 October 1990, 3622, 3653–61; 18 October 1990, 3825, 3828.

⁷¹ *Hansard*, 26 April 1990, 1293.

⁷² Roger Wettenhall, "Arm's length bodies in the Australian Capital Territory – time to review?", *Australasian Parliamentary Review*, 28:2 (Autumn 2013), 29.

recommended a program of privatisation, the sale of surplus land and housing, new fees and tax hikes, and compulsory preschool fees. Canberrans' free water allocation should be almost halved, it said.⁷³ The journalist Philip Hobbs thought Kaine "courageous" for commissioning the report, but observed that its ambitious proposals would constitute a major problem for the Rally.⁷⁴ Kaine moved swiftly on many revenue recommendations. From 1 July rates would rise 16.6%, land tax by 33% and parking fees 25%. TAFE fees would increase by more than 400% over three years, though preschool fees were ruled out. The government car fleet would face a 10% cut. He warned of more difficult decisions in future: budget reform must come "primarily from reducing the cost of government programs, not by raising taxes".⁷⁵ The Else-Mitchell recommendations also prompted brisk action: this inquiry found that, at self-government, the Commonwealth had transferred to the ACT public debt of \$437 million – inappropriately, in many cases, as the assets transferred with it were in poor condition.⁷⁶ Kaine petitioned the Federal government immediately for compensation, but this and other bids for assistance were largely rebuffed, despite backing from the Follett Opposition.⁷⁷ A "horror" premiers' conference in June added to Kaine's woes: Hawke and Keating almost doubled the amount of Territory transitional funding that went into trust and which could only be spent with Commonwealth approval.⁷⁸

⁷³ *Report of Priorities Review Board*, May 1990, *Trevor Kaine Papers*, Box 13.

⁷⁴ *Canberra Times*, 29 May 1990, 1; Philip Hobbs, "The dark mood casts its shadow on the main event", *Canberra Times*, 30 May 1990, 10.

⁷⁵ *Canberra Times*, 30 May 1990, 1; *Hansard*, 29 May 1990, 1653.

⁷⁶ *Report of the Committee of Inquiry into Assets and Public Debt of the Australian Capital Territory*, May 1990, ACT Legislative Assembly Library, v–vi.

⁷⁷ *Hansard*, 31 May 1990, 1953; *Canberra Times*, 1 June 1990, 1, 2; 25 June 1990, 1. The Commonwealth did however offer a token \$3 million for a new Treasury computer system and an Assembly library: *Canberra Times*, 26 June 1990, 1.

⁷⁸ *Canberra Times*, 29 June 1990, 1. Kaine finally secured the release of the funds in May 1991: "Statement by the Chief Minister of the ACT", made at the premiers' conference 31 May 1991, *Trevor Kaine Papers*, Box 7.

Even so, microeconomic reform continued. The Chief Minister rationalised the number of government departments from nine to seven, and restructured them for greater efficiency. Services were contracted out. The health workforce was trimmed by 7% and 20 infant health clinics were closed.⁷⁹ He was even able to leverage some buy-in from unions; the ACT Trades and Labour Council (TLC) signed up to a “cooperative approach to micro-economic reform” (that is, job cuts) in exchange for Kaine jettisoning some more controversial PRB proposals for corporatisation and privatisation.⁸⁰ The TLC was ushered in this direction by the call of some unions for pruning of top-heavy departmental administrations rather than cuts in services, and by the reality that the government across the lake, Hawke’s, was itself embarking on an ambitious privatisation program.⁸¹ Nonetheless, Follett disparaged the deal, while the HEF labelled the TLC executive “dirty, mongrel sell-out dogs”.⁸²

The Alliance budget of September 1990, replete with tax hikes and expenditure reductions, was the gritty denouement of Kaine’s quest for fiscal salvation. Petrol tax more than doubled while there were cuts to the ACTION bus subsidy and to TAFE.⁸³ \$31.5 million was to be spent on restructuring services to make them more efficient, including \$6 million for redundancy packages. The full year financial effect of school closures would be \$3 million, and \$8 million would accrue from the sale of surplus school sites. Boons to voters were few and far between: the expansion of a youth advocacy service would be funded, as would a new domestic violence refuge, and the payroll tax threshold would be raised.⁸⁴ One

⁷⁹ *Canberra Times*, 5 July 1990, 1.

⁸⁰ *Ibid.*

⁸¹ *Canberra Times*, 2 November 1990, 1; *Sydney Morning Herald*, 25 September 1990, 1.

⁸² *Canberra Times*, 16 July 1990, 1; 6 July 1990, 1. The TLC had the last laugh; in December the government and TLC cut a deal which saw the HEF leadership in the ACT ousted: *Canberra Times*, 12 December 1990, 1.

⁸³ The petrol tax hike was unfortunately timed – Iraq had invaded Kuwait the previous month.

⁸⁴ *Canberra Times*, 12 September 1990, 1, 11–13.

revenue measure announced ahead of the budget was a new tax on X-videos. Despite the previous government having been toppled over a proposed 20% video tax, the Alliance now introduced a 40% tax. Stevenson, outraged that the Liberals, in particular, were raising revenue from pornography rather than abolishing it, moved a motion of no confidence in Kaine.⁸⁵ That motion was defeated, despite ALP support.⁸⁶ The heavy reliance on new taxation led Follett to declare it “a lazy Budget produced by a lazy Government”.⁸⁷ There was, nonetheless, a dividend for the unpopular decisions and parliamentary contortions: a net reduction in ACT recurrent expenditure of \$81 million in a full year – representing more than half of the anticipated shortfall in Commonwealth grants.⁸⁸ The looming fiscal cliff – while still there – was now substantially easier to clamber down.

Kaine's progress in overcoming the fiscal challenge, a major achievement of his government, came despite deficiencies in his leadership style. One of his staff once observed that Kaine was an outstanding administrator but a mediocre politician. Indeed, he was capable of moments of inspired decision-making but was generally less able to inspire members of his team with a common vision. As Collaery put it, Kaine “wasn't the consultative type”. He also observed, in correspondence with me for this study, that Kaine “was a bit of a bully esp[ecially] to you in Cabinet”.⁸⁹ In a mode which is very much at odds with the contemporary practice of internal

⁸⁵ *Hansard*, 7 June 1990, 2247. The tax would be struck down by the High Court three years later: *Canberra Times*, 8 December 1993, 1.

⁸⁶ The ALP was in a difficult position: it supported the X-video tax but it also supported the no confidence motion, despite this being based on the government's introduction of the tax. They “resolved” this difficulty by having their MLAs absent themselves from the vote on the tax: *Hansard*, 5 June 1990, 2085-6.

⁸⁷ *Canberra Times*, 12 September 1990, 1.

⁸⁸ *Hansard*, 11 September 1990, 3044; *Canberra Times*, 12 September 1991, 1.

⁸⁹ *Interview with Bernard Collaery*, 1 March 2023; *Email Collaery to Humphries*, 13 April 2023. Chris Eccles, cabinet note-taker during this government, says in interview that “I saw no evidence of that”: *Interview with Chris Eccles*, 4 July 2025.

command-and-control leadership by heads of government, he largely left his ministers to run their own “bailiwicks” – as he liked to call them – with minimal intervention by his office.⁹⁰ In this model, the empowerment of individual ministers sometimes came at the expense of cohesiveness. On those occasions when he did intervene, it sometimes ended badly because he lacked continuous oversight of the minister’s portfolio.⁹¹ He also had a poor relationship with the media, deriving from a lofty Menzian view of the Fourth Estate; his colleagues sometimes felt this precipitated unnecessarily hostile coverage of the government.⁹²

In mid-1990 Nolan and Stefaniak asked me to challenge Kaine for the party leadership. They were frustrated on the backbench and felt excluded from meaningful involvement in the government’s conduct. I refused, citing both the party’s delicate relationship with its government partners and my own pledge not to challenge him during this term. When Prowse joined the parliamentary Liberals soon afterwards, he expressed similar dissatisfaction with the leader, underscoring the strange phenomenon of Kaine leading a party in which he counted no supporters. It is a mark of his cunning and resilience that he survived for so long in this unnatural state.

⁹⁰ RAW Rhodes & Anne Tiernan, *Lessons in Governing: A Profile of Prime Ministers’ Chiefs of Staff* (Carlton: MUP, 2014), 5–6, 24–8; for an encapsulation of Kaine’s approach to ministerial responsibility, see *Hansard*, 30 April 1991, 1625.

⁹¹ For example, he publicly required me to consult with the Tobacco Institute over tobacco reforms, only to back down the following day when he discovered that those consultations had already occurred: *Canberra Times*, 10 March 1990, 1; *Hansard*, 21 March 1990, 630. See also the Education Department’s move to Tuggeranong: *Canberra Times*, 28 March 1990, 5; 29 March 1990, 3.

⁹² See Sir Robert Menzies, *Afternoon Light* (Melbourne: Cassell Australia, 1967), 304–5; Philip Hobbs, “Testing times ahead for reluctant debutantes”, *Canberra Times*, 30 December 1989, 9; Leanne Mason, “Schools decision reveals cracks in the Alliance”, *Canberra Times*, 2 September 1990, 7.

Small steps of progress

While schools and hospitals featured frequently in headlines in 1990–91, the public interest advanced incrementally in other areas. In July 1990 substantive control of local policing and the Magistrates Court were transferred to the Territory, and consumer protection was improved for those purchasing motor vehicles. Profoundly disabled young people were moved from institutions into group housing.⁹³ Legislative reform was workmanlike: bills expanding protections in domestic violence cases, boosting sanctions against rogue liquor licensees, and regulating rental bonds were passed.⁹⁴ Sometimes the ACT “led the pack”. In March 1991 the Assembly enacted “the toughest gun laws in Australia”, after having approved landmark anti-tobacco legislation the previous October. The latter banned most forms of tobacco sponsorship and mandated non-smoking zones in restaurants, a measure fiercely opposed by the industry.⁹⁵ In other areas, the ACT was catching up; Kaine set up the framework for corporatising government enterprises, emulating a model used widely in the states. Labor, while unhappy with the bills, did not call divisions so as not to draw attention to its difference of opinion with its Federal counterpart.⁹⁶ Collaery legislated for the power to initiate Royal Commissions and boards of inquiry. I laid the groundwork for literacy and numeracy skills testing in ACT schools, the only Australian system without such monitoring.⁹⁷ Other measures sought to adjust expectations following self-government. The Community Development Fund, with a

⁹³ *Canberra Times*, 26 July 1990, 3; 27 June 1990, 3; *Alliance Government: Major Achievements*, 19th, 21st pages.

⁹⁴ *Hansard*, 13 December 1990, 5307; 28 November 1990, 4745; 28 May 1991, 2070.

⁹⁵ *Hansard*, 13 March 1991, 925; *Canberra Times*, 15 February 1991, 3; 24 October 1990, 2; 20 August 1990, 5; 20 August 1991, 2. Of the gun reforms Collaery says; “We were courageous particularly the Libs on the gun reform issue. We had the NRA [US National Rifle Association] visit Australia and protests o/s the Assembly. Our pet Labrador was poisoned etc.”: *Email Collaery to Humphries*, 13 April 2023.

⁹⁶ *Hansard*, 11 December 1990, 4957, 4977.

⁹⁷ *Alliance Government: Major Achievements*, 19th page; *Canberra Times*, 22 September 1990, 2.

committee allocating grants to community activities, was abolished and the recommendations of the Arts Development Board were sometimes set aside – highlighting that elected politicians, not delegated committees, now took responsibility for outcomes in these areas.⁹⁸ Many administrative benchmarks and consultative devices were inaugurated.⁹⁹ Municipal amenity received attention. An inflatable cover – dubbed the Dubydome – arose to provide all-weather use of the Civic pool; for many years it stood as the sole physical legacy of the former No Self-Government Party.¹⁰⁰ And, in a demonstration of how nimble a small government could be, the entire cabinet inspected the Casuarina Sands weir on the Murrumbidgee River to determine whether it should be demolished as unsafe.¹⁰¹

Self-government was burnished when the ACT enjoyed some unexpected wins

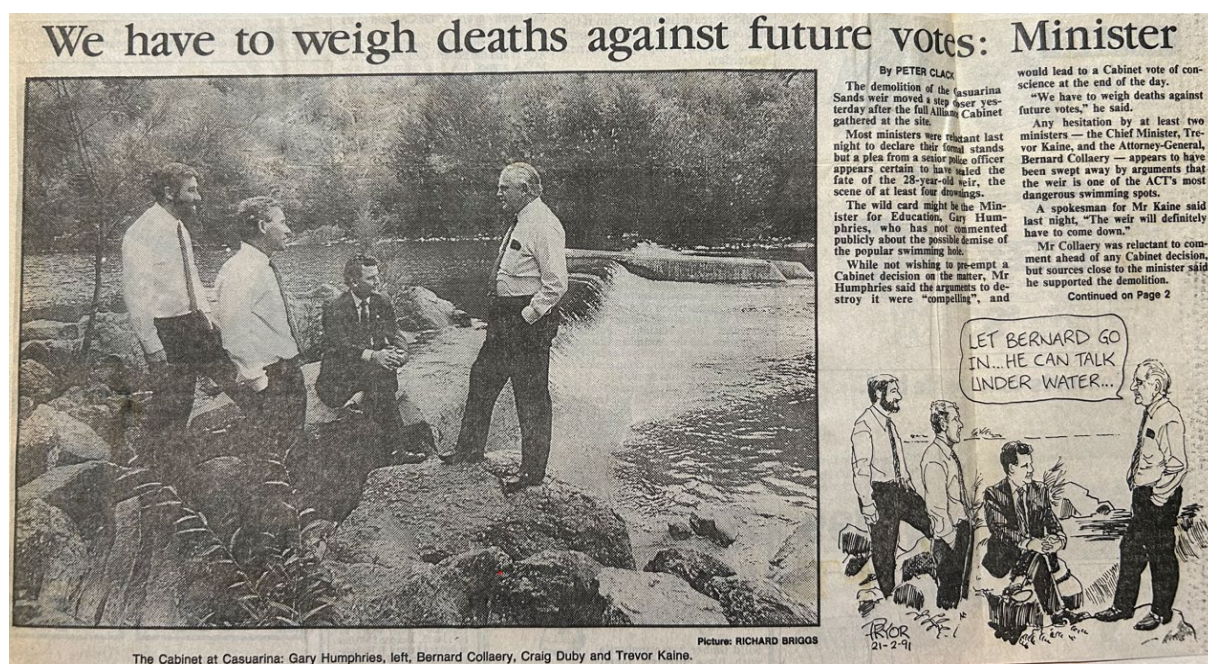


Figure 10 Big decisions: the cabinet at Casuarina Sands, Canberra Times, 21 February 1991, 1.

⁹⁸ *Hansard*, 27 November 1990, 4626; *Canberra Times*, 10 November 1990, 3.

⁹⁹ For example, the South East Economic Development Council and the Multicultural Advisory Council were established: *Alliance Government: Major Achievements*, 4th, 10th pages.

¹⁰⁰ *Canberra Times*, 2 April 1991, 4.

¹⁰¹ *Canberra Times*, 21 February 1991, 1. It decided that it should be demolished, having contributed to 9 deaths since 1962.

in tussles with the Commonwealth. Quintessential attributes of a self-governing polity – the capacity to determine the size of its executive and the electoral system by which the parliament would be elected – were finally patriated after a long contest.¹⁰² Still, the Commonwealth refused to budge on a demand that the ACT be able to appoint MLAs to the University of Canberra's Council. I had argued that we should enjoy the same powers as state parliaments, and indeed as the Federal parliament in respect of the Council of the ANU. The 15-month stand-off was resolved when the Senate amended an education bill to back the Territory's right of appointment.¹⁰³ The conduct of ACT affairs was becoming less an outlier and more like those at work in the states. While much of this process was driven by the need for the Territory to assert its place as a latecomer to the Federation, it also reminded ACT voters that capturing state-type powers was essential in regulating quality-of-life issues and preserving ACT amenity, in the turbulent wake of self-government's arrival.

These were signposts to the ACT "growing up" a little, the focus shifting to addressing omissions in services and preparing for the future. Although the cockpit of this process was the Legislative Assembly, it began gradually to enlist the community more broadly. "Lobby groups seem to have flourished like never before", noted one journalist.¹⁰⁴ After lobbying by health advocates, a 24-hour mental illness crisis service commenced operation in December 1990, closing a lacuna long overlooked by Commonwealth ministers.¹⁰⁵ Other community interaction led a select committee

¹⁰² *Hansard*, 12 February 1991, 15; *Canberra Times*, 20 February 1991, 1. The fifth ministry came too late to allow Jensen to join the executive, as Collaery had long hoped.

¹⁰³ *Canberra Times*, 1 June 1991, 3. My victory was Pyrrhic, as the Alliance lost office just six days later.

¹⁰⁴ Jodie Brough, "Canberrans are becoming more involved in community politics", *Canberra Times*, 16 January 1991, 22.

¹⁰⁵ *Canberra Times*, 4 December 1990, 3. For some years debate raged between Berry and me as to who was responsible for establishing this service, a version of it having been announced during the first Follett government. However, funding for the service in its first and subsequent years was

to recommend the decriminalisation of prostitution and to probe the trialling of heroin distribution to addicts. A study proposed a system of light rail to offset citizens' passion for the motor vehicle, starting a debate that would continue for decades.¹⁰⁶ New ground was broken in other ways. Moore sought to table documents in the Assembly which were alleged to support claims of a tax evasion "scam" by a subsidiary of Westpac Bank, then in financial difficulty, documents which the Federal parliament had earlier refused an Australian Democrats senator permission to table. Although the Assembly blocked this move too, it was a harbinger of the useful role the ACT's parliament might play in broader national debates.¹⁰⁷

With each legislative or procedural innovation, sceptical heads were turned. The alignment of the machinery of city government – for so long subordinate to Commonwealth exigencies – to local priorities now gathered pace, conferring on that machinery a purposefulness and legitimacy which many had not expected. This gradual shift made ACT governmental processes more like those working in the states, but also gave them a distinctiveness that reflected the uniqueness of a modern Canberra community with its own identity, expectations and challenges.

Spinning the wheels

Whatever progress was being made elsewhere, there was little evidence of it in school closures. At the insistence of the Rally, the consultation process was extended, and arch-critic Dr Perkins was even admitted to the joint party room to put

provided in the Kaine budget, not the Follett budget, hence my claim to have launched the service: see *Hansard*, 25 October 1990, 4115–8.

¹⁰⁶ *Canberra Times*, 19 April 1991, 1; 26 March 1991, 1, 18 May 1991, 1.

¹⁰⁷ The documents were letters written by a lawyer to Westpac criticising the bank's subsidiary. Substantial sections of the letters were eventually read into the record in the South Australian Legislative Council: Edna Carew, *Westpac: the bank that broke the bank* (Sydney & Auckland: Doubleday, 1997), 241–52. See also *Canberra Times*, 14 February 1991, 1; 15 February 1991, 2; *Hansard*, 14 February 1991, 329, 332.

her view on the costs of closure.¹⁰⁸ In late July the government announced that nine schools would close. Cook, Hackett, Higgins, Holder, Lyons, Rivett and Weetangera Primary Schools, plus Holder High School, would all shut, and another school would close after the trial of a “twin-campus” model where two adjacent schools would share a single principal for a period. The changes would reap annual savings of at least \$2 million. Collaery and Duby opportunistically claimed in the media a victory over “Department of Education bureaucrats” in light of the earlier ambition of 15 to 25 schools. “The wheel has turned”, declared Collaery.¹⁰⁹ I had argued in the joint party room for more schools to be on the list, but accepted that the smaller haul was justified if the government remained united in supporting the decision. That hope soon proved to be in vain. While the announcement brought sighs of relief from those communities not listed, a sense of “[a]nger, disbelief, betrayal” gripped many of those that were.¹¹⁰ Campaigns quickly ramped up around targeted schools, driven by the hope that, if the Rally could win reprieves for some schools, it could win one for theirs as well.¹¹¹ The ALP rode this wave of popular opposition, announcing a bill to block the closures; the Council of Parents’ and Citizens’ Associations (P&C) then challenged the Rally and Independent Group members to cross the floor to support it.¹¹² Labor also committed to reopening in government any school which could be reopened, and promised a retrospective 200% betterment tax on decommissioned

¹⁰⁸ *Canberra Times*, 6 June 1990, 1–3; 30 July 1990, 1.

¹⁰⁹ *Canberra Times*, 1 August 1990, 1.

¹¹⁰ *Canberra Times*, 2 August 1990, 1.

¹¹¹ Not every targeted school opposed the government’s plans. Some decided to cooperate to minimise impact on their school communities. See, for example, Minute to the joint party room, “Administrative Amalgamations of Holder High School with Weston Creek High School”, 17 August 1990, *Trevor Kaine Papers*, Box 24; Letter, Secretary, Curtin Parents and Citizens Association to Humphries, 25 March 1991, author’s archive.

¹¹² *Canberra Times*, 8 August 1990, 3.

school sites, to scare away developers.¹¹³ Petitions, demonstrations, condemnatory motions and media stunts peppered the public discourse. The P&C accused me of trying to “Metherellise” public education – a reference to controversial former NSW education minister Terry Metherell. Local Australian Democrats luminary Graeme Evans and activist Helen Szuty authored a submission proposing an education lottery and reductions in street cleaning as alternatives to closures.¹¹⁴ Blocking actions commenced in the Supreme Court and the Human Rights Commission.¹¹⁵ Hyperbole was never far away; there were claims that parent volunteer numbers could halve, and that Japan would be insulted if Cook Primary, which was twinned with a school in Tokyo, should close. Cook was particularly incensed by the threat of closure: parents proposed to burn me in effigy in the school grounds – a step they reconsidered after an outcry.¹¹⁶

In this fevered atmosphere a poll showed 51% of Canberra residents opposed to the school consolidation plan. I took comfort that 38% supported at least some school closures. “We are thickening our skins ... we gain nothing by pulling back now”, I declared, hopefully.¹¹⁷ Others in the government did not share my bravado. The same poll suggested that, while the Liberal vote had risen since the 1989 election, the Rally’s had withered to a disastrous 1%.¹¹⁸ The poll highlighted the bind the government was in; trimming costs played well to the Liberals’ economic management credo but corroded the Rally rationale as defender of community amenity. From this point, the need to reverse this slide in public support impelled

¹¹³ *Canberra Times*, 25 July 1990, 2; 5 August 1990, 1. The tax would not apply, however, to sites of schools closed by the Federal Labor government in 1987 and 1988. In any case, Labor abandoned the betterment tax plan on returning to government.

¹¹⁴ *Canberra Times*, 11 August 1990, 3; 28 July 1990, 3.

¹¹⁵ *Canberra Times*, 4 September 1990, 1; 8 September 1990, 2.

¹¹⁶ *Canberra Times*, 1 November 1990, 4; 2 October 1990, 5; 1 September 1990, 2.

¹¹⁷ *Canberra Times*, 7 August 1990, 1–2.

¹¹⁸ *Canberra Times*, 26 August 1990, 1; 28 August 1990, 1.

Rally strategy. Panicked, it insisted on an independent “audit” of the schools decision. I announced in mid-September that Hugh Hudson, a former education minister in the Dunstan Labor government of South Australia, would conduct the review, though the futility of this exercise soon became obvious. The P&C promptly laid the grounds for rejecting any adverse findings, as did Collaery; the Rally, he said, had “never been happy about school closures” but would stand by the cabinet decision “[u]ntil the report comes down”.¹¹⁹ Hudson reported in mid-November, finding that the plan would save \$2.6 million:

We can all have bleeding hearts over any school which is closed, but it would be the greatest folly to allow such emotions so to cloud our intellect and judgement that sensible system-wide economies are ignored...¹²⁰

Less helpfully, he cast doubt on the case for closing three of the schools, leaving the government no choice but to leave them open, despite the report being otherwise rejected by community stakeholders.¹²¹ The Rally continued to keep a foot in each camp; one of its mouthpieces condemned my methods of decision-making as “unacceptable”. After months of enduring such barbs in silence, I eventually lashed out: the Rally had an “Opposition mentality”, and had to “wear the flak from unpopular decisions as well as the glory of popular decisions” made by the Alliance.¹²² Some journalists took the same view: “It is hypocritical for the [Rally] to turn around and blame a single Liberal colleague for decisions of the Government.”¹²³ Sympathy from commentators did little to disguise the fact that the government was in disarray.

¹¹⁹ *Hansard*, 18 September 1990, 3288; *Canberra Times*, 6 October 1990, 3; 22 October 1990, 3.

¹²⁰ Hugh Hudson, *A Community Divided? An Examination of School Closure Policy in the ACT*, author’s archive; *Canberra Times*, 15 November 1990, 1.

¹²¹ *Canberra Times*, 16 November 1990, 1. Higgins, Rivett and Weetangera schools were saved: *Canberra Times*, 21 November 1990, 1.

¹²² In correspondence to me, Collaery observed that Kaine “appeared to enjoy the situation when you and I fell out”: *Email Collaery to Humphries*, 13 April 2023.

¹²³ *Canberra Times*, 14 November 1990, 1; 18 November 1990, 3; Leanne Mason, “Pointing the finger at Humphries”, *Canberra Times*, 18 November 1990, 7. See also Chris Uhlmann, “Time to call off the suicide squad”, *Canberra Times*, 11 November 1990, 9.

Over the summer of 1990–91 the closure debate became centred on just two schools. The Cook school closed but a community picket hampered the transfer of equipment to schools receiving its former students. The Lyons school community similarly fought a rear-guard action while the decommissioned South Curtin School site was refurbished to receive its students. Building unions placed work bans on the picketed sites.¹²⁴ Eyebrows were raised when it was revealed that both Kaine and I would be overseas for six weeks over December and January. Follett pointed out that, with “the only two competent ministers” absent at this sensitive time, the government of the Territory would rest in the hands of Collaery and Duby, engendering “the greatest disquiet” in the community.¹²⁵ Although the image of half the cabinet being on holiday was unfortunate, Duby – the acting education minister – proved to be an able surrogate. He defended Eric Wilmot, the head of the education department, when he was attacked by Collaery for commenting on school closures, and turned on the Save our Schools lobby, labelling Lyons campaigners a “ratbag fringe”. Picketers had been arrested at South Curtin, including a blind woman with a guide dog. He thought it “bloody fantastic” when non-union labour was used to break the picket line, enabling work to finish just hours before the first students were to arrive.¹²⁶ Duby had become increasingly exasperated with Collaery’s rocking of the government boat, which in turn obliged the Rally to take its campaign into the media

¹²⁴ *Canberra Times*, 7 December 1990, 2.

¹²⁵ *Hansard*, 13 December 1990, 5237–8. Follett was not the only MLA concerned about this; Collaery wrote a minute to Kaine in December objecting to my leave. He wrote that Humphries “should remain at his post during these difficult months”: Minute, “Leave Arrangements”, 7 December 1990, *Trevor Kaine Papers*, Box 24. Kaine took no action on this minute, no doubt because I had obtained “leave” from him more than a year previously to undertake an overseas holiday at this time. It was *Kaine’s* late decision also to take leave that caused the present problem.

¹²⁶ *Canberra Times*, 22 January 1991, 5; 25 January 1991, 3; 30 January 1991, 1, 3. The non-union labour was organised by developer Bob Winnel.

rather than the joint party room.¹²⁷ Although other schools had been successfully closed, the campaigns for Cook and Lyons remained an open wound. More painfully, these guerrilla tactics eroded the economic basis for closures; it was now estimated that rationalisation would save just \$200,000 that financial year – a drop in the bucket of a \$180 million portfolio.¹²⁸

The hospital redevelopment was less a rallying point for popular unrest, and more promising of budget savings, but it too tested the government's mettle and exposed its internal divisions. The redevelopment of WVH was fast tracked to allow closure of RCH as soon as possible; the latter's name was to be bestowed on WVH.¹²⁹ The consolidation was expected to reap a recurrent saving of \$9 million. A new Board of Health was named to run the restructured system; it included ACT Pharmacy Guild president Kate Carnell.¹³⁰ Just as turmoil in the education sector began to subside, fresh controversy erupted in health. A \$3 million deterioration in the hospital recurrent budget was revealed; over ensuing weeks the figure climbed to \$10.7 million, then \$17 million.¹³¹ The overrun was embarrassing because I had made much capital out of a similar overrun during Berry's tenure as minister in 1989.¹³² A preliminary Treasury investigation identified deficiencies in departmental accounting – "a dog's breakfast", I called it – but Labor would have none of that; Follett called on me to resign.¹³³ John Enfield, the former Public Service

¹²⁷ Collaery observed in interview that "I would see Craig Duby going up to [Kaine's] room more and more often and it was clear Trevor needed Craig's support for more of the business of government": *Interview with Bernard Collaery*, 1 March 2023.

¹²⁸ *Canberra Times*, 27 May 1991, 2.

¹²⁹ In the interim WVH was renamed Royal Canberra Hospital (South): *Canberra Times*, 2 November 1990, 1.

¹³⁰ *Canberra Times*, 17 November 1990, 5; 11 October 1990, 2; 24 November 1990, 5.

¹³¹ *Canberra Times*, 22 February 1991, 1; 19 May 1991, 1; 29 May 1991, 2.

¹³² E.g., *Hansard*, 5 December 1989, 3008–9.

¹³³ *Canberra Times*, 6 March 1991, 1. In reality, the serious inadequacies in the department's budget management, identified in December 1989 and supposedly remedied, had not been fixed: Treasury briefing to the Chief Minister, "Report on Budget Overrun in Hospital Services Division", 6 December 1989, *Trevor Kaine Papers*, Box 23.

Commissioner, was commissioned to conduct a further review. He found that senior health managers had failed to inform me of a \$900,000 budget overrun in the previous financial year; the general manager of health services agreed to resign a few days later.¹³⁴ I breathed a sigh of relief but, as in the schools debate, I had to deal with a fifth column; Collaery said: “Fortunately I haven’t been ill lately and haven’t needed hospital admission”, a comment that even Berry described as “disloyal”.¹³⁵ I had traversed the health portfolio, the traditional graveyard of ministerial ambitions, and survived, albeit politically scarred.

Unravelling

In early 1991 the fault lines in the Alliance became fissures, perceptibly widening each week as opinion polls and journalistic scoffing rattled the Rally. The government’s foundations had been shaken the year before by reports that Labor had courted the Rally to form a coalition, and that Kaine had threatened to resign “to pull the Residents Rally into line” after Kinloch had again crossed the floor.¹³⁶ The Rally executive stepped up its criticisms of the government, instructing its MLAs to obstruct the fast-track closure of RCH and censuring me for holidaying while schools were shutting down.¹³⁷ Collaery followed suit, also focusing on my portfolio. He publicly failed to endorse my handling of senior bureaucrats and ran interference on health issues.¹³⁸ I returned fire, as did Duby under somewhat less provocation.¹³⁹ The spectacle of ministerial “brawling”, as Follett described it, would have been even

¹³⁴ *Hansard*, 12 March 1991, 721; *Canberra Times*, 19 April 1991, 1; 20 April 1991, 1; 27 April 1991, 1. Berry described the general manager, John Bissett, as “Humphries’ scapegoat”: Wayne Berry Media Release, 22 April 1991, author’s archive.

¹³⁵ *Canberra Times*, 27 February 1991, 5; 28 February 1991, 1.

¹³⁶ *Canberra Times*, 5 September 1990, 1; 2 November 1990, 1.

¹³⁷ *Canberra Times*, 20 November 1990, 1; 31 January 1991, 1.

¹³⁸ *Canberra Times*, 13 December 1990, 1; 18 April 1991, 1.

¹³⁹ *Canberra Times*, 30 January 1991, 1; 7 February 1991, 1.

more unedifying had Federal ministers not been setting their own bad example over issues of leadership and privatisation.¹⁴⁰ A fresh fissure opened as the casino tender process approached a conclusion; Rally figures hinted that they would quit the government if it was approved. In April the tender process collapsed when the conforming bidder was unable to secure finance; this particular day of reckoning had been put off. I speculated publicly about an early August budget, after which the Rally could go its own way.¹⁴¹

To all observers, it was now a question of when, rather than whether, separation would occur. After weeks of being photographed on school picket lines Kinloch resigned from the Alliance. Collaery denied a crisis in the Rally (“I saw it coming”) but supported a renegotiation of the Alliance accord with a view to blocking the hospital redevelopment; Kaine responded with the obvious point that, with now just two members of a nine-member coalition, the Rally was in a weak position to make such demands.¹⁴² An opinion poll showing ACT voters branded the Alliance government a “failure” only added to the pressure; 70% thought government decision-making was Bad to Very Bad, against 7% who thought it Good or Very Good.¹⁴³

Collaery seemed like a man poised to jump from a bridge, and all eyes were on him. To celebrate the second anniversary of self-government, Kaine announced that in future commercial and residential leases would be renewed for an administrative fee only, but no premium.¹⁴⁴ Collaery responded explosively, declaring

¹⁴⁰ *Hansard*, 1 May 1991, 1826; *Sydney Morning Herald*, 1 May 1990, 1; 15 May 1990, 1; 4 June 1991, 1; *The Times* (London), 25 September 1990.

¹⁴¹ *Canberra Times*, 12 March 1991, 1; 18 April 1991, 1; 11 March 1991, 1.

¹⁴² *Canberra Times*, 22 January 1991, 5; 28 April 1991, 1; 29 April 1991, 1; 21 May 1991, 1; 22 May 1991, 3.

¹⁴³ *Canberra Times*, 21 May 1991, 1–2.

¹⁴⁴ Luncheon Address to the Canberra Association for Regional Development, 10 May 1991, *Trevor Kaine Papers*, Box 7.

the Rally would block the move, which he skewered as “a foul-up on a Friday”. “The Rally and Labor hold the balance of power”, he declared. He now threatened to resign unless Kaine “clarifies” his statement on leases; then, he announced two days later that he had decided *not* to resign, notwithstanding that there had been no clarification.¹⁴⁵ The commentary was unflattering: Collaery had “let himself off the hook” and “never intended to resign”, said journalist Leanne Mason; he “has merely confused rally members, the media and the community”. Ken Begg, a *Canberra Times* commentator, considered that he had “behaved like a man trapped in a revolving door”.¹⁴⁶

The final eruption occurred in the last few days of May. Kaine and Duby approved draft variations to the Territory Plan allowing redevelopment of five decommissioned school sites. Rally MLAs decided they would oppose the variations on the floor of the Assembly. A late-night meeting of the joint party room was unable to resolve the deadlock. The following morning, 29 May, I arrived at the Assembly expecting to discuss tactics with Kaine; instead, my chief of staff informed me that Kaine had terminated Collaery’s ministry.¹⁴⁷ Collaery called a press conference, where he announced: “After two years, my conscience won”, sounding like a man who had resigned rather than been dismissed. When the Assembly met at 10:30 am Kaine informed the house of Collaery’s dismissal and moved for its immediate

¹⁴⁵ *Canberra Times*, 11 May 1991, 1; 14 May 1991, 1, 16 May 1991, 1. Collaery’s contention was that no decision on the administrative fee was to have been announced until a further submission came to Cabinet detailing the financial aspects of this decision: Transcript, ABC Radio 2CN Morning Show, 16 May 1991, *Trevor Kaine Papers*, Box 8. Ironically, this contention was correct, at least as far as commercial leases were concerned: Cabinet Minute, 8 April 1991, paragraphs (h) and (i), *Trevor Kaine Papers*, Box 23.

¹⁴⁶ Leanne Mason, “Collaery lets himself off the hook”, *Canberra Times*, 18 May 1991, 9; Ken Begg, “Politicians have a talent for whipping up a crisis”, *Canberra Times*, 19 May 1991, 2.

¹⁴⁷ The move was ratified by a decision of the joint party room that morning “that members of the Residents Rally be no longer members of the Government”: minutes of the joint party room, 29 May 1991, *Trevor Kaine Papers*, Box 16.

adjournment, a manoeuvre that was defeated.¹⁴⁸ Follett used the ensuing debate to pronounce “the end of a shameful government in a shameful manner” but to commend Kaine on sacking Collaery: “It is about time.”¹⁴⁹ Collaery himself declared that the “community should understand the very high price the Residents Rally has paid to protect those [school] sites”, to which Connolly interjected: “You got the sack!”¹⁵⁰ Wood deftly demolished the façade Collaery had erected to front his dismissal:

Mr Collaery did not go voluntarily. He did not, on a matter of principle, resign. At no time did Mr Collaery say to himself, “I can no longer support the policies of this Government. I must, in conscience, go” ...¹⁵¹

Follett moved a motion of no confidence in the Kaine government, which was set down for 6 June.

Had Kaine sought my advice on the morning of 29 May 1991, I would have counselled against sacking Collaery, for the reason that what subsequently happened was entirely foreseeable: Follett would move no confidence in Kaine and Collaery, his pride dented, would support it. Collaery emphasises in interview that the decision which was “so personally humiliating to me” drove his subsequent actions. I would have suggested that Kaine encourage Collaery’s resignation on terms that may have reduced the possibility of the Rally switching to a Labor government.¹⁵²

Why Kaine took the step of precipitating the demise of his own government remains one of the mysteries of the ACT’s early political history. Follett describes Kaine’s action as “a foolhardy thing”:

What was Bernard supposed to do? What were his fellow party members supposed to do? It precipitated the end of that coalition, and any reasonable

¹⁴⁸ *Canberra Times*, 30 May 1991, 1, 6–7.

¹⁴⁹ *Hansard*, 29 May 1991, 2127, 2129.

¹⁵⁰ *Hansard*, 29 May 1991, 2134–5.

¹⁵¹ *Hansard*, 29 May 1991, 2137.

¹⁵² In interview Collaery asserted that he would have supported the Alliance remaining in office had he been allowed to resign: *Interview with Bernard Collaery*, 1 March 2023.

person would have foreseen that. So whether Trevor had accepted it and foreseen it, I don't know. It doesn't seem likely from the subsequent debates and the subsequent actions that he took. He gave every impression of having given up on the coalition.¹⁵³

Moore believes there was method in Kaine's "madness": Collaery would have resigned if he had known that Kaine was going to sack him, and then briefed the media that he had resigned because of how "impossible" it was working with Kaine and Humphries: "My guess is that Trevor had enough insight to go 'this is what's going to happen and the only way to beat this is to strike first'".¹⁵⁴

Collaery associates his dismissal with his ambitions for the Public Corruption Bill 1991, establishing an Independent Committee against Corruption in the ACT along similar lines to the NSW ICAC. The bill had had a difficult passage through cabinet, with DUBY raising concerns and Treasury opposing an ICAC as too expensive for a small jurisdiction.¹⁵⁵ Collaery had nonetheless prevailed and the bill was scheduled to be introduced that week. His recollection of Kaine cooperating closely with him in the management of Assembly business, but denying him, through his dismissal, the opportunity to table the bill has fuelled his sense of betrayal.¹⁵⁶

Kaine's perspective is not available to us; he died in 2008.

The most likely reason for Collaery's sacking was chief ministerial spleen. With his military background Kaine had a strong predilection for strict discipline and proper procedure. Collaery's destabilising intimations that he intended to pull the Rally out at a time of his choosing, together with his capricious attitude to cabinet solidarity, must have rankled Kaine. The latter also had an explosive temper. Kaine likely sacked

¹⁵³ *Interview with Rosemary Follett*, 30 September 2015.

¹⁵⁴ *Interview with Michael Moore*, 3 October 2015.

¹⁵⁵ Letter Collaery to DUBY, 9 May 1991; Briefing to Chief Minister for Cabinet meeting 6 May 1991, *Trevor Kaine Papers*, Box 25.

¹⁵⁶ *Interview with Bernard Collaery*, 1 March 2023.

Collaery in a fit of rage, wanting to deny him the tactical advantage of a resignation, but not thinking through the implications for his administration.

Last days of Kaine

As the clock ticked down on the seven-day cooling off period prescribed by the *Self-Government Act* before a vote of no confidence, the key players in the drama behaved as if slightly discombobulated. A *Canberra Times* editorial suggested that Follett, having trained her scorn on Collaery – whose vote she needed – was behaving like a person who was far from anxious for power. It speculated that Labor was secretly hoping that the Alliance’s school and hospital rationalisation would be irreversible by the time it took office; another editorial posited that “one must doubt her political judgement” in bidding for office at that time.¹⁵⁷ Kaine’s approach to the impending vote also mystified many. Moore had offered to support his government if he promised no schools would be “bulldozed” in the meantime; Kaine did nothing to capitalise on that offer. So desultory were his efforts to retain government that frustrated sources inside the Liberal Party executive publicly attacked his leadership style.¹⁵⁸ Collaery, for good measure, mounted a bizarre eleventh hour bid to return to office: he offered Liberal MLAs roles in a Collaery government (where I would be his Deputy Chief Minister); “Kaine laughs at Rally power bid” ran the newspaper headline on the day of the no confidence vote. I was filled with dread as I contemplated the hard work of the previous year and a half ending up on the scrap heap.

The chamber’s public gallery on 6 June 1991 was packed. Parents and students from the Cook and Lyons schools were there to cheer on Follett’s Labor

¹⁵⁷ *Canberra Times*, 30 May 1991, 8; 7 June 1991, 1. See also Mike Taylor, “Election the only way on from here”, *Canberra Times*, 2 June 1991, 6.

¹⁵⁸ *Canberra Times*, 1 May 1991, 5; 2 June 1991, 1; Chris Uhlmann and Leanne Mason, “The farce over, Follett returns to centre stage”, *Canberra Times*, 7 June 1991, 9.

opposition, rallying to its promise to reopen the schools if elected that day.

Journalists and TV cameramen loitered in the cramped public lobby through which politicians and visitors alike had to pass to reach the chamber. The mood among the remnant members of the Alliance Government echoed the cold, overcast day outside. The previous week's inter-party negotiations had been inconclusive, but the Alliance ministers drew declining comfort from the tone of the debate that lumbered into the evening, despite Rally MLAs remaining coy about their voting intentions. The atmosphere was ominous.

Ministers sat at their desks signing the letters and briefing papers which tumbled from the plastic folders churned ceaselessly by the Territory's public servants, racing against the clock to finalise projects and issues they had nurtured for the past 18 months. Mid-afternoon, letters of resignation, crafted by Head of Administration Bill Harris, were delivered for ministers' signatures (necessitated by an anomaly in the *Self-Government Act*; a successful no confidence motion would only remove the Chief Minister, rendering the rest of us – however briefly – ministers in a Follett administration). For one mischievous moment my hand hesitated over the signature block, imagining the historic footnote I would make by being the only Liberal ever to serve in an ALP government.¹⁵⁹ Then I signed.

The assault on the government's performance was predictably ferocious: a "farrago of farce and failure", thundered Connolly. Kaine defended his record: he had provided "a responsible and stable administration for the people of Canberra". Stevenson passed a note to Duby mid-afternoon, pledging his vote if the government

¹⁵⁹ I would have emulated HB Higgins, a Liberal/Protectionist, who served as Chris Watson's Attorney General in 1904: LF Crisp, *Australian National Government* (Melbourne: Longman Cheshire, 1965), 360–1.

banned X-videos “immediately”.¹⁶⁰ Duby was the last speaker. He declared in frustration: “The bottom line is that somehow all this has stemmed from the fact that Mr Collaery never got the opportunity to resign.” Finally, a little after 6 pm, the bells rang for the division. As usual, it was conducted as an alphabetical roll call; with “Collaery” the second name to be read the suspense was mercifully brief. As the Rally leader called “Aye”, a cheer went up from the partisan gallery: their schools were saved! For the third time in just over two years, the Territory had a new administration. The Alliance Government was no more.¹⁶¹

The Alliance: an assessment

Headlines during the Kaine government often dwelt on the interplay between the larger-than-life personalities who populated its ranks. The government had achieved what Follett’s had not – a stable majority with which to pursue its agenda – but the trade-off was internal conflict which eventually spilled into the open and eroded the leverage that a parliamentary majority had offered.¹⁶² A fair assessment of any administration, however, requires looking beyond the hubris, grandstanding and flashpoints and focusing, *inter alia*, on which of its acts, if any, have endured.

For all his failures of leadership, Kaine maintained a relentless, almost obsessive, focus on the financial resilience of the Territory. In pursuit of this goal, he rationalised administrative structures, reduced public servant numbers in senior management, and unremittingly backed my efforts to offload unsustainable assets in

¹⁶⁰ *Canberra Times*, 7 June 1991, 1.

¹⁶¹ *Hansard*, 6 June 1991, 2192, 2174, 2234.

¹⁶² I say “stable” because, until the day Kaine sacked Collaery, the Alliance government never lost a vote on the floor of the Assembly. Kinloch and Prowse had crossed the floor on occasions, but without altering the result. There had also been two occasions where government MLAs voted contrary to each other (*Hansard*, 7 June 1990, 2320; 18 September 1990, 3378), but these seem to be attributable to confusion rather than a rupture in government discipline.



Figure 11 Change of riders: cartoon by Geoff Pryor, Canberra Times, 7 June 1991, 8.

health and education. He produced only one budget as Treasurer, that of September 1990, but it improved the recurrent bottom line by about \$81 million – the most significant single step any government, before or since, had taken to prepare for the collapse in Commonwealth grants to the ACT. This achievement was substantially reliant – perhaps *too* reliant – on lifting taxes and charges, but the government had also pushed a program of expenditure cuts to the very limits of community tolerance, and probably beyond. Fiscal rectitude paid other dividends; the ACT at this time eclipsed the states in employment growth, new dwelling approvals and retail turnover. The ACT weathered the recession of 1990–91, largely because its service-based economy was less prone to commodity price shocks and was less vulnerable to declining private demand, as well as being a direct beneficiary of Federal

government counter-cyclical spending.¹⁶³ It enjoyed the lowest number of days lost in industrial disputes of any jurisdiction – less than a third of the national average, despite sometimes-frosty relations with local trade unions.¹⁶⁴

One measure of the sound economic decisions which Kaine made was the extent to which they were left undisturbed by the incoming second Follett government. Despite trenchant criticism of Kaine's approach, Labor preserved all of his revenue measures.¹⁶⁵ By and large, his administrative reorganisation was left intact. All of the schools (bar one – Cook) closed by the Alliance remained closed under Labor.¹⁶⁶ Most significantly, the hospital redevelopment continued largely unmodified, including the eventual closure of RCH.¹⁶⁷ Follett's preferred policy of minor adjustments to spending – “nip and tuck”, she called it – would simply never have bridged the fiscal gulf facing the Territory.¹⁶⁸ Labor pilloried Kaine's economies, but took advantage of almost every one of the savings they produced. That they did so was a (belated) signal of the political consensus that balancing the books was the *sine qua non* for preserving ACT lifestyle and values, and ultimately for delivering the “normalcy” which voters craved.

The passage of time has confirmed the wisdom of closing RCH. When, almost 20 years later, a third public ACT hospital was eventually considered necessary, it

¹⁶³ John Hawkins, “The NT and ACT might have small populations but their economies are growing faster than the bigger states”, *The Conversation*, 20 November 2024, <https://theconversation.com/the-nt-and-act-might-have-small-populations-but-their-economies-are-growing-faster-than-the-bigger-states-243897>.

¹⁶⁴ *Alliance Government: Major Achievements*, 3rd, 9th pages.

¹⁶⁵ In fact, Labor's position was that there was even further scope for revenue raising, particularly from business, despite the Grants Commission assessment that in 1989–90 the ACT was already raising more revenue than the state average: *Canberra Times*, 9 April 1991, 1.

¹⁶⁶ Lyons school was in transition to closure at the point the government changed.

¹⁶⁷ This was helped by the strong backing of doctors at RCH for the closure plan to be consummated: Transcript, Channel 10 News, 4 June 1991; Transcript, ABC Radio 2CN, 4 June 1991; Letter, Chair, RCH (North) Medical Committee to Kaine, 29 May 1991, author's archive.

¹⁶⁸ Leanne Mason, “Kaine proves he was closer to the mark than others”, *Canberra Times*, 13 April 1991, 9.

was built close to the burgeoning population centres in the city's north. It would have been unaffordable had the taxpayers still been sustaining an ageing public hospital near the city centre.¹⁶⁹

The Alliance's school closures program was more problematic. When local Federal MP Ros Kelly suggested in August 1990 that the target of \$2 million from the closure of 10 schools was "a joke", she had a point.¹⁷⁰ By the time the target had shrivelled to seven schools in November 1990, the government's victories had become Pyrrhic. With hindsight, I should have shelved the plan at that stage; my colleagues – except, perhaps, Kaine – would have breathed an enormous sigh of relief. The closures had, however, become a vanity project for me; as an ambitious young politician I wanted to demonstrate grit and tenacity, when perhaps a tactical withdrawal would have been more conducive to the government's interests. This is not to say that school rationalisation was bad in principle. Wood recounts in interview that, during the Alliance closures, he advised Follett, based on his personal assessment of education system costings, to "kick up a fuss, but let it go".¹⁷¹ Based on the Labor Party's own reliance on school closures to contain costs (six by the Hawke government in 1987–88, and 20 by the Stanhope government in 2006) that view was at least pragmatic.¹⁷²

¹⁶⁹ Wood agrees that, with the benefit of hindsight, closing the hospital was "the right decision": *Interview with Bill Wood*, 5 May 2023.

¹⁷⁰ *Canberra Times*, 8 August 1990, 3.

¹⁷¹ *Interview with Bill Wood*, 5 May 2023. School closures were also occurring at this time in most Australian states: 28 schools in NSW in 1989–1990; 20 schools in South Australia 1986–90; 60 schools in Queensland 1985–90; Victoria announced plans to amalgamate 600 schools in 1990 and Tasmania to close 27 schools in a similar period: *Education Minister's Speech Notes*, 20 August 1990, author's archive. Chris Eccles, then head of the Cabinet Office, says in interview that bureaucratic promotion of school closures was a "rational response" to the challenges then faced by the Territory: *Interview with Chris Eccles*, 4 July 2025.

¹⁷² There is irony in the fact that Cook Primary, the flashpoint school that Labor reopened in 1991, was later closed by the Stanhope Labor Government.

A broader question remains: did the upheavals of the Alliance government damage the emerging institution of self-government? Follett certainly thought so in 1991: the Alliance had wrought a “destruction ... of confidence in the democratic system”.¹⁷³ For many Canberrans, the Alliance was the very embodiment of everything they had feared about self-government: a mishmash of political parties, influenced by crackpots and eccentrics, hacking into the very fabric of Canberra life. But the debates about social and financial priorities which the government sparked also helped to modify attitudes about self-government. In May 1990 the hospital lobby group ARCH staged a protest outside the Federal Parliament, where they clashed with protective service officers. What was significant about this was that it was virtually the only occasion in this period when ACT citizens appealed to their former overlords to address the Territory’s problems. Despite the occasional enthusiasm of some Federal MPs to intervene in these issues – Kelly told me that she would fight “to what will be your death, I am sure, not mine” to save the city’s secondary college system – vexed ACT citizens eschewed Federal avenues and instead worked the newly designed levers of local political influence: petitions to the Assembly, rallies outside it, representations to MLAs, public meetings where those MLAs were put on the spot.¹⁷⁴ School and hospital closures were sobering; to address them meant engaging with the system many had hoped simply to ignore. For some, this might even have been an epiphany; citizens’ engagement with the system could secure outcomes which had been unthinkable under the reign of Federal ministers or the NCDC.

¹⁷³ *Hansard*, 29 May 1991, 2127. Collaery thought that the manner of his sacking by Kaine created “an impression in the public of an unworkable Assembly”: *Interview with Bernard Collaery*, 1 March 2023.

¹⁷⁴ *Canberra Times*, 12 May 1990, 1.

The Residents Rally: the peril of power

What galled many citizens – including both opponents and supporters of tough economic decisions – was the inept way the Alliance government went about its reforms. It seemed to provide the very model of how *not* to close schools, hospitals and transfer stations. While political inexperience took its toll, the ambivalence of its junior partner, the Residents Rally, hobbled the administration. The numerical weakness of the major parties after the 1989 election propelled minor parties into positions where wielding political authority was possible, even necessary. In each case, however, doing so meant violating the mandate that voters had provided for them. The mandate of NSG was clearly very constrained; whatever things its voters imagined NSG MLAs might do in a legislature that they were unable to abolish, accepting ministerial emoluments was not among them. The mandate of the Rally is more difficult to define, but was probably a blend of “keeping the bastards honest” and focusing on municipal amenity.¹⁷⁵ Assuming ministerial responsibility in concert with others did not sit comfortably with its image or mission.¹⁷⁶ Collaery set out his rationale for joining government in an interview in 1991:

Alternative parties have realised that you can't sit on the sidelines to keep [governments] honest. That's a myth ... We're really the first hard headed community party in this country since Federation to have power.¹⁷⁷

However, in 2023 Collaery agreed that Moore had been right in 1989 to say the Rally should not have gone into government. The Rally lost all its seats in 1992 because

¹⁷⁵ In the no confidence debate of 6 June 1991 Jensen spoke of the Rally as “a vigilant watchdog” henceforth and of its preference for a “council style of government” over a Westminster style: *Hansard*, 2214–8.

¹⁷⁶ Chris Eccles, head of the Cabinet Office during the Alliance Government, says in interview that “the fault lines in the Kaine Government were profound ... the two principals had such very different personalities”: *Interview with Chris Eccles*, 4 July 2025.

¹⁷⁷ Transcript, ABC TV News, 24 April 1991, author's archive.

“the public perceived us as having abandoned our *raison d’être*”. Collaery’s view now was that, ideally

the crossbench doesn’t bind itself to any political party but supports the initiatives of either party, and where the initiatives of one party mostly coincide with the independent’s votes, that’s where government should fall [i.e. be supported].¹⁷⁸

Arguably, both men have reconsidered their original positions, given that Moore eventually entered a coalition with the Liberals.¹⁷⁹

The misalignment between the Rally’s mandate and its actions was only part of the problem it faced, however. Much of its political credit in 1990–91 was eviscerated, not by participating in unpopular decisions, but by a lack of resolve in standing by those decisions once made. Alliance policy implementation was haphazard because Collaery, in particular, oscillated between privately supporting and publicly chiding much government policy, raising expectations which it was impossible to satisfy. The fate of the Rally is, however, consistent with international experience. In a study of coalition governments in Western Europe between 1945 and 2004, political scientists Jo Buelens and Airo Hino found that only 26.5% of new minor parties were capable of winning again after participating in government, compared to 36.7% of “traditional” parties.¹⁸⁰ A study focused on Sweden and New Zealand suggested that, for emerging minor parties, “participation [in government] means a loss of votes above and beyond the incumbency penalty paid by most governing parties”.¹⁸¹ Political scientist Eoin O’Malley proffers reasons for this: large

¹⁷⁸ *Interview with Bernard Collaery*, 1 March 2023.

¹⁷⁹ Although, in fairness, Moore’s position was that the Rally should not have shared power in the *first* Assembly but might have been able to do so in subsequent parliaments: *Interview with Michael Moore*, 12 July 2022.

¹⁸⁰ Jo Buelens & Airo Hino, “The electoral fate of new parties in government”, in Kris Deschouwer (ed.), *New Parties in Government: In Power for the First Time*, (Taylor & Francis, 2008), 158–9.

¹⁸¹ Tim Bale and Magnus Blomgren, “Close but no cigar? Newly governing and nearly governing parties in Sweden and New Zealand”, in Kris Deschouwer (ed.), *New Parties in Government*, 102.

parties can “smother” minor parties “by blunting the smaller party’s ideological edge” due to “the inevitable compromises of government and [the smaller parties’] inability to express their differences”.¹⁸² The Irish “inter-party government” of 1948–51 bears some comparison to the ACT experience; Fine Gael and several minor parties pioneered the first coalition administration the country had seen. The government operated on “an almost complete abandonment of the principle of collective responsibility”, with the minor partners suffering badly at the subsequent election, “leaving Fine Gael fattened by a blood transfusion fatal to the donor.” A similar fate befell the Liberal Democrats in Britain following their coalition with the Conservatives in 2010–15.¹⁸³ Nonetheless, citing various coalition government experiences, O’Malley postulates: “The minor party can survive and even thrive in government where it delivers on a ‘signature’ policy and gains credit for having done so.”¹⁸⁴ But in Canberra’s case, the garbled explanation for the change of government in December 1989 denied voters any clear impression of what the Rally hoped to achieve by seizing office. Moreover, none of its “signature” policies – anti-corruption legislation, planning reforms or laws strengthening the position of commercial tenants – reached the floor of the legislature before the government’s demise, and a retrospective claim that it had been “responsible for the majority of law reform Bills adopted in the Assembly” was unpersuasive.¹⁸⁵

¹⁸² Eoin O’Malley, “Punch Bags for Heavyweights? Minor Parties in Irish Government”, *Irish Political Studies*, 25:4 (December 2010), 540, 544.

¹⁸³ David Cutts & Andrew Russell, “From Coalition to Catastrophe: The Electoral Meltdown of the Liberal Democrats”, *Parliamentary Affairs*, 68:1 (September 2015), 70–87.

¹⁸⁴ O’Malley, “Punch Bags for Heavyweights?”, 548, 558. See also Martin and Vanberg: “the quality of democracy” is “tied intimately to the ability of multiparty governments to make and to implement policy”: Lanny W Martin & Georg Vanberg, *Parliaments and Coalitions: The Role of Legislative Institutions in Multiparty Governance* (Oxford: OUP, 2011), 2.

¹⁸⁵ Residents Rally election brochure *Your Local Team for Local Government*, 1992, author’s archive. The Rally also claimed that an “unbiased examination of the achievements of the [Alliance] ministers would clearly show that the major reforms and changes were introduced by ... Bernard Collaery and Craig Duby”: Norm Jensen, “The path to parliamentary reform in the ACT”, *Canberra Times*, 28 June 1991, 9.

Ultimately, running with the hares and hunting with the hounds endeared the Rally to neither hares nor hounds. In an interview conducted for this study, Collaery claimed that Kaine connived in this exercise. Collaery referred to “the rather naïve attempt by Trevor Kaine to help the Rally create a distance within the coalition”. This claim seems suspect. Kaine spent an inordinate amount of time putting out fires that Collaery had started, and Collaery’s explanation stands at odds with Kaine’s splenetic decision to fire him in May 1991.¹⁸⁶ Whether condoned by Kaine or not, Collaery’s strategy robbed the Rally of that most precious component of political capital: the ability to take responsibility. Uhlmann and Mason were scathing on this point in their summary of the debate on 6 June 1991:

Mr Collaery’s speech yesterday was a masterpiece of doublespeak. He wanted to cling to the successful legislation and abandon the hard decisions. He wanted to blame the Speaker, the Federal Government, the media ... Gary Humphries, anyone, anyone at all but himself or the Rally for the course of events that culminated in the Rally’s latest and most dramatic backflip.¹⁸⁷

The Rally was once clothed by Collaery in the mantle of a new third force in Australian politics. This conceptualisation, unlike that of Don Chipp for the Australian Democrats, encompassed being both a critic of, but also a participant in, government. The Rally’s efforts to “keep the bastards honest” suffered a setback when it joined the “bastards”, but its position was rendered electorally irretrievable by the practice of gyrating between sober stewardship and sheer opportunism.

Its legacy is not wholly lost, however. The Rally was a trailblazer; between 1970 and 1996, 111 candidates from minor parties were elected to Australian legislatures, but only two such parties – the Tasmanian Greens and the Rally –

¹⁸⁶ For example, *Canberra Times*, 2 December 1990, 1; 7 February 1991, 1; 28 February 1991, 1; 21 March 1991, 1; 14 May 1991, 1; Transcript, ABC Radio 2CN, 11 April 1991, *Trevor Kaine Papers*, Box 8.

¹⁸⁷ Chris Uhlmann and Leanne Mason, “The farce over, Follett returns to centre stage”, *Canberra Times*, 7 June 1991, 9.

exercised the power to determine who governed, and only the Rally was able to take ministries. Political scientists Dean Jaensch and David Mathieson observe that the success of Australian minor parties “moves politics towards consensus” and “emphasises a growth of a distinctly Australian model of parliamentary democracy”.¹⁸⁸ Despite its own failure the Rally can be seen, together with the Tasmanian Greens, as something of a bridgehead on which later minor party and independents’ successes were built, including reforms of parliamentary procedure and minor party/independent participation in government.¹⁸⁹ It is likely no coincidence that the legislature where it attempted to pioneer a new pathway for minor parties to share in power was later the setting for the most enduring coalition between a major and minor party of the Left in contemporary Australia: the Labor/Greens ACT government of 2012–2024.¹⁹⁰ The Rally’s stumbles may have cleared the pathway for others.

Conclusion

It may be said that the consequences of now being a self-ruling jurisdiction revealed themselves fully to the ACT community only with the advent of the Alliance Government. For the first time, serious strides were made toward financial sustainability, with the intention of soothing nerves frazzled by quality-of-life concerns, while at the same time radical departures from Australian political conventions disconcerted many. The haphazard outcome of this experiment brought

¹⁸⁸ Dean Jaensch and David Mathieson, *A Plague on Both Your Houses: Minor parties in Australia* (St Leonards: Allen & Unwin, 1998), 211, 215–6.

¹⁸⁹ For examples of such successes see Andréa Cullen, *The Independent Effect: parliamentary contributions from the crossbenches in Australia* (Canberra: Parliament Publishing, 2022), 38–40; Gareth Griffith, “Minority Governments in Australia 1989–2009: Accords, Charters and Agreements”, NSW Parliamentary Library Research Service, Background Paper No 1/10 (2010), 8–36.

¹⁹⁰ Moreover, at the time of writing (January 2026) the Liberal Party and the Greens in the ACT were in discussion about forming a coalition government to oust the long-serving Barr Labor government.

home the full impact of the electorate's whimsical voting behaviour at the 1989 election, and spurred many to reassess their attitudes towards the new institution. In particular it forced citizens to consider the implications of power-sharing in a paradigm where one-party majorities were unlikely to be attainable. The phenomenon of the Alliance Government certainly propelled Labor to a strong position in the next parliament, but the debates it had set in train – including the need for bolder budgetary policy and the shortcomings of the two-party system – also sowed the seeds of the destruction of the Labor government which succeeded it.

Chapter 5: The Return of Follett

...the Pixieland ambience of this dear little legislature.

