

MATCHING WITS WITH GOVERNMENT

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McCOSKER ORATION

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INTRODUCTION

I have some history now with Catholic Social Services Australia. When I was first invited to join the Board of what later became the ‘amalgamated’ Catholic Welfare Australia in 2000 it was at the instigation of Bishop Pat Power and Fr John Usher. I was the type of non-specialist Catholic layman who would have had no place in the traditional arrangements of the National Catholic Welfare Committee which was made up of clerical social workers. My first involvement in church social justice issues had come in Armidale in the late 1980s with the local Indigenous community and as part of the consultation process for the Bishops’ Inquiry into Wealth Distribution which led to the report on Common Wealth for the Common Good. I sat with Bishop Harry Kennedy, an old-school bishop who had once been private secretary to Cardinal Gilroy.

When I was asked to re-join the Board of Catholic Social Services Australia in 2006 it was at the invitation of Fr Joe Caddy and Frank Quinlan. Just before that I had delivered my first McCosker Oration on the topic “Catholic Voices in Australian Politics”. At that time I knew next to nothing about the history of this organisation and I was speaking as an outsider. All I could say at the time about Monsignor Frank McCosker that he was a clear example of a distinguished Catholic voice in politics. I knew McCosker primarily through an intriguing photograph on the CSSA office wall.

But I did describe him as one of those “path-breaking priests with some church authority and some freedom to move” who “have played a significant role in church-state relations” in Australia, comparing him to others including Monsignor David Cappo. Now I would add Fr Frank Brennan SJ.

Tonight I speak as an insider. I took the opportunity offered to me to write a short history of CSSA from 1956-2016. [My only regret tonight is that there is so much to report in so little available time. There will be other occasions to reflect on the organisation’s limitations but tonight is primarily an occasion for celebratory reflection.] My focus tonight will be on that part of the work of CSSA which is lobbying and advocacy rather than its servicing of members, reporting to the ACBC and other responsibilities.

IMAGINING THE LOBBYING AND ADVOCACY ROLE

What’s the best way to think about the lobbying and advocacy role of CSSA and its predecessors? There are various useful images of the relationship between advisors and peak bodies in their dealings with government. I can think of four. The main one that comes to mind is the well-known image of **Speaking Truth to Power (1)** which originated with the Quakers in the 1950s as a

description of having the courage of your convictions when speaking to those in a superior position. Some also consider relations with government to be like an **Arm Wrestle (2)** between two equally powerful individuals, a test of strength. Whereas in the church-state relations field some critics would see churches as a superior sort of **Clerical Sledge-Hammer (3)** battering the secular state into submission.

Each of these three images-**Speaking Truth to Power, An Arm Wrestle and the Clerical Sledge-Hammer**- has some resonance with CSSA history and deserve further consideration. Firstly, the church can be a source of truth and insights in to society which governments don't want to hear when representing the voice of the voiceless. Secondly, it is undoubtedly politically powerful in Australia given the general perception that there is a Catholic vote which can be marshalled to be influential in politics. Thirdly, it should always take a moral and ethical position when dealing with those in official positions.

But my dominant image and my primary theme tonight, drawn from my recent historical research, is **Matching Wits (4)**, where the senior figures in CSSA match their brains with those ministers and bureaucrats in high government office. This means being creative, intelligent and engaged in the game of suggesting and finding solutions to policy-making dilemmas. They match wits with government on behalf of the vulnerable in society who are in no position to speak for themselves.

I've been teaching and writing about professional lobbying for more than thirty years. In that time I've come to the conclusion that such wit is the most underestimated ingredient in successful lobbying. Ultimately it matters more than truth, muscle or moral superiority. CSSA has demonstrated plenty of such wit over the years and I want to give you some examples later. CSSA has almost always had smarts!

By matching wits I mean several different things as reflected in common sayings like the following. To "set one's wits to work" involves thinking, inventing and planning. To have "all one's wits about one" involves exercising care, intelligence and skill. While to "live by one's wits" conjures up images of more dishonourable conduct, including as well as skill, less admirable characteristics like deception and cunning. Not that I am suggesting for one moment that CSSA would ever descend to that level! Sometimes a lobbyist may even be "at one's wit's end" after trying all these other elements.

The best advocacy and lobbying involves many different ingredients. These include injecting new principles and new frameworks into public deliberations, researching and building a case, drawing on the practical experience of those at the coal-face, establishing the necessary relationships of trust with those in government, standing up to government when it appears to be heading in the wrong direction and suggesting win-win solutions that appeal to government. CSSA does all these.

