

Perspectives

Clippings

"THE unpopularity of the war in Iraq and an economy that is leaving many workers behind provide Democrats with a target-rich environment. Republicans, meanwhile, will be sorely tempted to go on the attack with the poll number that gives the most comfort: their advantage on protecting the nation from terrorists. Some are also turning to tough anti-illegal immigration positions, both to counterattack and to shift the debate away from Iraq. Call it the politics of fear ... this year's congressional candidates are poised to argue that what is truly scary is the other guy running for office. That may win elections, but it makes governing more difficult."

USA Today

"AS HIS country slides back to civil war, the President of Sudan, Omar al-Bashir, has denounced Western moves to intervene as a colonialist conspiracy and likened Khartoum's situation to Lebanon's a month ago ... but what truly distinguishes this crisis from any other international emergency and shames those leaders apparently willing to let it run its course, is genocide."

The Times, London

"MIGRATION and HIV are two of the more sensitive political and social issues in New Zealand. Combine them, as the Government did this week with respect to Zimbabwean migrants, and there will inevitably be those seeking to whip up irrational fears. The decision to allow those Zimbabweans with HIV to settle here permanently would therefore not have been easy. But the Government really had no option but to answer the twin calls of humanitarianism and public health."

The Press, Christchurch

Living with household germs

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Cast the talent net wider

There is a solution to the lack of depth in George Street, writes **Andrew Lyons**

AUSTRALIA has a problem with the quality of state government administrations. A cause of the problem is the difficulty of staffing state parliaments with sufficient politicians capable of properly discharging the duties of a cabinet minister. The past 15 years provide ample evidence of this. Governments have been ejected for incompetence in Victoria, South Australia and Western Australia.

In Queensland, both sides of politics would benefit from an infusion of talent to tackle the plethora of major problems confronting the state.

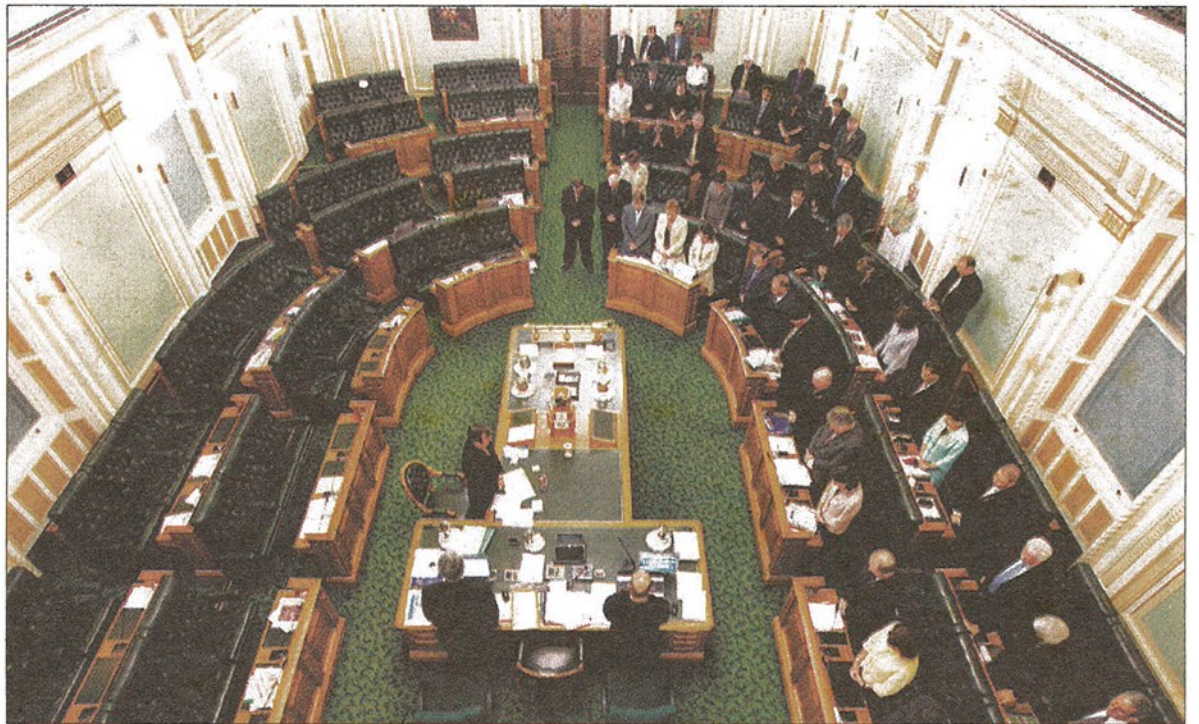
The standard to be met by a competent cabinet minister is high. The duties are, in some respects, akin to those of a managing director of a substantial corporation. Like a manager, a minister is responsible for the expenditure of large sums of money (hundreds of millions, if not more) and supervision of large numbers of staff (often measured in thousands). Like a director, a minister shares with others oversight responsibility for the whole organisation.