– Ian Warden, 1995¹

The collapse of the multi-party Alliance and Labor's resumption of power triggered significant shifts both in the performance of Members of the Legislative Assembly and in public attitudes towards self-government. MLAs, conscious of the damage done to the institution they served by political instability over the preceding two years, strove to prove their utility and to demonstrate the functionality of that institution. Voters, for their part, bemoaned the legislative spectacle but, if their voting in the 1992 and 1995 elections is any indication, many also might have reflected on their own role in having brought it about. This chapter argues that the confluence of these factors led to a pronounced uplift in the effectiveness of the self-government institution in the period 1991–95, and its acceptability within the community as it strove to stabilise the administrative and parliamentary infrastructure of the Territory. It suggests that greater political traction – both for electors and the elected – was achieved as popular thinking turned from scornful dismissal to ways of leveraging the new democratic machinery for social and economic advancement. In this evolution voters displayed a new adventurism, particularly with respect to political allegiances and the electoral system.

“Sanity” returns

To many, the return of Rosemary Follett to the chief ministership in June 1991 bookended an ugly chapter in Canberra's political story – “sanity returning to the

¹ Ian Warden, *Canberra Times*, 25 August 1995, 10.

ACT”, as one school activist put it.² A steady hand was once again at the tiller, jettisoning a ramshackle coalition of political amateurs. The Alliance’s “comedy of errors”, replete with painful decisions charged by critics to have undermined the city’s quality of life, had come to an end.³ The implosion of the Alliance gave Follett’s restoration virtually the moral authority of an election win, and seemed to bestow on her a mandate both to manage decisively the challenge of ebbing Commonwealth subsidies and to oversee the new electoral system that would shape the composition of future parliaments.

Follett had paid a heavy price for her win, however. The very decisions she had attacked, the decisions on schools and hospitals the repudiation of which constituted her case for reclaiming the Treasury benches, stood before her, partially executed. Dumping them would meet the expectations of a fatigued community, but would also wipe out substantial savings, necessitating other, equally painful decisions which her government would have to make and own. In the end, she retained most of her predecessors’ unpopular budget measures and added a raft of new ones. These decisions, and the manner in which they were executed, severely eroded Labor’s political capital, and were a major factor in costing it majority government in 1992 and propelling it into opposition in 1995. This chapter is an account of the rise and fall of the second Follett government. The style of leadership which had stood her in such good stead when she took government in 1989 was no longer adequate to the task confronting her two years later.

² *Canberra Times*, 7 June 1991, 1.

³ *Hansard*, 21 June 1991, 2285.

The scramble to recover

With all MLAs, other than Moore and Stevenson, now occupying new positions in the chamber, and with an election looming in February, the scramble to reconstitute party pitches to the electorate commenced in earnest.⁴ Follett promised a return to “open and consultative” government, and pledged to promote a parliament which was “creative, rather than combative”.⁵ She took on the roles of Treasurer and Minister for Social Justice. Berry, the only other member of the first Follett Government to return to cabinet, became Deputy Chief Minister and Minister for Health and Industrial Relations. Wood assumed the role of Education Minister, as well as Minister for the Environment, Land and Planning. The second new minister was Connolly, appointed Attorney-General and Minister for Housing, Community Services and Urban Services. Grassby was relegated to the role of Cabinet Secretary; Moore related in interview that he had told Follett he would support Labor in the no confidence motion provided Grassby was not in the ministry.⁶ The perception around the Assembly was that Grassby had been the weakest link in Follett’s first government.⁷

The collapse of the Alliance left a field covered in political debris. Within days I had moved against Kaine’s leadership of the Liberal Party, toppling him by four votes to one.⁸ Key business figures in the ACT property and construction sectors,

⁴ I mean this figuratively, not literally. In fact, the new Labor government took the unusual step of retaining its place on the Speaker’s left, where oppositions are usually found. They did this because there was a convenient anteroom behind these benches which was not replicated on the Speaker’s right. They resumed the traditional Westminster positioning of the Treasury benches when the Assembly moved to its new premises in 1994.

⁵ *Hansard*, 21 June 1991, 2286.

⁶ Though Moore characterised this as merely providing Follett with the pretext to do what she had already wanted to do: *Interview with Michael Moore*, 12 July 2022. Follett in interview says that she believes caucus, not her personally, would have chosen the ministry. She doubted that it was influenced by the fact that Grassby’s husband, Al Grassby, was then on trial in the NSW Supreme Court for criminal defamation: *Interview with Rosemary Follett*, 29 February 2024; *Canberra Times*, 20 June 1991, 15.

⁷ Follett was reluctant in interview to articulate this view, but Lamont was not: *Interview with Rosemary Follett*, 29 February 2024, *Interview with David Lamont*, 12 December 2023.

⁸ *Canberra Times*, 13 June 1991, 1.

significant donors to the party, had insisted on this course, dismayed at what they considered to be Kaine's unresponsiveness and ineptitude.⁹ Nonetheless, I had misgivings about the coup's timing, coming as it did just weeks before party preselection for the upcoming territory election, but bowed to their wishes. The coup was, however, a trigger for one of the more bizarre events in the Assembly's history. Despite the party room vote, Kaine initially declined to vacate the position of Opposition Leader, arguing it was "time to divorce the position from party politics", but he quickly relented.¹⁰ Others, however, seemed to be inspired by his flirtation with constitutional radicalism. When the Assembly resumed sitting, Collaery proposed abolishing the role of Leader of the Opposition. In pursuit of that measure, he nominated Duby for the office made vacant by Kaine's resignation.¹¹ Duby duly declared that the role was "a foolish one" and that he would eschew the title and instead style himself as "coordinator of the non-government parties". Duby defeated me on the second ballot. I rose to describe this result as "a travesty", saying that an opposition leader should also be the alternative chief minister, something Duby – with minute support in the most recent opinion poll – could not conceivably claim to be.¹² It was one of the rare occasions (in any parliament) when a speech on the floor sways outcomes. During the dinner break Follett told me that Labor would vote to amend the standing orders to reflect the traditional practice: that the largest party not in government provides the Opposition Leader. In the same break, a meeting was convened in my office, where I speculated that I had lost the earlier vote for

⁹ The principal figures in this push were George Snow, Tony Hedley, Bob Winnel and former Liberal leader Jim Leedman, all of whom had, at some point, held elected office within the ACT party.

¹⁰ *Canberra Times*, 14 June 1991, 1; 15 June 1991, 3.

¹¹ *Hansard*, 21 June 1991, 2255. It will be remembered that, because the Liberal Party and the Residents Rally held the same number of seats on the first sitting day of the new parliament in 1989, the standing orders had been amended to provide for the election of the Opposition Leader on the floor of the Assembly: see Chapter 3.

¹² *Hansard*, 21 June 1991, 2256–9.

opposition leader because Kaine had used his secret ballot to vote for Duby. At this point, Kaine burst into the room and angrily denounced this suggestion – having evidently been listening to the conversation through the thin wall separating our offices. When the Assembly resumed, the government and Liberals combined to restore the traditional practice and secure me the Opposition Leadership, but not before Kaine successfully moved that the papers from the previous “secret” ballot be opened for inspection (revealing that it was Moore, not he, who had “ratted” on me).¹³ Once again, the ACT parliament’s bent for experimentation was on display in this episode, an attempt to disassemble the two-party model and share power collectively. And although this assault on that model suffered from the suspicion that it was more a combination of mischief-making and an effort to arrest the collapse of the minor parties’ vote ahead of the forthcoming election than about genuine reform, it was far from being the end of democratic adventurism, with more attempts to be made in future parliaments. Despite serving in the role for just six hours, Duby’s portrait still hangs in the gallery at the Legislative Assembly reserved for Leaders of the Opposition.¹⁴

Other parties were also in a state of flux. The Rally, and Collaery in particular, attempted to burnish their image as legislative reformers by proposing bills, motions and amendments at an eye-watering rate.¹⁵ Included in these was the Public Corruption Bill which Collaery was poised to introduce when he was sacked by

¹³ *Hansard*, 21 June 1991, 2319. Reopening the voting slips from a secret ballot was probably a step without precedent in Australian parliamentary history. Moore describes it as “a democratic low point of the entire years of the Assembly”: *Email Moore to Humphries*, 23 February 2024.

¹⁴ Duby earned \$64.69 in additional salary for this service: *Canberra Times*, 25 June 1991, 3.

¹⁵ See *Hansard*, 23 October 1991, 4115, 4120, 4150; 20 November 1991, 4540; 25 November 1991, 4767, 4769; 4 December 1991, 5473; 17 December 1991, 6184; *Canberra Times*, 22 November 1991, 2; 14 December 1991, 2. The Rally was still producing bills after the Assembly had risen for the last time for the 1992 election: *Canberra Times*, 23 December 1991, 5.

Kaine.¹⁶ Collaery also sought to recast the narrative about his party's record, saying, for example, that restoring Follett was about "putting an end to incompetent Liberal economic management", but that the Rally had been "tricked" into believing Labor would keep RCH open. Such attempts met with swift rebuffs; the Canberra Association for Regional Development described the Rally as "a destabilising factor in ACT politics".¹⁷ The Independents Group were especially agitated by the tumble from power; Duby soon reinvented himself as leader of the Hare-Clark Independence Party, a canny but cynical recognition that both Hare-Clark and independents would hold some attraction to voters, while Maher registered the Women's Party.¹⁸ Even Stevenson had to face down a revolt in the Abolish Self-Government Coalition, now apparently having fewer than a dozen members.¹⁹

Abolish was not the only party whose members were restless. Kaine and his wife, stung by the insult of being toppled, worked the phones to party members with uncharacteristic energy. My allies and I made the mistake of choosing not to explain to the party membership the reasons for Kaine's deposition, preferring to "move on". While he commanded no friends among his parliamentary colleagues, he was able to fill this vacuum by portraying himself to Liberal preselectors as a man more sinned against than sinning. The result, in July 1991, was a devastating rebuff of me, the Liberal MLAs and the party's business elders. In an "abattoir-style preselection contest", Kaine captured top spot on the ticket, while I was relegated to No 5. Stefaniak was given the unwinnable 8th spot, while Nolan and Prowse were dumped

¹⁶ *Hansard*, 27 November 1991, 5043. Collaery's bill was a modified version of the Alliance bill.

¹⁷ *Canberra Times*, 9 June 1991, 1, 3; 19 September 1991, 1. The Rally also sought to reclaim the mantle of the anti-development party: *Hansard*, 20 November 1991, 4540; 26 November 1991, 4952.

¹⁸ *Canberra Times*, 19 September 1991, 1; 26 September 1991, 1. Duby was dubbed "The Human Chameleon" when it was pointed out that he had told a 1989 inquiry into the ACT electoral system: "The d'Hondt system is, without a doubt, the fairest electoral system": *Canberra Times*, 26 September 1991, 3.

¹⁹ *Canberra Times*, 7 September 1991, 1; 10 September 1991, 2.

altogether.²⁰ I resigned as leader, accepting responsibility for the tactical error of having failed to give reasons to the lay membership why Kaine had been deposed.²¹

While the Labor government enjoyed an internal cohesiveness enviable by the yardstick of other parties, its external challenges loomed menacingly. As it sought initially to reverse those budget decisions of the previous government it had pilloried, it discovered that there were winners as well as losers from those decisions, and that sometimes “losers shout louder than winners”.²² Some school P&Cs and the ACT Primary Principals Association publicly opposed cancelling school closures, while leading doctors attacked the two-campus hospital idea that Berry, the reinstated Health Minister, now floated.²³ Labor insider Richard Farmer ventured that reopening schools was “absurd”, and suggested that Follett “will be foolish if she does not find on examining the Budget books that it is too late to reverse the [RCH] closure plans”.²⁴ The influential *Trends* analysis by the Canberra Advance Bank urged immediate spending cuts to avoid “drastic action later”.²⁵ In a sign of how invested the ACT bureaucracy had become in the Alliance’s programs, evidence of friction between the new ministers and senior bureaucrats over budget strategy spilled into the public domain. Departmental advice that reopening schools would be viewed by the Commonwealth as “irresponsible” was leaked, and several “senior” public

²⁰ *Canberra Times*, 21 July 1991, 1; Matthew Abraham, “The ‘Buddy Factor’ in the ACT Assembly”, *Canberra Times*, 8 September 1991, 2. The day was not a total disaster, however. A stranger, Cathie Gregor, came up to give me a consolation kiss. In 2023 Cathie and I celebrated our 30th wedding anniversary and the birth of our first grandchild.

²¹ My mistake had a curious parallel when, as a senator in 2013, I observed Kevin Rudd oust Prime Minister Julia Gillard, whose “legitimacy was undermined by her reluctance to explain why Rudd had been removed by his colleagues”: RAW Rhodes & Anne Tiernan, *Lessons in Governing: A Profile of Prime Ministers’ Chiefs of Staff* (Carlton: MUP, 2014), 4.

²² Warwick Smith, “Ageing population and mining: a tale of two booms”, *The Conversation*, 11 September 2013, <https://findanexpert.unimelb.edu.au/news/3146-ageing-population-and-mining--a-tale-of-two-booms>. Accessed 26 August 2025.

²³ *Canberra Times*, 11 June 1991, 2; 24 June 1991, 2; 1 July 1991, 1; 26 July 1991, 5; 15 August 1991, 2.

²⁴ *Canberra Times*, 10 June 1991, 2; 1 July 1991, 2.

²⁵ *Canberra Times*, 6 July 1991, 1.

servants spoke anonymously to the *Canberra Times* about their “deep anger” that the government was shaving administrative costs rather than dumping programs to contain spending. Three department heads – including Bill Harris, the head of her own department – sued Follett for defamation over criticism she made of them in opposition.²⁶ These incidents are symptomatic of how much of the Alliance agenda had its genesis in bureaucratic initiative, but probably also of some hankering for the days before self-government when public servants alone presided, Solomon-like, over such decisions.²⁷

Fighting for every dollar

Any temptation to diverge too far from the path of fiscal rectitude was scotched by the May Premiers’ Conference, where the ACT suffered a cut of 19% in Commonwealth grants in yet another instance of backsliding on pre-self-government commitments.²⁸ Hard-nosed decisions followed, most painfully in health. After what the newspaper labelled as Berry’s “customary dithering” – particularly a hastily commissioned \$50,000 study ridiculed by the nurses’ union as “a very expensive cosmetic just to save face” – the government announced that the closure of RCH would proceed.²⁹ The principal hospital’s name would revert to Woden Valley Hospital.³⁰ Labor’s discomfort at this backdown was accentuated by Moore, who tabled a bill almost

²⁶ *Canberra Times*, 12 June 1991, 1; 15 June 1991, 3; 16 September 1991, 1. The defamation proceedings would not settle until late that year: *Canberra Times*, 1 January 1992, 2.

²⁷ Follett observes that “among some of them, there was resentment at self-government” and that “there were some little personal fiefdoms at play”, although overall the public service “did really, really well” in supporting the government: *Interview with Rosemary Follett*, 17 January 2024.

²⁸ To sweeten the bitter pill, the \$53m the Commonwealth had withheld in its transitional funding trust account – humiliatingly to ACT governments – was now released: *Hansard*, 21 June 1991, 2295.

²⁹ *Canberra Times*, 14 August 1991, 1; 15 August 1991, 3. Follett today says “I don’t think [RCH] would have worked as a community hospital”; the idea was an “interim move”: *Interview with Rosemary Follett*, 17 January 2024.

³⁰ I suspect that Berry, a republican, took pleasure in erasing the title “Royal”. The ACT remains the only Australian jurisdiction with no hospitals bearing royalist nomenclature.

identical to Follett's 1990 one requiring that RCH stay open.³¹ Awkwardly, Berry also had to revise his narrative on bed numbers; after decrying lost beds in opposition, he now conceded that counting beds had been "simplistic".³² On the revenue side, the government decided to retain all of its predecessor's increases in rates, fees and charges.³³

Backtracking in education was a little more difficult, given that school closures had been the trigger for the change of government; Wood announced that Cook and Lyons schools would be reopened, but rebuffed the residents of Hackett who sought similar treatment for their school.³⁴ An ALP plan to impose a 200% betterment tax on decommissioned school sites was quietly discarded. Once again, Commonwealth policy – specifically its determination to trim spending in the capital territory – was commandeering ACT government policy priorities. For Follett, plans to consolidate and even expand community amenity had to take second place to reinforcing the budget dykes.

Follett's second budget, in September 1991, relied modestly on spending cuts and somewhat more heavily on tax increases. The budget was balanced, aided by a \$19m dividend from ACTEW.³⁵ Jobs and beds were trimmed in health, while controversial TAFE savings announced by the Alliance government proceeded. Reductions in spending on policing and non-government education would dog the government until the election. Tobacco taxes, land rent, gas levies, vehicle

³¹ *Hansard*, 11 September 1991, 3162.

³² *Canberra Times*, 3 October 1991, 1; 15 October 1991, 1. The government also decided to proceed with the corporatisation of the Mitchell Health Services Centre, a step it had repudiated in opposition: *Canberra Times*, 27 November 1991, 5.

³³ *Canberra Times*, 22 June 1991, 1.

³⁴ *Canberra Times*, 18 June 1991, 1; 21 August 1991, 4; *Hansard*, 23 October 1991, 4153. The Hackett Residents Association conducted a survey purportedly showing 85% of residents wanted the school reopened.

³⁵ *Canberra Times*, 11 September 1991, 1.

registration costs and speeding fines were all increased. Ian Davis, a *Canberra Times* commentator, bemoaned the lack of attention to underlying budgetary challenges, judging that “the corners of financial responsibility have been cut”. Farmer, alternatively, opined that “there will be time enough” for tough decisions “after the people of Canberra have a chance to purge the ACT Legislative Assembly of its minority madness.”³⁶ Protests from unions, private schools, motorcyclists and the construction industry – including rallies outside the Assembly – predictably followed, but with seemingly less vigour than before as voters began to associate fiscal stringency with governments of all stripes.³⁷

If the government’s budget strategy was unimaginative, however, its legislative program was not. Connolly, an energetic reformer, brought forward a welter of bills to address inherited lacunae in the territory’s legal framework. These would, *inter alia*, establish a Community Advocate to speak for incapacitated citizens, permit class actions against miscreant banks, and abolish the right of husbands to sue for “loss of consortium”.³⁸ On one day in September he introduced 17 bills in 59 minutes, a legislative record.³⁹ The same month Wood introduced the Land (Planning and Environment) Bill, landmark legislation that gestated across three governments, to replace the temporary planning regime set up prior to self-government. At the close of the First Assembly some 220 enactments stood to its credit, an achievement of sorts against the background of fractious politicking.⁴⁰

³⁶ *Canberra Times*, 12 September, 1; 16 September 1991, 2; 18 September 1991, 1, 2, 9. There was a certain irony in this comment; Farmer would later help Paul Osborne, an independent, to secure election to the Third Assembly.

³⁷ *Canberra Times*, 12 July 1991, 2; 1 August 1991, 2; 20 September 1991, 1; 21 September 1991, 1; 16 October 1991, 1; 14 November 1991, 2, 5.

³⁸ *Hansard*, 12 September 1991, 3220; *Canberra Times*, 22 November 1991, 3; 24 November 1991, 2.

³⁹ *Canberra Times*, 13 September 1991, 5.

⁴⁰ *Hansard*, 17 December 1991, 6273.

“Normalising” the city’s legal architecture and public amenity was a task made appreciably more difficult by the drumbeat of an imminent election. Responsible legislating had to share its allotment with electoral posturing. Prowse and Nolan, disendorsed, left the Liberal orbit; in October Nolan rebranded herself as a New Conservative. By the end of the year, the 17 MLAs professed eight separate political affiliations.⁴¹ And they were not yet done with the issue of fluoride: a majority, mainly from the crossbench, having removed it temporarily in 1989, now decided to halve the fluoride dosage in the water supply. Only the absence of suitable machinery prevented this decision being implemented.⁴² Facing opposition from NSW, the government backed away from a trial, recommended by an Assembly committee, to provide heroin to registered addicts. The same committee recommended decriminalising the personal use of cannabis.⁴³ Tempers flared, however, as members battled for the moral high ground. The Assembly petulantly disallowed increases in motorcycle registration fees, and Berry was suspended from the house for refusing to withdraw an allegation that I had victimised an ambulance officer.⁴⁴

The nadir occurred with the debates over two key reforms. Wood’s planning legislation was pummelled with dozens of amendments, generating – despite liberal use of the guillotine – the longest debate in the young parliament’s history.⁴⁵ The government’s human rights bill was even messier, with parties striving to put their own stamp on it, while Stevenson ran a filibuster, voting against each clause one by

⁴¹ The eight alignments were ALP, Liberal, Residents Rally, Abolish, Hare-Clark Independence Party, New Conservatives, and two independents. In reality there were nine alignments, since Prowse voted as an independent while still nominally a Liberal.

⁴² *Hansard*, 14 August 1991, 2844. Nolan and Prowse crossed the floor to give the crossbench the numbers to achieve this. By the time the equipment was available, the 1992 election had been held, the anti-fluoridationists had mostly been swept away and the legislation to halve the dosage was quietly repealed: *Hansard*, 20 May 1992, 660.

⁴³ *Canberra Times*, 24 August 1991, 3; 16 October 1991, 2.

⁴⁴ *Hansard*, 24 October 1991, 4323; *Canberra Times*, 4 December 1991, 5.

⁴⁵ *Hansard*, 5 December 1991, 5675; *Canberra Times*, 6 December 1991, 1.

one. At one point the bill had no name, prompting journalist Chris Uhlmann to observe that “time and all sense of reality was lost this week as the Assembly, which had teetered on the brink of sanity for so long, simply dropped off the edge”.⁴⁶ In truth the political agenda was unravelling; members of a splintered chamber wrestled over legislative direction, while the government – with just five members – salvaged what it could of its own program. Follett, lacking the power then enjoyed by most premiers of calling an early election, had no choice but to soldier on.⁴⁷

“A monk, a spunk and a drunk”

As 1992 began, Federal issues exerted a heightened influence over ACT politics. Paul Keating had just usurped Bob Hawke’s prime ministership, and the battle over opposition leader John Hewson’s *Fightback!* package was intensifying, enlisting ACT warriors as it went. ACT Labor, for long on the defensive over Federal government cuts to Canberra, could now portray Federal Liberals as the city’s real nemesis. Follett and Kaine traded claims about which Federal counterpart represented the bigger threat.⁴⁸ For good measure, local Labor put distance between itself and Federal Labor; Connolly, for example, backed an East Timor protest picket outside the Indonesian Embassy in defiance of Foreign Minister Gareth Evans.⁴⁹ New Federal legislation restricting political advertising also had an impact on the ACT campaign; there would be an electronic media blackout for the last month before the poll. The new rules, under assault from the Federal opposition, produced strange incongruities; Moore did not qualify for free advertising time, but Duby and Nolan did.

⁴⁶ *Hansard*, 27 November 1991, 5085; Chris Uhlmann, “Assembly hits the bottom of a very, very deep pit”, *Canberra Times*, 23 November 1991, 11.

⁴⁷ I put it to her in interview that this would have been an ideal option, but she responded that she had never considered it as it was hypothetical: *Interview with Rosemary Follett*, 17 January 2024.

⁴⁸ For example, *Canberra Times*, 22 November 1991, 1.

⁴⁹ *Canberra Times*, 16 January 1992, 1. See also 17 November 1991, 1.

Labor itself stepped around the ban by advertising on cinema screens and on licensed clubs' CCTV during the electronic blackout.⁵⁰ The Assembly's minor parties, meanwhile, were galvanised by polling showing a marked drift in voter loyalty from them to the major parties ahead of the looming ballot. Ominously for those that had fought on "niche" issues, voters were prioritising economic management (56.5%) over "moral issues" (such as X-videos, prostitution and casinos – less than 6%).⁵¹ Battlelines were drawn. Moore recruited education activist Helen Szuty to his ticket, and pledged – in a bid to offset the crossbench record on instability – to support Follett if elected.⁵² The Abolish membership deposed Stevenson as party leader, though he remained top of its ticket. Most of the unsuccessful parties of 1989 had disappeared, but some new ones emerged.⁵³ Duby recruited a leading Buddhist and a sex workers' advocate to his Hare-Clark Independence Party ticket.⁵⁴ (I asked him how he thought this odd assortment of candidates would work. He responded, referring to his own drink-driving conviction in 1990, "It's the perfect ticket: a monk, a spunk and a drunk!").

Spurred by polling showing restored voter confidence in them, the major parties entered 1992 energetically.⁵⁵ The Liberals targeted the hip pocket nerves of electors, promising to raise the payroll tax threshold, abolish Labor's 1% land tax and remove the 3c-a-litre petrol levy. First home buyers would be able to spread the

⁵⁰ *Canberra Times*, 13 January 1992, 3; 31 January 1992, 1; 8 February 1992, 9. The High Court would overturn the legislation for constitutional reasons later that year: *Canberra Times*, 29 August 1992, 1.

⁵¹ Labor and Liberal had roughly doubled their support from the 1989 election, while the Residents Rally's support now stood at 0.8%: *Canberra Times*, 22 December 1991, 1–2; 4 January 1992, 1.

⁵² *Canberra Times*, 16 January 1992, 5.

⁵³ The Canberra Party and the Canberra Unity Party had confusingly similar names, while the Sun-Ripened Warm Tomato Party was deregistered: *Canberra Times*, 24 December 1991, 2; 11 January 1992, 9.

⁵⁴ The advocate was Fiona Patten, who would later go on to win a seat in the Victorian Legislative Council in 2014 on behalf of the Australian Sex Party. She later became Leader of Reason Australia (now deregistered) before losing her seat in 2022.

⁵⁵ *Canberra Times*, 22 December 1991, 1–2.

purchase price of new land over five years, and a Liberal government would bid to host the 2002 Commonwealth Games.⁵⁶ Liberal showmanship eclipsed Labor's more straightlaced style; a new candidate, Tony De Domenico, demonstrated the efficacy of the 180 litre garbage bins the Liberals would introduce by wheeling Stefaniak around in one, while I launched our rural policy astride Bucko the horse.⁵⁷ Other elements of the campaign misfired, however, including an attack on ministers attending an ALP national conference at taxpayer expense and on supposed government cronyism.⁵⁸ A more conservative campaign style helped Labor avoid such stumbles. It committed to build a waste-transfer station in Tuggeranong, provide \$380,000 for tourism development, and double the number of childcare places for ACT government employees.⁵⁹ Many pledges – including to establish a “wastewatch” hotline, crime prevention councils and a languages policy – were modest, even bland, signalling that this was the party of fiscal rectitude and civic responsibility.⁶⁰

Despite various policy disagreements, on some issues the two leaders converged emphatically. In a National Press Club debate, Follett and Kaine suggested that voters should choose one or the other of their parties but not stray beyond those columns. As the Rally protested outside the club at Collaery's exclusion from the debate, Follett described the preceding three years as “simply chaotic” while Kaine labelled them “horrifying and even demoralising”.⁶¹ The

⁵⁶ *Canberra Times*, 21 January 1992, 2; 11 February 1992, 4; 12 February 1992, 5.

⁵⁷ *Canberra Times*, 12 January 1992, 3; 7 February 1992, 1. The big bin policy was labelled “Clanger of the Week” by the ACT Recycling Campaign spokeswoman Kerrie Tucker for promoting wastefulness: *Canberra Times*, 9 February 1992, 4. The horse's name was actually Buttercup, but my advisors thought a policy launched on “Bucko” would sound bolder.

⁵⁸ *Canberra Times*, 25 January 1992, 4; Chris Uhlmann, “Never let the facts get in the way of a good story”, *Canberra Times*, 25 January 1992, 9.

⁵⁹ *Canberra Times*, 28 January 1992, 3; 29 January 1992, 3; 31 January 1992, 5.

⁶⁰ *Canberra Times*, 20 January 1992, 3; 24 January 1992, 5; 4 February 1992, 11.

⁶¹ *Canberra Times*, 31 January 1992, 1. Collaery was later granted his own Press Club address but, in a sign of how far the Rally tide had ebbed, only two journalists attended: *Canberra Times*, 14 February 1992, 5.

arguments they advanced were, of course, self-serving, and played to fears that the Assembly was unworkable. Even then, with the case for the two-party system at its most potent, a sizeable slice of the electorate was preparing to ignore this advice. Solidarity between the two parties was also evident in planning policy; while Labor scrapped some of the more criticised planks of its draft Territory Plan, both parties declined pointedly to dump it.⁶² Whether Kaine's bipartisanship – like so many of his decisions, launched without consultation with his comrades – assisted either the Liberal campaign specifically or the spirit of self-government generally is unknown, but it did cause some in the Liberal fold to wonder about this judgement.

In early 1992 Labor was the election front runner, but two issues slowed its momentum.⁶³ In January, most members of the ACT Pharmacy Board threatened to resign if Berry proceeded with the appointment to it of Stan Aliprandi, a friend of Al and Ellnor Grassby. Though a pharmacist, Aliprandi had not practised in 15 years, and had twice been before the board for disciplinary matters when he did. A new Liberal candidate, Kate Carnell, herself a pharmacist, led an attack on Berry's "political cronyism".⁶⁴ Aliprandi eventually resigned, but for more than two weeks Berry refused to reappoint the rebellious board members, until capitulating when some businesses threatened to close for want of certified pharmacists. Carnell's win in what the newspaper dubbed Berry's "fiasco" was the start of a decade-long, sometimes poisonous, rivalry between the two.⁶⁵

The other issue exerting drag was a referendum on the Territory's new electoral system to be conducted alongside the election itself. This device had been

⁶² *Canberra Times*, 2 February 1992, 3; 6 February 1992, 1.

⁶³ *Canberra Times*, 28 January 1992, 1.

⁶⁴ *Canberra Times*, 9 January 1992, 3; 10 January 1992, 1; 11 January 1992, 1.

⁶⁵ *Canberra Times*, 14 January 1992, 1, 6; 28 January 1992, 3; 29 January 1992, 1; 30 January 1992, 1.

chosen to resolve longstanding partisan conflict over what should replace the d'Hondt system. The ALP campaigned on the theme that only single-member electorates (SMEs) would provide stable government and avoid the uncertainties manifested by minor parties. However, it found itself increasingly isolated in this contention. Other parties and community groups, such as the Australian Conservation Foundation and the Wilderness Society, signed up to the Hare-Clark system of proportional representation.⁶⁶ In a university referendum debate, the only person Labor could find to join its team was planning activist Ed Wensing, and even he recanted and backed Hare-Clark a few days later. Labor's argument that Hare-Clark meant instability was sideswiped when the Liberal Party formed majority government in Tasmania in early February following a Hare-Clark election.⁶⁷ For good measure the Hare-Clark campaign committee produced an analysis showing that, based on ACT voting at the 1990 Federal election, the ALP would likely win every seat in an SME parliament, causing some citizens to wonder whether this cure for instability might be worse than the disease.⁶⁸

The First Assembly: an assessment

On 15 February 1992 ACT voters exorcised many of the demons they had summoned in 1989. On the eve of the second self-government election, Follett declared that Labor represented "the best chance of stability", while Kaine warned that Labor had "a Socialist Left agenda planned for Canberra". Voters bought Follett's line, but only up to a point. Labor surged from five to eight seats, and the Liberals from four to six; each party's vote basically doubled over its 1989 performance.

⁶⁶ *Canberra Times*, 22 January 1992, 5.

⁶⁷ *Canberra Times*, 2 February 1992, 1.

⁶⁸ *Canberra Times*, 8 February 1992, 7.

Moore scraped over the d'Hondt threshold by a slender 73 votes, but benefited so handsomely from preferences that he pulled his running mate, Szuty, over the line with him. Although the anti-self-government vote shrank, Abolish – as its sole remaining standard-bearer – garnered enough support to re-elect Stevenson.

Prowse, Maher and Kinloch (the latter distressed and overwhelmed by the nature of parliamentary warfare) did not re-contest their seats, while Stefaniak, Duby and Nolan lost theirs.⁶⁹ The Residents Rally, its vote halved from 1989 and heavily in debt, disappeared from the political landscape. In the referendum, Hare-Clark trounced SMEs two-to-one. Overall, it was a triumph for Follett and Labor, its beard but slightly singed by its loss on the electoral system and by missing out on majority government by one seat. Follett's persona was key to this success; as Lamberton and Uhlmann put it, "the electorate is not being asked [by the ALP] to elect a Labor government but to make Rosemary Follett president of the ACT". Possibly seizing government in June 1991 rather than waiting for the February 1992 election was a miscalculation by Follett; Education Department head Eric Wilmot later asserted that reopening Cook and Lyons schools "cost the Labor Party majority government".⁷⁰ Follett strongly defends her decision to topple the Alliance in June 1991: "you stand for election to get government ... at the subsequent election we did much better, campaigning from government, and having shown up a bit of the chaos within" the then government.⁷¹

⁶⁹ Of Kinloch, his wife and biographer Lucy Maniam Kinloch said: "Unsuited to politics, he nonetheless embodied the strains of Canberra's lurch into self-government. He did not contest the next election": Lucy Maniam Kinloch, *Kinloch, Hector Gilchrist (1927–1993)*, Australian Dictionary of Biography, <https://adb.anu.edu.au/biography/kinloch-hector-gilchrist-18283>. Accessed 25 August 2025. Wood went further: "He should never have been in politics": *Interview with Bill Wood*, 5 May 2023.

⁷⁰ *Canberra Times*, 22 March 1992, 1.

⁷¹ *Interview with Rosemary Follett*, 17 January 2024.

Predictably, the outcome in 1992 was characterised as electoral repudiation of a powerful, assertive crossbench. Commentators declared the First Assembly had been “a debacle ... an embarrassment to Canberra”, such that the voters’ “feelings of anger and frustration must be directed to a serious end ... stable government. Serious government.”⁷² With the ejection of most of the legislature’s “loose cannon”, pronounced the *Canberra Times*, “self-government came of age yesterday”.⁷³

These sentiments were overstated, the judgement about maturity premature. While the Assembly would never return to the rambunctiousness of its infancy, neither would it prove – in the second or subsequent assemblies – a showcase of the two-party system. Despite their resurgence, the combined vote of the two major parties in 1992 was actually the second lowest of any Australian election of the 1990s (the lowest being the ACT election of 1998).⁷⁴ In circumstances ripe for a Labor/Liberal landslide, voters instead held back on that option. Significantly, the emphatic rejection of SMEs – the electoral system most heavily weighted against minor parties – provides a clue as to the electorate’s view of the prospect of majoritarian government. In this light the election of a crossbench of three, holding the balance of power, crystallised as voters hedging their bets rather than as an accident of the count.

The ACT referendum outcome would have a curious echo the following year in New Zealand, when voters long accustomed to SMEs would reject the status quo and opt instead, in their own referendum, for an electoral system with a substantial

⁷² Leanne Mason, “We must all do a better job next time we vote”, *Canberra Times*, 17 August 1991, 9; 14 February 1992, 6. See also Matthew Abraham, “ACT Govt: a bad case of decision shyness”, *Canberra Times*, 15 December 1991, 2.

⁷³ *Canberra Times*, 16 February 1992, 6.

⁷⁴ I refer to the primary vote of the major parties in Commonwealth, State and Territory general elections. The vote of the National Party is included where it was in coalition with the Liberal Party at the time: *Australian Politics and Elections Archive 1856–2018*.

element of proportional representation. The “mixed member proportional” system chosen there would, as in Canberra’s case, substantially increase the likelihood of minority or coalition governments occurring. Analysis by political scientist Jack Vowels identified voter dissatisfaction with the tendency toward “elective dictatorship” inherent in the two-party system, and a desire for “a more competitive party system ... in order to ‘keep the bastards honest’”.⁷⁵ Parallels with the concerns of Canberra voters are obvious, suggesting deeper undercurrents of distrust shared with voters in other democratic systems.

In addition, other features of a distinctive, even unique, ACT democratic identity, forged in the First Assembly, persisted. Fierce political contests had produced higher levels of executive scrutiny and accountability than were to be found elsewhere. Expectations that power would be shared, not monopolised by the executive, remained high. In short, ACT democracy after 1992 was converging toward Australian political norms, but remained far from being “normal”. What most set it apart from “normal” was the continuing level of animus displayed by voters towards the democratic apparatus.⁷⁶ That apparatus had been refreshed, but not redeemed, by the clean-out at the second election. The First Assembly would cast a long shadow over its successors, both by epitomising in the popular imagination the more risible excesses of self-government and by conferring defining characteristics of future parliamentary mores.

⁷⁵ Jack Vowels, “Introducing Proportional Representation: the New Zealand Experience” in *Parliamentary Affairs*, 53:4 (2000), 684. See also Jack H Nagel, “Reflections on Proportional Representation in New Zealand” in Markus ML Crepaz, Thomas Albert Koelble and David Wilsford (eds), *Democracy and Institutions: The Life Work of Arend Lijphart* (Ann Arbor: University of Michigan Press, 2000), 120.

⁷⁶ See, for example, Michael Bachelard, “Ridicule abounds, but votes count”, *Canberra Times*, 10 December 1994, 19.

The early years of self-government also witnessed significant changes in the role of the public service. Paul Whalan recounts how the draft budget issued by the Follett government in July 1989 “virtually was prepared by the public service”.⁷⁷ Those who had been, largely, masters of all they surveyed within their departmental domains now had to be brought “to heel”, to become used to the close supervision of locally elected ministers.⁷⁸ Collaery recounts the story of the first meeting of Australian attorneys-general following his own appointment. He had not been formally invited to that meeting, but accepted a last-minute ride there on a fellow attorney’s ministerial plane, only to see his own departmental head taking his place in the meeting.⁷⁹ Follett claimed that the Alliance government school and hospital closure programs were “bureaucracy initiatives rubber-stamped by the Kaine Government ... But after 18 months we still find the bureaucratic decision-making ... very much alive.”⁸⁰ Bureaucrats had, she said, “varying attitudes to serving a Minister”.⁸¹

A more benign view of the transition comes from the public servants of the day. Chris Eccles, head of the cabinet office 1989–94, observes that the “creative tension” between ministers and bureaucrats, leading to “occasional frustration” among the latter, was no worse than in other jurisdictions. Conversely, he speaks of “the excitement and the enjoyment” he and his colleagues experienced labouring on “the creation of something new and different”. The size and scale of ACT

⁷⁷ *Interview with Paul Whalan*, 9 August 2022.

⁷⁸ *Hansard*, 17 December 1991, 6273.

⁷⁹ *Interview with Bernard Collaery*, 1 March 2023.

⁸⁰ *Canberra Times*, 27 November 1990, 1.

⁸¹ Barry Price, “Looking Back at the Advent of ACT Self-government: Six Perspectives”, *Canberra Historical Journal*, No 56 (September 2005), 24.

administration supported “experimentation and innovation”, a challenge to which many rose.⁸²

The Second Assembly: a reboot

Follett moved swiftly to define the challenge in this “new phase in self-government”:

The choice is between the instability, the antics and the rancour of the First Assembly, on the one hand, and the great potential for rational, intelligent and informed decisions that the new composition of this Second Assembly provides.⁸³

Though she did not change her frontbench following the election, this “new composition” bequeathed her three new backbenchers.⁸⁴ One of these she chose to be Speaker. Roberta McRae was only the fourth woman elected presiding officer of an Australian parliament.⁸⁵ Born in Italy of Italian/Polish parents, she came to Australia aged eight without any English. She trained as a teacher and had been active in Canberra’s multicultural community.⁸⁶ From the Labor Left, she quickly mastered the Speakership despite being a parliamentary novice. Connolly gained a factional ally with the arrival of Annette Ellis, offsetting Grassby’s split from the Right soon after the election.⁸⁷ Originally from Melbourne, Ellis had worked on the staff of Ros Kelly for the previous decade; indeed, it would be as Kelly’s successor, as Federal member for Canberra, that she would later make a bigger contribution to Labor politics than in the ACT parliament.

The most talented of the new brood, however, was David Lamont. Born in Braidwood NSW, the youngest of 14 children in a poor family, in 1970 he came to

⁸² He also notes that the public servants who had migrated from the Commonwealth “were often unused to frequent exposure and direct accountability to Ministers and a parliament”: *Interview with Chris Eccles*, 4 July 2025; *Email, Eccles to Humphries*, 14 July 2025.

⁸³ *Hansard*, 27 March 1992, 4.

⁸⁴ *Hansard*, 7 April 1992, 28.

⁸⁵ *Hansard*, 27 March 1992, 3.

⁸⁶ *Canberra Times*, 11 August 1992, 4.

⁸⁷ *Canberra Times*, 4 March 1992, 3.

Canberra where he led branches of several unions, particularly the Transport Workers Union.⁸⁸ Politically adroit and a natural deal-maker, he would be the obvious candidate for later ministerial promotion. Journalist Michael Bachelard considered he had an image as “a bovver boy, a bully and worse”, but “proved himself to be at worst an ‘operator’ and at best extremely adept”.⁸⁹

Among the new Liberal MLAs, journalist Matthew Abraham noted “the confident and uncompromising personal style which is Mr [Tony] De Domenico’s trademark.”⁹⁰ He was born in Egypt to Italian parents, and contested seats for the Victorian Parliament before moving to Canberra as a business manager in 1982.⁹¹ Flamboyant, diminutive and feisty, he was known to charm an audience by breaking into song.⁹² He entered the Assembly as an ally of Kaine, but soon made his own leadership ambitions apparent.

Table 1 Members of the Second Assembly 1992–95

Labor Party	Liberal Party	Moore Independents	Abolish Self-Government
Rosemary Follett*	Trevor Kaine*	Michael Moore*	Dennis Stevenson*
Wayne Berry*	Tony De Domenico	Helen Szuty	
Bill Wood*	Greg Cornwell		
Roberta McRae	Kate Carnell		
Terry Connolly*	Gary Humphries*		
Annette Ellis	Lou Westende (replaced by Bill Stefaniak in August 1994)		
David Lamont			

⁸⁸ *Interview with David Lamont*, 12 December 2023.

⁸⁹ Michael Bachelard, “Horse-trading galore as D-Day looms”, *Canberra Times*, 4 March 1995, 19.

⁹⁰ Matthew Abraham, “Superbrat politics begin as the age of innocence ends”, *Canberra Times*, 26 January 1992, 2.

⁹¹ *Canberra Times*, 9 January 1997, 2.

⁹² *Canberra Times*, 7 February 1992, 1; 28 March 1992, 1; 10 February 1994, 2.

Ellnor Grassby*			
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* sitting member

Other Liberals represented opposite sides of the party's "broad church". Greg Cornwell was born in Sydney and came to Canberra, where he was elected to the advisory Legislative Assembly in 1974. He worked in shipping and public relations, and then on the staff of his friend Kaine after failing to win a seat at the 1989 election.⁹³ A conservative like Kaine, he promoted traditional values in his maiden speech, promising to represent "the decent and often forgotten silent majority" and bemoaning the "drift to authoritarianism".⁹⁴ His fondness for "political incorrectness" would frequently get him into trouble.⁹⁵

Though nominally conservative too, businessman Lou Westende saw himself as "an action man", epitomised by his establishment of a successful office furniture company. He was frustrated by Labor's ascendancy over his own party and viewed Carnell as the only person who could turn that around. Born in the Netherlands, his political views were shaped by the Nazi occupation of his country.⁹⁶ The "harmless Lou Westende", as satirist Ian Warden described him, would be so frustrated by the impotence of opposition that he would leave politics before his term was up.⁹⁷

For Kate Carnell, however, being in opposition was merely a hurdle to be jumped, like so many others. A Queenslander and proprietor of the Red Hill pharmacy, she had been ACT president and national Vice-President of the Pharmacy

⁹³ https://www.library.act.gov.au/find/history/search/Manuscript_Collections/hmss_0204_greg_cornwell_papers. Accessed 26 August 2025.

⁹⁴ *Hansard*, 7 April 1992, 66.

⁹⁵ For example, he suggested that the poor performance of women at the 1998 election may be a "backlash" against the "special treatment of women in society": *Canberra Times*, 12 November 1998, 3. See also *Canberra Times*, 22 August 2001, 2.

⁹⁶ *Lou Westende interviewed by Ann-Mari Jordens*, National Library of Australia, 23 November 2010: <https://nla.gov.au/nla.obj-219713615/listen>.

⁹⁷ Ian Warden, "The Liberal coup plot that never thickened", *Canberra Times*, 12 May 1993, 19.

Guild. A “wet Liberal” with a “progressive and creative approach to community life”, her early forays into the public discourse focused on traditional Liberal preoccupations like the private sector and small government, interspersed less conventionally with progressive positions on social issues such as drug law reform, domestic violence and abortion rights.⁹⁸ She was not a creature of the Liberal Party, having only joined it weeks before the preselection; the ACT party’s business elders had persuaded her to stand. Nonetheless, her prodigious energy and flair for strategic thinking soon kindled speculation about her leadership potential.⁹⁹ Her dynamism was magnified by the smallness of the Assembly and the compactness of the ACT electorate. It is only partly a reflection of the feminisation of Australian politics at this time that she and Follett would dominate the first decade of self-government; their qualities as politicians would account for the greater part.

The only new crossbench MLA was Szuty. She was a single mother, originally from Western Australia, and a director of the Weston Creek Counselling Service. An education activist, she tagged herself with a left-of-centre philosophy in her inaugural speech.¹⁰⁰ Thoughtful and conscientious as a legislator, Szuty saw strategic planning as the city’s “greatest strength”.¹⁰¹ She and Moore would prove to be major instruments in rehabilitating the credentials of the crossbench.

⁹⁸ Peter Clack, ‘Liberals miss chance to find Government chinks’, *Canberra Times*, 8 August 1992, 13; *Hansard*, 7 April 1992, 69. Though difficult to characterise neatly, Carnell probably qualifies as an Ensemble/Inspiring leader in Graham Little’s categorisation of political leadership – “The group feels itself to be creative and senses the possibility of new things. Hope stirs and there is excitement in the air”: see Graham Little, *Political Ensembles: A psychosocial approach to politics and leadership* (Melbourne: OUP, 1985), 140–41; Judith Brett, “Graham Little’s Theory of Political Leadership”, *International Journal of Applied Psychoanalytic Studies*, 6:2 (June 2009), 105. This is not a category into which many Australian Liberal leaders tend to fall

⁹⁹ As such she stood in a long line of senior Liberals who rose to leadership positions with little or no party pedigree: see Gerard Henderson, *Menzies’ Child* (St Leonards: Allen & Unwin, 1994), 8–9.

¹⁰⁰ *Hansard*, 7 April 1992, 60.

¹⁰¹ Peter Clack, “Szuty, an Independent MLA in a ‘balance of power situation’”, *Canberra Times*, 1 June 1992, 4.

New start, same old headwinds

Ensconced in the bosom of the electorate's trust, Follett set out her mission; to "help our community fashion its own identity" her government would implement the new electoral system and establish a new home for the Legislative Assembly. Soon, however, more prosaic challenges buffeted her administration. Any sense that the Grants Commission and Federal Treasury had finished upbraiding the Territory was soon dispelled. The Commission quantified its concern in 1992 by saying the ACT "over taxed" (against state averages) by about \$4m a year but "over spent" by \$132m, mainly in health and education.¹⁰² Much of this "overspending" was accounted for by inefficient work practices, the legacy of lackadaisical Commonwealth stewardship over decades. At W VH there were 27 different rostering patterns and 13 separate starting times for workers. ACT teachers performed 22½ hours of face-to-face teaching per week, compared to 25 hours nationally, and 20% of the ACTION bus network's wages budget was spent on overtime.¹⁰³ The Commonwealth duly cut its Territory grants by 6.5%, to which Follett responded with a raft of tax increases and an across-the-board efficiency cut of 2% in the September 1992 budget, a response which allowed her to proclaim that no jobs would be lost or services cut.¹⁰⁴ The following year's Premiers' Conference was even more vicious – a cut of 19%, or \$70.2m – in Federal support, "a complete surprise, and a nasty one too", recalls Follett.¹⁰⁵ This time there was no room to resist job cuts. 550 positions were axed in the September 1993 budget, along with cuts to TAFE and non-

¹⁰² Hugh Lamberton, "The Grants Commission and funds for the ACT", *Canberra Times*, 18 April 1992, 9.

¹⁰³ *Canberra Times*, 11 June 1993, 4; 13 July 1993, 1; 12 November 1993, 2.

¹⁰⁴ *Canberra Times*, 13 June 1992, 1; 24 June 1992, 1; *Hansard*, 15 September 1992, 2253. Among the revenue measures was the dumping of Labor's promise to repeal the Alliance's three cents a litre petrol levy. The pattern of promising to abolish the levy, and then failing to deliver, would be continued by the next (Liberal) government.

¹⁰⁵ *Interview with Rosemary Follett*, 29 February 2024.

government schools. Petrol taxes and building fees were increased. In what was probably the most difficult of the five budgets Follett delivered, borrowings rose sharply and a deficit was projected for the first time since self-government.¹⁰⁶ In spite of these challenges, Follett stood by the principle that budgets should “not be too tough on the people of Canberra”, and indeed her fiscal circumspection did produce a dividend: in February 1994 the ACT was awarded an AAA credit rating by Standard and Poor’s, placing its budget management in the first rank of Australian jurisdictions.¹⁰⁷

Nevertheless, the Labor government’s response to these punishing Federal headwinds planted the seeds of its own destruction. Over time it became increasingly evident that the ACT public service needed radical surgery, not painkilling medicine. In October 1992 the first serious workforce audit since self-government revealed that the ACT had 22,538 public servants – about one in 10 working Canberrans were servants of the Territory government.¹⁰⁸ Nonetheless, the 1992 budget relied on a 2% efficiency dividend, not targeted employee attrition. The result was a never-ending parade of politically painful, trickle-down decisions: the closure of regional education offices supporting schools, fewer apprentices entering TAFE, lengthening elective surgery waiting lists – each riling one segment of the community or another.¹⁰⁹ In this exercise public servants were not always pulling in the same

¹⁰⁶ *Canberra Times*, 6 July 1993, 1; 15 September 1993, 4; *Hansard*, 14 September 1993, 2998. The Commonwealth cut in grants in 1993–94 was the most severe the Territory faced in the transition to state-type funding.

¹⁰⁷ To be precise, “AAA with a positive outlook”. This rating meant the Territory could borrow money more cheaply: *Hansard*, 14 September 1993, 2998; *Canberra Times*, 3 February 1994, 1.

¹⁰⁸ *Canberra Times*, 2 October 1992, 1. The audit came about because the government had earlier announced it intended to reduce staff numbers by 500. Kaine pointed out that this objective was meaningless if the government couldn’t say how many public servants it had to start with.

¹⁰⁹ *Canberra Times*, 7 July 1992, 1; 4 February 1993, 1; 11 May 1994, 3. Examples of hostile community reaction include *Canberra Times*, 30 May 1992, 1; 31 July 1992, 3; 1 February 1993, 3, 4; 24 June 1993, 13; 15 July 1993, 1; 26 September 1993, 2; 26 October 1993, 1; 28 October 1993, 1; 29 October 1993, 1.

direction as their ministers; some proposals, such as part-time police and fire stations, seemed designed with the intention that they would be shot down.¹¹⁰ Such devices ensured the “salami-slicing” failed: only half the agencies met their 2% target.¹¹¹ The job cuts decided on in 1993 created a new set of problems; unable to quarantine education, Wood earmarked 80 jobs to disappear in schools. School principals were quick to point out that this meant bigger class sizes – the antithesis of the policy Labor had promised to deliver.¹¹²

The government’s budget strategy aroused a chorus of critics – particularly at the *Canberra Times*. Its journalists excoriated budget after budget as “deserving of condemnation”, displaying a “lack of courage” and “an avoidance of tough decisions”. Whether the general population shared these views – or preferred Warden’s that the budgets showed “the acceptable, avuncular, accountant’s face of socialism” – is unclear, but over time the perception grew, in some quarters at least, that Labor’s response was more reactive than strategic.¹¹³ Davis, one of the press critics, surmised that the government “appears immobilised by, on the one hand, the magnitude of future economic adjustments and, on the other, by its need not to offend various groups within and outside the ALP on whom it depends.” Follett’s “barely breathing quiet-achiever approach to government” was in danger of looking like drift.¹¹⁴ She reflected for this study on these challenges by emphasising the

¹¹⁰ Hugh Lamberton, “Hard to argue against police cuts”, *Canberra Times*, 30 January 1993, 9; 30 December 1993, 1. Lamberton argued that the effect of this approach to budget decisions was “largely to hand over the Government’s mandate to the bureaucracy”: “Counter-cabinet makes self-government a misnomer”, 10 July 1993, 13.

¹¹¹ *Canberra Times*, 14 September 1993, 1.

¹¹² *Canberra Times*, 23 November 1993, 5.

¹¹³ *Canberra Times*, 16 September 1992, 1; 15 September 1993, 2; 15 June 1994, 16.

¹¹⁴ *Canberra Times*, 11 April 1992, 9; 16 September 1992, 1. Lamberton dubbed Follett “the Calvin Coolidge of ACT political history, someone who always gives the appearance of wishing never to say anything the community might dislike”: “Government services likely to be cut back”; *Canberra Times*, 19 June 1993, 11.

imperative of undertaking structural change while keeping faith with a community still sceptical about self-government. Follett insists that service quality had to be maintained, whatever fiscal alarm bells were ringing:

I don't think you could have moved fast [to cut spending]. The conditions that existed on self-government had been there for an awfully long time, and I thought it was a bit hypocritical of the Commonwealth to then blame us for it ... so I took the view that we'd do our best but it was not going to come down fast.

In some areas, such as education, she says that above-national levels of spending were justified because exceptional outcomes were being achieved. The awarding of an AAA credit rating was a vindication of this approach.¹¹⁵

There were plucky attempts by the government to improve operational efficiency, but factors both external and internal not infrequently undermined these efforts. Connolly targeted work practices in the ACTION bus service after a report slammed its deteriorating efficiency and spiralling government subsidy, but was pilloried by the Transport Workers Union, which mobilised its members to join the ALP to vote down operational cuts.¹¹⁶ Even working *with* the unions had its hazards; an agreement Connolly had engineered between the electricians' union and the power authority ACTEW to save \$500,000 a year was overturned when Berry led opposition to it in cabinet, on the basis that it breached Labor policy on centralised bargaining.¹¹⁷ Connolly had already been censured by the ACT branch council for his handling of the issue, the mover proclaiming the minister had "lost the plot".¹¹⁸ Follett notes the paradox that ACT unions advocated their position "much more strongly with

¹¹⁵ *Interview with Rosemary Follett*, 29 February 2024.

¹¹⁶ *Canberra Times*, 14 April 1992, 1; 2 August 1992, 1.

¹¹⁷ *Canberra Times*, 31 March 1993, 3; *Interview with David Lamont*, 12 December 2023. Neville Betts, the head of the union, furiously christened the following day "April Wayne's Day": *Hansard*, 1 April 1993, 1054. The ACTEW/ETU agreement was eventually ratified: *Canberra Times*, 16 April 1993, 1.

¹¹⁸ *Canberra Times*, 19 September 1992, 3. Lamont, though holding great respect for Connolly, observes that at times he "took too much of a bureaucrat's view – of his own bureaucrat's view – about government": *Interview with David Lamont*, 12 December 2023.

a Labor government” than with other administrations; she speculates that they sometimes felt “betrayed” because of an unrealistic expectation of how much a Labor government could accommodate their agenda.¹¹⁹ Wood was countermanded by the branch when he attempted to involve the private sector in land development in Gungahlin. Berry himself would become embroiled in a fierce, long-running industrial dispute with the Visiting Medical Officers (VMOs – private doctors with the right to practice in the public hospitals). Although he also battled the nurses over work practices, he was particularly vexed by what he considered the outrageous overpayment of the VMOs, and sought a 25% cut in their sessional rates.¹²⁰ However worthy the original objective, the campaign dragged on for the whole of the Second Assembly, generating hyperbole and vituperation on an unprecedented scale. In May 1993, “government sources” suggested that doctors were deliberately adding patients’ names to the elective surgery waiting list to bolster their own pay claims, while Berry labelled them “parasitic”, “callous” and wanting “to hold a gun at our head” when they withdrew their services from hospitals. When obstetricians warned that babies might die unless the dispute was resolved, the minister professed to being “speechless with rage”. Berry also needed to train his fire on the newspaper, which generally editorialised in the doctors’ favour; its coverage, he said, was “monstrous”, “outrageous” and “vitriolic”.¹²¹ While other ministers generally managed to frame their objectives as microeconomic reform, in Berry’s case the rhetoric often

¹¹⁹ *Interview with Rosemary Follett*, 29 February 2024.

¹²⁰ *Canberra Times*, 4 March 1992, 1; 6 March 1992, 1; 3 November 1993, 1. Moore, who would later become health minister, considers that Berry was right to be concerned about the “really large sums of money” VMOs earned but “would stand very little chance” of succeeding in doing much about it because of the mobility of medical labour: *Interview with Michael Moore*, 12 December 2023. Carnell also sees the point of reducing expenditure on VMOs, but considers that Berry should have recruited more salaried doctors to reduce their influence and their capacity to milk the system: *Interview with Kate Carnell*, 7 March 2024.

¹²¹ *Canberra Times*, 7 March 1992, 1.

Patients now 'at grave risk'

By BILL NORMAN and JACQUI FULLER

Patients at Woden Valley Hospital were now "at grave risk" and the hospital was on the verge of collapse, the hospital's resident medical officers warned yesterday.

The RMOs, who comprise most of the remaining doctors at the hospital, held an angry meeting on Thursday night after another near-tragedy in maternity.

The doctors heckled and jeered ACT Health Minister Wayne Berry at a ceremony at the hospital yesterday, and a disturbed Mr Berry agreed to meet them next week.

The RMOs issued this statement: "1. Woden Valley Hospital is on the verge of collapse.

"2. Patients are at grave risk now and this can only get worse.

"3. There may be no resident doctors in this hospital in three weeks.

"4. Mr Berry must directly meet and negotiate with the Visiting Medical Officers to end the dispute now."

The registrars and junior doctors have become increasingly angry about the dispute as it moves into its second month, but their statement and demonstration was triggered this week when, as happened three weeks ago, a baby's life was in danger during a difficult birth.

An anaesthetist was not available for the preferred emergency caesarean operation, and the president-elect of the Australian Medical Association, Grahame Bates, had to perform a difficult and risky "high-forceps delivery" to save the baby's life.

Several other dangerous incidents have occurred in maternity, and a senior RMO said yesterday mothers had to be told that their safety could not be ensured in anything but a normal birth.

Woden's clinical director, Dr John O'Donnell, said yesterday a serious situation had developed over next year's new rotation of RMOs and registrars.

Dr O'Donnell said both the existing and the proposed replacement doctors were increasingly anxious that their training next year would not be accredited because the visiting medical officers who trained them would not be present.

Training to become a specialist was extremely competitive and the young doctors could not risk the loss of even one year of accredited training. Dr O'Donnell said it was understandable if, given the choice of training at an accredited hospital or training at a hospital where accreditation was threatened, the RMOs chose to go elsewhere.

Mr Berry said last night the RMOs were among the hardest workers at the hospital and were highly valued.

But he said they needed to be careful not to become so involved in the VMO contract dispute that they "started wearing some of the shame".

Obstetrician Dr Martyn Stafford-Bell said last night that only about five of the 11 obstetricians at Woden were now available for the emergency roster.

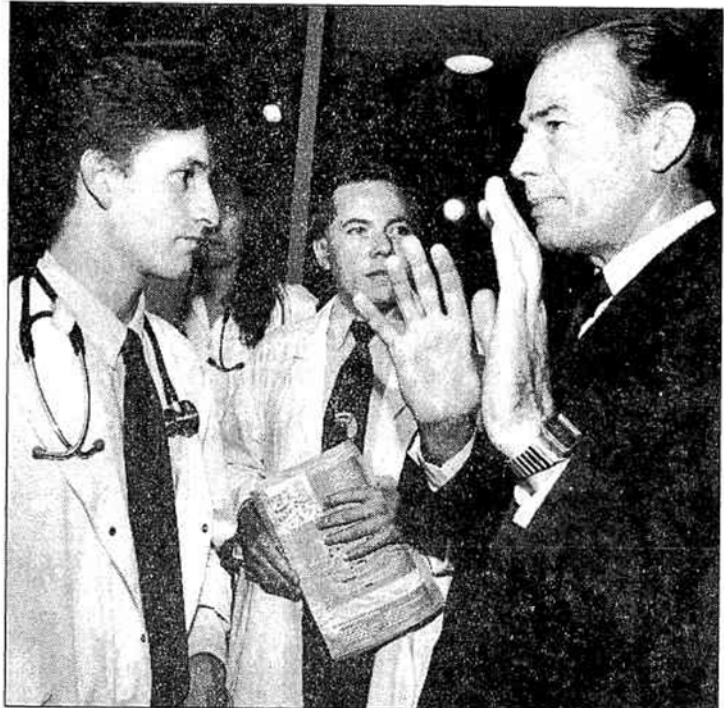
Dr Stafford-Bell said the obstetricians would provide emergency cover for Woden and Calvary Hospitals on alternate days, which meant some women would have to be transferred between hospitals while in labour.

The obstetricians had become increasingly angry with the medical superintendents at Woden and so they had withdrawn from the roster.

"We started off fully prepared to run an emergency roster, because the one thing you cannot do is to have pregnant women coming to grief.

"Mr Berry, I believe, would love to see that happen because that would be a fantastic bit of publicity for him but we are not going to give him that.

"The reason 50 per cent of our members are... jack of it is because of the hospital superintendents. They are taking major clinical decisions for which they are not competent... The medico-legal implications are so ghastly that we are down to half strength."



Picture: MARTIN JONES

Resident medical officers confront the ACT Health Minister, Wayne Berry, at Woden Valley Hospital yesterday.

Figure 12 Wayne Berry vs doctors: Canberra Times, 18 December 1993, 3.

took on too ideological a tone to readily meet that description.

A reforming legislature

Striving to control the budget was but one facet of a challenge facing the whole

Assembly: demonstrating that the city's quality of life could be sustained, even

enhanced, under self-government. To a greater extent than under its predecessor,

MLAs in the 1992-95 parliament felt impelled to improve the community's condition.