On each occasion, however, there must be the necessary skill and judgement to know when to pull one lever rather than another. On some occasions government needs a poke while on others it needs a cuddle. Only a wise lobbyist with plenty of wit knows what exactly to do. One traditional definition of politics is "Who gets what, when and how". The equivalent definition of lobbying would be "Who does what, when and how".

THOSE WITH THE WITS

From Monsignor Frank McCosker to Fr Frank Brennan SJ and from the National Catholic Welfare Committee to the present day this organisation has had ten CEOs (plus numerous Acting CEOs), who until 1981 were called Secretaries (a term also used for the heads of public service departments).

The organisation has also had four major identities: NCWC, Australian Catholic Social Welfare Commission, Catholic Welfare Australia (controversially usurping the initials of the Country Women's Association) and CSSA.

Fr Frank McCosker from Sydney was the first honorary (and part-time) secretary from 1956 until 1974. He was followed by the first paid, full-time secretary, Fr John Davoren. Sister Agatha Rogers, the first woman, came to the job in 1980, followed by the Queenslander Fr Kevin Caldwell, who moved the secretariat from Sydney to Canberra, in 1984. After Caldwell's retirement and then some temporary arrangements, Fr David Cappo moved from Adelaide to the national directorship in January 1992 until 1996, on the election of the Howard government, when he was replaced by his deputy, Toby O'Connor. Upon his retirement, and again after some interim arrangements, Frank Quinlan, the first real outsider to the sector, took up the position in August 2004 and served until 2011. Since that time there have been four more CEO's: Paul O'Callaghan, Jackie Brady (Acting), Marcelle Mogg and now Frank Brennan.

Many other individuals have played leading roles and there have been many people, often women, working behind the scenes. Often there has been team leadership, involving partnerships. The two most outstanding ones have been between McCosker and Melbourne's Fr Eric Perkins, during the early Coalition government days in the 1950s and 1960s, and then between Cappo and his deputy O'Connor during the Keating Labor government years, 1992-96. In each case there was a division of responsibilities and different styles and skills brought to the task.

The McCosker and Perkins team was nick-named McCoskins by the Tasmanian Fr Clem Kilby. McCosker was based in Sydney and Perkins in Melbourne. They came together at the very beginning, in the mid-1950s, nominated by their respective Archbishops James Gilroy and Daniel Mannix. Their partnership was remarkable, coming at a time when so much divided the Australian episcopate in church and state matters. It was at the height of the Labor split and state aid for private schools had yet to emerge. Robert Menzies was Prime Minister and Herbert Vere Evatt was Leader of the Opposition.

The two men remained with the organisation in one capacity or another for many decades. McCosker became the first life member. When Perkins, who became Auxiliary Bishop of Melbourne in 1973, was given a parliamentary farewell in 1989 he had served the organisation for 31 years.

McCosker was the skilled personal negotiator with those in high office. He was the one who had personal negotiations with the Attorney-General, Sir Garfield Barwick, departmental officers and others. He was the one who earned trust and who thought through ways of satisfying the need of the government for its money to be kept separate in church accounts: it would figuratively be put in separate drawers known, again according to Kilby, as 'McCosker's drawers'.

Perkins was the researcher and wordsmith who could assemble and present evidence. As the federal Parliament moved towards divorce law reform, he authored several versions of the first major paper by NCWC, entitled An Analysis of the Matrimonial Bill, 1957. The early work of the NCWC became noted for the quality of its argumentation. Following a second major paper entitled A Case for Graded Child Endowment and Increased Maternity Allowances (1958, 1962) the then Deputy Opposition Leader, Gough Whitlam, wrote to McCosker on Qantas notepaper from the Sydney Airport lounge:

The pamphlet is strongly documented and cogently argued. I shall draw on it greatly. Many thanks for letting me have it.

Their partnership even extended to meetings with bureaucrats, politicians and others where McCosker, the 'bad cop', would set the scene theatrically for Perkins the 'good cop' to make the convincing points. Between them they not only made the case but thought through its administration and dealt with government misgivings.

The Cappo and O'Connor team didn't have a nick-name as far as I am aware (perhaps "Capponnor" or "O'Cappo" will do) but they may have been even closer than Perkins and McCosker as they worked side by side in the same office in Canberra. They came together when Cappo came to Canberra, moving from chair of the board to executive director, soon after Paul Keating became Prime Minister. The two men hit it off immediately, working with others of a similar mind like ACSWC policy adviser, John Fergusson. Cappo dealt with ministers, O'Connor dealt with advisers, and Fergusson told me he wasn't let anywhere near Parliament House!