The public service is not a substitute for a competent minister. Even the best designed sports car underperforms if the driver lacks skill. The public service should transmit impartial advice, not drive the politics.

There is a structural reason for this problem. It affects both sides of politics.

The Queensland parliament has 89 members. To be in the majority, a party needs to hold at least 45 seats. Let us assume that the governing party holds, say, 50 of the 89 seats.

Queensland has 18 cabinet ministers. Thus, from a pool of 50 parliamentarians, the governing party needs to find 18 persons of cabinet calibre. It is improbable in the extreme that either side of politics can do that consistently. They are simply not able to attract that volume of talent into their parliamentary party. How does one redress this situation?



One remedy is to increase the supply of talent to the parliamentary pool, e.g. increase the remuneration. Even if such steps are taken, one is still left with the problem that the pool is very small.

Another remedy is to increase the size of the pool from which ministers are drawn.

Both sides of politics would benefit from an infusion of talent

One method of doing this would be to increase the size of parliament. However, even a 50 per cent increase in the number of MPs is not likely to create a pool of sufficient size, that over time it consistently will provide 18 people of the desired calibre on both sides of the political fence.

Another method is to allow a limited number of ministers to be recruited from outside parliament. That would increase greatly the pool of talent from which cabinet ministers are selected.

Such a reform should not undermine democratic principle. In particular, it should not, and need not, undermine the doctrine of responsible government. H.V. Evatt, the former High Court Justice and Labor leader, said that term "is frequently used to describe the method of government in which executive powers are required by custom to be exercised upon the advice of ministers controlling a majority in the popularly elected House of Parliament".

Safeguards may be introduced to ensure that ministers remain responsible to parliament. Those safeguards could include requiring that any minister who is not a Member of Parliament: "be confirmed in office by the Legislative Assembly; hold office only at the pleasure of the Crown and while he or she retains the confidence of the Legislative Assembly; can only be a minister for a limited number of years without becoming a Member of Parliament; attend before the Legislative Assembly as and when required by Parliament including for Question Time and before relevant Parliamentary Committees; and be one of a limited number, say five, ministers

who are not Members of Parliament."

This approach is not without analogy. At Commonwealth level, while the government is determined by control of the House of Representatives, ministers are drawn also from the Senate. Other Australian states that, unlike Queensland, have two Houses do the same. In the US, Secretaries of State are drafted from both inside and outside the Congress. In the private sector, public companies routinely recruit senior executives from beyond their existing staff.

Implementation of such a reform requires amendment of the state's Constitution. That is a significant exercise with its own complexities, but, given the structural nature of the problem, worth consideration.

Who is likely to oppose such a change? The obvious vested interest is sitting MPs.

Notwithstanding potential opposition, such a reform will facilitate improvement of the quality of state government administration.

Andrew Lyons is a Brisbane barrister. This is an edited version of an article that appeared in *Hearsay*, the journal of the Bar Association of Queensland

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