The paradox was that citizens often demanded this progress, this pursuit of

"normalcy", without any substantial increase in taxation. Businessman Jim Service

chided Canberrans for their streak of "both smugness and selfishness", which

encouraged politicians to “keep bribing us with our own money”.¹²² Law reform, mostly at the initiative of the government, was often the cheapest option for social and material progress. Connolly spearheaded much of this effort; he brought the bail laws up to date, revamped the rules on adoption, codified the jurisprudence of sentencing, and allowed victims of crime to give their court evidence via closed-circuit TV.¹²³ Some reform was playing “catch up” with the states – a demerit-points system for traffic offences; giving citizens a right of reply to allegations made under parliamentary privilege; facilitating the interstate transfer of prisoners for welfare reasons; and creating an electronic version of paper land titles. The last vestiges of the *Lunacy Act 1898* were swept away.¹²⁴ Other reform was nation-leading, such as allowing courts to admit the unsworn, uncorroborated evidence of children in criminal proceedings; and providing sobering-up shelters for the intoxicated. Moreover, no state had a Bill of Rights when Connolly proposed one in 1993 for the ACT.¹²⁵ Some reform confronted the Territory’s constitutional idiosyncrasies; Connolly had to legislate to confirm his prerogative powers as first Crown law officer, notwithstanding that he had not been appointed by the Crown.¹²⁶

¹²² *Canberra Times*, 12 November 1992, 1.

¹²³ *Hansard*, 9 April 1992, 135 (Connolly described his Bail Bill as the “most significant criminal law reform ever put before this Assembly”); 18 November 1992, 3228; 13 October 1993, 3427; *Canberra Times*, 13 November 1994, 2.

¹²⁴ *Hansard*, 17 June 1993, 1992; 16 September 1993, 3166; 21 October 1993, 3709; 25 August 1994, 2733; *Canberra Times*, 18 June 1993, 11.

¹²⁵ *Hansard*, 17 February 1993, 75; 10 November 1994, 4030; *Canberra Times*, 16 December 1993, 2. The ACT would indeed be the first Australian jurisdiction to enact comprehensive human rights legislation, but not until 2004: <https://www.humanrights.unsw.edu.au/news/human-rights-acts-around-australia#:~:text=Some%20of%20the%20various%20rights,taking%20part%20in%20public%20life>. Accessed 26 August 2025.

¹²⁶ *Hansard*, 13 August 1992, 1624. Other innovations included laws to regulate the sale of food after its use-by date, establishing a fidelity fund for money lost by real estate agents, protecting people unable to pay their electricity bills from having their power cut off, widening the scope of the Occupational Health & Safety regime to small businesses, making insulation compulsory in new homes, and giving de facto couples the same access to stamp duty concessions as married ones, *Hansard*, 18 August 1992, 1768; *Canberra Times*, 21 May 1992, 4; 19 June 1992, 3; 17 November 1992, 2; 15 October 1993, 13.

The impulse to demonstrate utility through legislative zeal extended to non-government MLAs – even to Stevenson, still nominally committed to the parliament’s destruction. The Liberal opposition sidestepped the familiar model of perpetual naysayer, instead vying with the government with its own reform agenda. Liberal bills protecting whistleblowers and requiring government to pay interest on overdue debts were passed.¹²⁷ Moore moved successfully to legalise prostitution, while his bill to permit on-the-spot fines for possession of small quantities of cannabis, modelled on groundbreaking legislation in South Australia, provided the foundation for a much more ambitious application of the principle to other drugs in the ACT 30 years later.¹²⁸ Stevenson introduced a number of bills, including several for citizens-initiated referenda.¹²⁹ For some observers, this legislative adventurism confirmed that self-government had been a mistake, though often such critics lived outside the Territory (dismayed by reforms on cannabis, pornography and alcohol, Peter Cochrane, a nearby NSW state MP, pronounced Canberra “Australia’s centre of decadence”).¹³⁰ Within the Territory, opinions tended to concur more with those of the Labor-aligned Evatt Foundation, which ranked the ACT first in Australia based on, *inter alia*, social, environmental and administrative achievements.¹³¹ Perhaps Canberra’s origins as a constitutional experiment – “a test-tube insemination conducted in a laboratory” – ensured that innovations which were indigestible elsewhere were readily consumed

¹²⁷ *Hansard*, 24 August 1994, 2594; 7 December 1994, 4737. Freedom of information reforms were also part of this agenda: *Hansard*, 13 May 1992, 392.

¹²⁸ *Hansard*, 9 September 1992, 2071; 18 November 1992, 3165; *Interview with Michael Moore*, 12 December 2023.

¹²⁹ For example, *Hansard*, 2 March 1994, 363.

¹³⁰ *Canberra Times*, 5 December 1992, 4. However, when the new Anglican Bishop of Canberra and Goulburn said in 1993 that the Legislative Assembly “is seriously out of step with the community generally”, he was slapped down by Wood, himself a member of the Anglican Synod, who said it was the church that was out of touch with the community, not the Assembly: *Canberra Times*, 8 August 1993, 3. See also Matthew Abraham, “From the ‘Fat Cat City to Sin City’? That’s the question”, *Canberra Times*, 29 November 1992, 2.

¹³¹ *Canberra Times*, 2 May 1994, 2.

by its own citizens.¹³² They were certainly more digestible if they complemented steps to provide services at a scale and a price commensurate with those afforded to citizens of the states.

Some reform was emblematic of how different Canberra was from the rest of Australia. In the early years of self-government, ACT public servants were technically still Commonwealth public servants; in 1992, Federal Treasurer John Dawkins set a deadline for the two services to separate. This was no easy matter, as the threatened loss of superior pay and conditions by ACT bureaucrats had fuelled much anti-self-rule sentiment.¹³³ For Follett, navigating this issue meant negotiating favourable terms of separation from the Commonwealth and then selling the necessary compromises to her own workforce. She produced legislation in 1994, which ignited battles ranging from the independence of the ACT Director of Public Prosecutions to the cashing out of recreation leave, but its passage – after facing 250 amendments – created a “porous” boundary which allowed some transferability between the services.¹³⁴

Local anxieties also spawned executive action on petrol prices, which sat stubbornly higher than in NSW regional cities. Connolly, keen to demonstrate the outcomes local government could deliver, believed that ACT petrol retailing was “a cosy little market” which needed more competition. When threats – such as price controls and putting new, independent operators on main roads (only eight of the Territory’s 88 stations were then so positioned) – failed to lower prices, he signed a

¹³² Kenneth Slessor, *Canberra* (Adelaide: Rigby, 1966), 9.

¹³³ Matthew Abraham, “Award confusion will greet ‘Okies’ fleeing wrath of recession”, *Canberra Times*, 1 November 1992, 2; *Interview with Rosemary Follett*, 17 January 2024.

¹³⁴ *Hansard*, 17 December 1992, 4101; *Canberra Times*, 30 May 1994, 4; 23 June 1994, 2. In particular, ACT public servants were to enjoy the capacity to transfer into the Commonwealth service under certain conditions in a way not available to state public servants.

deal to introduce independent Burmah Fuels, which promised to sell petrol for seven cents a litre less than other retailers.¹³⁵ Prices did drop with Burmah's arrival in December 1993, but the motorists' relief was short lived; Burmah raised its prices the following June, explaining "we'd like to make profit as well".¹³⁶ Disparaged by Federal Labor MPs and the *Canberra Times* ("Connolly's Vietnam", it crowed), Connolly may have taken consolation in being named Consumer Affairs Minister of the Year for his troubles.¹³⁷

The Labor Party, emboldened by its near majority, attended to its own agenda. A ban on rodeos and the use of exotic animals in circuses was spearheaded by Lamont, ending "[c]enturies of circus tradition" and ensuring Australia's 13 "traditional" circuses could no longer tour the Territory.¹³⁸ While applauded by animal rights organisations, the legislation drew inevitable barbs about "the bunch of clowns" in the Assembly being the circus that rather should be banned.¹³⁹ Legislation reflecting Labor policy, allowing abortions to be conducted outside the public hospital system, was passed, but this, Moore's cannabis legislation and the circus bill stimulated complaints that politicians were again meandering through social issues rather than focusing on the more immediate challenge of "normalising" the

¹³⁵ *Canberra Times*, 11 June 1992, 3; 26 June 1992, 1; 18 June 1992, 1; 16 June 1993, 3; 30 October 1993, 1.

¹³⁶ *Canberra Times*, 7 December 1993, 1; 9 June 1994, 1.

¹³⁷ *Canberra Times*, 3 June 1994, 3; 6 August 1994, 1; Michael Bachelard, "Petrol looking like Connolly's Vietnam", *Canberra Times*, 6 August 1994, 17. The award was made by the Australian Consumers' Association: *Canberra Times*, 12 May 1994, 7. The MPs were Member for Canberra Ros Kelly and the chair of the caucus economics committee, Wayne Swan, who said that the minister's policies had produced "a whole lot of distortions and unfairness" in the ACT petrol market.

¹³⁸ *Hansard*, 21 May 1992, 688; *Canberra Times*, 12 August 1992, 1. Some traditional circuses continued to visit Queanbeyan for several years afterwards. Since 2021, exotic animals have not been used in Australian circuses, more through audience preference than legislative control: <https://www.rspcasa.org.au/australia-circus-animal-free/>. Accessed 26 August 2025.

¹³⁹ *Canberra Times*, 16 August 1992, 10. Lamont strongly defended this legislation in interview: "I have always held the view that the incarceration, drugging of animals is anathema to a civilised society and exotic animals being kept caged, drugged and or chained for the juvenile pleasure of a population is akin to Animal Cruelty in its worst form": *Email Lamont to Humphries*, 12 December 2023.

government of the city.¹⁴⁰ Abortion, however, proved too galvanising an issue to lay aside easily. Internally divided, the government funded the fit-out of an abortion clinic but not its recurrent operating costs. Similarly, it signalled it would not support legislation from Moore legalising euthanasia (despite this being ALP policy), partly because the pace of reform appeared to be outstripping community sentiment (as Lamont puts it, they needed to “have a conversation [with the electorate] first”).¹⁴¹ More so than in the previous parliament, the party’s internal ructions would play out in the media, particularly around moral issues, industrial policy, private health and the role of unions in candidate preselection.¹⁴²

Big Brother, the Commonwealth

With its front row seat on the pageant of the Federal system, a self-governing Canberra was destined to be in thrall of that system, more so than the states and rarely so much as in the early 1990s. It would, in particular, be sometimes a beneficiary, sometimes a victim, of its special relationship with the Commonwealth. At this time, it was a perpetual supplicant to the latter over financial subvention and borrowed public servants, and the national elections of 1993 and 1996 had particularly significant ramifications for the Federal city. Follett appeared frequently on television, brow furrowed, to lament the latest Federal backtracking on pre-1989

¹⁴⁰ *Hansard*, 23 June 1992, 1133; *Canberra Times*, 10 September 1992, 8. Exercising conscience votes, both Grassby and Carnell voted at odds with the other members of their own party. See also Matthew Abraham, “Rosemary, the honeymoon’s over and it’s time to get back to work”, *Canberra Times*, 23 August 1992, 2; Letter, Father John Kelly to Follett, *Hansard*, 25 June 1992, 1399.

¹⁴¹ *Canberra Times*, 6 February 1993, 1; 1 July 1993, 1; *Interview with David Lamont*, 12 December 2023. Some of these conflicts were the product of inter-factional – or even intra-factional – disputes. Lamont describes the Hard Left and the Soft Left: *Interview with David Lamont*, 12 December 2023. For a discussion of factional alignments within the Canberra ALP, see Chapter 3.

¹⁴² For example, *Canberra Times*, 19 September 1992, 3; 14 April 1993, 1; 27 June 1993, 1; 3 February 1994, 5; 10 May 1994, 1; 16 June 1994, 4; Matthew Abraham, “ACT ALP appears set to surrender its strategic advantage – unity”, 27 June 1993, 2. At a branch council in 1993 Berry accused Connolly and Kelly of “ratting” on the party by talking publicly about internal matters. He labelled their actions “treachery”: *Canberra Times*, 30 August 1993, 3.

promises, expressing disappointment at postponement of the National Museum or appealing for some Federal agency or other not to be relocated interstate.¹⁴³

Nevertheless, new Commonwealth spending almost always benefited the Canberra economy. On the downside, ACT interests were sometimes subservient to national interests (in which the ACT constituted a “minor player”, notes Follett), such as when plans for new court buildings near City Hill were vetoed by a Federal Parliamentary committee; the same committee told the Canberra Theatre it had to remove advertising for its next production from its fly tower.¹⁴⁴ National political battles readily infused local political debates; MLAs avidly took sides on everything from the corporatisation of the Snowy Mountains scheme to woodchipping in old-growth forests to the Coalition’s *Fightback!* package.¹⁴⁵ MLAs would variously back or attack the positions taken by their Federal counterparts, depending on how an issue was playing out in Canberra. Thus the Liberals could, on the one hand, launch broadsides on Federal shadow ministers and, on the other, invite Senator Bronwyn Bishop to give them advice on how to interrogate bureaucrats in Estimates committees.¹⁴⁶

Occasionally, state issues would wash over Canberra; the ALP was able to warn that

¹⁴³ Chris Uhlmann, “Follett does not look like the leader the party promised”, *Canberra Times*, 29 February 1992, 9; 20 May 1992, 4; 27 May 1992, 3; 13 June 1992, 1; 12 October 1994, 6. Follett says she got on well with Hawke (*Interview with Rosemary Follett*, 17 January 2024) while Keating was “respectful, and easy to approach” (*Interview with Rosemary Follett*, 29 February 2024). Lamont describes the relationship between Follett and Keating as “cordial, if not ‘close’”: *Interview with David Lamont*, 12 December 2023.

¹⁴⁴ *Interview with Rosemary Follett*, 29 February 2024; *Canberra Times*, 24 June 1993, 1. See also 18 September 1993, 1. Planners, both Commonwealth and Territorial, have long rejected the use of advertising billboards in Canberra. Occasionally national interests conferred a benefit rather than a burden on the Territory; the National Capital Plan gave the ACT government a say in the location of mobile telephone towers which was not enjoyed by state governments: *Hansard*, 24 August 1994, 2606; *Canberra Times*, 1 July 1994, 3.

¹⁴⁵ *Hansard*, 25 February 1993, 516; *Canberra Times*, 29 August 1992, 3; 10 February 1993, 3; 26 August 1994, 1; 19 December 1994, 3. For example, Follett accelerated ACT approvals for the new headquarters of the Department of Foreign Affairs and Trade to head off a threat by the Federal Opposition to abandon the project: *Canberra Times*, 26 August 1992, 1.

¹⁴⁶ See, for example, *Canberra Times*, 29 August 1992, 3; 31 August 1993, 3; 23 November 1994, 5; 17 December 1994, 1. Senator Bishop developed much notoriety for her scarifying cross-examination of public servants.

the radical industrial relations policies of newly elected Victorian Liberal Premier Jeff Kennett would descend on Canberra if a Liberal government were elected there too, while the Liberals made hay out of Follett's appointment to the Tourism Commission of Charles Wright, described as a "bagman" for disgraced former Western Australian Labor Premier Brian Burke.¹⁴⁷ Berry picked a fight with Kennett over cigarette packet labelling.¹⁴⁸ Generally, and irrespective of party alignments at the territory level, when the Commonwealth battled the states (by 1994, all but Queensland ruled by conservative parties) the shared interests of the two Canberra governments (especially in a strong Australian public service) often placed them in the same corner.¹⁴⁹

The Coalition's unexpected defeat in the 1993 *Fightback!* election triggered some soul-searching within the Assembly's Liberal caucus. Just as he had done after the 1989 election, Kaine declined to throw open the party leadership to a vote after the 1992 election, leaving himself as leader and me as deputy leader by default. He now counted one supporter (Cornwell) within the party room; three others supported Carnell (Carnell, Westende and me) and De Domenico craved the leadership for himself, so that no-one had the votes to force a leadership spill.¹⁵⁰ I had put aside my own ambitions as my brief leadership in 1991 had antagonised many in the party, convinced I was too young for such responsibility. I also saw that Carnell had qualities of leadership that none of her colleagues, myself included, could match. In this unhappy state, commentators observed that the Liberals were "still paralysed

¹⁴⁷ *Canberra Times*, 25 November 1992, 17; *Hansard*, 25 August 1993, 2662; 10 December 1992, 3818. Carnell and De Domenico were censured by the Assembly for making imputations against Wright: *Hansard*, 25 August 1993, 2677.

¹⁴⁸ *Canberra Times*, 1 October 1993, 4.

¹⁴⁹ For example, *Canberra Times*, 21 June 1992, 3; 26 November 1994, 1–2. Sometimes personal chemistry helped; the ACT reversed its opposition to a ban on X- and R-rated video games after Keating spoke "extensively" to Follett about the issue: *Canberra Times*, 14 May 1994, 1.

¹⁵⁰ Hugh Lamberton, "Election recount result tickles a few fancies", *Canberra Times*, 7 March 1992, 9.

and divided by internal rifts and effectively leaderless”, and that Labor put little pressure on Kaine because “it believes it has his measure”.¹⁵¹

The impasse was broken by Kaine miscalculating. De Domenico again floated his leadership aspirations following the Federal defeat, and Kaine responded by demoting him – “a dangerous way of quelling dissent”.¹⁵² De Domenico, his ambition sidelined by humiliation, agreed to back Carnell, on the condition that I surrender the deputy leadership to him. Carnell was duly elected Liberal leader in April 1993, ending the extraordinary five-and-a-half-year reign of a man who led both a party and a government despite never once commanding the support of a majority of his parliamentary colleagues. As Kaine himself noted, this remarkable achievement was due to the fact that for so long his enemies “couldn’t get their act together”.¹⁵³

The party room’s decision soon began to pay dividends. Carnell had already established a productive counterpoint with Berry over health issues, where she was constantly in the media sheeting home every hospital budget blowout and elongation of the elective surgery waiting list to the minister.¹⁵⁴ This dynamic exploited the contrast between their pre-politics backgrounds; a Morgan poll found that people rated pharmacists at 78% for “honesty and ethics”, while union leaders rated at 9%.¹⁵⁵ Carnell built on her already-substantial media profile by targeting other

¹⁵¹ Peter Clack, “Liberals miss chance to find Government chinks”, *Canberra Times*, 8 August 1992, 13; Matthew Abraham, “Comfort-zone Labor will not put the lame duck to flight”, *Canberra Times*, 13 December 1992, 2. Kaine’s nickname around the Assembly was “Uncle Arthur”, after a doddering senior citizen character in a popular TV comedy: Ian Warden, “Bong sets tone for Assembly’s sermons”, *Canberra Times*, 26 February 1993, 12; https://en.wikipedia.org/wiki/The_Comedy_Company. Accessed 26 August 2025. Of Kaine, Follett says “he was not the most energetic of leaders”: *Interview with Rosemary Follett*, 17 January 2024.

¹⁵² Matthew Abraham, “Beware the De Domenico skeleton”, *Canberra Times*, 21 March 1993, 2. In fairness, Kaine would have preferred to have appeased De Domenico after the 1992 election by making him deputy leader, but he couldn’t spill me from that position without spilling his own position.

¹⁵³ *Canberra Times*, 22 April 1993, 1; 23 April 1993, 3.

¹⁵⁴ For example, *Canberra Times*, 31 May 1992, 1–2; 2 February 1993, 3; 14 October 1993, 1; 24 February 1994, 3; *Hansard*, 17 December 1992, 12.

¹⁵⁵ *Canberra Times*, 17 May 1993, 5.

ministers, particularly Follett, with an energy that eclipsed Kaine's. In her first month alone, she fired broadsides on the development of the Kingston foreshore, a sister city relationship with Versailles, support for small business, government childcare centres and an Australian republic, which she favoured.¹⁵⁶ Such issues were not randomly chosen, however – they deliberately positioned her as someone concerned with the accountability and efficiency of government operations while being “socially just” and progressive, a conscious encroachment on Follett's electoral turf.¹⁵⁷ Carnell argues in interview that “we had to somehow grab the middle ground, and probably the middle-left rather than the middle-right, because that's where the electorate was”.¹⁵⁸ This paradigm allowed her to build on an already warm relationship with Moore, with whom she had cooperated to inflict several defeats on the government on health policy.¹⁵⁹ It also permitted her to recalibrate the electorate's perception of the ACT Liberals. The most memorable moment in this endeavour came when she launched a brothels open day at Club Goldfingers, where she posed for photographs in one of its bedrooms – a stunt that would have been unthinkable under Kaine.¹⁶⁰ Commentators noted the shift; her statements “have departed substantially from traditional, socially conservative stances”.¹⁶¹ The government also noted the repositioning, sensed the danger, and stepped up its criticism of her; “here's a

¹⁵⁶ *Canberra Times*, 2 May 1993, 3; 3 May 1993, 2; 18 May 1993, 3; 19 May 1993, 2.

¹⁵⁷ *Canberra Times*, 22 April 1993, 1.

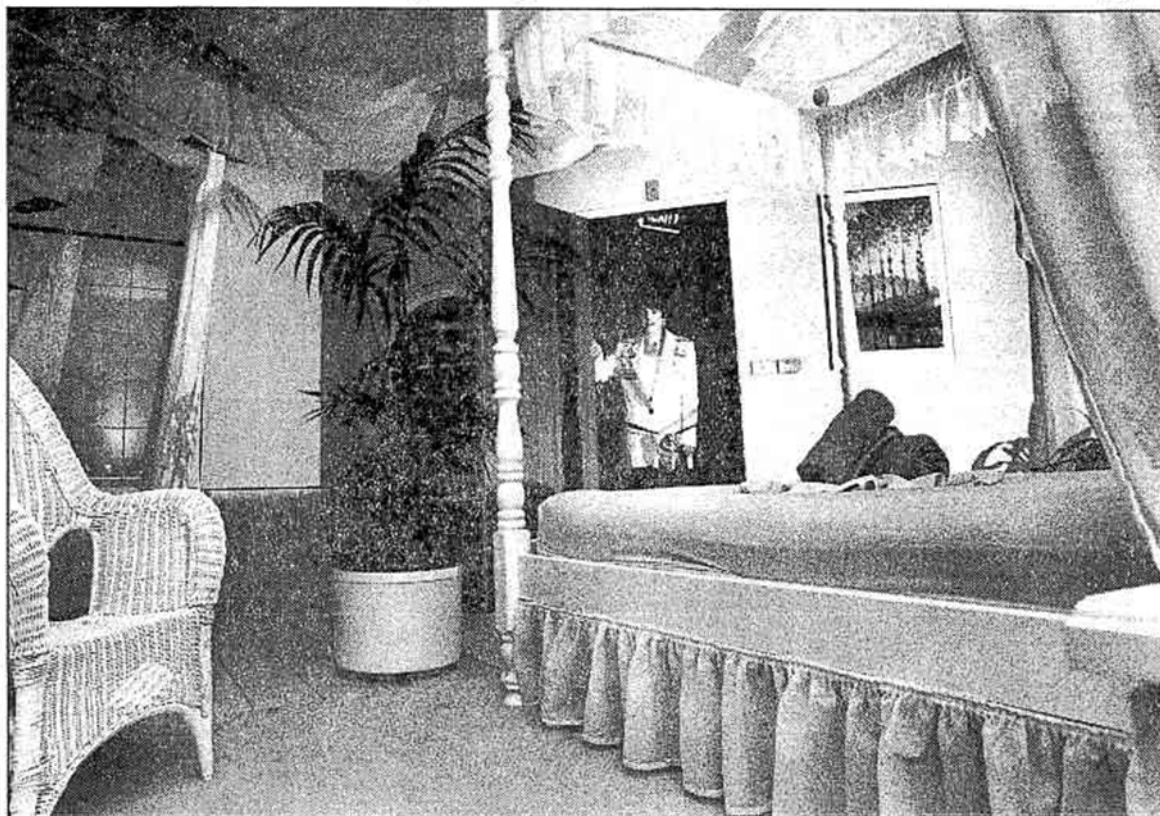
¹⁵⁸ *Interview with Kate Carnell*, 7 March 2024.

¹⁵⁹ In particular, they had overruled the government in allowing pharmacists to dispense methadone to registered addicts: *Hansard*, 20 October 1992, 2763. See also *Hansard*, 17 June 1992, 919; 16 December 1992, 4037; 17 December 1992, 4105; *Interview with Michael Moore*, 12 December 2023.

¹⁶⁰ *Canberra Times*, 15 November 1993, 3. Even after 30 years, this image remains one of the most talked about in Carnell's career.

¹⁶¹ Michael Bachelard, “Carnell takes wetter stance over drugs war”, *Canberra Times*, 8 January 1994, 15.

Brothel open day expands Carnell knowledge



Picture: DEAN McNICOLL

Figure 13 Carnell as iconoclast; Canberra Times, 15 November 1993, 3.

serious opponent”, Andrew Barr remarked in interview (he was then a government staffer).¹⁶²

Carnell’s most canny – and perilous – tactic, however, was to harness not only discontent with the government but with *self*-government. In May 1993 she announced that an ACT Liberal government would explore instituting a “council-like” form of government. She later explained: “We know the Westminster system has to go because the adversarial form of parliament is cost-ineffective and outcome-ineffective”. To this she linked concepts such as citizen-initiated referenda and a

¹⁶² *Canberra Times*, 27 April 1993, 3; *Interview with Andrew Barr*, 22 March 2024.

popularly-elected chief minister.¹⁶³ Carnell began to interweave criticism of the Labor government with persistent anxiety about the *form* of ACT government; Follett's 1993 budget, for example, demonstrated "all that was odious about self-government", because a party "without the guts to make the hard decisions" was manifesting the "fears of the people in 1989".¹⁶⁴ This flirtation with the persistent strain of anti-self-government sentiment in the ACT attracted cutting criticism. The new governance model was "empty and devoid of argument", said Follett, and "a pretence" and "purely cosmetic", according to Moore. The Conservation Council saw it as a "kindergarten ploy" and a *Canberra Times* editorial hoped that the idea "can be quietly forgotten".¹⁶⁵ Even Kaine ran interference.¹⁶⁶ Others – perhaps with a less-vested interest in the status quo – saw strategic value. Abraham considered it "risky" but "also smart politics", placing Carnell "more firmly in the middle ground than the Follett Government". It allowed the opposition leader to "tap the Resentment Factor which is buried deep in the electorate".¹⁶⁷

The Carnell strategy was supremely political. Much public grumbling was fed by a vague, if forlorn, hope that reversing self-rule might somehow restore Commonwealth largesse on Canberra, but Carnell perceived that there was also a more rational objection: that the scale of self-government had been overengineered, and that a simpler model, like a city council, would be just as effective, and more affordable. For some, this was what "normal" government looked like. Her plan played simultaneously to lingering resentment at the fiat which had saddled the city

¹⁶³ *Canberra Times*, 11 May 1993, 3; 1 August 1993, 2; 1 December 1993, 3.

¹⁶⁴ *Hansard*, 16 September 1993, 3204.

¹⁶⁵ *Canberra Times*, 11 May 1993, 3; 4 August 1993, 8, 16; 1 December 1993, 3. See also Crispin Hull, "Electors can still rectify matters", *Canberra Times*, 5 August 1993, 9.

¹⁶⁶ *Canberra Times*, 13 May 1993, 3; 3 December 1993, 1.

¹⁶⁷ Matthew Abraham, "Carnell's strategy is surprising, risky and smart", *Canberra Times*, 16 May 1993, 2.

with Westminster democracy in miniature, and to the sense that it had spawned carpetbaggers who needed to be taken down a peg or two. Carnell in interview defends the argument that the model of self-government could be rescaled, notwithstanding that she found it impossible in government to do so. She asserts that the Westminster model is “structured for big parliaments” so that, despite the necessary redundancies of an opposition and a backbench, a sufficiently large talent pool of those who remain usually exists to form a strong ministry. The small scale of the ACT apparatus means that “duds” have too often been appointed to ministries, she says.¹⁶⁸ These concerns were echoed by Barr in interview:

probably the weakness in the system ... can be that ministers are *very* busy and not every member of the Assembly is as fully occupied ... because we’re operating in a traditional Westminster, more adversarial model, there isn’t perhaps quite the full utilisation of the capabilities of the entire parliament.¹⁶⁹

Whatever the rationale for rethinking the system, there seems little doubt that the plan greased the wheels of Carnell’s charge to the chief ministership. Voters seemed attracted to a leader apparently willing to give up some of the trappings of office.

Redux of the crossbench

The emergence of an opposition with newfound traction and an ability to set agendas (an unfamiliar experience for the Liberals) gradually reset dynamics within the Legislative Assembly. The crossbench, relatively quiescent since it was decimated in 1992, now discovered a new assertiveness *vis-à-vis* the ministry. Successive decisions nipped at the heels of executive privilege: ministers were given deadlines to answer questions on notice, Question Time was extended to allow every non-minister to ask a question, and the Assembly acquired the power to amend – not

¹⁶⁸ *Interview with Kate Carnell*, 7 March 2024.

¹⁶⁹ *Interview with Andrew Barr*, 22 March 2024.

merely disallow – subordinate legislation. Most significantly, Assembly committees were empowered to scrutinise certain government appointments before they were made.¹⁷⁰ Under Kaine, Opposition tactics had featured a measure of bluster and petulance (Liberal walkouts, for example); now, the Liberals were increasingly able to partake in alliances that saw government legislation modified or even defeated.¹⁷¹ The Assembly majority was emboldened to intrude into decisions traditionally reserved for ministers.

A campaign against cuts in teacher numbers in the 1993 budget placed Moore and Szuty, both public education advocates, in a difficult position.¹⁷² Szuty successfully moved a motion instructing the education minister to maintain all school-based positions, but Wood considered the motion non-binding.¹⁷³ A few weeks later Cornwell upped the ante by moving an amendment to the budget bill itself, providing that the executive “shall not use money appropriated” to reduce overall teacher numbers. Though a major incursion into the convention of the financial initiative of the Crown, the amendment passed with crossbench support; it was duly condemned by ministers and lashed as “short-term expediency”.¹⁷⁴

¹⁷⁰ *Hansard*, 19 May 1993, 1577; 23 February 1994, 148; 15 June 1994, 1944; 15 September 1994, 3016. The expansion of the legislature’s power in the latter three reforms was unprecedented in an Australian parliament.

¹⁷¹ Examples of Liberals being suspended from the house or storming out include *Hansard*, 19 August 1992, 1851; 23 February 1993, 382; *Canberra Times*, 25 February 1993, 14; 26 February 1993, 3. Examples of government defeats include preventing the banning of kickboxing events, reducing the long service leave levy on building industry wages, rejecting a total ban on smoking in restaurants, and overturning government proposals to regulate patron-loadings in licensed premises: *Canberra Times*, 12 May 1993, 19; 17 December 1993, 4; 14 September 1994, 7; 21 September 1994, 2. Over government objections, the Assembly also instructed it to conduct an inquiry into ACT emergency services: *Hansard*, 13 May 1993, 1439.

¹⁷² They had committed at the 1992 election not to block supply or disrupt the budget bills: Matthew Abraham, “A chance for some Independent clout”, *Canberra Times*, 26 September 1993, 2.

¹⁷³ *Hansard*, 13 October 1993, 3397; *Canberra Times*, 21 October 1993, 14.

¹⁷⁴ *Hansard*, 25 November 1993, 4178; *Canberra Times*, 27 November 1993, 16.

It was a mark of the still-plastic nature of self-government that the amendment did not give rise to any suggestion of the government resigning.¹⁷⁵ Political experimentation may have overreached here; in the succeeding Assembly, the parliamentary convention that an amendment to a budget bill should lead to a government resignation would reassert itself and the precedent was undone. Carnell now regrets the tactic, saying it demonstrated “a lack of real experience in the political space” by the opposition.¹⁷⁶ It may also have been, in part, the product of the physical environment in which it occurred. The intimate – occasionally claustrophobic – atmosphere of the ex-government-shopfront-cum-legislative-chamber produced a close interpersonal dynamic, often charged with “tension and loathing” and “intensely personal” interactions.¹⁷⁷ Abraham said of his attendance at Question Time that it was “easy to feel like a stranger who has stepped inadvertently into an after dinner knees-up taking place between people who are close, but not warm, acquaintances.”¹⁷⁸ Follett considered the chamber “utterly unsuitable and insulting” for the fledgling parliament, and tasked Speaker McRae to find better premises.¹⁷⁹ In 1994 “the cubby-house atmosphere” of the ex-shopfront was replaced by newly renovated premises on Civic Square – also ex-government offices but an improvement in space, comfort and aesthetic appearance, its external columns adorned with Italian gold tiles courtesy of 1960s Commonwealth extravagance.¹⁸⁰

¹⁷⁵ Compare the fate of the Fadden government in similar circumstances: GS Reid and Martyn Forrest, *Australia's Commonwealth Parliament 1901–1988* (Carlton: MUP, 1989), 316–21.

¹⁷⁶ *Interview with Kate Carnell*, 7 March 2024.

¹⁷⁷ *Interview with Michael Moore*, 12 December 2023.

¹⁷⁸ Hugh Lamberton, “Ideas to keep the ACT Labor stagecoach racing”, *Canberra Times*, 11 April 1992, 9; Matthew Abraham, “Extraordinary tolerance of an eccentric MLA”, *Canberra Times*, 23 May 1993, 2.

¹⁷⁹ *Interview with Rosemary Follett*, 29 February 2024.

¹⁸⁰ *Canberra Times*, 23 May 1992, 4; 4 March 1994, 2; Matthew Abraham, “To bar or not to bar a Members' place for a quiet drink”, *Canberra Times*, 24 May 1992, 2. Lamont comments that the chief benefit of the new premises was that the offices of all non-ministerial MLAs were now on the same floor, engendering cooperation – what he called “the serendipity of a conversation in the hall”: *Interview with David Lamont*, 12 December 2023.

Now, for the first time, the chamber itself had “gravitas”, and the exchanges between members became more “gentlemanly”.¹⁸¹ Nonetheless, the upgrade represented something of a gamble by the ACT polity, risking a fresh wave of anti-politician mockery. The fact that this did not emerge may, as Follett suggests, have owed something to the evident frugality of the ACT upgrade (\$12.7 m) compared with the new Parliament House in Darwin, then nearing completion with a price tag exceeding \$100m.¹⁸²

One element of the government’s deteriorating relationship with the crossbench that was not improved by the move to better accommodation was the role played by Berry. Since Whalan’s departure, he had been Labor’s “attack dog”, leaving Follett to float slightly above the “grease, steam and sweat” of the parliamentary fray.¹⁸³ But if his portfolio of health – with its inexhaustible supply of discomfiting news headlines – was not enough to make him a figure of controversy, his personal political style was. Whether facing doctors, Liberals or newspaper editors, Berry was combative, used invective liberally, and loved to caricature his opponents’ positions in colourful language, a style redolent of Keating’s across the lake.¹⁸⁴ The *Canberra Times*, no friend of his, chastised “his usual flail at the critics and the messengers” in 1992, and suggested that the health portfolio “has been a

¹⁸¹ *Interview with David Lamont*, 12 December 2023; *Interview with Michael Moore*, 12 December 2023. No one was more pleased by the move than Moore, who no longer had to sit behind a pillar.

¹⁸² *Interview with Rosemary Follett*, 29 February 2024. Admittedly, the NT parliament, unlike its ACT counterpart, needed to be cyclone-proof.

¹⁸³ Matthew Abraham, “Faction fight means it’s time for Follett to roll up her sleeves ...”, *Canberra Times*, 11 October 1992, 2.

¹⁸⁴ For example, he claimed that Liberal amendments to food legislation were the equivalent of “poisoning people”, and that Liberal MLAs were “laughing about zinc poisoning”. Moore and Carnell were “vultures”, and the Liberals “want to be able to force workers into lower wages and working conditions”: *Canberra Times*, 19 September 1993, 5; 16 December 1993, 9; *Hansard*, 12 May 1993, 1320; 7 December 1993, 4330. When he resigned in 1994 the newspaper opined: “his personality had become a major factor in aggravating the disputes with the doctors”: 14 April 1994, 12. Other examples of hyperbole and ideological stridency include: *Hansard*, 23 March 1993, 631; 15 June 1993, 1764.

little bit too much for him".¹⁸⁵ This relationship deteriorated further when he defended a police raid on the offices of the *Canberra Times* in September 1992 to seek leaked health budget documents.¹⁸⁶ He took strident positions, often refusing to back down, as if burnishing a profile as a fighter and true believer.¹⁸⁷ He also saw himself as the keeper of the party's ideological flame; for example, he brought forward a private member's bill to implement ALP policy on euthanasia over the opposition of colleagues who thought this imprudent.¹⁸⁸ Berry revelled in being incendiary; he once delivered a health financial report to the Opposition with a complex graph reduced to the size of a postage stamp, making it illegible.¹⁸⁹ Not all his colleagues found his talent for controversy amusing, however. One told Abraham: "You look at every headache this government has had, and most have Wayne's name on them".¹⁹⁰ Lamont notes that Berry clashed publicly with Connolly, in particular, because the latter "represented the antithesis of the ideologues inside that Hard Left group".¹⁹¹ In

¹⁸⁵ *Canberra Times*, 4 March 1992, 8.

¹⁸⁶ *Canberra Times*, 9 September 1992, 1. Unsurprisingly, the editor labelled the raid "tin-pot fascism", and implied that the leaks the newspaper had published originated, in part, from other ministers' offices, the product of "heavy factionalism": 10 September 1992, 3, 8.

¹⁸⁷ For example, he was adamant that the hospice should be built on the Acton Peninsula, despite the view of health professionals, community groups, planners and most commentators that the site was unsuitable for a health facility in the absence of the hospital and a poor use of prime land: *Canberra Times*, 2 October 1992, 1; 3 October 1992 1; 28 March 1993, 3; 30 April 1993, 2; 18 September 1993, 1; 19 September 1993, 5; Crispin Hull, "Government pursuing a peninsula folly in city's heart", *Canberra Times*, 24 July 1993, 11. He also opposed allowing pharmacists to dispense methadone to addicts (despite having previously supported this position), seemingly to avoid giving Carnell a win on the issue: *Canberra Times*, 18 June 1992, 3; *Hansard*, 20 October 1992, 2755, 2763.

¹⁸⁸ *Canberra Times*, 22 April 1994, 1; 23 April 1994, 1; 16 June 1994, 4; 21 September 1994, 3; 10 November 1994, 2. In addition, reflecting the suspicion of private health by the Left of the Labor Party, he indicated his opposition to the building of obstetric beds at the private John James Hospital. Connolly approved the beds within days of succeeding Berry as health minister in April 1994, but faced criticism from Berry for this decision: *Canberra Times*, 23 February 1994, 1; 20 April 1994, 2; 10 May 1994, 1. Berry also waged war on party colleagues over the role of unions in ACT branch preselections and on the government's industrial relations policy: *Canberra Times*, 31 March 1993, 3; 14 April 1993, 1; 30 August 1993, 3. Lamont speaks of Berry placing much store on "ideological purity", and that his actions in that respect addressed "a constituency inside the Labor Party": *Interview with David Lamont*, 12 December 2023.

¹⁸⁹ *Hansard*, 17 December 1992, 4106.

¹⁹⁰ Matthew Abraham, "Accident-prone ministers need a new mind-set", *Canberra Times*, 12 September 1993, 2.

¹⁹¹ *Interview with David Lamont*, 12 December 2023. He also notes "tension" (but not enmity) at times between Follett and Berry during Follett's second government. He says this was partly because staff

a government whose leader's style was "so managerial and ideologically androgynous and gives so little offence", having a colleague stepping out as an ideological warrior was an unhelpful and distracting contrast.¹⁹²

Overall, the ACT political establishment increasingly found itself absorbed in aligning Canberrans' expectations with those of other Australians. "Canberra comes of age" read the newspaper headline when the long-planned casino opened in November 1992. A small protest greeted the official party, but 10,000 people passed through its doors in the first 48 hours, suggesting more curiosity than opprobrium.¹⁹³ The ACT took full control of its justice system when the Supreme Court was patriated in July 1992, notwithstanding the opposition of the Chief Justice, who thought the transfer arrangements compromised the autonomy of the court and who, like many citizens, pined for the restoration of Commonwealth control.¹⁹⁴ The cadence of popular discussion about law and order seemed increasingly to echo that heard on the airwaves in Sydney or Melbourne; Connolly made the point that Canberra was the safest place in Australia while I, as his shadow, commented that crime was on the rise.¹⁹⁵ We were both right.

Wood, the planning minister, confronted the problem common in a highly urbanised nation – urban sprawl – and announced that half of all new housing in future would be urban infill, not greenfields development.¹⁹⁶ This plan primed future

more aligned to the Hard Left (Grant Hehir and Richard Webb) during her first government had left, and David Wedgwood, more sympathetic to the Soft Left, had replaced them in the second government.

¹⁹² Ian Warden, "The day redneck Mabophobia inspired our leader to show her true colours", *Canberra Times*, 16 June 1993, 14.

¹⁹³ *Canberra Times*, 15 November 1992, 1; 17 November 1992, 10.

¹⁹⁴ *Canberra Times*, 2 July 1992, 2; *Interview with Terry Higgins*, 2 September 2021.

¹⁹⁵ See, for example, *Canberra Times*, 21 July 1992, 3; 21 August 1992, 1; 12 September 1992, 3; 24 October 1992, 1; 24 November 1992, 5; 25 November 1992, 3; 26 November 1992, 5; 29 March 1993, 2; 8 October 1993, 2; 26 November 1993, 5; 30 April 1994, 2; 1 June 1994, 3; 4 October 1994, 4.

¹⁹⁶ Wood explained that urban infill would avoid capital spending of \$300 million over five years on new infrastructure: *Canberra Times*, 22 June 1992, 1; 13 August 1992, 4; 24 September 1992, 1.

confrontation in a city where many regarded Griffin's low-profile suburban design as holy writ.

Troublingly high rates of unemployment (especially youth unemployment) would vex the government, their problem compounded by Keating's decision after the 1993 Federal election to cut 15,500 public servants.¹⁹⁷ Overall, however, the city was financially robust; in the space of six months in 1993, its population passed 300,000 and its economy overtook Tasmania's in size.¹⁹⁸

Finally, the Territory embraced modernity by introducing 160 litre garbage wheelie bins.¹⁹⁹ Engaging in suburban debates about hoon burn-outs and garbage bin capacity must have been a balm to those who had braced for greater vexations in the era of self-government. While some elements of public debate reflected the idiosyncrasies of living in Canberra – hypersensitivity about planning, for example – other elements were now shifting to resemble preoccupations heard commonly across the nation, a sign, perhaps, of an attitudinal change as self-government itself gained greater acceptance. Such mundanities marked the normalising of politics in the Territory.

Year of living dangerously

In the last year or so of the Second Assembly, the Follett government faced two damaging crises, both self-inflicted and both bearing Berry's fingerprints. Carrying a whiff of mismanagement, they caused some voters to look afresh at the major party

¹⁹⁷ *Canberra Times*, 10 April 1992, 1; 7 August 1992, 1; 17 February 1993, 4; 18 August 1993, 1; 14 September 1994, 8.

¹⁹⁸ *Canberra Times*, 20 August 1993, 4; 29 January 1994, 3. See also Ian Henderson, "All things considered, the ACT is in good economic shape", *Canberra Times*, 12 November 1994, 14.

¹⁹⁹ *Canberra Times*, 15 June 1994, 1. Big bins was a highly contested issue of the day. Lamont lists their introduction as one of his four major achievements as a minister (along with reform of the social housing sector, reconstituting ACTTAB after Vitab, and the local shopping centre upgrade program): *Email Lamont to Humphries*, 12 December 2023.

divide, and to consider whether purely ideological criteria were the best way to determine who should lead the Territory through the next stage of self-government.

The government had been slow to produce legislation implementing the key elements of the Hare-Clark electoral system following the 1992 referendum. The dominant Left faction was unhappy with the Robson rotation of candidates on the ballot paper and the absence of above-the-line voting, because these features denied factional control over which candidates would be elected.²⁰⁰ The faction's influence was evident when the bill – introduced, anticipating the storm it would create, on the last sitting day of 1993 – included above-the-line voting, a “morally questionable” interpretation of the referendum result.²⁰¹ The reaction was predictably ferocious. Prominent psephologist Malcolm Mackerras declared that the bill was inconsistent with Hare-Clark; Terry Aulich, a former Tasmanian Labor minister, agreed.²⁰² Richard Farmer called the bill “a great display of political cowardice” and the *Canberra Times* bemoaned “Labor’s cynical lies”.²⁰³ Follett’s presentation speech was the most interrupted (by interjections and points of order) of any such speech in the Assembly’s history.²⁰⁴ Whereas Berry had often been the target of such vitriol, Follett generally had not; for a lifelong feminist, newspaper headings like “Follett’s rape of democracy” must have been galling.²⁰⁵ Seven days later she backed down, saying “the numbers weren’t there”, but this explanation was disingenuous because

²⁰⁰ *Interview with David Lamont*, 12 December 2023; Matthew Abraham, “Labor’s nightmare might mean sheer torment for everyone”, *Canberra Times*, 6 September 1992, 2.

²⁰¹ Hugh Lamberton, “Public backflip propels Follett out into cold”, *Canberra Times*, 24 December 1993, 8.

²⁰² *Canberra Times*, 15 December 1993, 1; Terry Aulich, “Proposed electoral system deceives, confuses ACT voters”, *Canberra Times*, 18 December 1993, 17.

²⁰³ *Canberra Times*, 17 December 1993, 10; Richard Farmer, “ALP’s poll hijack must be stopped”, 17 December 1993, 10.

²⁰⁴ *Hansard*, 15 December 1993, 4679. A presentation speech is the equivalent of a second reading speech in other Westminster parliaments.

²⁰⁵ *Canberra Times*, 17 December 1993, 10; *Interview with Rosemary Follett*, 29 February 2024.



Figure 14 “Proposal to water down Hare-Clark comes at a cost; Follett and David Wedgwood (right) search for chief ministerial credibility”: *Canberra Times*, 16 December 1993, 10.

Stevenson was opposed to the Hare-Clark system and supported a ticket system, and would almost certainly have given above-the-line voting the numbers to pass.²⁰⁶ Bachelard, in an article informed by Labor insiders, reported that Follett was never “personally wedded” to the controversial provision and “was flying the white flag, offering to negotiate ... even before the Bill was tabled”, but that the caucus “spine-stiffeners”, notably Berry, had pushed for its inclusion.²⁰⁷ Whatever the internal manoeuvrings, the episode damaged the government, and in particular its most precious asset: Follett’s credibility. It was “the first occasion on which she has been caught out publicly”, unfortunately timed with an election just one year away.²⁰⁸

²⁰⁶ *Hansard*, 24 November 1992, 3533; *Canberra Times*, 24 December 1993, 1; 9 April 1994, 1.

²⁰⁷ Michael Bachelard, “Poll Bill damage already on the cards”, *Canberra Times*, 18 December 1993, 17. Lamont implies that the Hard Left and the Soft Left were at odds on the above-the-line issue: *Interview with David Lamont*, 12 December 2023.

²⁰⁸ Hugh Lamberton, “Public backflip propels Follett out into cold”, *Canberra Times*, 24 December 1993, 8.

It was not long before the electorate was again focused on Berry's judgement rather than hers. In November 1993 the ACT's betting agency, ACTTAB, signed a deal with a Vanuatu-based betting company, Vitab, to give Asian punters access to the Australian TAB super pool (a collaboration of several state TABs, worth \$5 billion annually). Former Prime Minister Hawke was a major shareholder of Vitab, and Berry enthusiastically backed the deal. Carnell and De Domenico began to question Berry about it, fed by industry concerns that Vitab might poach major punters away from state TABs with promises of higher returns. Their appetite was whetted soon afterwards by the political demise of the Federal sports minister, Ros Kelly, over a grants scandal.²⁰⁹ The Vitab deal fell apart in March 1994 when the Victorian TAB moved to expel the ACT from the super pool, putting \$500,000 in ACTTAB revenue at risk.²¹⁰ Carnell then moved a motion of no confidence in Berry, charging that he had misled the legislature in February and March by singing the deal's praises when he knew that access to the super pool was under threat. After an eight-hour debate ("more of a trial than a debate ... with a cross-bench of three independent judges", thought Crispin Hull, the influential former editor of the *Canberra Times*) the motion was carried, the first time a motion of no confidence had been carried in a minister.²¹¹ There was no statutory obligation on Follett to remove Berry, but the situation was resolved when he resigned.²¹² Lamont entered the cabinet as Minister for Urban

²⁰⁹ The "Sports Rorts Affair": Michael Bachelard, "Liberals looking for an ACT sports rort", *Canberra Times*, 5 March 1994, 15.

²¹⁰ *Canberra Times*, 16 March 1994, 1. Both the Victorian and NSW sports ministers said that they would be unlikely to link their TABs to the ACT while ACTTAB was involved with Vitab. The Victorian minister tagged the Vitab principals as "cheats, swindlers and confidence tricksters": *Canberra Times*, 17 March 1994, 1; 23 April 1994, 17.

²¹¹ ... other, of course, than a chief minister: *Hansard*, 12 April 1994, 531; *Canberra Times*, 13 April 1994, 1.

²¹² *Canberra Times*, 14 April 1994, 1. No precedent was available from the Federal Parliament, as no such motion had ever succeeded in the House of Representatives: 13 April 1994, 1. Follett describes the Vitab affair as "one of the hardest things I had to deal with", adding, "it still gives me sleepless nights": *Interview with Rosemary Follett*, 29 February 2024.

Services, as well as for industrial relations and sport. Connolly assumed the health portfolio. Lamont was also elected Deputy Chief Minister, denying both the opportunity of giving the cabinet gender balance and the ambitions of Connolly, who stood unsuccessfully for the role.²¹³ The Liberals revelled in their victory, tempered only by Hull's observation that they "have done Labor a big favour. They have lanced the boil and got rid of one of Labor's liabilities".²¹⁴

The electoral amendments and Vitab tested the boundaries of the ACT's still-new democracy. At a time when scenes from a volatile and unpredictable First Assembly were still fresh in people's memory, MLAs had again flexed their political muscle against an incumbent government, and had again prevailed. The spectre of instability, as non-ministers tore down executive decisions, again hung over the fledgling parliament. Nonetheless, important public interests were served in this process. The removal of a minister breathed life into the separation of powers, a doctrine seriously ailing or dead in other legislatures; ministers had resigned elsewhere because they became political liabilities, but none in living memory had been sacked by a vote of parliament.²¹⁵ The doctrine of ministerial responsibility, diminished to a slogan elsewhere in Australia, was given a major fillip in the ACT, where the verdict of the independents was based on Berry's failure to inform the

²¹³ Lamont says that he "had the numbers" in caucus to win the position. He says "there was no way" McRae would be taken from the speakership to fill the position in the ministry. Connolly, he says, had thought his elevation to Deputy Chief Minister was "a lay down misère", but caucus thought otherwise: *Interview with David Lamont*, 12 December 2023. Electrical Trades Union secretary Neville Betts called the vote "a slap in the face to Terry Connolly": *Canberra Times*, 14 April 1994, 1–2; 15 April 1994, 4.

²¹⁴ Crispin Hull, "Creating a precedent to judge Ministers", *Canberra Times*, 14 April 1994, 13. Berry retained a seat at the cabinet table, however, when the position of Cabinet Secretary was re-created for him (Wood had occupied this position during the first Follett government). The Hard Left's power was such that Follett "couldn't stop him from remaining in Cabinet": in *Email Lamont to Humphries*, 12 December 2023.

²¹⁵ The closest an Australian parliament came to this was in June 1992 when three independents in the NSW Legislative Assembly threatened a vote of no confidence in the Liberal government if the Premier, Nick Greiner did not resign. The motion was averted by Greiner's resignation: *The Sydney Morning Herald*, 25 June 1992, 1.

Assembly of certain matters, rather than directly telling untruths, and of being reckless in his behaviour rather than deliberately misleading.²¹⁶ The Hare-Clark loyalists won their showdown with the government, not because they could defeat it – they were probably holding unloaded pistols – but because they channelled a deep sense of communal unease onto the floor of the Assembly. It may be true to say, as one journalist did, that the Canberra community reserved “a special sense of loathing” for their local politicians, but on these two occasions there was a symbiosis between politician and community which produced a rare lift in the standards of executive accountability and a – to some, surprising – validation of the value of the politicians’ debating chamber.²¹⁷ The model of self-rule, while still an uncomfortable intrusion on the ACT psyche, had inched a little closer to a sense of legitimacy.

Labor regroup

Labor had begun 1994 repositioning itself to counter the “all-singing, all-dancing Liberal Opposition of Kate Carnell”.²¹⁸ A series of reviews was launched into key policy trouble spots. As budgets and waiting lists in health continued to blow out, an inquiry began into the management of health services. Connolly’s assumption of that portfolio post-Vitab brought new energy to these problems.²¹⁹ Probes were launched into the planning regime and the system for calculating household rates, following large hikes in some suburbs.²²⁰ The Vitab fallout was handled through an inquiry by

²¹⁶ Crispin Hull, “Powers: what the Executive has lost and the people have won”, *Canberra Times*, 16 April 1994, 12. Follett notes in interview in 2024 that the implementation of the doctrine of ministerial responsibility “was much more serious 30 years ago than it is now”: *Interview with Rosemary Follett*, 29 February 2024.

²¹⁷ Hugh Lamberton, “Public backflip propels Follett out into cold”, *Canberra Times*, 24 December 1993, 8.

²¹⁸ Michael Bachelard, “Hints of discontent, but Follett still safe”, *Canberra Times*, 29 January 1994, 17.

²¹⁹ *Canberra Times*, 25 February 1994, 3; 14 April 1994, 1.

²²⁰ *Canberra Times*, 13 August 1994, 1; 20 August 1994, 4. The planning inquiry was necessary because of the perception that, as Hull put it, the government “has made a complete hash of planning”: 22 August 1994, 1.

former Commonwealth Ombudsman Dennis Pearce, who found that the board of ACTTAB “failed to think through the full ramifications” of the Vitab deal. Lamont, the new minister, immediately sacked the board.²²¹ The new board extricated itself from the Vitab contract with a payout of \$3.3 m.²²² The government regrouping included Follett making herself more accessible to the media (*glasnost*, some jokingly called it, after former Soviet leader Mikhail Gorbachev’s policy of openness) and Labor distancing itself from controversial distractions, such as Moore’s euthanasia legislation.²²³

Much of its pitch was now focused on the media, partly to counter Carnell’s penetration of that arena. The opposition leader stepped up her barnstorming through a host of issues, all the while recalibrating perceptions of a Liberal politician. In February she tabled whistleblower protection legislation, gazumping a government bill to the same effect. In May, she proposed building the National Museum on the Acton Peninsula (an idea that caught the eye of Keating), and in June she stole some attention from Follett’s budget by producing a “counter budget” which included savings of \$97m through partially privatising the ACTION bus network.²²⁴ The strategic objective was to present the Liberals as a “government in waiting”, not mere

²²¹ *Canberra Times*, 12 June 1994, 1; 16 June 1994, 1. Lamont is unflattering of the ACTTAB board; “That these matters were known to the TAB, and Its Board and Not the Minister nor His Office is one of the most egregious breaches of proper ‘Ministerial Advice’ since self Government”: *Email Lamont to Humphries*, 12 December 2023.

²²² *Canberra Times*, 11 August 1994, 1. The government met this cost with the requirement that ACTTAB would repay it, but the Auditor-General later found that this burden on the board was unsustainable: *Canberra Times*, 2 December 1994, 2.

²²³ Michael Bachelard, “Election year begins for the third Assembly”, *Canberra Times*, 19 February 1994, 17.

²²⁴ *Hansard*, 23 February 1994, 139; *Canberra Times*, 16 May 1994, 5; 17 June 1994, 1. In 1995 Keating would propose to (now) Chief Minister Carnell a land swap, whereby the Commonwealth would obtain the Acton Peninsula for the museum and the ACT would obtain the Kingston foreshore for development. Moore says of the counter budget that it was “a serious strike” because “here’s someone who’s an alternative government, a serious alternative government, who can produce a very sensible alternative budget”: *Interview with Michael Moore*, 12 December 2023.

government critics.²²⁵ She skewered waste: there was a 10% blowout in the executive budget when other agencies had to make 2–3% savings, and the Waste Watch hotline cost a hefty \$71 for each call it received.²²⁶ Follett responded testily, telling her branch council that Carnell “shoots from the lip with some new idea” every couple of weeks. Labor stepped up its attacks on the Liberal leader personally.²²⁷ The government was also pitching more often in the media because it faced greater difficulties achieving its program on the floor of the Assembly. Moore and Szuty, angered by Labor’s proposals to cut education and adulterate Hare-Clark, and more comfortable working with the new Liberal leadership, inflicted more and more defeats on the government.²²⁸ They felt “ignored and lauded over by an arrogant Government”, and noticed the contrasting treatment of independent Senator Brian Harradine, much ducked by the Keating government.²²⁹ They combined with the Liberals to rebuff Connolly on a total ban on smoking in restaurants (his approach was “Stalinist”, said Moore) and the patron-loading capacity of licensed clubs.²³⁰ This disengagement from the left-of-centre crossbenchers was an ominous portent.

These factors took a toll on the government; a Datacol poll in September identified high levels of dissatisfaction with its handling of petrol prices, land rates, urban infill and the TAB. Voters thought that the Liberals could handle health better

²²⁵ *Interview with Kate Carnell*, 7 March 2024.

²²⁶ *Canberra Times*, 27 October 1994, 6; 1 November 1994, 3.

²²⁷ *Canberra Times*, 26 June 1994, 5. Examples of Labor’s attacks on Carnell include *Hansard*, 20 September 1994, 3103, 3104; 22 September 1994, 3307; 11 October 1994, 3390; 12 October 1994 3536, 3539; 13 October 1994, 3640, 3649; 8 November 1994, 3777; 9 November 1994, 3939, 3944; 30 November 1994, 4367; 1 December 1994, 4445; 6 December 1994, 4548.

²²⁸ *Interview with Michael Moore*, 12 December 2023.

²²⁹ Michael Bachelard, “Independent quarters hint at change”, *Canberra Times*, 6 November 1993, 17. Lamont also considers that Berry was a factor in this alienation of the crossbench from the government: *Interview with David Lamont*, 12 December 2023. Moore comments that he and Szuty felt the need at this time to “separate ourselves from Labor” and “show ourselves as independents and holding governments to account”: *Interview with Michael Moore*, 12 December 2023.

²³⁰ *Hansard*, 13 September 1994, 2853; 20 September 1994, 3138; *Canberra Times*, 16 June 1994, 1.

than Labor, upending a longstanding advantage by the latter in voter perception.²³¹

Most concerningly, Carnell was now the highest-rated MLA.²³² ALP strategy, so long hitched to Follett's popularity, now found itself in need of new bearings.

Carnell's strategy itself carried risks, however. Follett's charge of her opponent "shooting from the lip" gained sudden resonance in the dying days of the Second Assembly as members again turned their attention to drug policy. In one of "the most visceral, Keating-esque debates in the Assembly's short history", Liberals and the crossbench united to legalise the prescription of cannabis for medicinal purposes (Stevenson constituted a surprise ally, declaring cannabis "God's gift to mankind"). Critics lined up to pan the legislation, including Australian Medical Association president Brendan Nelson and the Federal Police, while the Federal government said it breached Australia's international narcotics obligations.²³³ The legislation was hastily repealed, but not before Labor revelled in Carnell's discomfort; Berry produced a bumper sticker bearing a cannabis leaf and the legend "Liberals + Independents = Chaos".²³⁴ This incident put the seal on Labor's theme for the 1995 election: Canberra was at risk from the "dangerous radicalism and unpredictability" of Carnell, while Labor was "Securing Canberra's Future".²³⁵ Its juxtaposition of Carnell adventurism with Follett stolidity would accurately frame the contest, though it would ultimately misjudge how the electorate was to weigh those respective attributes.

Parties prepared for the looming contest. Follett adopted a three-year rolling average property valuation to calculate rates, reducing the volatility which was

²³¹ *Canberra Times*, 20 September 1994, 1.

²³² *Canberra Times*, 21 September 1994, 6.

²³³ *Canberra Times*, 1 December 1994, 1; 2 December 1994, 4; Crispin Hull, "Hysteria makes dopes of MLAs", 8 December 1994, 15. Carnell today readily concedes that the legislation was "a mistake": *Interview with Kate Carnell*, 7 March 2024.

²³⁴ *Canberra Times*, 7 December 1994, 6; Michael Bachelard, "Time to contemplate role of Independents", *Canberra Times*, 7 January 1995, 15.

²³⁵ *Canberra Times*, 16 January 1995, 3; 25 January 1995, 2.

upsetting many ratepayers. She also exempted 300 businesses from payroll tax and abolished land tax on private aged care facilities.²³⁶ Wood backed away from his 50% urban infill target, imposing 100% betterment tax on dual occupancies and freezing infill proposals in sensitive inner suburbs.²³⁷ Westende, frustrated by life in opposition but pleased that he had improved the prospect of government by backing Carnell, quit the Assembly, and was replaced by Bill Stefaniak – the last time that a party would be able to choose who would fill a casual vacancy.²³⁸ And in the last sitting week Stevenson announced that he would not contest the election; Abolish decided soon after not to field any other candidates. No doubt he was frustrated by almost unending defeats on the floor of the Assembly in his second term, but his party's decision to fold its tent marks the only time in Australian electoral history when a successful political party has decided to abandon all the seats it held.²³⁹ The official anti-self-government movement was now at an end, underscoring the obvious: self-determination was a (constitutional) *fait accompli*. Anti-self-government sentiment – unquantified but tangible – lingered, however, as a subversive undercurrent which governments ignored at their peril or, in the case of Carnell, exploited to their profit.

²³⁶ *Canberra Times*, 31 August 1994, 2; 27 October 1994, 9; 9 November 1994, 1.

²³⁷ *Canberra Times*, 22 November 1994, 1. Dual occupancy developments were often controversial, so a 100% tax rate was expected to discourage them.

²³⁸ *Canberra Times*, 6 July 1994, 3; 7 August 1994, 2. Under Hare-Clark, casual vacancies are filled by a countback of the ballot papers from the previous election.

²³⁹ *Hansard*, 7 December 1994, 4763. Stevenson had lost some enthusiasm for his role as parliamentarian; he now rarely served on committees or proposed legislation: Michael Bachelard, "Memories return of circus House", *Canberra Times*, 27 August 1994, 19. Moore considers that Stevenson "was becoming less and less effective and becoming more and more marginalised": *Interview with Michael Moore*, 12 December 2023. Of course, the quota for election under Hare-Clark in 1995 was significantly higher than under the d'Hondt system in 1992, making it quite unlikely that Abolish would have won any seats had it stood candidates. Follett speculates that Stevenson saw this "writing on the wall" and decided not to stand: *Interview with Rosemary Follett*, 29 February 2024.