Cappo, a people-person who carried around with him a certain indefinable aura, appears to have hit it off immediately with both Keating and his Deputy Prime Minister, Brian Howe. What may have appealed to Keating was his outcome-driven, "can-do" approach. By all accounts this gave Cappo free access into the PM's office. He convinced the government that together we/they could do something for the long-term unemployed. O'Connor recalled a typical day's work: After a visit one morning by Cappo to Parliament House he came back to the office and said to me, "I said I'd be back at 2.00pm with a solution".

O'Connor on the other hand was much better behind the scenes and lacked the same people skills. He was undoubtedly very bright and could be forceful. He could write policy papers very quickly and kept long hours. In other words he was an ideal behind-the-scenes operator who later became a successful CEO. Cappo was lucky to have him. He was wrapped up in his work and years later described it as the most exciting time of his life.

Since then the most important figure in the history of CSSA has been Frank Quinlan, who came from the Australian Medical association and is now CEO of Mental Health Australia. Fr Joe Caddy, director of Centacare Melbourne (now Catholic Care), served a crucial role as chair during this period and the two were another example of a good team. Bishop Pat Power, Auxiliary Bishop of Canberra-Goulburn, spent longer than any other bishop as a wise and brave member of the board.

A BRIEF CHANGE OF PACE: THE HARD-WORKING BLOKEY CULTURE

For some decades, until about the turn of the century, the productivity and creativity of the organisation co-existed with a hard-working, 'blokey' culture. This was associated with what many of my interviewees, some affectionately but others with reservations, called the Old Guard.

The work-style of the times is best called "driven". When just getting together in the one place was a major achievement given limited financial resources the committee/commission meetings were hard-working and intense. They could be chaotic and irregular in their attention to the timetable, which left one new commission member "gob-smacked" at her first experiences. Meetings could last well into the night and the chair, Fr John Usher, was renowned for his stamina.

The meetings were also associated with serious relaxation. I trust you are all continuing that tradition.

Any clerical organisation could be none other than a blokes club by definition. Even some of the early male lay directors appear to have been treated as honorary clerics. It was not uncommon for the group to be regarded as a clique which was hard for newcomers to break into.

This leads on to the role of senior women within the organisation. In my organisational history I wrote that “Women have battled to gain acceptance and to fully make their mark.” The first senior woman was Mercy sister Agatha Rogers who was appointed Secretary in 1980 when women were scarce in decision-making positions not just in the church but in boardrooms and parliaments in Australia. Remember this was at a time when there was not a single woman in the House of Representatives (Ros Kelly MP was elected in 1980) and few senior female public servants. There can be little doubt that it must have been hard for this path-breaking woman, Rogers (Sister Agatha). In my time, in addition to the female CEOs other senior women like Margaret Rootes and Mary Jamieson have been indispensable to the success of the organisation.

Some senior women agency heads and board members speak fondly of being mentored by leaders like McCosker and of learning a lot about church politics from other leaders like Fr John Usher. Some claim not to have been bothered by “all the boys” as they were used to it in other walks of life, including in the church. Nevertheless, whether feminist or not, religious or lay, the women coming through the organisation were recognised as being more consultative by nature than the Old Guard. They also all suffered instances of exclusion for which a public apology was sometimes necessary.

MATCHING WITS MEANS WINS AND LOSSES

Back to my main theme. Matching wits meant different things. Sometimes it was an attempt to frame the debate in a new way, which could be derived from traditional church thinking or from Catholic social justice teaching. The effort put into writing papers like Social Obligation and Public Policy: The Role of the Market, the State and Civil Society in Enhancing Social Welfare (1997), contesting an over-reliance on market forces and disputing the mutual responsibility of the vulnerable, was one such contribution to resisting frameworks which would disadvantage the voiceless. Sometimes it meant introducing new statistics into the debate, drawn from the experience of member agencies, or new ways of thinking about a problem as in the Dropping Off the Edge research. Sometimes it meant creative media strategies in order to influence public opinion in a more compassionate direction.

The organisation didn't always win when it pitted its wits against government. The attempt, called A Fair Go for Families, to persuade the Hawke-Keating government to adopt taxation based on couples or families rather than individuals in the 1980s was rejected in a fiery meeting with Keating in which the Treasurer told the ACSWC delegation that the church was only interested in ‘high-income earners’ rather than the poor. The delegation took exception and Bishop Power reported diplomatically to the episcopal conference that “Mr Keating exaggerated many of his comments’.

There are lots of examples of wins and losses to choose from but I will speak about just four.