Facing the people

The Liberal election campaign of 1995 began disastrously. Already wobbling from the medicinal cannabis fiasco, it was rocked by the lodging of a sexual harassment claim by a staff member against an unnamed senior Liberal, soon identified as De Domenico. Another candidate, Sandie Brooke, claimed fellow Liberals were behind a death threat and an attempted break-in at her home.²⁴⁰ Yet another candidate, Lucinda Spier, publicly split with the party, declaring herself the “Ratepayer’s Champion”, while party bickering over candidates for the seat of Canberra in the Federal by-election caused by Ros Kelly’s resignation marched across front pages.²⁴¹ For good measure, Kaine continued to snipe from the sidelines, while Carnell was struck by a falling campaign prop. The party was in “disarray”.²⁴²

Despite facing some rumblings from its union wing, the ALP campaign was in better shape, but faced an external threat: the emergence of a new party of the Left.²⁴³ Aroused to act by Federal government decisions to renew woodchip export licences, and cheered on by former union leader and environmental activist Jack Mundey, the ACT Greens decided to stand candidates. Sister parties had won seats in Tasmania and Western Australia, but were yet to achieve a breakthrough on the eastern seaboard. They sought to broaden their appeal beyond environmental issues by promising to end payroll tax and restrict shopping hours to help small retailers.²⁴⁴

²⁴⁰ *Canberra Times*, 22 January 1995, 1; 25 January 1995 1.

²⁴¹ *Canberra Times*, 23 January 1994, 1–2; 31 January 1994, 1. Spier’s declaration came after the close of nominations, meaning that she was still able to obtain the advantage of the Robson Rotation as a Liberal candidate despite her split with the party.

²⁴² *Hansard*, 29 November 1994, 4213; *Canberra Times*, 23 December 1994, 1–2; 26 January 1995, 1.

²⁴³ *Canberra Times*, 23 November 1994, 3; 7 January 1995, 1; 15 February 1995, 2; 18 February 1995, 1.

²⁴⁴ *Canberra Times*, 30 December 1994, 3; 25 January 1995, 2; 8 February 1995, 9.

A poll in February placed them third, after the major parties. Labor was ahead of the Liberals, but a huge 36% of voters were undecided.²⁴⁵

Sensing a tight contest, the major parties made generous promises. Labor pledged to build two new government office blocks, give seniors “a dollar a day” travel on ACTION, create an ACT Police Commissioner, and provide a free composting bin per household and new services for young disabled adults. It promised more road maintenance, more graffiti removal and the abolition of the “voluntary” parent contribution at government schools.²⁴⁶ The Liberals, in turn, promised 1000 hospital beds within five years and a 20% cut in elective surgery waiting lists within three. They committed to renew expiring residential and commercial leases free of charge, to maintain education spending in real terms, and to provide free school buses.²⁴⁷

Despite initial stumbles, Carnell stuck to a campaign plan that built on the strategy she had pursued as leader. Unlike Labor, she committed to savings measures – such as competitive tendering in ACTION and casemix funding in health – to play to concerns that Follett was incapable of tackling costly structural problems in the ACT administration.²⁴⁸ Secondly, she continued to blur the ideological boundaries; she mounted spirited attacks on Federal Liberals while her policy on reforms in public administration, for example, seemed borrowed from the agenda of

²⁴⁵ *Canberra Times*, 9 February 1995, 1. Lamont says that ALP polling before the election showed his party had lost 12% of its votes to the Greens, particularly due to the woodchips issue. The anti-logging protests “had a significant impact on local [i.e. ACT] conscience with such a large portion of our population owning and or renting premises on the South Coast”: *Interview with David Lamont*, 12 December 2023; *Email Lamont to Humphries*, 12 December 2023. See also Title No. 268174, “Timber workers and conservationists clash violently in forest area between Cooma and Bega”, 13 February 1995, [WIN TV News. Canberra], National Film and Sound Archive.

²⁴⁶ *Canberra Times*, 15 January 1995, 1; 2 February 1995, 1; 3 February 1995, 5; 4 February 1995, 7; 9 February 1995, 7; 12 February 1995, 1.

²⁴⁷ *Canberra Times*, 2 January 1995, 2; 27 January 1995, 1; 6 February 1995, 1.

²⁴⁸ *Canberra Times*, 10 February 1995, 7. Carnell’s analogy was that “Follett is fiddling while Rome burns”: Michael Bachelard, “Each side busy trying to sell their messages”, *Canberra Times*, 4 February 1995, 23.

Federal Labor's Public Service Minister, Gary Johns.²⁴⁹ The classic Liberal/Labor dichotomy, in which Liberals in Canberra generally lost out, now seemed a less relevant yardstick – a displacement helped by Labor's waning cachet at the Federal level. Thirdly, she played to residual anxieties about the form of ACT democracy, promising an expert task force to examine alternatives to the “adversarial” Westminster system.²⁵⁰ This vow found an audience with members of the *Canberra Times*' “The Smiths” poll (a panel of voters sharing the surname Smith); one said the ACT system of government was “ridiculous” while another declared it “just too big and a waste of money”.²⁵¹ Fourthly, the Liberals' “Make Labor Listen” slogan was crafted to lure voters into voting Liberal as a way of chastising the ALP (which was widely expected to win) without necessarily tipping it out of government.²⁵² Finally, Carnell's irreverent, rollicking public style seemed at one with her subversive agenda, and made a crisp contrast with Follett's serious, rather straightlaced persona. Carnell promised, half in jest, to name a suburb after football great Mal Meninga, and courted controversy on a morning radio show when she alluded to Follett as a “fat bottomed girl”.²⁵³ Sticking to a plan paid dividends: “we focused on our knitting”, says Carnell.²⁵⁴

The campaign which had started so badly for the Liberals soon took a turn for the better. The dispute with the VMOs flared up again just days before the 18

²⁴⁹ Jodie Brough, “Carnell meets odd bedfellow in Gary Johns”, *Canberra Times*, 5 February 1995, 9. She blasted some Federal colleagues for “not opening their eyes between the airport and Parliament House”: *Canberra Times*, 23 November 1994, 5.

²⁵⁰ *Canberra Times*, 22 December 1994, 1.

²⁵¹ *Canberra Times*, 6 February 1995, 5.

²⁵² A WIN television poll just days before the election had Labor ahead of the Liberals in the central seat of Molonglo, 38% to 30%: Title No. 268174, “Sitting members of the ACT Assembly score poorly in pre-election survey”, 13 February 1995, [WIN TV News. Canberra], NFSA.

²⁵³ *Canberra Times*, 5 August 1994, 1. The Women's Electoral Lobby condemned the allusion to Follett as “sexist stereotyping”: *Canberra Times*, 11 February 1995, 1–2.

²⁵⁴ *Interview with Kate Carnell*, 7 March 2024.

February election, with Connolly blasting the doctors' "naked threats and blackmail". Nonetheless, the last opinion poll showed 68% of voters dissatisfied with government performance in health.²⁵⁵ Follett's final pitch – that life would be "chaos" under a Liberal government – rang rather hollow with the Legislative Assembly blockaded by trucks, their drivers protesting Labor policies on suburban parking.

The day after the election, under the heading "CARNELL STRIKES", the newspaper reported the "remarkable" 11% swing which put the Liberals within striking distance of government. They won seven seats to Labor's six; Moore was returned but without Szuty, and the Greens entered ACT politics with two seats.²⁵⁶ The last seat was won by a conservative independent, football hero Paul Osborne. Swept from office were Lamont, Grassby and Ellis – Labor voters, taking advantage of the new electoral system, had pushed Wood from third into second place in the new seat of Brindabella, assuring his re-election and confounding the party "ticket".²⁵⁷ Paying tribute to Carnell's pivotal role in this outcome, journalist Marion Frith lauded her as "a winner ... a star ... and an extraordinary leader."²⁵⁸

Anatomy of a rout

Almost every commentator identified Carnell herself as the cornerstone of this outcome, one of the largest swings in Australian electoral history.²⁵⁹ Follett

²⁵⁵ *Canberra Times*, 16 February 1995, 3; 17 February 1995, 1.

²⁵⁶ Moore comments that, though Szuty was "an extraordinary hard worker ... with lots of ideas", she failed to be re-elected because she "did not know how to sell herself to the public": *Interview with Michael Moore*, 12 December 2023. Additionally, the quota for the electorate of Ginninderra (a five-member electorate), where Szuty stood, was higher than in Molonglo (the seven-member electorate), where Moore stood.

²⁵⁷ Lamont is unflattering of Grassby's legacy; he says, "In the scheme of things Ellnor Grassby was not important. I can't think of a thing ... that Ellnor Grassby actually influenced that changed anything": *Interview with David Lamont*, 12 December 2023.

²⁵⁸ *Canberra Times*, 19 February 1995, 1. Andrew Barr recalls in interview that the election outcome came as a "surprise" to the government; as late as the evening before Connolly was predicting a Labor win: *Interview with Andrew Barr*, 22 March 2024.

²⁵⁹ Antony Green, "The Largest Swings in Australian History – the Measuring Post for NSW 2011", ABC Online, <https://www.abc.net.au/news/2011-03-04/the-largest-swings-in-australian-history---the->

complained that Carnell was the only Liberal candidate in the campaign; Hull observed that “the social right wingers” of the Liberal Party had been pushed into the background.²⁶⁰ Follett concedes that Carnell had been “fresh and energetic” and a “tireless campaigner” (though also “prepared to do anything and say anything to get elected”) while her own team was “tired” after nearly four years in office.²⁶¹ Health worked against Labor, as it does against most incumbent governments, Follett observes. The election coincided with TV footage of ACT patients being flown to NSW hospitals for treatment.²⁶² While Labor battled with doctors and the health unions, Carnell’s background as a health practitioner lent credibility to the claim she could do better on that front.²⁶³ She also remodelled the archetype of a Liberal leader. In a city accustomed to Liberals of the complexion of a patrician Malcolm Fraser and a suburban John Howard, she presented an intriguingly different political persona, one that enticed many Canberra voters to feel that, at last, it was safe to vote Liberal.

Other factors steered Labor’s fate. The Liberals’ “Make Labor Listen” slogan fostered a protest vote that snowballed into a change of government.²⁶⁴ Follett regards the emergence of the ACT Greens as a factor in her defeat.²⁶⁵ Finally, the national “sense of malaise” that was creeping over Labor enveloped Follett too.²⁶⁶ Labor governments had fallen in the previous few years in Victoria, South Australia,

[measuring-post-fo/9389712](https://www.elections.act.gov.au/data/assets/pdf_file/0003/850026/Electoral-Compendium-2017.pdf); Accessed 26 August 2025. “Electoral Compendium 1989–2017”, ACT Electoral Commission, https://www.elections.act.gov.au/data/assets/pdf_file/0003/850026/Electoral-Compendium-2017.pdf, 28. Accessed 3 October 2021.

²⁶⁰ Crispin Hull, “Complacency and healthcare horrors”, *Canberra Times*, 19 February 1995, 2.

²⁶¹ *Interview with Rosemary Follett*, 30 January 2020.

²⁶² Chris Monnox, *ACT Labor 1929–2009: A Short History* (Port Adelaide: Ginninderra Press, 2013), 45.

²⁶³ *Canberra Times*, 19 February 1995, 2.

²⁶⁴ *Canberra Chronicle*, 27 February 1995, 1.

²⁶⁵ *Interview with Rosemary Follett*, 29 February 2024. Carnell shares this assessment: *Interview with Kate Carnell*, 7 March 2024.

²⁶⁶ Frank Bongiorno, *Dreamers and Schemers: A Political History of Australia* (Collingwood: La Trobe University Press, 2022), 327.

Western Australia and Tasmania and another was shuffling towards defeat in Queensland. Only in NSW was the ALP on a trajectory toward government, and then only by the slenderest of margins in 1995 under Bob Carr. Federally, opinion in the Press Gallery held that the Keating government “had grown tired and complacent”, a verdict underscored by Liberal Brendan Smyth’s dramatic upset at the Canberra by-election just weeks after the ACT election.²⁶⁷

Attitudes to self-government were further, critical determinants of the outcome. While the raw anger of 1989 had abated, underlying restlessness about self-government meant that many voters were happy to turn their backs on politics-as-usual. Voting against the government of the day, whatever its flavour, might for some have been a satisfying expression of their testiness with the system.²⁶⁸ Other voters, however, were turning their minds to what *kind* of self-government they were prepared to accept. Labor, with its “Liberals + Independents = Chaos” catchcry, had relied on people seeing majority government as the best version of self-government but, as Bachelard asserted, “minority government is not the disaster Labor would make you think”. He offered the example of the ACT parliament forcing the TAB minister to resign, while the Victorian government, facing a similar attack on its TAB minister in the lower house which it controlled, simply “brazened its way through the political flak”. He speculated that ACT voters might see their own model as a superior way of running a democracy.²⁶⁹ With those voters in 1995 installing – for the third

²⁶⁷ “Political Chronicles”, *Australian Journal of Politics and History*, 41:2, 1995, 278–315; 41:3, 1995, 449–54; 42:2, 1996, 255–62; 42:3, 1996, 419–22.

²⁶⁸ My view, shared by Follett (*Interview with Rosemary Follett*, 30 January 2020) but not by Carnell (*Interview with Kate Carnell*, 24 March 2020).

²⁶⁹ Michael Bachelard, “Time to contemplate role of Independents”, *Canberra Times*, 7 January 1995, 15.

election in a row – a powerful crossbench to keep watch on government, this speculation had some plausibility.

Self-government turning a corner?

ACT Labor had, of course, made mistakes over its 3½ years in government. Moore regards Berry – an unabashed “soldier of the Left” – as a major factor in its loss.²⁷⁰ Columnists had routinely rapped Follett for being “predictably sedate”, for avoiding “very major and rapid adjustment”, for showing “a disturbing lack of momentum”, and “inertia”.²⁷¹ Both Kaine and Carnell had hammered the thesis that Labor had sidestepped the tough structural decisions.²⁷² The extent to which this critique resonated beyond business groups and economists is unclear, however, given that rapid changes to the Canberra lifestyle were precisely what many had feared from self-rule. Voters in 1995 may have been seeking a fresh, energetic and imaginative approach to Canberra’s problems, rather than a tougher one.

In any case, the Follett government’s principal achievements clustered around consolidating the transition to self-government and erecting a framework of normality around an apprehensive population. Under Follett’s watch, the Territory won seats on the Loans Council and the council overseeing of the Murray-Darling Basin Commission.²⁷³ It closed the two largest outstanding administrative lacunae of the period: the patriation of a local public service and the standing up of a Territory Plan.

²⁷⁰ *Interview with Michael Moore*, 12 December 2023.

²⁷¹ In the *Canberra Times*: Hugh Lamberton, “Ideas to keep the ACT Labor stagecoach racing”, 11 April 1992, 9; Matthew Abraham, “Rosemary, the honeymoon’s over and it’s time to get back to work”, 23 August 1992, 2; Matthew Abraham, “Feral’ recession is compounded by ACT self-government”, 27 September 1992, 2; Jodie Brough, “Follett and the policy vision thing”, 12 February 1995, 9. See also Crispin Hull, “Sticking by a most unworthy mate”, 28 August 1993, 13.

²⁷² Lamont considers that “concern regarding economic management”, together with Vitab and the emergence of the Greens, were key factors in the fall of the government: *Email Lamont to Humphries*, 12 December 2023. Moore comments that Follett’s “just keep everything steady” approach meant, by 1995, that “things were slowly going downhill ... particularly economically”: *Interview with Michael Moore*, 12 December 2023.

²⁷³ *Canberra Times*, 26 February 1994, 2; 5 December 1994, 5.

Its legislative reforms cherry-picked the best innovation from around the country and put the ACT in the vanguard of national best practice: a health complaints ombudsman, food regulation, diversionary conferencing alternatives to criminal sentencing, model adoption laws, the nation's first altruistic surrogacy framework and a Commissioner for the Environment.²⁷⁴ It led the national debates on tobacco reform and a Bill of Rights.²⁷⁵ For many, this was a happy marriage between the social laboratory and diligent administration. While on a few issues the government looked self-indulgent or incompetent, these were perhaps no worse than the misdemeanours of any state counterpart. But to an electorate with heightened sensitivities about the political apparatus, they became crimes worthy of punishment at the ballot box.

Follett may have seen off the last constitutional challenge to self-government during her term, but seeing off public cynicism about it was another order of difficulty.²⁷⁶ Measuring public attitudes to the institution is problematic, given that the last public opinion poll on the subject was taken before the 1989 election.²⁷⁷ Journalists, their ears close to the ground, regularly noted “the continuing disdain” and “snort[s] of derision” of Canberrans when contemplating the Second Assembly; such attitudes constrained the government to argue for only minimal pay rises for MLAs and to eschew parliamentary pensions.²⁷⁸ A shift in tone in this reporting is

²⁷⁴ *Canberra Times*, 10 March 1994, 3; 31 December 1994, 9; Liz Armitage, “Out of the hands of babes”, *Canberra Times*, 17 June 2000, C4.

²⁷⁵ *Hansard*, 24 November 1993, 4120; *Canberra Times*, 10 February 1995, 6.

²⁷⁶ Two people facing drug charges in the ACT Supreme Court had argued that Section 122 of the Constitution, which authorises the Federal Parliament to make laws for the territories, precludes the wholesale transfer of legislative power to the ACT Legislative Assembly. A High Court bench of three judges, including the Chief Justice, refused leave for the full court to hear the appeal on the basis that it had “insufficient prospects of success”: *Canberra Times*, 13 December 1991, 3.

²⁷⁷ *Canberra Times*, 4 January 1989, 3.

²⁷⁸ *Hansard*, 10 December 1991, 5831; *Canberra Times*, 6 October 1993, 3; Michael Bachelard, “Poll shows voters still anti-self-rule”, *Canberra Times*, 3 September 1994, 17; Michael Bachelard, “Ridicule abounds, but votes count”, *Canberra Times*, 10 December 1994, 19. See also David Sibley, “This

nonetheless discernible. Abraham, for example, having noted the “community schism and political instability” of the First Assembly, later observed that the Second Assembly was “undergoing a metamorphosis into something with a little less snap, crackle’n’pop for its critics”.²⁷⁹ The legislature was still “Toytown” and “The Little House on the Limestone Prairie”, but there was now almost a note of affection in the putdowns, perhaps influenced by polling showing that almost every MLA’s personal approval rose between 1992 and 1994.²⁸⁰ Occasionally, the press even expressed exasperation with public attitudes; Hull lamented in 1995 that:

the people of the ACT are still behaving like those grown-up children who keep wanting to return to the luxury and comfort of their parents’ house ...

The ACT has fewer elected representatives and spends less money on them than anywhere else in Australia. Further, easy as it is to poke fun at it, our Parliament has an equal, or better, ratio of diligent, intelligent representatives than elsewhere in Australia.²⁸¹

Voters were in no mood to be chastised; attitudes towards self-government were as visceral as they were rational. But signs were now appearing that the electorate was devising constructive ways to better control the politicians they could not get rid of.

Conclusion

The third ACT election marked a watershed in the development of the city’s democratic system. A softening of animus toward that system owed something to the fact that rapid changes of government were now in the past. Even when there was “instability” – when executive legislation was gutted or ministers sacked – these

Assembly too becoming surreal”, *Canberra Times*, 22 October 1993, 11. Only in the ACT and Tasmania were there no parliamentary pensions at that time.

²⁷⁹ Matthew Abraham, “ACT Govt: a bad case of decision shyness”, *Canberra Times* 15 December 1991, 2; “A coming of age, no ‘fruit-loops’ in second ACT Assembly”, *Canberra Times*, 7 June 1992, 2.

²⁸⁰ Ian Warden, “Ooh look! It’s the Assembly, or Toytown’s testy talk time”, *Canberra Times*, 24 February 1993, 16; Crispin Hull, “Jockeying time for Little House line-up”, *Canberra Times*, 22 May 1993, 13; *Canberra Times*, 21 September 1994, 6.

²⁸¹ Crispin Hull, “Time to stop hankering after federal guardians”, *Canberra Times*, 18 February 1995, 13. See also Peter Clack, “Self-government works, puts new responsibilities on MLAs”, *Canberra Times*, 5 September 1992, 11.

developments seemed to affirm new and evolving democratic metrics which differed from those applying in other jurisdictions. The Hare-Clark electoral system, deployed in the third ACT election, would underpin this evolution, both facilitating an active crossbench and handing voters power over which candidates in the major parties would be elected.²⁸² Things that had irritated the electorate during the First Assembly now seemed less potent. The “big picture” was now in sharper focus than the petty distractions – explaining why, for example, the litany of disasters at the start of the Liberal campaign were forgotten quickly. Carnell observes that public attitudes had shifted between 1992 and 1995, as

people changed from thinking “this bloody thing is going to go away” to “no, it’s not going to go away so maybe we actually do need to focus a little bit on who we’re going to vote for”.²⁸³

This maturing of attitudes had contributed to – or perhaps merely coincided with – the advent of the Territory’s first directly elected Liberal government, a major development for a community which had hitherto almost reflexively backed the ALP. This presented Carnell, the new government’s leader, with a double challenge: living with the evolving parliamentary mores which she herself had helped create, and delivering the goals of a right-of-centre administration. She hoped at this juncture that the Liberal credo of fiscal prudence would align with a communal desire to see self-government delivered affordably while fortifying public amenity. The Third Assembly would chart her successes and failures in fulfilling these ambitions.

²⁸² Crispin Hull, “Minority government of the ACT here to stay”, *Canberra Times*, 24 September 1994, 17.

²⁸³ *Interview with Kate Carnell*, 7 March 2024.

Chapter 6: The Carnell Ascendancy

... the Carnell Government has a more rollicking damn-the-torpedoes-full-speed-ahead approach.

– Chris Uhlmann, 1995¹

The Carnell-led opposition found itself unexpectedly in government in March 1995. The fraying party of 1994 had become, by early 1995, the crucible of power under a charismatic leader. Until the last minute, the polling had given no clues as to what was to come; Carnell herself was “really surprised” to find herself Chief Minister.² Party members had no prior experience of winning an election; the Liberal Party’s only previous taste of power in the ACT had come courtesy of an *ad hoc* power-sharing deal during the First Assembly. The new government assumed the reins of power somewhat underprepared, but realising the inherent contradiction in the task the community expected it to undertake: transitioning to a lower-cost mode of running the Territory while maintaining the quality of life its citizens had come to expect. As the fate of its predecessor suggested, patience with failure was limited, particularly when it dovetailed with impatience with the very system of government. The response of Carnell was to shift gears, to replace Follett’s cautious incrementalism with bold plans and ambitious agendas. As this chapter will show, that strategy would generate optimism that self-government really could deal with Canberra’s transitional challenges, but created other dynamics that would ultimately hamper the government and in particular its fulcrum, Carnell. Canberra was on the threshold of an unconventional new chapter in its short history of self-rule.

¹ Chris Uhlmann, “A canny skipper steers her ship, with rough seas ahead”, *Canberra Times*, 24 June 1995, 19.

² *Interview with Kate Carnell*, 7 March 2024. A Canberra Times poll three weeks before the election showed the ALP comfortably in front of the Liberals: *Canberra Times*, 9 February 1995, 1–2; see also *Hansard*, 11 December 1997, 5033.

New opportunities

“So what?” said Prime Minister Paul Keating of the change of government; it was just a “municipal election”.³ Perhaps, but Kate Carnell winning office was unprecedented on a number of counts. She had led the Liberal Party to a significant victory in a city long in the firm embrace of the Labor Party. She became the first woman to lead a Liberal government in Australia.⁴ She defeated the first woman to have headed any government in Australia, herself consistently the most admired politician in the ACT before 1995.⁵ And she consolidated her grip on power by forging an improbable alliance with a left-of-centre independent, founded partly on a mutual commitment to radical drug law reform.

Table 2 Members elected to the Third Assembly 1995

Liberals	Labor	Greens	Osborne Group	Moore
*Carnell	*Berry	Tucker	Osborne	*Moore
*Cornwell	*Connolly	Horodny		
*De Domenico	*Follett			
Hird	*McRae			
*Humphries	Whitecross			
*Kaine	*Wood			
*Stefaniak				

* sitting member

The Liberal Party’s win was no less decisive for being unexpected. The Liberals held seven seats to the ALP’s six. What made occupying the Treasury benches all but inevitable, however, was not the plurality of a single seat but the size

³ *Canberra Times*, 20 February 1995, 1.

⁴ Indeed, for more than 20 years she remained the *only* woman to have led a Liberal government, until Gladys Berejiklian became premier of NSW in 2017.

⁵ For example, *Canberra Times*, 19 May 1991, 1.

of the swing that produced it – 11%. Liberal outpolled Labor at 64 of the 78 polling booths, a remarkable result in a Labor town.⁶ The size of the swing gave Carnell critical leverage without which a minority Labor administration might yet have been formed. Follett argued that a majority of the new parliament was drawn from the left of politics, and as such Labor deserved government.⁷ She had several meetings with the two freshly-minted Greens MLAs, and with their national leader, Bob Brown, in March in an attempt to forestall a Liberal government. It was to no avail; perhaps feeling the need to nod to the electorate's mood, the Greens ultimately voted for Carnell. Follett still feels "quite let down" by their decision not to back a left-of-centre government, saying that they appeared more interested in being on the "winning side".⁸

As a precaution, Carnell looked elsewhere for the two additional votes she needed to form a government. For one she looked to Moore. She had already developed a close rapport with him while working on drug issues in the previous Assembly, but his vote was assured with a commitment that the new government would not reduce education spending in real terms.⁹ The other vote came from new independent and former policeman and rugby league star Paul Osborne, in the seat of Brindabella. Osborne was a celebrity candidate, having set up the first two tries for the Canberra Raiders in their victorious 1994 grand final. Notwithstanding the working-class heritage of rugby league, his Christian conservatism made him

⁶ *Election statistics: ACT Legislative Assembly Election, 18 February 1995* (Canberra: ACT Electoral Commission, 1995).

⁷ Michael Bachelard, "Horse-trading galore as D-Day looms", *Canberra Times*, 4 March 1995, 19.

⁸ *Interview with Rosemary Follett*, 30 January 2020.

⁹ Moore's support for Carnell was also influenced by the campaign Labor ran against him personally at the election: Crispin Hull, "The man who holds the key", *Canberra Times*, 2 March 1995, 9.



Figure 15 Carnell savours victory on election night: Canberra Times, 19 February 1995.

suspicious of the ALP.¹⁰ He had promised to support into power the party with the most votes, and so the Liberals' strong showing clinched his backing.¹¹ Seated next to Moore in the chamber, he soon learned some of the latter's tactical adroitness, without borrowing much from his political credo. The two formed an unusual partnership, riding shotgun to each other on some issues and clashing spectacularly on others. During some of Moore's speeches on drug reform or euthanasia, Osborne would be seen sitting beside him reading the Bible.

All of the sitting Liberal MLAs had been re-elected, and they were joined by Harold Hird. Carnell became Treasurer and Health Minister as well as head of

¹⁰ https://en.wikipedia.org/wiki/Rugby_league_in_Australia. Accessed 26 August 2025. Richard Farmer, the *Canberra Times* columnist and former ALP insider, steered Osborne's campaign; he was his Svengali, according to David Lamont: *Interview with David Lamont*, 12 December 2023.

¹¹ For good measure, the Liberal Party had secured some financial support before polling day for Osborne's printing expenses.

government. Deputy Chief Minister De Domenico became Minister for Urban Services, with responsibility for industrial relations and business. Stefaniak became Education Minister, shouldering also housing, sport and family services. I was made Attorney-General and Minister for the Environment, Land and Planning, to which were added the arts, police and emergency services, as well as manager of government business. Cornwell became Speaker. Hird was appointed government whip, not an onerous responsibility in such a small party room. Formerly a police officer and auctioneer, he had served as an independent in several previous advisory Assemblies. Rambunctious and avuncular, he was enticed into the Liberal fold by Kaine, a long-time friend.¹² However, he lacked any policy depth and was never seriously considered for the ministry.

Like both the chief ministers before her, Carnell assumed the role with no previous ministerial experience to fall back on, and only one minister who had served in a previous government (me). The boutique parliament's shallow talent pool once again severely constrained the options available to the head of government. She did, however, have the small satisfaction of being able to leave Kaine on the backbench. Over the previous two years he had sniped constantly about her in furtive, first-floor corridor conversations, forecasting that her "amateur" approach would end disastrously.¹³ When confounded by the election outcome, he told her he had misjudged her, and intimated that he would be willing to serve in her cabinet. She ignored his unsubtle hint.¹⁴

¹²

https://en.wikipedia.org/wiki/Members_of_the_Australian_Capital_Territory_Legislative_Assembly,_1975%E2%80%931979. Accessed 26 August 2025. He memorably once appeared in the chamber for a Christmas valedictory attired as Santa Claus.

¹³ See *Hansard*, 15 September 1994, 3022. "The boys" is almost certainly a reference to Kaine, *inter alia*.

¹⁴ *Interview with Kate Carnell*, 24 March 2020.

Across the aisle, Follett retained the leadership of the Opposition when no colleague chose to challenge her. Berry took back the deputy leadership vacated by Lamont's departure; Connolly contested the position but, as the Right faction's only surviving MLA, attracted only one vote – his own.¹⁵ Andrew Whitecross, a bearded former staffer and public servant, was the sole newcomer to caucus. Articulate, intelligent and serious-minded, he added to Labor's firepower in the chamber and soon began to make a mark in the policy committees of caucus. In his maiden speech he spoke only of policy and said nothing about himself.¹⁶

Enter the Greens

The Greens, meanwhile, had made their first entry into a parliament on the mainland eastern seaboard. In a period of relative stagnation for the party, the impressive debut in the national capital helped spearhead advances in NSW and Queensland later in the year, and the arrival of Bob Brown in the Senate in 1996.¹⁷ Their arrival heralded a new dynamic in ACT politics, one that would pull the legislative centre-of-gravity to the left for much of the next 30 years.

One of their new representatives was Kerrie Tucker, a founding member of the ACT Greens and a former researcher at the Canberra and South East Region Environment Centre. The maturity and sophistication with which she approached issues belied the youthful radicalism from which the ACT Greens had been born. In her maiden speech she committed herself to a brace of progressive, social justice issues, including environmentally-weighted accounting, participatory democracy and intergenerational equity.¹⁸ Although the Greens denied any hierarchy among their

¹⁵ *Canberra Times*, 9 March 1995, 1.

¹⁶ *Hansard*, 24 May 1995, 81–3.

¹⁷ Amanda Lohrey, "Groundswell: The Rise of the Greens", *Quarterly Essay*, Issue 8 (Melbourne: Black Inc, 2002), 35–8.

¹⁸ *Hansard*, 2 May 1995, 86.

MLAs, Tucker always had the look and feel of their leader. She was certainly a persuasive media performer and the better orator of the two. In time, Tucker worked to open dialogue with other parties, including the new Liberal government, to build relationships that might, and sometimes did, lead to Green “wins”.¹⁹ Her colleague was Lucy Horodny, a woman with Ukrainian forebears and a veteran of the forest campaigns of the Wilderness Society.²⁰ Although passionate in environmental debates, Horodny often looked uncomfortable joining combat in the chamber, and seemed perplexed by parliamentary process. With a serenity that seemed to belie politics, I once mischievously likened her to a drowsy pixie.²¹ She did not seek re-election when her term expired in 1998.

The new broom starts to sweep

Quite apart from engineering the delivery of its own election promises (many of which had not been budgeted for), the new executive inherited urgent problems from the previous executive. The VMO dispute continued to hamper the functioning of the hospitals, and the length of the elective surgery waiting list was indicative of a health system under serious strain. Carnell’s background on the Board of Health heightened expectations that she could fix these problems quickly. Suburban battles around particular controversial developments fuelled cries that if the Territory were now self-governing, why was the planning system still so unresponsive to community concerns? The McBeth report on high bushfire fuel loads on the fringes of the city demanded urgent action, and the underutilised ACTION bus fleet continued to make huge losses. Above all loomed the impending financial crunch: the Territory’s

¹⁹ Nick Turnbull and Ariadne Vromen, “The Australian Greens: Party Organisation and Political Processes”, *Australian Journal of Politics and History*, 52:3, 2006, 467.

²⁰ *Hansard*, 2 May 1995, 84.

²¹ *Hansard*, 10 December 1995, 2106.

revenue deficit stood at \$74m, and was growing by the day as Commonwealth subvention ebbed away. Having elevated balancing budgets to a prime governmental virtue, hard decisions for the Carnell cabinet could not be long postponed.

Carnell's leadership style suited challenges of this magnitude. Effervescent and dynamic, she embarked on the task of government with such obvious relish that many were carried along by the sheer enthusiasm she exuded. Her command of the issues gave her a natural authority across all portfolios, a ubiquity her ministers sometimes found discomfiting. Ted Quinlan, a Labor MLA in the next parliament, describes her "not so much as a team leader, but more a commander".²² Her office establishment buttressed her hybrid persona of visionary and technocrat. She generally chose young, innovative people with no party background as her advisors, people who shared her thrill for (sometimes iconoclastic) change.²³ They worked to build her an omnipresent media profile which assisted the government to keep control of the agenda and its opponents on the back foot. This modality was often compared with that of Victorian Premier Jeff Kennett, with whom she formed a friendship; political psychologist Graham Little's observations of the latter's media image could apply just as aptly to Carnell's:

Interventionist leadership means centralised leadership, the politics of Mr Fixit and Numero Uno ... Many people are reassured by this. They want to see the Premier popping up all over the place: it shows he cares, that he doesn't miss a trick, that Victoria's going ahead. There's an element of idealisation about

²² Quinlan in interview offers this assessment of her leadership style: "I agree that Kate was progressive, dynamic, energetic, and enthusiastic. She was charismatic and she was very popular for quite some time. That popularity waned over time, not only due to the notable mishaps, but because some citizens began to tire of the 'look at me' style that met them almost daily. I do believe you when you [Humphries] say that she dominated your Cabinet agenda. She was of course not the first star to burn brightly and to then flame out. She didn't really share the limelight did she?": *Email Quinlan to Humphries*, 8 May 2025.

²³ Gary Dawson and Simon Latimer, in particular, admired Carnell and saw her potential to upend the stale paradigm of Australian politics.

this, a feeling that we can sleep more securely in our beds hearing the leader bustling about downstairs.²⁴

Carnell's team had scarcely taken the field, however, before a problem of its own making distracted it. De Domenico outed himself as the MLA accused by a staff member of sexual harassment.²⁵ A further allegation emerged that he had called a Liberal staff member "Mintie Bum" (on the basis that she walked "as if she has a Mintie between her cheeks"). The sexual harassment litigation and "Mintiegait" were to drag on for months, conjuring a stream of unedifying headlines.²⁶

Not to be distracted, the doughtiness which was Carnell's hallmark soon emerged. Her announced agenda included the corporatisation of the government's business enterprises (ACTION, ACTTAB and ACTEW), expanding the role of the private sector in the provision of public services, and a significant restructuring of the health system. Logistical support from the Liberal governments in Victoria and South Australia was enlisted.²⁷ A private-sector ethos of efficiency, outcome-based budgeting, and a freeze of senior executive job numbers were introduced; cabinet documents referenced an "ACT Corporation model of government", heralding the accounting reforms which culminated in the *Financial Management Act 1996*.²⁸ The ACT agreed on a land swap with the Commonwealth, whereby the latter would acquire the peninsula on which the old Royal Canberra Hospital stood to build the National Museum of Australia and the Territory would get the former industrial site on the lake foreshore at Kingston for commercial and residential development. And for

²⁴ Graham Little, "Celebrity Leadership" in Brian Costar and Nicholas Economou (eds), *The Kennett Revolution* (Sydney: UNSW Press, 1999), 25.

²⁵ *Canberra Times*, 23 March 1995, 1.

²⁶ *Canberra Times* columnist Ian Warden re-styled the affair "Mintiegait".

²⁷ David Hughes, "Political Chronicles", *Australian Journal of Politics and History*, 42:2, 1996, 248.

²⁸ E.g. Cabinet Submission 4231, 14 August 1995, ACT Archives.

good measure, Carnell as Treasurer would be knocking on the Commonwealth's door for \$30m to ease the painful transition to state-type funding.²⁹

In a sign that major changes were afoot within the ACT public service, in May the Chief Minister hand-picked a young outsider, John Walker, to be the new head of the ACT administration. He had built a reputation as a "change manager" in the NSW transport department, and it was soon obvious that he shared his boss's appetite for muscular reform.³⁰ The public service, he said, should be run "like a corporation". In pursuit of that vision, tenure for Senior Executive Service officeholders was to be abolished; instead, senior bureaucrats would sign up to performance-based contracts. This flexibility permitted talented senior bureaucrats from elsewhere to transfer to the ACT. These proposals heralded the arrival in the ACT of New Public Management doctrines, based on explicit measures of performance, greater emphasis on results over procedures, and empowering senior managers.³¹ The concepts were fiercely resisted by Labor and the public service union but ultimately prevailed, in part because other jurisdictions were embarking on similar reforms.³² Carnell reflects in interview that contracts were necessary because the public service she inherited "didn't share our fire for wanting to make the ACT a better place."³³ Another administrative battering ram was the creation of a "kitchen cabinet", an

²⁹ *Canberra Times*, 15 April, 1995, 1; 11 March, 1995, 1; 26 April, 1995, 1; 12 April 1995, 1; 7 April 1995, 3. Carnell records that Keating, a former customer of her pharmacy at Red Hill, rang her one day saying the Commonwealth wanted the Acton Peninsula for the National Museum and the land swap was agreed then and there on the telephone: *Interview with Kate Carnell*, 24 March 2020.

³⁰ *Canberra Times*, 11 May 1995, 3.

³¹ Christopher Hood, "A Public Management for all Seasons?" *Public Administration*, 69:1, 1991, 4–5. The University of Canberra's John Halligan considered that here the ACT was "at the more ambitious end of the international spectrum for public sector reform": John Halligan, "The ACT Model: An Analysis", in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 107.

³² *Canberra Times*, 25 August 1995, 3; 27 September 1995, 7. An example of a talent transfer was the recruitment of Mick Lilley as Under Treasurer in March 1996: David Hughes, "Political Chronicles", *Australian Journal of Politics and History*, 42:3, 1996, 410.

³³ *Interview with Kate Carnell*, 24 March 2020.

informal group convened by Walker and composed of leading Canberra businessmen, a sounding board to help the government weave corporate creativity into the bureaucratically guided business of cabinet. At this level, at least, Carnell was making good on promises to adapt the Westminster paradigm to ACT conditions.

Boldness seemed to pay early dividends. Carnell settled the pay dispute with the hospital's VMOs, and credit ratings agency Standard and Poor's affirmed the ACT's AAA credit rating. I announced that, to give him a greater oversight of police performance in the Territory, the Federal Police Commissioner, Mick Palmer, would personally be assuming the role of ACT Chief Police Officer.³⁴ In May, Carnell declared that the "inertia of the past is gone", promising a strategic approach to managing the transition to state-like funding. The government would put "the management of Canberra ahead of ideology" – a swipe at Labor's reticence in utilising private-sector values. She committed to a "less adversarial" style of politics, and announced that a task force on revamping the ACT's system of government had been appointed.³⁵ Follett, in turn, vowed to block the "more destructive Liberal promises", while highlighting the "rivalry and bitterness" within the government's ranks. She looked forward to working with the Greens on the environment but would expose Moore's "Machiavellian antics" at every turn.³⁶

Nonetheless, momentum was with Carnell. She thrived by shouldering the two most challenging portfolios of the day: Treasury and Health. "Can-do Kate" worked punishing hours while maintaining a ubiquitous media profile, and soon demonstrated

³⁴ *Canberra Times*, 30 March 1995, 1; 31 March 1995, 3; 1 April 1995, 1.

³⁵ *Hansard*, 2 May 1995, 64–5.

³⁶ *Hansard*, 9 March 1995, 8.

the mastery of her portfolios which was their dividend. By the May sittings, journalist Chris Uhlmann pronounced that she

grew into the role of Chief-Minister-in-chamber as each day passed ... It suits Mrs Carnell's opponents to paint her as a good frontwoman with little substance, but she is quickly burying that assessment.³⁷

Tackling the cost of government

The previous government had made some decisions to cut government spending, but the largest part of this challenge lay ahead. An editorial had condemned Carnell's ALP predecessor "for imagining that Canberra can ... continue dreaming along at current levels of expenditure in major program areas such as health and education and welfare services. It cannot."³⁸ Spending was indeed the unaddressed side of the balance sheet. Over the six years of self-rule, taxes and charges had gradually been raised to a par with the states, but spending was still 10% above the Commonwealth Grants Commission's deemed national average.³⁹ Governments of all shades at this time regarded fiscal rectitude and high credit worthiness as desirable objectives.⁴⁰ Seismic shifts in ACT policy would be necessary to rein in spending, however. For example, despite a fall in the total number of Territory public servants, the wages bill had increased 30% in just six years.⁴¹ Debt was on a disturbing trajectory; ACT net debt was expected to grow from 1% of gross state product in 1992–1993 to more than 9% by 2000.⁴² Against all this, the relentlessly receding tide of Commonwealth

³⁷ Chris Uhlmann, "Carnell hits a sitter in testing time", *Canberra Times*, 6 May 1995, 21.

³⁸ "Populist Follett ignores problem", *Canberra Times*, 2 February 1995, 10.

³⁹ Chris Uhlmann, "Working hard on rhetoric", *Canberra Times*, 12 August 1995, 19.

⁴⁰ For Labor's take on this, see generally John Wanna and Paul Williams (eds), *Yes, Premier: Labor Leadership in Australia's States and Territories* (Sydney: UNSW Press, 2005).

⁴¹ *Canberra Times*, 27 April 1995, 1. New Public Management methodologies were considered to be particularly apposite in "attempts to slow down or reverse government growth in terms of overt public spending and staffing": Hood, "A Public Management for all Seasons?", 3.

⁴² Chris Uhlmann, "Working hard on rhetoric", *Canberra Times*, 12 August 1995, 19.

subvention accentuated the fiscal pain.⁴³ At her first COAG meeting, Carnell was told Federal grants would be \$30m less in 1995–96 than the previous year.⁴⁴ Finally, the ACT economy was slowing.⁴⁵ Keating government stimulus measures which responded to the 1990–91 recession had ended, and that government was now cutting spending to reduce the Commonwealth deficit. Public service numbers were being reduced significantly, with a flow on effect to the Canberra economy. In 1994–95 ACT economic growth had more than halved to just 2.5% – significantly below the national rate of 4.5%. Private investment in the ACT had declined by 7.9% while nationally it had grown by 12.8%. Troublingly, Canberra was experiencing net population decline – a further demonstration of the adage that, when the Commonwealth sneezes, Canberra catches cold.⁴⁶

Carnell was decisive. The number of government departments was reduced from eight to six.⁴⁷ A freeze on new SES positions announced in April 1995 was widened to a freeze on all public service positions and consultancies in August.⁴⁸ The government sold its only nursing home and flagged the loss of up to 500 jobs in the health system.⁴⁹ An election promise to provide free school buses was abandoned, as was the promise to abolish the three cent per litre tax on petrol, but the

⁴³ *Hansard*, 19 September 1995, 1495.

⁴⁴ *Hansard*, 3 May 1995, 156.

⁴⁵ *Canberra Times*, 15 July 1995, 3.

⁴⁶ Rose Verspaandonk, Ian Holland and Nicholas Horne, "Chronology of changes in the Australian Public Service 1975–2010", Background note, Parliamentary Library, Canberra, October 2010, https://library.bsl.org.au/jspui/bitstream/1/2161/1/Chronology_of_changes_AustPS.pdf, 4; *Hansard*, 19 September 1995, 1494.

⁴⁷ As the University of Canberra's Roger Wettenhall noted, "So often ... the ACT has emerged with more administrative units that are needed, on any rigorous assessment, to serve its small population": Wettenhall, "Arm's length bodies in the Australian Capital Territory – time to review?", *Australasian Parliamentary Review*, 28:2 (Autumn 2013), 28.

⁴⁸ David Hughes, "Political Chronicles", *Australian Journal of Politics and History*, 42:2, 1996, 248; *Canberra Times*, 26 April 1995, 1; 8 August 1995, 1.

⁴⁹ *Hansard*, 22 August 1995, 1191; *Canberra Times*, 5 August 1995, 1.

government's momentum ensured that it could weather criticism for such backsliding.⁵⁰

The first Carnell budget delivered cuts worth \$110m, or 9%, over three years, including to health and the bus network.⁵¹ Follett's riposte was ferocious. The budget exhibited "all the wrong priorities" and constituted "a fraud on our community". She excoriated the government's broken promises and a record level of borrowing. She identified the sale of \$41 m of community assets to "prop up" the budget, and predicted 1000 lost jobs from cuts in the capital works program.⁵² Over the following months the two leaders engaged doggedly on the question of financial management, each defending her record and challenging the other's. In February 1996 Carnell produced figures suggesting that Follett had inherited a Consolidated Fund of \$180m in mid-1991 but had emptied it completely by February 1995. Follett retorted that Standard and Poor's would hardly have awarded the Territory the highest rate of credit worthiness had such chicanery been at work.⁵³ The adversarial politics Carnell had pledged to end seemed alive and well.

The government's more immediate challenge was, however, to pass its first budget. The cuts to spending met determined opposition from several quarters. In particular, most MLAs disputed the government's claim that education spending had been maintained in real terms; ominously, Moore – on whose vote Carnell's chief ministership depended – led this charge. The estimates committee recommended four amendments to the budget, each involving increased expenditure. Chief among

⁵⁰ *Canberra Times*, 13 September 1995, 1. The government's embarrassment was only slightly relieved by the fact that Labor had previously promised to abolish the same tax and had also reneged.

⁵¹ Title No. 280167, "A.C.T. Chief Minister Kate Carnell's first budget is welcomed by economists, but criticised by unions and opposition", 19 September 1995, [Capital Eyewitness News. Canberra], National Film and Sound Archive.

⁵² *Hansard*, 21 September 1995, 1639–47.

⁵³ *Hansard*, 22 February 1996, 210; 11 May 1995, 482.

these was that education spending should be increased by \$3.8m. Liberal backbenchers Kaine and Hird backed the call.⁵⁴

The government was unmoved. A few days later Follett (possibly stung by leadership speculation then swirling through the Assembly) announced that the opposition would vote against the budget unless the government amended it as recommended by the estimates committee.⁵⁵ Crossbenchers refused to back this move, acknowledging the convention that a defeated budget would be a vote of no confidence in a government, but proposed instead to amend the budget. The ALP refused to support this on the ground that it was not constitutionally possible, an opinion backed by the advice of the Clerk.⁵⁶ This forced the government to confront an ambivalent approach which had emerged in the ACT towards a key Westminster convention, the financial initiative of the Crown. In 1993 the Liberal Party in opposition had moved successfully to amend Labor's education budget to prevent any reduction in teacher numbers in government schools.⁵⁷ Now, the prospect was in the offing of Cornwell as Speaker ruling as out-of-order the very kind of motion he had moved in 1993 as Liberal education spokesman. To deal with this awkwardness, I moved a motion to affirm the convention by which only the government may initiate or move to increase appropriations or taxes. It was a concession of past hypocrisy. As I put it to the Assembly:

Members have an obvious option to exercise in this case. They can decide that the Liberal Party should live by the stand it employed back in 1993 and they can reject this motion. [Or they] can decide that the principle enunciated by the then Labor Government was preferable and they can support this motion.⁵⁸

⁵⁴ *Canberra Times*, 1 November 1995, 1.

⁵⁵ *Canberra Times*, 2 November 1995, 1; Moore certainly drew this connection: *Hansard*, 23 November 1995, 2373.

⁵⁶ *Canberra Times*, 1 November 1995, 1; 7 November 1995, 1; 16 November 1995, 3.

⁵⁷ See Chapter 5.

⁵⁸ *Hansard*, 23 November 1995, 2364.

The motion was carried with Labor support, amid jeers from the crossbench about a deal between the major parties. As the chamber sat into the night, amendment after amendment to the appropriation bill from the crossbench was ruled out of order, and at 4 o'clock the following morning the first Carnell budget passed into law. Weary but incensed, Moore then moved motions of censure, first in the Treasurer and then in the Opposition Leader, for displaying "double standards", each of which successfully – and, it must be conceded, appropriately – passed.⁵⁹

The first decade of ACT self-government would see the gradual waxing of the power of the legislature at the expense of the executive; the motion on 23 November 1995, affirming the financial initiative of the Crown, was a rare reversal of that accretion, but one which aligned ACT practice with the broader Australian constitutional position.⁶⁰ The Westminster convention – that the executive carries responsibility for managing the overall budgetary position – had hovered in doubt in the febrile environment of the early Assemblies, and would again be tested in future, when the Fourth Assembly would effectively amend the budget by (temporarily) rejecting it.⁶¹ The resolution of the issue with the first Carnell budget, however, granted the executive some breathing space, when budgetary challenges were of a high order. For the major parties, it was a buffer for whenever either should find itself in minority government in future. For the community, it cleared the way for government to make the difficult decisions necessary to "normalise" service delivery within shrinking resources. For the Assembly collectively, it may also have been a

⁵⁹ *Hansard*, 23 November 1995, 2386, 2548. Follett had also assaulted the financial initiative of the Crown when in opposition; see Chapter 3.

⁶⁰ https://www.parliament.act.gov.au/_data/assets/pdf_file/0008/1274714/The-Law-Making-Powers-of-the-Houses-Three-Aspects-of-the-Financial-Initiative-Updated-notes-for-Members,-prepared-by-the-Clerks-Office,-House-of-Representatives,-June-2012-.pdf, 17. Accessed 26 August 2025.

⁶¹ See Chapter 7.

disaster averted; the bringing down of the first popularly-elected Liberal government in its first year of office, on the back of a defeated budget, may have been an unwelcome reprise of the turmoil of the 1989–92 parliament and raised wider questions about the worth and legitimacy of self-government.

Appraising two challenges: the budget and health

Before the Territory's deficit could be controlled, it had first to be appraised. Earlier appropriation bills had been prepared using cash budgeting, which measures the cost of services. Carnell championed a more sophisticated accounting treatment to gauge value for money. She opted to remodel the fiscus using accrual budgeting, and implementing an integrated budget, resource management and reporting framework. The new structure specified quantity, quality, timeliness and costs of outputs produced by government agencies which were to be reported in the annual financial and performance statements. This cast government as the purchaser of outputs from its agencies, with emphasis on the quality and quantity of services so purchased, rather than how much they cost. An agency would henceforth be paid for the outputs it produced, and not simply for being an essential organ of government.⁶²

The ACT's accrual accounting reforms were followed by all Australian governments over the succeeding decade.⁶³

⁶² *Hansard*, 14 December 1995, 3051–4. Khalid Ahmed, a senior official in Treasury in this period, says the ACT made “an excellent laboratory” for these reforms: *Interview with Khalid Ahmed*, 31 July 2025.

⁶³ *Hansard*, 23 May 1996, 1717–43. Ted Quinlan, Labor's shadow treasurer in the next parliament, takes issue with the claim that Carnell led the nation with accrual accounting reforms. He asserts: “The opening quote from the Auditor-General's 1997 report on 1995/96 Territory Operating Loss is worth noting. It goes ‘In the Auditor-General's Report No 5 of 1992 a recommendation was made that accrual accounting should be introduced for the Territory's financial statements’. Elsewhere I noted that the Auditor had stated that ACT agencies had already commenced including items based on accrual accounting. The migration to accrual accounting had commenced on or before 1992. Perhaps Rosemary Follett could stake the claim to leadership in accounting innovation ... Some Territory agencies had been required by legislation to report for years on the accrual basis. I had first hand experience with the ACT Electricity Authority from 1974”: *Email Quinlan to Humphries*, 6 July 2025. Ahmed backs the claim that Carnell's approach was nation-leading (*Interview with Khalid Ahmed*, 31

In 1997 the accrual-based operating loss for 1995–96 was retrospectively calculated, to establish the baseline for future budgetary performance. It disclosed an operating loss of \$344m – a figure that would be used relentlessly by the government over the following years to attack Labor’s record in government.⁶⁴ The Auditor-General duly warned that losses of this size had the potential to undermine future living standards.⁶⁵ By 1996–97 the loss had been halved to \$153m.⁶⁶ The turnaround was largely accounted for by revenue increases but much of it arose from attacking poor work practices and inefficiencies in government services.⁶⁷ In addition, Carnell and I appeared personally before the Commonwealth Grants Commission to plead for additional federal assistance to ease the transition to state-type funding.⁶⁸ The ACT government took every opportunity to attribute the baseline loss to flaccid budgetary policy under Follett but the real culprit was years of Commonwealth

July 2025) as does the University of Canberra’s David Hughes: “Political Chronicle: Australian Capital Territory”, *Australian Journal of Politics and History*, 43:2, 1997, 226.

⁶⁴ Quinlan disputes the finding: “One issue that got to me relates to the retrospective accounts produced for 1995/96, coincidentally Labor’s last year in Government for a while. I remain sceptical regarding the veracity of the results as they were compiled to be the comparison figures for the next year – Kate’s. The 95/96 numbers are inflated by a minimum of \$91 million through the inclusion of ‘abnormal items’ which is crazy notion – you don’t include abnormal items when the stated aim is to produce a comparison for a normal year. Other figures in the 95/96 accounts seem to have jumped about a bit. Made 96/97 look a bit better by comparison didn’t it? To answer the question that has now occurred to you [Humphries], yes I did discuss this with John Parkinson [the Auditor-General]. He did concede that he might have taken a much closer look at the retrospective figures. They were not subjected to a rigorous audit. He was not willing to state that in writing. He had sufficient contentious issues on his hands. The situation bugged me for a time but people quickly glazed over when I started rambling on about accounting – even my own crew. I explained the situation to Crispin Hull as the Canberra Times repeated the claims of how much your government had improved things – just as you have in your draft. Hull was a fan and friend of Kate and let me know where I stood with him by using the bogus comparison in the paper within a matter of days. I moved on”: *Email Quinlan to Humphries*, 8 May 2025.

⁶⁵ https://www.audit.act.gov.au/_data/assets/pdf_file/0010/1206001/Report-No-3-1997-1995-96-Territory-Operating-Loss.pdf, 3. Accessed 26 August 2025. The figure of \$349 m quoted in this report was revised downwards the following year to \$344 m.

⁶⁶ https://www.audit.act.gov.au/_data/assets/pdf_file/0010/1205983/Report-No-8-1998-Territory-Operating-Losses-and-Financial-Position.pdf, 15. Accessed 26 August 2025.

⁶⁷ David Hughes, “Political Chronicles: Australian Capital Territory”, *Australian Journal of Politics and History*, 44:2 (June 1998), 314; *Interview with Khalid Ahmed*, 31 July 2025.

⁶⁸ *Canberra Times*, 26 February 1997, 3. This was apparently the first time government ministers had ever appeared personally before the Commission. Whether our intervention made any difference is unclear.

subsidy prior to self-government, an indulgence which Federal public servants – who administered programs but also benefited from them as Canberra residents – had little motivation to end.⁶⁹

Despite almost reflexively grasping responsibility for health on achieving government, Carnell knew that the portfolio had mired the political fortunes of many a minister over the years and across the nation. She knew too that failure as Health Minister would be equated with failure as Chief Minister. At the outset she set the baseline against which her performance would be measured: more people were waiting for elective surgery (4,500) than at any time in the Territory's history, and the principal hospital was one of the most expensive in the country.⁷⁰ A report by consultancy Booz Allen and Hamilton in September 1995 diagnosed overstaffing and inefficient patient-throughput practices as the problem, and predicted a saving of \$48m if 300 jobs were cut.⁷¹

Health unions and the Opposition criticised the report, but its thesis of chronic inefficiency in the hospital sector was all but irrefutable and, if the government had a mandate for anything, it was to tackle the cost of health. Carnell used the report as a blueprint for health reform for the next two years, but adroitly steered that process so as to minimise political damage inherent in that process. While the expensive pre-election promise to increase bed numbers was quietly set aside, savings from the reforms were not returned to the central budget but were reinvested for additional capacity in health services. While the health workforce was pruned, a cardiothoracic surgery unit was announced, and extra ambulance crews were funded. By November

⁶⁹ Atkins refers to this as the Canberra phenomenon of confusion between the roles of governors and the governed: Ruth Atkins, *The Government of the Australian Capital Territory* (St Lucia: UQ Press, 1978), 11.

⁷⁰ *Hansard*, 9 May 1995, 327.

⁷¹ *Canberra Times*, 7 September 1995, 1–2.

1996 the Minister was able to proclaim that elective surgery waiting lists had dropped to 3,500.⁷² Bad news stories in health continued to arise almost weekly but, for the time being, health administration was not the metonym of governmental failure it had been for the first six years of self-government. Giving sick Canberrans the same quality of service they could have expected in state hospitals was a key measure of success for ACT self-determination.

Rolling up the sleeves on drugs

Public attention to cost cutting was diverted to some extent by another, much less-conventional policy in the health portfolio. In a move emblematic of her political credo, Carnell announced that the government would take the first steps towards a controlled program to supply heroin to registered addicts. Over the next two and a half years the issue was the touchstone for spirited, and often rancorous, debate within the Liberal party room, the Assembly and in ministerial fora with state and federal governments. It was both a reprise of a familiar meme in the Canberra psyche – that of the nation’s “social laboratory” – and the manifestation of a value of the Territory’s new political ethos, whereby policy boldness could be deployed more adroitly than in other larger jurisdictions.

Public debate about drugs had reached a crossroads in Australia. Longstanding mores of law enforcement and punishment were being challenged by notions of harm minimisation and regulatory intervention in the narcotics black market.⁷³ In the ACT, the overdose deaths of several young people in the first few months of 1995 fuelled an anxious communal debate. The ACT Chief Magistrate warned in April that the city’s 1000 or so addicts were “dicing with death” because of

⁷² *Hansard*, 24 September 1996, 3308, 3312; 6 May 1997, 1004; 21 November 1996, 3967.

⁷³ For example, *Canberra Times*, 15 April 1995, C1.

high-purity heroin then being sold; the following day the Federal (and ACT) police commissioner publicly expressed doubts about public policy settings on drugs.⁷⁴

Against this background, the government signalled that it would proceed with a controlled heroin trial. The early reactions to this departure from drug policy orthodoxy were surprisingly auspicious. The Keating Government gave cautiously positive signals, something that might have been more politically difficult, especially in the months before a federal election, had the innovation come from a Labor state. ACT Labor similarly kept its powder dry.⁷⁵ Public reaction in Canberra was mixed, but many correspondents to the letters pages were supportive; hysteria was at a minimum. This impression was consolidated by an Institute of Criminology/ANU survey published in late June, which found more than 60% of the Canberra community supported a heroin trial. It also found that the community was more likely to support than oppose a government that introduced such a trial.⁷⁶ Moore, the idea's original proponent, naturally gave it strong support.⁷⁷

In July 1995, the government announced that former NSW state coroner Kevin Waller would head a heroin trial task force with a broad-based membership, including police and academics. Commissioner Palmer gave the trial his support in October, and in November the NSW government indicated it would not block the proposal if other ministers supported it, while Federal Health Minister Carmen Lawrence expressed doubts.⁷⁸ When the task force's report, recommending that a clinical trial proceed, was tabled in the ACT parliament in February 1996, it was welcomed on

⁷⁴ *Canberra Times*, 7 April 1995, 1; 8 April 1995, 1.

⁷⁵ *Daily Telegraph Mirror*, 15 April 1995, 5; *Canberra Times*, 17 June 1995, 2.

⁷⁶ *Canberra Times*, 27 June 1995, 1.

⁷⁷ https://www.parliament.act.gov.au/_data/assets/pdf_file/0003/382305/2nd_interim_-_controlled_opioids.pdf. Accessed 26 August 2025

⁷⁸ *Canberra Times*, 18 July 1995, 5; 26 October 1995, 4; 29 November 1995, 3.

both sides of the chamber.⁷⁹ And when Carnell floated the issue at the Ministerial Council on Drug Strategy later that year, it won support from Liberal governments in Victoria and South Australia, though others remained unconvinced.⁸⁰

Carnell was in a strong position in July 1997 when the Ministerial Council was asked to approve the first stage of the ACT heroin trial. With her backbench conservatives unconvinced but quiescent and the Assembly endorsing the initiative, she felt a breakthrough was possible. Carnell believed that the new Federal Health Minister, Michael Wooldridge, was “on board”. Auspiciously, the Council – dominated by state Liberal governments – backed the proposal, but the Commonwealth reserved its position. Two weeks later, the axe fell. Prime Minister John Howard rang Carnell to say that the Commonwealth would not be granting the licences to import heroin necessary for the trial proceeding.⁸¹ The proposal was dead in the water. In a fierce Assembly debate the government and Moore attacked Berry for sending mixed signals about Labor’s position, but the horse had bolted.⁸²

What is remarkable about the heroin trial proposal is not that it was unceremoniously snuffed out by the national government, but that the proposal advanced so very far before this happened. Even now, it represents one of the boldest breaks with convention on drug policy in Australian history, either before or since. It may well be that it flew for so long under the political radar because it was the initiative of a “conservative” government, an origin which evidently confounded some critics. Carnell in interview describes the decision to proceed in terms of a duty to act:

⁷⁹ *Hansard*, 27 February 1996, 348.

⁸⁰ Kirsten Lawson, “Endless talkfest on drugs but no action”, *Canberra Times*, 12 July 1997, 15.

⁸¹ *Interview with Kate Carnell*, 24 March 2020.

⁸² *Hansard*, 2 September 1997, 2757.

I thought ... what's our excuse for not having a go on this? Is it because we're too scared of the *Daily Tele[graph]* ...? Part of government is to take tough calls ... I actually didn't believe that the Canberra community would love us ... But I didn't think they would hate it as much as the *Daily Tele* would hate it, and that proved to be the truth.⁸³

The course of the debate epitomises the ACT community's relative social progressiveness within Australian society. In other places an issue as radical as this would have made the perfect lightning rod for an anti-government campaign, perhaps descending into a law-and-order auction; that this did *not* occur, despite the added element of angst about self-government itself, is indicative of the ACT community's progressive hinterland. An alliance between politics and science seemed to abet the outcome.⁸⁴ For many voters, presumably, the advancement of progressive policy was some compensation for putting up with a new system of government they had conceptually opposed.

MLAs no doubt perceived this nexus: stroking the electorate's vanity that it was different from, and indeed better than, other Australian communities in its willingness to experiment with enlightened harm-minimisation policy was a way of reducing lingering hostility to self-government. It was also a useful tool in consolidating the new institution of governance by aligning its priorities and actions with "Canberra" values. Demonstrating a willingness to champion those values placed the Assembly in the mainstream of Commonwealth/state relations, where – in any given battle between a state government and the Commonwealth – the odds would be high that the local population would be barracking for the state as it "stood up to Canberra" (that is, the Federal government). Such a dynamic would be even more likely in the

⁸³ *Interview with Kate Carnell*, 24 March 2020.

⁸⁴ The National Centre for Epidemiology and Population Health and the Australian Institute of Criminology were partners with the government in the project: see Gabriele Bammer and Robert M Douglas, "The ACT heroin trial proposal: an overview", *Medical Journal of Australia* 164 (11) June 1996: 690–692.

instance of the ACT taking on a federal Liberal government, given the longstanding Labor leaning of Territory voters.⁸⁵

Planning: old issues, new battles

Carnell hoped to make a fresh start on the perennially thorny issue of Territory planning, and so chose me to be her planning minister. I had studiously avoided involvement in earlier planning debates; I was a “cleanskin”. I saw planning as a significant test for self-government; much early opposition to it had been fuelled by a fear that crumbling planning standards and shonky land dealings would now flourish. I established an inquiry, to suggest ways of building more consensus, under the leadership of NSW judge Paul Stein.⁸⁶ The government’s policy, backed by the business community, was to remove disincentives to investment in the Territory by lengthening commercial and residential lease terms beyond the 99 years that had been the practice since the city’s birth, and by reducing betterment taxes on redevelopments. I hoped that Stein would smooth the path to these goals.

I was sorely disappointed. The inquiry’s report in November 1995 levelled stinging criticism at the administration of the leasehold and land planning systems and recommended the creation of statutory authorities to take key planning decisions out of the hands of bureaucrats and politicians. It called for the strengthening, not the dismantling, of the leasehold system. So trenchant was the criticism that the Chief Planner was immediately moved aside. Planning activists revelled in the broadside on the planning bureaucracy, and business leaders fumed. Moore welcomed the report, as did the Opposition, though its stand began to unravel when former

⁸⁵ A leaning confirmed by the return of the seat of Canberra to the Labor fold at the 1996 election following Smyth’s dramatic capture of it at the 1995 by-election.

⁸⁶ *Canberra Times*, 20 May 1995, 1.

planning minister Wood broke ranks and criticised the inquiry process.⁸⁷ I felt snookered by the findings, and we were left to salvage what we could from the wreckage. The government ultimately accepted most of the recommendations, but managed to persuade Labor to support a 75% betterment tax, the near-automatic renewal of expiring leases, and a less radical restructuring of the planning-decision process. When these changes were put to the Assembly a year later, the crossbenches – convinced the government had adulterated Stein’s recommendations – ran a filibuster late into the night, but the legislation passed with ALP support.⁸⁸

An attempt was made to dismantle the familiar paradigm of resident-developer conflict over city densification by trialling local area advisory committees, made up of residents and local businesses, to filter and assess particular projects. The government also addressed the declining viability of small suburban shopping centres by restricting the trading hours of the larger shopping malls – a move supported by the Greens.⁸⁹ Both measures were eventually abandoned in the face of community criticism. The major planning controversy of this term was the redevelopment of a car park into a shopping centre at upmarket Manuka. Halls full of angry locals condemned the plan, and protest banners were draped across streets in the precinct. A move in the Assembly to stop it failed when the Labor Party sided with the government, and the development went ahead.⁹⁰

I had enjoyed no more success in creating a consensual planning regime than any of my predecessors, reflecting, perhaps, that clashing proprietorial interests in

⁸⁷ *Canberra Times*, 22 November 1995, 1–4; 18 December 1995, 1. Wood later recounted that “I was not happy with the Stein Report. It followed claims by Moore of dubious dealing around planning and land management. As you say, it didn’t amount to much and I had little difficulty in giving it a serve”: *Email Wood to Humphries*, 13 May 2023.

⁸⁸ *Hansard*, 12 December 1996, 4839.

⁸⁹ *Hansard*, 22 June 1995, 1105–6; 27 June 1996, 2373.

⁹⁰ The development at Section 41, Manuka: *Hansard*, 13 November 1997, 4074.

land use are essentially irreconcilable. This may explain why the substitution of the imperious NCDC with locally chosen decision-makers on land use took no heat whatsoever out of the planning process.

On only one planning issue was there complete consensus: our parliament supported an end to the division of the city's planning between the Federal and ACT governments. A motion called for a single planning authority, with members appointed by both governments, to address misalignment between the two planning regimes governing the bush capital.⁹¹ Across the lake the call fell on deaf ears.

Rethinking the self-government model

Maintaining the momentum that came with policy boldness meant addressing lingering dissatisfaction with the mode and scale of self-government; the promise of reform had been a key to the Liberals' election. Flesh needed to be placed on the bones of Carnell's conviction "that a Westminster system in a really little place like the ACT was ... not fit for purpose".⁹² The task of doing so convincingly was to elude the government for the whole of its term. She had made a start by renaming government departments to sound less "state-like"; the Attorney General's Department became the Department of Justice and Community Safety, for example.⁹³ The task force Carnell announced in May 1995 was composed of academics, community leaders and government officials, led by Walker.⁹⁴ Its *modus operandi* emphasised the harvesting of community ideas for a better model of government, but these ideas, though plentiful, fell short of a coherent alternative to

⁹¹ *Hansard*, 20 September 1995, 1528. Kaine had floated a similar idea as Chief Minister in 1990: *Canberra Times*, 1 November 1990, 1.

⁹² *Interview with Kate Carnell*, 24 March 2020.

⁹³ John Halligan, "The ACT Model: An Analysis", in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 109.

⁹⁴ *Hansard*, 2 May 1995, 65; 21 February 1996, 126.

the existing model. When the task force reported almost a year later its recommendations were received unenthusiastically. Among its proposals were that the scope of Assembly committees be expanded so that all MLAs would have a role in executive decision-making, and that expert advisers should be able to participate in cabinet discussions. The ideas were ridiculed; tellingly, Kaine led the charge, describing the proposals as “very lightweight, academic, once-over-lightly of some of the issues.”⁹⁵ A *Canberra Times* editorial opined that they had “sunk without trace” soon after they were floated.⁹⁶

A fresh attempt at reform was made in September 1997 when the government staged the National Capital Futures Conference as a forum to ventilate new ideas about governance of the territory.⁹⁷ From this springboard the Commonwealth and ACT governments established a joint working party to review governance arrangements, chaired by Philip Pettit, an ANU political philosopher of international renown. The outcome was not what some, including the chief minister, had been hoping for.⁹⁸ The report dismissed the notion of “city style” government and instead recommended a consolidation of the Westminster features of the existing system – longer parliamentary terms, an increase in the size of the ministry, electorate offices for MLAs and the alignment of the Assembly’s powers with those of state parliaments.⁹⁹ But the die had been cast well before the working party reported: the

⁹⁵ *Hansard*, 26 March 1996, 607.

⁹⁶ *Canberra Times*, 18 February 1996, 8.

⁹⁷ Jeremy Moon & Campbell Sharman, *Australian Politics and Government: The Commonwealth, the States and the Territories* (Cambridge: CUP, 2003), 220. David Hughes described the conference as “yet another ill-conceived exercise”: David Hughes, “Political Chronicles: Australian Capital Territory”, *Australian Journal of Politics and History*, 44:2 (June 1998), 315.

⁹⁸ *Interview with Kate Carnell*, 24 March 2020. The Pettit review, like the Stein review, was conceived as a genuinely open process where outcomes were not determined in advance. By forsaking the old political adage – “never appoint an inquiry unless you already know the outcome” – ministers had to deal in both cases with unexpected and confronting reports.

⁹⁹ *Review of the Governance of the Australian Capital Territory: Report of the Working Party*, Chief Minister’s Department, 1998.

involvement of the Commonwealth ensured there would be no retracting of any of the Assembly's responsibilities, and Moore – who had no time for the “city style” concept – had promoted Pettit's name to Carnell as a safe pair of hands.¹⁰⁰ In any case, the report represented the death knell of any serious attempt to scale back the elements of self-rule. By the time of the conference the following year marking the 10th anniversary of self-government, the tone of governance discussions was accepting, even approbatory, of the current arrangements.¹⁰¹

This is not to say that the Territory's politicians between 1995 and 1998 had ceased to explore ways to sweeten the pill of self-government. Political antennae around the Assembly continued to be attuned to the sullen resentment of the electorate, as parties adopted postures intended to soothe the electorate's hurt feelings on this score. Moore labelled the community's attitude in 1997 as “delicate”, adding that it has been “a particularly difficult exercise for some of us to gain some credibility”.¹⁰² The government mounted a Meet the Minister program, through which all ministers were available monthly at community venues to discuss issues with citizens without appointments.¹⁰³ In November 1995 I introduced a bill for citizens'-initiated referenda (CIR), the first legislation of this kind tabled by a government in Australia. Though the concept had precedents internationally, and had attracted the support of some senior figures in the Federal Coalition, it was seen in the ACT context as a vehicle for citizens to step around impugned decisions (or inaction) of local MLAs, and was the expression of a postmaterialist impulse, the “newer ‘elite-

¹⁰⁰ *Hansard*, 11 December 1997, 4915.

¹⁰¹ John Halligan and Roger Wettenhall, eds, *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000).

¹⁰² *Hansard*, 13 May 1997, 1350.

¹⁰³ *Cabinet decision 5115*, 5 June 1995, ACT Archives. Unfiltered access to ministers was a unique concept in Australia at this time.

challenging' style of politics [that] gives the public an increasingly important role in making specific *decisions*, not just a choice between two or more sets of decision-makers".¹⁰⁴ Those MLAs were not prepared to be bypassed, however. The bill was peremptorily brought on for consideration in December 1995 over the government's objections and voted down.¹⁰⁵ A proposal in 1996 to allow community groups to address MLAs directly from the bar of the Assembly was similarly dismissed.¹⁰⁶

Other parties sought to kindle enthusiasm for the political system by advancing ideas they considered would be popular, although they eschewed the Liberals' more radical structural proposals. Moore continued to champion the anti-developer role he had carved out in earlier Assemblies, and brought forward bills for voluntary euthanasia. The Greens proposed to lower the voting age to 16. Osborne pursued a law-and-order agenda.¹⁰⁷ Each of these initiatives was the idiosyncratic response of one MLA or another to the perceived need to make "the system" work in the interests of electors, to reflect those voters' values and priorities. It was also, to some extent, a counterweight to the role – particularly of the crossbenchers – of frustrating or curtailing the government's own agenda. Adopting and prioritising community-initiated agendas helped bridge the divide between the elected and the electors, a division keenly felt by the former.

Conversely, all parties attempted to steer a wide berth from issues that could raise the hackles of the electorate. Memories were still fresh of the way issues such as fluoridation and MLAs' perks had battered the credibility of earlier Assemblies.

¹⁰⁴ Frontbenchers Peter Reith and Nick Minchin were admirers of the idea: *Canberra Times*, 24 July 1990, 4; 16 November 1993, 1; Ronald Inglehart, *The Silent Revolution: Changing Values and Political Styles Among Western Publics* (Princeton: Princeton University Press, 2015), 3.

¹⁰⁵ *Hansard*, 14 December 1995, 3084.

¹⁰⁶ *Hansard*, 26 September 1996, 3446.

¹⁰⁷ Examples include *Hansard*, 20 September 1995, 1524; 17 April 1996, 968; 5 December 1996, 4462.

There was an unspoken fear in the corridors of the London Circuit building, shared even by those who had not been members of the First Assembly, that some miscalculation or gaffe could, in the twinkling of an eye, reduce the Assembly once more to an object of public ridicule.¹⁰⁸ Members stepped gingerly around issues with the potential to excite public antipathy. In one episode, Moore tabled a bill to extend parliamentary terms from three to four years – a move other parliaments were then entertaining. Sensitive to ACT voter reaction, MLAs “treaded water” in the debate – that is, speaking without taking a clear position – then adjourned the bill for months before finally putting it aside as too difficult.¹⁰⁹ Leadership in such instances was fraught with risk. Such strange political dances were symptomatic of a system under pressure in terms of its legitimacy, one still seen to be on trial among voters.

Tampering with Westminster

In August 1997, an election looming, the MLAs’ attention turned again to the structure of ACT governance, an acknowledgement that rebuffing the government’s proposals had left the issue unresolved and festering. It was the turn of the Greens to float a radical departure from Westminster. Tucker moved amendments to the standing orders to abolish the position of Leader of the Opposition. The role was an “anachronistic and inappropriate convention in this Assembly”:

The Greens, along with the ALP, and at various times the Independents, are all in opposition to the Government; yet the leader of the ALP is certainly not our leader. There are 10 members in this Assembly who are in opposition to the Government and Mr Berry speaks for only six of them.

She emphasised that the motion was not about Berry personally, but about “how we work as a parliament”:

¹⁰⁸ For example, *Hansard*, 28 March 1996, 755.

¹⁰⁹ *Hansard*, 4 December 1996, 4374; 27 August 1997, 2497.

It is quite obvious that we do not need all the trappings of a parliament. The ACT Assembly exists to govern a city of 300,000 people, not a State or a country.¹¹⁰

Tucker's proposal, for a sharing out of the resources customarily allocated to an official opposition, reprised elements of the earlier effort to depart from Westminster norms raised by the Walker task force the previous year, and picked up threads of a broader national conversation. She quoted the writer Frank Moorhouse who a few days earlier had described the adversarial government/opposition paradigm as "a useless categorisation", saying:

the evolving role of politicians will be to contribute to a mood of reasoned discourse, not of bipolar conformity characterised by the old party system, but of informed negotiation both within parliament and within the nation.¹¹¹

Osborne took the opportunity of the debate to present his own reform proposals.

Noting that the ACT legislature "is the smallest chamber in the Commonwealth" and "talent is at times very thin on the ground amongst the ranks of the major parties", he suggested that the chamber elect ministers as well as the Chief Minister, so that members of other parties would be represented in cabinet, and that each minister would chair the Assembly committee corresponding to their portfolio. He agreed with Tucker that "[t]he real problem is the two-party system".¹¹²

The Labor Party sprang to the defence of the status quo. McRae described conflict as being fundamental to the "principles of the Westminster system", arguing that the Opposition's role was

to actually face that conflict, to create that conflict, to sharpen that conflict, to argue that conflict and to ensure that the people for whom we stand are not forgotten in any debate that we are involved in ... By ignoring conflict we will not be doing our job.¹¹³

¹¹⁰ *Hansard*, 27 August 1997, 2550.

¹¹¹ Frank Moorhouse, "The Party's Over", *The Weekend Australian*, 23–4 August 1997, 23.

¹¹² *Hansard*, 27 August 1997, 2554–7.

¹¹³ *Hansard*, 27 August 1997, 2569.

Contending that conflict reflected the values of the community and the media, Wood explained that

if I put out a media statement saying, “I agree with Mr Humphries”, that is not news; it will never get a run. If I put out a statement disagreeing strongly and vehemently with Mr Humphries, I have a chance of getting a run ... The image outside is reflected by the perceived need, I guess probably the real need, by the community to see argument, to see entertainment, to see dispute.¹¹⁴

Berry reminded the house that “we are the alternative government”, something the crossbench could never be. Carnell, caught between her own rhetoric on governance reform and the radicalism of this proposal, opposed the motion “with a certain degree of reluctance” but invited the crossbench to work with her administration to advance “ways of improving our system of government”.¹¹⁵ Ultimately the Greens’ motion was defeated when only Moore backed it. He argued that the crossbenches in the Assembly performed the tasks of opposition at least as well as the Opposition itself.¹¹⁶

Governance issues returned to the Assembly’s agenda on the last sitting day before the 1998 election. Carnell moved a motion supporting the joint Commonwealth/ACT review of Territory governance being chaired by Pettit, and recommending that the next Assembly “gives serious consideration to the report” when completed. She explained to the chamber that the motion was necessary because Pettit had sought a general assurance that whoever formed government at that time would give the report a fair hearing, but that assurance had not been forthcoming from the Berry opposition. Her comments underscored the investment the government was making in the review; she spoke of further reform flowing from it, saying that all 17 MLAs needed “to have more direct input” in the government of the

¹¹⁴ *Hansard*, 27 August 1997, 2558.

¹¹⁵ *Hansard*, 27 August 1997, 2562, 2566–8.

¹¹⁶ *Hansard*, 27 August 1997, 2559, 2572.

territory.¹¹⁷ The Opposition rounded on the process, calling it “a stunt from the start”, and criticised the exclusion of the electoral system from its scope. Berry – by now, the opposition leader – also attacked the role of the crossbench, accusing it of propping up the government’s “conservative agenda”.¹¹⁸ The crossbenchers backed the review, Tucker declaring that “[w]e work very well with a minority government”. Moore proffered that the role of the crossbench was to seek “compromise”, while the opposition under Berry had been “about finding a way to wreck any idea”.¹¹⁹

These debates were cyphers of the persistent anxiety felt by the political establishment about self-government’s reception in Canberra. MLAs were conscious that expectations of reform raised in 1995 were still being frustrated almost three years later. Significantly the crossbench members, scornful of the government’s initiatives, felt the need to respond to this impulse and advance their own visions of a more modest and less adversarial system. Only the Labor Party seemed resistant to that impulse. Perhaps it saw itself, with a long history of electoral preferment in the community, as the chief beneficiary of a winner-takes-all Westminster model. Perhaps, too, it saw the exploration of alternative models, alien to the Australian experience, as essentially otiose. Berry himself tended to see politics as the contest of two great ideological paradigms, and discussions about compromise, with figures who borrowed freely from each of those paradigms, disconcerted him. He told the Assembly on the eve of the 1998 election: “There has been much criticism of the parliament being too adversarial. Is there something wrong with pursuing one’s ideas

¹¹⁷ *Hansard*, 11 December 1997, 4905.

¹¹⁸ *Hansard*, 11 December 1997, 4908–9, 4919–20.

¹¹⁹ *Hansard*, 11 December 1997, 4911, 4914–6.

with passion?”¹²⁰ Others, however, saw the embedding of conflict in the parliamentary system as symptomatic of a more fundamental problem.

Canberra and the national democratic malaise

Canberrans were not the only Australians displaying dissatisfaction with the democratic apparatus. When introducing the report of the government reform advisory group in February 1996, Carnell had placed its recommendations in the context of broader disquiet about the mechanisms of Australian government. She referred to research commissioned for the premiers and chief ministers which “identified high levels of alienation from governments generally, strong positive feelings towards increased decision-making at community level, and general low esteem for State level governments.”¹²¹ She also isolated an element of the democratic process which loomed large in the reasons for public alienation: what she called, in the Canberra context, “the adversarial atmosphere of this Assembly”. This, she said, had hamstrung successive minority governments.¹²²

These perceptions of flaws in the democratic edifice long predated Carnell. Territories Minister Tony Staley, grappling in 1976 with what form of government the Territory should be given, had ruminated:

It would be unfortunate to force on Canberra a structure which would inevitably lead to the development of forces of government and opposition in the traditional Parliamentary mould. It would be a pity if the twin elements of individuality and community which are so much at the heart of the Canberra character were banished by the application of ageing or alien party political solutions.¹²³

¹²⁰ *Hansard*, 11 December 1997, 4910.

¹²¹ *Hansard*, 21 February 1996, 127.

¹²² *Hansard*, 21 February 1996, 127.

¹²³ Hon Tony Staley, “Address to the ACT Council of the Liberal Party”, 13 November 1976, quoted in Philip Grundy, Bill Oakes, Lynne Reeder and Roger Wettenhall, *Reluctant Democrats: The Transition to Self-Government in the Australian Capital Territory* (Canberra: Federal Capital Press, 1996), 93.

He floated the idea that parliamentary committees should be the cockpit of decision-making – a concept revisited by the reform advisory group two decades later. In 1990 former Labor MHR for Fraser Ken Fry had expressed his belief that proportional representation would produce a “consensus” form of government, a harbinger of the sentiment that a model city like Canberra could produce more efficient and harmonious administration than was found elsewhere.¹²⁴

Cynicism about ACT self-government must be situated within a national, indeed an international, trend of ebbing confidence in the democratic process. A year before self-government, the Clemenger report (*Present Tense: the plight of Australians Today*), based on qualitative surveys of voters in 1987, described middle-class Australia as “insecure, pessimistic, fearful of change ... cynical, bewildered”, and identified “astounding” levels of cynicism about “the political process”.¹²⁵ The Australian Election Study has longitudinally captured indicators of detachment from the major political parties since 1987, including declining political partisanship, fracturing voting patterns and voter distrust in government.¹²⁶ A minority of Australians believed “people in government can be trusted”, reflected in declining levels of support for political parties, leading social commentator Hugh Mackay to the conclusion that: “Lack of confidence is beginning to show up not only as cynicism about politicians, but also as doubt about the integrity of Australia’s political institutions”.¹²⁷ Authors ranging from Francis Fukuyama to Robert Putnam have

¹²⁴ Interview with Ken Fry (1990), quoted in Grundy et al, *Reluctant Democrats*, 81.

¹²⁵ *Present tense: the plight of Australians today/ a Clemenger report in conjunction with Arbes Strategic Research* (Melbourne: Clemenger Melbourne, 1988), 3, 14.

¹²⁶ Sarah Cameron and Ian McAllister, *The 2019 Australian Federal Election: Results from the Australian Election Study*, (Canberra: The Australian National University, 2019).

¹²⁷ Sarah Cameron, Ian McAllister, Simon Jackman and Jill Sheppard, *The 2025 Australian Federal Election: Results from the Australian Election Study*, australianelectionstudy.org/wp-content/uploads/The-2025-Australian-Federal-Election-Results-from-the-Australian-Election-Study.pdf, 13, 21; Hugh Mackay, *Reinventing Australia: the mind and mood of Australia in the 90s*

traced the decline of trust and social capital over the subsequent decade.¹²⁸ It remains a conspicuous feature of Australian public life.¹²⁹

As a community governed until 1989 without any substantive input from its own citizens, Canberra may have had less reason to share the cynicism of other Australians about democratic processes – after all, they long had no “local” politicians to be cynical about. The process which was most familiar to them – the workings of the Federal Government and Federal Parliament – had a generally “cleaner”, more trusted reputation than politics at the state or, even more so, the local government level.¹³⁰ On the other hand, the ACT’s politically literate community would have been well aware of the shortcomings attributed to local government around the nation, and this may have contributed to a desire to keep the Tammany Hall-types at arm’s length in Canberra itself. Whatever the reasoning, it seems likely that opposition to ACT self-rule had dovetailed with emerging social disquiet about democratic processes generally. In this sense, Canberra citizens were propelled into the vanguard of that sentiment when, in 1989, they shunned the traditional political parties and invested in fringe groups to share responsibility for the city, with results that no doubt alarmed even the most ardent critics of the previous status quo. This revisionist sentiment ebbed at the elections in 1992 and 1995, and was further allayed by Carnell’s willingness to launch a discussion about reconstituting the governance structure. The irony this created was that, by the mid-1990s, trust in the

(Pymble: Angus & Robertson, 1993), 178; see also Michael Pusey, *The Experience of Middle Australia: The Dark Side of Economic Reform* (Melbourne: CUP, 2003); Michael Kumove, “Political crisis and social trust: the case of Australia”, *Australian Journal of Political Science*, 59:2 (2024), 162–5.

¹²⁸ Francis Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity* (New York: The Free Press, 1995); Robert D Putnam, “Bowling Alone: America’s Declining Social Capital” in *Journal of Democracy*, 6:1 (1995), 65–78.

¹²⁹ Paul Kelly, “How to restore the lost centre”, *The Weekend Australian*, 1–2 September 2018, 15, 20.

¹³⁰ Jack Waterford, “You can’t just ditch the rules in a crisis”, *Canberra Times*, 15 August 2020, 30.

system of government in the ACT may have been rising – admittedly from a very low base – just as it was falling elsewhere, although any such comparison must be speculative. What is clear is that the experience of democratic experimentation in the preceding years was now producing operative norms which accounted for the “democratic deficit”, and at least partially offset it.

The persistence of minority government

With the third successive election, in 1995, delivering no party a majority of seats, a pattern had been established. Successive governments had become habituated to an environment where rebuff and reversal at the hands of the parliament were ever-present risks. In addition, non-ministers seemed more eager, in a process that became normative, to whittle away the prerogatives normally afforded to governments. The crossbench revelled in its seemingly-perpetual relevance; “few, if any, parliaments in the Westminster system have been blessed with a minority government [norm] such as ours”, crowed Tucker.¹³¹ The view was not shared by all. Some felt that the Territory’s financial challenges called for strong – that is, majority – government. In September 1996 prominent businessman Jim Service declared the ACT system “quite incapable of providing us with effective government”, allowing minorities to hold the majority to ransom. Soon afterwards the *Canberra Times*’ Robert Macklin declared “the self-government experiment has failed. It is now virtually inevitable that the ACT will revert to Federal administration; the only questions are when and how.”¹³² These cries were reprises of the common anxiety that restoring and promoting community amenity would fall by the wayside when

¹³¹ *Hansard*, 27 August 1997, 2552.

¹³² *Canberra Times*, 15 September 1996, 3; Robert Macklin, “Self-government a failure”, *Canberra Times*, 5 October 1996, 15.

MLAs bickered with each other over policy direction, as if such conflict were unique to the ACT.

The 1995–98 parliament was the high-water mark for Assembly intrusion into the traditional prerogatives of government. In May 1995 a motion was carried warning the government not to make any changes to the management of Namadgi National Park (matters conventionally within the executive sphere) without prior approval of the Assembly. In April 1996 the Education Minister was “required” to revise the government response to a standing committee report – the first time the Assembly had taken such a step. In December 1996 the ministry was debarred from selling the Moore Street health facility without prior Assembly approval. In the same week the government was rebuffed by having a major policy document, its strategic plan for economic development and land use, thrown out by the Assembly, with the government ordered to “re-do” it.¹³³ The ultimate humiliation, however, occurred in 1997 over the government’s sacking of planning activist Jacqui Rees from a government board. Rees had been a persistent critic of the government’s planning policies throughout 1996; a bid to duce her by appointment to the authority developing the Kingston Foreshore had failed. Late in 1996 an exasperated De Domenico sacked her from that role, leading her ally, Moore, to threaten a motion of no confidence in him (a fate De Domenico forestalled by resigning from the Assembly soon afterwards). In February 1997 the Greens moved a motion calling on the government to reinstate Rees.

The government decided that this intrusion into the executive’s domain of appointments to boards and committees was a bridge too far. I rose to inform the

¹³³ *Hansard*, 31 May 1995, 665; 18 April 1996, 1059; 10 December 1996, 4621; 11 December 1996, 4685.

Assembly that the government would not restore Rees on the strength of this motion; if it wished to force the government's hand, it would have to *require* her reinstatement, setting a significant precedent. Moore called my bluff, moving an amendment to that effect, and the amended motion carried.¹³⁴ Rees was reinstated. Nowhere else were government appointments to advisory bodies subject to parliamentary overrule. The ACT's version of Westminster had taken a further deviation from the norm.

Perhaps the left-of-centre Assembly majority felt the need to keep a right-of-centre government on an especially short leash. By and large, however, the government adapted to that constraint without tantrums or undue petulance, for it could afford neither if it wished to govern.¹³⁵ Indeed, on occasions it embraced the transition. In November 1997 Moore introduced a bill that compelled government to consult with other MLAs regarding negotiations on inter-governmental agreements, a measure of transparency unprecedented in the Australian experience. The government voted for the bill. Moore aptly characterised it as consolidating "cultural change".¹³⁶ The Pettit Review was later to note that ministers in present and previous administrations admitted privately that the constraint of minority government had not prevented the passage of most of their legislative program.¹³⁷ Non-Labor MLAs had, after all, a vested interest in minority government, since in the long run they expected to spend more time out of government than in it, given the makeup of ACT voters. Moreover, evidence of community concern at these erosions of executive power was scant. Lamentations from the likes of Service and Macklin about the absence of

¹³⁴ *Hansard*, 20 February 1997, 262.

¹³⁵ There were occasional lapses, e.g. *Hansard*, 18 April 1996, 1071.

¹³⁶ Administration (Interstate Agreements) Bill 1997. See *Hansard*, 9 December 1997, 4753.

¹³⁷ *Review of the Governance of the Australian Capital Territory: Report of the Working Party*, Chief Minister's Department, 1998, 43.

powerful governments were outlier views; it appeared that most Canberrans accepted, even welcomed, this absence.

Minority governments were, of course, rendered more likely under proportional representation, since minor parties and independents often win seats with primary votes below 30%. Nonetheless, by the advent of the Third Assembly it became reasonable to assume that the persistence of minority government in the Territory was attributable in part to a trend – then emerging but much more pronounced today – of voters denying governments the control of their parliaments, with upper houses being the first to slip the lead. Bruce Stone argued in 2002 that upper houses – for long seen as constitutional anachronisms – were by then satisfying a public yearning for “consensus democracy”, and “an enhanced level of justification within Parliament of the actions of executive government”.¹³⁸ While the ACT’s experience of recurring minority governments was more the exception in the early 1990s, since then every state, territory and national parliament has had at least one brush with this phenomenon.¹³⁹ By 2004 Costar and Curtin were able to declare that “Australia is currently home to more non-party independent parliamentarians than any other comparable Western country”.¹⁴⁰ Their growth, along with minor party success, tended to make minority government more likely.

A study of three successive Canadian elections which produced minority governments between 2004 and 2008 may throw light on the reasons ACT voters

¹³⁸ Bruce Stone, “Bicameralism and Democracy: The Transformation of Australian State Upper Houses”, *Australian Journal of Political Science*, 37:2 (2002), 279.

¹³⁹ Minority governments occurred in this period in NSW, SA and Tasmania: Nicholas Horne, “Hung Parliaments and minority governments”, Parliamentary Library, 23 December 2010 https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/1011/HungParliaments. Accessed 8 April 2020.

¹⁴⁰ Brian Costar and Jennifer Curtin, *Rebels with a Cause* (Sydney: UNSW Press, 2004), 9.

took that course. Detailed surveys of voters were analysed for insights into voter behaviour:

The sharpest findings come from tests of the strategic hypothesis: people who like minor parties, or who support major parties but anticipate that their party will lose an upcoming election, consistently prefer minority government outcomes. Furthermore, people who are more concerned about the economy are less likely to support minority governments. There is also evidence that people do indeed support the idea of minority government because they are averse to a concentration of authority.

Dufresne and Nevitte considered that “[o]ne possibility is that citizens are moved by a sort of cognitive Madisonian impulse: support for minority governments might be driven by a preference for more dispersed authority”. Relevantly, they identified another significant variable: “The probability of supporting minority governments is especially high when people’s attitudes towards the Conservatives are very negative.”¹⁴¹ The postulated conditions promoting “a sort of cognitive Madisonian impulse” probably existed in the ACT: a progressive electorate where the economic outlook was generally comfortable. Avoiding “a concentration of authority” may have suited a populace perturbed at the prospect of local politicians exercising unfettered power over them. Crispin Hull reflected the view of many commentators:

In the ACT experience, Independents [have] made governments more accountable and more open, and [have] forced them to improve legislation. It [has] also lessened the likelihood of jobs for the boys and led to wayward ministers being brought to book on the floor of the House.¹⁴²

The ACT experience can also be explained in terms of Postmaterialist theory. As a disproportionately young, economically prosperous and better-educated population, Canberrans are more likely to reject established political hierarchies and to be, as Ronald Inglehart, the original proponent of Postmaterialism, puts it, “elite-

¹⁴¹ Yannick Dufresne, Neil Nevitte, “Why do Publics Support Minority Governments? Three Tests”, *Parliamentary Affairs*, 67:4 (October 2014), 835, 837, <https://doi.org/10.1093/pa/gss092>. Accessed 26 August 2025.

¹⁴² Hull as paraphrased by Brendan Nicholson in “Positive views on the role of Independents”, *Canberra Times*, 27 July 1996, 15.

challenging”. In this hypothesis, independents may constitute one of the “counter-elites” to which such populations turn.¹⁴³

It was not only independent-minded voters who appreciated the opportunity to invest balance-of-power responsibility in the crossbenches. Many an ACT Liberal favoured proportional representation precisely because neither major party would generally be likely to secure majority government; a hung parliament presented at least the *possibility* of a Liberal-led coalition or a minority Liberal government, as had occurred in the House of Assembly 1982–86 and in the first self-governing Assembly between 1989 and 1991. Before 1995, an electoral system based on single-member electorates would most likely have extinguished those opportunities.¹⁴⁴

There is some irony in the ACT electorate preferring – if that is what it did – a model of government which relied on the diffuse exercise of power, given its earlier predilection – as evidenced by the 1978 referendum – for being ruled by omnipotent and unaccountable Commonwealth ministers. Perhaps “professional” Federal autocrats were less feared than local amateurs. Nonetheless, it is reasonable to suppose that the suspicion with which local potentates were viewed in 1989 still resonated in 1995 in the form of a taste for constraints on those potentates’ freedom of action.

Behind closed doors

In her opening salvo as opposition leader in 1995, Follett had referred pointedly to “rivalry and bitterness” within the Liberal party room. Though exaggerated, the

¹⁴³ Ronald Inglehart, *The Silent Revolution: Changing Values and Political Styles Among Western Publics* (Princeton: Princeton University Press, 2015), 3–4.

¹⁴⁴ Ironically, in 1995 and 1998 the substantial Liberal vote may well have delivered a majority Liberal government had single-member electorates been used: Crispin Hull, “The man who holds the key”, *Canberra Times*, 2 March 1995, 9.

comment contained more than a grain of truth. The fault lines were partly ideological and partly generational in nature.

Kaine, Cornwell and Hird had all been members of the pre-self-government advisory bodies, and shared a conservative outlook. In 1995 they were all in their 50s and 60s. The ministers, by contrast, were in their 30s and 40s; while Carnell and I belonged to the small “I” wing of the party, Stefaniak and De Domenico were more conservative. It rankled with the older conservatives that they were consigned to the backbench. Occasionally their unhappiness with the direction of cabinet would be vented in party room meetings, and sometimes it would even spill out into the media – battles between “the Young Turks and the Grumpy Old Men”, as one journalist put it.¹⁴⁵ Indeed, the latter were also not averse to airing their opinions on occasions with other inhabitants of the first floor at London Circuit – hence Follett’s insight into the state of the Liberal party room. Carnell, however, took a tolerant approach to party discipline in light of her desire to break with Westminster traditions. She saw that the role of parties lay at the heart of faltering confidence in the democratic system:

I believe really strongly ... that the party solidarity approach that the two-party system has required, probably since inception, is one of the reasons why the two parties are held in such low esteem.¹⁴⁶

Ironically, it was within the ALP caucus, and not the government room, that disagreement first blossomed into open warfare. The trigger was Moore’s first bill to allow voluntary euthanasia in the Territory. Connolly and Wood were personally opposed to euthanasia, but the ACT Labor Party branch had a policy to support it. They appealed to Follett for the right to exercise a conscience vote in the debate, but

¹⁴⁵ Brendan Nicholson, “Getting offside over Kate’s offside”, *Canberra Times*, 1 February 1997, 18. Examples of these battles include *Canberra Times*, 29 April 1995, 3; 13 July 1995, 4. Division on the floor of the Assembly was usually avoided, however; one (rare) example occurred over abortion legislation in 1994: *Hansard*, 21 September 1994, 3199.

¹⁴⁶ *Hansard*, 4 December 1997, 4656.

Follett apparently felt constrained by the branch platform and refused.¹⁴⁷ Furious, the two publicly aired their dissent, with Connolly asking to be relieved of caucus responsibility for the issue and Wood signalling that he would cross the floor.¹⁴⁸

As criticism from the churches and the right of the party mounted – Labor right powerbroker and former Federal minister Graham Richardson in the *Bulletin* branded the ACT branch “the remnants of the Stalinist Labor Left” – a deal was cut with the National Executive under which neither MLA would be disciplined for crossing the floor. The compromise, however, came too late to scotch speculation about Follett’s leadership. The *Canberra Times* reported the view of party sources in November 1995 that the caucus was “rudderless” under her, and that the only thing sustaining her leadership was the lack of a clear rival.¹⁴⁹ An anonymous correspondent canvassed unnamed Labor critics of Follett, including a union leader who excoriated her “lack of sales ability”, adding that her previous government’s “natural state ... was inertia”.¹⁵⁰ By January 1996, the *Canberra Times* was intoning that Follett no longer had the numbers to lead the party.¹⁵¹ Connolly resigned from the Assembly in February 1996 to take up the position of Master of the Supreme Court. In early March, with the caucus reduced to five members, Follett bowed to a decision of the Left faction and resigned. At the subsequent election Whitecross defeated Wood 4–1.¹⁵² The Labor Party had its first new leader since the advent of self-government.

¹⁴⁷ I say “apparently” because Follett today has no recollection of the incident: *Interview with Rosemary Follett*, 30 January 2020.

¹⁴⁸ *Canberra Times*, 18 October 1995, 1.

¹⁴⁹ *Canberra Times*, 2 November 1995, 1.

¹⁵⁰ *Canberra Times*, 4 November 1995, 14.

¹⁵¹ *Canberra Times*, 23 January 1996, 1.

¹⁵² *Interview with Bill Wood*, 5 May 2023. Wood stood hoping to attract at least Follett’s support, but failed. Follett told me in interview that she did not step aside for Whitecross, but was removed by the vote of caucus: *Interview with Rosemary Follett*, 30 January 2020. Given that the media reported on the day that she had resigned, Wood’s account appears to be the more accurate.

Follett served out the remainder of 1996 as shadow attorney-general, while making discreet overtures to the government that she would like to follow Connolly out of politics. Carnell and I were sympathetic to her plight, as we felt a figure of her stature in Australian political history should have the option of a dignified political retirement.¹⁵³ Accordingly, legislation patriating the role of Discrimination Commissioner to the ACT after a long federal stewardship was modified to make it suitable for a non-lawyer to occupy. The legislation was passed in early December and Follett resigned a few days later – with what one journalist called “unfettered delight” – to take up the role.¹⁵⁴

Enoch Powell observed that “[a]ll political lives, unless they are cut off in midstream at a happy juncture, end in failure”, and so too did Follett’s, in a sense.¹⁵⁵ To dwell on the end of her career, rather than its epochal beginning and what followed, would be unfortunate. Her dual achievement in 1989 – inaugurating a new Australian polity and becoming Australia’s first female head of government – were partly the product of the turbulent and unpredictable climate in which self-government was born, but they also owed much to her admirable personal qualities as a politician. She was an anchor when many around her drifted on the political tide. When many Canberrans half expected chaos and corruption from the new paradigm, Follett imparted calmness and continuity, a sense of reassurance, modulated by a rhetoric which reflected the aspirations and values of a relatively progressive community. What her critics called inertia might more sympathetically be seen as stability, and ballast was needed in those wild seas. Whatever qualities Carnell

¹⁵³ Before self-government she had been a middle-ranking Commonwealth public servant – hardly a role she could now resume.

¹⁵⁴ Brendan Nicholson, “Carnell does her homework”, *Canberra Times*, 21 December 1996, 12.

¹⁵⁵ Enoch Powell, *Joseph Chamberlain* (London: Thames and Hudson, 1977), 151.

brought to the helm of the Territory six years later, it was a Rosemary Follett, not a Kate Carnell, that the territory had needed most in 1989.

Stormclouds on the Federal horizon

While MLAs struggled to normalise the system of government and its capacity to meet citizens' expectations, bigger waves washed over the ACT's ship of state. The biggest of these was the change of Federal government in March 1996. Howard led the Coalition to power promising to tackle the national deficit and debt as a priority. It soon became clear that a key lever in achieving those goals was a rapid reduction in the size of the Commonwealth public service; 10,500 jobs were touted to be cut in the first Costello budget.¹⁵⁶ Perhaps sensing that a federal Coalition Government would do no favours for the Territory, the electors had dispensed with the services of Brendan Smyth as MHR for Canberra, and so some of their anger over job losses was now targeted at the local manifestation of Liberalism, the Carnell Government. "It was a shocker," Carnell later reflected on the pressures created by the Howard victory.¹⁵⁷

Her adaptive political instincts were, however, well-suited to weathering this storm. She had understood early in her political career that the Canberra Liberals, to win an election, would have to differentiate themselves emphatically from their federal counterparts across Lake Burley Griffin. Her personal political outlook clicked easily with that mission. As Brendan Nicholson noted in 1996:

As a Liberal "wet", her own views on issues such as surrogacy and same-sex couples fit well with Canberra's more relaxed approach to contentious matters and differ significantly from those of the hard-eyed, economic rationalist set in the federal razor gang.¹⁵⁸

¹⁵⁶ *Hansard*, 27 August 1996, 2642.

¹⁵⁷ *Interview with Kate Carnell*, 24 March 2020.

¹⁵⁸ Brendan Nicholson, "Kate's half way report card", *Canberra Times*, 17 August 1996, 11, 13.

The Carnell ministry showed no reticence about taking public stands against the policies of the Howard Liberals. Indeed, it would be fair to say that it went out of its way to pick fights. The ACT brawled with the Commonwealth over cuts to legal aid funding, the building of the National Museum of Australia, threats to the Territory's niche X-video industry and the Prime Minister's decision not to live in his official Canberra residence.¹⁵⁹ Carnell did not enjoy a warm personal relationship with the prime minister; she ostentatiously purchased a cartoon at a charity auction lampooning Howard for refusing to apologise to the Stolen Generations.¹⁶⁰ Berry, for his part, saw Carnell's approach purely as a ploy. He opined that "issues such as the heroin trial have allowed ... Carnell to mask an instinctive conservatism in key areas such as the economy".¹⁶¹ This view underrates the extent to which her strategic approach reflected her own philosophical mindset, as demonstrated by her public comments and commitments in her post-politics career.¹⁶² She described this in interview as "a centralist approach" that placed a premium on sound management ahead of ideology, a task hampered by the fact that many citizens "didn't think [local politicians] had the right to be there". Carnell's penchant for flirting with progressive causes was not universally popular within the ACT party. Conservatives tolerated her eccentricities while she continued to lead them to election victories.

The 1996–97 budget was framed by Carnell as a foil to Commonwealth spending cuts. She understood that sustaining the progress of ACT administration

¹⁵⁹ *Canberra Times*, 18 February 1997, 4; 28 February 1997, 3; 15 March 1997, 1; *Hansard*, 27 August 1997, 2483.

¹⁶⁰ Brendan Nicholson, "So who's to be the lesser of two evils?", *Canberra Times*, 14 February 1998, C6.

¹⁶¹ *Canberra Times*, 12 February 1998, 1.

¹⁶² See, for example: <https://www.harmreductionaustralia.org.au/kate-carnell/>. Accessed 26 August 2025. She remains an active proponent of national drug law reform, promotes criminal justice alternatives to imprisonment and was a co-convenor of Liberals for Yes in the 2023 referendum on constitutional recognition of an Indigenous Voice.

toward “normalcy” took on a higher urgency when Federal decisions might push that normalcy further away. Schemes for business development and a new homebuyers’ program were announced. The government would invest in planning for the Very Fast Train and would explore buying a stake in the soon-to-be-privatised Canberra airport. \$22 million would be raised by selling and leasing back the government’s car fleet.¹⁶³ The approach had its detractors; Whitecross called it “a mishmash of minor adjustments” with the improved budget bottom line achieved only through asset sales.¹⁶⁴ Another critic, economist David Hughes, said the budget demonstrated “the continued inability of any ACT government to come to grips with the fundamental financial problem of excessive public spending” and the tendency of the Carnell government to intervene excessively in the ACT economy.¹⁶⁵ It was hardly the kind of accusation normally levelled at Liberal governments in Australia.

In fact, the ACT economy did recover quickly from the impact of Commonwealth spending decisions, but perhaps more by reason of other Commonwealth decisions than by dint of ACT ones. Hughes observed that many public service jobs simply reappeared in the private sector as consultancies or jobs in outsourced industries. Spending cuts were partly offset by government office refurbishments, growth in IT services as the Commonwealth outsourced, new spending in Defence and – later – the building of the National Museum. By August 1997 the ACT unemployment rate was 7.1%, lower than the national rate and lower than it had been before the election of the Howard government.¹⁶⁶ The pursuit of full public amenity remained on track.

¹⁶³ David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 43:2, 1997, 225–7.

¹⁶⁴ *Hansard*, 26 September 1996, 3469.

¹⁶⁵ Hughes, “Political Chronicles”, 225–7.

¹⁶⁶ <https://countryeconomy.com/unemployment/australia?dr=1997-08>. Accessed 26 August 2025; David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 44:2, 1998, 313.

The pivot of power

There was one Westminster tradition that Carnell steadfastly upheld, and that was cabinet solidarity. She did so because it was critical to the success of her administration. Her brand of Liberalism was a relatively radical one, even for a progressive jurisdiction like the ACT. Though her electoral success ensured she enjoyed notable leeway from the party's lay members, most of them were considerably more conservative than her. Moreover, she led a parliamentary party in the Third Assembly that was marked by "a cranky, stodgy, old-fashioned conservatism".¹⁶⁷ Indeed, I was the only other moderate in the party room. In this environment, force of personality and a mercurial leadership style would carry a small "I" liberal agenda only so far.

Nonetheless, Carnell and I shared both a similar philosophical approach and an appreciation that only a more progressive brand of Liberalism would keep the party in power in a place such as Canberra.¹⁶⁸ This alliance of minds would generally prevail in deliberations of the four-member Cabinet.¹⁶⁹ Cabinet met on Monday afternoons prior to the party room on Tuesday mornings. Legislation was settled at the former before being submitted to the latter. This meant that Stefaniak and De Domenico (and later Kaine), observing cabinet solidarity, would be obliged to support in the party room what they might have opposed in Cabinet. Since the Cabinet ministers made up the majority of the party room, Cabinet's view (that is, Carnell's view and mine) almost always prevailed as the view of "the Government". Without

¹⁶⁷ Brendan Nicholson, "So who's to be the lesser of two evils?", *Canberra Times*, 14 February 1998, C6.

¹⁶⁸ Brendan Nicholson, "Getting offside over Kate's offside", *Canberra Times*, 1 February 1997, 18; *Canberra Times* editorial, 4 February 1997, 8.

¹⁶⁹ Indeed, the philosophical centre of gravity was so evident to ministers that it was rarely necessary for Carnell to exercise her casting vote as chair.

this dynamic, the ACT Liberal government would almost certainly have been unable to pursue its program of drug law reform, for example, which was actually opposed by most of the government's members. The consequences of this dynamic went beyond the ideological; they were critical to the government's survival, since they allowed the Carnell rebranding of the party to persist after the change of federal government in 1996, when ACT voters deserted the party federally. That rebranding was critical to the Canberra Liberals' success in the 1998 ACT election while the same voters were rejecting the Federal wing of the party.

The party room was not insensible to the fact that the moderate tail was often wagging the conservative dog. Stefaniak complained to the party's General Secretary that cabinet solidarity was denying the party room its prerogative to determine the direction of the parliamentary party. In turn, Carnell pointed out to this official that, by long tradition, the organisational wing did not interfere with the parliamentary wing, and the issue went no further. By such connivances was the Liberal Party saved from itself. Happily, the power imbalance was less pronounced in the Fourth Assembly when moderate Brendan Smyth, by now an MLA, took Kaine's place in the ministry and Kaine himself went to the crossbenches.¹⁷⁰

The imbalance was also evident to many in the media, some noting the dominant role of Carnell herself. Journalist Jacqueline Fuller attributed to her the same "presidential style" that characterised the leadership of Keating, Kennett and Queensland Premier Wayne Goss. Fuller noted her willingness to sideline other ministers: "When there's a key initiative that the Government wants to drive through,

¹⁷⁰ See Chapter 7.

she will eagerly climb into the driver's seat."¹⁷¹ Uhlmann made the same point more poetically in a column where he drew inspiration from Keats' *Ode to a Nightingale*:

The Limestone Plains left in Kate's care,
Save Gary, surrounded by few brains,
What use for Tony and for Bill?
Who fill the spaces near Kate's mighty throne...¹⁷²



*Figure 16 Carnell, Queensland Premier Peter Beattie and Victorian Premier Jeff Kennett:
AAP/Tim Cole*

Nonetheless, control of the party room did not equate to control of the Assembly. To pass legislation the Liberal Party needed two additional votes; but, even for a moderate-led Liberal government, these were often difficult to secure in a chamber that leaned to the left. It was on Moore's vote that the government's fortunes

¹⁷¹ Jacqueline Fuller, "A hint of the domineering Fraser in Carnell's style", *Canberra Times*, 23 December 1995, 15.

¹⁷² Chris Uhlmann, "Ode to the Assembly at the year's end", *Canberra Times*, 16 December 1995, 19. See also Peter Clack, "Kate's little coterie rules alone", *Canberra Times*, 21 February 1996, 15.

generally pivoted. On many occasions his support ensured the government success, or at least survival. Moore saw it as his responsibility to foster good policy, and the exigencies of minority government afforded many opportunities to do just that. Indeed, on that front Moore set an example that was quietly emulated by the other crossbenchers, all of whom were in their first iteration as parliamentarians. “Kate Carnell may run the Government but Michael Moore runs the Legislative Assembly”, Uhlmann opined: “Since day one of this Assembly, Michael Moore has dominated the chamber, its most powerful committee and the Government’s psyche.”¹⁷³

Moore appreciated that there were dangers in being seen to prop up a right-of-centre regime, given the nature of his own electoral base, but he also understood that delivering workable government was the touchstone by which many would judge MLAs collectively. Conversely, contributing to instability would be punished by the electorate, as it was at the election of 1992. He saw his success as integral to the success of the Assembly as a whole: building confidence, legitimacy and trust in “the system” was a task no MLA could afford to overlook, least of all an independent. The example he set was not reflexively to oppose government initiatives, but rather, per Brenton Prosser and Richard Denniss, “the classic role of the legislator and result of the policy cycle, which is to create evidence-informed laws that turn ideas into policy, and policy into better outcomes for the community”.¹⁷⁴

A personal element was part of this dynamic; Carnell and Moore were fellow spirits on many issues, and Moore felt he could do business with the Liberals while Carnell was his chief interlocutor. Moreover, such was Moore’s dominance of the chamber that he was often able to bring Osborne (and sometimes the Greens) along

¹⁷³ Chris Uhlmann, “Moore usually gets what he wants”, *The Canberra Times*, 10 June 1995, 19.

¹⁷⁴ Brenton Prosser & Richard Denniss, “Lobbying and minority government in Australia: The concept of the marginal member”, *Australian Journal of Political Science*, 50:3 (2015), 507.

with him, and so winning Moore's support often delivered the crucial ninth vote on a particular measure. All the same, in a hung parliament no party or independent consistently had their way. Everyone, including the master-persuader Moore, regularly tasted the humiliation of defeat. Yet, by dint of judicious negotiating and a transparent policy agenda, Moore exercised an influence greatly out of proportion to the mere 9% of the votes he had secured in Molonglo in 1995. In the Third Assembly he managed to get nine private member's bills passed, the same number as all six of the ALP members sitting at the end of that term put together.¹⁷⁵ His bargaining position was often strengthened by the ALP's almost automatic opposition to any controversial proposal from the Liberal government. It ensured that, at many critical moments, every media eye was trained on him, and what he would do next.¹⁷⁶

Filling the amenity gaps

I was given ministerial responsibility for the two initiatives I had floated in opposition: inaugurating a rescue helicopter service and establishing a gaol. The services held some significance as they represented gaps in community amenity which had been inherited at self-government. Filling those gaps would be a practical demonstration of the worth of self-government by comparison with Federal administration. With respect to the gaol, what had been a mere policy bubble in the previous term now became official government policy, but we knew the idea would be stillborn without genuine cross-party support. When I announced that the Territory should have a privately run gaol by 2000, Connolly said Labor was sceptical of the idea.¹⁷⁷ What followed was a program of public debate and private lobbying of other MLAs, driven

¹⁷⁵ Brendan Nicholson, "ACT politicians prepare for the big February square up", *Canberra Times*, 20 December 1997, C7.

¹⁷⁶ Crispin Hull, "The man who holds the key", *Canberra Times*, 2 March 1995, 9.

¹⁷⁷ *Canberra Times*, 7 September 1995, 3. Labor had long been sceptical of the idea; see Wayne Berry Media Release, "ACT Gaol Expensive", 9 January 1990, author's archive.

by the argument that the ACT could never make headway on reducing recidivism and exploring alternatives to imprisonment if criminals continued to be transported to NSW. This approach paid dividends. By the time the Assembly debated the concept of a gaol in December 1996, Follett announced that Labor's position was no longer one of opposition. The tone of the ensuing debate was constructive; Moore reflected, "this Assembly can hold its head high on such issues". The following year the Legal Affairs Committee unanimously recommended that the Territory have its own correctional facility, housing sentenced prisoners and remandees.¹⁷⁸ The local judiciary, frustrated by limited sentencing options, also supported the idea.¹⁷⁹ It was, however, to be a further decade before the facility would be inaugurated.

Some policy innovation was made more difficult by lingering hostility to the institution of self-government. For instance, I had a tepid relationship with the Chief Justice, Jeffrey Miles. My regular meetings with him – always in his chambers, never in mine – were stiffly formal affairs, where he was "Your Honour" and I was "Mr Attorney". The lack of warmth probably stemmed in part from defamation proceedings I had taken against WIN Television in 1992, which were heard by Miles. I succeeded, but with a negligible award of damages, reflecting what a brother judge told me was Miles's view that Members of the Legislative Assembly did not enjoy much of a reputation to defame. Miles was, according to this source, most annoyed when the full bench of his own court trebled the quantum of my damages on appeal.¹⁸⁰ His attitude to ACT politicians was probably also flavoured by regret on his part that the court's relationship with the Commonwealth had been substantially disrupted by self-government; while he held a dual appointment as a judge of the

¹⁷⁸ *Hansard*, 4 December 1996, 4400; 4 September 1997, 2903–5.

¹⁷⁹ *Canberra Times*, 8 April 1993, 2.

¹⁸⁰ *Canberra Times*, 4 February 1993, 2; 4 December 1993, 5.

Federal Court, future appointments to the bench by the ACT government would not receive that privilege.¹⁸¹

The prospects of a rescue helicopter were initially inauspicious: a *Canberra Times* editorial labelled the idea “frivolous” and I was solemnly briefed by the head of the emergency services bureau that the idea was completely unaffordable and had to be dropped. This outlook changed soon afterwards when entrepreneur Dick Smith agreed to donate a \$2 million helicopter after being lobbied by a Canberra boy scout.¹⁸² It was the intercession of the NSW government that brought the proposal to life, however. It agreed in August 1995 to co-fund a regional aeromedical service based in Canberra.¹⁸³ Although Berry could still dismiss the project as a “stunt” in 1997, his colleague Wood noted that he “did not think there is anything in Mr Humphries’s career ... on which he has placed more at stake than the acquisition of this helicopter”.¹⁸⁴ The service was inaugurated the following year.

The other major emergency services challenge was to respond to the warnings in the 1994 McBeth report into the build-up in bushfire fuel loads around the Bush Capital. With an urban/rural interface stretching 1,400 km, some 24,000 Canberra homes were at risk in the event of major fires, the government was told. Its response was to intensify a program of clearing fire breaks and controlled burns in high-risk areas in cooler months. However, these areas also often had higher conservation

¹⁸¹ No doubt the judge would have been displeased by a 1999 High Court decision which found, in effect, that the territory supreme courts were no longer “federal courts” following self-government, despite having been created by the Commonwealth: see Alvin Hopper, “A Critical Examination of Australian Constitutional Law Relating to Territories and to Places Acquired by the Commonwealth (including a Comparison with United States Law)”, PhD thesis at the University of Canberra, March 2005, 39, https://researchsystem.canberra.edu.au/ws/portalfiles/portal/58039203/Hopper_Alvin.pdf

¹⁸² *Canberra Times*, 2 February 1995, 10; 26 April 1995, 3.

¹⁸³ *Canberra Times*, 24 August 1995, 2.

¹⁸⁴ *Hansard*, 26 June 1997, 2227–8.

values, and the program soon put the government in conflict with the Greens.¹⁸⁵ A measure of Liberal/Green rivalry on the environment was inevitable, since the government saw the issue as a key opportunity to align its agenda with Canberra-centric values. It set out consciously to become the most environmentally active Liberal government in the nation. And so, the commercial centre of the new Gungahlin township was shifted two kilometres to protect the habitat of the endangered legless lizard. New species and habitats were given legislative protection.¹⁸⁶ Occasionally, even the Greens were finessed on the environment; when they opposed higher-density development projects (which was often, particularly when they were unpopular), they would be reminded of their own policy favouring urban infill to avoid expansion on the city's bush fringes.¹⁸⁷ The defining moment for the government's environmental credentials came on the eve of the world environment summit in Kyoto, Japan, in November 1997. The ACT became the first Australian jurisdiction to set greenhouse gas emission targets: a 20% reduction by 2018. "The mouse has roared", declared the *Canberra Times*, pointing out that, as ACT environment minister, I had "shown up" the Prime Minister who refused to set an Australian target.¹⁸⁸ The target was adopted by successive ACT governments over the next 10 years.

¹⁸⁵ *Canberra Times*, 23 August 1995, 10; *Hansard*, 26 September 1996, 3646–9; 14 May 1996, 1209–10. There were occasional skirmishes between the parties over the scale of fire breaks and back-burning until 18 January 2003, when the ACT experienced the most destructive bushfire in its history. Four people died, hundreds were injured and 510 properties were destroyed.

¹⁸⁶ *Sydney Morning Herald*, *Good Weekend*, 17 June 1995, 51; *Hansard*, 17 April 1996, 1008; *Canberra Times*, 3 January 1997, 2.

¹⁸⁷ *Hansard*, 2 May 1995, 83–4. Cf *Canberra Chronicle*, week ending 22 May 1995, 3; *Hansard*, 11 December 1996, 4726.

¹⁸⁸ *Canberra Times*, 29 November 1997, C7. The Australian government position was backed by the other state and territory governments, including the NSW Carr Labor government: *Hansard*, 11 November 1997, 3927–8.

After occupying centre stage in the previous two parliaments, education took something of a back seat in this period, calmed in part by the government's promise to maintain funding levels. As education minister, Stefaniak implemented a measure dear to his heart by mandating 150 minutes of physical exercise per student per week in schools; meanwhile, the University of Canberra became the responsibility of the Territory.¹⁸⁹

Other preoccupations persisted into the Third Assembly. The government responded to sensitivities about petrol prices by restricting how many petrol stations one franchisee could operate and by persuading consumer affairs ministers to put fuel prices on the national policy agenda.¹⁹⁰ It also positioned itself to the right of most MLAs on law-and-order issues (pushing for more surveillance cameras in public places, for example), although the Assembly united in the wake of the mass shooting at Port Arthur in Tasmania on 28 April 1996, after which the Territory enacted the nation's most comprehensive gun-control measures following a series of meetings of the nation's police ministers.¹⁹¹ In the wake of the success of the referendum entrenching the Hare-Clark electoral system, how-to-vote cards were banned at Territory elections. The controversial *Feel the Power of Canberra* tourism campaign was launched in late 1997. There was a boom in arts infrastructure with the construction of the Canberra Museum and Gallery, an enlarged Playhouse theatre, and a new Tuggeranong arts centre.¹⁹² The fear that self-government was the herald of hardship and decline was becoming harder to sustain.

¹⁸⁹ *Hansard*, 23 August 1995, 1327; 23 September 1997, 3092.

¹⁹⁰ *Hansard*, 19 September 1995, 1456; *Canberra Times*, 6 August 1995, 3.

¹⁹¹ *Hansard*, 14 May 1996, 1229.

¹⁹² *Hansard*, 11 May 1995, 430.

Finally, an event in July 1997 meant to close off a chapter in the evolving history of the Territory's health system – the demolition of the former Royal Canberra Hospital building to make way for the new National Museum of Australia – went horribly wrong. Thousands had gathered to watch the implosion of the building in what had been promoted by the government as a major public event. The operation was botched; spectators were showered with debris, and a 12-year-old schoolgirl, Katie Bender, was killed by flying shrapnel. Criticism was levelled almost immediately, at the Chief Minister in particular, for promoting the event, though political comment was muted while the coronial inquest occurred. The implosion's aftermath would occupy the Fourth Assembly as a regrouped Labor opposition would use the implosion in a sustained campaign against Carnell.

MLAs in the revolving door

As in previous terms, there was churn in the Assembly's membership. Connolly, his legislative activism stymied by opposition and his leadership ambitions scotched by his colleagues, had lost his zest for politics. Carnell and I were eager to offer him an exit. His intellectual gifts and talent for political communication presented a threat to the government should his party ever turn to him to lead it. He accepted our offer of appointment to the Supreme Court in February 1996.¹⁹³

In January 1997 De Domenico announced that he was resigning from the Assembly to take up a position with a transnational water infrastructure company. Though he had been cleared of sexual harassment following an inquiry by the Discrimination Commissioner, some of the odium surrounding the allegations made

¹⁹³ In fact, he was as talented a lawyer as he was a politician. The legal profession's first reaction to his appointment as Master of the court was muttered disapproval; by contrast, his elevation to become a judge in 2003 was greeted with genuine acclaim by the profession.

against him persisted. In any case, he had made heavy weather of his portfolio – prompting Carnell to sideline him on occasions – and his performance had been deprecated by commentators.¹⁹⁴ At the time of his resignation he was facing a no confidence motion from Moore over his removal of Rees from the Kingston Foreshore Authority. For some weeks following his departure the Opposition insinuated suspicion about the circumstances of his departure, speculating that some incentive had been offered by the government to secure him the job. Certainly, some in the Liberal Party room were glad to see him go; indeed, other MLAs made pointed reference to the government's failure to honour him with a valedictory speech until shamed into doing so.¹⁹⁵ One Liberal MLA was particularly pleased; Kaine, still nursing resentment at having been passed over for the ministry in 1995, reasoned that Carnell would have no choice but to call on him, both to ensure that Tuggeranong was represented in the ministry and because of a lack of viable alternatives, a bind she acknowledged in interview for this study.¹⁹⁶

In a bizarre episode, Kaine upped the ante by informing Carnell that he would quit the party unless she appointed him Deputy Chief Minister. She agreed, but on the proviso that he would retain the additional title only if he won the ballot in the Liberal Party room for the vacant position of deputy leader. That vote was deferred until a countback of votes under the Hare-Clark system produced a replacement MLA for Brindabella. Three former candidates were in contention: Brian Lowe, Louise

¹⁹⁴ For example, Chris Uhlmann, "A failure to sell the case for ACTEW revamp", *Canberra Times*, 20 May 1995, 21; "Reshuffle of a very thin deck", *Canberra Times*, 9 January 1997, 8. Stefaniak commented in interview that De Domenico "probably wasn't as analytical and [didn't] go into his ministerial briefs as much as the other members of cabinet": *Interview with Bill Stefaniak*, 15 January 2020.