CASE STUDY 1: MARRIAGE AND DIVORCE (1958-61)

The NCWC successfully kept a close eye on the federal government and after Perkins became “alert to stirrings in Canberra” it lobbied in relation to a proposed Uniform Divorce Bill between 1958 and 1961. In 1961 the Committee reported that it was “satisfied that it has exercised a beneficial

influence in this regard on the Attorney-General Sir Garfield Barwick and the officers of his department and hopes it will continue". The influence of the NCWC was clear in the legislation and bore fruit in 1960 when Barwick announced grants of 2,000 pounds each to approved marriage guidance organisations, including the four Catholic diocesan welfare agencies in Sydney, Melbourne, Brisbane and Canberra. Perkins and McCosker had convinced Barwick of the need for professionally trained and appropriately paid social workers in the delivery of marriage guidance counselling.

What the NCWC had done was a combination of McCosker's personal conversations with Barwick, the departmental officers and others and the detailed case with supporting evidence assembled by Perkins. Lobbying by others was also helpful as was the sympathetic interventions of some Catholics in Parliament, like the then Attorney-General Sir Neil O'Sullivan, and the awareness of the political clout of the Catholic community. McCosker later reflected that it was the "coming of age" of the committee. Yet looking back the NCWC "considered that the presentation was too polite" and that the message needed to be even clearer if it was to be more effective.

CASE STUDY 2: NO GST ON FOOD (1992-99)

The possibility of a goods and services tax (GST) was a political issue for two decades before its eventual introduction by the Howard government in 1999. But a GST on food and other necessities was excluded from the final legislation in large part because of the opposition of the ACSWC in 1992 and 1999.

At the heart of the position of the ACSWC was the proposition, enunciated in October 1992 in a research paper called "Taxation and Food" that "a tax on essential food is neither a good nor a just imposition on the Australian community". This view prevailed after a period described by one participant as "like the third world war". Cappo was very good at dealing with aggressive situations, such as when confronted by David Murray, the Commonwealth Bank head.

In 1992 the Opposition Leader, John Hewson, was forced to modify his proposed GST under pressure to exclude the necessities of life. It was the most contentious period in the whole history of the organisation and included vehement criticism and accusations of poor research and bias by the Opposition leadership (including Catholics like Fred Chaney and Kevin Andrews), unwanted politicisation by Prime Minister Keating and disquiet among many bishops despite a public defence by Bishop Pat Power. Extensive negative publicity for the church followed in the mainstream media of a kind not seen since the mid-1950s.

The "most remarkable day" in the organisation's history, as described by Fr Usher, took place on 5 October 1992 when the nation's leadership came to the ACSWC offices in Curtin: the Opposition (including Peter Reith, Richard Alston and David Connolly) in the morning and the Government in the afternoon. The ACSWC Executive involved included John Usher (chairman), Bishop Power, Fr Kevin Mogg, Mrs Esther Doyle and Brian Kennedy.

Mrs Doyle, who is still living in Sydney, was quite a character. A former national president of the Catholic Women's League, she was quite a presence, an obviously well-to-do woman with a penchant for large rings on her fingers, standing up for the vulnerable.

When the meeting with the Opposition was inadvertently leaked it was taken up by Keating in the House of Representatives on 8 October with the most colourful and outrageous allegations about the Opposition "getting square with organisations such as the Catholic Welfare Commission, the Australian Catholic Bishops Conference and a couple of priests who are trying to do the right thing by the poor").

The issue generated extreme passion and heat for weeks in public and private. The media described the church as at war with itself. Many involved were severely bruised by the experience. But ACSWC stood firm. Keating won the unwinnable election in March 1993 and afterwards ACSWC framed his autographed copy of Taxation and Food and hung it in a public office space from that time onwards.

The second iteration entangled ACSWC in broader church politics. In 1998 the new Howard government wanted a GST as part of larger tax reform and tried to pre-empt church opposition by going over the head of ACSWC to the bishops. Meetings were arranged in Canberra between Catholic parliamentarians and selected bishops but no consensus reached.

The Commission persisted in its position in a submission called "Fair Tax Reform". The Church then attempted to coordinate a whole of church anti-GST position which based tax policy on the three central principles of the common good, distributive justice and the preferential option for the poor. This was to no avail when Archbishop George Pell declared publicly that "there is no one Catholic position on an issue as complex as taxation". At a stroke church influence was undercut. It was now Howard's turn to say Thank God for the Catholics.