¹⁹⁵ For example, *Hansard*, 19 February 1997, 126.

¹⁹⁶ *Interview with Kate Carnell*, 24 March 2020.



Figure 17 Who wants to be Deputy Leader? Canberra Times, 31 January 1997. Cartoon by Geoff Pryor.

Littlewood and Sandie Brooke, whom Kaine had recently married.¹⁹⁷ In the event, Littlewood was successful and, in light of her support for me, Kaine withdrew from the race for deputy leader. I was elected unopposed.¹⁹⁸ Kaine passed the baton of Deputy Chief Minister after holding it for just 18 days, the shortest term of any holder of the office.¹⁹⁹ He served the remainder of the parliamentary term as Minister for Urban Services, but the relationship with his cabinet colleagues (all of whom had supported me) was soured by the episode and it was clear that he still had an axe to

¹⁹⁷ Brendan Nicholson, "Getting offside over Kate's offside", *Canberra Times*, 1 February 1997, 18. Kaine and Brooke were on their honeymoon when De Domenico resigned.

¹⁹⁸ *Canberra Times*, 16 February 1997, 1.

¹⁹⁹ *Almost 30 years: the story so far; Legislative Assembly for the ACT*, ACT Legislative Assembly (2019), 3.

grind for Carnell, the woman who had deposed him in 1993. He would yet have his revenge on her in the following term of parliament.

Littlewood was one of several new faces elected on countback during the Third Assembly. She was a feisty and independent-minded MLA; for example, she was the only MLA to support a proposal from Moore for a referendum on euthanasia.²⁰⁰ Despite having worked for several Federal Liberal MPs, she embraced Carnell's rhetoric critical of the Howard government, calling, among other things, for the Prime Minister to reside in the Lodge rather than in Sydney. Yet she fell out with Carnell, and blamed her for Smyth's winning a seat in Brindabella, at Littlewood's expense, the following year.²⁰¹

Also joining in early 1997, Simon Corbell was lucky to win Follett's seat for the Labor Party on countback, having been only the sixth of that party's seven ranked candidates in Molonglo at the previous election. Adelaide-born, he had served a thoroughly political apprenticeship as a student politician at the University of Canberra, as a staffer in the Parliament's Joint House Department, and as an advisor to Labor MHR for Fraser, John Langmore.²⁰² Earnest and intelligent, though without any great flair for oratory in debates, his capacity to master a wide variety of portfolio issues added policy depth to the Opposition.

This parliament's third neophyte between elections was Marion Reilly, a former teacher and public servant who succeeded Connolly.²⁰³ Pedestrian but inoffensive, she immersed herself in social policy issues so that she excelled on committees but

²⁰⁰ *Hansard*, 5 November 1997, 3672.

²⁰¹ *Hansard*, 9 April 1997, 795; Phone conversation Littlewood–Humphries, 21 November 2020.

²⁰² *Canberra Times*, 15 February 1995, 8; <https://www.parliament.act.gov.au/members/eighth-assembly-members/molonglo/simon-corbell>. Accessed 15 October 2022.

²⁰³ https://en.wikipedia.org/wiki/Marion_Reilly. Accessed 26 August 2025.

rarely attracted headlines. Despite standing for the Assembly three times, she was never elected in her own right.

Self-government under attack

Opportunities to gauge the electorate's loyalty to self-government were few and far between, but one such opportunity arose unexpectedly early in 1997. The Northern Territory's Country Liberal Government had legalised voluntary euthanasia in 1995, becoming the first jurisdiction in the world to do so.²⁰⁴ Moore's ACT bill to similar effect had been defeated in 1995, but two opponents of his legislation had since retired from the Assembly, and he introduced a new iteration of the law in February 1997. Federal Liberal MP Kevin Andrews, a conservative Catholic, introduced a private member's bill to remove the power to enact euthanasia legislation from the two territories' self-government acts. He argued that the NT legislature – and, by implication, the ACT's – had, “without any house of review”, breached its responsibilities to the ill and vulnerable by entertaining such legislation.²⁰⁵

The governments of both territories campaigned against the Andrews bill, including by appearing before the relevant Senate scrutiny committee.²⁰⁶ In our appearance Carnell and I, though opposed to Moore's bill, argued against the Andrews bill for the violence it did to the principles of federation and self-government. Nonetheless, it passed the Senate in March 1997 on the basis of a conscience vote

²⁰⁴ Natasha Cica, *Euthanasia – the Australian Law in an International Context: Part 1: Passive Voluntary Euthanasia*, Research Paper No. 3 1996-97, Parliamentary Research Service: https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/RP9697/97rp4. Accessed 19 October 2022.

²⁰⁵ *House of Representatives Hansard*, 28 October 1996, 5904. Lamont, in interview, says that during the Second Assembly, when Moore's euthanasia legislation was first mooted, he had been “given the heads up” that the Federal Labor government would have intervened on the ACT had the bill passed: *Interview with David Lamont*, 12 December 2023.

²⁰⁶ The NT parliament also presented a remonstrance (the term for a formal communication from one parliament to another) to the Federal Parliament.

permitted by the major parties.²⁰⁷ The convention that amendments to the self-government act would occur only consensually had been dishonoured.²⁰⁸ The parameters of self-government, set in such controversial circumstances and supported by the Federal Coalition just eight years previously, had been reduced – principally on the votes of Coalition MPs – over the objections of “conservative” governments in the two territories.

The Andrews Bill could easily have represented a turning point in the evolution of self-government: either as the springboard for Federal parliamentarians to demand a reassessment of Commonwealth responsibility *vis-à-vis* the territories, or as the catalyst for Canberra citizens to call for greater Commonwealth control over an overly adventurous ACT legislature. Significantly, neither of those things occurred. In the succeeding quarter century no attempt was made to realign Commonwealth/territory responsibilities, and the Andrews legislation was repealed in 2022. In Canberra’s case, the bill might have been a lightning rod for anti-self-government feeling, championing as it did the Commonwealth preserve over ACT affairs. In fact, it united the Assembly in opposition to the exercise of Federal power; even opponents of euthanasia refused to endorse it.²⁰⁹ In the wider community, support for the bill seemed to come mostly from those opposed to euthanasia, as opposed to advocates for Commonwealth suzerainty *per se*.²¹⁰ Whether Canberrans of the day welcomed being cast in the social laboratory mode on euthanasia is unclear. Given the muted community reaction to Commonwealth interference, it is arguable that citizens

²⁰⁷ David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 43:3, 1997, 379.

²⁰⁸ David Mossop, *The Constitution of the Australian Capital Territory* (Alexandria: Federation Press, 2021), 120.

²⁰⁹ *Hansard*, 25 September 1996, 3406. Cornwell, though opposed to euthanasia, attended the presentation of the remonstrance to the Senate President: *Senate Hansard*, 28 October 1996, 4572.

²¹⁰ David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 43:2, 1996, 224.

condoned the exploration of this issue by local politicians as the Assembly negotiating its proper purpose in this space, one in which Australian parliaments generally had been reticent to move.²¹¹

Other skirmishes over the application of Federal power in the Territory occurred. The Commonwealth forced the Territory to modify proposals for a “Canberra-Nara Peace Park”, honouring the sister city relationship with the ancient Japanese capital Nara, after agitation from the Returned and Services League. The two jurisdictions also fought over the classification of X-videos.²¹² Nonetheless, the comity between Liberal governments kept such disputes within manageable boundaries after 1996.

Labor shifts gears

In August 1997, less than six months after deposing Follett as Labor leader, Whitecross was toppled from the opposition leadership. Caucus had fretted that his style was lacklustre and he was not compared favourably by the electorate with the energetic Chief Minister.²¹³ The decision, however, was a gamble, because caucus chose as his replacement a leader who was more aggressive and tenacious but who also came with considerable baggage: Wayne Berry. Carnell summarised the danger this choice represented to the ALP:

To bring back someone who was forced to resign for misleading the Assembly, someone wedded to old, left-wing politics who hasn't come up with a new idea, is tragic for the Labor Party and Canberra.²¹⁴

²¹¹ Every state and territory have now enacted legislation for voluntary assisted dying, suggesting that the two territories were merely “ahead of the curve” in 1995–97, rather than out of step with community values, as Andrews had suggested.

²¹² David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 43:3, 1997, 380.

²¹³ David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 44:2, 1998, 316. Technically, Whitecross resigned from the role. Crispin Hull comments that Whitecross was seen by voters as “wishy-washy, wet, ineffective”, leading to him losing his seat at the subsequent election: *Interview with Crispin Hull*, 25 July 2025.

²¹⁴ *Canberra Times*, 20 August 1997, 1.

Playing to his strength, however, Berry began to sharpen the philosophical differences between the major parties. Ever the ideologue, he used each sitting day to highlight the Liberals' small government agenda, commitment to cutting spending, and its fraternal links with a federal government which was – in Canberra at least – very unpopular. He upended Whitecross's approach of emphasising the unsustainability of government spending, instead proposing to increase the territory operating loss. Vessels for bipartisanship – including the heroin trial and euthanasia – were scuttled.²¹⁵

Berry identified a powerful but ideologically fluid crossbench as a key obstacle to the election of a Labor government the following February. While sharpening the philosophical divide from the Liberals, his strategy was to label the crossbenchers whenever possible as their lackeys and handmaidens. Labor now spent its time “with guns trained, Singapore-style, on the crossbenches instead of the Government”.²¹⁶ Rejecting entreaties to support the Pettit review into governance, Berry said: “The problem in the ACT is the Government – the Kate Carnell, Michael Moore, Paul Osborne, Greens Government. That is the problem.” Addressing Carnell across the chamber, he added: “the Independents and Greens have allowed you to impact your conservative agenda on the ACT electorate.”²¹⁷

Whether this tactic was effective in colouring the electorate's view of the crossbench is doubtful, given that all of the supposed quislings retained their seats at the ensuing election, but what is less doubtful is that it led to considerable alienation of the crossbench from Labor in the final months of the Third Assembly. Moore

²¹⁵ David Hughes, “Political Chronicles”, *Australian Journal of Politics and History*, 44:2, 1998, 314–7; *Canberra Times*, 3 September 1997, 1–2.

²¹⁶ Brendan Nicholson, “Carnell does her homework”, *Canberra Times*, 21 December 1996, 12.

²¹⁷ *Hansard*, 11 December 1997, 4909.

attacked Berry's negativity, saying that since becoming leader he "would go about finding a way to wreck any idea".²¹⁸ Labor increasingly found itself alone against the rest of the legislature in parliamentary divisions, though this may have been precisely the image Berry was seeking to draw.²¹⁹

Election 1998: Berry vs Howard

The 1998 ACT election campaign began against a larger canvas: early that year the constitutional convention on a future republic was held in Canberra, and war in the Persian Gulf loomed. Indeed, it seemed the campaign would be the first since 1989 where Federal issues would dominate. Howard government spending cuts had pushed up Territory unemployment and wounded its economy. The warm embrace of Liberalism by Canberrans at the 1995 Canberra by-election had turned to icy disdain. Ominously, ACT voters had two opportunities to register their anger at the ballot box: the ACT poll in February and the Federal one in October.

Yet, just as Howard was driving voters into local Labor's arms, another force was pushing them in the opposite direction: Berry himself. A Datacol poll just a week out from the election showed a huge 36% of voters were undecided. The dilemma for this cohort was summarised in the view of a voter who told the *Canberra Times*:

I'd like to vote for Kate Carnell, but I don't think I can bring myself to do it – the prospect of putting a smile on the face of Johnny Howard over the election of a Liberal government would be just too much.

And I can't see myself voting for the ALP if Wayne Berry will end up running the Territory for the next 3 years.²²⁰

²¹⁸ *Hansard*, 11 December 1997, 4916.

²¹⁹ For example, *Hansard*, 27 August 1997, 2502; 4 September 1997, 2979; 25 September 1997, 3326; 5 November 1997, 3619; 12 November 1997, 4040; 3 December 1997, 4483.

²²⁰ Brendan Nicholson, "So who's to be the lesser of two evils?", *Canberra Times*, 14 February 1998, C6. David Hughes noted that Labor "faced an electorate which could distinguish Federal from ACT issues": David Hughes, "Political Chronicles: Australian Capital Territory", *Australian Journal of Politics and History*, 44:2 (June 1998), 316.

The election was coalescing as “an unpopularity contest between a Prime Minister and a territory Opposition leader”. The poll showed Liberal and Labor neck and neck, but Carnell far ahead of Berry as preferred chief minister, 59% to 24%.²²¹ Nicholson described the Opposition leader’s dilemma as follows:

In the months since he took over the Labor leadership, Berry has been unable to shake his hard-line Left image – left over from his days as health minister – the echoes of VITAB or his apparent determination to be negative about everything the government, or the laws of nature, did.²²²

The slogans of the two parties reflected their policy pitches. Labor’s was “Let’s get the capital working again”, channelling anxiety about job losses, while the Liberals’ was “Building certainty”, a pitch to the claim that they were the better economic managers. More biting, however, was the supplementary Liberal slogan, “Don’t Berry Canberra”, tapping into disquiet that Berry would put the Territory’s economic recovery at risk.²²³ This message was driven home relentlessly, honed by calls for the ALP to outline how it would fund its spending promises, calls that became more potent when Labor delayed its costings release until the final week of the campaign.²²⁴

The crossbenchers promoted themselves as the foil to the excesses of the big parties. Moore promised a privacy charter, while he and Tucker united to call for more protection for tenants of shopping malls. Osborne provocatively pledged to close small schools.²²⁵ It even seemed that the Australian Democrats, then still a viable centre party, might finally clinch a seat in the Assembly.²²⁶ Planning activist

²²¹ Brendan Nicholson, “So who’s to be the lesser of two evils?”, *Canberra Times*, 14 February 1998, C6; *Canberra Times*, 10 February 1998, 1–4.

²²² Brendan Nicholson, “So who’s to be the lesser of two evils?”, *Canberra Times*, 14 February 1998, C6.

²²³ *Canberra Times*, 2 February 1998, 1.

²²⁴ *Canberra Times*, 14 February 1998, 4.

²²⁵ Why he did so is not clear. Given that there were few such schools in his own electorate, he may have felt he could afford to court some notoriety without it costing him many votes.

²²⁶ *Canberra Times*, 16 February 1998, 4; 18 February 1998, 4; 4 February 1998, 4; 10 February 1998, 1–4.

Rees capitalised on her extensive media profile by nominating in the Molonglo electorate as an independent. The Liberals strove to neutralise Labor's jobs pitch. The successful Youth 500 program targeting youth unemployment was revitalised as Youth 1000. At the Liberal campaign launch Carnell committed to no further ACT public service job cuts; with the bureaucracy cut from 20,000 to 17,000 over the previous three years, she said, the job of restructuring was largely complete. A surge in job advertisements and a fall in unemployment in January 1998 allowed Carnell to proclaim that "[b]usinesses in Canberra are hiring again".²²⁷

Conversely, little went right for Labor's campaign. Economic management, in particular, was Berry's Achilles' heel. He promised to contain extra spending under an ALP government to less than \$20m per annum, but held back his costings. When these were released, four days before the poll, they were discovered to be based on an out-of-date budget forecast. The following day, he announced that Labor would fund its promises by increasing the operating loss, sparking criticism from academics and economists that this was unnecessary "pump-priming" and "irresponsible".²²⁸ Vox pops conducted in each electorate by the *Canberra Times* boded ominously; typically, one voter pronounced Carnell "a good little shopkeeper", but thought Berry "negative, reactionary, too bound by party strictures".²²⁹ Even Labor's friends did them no favours; Cheryl Kernot, who had recently defected from the Democrats (where she had been federal leader) to Labor, promenaded through Civic with the opposition leader, TV cameras in tow. But when asked about his qualities to lead the

²²⁷ Andrew Kazar, "A bright sign in the gloom", *Canberra Times*, 8 February 1998, 9; *Canberra Times*, 9 February 1998, 1–3; 10 February 1998, 2; 13 February 1998, 2.

²²⁸ *Canberra Times*, 13 February 1998, 1; 17 February 1998, 5; 18 February 1998, 1; 20 February 1998, 7. David Hughes described Labor's economic blueprint as "a disturbing document which showed the Labor Party was prepared to increase an already large operating loss rather than present policies which might reduce the loss": David Hughes, "Political Chronicles: Australian Capital Territory", *Australian Journal of Politics and History*, 44:2 (June 1998), 317.

²²⁹ *Canberra Times*, 16 February 1998, 1–4; 17 February 1998, 1–5.

Territory, she said: “I don’t know Wayne Berry particularly well”.²³⁰ Many Canberra voters felt they did but were not enamoured.

The stumbles by the Labor Party machine destabilised its campaign. Labor candidates began issuing their own how-to-vote cards and freelancing on policy. Some even sent signals that they were prepared to dump Berry after the election if that would secure the numbers for an ALP government in the next Assembly.²³¹ Moore warned that a majority Liberal government was now a real possibility, while Hull prognosticated that the election of seven Liberals and Osborne’s running mate in Ginninderra would deliver “the ACT into the hands of the Christian Right”. Osborne duly announced, in something of a backhanded fillip for Labor, that he could support an ALP government if it was not led by Berry.²³²

On election day the *Canberra Times* editorial recommended a vote for the Liberal Party, because “Wayne Berry does not have what it takes to manage the ACT’s finances”. It recommended a vote for each party’s “B team”, to ensure refreshment of the talent pools.²³³ Voters duly delivered a convincing win to the Liberals or, more precisely, a shattering defeat to their opponents. Labor’s vote fell to under 28%, its poorest outcome since 1989. It kept its six seats, but half the sitting members were jettisoned and replaced by newcomers. Datacol polling had hinted at the outcome: economic management was the first priority with voters, while planning and development were the least important (explaining Rees’s poor showing).²³⁴ Hull

²³⁰ *Canberra Times*, 17 February 1998, 1.

²³¹ David Hughes, “Political Chronicles: Australian Capital Territory”, *Australian Journal of Politics and History*, 44:4 (December 1998), 625; *Canberra Times*, 19 February 1998, 1, 14; 16 February 1998, 1; 11 February 1998, 1–6.

²³² *Canberra Times*, 19 February 1998, 5; Crispin Hull, “Labor lost two years ago”, *Canberra Times*, 20 February 1998, 13; *Canberra Times*, 21 February 1998, 1.

²³³ This was a reference to the non-sitting candidates on each party’s (rotating) ticket.

²³⁴ *Canberra Times*, 21 February 1998, C7; https://www.elections.act.gov.au/_data/assets/pdf_file/0003/850026/Electoral-Compendium-2017.pdf, 34, 47. Accessed 19 September 2022; *Canberra Times*, 20 February 1998, 1.

opined that Labor had lost the election two years before, when Connolly had been enticed to the Supreme Court, leaving his party “huddled in ideological self-righteousness” ever since. Labor had failed to use the “leftish majority” in the parliament to shape a legislative agenda, preferring instead to taunt the crossbenches. Of its leader, he said: “Berry is the Arthur Calwell of the ACT: the dogmatically pure but unelectable face of Labor.”²³⁵ Berry blamed his defeat on a “campaign of character assassination”.²³⁶ Certainly, the Liberal campaign had been the most personalised in the Territory’s electoral history, though his *cri de cœur* elicited little sympathy since he himself had authored many personal attacks on opponents in the Assembly.²³⁷

ACT Labor’s historian, Chris Monnox, suggests cultural factors within the party also contributed to its defeat. It had “in part ... ceased to reflect and respond to Canberra as a city with a distinct culture and social structure.” Changes in 1993 had strengthened the power of unions (and hence the Left) over candidate preselection, a divisive development that “affronted ACT Labor’s long-standing participatory ethos”, one which had long given rank-and-file members a greater say than unions in party affairs. The sense of rule by an “oligarchy” was accentuated by both the disaster of the 1995 Canberra by-election and by draconian strictures on campaigning in 1998 which required candidates to promote those higher up the party ticket rather than themselves. The reversal of the 1993 changes in 1999 would create a party machine

²³⁵ Crispin Hull, “Labor lost two years ago”, *Canberra Times*, 20 February 1998, 13.

²³⁶ *Canberra Times*, 22 February 1998, 1.

²³⁷ Examples include *Hansard*, 24 September 1996, 3296. See also my letter to the editor, *Canberra Times*, 4 March 1998, 10.

more responsive to rank-and-file (and hence community) sentiments, and help Labor better position itself at the 2001 election.²³⁸

The Third Assembly: an assessment

Notwithstanding that most MLAs continued to shift uneasily in their seats under the electorate's baleful gaze, the Third Assembly marked a significant ebbing of anxiety in the political establishment around the community's acceptance of self-government. At the end of this term members recorded their sense that the tide was turning, at least a little. Carnell noted that "the Assembly has grown up, has matured and works better every year". Moore pointed to a raft of legislation consolidating the power of the legislature *vis-à-vis* the executive, and declared "this Assembly works extremely well". Wood observed: "[t]hat opposition [to self-government] has diminished. Let us call it a reserve now."²³⁹ Some mellowing of attitude was also evident in certain sectors of the community; yachtsman and businessman George Snow detected a new maturity toward self-government, where "people understand the benefits of raising their own taxes and governing themselves".²⁴⁰

By the end of 1997, the only serious vehicle for governance reform lay with the Pettit review, and even that would have been imperilled by a change of government at the election the following year. Carnell went to that election hopeful that her failure to deliver council-style government would not constitute a serious drag on the government's fortunes. She had added appeal to her campaign in 1995 by promising to take a fresh look at how Canberra was governed, but her failure to make good on that promise appears not to have generated either significant anger or

²³⁸ Chris Monnox, *ACT Labor 1929–2009: a short history* (Port Adelaide: Ginninderra Press, 2013), 45–61.

²³⁹ *Hansard*, 11 December 1997, 4906, 4914–5, 4913.

²⁴⁰ *Canberra Times*, 6 February 1998, 6.

disappointment three years later. Her re-election in 1998, and by a comfortable margin, suggests that the electorate may have turned a corner – or at least it might have realised that petulantly turning out governments merely because they were the embodiment of self-government was no way to run a city. Carnell was given credit for at least putting reform on the Territory agenda. Attempts at constitutional restructure from this point were desultory and half-hearted, suggesting some settling of self-government's foundations in the electorate. This was partially because the hitherto-despised model of government was proving more resilient and responsive than many had expected. Nicholson pointed out that minority government had not been the trigger for instability, and that the Liberals had been able to control the agenda despite the legislature's left-of-centre majority. Gaps in service delivery and amenity were being steadily closed, despite the numbers in the chamber. The government had lost just two bills in the life of the parliament. That, he said, put the lie to "claims that minority government as practised in the ACT is unworkable".²⁴¹ Carnell, in interview in 2020, contended that the compromises her government was sometimes forced to make actually led to better outcomes.²⁴²

Shaking off the caution which characterised earlier parliaments, the Third Assembly emerged as something of a powerhouse of innovation and reform. Groundbreaking initiatives on greenhouse gas emission targets, accrual accounting and legislative constraint on the executive had been carried into action, while others – including a heroin trial and citizens-initiated referenda – had failed in valiant attempts. Among other measures, the ACT became the first Australian jurisdiction to give patients the right to see their own health records, to negotiate with Indigenous

²⁴¹ Brendan Nicholson, "Leader may need the Right stuff", *Canberra Times*, 21 February 1998, C1.

²⁴² *Interview with Kate Carnell*, 24 March 2020. The example she offered was the proposed sale of the energy and water authority, ACTEW, being blocked by the Assembly; see Chapter 7.

claimants toward a regional native title agreement, and to give same-sex partners equivalent rights of inheritance as people in marriages.²⁴³ It was the first parliament to abolish a Christian prayer at the start of each sitting day, to erect Aboriginal and Torres Strait Islander flags in the chamber, and to make it merely optional for newly elected members to swear an oath of allegiance to the Queen.²⁴⁴ These changes manifested the potential of self-government to improve the lives of citizens, but in a way that was distinctive to a unique community. The small size of the Assembly and the lack of government control fostered an environment in which new ideas acquired a certain irresistibility for MLAs wanting to be in the vanguard of reform.

Conclusion

Carnell approached the 1998 election with equanimity, ready to gamble to win but without any expectation that a second term was her due.²⁴⁵ There was always the sense in which a Liberal government was living on borrowed time in this Labor-leaning city. Based on previous voting patterns, ministers were acutely conscious that cogent reasons would need to be produced – and regularly refreshed – to a restless electorate to persuade it to continue with its Liberal experiment. This *memento mori* was simultaneously disconcerting and liberating. The government, said Nicholson, “[un]burdened by any illusions of political longevity”, was licensed to act boldly, even recklessly, to stay one jump ahead of its opposition.²⁴⁶ The Follett Government “cultivated a steady-as-she-goes image while the Carnell Government has a more rollicking damn-the-torpedoes-full-speed-ahead approach”, opined

²⁴³ *Hansard*, 13 November 1997, 4060; *The Weekend Australian*, 31 May–1 June 1997, 1; *Hansard*, 28 March 1996, 811. The latter issue attracted international interest, with reports appearing in *The Times* of London (23 April 1996, 11) and *The Japan Times* (23 April 1996, 3).

²⁴⁴ *Hansard*, 1 June 1995, 695; 21 June 1995, 969.

²⁴⁵ *Hansard*, 11 December 1997, 5033.

²⁴⁶ Brendan Nicholson, “Kate’s half way report card”, *Canberra Times*, 17 August 1996. 11,13.

Uhlmann.²⁴⁷ After Follett's earnest, by-the-book administration, Carnell appeared to be the breath of fresh air that excited many Canberra voters. But the Liberals were conscious that, if they were unable to make a compelling case, ACT voters would revert to their reflexive position: to vote Labor.

The recklessness which was the obverse of this coin entailed risks to the government. The perception that Carnell was a one-woman band whose impulse to act sometimes came at the expense of due process was one on which a refreshed Labor opposition built, to her detriment, in the Fourth Assembly.

²⁴⁷ Chris Uhlmann, "A canny skipper steers her ship, with rough seas ahead", *Canberra Times*, 24 June 1995, 19.

Chapter 7: Last Days of the Liberals

The analysis of Talleyrand's memoirs in Sorel's Lectures Historiques shows how unsafe it is for even the cleverest politicians to try to trick posterity.

– Llewellyn Woodward¹

As it began its fourth iteration since self-government, the ACT Legislative Assembly looked as if it might – at last – have found its feet. The “bastard offspring of Federal indifference and dry economics” had settled into a rhythm that suggested the electorate finally had its measure: an incumbent government had been returned, the crossbench had again been conferred with the balance of power, and the head of government had as much popular approval as public bemusement with the parliament would allow.² Even the decimation of the Labor Party, the city's natural party of government, at the 1998 election connoted that voters were actively engaging with local politics rather than making decisions by force of habit. Carnell was at the pinnacle of her power and influence; local economic conditions were improving markedly, easing pressure on budget management, and – for the first time since self-government – a right-of-centre majority held sway in the Assembly.³ Here lay a unique opportunity for the Liberal Party to challenge, and perhaps even eclipse, the ALP's traditional dominance in Canberra.

It was not to be. Over the course of the Fourth Assembly – the longest term of parliament in this study – the legacy of past decisions would come home to undermine, and ultimately destroy, firstly Carnell's leadership and then her party's

¹ “The Study of Contemporary History”, *Journal of Contemporary History*, 1: 1 (January 1966), 7.

² Graham Cooke, “Sitting it out”, *Canberra Times*, 6 March 1999, Panorama 12–13.

³ Kirsten Lawson, “Year of ‘independents’”, *Canberra Times*, 19 December 1998, C6.

hold on government.⁴ In addition, this chapter will argue that a settling of the foundations of self-government, and a return to more customary democratic paradigms, would eliminate the conditions that had given the Liberals their moment of glory. The political tempests which had raged across the landscape with the advent of self-government, and which had swept away or reshaped Westminster conventions, were receding. Citizens, coming to terms with the form of government chosen for them a decade earlier, now began to apply to ACT politicians the performance metrics long used by residents of other jurisdictions. Some idiosyncrasies of the ACT experience of government would survive this return to “normalcy”, but Liberal hegemony would not.

New teams take the field

Sensing, perhaps, that a return to politics-as-usual would do her government no favours, Carnell continued the dynamic approach to administration she had exhibited in the previous Assembly. She elevated to cabinet the only new Liberal MLA, Brendan Smyth. Smyth had a high profile as victor of the Canberra by-election in 1995, despite losing the seat in the 1996 Federal election. As such, he had replaced Louise Littlewood in the seat of Brindabella at the 1998 Assembly election. Born in Sydney of Irish heritage, he came to Canberra as a child, later working in the family newsagency business and then as a public servant.⁵ At the by-election he had “cultivated an image of reassuring ordinariness”.⁶ A Liberal moderate like Carnell, and perpetually armed with a boyish grin, he made an enthusiastic, if occasionally impetuous, parliamentarian. His elevation to cabinet came at a heavy price to the

⁴ Because the previous Assembly had decided to shift election day from February to October every three years, the Fourth Assembly was eight months longer than its two immediate predecessors.

⁵ http://www.canberraliberals.org.au/default.cfm?action=people_details&id=2

⁶ Chris Monnox, *ACT Labor 1929-2009: a short history* (Port Adelaide: Ginninderra Press, 2013), 51.

government, however. He replaced Kaine, who declined a ministry when he refused to accept Carnell's right to veto his staff appointments.⁷ With his hopes of returning to the ministry – or the party leadership – now in ruins, Kaine soon quit the party, citing the leader's "autocratic, dictatorial" style. Seeking to style himself as the only "true" Liberal in the parliament, he adopted firstly the label "Canberra Liberals" and then "United Canberra Party" (evoking the Federal precursor to the Liberal Party, the United Australia Party).⁸ Smyth took Kaine's portfolio of Urban Services, while Carnell, wary of once again assuming the problematic health portfolio, transferred that role to me.

The Chief Minister, ever the innovator, had further structural inventions to explore. In the spirit of Professor Philip Pettit's recommendations, she proposed what she called Executive Committees of the Assembly to advance "a more cooperative approach to government". She proposed that crossbench MLAs chair three such committees and that each would "report directly to Cabinet" on the committee's responsibilities. The chairs could recruit committee members from outside the Assembly, and the chairs would participate in cabinet discussions on the recommendations.⁹ The proposal was greeted less than enthusiastically by the crossbench, despite Tucker having declared just days before that it was "imperative that all members of this place be included in the process of government".¹⁰ Members seemed almost relieved when the Clerk of the Assembly opined that the inclusion of

⁷ *Canberra Times*, 27 Mar 1998, 1. Carnell considered that one of his staff, in particular, had leaked against the government in the previous Assembly.

⁸ *Canberra Times*, 17 June 1998, 2. Although the ACT Division of the Liberal Party had failed to register the name "Canberra Liberals", the Electoral Commission nonetheless ruled that the label was an accepted alternative to its official name, and disqualified Kaine's bid to use it.

⁹ *Hansard*, 30 April 1998, 280. The concept was not without precedent, bearing some resemblance to the "independent boards" long used in the Bermuda legislature and to the "executive committees" used in Jersey's: Roger Wettenhall, "A journey through small state governance", *Small States & Territories*, 1:1 (2018), 117-8.

¹⁰ *Canberra Times*, 31 March 1998, 1; *Hansard*, 13 March 1998, 5.

crossbench MLAs in the cabinet process could lead to “a lessening of the accountability of the Executive to the community”, effectively killing the idea.¹¹ As the *Canberra Times* noted, Carnell “would have expected her attempts at reform to have been embraced after years of calls for the Government to better use the skills of all Members of the Assembly.”¹²

Table 3 Members elected to the Fourth Assembly 1998

Liberals	Labor	Osborne Group	Greens	Moore
*Carnell	*Berry	*Osborne	*Tucker	*Moore
*Cornwell	*Corbell	Rugendyke		
*Hird	Hargreaves			
*Humphries	Quinlan			
*Kaine	Stanhope			
Smyth	*Wood			
*Stefaniak				

* sitting member

Undeterred, Carnell embarked on a further bold experiment: she expanded the cabinet to five members for the first time (also a Pettit recommendation) and included Moore as health minister – an independent minister ensconced in a Liberal cabinet. She announced that the principle of cabinet solidarity would be modified to allow Moore to vote on the floor of the Assembly against certain decisions made by the Liberal cabinet. This, she said, was about “a less adversarial, more inclusive Assembly”.¹³ The groundbreaking arrangement proved so durable that eventually Moore was even made Manager of Government Business, a role he maintained

¹¹ *Hansard*, 30 April 1998, 279.

¹² *Canberra Times*, 31 March 1998, 1.

¹³ *Hansard*, 28 April 1998, 19.

even when he personally stepped outside the government's ranks.¹⁴ Jon Stanhope, the new Labor leader, complained: "He's either in or he's out ... He's either responsible for every decision of Government or not."¹⁵ The complaint sat comfortably with the Chief Minister's iconoclastic streak; it suited her to portray the Liberals as radicals and the ALP as conservative. (Ironically, it would be Labor governments in South Australia that would refine this model in subsequent years, enticing National Party and independent MPs into successive Labor cabinets.¹⁶) Relieved of the health portfolio, I was appointed Assistant Treasurer.¹⁷ The paradigm shift achieved with Moore's participation in cabinet, while a significant departure from Australian Westminster practice, was the last major innovation of this term; thereafter, the dominant mode of ACT politics would be convergence with national practice rather than divergence.

¹⁴ David Hughes, "Political Chronicles: Australian Capital Territory", *Australian Journal of Politics and History*, 44:4 (December 1998), 626.

¹⁵ Kirsten Lawson, "Speaking Up: The long arm of Moore", *Canberra Times*, 29 April 1998, 1.

¹⁶ ... and even an "independent Liberal" and former Liberal state leader: see https://en.wikipedia.org/wiki/Martin_Hamilton-Smith; https://en.wikipedia.org/wiki/Karlene_Maywald; [https://en.wikipedia.org/wiki/Rory_McEwen_\(politician\)](https://en.wikipedia.org/wiki/Rory_McEwen_(politician)); https://en.wikipedia.org/wiki/Geoff_Brock.

¹⁷ I was Health Minister from 31 March to 28 April 1998.



Figure 18 *The poacher becomes gamekeeper; Canberra Times, 30 April 1998. Cartoon by Geoff Pryor.*

Radical change had already been delivered to Labor ranks in the Assembly, courtesy of the electorate's use of the Robson Rotation. Half its sitting MLAs were replaced at the 1998 election and, recognising the role Berry and the Labor Left had played in this disaster, two of the new members moved immediately into the roles of leader and deputy leader, neither belonging to that faction. The new leader was Stanhope, a lawyer, born in Gundagai, NSW. He came from humble beginnings, one of 10 children brought up on a teacher's income. He was an idealist ("heavy on the soft issues", as one colleague put it¹⁸), heading up at various times Racial Respect, the ACT Council for Civil Liberties, the Hospice Association and the ACT branch of the National Coalition for Gun Control.¹⁹ He had also been an advisor to Federal Labor leader Kim Beazley. Journalists mused on how well he would compete with

¹⁸ Interview with Ted Quinlan, 17 April 2025.

¹⁹ Kirsten Lawson, "The alternative Chief Minister", *Canberra Times*, 11 April 1998, C4. He also served as secretary of the House of Representatives Committee on Legal & Constitutional Affairs.

Carnell. Kirsten Lawson thought he had “intensity on the personal level, rather than easy warmth”, and noted: “Clearly a passionate man, one senses that he takes the whole business a little too much to heart”, while Ian Warden queried:

How will Labor’s new Leader, Jon Stanhope, whose own speech to the Assembly yesterday was a dull, recited thing (and included a moaned apology for there being no women in Labor’s caucus of suits) manage to look any less dour than his predecessor when he is compared with a chief minister who is all gaiety and zest?²⁰

Ted Quinlan, the new deputy leader, had moved to Canberra from Victoria, aged 21, to pursue a semi-professional football contract, graduating to the role of deputy chief executive of ACTEW. A former Australian Public Sector Accountant of the Year, his election was seen to add “some sorely needed weight to Labor’s economic credentials”.²¹ Phlegmatic and businesslike, he was instrumental in framing Labor’s response to the narrative that Carnell had turned around the Territory’s economic fortunes. John Hargreaves, another newcomer, was British born. Formerly an ACT public servant, he spoke in his maiden speech of Canberra’s cultural diversity, reflecting his own involvement in many social and ethnic corners of Canberra society.²² Hargreaves was a knockabout character with the love of a colourful turn of phrase.²³ These fresh-faced MLAs were integral to Labor’s revitalisation.

The three novices brought more than new blood to the Opposition; they brought factional equilibrium. The Left, dominant in the Third Assembly caucus, was now reduced to two members (Berry and Corbell) while the Right gained its first MLAs since 1996 (Quinlan and Hargreaves). Stanhope and Wood were non-

²⁰ Kirsten Lawson, “Year of ‘independents’”, *Canberra Times*, 19 December 1998, C6; Ian Warden, “Canberra’s Clever Capitalist Cabaret Continues”, *Canberra Times*, 20 March 1998, 1.

²¹ *Canberra Times*, 17 November 1991, 2; Editorial: “A civil changing of Labor’s guard”, *Canberra Times*, 18 March 1998, 10.

²² *Hansard*, 28 April 1998, 34.

²³ Katie Burgess, “A short history of the ACT Legislative Assembly’s best insults”, *The Age* online <https://www.theage.com.au/politics/act/a-short-history-of-the-act-legislative-assembly-s-best-insults-20181219-p50n5q.html>.

aligned.²⁴ This outcome at the 1998 poll was far from accidental. Andrew Barr, then president of Young Labor and later Chief Minister, recounts in interview how his Young Labor newsletter “got stuck into our team for the unelectability” of the then Whitecross-led party. His group led the push in the 1998 campaign to elect Quinlan, Hargreaves and – to a lesser extent – Stanhope. They were “not unhappy” that the Hare-Clark system, with Robson Rotation, had been entrenched because it “made it very difficult for the party machine to dictate the ticket order”.²⁵ The swathe Hare-Clark had cut through the parliamentary Left alarmed its factional leaders, leading some to consider de-selecting Right MLAs for the following election to “restore the factional balance”.²⁶ Berry himself raged against the system, blaming it for having robbed Labor of all its female MLAs.²⁷ His criticisms overlooked other issues: EMILY’s List donations to women candidates had been diverted into a central pool for all candidates, such that none of the EMILY’s targets were elected – a step which its convener, former premier Joan Kirner, described as “stupid”.²⁸

²⁴ Stanhope recounts in interview how this three-way factional stand-off produced a leadership team. At the first caucus meeting after the election, each of Berry, Stanhope and Quinlan stood as leader, predictably receiving two votes each. The meeting was adjourned while discussions were held, during which Stanhope approached Quinlan to offer him the deputy leadership if he would support him (Stanhope) as leader. Though Corbell made a similar approach to Stanhope subsequently, the Quinlan-Stanhope arrangement held up and at the resumption of caucus, only Stanhope was nominated for leader. He was unable to think of any instance anywhere of a Labor Party leader not belonging to a faction: *Interview with Jon Stanhope*, 16 April 2025. Quinlan summarised the contest succinctly: “we had two Left, two Right and two in the middle, and the guy in the middle’s going to win ... the answer is inevitable”: *Interview with Ted Quinlan*, 17 April 2025. Both Stanhope and Quinlan suggest that the party was better positioned for the future without Left leadership. (In fact, there were some instances of non-factional leadership in Victoria. Premier John Cain (Junior) belonged to the Independents, which was a faction of sorts but neither Left nor Right and really the descendant of a reform group that had emerged in the 1960s called the Participants. The later Labor Deputy Premier, John Thwaites, was also unaligned.)

²⁵ *Interview with Andrew Barr*, 22 March 2024.

²⁶ Brendan Nicholson, “ACT Labor pains”, *Canberra Times*, 28 February 1998, C1.

²⁷ *Canberra Times*, 5 March 1998, 1–2.

²⁸ Brendan Nicholson, “ACT Labor pains”, *Canberra Times*, 28 February 1998, C1. EMILY’S List is a lobby group which aims to get progressive Labor women elected to Australian parliaments to advance feminist principles. “EMILY” stands for Early Money Is Like Yeast.



Figure 19 The Fourth Assembly: front row (l to r) Michael Moore, Brendan Smyth, Bill Stefaniak, Gary Humphries, Kate Carnell, Greg Cornwell, Jon Stanhope, Ted Quinlan, Bill Wood. Back row (l to r) Paul Osbourne, Harold Hird, John Hargreaves, Simon Corbell, Wayne Berry, Kerrie Tucker, Trevor Kaine, Dave Rugendyke. ACT Legislative Assembly

Reflecting their judicious shepherding of the balance of power over the preceding three years, all the crossbenchers seeking re-election were returned, with Osborne additionally dragging a running mate over the line. Dave Rugendyke came to Canberra at the age of five and served as a police officer for 17 years. In his maiden speech he professed “a deep interest in families, children and youth”, manifested by long service with his wife as a foster carer. Despite distancing himself from Osborne’s moral issues agenda in that speech, he was essentially conservative, particularly on law enforcement issues.²⁹ Well-meaning and amiable, he had displayed a flair for publicity well before his entry into politics.³⁰ Thus, by May 1998 there was a rough parity of numbers in the Legislative Assembly: a government

²⁹ *Hansard*, 28 April 1998, 29.

³⁰ For example, *Canberra Times*, 7 July 1994, 3.

of seven members, an opposition of six, and four crossbenchers.³¹ The issues and personalities at work in this parliament, however, would fuel an unwelcome return to instability, taking a toll at the 2001 election on both the Liberals and the crossbench.

Carnell on the march

Carnell was determined to define this Assembly's agenda as surely as she had the last. She sensed that a dynamic, ambitious program was all that stood between her administration and Labor's return to power. Central to that program, as previously, was bringing the Territory fiscus into balance as the last of the Commonwealth subsidies ebbed away. In this endeavour she was assisted by a surging ACT economy. By March 1998 private-sector consumption spending in Canberra exceeded public-sector spending for the first time, and the jobless rate in April was well below the national average.³² Although she had avidly pursued measures to promote the private sector (her Youth 1000 program reached its target of 1000 private-sector jobs for young people in April), most of the economic blossoming was attributable to Federal initiatives.³³ Howard Government cuts to the Australian Public Service were abating as its budget moved back into the black, while outsourcing (particularly of IT) had stimulated frenetic consultancy activity, especially in Canberra. The sale of the Canberra Airport was sparking a substantial investment on its upgrade to international status.³⁴ Howard's new goods and services tax (GST) – which, after a rough passage through the parliament, would commence on 1 July 2000 – would also provide a windfall to the ACT's coffers.³⁵ Within another year the

³¹ On those occasions, which occurred periodically, when Moore would step off the government benches the configuration was more balanced still: 6-6-5.

³² *Canberra Times*, 12 March 1998, 5; 13 March 1998, 2.

³³ *Canberra Times*, 9 April 1998, 4.

³⁴ *Canberra Times*, 9 July 2000, 7.

³⁵ *Canberra Times*, 2 September 1998, 5; 3 May 2000, 5. Getting a fair share of Commonwealth funds has always been a contentious process in Commonwealth-state fiscal relations. The ACT took this

ACT economy would be one-third the size of South Australia's, despite having only one-fifth of its population.³⁶ This presented a quandary to the ACT Opposition, as the sustained economic sunshine made it harder to avoid crediting a Liberal government somewhere.

The 1998–99 ACT budget capitalised on the rising tide. Measures to ramp up revenue collection and taxation (increased public housing rent and car registration, plus a \$10m Emergency Services Levy on insurance companies) were designed to improve the bottom line, as was the sale of the city's streetlights to ACTEW for \$100m. The effect of these measures and of a flourishing economy was to more than halve the operating loss, to \$151m, and generate a \$200m nest egg for unfunded superannuation liabilities.

There was also an end in sight to the long, painful journey of fiscal separation from the Commonwealth: 1998–99 marked the final year of transitional federal funding. Over the nine years of self-government, funding had been cut by 49% in real terms, but that monkey – finally – was now almost off the Territory's back.³⁷ Modest handouts for citizens – such as car registration discounts for pensioners – were sold with a marketing label: the budget fostered a “clever, caring capital”. The “clever” beckoned to growth opportunities which the budget seeded: Olympic soccer games in Canberra in 2000 and Centenary of Federation celebrations in 2001.³⁸ A *Canberra Times* editorial thought Carnell had made a “fair fist” of dealing with the

especially seriously as we had less “political muscle” to rely on than the states; Carnell and I appeared personally at a meeting of the Commonwealth Grants Commission to argue the case for a fair share, making us the first head of government or treasurer to do so in the Commission's 65-year history: *Interview with Kate Carnell*, 22 April 2025.

³⁶ *Canberra Times*, 5 March 1999, 2.

³⁷ The final adjustment was a \$10.2 million payment to the Commonwealth – one which Carnell complained was inequitable given the ACT's operating loss and the Commonwealth's \$2.7 billion surplus: *Hansard*, 23 June 1998, 827.

³⁸ *Hansard*, 23 June 1998, 825; *Canberra Times*, 24 June 1998, 1.

ACT's fiscal challenge without "slashing and burning", while Stanhope condemned budget projections built on "foundations of fairy floss".³⁹

Carnell's budget armoury needed to extend beyond the conventional spending cuts and tax increases, however. Many ACT government operations remained fundamentally inefficient, and the Keating Government's competition policy reforms were still washing through public administration and particularly affecting government-owned enterprises.⁴⁰ Inevitably, "privatisation" entered Carnell's lexicon. The argument for reform was more easily made out in some cases than others. Government bus drivers were the most expensive in Australia to hire; ACTION's labour costs were 19% higher than the average government bus operator and double those of the average private bus operator.⁴¹ The Transport Workers' Union (TWU) confronted the threat of privatisation by negotiating a new enterprise agreement involving a \$10.5m saving to government.⁴² Deregulation of the milk vending industry in the Territory was a similarly painful transition for those who had benefited from the previous monopoly.⁴³ Even Moore, no free-marketeer, left open the option of privatising Canberra Hospital.⁴⁴ Conversely, the government decided that it would be too hard to get legislative agreement to privatise ACTTAB, a decision that Carnell now considers "a mistake".⁴⁵ Despite national competition policy

³⁹ *Canberra Times*, 24 June 1998, 8; 26 June 1998, 5. Quinlan was also unimpressed; he considered that Carnell's last two budgets were best summed up as: "Doing the Job. Getting by": *Interview with Ted Quinlan*, 17 April 2025. Carnell's retort in interview is that reducing deficits was "incredibly hard" because cutting public service job numbers was key to this process, a complicated exercise while the Federal Government was doing the same thing: *Interview with Kate Carnell*, 22 April 2025.

⁴⁰ National Competition Policy required that all governments review any public policy at work in its agencies which might restrict competition with the private sector. Where a public benefit could not be demonstrated by such a policy, the policy was required to be repealed or modified.

⁴¹ *Canberra Times*, 12 September 1998, 2.

⁴² *Canberra Times*, 11 September 1998, 1; 21 October 1998, 1.

⁴³ Catriona Jackson, "Milk market shake-up moves a step closer", *Canberra Times*, 5 July 1998, 7.

⁴⁴ *Canberra Times*, 22 October 1998, 1.

⁴⁵ *Interview with Kate Carnell*, 22 April 2025. See also *Canberra Times*, 20 April 1998, 3.

originating with a Federal Labor government, ACT Labor resolutely opposed much of the deregulation agenda and all privatisation. In September 1998 the ACT government moved to sell Ecowise Services, an arm of ACTEW providing electro-technical services. The Labor MLAs (unsuccessfully) opposed the sale, despite the purchaser being a consortium of 46 of Ecowise's 48 own employees.⁴⁶ Such intransigence gave the government some leverage with the crossbenches, allowing it to paint itself as participating in a vital national policy debate in which ACT Labor was an ideological no-show.⁴⁷

Leverage of this kind could take the Liberal government only so far. Contestability in the Australian electricity market was now severely undercutting the dominance of former monopoly providers such as ACTEW. Throughout 1998 the government-owned business was losing major customers and its profits, and dividends to government, were falling.⁴⁸ A scoping study recommended the outright sale of ACTEW; in November Carnell introduced the privatisation legislation, pledging the proceeds of the sale to address unfunded superannuation liabilities.⁴⁹ For Labor, and in particular for its Left faction, this was a line in the sand. Stanhope charged that the government had "made absolutely no credible claims for the sale of ACTEW ... The people of Canberra do not want ACTEW sold."⁵⁰ A report by the Australia Institute, a left-leaning think tank established in 1994, asserted that the

⁴⁶ *Hansard*, 24 September 1998, 2155.

⁴⁷ Interestingly Stanhope in interview states that "on the issue of privatisation I ... was in a minority in terms of the overarching attitude of the caucus", which was to oppose privatisation generally: *Interview with Jon Stanhope*, 16 April 2025.

⁴⁸ *Canberra Times*, 25 April 1998, 4; 23 September 1998, 3; 17 November 1998, 3. Admittedly, the \$100m the corporation needed to borrow to purchase Canberra's streetlights, an initiative in Carnell's budget, did not assist its immediate profitability.

⁴⁹ *Canberra Times*, 9 October 1998, 2; *Hansard*, 17 November 1998, 2560; 26 November 1998, 3033.

⁵⁰ *Hansard*, 28 October 1998, 2376. Quinlan in interview defended this position; saying "I really couldn't see that privatisation was going to produce a better result for the customer in the long run": *Interview with Ted Quinlan*, 17 April 2025.

claim the sale would make the ACT better off financially was based on accounting errors.⁵¹ For long “bruised and confused” following the election, the ALP’s leaders and membership were now galvanised by the sale threat; a \$20,000 television ad campaign was launched opposing it, and the crossbench was intensively lobbied.⁵² The crusade paid dividends; the bill was defeated when the whole crossbench opposed it.⁵³ Carnell, digesting the worst defeat of her chief ministership, blasted an Assembly which “has not had the guts to make a tough decision” – remarks which Stanhope labelled “petulant nonsense”. The *Canberra Times* passed harsh judgement on Osborne and Rugendyke in particular, labelling their opposition “amateurish political decision-making”.⁵⁴

Carnell had tested the capacity of the crossbench to make unpopular decisions and found it wanting. The result should not have been surprising; for a parliament that had for so long been framed by idiosyncratic issues such as hospital closures, heroin trials and electoral systems, ACTEW’s privatisation presented an unfamiliar shift to a classically ideological, left/right dialectic which was defining the agenda in every other Australian legislature. In majoritarian parliaments, free marketeers were generally prevailing over community concerns about selling off the silverware, but in Canberra – with its potent crossbench – such concerns were always going to have a more significant bearing on the outcome. Despite the outcome, the privatisation debate also underscored the ACT falling into line with

⁵¹ The Australia Institute, *The Privatisation of ACTEW: The fiscal, efficiency and service quality implications of the proposed sale of ACT Electricity and Water*, December 1998, xiii: australiainstitute.org.au/wp-content/uploads/2020/12/DP20_8.pdf. Accessed 24 April 2025.

⁵² *Canberra Times*, 18 March 1998, 10; 16 January 1999, 3. Rugendyke claimed to have had almost a thousand representations from constituents, of which only four were in favour of the sale: *Hansard*, 2 February 1999, 82.

⁵³ *Hansard*, 2 February 1999, 85–6.

⁵⁴ *Canberra Times*, 2 February 1999, 1, 8.

preoccupations already commonplace in other parliaments, converging rather than departing from dominant norms.⁵⁵

The mouse roars

Though shaken by the failure to privatise ACTEW, Carnell was too inured to the fickleness of the ACT legislature to let it break her stride. She, and her ministers, now took opportunities to enter – and sometimes even lead – debates of a national character, finding a new confidence in the self-governing city's place on the national stage. When, for example, a new gun-control regime had been crafted in 1996 following the Port Arthur massacre, the ACT had been a minor player. But when signs of backsliding appeared in 1998 by states with significant gun-owning communities, the ACT was in the vanguard of corralling wayward jurisdictions.⁵⁶ As Attorney-General I also won a longstanding battle among censorship ministers to have the X-rated video category replaced with a Non-Violent Erotica category, ensuring the survival of the industry nominally centred in Canberra.⁵⁷ Pursuing this progressive bent, I also led opposition to a Commonwealth plan to outlaw internet gambling, citing the futility of the exercise.⁵⁸ In May 2000 the ACT granted two internet gambling licences on the eve of a Commonwealth ban, a decision Community Services Minister Jocelyn Newman described as “sick”: “I’m very

⁵⁵ Of course, conservative opinion outside the major parties, and sometimes within them, was often sceptical of the privatisation agenda.

⁵⁶ *The Age*, 11 June 1998, 2; *Canberra Times*, 9 June 1998, 3; 11 June 1998, 3; Peter Clack, “National reform of gun laws in tatters”, *Canberra Times*, 22 March 1998, 9.

⁵⁷ *Canberra Times*, 31 October 1998, 3. Whereas previously the Commonwealth attempted to ban the X-category, it now accepted that the NVE category (with some more offensive material excluded) should be allowed to be sold. Ultimately the legislation to create the NVE category stalled in the Senate, largely based on opposition from independent Senator Brian Harradine, but the effect of this stalemate was that X-videos continued to be available. Of course, the industry has largely withered in recent years with competition from pornography readily available on the internet. I say “nominally centred in Canberra” because such videos were in fact generally available around Australia, but could only *legally* be purchased in or through the ACT or Northern Territory.

⁵⁸ *Canberra Times*, 19 April 2000, 3.

disappointed with the ACT Government. They're not content to be the pornographic capital of Australia. They now want to be the greed capital."⁵⁹ Greedy or not, the ACT had mounted a persuasive argument, and the banning legislation was defeated in the Senate.⁶⁰

Sometimes the ACT stole the limelight by accident – such as when footage of its new SouthCare helicopter service rescuing stricken sailors during the 1998 Sydney to Hobart yacht race was flashed around the world – and sometimes it did so by design, as when the streets of the Parliamentary Triangle echoed to roaring V8 racing cars, leading Warden to gush: "Canberra, a dull and far-too-dignified city one day. Bigger and wilder than Monaco the next!"⁶¹ These developments were a signal to Canberrans that self-government had a distinct upside, which could be measured in communal confidence and profit. They could be presented as displaying the transition from a cosseted community, reluctant to exercise self-responsibility, an outlier in the Federation, to a competitive and innovative jurisdiction which set the pace in some national debates.

The ACT not infrequently found itself the fly-in-the-Commonwealth's-ointment. Urging Howard to reconsider his opposition to a heroin trial in 1999, Carnell found an unexpected ally in Jeff Kennett, who even floated the idea of a trial in Melbourne.⁶² (Several commentators had noted they were kindred spirits; one said they both "enjoyed the status of rogue Liberal leaders who were not afraid to take on ... Howard or go out on a limb with a socially progressive stance on drugs."⁶³) Federal

⁵⁹ *Canberra Times*, 20 May 2000, 1.

⁶⁰ *Canberra Times*, 11 October 2000, 3. The Federal government abandoned the plan in 2001: *Australian Financial Review*, 20 June 2001, 52.

⁶¹ *Canberra Times*, 21 February 1999, 2; Ian Warden, "Feel the Power: bigger than Monaco", *Canberra Times*, 9 June 2000, 1.

⁶² *Canberra Times*, 5 March 1999, 1; 7 April 1999, 3.

⁶³ Liz Armitage, "Many pitfalls in pushing the envelope", *Canberra Times*, 25 September 1999, C2.

colleagues sometimes earned Carnell's ire, such as when pork-barrelling saw Canberra-based agencies relocated to the states, and when the 2001 Commonwealth Heads of Government Meeting was shifted from Canberra to Brisbane.⁶⁴ (For good measure, premiers such as Bob Carr and Peter Beattie occasionally suffered a Carnell backhander – something that might have been seen as impertinent in the early years of self-government.⁶⁵) Carnell's critiques were sometimes the product of philosophical differences, such as when Howard failed to say sorry to the Stolen Generations.⁶⁶ Other noses were put out of joint when Moore led a national push to have genetically modified foods labelled, and when Smyth – speaking for the largest community within the Murray-Darling Basin – mounted a campaign to restore the Murrumbidgee River to 26% of its annual flow to ensure the health of its ecosystem.⁶⁷ While some friction with the Commonwealth was a matter of insulating the ACT government from unpopular Federal decisions, much of it was strategic; taking a strongly pro-republic stance at the 1999 referendum, for instance, reminded Canberra voters that their Liberal leader was no Howard lackey. It also gave Carnell the satisfaction of being the only state or territory leader whose views on the republic aligned with those of her constituents.⁶⁸

Such strategies gave the Chief Minister cachet with Canberra voters, although at the expense of some traction with Howard himself.⁶⁹ State governments attacking the national government – usually reduced to the metonym of “Canberra” – was (and still is) a widely practised political device, generally deployed with a slight moderation

⁶⁴ *Canberra Times*, 29 October 1999, 1; 1 January 2000, 1.

⁶⁵ *Canberra Times*, 16 February 1999, 3; 4 January 2000, 1.

⁶⁶ *Canberra Times*, 27 May 1998, 1. She also criticised Howard government plans on combating youth unemployment, saying they were “not researched fully”: *Canberra Times*, 12 April 1998, 1. See also *Canberra Times*, 5 October 1998, 3.

⁶⁷ *Canberra Times*, 24 November 1998, 3; 29 July 1999, 2.

⁶⁸ The ACT was the only jurisdiction to vote in favour of the republic – 63% in favour.

⁶⁹ *Canberra Times*, 31 July 1999, 2.

in tone when both governments were of the same political hue. The tactic took on a greater potency when practised by Carnell, given the persistent distrust of Federal Liberal administrations by the Canberra community.⁷⁰ This facilitated a greater trenchancy than Follett had typically used when criticising Federal Labor governments. Vigorous upbraiding of the Federal government, a ploy familiar to voters, also served to normalise their perception of the workings of ACT government.

A progressive agenda

While pursuit of a balanced budget remained the government's top priority, ministers took Carnell's lead and prosecuted a relatively progressive legislative agenda. This was easier now that the only conservative in cabinet was Stefaniak. Even he and the other conservatives gave this mode reasonable latitude, since it obviously lent the political buoyancy that a more traditionally Liberal approach would never afford. The environment featured, given the Greens' toehold in the parliament. The "No Waste by 2010" strategy ensured one third of the ACT's waste stream was diverted to recycling by 1998, and legislation allowing healthy environmental flows to be set for Territory waterways was enacted.⁷¹ Reforms in child protection, discrimination against women, further tightening of tobacco controls and defamation law reform were pursued with vigour.⁷² Additionally, in the wake of the *Mabo* (1992) and *Wik*

⁷⁰ Evidence of this is that the Liberal Party has not won a House of Representatives seat at a general election in the ACT since 1977.

⁷¹ *Canberra Times*, 17 November 1998, 3; *Hansard*, 26 November 1998, 3089.

⁷² The child protection regime was overhauled, and discrimination against women breastfeeding in public was outlawed: *Hansard*, 1 July 1999, 1953; *Canberra Times*, 4 August 1999, 3. The ACT became the first jurisdiction to place all its laws on the internet, and the age at which a person could be deemed criminally responsible was raised from 8 to 10 years: *Canberra Times*, 16 May 2000, 4; 25 March 1999, 1; *Hansard*, 8 March 2000, 655. Reform of defamation laws took six years; it began by my putting proposals to the nation's attorneys general which, when consensus among them was elusive, became in turn a bill to reform ACT laws and later, ironically, the template for reforms elsewhere in Australia. *Canberra Times*, 31 August 2001, 2. My bill gave publishers the right to defend defamatory material on the basis that it was not published negligently – a departure from the existing law which could find defamation without fault. It also gave publishers the right to defend material on the basis of truth alone without having to prove public benefit. Finally, it sought to stop

(1996) decisions and the Human Rights and Equal Opportunity Commission's *Bringing Them Home* report on the Stolen Generations in 1997, the ACT offered the local Ngunnawal people a form of title over Namadgi National Park, including joint management.⁷³

Other reforms also encountered heavy weather, including citizens-initiated referendums, criminal injuries compensation, increasing leasehold tenure, and the location and governance of the new prison.⁷⁴ Ultimately, the government would need to go to the next election without consensus on most of those matters – a precedent that would be repeated in other areas where the Assembly's demand for a say would not be matched by its willingness to make decisions when unpopular options required consideration. This phenomenon may explain why one area of reform – adapting Westminster parliamentary models to the expectations of the ACT community – remained as elusive in this Assembly as it had been in previous ones. A further report of the review led by Pettit recommended, in April 1998, four-year parliamentary terms and an additional four MLAs. The report argued that Canberrans

interstate litigants forum shopping; for example, Federal ministers Tony Abbott and Peter Costello and their wives had sued Bob Ellis's publisher for defamation in the ACT in 1997, despite the fact none of the plaintiffs lived there.

⁷³ This was despite local Mabo-type land title claims otherwise failing, and Namadgi making up almost half of the ACT's land area. Unfortunately, the offer "exposed fractures within the local aboriginal community", which was divided between two mutually hostile family groupings: Liz Armitage, "Much to resolve in offer", *Canberra Times*, 24 July 1999, C1.

⁷⁴ For the fourth time I introduced a citizens-initiated referendums bill, and for the fourth time it was defeated: *Canberra Times*, 30 May 1998, 4. A bill to contain the escalating cost of the criminal injuries compensation scheme was hit by vociferous opposition from lawyers and victims groups; it led me to face a censure motion from the Opposition when I publicly clashed with my former ministerial colleague, Bernard Collaery, over the issue: *Canberra Times*, 30 November 1998, 2; 6 May 1999, 1–2; Hansard, 6 May 1999, 1497. The legislation eventually passed, possibly through exhaustion, at 4 am on the last sitting day of the year: *Hansard*, 9 December 1999, 4300. A move to allow the ACT to issue 999-year leases (to mimic freehold title, which is constitutionally impossible in the Federal territory) was defeated by the ALP and Greens in the Senate: *Canberra Times*, 17 February 2000, 1. Political agreement had been forged in the previous Assembly around the need to bring the ACT's sentenced prisoners home to a local gaol, but the consensus-building mode adopted by the government meant that MLAs expected input on where the prison would go and whether it would be a public or private institution (matters, in other jurisdictions, within the exclusive domain of the executive): *Canberra Times*, 23 June 1999, 3; 2 July 1999, 3; 29 July 1999, 3; 26 August 1999, 6; 23 January 2000, 1; 9 April 2000, 2.

“were severely under-represented”, with a ratio of constituents to representatives six times higher than the national average.⁷⁵ Most MLAs supported most recommendations, but no one recommendation had universal support. Having rejected Carnell’s Executive Committees idea, and being at odds over the Pettit recommendations, politicians canvassed a variety of reform concepts during the parliamentary term, mostly without actual change. Persistent attempts by the government to involve committees in budget preparation were met by truculent rejection.⁷⁶ Tucker repeatedly called for 21 members, but could muster only in-principle support from her colleagues.⁷⁷ Osborne’s response to my suggestion of a directly elected chief minister was: “the Assembly might as well just get a king and forget about elections”.⁷⁸ Labor members seemed the least inclined to tamper with the existing model; the only innovation they espoused was the return of evening sittings.⁷⁹ The impulse to reshape the model of self-rule handed over by the Commonwealth remained strong, with MLAs sensing that voters were, as Warden put it, “still glowering ungratefully about self-government”, but reform proposals no longer clustered around simply making government smaller and cheaper, suggesting that perhaps voters were now in the market for *better* government.⁸⁰

It is worth noting that here, as in all parliaments, the vast bulk of the term’s legislative program was uncontroversial, often responsive to trends affecting the whole nation, and directed toward greater community amenity, prosperity and well-

⁷⁵ *Canberra Times*, 25 April 1998, 1.

⁷⁶ For example, *Canberra Times*, 10 March 1999, 4.

⁷⁷ *Canberra Times*, 1 February 2000, 3.

⁷⁸ *Canberra Times*, 11 November 1998, 1.

⁷⁹ *Canberra Times*, 23 April 1998, 2. Labor’s tepid approach may explain why crossbenchers rebuffed Stanhope’s bid to chair an Assembly committee looking at reform. A spokesman for Tucker said the committee should be chaired “by someone who shows far more interest in reforming the Assembly”: *Canberra Times*, 7 April 1998, 1.

⁸⁰ *Canberra Times*, 12 May 1999, 3.

being. In the ACT's case there was perhaps a greater emphasis than elsewhere on dealing with administrative matters neglected during Commonwealth stewardship of Canberra.⁸¹ Overall, however, the program addressed the expectation that standards would be maintained in what had been thought of as a model community.

Canberrans were used to having the best of everything, and expected the government to keep it that way: the nation's fastest ambulance response times; the highest rate of high school completion; even having more public toilets per capita than England.⁸² An improving economy at the end of the century meant that self-government was safeguarding this strand, at least, of the ACT's distinctive identity and self-regard.

Self-government's tepid tenth birthday

There was little celebratory spirit in the events marking the 10th anniversary of self-government in May 1999. A ceremonial sitting of the Assembly and a conference to discuss the progress of ACT democracy were deprecated by journalist Kirsten Lawson as "a sad and lacklustre way of celebrating a colourful 10 years". Carnell and Stanhope debated the ACT model, with the former advocating "a more inclusive style of operation" and the latter defending continuation of the Westminster system. If journalists sensed a lack of enthusiasm, they were no doubt taking their cue from MLAs themselves; Berry responded to the Speaker's request for commemorative suggestions by sarcastically proposing "a celebratory march in Civic, passing through the bus interchange" which would "undoubtedly fill the streets with joy, song

⁸¹ Measures such as establishing protocols for the use of surveillance cameras in public places and enforcement provisions for fines imposed by ACT courts: *Hansard*, 30 April 1998, 203; *Canberra Times*, 23 October 1999, 3.

⁸² *Canberra Times*, 18 February 2000, 2; 2 March 2000, 5; 14 April 2000, 2.

and dancing”.⁸³ As befitted the Territory government head, Carnell talked up the occasion, declaring that self-government had contributed to “a very vibrant, very tolerant, very innovative society” and declared – gamely, but with some justification – that the Assembly “is the closest to the people of any parliament in the country”.⁸⁴

Less idealistically, journalist Graham Cooke proclaimed:

Spurned by a substantial majority of those forced to endure it, derided from the moment of its conception, [self-government] passed its 10th birthday this week – the ugly duckling may not yet be a swan, but it hasn’t drowned in the pool either.⁸⁵

The cynics and sceptics carried the day; the champagne bottles remained corked.

The mood was underscored in June when the Remuneration Tribunal awarded no pay rise to the MLAs – because none had asked for one.⁸⁶ The opportunity to assess progress and to appraise the worth of the idiosyncratic model that had evolved in that decade was passed up – and perhaps, sadly, has still not been grasped.

The progress which the critics missed was, admittedly, sometimes the accretion of many small steps. Abolishing the common law presumption of marital coercion (the presumption was that a wife committing a crime in company with her husband must have been coerced by him into so doing) was business overlooked by the Commonwealth for 70 years (NSW had abolished the presumption in 1925), but was accomplished under self-government, as was the granting of security to rural leaseholders who lived on their property.⁸⁷ By contrast, the ACT led the nation when it allowed genetic parents of surrogate-born children to obtain guardianship of their offspring, and when it banned the docking of puppies’ tails; and it led the world when

⁸³ Kirsten Lawson, “A party with no heart or spark”, *Canberra Times*, 15 May 1999, C3. Berry penned but did not send his tongue-in-cheek letter.

⁸⁴ *Canberra Times*, 4 March 1999, 2; 12 May 1999, 3.

⁸⁵ Graham Cooke, “Sitting it out”, *Canberra Times*, 6 March 1999, Panorama 12–13.

⁸⁶ *Canberra Times*, 5 June 1999, 3.

⁸⁷ *Hansard*, 14 October 1999, 3109; *Canberra Times*, 4 April 2000, 3.

it pioneered electronic voting at the 2001 election.⁸⁸ Something exciting or creative must have attracted a delegation from Tajikistan to study the city's structure of government and budget processes.⁸⁹ The conspicuous lack of interest in a call by Kaine for an anti-corruption commission spoke volumes about its perceived inutility.⁹⁰ Other small steps – banning the sale of glass bottles on New Year's Eve, requiring dog owners to carry "pooper scoopers", consolidating the regulation of bee diseases – suggested a competent interface between community need and legislative diligence.⁹¹

The 1999–2000 budget, delivered soon after the 10th birthday, delivered other presents to long-suffering citizens; in what Carnell called the "Full Monty" budget – characterising it as totally transparent – the operating loss was basically halved on the back of higher Commonwealth funding and the removal of a further 450 ACT public servants from the payroll. Despite having warned of a tough budget because of the failure to sell ACTEW, the document came across as "more ho-hum than horror".⁹² Few commented on the contrast between this budget and its slash-and-burn predecessors from just a few years before. Expectations of what ACT governments could and should deliver to citizens had inched a little higher.

Opposition and crossbench: successes and stumbles

The slump in Labor's vote and the retention of a strong crossbench at the 1998 election created some sharp realignments in the Assembly's dynamics. The

⁸⁸ *Hansard*, 31 August 2000, 2764; 21 December 2000, 3; *The Australian*, 14 November 2000, 33. Previously such parents needed to adopt those children.

⁸⁹ *Canberra Times*, 29 November 2000, 7.

⁹⁰ *Hansard*, 25 August 1999, 2344.

⁹¹ *Hansard*, 26 August 1999, 2470; 28 November 2000, 3256; *Canberra Times*, 29 November 2000, 4.

⁹² *Canberra Times*, 5 May 1999, 1, 13; Kirsten Lawson, "Trick or not, Kate's still quite a treat", *Canberra Times*, 8 May 1999, C3.

Opposition, with an untested leadership team, needed to assert its role as chief critic and antagonist of the government, one sometimes usurped in the previous parliament. The crossbench, in turn, wanted both to be the arbiter in arguments between Labor and Liberal and a source of legislative reform and innovation in its own right. Serious friction between the two non-government blocs had been a feature of the previous term, particularly when Berry led the ALP. In the Fourth Assembly, all three of the parliamentary blocs would face serious problems, many of which were self-inflicted, and which at some points threatened a return to the instability of the First Assembly and a stalling of public confidence in the still-young institution.

Labor's first challenges were internal: dealing with the election disaster and serious structural failures. Factional infighting had broken out in earnest, leading Stanhope to implore members to unite: "While we play political games the Liberals govern."⁹³ His hand was strengthened by an internal review of the election which identified "a party prone to internal disputes, not connected to the community, narrowly based and self-serving, divided by factionalism and controlled by a few individuals".⁹⁴ Stanhope led a push to reverse the highly privileged position unions enjoyed in selecting parliamentary candidates, a move assisted when the TWU broke with what the union called the "loony Left" and backed him.⁹⁵ Quinlan's assessment today is that this reform "had great currency in the public forum.

⁹³ *Canberra Times*, 28 June 1998, 2; 19 June 1999, 3.

⁹⁴ *Canberra Times*, 24 October 1998, 1. The report was authored by Michael Aird and Jenny Beacham.

⁹⁵ *Canberra Times*, 28 June 1998, 1; 23 September 1999, 3; 28 November 1999, 2. Stanhope recounts in interview that he had a "different relationship" with the unions compared with factionally aligned MLAs. He recalls that "I would from time to time, outrageously, when unions came to me and made demands of me and the government, I often said, 'No, I won't do that'": *Interview with Jon Stanhope*, 16 April 2025. Quinlan in interview evokes a similarly ambivalent relationship with the union movement, recalling one party conference where a bloc of unionists stood and turned their backs on him during his speech: *Interview with Ted Quinlan*, 17 April 2025.

[Previously] people thought that we were being run by these Hard Left bastards ... [now] our image was changing.”⁹⁶ Embarrassed by the absence of female MLAs, the party set up a committee of women to “advise” the male MLAs.⁹⁷

Advice of a more general kind may have been necessary because the performance of the parliamentary team was sometimes unimpressive, particularly when internal divisions emerged. On a forthcoming vote in September 2000, on whether to support a sister city relationship with Beijing, Labor MLAs – apparently divided – simply absented themselves from the vote.⁹⁸ Journalist Liz Armitage observed that “the alternative government walked away from its responsibilities in the most appalling way”.⁹⁹ Sometimes the leadership was blamed: Lawson lashed Stanhope for moving an ill-fated no confidence motion in me on the day he was meant to reply to the 1999–2000 budget: “Stanhope did not present his case against Humphries well – symptomatic of his continuing problems with presentation.”¹⁰⁰ No critic was harsher than Robert Macklin, who complained:

And the more one sees and hears of Jon Stanhope, the more one appreciates the underwhelming nature of what he has to offer ... His presentation is dreadful ... Stanhope’s political persona, which has had all the impact of a wounded moth.¹⁰¹

Osborne, in turn, was inflamed by what he saw as Labor’s hostility to his own agenda on moral issues; he wrote to Stanhope hinting that he would not support a future Labor government unless the branch stamped out “bloody-minded intolerance”

⁹⁶ *Interview with Ted Quinlan*, 17 April 2025.

⁹⁷ *Canberra Times*, 9 March 1999, 5.

⁹⁸ The only previous occasion this occurred was in 1990, when the entire ALP caucus absented itself from votes on legislation to raise taxes on X-rated videos: *Hansard*, 5 June 1990, 2085-6; see Chapter 4.

⁹⁹ *Hansard*, 7 September 2000, 3061; Liz Armitage, “Labor stands aside”, *Canberra Times*, 9 September 2000, C2. See also *Canberra Times*, 23 February 2001, 1.

¹⁰⁰ Kirsten Lawson, “Trick or not, Kate’s still quite a treat”, *Canberra Times*, 8 May 1999, C3.

¹⁰¹ Robert Macklin, “Humphries Missed Chance to Put Own Stamp on Ministry”, *Canberra Times*, 29 October 2000, 22. See also Liz Armitage, “Policy detail the missing link”, *Canberra Times*, 7 April 2001, C6.

and factional warfare.¹⁰² The ACT's reputed natural party of government seemed uncomfortable and occasionally adrift in opposition.

The crossbench entered the Fourth Assembly full of confidence in its own ability to wield significant influence once again. All its members except Rugendyke were experienced legislators, and the addition of Kaine to their numbers augmented their capacity. Despite being a minister, Moore regularly exercised his right to act separately from the government, which his accord with Carnell had guaranteed. A steady stream of bills and motions underscored the power of this group of five crossbenchers – power quite unlike that exercised by any other crossbench in the country.¹⁰³ Each advanced initiatives reflecting their personal policy interests.¹⁰⁴ The crossbench ensured that the government suffered many more defeats on legislation than in the previous parliament.¹⁰⁵

Occasionally, there was overreach. When Kaine proposed an anti-corruption commission in 1999, the *Canberra Times* responded:

When such independent commissions have been set up in other jurisdictions it has been in response to overwhelming evidence of serious, widespread and potentially destabilising corruption, mostly involving police forces. There is not a shred of evidence to suggest those kinds of goings-on in the ACT, either in the Australian Federal Police, in the Government, the Assembly, or the wider bureaucracy.¹⁰⁶

¹⁰² *Canberra Times*, 9 February 2000, 2.

¹⁰³ Crossbench bills in the Federal Parliament, for example, were – and still are – rarely successful.

¹⁰⁴ The government was prohibited from signing a new contract for the services of the Australian Federal Police until the Territory was given the power to appoint its own police commissioner (Osborne's initiative); government departments were required to report on their contributions to ecologically sustainable development (Tucker); and the placing of flyers under windscreen wipers was banned (Moore): *Hansard*, 27 May 1998, 669; 29 October 1998, 2487; *Canberra Times*, 9 March 2000, 4. The government eventually obtained the power to veto the choice of a Chief Police Officer when it signed a new policing agreement with the Commonwealth in March 2000: *Canberra Times*, 16 March 2000, 2. Osborne and Rugendyke, both ex-policemen, pursued a law-and-order program: possession of a knife in a public place, without reasonable excuse, was prohibited (Rugendyke); liquor licensees were made liable when their employees sold alcohol to minors (Osborne); and police were empowered to temporarily confiscate vehicles involved in burnouts (Rugendyke): *Hansard*, 25 May 1998, 359; 8 December 1999, 4033; *Canberra Times*, 10 December 1998, 2.

¹⁰⁵ Examples include *Hansard*, 10 March 1999, 522, 532; 6 March 2001, 568; 27 March 2001 979; 28 March 2001, 1111; *Canberra Times*, 7 March 2001, 13.

¹⁰⁶ Editorial, *Canberra Times*, 16 August 1999, 10.

When Osborne put through a bill, in haste and over the government's objections, to establish a specialist children's magistrate, he found himself in a slanging match with the chief magistrate, who opined that the legislation was so badly constructed that he could only appoint himself to that role.¹⁰⁷ The chief magistrate was not the only party alarmed at the muscular role of the crossbench: a proposed merger between ACTEW and Great Southern Energy was scuttled in October 1999 by the NSW Treasurer, Michael Egan, who cited the "vagaries" of the ACT Assembly. His spokeswoman said: "Government needs to have a fairly hands-off approach to ensure the good management of a state-owned corporation. The treasurer's view is that would not be possible with the current state of the ACT Assembly."¹⁰⁸ The ACT government was also sideswiped when it made a submission to a Senate inquiry into proposed Federal intervention to override mandatory minimum sentencing laws in the Northern Territory; the ACT submission had opposed the move on the basis that a previous Assembly had opposed Federal intervention to throw out NT euthanasia laws, only to find that this Assembly now apparently thought intervention in this instance was warranted.¹⁰⁹ Unpredictable slap-downs were a reminder that the government was on a short leash.

Overreach in these cases did little to alter public appraisals of the crossbench, but one issue did, and in spectacular fashion: abortion. Berry put the issue on the table in May 1998, to the consternation of other Labor MLAs.¹¹⁰ Stanhope rebuked his colleague, despite sharing his pro-choice position, saying that they "could not

¹⁰⁷ *Canberra Times*, 14 October 1999, 5.

¹⁰⁸ *Canberra Times*, 7 October 1999, 1. In fairness, Egan may have had other reasons for shelving the deal; it required a \$285 m "value-equalisation payment" from NSW to the ACT in return for a 50% share in the merged entity, ACTEW being worth more than Great Southern Energy.

¹⁰⁹ *Canberra Times*, 2 March 2000, 3.

¹¹⁰ *Interview with Ted Quinlan*, 17 April 2025.

actually have any guarantee that the debate would not swing out of control". Berry's timing seemed strange, given that 10 of the 17 MLAs opposed his views, including two of his own team.¹¹¹ Osborne took advantage of that fact in August by introducing legislation restricting the circumstances where an abortion could be obtained. What followed was legislative chaos. Hargraves and Wood, initial supporters of the bill, were put off by its severity (not allowing abortion in the case of foetal abnormality, for example). I (being pro-life) moved a series of amendments to save the bill, while Moore (pro-choice) also moved amendments in response to criticism from the medical community.¹¹² Osborne then withdrew his bill but introduced a new one requiring women considering an abortion to be shown a pamphlet depicting foetuses at various stages of development. When the bill was debated, just one week later, loyalties shifted wildly. Quinlan backed the Liberal Party's opposition to some of Moore's amendments; some of my amendments failed when Carnell, Cornwell and Hird sided with Labor members to block them. The bill passed 11–6 at 3 am after a 16-hour debate, but acrimony continued; an expert panel was appointed to draft the pamphlet, but it decided to exclude pictures of foetuses.¹¹³ I made a regulation requiring the inclusion of the pictures, leading Carnell to warn that she would not accept "emotive clap trap" in the pamphlets. Berry moved to disallow the regulation, but failed 8–9.¹¹⁴ High farce, not seen since the days of revolving-door governments and out-again/in-again fluoride, had returned to the ACT's parliament.

¹¹¹ *Canberra Times*, 23 May 1998, 3. Stanhope in interview referred to "tension within the caucus at the role which Wayne had vested in himself": *Interview with Jon Stanhope*, 16 April 2025.

¹¹² *Canberra Times*, 17 November 1998, 3; 18 November 1998, 1–2.

¹¹³ *Hansard*, 18 November 1998, 2605; 9 June 1999, 3; 25 November 1998, 2933, 2982, 3013, 3031; *Canberra Times*, 27 November 1998, 1.

¹¹⁴ *Canberra Times*, 10 July 1999, 1; 15 July 1999, 1; *Hansard*, 2 September 1999, 2844.

The casualty list from the sorry episode was extensive. Berry's decision to trigger the debate seemed ill-judged. Ministers, myself included, who intervened to moderate the original proposals, nonetheless attracted scorn from many quarters; one commentator decried the "disgusting, almost mediaeval, plot by Humphries, Smyth and Osborne".¹¹⁵ Carnell was assailed by suggestions she had only backed the bill because she needed Osborne's vote for the privatisation of ACTEW.¹¹⁶ The law was held in contempt when doctors and ACT Family Planning simply refused to show women the pamphlet.¹¹⁷ But the most significant damage was done to Osborne and Rugendyke, and by association to the crossbench generally. There had been no hint before the 1998 election that such changes were in contemplation; their prosecution – as sudden as they were Draconian – upended the crossbench's reputation as the moderator to the ideologies of the major parties, as the watchdog over Canberra's values. As Lawson put it: "From a parliament once seen as the most progressive in the country, the Assembly is about to become one of the most regressive."¹¹⁸ This issue, more than any other in the Fourth Assembly, damaged the credibility of the crossbench, and the Osborne ticket in particular. It pushed many voters to reconsider the major parties they had eschewed in previous elections.

Government stumbles

While Labor and the crossbench tended to their self-inflicted injuries, the government faced its own stumbles, for the most part chickens from the previous Assembly coming home to roost. The *Feel the Power of Canberra* campaign to market ACT tourism was running into consumer resistance; the slogan's Janus-like double

¹¹⁵ Jane Lee, "Carnell's Recovery – the strategy unfolds", *Canberra City News*, August 1999.

¹¹⁶ Kirsten Lawson, "Osborne the playmaker", *Canberra Times*, 12 June 1999, C4.

¹¹⁷ *Canberra Times*, 13 April 2000, 5.

¹¹⁸ Kirsten Lawson, "Osborne's commando raid", *Canberra Times*, 27 August 1998, 2.

meaning opened the door to a sustained chorus of criticism about elitism, led by Berry.¹¹⁹ A newspaper phone-in poll recorded 97% opposed to the slogan; the government eventually discontinued its use on local numberplates when almost half of new car registrants chose to reject it.¹²⁰ Carnell, who had taken on the arts portfolio, was booed at a cultural launch after cuts of \$1.6 million to the ANU's Institute of the Arts.¹²¹

The issue which did the most serious damage during 1998 to the government's credibility, however, and to the chief minister's in particular, was the inquest into the death of 12-year-old Katie Bender during the implosion of the former Royal Canberra Hospital in July 1997. The proceedings under coroner Shane Madden lasted from March 1998 until October 1999 and generated dozens of unedifying headlines, many centring on insinuations that Carnell had cut corners to maximise the political benefits of the spectacle.¹²² Her own evidence that Kaine had been the minister responsible for the demolition project was contradicted by one of Kaine's advisers, who said that his minister had been "excluded" from "Kate's project". When the inquest was told that the relevant diaries of the former head of the Chief Minister's Department had been lost, Berry managed to commandeer the government email system to send a cheeky message to thousands of public servants asking them to "help find" the missing diaries.¹²³ Berry further added to the government's discomfort by retrospectively extending the period in which parties

¹¹⁹ The government had intended the slogan to highlight Canberra's power to inspire and impress, whereas Berry focused on Canberra as a metonym for the federal government, with its power to tax and oppress. In this context it imparted a "sense of ivory-tower superiority": Robert Macklin, "Go now Kate before it gets even darker", *Canberra Times*, 12 June 1999, C4.

¹²⁰ *Canberra Times*, 14 May 1998, 3; 26 August 1998, 1; Robert Macklin, "Carnell set on feeling her power of one", *Canberra Times*, 4 July 1998, C4.

¹²¹ *Canberra Times*, 30 June 1998, 3.

¹²² *Canberra Times*, 16 March 1998, 1.

¹²³ *Canberra Times*, 14 August 1998, 3.

involved in the implosion could be prosecuted.¹²⁴ When the coroner's report was handed down in October 1999, Carnell was cleared of any direct responsibility for Katie Bender's death, but the report raked over systemic failures throughout the ACT government, including "the intrusive and wholly unwarranted role played by senior officials", among them Carnell's media advisor. It found that making the implosion a spectator event "was a total abrogation of responsibility to the safety and well-being of the community."¹²⁵

Despite the personal exoneration, that particular conclusion, and the adverse media coverage generated by the inquest over an extended period, took a toll on Carnell's political credit. The *60 Minutes* TV program blamed the girl's death on Carnell's "bloody mindedness".¹²⁶ Stanhope moved a motion of no confidence in her, which failed when the vote was tied 8–8. Osborne opposed the motion but issued a "grim warning" that the forthcoming Auditor-General's report on the government's funding of the Bruce Stadium upgrade might change his mind about the chief minister's hold on her office.¹²⁷ (Stanhope's case was not assisted by the fact that this was the third no confidence motion he had moved in six months; a *Canberra Times* editorial suggested that no confidence motions were now "almost a dime a dozen", and he had "chosen a poor vehicle with which to drive [the] debate".¹²⁸) Although both the implosion and the Bruce upgrade were whole-of-government

¹²⁴ *Hansard*, 24 March 1999, 761; 21 April 1999, 1039. Although prosecutions would be launched against various participants in the technical side of the implosion, all charges would eventually be dropped, leaving only the actual shot firer with a conviction: *Canberra Times*, 3 August 2001, 1.

¹²⁵ *Canberra Times*, 6 November 1999, 1; Roderick Campbell, "Family loses beloved Katie to a long chain of failure", *Canberra Times*, 6 November 1991, 1; Liz Armitage, "Politics to sort out where the buck stops", *Canberra Times*, 6 November 1999, C1. Moore in interview puts the counter view, which is that a public spectacle to erase the hospital would be way of "cleansing Canberra's soul" and a chance to bring closure to those grieving its decommissioning: *Interview with Michael Moore*, 16 April 2025.

¹²⁶ *Canberra Times*, 17 October 1999, 1.

¹²⁷ *Hansard*, 24 November 1999, 3549; *Canberra Times*, 19 June 1999, 1.

¹²⁸ *Canberra Times*, 17 November 1999, 10.

exercises, the high profile role Carnell had exercised buttressed the charge that she bore some personal responsibility for the procedural failures each project entailed, through “her tendency to override processes and disregard checks-and-balances”.¹²⁹ After Carnell’s survival of a no confidence motion generated by the government having spent money on the Bruce Stadium upgrade without a budget appropriation (see below), a *Canberra Times* editorial intoned that “the community has a right to expect some contrition and a change of the way her government deals with important development projects”. Carnell decided to act.¹³⁰ She appointed me Treasurer, the first time since 1989 that the role had been separated from that of chief minister. She hoped that the image of a cautious lawyer at the financial helm would steady the ship of state. However, while it cleared the way for a “new-look Government” which was no longer “a one-woman machine”, it was not enough to offset the damage done by decisions already taken. These would ultimately unravel Carnell’s leadership.¹³¹

At the heart of the government’s shifting fortunes was the alignment of votes on the Assembly floor. Although Labor had been lucky to win six seats at the election, it could count on Tucker’s support on most occasions and, increasingly, on Kaine’s as well.¹³² This meant the Opposition needed only one more vote to defeat the government. That presented a dilemma to Osborne and Rugendyke: if they both routinely backed the Liberal government, they would weaken their chances of re-election as independents. But if even one of them backed the ALP, they delivered a

¹²⁹ *Canberra Times*, 18 October 2000, 1.

¹³⁰ *Hansard*, 30 June 1999, 1769; *Canberra Times*, 30 June 1999, 1.

¹³¹ *Canberra Times*, 7 August 1999, 1; Liz Armitage, “Govt seeks to redefine itself”, *Canberra Times*, 7 August 1999, 1.

¹³² Kaine’s motives were essentially personal; Crispin Hull noted that “he will never forgive Carnell for taking the Liberal leadership from him and wants a chance to do her down without any blood on his hands”: Crispin Hull, “Caught in the crossfire”, *Canberra Times*, 29 May 1999, C2.

blow to the government whose agenda they generally preferred. One or the other could sometimes balance the ledger by tactically switching sides when Tucker or Kaine split with Labor, but on the big votes this was increasingly rare. With motions of censure or no confidence coming thick and fast from the Opposition, it was only a matter of time before the government faced a more serious threat to its continuation.

Drugs and money: a dangerous combination

The idiosyncrasies of ACT politics would provide an issue on which the government – as well as, paradoxically, the Opposition – would suffer an embarrassing reversal: drug policy. A spate of fatal heroin overdoses in Canberra in 1998 persuaded Moore that it was time to revive the proposal for a supervised injecting facility, where addicts could receive medical attention in the event of an overdose.¹³³ He secured in-principle support for the idea from Labor, as well as from some Liberals (party policy allowed a conscience vote on the issue).¹³⁴ The enabling legislation was passed in December 1999, despite stiff opposition from some of the crossbench.¹³⁵ Funding was to be provided in the 2000–01 budget.

The outlook for new ventures generally in the budget was promising, given the continuation of the economic spring; the ACT economy was growing at 5.2% annually, well above the national average, and private sector jobs were burgeoning at four times the national rate.¹³⁶ At the same time the government managed to solve the problem of public ownership of ACTEW: a joint venture (effectively a merger)

¹³³ *Canberra Times*, 10 August 1998, 1. The problem was a nationwide one, spurring Premier Kennett to host a national drugs summit in Melbourne: *Canberra Times*, 27 February 1999, 1.

¹³⁴ *Hansard*, 10 December 1998, 3439; *Canberra Times*, 17 January 1999, 1; 3 August 1999, 1. The policy granting a conscience vote to Liberal MLAs was later rescinded by the lay party; nonetheless, Carnell and Smyth crossed the floor to support the supervised injecting facility. This was yet another ACT departure from Westminster convention, which held that MPs wishing to cross the floor could not hold a ministry.

¹³⁵ *Hansard*, 7 December 1999, 3792, 3798.

¹³⁶ *Canberra Times*, 11 September 1999, 5; 22 October 1999, 2.

between ACTEW and AGL was agreed. ActewAGL became the largest multi-utility agency in the world, delivering electricity, gas, sewerage and telecommunications to its customers, and AGL made “equalisation payments” of almost \$130 million to the ACT government. These payments were earmarked to reducing the Territory’s unfunded superannuation liability.¹³⁷ The imminent budget – inching ever closer to the long-awaited surplus – was shaping up as a major opportunity for the government to recast its fortunes.

The government produced a *draft* budget in January 2000. It was eager to press its claim as the party of procedural innovation though, in this case, the use of a draft stage for consultation was reviving an idea Follett had deployed in the inaugural ACT budget of 1989.¹³⁸ For the first time, no new taxes or spending cuts were proposed.¹³⁹ The Assembly committees, to which the draft was referred, were unimpressed with the idea, criticising the limitation that they could recommend reallocation of spending items but no extra money.¹⁴⁰ Others were equally nonplussed by this departure from Westminster orthodoxy.¹⁴¹ The chastisement mattered little when I presented the actual budget, my first as Treasurer, in May. For the first time since self-government there was a small but real surplus: \$4.2m. Strong

¹³⁷ *Canberra Times*, 11 June 2000, 3; 30 August 2000, 1. Ironically, Carnell now thinks that the merger ended up being better for the Territory than the full sale of ACTEW. In interview, she said that on this occasion “the minority government issue ... was not such a bad thing. The outcome was a better outcome for the ACT”: *Interview with Kate Carnell*, 22 April 2025. Quinlan in interview was not convinced the merger was the best arrangement for the Territory; he considered that the water and sewerage assets (a natural monopoly) should have remained a government operation: *Interview with Ted Quinlan*, 17 April 2025.

¹³⁸ There was also the precedent of the Keating government engaging in pre-budget consultations with the Australian Democrats to secure passage of its budget bills through the Senate: Gwynneth Singleton, “Political Chronicles: Australian Capital Territory”, *Australian Journal of Politics and History*, (December 2000), 608.

¹³⁹ *Canberra Times*, 18 January 2000, 1.

¹⁴⁰ *Canberra Times*, 29 March 2000, 1; Liz Armitage, “Budgeting in all the political factors”, *Canberra Times*, 20 May 2000, 3.

¹⁴¹ For example, Editorial, “ACT budget process is a failure”, *Canberra Times*, 31 March 2000, 8; Singleton, “Political Chronicles” (December 2000), 609.

economic growth and growing Commonwealth allocations underwrote \$103m of new measures: \$7000 for first home buyers, 50 extra police officers, \$130m for road upgrades and an increase in the payroll tax threshold. The budget's livery – “building social capital” – borrowed from the Third Way “philosophy” then being championed by Britain's Prime Minister Tony Blair and the ALP's Mark Latham, built around cooperation between government, business and community.¹⁴² This portrayal of the budget, particularly its community-building measures, unnerved those – in the Labor and Greens parties – who were more accustomed to employing such language in *their* armouries as part of a progressive agenda. Quinlan called the budget “cynical and patronising”, while Tucker responded: “I don't believe this social capital stuff. This is just rhetoric.”¹⁴³ However, positioning the document as a “small ‘l’ liberal budget” was designed to reassure Canberra citizens that the Liberal government could not only create surpluses but spend them socially responsibly.¹⁴⁴ Its subsequent anointing by commentators Access Economics as the best state budget helped with the government's sales pitch that self-government had now turned a corner.¹⁴⁵

All too quickly, the shine came off what ought to have been a crowning achievement. When the Assembly came to vote on the appropriation bill in June, Osborne and Rugendyke decided to block it because it provided \$800,000 for the

¹⁴² *Canberra Times*, 24 May 2000, 15.

¹⁴³ *Canberra Times*, 24 May 2000, 1.

¹⁴⁴ Editorial, *Canberra Times*, 24 May 2000, 10. See also Liz Armitage, “Liberals step into Labor shoes”, *Canberra Times*, 27 May 2000, C1. Carnell emphasised that the five years of “prudent financial management” preceding this budget now provided “a solid foundation on which to start building on our quality-of-life”: *Canberra Times*, 24 May 2000, 15, 32. Cutting almost 3000 jobs from the public service over the life of the government, with a commensurate \$58 million reduction in its estimated superannuation liability, counted heavily towards this outcome: *Canberra Times*, 22 January 2000, 1.

¹⁴⁵ *Canberra Times*, 19 June 2000, 1.



Figure 20 Humphries's social capital budget.

Cartoon by Ian Sharpe, Canberra Times, 24 May 2000.

supervised injecting facility. Combining with Labor and Tucker, who customarily voted against every budget, the two independents succeeded; for the first time since self-government, a budget was defeated, and the ACT, far from turning a corner, was now facing “a constitutional crisis” – “a re-run of 1975 but with Labor the culprit not the victim”, as one observer noted.¹⁴⁶ Stanhope sprang into action, declaring “a vote against the Budget is a vote of no confidence in the Government”, and began

¹⁴⁶ Singleton, “Political Chronicles” (December 2000), 611.

discussing with crossbenchers the possibility of forming a new Labor administration.¹⁴⁷ For a couple of days, the polity teetered, with Federal politicians drawn into the mêlée; Labor MP Bob McMullan rejected parallels with the blocking of supply in 1975, saying the ACT faced a political crisis, not a constitutional one, but he nonetheless called on Carnell to resign. Carnell, also eschewing parallels with 1975, briefed the Territories Minister with a view to seeking an early election if the deadlock could not be resolved.¹⁴⁸ Faced with the loss of office, the government turned to the independents, offering to defer the injecting facility until after the 2001 election if they would pass the budget. After securing their agreement, the ALP did an about-face and offered to pass the budget unamended, but Carnell felt on safer ground dealing with the crossbench than with Labor. The budget, *sans* injecting facility funding, was passed a few days later.¹⁴⁹

The genie of chaos and instability, for years safely in its bottle, had been released once again. If the credibility of the institution of self-government was not damaged in this episode, that of its principal actors most certainly was. For the Liberals, the triumph of the first-ever balanced budget was soiled by humiliation and then policy backtracking. Moreover, bowing to the independents had created the precedent that budgets could now, in effect, be amended from the floor.¹⁵⁰ Of

¹⁴⁷ *Canberra Times*, 1 July 2000, 1.

¹⁴⁸ *Canberra Times*, 2 July 2000, 1, 5. The threat of an early election may have been an idle one. There is no viceroy for the ACT, but the Governor-General has the power to dissolve the Legislative Assembly if it “is incapable of effectively performing its functions” (Section 16, *Australian Capital Territory (Self-Government) Act 1988* (Cth)). Dissolving the Assembly in this context is different to the Governor-General dissolving the Federal Parliament to call an election. In the ACT case, the government too is dissolved, and the Territory is administered by a Commissioner until a fresh election is held. Carnell had to approach the Territories Minister because the ACT government has no direct relationship with the Governor-General. The Governor-General would take advice from a Commonwealth minister, not an ACT minister, before exercising the power of dissolution.

¹⁴⁹ *Hansard*, 10 July 2000, 2441. In fact, the start date for the injecting facility legislation was deferred until a few months after the 2001 election, leaving the issue for the Fifth Assembly to sort out:

Interview with Michael Moore, 16 April 2025.

¹⁵⁰ Crispin Hull, “The rules of self-rule”, *Canberra Times*, 1 July 2000, C2.

course, Labor shared parentage of this precedent. An editorial charged that “Labor should never have handed such power to the two Independents in the first place”.

The political scientist Malcolm Mackerras went further:

the Labor Party in one fell swoop wrecked their position when they decided upon this incredibly cynical, stupid behaviour whereby you wreck a Budget which you actually support ... Now, what could be more stupid than that?¹⁵¹

Compounding Labor’s own humiliation, after its belated decision to pass the budget, and having been applauded at his Territory annual party conference for pledging not to abandon the injecting room trial, Stanhope returned from the ALP national conference the following month ruling out such a facility. He had apparently been persuaded that the issue would be a distraction at the Federal election due in 2001.¹⁵² Stanhope in interview describes the episode as “raw, tough politics at its hardest”, while Quinlan says it was “more politics than common sense”.¹⁵³

The apparent winners from this episode were Osborne and Rugendyke, now arguably the most influential crossbenchers in the Assembly’s short history, but their victory came at a cost. The crossbench’s credit was always highest when it was seen to champion community values against conniving governments (such as when it stalled attempts in 1993–94 to subvert the Hare-Clark referendum). In this case the ex-policemen were probably out of step with progressive Canberra attitudes when they opposed a facility designed to avoid deaths by overdose.¹⁵⁴ Their success here, as with their bid to reduce access to abortion, may have grated on many

¹⁵¹ Editorial: “Carnell has time up her legal sleeve”, *Canberra Times*, 1 July 2000, C7; *Hansard*, 10 July 2000, 2379. In reality, the precedent created by the behaviour of the major parties was killed off by agreement between the same parties. They reached a consensus that they would not in future empower the crossbench in this way. Thus, Labor did not oppose the Liberals’ 2001–02 budget.

¹⁵² *Canberra Times*, 2 July 2000, 5; 5 August 2000, 1.

¹⁵³ *Interview with Jon Stanhope*, 16 April 2025; *Interview with Ted Quinlan*, 17 April 2025.

¹⁵⁴ This proposition might be extrapolated from an Institute of Criminology/ANU survey in mid-1995 which found more than 60% of the Canberra community supported a trial featuring the supply of heroin to registered addicts. It also found that the community was more likely to support than oppose a government that introduced such a trial: *Canberra Times*, 27 June 1995, 1.

Canberrans, being reminiscent of the caprice of those MLAs who had removed fluoride from the water supply in 1989. As ACT political norms moderated and longer standing conventions on the role of parliamentarians *vis-à-vis* governments reasserted themselves, voters may have begun to ask themselves whether volatile and unpredictable independents served a public purpose. Strict Westminster tradition, long eclipsed in the ACT, had begun to slide back into public favour.

Bruce: Olympic venue and political graveyard

Carnell, the mercurial leader who had long stirred excitement as she pushed forward an ambitious agenda, now found her progress hampered by unintended consequences and red tape. Her omnipresent style of governing had almost brought her to grief over the hospital implosion, but now loomed as a major problem with respect to the upgrade of Bruce Stadium.¹⁵⁵ The upgrade, necessary for the Territory to host Olympic soccer, attracted the ire of John Parkinson, the Auditor-General, when the government spent some \$24m more on the project than had been appropriated in the budget. It had anticipated private sector investment but when it deferred going to market to obtain it, the government found itself spending more in the interim than had been appropriated. To deal with this awkward oversight, it borrowed \$9m on 30 June 1998 and repaid it the following day.¹⁵⁶ Separate QCs' opinions found that this was illegal; new investment guidelines retrospectively validating the decision were blocked by the Assembly, forcing Carnell to introduce retrospective legislation to overcome the illegality.¹⁵⁷ The Assembly censured Carnell, a reprieve from a motion of no confidence but still an unusual ordeal for a

¹⁵⁵ The stadium at Bruce is now known as the Canberra Stadium.

¹⁵⁶ Kirsten Lawson, "Under the bleachers at Bruce", *Canberra Times*, 24 April 1999, C3; Editorial, *Canberra Times*, 28 April 1999, 8.

¹⁵⁷ *Canberra Times*, 8 June 1999, 1; 26 June 1999, 1.

head of government in an Australian lower house.¹⁵⁸ Stanhope panned the “ad-hockery of this Government’s actions” as its ministers “just seem to be stumbling from bomb crater to bomb crater and making it up as they go along.”¹⁵⁹ Carnell’s fate now rested with Parkinson’s full report, due in mid-2000. The signs were ominous.

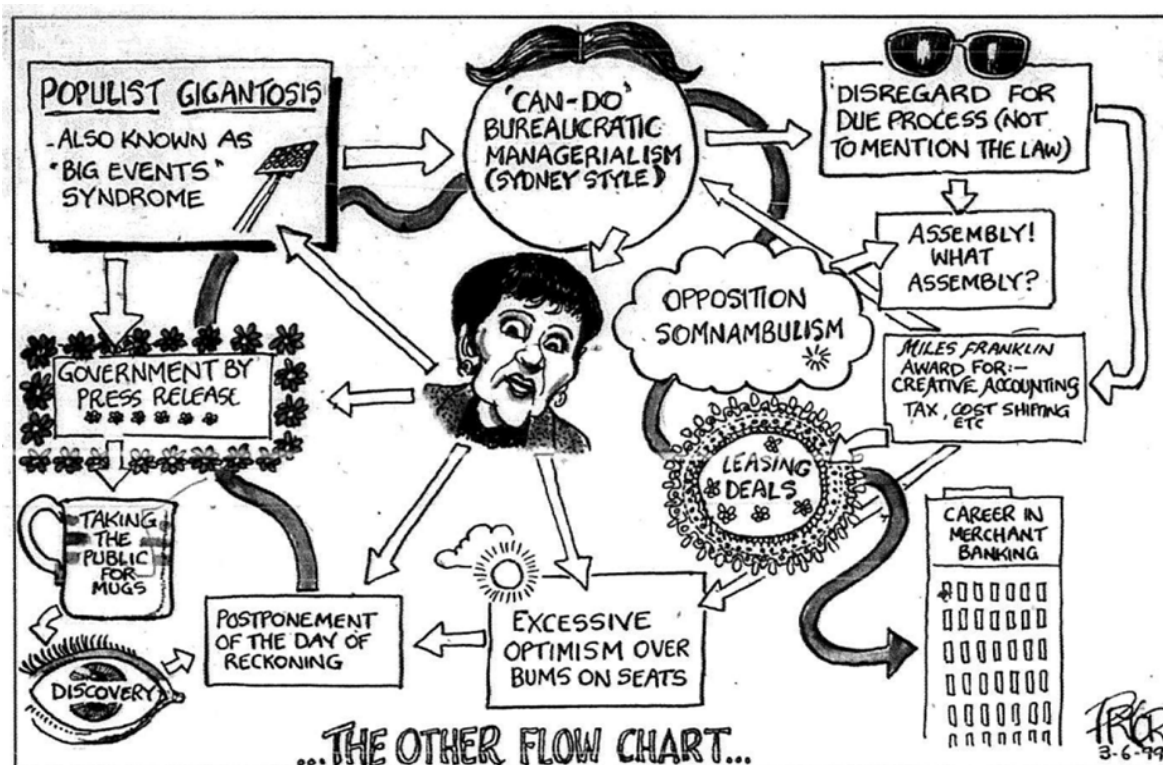


Figure 21 Carnell through the eyes of her critics; *Canberra Times*, 3 June 1999. Cartoon by Geoff Pryor.

The tendency of stadium projects to become political headaches – now well-embedded in Australian politics – beset Bruce too, but with a toxicity in its final stages that set it apart. An Assembly committee inquiry, running parallel with the Auditor’s, provided a stream of discomfiting headlines.¹⁶⁰ Stanhope accused the government of building more seats than the Olympic organising committee (SOCOG) had required.¹⁶¹ Just weeks before the first games were to be played, heavy snow

¹⁵⁸ *Hansard*, 30 June 1999, 1769.

¹⁵⁹ *Canberra Times*, 4 June 1999, 1.

¹⁶⁰ For example, *Canberra Times*, 13 November 1999, 1.

¹⁶¹ *Canberra Times*, 2 October 1999, 2. The claim was true up to a point. The government had always intended to upgrade the stadium and increase its seating capacity to consolidate the presence of the

forced the re-laying of the stadium turf at a cost of \$400,000, but the choice of grass grown in Cairns proved disastrous. It suffered shock and turned brown, leading SOCOG to warn that the Olympic matches may have to be moved to other cities.¹⁶² The element of farce was accentuated when the distressed turf was spray-painted green for the SOCOG inspection.¹⁶³ The project now suffered that most deadly of treatments, especially against the background of self-government's difficult journey to respectability: ridicule. The *Canberra Times* gardening correspondent pronounced that the imported turf "stood as much chance of surviving as a naked Queenslander roaming Canberra streets on a freezing winter night", and the ALP was reported to have selected its slogan for the 2001 election: TURF THEM OUT!¹⁶⁴ The grass recovered and several well-attended soccer matches were played in Canberra, but Parkinson's imminent 10-volume report on the development may have cast a shadow over Carnell's sense of achievement as she watched from the gleaming new bleachers.

The pummelling of the Chief Minister's credibility over the implosion and the stadium during the preceding year made it all but inevitable that a critical report now would be politically fatal. Critical it was. Parkinson confirmed that the spending above appropriation was illegal, as was the overnight loan to "balance the books". He found no evidence of Carnell's being aware of, or directly responsible for, these "serious

Raiders and the Brumbies teams there. The winning of the right to host Olympic soccer matches meant that this upgrade was brought forward, but the surplus seating was intended to accommodate fans of codes other than soccer: *Interview with Kate Carnell*, 22 April 2025.

¹⁶² *Canberra Times*, 1 August 2000, 1; 30 August 2000, 1.

¹⁶³ *Canberra Times*, 31 August 2000, 1.

¹⁶⁴ *Canberra Times*, 2 September 2000, 1. The *bon mots* flowed thick and fast: "When the SOCOG people declared the grass dead, expired, deceased, defunct, inanimate, departed, bereft of life and passed into eternity, ACT official M. Python demurred. 'It is just sleeping', he said ... Then there was the new event suggested for the next Olympics, the Canberra Re-lay. And of course the Queanbeyan Business Promotions group simply couldn't resist a press statement yesterday with a brand new slogan, 'The grass is always greener in Queanbeyan': *Canberra Times*, 1 September 2000, 3.

breaches of law” but criticised the lack of documentation concerning by whom and how some key decisions were made. He agreed that the redeveloped stadium was among the best in Australia, but the ultimate \$45m price tag did not represent value for money.¹⁶⁵ Stanhope thundered that the project was “a sham, a disgrace, an indictment of Mrs Carnell”, and moved no confidence in her, while the independents held their cards close to their chests.¹⁶⁶ I announced that Liberal MLAs would stand behind Carnell.¹⁶⁷ In early October 2000 Rugendyke unveiled his position: he would support the no confidence motion, giving it the numbers to pass. Tempers flared. I chastised Tucker for wanting to depose the nation’s only female head of government, while Moore accused Rugendyke of targeting Carnell “because she was a woman who did not wear skirts”.¹⁶⁸ Prime Minister Howard declared it would be “a cardinal tragedy” if Carnell were to go, while former Labor sports minister John Brown defended Carnell from the “predictable criticism” of the “nit pickers and bean counters”.¹⁶⁹

The joint party room decided to stare down the independents and, if the motion of no confidence were to pass, renominate Carnell as chief minister. We felt it likely the conservative crossbenchers would vote for Carnell again rather than elect Stanhope. Even if they did not, a change of government would generate public anger at the *coup d’état*, just as it had with Follett’s deposition in 1989, and would confer a similar benefit on us at the subsequent election. For the third time in its short history,

¹⁶⁵ Carnell in interview comments that the price of the upgrade blew out, in part, because several Olympic-soccer-hosting Australian cities were upgrading their stadia at the same time, pushing up the cost of each: *Interview with Kate Carnell*, 22 April 2025.

¹⁶⁶ *Canberra Times*, 26 September 2000, 1; Emma Macdonald, “‘Teflon Kate’ tries to repel stadium tarnish”, *Canberra Times*, 26 September 2000, 5.

¹⁶⁷ *Canberra Times*, 22 September 2000, 3; Crispin Hull, “Will Carnell quit for the city’s sake?” *Canberra Times*, 12 October 2000, 9.

¹⁶⁸ *Canberra Times*, 4 October 2000, 1; 9 October 2000, 1.

¹⁶⁹ *Canberra Times*, 12 October 2000, 1; Liz Armitage, “Mr Replacement”, *Canberra Times*, 21 October 2000, C1.

the prospect was in the offing that the Legislative Assembly, in the absence of an election, would oust a sitting government.

Carnell had other ideas. Two days before the vote, she told me that she was not prepared to risk the government falling, that she would resign, and that I must step up and lead it. Crispin Hull speculated that

she cannot bear the thought of Labor inheriting her five years of hard fiscal work and bribing the electorate with the spoils of the surplus in the year leading up to next October's election ... she cannot bear the thought of various projects she has put in train being lost.¹⁷⁰

Her announcement came as a shock; I felt sure we would call the independents' bluff and save her leadership. There was also the personal complication that I no longer coveted the chief ministership; Margaret Reid had completed almost two decades as ACT Liberal senator and was widely expected to retire soon. I knew that it would be impossible to nominate for the vacancy if I had just been installed as ACT party leader. Carnell scotched that option by making it clear that the party would expect me to take it towards the election. Indeed, there was no opposition when she nominated me as leader in the party room the following day.

Carnell's leadership had been a tonic to a political system that had often failed to inspire enthusiasm or commitment among those it served. The sociologist Max Weber argued that one of three "legitimations" of political power is individual leadership ("charismatic' domination"); the fact that both Follett and Carnell were able to deliver this pillar of legitimacy – especially when the other legs were weak or missing – was a major asset in building confidence in the new system.¹⁷¹ The feeling of excitement and opportunity Carnell generated struck a chord with citizens who

¹⁷⁰ Crispin Hull, "Will Carnell quit for the city's sake?", *Canberra Times*, 12 October 2000, 9. Carnell in interview agrees that this is "a nice summary": *Interview with Kate Carnell*, 22 April 2025.

¹⁷¹ Max Weber, "Politics as a Vocation" in HH Gerth & C Wright Mills (eds), *From Max Weber: Essays in Sociology* (New York: OUP, 1946), 78–79.

feared that their community's privileged place among Australians was slipping away under self-government. It was poignant, even tragic and perhaps a little farcical, for her energetic, high-achieving career to end on the painted grass of a sports field. Stanhope in interview describes the stadium as "a reasonably minor issue, but we milked it for all it was worth"; Quinlan calls it "dirty politics being played out – we were being bastards."¹⁷² He also attributes part of the blame for her fall, however, to an element of "recklessness" among the senior officers she had surrounded herself with.¹⁷³ Khalid Ahmed, a senior Treasury official at that time, says that the problem arose because the stadium project was being run out of the Chief Minister's Department, rather than the Treasury, where financial and legal risks would have been more judiciously managed.¹⁷⁴ Carnell now puts her demise down to more prosaic reasons: Osborne and Rugendyke were "exhausted" by the pace of change she set in office and "were sick of me".¹⁷⁵ Equally, her style – "her tendency to override process and disregard checks-and-balances", in the words of one critic – carried risks in a town whose culture is bureaucratic exactitude.¹⁷⁶ Jack Waterford considered her fall the reprise of a familiar pattern in Australian politics:

¹⁷² *Interview with Jon Stanhope*, 16 April 2025. He adds that "I remember with some embarrassment how hard we were on Kate." Quinlan added that using the grass-painting against Carnell was "cruel ... they paint the bloody grass every week!": *Interview with Ted Quinlan*, 17 April 2025.

¹⁷³ "Not sure of the timing when Kate engaged John Walker as the head of the ACT Administration. He was I think a disciple of the notorious Max Moore-Wilton [Secretary of the Department of Prime Minister and Cabinet under Howard; responsible for deep cuts to the Australian Public Service, earning him the nickname "Max the Axe"]. Somehow over the space of a year or two the ACT Administration acquired a panel of agency executives from without (Mick Lilley [ACT Under Treasurer], Rod Gilmore [Rod Gilmour, later head of the Chief Minister's Department], Ian Knopp [Ian Knop, a controversial business figure close to Carnell], etc.). I presume that this was consistent with the plan to migrate to Walker's desired corporate management framework. It did coincide with the recklessness that gave us the implosion, the stadium overspend, the overnight loan, the cooked retrospective accounts [Quinlan disputes the assessment that the ACT was \$344 m in deficit for 1995–96], etc. There were times when the new executive looked a lot like the ruling cabinet": *Email Quinlan to Humphries*, 8 May 2025.

¹⁷⁴ He says in interview that Treasury (technically the Office of Financial Management at that time) never advised to use the device of an overnight loan: *Interview with Khalid Ahmed*, 31 July 2025.

¹⁷⁵ *Interview with Kate Carnell*, 22 April 2025.

¹⁷⁶ *Canberra Times*, 18 October 2000, 1. By contrast, Moore in interview records that he had voted for Carnell over Follett in 1995 because he believed the Territory needed a more "hands-on style

The drives for the museum, which produced the hospital land swap and the hospital implosion, for ... the V8 motor race, or a stadium that would “showcase” Canberra and allow it to take part in the Olympics have been about producing jobs and bringing money into the community. Likewise, relentless pushing of information and communications technology, or travel abroad in search of investors willing to headquarter themselves here has been about building a new economy less subject to catching pneumonia every time federal spending has taken a dive. Not only Carnell has got into deep trouble in this way. One has only to look at my collection of Royal commission reports on WA Inc, the Tricontinental affair in Victoria, the State Bank affair in South Australia or any number of debacles in NSW or Queensland to discover that, when government gets too deeply into bed with venturers, the public is almost invariably screwed, and so, ultimately, is the political party involved.¹⁷⁷

The comparison was a superficial one, in some respects. The culpability at issue in the ACT was paltry compared with the cronyism and venality previously displayed in Western Australia and Queensland, and the multibillion-dollar losses produced by deep incompetence in Victoria and South Australia.¹⁷⁸ No graft or backhanders tarnished the reputation of the entrepreneurs Carnell had encouraged to diversify the ACT economy. The high personal cost of these dealings to her needs to be weighed against the many dividends they delivered.

Perhaps the greater tragedy of Carnell’s fall was that the high standard of accountability, by which she was judged, did not survive to become a benchmark of ministerial performance in the ACT or in any other Australian parliament. In fact, the particular framing of the doctrine of ministerial responsibility by which she fell was already in disuse, if not defunct, across Australian parliaments when it was applied to her. The Coombs Royal Commission in 1976 had described the doctrine as follows:

government” approach to deal with its many challenges, and Carnell better represented that mode of administration than Follett: *Interview with Michael Moore*, 16 April 2025. For her part, Carnell agrees that she believed in intervening in bureaucratic processes to “get things done”, but never expected or condoned the compromising of due process: *Interview with Kate Carnell*, 22 April 2025.

¹⁷⁷ Jack Waterford, “The slippery slope of politics”, *Canberra Times*, 7 October 2000, 20. Carnell in interview rejects the comparison; the problems in other states involved “misappropriation of funds ... money going to developers, white shoe brigades”, whereas there were never any suggestions of that in the ACT’s case: *Interview with Kate Carnell*, 22 April 2025.

¹⁷⁸ See Frank Bongiorno, *The Eighties: the decade that transformed Australia* (Collingwood: Black Inc, 2015), 263–80.

In recent times the vitality of some of the traditional conceptions of ministerial responsibility has been called into question, and there is little evidence that a minister's responsibility is now seen as requiring him to bear the blame for all the faults and shortcomings of his public service subordinates, regardless of his own involvement, or to tender his resignation in every case where fault is found. The evidence tends to suggest rather that while ministers continue to be held accountable to Parliament in the sense of being obliged to answer to it when Parliament so demands, and to indicate corrective action if that is called for, they themselves are not held culpable—and in consequence bound to resign or suffer dismissal—unless the action which stands condemned was theirs, or taken on their direction, or was action with which they ought obviously to have been concerned ...¹⁷⁹

Political scientist Hugh Emy summarised the test:

In cases where the minister has misled parliament, condoned or authorized a blatantly unreasonable use of executive power ... resignation or dismissal is the appropriate action.¹⁸⁰

Parkinson found that Carnell was neither aware of, nor directly responsible for, the spending of unappropriated monies or the illegality of the overnight loan.¹⁸¹ But even if it could be said that she had “condoned ... a blatantly unreasonable use of executive power”, and notwithstanding Coombs and Emy, penalising this error by resignation or dismissal is a phenomenon that had all but ceased to exist in Australian politics (and would be extremely rare in any Westminster legislature) by 2000. The other contemporary cases of Australian parliaments forcing ministers to resign concerned what was unquestionably the personal conduct of those ministers: the “corrupt” inducing of an MP to resign in the case of Greiner and misleading parliament in the case of Berry.¹⁸² There are no comparable examples, then or since, of a minister being forced (by will of parliament) to resign because of

¹⁷⁹ Report, *Royal Commission into Australian Government Administration* (Canberra: AGPS, 1976), 59–60.

¹⁸⁰ HV Emy, *The politics of Australian democracy: fundamentals in dispute* (South Melbourne: Macmillan, 1978), 280.

¹⁸¹ Admittedly, the tenor of much of the media commentary and parliamentary debate was that, given her ubiquitous role in the day-to-day operations of the government, Carnell “must have known” about the administrative corners being cut. Nonetheless, Carnell fiercely denied such knowledge and Parkinson found no evidence of it.

¹⁸² Greiner was subsequently cleared of having behaved corruptly.

malfeasance by their department of which they “ought to have known” (noting, of course, that chambers with government majorities will sometimes choose to ignore even manifest breaches of the doctrine). In truth, the rule that ministers assume vicarious liability for the maladministration of their servants enjoys “the status of a legal fiction”, probably even in the ACT where revivals of the doctrine have most recently been attempted.¹⁸³

Local voters saw this incident in different ways. Some saw Carnell’s downfall as confirmation that the crossbench had become a saboteur of the democratic will, a boil that needed lancing. Others rejoiced that high standards of accountability, withering elsewhere, seemed to be flourishing in the idiosyncratic creature that was the ACT Assembly.¹⁸⁴ These two strands (ostensibly in conflict) reflected the changing nature of self-government; voters increasingly wanted a more predictable, outcome-focused mode of administration, one not likely to be derailed by an opportunistic crossbench. But for many, this preference for certainty fell short of major party control of the public agenda, with the weakening of accountability this might represent. What is probable is that voters were appraising their parliament with fresh eyes at this juncture, weighing which of their longstanding views of local politics needed to be jettisoned and which should be preserved.

Atop the greasy pole

On 18 October 2000 I was elected Chief Minister by the Assembly over Stanhope, 10 votes to 7. Somewhat unprepared for the responsibility, I took stock. The 2001

¹⁸³ David Feldman, “Public Law Values in the House of Lords”, quoted in E W Thomas, “Secrecy and Open Government”, in PD Finn (ed.), *Essays on Law and Government Volume 1: Principles and Values* (North Ryde: Law Book Company, 1995), 199.

¹⁸⁴ See, for example, Letters to the Editor, *Canberra Times*, 17 October 2000, 8; 19 October 2000, 8; 20 October 2000, 10; 21 October 2000, C7.

election was one year away, and the government had been weakened by scandal and the loss of its popular leader. My task was to reinvent the public image of the Liberal government, to retain the imaginative Carnell agenda but now tempered by lawyerly caution; innovative but not reckless. Towards the end, Carnell had been both the government's greatest asset and largest liability, and it was unclear what effect her departure would have on our electoral fortunes. I had the advantage of being the first chief minister to arrive at the office with previous ministerial experience, and the party was united around me (the backbench conservatives being more at ease with my philosophical position than with my predecessor's). Carnell stayed in cabinet for a few weeks as the business minister before retiring from the Assembly to take up a private sector position.¹⁸⁵ Cabinet shrank back to four members, and – reflecting the “startling development” of the “growing presence of Catholics in the Coalition parties” – it was Australia's first cabinet to consist exclusively of Catholics and lapsed Catholics.¹⁸⁶

It was important to retain control of the political agenda. I capitalised on the new administrative broom by stamping out as many political spotfires as possible. Controversial proposals were abandoned: the eastern arm of the Gungahlin Drive extension; the relocation of the Floriade flower festival to the Yarralumla brickworks; the new township of Jerrabomberra (which threatened some endangered species); and the enlargement of the Manuka Plaza development.¹⁸⁷ Conversely, the most

¹⁸⁵ *Canberra Times*, 22 November 2000, 1.

¹⁸⁶ John Warhurst, “Labor loses its Catholic grip”, *Canberra Times*, 11 May 2001, 11. The ACT was the jurisdiction with the highest proportion of Catholics in the nation: *Canberra Times*, 27 May 1994, 1.

¹⁸⁷ *Canberra Times*, 21 October 2000, 7; 3 November 2000, 5; 6 November 2000, 1; 26 December 2000, 1. In addition, parks and recreational reserves were increased from 5% to 10% of future suburbs, and the redevelopment of most open spaces in the city was ruled out: *Canberra Times*, 7 November 2000, 1–2; 19 November 2000, 1. An independent review of the loss-making international hotel school was launched: *Canberra Times*, 22 October 2000, 4. The \$35 fee for Freedom of Information requests was waived (a token of “open and accountable” administration), extra funds were found for roadworks and disability services, and the controversial Emergency Services Levy was

powerful weapon at the government's disposal was a budget newly in the black, creating opportunities to spend strategically while pointing out that such largesse was the product of tight fiscal (that is, Liberal) stewardship.

The other area requiring urgent attention was the perception that traditional accountability mechanisms in the ACT public service had been eroded in the rush to embrace the private sector, and that executive contracts and other market mechanisms were partly to blame. I announced that there would be the “biggest administrative overhaul since the start of self-government”, addressing “systemic and cultural problems” across the public service, with the Parkinson report on the Bruce Stadium as my touchstone.¹⁸⁸ The outcome of this overhaul, as journalist Liz Armitage (fairly) observed, “did not match the rhetoric”. A restructuring of my department, greater use of Australian Workplace Agreements instead of contracts, and less reliance on confidentiality clauses fell short of fundamental change.¹⁸⁹ One problem was bureaucratic animosity towards Parkinson; the head of my department, Rob Tonkin, wrote acidly about “the auditor’s relentless glass-half-empty approach to the Bruce redevelopment”, and asserted that Parkinson had gone beyond his brief.¹⁹⁰ Evidently, shaking the Bruce monkey off the government’s back would be no easy matter.

The task of preparing for the 2001 election did not prevent me from savouring the rewards of having climbed the greasy pole. I discovered that Carnell had carved out a capacious niche for her successor on bodies such as the Council of Australian

scrapped: *Canberra Times*, 6 February 2001, 3; 11 February 2001, 4; 14 February 2001, 1; 23 February 2001, 23.

¹⁸⁸ *Canberra Times*, 22 Oct 2000, 24 October 2000, 1.

¹⁸⁹ *Canberra Times*, 7 February 2001, 1; Liz Armitage, “The PS it is a-changin’ – yet again”, *Canberra Times*, 10 February 2001, C3. “Commercial-in-confidence” clauses were sometimes used to defeat the release of documents under Freedom of Information.