Nevertheless the ACSWC opposition to a tax on essential food eventually prevailed. When the GST legislation was introduced into Parliament in 1999 it was rejected by Senator Brian Harradine, an ACSWC ally, before being passed with the support of the Australian Democrats who insisted on the exclusion of food from the GST.

CASE STUDY 3: DROPPING OFF THE EDGE (2007)

The recent death of Professor Tony Vinson reminded all of us of the contribution of this great social reformer. Newspaper reports highlighted his report **Dropping off the Edge**, which was jointly sponsored by CSSA and Jesuit Social Services, describing him as "Australia's pre-eminent social justice campaigner" (SMH 20 February 2017). CSSA pitted its wits against government in this partnership not just by commissioning the research but by selling it to Commonwealth and state MPs and to a wider public. This involved not just the most senior executive members but skilled media relations staff.

I attended the launch in Parliament House in Canberra in February 2007. Bishops and CSSA board and secretariat members mingled with government ministers, Labor shadow ministers, parliamentarians and advisers in the Mural Hall. This was another example of matching wits. The strategy was to put both an idea and a constituency on the political agenda in a way that government had no choice but to notice. It involved conducting quality research, selling the idea of concentrating on those postcodes with multiple disadvantages to all governments and promoting the general message through the media to the wider public.

Prof Vinson, Fr Peter Norden SJ, Policy Director of Jesuit Social Services, and Frank Quinlan and Fr Joe Caddy from CSSA did the face-to-face selling to policy makers. CSSA's two professional public affairs and media directors, Jackie Brady and Judith Tokley, identified and briefed key journalists, disseminated pre-publication copies to give scoops to selected newspapers and massaged local media with stories about their postcode areas. They also mollified those MPs who objected to their own electorate's troubled postcodes being publicly identified.

To maintain momentum CSSA engaged church agencies across the country to lobby MPs in their electorate offices. Weeks later CSSA raised the same proposals at the Council of Australian Governments (COAG) meeting. Pre-election lobbying later in the year raised the same themes.

The campaign was successful. The incoming Deputy Prime Minister, Julia Gillard, drew on the ideas for her new Australian Social Inclusion Board with the chair of Jesuit Social Services Patricia Faulkner as its chair, Mons Cappo as Vice-Chair and Prof Vinson as a member, demonstrating the great influence at that moment of both the Catholic welfare sector and this project.

CASE STUDY 4: AN ENTITLEMENTS COMMISSION (2008)

Finally, one of the ongoing projects over the past decade has been to convince the government that the support for the unemployed and others on income support is inadequate. CSSA has done this not only through taking every opportunity to emphasize the inadequacy of Newstart and other welfare provisions in Budget submissions, but also by suggesting a whole new way of addressing income support by government. Yet again CSSA was being creative by coming at the one problem in various ways.

Frank Quinlan released a proposal for an independent commission to inform decisions about the adequacy of pensions and other income support payments on 22 September 2008. It was to be called “An Australian Entitlements Commission”, to operate at arms-length from government like the Reserve Bank or the Commonwealth Remuneration Tribunal. The hope was that it would make income support decisions less arbitrary and less political. Hopefully it would concentrate on the adequacy of income support not deservedness.

This remains the CSSA position a decade later, although, given that the term Entitlements has fallen out of favour, the name has been dropped in favour of an Independent Commission. In 2010, as part of the broader project to take politics out of the issue CSSA joined with Catholic Health Australia as a partner organisation in an Australian Research Council Budget Standards research project run by the Social Welfare Research Centre at UNSW.

Despite winning the support of other Major Religious Providers, like Anglicare and the Salvation Army, and the Greens, the proposal may never be successful. In 2014 the Social Services Minister, Kevin Andrews dismissed the idea that an independent body would ‘depoliticise’ payments on the grounds that ‘the central function [of budget-making] should be retained by the Parliament’ (read government). Nevertheless, it demonstrates CSSA thinking outside of the box.

CONCLUSION

Those who want to match wits with government must be constantly striving. CSSA has done just that admirably but not faultlessly in various ways over 60 years. What has impressed me is the real appetite for the challenge which those representing CSSA have brought to the enterprise. Their appetite has been demonstrated by long hours addressing the rules of the game and by sharpening their wits.

[I have illustrated the various means adopted by just some of those who have led or worked for CSSA over the years. I haven’t been comprehensive and I apologise to those whose contributions I have omitted.]

The thing about the game of matching wits is that it is a competition in which those representing government, that is big government and big bureaucracy, are often striving to outwit us too. We don’t have an equivalent-sized army to fight these battles. This really is a David and Goliath story. Like David we always must be cleverer and use our wits better.

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