¹⁹⁰ Liz Armitage, “New vision for ACT Public Service”, *Canberra Times*, 20 Jan 2001, C3.

Governments (COAG), where the ACT enjoyed a level of traction comparable with any state.¹⁹¹ This was useful on occasions such as when NSW and Victoria sought to reduce the ACT's share of revenue from the GST.¹⁹² The Territory's ability to punch above its weight was on display when the ACT scooped all other Australian governments to win a lucrative partnership to assist Beijing plan for the 2008 Olympics.¹⁹³ And it was especially satisfying to represent the ACT in ceremonies marking the Centenary of Federation, underlining the Territory's emergence as the child of the Federal compact, recently come of age. The Brisbane *Courier Mail* noted that I was the only leader on the dais at the Centennial Park ceremony on 1 January 2001 to channel the "whiskered leaders of yesteryear" with a beard that I "might have purloined ... from Alfred Deakin".¹⁹⁴ Deakin himself would have been astonished at the status that the "mere township" he envisaged as the seat of government had acquired in the intervening century.¹⁹⁵

Putting the house in order

With the budget in balance, the government looked beyond the tasks of closing gaps in service provision and legislative protections. It sensed that citizens wanted more than well-maintained roads and an efficient bus network; they aspired to national leadership in social and political progress, the birthright of a planned, model community. Catering to those aspirations would signal not only a welcome

¹⁹¹ For example, the ACT won support of the states for tightening of fireworks imports: *Canberra Times*, 13 May 2001, 1.

¹⁹² Their argument was that the ACT had 1.6% of Australia's population but received 2% of the GST revenue. I countered that ACT taxpayers contributed 2.4% of the nation's income tax: *Canberra Times*, 30 March 2001, 1–2.

¹⁹³ *Canberra Times*; 27 May 2001, 7; 17 July 2001, 3. Built on Canberra signing a sister-city agreement with Beijing in 2000, the partnership was billed as ushering in "a new era for the city, with government leaders striving to create a 'New Beijing', with stricter environmental controls and better urban planning": *Canberra Times*, 15 May 2001, 3.

¹⁹⁴ *The Courier-Mail*, 2 January 2001, 5.

¹⁹⁵ ... though he might also have recognised in the ACT Government something of the tradition in Australian liberalism he had done so much to define.

refocusing away from fiscal management but would also steal the Opposition's clothing as the party of reform. One area in which to satisfy this impulse was the role of women – a subject on which both sides of the house were sensitive (there being no women in cabinet and none on the opposition benches).¹⁹⁶ The government nurtured women of talent, with the result that, by 2001, about a third of executive level staff were women, a proportion well ahead of every other jurisdiction, including the Commonwealth. In addition, 47% of places on government boards and committees were occupied by women.¹⁹⁷ The proportion of female magistrates was increased, but an attempt to appoint the first woman judge to the Supreme Court was less successful; the cabinet asked me to identify such a person but I found in a nationwide search that state attorneys had already appointed the pre-eminent candidates. A male South Australian, Malcolm Gray QC, was appointed instead.¹⁹⁸ The Liberal Party was lucky to have a woman elected on countback to replace Carnell as an MLA. British-born Jacqui Burke was a small businesswoman, sincere and inoffensive, with a penchant for folksy mottos for every occasion.¹⁹⁹

Other reforms were consolidated: in May local Aboriginal people became joint managers of the 106,000 ha Namadgi National Park, receiving a special lease that recognised their historical dispossession.²⁰⁰ And in the last sitting days of the Fourth

¹⁹⁶ The absence of female cabinet ministers caused occasional embarrassment; in April 2001 I raised eyebrows by chairing the Australian and New Zealand council of ministers for women's affairs, despite being the only male member of that body: *Canberra Times*, 28 April 2001, 3.

¹⁹⁷ *Hansard*, 30 August 2001, 3766.

¹⁹⁸ *Canberra Times*, 8 July 1998, 3; 12 June 2000, 5; 22 September 2000, 4. There were, of course, women barristers and academics who could have served, but because, at four members, the Supreme Court bench was simply so small I insisted that every appointment had to be based strictly on merit. There had been some sensitivity in Canberra's legal community that a woman would be appointed solely for the sake of gender balance; see, for example, *Canberra Times*, 20 May 2000, 3.

¹⁹⁹ For example, *Canberra Times*, 23 January 2001, 3.

²⁰⁰ *Canberra Times*, 29 April 2001, 1. See also Kirsten Lawson, "A step, but in which direction?", *Canberra Times*, 5 May 2001, C4.

Assembly, an overhaul of Canberra's defamation laws, long in gestation, was passed. Hull effused that it was

the most radical reform of defamation law in an Australian jurisdiction since 1788 ... a balance between reputation and freedom of speech and where reputation is threatened to provide speedy and restorative remedies rather than a pot of gold years after the event.²⁰¹

Apart from being the token of a reformist government, the project had been a personal ambition of mine, emblematic of the possibilities open to individual MPs in a small parliament.

Another project that served as both a potential vehicle for reform and the closing of a service gap was the ACT gaol. For years the government had communed with the Assembly's Justice and Community Safety Committee about the design and scope of the ACT's first prison, in a process that represented the acme of cross-party negotiation in this parliament, on a project that was inherently controversial. In May 2001 the government announced that the prison would be publicly owned, house 430 inmates and be located at Symonston, an industrial suburb.²⁰² The inclusive nature of the process had its limitations: Osborne, the committee chair, blasted the \$110m price tag, and Labor rejected its location, but despite these criticisms the project – which had been a political orphan when born in 1993 – now boasted several parents.²⁰³ The announcement on the gaol was timely, with an alarming spike in property crimes, including armed robbery; there were 670 burglaries in December 2000 and a further 745 in January 2001 alone.²⁰⁴ The major parties now pivoted into a neat role reversal from the days of the Follett government:

²⁰¹ Crispin Hull, "New law a boost for free speech", *Canberra Times*, 6 September 2001, 11.

²⁰² The Liberals would like to have announced a privately run prison, but consensus on that was impossible at that point. Moore, the responsible minister, said that he would have supported a privately run prison if public sector warders were not prepared to support a needle exchange program in the facility: *Interview with Michael Moore*, 16 April 2025.

²⁰³ *Canberra Times*, 31 May 2001, 3.

²⁰⁴ *Canberra Times*, 12 December 2000, 3; 25 February 2001, 3.

the Liberals found themselves defending the status quo while Labor attacked a breakdown in law and order. Stanhope described Canberra as “the burglary and car theft capital of Australia”, while the Liberals tipped cash into law enforcement; a volunteers-in-policing program was launched, CCTV monitoring of Civic was enhanced and mounted police returned to the national capital after an absence of 60 years.²⁰⁵ Labor backed most of these moves, more wary of looking flat-footed on crime than traditional civil liberty concern. In truth, both parties were seeking any opportunity to steal the other’s ideological clothing as an election loomed.

There was a measure of cross-party convergence in the areas of education and health, too, for a variety of reasons. The real terms funding guarantee in education, which Moore had extracted as the price of his support for the Liberal government, had insulated the portfolio from some of the pain other areas had experienced. The closest approach to partisan controversy was when Stefaniak sought to deploy work-for-the-dole participants across 11 ACT schools.²⁰⁶

The health portfolio was beset by the torments familiar to all Australian health systems: rising costs of provision and a fractious workforce, but Moore, who brought no public-vs-private ideological baggage to the role, seemed well-suited to manage these problems. Industrial battles with doctors and nurses (never simultaneously, fortunately) continued but the ALP, hesitant to lock itself into expensive commitments prior to the 2001 election, mostly kept its distance from the fray.²⁰⁷ More money

²⁰⁵ *Hansard*, 5 December 2000, 3623. In addition, the government launched a crime-prevention package, including a Scout-style “Police Rangers” adventure group for boys and girls identified as at risk of becoming future offenders. On the legislative front, bail laws were tightened, and police were given the power to take DNA samples involuntarily from suspects: Title No. 1613435, “DNA sampling”, 6 September 2000, [Capital 7. Canberra. News Master. 2000.08.30–2000.09.12], NFSA; *Canberra Times*, 26 August 2000, 6; 6 December 2000, 3; 19 December 2000, 3; *Hansard*, 29 June 2000, 2196; 7 September 2000, 3082; 1 May 2001, 1277.

²⁰⁶ *Canberra Times*, 17 March 2000, 2.

²⁰⁷ *Canberra Times*, 24 December 2000, 7; 5 March 2001, 2; 29 May 2001, 1.

flushing through the system kept problems under some control. Commonwealth largesse helped, as funds were pumped into hospital systems struggling nationwide ahead of the 2001 Federal election.²⁰⁸ When the Australian Institute of Health and Welfare found that ACT public hospitals were still the nation's most expensive, Moore commissioned more detailed research from the National Centre for Social and Economic Modelling, which threw the AIHW finding into doubt. On the strength of this research, the efficiency dividend imposed on the portfolio was removed.²⁰⁹ Plans for the Canberra Medical School finally hit their stride in 2001.

Moore was unfazed when the Nurses Good Government Party announced its intention to run candidates, his position given comfort by Stanhope's pronouncement that Labor health policy "would not be substantially different from ... Michael Moore's".²¹⁰ This was a compliment not merely to the minister but to the experiment of bringing an independent into a major party cabinet. Moore had proved himself as tough-minded as any Liberal minister could have been, but with a deftness of touch and a level of traction among health stakeholders that a Liberal alternative may have struggled to find. Far from being the recipe for instability many had predicted in 1998, Moore had strengthened the image of the Liberal government, arrested a drift towards ideological aggression, consolidated self-government's rising reputation, and demonstrated the polity's capacity for successful adaptation.

²⁰⁸ *Canberra Times*, 24 December 1999, 1. The ACT always got its fair share while Carnell was Chief Minister and Health Minister; perhaps it helped that Federal Health Minister Michael Wooldridge rented the granny flat below her house during parliamentary sittings.

²⁰⁹ *Canberra Times*, 14 July 2000, 3; 4 May 2001, 3. In fact a report by AIHW in July 2001 confirmed those doubts, showing that a shrinking nursing workforce and a fall in the number of ACT hospital beds meant that Canberra's public hospitals were now only the third most expensive, after Western Australia and the Northern Territory: *Canberra Times*, 12 July 2001, 1.

²¹⁰ *Canberra Times*, 7 February 2001, 3; 5 March 2001, 2; 9 June 2001, 1; 18 September 2001, 3.

An election budget

Inevitably, most political events of 2001 were shaped by the election scheduled for 20 October, and none more so than the 2001–02 budget. Economic conditions in the Territory were both an ally and an enemy in preparing this document. The private sector now accounted for 58% of the ACT workforce, with private capital expenditure rising faster than anywhere else in the nation. In November 2000 Canberra unemployment hit its lowest-ever level, at 4.3%.²¹¹ Even the killing off of the very fast train project by the Federal government in December failed to dent the economic optimism.²¹² Although these developments augured a fat purse to use in the May budget, the constantly improving bottom line also made it difficult to contain expectations. On its end-of-year revision, the \$3m loss projected for the 1999–2000 budget transformed into an \$87m surplus, taking a little of the wind from the sails of the forthcoming budget.²¹³ As Treasurer, I was determined not to stockpile large surpluses, in the style of my Federal counterpart Peter Costello, preferring to dedicate those funds before others did.²¹⁴ I persisted with the draft budget process, despite criticism from Assembly committees and the media, an approach which attracted a backhanded compliment from Quinlan, the shadow Treasurer:

I have to congratulate the Chief Minister and Treasurer because, at the same time as being a sham, [the draft budget] is a fairly clever political manoeuvre. I do not say it is clever-intelligent, I just say it is clever-devious.²¹⁵

²¹¹ *Canberra Times*, 9 August 2000, 6; 20 September 2000, 2; 10 November 2000, 2.

²¹² *Canberra Times*, 13 December 2000, 1.

²¹³ *Canberra Times*, 8 August 2000, 1. The bottom line would surge twice more before the budget was handed down: *Canberra Times*, 17 November 2000, 1; *Hansard*, 14 February 2001, 121.

²¹⁴ *Canberra Times*, 12 February 2001, 1.

²¹⁵ Liz Armitage, “Too much good news to absorb”, *Canberra Times*, 17 February 2001, C3; *Canberra Times*, 27 March 2001, 2; *Hansard*, 15 February 2001, 220. In interview Quinlan generously conceded that “I might have done the same, but that’s politics ... [but] we might have had different priorities”: *Interview with Ted Quinlan*, 17 April 2025.

The \$2 billion actual budget (almost double that of the first budget in 1989) in May highlighted three themes: early intervention, poverty reduction and policy innovation. It delivered generously on extra police, a boost in hospital funding and lower motor vehicle registration costs. There was money for more ambulance paramedics, programs to reduce recidivism and the establishment of a Court of Appeal. Entry to Floriade would now be free, abolishing the charge imposed in 1998. A forecast economic slowdown now required an anti-recessionary element, with a \$214m capital works program to keep the local economy stimulated. The budget centrepiece was free school buses from September.²¹⁶ Stanhope branded these measures “blatant” electioneering – a fair description, but put in some context by an editorial:

Mr Humphries has earned the reward of being able to dispense with a few goodies before the election. The Liberals inherited a budgetary position blown out by overspending based on debt. The precise amounts involved have been a matter for conjecture and Labor has a point when it says the Liberals have exaggerated the extent of the black hole. Nonetheless, Labor had overspent, as had the Liberal-led Alliance Government before it. However, since attaining government in 1995, the Liberals have done a lot of hard work in reducing the size of the public sector and with it the unsustainable deficits.²¹⁷

The question on ministers’ minds was now: would the ACT electorate reward the party responsible for this prudence, or would it feel – the hard work of fiscal rebalancing completed – that it could turn again to the party whose social agenda it generally preferred?

Before the government could reap the potential electoral benefits of frugality, however, it needed to pass the budget, and memories of the disastrous fate of the previous year’s budget were still fresh. Some months beforehand I had warned the

²¹⁶ *Canberra Times*, 17 February 2001, 3; 2 May 2001, 1; Lincoln Wright, “Economy primed to offset recession”, *Canberra Times*, 2 May 2001, 18. This measure had its origin in a letter to the editor of *The Canberra Times*, chastising the government for never having delivered on a 1995 election promise to do just this: *Canberra Times*, 21 February 2001, 8.

²¹⁷ *Canberra Times*, 2 May 2001, 10, 17.



Figure 22 Humphries hunts for votes; Canberra Times, 2 May 2001, 10. Cartoon by Geoff Pryor.

Opposition that unless it gave an assurance that it would pass the coming budget, I would commence negotiations with the independents.²¹⁸ I had received positive signals at that time, but Labor MLAs now faced a dilemma: although rejecting most of the budget handouts would be unwise, they decided that they would oppose free school buses. The teachers' union had put to them that the \$27m earmarked for school buses would be better spent on schools themselves. This was a gamble, since many families had children enrolled in out-of-area schools, and depended on buses. Labor decided to take the unprecedented step of voting *for* the Liberals' budget but introducing a separate bill to block implementation of the bus scheme. In the event, the former was passed and the latter was defeated – bypassing the chaos of the 2000 budget and inviting the ALP to take the scheme's abolition to the

²¹⁸ *Canberra Times*, 31 December 2000, 4.

electorate.²¹⁹ Each party in turn considered the strongest ground on which to fight an election, conscious that, for the first time since self-government, the vulture of spending constraint no longer peered so threateningly over their shoulders.

Preparing for battle

The budget was a fanfare for the approaching election, and Canberra's political parties manoeuvred in anticipation. There was a pervading sense that this contest would be much tighter than the Carnell triumph of 1998. The election would also rule off an extraordinary period in Australian political history, where only women leaders had succeeded in four elections in a row; now, for the first time, a man would be popularly elected chief minister.

Stanhope initially kept policy announcements to a minimum, but demonstrated he could “shoulder the heavy burden of office” by bench pressing 100 kg for the cameras on his 50th birthday.²²⁰ At the core of the Liberals' pitch was their claim to be the best stewards of the Territory fiscus, but an additional presentation was that “an inclusive, contemporary, non-dogmatic Liberalism”, distinct from Federal Liberalism and attuned to Canberra values, drove the local party.²²¹ Budgets with social capital and anti-poverty themes had reinforced this message, but more was required given Labor's historical reputation for better credentials in these matters. I criticised licensed clubs for returning just 1% of their net poker machine revenue to the community, and introduced legislation to lift that figure to 5% (aware that the ALP relied heavily on that revenue stream from affiliated clubs for its operations).²²²

²¹⁹ *Hansard*, 14 June 2001, 1702; 20 June 2001, 2144; 21 June 2001, 2407.

²²⁰ *Canberra Times*, 2 May 2001, 7.

²²¹ Liz Armitage, “Gloves may be about to come off as Liberals move on to Labor ground”, *Canberra Times*, 5 May 2001, 2.

²²² *Hansard*, 30 November 2000, 3518; 5 December 2000, 3651; *The Valley View* (newspaper), 12 December 2000, 5.

I also decided that a further attempt should be made to soothe the electorate's sense of grievance about the nature and scale of ACT self-government. While that disgruntlement was difficult to measure, few of my party colleagues and advisers doubted its persistence; we also recognised that Labor would be reluctant to match us in any bidding war on structural reform, creating a potential point of difference.²²³ I promised to explore swapping the trappings of state-style government for a council-type administration, with direct mayoral-style voting for a chief minister.²²⁴ Privately, I doubted that the institutional and legislative barriers (including probable Federal resistance to amending the self-government legislation) to such reform could be overcome, but the prospect of electoral advantage proved too compelling a temptation.

The key plank in the push to capture the political centre was a proposed referendum, to coincide with the election, for a heroin trial and a supervised injecting facility in the ACT. This dovetailed with a call by the National Crime Authority for consideration of treating heroin addiction as a medical problem and supplying the drug from a government-controlled repository.²²⁵ As well as being worthy policy, Canberra Liberal support for a local heroin trial created a sharp contrast with the Howard government's position and even with ACT Labor, which had already decided to back away from an injecting facility.²²⁶ Polling commissioned by the *Canberra*

²²³ As late as April 2009, public policy specialist Jenny Stewart of the University of Canberra would still be able to say: "We know that the ACT runs state-type functions (such as health and education), but with a city rather than a large state or territory to manage, a more collegial, council-style of operation has always seemed preferable to conventional parliamentary proceedings": "Will the Assembly eat its greens?", *Canberra Times*, 9 April 2009, 9.

²²⁴ Peter Clack, "Humphries's local council plan not on voters' radar", *Canberra Times*, 15 July 2001, 28.

²²⁵ *Canberra Times*, 10 August 2001, 1.

²²⁶ ACT Liberal Party policy allowed Liberal candidates at the election to campaign either for or against a Yes vote: *Canberra Times*, 11 August 2001, 3.

Times showed Canberra voters evenly split on the idea of a trial.²²⁷ But the idea carried risks; drug reform advocates were leery of putting sensitive policy issues to a popular vote.²²⁸ The admixture of good policy and raw politics made many uneasy.

Election planning in such a volatile environment is always hazardous, and no less so then. Moore flipped the parties' calculations in July by announcing his intention to retire at the election, declaring "I've lived in a goldfish bowl for 12 years".²²⁹ This decision was a blow to the Liberals, who had counted on him and the conservative crossbenchers to hold government. His announcement foreshadowed febrile final sittings of the Assembly in August. Berry revived the abortion demon by tabling draft bills to liberalise it, much to his Labor colleagues' discomfort.²³⁰ Tempers generally ran high: Cornwell referred to Tucker as "some sort of jezebel" and Moore told Hargraves to "piss off".²³¹ Moore used the final sittings to flex his independent muscles; he had already savaged both major parties for a legislative "sweetheart deal" that allowed electoral donations below \$1500 to remain anonymous.²³² His ire was more focused in August when he voted down the Liberal proposal for a drugs referendum. This, more than his retirement, was a heavy blow. A popular vote on drug policy was a unique if polarising idea; on the day of the vote the ABC's national youth station Triple J ran the story every hour.²³³ Now the opportunity had gone. Moore told the Assembly:

It seems to me that it is conservatives who in the coming election would benefit most greatly from this debate taking a major focus. I have been in this

²²⁷ *Canberra Times*, 11 October 2001, 1.

²²⁸ *Canberra Times*, 18 July 2001, 2; Liz Armitage, "D-day for Assembly on heroin referendum", *Canberra Times*, 21 August 2001, C1.

²²⁹ *Canberra Times*, 5 July 2001, 1.

²³⁰ *Hansard*, 8 August 2001, 2531; 9 August 2001, 2627; *Interview with Jon Stanhope*, 16 April 2025.

²³¹ *Hansard*, 7 August 2001, 2470; 29 August 2001 3675.

²³² *Canberra Times*, 13 June 2001, 1–2. Columnist Robert Macklin condemned the move as "rats gnawing at the foundations of the electoral system": Robert Macklin, "ACT donations vote a threat to hard-won electoral freedom", *Canberra Times*, 24 June 2001, 25.

²³³ Liz Armitage, "End of road for Gary and Michael", *Canberra Times*, 25 August 2001, C2.

Assembly too long, with too many conservatives ... not to believe that our community will be much better off without a strong conservative representation.²³⁴

The minority government, with allies to both its left and its right, had never found keeping everyone in the tent an easy task. Now, with an election looming, it became impossible, as candidates (or, in Moore's case, retiring members) returned to their core constituencies and abandoned the government's interests where they appeared not to coincide with those constituencies'. The weight of governmental mistakes and stumbles – inevitable during two long terms in office – exerted their own centrifugal force on the government's allies. It was now a case of "every man for himself".

Battle of the "inoffensive and colourless"

Deprived of its drugs-referendum lodestar, the campaign now took on a new order of difficulty for the government. The context was inauspicious, as Armitage explained:

It's really difficult for any government to win a third term when the mood of the Australian electorate is volatile and when voters want a change. The ACT Government is relatively ancient in the context of self-government, having been in office for six years. Labor has picked up on a mood for change, and there were echoes of the 1972 slogan "It's Time" at a recent campaign launch. And anti-Howard sentiment will make it more difficult for the Liberals to win a local election.²³⁵

A contest over policies ensued. The centrepiece of Labor's pitch was the dumping of the free school bus scheme in favour of a \$67.5m investment in schools over four years – the largest commitment to education since self-government, said Stanhope.²³⁶ A Bill of Rights would be enacted, and the Canberra Hospital would receive a \$6m funding boost.²³⁷ For good measure he criticised as "ill-advised" and

²³⁴ *Hansard*, 21 August 2001, 3024. No doubt he had in mind Vicki Dunne, a candidate and a member of my staff, who had been particularly vocal in promoting the referendum as a device to kill off drug reform. In interview, he also explained the decision based on his long-standing concern that referendums can undermine parliamentary government: *Interview with Michael Moore*, 16 April 2025.

²³⁵ Liz Armitage, "Federal politics may cast a long shadow in ACT", *Canberra Times*, 3 March 2001, C1.

²³⁶ *Canberra Times*, 30 May 2001, 1.

²³⁷ *Canberra Times*, 18 August 2001, 5; 5 October 2001, 1.

“ignorant” the complaints of Labor premiers who thought Canberra was getting an easy ride from Commonwealth tax revenue distribution.²³⁸ Critics observed that ACT Labor was light on policy compared with their opponents; one noted late in the campaign that Stanhope was “looking a little bereft of ideas”.²³⁹ The Liberals charged that many ALP initiatives were merely commitments to reviews, inquiries and departmental reorganisations.²⁴⁰ Of those promises it did make, many proved incapable of implementation in government, including electorate offices for MLAs, after-hours emergency doctors’ surgeries and the release of cabinet documents after six years.²⁴¹ Some considered that there was an element of complacency in their campaign; Robert Macklin claimed that “privately they think it’s just a matter of going through the motions. If they turn up on the day, government will fall into their laps.”²⁴² In interview, however, both Stanhope and Quinlan pointed to assiduous groundwork over the preceding three years which had positioned Labor to win. Stanhope considered that he and Quinlan had presented “a credible front” and had “opened some cracks in the government”. In particular, Carnell’s fall was a major step in their return to power; Stanhope recounts that he owed much to “the success of a very,

²³⁸ *Canberra Times*, 27 March 2001, 1.

²³⁹ Liz Armitage, “Two weeks out – Do they shape up?”, *Canberra Times*, 6 October 2001, C5. See also Liz Armitage, “Policy detail the missing link”, *Canberra Times*, 7 April 2001, C6; *Canberra Times*, 7 February 2001, 3.

²⁴⁰ Examples include *Canberra Times*, 21 July 2001, 3; 28 July 2001, 1; 19 August 2001, 3; 25 August 2001, 2. The Liberals tallied 43 review announcements by Labor before polling day: *Canberra Times*, 9 October 2001, 2.

²⁴¹ Others included capping rate increases for long-term residents of popular suburbs, broadcasting of Question Time in the Legislative Assembly, master plans for each suburb that would outline acceptable development and moving the prison out of Symonston: *Canberra Times*, 15 March 2001, 1; 23 June 2001, 1; 27 June 2001, 1; 9 July 2001, 4; 14 August 2001, 3; 17 August 2001, 8; 7 September 2001, 3. A further problem arose when Corbell, Labor’s planning spokesman, promised to curtail residents’ appeal rights against planning and building decisions, only to back down under criticism from planning activists: *Canberra Times*, 5 July 2001, 1; 14 July 2001, 1. When Hargreaves announced that compulsory vehicle registration checks would resume under a Labor government, “[j]aws dropped all over Canberra”: Robert Macklin, “This can’t be serious: it’s an election for the ACT Assembly”, *Canberra Times*, 7 October 2001, 17.

²⁴² Robert Macklin, “Couple of candidates give a garnish to a watery broth”, *Canberra Times*, 29 April 2001, 24.

very tough and targeted campaign focused on Kate Carnell” which “just chipped away and chipped away at Kate’s standing in the community.”²⁴³ Quinlan’s view was that putting “the left-wing control of the party behind us” was crucial; he added that the Labor MLAs were “winning hearts and minds”.²⁴⁴

The loss of Carnell did indeed take a toll on the fortunes of her erstwhile colleagues. The sharp leadership differentiation which had carried them to victory in 1998 was gone. Armitage opined: “Now that Gary Humphries is leading the Liberal Party, he and Stanhope could almost find themselves looking in a mirror as they square off for the October election”, while Macklin thought, less kindly, “like the Chief Minister, Opposition Leader John Stanhope is inoffensive and colourless. If he swapped places with Gary Humphries hardly anyone would notice.”²⁴⁵

What I lacked in colour I sought to offset with policy ideas. I announced the Territory’s first boys-only government school, and more boys-only classes, in a bid to stem a perceived crisis in boys’ education.²⁴⁶ To put flesh on the council-style government proposal, the ACT joined the Australian Local Government Association, and deliberative polling was proposed as a means of overcoming conflict over planning controversies.²⁴⁷ The Liberals backed a private-sector proposal for a 7 km-long heritage tramway from the War Memorial to the new National Museum, and

²⁴³ *Interview with Jon Stanhope*, 16 April 2025.

²⁴⁴ *Interview with Ted Quinlan*, 17 April 2025.

²⁴⁵ Liz Armitage, “Mirror, mirror on the wall”, *Canberra Times*, 17 March 2001, C3; Robert Macklin, “Couple of candidates give a garnish to a watery broth”, *Canberra Times*, 29 April 2001, 24. Jim Chalmers, then a PhD student but later Federal Treasurer, commented: “While neither leadership aspirant could be described as charismatic or inspirational, both are seen as steady, locally focused politicians”: “The Australian Capital Territory Election of 20 October 2001”, *Australian Journal of Political Science*, 37:1 (March 2002), 165–6.

²⁴⁶ I made this announcement after talks with the former chair of the House of Representatives Select Committee into the Education of Boys, Brendan Nelson: *Canberra Times*, 13 July 2001, 1.

²⁴⁷ *Canberra Times*, 31 August 2001, 4; Gary Humphries, “Voters must look to people power”, *Canberra Times*, 4 August 2001, C3.

promised to grant ACT private schools funding parity with NSW.²⁴⁸ The asymmetry of the major parties' policy proposals meant that there were few issues on which they clashed directly; one exception was the proposed route of the Gungahlin Drive Extension. Liberal and the independents backed the so-called eastern route over the environmentally sensitive O'Connor Ridge, while Labor and the Greens advocated the western route through the middle of the Australian Institute of Sport campus at Bruce.²⁴⁹ Otherwise, the funding announcements of the major parties merely underscored that, despite some philosophical differences, the ACT polity was now a picture of relative prosperity and stability, and neither party offered a threat to its continuance.

I had one campaign ace up my sleeve – or so I thought. Since Carnell's deposition, Osborne had privately expressed some contrition that his vote may have assisted Stanhope towards the chief ministership, a prospect he dreaded. Accordingly, he had persuaded Raiders great Mal Meninga to nominate for the seat of Molonglo under his Osborne Independents ticket. Osborne assured me that Meninga as an MLA would vote for me over Stanhope in the next parliament, and that with his and Rugendyke's votes I would be secure as chief minister.²⁵⁰ The plan was brilliantly conceived but disastrously executed. Meninga was to announce his candidacy on ABC morning radio in September, with Chris Uhlmann (himself a

²⁴⁸ *Canberra Times*, 9 September 2001, 5; 12 September 2001, 1.

²⁴⁹ Large crowds attended public meetings to denounce the eastern route, while the city's major sporting organisations lobbied against the western route. When the Assembly voted to approve the eastern route, Greens Senator Bob Brown pledged to overturn the decision in the Senate. Ironically, after Labor won the ACT election and proposed to proceed with the western route, the Federal Coalition government overrode this decision and reinstated the eastern route: *Canberra Times*, 21 August 2001, 1; 27 August 2001, 3; 29 August 2001, 1.

²⁵⁰ While grateful for this assurance, I entertained private doubts. I had seen too many pictures of Labor heavyweights Bob Hawke and Ros Kelly backslapping Meninga to think of him as a closet Liberal.

former Osborne candidate) the host. After Uhlmann asked him why he was standing, Meninga rambled, saying:

And the thing about that is I was, I guess, a public figure and I was put on the podium where I was just a person out there making sure that I was ... I'm buggered, I'm sorry. I have to resign.²⁵¹

This episode, which enjoys folkloric status, ended what has been called “the shortest political career on record” – less than 30 seconds.²⁵² Hull wrote the following day: “Meninga’s decision probably ends Humphries’s chance of holding on to the Chief Ministership”.²⁵³

Overshadowed

Other events conspired to dent that chance. The *Tampa* asylum-seeker affair and the 9/11 terrorist attacks in the United States were followed by Howard calling a Federal election for 10 November, three weeks after the ACT election. The smothering effect of these events on the ACT election soon became evident, as political scientist John Warhurst noted:

While John Howard has gained momentum the same seems not to be the case for the Chief Minister, Gary Humphries. No-one wants to know his opinion of events. The vulnerability felt by the electorate in time of threat should not affect a territory election. But the ACT campaign has inevitably been pushed even further into the background.²⁵⁴

The Liberals sought to rebuild momentum with a promise to hold a postal plebiscite in place of the aborted drugs referendum, and – on the back of yet more improvements in the fiscal bottom line in the latest Treasury updates – pledged more

²⁵¹ <https://www.facebook.com/watch/?v=253117342164595>. Meninga later explained that in his six weeks of preparation for the launch he had never rehearsed the question: why should people vote for you? <https://www.news.com.au/sport/sports-life/why-mal-meninga-was-left-speechless-the-day-he-quit-politics/news-story/49d607e37d5ca2af4bf13f33c9ff84d3>

²⁵² https://en.wikipedia.org/wiki/Mal_Meninga

²⁵³ Crispin Hull, “Meninga’s departure leaves it wide open”, *Canberra Times*, 25 September 2001, 9.

²⁵⁴ John Warhurst, “Picture fuzzy on ACT poll result”, *Canberra Times*, 28 September 2001, 13. See also Liz Armitage, “Two weeks out – Do they shape up?”, *Canberra Times*, 6 October 2001, C5; Chalmers, “The Australian Capital Territory Election”, 165.

police officers and support for students with disabilities.²⁵⁵ I was encouraged by a Datacol poll which put me slightly ahead of Stanhope as preferred chief minister (41% to 38%).²⁵⁶ In my final message to the electorate, I asked voters to consider “what alliance Labor would form with the Greens, and what influence the unions would have under Labor”,²⁵⁷ while Stanhope persisted with a low-key approach that emphasised Labor had turned a corner and was ready to govern. The *Canberra Times* noted approvingly:

Jon Stanhope picked up a shattered unelectable party in 1998 and turned it into an electable force. He has not been inspiring, but he has been steady and diligent ... Mr Stanhope has made education and health his priorities, and they match those of the electorate ... The ACT Government would be safe in his hands, provided he can be measured and resist the temptation to overspend in these areas.²⁵⁸

Labor was indeed, once again, “safe” to vote for, and voting habits suspended during Carnell’s stellar turn in ACT politics now reimposed themselves.

On 20 October the Liberal Party retained its seven seats, though, in a sign of voter disapproval, new members replaced old ones via the Robson Rotation in all three electorates.²⁵⁹ By way of contrast, all the sitting Labor MLAs were returned and two new members joined their ranks (thankfully, from the party’s perspective, both women: Katy Gallagher and Karin McDonald). Tucker was returned for the Greens. The long-suffering Australian Democrats finally secured their first ACT seat (Roslyn Dundas in Ginninderra).²⁶⁰ Kaine was defeated, the former chief minister receiving a dismal 636 votes. The biggest surprise was the ousting of the other crossbenchers,

²⁵⁵ *Canberra Times*, 30 September 2001, 1; 3 October 2001, 1; 4 October 2001, 3; 9 October 2001, 2.

²⁵⁶ *Canberra Times*, 14 October 2001, 1–4.

²⁵⁷ *Canberra Times*, 20 October 2001, 3.

²⁵⁸ Editorial, *Canberra Times*, 19 October 2001, 3.

²⁵⁹ In reality, the Liberals picked up an extra seat, recapturing the one that Kaine had carried off to the crossbench in 1998.

²⁶⁰ Unfortunately, this breakthrough came as the party was entering its death throes across the nation. Dundas was the last Democrat east of Adelaide to win an Australian election. She lost her seat at the 2004 ACT election.

Osborne and Rugendyke. Their departure, and the retirement of Moore, spelt the end of the Liberal government. I made no concession speech on election night because the outcome was still uncertain; Jack Waterford opined that “Gary Humphries, in short, may have been returned to office” because of the “greater flexibility of the Liberals in negotiating” with minor groupings.²⁶¹ When the final count gave Labor Osborne’s seat, the result was clear. Labor had regained power, with a momentum that would see it govern for the next quarter of a century.

The Fourth Assembly: an assessment

The five-member crossbench in the Fourth Assembly – the largest since 1992 – had wielded significant power, most potently when it was pivotal to the ousting of a popularly-elected chief minister. In the third and fourth Assemblies, crossbench power had been exercised judiciously, even sparingly, such as when it blocked a government tampering with the outcome of a referendum. On occasions in the following parliament, the public interest seemed to take second place to the private agendas of crossbench MLAs. Kaine, elected as a Liberal, generally voted against that party in his quest for revenge on Carnell.²⁶² The law-and-order agenda of Osborne and Rugendyke had been predictable before their election, but their tightening of abortion laws had not. An arrogant self-interest was on display when they voted to facilitate a drugs referendum but declared that they would not be bound by the outcome if it did not yield the desired result from their point of view.²⁶³

²⁶¹ Jack Waterford, “A chance for re-election for deal-making Liberals”, *Canberra Times*, 21 October 2001, 4.

²⁶² As Norman Abjorensen put it, “Kaine fits admirably into an old political tradition in Australia: never forget, never forgive and never let your eyes waver from the shoulder blades of the one you are stalking”: “Kaine now able to get his revenge”, *Canberra Times*, 12 October 2000, 9.

²⁶³ Liz Armitage, “End of road for Gary and Michael”, *Canberra Times*, 25 August 2001, C2. Moore in interview thought Osborne was defeated in 2001 principally on two counts; he “became the face of the abortion debate” and “was seen to be the one who forced [Carnell] from government”: *Interview with Michael Moore*, 16 April 2025.

Behaviour such as this no doubt contributed to the electorate's decision to dispense with the services of independents – to the extent that none would be elected in the following 23 years, despite their toeholds in every other Australian parliament.²⁶⁴

The 2001 election marked a turning point in other ways. The occasionally unorthodox behaviour, even capriciousness, of ACT voters as they interacted with a political system they disliked now seemed to moderate; in Hull's words, "no fluoride haters, anti-self-government opportunists, squabbling residents' rights idealists or right-wing Independents. Also, the Labor Party will no longer be dominated by tomato-red ideologues. It will mark a coming to maturity of the ACT".²⁶⁵ For the first time, only members of federally represented parties sat in the Assembly. Perhaps the end of the uncertainties that accompanied the long and painful transition to nationally standardised funding allowed voters to reset their expectations; there was a sense that the bread-and-butter issues of Australian domestic politics were now front and centre in Canberra too: "Canberrans are turning to the mainstream".²⁶⁶ The "normalisation" of ACT politics had reached its apogee, although politics in Canberra would, then as now, always be a different beast to other systems.

For the red-tinted city, a Liberal government had played a role in that departure from the orthodox. Electing Kate Carnell had served, in part, as a poke in the eye to the Federal party, Labor, that had foisted self-government on Canberra. Carnell argues that her team's greatest achievement was proving that a "pro-small business, aspirational" Liberal government could actually work "in a place like

²⁶⁴ Two independents – both departing former Liberals – would sit in the Assembly in this period but neither would be elected in their own right as independents. Moore in interview considered that another reason was that, in that period, no independent candidate "really stood out": *Interview with Michael Moore*, 16 April 2025.

²⁶⁵ Crispin Hull, "Poll results show we are growing up in terms of our politics", *Canberra Times*, 20 October 2001, 3

²⁶⁶ Hull, "Poll results show we are growing up in terms of our politics", 3.

Canberra".²⁶⁷ But as people learned, begrudgingly, to live with self-government, the need for this kind of experiment faded. My failure to win the re-election of the Liberal government in 2001 was made more certain by bad luck – the aborting of the drugs referendum, Meninga's self-destruction, the attack on the World Trade Center – but it was most likely inevitable as the peculiar circumstances that gave birth to a (moderately) right-wing government in a left-wing town dwindled and disappeared.

This is not to suggest, however, that the community's dalliance with the unorthodox now vanished entirely. As my conclusion will argue, the fractious, reckless early years of self-government have left an enduring mark on the nature of ACT democracy, more boon than burden, sustaining the city's reputation as a community unlike any other in Australia.

²⁶⁷ *Interview with Kate Carnell, 22 April 2025.*

Chapter 8: Conclusion

*It is the duty of every one of us to make this an institution
of respect and reverence in the eyes of the people.*

– Premier William McKell to the NSW Legislative Assembly, 1941¹

The historian Hans Rothfels argued that contemporary history has “a distinctly political mission”, in that it “should educate ... citizens with the lessons of the recent past, so that they could create and provide for a better future.”² This approach reflects recent trends in European contemporary history; as its practitioners “have sought to influence the construction of both history and identity, they have been closely involved in the construction of public memory and national self-understanding.” This thesis borrows (at the sub-national level) from that tradition, while challenging the “public discourse and popular perceptions” of recent history.³ In this spirit, I contend that this history allows modern Canberrans insights into the question: has the early development of self-government bequeathed to them a successful democratic apparatus, or have the original fears of ACT residents about the new institution been realised? In a climate of declining trust in the democratic process generally, answering this question takes on a greater significance.

There is a natural predilection by those who worked in the early Assemblies (me included) to want to see their endeavours as productive of positive outcomes. Generally, the earliest servants of self-government, interviewed for this thesis, adopt an optimistic tone – offering two cheers at least, and sometimes three. Rosemary

¹ *NSW Parliamentary Debates*, 19 November 1941, 2585.

² Hans Rothfels, paraphrased in Jan Palmowski & Kristina Spohr Readman, “Speaking Truth to Power: Contemporary History in the Twenty-first Century”, *Journal of Contemporary History*, 46(3) (July 2011), 486.

³ Palmowski & Readman, op cit, 488, 490.

Follett considers “we’ve done pretty well, really”, while Bill Wood says of the early administrations: “they were, despite all the ruckus ... quite good Governments.”⁴ National policy leadership is central to his assessment: “Of course it’s a success ... We’re a leader in Australia with our policies.”⁵ Some assessments are more guarded: Michael Moore regards the Assembly as having gained “acceptance, from a very low base”, while Ted Quinlan suggests it is now held “in better regard” than previously.⁶ The current chief minister, Andrew Barr, a staffer in the early parliaments, defends this legacy:

by and large, when you do the roll call and look at our 35 years and compare that with the roll call across the other states and territories ... we look all right. We’ve not had major corruption scandals ... For all its quirks, all of the times when things don’t land 100% where everyone wants, it’s still been pretty good.⁷

Moore, Barr and David Lamont all cite the Assembly’s committee system as a significant achievement of the early parliaments.⁸ While these judgements are hardly effusive, it is difficult to imagine comparable assessments being made by veterans of some state parliaments, given their chequered records of corruption, scandal and patchy economic management.

More telling than self-praise are the appraisals of outsiders, assessments made against a background of a general decline in accountability and public confidence in Australian systems of government. Many analyses of state legislatures have described the growth in the power of the executive at the expense of

⁴ *Interview with Rosemary Follett*, 29 February 2024; *Email Wood to Humphries*, 13 May 2023.

⁵ *Interview with Bill Wood*, 5 May 2023.

⁶ *Interview with Michael Moore*, 16 April 2025; *Interview with Ted Quinlan*, 17 April 2025.

⁷ *Interview with Andrew Barr*, 22 March 2024. He makes comparisons with the political records of NSW, Victoria, Queensland and Western Australia.

⁸ *Interview with Michael Moore*, 12 December 2023; *Interview with David Lamont*, 12 December 2023; *Interview with Andrew Barr*.

parliamentary scrutiny and the doctrine of ministerial responsibility.⁹ John Wanna, for example, outlines how, under the Goss Government in Queensland, “Parliament was used for functional purposes or when convenient, and circumvented or ignored when not”.¹⁰ This trend led Judith Brett to observe in 2001:

Operating according to different principles, community civic life seems increasingly cut loose from Parliament and active civic citizenship no longer so readily builds trust in the nation’s central political institutions.¹¹

While commentary on the ACT’s political system by other Australians has been relatively rare – as Don Aitkin noted in 1999, “there is no interest elsewhere in what we are doing” – some who have commented have discerned a model worth admiring.¹² In 2000 independent Federal MP, Peter Andren, bemoaned the “dangerous anti-democratic trend” of having “an incumbent government’s stranglehold on the House of Representatives”. Given his own frustrations in seeking legislative change as a private member, he singled out the ACT’s electoral system as one which should be used everywhere “to stop the current winner-take-all approach” that was creating “a sour electorate”.¹³ In 2001 the ABC’s Chris Uhlmann gave a lecture arguing that the Federal Parliament “has become irrelevant” through a self-created “democratic deficit” which caused people to feel “powerless and frustrated”.

⁹ Examples include Michael Wood and Michael GN Hollier, “Parliament and the Public Service” in David Black (ed.), *The House on the Hill: a history of the Parliament of Western Australia, 1832–1990* (Perth: WA Parliamentary History Project, 1991), 361, 367; EW Russell & Associates, “Strategic Management Review of the Parliament of Victoria”, quoted in Alistair Harkness, “The Victorian parliament: An institution in decline?” in Brian Costar and Nicholas Economou (eds), *The Kennett Revolution* (Sydney: UNSW Press, 1999), 67.

¹⁰ John Wanna, “Managing the Politics: the Party, Factions, Parliament and Parliamentary Committees”, in Bron Stevens and John Wanna (eds), *The Goss Government: promise and performance of Labor in Queensland* (South Melbourne: Macmillan, 1993), 60.

¹¹ Judith Brett, “Parliament, Meetings and Civil Society”, one of the Senate’s Occasional Lecture Series, delivered on 27 July 2001 (see report *Canberra Times*, 30 July 2001, 9). The comments, though directed at the Federal Parliament, are largely applicable to state parliaments too.

¹² Don Aitkin, “Looking to the Future”, in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: University of Canberra, 2000), 198. The lack of interest may be fed by the prejudice that inhabitants of the “Canberra Bubble” lead lives divorced from the realities faced by other Australians.

¹³ *Canberra Times*, 12 October 2000, 2.

By way of contrast, the ACT Assembly was “one of the few working models of a parliament” because arguments there could still be won “by weight of intellect or moral force”.¹⁴ Such praise may have impelled Governor-General Sir William Deane to pronounce the following month that ACT self-government was “now so well established that it would be inconceivable for there to be any serious prospect of its abolition”.¹⁵ A system that once attracted only critics has clearly attracted a few admirers, too. What they have valued in the ACT system and practice is the extent to which it marks a departure from prevailing national models.

How the Canberra polity was shaped by its history

This study has traced the relationship between the unusual circumstances of the Legislative Assembly’s birth and infancy, and the distinctive political culture of the Territory. Chapter 2 sets out the “prehistory” of self-government, explaining why Canberra residents became suspicious of the concept. At the inaugural election in 1989 citizens “sabotaged” the first iteration of the new Legislative Assembly, leading to three unstable governments and capricious legislating (Chapters 3 and 4). A returned Labor government grappled with the Territory’s dire financial position from 1992–1995 (Chapter 5), facing a legislature cleansed of most of the neophyte-party politicians but retaining a culture of executive constraint which responded to lingering elector dissatisfaction. This culture continued to develop when the Liberal Party returned to government in 1995. Over the succeeding six years that government addressed the financial challenge and aligned services and operations with its state equivalents, but was itself checked by a resurgent crossbench (Chapters 6 and 7).

¹⁴ *Canberra Times*, 9 April 2001, 3.

¹⁵ *Canberra Times*, 11 May 2001, 11. Not all viceroys were so enamoured of the ACT; former Governor-General, Bill Hayden, said the following day that Canberra was “dreary” and mocked it as “a seething cauldron of social diversion”: *Canberra Times*, 12 May 2001, 1.

The 2001 election, ending this study, saw a further democratic recalibration, the crossbench again reduced but still capable of holding the administration accountable. Ironically, given its turbulent beginnings, the ACT parliament has since experienced a longer period of stable (but mostly minority) government than that of any state.

This thesis argues that the departures from Westminster paradigms adopted during the Assembly's development were not only adaptive responses to communal hostility but also devices whereby that institution engineered relative durability and political robustness, features that have served it well. While popular animosity stimulated a striving towards constitutional and operational "normalcy" – to demonstrate to sceptical citizens the benefits of responsible government – at the same time minority government became an entrenched feature of the system, partly a product of engineering via the electoral system but also a concession to the electorate's view that, if a local authority were to exist, its power should be circumscribed and its accountability should be of a high order. This exceptional level of engagement between the governing and the governed implies that the ACT is closest of all Australian jurisdictions to what Gabriel Almond and Sidney Verba call a "participant polity" where citizens "tend to be explicitly oriented to the system as a whole and to both the political and administrative structures and processes".¹⁶ This alignment is assisted by the nimbleness of the Territory's constitutional architecture: "As a city-state the ACT has much greater scope for action than either a city or a state."¹⁷ There are, I contend, three features of the ACT system today that are the

¹⁶ Gabriel Abraham Almond & Sidney Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations* (Princeton: PUP, 1963), 19.

¹⁷ John Halligan, "The ACT Model: An Analysis", in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 116.

legacy of its formative history and which demonstrate a level of operational success and community acceptance which is exceptional in current Australian democratic experience, with the irony that the once-scorned legislative structure now sits at the more accepted – or at least less disparaged – end of the spectrum of Australian parliaments.

The first of these is the ACT's choice of **electoral system**. Citizens voted at the 1992 referendum for the Hare-Clark system of proportional representation, by a substantial margin over the more widely used SME system. The decision was all the more surprising because it was made at the time when voters expelled most of the Assembly crossbenchers, MLAs whose conduct (such as ousting successive governments, removing fluoride from the water supply, and sleeping in their offices) had contributed to public derision of the legislature.¹⁸ Yet it was widely acknowledged that a proportional representation system would all but guarantee the continuation of a (likely influential) crossbench, while SMEs would almost certainly have removed it. The paradox is best explained as a case of voters opting for a system in which the government would generally not control the parliament, but would be accountable to other members for their policies and conduct, and could be upbraided and challenged when required. A crossbench was a necessary element in this edifice.

Further evidence of voter satisfaction with the utility of the electoral system is the enthusiastic use of the Robson rotation feature since 1992, negating party control over which candidates are elected and eliminating “safe” seats. The rotation of names in party columns on the ballot paper has ensured that, at every election,

¹⁸ See Chapters 3 and 4.

supporters of one or both major parties have replaced non-performing MLAs with different members of the same party. It also strengthens the “local” and “personal” aspects of the polity as an expression of community, providing a sense of proximity between voters and politicians that, combined with greater accountability, has improved political representation. Freed from the binary choice which usually stymies voters elsewhere in Australia, ACT voters have consistently demonstrated they value their system and they know how to use it.¹⁹ This sophisticated interface with the democratic system is harder to discern in mainland states.

The second indicator of a healthy and accepted political system – partly a result of the nature of the electoral system – is the now well-entrenched habit of electing **minority or coalition governments** in the ACT. This is not the historical pattern of government elsewhere in Australia, leaving aside routine coalitions between the Liberals and Nationals, nor indeed in Westminster-style parliaments generally. The default setting is that governments that win elections get control of the lower house of parliament, although exceptions to this pattern have been growing in recent years. Australia does not have a culture of political power sharing, leading to warnings about “crisis” whenever governments fall short of a majority.²⁰ This stands in stark contrast to the ACT, which has lived with the constraints of minority or coalition government for 36 years – constraints which have effectively ensured, in

¹⁹ Crispin Hull notes the propensity of ACT voters to “exercise their Robson Rotation rights with a bit of discernment and intelligence”: *Interview with Crispin Hull*, 25 July 2025.

²⁰ Although coalitions between the Liberal and National parties are largely perfunctory and self-executing when government is within reach, in fact neither party has developed a culture of cooperation and power-sharing (other than with each other). While there have been isolated examples of National MPs serving in South Australian Labor governments, the Liberal Party has been conspicuously unsuccessful in building cross-party arrangements to create or sustain Liberal governments. Prominent examples of this inability include Tony Abbott’s failure to reach agreement with two regional independents federally in 2010 and Jeff Kennett’s similar failure with three regional independents in Victoria in 1999. Again, the Canberra Liberals are the exception: the ACT governments of 1989–91 and 1995–2001 are the only examples in Australia of Liberal governments sharing power with non-conservative MPs.

the view of Philip Pettit, “that the legislature will not be effectively controlled (dare I say, muzzled) by the executive”.²¹ Only once in that period has a majority government of one party been formed – the Stanhope Labor Government of 2004–08. Although the Alliance Government of 1989–91 was regarded at the time as a failed experiment, it was in fact the conceptual blueprint for successive Labor-Greens alliances that have kept Labor in power continuously since it lost its absolute majority in 2008.²² The model of an independent minister inside a major party cabinet has not been replicated in the ACT since the Liberal-Moore accord of 1998–2001, but has been employed by successive governments in South Australia, where National Party MPs and even a former Liberal state leader have been absorbed into Labor cabinets, and in Western Australia.²³ The durability and transferability of these concepts owe much to the tolerance of ACT electors, in the incipient phase of self-rule, for new paradigms of governance that better aligned with their expectations than did standard Westminster conventions.

Minority or coalition government is now the Canberra norm; MLAs and electors alike are inured to this system – what Aitkin grandiosely called in 1999 “a new model of how to deal with politics”.²⁴ There is no “panic” of the kind seen elsewhere when governments fall short of a parliamentary majority. Negotiation of the terms by which minor parties or independents will support minority governments is a now familiar occurrence post-elections, none of which reeks of crisis or

²¹ Philip Pettit, “Three Problems with ACT Governance”, in John Halligan & Roger Wettenhall (eds), *A Decade of Self-Government in the Australian Capital Territory* (Canberra: Centre for Research in Public Sector Management, University of Canberra, 2000), 84.

²² It may also be a blueprint for a possible ACT Liberal/Greens coalition government, discussions for which were underway at the time of writing (January 2026).

²³ See Gareth Griffith, “Minority Governments in Australia 1989–2009: Accords, Charters and Agreements”, NSW Parliamentary Library Research Service, Background Paper No 1/10 (2010), 24–30.pt

²⁴ Aitkin, “Looking to the Future”, 197.

instability. It is reasonable to argue that this process reflects voter sentiment; lest it be thought that minority/coalition government is the necessary product of the Hare-Clark system (as per Duverger's law), it is worth noting that six majority governments have been elected in Tasmania, using the same electoral system, during the period the ACT has been self-governing (and rhetoric about the dangers of relying on the Greens is a feature of both Labor and Liberal politics in the island state).²⁵ The other reason to suppose ACT voter satisfaction with minority/coalition governments is that it is in the vanguard of a growing trend – in Australia and the democratic world generally – away from major parties and toward minor parties and (especially in Australia) independents. The crisis of trust in political institutions which the ACT community experienced three decades ago is now the experience of democracies in general, and it can be argued that the ACT system – developed in response to that crisis – is a working model of the system which many Australians are now seeking.²⁶ The underlying rationale is the same: if parties and politicians generally cannot be trusted, it is better to apportion power and dilute the corrosive effect of a single party exercising power exclusively. Although the ACT has led the way on this account in Australia, its model is hardly unique. In many Western European countries, which

²⁵ Hull considers that the different configuration of the Tasmanian electorates accounts for the incidence of majority governments there: *Interview with Crispin Hull*, 25 July 2025.

²⁶ See, for example, David Denemark and Richard G Niemi, "Political Trust, Efficacy and Engagement in Challenging Times: An Introduction", *Australian Journal of Political Science*, 47:1 (2012); Carolyn M Hendriks, "Citizen-led democratic reform: innovations in Indi", *Australian Journal of Political Science*, 52:4 (2017), 481–2; Paul Kelly, "How to restore the lost centre", *The Weekend Australian*, 1–2 September 2018, 15; Mark Evans, Max Halupka and Gerry Stoker, "Trust and Democracy in Australia", in Mark Evans, Michelle Grattan and Brendan McCaffrie (eds), *From Turnbull to Morrison: The Trust Divide* (Melbourne: MUP, 2019), 17–35; Ruth Dassonneville & Ian McAllister, "Explaining the decline of political trust in Australia", *Australian Journal of Political Science*, 56:3 (2021), 280–297; Harry Quilter-Pinner, Rachel Statham, Will Jennings & Viktor Valgarðsson, *Trust issues: dealing with distrust in politics*, Institute for Public Policy Research (December 2021), <https://drive.google.com/file/d/1rdXahei0cWVIfLGR9u6X7OooT6qr0eua/view>. Accessed 26 August 2025.

have proportional representation systems, coalition or power-sharing governments are very common.

The third pointer to the health and success of a self-governing ACT is the limited penetration of **corruption**. Claims of widespread corruption at the incipency of self-rule, promoted particularly by Bernard Collaery, quickly evaporated – unsubstantiated. In the years between 1990, when those claims were last made, and 2018 when the ACT Integrity Commission became the last-established of the anti-corruption watchdogs among the Australian states and territories, no claims of corruption against ACT politicians, senior public servants, police officers or developers were prosecuted in the courts or by public regulators – a sharp contrast with the stream of putrescent discoveries of equivalent bodies in the states.²⁷ The ACT commission's late arrival – a full 30 years after the New South Wales ICAC – was indebted not to governmental resistance but rather to the widespread perception that the Territory had no significant problem with corruption. Indeed, in its six years of operation, the ACT commission has made just three findings of serious corrupt conduct, in cases involving grievous errors of judgement by public officials in performance of their duties rather than those officials acting for personal gain.²⁸ The fear of corruption that actuated some hostility to self-government in the 1970s and 1980s has patently not been realised. Whether Canberra's citizens value this achievement today is unclear but, in reality, the ACT has a record of clean government that would stand comparison with political systems anywhere in the world.

²⁷ See, for example, *Review of the Governance of the Australian Capital Territory: Report of the Working Party*, Chief Minister's Department, 1998, 42–3.

²⁸ Gary Humphries, "ACT's Integrity Commission – yet to bark", in Scott Prasser & David Clune (eds), *Strengthening Trust: Australia's Anti-Corruption Bodies* (Redlands: Connor Court, to be published in 2026).

ACT self-government: “I’ve grown accustomed to her face”²⁹

The first chief minister, Rosemary Follett, sees the ACT model both as a product of political design by the original MLAs, and as a success. The Assembly “pioneered” the system of rolling minority/coalition governments because

it’s what the community wants ... They want to see other views represented beside the two major parties’ ... people are wanting less of the table-thumping and shouting at each other and more of constructive debate and agreement, all acting for the best.³⁰

Her assessment of community satisfaction with the political system is mirrored by evidence of the ACT today as a generally secure, confident and accomplished society. Jack Waterford speculates that Canberra enjoys the highest standard of living of any substantial city in the world.³¹ *The Australia We Want 2025* report issued by the Community Council for Australia found the ACT ranked “well above the national average across most of the important measures”, including suicide rates, educational attainment and perceptions of safety, prompting journalist Genevieve Jacobs to ask, rhetorically: “Could Canberra actually be the kind of Australia we all want?”³² Measurement of contentment with the Territory’s political system specifically is harder to find; no published polling on this question has appeared for 36 years.³³ Though some might infer satisfaction with the state of governance from the fact there has been no change of government for a quarter century, other

²⁹ Professor Higgins regarding Eliza Doolittle, *My Fair Lady* (1964 Warner Brothers film).

³⁰ *Interview with Rosemary Follett*, 29 February 2024.

³¹ He argues this on the basis of the nation’s highest average incomes, plus the absence of poverty and disadvantage in the proportions found in other cities: Jack Waterford, “Canberra, part of the Nation’s Working Capital” (Canberra Day Oration 2021), *Canberra Historical Journal*, 87 (September 2021), 36.

³² communitycouncil.com.au/wp-content/uploads/2025/04/AUSWewant_20250423_web.pdf; Genevieve Jacobs, “Could Canberra actually be the kind of Australia we all want?": region.com.au/could-canberra-actually-be-the-kind-of-australia-we-all-want/864525/?utm_source=newsletter&utm_medium=weekly&utm_campaign=2025-05-01. Accessed 11 March 2025.

³³ The last such poll was published in November 1988, showing a hefty 76.5% of respondents wanted a referendum before self-government was implemented: *Canberra Times*, 20 November 1988, 1.

indicators may be more illuminating. A key issue in Canberra at the 2022 Federal election was whether the Federal or ACT parliament should determine if euthanasia would be legal in the Territory. Liberal Senator Zed Seselja, whose very public position was that federal MPs should make such decisions – a reprise of the anti-self-government war cry of 1989 – lost his seat to an independent.³⁴

This is not to suggest that the Canberra community has transcended the legacy of its difficult political birth. As John Purcell, a former senior ACT Treasury official, notes, “cracks have emerged after 35 years of self-government, with some arising from the model itself, while others can best be attributed to outside parties [especially the Commonwealth] failing to fulfil their responsibilities.” Problems of a financial nature include the stifling effect on the ACT community of Federal planning controls over much of the city; rapid population growth on the Territory’s borders, creating a de facto urban fringe over which it has no control; the lack of adequate compensation for ACT services (schools, hospitals) used by NSW residents who pay no ACT rates; the city’s largest employer (the Commonwealth) being exempt from paying ACT payroll tax; and the ageing of grandiose 1970s/1980s NCDC infrastructure, imposing heavy replacement costs on the Canberra community.³⁵ Additionally, some argue that the ACT model, despite the persistence of coalition/minority government, offers inadequate checks and balances against maladministration – prominent among the critics is former chief minister Jon Stanhope. He contends the community needs to “revisit and review the model”,

³⁴ I declare an interest here: I was defeated for Liberal preselection for the Senate seat by Seselja in 2013.

³⁵ *Email, Purcell to Humphries*, 5 October 2024. Other problems include (a) Commonwealth agencies enjoying administrative immunity from ACT legislation regulating such things as suburban noise (see section 27, *Australian Capital Territory (Self-Government) Act 1988* (Cth)) (b) the system of back yard electrical reticulation in Canberra suburbs, a Federal initiative designed to rid Canberra streets of ugly power poles but which can visit significant costs on residents when maintenance issues arise: *Email, Janet Hughes to Humphries*, 23 October 2024.

arguing it is not well served by “a single house [with] no house of review and no local government”, leading to neglect of profound social problems including housing stress and Indigenous disadvantage: “We’re not who we think we are.”³⁶

Maxwell Smithies, a concerned Canberran, wrote in 1988 that the looming crop of ACT politicians will “always be seen to be short on moral legitimacy” because the institution of self-government “will always have originated on the wrong side of the blanket.”³⁷ Perhaps. Without qualitative opinion polling, the precise views of Canberra citizenry today about their form of government must be mere extrapolations from inconclusive evidence. But the historical pathway from the shambles of the first parliament to the comfortable and prosperous city-state of today can be clearly traced, as this study has tried to demonstrate. As Nicholas Brown has noted, Canberra’s political system has long been “pushing the boundaries”.³⁸

Canberra was already a privileged community when self-government was thrust upon it in 1989. People interpreted self-government as a threat to that status. And so, a resourceful and politically aware community rose to the challenge: in the furnace of public hostility was forged a model of government that befitted a model city. As Andrew Barr puts it, “what you would expect from a pretty well-educated and engaged electorate is a pretty well-educated and engaged parliament”.³⁹ The fruits of that interaction include the Rolls-Royce of electoral systems, governments beholden to fairly elected parliaments and an administration seemingly as free of corruption as can be found anywhere in the world. The stain of political illegitimacy

³⁶ *Interview with Jon Stanhope*, 16 April 2025.

³⁷ Maxwell Smithies, Letter to the Editor, *Canberra Times*, 30 November 1988, 8.

³⁸ Nicholas Brown, “‘Delusions of Purity’: Reflections on Writing *A History of Canberra*”, *Canberra Historical Journal*, 74 (March 2015), 16.

³⁹ *Interview with Andrew Barr*, 22 March 2024.

may have spurred the institution to greater heights than the bewildered citizenry of 1989 would have thought possible.



Figure 23 The modern ACT Legislative Assembly
Source: ACT Legislative Assembly

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